


1923

Recent Statistics Relating to Crime in Chicago

Edith Abbott

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Edith Abbott, Recent Statistics Relating to Crime in Chicago, 13 J. Am. Inst. Crim. L. & Criminology 329 (May 1922 to February 1923)

This Article is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in Journal of Criminal Law and Criminology by an authorized editor of Northwestern University School of Law Scholarly Commons.

RECENT STATISTICS RELATING TO CRIME IN CHICAGO

EDITH ABBOTT¹

Statistics are now available that make possible a fairly complete summary of the facts relating to crime in Chicago during the past five years.² Such a summary has not been published since the Merriam Crime Committee issued its report in the spring of 1915,³ and the following study is, therefore, an attempt to bring the statistical part of the Merriam report down to the present day.

Unfortunately, there is neither in the City of Chicago nor in the State of Illinois a central bureau of criminal statistics through which statistics from the police department, the courts, the probation department, the jail, the House of Correction, and the state prisons, are collected and correlated. It is true that a state bureau of criminal statistics does exist on our statute books; for by a law approved June 11, 1912, the State Charities Commission was directed to establish such a bureau with the secretary of the commission as director in charge. This proposed bureau was charged with the duty of collecting and publishing annually the statistics of Illinois relating to crime; and all courts of Illinois, police magistrates, justices of the peace, clerks of all courts of record, sheriffs, keepers of all places of detention for crime or misdemeanors or violations of the criminal statutes are to "furnish said bureau annually such information on request as it may require for compiling such statistics." Up to the present time, how-

¹Associate Professor of Social Economy in the University of Chicago and Statistician of the Chicago City Council Committee on Crime, 1914-15.

²The chief sources of criminal statistics in Chicago are the following series of published reports:

1. Annual reports of the Police Department, City of Chicago. (Last published report is for the year ending December 31, 1920.)

2. Annual reports of the Municipal Court of Chicago. (Last published report, for the year ending November 30, 1920.)

3. Annual reports of the Adult Probation Office, Cook County. (Last published report, for the year ending September, 1920.)

4. Annual reports of the Superintendent of the House of Correction, City of Chicago. (Last published report, for the year ending December 31, 1921.)

I am indebted to two of my students, Miss M. Porritt and Miss E. Wolcott, for assistance in preparing the tables used in this article.

³See Report of the City Council Committee on Crime of the City of Chicago, March 22, 1915. Professor Charles E. Merriam was chairman of this committee, and it is usually referred to as the "Merriam Committee."

ever, the commission has published only a preliminary report on this subject.⁴

As to Chicago, there has never been any attempt made at an annual "stock-taking" in which the statistics furnished by the various departments and agencies dealing with the problem of crime might be brought together for examination. Such statistics are published for most of the city departments dealing with crime and could be obtained by an official bureau for the departments or institutions that do not publish reports, such as the County Jail and the Criminal Court.

DEFINITIONS OF "CRIME" AND "CRIMINALS"

Before discussing statistics relating to crime it is necessary to explain that the terms "crime" and "criminal" are loosely used. In a legal sense, all persons who are arrested are suspected criminals; and, if they are later convicted they are "criminals." That is, they are persons who are found to have violated a public law. But many of these laws deal with very trivial offenses, and it is important therefore to understand that the vast majority of arrests are arrests of petty offenders and that the vast majority of cases in the criminal branches of the municipal courts are the cases of persons who have only committed misdemeanors or violated city ordinances. That is, the great majority of arrests are not for "crimes" at all in the sense that most people understand the word "crime"; they are not arrests of persons suspected of murder or burglary or robbery; on the contrary, most of the persons taken into custody are merely charged with disorderly conduct, a term which covers a multitude of minor offenses. To call all the persons brought into these courts "criminals" is to use the word only in a legal or technical sense.

In the public mind only the man who has committed a felony is a "criminal." The person who has parked his automobile in the wrong place or refused to "move on" when ordered to do so by the police is an offender against the law, but he is not a "criminal" in the eyes of the community. The proportions of the real crime problem then are relatively small. The police, the courts, and all the other forms of criminal machinery that go with the enforcing the sanctions of the law are largely for the punishment of small offenses.

LARGE PROPORTION OF CRIMINALS ARE PETTY OFFENDERS

The following table shows the relatively small number of arrests for felonies in comparison with the total number of arrests:

⁴Illinois Institution Quarterly, Vol. VIII, No. 2, p. 77 (June, 1917).

TABLE 1

Total Number of Arrests, Number of Arrests for Felonies, and Per Cent of All Arrests, Chicago, 1910-1921

Year	All Arrests	Arrests for Felonies	
		Number	Per Cent of All Arrests
1910	81,269	9,376	11.5
1911	84,840	9,881	11.6
1912	86,950	10,276	11.8
1913	109,764	11,203	10.2
1914	116,895	15,101	12.9
1915	121,714	15,286	12.6
1916	111,587	12,314	11.0
1917	137,910	14,044	10.2
1918	110,819	12,080	10.9
1919	96,676	14,171	14.7
1920	94,453	15,273	16.2
1921	125,843	16,912	13.4

Two significant facts appear in this table: (1) that the number of felonies or serious crimes is a very small percentage of the whole number of arrests; (2) that this percentage of serious crimes has been higher during the past three years. Thus from 1910 through 1918 the percentage of arrests on felony charges varied from 10.2 to 12.9 of all arrests. In 1919 this percentage rose to 14.7 and in 1920 to 16.2 of all arrests.

STATISTICS RELATING TO THE EXTENT OF CRIME IN THE COMMUNITY

The volume of crime in any community is a subject about which reliable information should be available. It is important, for example, that we should know whether crime is increasing or decreasing and whether there is, relatively, more crime in this than in other communities of the same size and character. But many crimes are concealed and remain undetected so that an exact quantitative measure of the volume of crime can never be obtained. Statistics which might, however, serve as the basis for comparisons from year to year and from community to community should be available. These statistics may be based on (1) criminal complaints made to the police; (2) arrests on felony charges; (3) convictions on felony charges in the criminal courts; (4) commitments to the County Jail and to the House of Correction.

HAS CRIME INCREASED IN CHICAGO

Statistics of criminal complaints for the period 1915-1921 are presented in the following table, which shows the total number of criminal complaints and the number in proportion to the population:

TABLE 2

Total Number of Criminal Complaints and the Number per 10,000 Population
(Data furnished by the Chicago Chief of Police)

Year	Total Number of Criminal Complaints	Number per 10,000 Population
1915	25,497	103.5
1916	20,133	79.9
1917	16,495	64.2
1918	11,041	42.9
1919	16,656	62.3
1920	14,007	52.2
1921	11,666	41.9

Statistics of criminal complaints for the specific offenses—burglary, robbery, larceny—are given in the table that follows:

TABLE 3

Criminal Complaints

(Data furnished by the Chicago Chief of Police)

Year	Burglary	Robbery	Larceny
1915	9,788	2,304	9,751
1916	7,174	1,747	8,846
1917	5,623	1,984	7,234
1918	3,643	1,405	5,210
1919	5,884	2,649	6,795
1920	5,460	2,620	5,251
1921	4,785	2,594	3,700

Unfortunately these statistics of criminal complaints cannot be accepted as a measure of the tendency of crime to increase or decrease since there are apparently frequent and sometimes erratic changes in the method of recording complaints. This subject was discussed in 1915 in the report of the Merriam Crime Committee, in which statistics were given for a period of nine years. It was pointed out in that report that, since in some years the arrests on felony charges actually exceed the number of criminal complaints, the complaint statistics must be unreliable.⁵ It will be noted that in 1920 and 1921, for example, the number of arrests on felony charges exceeds the number of criminal complaints. It is also significant that there was a very marked decline in the number of criminal complaints in 1920 and again in 1921, although the number of arrests on felony charges increased in each of these years.

