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Warner Studies Arrest Law—Undertaking a two year study of the Law of Arrest, Sam Bass Warner, Professor of Law, Harvard Law School, has been inspecting police departments throughout the country. He is endeavoring to find out how the law works in practice through inquiries made to judges, prosecutors, and police officials. Moreover, he is spending several months in observation of police procedures by riding in squad cars and watching the police at work. Writing for the American Bar Association Journal (February, 1940) Mr. Warner made some interesting preliminary statements of his findings—situations in which the law of arrest is customarily violated by the police, and technically illegal practices that seem "socially desirable" to legalize, both to protect the police and to "accustom them to keeping within the law." How his project was begun was described by Mr. Warner as follows:

"Last spring Judge Richard Hartshorne and a number of other officials of the Interstate Commission on Crime discussed at length the present status of the law of arrest. They believed that the law of arrest was antiquated. It certainly is old, for it has undergone practically no revision since its formulation in England in the seventeenth and eighteenth centuries. They expressed the opinion that in nearly all, and probably in all, American cities the police regularly violated the law in making arrests, and they hazarded the guess that over 75% of all arrests are illegal in some particular. They wondered if this was not necessarily so, because strict compliance with the law would hamstring the police in their efforts to protect society.

"If the police are, practically speaking, forced continually to violate the law of arrest, that would seem to be an explanation of the serious violations of personal liberty which they occasionally commit as well as of much of the public hostility toward the police. Continual violation of law, even in unimportant details, is calculated to breed disrespect for law and to create a standard of conduct based on other principles. Once any person, particularly a person subject to the temptations to violate the law which confront a police officer, adopts as a standard of conduct something other than the law of the land, the chances are greatly enhanced that in an emergency he will fail to draw accurately the line between the fundamental and the unessential attributes of personal liberty and will violate the former along with the latter. Further, if the police are engaging in lawless

practices, that fact sets the ordinary citizen a bad example and is likely to arouse in him hostility toward the police. Hence it was concluded that it was important to make a study of the law of arrest to ascertain whether the police did, or could, operate within its limitations and, if not, what changes were necessary to make it both a practical standard of police conduct and a safeguard of personal liberty. The writer was asked to undertake that investigation."

Mr. Warner is not only an able scholar but a very practical one as well. It is hoped that he may be able to clarify the perplexing law of arrest by publishing a treatise thereon, and also that he may devise legislation which may furnish better protection to the police officer but still protect the citizen from oppressive police measures.

Arizona's Code—Reformers in the field of criminal procedure will find the recent experience of Arizona most interesting. As stated by Professor John B. Waite in the February, 1940, Journal of the American Judicature Society:

"The legislature performed its necessary role by delegating power to the supreme court to promulgate rules of pleading, practice and procedure in judicial proceedings, and by making the State Bar, or a selected group thereof, an advisory committee. The State Bar created committees; and the court formally adopted codes that may be presumed to give Arizona a preeminence in procedural reform.

"The code of criminal procedure adopted by the Arizona court to take effect April 1, 1940, is, except for omission of one of twenty-four chapters and minor textural alterations, identical with the code proposed by the Institute. No model law or code of laws can be presumed to meet all local conditions. But so far as *procedure* is concerned there should be little need for divergence among the states. The Arizona court suggests in a memorandum that amendment may be required. The opportunity to discover the need for amendment through experience and to make amendments easily as new conditions call for them constitute two of the great merits of the principle of *judicial*, rather than legislative, rule-making. Future developments in Arizona, following so auspicious a beginning, should be of widespread interest."

