Spring 1930

Crime Commissions and Criminal Procedure in the United States Since 1920--A Bibliography--January 1920-June 1927

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CRIME COMMISSIONS AND CRIMINAL PROCEDURE IN THE UNITED STATES SINCE 1920

A BIBLIOGRAPHY

January, 1920-June, 1927

ESTHER CONNER

INTRODUCTION

The high rate of crime in the United States has resulted in a country wide movement against crime. The most satisfactory organization formed is the crime commission or some variation from it, which has been either National, state or city in scope. Each has had the same purpose, that is to evolve some remedial measures and to arouse public interest. The problem includes the study of statistics of present and past crime, the causes, the criminal himself, the criminal laws, their enforcement, criminal procedure, the preventive measures, and the method of punishment. Mr. Raymond Moley of Columbia University and the National crime commission says, "A commission serves two purposes; it may, on the basis of carefully gathered facts, formulate intelligent remedies and at the same time develop the public interest necessary to the improvement of conditions."

This bibliography has material gathered from the various crime commissions, articles telling of their work or of their organization together with material published on reforms of criminal procedure already worked out or tentative suggestions for reforms by eminent scholars of criminal law and procedure.

The arrangement of the bibliography is as follows: Bibliographies, covering part of the subject—General procedure, which includes the material in a broad way, that is not citing any particular state or city as examples—National crime commissions, discussing the organization and the work done by the commission—Crime commissions and criminal procedure, which are arranged by states and cities which have made recent studies of crime. The states are arranged alphabetically. The cities are under their respective states.

²Presented to the Library School in the University of Wisconsin.
Short forms for the periodicals, Annals of the American Academy of political and social science, and Journal of American Institute of Criminal Law and Criminology are used.

Attention is especially called to the American year book for 1926, as it has under crime commissions a list of all the states and cities having crime commissions or similar organizations. This list is inclusive of some commissions not listed in this bibliography, it being impossible to secure information or material from all.

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BIBLIOGRAPHIES

This bibliography is much broader than the present bibliography is intended to be. It includes laws and procedure, both American and foreign; its scope in matter of time is greater; it includes text books. It is included because of its entries in criminal procedure.

This bibliography considers crime from the sociological point of view. Contains entries on crime commissions and recent procedure. Some of the entries are of earlier date than is the aim of the present bibliography.

CRIMINAL PROCEDURE IN GENERAL


Shows the urgent need for reform in criminal procedure, using the state of Pennsylvania as a specific example. Points out a few of the articles of a code for criminal procedure framed by the Pennsylvania commission but not yet adopted by the state Legislature.


A criticism of the present procedure with a tentative outline of a new form.


"Possibility of improvement by administration and procedural reforms in connection with criminal prosecution." Subtitle.


Same article (in American Bar Association Journal, Aug., 1925, v. 11, p. 510-515. Main body of text the same.

Criminal procedure which constitutionally may be made by states through amendments or statutory enactments.


Points out the faults of the present system, giving instances from real life. Makes suggestions for reform.


Gives the English point of view of the new code of criminal procedure recently compiled by the National crime commission. Also summarizes the twenty articles of the code.


Discusses why suggested reforms should be adopted. Shows the lack of any consensus of opinion as to the necessity of reform.


Discusses two forms of criminal procedure, practical and abstract.


Discusses the needs of better criminal procedure; difficulties in uniform methods of handling cases and gives specific instances in different kinds of crime. Urges the formation of some sort of an organization such as the Chicago crime commission, in every state.

This paper was given at the forty-eighth annual meeting of the American Bar Association. It is a general survey of the crime situation; considers the money involved in apprehending criminals; the faults in criminal procedure; the value of crime commissions or similar organizations in controlling crime.


Point out where reforms are needed and give suggestions for making them.


Describes the criminal conditions in this country and displays the appalling tendencies of their growth and failure of the present criminal procedure to conflict and offers suggestions for change.


Tells of the efforts of the American bar association and undertakings of individual associations, namely the Chicago crime commission, Cleveland association for criminal justice, Baltimore criminal justice commission, National crime commission, and the New York state commission.


Summary of crime conditions in the United States. Tells of work of institute and obstacles in way of enforcing a new code after it is drafted.


Points out where revision is needed.