⁵See Report of the City Council Committee on Crime of the City of Chicago (1915), Statistician's Report, p. 80. For some time after the committee's investigation, lists of criminal complaints from the so-called "squeal book" were published in the Council Proceedings, but this policy has since been discontinued. Investigations in 1915 indicated that apparently two sets of criminal complaints existed: (1) The complaints which were turned in and which constituted what was referred to as the "squeal book"; and (2) complaints which were not turned in from the precincts at all.

Recently some further light has been thrown on this subject by the reports of the present so-called "Crime Commission," an association supported by private funds. The director of this organization in studying the criminal complaints received from police headquarters⁶ came to the conclusion that in a residence territory divided into two precincts commanded by two different police captains, there should be approximately the same number of criminal complaints from each if the same class of population was to be found in each precinct. When one district returned many complaints and the corresponding district very few, it seemed to be clear that there was "laxness or corruption on the part of the commanding officer in the district, or failure to report." A careful study of the question of whether or not some of the captains were not reporting complaints "brought out the fact that the captains were not reporting the complaints made to them to the Bureau of Records of the Police Department. In one instance, for a period of a month a certain captain reported but 37 criminal complaints for his district. Investigation by the commission developed that there had been 141 complaints made to him and he had failed to report 104 of them. In the other instance 40 burglaries and robberies were known to have been committed, which were not reported.

"A detailed report of these was sent to the general superintendent of police and after verification by the department inspector, who found that they had been reported to the local precinct station by victims, but had not been reported to the Bureau of Records, the captain in question was requested to explain his action. He replied in detail. Each excuse for failure to report is practically the same and one will suffice as an example.

" 'Charles Hague, 6501 Yale avenue, reported that he was held up and robbed of \$9.45 in front of 340 West 66th street by three boys who strong-armed him. Mr. Hague could not give any description of his assailants and on that account no criminal complaint was forwarded.'

"The captain was transferred from the district, but strong political influence has been invoked to keep him in the department."

ARRESTS

Statistics of arrests should also throw some light upon the question of the increase or decrease in crime. Here again, however, the

⁶From "The Chicago Crime Commission," a paper read before the Annual Meeting of the American Institute of Criminal Law and Criminology, September 17, 1920.

statistics are in large measure vitiated by the fact that they are influenced by other factors than the actual number of offenses committed. That is, an increase in arrests may be due to increased efficiency or at any rate to increased activity on the part of the police and not to an increase in crime; and a decrease in arrests may be due to an increased laxity or diminished activity or to the fact that the police are suspending the excessive use of the "drag-net" system and are no longer making wholesale arrests without adequate evidence of guilt. That is, statistics of arrests may serve to show more about the circumstances of police activity than about the actual changes in the number of crimes committed in the community.

The following table shows the number of arrests for the period 1910-1921. Statistics covering a decade are presented because the changes over this period do not indicate a single well-defined tendency, but a series of erratic movements upward and then down and then up again:

TABLE 4
Arrests (Charges); Felonies and Misdemeanors, Number and Number per 10,000 Population, Chicago, 1910-1921

(Data from Annual Reports of the Chicago Police Department)

Year	Felonies		Misdemeanors		Total	
	Number	Number per 10,000 Population	Number	Number per 10,000 Population	Number	Number per 10,000 Population
1910	9,376	42.9	71,893	329.0	81,269	371.9
1911	9,881	43.9	74,959	333.2	84,840	377.1
1912	10,276	44.6	76,674	333.1	86,950	377.7
1913	11,203	47.6	98,561	418.6	109,764	466.2
1914	15,101	62.6	101,794	422.2	116,895	484.8
1915	15,286	62.1	106,428	431.8	121,714	493.9
1916	12,314	48.9	99,273	394.3	111,587	443.2
1917	14,044	54.6	123,866	481.9	137,910	536.5
1918	12,080	46.0	98,739	376.5	110,819	422.5
1919	14,171	52.9	82,505	308.4	96,676	361.3
1920	15,273	56.5	79,180	293.1	94,453	349.6
1921	16,912	60.8	108,931	391.8	125,843	452.6

The significant facts here are (1) an increase in arrests for felonies since 1918 and (2), until the year 1921, a decrease in arrests for misdemeanors. There were more arrests for felonies in 1921 than in any other year in the decade, but not quite so many in proportion to the population as in the years 1914 and 1915.

The marked decline in the number of misdemeanor charges in 1918, 1919 and 1920 is interesting and significant. Undoubtedly, the war, which on the one hand withdrew large numbers of men from civil life and on the other hand was responsible for the employment at high wages of those who remained out of the army, explains in large part

the decline both in felony and misdemeanor charges in 1918. In 1919, however, when felony charges increased, the number of misdemeanor charges showed a further and marked decline, which, with the continuing decline in 1920, should probably be attributed to the effects of prohibition. The increase during the past year (1921) in both felony and misdemeanor charges is more difficult to explain.

INDICTMENTS

The number of indictments should also be examined, although here again an increase in numbers may be due to increased activity on the part of the prosecuting officials and a decrease may similarly be caused by the diminished zeal of such officials.

TABLE 5

Number of Cases Held to the Grand Jury, Number and Per Cent in Which No Bills Were Returned by the Grand Jury, 1914-1921

(From Annual Reports of the Chicago Police Department)

Year	Held to the Grand Jury	No Bills by the Grand Jury	
		Number	Per Cent of Total
1914	3,582	996	27.8
1915	3,569	845	23.7
1916	3,210	1,077	33.6
1917	3,794	925	24.4
1918	3,179	657	20.7
1919	4,546	932	20.5
1920	4,962	503	10.1
1921	5,704	579	10.2

CONVICTIONS ON FELONY CHARGES

The statistics given show only the numbers of persons charged with offenses, the number arrested or tried. More satisfactory for obvious reasons are statistics showing the number of convictions. The following table shows the number of convictions upon felony and misdemeanor charges and the number per 10,000 population, 1915-1921:

TABLE 6

Number of Convictions Upon Felony and Misdemeanor Charges and the Number per 10,000 Population, 1915-1921

(Data compiled from Annual Reports of the Chicago Police Department)

Year	Felonies		Misdemeanors	
	Number	Number per 10,000 Population	Number	Number per 10,000 Population
1915	4,739	19.2	42,248	171.4
1916	3,325	13.2	33,441	132.8
1917	4,905	19.1	41,765	162.5
1918	4,341	16.6	30,844	117.6
1919	4,066	15.2	28,395	106.1
1920	4,282	15.8	24,228	89.7
1921	4,224	15.2	36,043	129.9

The statistics presented in this table indicate that so far as convictions on felony charges are concerned, it is clear that there has been a marked downward tendency since 1917. There was, it is true, a slight increase in 1920, but it was an increase of less than one in 10,000 population, and even then the number was very clearly lower than in 1917. There was an increase in misdemeanor convictions last year (1921), but in spite of the increase the number convicted per 10,000 population was greatly below the number convicted in the years 1915, 1916, 1917.