Notice of Alibi—From time to time this Journal has contained articles and notes on the notice of alibi (See, for example, Millar, "Statutory Notice of Alibi," XXIV J. Crim. L. 849). Many bar associations are recommending that it should be made necessary that prior notice of the intention to rely upon alibi evidence should be made by the defense before trial. It is thought that such a procedural reform would allow the state to check the alibi and would prevent the use of surprise witnesses. Hence, a recent study by two Texas scholars is of interest. Robert W. Stayton and Thomas N. Watkins, Jr., made an investigation of the desirability of notice of alibi as Project No. 30, Bureau of Research in the Social Sciences of the University of Texas. Their findings were printed in the February, 1940, Texas Law Review under the title, "Is Specific Notice of the Defense of Alibi Desirable?"

This study was the result of

questionnaires sent, in the fall of 1938, to prosecuting attorneys in all of the states of the Union to determine the reaction of such attorneys to the practice prevailing within their respective states with reference to the admission in evidence of alibi testimony, i.e., whether such evidence is permitted to come in under the plea of not guilty or whether it is necessary that prior notice of the intention to rely on such evidence be given before trial.

They conclude: "In those states still operating under the common law practice, including Texas, a bare majority of the prosecuting attorneys feel that such practice is unjust to the state in the opportunity for surprise and resulting unjust acquittals which it affords, while a large minority feel that the practice is just to the state because the state should, in the primary presentation of its case, rebut any alibi evidence that might later be introduced and should, therefore, never be surprised by the introduction of that testimony.

"In those states [11 in number] which have changed the common law practice no other conclusion may be drawn than that an overwhelming majority favor the new practice as an instrument of justice to both sides of a criminal case.

"Taking the entire survey into consideration, however, and weighing the general 'tone' of all the answers along with the answers in their concrete form, the writers' conclusion must necessarily be that, while a definite majority of the prosecuting attorneys who were consulted think that the procedure under rules requiring notice, prior to trial, of the defendant's intention to rely on an alibi as a defense would, as a matter of abstract justice, be preferable to the common law procedure, there is, nevertheless, a more or less general air of indifference to the whole question, which may or may not cast some doubt on the real or ultimate value of statutory change."

New York Code—Bruce Smith of the Institute of Public Administration, 261 Broadway, New York City, writes to the Editor: "The New York State Commission on the Administration of Justice has published the draft of a proposed revision of the Code of Criminal Procedure in this state. A bill based upon this draft was introduced in the legislature last year and, with minor changes, will be re-introduced this year. Due to impending political events of major importance, our legislative session will be too brief to permit consideration and passage of such a bill as this. So our real effort in its behalf will have to go over for another year. Meanwhile, however, the state and local bar associations and the state associations of police, district attorneys, magistrates, etc., have appointed committees to consider the draft, so there is little danger of the matter becoming a dead issue."

Chamberlin on Organized Crime—At the 21st Annual Meeting of the Chicago Crime Commission, the Operating Director, Henry Barrett Chamberlin, made his report. After dealing with the statistical data of the work of the criminal courts of Cook County he made the following comments which should be of interest to the readers of this Journal:

"Organized crime is a manifestation of economic movement. In

its present form it is the result of an increasing intelligence on the part of the criminal class—the application of the capitalistic system by the predatory who are not openly protected by legal technicalities. An extended study of the problem indicates secret dealings with persons in authority. This helps to explain the prosperity of some and the vicissitude of others. This suspicion is too wide-spread to be dissipated by mere disclaimers.

"Whatever may be the inevitable and ultimate outcome there remains for serious consideration the fact that now, under present conditions, the underworld groups and syndicates maintain operations on a large, and apparently increasing scale, in defiance of the laws of the states and the federal government. Their operations extend into many different fields and their methods of professional violence include all sorts of shocking and cruel activities. One of these, which is effective in compelling compliance with the demands of racketeers is terrorization in various forms, not excluding murder. This method of inducing acquiescence to demands is a development of the mode pursued by the old 'educational committees' in the days when sluggers were the shock troops of those engaged in enterprises frowned upon by the law. Bombing today has become a vocation practiced by specialized crews or gangs. Combined with window-smashing, slugging and shooting, it is very effective. Apprehension is difficult because of the easy 'getaway' afforded by automobiles and again this method increases the difficulties of the police and prosecutors in apprehending and convicting.

