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# JUDICIAL CRIMINAL STATISTICS

## 1937



U. S. DEPARTMENT OF COMMERCE  
BUREAU OF THE CENSUS



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HARRY L. HOPKINS, SECRETARY  
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## STATE TABLES

Arizona	Michigan	Oregon
California	Minnesota	Pennsylvania
Colorado	Montana	Rhode Island
Connecticut	Nebraska	South Dakota
District of Columbia	New Hampshire	Utah
Idaho	New Jersey	Vermont
Indiana	New Mexico	Washington
Iowa	New York	Wisconsin
Kansas	North Dakota	Wyoming
Massachusetts	Ohio	



Twenty-nine States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports of defendants in criminal cases disposed of by courts of general jurisdiction during the year 1937. This is the sixth year that the judicial criminal statistics collection has been made by the Bureau of the Census. The first collection in 1932 included reports from 16 States, 24 States furnished information for 1933, 27 for 1934, and 30 for 1935 and 1936. During the present year (1937) 2 States were dropped from the annual collection and 1 was added. Returns from the States of Illinois and Maine were so limited (one-third or less of the counties reporting) that it was thought advisable to exclude them. The State of New York was added this year as a result of the cooperation received from the New York Department of Correction in furnishing to the Census Bureau summaries of the judicial criminal reports collected by that Department.

Scope of statistics. The judicial criminal statistics gathered by the Census Bureau are limited for the most part to statistics of criminal defendants disposed of by courts of general jurisdiction. Under the judicial organization of most States there is a court of general jurisdiction in each county which has the authority in criminal cases to try and dispose of all serious or felony offenses and of such minor or misdemeanor offenses as are not within the exclusive jurisdiction of inferior courts. Thus any offender tried on a felony charge will be tried in a court of general jurisdiction although he may have a preliminary examination on the felony charge in a minor court. In a few States, the power to try and dispose of felony charges has been extended, in certain instances, to minor courts such as municipal and county courts.

While most offenders convicted of felony charges are disposed of by courts of general jurisdiction, this does not mean that all felony charges are finally disposed of in these courts. Many offenders who are arrested on a felony charge are disposed of finally in minor courts either by the dismissal of the charge at the preliminary examination or the reduction of the charge to a misdemeanor which is within the jurisdiction of the minor court. This means that statistics gathered mainly from courts of general jurisdiction fall far short of accounting for the prosecution of all offenders charged with felonies. Not until judicial criminal statistics can cover all action taken in a criminal case from the point of arrest or the filing of the first charge to final disposition will there be data available to give us an adequate picture of the administration of criminal justice.

Methods of collection. The judicial criminal statistics collected by the Census Bureau are based on an annual report made by the clerk of court in each county on two uniform tally sheets which are supplied by the Census Bureau. One provides for the tallying of all defendants disposed of during the year by offense and method of disposition; the other provides for tallying all persons convicted by offense and sentence imposed. The 1937 data were collected by this tally sheet method in 24 of the 29 States. Reports were received from New York and Massachusetts on the basis of the reporting forms used by the Departments of Correction in those respective States. For the District of Columbia, Minnesota, and the majority of the

Ohio counties, the data were gathered on the basis of individual case reports.

The accuracy of the data reported on the tally sheets necessarily depends on the amount of care with which the clerks of court enter the tally marks in accordance with the instructions furnished them. The fact that instructions are necessarily general in order to apply to many jurisdictions, that most clerks of court are exceedingly busy officials usually without sufficient clerical assistance, and that they are asked to make these reports voluntarily without compensation or other assistance, means that the tally sheets are not always made out with the care desired.

The task of making up an annual tally sheet report from the court records is not a simple one. Court dockets and registers have been evolved primarily for reference purposes. They are not uniform from county to county or from court to court. They are not always uniform within the same county and court, as newly elected clerks may make changes in the detail recorded in their books. The matter of classifying cases according to offense and particular method of disposition or type of sentence also is quite difficult and results in a lack of uniformity, inasmuch as different clerks will have different ideas as to how an offender should be classified. There is seldom any other summary of court dispositions available with which to compare the tally made on the census schedules. Even if another summary is available, it is not likely to be in the same terms or units as the census reports. Further, if errors have been made in the process of tallying, there is no way to check or eliminate them except to repeat the entire process.

A new method of collecting judicial criminal statistics on the basis of individual case reports was tried out in 1937 in Ohio, Minnesota, and the District of Columbia. Under this system the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The classification and tabulation of these cards is done for a State by a central statistical agency, insuring uniform classification and interpretation of the data reported from all counties. This method is far more flexible than the tally sheet method, as it makes possible a more intensive analysis of the data collected and, further, can quite easily be adapted to the particular record-keeping routines used by the different clerks of court. As considerably more work is required to tabulate, analyze, and summarize reports collected under the individual case method, it will be difficult for the Bureau of the Census to undertake the detailed work required in the collection of statistics by this method, for a large number of States. The collection made in the three jurisdictions mentioned has been carried on as an experiment to test out the practicability of this system. It is hoped that the various States will establish their own statistical bureaus. The development of a satisfactory national system of judicial criminal statistics will depend to a large extent on the establishment of such State bureaus. A State agency will be able to work out a system which fits the particular law, procedure, and practice of the State and can make much more detailed analysis of the statistics gathered than is possible by a national agency dealing with all States.

Limitations of the statistics. There are wide differences to be found from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. It will be noted in table 9 of this report (page 7) that the 1937 statistics were collected from several different kinds of courts and occasionally from two or three types within a single State. While each State usually has a single type of court of general jurisdiction, in some States special jurisdiction to dispose of felony offenses has been given to courts which otherwise would be classified as courts of limited jurisdiction. In Vermont, for instance, the county courts are the general trial courts of the State and have complete power to dispose of felony cases. However, the municipal courts of that State have been granted power to dispose of felony cases where the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both of these types of courts in Vermont to obtain fairly complete coverage of the felony convictions in that State.

There is a great deal of unevenness in the extent of jurisdiction possessed by the general trial courts even within a single State. These courts have essentially a residual jurisdiction; that is, they handle and dispose of all types of cases that are not specifically given over to some other court for disposal. In some States this jurisdiction is divided between general trial courts and minor courts, both having concurrent jurisdiction over misdemeanors. Frequently, in metropolitan counties the court of general jurisdiction will handle only felony cases, as the authority to dispose of all misdemeanor cases has been granted exclusively to the municipal court of the main city in the county. In the same State, however, the general trial courts in the rural counties will handle not only felony cases but a large number of misdemeanor cases that are not disposed of by local justices of the peace. There are, therefore, some very real difficulties of comparison in these statistics. The same technique that was used in 1935 and 1936 of limiting the summary and comparative analysis of State material to major offenses is again used in 1937. It is thought that this method eliminates a great deal of the variability in the statistics which would otherwise result from the widely differing jurisdiction over criminal cases of the reporting courts.

There is no technique of selection, however, that can be used which will make up for the fact that these statistics do not embody the results of the earlier stages of prosecution of felony cases. It is known that in many metropolitan counties large numbers of offenders arrested and charged with felonies are eliminated or disposed of on reduced charges before the cases ever reach the general trial courts. The National Commission on Law Observance and Enforcement in its report on prosecution (table 2, pages 190 and 191) shows the results of court dispositions taken from several crime surveys that covered all defendants prosecuted for felonies, including those eliminated in the earlier stages of prosecution. About a dozen metropolitan jurisdictions were included. The proportion of felony charges which survived the earlier stages of prosecution and entered the general trial court ranged from 23 to 83 percent, depending on the jurisdiction. Obvi-

ously, the work of a trial court which disposes of only 23 percent of those arrested and charged with a felony is not comparable with the work of a court in a jurisdiction where 83 percent of the original felony defendants are handled. In the first jurisdiction it would be expected that most of the weak cases would be eliminated in the earlier stages and that a high conviction rate would be shown for the remaining 23 percent coming before the trial court. In the latter jurisdiction where 83 percent of the original charges survived, a much higher dismissal rate and consequently a lower conviction rate might be expected. It is simply impossible to justify the assumption that statistics of courts of general jurisdiction reliably account for prosecution practice. For this reason too positive conclusions should not be drawn from the variations in dispositions and sentences observed from State to State in these statistics.

#### ANALYSIS OF 1937 DATA

Dispositions, by States. The 1937 report consists primarily of the 29 summaries which have been prepared for each of the cooperating States. For 27 States it was possible to present a 3-year comparison showing, for major offenses, the number of defendants disposed of, by type of disposition and sentence, for the years 1937, 1936, and 1935. Such a comparison for a given State is much more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

The first four tables will present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, will present the same information for the 29 States combined, by offense.

Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were eliminated without conviction and the number and proportion convicted. The proportion of defendants eliminated without conviction ranges from 42.7 percent in Indiana to 1.4 percent in Rhode Island, and, conversely, the proportion convicted ranges from 98.6 percent in Rhode Island to 57.3 percent in Indiana. For the 29 States taken individually, the median proportion convicted is 60.8 percent; that is, 14 States show a higher proportion of convictions and 14 States a smaller proportion.

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination, namely, (1) dismissed and other no penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no penalty dispositions account for the great majority of defendants eliminated, ranging from 93.7 percent in Vermont to 44.1 percent in Pennsylvania. The median proportion dismissed for the 29 States taken individually is 75.1 percent. It will be noted that in several States there were no acquittals by court after waiver of jury trial. In most of these States this is due to the fact that there is no legal provision for waiver of jury trial in a felony case. The proportion of defendants eliminated who were acquitted by jury ranges from 53.8 percent in Pennsylvania to 1.1 percent in Connecticut. The median proportion of defendants acquitted by jury for the 29 States is 21.4 percent.



Table 1. DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY STATES: 1937

STATE	Total disposed of	ELIMINATED WITHOUT CONVICTION		CONVICTED	
		Number	Percent	Number	Percent
Total, 29 States .....	83,649	19,977	23.9	63,671	76.1
Arizona .....	835	272	32.6	563	67.4
California .....	4,330	745	17.2	3,585	82.8
Colorado .....	1,567	398	24.8	1,179	75.2
Connecticut .....	1,168	178	15.2	990	84.8
District of Columbia .....	1,720	412	24.0	1,308	76.0
Idaho .....	432	55	12.7	377	87.3
Indiana .....	5,069	2,163	42.7	2,905	57.3
Iowa .....	1,572	348	22.1	1,224	77.9
Kansas .....	1,793	452	25.2	1,341	74.8
Massachusetts .....	3,044	515	16.9	2,529	83.1
Michigan .....	4,723	822	17.4	3,901	82.6
Minnesota .....	1,908	232	12.2	1,676	87.8
Montana .....	586	134	22.9	452	77.1
Nebraska .....	1,034	159	15.4	875	84.6
New Hampshire .....	422	65	15.4	357	84.6
New Jersey .....	5,260	1,068	20.3	4,192	79.7
New Mexico .....	838	205	24.5	633	75.5
New York .....	10,316	2,556	24.8	7,760	75.2
North Dakota .....	536	109	20.3	427	79.7
Ohio .....	6,010	1,153	19.2	4,857	80.8
Oregon .....	832	101	12.1	731	87.9
Pennsylvania .....	22,603	6,699	29.6	15,904	70.4
Rhode Island .....	568	8	1.4	560	98.6
South Dakota .....	526	85	16.2	441	83.8
Utah .....	377	21	21.5	296	78.5
Vermont .....	649	144	22.2	505	77.8
Washington .....	1,579	290	18.4	1,289	81.6
Wisconsin .....	3,024	476	15.7	2,548	84.3
Wyoming .....	328	62	18.9	266	81.1

Table 2. DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1937

STATE	Total eliminated	DISMISSED AND OTHER NO PENALTY		ACQUITTED BY COURT		ACQUITTED BY JURY	
		Number	Percent	Number	Percent	Number	Percent
Total, 29 States .....	19,977	12,716	63.7	969	4.9	6,292	31.5
Arizona .....	272	216	79.4	4	1.5	52	19.1
California .....	745	466	62.6	70	9.4	209	28.1
Colorado .....	398	291	75.0	4	1.0	93	24.0
Connecticut .....	178	162	91.0	14	7.9	2	1.1
District of Columbia .....	412	307	74.5	-	-	105	25.5
Idaho .....	55	39	70.9	1	1.8	15	27.3
Indiana .....	2,163	1,892	87.5	185	8.6	86	4.0
Iowa .....	348	316	90.8	2	0.5	30	8.6
Kansas .....	452	395	87.4	3	0.7	54	11.9
Massachusetts .....	515	404	78.0	66	12.9	45	8.8
Michigan .....	822	725	88.9	73	8.9	24	2.9
Minnesota .....	232	216	93.1	1	0.4	15	6.5
Montana .....	134	106	79.1	-	-	28	21.0
Nebraska .....	159	113	71.1	8	5.0	38	24.0
New Hampshire .....	65	59	90.8	-	-	6	9.2
New Jersey .....	1,068	621	58.1	218	20.4	229	21.4
New Mexico .....	205	148	72.2	-	-	57	27.8
New York .....	2,556	1,659	64.9	-	-	897	35.1
North Dakota .....	109	94	86.2	-	-	15	13.8
Ohio .....	1,153	866	75.1	129	11.2	158	13.7
Oregon .....	101	66	65.3	-	-	35	34.7
Pennsylvania .....	6,699	4,411	65.8	1,471	21.9	817	12.3
Rhode Island .....	8	4	50.0	-	-	4	50.0
South Dakota .....	85	71	83.5	-	-	14	16.5
Utah .....	81	49	60.5	-	-	32	39.5
Vermont .....	144	135	93.7	-	-	9	6.3
Washington .....	290	246	84.8	-	-	44	15.2
Wisconsin .....	476	391	82.1	11	2.3	74	15.6
Wyoming .....	62	50	80.6	-	-	12	19.4

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Table 3. DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1937

STATE	Total convicted	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
		Number	Percent	Number	Percent	Number	Percent
Total, 29 States ..	63,671	50,980	80.1	2,659	4.2	10,032	15.8
Arizona .....	563	496	88.1	-	-	67	11.9
California .....	3,585	3,039	84.8	199	5.6	347	9.7
Colorado .....	1,179	1,006	85.3	5	0.4	168	14.2
Connecticut .....	990	898	90.7	36	6.7	26	2.6
District of Columbia .....	1,308	1,107	84.6	-	-	201	15.4
Idaho .....	377	320	84.9	11	2.9	46	12.2
Indiana .....	2,905	2,103	72.4	629	21.7	173	6.0
Iowa .....	1,224	1,146	93.6	26	2.1	52	4.2
Kansas .....	1,341	1,164	86.8	20	1.5	157	11.7
Massachusetts .....	2,529	2,129	84.2	76	3.0	324	12.8
Michigan .....	3,901	3,092	79.3	241	6.2	568	14.6
Minnesota .....	1,676	1,578	94.2	8	0.5	90	5.4
Montana .....	452	379	83.8	4	0.9	69	15.3
Nebraska .....	875	788	90.1	40	4.6	47	5.4
New Hampshire .....	357	331	92.7	3	0.8	23	6.4
New Jersey .....	4,192	3,628	86.5	310	7.4	254	6.1
New Mexico .....	633	528	83.4	19	3.0	86	13.6
New York .....	7,760	6,904	89.0	-	-	856	11.0
North Dakota .....	427	396	92.7	3	0.7	28	6.6
Ohio .....	4,857	4,152	85.5	300	6.2	405	8.3
Oregon .....	731	683	93.4	5	0.7	43	5.9
Pennsylvania .....	15,904	9,799	61.6	457	2.9	5,648	35.5
Rhode Island .....	560	557	99.5	-	-	3	0.5
South Dakota .....	441	406	92.1	9	2.0	26	5.9
Utah .....	296	221	74.7	9	3.0	66	22.3
Vermont .....	505	486	96.2	-	-	19	3.8
Washington .....	1,289	1,128	87.5	18	1.4	143	11.1
Wisconsin .....	2,548	2,275	89.3	190	7.5	83	3.3
Wyoming .....	266	241	90.6	11	4.1	14	5.3