This table should be compared with the number of arrests per 10,000 population (Table 4, p. 10). In 1918 there was a decline in felony arrests and a corresponding decline in convictions. But in 1919, when there was a marked increase in arrests, there was a decline in convictions; again in 1921, although there was an increase in the number of arrests on felony charges from 56.5 to 60.8 per 10,000 population, there was a decline in the number of convictions on such charges from 15.8 to 15.2 per 10,000 population. In general, of course, statistics of convictions should follow the general trend of arrests or police charges. An increase in charges and a decrease in convictions seems to indicate either (1) that charges are being unwarrantably made without being based on proper evidence of guilt, or (2) that the charges are not being properly prosecuted.

THE WASTE OF NEEDLESS ARRESTS

Are the police making arrests unnecessarily? Are residents of Chicago being subjected, without adequate basis for such charges, to the humiliation, disgrace and expenses connected with an arrest? Not only in this but in many cases there is the further disgrace and demoralization of detention in the police station and County Jail as well. There is a tremendous social and economic waste if large numbers of persons are arrested on charges too flimsy to warrant prosecution and conviction. Statistics making possible a comparison between the number of cases discharged and convicted should throw light on this point.

The following table shows the total number of cases disposed of and the number of cases discharged, nolle, etc., together with the number of convictions and the per cent of convictions for the period 1910-1921:

TABLE 7

Cases Disposed of in the Municipal and Criminal Courts, 1910-1921, With Numbers Discharged and Convicted

(Data compiled from Annual Reports of the Chicago Police Department)

Year	Total Number of Cases Disposed of ⁷	Discharged, Nolle, etc. ⁸	Convicted ⁹	
			Number	Per Cent of Total
1910	77,077	44,286	32,791	42.6
1911	80,882	49,034	31,848	39.4
1912	82,465	51,978	30,487	36.9
1913	107,197	58,532	48,665	45.4
1914	115,466	64,836	50,630	43.8
1915	118,066	71,079	46,987	39.8
1916	109,661	72,895	36,766	33.5
1917	134,830	88,160	46,670	34.6
1918	107,774	72,589	35,185	32.6
1919	93,987	61,526	32,461	34.5
1920	90,476	61,966	28,510	31.5
1921	117,912	77,645	40,267	34.1

This table shows that only 34 out of every hundred charges disposed of in 1921 resulted in convictions and only 32 out of the 100 in 1920 resulted in convictions. The per cent of convictions was small before 1915, but it has fallen very much lower since that time; starting from 40 convictions out of the 100 charges in 1915, the number fell to 34 in the next year, to 33 in 1918, and later fell to the very low figure of 32 per cent in 1920. In 1914, commenting on the fact that the majority of the thousands of persons who are brought into our courts are discharged without conviction, the Merriam Crime Committee said:

The hardships and waste of this system are obvious. Following the assumption that those discharged are innocent, then in 1913, 57 per cent of all the 121,333 persons who were brought into the Municipal Court for felonies, for misdemeanors, or for violations of ordinances were innocent and should not have been brought into court at all; that is, more than 60,000 persons were brought into court needlessly. Nearly all of these persons had been arrested, many thousands of them had spent hours at least in the police stations, many hundreds had spent weeks or months in the County Jail. They had all had the humiliation and expense of being arrested and tried, and the taxpayers had borne the cost of the police who arrested them, of the police stations or jails that had detained them, of the courts and judges and other court officials who had been part of the machinery that tried them. There

⁷Omitted from the total number of charges are those turned over to U. S. authorities; otherwise disposed of; pending; and held to Juvenile Court.

⁸Discharged, nolle, etc., includes bonds forfeited; no bills by grand jury; discharged; nolle.

⁹Convicted includes all those sentenced to hang; sentenced to Joliet and Chester; sentenced to Pontiac; sentenced to the County Jail; sentenced to the House of Correction; sentenced to other corrective institutions; fined; placed on probation; released on peace bonds; ordered to make weekly payments.

is more than this to be considered. Unjustified arrests and imprisonment create a disrespect for the law that in turn breeds lawlessness.¹⁰

The following list of arrests, nearly all of which resulted in discharges, has been compiled from the last report of the Municipal Court of Chicago. Most of these arrests were made under Ordinance 2012, which deals with "disorderly conduct"; but it is important to know the precise offenses covered by the disorderly conduct charge. The following series of cases illustrates the "crimes" committed by numerous petty offenders:

"2012, picked up 4 P. M., discharged army three weeks ago"; "2012, just came from Bridewell, discharged"; "Sitting in vacant flat, discharged"; "2012, no home, discharged"; "On the street 11:30 P. M., \$25 and costs (House of Correction)"; "Walked around Chicago all night. Belongs to 7th Regiment, 2012, discharged"; "pool room raid, discharged"; "2012, sleeping in wagon, discharged"; "2012 sleeping in alley, drunk, discharged"; "standing in doorway, 11 P. M., discharged"; "2012, loafing in depot, discharged"; "2012, standing on corner 5:30 A. M., discharged"; "2012, sleeping on roof of building at 1 A. M., discharged"; "2012, on railway property, had fight with officer, discharged"; "2012, on street 12:50 A. M., discharged. Said 'was picked up because of past arrests'"; "vagrancy, discharged"; "bumming, discharged"; "gang fight, discharged (ran away from Lincoln)"; "2012, out of work 1 month, probation 6 months"; "smoking cigarette in the park, discharged"; "2012, in a restaurant 6:30 A. M., discharged"; "2012, on street at 2 A. M., not staying home, discharged"; "2012, just out of the House of Correction, discharged"; "2012, picked up on suspicion, discharged"; "2012, picked up at 2 A. M., discharged"; "2012, 'goofing on the corner,' discharged"; "2012, climbing up 'L' road to get a free ride, discharged"; "2012, on

¹⁰See Report of the City Council Committee on Crime of the City of Chicago (1915), pp. 42-43, Statistician's Report, by E. Abbott. The large percentage of discharges was explained in the earlier report by an account of the precise charges on which arrests had been made. A list of some of the typically trivial charges heard in the Boys' Court was given as follows:

J. T. is arrested because he "made a loud noise at Twenty-first and Dearborn and threw a dog out in the street by the leg." H. S. is arrested for "standing on street corner at 8:50 p. m."; A. D. for sleeping in a barn, and F. W. for sleeping on the prairie because he had just got a job and had no other place to go that night; E. E., "playing ball on street"; G. S., "with two men sleeping in wagon at 2 a. m. at Liberty and Halsted streets"; all arrested. A. F., "sleeping in barn." C. T., "flipping trains into town." W. G., "singing in Lincoln Park at the high bridge." A. U., "girl said some remarks were made to her on street by defendant; defendant cannot speak English nor she his language." J. L., "sleeping in barn"; two weeks later, "rushing the can with a crowd." J. B., "two boys sleeping in hallway"; both boys arrested again within a few weeks for similar offense and discharged.

street at 3 P. M., discharged"; "2012, picked up going to work 8:30 A.M., discharged"; "2012, picked up at 10:30 A.M., discharged"; "2012, sleeping in a barn, probation 6 months"; "2012, in an alley between 12 and 1 A. M. Fined \$10 and costs"; "2012, standing on a corner, discharged"; "2012, picked up standing in front of a restaurant, discharged"; "2012, on street at 9 A. M., discharged"; "2012, bumming from home 3 weeks, discharged"; "2012, was hit on head by officer, \$200 and costs, sent to hospital for treatment, discharged"; "2012, on street at 5:30 A. M., 'going to work,' discharged"; "robbery, C. C., \$2,500. Beaten up by policeman. His eye almost knocked out and wrist broken. Pontiac"; "2012, sleeping in a basement, discharged"; "fooling around a Ford on the street at 12 P. M., House of Correction, 2 months"; "2012, fight, discharged"; "city vagrancy. Out of House of Correction 1 month, discharged"; "vagrancy, discharged"; "2012, cranking a car for a boy who said the car belonged to him, discharged"; "picked up late, fined \$10 and costs"; "2012, is a bum, feeble-minded, sent to Lincoln"; "2012, discharged, ran away from Lincoln 4 days after commitment"; "2012, discharged."

