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ONE THOUSAND MURDERERS*

EMIL FRANKEL¹

Firearms and Homicide

Homicide by firearms is one of the alarming phenomena in present day social life. In more than one-half of the 1816 homicide cases reported to the New Jersey health authorities during 1925-1934, firearms were the means employed.

<i>Homicides</i>	<i>Number</i>	<i>Per Cent</i>
All homicides	1,816	100.0
Homicide by firearms	942	51.9
Homicide by cutting or piercing instruments.....	261	14.4
Homicide by other means.....	546	30.0
Infanticides	67	3.7

The intimate connection of firearms with homicide has caused complaints to be widespread about the ease with which firearms may be obtained (especially by irresponsible youths) and the lack of adequate regulations concerning their manufacture and sale. It has therefore been strongly urged that the sale of firearms be greatly restricted and that severe punishment be meted out to the person carrying a gun of any kind without a permit.

Suggestions along these lines have recently been made by the Interstate Commission on Crime. Its committee on firearms control recommended the following:

Uniform state laws requiring the licensing of revolvers and pistols sold, bought or possessed, and the fingerprinting of owners.

A federal statute prohibiting transport of revolvers and pistols into states which already have statutes regulating the sale or possession of such arms.

A federal statute making possession of sawed-off shotguns

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illegal, except in the case of peace officers (private possession of machine guns already is forbidden in a federal law).²

Homicide Trends

What has been the relation of the number of homicides reported to the New Jersey State Department of Health and the number of individuals committed to the New Jersey State Prison for homicides during a like period?

Year	NUMBER		RATE PER 100,000 GENERAL POPULATION	
	<i>Homicides Reported to New Jersey State Depart- ment of Health</i>	<i>State Prison Committ- ments for Homicide</i>	<i>Homi- cides</i>	<i>Prison Committ- ments</i>
1936	134	76	3.10	1.74
1935	178	61	4.15	1.42
1934	158	66	3.72	1.55
1933	199	72	4.74	1.71
1932	209	71	5.03	1.71
1931	194	85	4.72	2.07
1930	204	94	5.03	2.32
1929	176	65	4.43	1.63
1928	166	64	4.27	1.65
1927	165	76	4.34	2.00
1926	159	55	4.28	1.48
1925	186	72	5.12	1.98
1924	159	61	4.49	1.72
1923	169	62	4.87	1.79
1922	151	45	4.48	1.33
1921	146	60	4.44	1.83
1920	126	51	3.94	1.59

This table shows that homicides reported to the New Jersey State Department of Health numbered 2,879 during the period 1920 to 1936. During the same period 1,136 individuals were committed for homicide to the New Jersey State Prison. This would indicate

² The following resolution concerning the sale of firearms was adopted at the 1937 American Prison Congress: "Whereas, the indiscriminate and uncontrolled sale of firearms is directly responsible for a large amount of crime; and Whereas, the National Firearms Act, sponsored by Attorney General Homer S. Cummings, providing for the registration of firearms, is a realistic effort to control the firearms traffic and takes into account the legitimate needs of sportsmen, law enforcement officials and the citizenry for firearms; Be It Therefore Resolved, That the American Prison Association endorse this legislation and instruct its officers to assist the Attorney General and all others concerned to obtain the speedy enactment of the National Firearms Act."

that about forty per cent of the slayings are legally atoned through prison punishment or execution.

The rate figures themselves do not reflect marked fluctuations during these seventeen years. As a matter of fact the rate figures in the latter years are not very different from those of the earlier years.

A somewhat different (and not as favorable) picture is presented when male commitments for murder to the State Prison are considered over a long span of time—eighty years—extending from 1855 to 1934 and applied specifically to the general male population fifteen years and over.

Year	Male Population 15 Years and Over	COMMITMENTS FOR MURDER	
		Number*	Average Annual Rate Per 100,000
1930	1,474,693	720	4.88
1920	1,108,952	507	4.57
1910	913,144	330	3.61
1900	649,941	158	2.43
1890	494,512	123	2.49
1880	365,916	86	2.35
1870	283,420	42	1.48
1860	207,682	58	2.79

* Cover total commitments for ten years including the census year and five years preceding and four years following each census year, viz.: 1860 covers period 1855 to 1864, etc.

