

1922

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Recommended Citation

Joseph A. Hill, Co-Operation between State and Municipal Bureaus and the Federal Census Bureau in the Compilation of Criminal Statistics, 12 J. Am. Inst. Crim. L. & Criminology 529 (May 1921 to February 1922)

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CO-OPERATION BETWEEN STATE AND MUNICIPAL BUREAUS AND THE FEDERAL CENSUS BUREAU IN THE COMPILATION OF CRIMINAL STATISTICS¹

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I regret that I am not able to attend the meeting of the American Institute at Cincinnati. This is a great disappointment to me, as I wanted to get in touch with the members of the Institute and to hear the discussion of the subject under consideration. I anticipated that I should acquire more information than I could impart, for I must confess to having a rather comprehensive ignorance regarding the existence and activities of state and municipal bureaus of criminal statistics. Naturally when we take up the consideration of plans for co-operation between the Federal Census Bureau and local organizations, one of the first things we want to know is how many states and cities have well organized statistical bureaus with which we could co-operate. My impression is that the number is not very large. If that be so, nevertheless, it does not preclude the discussion of the question of co-operation or render such discussion futile. It may be said, indeed, that one of the first purposes of co-operation should be to promote the creation of local bureaus, and that the Bureau of the Census could contribute to this end. It might lend its support and encouragement to the establishment and extension of a registration area for crimes similar to the registration area for births and deaths.

The registration area for deaths was established in 1880 and included Massachusetts, New Jersey, the District of Columbia and certain cities outside the states mentioned. The total territory included within the area comprised 17.0 per cent of the population of the United States. At present the area includes 34 states, 16 cities in other states, the District of Columbia and Hawaii, comprising 82.2 per cent of the total population. The birth registration area is of later origin. It was first established in 1915 and included at that time the following states: Michigan, Minnesota, New York, Pennsylvania, and the six New England states, representing 31 per cent of the total population. It now includes 27 states and the District of Columbia, or 65.3 per cent of the population of the United States.

¹Read by title at the thirteenth annual meeting of the Institute, in Cincinnati, Ohio, November 18, 1921.

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Admission of any state to the registration area means that the Census Bureau will thereafter tabulate and include in its annual reports the statistics of births or deaths for that city or state. The local organization is thereby relieved of the cost of tabulating the data except so far as it may wish to make special tabulations of details not covered by the census tables. But the work and expense of collecting the data devolves upon the local organization, which secures and retains the original death or birth certificates and supplies copies or transcripts for the use of the Census Bureau. The local body is compensated by the Bureau for making these transcripts, the usual compensation being three cents per certificate. In 1920 the total cost to the Bureau of securing the transcripts was about \$34,000 for deaths and \$45,000 for births.

The advantages of this form of co-operation are obvious. The Bureau on its part is relieved of the expense of collecting the original data, or maintaining a registration service, and the local organization on its part is relieved of the cost of tabulation, and incidentally receives some additional compensation—doubtless welcome to some official or employee—for making the transcripts. The statistical public on its part receives in one publication statistics that have been standardized and made comparable for the different states and cities.

The Bureau prescribes a certain standard of efficiency which must be attained by the local health boards or departments before the given state or city can be admitted to the registration area. The law under which the births and deaths are recorded or registered by the local organizations must conform in the main to what is called the model law, which was drafted by the Bureau in co-operation with the American Public Health Association. This requires the adoption of the standard certificate for recording births and deaths and the use of the international classification of causes of death.

As regards the extension of the registration area the attitude of the Bureau is by no means a passive one. It does not simply wait for the states or cities to come forward on their own initiative and apply for admission to the registration area. It goes after them one by one using its influence to persuade them to fall in line; and the movement has now gained such momentum that it will be only a comparatively short time, I believe, before the registration area embraces the whole United States.

I have described this branch of the census work in more detail than I originally intended, but it furnishes, I believe, the best actual instance of successful co-operation between the Federal and local

authorities in the compilation of statistics; and when co-operation is suggested, the mind of a census official naturally reverts to this analogy.

Can we inaugurate some similar co-operative arrangement for the compilation of criminal statistics? I believe it is possible, but the difficulties in the way of its accomplishment are certainly greater than are involved in the establishment of a registration area for births and deaths. This arises partly from the difference in the subject matter, or phenomena, with which we have to deal. A birth or a death is a definite thing, a physical occurrence ordained by the law of nature, and admitting of no variation in degree. Births and deaths, moreover, are events not easily concealed even if a motive for concealment exists, which is not ordinarily the case. A crime or criminal offense, on the other hand, is not always obvious or definite. It varies greatly in kind and degree, being determined or defined by variable man-made laws. No conduct or action, however repugnant to the principles of morality, is a criminal offense unless it is prohibited by statute or by the common law. In a sense, criminal offenses are called into existence by legislation. The adulteration of food, for instance, is not a criminal offense so long as there is no law which prohibits it. Consequently the number and range of criminal offenses vary in different times and different communities. Conduct or actions which in one community or time may lead to arrest and imprisonment or fine may in another place or period be legally permissible if not innocuous. Instances and illustrations will readily occur to anyone. The Volstead Act has called into being a class of criminal offenses which were before non-existent. The crime of *lese majesty* must have disappeared rather suddenly from the German criminal code not very long ago.