Table 4. DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1937

STATE	Defendants sentenced	STATE PRISONS AND REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		JAILS, WORK-HOUSES, ETC.		ALL OTHER SENTENCES	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total, 29 States	63,671	23,990*	37.7	20,042	31.5	16,081	25.3	3,558	5.6
Arizona .....	563	350	62.2	176	31.3	30	5.3	7	1.2
California .....	3,585	1,092	30.5	1,008	28.1	1,370	38.2	115	3.2
Colorado .....	1,179	841	71.3	249	21.1	73	6.2	16	1.4
Connecticut .....	990	324	32.7	314	31.7	322	32.5	30	3.0
Dist. of Columbia .....	1,308	717	54.8	451	34.5	135	10.3	5	0.4
Idaho .....	377	198	52.5	90	23.9	81	21.5	8	2.1
Indiana .....	2,905	1,743	60.0	677	23.3	302	10.4	183	6.3
Iowa .....	1,224	527	43.1	187	15.3	455	37.2	55	4.5
Kansas .....	1,341	962	71.7	203	15.1	159	11.8	18	1.3
Massachusetts .....	2,529	775	30.6	1,035	40.9	695	27.5	24	1.0
Michigan .....	3,901	1,856	47.6	1,463	37.5	458	11.7	124	3.2
Minnesota .....	1,676	757	45.2	672	40.1	180	10.7	67	4.0
Montana .....	452	338	74.8	90	19.9	15	3.3	9	2.0
Nebraska .....	875	559	63.9	198	22.6	79	9.0	39	4.5
New Hampshire .....	357	114	31.9	140	39.2	83	23.2	20	5.6
New Jersey .....	4,192	1,429	34.1	1,563	37.3	920	21.9	280	6.7
New Mexico .....	633	407	64.3	154	24.3	38	6.0	34	5.4
New York .....	7,760	3,335	43.0	2,465	31.8	1,877	24.2	83	1.1
North Dakota .....	427	219	51.3	53	12.4	118	27.6	37	8.7
Ohio .....	4,857	2,282	47.0	1,932	39.8	427	8.8	216	4.4
Oregon .....	731	348	47.6	283	38.7	85	11.6	15	2.1
Pennsylvania .....	15,904	2,299	14.5	4,701	29.6	7,131	44.8	1,773	11.1
Rhode Island .....	560	146	26.1	346	61.8	59	10.5	9	1.6
South Dakota .....	441	257	58.3	82	18.6	79	17.9	23	5.2
Utah .....	296	168	56.8	86	29.1	33	11.1	9	3.0
Vermont .....	505	184	36.4	132	26.1	122	24.2	67	13.3
Washington .....	1,289	852	66.1	193	15.0	231	17.9	13	1.0
Wisconsin .....	2,548	730	28.6	1,053	41.3	500	19.6	265	10.4
Wyoming .....	266	181	68.0	46	17.3	25	9.4	14	5.3

\*Includes 76 death sentences.

Table 3 shows the number and proportion of convictions for each of the three types of conviction, that is, for (1) pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. As usual, a plea of guilty was the predominant method of reaching a conviction. The proportion of convictions resulting from pleas of guilty ranges from 99.5 percent in Rhode Island to 61.6 percent in Pennsylvania. The median percentage for the 29 States taken individually is 87.5 percent. Jury verdicts of guilty accounted for 35.5 percent of all convictions in Pennsylvania and less than 1 percent in Rhode Island. The median proportion of convictions by jury among the 29 States is 8.3 percent.

Table 4 shows, for each of the 29 States, the number and percent who were convicted and sentenced, by type of sentence imposed. In Montana nearly three-fourths of the defendants sentenced for major offenses received a prison or death sentence, while Pennsylvania, at the other end of the scale, had only 14.5 percent

of those convicted sentenced to prison or death. The median State of the 29, that is, the State standing in the middle of the series ranged in order on the basis of this item, shows a percentage of 47.6 receiving a prison sentence. Probation was used most extensively in Rhode Island, where 61.8 percent were reported as being placed on probation or given a suspended sentence. North Dakota reported the least use of this type of sentence with 12.4 percent, while the median State shows a percentage of 29.1. Pennsylvania reported the highest proportion of jail sentences, while Montana reported the lowest. The median State shows a percentage of 11.8 sentenced to jail.

Disposition, by offense.—In interpreting the data presented in tables 5 to 8, showing, for the 29 States combined, disposition and sentence by offense, it must be remembered that a few States account for most of the cases reported and that the practices followed in these States in regard to both disposition and sentence dominantly influence the results shown in these tables. The

Table 5. DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY OFFENSE: 1937

OFFENSE	Total disposed of	ELIMINATED WITHOUT CONVICTION		CONVICTED	
		Number	Percent	Number	Percent
Total .....	83,648	19,977	23.9	63,671	76.1
Murder .....	1,073	405	37.7	668	62.3
Manslaughter .....	2,083	920	44.2	1,163	55.8
Robbery .....	6,181	1,592	22.5	4,789	77.5
Aggravated assault .....	7,041	2,831	40.2	4,210	59.8
Burglary .....	15,049	1,945	12.9	13,104	87.1
Larceny, except auto theft .....	19,217	3,734	19.4	15,483	80.6
Auto theft .....	5,563	844	15.2	4,719	84.8
Embezzlement and fraud ....	5,340	2,114	39.6	3,226	60.4
Stolen property .....	1,776	566	31.9	1,210	68.1
Forgery .....	4,833	807	16.5	4,026	83.5
Rape .....	3,368	1,032	30.4	2,276	67.6
Commercialized vice .....	1,004	372	37.1	632	62.9
Other sex offenses .....	5,384	1,440	26.7	3,944	73.3
Violating drug laws .....	1,004	159	15.8	845	84.2
Carrying, etc., weapons ....	2,586	595	23.0	1,991	77.0
Other major offenses .....	2,096	761	36.3	1,335	63.7

Table 6. DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1937

OFFENSE	Total eliminated	DISMISSED AND OTHER NO PENALTY		ACQUITTED BY COURT		ACQUITTED BY JURY	
		Number	Percent	Number	Percent	Number	Percent
Total .....	19,977	12,716	63.7	969	4.9	6,292	31.5
Murder .....	405	186	45.9	5	1.2	214	52.8
Manslaughter .....	920	381	41.4	62	6.7	477	51.9
Robbery .....	1,592	737	46.3	91	5.7	564	35.4
Aggravated assault .....	2,831	1,562	55.2	141	5.0	1,128	39.8
Burglary .....	1,945	1,386	71.3	95	4.9	464	23.9
Larceny, except auto theft .....	3,734	2,545	68.2	144	3.9	1,045	28.0
Auto theft .....	844	568	67.3	43	5.1	233	27.6
Embezzlement and fraud ....	2,114	1,672	79.1	71	3.4	371	17.5
Stolen property .....	566	335	59.2	55	9.7	176	31.1
Forgery .....	807	639	79.4	19	2.4	99	12.3
Rape .....	1,032	634	61.4	62	6.0	336	32.6
Commercialized vice .....	372	103	27.7	17	4.6	252	67.7
Other sex offenses .....	1,440	952	66.1	39	2.7	449	31.2
Violating drug laws .....	159	85	53.5	12	7.5	62	39.0
Carrying, etc., weapons ....	595	309	51.9	40	6.7	246	41.3
Other major offenses .....	761	572	75.2	23	3.0	166	21.8

six States of California, Indiana, New Jersey, New York, Ohio, and Pennsylvania account for nearly two thirds (64.1 percent) of the cases covered, while the other 23 States account for the remainder.

Table 5 shows the total number of defendants disposed of in the 29 States and those eliminated and convicted in each offense group. Burglary, auto theft, violations of drug laws, and forgery show, in that order, the highest proportions of convictions, while manslaughter and assault show the lowest proportions.

Table 6 shows, by offense, the defendants eliminated in the 29 States for each of the three types of elimination. Defendants charged with forgery show the highest proportion of eliminations by dismissal and the lowest proportion of acquittals by jury. Defendants charged with offenses involving commercialized vice show the lowest proportion of eliminations by dismissal and the highest proportion of acquittals by jury.

Table 7 shows, for each offense group, the defendants convicted and sentenced in the 29 States by type of conviction. Forgery, auto theft, and burglary are the offense groups showing the highest proportion of convictions by plea of guilty, and murder and manslaughter show the lowest. These latter two offense groups, however, show the highest proportion of convictions by jury verdict.

Table 8 shows, for each offense group, the defendants who were convicted and sentenced in the 29 States, by type of sentence imposed. As would be expected, nearly all prisoners convicted of murder were given a death or prison sentence. Of the 647 defendants shown in the table as receiving a death or prison sentence, 76 were given a death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of auto theft, stolen property, and embezzlement and fraud. The offense groups showing the highest proportion of defendants given jail sentences were violations of drug laws and carrying, etc., weapons.

