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STATISTICS OF CRIME¹

REPORT OF THE COMMITTEE OF THE AMERICAN PRISON ASSOCIATION.

WILLIAM T. CROSS,² *Chairman.*

This is a statement in simple terms concerning public organization to secure criminal statistics. The report itself is not statistical. The problem before your committee is elementary. There is no need to use technical terms or to indulge in elaborate argument.³

The lack of a rational, comprehensive system of criminal statistics in the United States is one of the worst evidences to condemn us in the eyes of the scientific world. It is at the same time probably the most pervading fault in our public organization to combat crime. Upon this American Prison Association, more than upon any other body, rests the responsibility for improving this unsatisfactory situation.

In this report we shall state the relation of good statistics to success in the treatment of crime and to the objects of the Prison Association. We shall review your treatment of the subject in the past. The present plan of statistical organization in the United States will be described briefly and criticised, and the plans of foreign countries will be cited. It will be shown wherein our present arrangements are a positive obstacle to well-intentioned efforts to improve the crime situation in any community. On this basis we shall outline the essentials of a good plan of organization, and shall propose to you that the Prison Association this year take certain definite steps to improve conditions.

The best brief for the existence of this Committee on Statistics of Crime is to be found in the statement of the purposes of the Prison Association itself. These were named at last year's meeting as follows:

The American Prison Association was organized, and is maintained, for certain purposes, as follows:

1st. For the improvement of the laws which deal with offenses and offenders, and of the procedure of their enforcement.

2nd. To study the causes of crime and of the social surroundings of offenders, and the best methods of dealing with the latter, and of preventing the former.

¹Read at the Annual Congress of the American Prison Association, Buffalo, October, 1916.

²General Secretary of the National Conference of Charities and Correction.

³In simplifying the presentation, however, it has been necessary to leave many assertions without that support which a purely scientific paper would require.

3rd. The improvement of institutions wherein offenders are found.

4th. The after-care of prisoners, and especially such as give evidence of reformation.

"For the improvement of laws."—Since the beginning of the science of statistics in Germany, a hundred and fifty years ago, it has come to be universally recognized that in a complex, modern State no means other than statistical evidence will suffice as a reliable basis for the development of public policy.

"To study causes, surroundings, and methods."—Just as soon as the number of individuals handled by any court, institution, or other agency, exceeds a few score, it becomes impossible for any superintendent or warden to carry in mind the wide series of facts about each one which are significant in the matter of successful treatment. Carefully compiled statistics are as imperative in a scientific study of the treatment of crime as a letter file is for orderly correspondence.

"The improvement of institutions."—The chief significance of an institution lies in the fact that it is of greater social concern than the whims or arbitrary acts of any individual, or even the ideals of any one generation. Its intelligent operation must be established beyond the shadow of doubt upon irrefutable objective facts which any party in power or any generation may understand.

"The after-care of prisoners."—This is one of the specific divisions of a good system of treatment of crime. There is no other part in the process of treatment so opaque and discouraging for lack of reliable statistics as that of the after-careers of inmates of our penal institutions.

The American Prison Association is one of the oldest extant organizations for the discussion of practical social reform. Year after year it has been meeting to thresh over complex questions of human welfare and even of eternal destiny. Heated issues have gone unsettled for lack of comparable facts. Some of the most important problems have been avoided because exact and extensive statistics were not to be had. For these many years the course of improvement in administrative methods has been obstructed by the one big boulder of meager and well-nigh useless statistics.

So much has been said by authorities on this subject in comparison with what has been done that little room is left for useful investigation. In 1885 there was appointed a committee under the chairmanship of the late Dr. Fred H. Wines to advocate before Congress better organization for securing criminal statistics. Except for

this action, the earlier meetings of the Association are almost devoid of effort to bring about reform. In 1903 the matter was brought to your attention again forcibly under the leadership of Mr. Eugene Smith, President of the New York Prison Association. For a time there was a deluding prospect of effective reorganization under the leadership of the federal census office. Since 1904 you have had continuous discussion of the problem. A parallel effort has been made, apparently with greater vigor but with as little show of success, in the recently organized American Institute of Criminal Law and Criminology.