"And the lawyer criminal must not be overlooked. Retained at large fees, using every crooked, political influence, including bribery, frightening material witnesses after an indictment, intimidation of those who do stick but change their testimony through fear, he is a very important factor. The ability of successful racketeers to raise ample defense funds is not to be disregarded.

"Not alone in Chicago, but throughout the country, the group that is causing the most trouble for law-enforcing authorities is the racketeer. This cross section of criminal society has taken a page out of the modern business book and modified it to meet its necessities. It has taken the idea but not the method. It does not work by indirection. It employs direct action. It operates under the guise of a supposedly legitimate association organized for co-operative purposes, but it brings home very forcibly the thought that failure to join the group means trouble.

"It is a fact that the racketeer does not always impose himself upon an industry or an association. He has often been invited in because his services were welcome and the original encouragement to terroristic methods which has resulted in the present condition came from shortsighted men in supposedly legitimate lines who wished to impose their wills upon less fortunate competitors. It is an example of the fact that it is difficult to play with coercion and violence without becoming its victim.

"In considering organized crime the practical politician cannot be omitted from the picture. Crime is a vast and complicated subject. It is a study in human emotions,

friendships, heroisms and unconditional mutual aid without hesitant criticism or question whenever danger threatens from constituted authority or rival gang interests.

"It has been based on mutual friendships and interests, but it is weakening somewhat, because the criminal gangster is again taking a leaf from the book of business and is straying the field. In other words, organization based on totally mercenary principles has taken the place of the old-time comradeship. In business and industry, at one time, comradeship existed between master and man. Changed association has made business more difficult and complicated, also more selfish and mercenary. It is the same with crime as it grows in organization facility.

"The gang today is developing into an organization of professionals. It differs from the old gangs in that it is not an outgrowth of neighborhood play groups. It is becoming a development of occupational skill. It is maintaining a standing army of gunmen and it has shown its ability at election time in many of the large cities of the country. Election frauds during primaries and elections have evidenced alliance of gangster and politician. The reason is clear. The gangster depends upon political protection for his criminal and illicit activities. Without such protection his occupation would become increasingly difficult, his apprehension likely and his conviction probable.

"The strength of the criminal organization lies largely in the fact that the gangsters and their allies regularly bring out the vote for their friends. The church people and other good citizens are more apt to stay away from the polls except when the issue between good citizenship and organized crime is dramatically staged.

"In dealing with organized crime there are those who try to picture the criminal as tortured by the pangs of remorse. This is pure buncombe. The individual gangster never quits because of feelings of remorse for his misdeeds. Sometimes he gets out of the racket because he finds from his own experience that crime does not pay. The criminal group strives to make crime both profitable and safe. This is done by not only endeavoring to elect its picked candidates but by employing shrewd, indefatigable and resourceful lawyers with reputations as fixers and then resorting to violence and intimidation to insure the freedom of any of its members who may become enmeshed in the web of the law.

"Three important elements to be considered in the crime situation are the police, the prosecutor and the judiciary. These functioning together become an effective instrument in the suppression of crime. Operating independently, sometimes antagonistically, they hearten the criminal element to the hurt of the law-abiding. It is an unfortunate fact that in most communities these three essential factors in the crime situation are not always in accord. Sometimes they have even worked at cross purposes; have criticized each other and have been more intent upon preparing alibis than in harmonizing differences to the end that the commonwealth might be served.

"Racketeering cannot exist without protection. The big criminal bosses are so strong in politics that they are able to treat many officials with open contempt, because they know that the political organization has put these officials in office and will see that they treat 'the boys' right. Political organizations accept financial support from criminals and they pay the obligation in protection.