Table 7. DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1937

OFFENSE	Total convicted	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
		Number	Percent	Number	Percent	Number	Percent
Total .....	63,671	50,980	80.1	2,659	4.2	10,032	15.8
Murder .....	668	255	38.2	26	3.9	387	57.9
Manslaughter .....	1,163	654	56.2	77	6.6	432	37.1
Robbery .....	4,789	3,505	69.0	168	3.5	1,316	27.5
Aggravated assault .....	4,210	2,680	63.7	268	6.4	1,262	30.0
Burglary .....	13,104	11,541	88.1	352	2.7	1,211	9.2
Larceny, except auto theft .....	15,483	12,865	83.1	624	4.0	1,994	12.9
Auto theft .....	4,719	4,176	88.5	155	3.3	388	8.2
Embezzlement and fraud .....	3,226	2,610	80.9	155	4.8	461	14.3
Stolen property .....	1,210	959	79.3	90	7.4	161	13.3
Forgery .....	4,076	3,814	93.6	94	2.3	168	4.1
Rape .....	2,276	1,563	68.7	171	7.5	542	23.8
Commercialized vice .....	632	375	59.3	50	7.9	207	32.8
Other sex offenses .....	3,944	2,962	75.1	272	6.9	710	18.0
Violating drug laws .....	845	649	76.8	39	4.6	157	18.6
Carrying, etc., weapons .....	1,991	1,435	72.1	84	4.2	472	23.7
Other major offenses .....	1,335	1,137	85.2	34	2.5	164	12.3

Table 8. DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1937

OFFENSE	Defendants sentenced	STATE PRISONS AND REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		JAILS, WORK-HOUSES, ETC.		ALL OTHER SENTENCES	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total .....	63,671	23,990	37.7	20,042	31.5	16,081	25.3	3,558	5.6
Murder .....	668	647*	96.9	6	0.9	13	1.9	2	0.3
Manslaughter .....	1,163	564	48.5	285	24.5	257	22.1	57	4.9
Robbery .....	4,789	3,008	62.8	730	15.2	994	20.8	57	1.2
Aggravated assault .....	4,210	1,295	30.8	1,274	30.3	1,393	33.1	248	5.9
Burglary .....	13,104	5,800	44.3	4,559	34.8	2,446	18.7	299	2.3
Larceny, except auto theft .....	15,483	4,333	28.0	5,308	34.3	4,947	32.0	895	5.8
Auto theft .....	4,719	1,836	38.9	1,885	39.9	846	17.9	152	3.2
Embezzlement and fraud .....	3,226	799	24.8	1,248	38.7	894	27.7	285	8.8
Stolen property .....	1,210	278	23.0	470	38.8	343	28.3	119	9.8
Forgery .....	4,076	1,799	44.1	1,373	33.7	737	18.1	167	4.1
Rape .....	2,276	1,192	52.4	514	22.6	464	20.4	106	4.7
Commercialized vice .....	632	117	18.5	159	25.2	234	37.0	122	19.3
Other sex offenses .....	3,944	1,092	27.7	1,105	28.0	999	25.3	748	19.0
Violating drug laws .....	845	141	16.7	188	22.2	472	55.9	44	5.2
Carrying, etc., weapons .....	1,991	362	18.2	590	29.6	830	41.7	209	10.5
Other major offenses .....	1,335	727	54.5	348	26.1	212	15.9	48	3.6

\*Includes 76 death sentences.

As already pointed out, all reports received in the Census Bureau's collection of judicial criminal statistics are made voluntarily and, in some of the 24 States which reported by the tally sheet method, reports were not received from all clerks of court. Table 9 shows, by States, the total number of counties and the number of courts, by type, which furnished statistics for 1937 and the percentage of the population in each State covered by the reporting courts on the basis of the 1930 Census.

## SUMMARY AND CONCLUSION

The 1937 statistics show substantially the same facts and relationships in regard to the disposition and sentence of criminal offenders in courts of general jurisdiction as were found in the analysis of the 1935 and 1936 data. For this reason, the 1937 report is limited largely to a summary of the statistical data collected from the 29 cooperating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics, their method of collection, and the limitations of the collection, as well as for a more detailed analysis of judicial criminal statistics.

It must be emphasized again that comparisons between States should be made only with the most extreme caution and that probably no general conclusions concerning differences in the prosecution practices of the States can justifiably be based on the variations observed in the statistics of this report. The most valuable comparisons are to be found in each State summary which shows, for defendants charged with major offenses, the distribution of sentences and dispositions for the years 1935, 1936, and 1937.

Again in 1937, as in the past years, these statistics indicate that from 70 to 80 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction were convicted. Over two-thirds of those eliminated without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for between 80 and 90 percent of all convictions. Less than one-fourth of the defendants prosecuted in the trial courts were disposed of by means of trial. Of the defendants convicted and sentenced, approximately two-fifths received sentences to the State prison or reformatory and about one-third were given probation or a suspended sentence.

Table 9. NUMBER AND TYPE OF COURT FURNISHING REPORTS, BY STATES: 1937

STATE	REPORTS RECEIVED, BY TYPE OF COURT								Percent of State population covered by courts reporting in 1937	
	Counties in State	District	Circuit	Superior	Common Pleas	Quarter sessions andoyer andterminer	County	Municipal		Criminal
Arizona .....	14	-	-	14	-	-	-	-	-	100.0
California .....	58	-	-	47	-	-	-	-	-	54.5
Colorado .....	63	59	-	-	-	-	-	-	-	98.3
Connecticut .....	8	-	-	9	5	-	-	-	-	100.0
District of Columbia ..	1	1	-	-	-	-	-	-	-	100.0
Idaho .....	44	44	-	-	-	-	-	-	-	100.0
Indiana .....	92	-	88	6	-	-	-	-	2	99.1
Iowa .....	99	70	-	-	-	-	-	-	-	65.7
Kansas .....	105	105	-	-	-	-	-	-	-	100.0
Massachusetts .....	14	-	-	14	-	-	-	-	-	100.0
Michigan .....	83	-	82	1	-	-	-	a 1	-	98.4
Minnesota .....	87	87	-	-	-	-	-	-	-	100.0
Montane .....	56	54	-	-	-	-	-	-	-	95.8
Nebraska .....	93	89	-	-	-	-	-	-	-	97.8
New Hampshire .....	10	-	-	10	-	-	-	-	-	100.0
New Jersey .....	21	-	-	-	-	19	-	-	-	90.8
New Mexico .....	31	30	-	-	-	-	-	-	-	97.7
New York .....	62	-	-	-	-	-	62	-	-	100.0
North Dakota .....	53	52	-	-	-	-	-	-	-	98.6
Ohio .....	88	-	-	-	86	-	-	-	-	97.5
Oregon .....	36	-	30	-	-	-	-	-	-	54.9
Pennsylvania .....	67	-	-	-	-	67	-	-	-	100.0
Rhode Island .....	5	-	-	4	-	-	-	-	-	100.0
South Dakota .....	b 69	-	63	-	-	-	-	-	-	99.6
Utah .....	29	29	-	-	-	-	-	-	-	100.0
Vermont .....	14	-	-	-	-	-	13	12	-	90.0
Washington .....	39	-	-	39	-	-	-	-	-	100.0
Wisconsin .....	71	-	67	2	-	-	17	10	-	99.7
Wyoming .....	23	22	-	-	-	-	-	-	-	96.4

a. Recorder's Court of Detroit.

b. Includes 5 unorganized counties which, for judicial purposes, are attached to other counties.



JUDICIAL CRIMINAL STATISTICS: 1937

ARIZONA

In 1937, 67.4 percent of the persons charged in the Superior Courts of Arizona with major criminal offenses were convicted, a steady decrease from the 70.4 percent convicted in 1936, and the 73.4 percent convicted in 1935. While over 60 percent of such charges were disposed of each year by dismissals and pleas of guilty, the acquittals by juries of 52, or 43.7 percent, of the 119 defendants tried in 1937 were a major factor in

that year's decrease in the proportion of convictions. Another factor was the slight rise in the proportion of charges dismissed. Table 1 shows the comparative data for the three years.

More detailed figures on the work of these courts during 1937 are given in table 2, which shows the method of disposition for both the major and the less serious offenses.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	835	100.0	912	100.0	702	100.0
Eliminated without conviction ....	272	32.6	270	29.6	187	26.6
Dismissed .....	208	24.8	217	23.8	140	19.9
Jury waived, acquitted by court ..	4	0.5	-	-	-	-
Acquitted by jury .....	52	6.2	36	3.9	32	4.6
Other non-penalty dispositions ..	10	1.2	17	1.9	15	2.1
Convicted .....	563	67.4	642	70.4	515	73.4
Plea of guilty .....	496	59.4	537	58.9	428	61.0
Court finds guilty .....	-	-	7	0.8	-	-
Jury verdict guilty .....	67	8.0	98	10.7	87	12.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF ARIZONA, BY OFFENSE: 1937