Nothing is more evident from these discussions of former years than that words are becoming of little avail and that the time for constructive action has arrived.

What have we to build upon?

One naturally would like to turn to a single source to find facts of every description about the crime situation in the United States. That source would be the government at Washington. But the federal government is a first-hand source only to the extent to which it actually conducts the system of apprehension, trial, and subsequent treatment of offenders. Courts are organized by the United States in certain restricted jurisdictions. Persons suspected of crime may be apprehended by federal officers. They may be confined in local jails, for the most part under municipal, county, or state control. The government conducts penitentiaries and reform schools, and to a certain extent the institutions operated by the States are utilized. There is also a system of federal parole. The government likewise operates the institutions and other agencies of the District of Columbia. The federal institutions publish individual reports similar in type to those of our state institutions. The remainder of the statistics of the federal government, so far as they are gathered through direct administrative channels, are comprehended in brief reports of the attorney-general.

Federal statistics of crime we most commonly understand to mean the publications of the Bureau of the Census, whose reports more recently relate to the populations of prisons only, and are limited to a few common facts. These reports are so familiar to you and so easily accessible that they need not be described. For prisoners in institutions at the time of the decennial enumeration eight questions were asked. For this purpose and for an account of those committed to or leaving the institutions by discharge or death during the year 1910 local prison officials were deputized as census agents. They

were required to fill out and return for each prisoner a schedule of nineteen questions in case of commitments and ten questions in case of discharge or death. This represents the modern development of a situation in regard to the census that has been improving slowly since it was inaugurated in 1880.

There are many obstacles to satisfactory census results in this field, and still progress has been made. The series of facts now available are of considerable usefulness and a fair degree of reliability. From an administrative standpoint they are important in determining the volume of business of the various institutions and in making comparisons according to certain simple standards. In the same rough way they give us an idea of the extent to which the prevailing methods of institution treatment are in use. As a measure of the amount of crime in relation to the general population these statistics lend aid, though some authorities seem to regard them as being scarcely more than a tantalizing mirage. For the more refined objects of criminal statistics the census results are of small value. It is to be questioned whether they are ever used as a basis of specific legislative reforms.

These census statistics consist exclusively of institutional statistics of crime. Only twice, during the administration of Dr. Wines, and later, in 1906, at the time of securing the resolution to gather judicial statistics, has the census attempted to gather and tabulate the more important facts recorded by the courts.

The penal statistics of most countries are secured through the ordinary channels of administrative control. It is, therefore, natural for us to inquire what our institutions and other agencies themselves may be doing directly or through the state boards and bureaus under which their government may be centralized. Mr. John Koren, in a report in 1910 to the American Institute of Criminal Law and Criminology, and Professor Louis N. Robinson, in a separate treatise on the *History and Organization of Criminal Statistics in the United States*, have given us excellent summaries of the meager and diverse plans of organization of the various States. Judicial criminal statistics are gathered with varying degrees of regularity and completeness by twenty-five States. Criminal statistics, as obtainable from institutions, are gathered for the most part by state boards of charities and correction or similar bodies in twenty-three States. Massachusetts, where the system is organized under the Bureau of Prisons, offers one of the best examples. Statistics of both the courts and the institutions suffer for lack of comparability as between States, and as between

judicial and prison statistics within a State. The fact that the public, and even the members of this Association who have special interest in these matters, have little knowledge of such statistics from their own States is evidence of the limited usefulness of the results obtained. The statistics for the most part are gathered in a crude fashion, and published, if at all, with little scientific analysis. The primary faults of the judicial statistics are their lack of scientific, standardized classification and definition of crimes, and of facts descriptive of the social condition of the criminal and the circumstances of the crime. The chief faults of the institution statistics are their meagerness, lack of uniformity and unreliability and the limited use made of them by the central authority.

