

Stricter Sex Law Decried

Kinsey Warns Tougher Penalties Tend to Cut Efficiency

BY ELIZABETH McFADDEN

Stringent stiffening of penalties for sex offenders, urged after every wave of sex crimes, would, paradoxically, decrease efficiency of laws aimed at controlling the problem.

Dr. Alfred C. Kinsey, statistician and author, gave this view to the New Jersey Commission for Study of the Habitual Sex Offender at a meeting in Trenton Monday. It was made public yesterday in a report by Dr. Paul Tappan of Leonia, commission technical adviser. The conference was one of several held to obtain information on which to base recommendations for action at the next session of the Legislature. The commission's findings will be delivered to Governor Driscoll February 1.

According to the report of the Trenton meeting, Kinsey said: "As the sex laws become more strict, as they have attempted to impose heavier penalties, they have become impossible to enforce. If you make the penalties heavier you will have less enforcement than you have had in the past. You can't get a jury in Chicago to convict under their sex psychopath law. I don't like to be pessimistic but I think by increasing the penalties you are decreasing its efficiency."

Kinsey added that when laws provide an indeterminate commitment to a mental institution for sex offenders, "the actual result is that you get to the point where courts refuse to employ the law."

Differentiating between nuisances and menaces, Kinsey said future legislation here should be directed only toward repetitive, compulsive sex acts in which there is an employment of force or coercion and the element of age disparity.

The lack of enforcement of laws already on the books was underscored by Dr. Philip Q. Roche, chairman of the Committee on For-

The need for treatment facilities was stressed by Dr. Lewis H. Loesser, Newark psychiatrist, who drew sympathetic attention from Dr. F. Lovell Bixby, deputy director of the State Department of Institutions and Agencies. Dr. Bixby indicated the department has been considering recommendation of a small research and treatment center for "intensive experimental work on a limited number of the more serious cases."

Emphasizing the local and practical aspects of coping with the problem of sex offenders, Bergen County Prosecutor Winne asked: "What are we going to do about the cases that never get to court? I have seen them when they begged for help. Every week someone is picked up and wants to be helped and doesn't know how to get help." (Experts appearing before the commission have estimated the percentage of such cases that don't "get to court" is as high as 95 per cent.)

From Dr. Brancale and Dr. Loesser, Winne drew suggestions for a comprehensive public education program, initiated by the commission, to stem public hysteria and increase dissemination of information about treatment facilities.

A similar request was turned down in 1946 but at that time the council said its refusal would not be prejudicial to future applications. The commission's decision to repeat its application came after five municipalities which it serves—Elizabeth, Irvington, Bloomfield, Glen Ridge and Bayonne—asked for a total increase of more than 36,000,000 gallons of water daily.

Other municipalities in need of additional water have until Wednesday to file similar applications for increases with the commission.

The Ramapo plan would cost about \$4,000,000 and two years would be necessary to install pipes to carry water the four miles from the Pompton falls to the reservoir. If those facilities were available today, the commission feels, there would be no doubt that the Wanaque reservoir could be adequately replenished during the Winter.

Wide Area Dries Up

A tour of the Wanaque system yesterday with Charles R. Ziegler, supervisor of mechanics with the North Jersey District Water Supply Commission, showed that much

of the area which normally contains water is now completely dry.

At the reservoir's northern end, what is normally a large lake is now only a small stream, and land usually covered by 30 feet of water is only mud cracking under the sun.

Plainly visible is the old road from Wanaque to Greenwood Lake;

Beautiful Day Now Means Rain to Him

Charles R. Ziegler, supervisor of mechanics at the Wanaque reservoir, is justifiably peeved at the rainless weather which has lowered water reserves to a critical point. He said yesterday:

"The man on the radio this morning kept talking about 'another beautiful day.' Who wants

As a result, the Wanaque system has, since October 8, had to resort to its pumps to force water over hilly terrain to its metropolitan users. This marks the first time in the reservoir's 20-year history that pumps have had to be used.

Ziegler estimates that 20 inches of rain, an amount so staggering as to be impossible in this climate in one season, would now be necessary to fill Wanaque to capacity.

Law Compels Waste

At the same time, ironically enough, Wanaque has a daily waste of 10,000,000 gallons. That much water, Ziegler says, flows out daily through an outlet overflow which is required by Federal law. That water is largely wasted, most of it finding its way to the Passaic River. The waste is enough to supply Wanaque's users with three days' water in every month.

At the Pequannock system, the story is much the same. Thomas J. Byrne, superintendent of the watershed, said yesterday: "If peop-

don't cut down voluntarily, there won't be any water next Summer."

Of Pequannock's four main reservoirs, Byrnes gave this picture: The largest, Oak Ridge, is completely empty. The only visible water there yesterday was that flowing through Oak Ridge from another reservoir.

Clinton Reservoir, the next largest, is down 21 feet. Canistota Reservoir is down 15 feet, and Echo Lake can be drawn on for only about four more feet of water.

Won't Be Enough

Byrne said that, in normal years, the Fall rains provide enough water to keep reservoirs at capacity. Those rains did not come this year.

"Now, even with normal rain and snow through Spring," Byrne said, "there won't be enough."

Wanaque furnishes North Jersey with about 120,000,000 gallons daily. Pequannock furnishes an average of 40,000,000 gallons, and has gone as high as 70,000,000 gallons. Despite drought conditions, they have furnished more water this year than ever before.

It's Up to the Public

Both Ziegler and Byrne summed things up this way: That the public has always considered water as free and plentiful as air, so it is hard for the public to realize how threatening the present situation is. Both stress that, despite talk of strict conservation measures, the only practical conservation must be practiced voluntarily by the public.

For both Ziegler and Byrnes, the seriousness of the situation also points to the need of a space in North Jersey that the expansion of industry and construction of a storing water. Warned Byrne, water is crying.

example. Every factory and business water is needed. More and more needed."

Meanwhile, the Passaic River. In a normal year it receives 47.14 inches of water a date just 31.37 inches and only 11.26 inches on June 1. The lake is 13.25 inches below normal period.

ensic Psychiatry of the Group for the Advancement of Psychiatry, who said Pennsylvania's Greenstein Act is almost never used. This statute provides for commitment of an offender diagnosed as mentally ill and bans his release until both the hospital superintendent and the court declare him "cured."

Lauds Jersey Method

Dr. Roche lauded the present New Jersey method of handling such offenders by channeling them through a central diagnostic clinic. Through this method, Dr. Roche pointed out, Dr. Ralph Brancale of the Menlo Park Diagnostic Center has an opportunity to get a clear insight into the problem throughout the state.