"Rackets are growing in number, in power and in boldness. Racketeers are protected criminals. When you find a racket that is successful, you may know that in the neighborhood is either corrupt business or corrupt government. The larger racket must have the protection of officials and must not only be organized but must keep growing in order to keep alive.

"One of the interesting studies of the racket is to find out how well it is based on the methods of legitimate business. In every racket is a lawyer. The lawyer has studied in a law school; he is an associate of most of the lawyers in the community; he has a decent appearing home; he has sons and daughters; he is a member of his bar association; he is invariably a lawyer who is in politics; he is so strong in all sorts of activities that he can't be disbarred.

"Some few civic organizations fight along against organized crime, indifferently supported by the public until some sensational betrayal of public trust is accorded. Occasionally some fearless public prosecutor blows off the lid and is usually defeated for re-election. The most adequate helper in the fight against crime is the newspaper which now and then risks public indifference, fights the battle of the people and acquires a lot of libel suits.

"There is, however, significance to be attached to, and some encouragement to be found in, the indication that there is a changing method, which while successful at the present may result in the undoing of the organization of crime in the future. The great strength of the tie binding gangsters and politicians in friendly relations is being replaced by alliances based upon financial considerations alone. This in the end is likely to prove a weakness because human loyalties are not knit together by mere money.

"One of the greatest difficulties confronting the honest crusader against crime is the lack of understanding between the so-called good citizens and the criminal. They have been reared in different worlds, have never been able to understand each other and probably never will. However, the widespread discussion of the subject of crime in recent years and the facts developed concerning alliances between criminals and politicians should enable the public to realize something of the practices and philosophies of the gangsters and take means to combat this evil—a difficult task in this country where the good citizen gives attention to the problem intermittently while the criminal stays on the job all the time.

"It is the dream of the visionary that some day an aroused public opinion will eliminate crime. The vision is Utopian. Crime will never be eliminated, but it may be minimized and controlled whenever public sentiment is sufficiently aroused and stays aroused and is wisely directed. To be directed

properly there must be fact-finding and research. This is something that the average citizen declines to support because it is neither spectacular nor interesting. Merely stirring public opinion to white heat because of some existing abuse or disorder is not sufficient. To be successful there must be devised a comprehensive plan which will provide the public with information concerning the integrity and efficiency of its law-enforcing agencies in connection with the activities of criminals."

California Statistics—From the Eighth Annual Report of the Board of Prison Terms and Paroles, State of California, which covered the period from July 1, 1938, to June 30, 1939, we find the following table:

Fiscal Years	Felonies Reported	Felony Arrests	Committed to Prison	Released on Parole	Felony Violations on Parole
1933-34	35,901	24,364	2,550	1,240	43
1934-35	33,701	23,519	2,124	1,447	36
1935-36	32,635	25,054	1,958	1,339	43
1936-37	35,812	28,230	2,156	1,165	20
1937-38	42,197	30,640	2,230	860	19
1938-39	44,819	28,940	2,078	984	25

The Report contained this comment on the above figures: "Not only is it true that only a small percentage of persons arrested for and convicted of a felony charge are ever committed to prison, but it is equally true that, except for the occasional or accidental offender, there is usually an early record of delinquency, truancy or incorrigibility which should have served as evidence of the necessity for some special consideration and treatment to prevent the occurrence of the later record of crime."

Institutes in Probation—Irving W. Halpern, Chief Probation Officer and Secretary of the Committee of Judges on Probation Plan and Scope, Court of General Sessions, New York City, has planned and directed a series of lectures for the year 1939-40. He says: "This course of lectures is designed to be of special interest to those concerned with the treatment of crime, its causes and its control. We are presenting the problem of the maladjusted personality from the viewpoint of psychiatry, the correctional institution, the law, and other coordinated community programs. The speakers have been selected because they are authorities in their various fields. A wide range of topics has been chosen in order that the professional workers in the field of delinquency and related fields who attend the institutes, may broaden their knowledge with reference to the techniques used for the investigation of abnormal and criminal behavior, and the methods employed to bring about better personality and social adjustments."