The percentage of convictions for serious offenses (felonies) is even lower than the percentage of convictions for all offenses. The following table shows separately for felonies and misdemeanors the total number of charges and the total number of convictions:

TABLE 8

Charges and Convictions and Per Cent Convicted on Felony and Misdemeanor Charges, Chicago, 1915-1921

(Data from Annual Reports of Chicago Police Department)

Year	Felonies			Misdemeanors		
	Charges	Convictions	Per Cent Convicted	Charges	Convictions	Per Cent Convicted
1915	15,286	4,739	31.0	106,428	42,248	39.7
1916	12,314	3,325	27.0	99,273	33,441	33.9
1917	14,044	4,905	34.9	123,866	41,765	33.7
1918	12,080	4,341	35.9	98,739	30,844	31.2
1919	14,171	4,066	28.7	82,505	28,395	34.4
1920	15,273	4,282	28.0	79,180	24,228	30.6
1921	16,912	4,224	24.9	108,931	36,043	33.1

It appears from this table that approximately only one-fourth of the felony charges resulted in convictions. Thus, out of every 100 persons who are arrested for serious offenses, many of whom are held to the grand jury and degraded and poisoned by a period of detention in the County Jail, 75 are not convicted. The percentages of convictions varies for different crimes. In the table which follows, the charges and convictions for all felonies for which 100 or more persons

were brought into court are shown, together with the per cent of convictions:

TABLE 9

Convictions on Certain Felony Charges in the Municipal and Criminal Courts, 1920, With Number of Charges and Percentage Convicted
(Data from Annual Reports of Chicago Police Department)

Felonies	Number of Charges	Number of Convictions	Per Cent Convicted
Burglary	1,902	506	26.6
Burglary, attempted	141	40	28.4
Confidence game	1,011	138	13.6
Conspiracy	240	18	7.5
Crime against children.....	169	50	29.6
Embezzlement and larceny	184	31	16.8
Forgery	112	17	15.2
Larceny and Larceny by bailee.....	5,471	2,533	46.3
Larceny of automobile.....	458	130	28.4
Malicious mischief	304	81	26.6
Murder	198	30	15.2
Murder, attempted	316	46	14.6
Rape	196	29	14.9
Receiving stolen property.....	1,150	197	17.0
Robbery	1,862	283	15.2
Robbery, attempted	187	25	13.3

This table shows that for many felonies the convictions fall below the 25 per cent for all felonies. For murder, only 15 per cent are convicted; for robbery, 15 per cent; for embezzlement, 16.8 per cent; for "confidence game," 13.6 per cent; for attempted murder, 15 per cent; for receiving stolen property, 17 per cent.

A small percentage of convictions may mean either that a large number of persons are arrested without proper evidence of guilt and therefore must be discharged as innocent or that persons who are really guilty are discharged through some inefficiency of the prosecuting machinery. In either case the result is demoralizing to the community. Innocent men cannot be treated like criminals without contamination. Such a system breeds criminals instead of preventing crime.

SMALL PERCENTAGE OF UNNECESSARY ARRESTS IN LONDON AND ENGLAND

The situation in Chicago as regards unnecessary arrests is in marked contrast to that of England. The following table shows the number of cases tried in the higher criminal courts in London in the year 1919, the most recent year for which statistics are available:

TABLE 10

*Disposition of Cases (Indictable Offenses), Assizes and Quarter Sessions, London, 1919, Numbers and Per Cent Distribution*¹¹

	Number	Per Cent Distribution
Number of persons for trial.....	2,306	100.0
Disposition:		
Found insane on arraignment.....	2	0.1
Guilty but insane.....	3	0.1
Sentenced to death.....	2	0.1
Sentenced to penal servitude.....	97	4.2
Sentenced to imprisonment.....	908	39.4
Sentenced to Borstal.....	85	3.7
Probation	444	19.3
Recognizances	180	7.8
Convicted and otherwise disposed of.....	22	0.9
Total convicted	1,743	75.6
No prosecution	2	0.1
Acquitted	561	24.3
Total discharged	563	24.4

The table given shows that in London in 1919, 76 per cent of the persons tried for indictable offenses in the higher criminal courts were convicted and 24 per cent were discharged. In the same year in Chicago 29 per cent of the felony cases disposed of resulted in convictions and 71 per cent were discharged. Last year (1921) in Chicago 75 per cent of the felony cases disposed of were discharged and 25 per cent resulted in convictions.

It is of interest, too, that the per cent of convictions in London was below the per cent for the whole of England and Wales. The following table shows the disposition of cases of persons tried for indictable offenses in England and Wales in 1919:

TABLE 11

*Disposition of Cases (Indictable Offenses), Assizes and Quarter Sessions, England and Wales, 1919, Numbers and Per Cent Distribution*¹²

	Number	Per Cent Distribution
Number of persons for trial.....	7,883	100.0
Disposition:		
Found insane on arraignment.....	29	0.4
Guilty but insane.....	29	0.4
Sentenced to death.....	24	0.3
Sentenced to penal servitude.....	376	4.8
Sentenced to imprisonment.....	3,914	49.6
Sentenced to Borstal.....	412	5.2
Probation	564	7.2

¹¹Compiled from Criminal Judicial Statistics, England and Wales, 1919, Table VI (Cmd. 1424).

¹²Compiled from Criminal Judicial Statistics, England and Wales, 1919, Table VI (Cmd. 1424).

TABLE 11—Continued

	Number	Per Cent Distribution
Recognizances	775	9.8
Convicted and otherwise disposed of.....	127	1.6
Total convicted	6,250	79.3
No prosecution	8	0.1
Acquitted	1,625	20.6
Total discharged	1,633	20.7

This table shows that 79 per cent of these cases resulted in convictions and only 21 per cent were acquitted or not prosecuted.

As regards minor offenses a similar contrast exists between the British and the Chicago policy. The following table shows the disposition of cases in courts of summary jurisdiction in England and Wales in the year 1919:

TABLE 12

Disposition of Cases of Persons Proceeded Against in Courts of Summary Jurisdiction, England and Wales, 1919, Numbers and Per Cent Distribution¹³

	Number	Per Cent Distribution
Persons proceeded against.....	498,358	100.0
Disposition:		
Sentenced to imprisonment.....	17,956	3.6
Sentenced to police cells.....	156	*
Sentenced to reformatory and industrial schools	1,086	0.2
Fine	379,241	76.1
Recognizances	11,574	2.3
Probation	4,874	1.0
Sent to institutions for defectives.....	80	*
Otherwise disposed of.....	792	0.2
	415,759	83.4
Charge proved and case dismissed.....	28,421	5.7
Charge withdrawn or dismissed.....	54,178	10.9
	82,599	16.6

In Chicago in 1919, 66 per cent of the misdemeanor charges in our criminal courts resulted in discharges and only 34 per cent in convictions, whereas in England and Wales in the same year 83 per cent of all the persons proceeded against in the minor criminal courts were convicted, and only 17 per cent, acquitted or dismissed.

Not only in England but in Canada there is a small percentage of discharges and a large percentage of convictions in the criminal courts.