OFFENSE	Total defend-ants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit-ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	1,260	391	303	9	66	13	869	777	4	88
Major offenses, total ..	835	272	208	4	52	10	563	496	-	67
Murder .....	19	9	3	-	6	-	10	8	-	2
Manslaughter .....	11	6	2	-	3	1	5	3	-	2
Robbery .....	38	13	11	-	1	1	25	21	-	4
Aggravated assault .....	126	67	51	-	15	1	59	46	-	13
Burglary .....	186	49	41	1	4	3	137	115	-	22
Larceny, except auto theft ..	153	38	29	1	6	2	115	107	-	8
Auto theft .....	4	-	-	-	-	-	4	4	-	-
Embezzlement and fraud ..	43	10	6	1	3	-	33	33	-	-
Stolen property .....	14	2	2	-	-	-	12	10	-	2
Forgery .....	116	20	16	-	2	2	96	96	-	1
Rape .....	65	40	32	-	8	-	25	15	-	10
Commercialized vice .....	3	1	1	-	-	-	2	2	-	-
Other sex offenses .....	23	7	3	1	3	-	16	14	-	2
Violating drug laws .....	5	1	1	-	1	-	4	4	-	-
Carrying weapons, etc. ....	6	1	1	-	-	-	5	5	-	-
Other major offenses .....	23	8	7	-	1	-	15	14	-	1
Abortion .....	1	1	1	-	-	-	-	-	-	-
Arson .....	7	2	1	-	1	-	5	5	-	-
Bigamy .....	1	1	-	-	-	-	1	1	-	-
Blackmail and extortion ..	4	3	3	-	-	-	1	1	-	-
Escape and jail break ..	7	1	1	-	-	-	6	5	-	1
Kidnaping .....	3	1	1	-	-	-	2	2	-	-
Perjury .....	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault .....	24	11	11	-	-	-	13	10	1	2
Nonsupport or neglect .....	66	22	18	1	2	1	44	39	1	4
Violating liquor laws ....	27	14	10	2	-	2	13	12	-	1
Driving while intoxicated ..	184	20	13	-	7	-	164	156	-	8
Other motor vehicle laws ..	37	20	18	1	1	-	17	16	-	1
Disorderly conduct and vagrancy .....	7	4	3	-	1	-	3	3	-	-
Gambling .....	21	7	7	-	-	-	14	12	1	1
All other offenses .....	59	21	17	1	3	-	38	33	1	4

Of the major offense charges disposed of in 1937, 516, or 61.8 percent, involved the taking or conversion of property through some form of theft, burglary, forgery, or the receipt of stolen goods, while 251, or 25.5 percent, involved the doing of personal injury through murder, manslaughter, assault, or rape. Of those charged with offenses against "property", 397, or 76.9 percent, were convicted, and, of those charged with offenses against the person, 99, or 44.8 percent, were convicted. Robbery, which involves both "property" and "person", was charged against 38 defendants, of whom 25 were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major crimes during 1935, 1936, and 1937, reveals a slight increase in the use of probation or suspended sentences, and a

slight decrease in the proportion of commitments to jails. While the extent to which the Arizona courts choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, Table 4 shows some variation in the sentences imposed for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The Census Bureau's collection of statistics on the functioning of State courts has indicated wide variations in the use of pre-trial dispositions, in definitions and classifications of criminal behavior, and in the use of probation and other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	563	100.0	636	100.0	515	100.0
Death .....	2	0.4	3	0.5	4	0.8
Prison or reformatory .....	348	61.8	387	60.8	324	62.9
Probation or suspended sentence .....	176	31.3	192	30.2	135	26.2
Local jails .....	30	5.3	40	6.3	47	9.1
Fine or costs only .....	6	1.1	11	1.7	4	0.8
Juvenile institutions .....	1	0.2	3	0.5	-	-
Other sentences .....	-	-	-	-	1	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF ARIZONA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	869	2	363	241	212	46	5	-
Major offenses, total .....	563	2	348	176	30	6	1	-
Murder .....	10	2	8	-	-	-	-	-
Manslaughter .....	5	-	3	2	-	-	-	-
Robbery .....	25	-	20	5	-	-	-	-
Aggravated assault .....	59	-	39	18	-	2	-	-
Burglary .....	137	-	105	32	-	-	-	-
Larceny, except auto theft .....	115	-	61	40	14	-	-	-
Auto theft .....	4	-	2	2	-	-	-	-
Embezzlement .....	33	-	18	12	3	-	-	-
Stolen property .....	12	-	3	2	7	-	-	-
Forgery .....	96	-	48	46	1	1	-	-
Rape .....	25	-	18	5	-	2	-	-
Commercialized vice .....	2	-	-	1	-	1	-	-
Other sex offenses .....	16	-	9	5	2	-	-	-
Violating drug laws .....	4	-	1	3	-	-	-	-
Carrying weapons, etc. ....	5	-	2	3	-	-	-	-
Other major offenses .....	15	-	11	3	-	-	1	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	5	-	1	3	-	-	1	-
Bigamy .....	1	-	1	-	-	-	-	-
Bleekmail and extortion .....	1	-	1	-	-	-	-	-
Escape and jail break .....	6	-	6	-	-	-	-	-
Kidnaping .....	2	-	2	-	-	-	-	-
Ferjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	13	-	-	5	7	1	-	-
Nonsupport or neglect .....	44	-	2	41	-	1	-	-
Violating liquor laws .....	13	-	1	1	4	7	-	-
Driving while intoxicated .....	164	-	-	-	163	1	-	-
Other motor vehicle laws .....	17	-	4	2	3	8	-	-
Disorderly conduct and vagrancy .....	3	-	-	-	1	-	-	-
Gambling .....	14	-	4	-	-	10	-	-
All other offenses .....	38	-	8	10	4	12	4	-



JUDICIAL CRIMINAL STATISTICS: 1937

CALIFORNIA

For 1937, the reports furnished the Bureau of the Census by Superior Courts in California showed that 82.8 percent of the defendants charged with major crimes were convicted, while similar figures for 1935 and 1936, respectively, were 78.6 percent and 79.6 percent. The increase in the proportion of defendants who plead guilty to such charges (65.8 percent in 1936 and 70.2 percent in 1937) is even greater and contrasts with a decrease in the

proportion of persons tried by juries from 14.3 percent in 1936 to 12.8 percent in 1937.

These data are from reports of courts, which, on the basis of the 1930 population, had jurisdiction over slightly more than one-half of the State. Since no reports from Los Angeles County were available in 1937, this county has been excluded from the figures shown for 1935 and 1936.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	4,330	100.0	3,785	100.0	3,760	100.0
Eliminated without conviction ....	745	17.2	774	20.4	803	21.4
Dismissed .....	402	9.3	464	12.3	503	13.4
Jury waived, acquitted by court ..	70	1.6	31	0.8	43	1.1
Acquitted by jury .....	209	4.8	172	4.5	176	4.7
Other no-penalty dispositions ..	64	1.5	107	2.8	81	2.2
Convicted .....	3,585	82.8	3,011	79.6	2,957	78.6
Plea of guilty .....	3,039	70.2	2,492	65.8	2,409	64.1
Court finds guilty .....	199	4.6	147	3.9	140	3.7
Jury verdict guilty .....	347	8.0	372	9.8	408	10.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF CALIFORNIA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis- missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	5,439	978	554	96	254	74	4,461	3,803	245	413
Major offenses, total ..	4,330	745	402	70	209	64	3,585	3,039	199	347
Murder .....	93	27	5	-	16	6	66	23	2	41
Manslaughter .....	115	54	14	6	32	2	61	31	6	24
Robbery .....	290	67	24	11	31	1	223	159	17	47
Aggravated assault .....	277	83	44	10	23	6	194	119	32	43
Burglary .....	804	84	52	4	12	16	720	648	30	42
Larceny, except auto theft ..	397	70	47	2	15	6	327	277	24	26
Auto theft .....	320	32	16	7	1	8	288	271	10	7
Embezzlement and fraud .....	319	46	33	3	7	3	273	260	4	9
Stolen property .....	94	20	9	2	9	-	74	62	5	7
Forgery .....	534	41	32	1	7	1	493	470	14	9
Rape .....	177	55	26	2	24	3	122	100	5	17
Commercialized vice .....	5	-	-	-	-	-	5	2	-	3
Other sex offense .....	254	63	29	11	18	5	191	128	23	40
Violating drug laws .....	443	47	30	8	7	2	396	363	21	12
Carrying weapons, etc. ....	75	13	10	2	1	-	62	56	3	3
Other major offenses .....	133	43	31	1	6	5	90	70	3	17
Abortion .....	8	7	3	1	-	-	1	7	-	1
Arson .....	13	2	1	1	1	2	10	7	2	1
Bigamy .....	14	7	6	-	-	-	11	11	-	-
Blackmail and extortion ..	14	7	6	-	-	-	7	5	-	2
Escape and jail break ..	37	6	4	-	1	1	31	29	1	1
Kidnaping .....	26	12	10	-	1	1	14	9	-	5
Perjury .....	18	7	6	-	1	-	11	9	-	2
Other offenses:										
Minor assault .....	76	11	9	2	-	-	65	50	9	6
Nonsupport or neglect .....	242	60	50	3	5	2	182	169	6	7
Violating liquor laws .....	22	1	1	-	-	-	21	20	-	1
Driving while intoxicated ..	200	25	14	5	6	-	175	157	6	12
Other motor vehicle laws ..	260	40	21	4	14	1	220	193	10	17
Disorderly conduct and vagrancy .....	15	-	-	-	-	-	15	13	2	-
Gambling .....	48	8	7	1	-	-	40	39	-	1
All other offenses .....	246	88	50	11	20	7	158	123	13	22

Figures showing the type of disposition by the offense charged are presented in table 2 for 1937. Of the persons charged with major offenses in that year, 2,468, or 57.0 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods. Also among the defendants to major charges were 662 persons charged with offenses involving the doing of personal injury through murder, manslaughter, aggravated assault, or rape. Of those charged with major "property" crimes, 2,175, or 88.1 percent, were convicted, while of those charged with offenses against the person, 443, or 66.9 percent, were convicted. Robbery, which is an offense involving both "property" and "person", was the charge against 290 defendants, and, of these, 223, or 76.9 percent were convicted.

