

1912

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Recommended Citation

Joseph A. Hill, Recent Federal Census of Prisoners, 3 J. Am. Inst. Crim. L. & Criminology 32 (May 1912 to March 1913)

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THE RECENT FEDERAL CENSUS OF PRISONERS.

JOSEPH A. HILL.

A statement recently issued by the Bureau of the Census gives the total number of sentenced prisoners confined in prisons and jails on January 1, 1910, as 113,579; and the number committed to prisons or jails during the calendar year 1910 as 479,763. The Bureau fully recognizes that without further analysis these totals, published in advance of the complete report, possess no value as a measure of criminality, since they include every degree and variety of offense from disorderly conduct to murder in the first degree. But when the returns have been classified by nature of offense, by duration and character of sentence, by sex, age, and nativity of the offender, as they will be in the final report, they will constitute a valuable source of information regarding crime and criminal classes. This will be particularly true of the returns of commitments; for these returns when classified and analyzed will furnish an accurate measure of the crime which was detected and punished during the year 1910 exclusive of those minor offenses which are punished by fines without imprisonment.

This is the second time that the Bureau of the Census has compiled complete statistics relative to the prisoners committed during one year, the first compilation of this sort being that made in connection with the prison census of 1904. Prior to that census, federal prison statistics related almost exclusively to the prison population, or the number of prisoners present on a given day. Statistics of prison population are, however, of little value as an indication of the criminality of any community, because they afford no measure of the number of crimes or offenses punished within any fixed period of time. They are, moreover, misleading as regards the relative number of serious and petty offenses, since owing to the accumulation of long term prisoners, committed for serious offenses during an indefinite period prior to the date of the census, the proportion of serious offenders in the prison population necessarily greatly exceeds the proportion of such offenders in the total number of those sentenced during any given period. For instance, as regards a crime punished by five years' imprisonment, the enumeration of prisoners on a given day includes the accumulation of commitments for the previous five years, but as regards an offense punished by ten days' imprisonment, the prison population includes only the accumulation of the preceding ten days.

It is the statistics of prison population to which Professor Robinson refers in his review of federal criminal statistics when he says: "These

FEDERAL CENSUS OF PRISONERS

statistics have passed among the general public for much more than their true worth. In reality they tell little or nothing of criminality in the United States.²¹ This criticism, however, does not apply to the federal census of prisoners considered as a whole in its present stage of development. In fact, the defective and unsatisfactory character of statistics of prison population as a measure or even an indication of the frequency and prevalence of crime was long since recognized by those who were responsible for the organization and conduct of this branch of the work of the Census Bureau. Accordingly when the last previous census of prisoners was taken in 1904 the range of the work was extended to include data relative to the commitments occurring within a period of one year; and the larger part of the report presenting the results of that census was devoted to an analysis of these data. The statistics relative to the prison population on a given day were relegated to a position of secondary importance, although they were retained as furnishing the only basis of comparison with prior censuses and as having a certain value in themselves.

Mention may be made of one or two new features in the administrative organization of the prison census. The returns are usually obtained from some officer or employe of the prison or jail, who, for this purpose, is commissioned as a special agent of the Census Bureau. In 1904 the return of prison population was made at the beginning of the year on a sheet schedule with a line for each prisoner enumerated, and a similar schedule was used in making the report of commitments during the year, the return being made at the end of the year. At the census of 1910, however, the returns of commitments were made on individual cards, one card, that is, for each prisoner sentenced, and the cards were sent in to the Census Bureau every month. There is no doubt that this change has contributed greatly towards making the census of prisoners more complete and accurate than it was before.

The details asked for as regards prisoners committed included the following data: (1) Name of prisoner; (2) Date of commitment; (3) Sex; (4) Race; (5) Age; (6) Marital condition; (7) Country of birth, (a) of prisoner himself, (b) of prisoner's father, (c) of prisoner's mother; (8) Years in the United States (for prisoners of foreign birth); (9) Ability to speak English, and language spoken if not English; (10) Ability to read and write; (11) Occupation before commitment; (12) Offense for which committed; (13) Nature of sentence; (14) Term of sentence; (15) Amount of fine.