In connection with this table it should be noted that prior to 1910 persons condemned to death were kept in the county jails until their execution by the county sheriffs. Their numbers were very small, however, and therefore influenced only to a slight extent the rates shown here prior to 1910, that is from 1860 to 1900.

There are no essential changes to be noted between 1860 to 1900, with the exception of the dip in 1870. From 1900 on, there appear perceptible increases, the largest between 1900 and 1910; the 1930 period showing the highest murder commitment rate in almost a century.

Homicides in Counties and Cities

The homicide situation in the twenty-one counties in New Jersey is shown in the following table:

<i>County</i>	<i>General Population (1930)</i>	<i>HOMICIDES</i>	
		<i>Number (1925-1934)</i>	<i>Average Annual Rate Per 100,000 Population</i>
All Counties	4,041,334	1,816	4.49
Essex	833,513	473	5.67
Hudson	690,730	226	3.27
Bergen	364,977	116	3.18
Union	305,209	121	3.96
Passaic	302,129	136	4.50
Camden	252,312	132	5.23
Middlesex	212,208	85	4.01
Mercer	187,143	93	4.97
Monmouth	147,209	92	6.25
Atlantic	124,823	88	7.05
Morris	110,445	34	3.08
Burlington	93,541	38	4.06
Gloucester	70,802	29	4.10
Cumberland	69,895	34	4.86
Somerset	65,132	23	4.45
Warren	49,319	14	2.84
Salem	36,834	29	7.87
Hunterdon	34,728	13	3.74
Ocean	33,069	13	3.93
Cape May	29,486	14	4.75
Sussex	27,830	13	4.67

A concomitant to this table are the following figures showing the homicide rates in the more important cities in New Jersey:

<i>City</i>	<i>General Population (1930)</i>	<i>HOMICIDES</i>	
		<i>Number (1925-1934)</i>	<i>Average Annual Rate Per 100,000 Population</i>
Newark	442,337	351	7.94
Jersey City	316,715	92	2.90
Paterson	138,513	62	4.48
Trenton	123,356	71	5.76
Camden	118,700	100	8.42
Elizabeth	114,589	53	4.63
Bayonne	88,979	40	4.50
Atlantic City	66,198	66	9.97
Passaic	62,959	38	6.04
Union City	58,659	20	3.41
Perth Amboy	43,516	16	3.68
New Brunswick	34,555	26	7.52
Plainfield	34,422	7	2.03
Hackensack	24,568	11	4.48
Phillipsburg	19,255	6	3.12
Bridgeton	15,699	10	6.37
Asbury Park	14,981	18	12.02
Princeton	6,992	4	5.72

The county tables show that with an average state homicide rate of 4.49 per 100,000 population, the rate in the counties varies from a low of 2.84 in Warren County, to a high of 7.87 in Salem County.

The city table shows that the average annual homicide rate in the more important cities ranges from 2.03 per 100,000 general population in Plainfield to 12.02 per 100,000 general population in Asbury Park.

A closer examination of these figures will reveal the fact that the higher homicide rates, generally speaking, may be found in those counties and cities in which Negroes constitute a sizeable proportion of the whole population.

Homicide in Urban and Rural Areas

The observation has been made that urban areas generally show a higher homicide rate than do rural areas. In order to test this for New Jersey both the homicides and the commitments for murder to the State Prison have been brought into relation with the county population, classifying the counties as follows:³ Densely urban (Bergen, Essex, Hudson, Passaic, Union); Urban (Atlantic, Camden, Mercer, Middlesex); Semi-Rural (Cumberland, Gloucester, Monmouth, Morris, Somerset, Warren); and Rural (Burlington, Cape May, Hunterdon, Ocean, Salem, Sussex).

<i>Type of County</i>	<i>General Population (1930)</i>	<i>HOMICIDES</i>	
		<i>Number (1925-1934)</i>	<i>Average Annual Rate Per 100,000 Population</i>
Total	4,041,334	1,816	4.49
Densely urban counties	2,496,558	1,072	4.29
Urban counties	776,486	398	5.13
Semi-rural counties	512,802	226	4.41
Rural counties	255,488	120	4.70

The homicide rates here shown do not quite follow the expected sequence on the basis of the density of the counties, but are as follows: the highest rate in urban counties; lower rates in rural and semi-rural counties; and the lowest rate in densely urban counties. There is no doubt, that the extent to which the Negroes are represented in the general population of the counties, to that extent is the general homicide rate affected. Thus the percentages of the

³ Based upon a weighted average of the following factors: total county population, density of population, and the relative degree of urbanization as determined by the Federal Census of 1930.