The topics and leaders are as follows: December 9, 1939, "The Personality in Crime," Dr. Karl M. Bowman, Director, Bellevue Psychiatric Hospital; January 6, 1940, "The Problem of the Sex Offender," Dr. Jack Frosch, Junior Psychi-

atrist, Bellevue Psychiatric Hospital, and Dr. Walter Bromberg, Psychiatrist-in-Charge, Psychiatric Clinic, Court of General Sessions, and Senior Psychiatrist, Psychiatric Division Bellevue Hospital; January 27, 1940, "Planned Recreation and Crime Prevention," Sanford Bates, Executive Director Boys Clubs of America; February 3, 1940, "The Effect of Cultural Changes on the Intelligence Quotient," Solomon Machover, Staff Psychologist, Psychiatric Clinic, Court of General Sessions; February 17, 1940, "The Woman Offender," Ruth Collins, Superintendent, Women's Prison; March 4, 1940, "The Schizoid Offender—A Case Study," Dr. John Cassity, Senior Psychiatrist, Psychiatric Clinic, Court of General Sessions, and Senior Psychiatrist, Psychiatric Division, Bellevue Hospital; March 18, 1940, "Racial Differences," Prof. Otto Kleinberg, Columbia University; April 8, 1940, "Psychological Aspects of Some Cases of Murder," Dr. Walter Bromberg, Psychiatrist-in-Charge, Psychiatric Clinic, Court of General Sessions, and Senior Psychiatrist, Psychiatric Division, Bellevue Hospital; April 22, 1940, "Studies in Parole," Dr. David Dressler, Chief Parole Officer, Division of Parole, State of New York.

Prison Recommendations—The 1940 Recommendations of the Prison Association of New York, E. R. Cass, Secretary, to the Legislature of the State of New York are full of sound advice, as usual. Thirty-one concrete proposals are made and a short and direct comment is made under each one. Lack of space prevents a discussion of them all, and some are of local interest primarily. This year we chose the recommendation No. 19 as of most interest to our readers. It is entitled "Third Degree Methods" and reads as follows:

"It is recommended that legislation be enacted providing for immediate arraignment before a magistrate of all persons arrested, whether under suspicion or charged with the commitment of a specific crime. *COMMENT*: The Prison Association of New York suggests as a first step in the curtailment of police practices, commonly referred to as the 'third degree,' that serious consideration be given the proposal that persons arrested on suspicion, or otherwise, should forthwith be taken before a magistrate where the opportunity is offered to make statements. This proposal is based on the theory that accused persons should enjoy the full protection of their constitutional rights not to be compelled to incriminate themselves.

"Investigations of the use of the 'third degree' generally result in the word of the officials against that of the prisoner. The prisoner's testimony is usually outweighed by the superior number of officers unless his physical condition is such as to arouse strong suspicion on the part of the court or other examining bodies.

"Under present procedure the opportunity for oppressive police examination occurs from the time of arrest until arraignment. Section 165 of the Code of Criminal Procedure ostensibly makes provision for protection by indicating that 'the defendant must in all cases be taken before the magistrate without unnecessary delay,' yet the police frequently act wholly on their own interpretation of the

phrase 'unnecessary delay.' An immediate revision of the law is necessary in the campaign to eliminate the use of the 'third degree,' Ultimately, scientific police procedure utilized by an increasingly competent personnel will be of far more value than law revision. However, it is necessary under present conditions to strengthen a weakness in the law." [In line with this recommendation the reader is urged to see Roscoe Pound, "Legal Interrogation of Person Accused or Suspected of Crime," XXIV J. Crim. L. 1014.]