Owing to this diversity in law, statutes and criminal codes, a standard international classification of crimes would be vastly more difficult to achieve than a similar classification of the causes of death, for the causes of death are the same the world over. The same kind of difficulty, though less in degree, exists in establishing a standard classification for the United States. For while the criminal codes of the different states are in the main similar, being based upon the common law, there is nevertheless great variety in definition, terminology, and practice, particularly as regards minor statutory offenses. Take the term "disorderly conduct" for instance. That has, I imagine, a widely varying connotation in the police courts of different cities. These difficulties, however, which are generally recognized and which, therefore, I have perhaps needlessly emphasized, are not by any means insuperable. After all it is a question mainly of efficient administrative ma-

chinery for the compilation of the statistics. Given that, we could overcome the other difficulties.

If annual statistics are to be collected at all by the Bureau of the Census I believe that it must be through co-operation of local agencies. So we come back to the question of what there is to co-operate with, a question which, as I said at the outset, I am unable to answer, and in regard to which I should welcome information. I suppose the local agency need not necessarily be a statistical bureau. In places where a statistical bureau does not exist, it might be the police department and the department of justice, i. e., the courts. Then the question comes up as to the nature or extent of the co-operation. It is possible that the Bureau might render a useful service by simply bringing together and publishing in one volume the tabulations made by the local bureaus themselves, endeavoring at the same time to standardize these tabulations so as to make the figures comparable. This would be a comparatively inexpensive undertaking, but I doubt if much could be accomplished in that way. It would probably be an easy matter to compile and publish the number of arrests in various cities, but without classification by offense the number of arrests is a figure of little significance.

The analogy of the registration area for births and deaths suggests that the Bureau, on the basis of the best information and expert advice obtainable, might formulate standard questionnaires or schedules to be filled out by the local agencies, and have copies forwarded to Washington for tabulation. We might at the same time draft a model law for the registration of crimes and offenses, which would require the courts and the police to record the prescribed data regarding each trial and each arrest, and then we might inaugurate a movement to secure the enactment of this law by the individual states.

It is evident, however, that before we can draw up a plan for the compilation of criminal statistics by the Bureau of the Census through the co-operation of local agencies, it is necessary to make a careful and thorough survey of the existing conditions to ascertain what statistical work is already being done along these lines, what records that have statistical value are already being made in connection with criminal cases either by the courts or by statistical bureaus. Until that has been done no one can say what it is practicable to do or to undertake. I recall in this connection the recommendation of the special committee on Criminal Statistics, appointed by the American Statistical Association at its annual meeting in December, 1919. The resolution adopted was that the Association

"urge the Bureau of the Census to appoint at this time an expert in the field of criminal statistics to study the efforts which state and local officials of various states are now making to collect criminal statistics with the view to the development of a plan for the annual collection by the Bureau of the Census of criminal statistics for the United States as a whole."

Owing to the pressure of work in connection with the decennial census, the Bureau did not feel justified in taking up a new line of inquiry in 1920, even to the limited extent called for by this resolution. The Fourteenth Census work, however, is now approaching completion and I think we are in a position to give favorable consideration to a proposition of this kind. The first important task of the Bureau, however, in connection with criminal statistics must be the census of prisoners, which will probably cover the year 1923, and ought, therefore, to be taken up the latter part of the year 1922. But while that work is going on I see no reason why a survey of the kind suggested might not be made by some properly qualified person with the idea that if the results seemed encouraging we could take steps to inaugurate the compilation of annual criminal statistics soon after the census of prisoners is completed. That of course would require an authorization by Congress and an appropriation adequate for the purpose.

We should guard against expecting too much or undertaking too much at the outset. It might be wise to begin with to confine our compilations to felonies or major offenses, with the idea that when the machinery for the collection of the data was well organized and functioning satisfactorily we could extend the scope of our inquiry. A question like this, however, is one which we should be in a better position to decide if we had the results of a preliminary survey.

I have put down here, somewhat at random, those suggestions and queries that have occurred to me in my hurried consideration of this subject. I trust it is hardly necessary for me to say in conclusion that personally I am deeply interested in any movement for the improvement of criminal statistics and shall be very glad to co-operate in promoting its success so far as I can; and this, I am at liberty to add, is likewise the attitude of the Director of the Census.