LEGISLATION providing for segregation because of habitual intoxication or use of drugs occupies a position intermediate of that concerning treatment for crime and that of treatment because of mental abnormality. It makes habitual intoxication a form of repetitious criminal conduct—if it can properly be called such—which in and of itself calls for segregation longer than mere punishment would justify. On the other hand, many of the statutes, e.g., California, Michigan, New York, permit such segregation, not “until cured” as in other states, but for a specified period only.

**Alabama.** Code (1940) tit. 22, sec. 249 ff. Persons who habitually use narcotic drugs “so as to endanger the public morals, health, safety, or welfare” or who are “so far addicted to the use of such drugs as to have lost the power of self-control with reference to his or her addiction” may be committed to a private institution if able to pay for cure there, otherwise to some hospital or institution owned by the United States. “The care and treatment of persons committed under this section shall be designed to rehabilitate them and restore them to mental and physical health.”

**California.** Codes, Gen. Laws and Const. (1939 supp.) Welfare and Institutions Code, sec. 7100 ff. “Chronic inebriates,” who are defined as persons “so far addicted to the use of alcoholic beverages as to be unable or unwilling to continuously abstain from their use . . . and who . . . endangers himself or the person or property of others . . .” may be committed to a “state inebriate colony” for a period of not more than two years.

**Colorado.** 3 Stats. Ann. (1935) ch. 58, sec. 27. Any person addicted to the use of drugs “in a manner contrary to the public wel-
fare” may be committed to a state, county, or city hospital or institution or to the common jail of the city or county. The person may be discharged whenever it appears to any magistrate that such person is no longer addicted to the use of drugs or in the discretion of the magistrate.

 CONNECTICUT. Gen. Stats. (1930) sec. 1791. “Habitual drunkards . . . so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control” may be committed “to some inebriate asylum in this state” for indefinite treatment.

 DELAWARE. Rev. Code (1935) 4100, sec. 205. Persons addicted to the use of drugs in a manner contrary to the public welfare, the use of which is not prescribed by a physician, may be committed to a State, County, or City hospital or institution. “Whenever it shall appear to any Justice of the Peace that such person is no longer addicted to the use of the aforesaid drugs in a manner contrary to the public welfare, or in his discretion, he may order a discharge from such commitment. . . .”

 FLORIDA. Stats. (1941) sec. 398.18. Persons who habitually use narcotic drugs so as to endanger the public morals, health, safety, or welfare may be committed to an institution for treatment. “The care and treatment of persons committed . . . shall be designed to rehabilitate them and restore them to mental and physical health.” The physician or superintendent in charge of the institution may parole persons committed, but they shall be discharged only by the committing magistrate or his successor on the recommendation of the superintendent or physician in charge.

 GEORGIA. Code Ann. (1933) sec. 42-818. Persons who use narcotic drugs “so as to endanger the public morals, health, safety, or welfare” or who are “so far addicted to the use of such drugs as to have lost the power of self control” with reference to their addiction may be committed to an institution for treatment. “The care and treatment of persons committed under this section shall be designed to rehabilitate them and restore them to mental and physical health.”

 IDAHO. 3 Code Ann. (1932) sec. 64-216. “. . . any person . . . so far addicted to the intemperate use of narcotics or stimu-
lants as to have lost the power of self-control, or is subject to dipsomania or inebriety” shall be committed “for a definite period, not to exceed two years” and “confined in one of the state insane asylums.”

Iowa. Code (1939) sec. 3478 ff. “Persons addicted to the excessive use of intoxicating liquors” may be committed to an institution designated by the board of control, there to be “retained in custody until cured.”

Louisiana. 2 Gen. Stats. (1939) sec. 3308. “The habitual use of cocaine, opium or its derivatives, except as administered, prescribed or dispensed by a physician, is hereby declared to be dangerous to the public health and safety.” A person addicted to their use may be committed to an institution and may be discharged whenever the chief medical officer of the institution certifies that he has been sufficiently treated.

Maine. Rev. Stats. (1930) ch. 22, sec. 131. “A person, alleged to be suffering from the effects of the use of an opiate, cocaine, chloral hydrate, or other narcotic may be committed to the care of any general hospital receiving aid from the state.” The person may be restrained no longer than 90 days.

Maryland. Ann. Code (1939) art. 16, sec. 56. Habitual drunkards, that is, persons habitually addicted to the use of alcohol, opium, cocaine, morphine, or any other intoxicant, may be committed to an institution for a period of time necessary for complete reformation.