Negroes in the general population of the classified counties follow the same sequence as the homicide rates: viz., urban counties 7.0 per cent, rural counties 6.3 per cent, semi-rural counties 5.8 per cent and densely urban counties 4.3 per cent.

The commitment rates to the State Prison for murderers in the period 1925-1934, in the counties classified by population density will be found in the following table:

<i>Type of County</i>	MURDER COMMITMENTS 1925-1934		
	<i>Male-Population 15 Years and Over (1930)</i>	<i>Number</i>	<i>Average Annual Rate Per 100,000 Population</i>
Total	1,474,693.	443	3.00
Densely urban counties	911,004	245	2.69
Urban counties	279,781	96	3.43
Semi-rural counties	188,247	63	3.35
Rural counties	95,661	39	4.08

These murder commitment rates to the State Prison show curious results in that the densely urban counties have the lowest rate of Prison commitments for murder—2.69 average annual rate per 100,000 population fifteen years and over: urban and semi-rural have 3.43 and 3.35 respectively, while the rural counties show an annual rate of 4.08.

Court Disposition

How is murder dealt with by the New Jersey Courts? To answer this question on the basis of adequate records is possible only since 1930 when state-wide reports on the procedural outcome in criminal cases were made available by the Judicial Council of New Jersey.

In passing just a word about the definition of, and punishment for, murder in New Jersey.

Murder generally is defined as the killing of a person with malice, and the statute specifies the killing of any person committing or attempting to commit arson, burglary, rape, robbery, sodomy, etc.; the killing of any civil or criminal officer of justice in the execution of his duty; or the killing of a private person endeavoring to suppress an affray, or to apprehend a criminal.

The statute divides murder into two degrees; viz.: murder in the first degree which is willful, deliberate and premeditated killing by means of poison, or by lying in wait, etc., or by killing in perpetration or attempting to perpetrate arson, burglary, rape, robbery,

or sodomy. All other kinds of murder are considered to be murder in the second degree.

Before 1916 the sole penalty for murder in the first degree was death; for murder in the second degree, imprisonment not to exceed thirty years. Since March 29, 1916, the penalty for murder in the first degree might be either death; or life imprisonment upon the recommendation of the jury. The penalty for murder in the second degree remained unchanged.

The Procedural Outcome in 505 murder cases before the New Jersey Courts of General Criminal Jurisdiction in the five years 1931-1935 is presented in the following table:

	<i>Number</i>	<i>Per Cent</i>
1. <i>All cases</i>	505	100.0
Of these		
2. <i>Disposed of without conviction</i>	210	41.6
a. Dismissed by prosecution.....	41	(8.2)
b. Acquitted by jury.....	77	(15.2)
c. Never in custody.....	82	(16.2)
d. Other	10	(2.0)
3. <i>Found Guilty of offense charged</i>	172	34.1
a. Plea guilty	106	(21.0)
b. Jury verdict guilty	66	(13.1)
4. <i>Found guilty of lesser offense</i>	123	24.3
a. Plea guilty	88	(17.4)
b. Jury verdict guilty	35	(6.9)

Of the 505 individuals who were up before the court on murder charges during the five years 1931-1935, 41.6 per cent were disposed of without conviction and 58.4 per cent were found guilty (24.3 per cent of these of lesser offense). Of the 295 defendants found guilty of murder twenty (6.8 per cent) were sentenced to death and 220 (74.6 per cent) sentenced to imprisonment.

Court Pleas⁴

According to statute, a plea of guilty may not be received upon an indictment for murder. However, a plea of guilt is not infrequently used, sanctioned by custom and usage and because its effect upon the court proceedings in the indictment is not different

⁴ From this point on, this study concerns itself with an analysis of some of the judicial processes surrounding 1,000 murderers committed to the New Jersey State Prison at Trenton during the period 1908 to 1936, and some of their outstanding personal characteristics.

from a plea of non-vult or nol contendre which the statute expressly permits.