¹³Compiled from Criminal Judicial Statistics, England and Wales, 1919 (Cmd. 1424). Cases tried in the Juvenile Courts are not included in the table.

*Less than one-tenth of 1 per cent.

SMALL PERCENTAGE OF UNNECESSARY ARRESTS IN CANADA

TABLE 13

Disposition of Indictable Offenses in Canada, 1919, Acquittals and Convictions, Numbers and Per Cent Distribution¹⁴

	—Numbers—		Per Cent Distribution	
	1919	1920	1919	1920
Acquittals	4,625	4,770	20.1	20.5
Convictions	18,396	18,443	79.9	79.5
Charges	23,021	23,213	100.0	100.0

This table shows that in Canada in two successive years there were for indictable offenses approximately 20 per cent of acquittals and 80 per cent of convictions, while in Chicago in the same time there were approximately 71 per cent of dismissals or acquittals and only 28 or 29 per cent of convictions.

These statistics present a challenge to the thoughtful citizen. Has the administration of criminal justice in Chicago become so inefficient or corrupt or both that out of every hundred felony charges, only 28 or 29 result in convictions, whereas in the courts of Canada or in England approximately 75 or 80 out of every hundred persons tried for similar offenses are found guilty.

The statistics show that we have in Chicago a system of dealing with crime that is in itself a cause of crime. For a high percentage of discharges or acquittals means one of two things: Either innocent people are being arrested who must be discharged in court or who cannot even be prosecuted because there is insufficient evidence against them; or persons who are guilty are discharged because of inefficient, incompetent, or corrupt administration of the machinery of criminal justice. In either case, a crime-producing situation exists. For innocent men are made criminals through associating with criminals in police stations and jails and courts. And in the other case, the uncertainty of punishment, the large chances of escape from conviction tempt men to adopt or continue criminal careers.

The arrest of the innocent and the escape of the guilty are evils indicated by the high percentage of discharges and are evils which lead to an increase in crime and tend to defeat the very purpose for which the machinery of criminal justice is organized.

A more detailed study of the disposition of criminal cases shows other facts of interest about those convicted. The following table

¹⁴From Forty-fifth Annual Report of Criminal Statistics for Canada, 1920, p. x. (10d, 1921).

shows how cases were actually disposed of during a period of five years, the quinquennium, 1916-1920:

TABLE 14

*Disposition of Cases in the Municipal Courts and Criminal Courts,
Chicago, 1916-1920*

(Data compiled from Annual Reports of the Chicago Police Department)

Disposition of Cases:	1916	1917	1918	1919	1920
All cases disposed of.....	109,661	134,830	107,774	93,987	90,476
Sentenced to hang.....	2	...	1	4	7
Sentenced to Joliet and Chester peni- tentiaries	198	199	116	235	198
Sentenced to Pontiac Reformatory...	244	326	221	207	177
Sentenced to County Jail.....	105	380	296	221	370
Sentenced to House of Correction....	2,508	3,655	3,045	2,425	2,086
Sentenced to other correctional insti- tutions	8	24
Fined	30,809	38,754	29,092	25,586	21,878
Placed on probation.....	1,971	2,561	1,988	2,947	2,500
Released on peace bonds.....	135	112	64	146	740
Ordered to make weekly payments...	794	683	372	682	530
Bonds forfeited	611	412	309	612	3,206
Discharged, no bills by grand jury, nolled, etc.	72,284	87,748	72,280	60,914	58,760

Quinquennial Average, 1916-1920

Disposition of Cases:	Number	Per Cent Distribution
All cases disposed of.....	107,346	100.0
Sentenced to hang.....	3	*
Sentenced to major prisons (Joliet, Chester, Pontiac)	424	0.4
Sentenced to minor prisons (County Jail, House of Correction)	3,023	2.8
Fined	29,224	27.2
Placed on probation.....	2,393	2.2
Released on peace bonds and ordered to make weekly payments	852	0.8
Bonds forfeited	1,030	1.0
Discharged, no bills, nolled, etc.....	70,397	65.6

COUNTY JAIL AND HOUSE OF CORRECTION

Other statistics which might also be expected to throw some light on the question of whether there has been an increase or decrease in crime are the statistics of the County Jail and House of Correction. The number of persons received in each of these institutions during the period 1914-1921 are as follows:

*Less than one-tenth of 1 per cent.

TABLE 15

Number of Persons Received in the County Jail and in the House of Correction, 1914-1921

Year	Number of Persons Received in County Jail	Number of Persons Committed to House of Correction
1914	9,657	15,150
1915	*	16,446
1916	9,020	13,053
1917	*	15,930
1918	*	10,294
1919	8,618	5,723
1920	8,759	4,682
1921	10,642	8,566

Statistics from the House of Correction are of interest because of the marked decline in the numbers received there in the years 1919 and 1920. The first conspicuous drop in numbers came in 1918, when the number committed fell from 15,930 in 1917 to 10,294 in the following year. Probably as a result of the prohibition law there was a further and a very marked decline continuing through the years 1919 and 1920. The commitments in 1921 increased very substantially over those for 1920, but the number committed in 1921 nevertheless remained 48 per cent below the number committed in 1915.

The statistics of the number of persons lodged in the County Jail should also be compared with the number of convictions on felony charges. These two groups of statistics might be expected to follow the same general trend unless persons are detained in jail unnecessarily. However, comparing table 15 with table 8, the extraordinary fact appears that although the number of persons in the County Jail increased from 8,759 in 1920 to 10,642 in 1921, an increase of 21 per cent, the number of convictions on felony charges fell from 4,282 to 4,224, a decrease of 1 per cent.

COMMITMENTS FOR THE NON-PAYMENT OF FINES

The (Merriam) Crime Committee in 1915 reported that the Chicago House of Correction was being supported at great expense to the taxpayers largely to take care of men who were too poor to pay the small fines assessed against them. For a series of years more than 80 per cent of the persons committed to the House of Correction had been committed for the non-payment of fines. This committee recommended the adoption of the system of allowing poor people to pay

*Figures not available.

fines by installments so that men would no longer be committed to prison because of their poverty. The legislature approved this recommendation, and in 1915 passed an amendment to the adult probation law (an amendment recommended by the Chief Adult Probation Officer as well as by the City Council Committee) permitting the release on probation of men and women unable to pay fines and provided for the collection of fines by installments through the Adult Probation Department.

Recent statistics show that the judges are making little use of the installment fine system. No statistics are available as to the numbers of persons actually released under this system, but the House of Correction statistics, which are given below, show the numbers still committed not for their crimes, but for their poverty.

TABLE 16

Commitments to the House of Correction, 1914-1921

Year	Numbers			Total
	Sentenced	Committed for Non- Payment of Fines	Fined and Sentenced	
1914	1,088	12,005	2,057	15,150
1915	1,111	12,841	2,494	16,446
1916	840	10,275	1,938	13,053
1917	1,334	12,103	2,493	15,930
1918	1,045	6,963	2,286	10,294
1919	797	3,509	1,417	5,723
1920	435	2,822	1,425	4,682
1921	672	6,005	1,889	8,566

Year	Percentages			Total
	Sentenced	Committed for Non- Payment of Fines	Fined and Sentenced	
1914	7.2	79.2	13.6	100.0
1915	6.7	78.1	15.2	100.0
1916	6.4	78.7	14.9	100.0
1917	8.4	76.0	15.6	100.0
1918	10.2	67.6	22.2	100.0
1919	13.9	61.3	24.8	100.0
1920	9.3	60.3	30.4	100.0
1921	7.8	70.1	22.1	100.0

This table shows that both the numbers of those committed to the House of Correction for all causes fell very sharply in 1918 and

the following years and the numbers of those committed for the non-payment of fines fell along with all commitments. The table shows too that the percentage of those committed for the non-payment of fines fell from 79 per cent of the total number committed in 1914 to 60 per cent of the total committed in 1920, and then rose again the year 1921 to 70 per cent of those committed.