From table 3, which shows the types of sentences imposed on those convicted of major crimes in each of these three years, it may be seen that the proportion sentenced to prisons and reformatories decreased from 35.6 percent in 1935 to 30.1 percent in 1937, while the proportion sentenced to local jails increased from 32.4 percent in 1935 to 38.2 percent in 1937.

While the extent to which the courts of California fix punishment according to the seriousness of the crime or select correctional treatment for its rehabilitative effect on the offender is unknown, table 4 reveals a variety of sentences imposed for offenses in the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	3,585	100.0	2,946	100.0	2,899	100.0
Death .....	13	0.4	11	0.4	15	0.5
Prison or reformatory .....	1,079	30.1	953	32.3	1,032	35.6
Probation or suspended sentence	1,008	28.1	733	24.9	770	26.6
Local jails .....	1,370	38.2	1,139	38.7	938	32.4
Fine or costs only .....	24	0.7	20	0.7	31	1.1
Juvenile institutions .....	91	2.5	90	3.1	111	3.8
Other sentences .....	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF CALIFORNIA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
all offenses .....	4,461	13	1,121	1,426	1,672	127	101	1
Major offenses, total .....	3,585	13	1,079	1,008	1,370	24	91	-
Murder .....	66	13	53	-	-	-	-	-
Manslaughter .....	61	-	24	19	18	-	-	-
Robbery .....	225	-	168	32	1	-	22	-
Aggravated assault .....	194	-	57	55	96	5	1	-
Burglary .....	720	-	208	175	307	5	25	-
Larceny, except auto theft .....	327	-	66	117	137	1	6	-
Auto theft .....	288	-	48	109	106	3	22	-
Embezzlement and fraud .....	273	-	60	101	110	-	2	-
Stolen property .....	74	-	17	30	26	-	1	-
Forgery .....	493	-	144	160	181	2	6	-
Rape .....	122	-	41	39	42	-	-	-
Commercialized vice .....	5	-	3	1	-	-	-	-
Other sex offenses .....	191	-	97	38	51	-	5	-
Violating drug laws .....	396	-	53	105	238	-	-	-
Carrying weapons, etc. ....	62	-	4	13	40	4	1	-
Other major offenses .....	90	-	36	34	16	4	-	-
Abortion .....	6	-	2	4	-	-	-	-
Arson .....	10	-	4	5	1	-	-	-
Bigamy .....	11	-	5	2	4	-	-	-
Bribe .....	7	-	5	2	-	-	-	-
Blackmail and extortion .....	10	-	5	2	-	-	-	-
Escape and jail break .....	31	-	12	4	11	4	-	-
Kidnaping .....	14	-	7	7	-	-	-	-
Ferjury .....	11	-	1	10	-	-	-	-
Other offenses:								
Minor assault .....	65	-	-	25	35	5	-	-
Non-support or neglect .....	182	-	1	149	32	-	-	-
Violating liquor laws .....	21	-	1	6	4	10	-	-
Driving while intoxicated .....	175	-	8	76	76	14	1	-
Other motor vehicle laws .....	220	-	20	88	87	20	4	1
Disorderly conduct and vagrancy .....	15	-	-	12	-	-	3	-
Gambling .....	40	-	-	3	2	35	-	-
All other offenses .....	158	-	12	59	66	19	2	-

JUDICIAL CRIMINAL STATISTICS: 1937

COLORADO

In 1937, 75.2 percent of those charged with major offenses in the District Courts of Colorado were convicted, a notable increase from the 68.2 percent convicted in 1936, and the 67.0 percent in 1935. A significant factor in this change was the increase in pleas of guilty from 53.2 percent of the dispositions in 1935 to 58.8 percent in 1936 and 64.2 percent in 1937. While court trials after waiver of jury were used even less frequently

in 1937 than in 1936, the cases disposed of by juries increased from 12.7 percent of the total dispositions in 1936 to 16.6 percent in 1937.

These data, shown in table 1, are, like those following, from reports of courts, which, on the basis of the 1930 population, had jurisdiction over 98.3 percent of the State in 1937, 97.0 percent in 1936, and 97.5 percent in 1935.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,567	100.0	1,419	100.0	1,568	100.0
Eliminated without conviction ...	398	24.8	451	31.8	518	33.0
Dismissed .....	266	17.0	343	24.2	360	23.0
Jury waived, acquitted by court	4	0.3	5	0.4	-	-
Acquitted by jury .....	93	5.9	64	4.5	98	6.3
Other no-penalty dispositions ..	25	1.6	39	2.7	60	3.8
Convicted .....	1,179	75.2	968	68.2	1,050	67.0
Plea of guilty .....	1,006	64.2	834	58.8	834	53.2
Court finds guilty .....	5	0.3	17	1.2	21	1.3
Jury verdict guilty .....	168	10.7	117	8.2	195	12.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF COLORADO, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED				
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty	
All offenses .....	1,779	492	354	8	105	25	1,287	1,081	15	191	
Major offenses, total ..	1,567	388	266	4	93	25	1,179	1,006	5	168	
Murder .....	58	31	3	-	24	4	27	5	-	22	
Manslaughter .....	39	12	5	2	5	-	27	10	-	17	
Robbery .....	95	15	11	-	3	1	80	63	-	17	
Aggravated assault .....	63	20	12	-	4	4	43	31	-	12	
Burglary .....	335	52	37	1	11	3	283	265	1	17	
Larceny, except auto theft	422	94	74	1	14	5	328	295	-	33	
Auto theft .....	81	19	9	-	10	-	62	58	1	3	
Embezzlement and fraud ...	191	61	52	-	9	-	130	116	1	13	
Stolen property .....	22	5	3	-	1	1	17	16	-	1	
Forgery .....	97	17	12	-	3	2	80	69	1	10	
Repe .....	102	33	27	-	5	1	69	50	1	18	
Commercialized vice .....	-	-	-	-	-	-	-	-	-	-	
Other sex offenses .....	28	12	9	-	2	1	16	14	-	2	
Violating drug laws .....	4	1	1	-	-	-	3	2	-	1	
Carrying weapons, etc. ...	-	-	-	-	-	-	-	-	-	-	
Other major offenses .....	30	16	11	-	2	3	14	12	-	2	
Abortion .....	-	-	-	-	-	-	-	-	-	-	
Arson .....	9	5	2	-	2	1	4	4	-	-	
Bigamy .....	-	-	-	-	-	-	-	-	-	-	
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-	
Escape and jail break ..	-	-	-	-	-	-	-	-	-	-	
Kidnaping .....	19	11	9	-	-	2	8	6	-	2	
Perjury .....	2	-	-	-	-	-	2	2	-	-	
Other offenses:											
Minor assault .....	31	6	4	-	2	-	25	12	1	12	
Nonsupport or neglect ...	49	19	15	-	4	-	30	21	5	4	
Violating liquor laws ...	9	9	7	2	-	-	-	-	-	-	
Driving while intoxicated	7	2	2	-	-	-	5	4	-	1	
Other motor vehicle laws	14	5	3	1	1	-	9	7	-	2	
Disorderly conduct and vagrancy .....	4	1	1	-	-	-	3	2	-	1	
Gambling .....	37	28	26	-	2	-	9	6	2	1	
All other offenses .....	61	34	30	1	3	-	27	23	2	2	

More detailed figures on the work of these courts in 1937, given in table 2, show that 1,567, or 88.1 percent, of the defendants were charged with major crimes, and of these, 1,148, or 73.3 percent, were charged with the taking, receipt, or conversion of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 262, or 16.7 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Of the defendants charged with major "property" crimes, 900, or 78.4 percent were convicted, and 166, or 65.4 percent, of those charged with major crimes against the person were convicted. Robbery, most frequent of the offenses involving both "person" and "property", was the charge against 95, or 6.1 percent, of those charged with major crimes, and of these, 80, or 84.2 percent, were convicted.