The plea of 943 individuals (657 white and 286 Negro) committed for murder was recorded as follows:

Plea	NUMBER			PER CENT		
	Total	White	Negro	Total	White	Negro
All pleas	943	657	286	100.0	100.0	100.0
Guilty	108	62	46	11.5	9.5	16.1
Non-vult	322	198	124	34.1	30.1	43.4
Not guilty	513	397	116	54.4	60.4	40.5

It is quite apparent that the Negro tried for murder, pleads guilty more often than the white murderer before the bar, and likewise offers relatively more pleas of non-vult. The white males tried for murder offered 20 per cent more pleas of not guilty than did the Negroes.

Type of Sentence

As has already been outlined the penalty for murder in the first degree is death; or life imprisonment, if recommended by the jury. The penalty for murder in the second degree is a term of years not to exceed thirty.

If a plea of non-vult is accepted by court then the penalty cannot be death, but may be either life or a term or years not exceeding thirty.

Of the 1,000 individuals committed for murder to the New Jersey State Prison 144 (14.4 per cent) had death sentences, 227 (22.7 per cent) life sentences and 629 (62.9 per cent) time sentences of varying lengths.

Nativity and Color	Number	PER CENT OF THESE RECEIVING		
		Death Sentence	Life Sentence	Time Sentence
All individuals	1000	14.4	22.7	62.9
Native born white	320	19.7	29.1	51.2
Foreign born	383	14.9	19.6	65.5
Negro	297	8.1	19.9	72.0

These figures show that the native born white murderers, on the whole, are dealt with more severely by the courts, carrying the largest proportion of death and life sentences. Contrary to general impressions, the Negroes are dealt with less severely, comparatively speaking, than either the foreign born or the native white murderer.

One of the interesting facts is how men of different ages fare before the court when charged with murder with regard to the type of sentence imposed.

Age groups	Number	PER CENT OF THESE RECEIVING		
		Death Sentence	Life Sentence	Time Sentence
All ages	1000	14.4	22.7	62.9
Under 25 years	268	13.8	28.0	58.2
25 - 39 years	502	16.3	21.5	62.2
40 years and over	230	10.9	19.1	70.0

It looks as if males under 25 years of age convicted of murder relatively get more life sentences, while the highest proportion of death sentences are imposed upon the males in the age group of 25 to 39 years. Males over 40 years of age largely draw time sentences.

Time Sentences Imposed

In 247 murder cases where flat sentences were imposed, the average sentence was 21.2 years. In 381 murder cases where minimum-maximum sentences have been imposed the average minimum sentence was 15.1 years and the average maximum 28.6 years.

Flat sentences were in vogue in New Jersey until 1911, when the first Indeterminate Sentence law was enacted. The minimum sentence of the 1911 law could not be less than one year nor more than one-half of the maximum penalty. In 1914 this latter limit was extended to two-thirds the maximum, where it remained until a change in attitude of the next decade resulted in a return to the fixed sentence in 1926. Indeterminate sentences again became mandatory in 1932. Neither minimum nor maximum may be less than one year nor more than the legal limit of imprisonment for the specific crime, and as a consequence the terms are frequently coincident.

The sentencing practices for murder in some of the larger counties are illustrated in the following table:

County	Flat Sentences	Minimum Sentences	Maximum Sentences
	Average Sentence in Years		
All counties	21.2	15.1	28.6
Atlantic	26.1	15.9	28.5
Bergen	16.3	13.7	28.7
Camden	21.9	12.4	27.9
Essex	17.5	15.9	27.1
Hudson	24.8	16.5	29.6
Mercer	28.6	19.7	30.9
Middlesex	19.0	12.8	29.6
Monmouth	26.6	13.2	29.2
Passaic	18.9	14.9	28.3
Union	21.4	12.7	29.2

There are considerable variations in the average flat sentences, ranging from a low of 16.3 years in Bergen County, to a high of 28.6 years in Mercer County. In the minimum of the minimum-maximum sentences the lowest average minimum is found in Camden County—12.4 years, the highest in Mercer County—19.7 years.

One of the questions frequently asked is whether murderers of different nativity and color are dealt with differently when brought before the bar of justice.