That 70 per cent or even 60 per cent of those who are sent to the Bridewell to be supported at the expense of the taxpayers are sent there only because they are poor, remains a public scandal and disgrace to the City of Chicago.

DECLINE IN COMMITMENTS FOR NON-PAYMENT OF FINES IN GREAT BRITAIN

These facts as to the extent of imprisonment for the non-payment of fines should be the more carefully considered in our country in view of the fact that the whole evil system has been practically swept away in Great Britain since the enactment of the Criminal Justice Administration Act of 1914. In our supposedly more democratic country it appears that in the second largest city in the country the judges sent last year to our city workhouse 6,000 men and women who were too poor to pay the fines imposed upon them. This evil is not confined to Chicago; when the last federal census of prisoners was taken, the returns showed that in the country as a whole more than 290,000 persons were imprisoned in this way for their poverty in a single year. In the meantime Great Britain has adopted the more efficient and humane policy of doing away gradually with this last surviving remnant of the out-worn system of imprisonment for debt. Since 1905, it had been optional with the British courts to give a man time to pay his fine, but in 1914 it ceased to be optional and became mandatory. The first section of the Criminal Justice Administration Act of 1914 provided that in all cases time must be given for the payment of fines and the time must not be less than seven clear days. At the end of this time further time may be allowed by the court and payment in installments may be allowed. The act contains the further humane provision that in imposing a fine the court is to take into consideration "the means of the offender so far as they appear or are known to the court." This provision puts an end to what the Prison Commissioners for Scotland called the "abuse which . . . arises from the imposition for certain offenses of fines upon a stereotyped scale, which necessarily press much more hardly upon the poor than upon those who are better

off." Reports of the three Prison Commissions of England, Scotland and Ireland all testify to the beneficial results of the Act of 1914 in operation. The new system is not only humane, but economical. The great saving to the taxpayers is indicated by the figures showing the great reduction in the number of persons committed to prison for the non-payment of fines in England and Wales in 1909-10 and 1910-20:

Year	Number Committed for Non- Payment of Fine	Per Cent of Total Commit- ments ^{14a}
1909-10	90,753	50
1919-20	9,303	26

Other data relating to the payment of fines are found in the Criminal Judicial Statistics of England and Wales. In 1913, before the passage of the Act of 1914, fines were imposed by courts of summary jurisdiction in 502,554 cases, and 75,152 persons were committed for non-payment of fines. In 1919 fines were imposed in 393,726 cases, but fewer than 10,000 persons were imprisoned for non-payment of fines. While this reduction has been largely due to the Criminal Justice Administration Act, the fact should not be overlooked that it is also due in part to the fact that the fines assessed have remained at the old pre-war rate and have not increased to correspond with the higher rates of wages, and a much larger proportion of offenders have therefore been able to pay the fines imposed.¹⁵ That is, the poor and the rich have been placed more nearly on a footing of equality before the law.

^{14a}Data from Report of the Commissioner of Prisons and the Directors of Convict Prisons for the year ending March 31, 1920 (Cmd. 972), pp. 9-10.

¹⁵Cmd. 1424, p. 6. The use of the short sentence has also been largely done away with in Great Britain by the Criminal Justice Administration Act of 1914. The act contains two provisions designed to do away with short and useless sentences of imprisonment: (1) The courts are given power to substitute for a sentence of imprisonment an order that the offender be detained for one day within the precincts of the court; (2) If a sentence of imprisonment does not exceed four days, the offender is not to be sent to jail, but is to be detained in a "suitable place" certified as such by the home secretary. The Commissioners of Prisons for England and Wales emphasized in their 1915 report the importance of the Act of 1914 in preventing the development of a criminal class. As to the short sentence they say that it has not a "single redeeming feature." "It carries with it all the social stigma and industrial penalties of imprisonment with no commensurate gain to the offender or the community. If there still survives in the minds of administrators of justice the obsolete and exploded theory that prison is essentially a place of punishment—and for punishment alone—for the expiation of offenses in dehumanizing, senseless tasks, and arbitrary discipline, truly there could be devised no more diabolical form of punishment than the short sentence oft repeated." (Report of the Prison Commissioners (Cd. 7837, p. 18).

PERSONS ARE COMMITTED FOR VERY SMALL FINES

Not only do our statistics show that hundreds of persons are being annually imprisoned for inability to pay fines, but these persons are imprisoned for fines of very small amounts. The following table shows the amount of the fines for which people are committed to the Chicago House of Correction:

TABLE 17

Number of Persons Committed to the House of Correction for Non-Payment of Fines of Specified Amounts, 1921

Amount of Fine	Number of Persons Committed for Non- Payment of Fines	Per Cent Distribution
Less than \$5.....	86	1.4
\$ 5 and less than \$ 10.....	940	15.7
10 and less than 15.....	1,126	18.8
15 and less than 20.....	1,158	19.3
Commitments for less than \$20....	3,310	55.2
\$ 20 and less than \$ 30.....	234	3.9
30 and less than 40.....	925	15.4
40 and less than 50.....	19	0.3
50 and less than 75.....	521	8.7
75 and less than 100.....	19	0.3
100 and less than 150.....	539	8.9
150 and less than 200.....	5	0.1
200 and over.....	433	7.2
	<u>6,005</u>	<u>100.0</u>

These statistics of commitment for the non-payment of fines show that in 1921, 86 persons were imprisoned in Chicago for fines of less than \$5; 940 for fines ranging from \$5 to \$10; 1,126 for fines ranging from \$10 to \$15, and 1,158 for fines ranging from \$15 to \$20. That is, taking the numbers cumulatively, 3,310 persons, over 55 per cent of the whole number, were sent to prison in Chicago in 1921 for fines of less than \$20.

USE OF THE PROBATION SYSTEM

It is in line with our reluctance to use the installment fine system that the use of the adult probation system has made so little progress in Chicago in recent years. The following table shows the number of offenders released on probation, 1914-1921:

TABLE 18

Number of Persons Convicted, Number Placed on Probation, and Per Cent of Convicted Persons Placed on Probation, Chicago, 1914-1921

Year	Total Number Convicted	Number Placed on Probation	Per Cent Placed on Probation
1914	50,630	4,696	9.3
1915	46,987	3,629	7.7
1916	36,766	3,763	10.2
1917	46,670	4,554	9.7
1918	35,185	3,922	11.1
1919	32,461	4,657	14.2
1920	28,510	3,692	12.9
1921	40,267	2,417	6.0

This table shows that there was a significant decrease in 1921 in the number of persons placed on probation and in the per cent of convicted persons released on probation. This decline is to be deplored in view of the increase in the number of persons committed for the non-payment of fines and in the face of the increasing public confidence in the social value of the probation system which is felt in other communities. As to this point the report of the New York City Magistrates' Courts for 1920 in a discussion of the "value of effective probation work" contains the following statement:

Probation is not only the best way, but also the most economic way of dealing with delinquents. Every man or woman saved from a life of criminality is a spiritual and economic gain to the community. This "reformatory without walls" saves the city a great deal of money each year and, instead of being an increased expense to the city, is in reality a great tax saver. *The economic gain from improved probation will exceed in far greater proportion the increase in the appropriation.* Finally, if probation saves men from further crime, it reclaims them from evil to good citizenship, it is, even at much cost, good economy in the truest sense of the word (p. 78).

