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Editorials

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EDITORIALS

FIRST STEPS IN DEVELOPING A SYSTEM OF CRIMINAL STATISTICS

Improvement must be made in our American criminal statistics to satisfy immediate or practical ends, as much as to attain the aims of the scientific mind—the less immediate purposes. At the risk of being interpreted as deficient in the spiritual qualities of the man of science, the writer suggests that we will make progress in the development of criminal statistics only as we go at it, as a beginning, by seeking after what the rank and file of our contemporaries will recognize as immediately practical ends. We must find a motive that legislators and the populace can understand and to which they will react with enthusiasm. We cannot take a state by the ears by urging that criminal statistics will help to uncover the prevalence of mental defect among criminals; the variations of crime with the seasons, occupation, industrial and commercial prosperity or depression, with waves of immigration and racial complexion of a community; or that it will show the relative value of methods of punishment and reform. The public cares little for these things severally nor for the causes of crime in general. A temporary care for one or several of these items may be aroused, but it is not of the abiding sort that is needful to back up what machinery may be developed for collecting statistics bearing upon them. Satisfy the public and the world is yours—ultimately.

It is assumed here that new legislation in most of the states must open the way for garnering the data of statistics, and that to obtain it and to maintain the enforcement of the legislation, a constant and favorable public sentiment must be assured. I am aware that the mental hygiene movement is well on the way—and without legislation—to secure adequate statistics of mental disease from the hospitals. The hygienists, however, are dealing with officials who have a professional interest in the procuring of statistics relating to their specialties. The criminologists, on the other hand, have no such advantage on the whole. Prison officials, the police, and, it is hard to say, other officers of the law in general, have little professional interest (great groups none at all). Beyond their time-honored routine duties they will do nothing unless they are commanded by a legislature sup-

ported constantly by an active public sentiment. Given their response to such a command, it is but a question of time until a new tradition will be developed for the holders of offices in which the problems of crime are met.

The public interest in the prompt apprehension and identification of persons accused of crime, and in the speedy disposition of their cases in court in the light of all data that can reasonably be assumed as bearing upon their cases, is the motive to which we must make our appeal. We must stress criminal statistics in the scientific sense less, and records of the criminal histories of individuals more. We can urge in all honesty that we want speedy and accurate apprehension, identification, and trial, for we recognize them as first rate preventives of crime. Such an attitude on our part is facing toward the bureau of criminal records, such as was proposed by the Chicago Crime Commission a year ago before the Illinois General Assembly and will be brought up again a year hence. Its essential provisions are as follows:

"Section 1. The Department of Public Welfare shall:

"1. Collect information, reports and data of and concerning complaints of felonies committed, or suspected to have been committed in this State, such data and information relating to such felonies to comprise the history of the case and all legal steps taken in connection therewith and all proceedings ancillary thereto from the inception of the complaint to the discharge of the defendant, either upon hearing or upon expiration of term of sentence.

"2. Keep and preserve in permanent books and records the data and information so collected and received.

"Section 2. All clerks of courts, sheriffs, coroners, justices of the peace, police magistrates, police officers and constables, shall furnish, upon the demand of the Department of Public Welfare, the information required by Section 1 of this Act, upon forms to be prepared and furnished by the Department of Public Welfare.

"Section 3. The Department of Public Welfare shall furnish, upon the request of any public officer having to do with the enforcement or administration of the criminal laws of the State, a transcript of the records of the Department of Public Welfare pertaining to any individual, and such transcript, regularly certified over the signature of the Director of the Department of Public Welfare, with the seal of the Department attached, shall be admissible upon any trial as evidence of the facts recited therein, if otherwise competent. Where authenticated transcripts of such records are furnished to other than

public officers, the same shall be charged for on the same basis as charges are made by clerks of courts in this State for certified copies of papers and pleadings."

A bureau somewhat similar to that contemplated for Illinois is in operation in California. This bureau, however, emphasizes apprehension and identification by means of records of fingerprints, measurements, and *modus operandi* rather than of the actions of judicial and administrative officials. It has been the means of greatly increasing the efficiency of the police and the courts in that state. The following is but a partial list of criminals in California, some of whom, but for the bureau, would in all probability have escaped apprehension, while others would have been unjustly admitted to probation. The data are furnished by Mr. August Vollmer, chief of police in Berkeley and chairman of the board of directors of the bureau:

B. B., alias Ned Archer, was arrested June 8, 1918, at Santa Maria, California, on a charge of investigation. Upon receipt of his fingerprints at this bureau we identified him as an escape from the Colorado State Penitentiary.

May 18, 1919, a Mrs. M. G. was arrested, in Sacramento California, and convicted on a charge of abortion. Her case was appealed to the Supreme Court. Upon receipt of her finger-prints at this bureau we identified her as having been arrested at Vancouver, B. C., on February, 1918, as Helen Raymond, charged with abortion and sentenced to 23 months at the Oakalla Prison Farm. She pretended to be sick while serving her sentence and was removed to the general hospital in Vancouver, where she escaped on March 6, 1919. When Mrs. G., alias Raymond, was advised by the Sacramento police of this prior record she immediately caused the appeal to be dismissed and was sentenced to San Quentin prison for a period of from two to five years.