The following table shows the average sentences imposed on those murderers receiving time sentences classified by native born white, foreign born and Negro:

<i>Nativity and Color</i>	<i>Flat</i>	<i>Minimum</i>	<i>Maximum</i>
	<i>Sentence</i>	<i>Sentence</i>	<i>Sentence</i>
	<i>Average in Years</i>		
All individuals	21.2	15.1	28.6
Native born white	23.2	16.4	28.6
Foreign born	21.2	14.5	28.7
Negro	19.5	15.0	28.6

The following figures attempt to answer the question, what influence a particular type of plea may have upon the sentence imposed:

<i>Nativity and Color</i>	<i>All</i>	<i>PLEA</i>	
		<i>Guilty</i>	<i>Non-Guilty</i>
	<i>Average Flat Sentence (Years)</i>		
All individuals	21.2	19.8	25.0
Native born white	23.2	19.4	26.6
Foreign born	21.2	22.5	23.6
Negro	19.5	18.2	24.7
	<i>Average Minimum Sentence (Years)</i>		
All individuals	15.1	14.3	15.2
Native born white	16.4	14.1	16.9
Foreign born	14.5	13.5	16.4
Negro	15.0	15.2	15.4

In the case of flat sentences those murderers pleading "not guilty" received considerably higher sentences regardless of nativity or color. In the minimum-maximum sentences, the minimum sentence imposed upon those pleading "not guilty" does not vary greatly from the general average, and is only slightly higher than the average minimum sentences received by those pleading "guilty."

Over a period of sixty years the average sentence imposed upon

persons committed for a term of years to the State Prison was as follows:

<i>Year*</i>	<i>Average Sentence (Years)</i>
1930	19.7
1920	13.7† (30 yrs. max.)
1910	21.1
1900	19.8
1890	14.3
1880	13.3

* Each year shown covers the total court commitments for a three-year period including the year preceding and the year following.

† Minimum sentence. The maximum sentence is in parenthesis (). All other years show average flat sentences.

The range in both the flat and the minimum of the minimum-maximum sentences will be found to be very considerable:

<i>Specified Sentence</i>	<i>Number of Individuals Receiving</i>	
	<i>Flat Sentences</i>	<i>Minimum Sentences</i>
Average all sentences	21.2 years	15.1 years
5 years	2	20
8 years	4	18
10 years	31	49
12 years	9	23
15 years	26	87
20 years	40	112
25 years	27	21
30 years	87	—
All others	21	51
Total number of individuals	247	381

Time Served

The average time served on the flat sentences and on the minimum of the minimum-maximum sentences, and of the relation of time served to sentences is shown in the table below.

<i>Nativity and Color</i>	<i>Average Time Served (Years)</i>		<i>Per Cent of Time Served</i>	
	<i>On Flat Sentence</i>	<i>On Minimum-Maximum Sentence</i>	<i>On Flat Sentence</i>	<i>On Minimum Sentence</i>
All individuals	8.4	8.3	39.6	55.0
Native born white	7.7	8.1	33.3	49.4
Foreign born	9.3	8.5	43.7	58.6
Negro	7.0	8.1	35.9	54.0

It is interesting to observe that for the group as a whole, there is little difference in the actual time served on either the flat sentence or minimum-maximum sentence. On flat sentences the foreign-born seemed to serve more time on the average, while the time served on minimum-maximum sentences is not essentially different among the three groups shown.

Sixty-one individuals sentenced for life, who were released from the prison, had an average stay of 11.9 years.

Nativity and Color

The nativity and color analysis of the one thousand murderers considered in this study shows that 70.3 per cent were white (32 per cent native born and 38.3 per cent foreign born) while 29.7 per cent were Negroes. (The 1930 United States census shows 65.5 per cent male native born white, 15 years and over, 29.4 per cent foreign born and 5.1 per cent Negroes.)

What is the relation of these three groups of murderers to the general male population from which they came? This relationship needs to be established in order to get a proper perspective in the matter.

<i>Murder Commitments — Average Annual Rate Per 100,000 Male Population 15 Years and Over of Specified Nativity and Color</i>		
	<i>Period</i>	<i>Period</i>
<i>Nativity and Color</i>	1925-1934	1915-1924
All individuals	2.95	3.21
Native born white	1.65	1.59
Foreign born	2.09	4.44
Negro	22.03	19.73

The annual murderer commitments to the State Prison which were 2.95 per 100,000 of the male population fifteen years and over in the period 1925-1934, on the whole showed a slight decrease over the preceding ten-year period (1915-1924), which decrease is quite marked in the case of the foreign born. Thus the rate of the foreign born has come to be not very far apart from that of the native born white (1.65 for native born white and 2.09 for foreign born).