And a conservative English Departmental Committee has recently emphasized the same point. Thus, their report says:

It is hardly necessary for us to point out that probation is extremely economical compared with the cost of keeping persons in prison. . . . We do not advocate the use of probation merely because it is inexpensive, but we wish to lay great stress on the considerable saving to public funds which is likely to follow from the use of probation in all suitable cases.^{14b}

^{14b}Report of the Departmental Committee on the Training, Appointment and Payment of Probation Officers (Cmd. 1601), p. 5.

STATISTICS OF MURDER IN CHICAGO

The number of murders committed from year to year may be expected to afford some evidence of crime conditions in the community. It is, however, exceedingly difficult to say how many murders have been committed in any one year. That is, it is difficult to say how many cases of homicide should be called murders, how many should be called cases of manslaughter, how many should be classified as accidental homicides. Sometimes this cannot be decided until a jury comes to a decision; but, in general, after the prosecuting officials have studied the evidence a reasonably satisfactory conclusion will be reached.

WHEN IS A MURDER A MURDER?

In 1920 the chief of police published in his annual report a list of 116 so-called "premeditated murders" in Chicago. In the same report in the statistics of arrests are 198 charges of murder and the Municipal Court in 1920 disposed of 107 hearings in murder cases. The present Chicago "Crime Commission" reported 194 murders in the same year.^{15a} It should be explained that this so-called "Commission" is not a public commission but merely an organization supported by private funds.

TABLE 19

Murder and Related Charges in Chicago, 1910-1920

(From Annual Reports of Police Department)

Year	—Number of Charges—	
	Murder	Manslaughter
1910	61	20
1911	88	33
1912	170	41
1913	219	43
1914	229	72
1915	194	68
1916	193	71
1917	188	72
1918	134	130
1919	193	88
1920	198	92

^{15a}Second Annual Report, p. 37.

TABLE 20

Murder and Related Cases Disposed of in the Municipal Court, 1910-1920

Year	— Number of Cases — Disposed of	
	Murder	Manslaughter
1910	137	22
1911	116	25
1912	87	40
1913	103	46
1914	120	43
1915	100	42
1916	131	39
1917	107	38
1918	79	78
1919	135	41
1920	107	64

TABLE 21

Premeditated Murders, Sentences to Hang, and Executions, 1915-1921

Year	Premeditated Murders*	Sentenced to Hang*	Hanged†
1915	77	..	1
1916	105	2	..
1917	91
1918	95	1	4
1919	154‡	4	3
1920	116	7	8
1921	137	1	..

The murder statistics used by the Chicago "Crime Commission" differ from those just given. The "Crime Commission" has published in its reports statistics of the number of murders in Chicago as follows: In 1919, 330; in 1920, 194; in 1921, 190. The source of these extraordinary statistics is not given by the "Commission."

The "Crime Commission" triumphantly announced in 1921 that it was winning its fight against crime and a special bulletin (No. 14) issued October 6, 1920, was headed "Chicago's Murder Rate Drops." In this bulletin statistics were given purporting to show that the number of murders had fallen from 248 in the first eight months of 1919, to 112 in the first eight months of 1920. "The first eight months of 1920, therefore," said the bulletin, "show 136 less murders than were recorded during the corresponding time last year." Of course, 1919 was the year of the race riots and the Commission did

*Compiled from Annual Police Reports.

†From Daily News Almanac.

‡Race riots 21.

not overlook this fact. They deducted 39 of the 1919 murders as having occurred in connection with the race riots and then claimed that "1920 still holds a cleaner slate over the 1919 period by 97 murders" (No. 14, p. 1).

This so-called "improvement" the Commission attributed to the large number of hangings that had occurred and were in prospect.

Murder in Chicago [said the bulletin] is slowly but surely being transformed from a safe pleasure pursuit of criminals into an extremely hazardous occupation. The legal requirement of "a life for a life" is at last being regarded in somber seriousness by the underworld denizens who long considered it as merely a spicy risk flavoring the carrying out of their criminal enterprises. This is disclosed by the Crime Commission's murder records for the first eight months of this year. . . . And there are now fourteen convicted murderers awaiting the hangman's noose in the County Jail, all of them sentenced during the 1920 period to pay the extreme penalty for their crimes—a record unparalleled in all Chicago's previous criminal history.

For this improvement in connection with the crime of murder in Chicago, the Crime Commission is largely responsible, both because of its activities in obtaining the machinery which has resulted in so many convictions with the death penalty and because of its consistent and continuous efforts on behalf of law enforcement and in aid of public officials charged with the suppression of crime.

(The day in which this bulletin went to press was described as) a day which will be long remembered among members of the professional killer's fraternity of Chicago—a day of sternest warning to them that the law no longer will tolerate the taking of human life in this city with the laxity and delay in justice that has marked official procedure in the past in dealing with murderers. On that day no less than eight of the convicted murderers in the County Jail are scheduled to expiate their crime on the gallows.¹⁶

HAVE HANGINGS INCREASED THE NUMBER OF MURDERS

According to the police statistics of "premeditated murders,"¹⁷ however, there has been no such decline in the number of murders as the statistics used by the so-called "Crime Commission" indicate. The number of "premeditated murders" given in the police report for these years is given below together with those used by the "Crime Commission":

¹⁶Bulletin of the Chicago Crime Commission No. 14, p. 1.

¹⁷These statistics were the ones used and commended by Mr. Raymond B. Fosdick in *American Police Methods*, see p. 10, footnote 1, and p. 11, and are apparently the most trustworthy statistics available on this subject.

	"Premeditated Murders" (Chicago Police Dept.)	Murders in Chicago (Figures Used by Chicago 'Crime Commission')
1919	154*	330†
1920	116	194
1921	137	190

Omitting the race riot murders, we have the following:

1919	133	291
1920	116	194
1921	137	190

According to the police reports, the number of murders was greater in 1921 than in 1919 or in 1920. That is, instead of a spectacular decline in murder as a result of the great increase in the number of hangings, the number of murders seems actually to have increased. Eight men were hanged in the single year of 1920, as many as had been hanged during all the preceding five years together. The Chicago "Crime Commission" believed that hanging would "drive the murderers to cover," but the result was an increase in the number of murders from 116 in 1920 to 137 in 1921.

In 1917 the Illinois Legislature passed a bill abolishing capital punishment, which was vetoed by Governor Lowden. It is significant that as a result the increase in the number of murders in the years following cannot be attributed, as it otherwise certainly would have been by many people, to the fact that with hanging abolished the criminal law was no longer sufficiently deterrent. The deterrent feature of the law has been used to the limit, and murder has still increased. These facts would seem indeed to reinforce the opposite theory that harsh and brutal punishments tend to increase rather than to prevent crime.

That harsh punishments and the attending publicity tend to increase crime was discovered 150 years ago by Blackstone and Bentham in the eighteenth century, and in the first quarter of the nineteenth century their work was carried forward by Romilly and Mackintosh and the younger Peel, who abolished capital punishment for scores of offenses and established the new principle that crime could be more successfully prevented by an effective police system than by hanging or branding or mutilating the criminals. Nearly a hundred years have passed since Peel established that great organization known as the Metropolitan Police. In London life was made safe, property protected, and crime in general prevented by abolishing the harsh sanc-

*Twenty-one of these murders attributed to race riots.