May 24, 1919, T. N. was arrested by the sheriff of Colusa County on a charge of horse stealing. As N. was drunk at the time of the theft, a plea was made to reduce the charge to vagrancy. Upon receipt of his finger-prints at this bureau he was identified as one Thomas Boyle who had twenty-four prior arrests recorded against him and was at this time on ten years' probation. N. was charged with grand larceny and a prior, and sentenced to ten years at San Quentin Prison.

August 23, 1919, G. B. was arrested at Marysville, California, on a charge of attempt at burglary. Upon receipt of his finger-prints at

this bureau we identified him as Glenn V. B., who has escaped from Washington State Penitentiary on August 18, 1911. A final disposition of the Marysville arrest has not been reported to us up to the present time.

September 1, 1918, T. G. W. was arrested at Vancouver, B. C., on a charge of grand larceny and sentenced to 18 months in the provincial gaol. Upon receipt of his finger-prints at this bureau we identified him as G. T., alias George Ward and George Thomas, wanted by the Montana State Penitentiary, where he escaped on July 14, 1918.

Through our Modus Operandi System, as recorded by the Robinson Findex, we have been able to establish the identification of the following individuals prior to their arrest:

On September 8, 1917, D. M. S. was arrested at Sacramento, California, on a charge of burglary for the stealing of a violin from the Methodist Church at 2427 L. St. On October 18, 1918, this bureau received the report of the theft of a banjo and mandolin from the Swedish Church at 455 Dolores St., San Francisco. The instruments were pawned in a local pawnshop. The findex immediately revealed to the operator that the only person on record who stole musical instruments was D. M. S. The San Francisco pawn broker, upon being shown the photograph of S., positively identified him as the person who sold the instruments.

On July 2, 1919, the chief of police of Santa Barbara, California, notified this bureau that a number of dental offices had been burglarized, where dental gold and liberty bonds had been stolen in their city, entrance being made through the transom over the door. A photograph of a latent finger-print found on one of the transoms was also submitted. A single operation of the Findex under the slot assigned to "dental burglars" exposed the record of three individuals who had previously been convicted of robbing dental offices. In comparing the latent print found at the scene of crime with those of the dental burglars on file in our Modus Operandi cabinet, it was clearly proved that the latent was of the right ring finger of one F. C. C. is now wanted for the above crime.

On July 18, 1919, the state bureau received from Salt Lake City, Utah, for identification, the finger-prints and photograph of a man giving the name of J. W., who had been arrested on a charge of burglary. This man's method of operation was to select a lodging house with a clothing store below and to rent a room directly over such store. During the night, by using a brace and bit, he would cut

a square hole through the floor of his room into the store below and remove therefrom articles of clothing. A search of our Modus Operandi file revealed to us the fact that a person operating in exactly the same manner was wanted at Bakersfield, Los Angeles, San Diego, Sacramento, and Stockton, California. A photograph of W. was dispatched to the police departments of these cities and W. was immediately identified by the keepers of the rooming houses above these stores as the person who had rented the rooms from which the stores were entered.

Such a record of accomplishment as this is bound to make the citizens of the state aware of the indispensable character of the bureau in a good cause. It is, then, only a matter of time and perhaps of education directed upon the chief of the bureau, until the scientific interest of the statisticians will begin to find satisfaction. Already the California bureau is beginning to record facts concerning the criminal history of individuals, though the law provides specifically only for marks of identification. Histories may be aids in identification. The recording of histories is in accord with the spirit of the law and in them the statisticians are about to find grist for their mill. The language of the Illinois bill is so pliable as to enable the proposed bureau to become in time a gold mine for statisticians—assuming only an open-minded director.

My plea is this: We shall get what we want in the way of statistics only when public sentiment allows it. Our proposals, therefore, must appeal to proper motives that the public can grasp with enthusiasm. Once such motives are satisfied, growth begins. This is the way with institutions of all sorts. It is the argument of the opportunist; of the menshevist as opposed to the bolshevist.

ROBERT H. GAULT.

THE PRELIMINARY WORK OF THE COMMITTEE ON CRIMINAL LAW AND PROCEDURE IN EUROPE

As chairman of this committee, I have sketched out the following plan of action, which is being, at this time, submitted to the other members of the committee for their approval.