The recent prison census is believed to represent a distinct advance as compared with the preceding census in one or two other particulars.

²¹Louis N. Robinson: History and Organization of Criminal Statistics in the United States. P. 37.

One very important improvement results merely from the change in the date of the prison census to make it coincide with the decennial year in which the general population census is taken. This should perhaps be referred to as a return to the earlier practice which was unwisely departed from in the case of the prison census of 1904. As regards the censuses prior to that of 1904, however, synchronism of the prison with the general population census was, in fact, of small advantage, since the data obtained at the prison census did not afford any adequate basis for significant comparisons. The great advantage now of having the prison census cover the same year as the general population census is that the classification of the prisoners sentenced during that year by age, sex, nativity, etc., can be compared with the corresponding classification of the general population, thus affording a basis for computing rates showing the ratio which the total number of sentenced prisoners in a given age, sex, and nativity class bears to the total number of persons in the same class. In the 1904 report on prisoners the only rates that it was deemed practicable to present were those based on the total estimated population classified by sex. That is to say, the report in this respect went no further than to show the ratio which the number of prisoners of each sex committed for all offenses or for a given class of offenses bore to the total estimated population of the same sex.

To have gone further than this and have undertaken to compute ratios for age and nativity classes on the basis of an estimated classification of an estimated population would have involved too great an element of uncertainty to warrant any safe and definite conclusions. Four years had elapsed since the last previous general population census and the influence of immigration alone had no doubt effected material but incalculable changes in the composition of the population as determined by age, nativity and race. As regards the recent prison census, however, we have as a basis for ratios the population actually enumerated in the same year and tabulated and classified for the purposes of the general population census. This circumstance will add very materially to the value and significance of the statistics of commitments. It will be possible, for instance, to ascertain what proportion of Italian immigrants of a given age class were sentenced to prisons or jails for a specified offense or class of offenses during the year 1910, and to compare this with the proportions shown for other classes of immigrants or for the native population. This ought to throw some light upon the relative criminality of the various elements of our composite population, a subject in which there is naturally and properly a profound popular interest.

Another point of difference in the recent prison census as compared with the previous one is the inclusion of prisoners committed for non-

FEDERAL CENSUS OF PRISONERS

payment of fine. This class, it is true, was included in the prison population census of 1890; but in 1904 it was omitted on the ground that there was no record of those fines which did not result in imprisonment, so that the statistics would be only a partial presentation of facts as to finable offenses. Further consideration of the question, however, resulted in the conviction that it was better to include this class so that the record of the movement of prison population might be complete. In the final tabulation the cases of imprisonment for non-payment of fines will be segregated and, therefore, will not complicate comparisons with the prior census, which as just stated did not include such cases.

Another new feature of the present census will be the statistics relative to the prisoners discharged or dying during the year. The attempt made to secure these statistics in 1904 was not successful, but this time the record will be practically complete.

When the tabulation of the 1910 data is completed we shall have for the first time some basis for determining the increase or decrease from one census to another in the volume of punished crime; for as regards the number of prisoners sentenced to imprisonment for a given crime or class of crimes we can compare the record of the years 1904 and 1910. On the assumption that the ratio of crime punished to crimes committed has undergone no material change, the comparison will at the same time afford some indication of changes in actual criminality. Of course all such comparisons will have to be made with caution and with due allowance for disturbing factors. Probably the assumption of an unchanging ratio of crime punished to crime committed is less doubtful in case of the graver crimes than it is for the minor offenses and misdemeanors. But the graver crimes are the ones which are the most significant as a measure of the degree of criminality or lawlessness prevalent in the community.

There is then a fair prospect at this census of achieving results beyond those hitherto attained in the field of federal criminal statistics, by producing a report which, taken in connection with the report of the preceding census, will throw much light upon the movement of crime and its relative prevalence in different communities and different classes of population. Congress, however, has not felt justified in appropriating for the Census Bureau a sum sufficient to permit of the continuation of this branch of the work. The schedules of the census of prisoners had practically all been received and the work of checking and verifying them preparatory to tabulation was well under way. But the work has now been stopped. It is presumed that ultimately means will be provided for completing a work of such popular interest. Nevertheless delay means loss of effectiveness and accuracy.