†Thirty-nine of these murders attributed to race riots.

tions of the law on the one hand and substituting on the other an efficient body of police.

It is worth while here to recall Blackstone's statement as to the effect of harsh punishments, a statement that had so profound an influence upon the English lawyers of the late eighteenth and nineteenth centuries. In a well-known paragraph in the *Commentaries* Blackstone referred to the fact that 160 offenses were then punishable by death under the English law. Commenting on this, Blackstone said:

So dreadful a list, instead of diminishing, increases the number of offenders. The injured, through compassion, will often forbear to prosecute; juries, through compassion, will sometimes forget their oaths, and either acquit the guilty or mitigate the nature of the offense; and judges, through compassion, will respite one-half of the convicts, and recommend them to the royal mercy. Among so many chances of escaping, the needy and hardened offender overlooks the multitude that suffer; he boldly engages in some desperate attempt, to relieve his wants or supply his vices; and, if unexpectedly, the hand of justice overtakes him, he deems himself peculiarly unfortunate in falling at last a sacrifice to those laws, which long impunity has taught him to contemn.

STATISTICS OF MURDER IN LONDON

In the year 1920 there were in London 15 murders of persons above the age of one year.¹⁸ With a population of 4,521,685, this is at the rate of 3 murders per 1,000,000 population, in comparison with 73 in Chicago.

A further contrast between the London and the Chicago situation is found in the method of dealing with such cases of murder as occur. In 4 of the 15 cases of murder in London the murderer committed suicide. In 9 of the remaining 11 cases, arrests were made, and the cases were disposed of as follows: Convicted and sentenced, 3; found insane, 5; acquitted, 1. In the case of the single acquittal, it was admitted that the person had been guilty of the homicide though not guilty of murder. There remained only 2 cases of murder in which the murderer was not discovered by the police.

Contrast this situation with ours of Chicago. In 1920 there were 116 "premeditated murders" reported by the police. In 17 cases the murderer either committed suicide or was killed himself. In 50 of the remaining 99 cases no arrests were made, and the police report actually describes 53 cases as "unsolved." In the 49 cases in which arrests were made, 104 persons were arrested. The disposition of

¹⁸Cases of abortion are excluded. See Report of the Commissioner of Police of the Metropolis for the year 1920 (Cmd. 1294), p. 8.

these cases during the course of the year was as follows: Hanged, 3; under sentence to hang, 5; sentenced to Joliet, 21; sent to an insane asylum, 1; acquitted, 17; no billed, nolle prossed, or stricken off, 32; pending, 25.¹⁹

STATISTICS OF MURDER IN CANADA

Coming nearer home, we find statistics of murder in Canada also very different from our own. For the years 1918, 1919 and 1920 the total number of charges of murder in Canada, with the disposition, were as follows:

TABLE 22
Charges of Murder in Canada, 1918-1920

	Number			Per Cent Distribution		
	1918	1919	1920	1918	1919	1920
Acquitted	23	44	28	46.9	55.7	49.1
Detained for lunacy.....	7	7	3	14.3	8.9	5.3
Capital sentence	19	28	26	38.8	35.4	45.6
	49	79	57	100.0	100.0	100.0

Over a period of ten years, the quinquennial averages for murder in Canada²⁰ were as follows:

	Charges	Convictions	Executions	Percentage of Convictions to Total Number of Charges
1911-1915	61.6	25.0	12.8	40.6
1916-1920	58.0	22.0	9.0	38.0

HOMICIDES COMMITTED BY THE POLICE

Some interesting statistics are published in the Chicago Police Report showing the number of homicides committed by the police themselves. These are all called "justifiable and excusable homicides," but it is open to question whether or not the shooting of five citizens "accidentally" by the police officers should be considered "justifiable and excusable." The following table shows the classification by the Police Department of the homicides in Chicago committed by the members of the police force:

¹⁹Data compiled from 1920 Report Chicago Police Department, p. 29.

²⁰From Forty-fifth Annual Report of Criminal Statistics of Canada, p. ix (No. 10d, 1921).

*Homicides Committed by the Police, 1920*²¹

Accidentally shot by police officers.....	4
Shot by police officers when mistaken for burglar.....	1
Shot by police officers acting in self-defense.....	5
Suspicious persons and felons shot by police officers while attempting to escape arrest, search or questioning.....	9
Shot by police officers while or after committing a crime.....	11
Shot by private police and watchmen while or after committing a crime..	7
	<hr/> 37

The circumstances of these police killings are not given, although a detailed description is given of the circumstances of ten other homicides in which police and not citizens were killed. Publicity should be given, however, to such facts as are revealed in the preceding table. Are the police, in their pursuit of criminals, to be allowed to shoot down "accidentally" four citizens—and a fifth should be added since one additional citizen was shot "when mistaken for burglar." The citizens would perhaps prefer, if the police cannot apprehend criminals without shooting innocent persons, that the criminals should be allowed to escape. Moreover it will be noted that the so-called "criminals" who are shot by the police "while or after committing a crime" were shot without a trial, and we have only the evidence of the police as to whether they were really guilty. Question may be raised also as to the propriety of dismissing as "justifiable and excusable homicides," the shooting of citizens who attempt to "escape questioning."

The crime situation in Chicago appears to be one that is exacerbated by the crime methods of the frontier which the police have been allowed to adopt. The shooting down of 37 citizens by policemen in the course of a year without trial and in many cases without warning is in line with the traditions of the frontier rather than those of a settled community governed by law.

Imitation is an important factor in the crime situation. Violence on the part of the police and the resulting sensational reports of violence in the newspapers lead to further violence and to the carrying of weapons by citizens who should be unarmed. Statistics of murder in London are especially significant in comparison with our Chicago statistics since in London the policeman carries no weapon except "a light wooden truncheon, incapable of inflicting serious damage."²²

²¹From Annual Report of the Police Department, Chicago, 1920, p. 33.

²²Raymond B. Fosdick, *European Police Systems*, p. 234. Mr. Fosdick's comment on the general attitude of the London police to the public is of interest: "The calm, patient, undisturbed attitude of the London constable, sometimes under circumstances of the most irritating and provoking nature, has become proverbial. I saw a large squad of them standing unmoved and appar-

CONCLUSION

The facts about crime should not only be recorded with the greatest accuracy, but they should be given the fullest publicity. If we are to punish 125,000 of the members of our community in a single year, by arresting them and trying them in our criminal courts, if we are to punish 19,000 persons by imprisoning them in dark and sunless places like our two great prisons, the County Jail and the House of Correction, we should at least know how and why these men and women are being punished. As to the numbers of persons who are shut up during the year in the cells of our other prisons, the 37 police stations of Chicago, no statistics are available. In its report of 1915 the Merriam Crime Committee called attention to the fact that no records were available to show how many persons were during the year locked up in the police station cells for one or more nights.²³ The locking up of men and women in police stations may seem a trivial thing to those who never expect to suffer this indignity. But careful records should be kept and published of the number of poor persons, for they are literally poor persons, who do suffer in this way. At present no facts regarding confinement in police stations are ever published. The victims of the "stations" like the victims of the "third degree" remain beyond the count of the statistician.

ently unobservant when well-aimed stones were being hurled at them by a group of strikers. When ordered to charge they did so, calmly and deliberately. Scorning to use their truncheons, they rolled up their rubber ponchos and with these weapons beat back their assailants" (*Ibid.*, pp. 234-35).

²³Report of the City Council Committee on Crime of the City of Chicago (1915), p. 36.