MacCormick Appointment—The Appointment of Austin H. MacCormick, for the past six years Commissioner of Correction of New York City and former Assistant Director of the United States Bureau of Prisons, to the newly created post of Executive Director of The Osborne Association and his entry on duty were announced on January 16 by Charles D. Osborne of Auburn, Chairman of the Board of Directors, and G. Howland Shaw of Washington, President of the Association.

Mr. MacCormick comes to the executive directorship of the Association with a unique background of training and experience. He has just completed ten and a half years of important administrative experience in the prison service of the Federal Government and New York City. From 1917 to 1921, while still in his twenties, he was Executive Officer of the U. S. Naval Prison at Portsmouth, N. H., serving under Thomas Mott Osborne for three years, and for an additional year under his successor. In this position, corresponding to that of deputy warden, in a prison which had as many as 2,600 prisoners at one time, he not only acquired invaluable experience in dealing with ordinary prison problems but also had the opportunity to participate in a successful demonstration of the possibilities of "prison self-government" under the man who is generally acclaimed as the greatest prison reformer America has produced.

Joining the Bowdoin faculty after the Portsmouth period, Mr. MacCormick participated frequently during the next seven years in prison investigations and surveys. In 1927-28 he devoted a whole year to the work of the National Society of Penal Information, engaging in a survey of all the prisons and adult reformatories in the country and also making a special study of prison education.

Going to Washington with Sanford Bates in 1929 as Assistant Director of the U. S. Bureau of Prisons, he played a large part in the striking reorganization of Federal prisons, probation and parole which took place. In 1934 he was called to New York City by Mayor La Guardia as Commissioner of Correction and during the past six years has brought one of the largest prison systems in the country, handling nearly 100,000 prisoners a year, to a position of recognized leadership.

Mr. MacCormick has a large following in the penal and correctional field, where his speaking and writing, as well as his administrative work, have enhanced his reputation for humanitarianism and hardheadedness. He was president of the American Prison Association in 1939 and is an officer or director of many other organizations.

With Mr. MacCormick as a full-time member of the staff and with the added weight of his nation-wide reputation in all sections of the field of correctional treatment, the Association will extend and intensify the program which has caused it to be generally recognized as a leading source of authoritative information on American penal and correctional institutions and methods. It is hoped especially to increase the Association's already strong influence in the promotion of progressive penology and its practical application in effective methods of dealing with offenders.

Colorado Survey—The Colorado Crime Survey, conducted under the direction of Professor Hans von Hentig, who holds the chair of criminology in the University of Colorado and is well known to our readers through his numerous articles [See "Criminality of the Negro" XXX J. Crim. La. 662 (Jan.-Feb. 1940)], will be completed about April 1. Since the publication of surveys has been slowed down greatly in the past decade the Colorado survey is awaited with keen interest. This is especially true because it will carry throughout a comparison of all delinquency data of the States of Colorado, California and Connecticut.

Cantor Address—Dr. Nathaniel Cantor, professor of social science at the University of Buffalo, advocated the reformation of our penal institutions as the best means of reforming their inmates, at the annual dinner meeting of the Pennsylvania Prison Society, which was held in Philadelphia on January 18, 1940.

Speaking on "The Dilemma of Penal Reform," Dr. Cantor said in part:

"We most seriously question the value of the present prison plants. The prison system is not the final answer to how we shall dispose of the offender. I confess it is difficult to imagine surrendering this method. But it was just as difficult to surrender the practice of torture in the Middle Ages or public execution for every felony in England.

"In addition to trying to fit new programs and techniques into the traditional prisons we might be experimenting with new types of institutions. I refer to such encouraging developments as the Federal camps, the institutions of the Public Health Service for narcotic addicts at Lexington, Kentucky, and Fort Worth, Texas, the State Farm in Indiana and the New Jersey State Farm for Women. Such developments represent a break with the traditional walled and barred institutions.