Ten suggestions for improvement of criminal procedure, given in the form of questions followed by discussion of each as answers.


Many difficulties in revision of criminal law, among them the proper selection of steps of procedure. Also the need of properly trained and chosen officers and the lack of administrative supervision and leadership.


Points out defects in general in the present criminal procedure.


"Brief basis for study of criminal law problems outlined by James Bronson Reynolds, Esq., president of the American Institute of Criminal Law."

Subtitle.


Points out that in different sections of the country that laws concerning criminal procedure have not been changed since the country was first settled. Followed by a discussion of the recommendations suggested by the American Bar Association. Says that most of them are of high value and worthy of adoption, but that some are too sweeping in their measures.


Shows what the country's problem is in regard to crime. Tells what Detroit, Michigan, Canada, New York, Maryland, and Connecticut have done in way of remedying crime. Sums up remedy for whole country.


A reply to Mr. Hadley's speech, "Criminal justice in America," They agree in part. The most of the article gives the points in which the two men disagree. Following this article is a short rejoinder by Mr. Hadley.


Part 4, also in American Bar Association Journal, May, 1925, v. 11, p. 299-301. As shown in part 3, there is a general uniformity in criminal procedure in the United States. Shows that the law is defective in its use of useless technicalities and the use of technicalities not even consistent with each other.

Part 5, also in American Bar Association Journal, Nov. 1925, v. 11, p. 738-741. Points out four cases in which American criminal law is uncertain and cites cases as examples.

NATIONAL CRIME COMMISSIONS


Discusses the organization of the National Crime Commission, giving a list of the members. A short note which follows tells of the appointment of a committee, chosen from their number, to frame a new code of criminal procedure. The latter note was also published in the New York Times, Dec. 23, 1925.


National Crime Commission makes statement of method by which states may legally adopt a new code drafted by the commission.


It gives a list of the members of the commission and tells its purpose. Mentions that New Hampshire had first.

Mr. Prentiss, one of the organizers of the National crime commission, points out the alarming increase of crime and asserts that it is the lack of punishment and the laxness of law. Summarizes the program of the National Crime Commission.


Argument that we are not scientific in our effort to correct crime, that is in uniform legislation. Tells of different organizations and their work in curbing crime. Lays stress on the National Crime Commission.


Lists members of commission. The author feels that the National Crime Commission is an organization of little power. Urges state organizations.


After a two days' conference in Washington, the National Crime Commission prepares a plan to organize co-operating groups in all the states, which President Coolidge endorses.


CRIME COMMISSIONS AND REFORMS IN CRIMINAL PROCEDURE IN STATES AND CITIES

GENERAL SURVEYS


An ironic summary of the need, the establishment, and final result of a crime commission.


An editorial article that gives quite a different view of crime commissions. It says: "That crime commissions seem a well intentioned mistake, another addition to the amateurs meddling futilely if not harmfully in the workings of the government."


Discusses the Cleveland survey; criminal statistics; the fact that money has been provided for complete survey of criminal procedure; the National Crime Commission; and the new criminal code to be framed in New York.

Discusses the following states and cities and institutions, as to what they have done in the problem of better law enforcements concerning crime. California, New York, Massachusetts, Harvard law school, Michigan, Louisiana, Missouri, Minnesota, Nebraska, Chicago, Cleveland, Baltimore, Philadelphia, Kansas City and, closing with summary of what we may require in procedure.


Tells of the activities in the legal profession to check crime, noting the appointment by the American Law Institute, of a committee to investigate defects in the administration of criminal justice. Summarizes the distinctive features of the Missouri crime survey; speaks of the New York crime commission and the National crime commission. Lists the state and local organizations that have organized to check crime.


General discussion of previous crime situation compared with the present. Followed by an examination of crime commissions and considers them as a solution with a list of the more prominent ones.

Moley, Raymond. State crime commissions; what they are and how they should be organized. 1926. N. Y. National Crime Commission. Pamphlet.

A manual for state crime commissions, whether publicly or privately organized. Also contains the law passed in New York State for a crime commission.


Richard W. Child urges all states to make a study of the crime situation and cites the New York commission's work to show its aid to legislation and praises the Baumes law.