The negro murder commitment rate which was already six times that of the whites in the period 1915-1924 has further increased in the ten years following (from 19.73 to 22.03).

Various interpretations have been offered to account for the disproportionate homicide rate of the Negro. Among the reasons assigned have been inherent racial differences which is a much disputed point, however, his difficulty in securing redress for wrongs

except by violence, his low economic status and concomitant lack of education and ignorance, his inability to engage effective criminal lawyers, the prejudicial attitude of white jurors and officers of the court.

The geographic sections in the world from which the 383 foreign born murderers originate were as follows:

	<i>Number</i>	<i>Per Cent</i>
All individuals	383	100.0
Northwestern Europe	15	3.9
Central Europe	88	23.0
Eastern Europe	18	4.7
Southern Europe	249	65.0
All other	13	3.4

Among the foreign born committed for murder the nationalities which are the more numerous are the Italians (244) and Poles (34).

It should be remarked in passing that the foreign born murderers are no new comers to these states, for only 11.8 per cent have been here less than five years at time of commitment to the State Prison and 21 per cent from five to nine years. On the other hand, 39.7 per cent have been in the United States from ten to twenty years and 27.5 per cent over twenty years.

Chronological Age

The average age of the 1,000 murderers is 32.5 years. Analyzed by nativity—the native born white average 29.6 years, the foreign born 35 years and the Negroes 32.4 years.

The ages of the individuals classified in five year groups is given below:

<i>Chronological Age</i>	<i>Total</i>	<i>Native</i>		
		<i>White</i>	<i>Foreign</i>	<i>Negro</i>
		<i>Per Cent</i>		
All ages	100.0	100.0	100.0	100.0
Under 20 years	7.9	13.1	3.4	8.1
20 - 24 years.....	18.9	25.6	14.9	16.8
25 - 29 years.....	19.8	23.8	17.8	18.2
30 - 34 years.....	17.5	12.8	19.3	20.2
35 - 39 years.....	12.9	8.7	15.1	14.5
40 - 44 years.....	8.5	4.7	11.0	9.4
45 - 49 years.....	5.5	4.4	6.5	5.4
50 - 54 years.....	4.1	1.6	5.2	5.4
55 - 59 years.....	2.3	2.5	3.1	1.0
60 - 64 years.....	1.7	2.2	2.4	0.3
65 years and over.....	0.9	0.6	1.3	0.7

It is very significant to note that all these individuals convicted of murder—whether native or foreign born or Negro—were in the prime of life.

Mental Age

The median mental age of a total of 722 murderers was found to be 11.0 years, that of 233 native born 12.7 years, that of 245 foreign born white 10.5 years, and that of 244 Negroes 10.6 years.

<i>Mental Age</i>	<i>Total</i>	<i>Native</i>		<i>Negro</i>
		<i>Born White</i>	<i>Foreign Born</i>	
		<i>Per Cent</i>		
All mental ages	100.0	100.0	100.0	100.0
Under 9 years.....	7.9	2.5	11.9	9.1
9 years and under 10.....	18.4	6.0	26.1	22.5
10 years and under 11.....	24.4	14.2	26.1	32.4
11 years and under 12.....	16.2	15.9	17.1	15.6
12 years and under 13.....	10.8	16.3	8.2	8.2
13 years and under 14.....	9.2	17.6	5.3	4.9
14 years and under 15.....	5.1	7.7	3.7	4.1
15 years and under 16.....	2.6	6.4	1.6
16 years and under 17.....	2.6	6.9	0.4	0.8
17 years and under 18.....	2.0	4.3	1.2	0.4
18 years and over.....	0.8	2.2	0.4

Mental Disorders

Psychiatrists who as a part of the classification procedure examined 721 individuals committed for murder gave them the following diagnoses:

<i>Diagnosis</i>	<i>Number</i>	<i>Per Cent</i>
All individuals	721	100.0
No psychiatric condition	383	53.1
Constitutional defective	109	15.1
Chronic alcoholic	135	18.7
Epileptic	5	0.7
Psychopathic	41	5.7
Psychotic	48	6.7

Thus the psychiatric findings of 721 murderers show that in a little over fifty-three per cent of these, no psychiatric condition was evident. Among the so-called pre-psychotic, the constitutional defective comprise 15.1 per cent, while the chronic alcoholic com-

prise 18.7 per cent. The frankly psychotic comprised 6.7 per cent of the total.

