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## Need of New Criminological Classification

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## THE NEED OF NEW CRIMINOLOGICAL CLASSIFICATION.

A. BULLARD.<sup>1</sup>

Our existing statistics on crime are admittedly unsatisfactory. My own experience—probation work for the Prison Association of New York, parole work for the Elmira Reformatory, investigations for the New York State Commission on Immigration and for the Russell Sage Foundation—falls in with the general verdict. The foundations on which we are trying to build a science of criminology are unreliable. The conviction grows steadily that the fault lies with our *system of classification*. The terms which we use in describing crimes, the categories in which we try to arrange criminals, are survivals of medieval law-courts. However much definiteness they may once have had, they are without validity for modern science. "Larceny," for instance, covers too great a multitude of sins to be of any use in classification. Even the recent subdivisions of the categories, into grand larceny in the first degree, grand larceny in the second degree, has been of little help.

From the mass of cases now under my observation, here are three—all labeled "grand larceny in the second degree."

(a) A young Swiss, the son of a doctor in a smart resort, accustomed to luxury, a graduate of the University of Berne. He quarreled with his father over a love affair, came to this country at the age of twenty-one, with a fair knowledge of English, fluent in French, German and Italian. He lived riotously while in funds, and between remittances from home worked in restaurants. At the time of his crime, he was head checker in a large French restaurant. The mishap of a horse at Sheepshead Bay and the exigencies of a notorious Tenderloin beauty led him to take a hundred and fifty dollars from the cash drawer. Three days after the grand jury had returned an indictment against him, to which he plead guilty, a large sum of money reached him from his home, and he paid back what he had stolen. He was sent to the Reformatory in spite of the intercession of his employer—the complainant. The fact that there were several thousand dollars in the cash drawer from which he took one hundred and fifty adds weight to his claim that he hoped to pay back the money before the theft was discovered.

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## NEW CRIMINOLOGICAL CLASSIFICATION

(b) Peter ——— is an Irish truck driver, second generation. He served through the Spanish War in the regular army, and for the last few months was a quartermaster sergeant in the Philippines. His discharge papers show an unusually good record. He left the army to marry, and since had been driving for one employer at twenty dollars a week. At the time of his arrest he was twenty-nine years old and had a humble but decent home for his two children. His wife tells me that he went on sprees two or three times a year, but never mistreated her. One day he had made all his deliveries, except a steam launch propeller of bronze compound, valued at \$130. As he was driving up West Street, he was recognized and greeted by an old army mate, a man still in the service and in uniform. Peter tells me that his friend, whom he had not seen since they parted in Manila, was already pretty drunk. Peter got off his wagon and began to drink with him. He doesn't remember what happened afterwards. Late that night the driverless wagon was found by the police, the propeller was missing. It was later recovered from a ship chandler, suspected by the police of being a "fence," who claimed to have bought it from a "tall blonde man who was perfectly sober." When he woke up the next morning in a Bowery dive, he reported at once to his employer. He said he vaguely remembered spending a good deal of money, whether his friend had had it or whether they had sold the propeller he was not sure. The judge was impressed with Peter's good record and the evident respectability of his wife. He would probably have received suspended sentence, if he would have named his soldier friend but he stubbornly refused to "give up" and went to prison.

(c) Abram ——— is an intelligent young East Side Jew. His mother lays his downfall to the fact that when thirteen years old he went to work as a bell-boy in a flashy hotel. He certainly acquired a very cynical knowledge of gilded vice in this place. When about fifteen he was arrested with the hotel clerk and two old offenders for blackmailing a respectable banker who kept his mistress in the hotel. He was sent to a Juvenile Reformatory. But he had tasted "easy money" and was much older than his years. A few months after coming out he was again arrested for blackmailing and returned to the same institution. There he seems to have decided that picking pockets was a better business. As he said to me: "Blackmailing is the easiest there is—if you were only sure of the get-a-way. But it's too dangerous." He says he made more money blackmailing even as a youngster than as an expert pick-

pocket. Since his second discharge from prison he has been arrested and taken to the Central Office so often he "can't remember." The records show that he was ordinarily picked up on a crowded street car or in a theatre lobby in the company of notorious pickpockets. But for two years he was always able to "beat it" in the police court. At last they caught him in the act. He is now in the Reformatory—a model inmate. He is remarkably frank—tells me he has had enough of prison and is not going to take any more risks. I judge that he is planning to be a "cadet" when he comes out, as that in his mind seems to combine the easiest money and the least risk. He is also considering the possibilities of polite begging. He will probably combine the two. These are three cases of grand larceny in the second degree: Anyone who is doing court work could reproduce such absurdities *ad infinitum*.

Criminology must determine the causes of crime. The causes back of these three cases of grand larceny are as diverse as the germs of malaria, chickenpox and the plague. Until we have realized and expressed in our classification—that crime is as complex and varied a mass of phenomena as disease, we will make little progress towards controlling it.

This need has, of course, been recognized before. The efforts of the Italians to popularize the terms "born," "habitual" and "occasional criminal" was intended to meet this need. But it is a too simple formula. We need at least a binominal terminology. We must distinguish the "habitual thief" from the "habitual counterfeiter," the "occasional robber" from the "occasional murderer." Even a tri-nominal nomenclature might be tried. The first term to indicate the motive—anger, lust, greed; the second term to give the nature of the crime—burglary, manslaughter, forgery; and the final term might describe the offender—born, habitual, occasional. Even a more complicated system would be better than our present slipshod indefiniteness.

We must develop really distinct categories. Today we class "seduction" as a crime against public morality. When the codes were first written, it probably was a crime of lust. In our modern city courts, it more often has "easy money" for a motive. At least half the murders which we class as crimes against the person, which are supposed to be crimes of anger—are in reality efforts to get money. Most of the assaults which take place about the polling booths at election times are on behalf of the party with the larger corruption fund. Until we recognize the intricate variety of crime,

## NEW CRIMINOLOGICAL CLASSIFICATION

we will make little progress. It is puerile to look for the same causes back of sexual perversion and burglary. We have worked from the wrong end. We should base our categories—as every other science has done—on observed facts. We need a large body of data—a mass of recorded cases.

In two or three places—city, town and village—bureaus should be established for scientific investigation. Every case which comes into court should be recorded on uniform blanks. Space should be given first for a description of the act committed, more than the legal term for the crime, giving some idea of the setting, of the amount of damage done, etc. Then should be recorded the offender's physical and mental status and his own account of the crime. Considerable space should be given to his history—not only his penal and police record, but of his parentage, home, education and manner of gaining a livelihood. In the boroughs of Manhattan and the Bronx alone in New York City, there are about 5,000 convictions of felonies a year. A compilation of this data for five years—carefully studied by a group of recognized students—would give us a classification which would fit the conditions of American life. Such a result would go far—must be the first step—towards solving the problems of crime. It would give us accurate knowledge—which we now lack—as to what crime really is. When we know that, we can hope to control it.