General summary of crime conditions given in the introduction. Gives three primary recommendations, which are, promptness in filing information and proceedings prior to trial, promptness in bringing case to trial, promptness in hearing of appeal. The next thirty pages devoted to statutory changes, advisable. There is a good index.


Lists some of the innovations in crime laws of California made possible by the state crime commission.


California's great opportunity is an editorial discussing the California crime commission, comparing its findings with those of Eastern cities. Points out the laxity of the California laws and gives some proposed new sections, comparing them with the provisions in the Baumes Law of New York.

Tells of the Governor of California appointing a committee for the reform of criminal procedure. Gives the names of the men appointed and tells something of their previous work along that line.

Los Angeles


Gives the ten items constituting legislative and constitutional change brought about by the newly organized commission.

Georgia


A statistical analysis of crime in Georgia, covering the criminal side of the superior courts in Fulton, Bibb, Lowndes, Randolph and Tuft counties. It also covers the criminal side of these courts in the cities, except Randolph county which has no city courts. There are many graphs showing the increase of crime in these counties. The counties chosen are taken as typical, ranging from largest populated to smallest.


A review of the above report.

Illinois


A bill is given for an act in relation to the collection, use and preservation of data, information and records concerning crimes and criminals and complaints relating to crimes, and provides penalties for misconduct. Followed by a discussion of the development and the operating of the Chicago crime commission.


Same article in the Chicago Legal News, Jan., 1922, v. 54, pp. 206-207.

Gives definite suggestions for reform in criminal law of the state.

Chicago


Gives statistics of crime in Chicago from 1910-1921. Comments on the Chicago crime commission, making special mention of the bulletin which discusses the drop in murder rates due to the work of the commission.


Gives statistics pointing to the increasing amount of crime in the United States. Compares our way of handling crime with the Canadian. Closes with a suggested remedy, citing Chicago crime commission as an example, embodying part of its program in the article.

The first bulletin gives the constitution under which the association is organized, its purpose and reports of committees. The later reports give the findings of the committee, what work was accomplished each year, and status of the organization in the community.

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Shows how crime commission has helped in reducing number of murders in the city. Comparative statistics given.

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An illustration of the work of Chicago crime commission in its fight on professional criminals.

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Figures show the reduction in major crimes. Tells how Chicago Crime Commission has helped. Specific instances are cited and detailed statistics are given.

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Immediate improvement of health and sanitation in county institution effected by crime commission committee and health commission, sheriff and jailer.

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Concerning pardons, paroles and jail bonds in criminal cases. Bulletin, Mar. 29, 1924.

Shows abuses of the above mentioned forms.

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Points out the need of checks in murder cases, according to survey of conditions in Chicago.

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The officials of city and county, called together by crime commission to consider the entire situation of crime today.

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Shows degree of progress, conviction's gain, probation increase, failure to arrest, voids indictment and bond grips loosens.

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Crime commissions resources for whole year less than one dangerous criminal group collected for a single trial. Also important undertakings of commission outlined.

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Address by Justice F. A. Thompson of Illinois Supreme Court to Chicago crime commission. Points out remedy is with people; delay due to failure of judges to devote time to task; suggests removal of administration of criminal law from partisan politics and shows where reform is needed, example, indeterminate sentence and pardon power.

Other articles telling of the Chicago crime commission and its work are: How the business men of Chicago are fighting crime, Journal of Criminal Law and Criminology, Nov., 1920, v. 11, pp. 386-397; Cost of crime in Chicago, Motor View, Sept., 1924; To reduce crime get after the criminal, Chicago Commerce, Dec. 19, 1925; Speedy justice in criminal cases, American Bar Association Journal, Nov., 1921, v. 7, pp. 598-600, also in Chicago Crime

INDIANA


Purpose of article to set out certain proposals for amendment in criminal procedure, which have been endorsed by the committee on criminal procedure and judicial administration of National crime commission. Proposal number 33 is the creation of a non-salaried crime commission.


Takes each proposal as stated in the December number of this Journal and tells of the vote in the legislature. Four are rejected. Proposal number 33, suggestion legislative action establishing a state crime commission is one of the four.


Gives in brief the changes to be made in criminal procedure in Indiana. Gives the section number in Burns which is being amended.

MARYLAND


A discussion of the history and development of such a method and its value. Other states and cities have become interested in it.