There is special reason for the Prison Association to be interested in the institutional statistics of crime. From the beginning, this body has consisted chiefly of prison officials. Judicial statistics are at the present time under effective discussion in our sister organization, the American Institute of Criminal Law and Criminology. More ample observations on the subject of institution statistics would, therefore, seem to be appropriate.

Our penal institutions are naturally classified as local and state. The state prisons and reformatories are better represented than the smaller local institutions in the Prison Association. Moreover, their facilities for recording statistics are far superior, although local officials have access to a wider range of facts. All the state institutions publish reports, usually lengthy. There seems to be no statistical agreement among the publications of any State or among similar institutions, such as penitentiaries, in the different States. There has been little attempt to make the statistics of any institution of maximum usefulness in solving the crime problem.

The biennial report of a certain penitentiary, one of the largest in the country, may be used as an example. At the beginning there are brief tables in the running report of the warden, showing the movement of population and *per capita* cost and earnings. Then follow exhibits: where the convicts work, the amount received from each contractor, the population in a comparative table for ten years, the sex, color and age of convicts received, two elementary facts about their education combined in a table showing their conjugal condition, religious affiliations, States from which commitments were made and counties within the State, length of sentences, former occupations, offenses, disposition made of those discharged, and a balance sheet of the prison. This much-occupies twenty-seven pages. Then to page

133 are itemized the earnings and disbursements of the penitentiary. A few pages are devoted to the administration of the hospital. Then nearly one hundred pages are given to a list of the prisoners received and discharged, with several facts about each. The final forty pages contain an inventory of the institution property. The whole array reads like a catalogue of ships. It would grade about 10 per cent from the standpoint of good publicity, and perhaps 50 per cent as criminal statistics. The kinds of facts recorded represent chiefly an accumulation from succeeding administrations, with scarcely any conscious purpose in the plan. The members of this Association know too well the devious histories of such publications and of the records on which they are based for criticism to be needed. Wardens and superintendents are preoccupied with other affairs. Improvements could be made so easily, and if suggested by competent authority would be so readily accepted, that effort should be devoted entirely to constructive plans rather than adverse criticism.

Respecting the local jails, lockups and police stations, the path of reform may be as clear, but it is surely longer. The administrative officers almost universally are not qualified to compile statistics and have great repugnance for such matters. On the side of classes of facts gathered, they seem to have no inclination to obtain the important statistics of environmental conditions they are so well situated to get. On the side of administration, they have no idea of the compilation of facts bearing on the success of their institutions in the treatment of crime. The average jail record is a study in brevity and in hieroglyphics. It is sure to contain as little as the law requires. Lockups usually have no records. Only with the greatest patience and the most protean efforts can even a minimum of useful statistics be obtained through ordinary administrative channels. Yet with scant encouragement from any national group, promising headway is being made by some of the state boards, as the speakers who are to follow will demonstrate.

Summarizing: The only federal statistics gathered directly and constantly are to be found in the reports of the several institutions and in the report of the attorney-general. For the country as a whole we have the periodical census. So far it has been irregular in plan, limited in extent, and liable to error at the local sources, especially in the case of the smaller institutions. Census statistics relate exclusively to institutions. The state governments are the most natural administrative sources for criminal statistics. About half of them have plans for gathering statistics, either judicial or institutional, or both. But

their forms and procedure are not standardized, and their results are given little analysis or effective presentation. For the most part they are simply innocuous.

Our scientific relations internationally are becoming constantly more profitable—in no realm more than that of the administration of justice and the treatment of persons convicted of crime. Yet our criminal statistics are the despair of the foreigner. The attitude of the penologists of European countries toward us must be about like that we have toward those dependent upon the sign language. Perhaps no European nation furnishes us an acceptable model of organization of criminal statistics, but at least their statistics are so planned as to lend good support to progressive administration and to facilitate scientific research.