It may be of interest to note that psychopathic and psychotic individuals are found more frequently among the murderers than among the general male prison population. Among 855 prisoners charged with all offenses were found 2.6 per cent of psychopathic and psychotic individuals; among 721 murderers were found 12.4 per cent coming within these categories.

Electrocutions

A law enacted in 1906 and which became effective on March 1, 1907, provided for the electrocution of persons condemned to death. Until that time persons condemned to death were detained in the county jails awaiting their execution by the county sheriffs.

Since the electrocution law took effect, to the end of June 30, 1937, the State Prison received 169 individuals with death sentences. Of this number 119 (70.4 per cent) have been electrocuted; eight were retried and sentenced to life or time imprisonment; in 27 cases the death sentence was commuted to life or time imprisonment; seven cases had other dispositions; eight individuals are awaiting execution.

The "death watch" is a long one. Over seven months have elapsed on the average before the death sentence was carried out by electrocution.

Causes and Prevention

To completely fathom the secret processes of the mind of a man which impels him to kill another human being has not yet been vouchsafed to even the most profound student of the mainsprings of human action. As has well been said "the complexities of the problem are especially great, because we know that people do not act according to preconceived patterns. Deeds are not the result of rational processes, but are determined instead by all kinds of jumbled instincts, impulses and desires—conscious and unconscious—breaking through the inhibitions imposed by the individual upon himself or the external pressures exerted by the group of which he forms a part."⁵

This study of 1,000 murderers, like similar studies made before, has found that personal animosities are most often the causative

⁵ "Thou Shalt Not Kill"—A Study of Homicide in the United States, by Louis I. Dublin and Bessie Bonnzell, Survey Graphic, March, 1935. See also "Homicide in the United States," by H. C. Brearly.

factors culminating in murder. The slayer has not, generally speaking, a long career in crime behind him. Acts of passion engendered by brawls and altercations under the influence of alcohol, uncontrollable fits of jealousy, violent domestic quarrels, etc.—play a very important role in murder as the following figures show. In many cases murder is the last act of a drama, the motives to kill having irresistibly developed over a long period of time. In others, murder is the incidental act committed by individuals discovered or thwarted in the perpetration of another crime.

Some light on the circumstances surrounding the act of murder may be found in the case records of the murderers committed to the State Prison. It is true that no matter how detailed the record may be, the words recorded are not enough in themselves to permit one to gain that profound insight needed to understand the impelling motives of human beings perpetrating such inhuman deeds, or to unravel the skeins of fate enveloping those that kill. We have here assembled only the facts concerning the relationship of the slayer to the slain and out of that relationship can only be dimly surmised the motives which may have obtained in a given case.

	<i>Number</i>	<i>Per Cent</i>
Total Murders	713	100.0
1. <i>Premeditated Murder</i>	79	11.1
a. Of Relatives	37	5.2
1. Wives—24		
2. In-laws—4		
3. Immediate blood—relatives—4		
4. Distant blood—relatives—5		
b. Of Non-Relatives	42	5.9
1. Mistresses—15		
2. Sex Rivals—4		
3. Male acquaintances—23		
2. <i>Other Crimes</i>	134	18.8
a. During Robbery, Burglary, Etc.—129		
b. During Rape—2		
c. During Kidnapping—3		
3. <i>Arrest</i>	22	3.1
a. Resisting Police Officer—20		
b. Resisting Jail Keeper—2		

4. <i>Altercation</i>	478	67.0
a. With Relatives	110	15.4
1. Wives—	78	
2. In-laws—	19	
3. Immediate blood—relatives—	8	
4. Distant blood—relatives—	5	
b. With Non-Relatives	368	51.6
1. Mistresses—	45	
2. Sex Rivals—	25	
3. Male acquaintances—	298	

One important consideration remains: What can society do to prevent the needless slaughter of such large numbers of fellow human beings? Control of human passions obviously is the answer. But before such control will be achieved by man, much scientific work remains to be done and systematic inquiries will have to be made to give us a more accurate knowledge of the inherent characteristics of the individual murderer, the social and economic environment out of which he grows and the motives which impel him to such a grave act.