"The possibility of developing penal communities or colonies where inmates can lead fairly normal lives with their families should receive attention. The Aleution and Virgin Islands and many unsettled regions of the country are suitable places to experiment with the idea of a self-supporting, normal community life from which most criminals would not care to escape. If permitted to bring their families or to marry within the community, with opportunities for work, recreation and communication through newspapers and radio, the number of recidivists might be considerably lowered. The dilemma of custody and correction would be largely resolved.

"I am of the opinion that such form of segregation is financially and psychologically more sound than our crazy, state cages or that monstrous monument to penal deformation called Alcatraz.

"Penal reform must concern itself with the reformation of our penal institutions. Alternatives to prison cells and walls and 'dont's' must be discovered. Otherwise we shall have to accept the fact that well over a majority of released prisoners will recidivate, that approximately fifty per cent of the population of the larger state prisons will continue to come from former juvenile institutions or reformatories."

Youth in the Toils—Early in 1940 there was circulated among 150 consultants a confidential draft statute prepared by the American Law Institute's Committee on "Criminal Justice—Youth" after a two-year study of the problem of youth-crime and means toward its solution. Readers will be interested to learn that the National Broadcasting Company has extended its facilities to the Committee for a series of thirteen weekly broadcasts to start March 4th. The council of the Institute approved the proposed statutes at its meeting in New York on February 22nd, and the recommendations as amended will be presented to the entire Institute at its meeting in Washington in May. Until that time, of course, the details of the model laws will remain confidential. The broadcasts have been arranged so that the first ten—preceding the conference—will concentrate on the youth-crime problem alone. The last three programs, which follow the May conference, will outline in detail the new plan as approved.

"Youth in the Toils" will be broadcast over WJZ in New York, and the program has been offered by NBC to over a hundred other stations on its Blue Network. The 13 weekly dramas are entitled: I Am a Criminal, Girls Beyond the Law, Crime Is a Habit, Classrooms of Crime, Stepchildren of the Law, Dead-End Justice, Behind Prison Gates, Parole—to the Streets, Eye for An Eye?, The Criminal Sentences Himself, They DO Come Out!, Youth Courts for America, Rainbow Through the Bars.

The Committee has been considering such questions as: What is the effect of court procedure on young offenders? . . . Of Prison and reformatory confinement? . . . Does our system "educate" them to further crime, or restrain them? . . . Do present methods really protect society? . . . What is the cost in human waste, taxation and the continued loss of life and property? . . . By improvement of our criminal administration, can we strengthen these important institutions in our democracy? And its broadcasts and its model legislation are awaited with keen interest.

Census Statistics—Two recent booklets have been released by the Bureau of the Census. One is Ronald H. Beattie's "Judicial Criminal Statistics—Ohio, Minnesota, and District of Columbia, 1938." In this publication of 68 pages there is made an analysis of the statistics of the disposition of criminal cases *based upon individual case reports.* Mr. Beattie says: "The Bureau of Census has been interested primarily in developing a method of accounting for the activity of the

criminal courts which will make available complete and accurate information on all phases of the disposition of criminal defendants. While the analysis of the data reported by the individual case method from the three jurisdictions contained in this report has been necessarily incomplete, it should serve to demonstrate the usefulness and practicability of the individual case method. It is hoped that the time will come when court records will contain, in addition to the facts of procedural outcome, social data on the defendant, such as his sex, race, and age. The analysis of individual case reports will then furnish even more interesting and conclusive information. It is further hoped that many of the States in the next few years will adopt this method of reporting and will set up central statistical agencies to collect, tabulate, and analyze the criminal statistics of their particular State."

The other publication is "Prisoners in State and Federal Prisons and Reformatories—1937" and is filled with interesting facts on movement of population, type of offense, age, marital condition, recidivism, method of release, etc. Its materials, covering 97 pages, are indispensable to the criminologist. Two points gleaned from them are set out as indicative of the data contained therein. In all the Federal prisons there were only 12 murderers. From all prisons, State and Federal, 1,335 persons escaped during the year, but 1,336 were returned!