The foreign statistics of crime usually quoted are those of the courts. It would be more appropriate to refer here to their institutional statistics. We have before us the 1914 report of the English Prison Commission. Beginning with an account of the prisoners under sentence during the year, it proceeds to a comparison with years preceding and a study of the relation of the amount of crime to the general population. Not only are the number of crimes accounted for, but the analysis reaches down to the number of individuals committing those crimes. With a warning against hasty conclusions from these statistics, it is demonstrated that the number of prisoners received for indictable offenses is decreasing. Again, it is shown that the tendency of discharged prisoners to return to lives of crime is diminishing. Elsewhere we find statistics of the crimes of juvenile-adult prisoners and of the after-careers of boys discharged from reformatories. The history of prison punishments for fifteen years is shown, and the death rates for twenty-five years. Thus the English report proceeds. Seeing it, one would say it is as unintelligent to try to operate our penal system without such correlated facts as it would be to try to run a mercantile business without a cash book. There are to be observed as noteworthy features of the English publication the integral relation between statistics, administration and even legislation; their standardized outlines and terms facilitating easy reference to other branches of the treatment of crime; and their frequent reference to those other branches so far as they relate to successful prison administration. The establishment of the Borstal system, the promulgation of the treatment of inebriates act, the creation of the preventive detention camps for recidivists—indeed, every important step in the improve-

ment of the English crime situation—appears to be based on comprehensive statistics.

The importance of good statistics is thrown in relief when one tries to get at the crime problem of any community. The few shaky facts one may assemble hang like a tantalizing veil between him and the real conditions. Witness this sentence from the report of the Merriam Crime Committee in Chicago:

“* * * There has never been in Chicago any attempt at an annual ‘stock-taking’ in which the statistics furnished by the various departments and agencies dealing with the problem of crime might be brought together and examined with the hope of determining how far the problem is being adequately met.”

When an effort is made to examine the police statistics of arrests, it is found necessary to rearrange the figures according to the classification of felonies used by the municipal court. Then it appears that such terms as “larceny” in the police statistics include misdemeanors as well as felonies. Finally, the statistician is forced to use statistics of years that do not correspond. The fourteen pages of statistical discussion of the social status of offenders is prefaced by the remark that of the ten facts most necessary to know about each case the municipal court records none. The scientific study of the crime problem in most large communities is a nightmare. At the same time, the importance of this line of research is believed to be the chief argument for the correlation of statistics of all agencies dealing with crime.

When we come to outline a plan of procedure for improving the situation we should demand that any new scheme grow out of present circumstances and needs in a common sense way. The following three principles should be insisted upon:

1. The sole object of criminal statistics is to aid in the solution of the crime problem. Secondly they have a bearing upon other social questions. More specifically, such statistics should serve to measure crime and the effectiveness of the expedients, public and private, adopted to reduce and prevent it.

2. To be reliable and most useful, criminal statistics must be so correlated as to represent a continuous and complete view of the offender and of the process of treatment, beginning with his first overt act: the report of the offense, apprehension, preliminary custody, trial, conditional liberation, incarceration under sentence, conditional discharge, after-care. The criminal is a unit, likewise the problem; so should the process be, and so the statistics. The facts we gather

and tabulate should approximate the freshness and fullness of a physician's case description. As corollaries, it is plain that the terms and classifications, as well as possible, must be standardized and uniform, and that the facts compiled in different States should agree in their main outlines. The cogs must fit.

3. Our criminal statistics must be useful from the standpoint of both administration, in the broad sense, and independent research. We will remain in the present unhappy deadlock until the criticising professor, the practical warden, the judge and the police chief get their heads together. Out of this grow two corollaries:

(a) We must respect and utilize the ordinary channels of administrative control and supervision, and

(b) We must be reasonable in our demands on hard-worked officials, leaving to special research the more elaborate examination of facts.