Baltimore


Defines the commission and gives its purpose. Tells of its cooperation with the departments of government.

— Annual report. 1923.

Made up of graphs, charts and tables of different kinds of crime, showing the per cent of unpunished crime with comments concerning it. A chart showing relative standing of Baltimore in relation to police protection. Comparison of Baltimore with other cities.


Gives the statistics kept by the commission. Compares Baltimore and its relation to crime with New York.

— Annual report. 1925.

Shows definite progress in the handling of crime in Baltimore. Statistics give numbers of crimes reported and their subsequent treatment. Tables showing the difference in arrests and convictions and unpunished crime for 1924-1925.

— Annual report. 1926.

Shows how many of the reported crimes are followed by arrests, how many of those arrested are juveniles, how many are dismissed by the police
magistrates, the grand jury action in each case, the dismissals by the State's attorney's office, the criminal court disposition and the number of cases of probation.


A specific example is given showing that by efforts of the commission justice has been speeded up in Baltimore. Two special studies of the commission—Release by habeas corpus from Maryland reformatories—Probation and penal treatment are published in the bulletin. Tables showing crime statistics from 1924-1927 are given.


Tells of the organization of the Baltimore criminal justice commission in 1923 and of its work since; of its discovery of the inadequacy of the probation department; and of the results and benefits of the commission.


Discusses local crime commissions, their origin, their purpose and accomplishments, emphasizing the Baltimore commission and its work.

MASSACHUSETTS


Defines a crime commission and its duties, being to investigate the problem of crime, its causes and prevention. States problem is fourfold; prevention of a criminal, apprehension of the criminal, prosecution of the criminal, punishment of the criminal. Recommends improved administration rather than additional laws.

Massachusetts. Special commission to investigate the criminal law. Report, House, no. 224. (This commission appointed under chapter 34 of the resolves of 1923.)

Same article in Massachusetts Law Quarterly, Jan., 1924, v. 9, appendix separately paged.

Gives the resolves, chapter 34, appointing the commission; gives their duties and the findings of the commission. Discusses some of the laws of the state on crime.

MICHIGAN


Needs of a new criminal procedure pointed out and comments on methods of different states which were studied. The report explains its contents thus: "A simple outline of the changes is submitted so that any practicing attorney may easily find the line of demarcation between the old and the new. Such amendments or corrections as your honorable body may deem wise may be readily and easily made without a revision or revamping of the structure of our code or the present law." An outline of the proposed code follows.

"Judge Pliny W. Marsh tells how Michigan State Bar Association devised procedure of inquiry to expedite justice which is more practical than grand jury." Subtitle.

Detroit


A report showing the results of the unified court after a second year. An analytical table showing the number of cases handled in 1919-1921. A review of the administrative system of the court.


New unified court gives an account of the crime record during past year, and a table showing that the total of major crimes for 1921 was below that for previous five years and 58 per cent below the record for 1920.


MINNESOTA


Remarks made by Chief Justice Brown, chairman, at the opening session of the Minnesota crime commission, June 3, 1922. Suggests methods to be followed in stemming the tidal wave of crime sweeping over Minnesota, United States and world, and criticises present procedure.


Gives the purpose for appointment of a state commission in Minnesota. Lists some of the matter of substantive law, in respect to the suppression of crime and the punishment of offenders to be considered by the commission and the remedy. The report made by the committee concerning its investigation is also included.


Contains a summary of the activities of the commission, its origin and the points involved in the crime situation of the state. The report has been limited to the field of criminal law and its administration. Period covered 1924. Each instance of report of arrest or crime of that year followed up.


Part of the above report of the Minnesota crime commission for 1926.
**Missouri**


Edited by Raymond Moley. Gives an analysis of the operation of the government of an American state in its enforcement of laws which deal with serious crime. In making the study, cases were taken from a wide assortment of counties of the state of Missouri in a fairly characteristic period. There were no attempts to fix personal or official wrong doing.


Changes that seem necessary as conclusive results of the survey are discussed under headings Procedural changes to be effected by amendment of existing statutes, and Fundamental changes in procedure.


A summary of Missouri crime survey based entirely on complete report issued in order to reach a larger number of people with the hope of a more complete understanding of the situation.