The fact that my father's home is in Washington and that he has been for many years connected with official life there, makes it possible for me to attempt to reach European authorities and conditions directly through diplomatic channels. I have drawn up a list of all European countries that are at present represented at Washington,

either by ambassadors, ministers, or chargés. To each of these embassies or legations I have written, addressing myself, in cases when I knew no one personally there, to the chancellor, as law-officer of the mission. I have explained what the Institute of Criminal Law is; I have enclosed with my letter our latest brochure, giving general information about the Institute; and I have explained the reasons on account of which my committee was appointed. Then I have requested the embassy to secure for me the names of such men or women in their respective countries as are considered authorities on criminal law and criminology, whether they be judges, university professors, police officers, or social agents. At the same time I have tried to make it clear that I am anxious to get into touch with the best thought on criminological subjects existing in these various countries; and this for a double purpose. First, in order to secure for the Institute dependable sources of information concerning the developments and changes in criminal law and all kindred subjects in European countries. And, secondly, in order to create lines of common interest between criminologists in this country and those in other lands.

In several cases I shall not depend entirely on these letters alone. I am planning to spend some part of those week-ends, which I have twice a month in Washington, in making personal visits to those diplomatic representatives whom I know myself personally, or to whom I may easily be presented. During such visits I hope to be able to explain the aims of our Institute more clearly.

The advantage of this somewhat roundabout scheme is this: If all goes well or even fairly well, I hope soon to be in possession of the names of certain eminent legal and criminological authorities in almost every country of Europe. Then, I shall be able to write to these men, not only as chairman of the Institute's Committee, but also with the backing of their various ambassadors and ministers. Possibly, I may be able to persuade the diplomatic representatives to lend additional force to my letter by accompanying letters of their own. In any event, in this way I trust to lay down my lines securely.

Possibly, probably even, the criminologists and jurists of Sweden, for instance, or Roumania, may never have heard of our American Institute. But if we can write to them, backed by their own representatives in Washington, they will, at least, be sure that we are a scientific body of repute with whom it will be an honor to be in correspondence.

I am asking the other members of our committee to make lists of all European authorities with whom they have ever had any personal

contact or correspondence. To these lists I hope to add mine, obtained through diplomatic channels. Thus we shall all "pool our interests" in this matter. I shall also ask the members of our committee to write to any of their European friends who have any interest in criminal law; to write to those criminologists whom they know, telling them of the aim of our committee, and asking them to send them at least twice a year such brief notes on the changes and developments in criminal law and its allied subjects in their respective countries as may have come to their notice.

Thus, gradually and in time, I am trusting to be able to create lines of information and communication with the men and women of Europe who are interested in the aims and objects for which our own Institute stands. They should be, for us, especially for our JOURNAL, sources of invaluable information. And our Institute would also take its proper place, side by side, with the older institutes and scientific societies of Europe that are devoted to the study of criminal law, and together with which we may write and work and plan for some final and adequate solution of the many vexed problems of human delinquency.

JOHN R. OLIVER.

ANNOUNCEMENT

Readers of the JOURNAL will be glad to know that our campaign for larger support from yearly subscribers is bearing fruit. During December we added 112 new names to the list. Sixty-five more were added in January. Will each reader send us one additional name within the current month? Try it.

THE EDITORS.

PROPOSED MEMORIAL TO CAESAR LOMBROSO

In 1910 a committee was formed under the Italian Minister of Education, Professor L. Bianchi, charged with the erection of a monument to the distinguished Italian criminologist, Caesar Lombroso. The committee designed at the outset to secure contributions for the purpose from all nations. The king of Italy headed the list of subscribers and a considerable sum was secured from almost all European states and from Japan. A monument was modelled accordingly; the work was done by the most celebrated Italian sculptor, Leonardo Bistolfi. But to execute the work in marble and bronze in this post-war period the sum collected is altogether too small.

Professor Enrico Ferri of the University at Rome (who is acting in the matter as general secretary to the Minister of Education), has written to us under date of December 6, 1919, saying that a new subscription list has been opened in Italy and requesting contributions from the people of the United States to the end of finishing the monument. He suggests that we obtain at least \$10,000 for the purpose, and that we participate by representatives in the international inauguration of the monument in the spring or autumn of 1920 at Verona, Caesar Lombroso's birthplace.

It is to this great physician and criminologist that we owe the first large steps away from abstractions that society has been able to take in our thinking of criminals. Since his day, and due very largely to his impetus, we have grown more and more intolerant of all but facts gained by investigation into all aspects of the criminal as a psychophysical organism who has grown up through certain social influences. The life and work of Lombroso mark the birth of an epoch in the history of thought, not only in the problems of criminology but in other relations as well. He is too little regarded in our country as a character in the history of education.

The charge may properly be made against us Americans that we give too little heed to the call to acknowledge in the public eye the contributions of such men as Caesar Lombroso to the public good by means of their lives of devotion to science.

There must be many in our country who would gladly contribute a small or large amount each in answer to the call from our distinguished colleague, Professor Enrico Ferri of the University of Rome. Contributions may be sent to this JOURNAL. Receipt will be acknowledged and the amount will be promptly sent on to Professor Ferri.

ROBERT H. GAULT.