In conformity with the foregoing, it is maintained that the stronghold of a successful system for the United States would be a series of central state authorities who shall supervise the recording and collection of statistics of every character. It is in accord with the principles of successful public administration and recent tendencies toward simplification in the departments of state governments, that these state bureaus be subordinate to bodies with other supervisory or administrative functions. The policy has the advantage of immediate publication of statistics and application of conclusions through administrative and legislative measures, and of ironing out the errors of local officials in gathering statistics by that authority which is best equipped to train them. The supervisory or administrative duties of such a department would provide a balance-wheel of utility for every form adopted. This plan of state bureaus has the obstacle of the notorious divergence in legal and penal formulas among the States, but it is believed that such differences will be eliminated faster according to the present proposal of overhead supervision than by any other means. Such a plan likewise is the best guarantee of purity of the statistics at their source.

It follows that these state organizations, as far as possible, should be utilized in gathering federal statistics. The ideal of a United States registration area for criminal statistics such as we now have for vital statistics has much to commend it. The present methods of the federal census should be continued until the state scheme becomes fully established.

The proposed development, however, will remain a paper plan

unless it is fostered through voluntary organization. The Bureau of the Census is not suited to propaganda work. The census officials are, of course, earnestly desirous of improvements in this field. It is anticipated that they would be the chief official reliance in any progressive movement of the kind proposed. But it appears to be desirable that a committee be created by appointment from appropriate national groups to aid in the establishment or improvement of state bureaus and in the standardization of their statistics. Such a committee should be reasonably small and representative, and should consist of recognized authorities. It should continue until such time as the public organization is sufficient. It would be an irretrievable error not to provide with practical intelligence for harmonious statistics of all of the branches of the treatment of crime. We therefore submit, separate from this report, but as a corollary to it, a resolution proposing that the Prison Association take the lead in the creation of such a general committee. This is the senior organization of the kind in the country, and it is fortunate that the representative of the United States upon the International Prison Commission recommended by you for appointment last year is one of the leading statisticians of the country. This committee should be instructed to prepare graded schedules for the different types of institutions and agencies, in cooperation, where possible, with state bureaus, and always, of course, with the Bureau of the Census. They should be a source of advice in establishing state bureaus and in developing their policies, and they should help correlate the work of these state units. The newer movements in social work should be taken into account, as well as international standards. The committee should be authorized to raise funds for its work from either public or private sources.

In support of this proposal you are reminded of the fact that good criminal statistics are necessary for intelligent legislation and administration. What is said to be the largest item in the public budget, that for combatting crime, should not be spent in ignorance. Good statistics would be a source of reliance for public officials in allaying criticisms, such, for example, as that of laxity or severity in prison administration. This steady, deliberate form of inquiry into the usefulness of social measures, not scandalous investigations and ephemeral surveys, is the only substantial basis for progress. The history of other countries shows that building up the statistical system is necessary to progress in the treatment of crime. Finally, it can be shown that there are many factors in the present situation encouraging to such an organization. Everywhere search is being made

for new facts, for better methods, and for greater information on the part of judicial and penal agencies, such, for example, as the recently organized municipal courts. There is manifest a splendid good will of individual public officials toward such improvements, and behind them stand our extensively organized and powerful national societies, such as this American Prison Association.

Author's Note: A report of this character can scarcely be expected to represent in detail the consensus of opinion of the members of the committee. Many suggestions from committee members have been incorporated, however, and an early draft of the report has been revised on the basis of their criticisms. The only dissent from the report as it stands that the chairman knows of is the unwillingness of Mr. Hoffman to subscribe to the series of definitions and statements of principles beginning on page 23. To the remainder of the report he agrees. The assistance of Dr. J. A. Hill, of the Division of Revision and Results of the Bureau of the Census, is acknowledged with gratitude.