Massachusetts. 4 Ann. Laws (1933) ch. 123, sec. 62. A person “who is subject to dipsomania or inebriety either in public or in private, or who is so addicted to the intemperate use of narcotics, habit-forming stimulants or sedatives, as to have lost the power of self-control” may be committed to the state farm, or other designated institution for a period of not more than two years.

Michigan. 2 Comp. Laws (1929) sec. 6885. (Mich. Stats. Ann. § 14.808.) Persons “adjudged to be so addicted to the excessive use of intoxicating liquors, or narcotics or noxious drugs, as to be in need of medical or sanitary treatment . . . for whose person a guardian has or may be appointed” may be committed indefinitely.

Mississippi. Code Ann. (1930) ch. 50A, secs. 296, 297. Habitual users of narcotic drugs who endanger the public morals, health, safety,
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or welfare, or persons so far addicted as to have lost the power of self-control with reference to their addiction may be committed to an institution to rehabilitate them and restore them to mental and physical health.

Montana. 1 Rev. Codes (1935) sec. 1445 ff. Dipsomaniacs and inebriates "who shall have been regularly examined and found of unsound mind as a result of the use of any such intoxicant or drug" may be committed to the "state hospital for inebriates" until cured.

New York. 23 McKinney's Consol. Laws Ann. (1938) sec. 139-a (2). A person who is "dangerous to himself or others, by reason of habits of periodical, frequent, or constant drunkenness . . ." may be committed for a period of from one to three years.

North Carolina. Code Ann. (1935) ch. 43, secs. 2284, 2285. Inebriates may be committed to the state hospital for treatment and cure. An inebriate is defined as "Any person who habitually . . . indulges in the use of intoxicating liquors, narcotics or drugs to such an extent as to stupefy his mind and to render him incompetent to transact ordinary business with safety to his estate, or who renders himself, by reason of the use of intoxicating liquors, . . . dangerous to person or property, or . . . cruel and intolerable to his family . . . ."

Oregon. 3 Comp. Laws Ann. (1940) sec. 24-636. An habitual user of narcotic drugs is deemed a vagrant and on conviction shall be punished as for vagrancy (sec. 23-1311).

Pennsylvania. Purdon's Stats. Ann. (1938) tit. 50, sec. 911. Persons so addicted to intoxicating liquor as to be in need of restraint, care, and treatment may be committed on application of wife, husband, child, etc.

Tennessee. Michie's Code Ann. (1938) sec. 4783 ff. Inebriates, dipsomaniacs, and drug habitués may be committed in the same way as persons of unsound mind to institutions for their detention and treatment. A commitment is not to exceed two years.

Vermont. Laws (1934) No. 1, sec. 67. "A person who, within a period of one year, has been three times convicted of being found intoxicated shall, if the court . . . so orders, be taken . . .
for treatment at the expense of the state to the state hospital for the insane until further order of the court.”

*Virginia.* Code (1942) sec. 1068. “Any person who through use of alcoholic liquors or habit-forming drugs, has become dangerous to the public or himself, and unable to care for himself or his property or family, and for either of these reasons has become a burden on the public” shall, if found in the above condition, be committed to a state hospital for the insane “to be kept and held there until the superintendent of that institution shall declare such person cured and restored to his normal condition. . . .”

*Washington.* 4 Remington’s Rev. Stats. Ann. (1932) sec. 2509–6. Health officers are empowered to make examination of persons reasonably believed to be habitual users of narcotics, and to require such persons to report for treatment to an approved physician, and to continue treatment at their own expense until cured, or to submit to treatment, provided at public expense, until cured, “and also to isolate or quarantine habitual users of such narcotic drugs or their derivatives. . . . Provided, that such habitual users shall not be isolated or quarantined until the state board of health shall first, by general regulation, determine that the quarantine or isolation of all habitual users is necessary.”

Sec. 2509–7. Prison authorities of any state, county, or city prison are directed to make available to the health authorities such portion of their prisons as necessary for a clinic or hospital “wherein all persons who may be confined or imprisoned in any such prison, and who are habitual users of said drugs or their derivatives, may be isolated and treated at public expense until cured, or in lieu of such isolation . . .” must report to own physician, etc.

Vol. 10, secs. 10242–1 ff. establish a state narcotic farm colony.

*Wisconsin.* Stats. (1941) sec. 161.28. Drug addicts may be committed to an institution for the treatment of drug addicts for not less than six months, or until cured of their addiction, but not exceeding one year.