Among the changes to be noted in table 3, which shows the types of sentences imposed on those convicted of major crimes, are the slight decreases in commitments to local jails and in impositions of fines. Prison or reformatory sentences, imposed in more than two-thirds of the convictions, however, were by far the most frequent type of punishment, with probation or suspended sentences, fixed in approximately one-fifth of the convictions, second. While the extent to which Colorado courts fix punishments according to the seriousness of the offenses or choose correctional treatment according to its rehabilitative effect is unknown, table 4 shows the different types of sentences imposed in offenses of the same class. In the interpretation of these data, however, it should be remembered that certain classes include crimes of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,179	100.0	965	100.0	1,048	100.0
Death .....	3	0.3	2	0.2	1	0.1
Prison or reformatory .....	838	71.1	656	68.0	747	71.3
Probation or suspended sentence .....	249	21.1	216	22.4	182	17.4
Local jails .....	73	6.2	68	7.0	92	8.8
Fine or costs only .....	11	0.9	12	1.2	15	1.4
Juvenile institutions .....	5	0.4	11	1.1	9	0.9
Other sentences .....	-	-	-	-	2	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF COLORADO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	1,287	3	862	287	103	27	5	-
Major offenses, total .....	1,179	3	838	249	73	11	5	-
Murder .....	27	3	24	-	-	-	-	-
Manslaughter .....	27	-	7	7	13	-	-	-
Robbery .....	80	-	76	4	-	-	-	-
Aggravated assault .....	43	-	29	8	6	-	-	-
Burglary .....	283	-	225	56	-	-	2	-
Larceny, except auto theft .....	328	-	203	82	31	9	3	-
Auto theft .....	62	-	39	12	11	-	-	-
Embezzlement and fraud .....	150	-	88	35	6	1	-	-
Stolen property .....	17	-	12	3	2	-	-	-
Forgery .....	80	-	64	16	-	-	-	-
Rape .....	69	-	51	18	-	-	-	-
Commercialized vice .....	-	-	-	-	-	-	-	-
Other sex offenses .....	16	-	9	6	1	-	-	-
Violating drug laws .....	3	-	-	-	3	-	-	-
Carrying weapons, etc. ....	-	-	-	-	-	-	-	-
Other major offenses .....	14	-	11	2	-	1	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	4	-	2	1	-	1	-	-
Bigamy .....	-	-	-	-	-	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	-	-	-	-	-	-	-	-
Kidnaping .....	8	-	7	1	-	-	-	-
Perjury .....	2	-	2	-	-	-	-	-
Other offenses:								
Minor assault .....	25	-	-	-	22	3	-	-
Nonsupport or neglect .....	30	-	8	22	-	-	-	-
Violating liquor laws .....	-	-	-	-	-	-	-	-
Driving while intoxicated .....	5	-	-	3	2	-	-	-
Other motor vehicle laws .....	9	-	2	1	3	3	-	-
Disorderly conduct and vagrancy .....	3	-	1	2	1	3	-	-
Gambling .....	9	-	1	4	1	3	-	-
All other offenses .....	27	-	13	6	2	6	-	-

JUDICIAL CRIMINAL STATISTICS: 1937-1938\*

CONNECTICUT

During the fiscal year ending June 30, 1938, 84.8 percent of the defendants charged with major criminal offenses in the Superior and Common Pleas Courts of the State of Connecticut were convicted. As is evident from table 1, only slight changes have occurred from year to year since 1935-36 in the proportionate use of the various methods of disposition. In each year, about 77 percent of the defendants were convicted by pleas of guilty.

More detailed figures for 1937-38, which are given in table 2, reveal that 1,168, or 63.7 percent, of the defendants were charged with major crimes. Of this number, 682, or 58.4 percent, were charged with the taking of property through some form of burglary, larceny, fraud, or the receipt of stolen goods, while 138, or 11.8 percent, were charged with doing personal injury by manslaughter, murder, assault, or rape.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937-38*		1936-37*		1935-36*	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,168	100.0	950	100.0	931	100.0
Eliminated without conviction ....	178	15.2	152	16.0	140	15.0
Dismissed .....	154	13.2	126	13.3	128	13.7
Jury waived, acquitted by court ..	14	1.2	18	1.9	6	0.6
Acquitted by jury .....	2	0.2	1	0.1	4	0.4
Other no-penalty dispositions ..	8	0.7	7	0.7	2	0.2
Convicted .....	990	84.8	798	84.0	791	85.0
Plea of guilty .....	898	76.9	730	76.8	719	77.2
Court finds guilty .....	66	5.7	60	6.3	46	4.9
Jury verdict guilty .....	26	2.2	8	0.8	26	2.8

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR AND COMMON PLEAS COURTS OF CONNECTICUT, BY OFFENSE: 1937-1938\*

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	1,935	449	385	42	12	10	1,386	1,165	146	55
Major offenses, total ..	1,168	178	154	14	2	8	990	898	66	26
Murder .....	10	4	3	-	-	1	6	3	-	3
Manslaughter .....	48	15	14	1	-	-	33	25	7	1
Robbery .....	66	14	11	3	-	-	52	48	4	-
Aggravated assault .....	32	6	5	-	-	1	26	23	2	1
Burglary .....	340	31	24	4	-	3	309	290	11	8
Larceny, except auto theft	137	22	21	1	-	-	115	101	12	2
Auto theft .....	104	11	8	2	-	1	93	88	2	3
Embezzlement and fraud ..	54	7	6	1	-	-	47	39	8	-
Stolen property .....	25	6	5	-	-	1	20	16	2	2
Forgery .....	21	1	1	-	-	-	20	20	-	-
Rape .....	48	12	11	1	-	-	36	31	3	2
Commercialized vice .....	12	1	1	-	-	-	11	9	1	1
Other sex offense .....	189	26	23	-	1	2	163	153	9	1
Violating drug laws .....	6	-	-	-	-	-	6	6	-	-
Carrying weapons, etc. ....	15	-	-	-	-	-	15	10	4	1
Other major offenses .....	60	22	21	1	-	-	38	36	1	1
Abortion .....	17	7	7	-	-	-	10	10	-	-
Arson .....	14	7	6	1	-	-	7	6	-	1
Bigamy .....	9	1	1	-	-	-	8	8	-	-
Blackmail and extortion ..	2	2	2	-	-	-	-	-	-	-
Escape and jail break .....	10	1	-	-	-	-	10	9	1	-
Kidnaping .....	1	1	1	-	-	-	-	-	-	-
Perjury .....	7	4	4	-	-	-	3	3	-	-
Other offenses:										
Minor assault .....	85	14	12	2	-	-	71	60	10	1
Non-support or neglect .....	26	20	17	3	-	-	6	2	4	-
Violating liquor laws ....	32	13	11	2	-	-	19	14	3	2
Driving while intoxicated ..	65	17	12	2	3	-	43	36	11	1
Other motor vehicle laws ..	238	116	98	13	5	-	122	96	21	5
Disorderly conduct and										
Vagrancy .....	76	38	33	4	-	1	38	24	12	2
Gambling .....	13	5	5	-	-	-	8	8	-	-
All other offenses .....	132	48	43	2	2	1	84	47	19	18

\*Statistics are for the year July 1 through June 30.

Of those charged with major "property" crimes, 60.4, or 88.6 percent, were convicted, while of those charged with crimes against the person, 101, or 73.2 percent, were convicted. Robbery, the most frequent of the offenses involving both "person" and "property", was charged against 66 defendants, of whom 52 were convicted.

Comparative data for each of the past three years, which are given in table 3, show some variation in the types of sentences imposed on those convicted of major offenses, the most striking changes being the decrease from 1935-36 to 1937-38 of 7 percent in the proportion sentenced to prisons or reformatories, and the increase for the same years of 8 percent in the proportion placed on probation or whose sentences were suspended. Other changes were less pronounced.

While the extent to which the courts of Connecticut levy punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences imposed for offenses of the same general class. Some classes do, however, contain offenses of very different degrees of seriousness.