Same article in New York Times, Mar. 14, 1926. Points out what Missouri has done, giving the nine points of division of the report and some of the conclusions reached in the survey as the means to use to lessen crime.


**New Jersey**


Tells of the passing of a bill creating a crime commission.


 Gives the names of men on commission and something of their plans in their study of crime situations in New Jersey.

**New York**

New York. Act to provide for the appointment of a temporary commission to examine the crime situation, the administration of justice in criminal cases and punishment for crime and to make an appropriation therefor (Ch. 460, pp. 808-810. Laws of New York, 149 session, 1926).

Also in Moley, Raymond. State crime commissions; what they are and how they should be organized. New York crime commission. 1926. Pp. 27-28.
Tell of creation of commission by the chapter 460 of laws, 1926, gives members of commission, comments on the effectiveness of Baumes law, discusses Pistol Bill, defects of parole system, control of released convicts, probation, penal institutions, juries, etc. Urges the perpetuation of the commission or a similar organization.

A summary and analysis of the recent amendments and additions to the Code of criminal procedure and the penal law, enacted by the New York State Legislature in 1926.

Points out the revisions made in code of criminal procedure, penal law, prison law, and inferior criminal courts act. Tells of the inauguration of the New York crime commission and lists the eleven men appointed to it.


NORTH CAROLINA
Dr. Steiner, Professor of social technology at University of North Carolina comments on the crime commissions and their work; also the form of the Missouri crime survey and the form of the Georgia survey of criminal justice, and points out their means of approach to the problem. Also gives what the approach to the study of crime now underway in North Carolina is. The purpose of the study is to serve the state by collecting and classifying all possible data concerning crime and methods of dealing with it in all sections of the state.

OHIO
Cleveland foundation. Criminal justice in Cleveland: reports of the administration of criminal justice in Cleveland, Ohio. 1922. Cleveland Foundation, $3.75.
The survey is edited by Roscoe Pound and Felix Frankfurter. Part 1, Police administration by R. B. Fosdick; Part 2, Prosecution by H. F. Burns; Part 3, Criminal courts by R. H. Smith and H. B. Ehrman; Part 4, Correctional and penal treatment by R. G. Lewis; Part 5, Medical science and criminal justice, by H. M. Adler; Part 6, Legal education in Cleveland, by A. M. Koles; Part 7, Newspapers and criminal justice, by M. K. Wischert; Part 8, Criminal justice and American city, by Roscoe Pound.
Survey exhibits appropriate respect for existing machinery of the law and its officers, both executive and judiciary. It is temperate, painstaking, and carefully analytical. Its recommendations are equally temperate and conservative, but they make clear that serious and widespread evils must be met by equally serious and comprehensive remedies.


"An appraisal of the results of survey of criminal justice in Cleveland."

Author.


"What has been accomplished in two years, and what remains to be done."—Author.


Toledo


A report of the findings of the committee of the Toledo crime survey.

Pennsylvania

Philadelphia


The first article is quite short, criticising the survey in content and method of procedure. The second analyzes the content of the report step by step and points out wherein it falls short.


Part 1, Preliminary consideration; Part 2, Agencies of criminal administration; Part 3, Pursuit of the offender; Part 4, Adjudication of the offenses; Part 5, Securing the presence of the accused and the witness for the prosecution; Part 6, Effect of the conviction and the discharge or acquittal upon the rights and the liabilities of the accused; Part 7, Criminal administration in its numerical aspect; Part 8, The criteria of successful administration applied.

Tennessee

Memphis


Discusses crime situation in general giving specific examples of different crimes in Memphis and Tennessee. Followed by the suggestion by author, the mayor of Memphis, for a crime commission, outlining briefly its duties.
APPENDIX

CRIME COMMISSIONS

Not examined.

NEW HAMPSHIRE

F. T. Davison of National crime commission tells of the New Hampshire and the organization of the first crime commission. Gives names of the members. Urges other states to form such commissions.

Rhode Island. Governor Pothier recommends the establishment of a commission charged with making a thorough investigation of the criminal laws and with recommendation of such changes as may be necessary and advisable in order that the criminal statutes may be strengthened and revised in the interest of prompt and effective administration.
Governor's message, 1927, indexed in the Public Affairs Information Service, April, 1927.

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PERIODICAL INDEXES

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