In Connecticut, the collection of judicial criminal statistics is made possible through the cooperation of the Judicial Council acting in conjunction with the individual courts. It is evident from these annual collections that there are variations from State to State in the definition and classification of crimes, in the use of pre-trial dispositions, and in the use of probation and other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937-38*		1936-37*		1935-36*	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	990	100.0	783	100.0	786	100.0
Death .....	-	-	2	0.3	-	-
Prison or reformatory .....	324	32.7	262	33.5	312	39.7
Probation or suspended sentence .....	314	31.7	197	25.2	186	23.7
Local jails .....	322	32.5	237	30.7	254	32.3
Fine or costs only .....	29	2.9	33	4.2	31	3.9
Juvenile institutions .....	1	0.1	-	-	1	0.1
Other sentences .....	-	-	2	0.3	2	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR AND COMMON PLEAS COURTS OF CONNECTICUT, BY OFFENSE: 1937-1938\*

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	1,386	-	339	374	454	216	3	-
Major offenses, total .....	990	-	324	314	322	29	1	-
Murder .....	6	-	6	-	-	-	-	-
Manslaughter .....	33	-	4	8	19	2	-	-
Robbery .....	52	-	42	10	-	-	-	-
Aggravated assault .....	28	-	10	5	10	1	-	-
Burglary .....	309	-	109	109	90	-	1	-
Larceny, except auto theft .....	115	-	19	30	57	9	-	-
Auto theft .....	93	-	34	39	20	-	-	-
Embezzlement and fraud .....	47	-	14	11	16	6	-	-
Stolen property .....	20	-	2	5	9	4	-	-
Forgery .....	20	-	7	4	9	-	-	-
Rape .....	36	-	15	11	8	2	-	-
Commercialized vice .....	11	-	-	-	11	-	-	-
Other sex offenses .....	163	-	33	70	57	3	-	-
Violating drug laws .....	6	-	-	3	3	-	-	-
Carrying weapons, etc. ....	15	-	13	2	-	-	-	-
Other major offenses .....	38	-	16	7	13	2	-	-
Abortion .....	10	-	3	3	2	2	-	-
Arson .....	7	-	5	1	-	-	-	-
Bribery .....	8	-	-	2	6	-	-	-
Bloody mail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	10	-	8	-	2	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Ferjury .....	3	-	-	1	2	-	-	-
Other offenses:								
Minor assault .....	71	-	-	18	34	19	-	-
Nonsupport or neglect .....	6	-	-	4	-	2	-	-
Violating liquor laws .....	19	-	-	-	1	18	-	-
Driving while intoxicated .....	48	-	-	5	24	19	-	-
Other motor vehicle laws .....	122	-	8	11	52	71	-	-
Disorderly conduct and vagrancy .....	38	-	-	9	15	14	-	-
Gambling .....	8	-	-	-	1	7	-	-
All other offenses .....	84	-	7	13	25	37	2	-

\*Statistics are for the year July 1 through June 30.

JUDICIAL CRIMINAL STATISTICS: 1937

DISTRICT OF COLUMBIA

In 1937, the District Court of the District of Columbia disposed of charges of major crimes against 1,720 persons, and of these, 1,308, or 76.0 percent, were convicted. As is shown in table 1, this represented an increase from the 73.5 percent convicted in 1936 and the 73.6 percent convicted in 1935. Pleas of guilty constituted by far the most frequent means of disposition, and such pleas were given in 57.7 percent of

the cases in 1935, 60.6 percent in 1936, and 64.4 percent in 1937. In 1937, 306 defendants exercised their right to a trial by jury, and of these, 201 were convicted, while in 1936, of 326 defendants tried by jury, 234 were convicted.

More detailed figures for 1937, which show the type of disposition by the offense charged, are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,720	100.0	1,846	100.0	1,684	100.0
Eliminated without conviction ....	412	24.0	490	26.5	444	26.4
Dismissed .....	301	17.5	392	21.2	315	18.7
Jury waived, acquitted by court ..	-	-	6	0.3	6	0.4
Acquitted by jury .....	105	6.1	92	5.0	123	7.3
Other no-penalty dispositions ..	6	0.3	-	-	-	-
Convicted .....	1,308	76.0	1,356	73.5	1,240	73.6
Plea of guilty .....	1,107	64.4	1,118	60.6	971	57.7
Court finds guilty .....	-	-	4	0.2	2	0.1
Jury verdict guilty .....	201	11.7	234	12.7	267	15.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	1,940	484	367	-	110	7	1,456	1,234	-	222
Major offenses, total ..	1,720	412	301	-	105	6	1,308	1,107	-	201
Murder .....	13	3	-	-	3	-	10	2	-	8
Manslaughter .....	28	9	4	-	5	-	19	13	-	6
Robbery .....	369	101	70	-	29	2	268	210	-	58
Aggravated assault .....	159	51	31	-	20	-	107	81	-	26
Burglary, except auto theft ..	393	34	23	-	4	2	349	304	-	45
Larceny, except auto theft ..	241	51	39	-	12	1	190	172	-	18
Auto theft .....	225	47	36	-	11	-	178	165	-	13
Embezzlement and fraud .....	89	36	23	-	8	-	53	47	-	6
Stolen property .....	42	24	19	-	5	-	18	13	-	5
Forgery .....	94	27	26	-	1	-	67	60	-	7
Rape .....	30	14	9	-	4	1	16	10	-	6
Commercialized vice .....	8	3	3	-	-	-	5	4	-	1
Other sex offenses .....	3	1	-	-	1	-	2	2	-	-
Violating drug laws .....	24	8	6	-	2	-	16	16	-	-
Carrying weapons, etc. ....	-	-	-	-	-	-	-	-	-	-
Other major offenses .....	13	3	3	-	-	-	10	8	-	2
Abortion .....	4	1	1	-	-	-	3	2	-	1
Arson .....	1	-	-	-	-	-	1	-	-	1
Bigamy .....	4	1	1	-	-	-	3	3	-	-
Blackmail and extortion .....	2	-	-	-	-	-	2	2	-	-
Escape and jail break ..	1	-	-	-	-	-	1	1	-	-
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	1	1	1	-	-	-	-	-	-	-
Other offenses:										
Minor assault .....	-	-	-	-	-	-	-	-	-	-
Nonsupport or neglect .....	13	5	5	-	-	-	8	8	-	-
Violating liquor laws ....	54	15	11	-	4	-	39	34	-	5
Driving while intoxicated ..	-	-	-	-	-	-	-	-	-	-
Other motor vehicle laws ..	-	-	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy .....	-	-	-	-	-	-	-	-	-	-
Cambling .....	132	46	46	-	-	-	86	79	-	7
All other offenses .....	21	6	4	-	1	1	15	6	-	9

Of the defendants charged with major crimes in 1937, 1,074, or 62.4 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 229, or 13.3 percent, were charged with committing acts involving personal injury - murder, manslaughter, aggravated assault, or rape. Of those charged with "property" crimes, 855, or 79.6 percent, were convicted, while of those charged with crimes against the person, 152, or 66.4 percent, were convicted. Robbery, an offense involving both "person" and "property", was the charge against 369, or 21.5 percent, of the major offenders, and of these, 268, or 72.6 percent, were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major crimes in each

of the three years, reveals a substantial increase (from 21.6 percent in 1936 to 34.5 percent in 1937) in the proportion placed on probation or under suspended sentences. Correspondingly, there were decreases in the proportion sentenced to prison or the reformatory from 62.8 percent in 1936 to 54.5 percent in 1937, and in the proportion sentenced to the local jail from 15.3 percent in 1936 to 10.3 percent in 1937.

Began in 1932, the collection of statistics by the Bureau of the Census on the functioning of courts of State criminal jurisdiction has revealed that wide variations exist from State to State in the definitions and classifications of criminal behavior, in the use of pre-trial dispositions, in the granting of probation, and in the use of other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,308	100.0	1,320	100.0	1,240	100.0
Death .....	4	0.3	1	0.1	4	0.3
Prison or reformatory .....	713	54.5	829	62.8	872	70.3
Probation or suspended sentence .....	451	34.5	285	21.6	281	22.7
Local jails .....	135	10.3	202	15.3	81	6.5
Fine or costs only .....	-	-	1	0.1	2	0.2
Juvenile institutions .....	5	0.4	2	0.2	-	-
Other sentences .....	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles delinquents only	Other
All offenses .....	1,456	4	735	526	164	2	5	-
Major offenses, total .....	1,308	4	713	451	135	-	5	-
Murder .....	10	4	6	-	-	-	-	-
Manslaughter .....	19	-	15	-	4	-	-	-
Robbery .....	268	-	180	56	32	-	-	-
Aggravated assault .....	107	-	50	39	18	-	-	-
Burglary .....	349	-	213	114	19	-	3	-
Larceny, except auto theft .....	190	-	88	83	19	-	-	-
Auto theft .....	178	-	81	81	14	-	2	-
Embezzlement and fraud .....	53	-	17	25	11	-	-	-
Stolen property .....	18	-	4	13	1	-	-	-
Forgery .....	67	-	31	26	10	-	-	-
Rape .....	16	-	9	3	4	-	-	-
Commercialized vice .....	5	-	3	1	1	-	-	-
Other sex offenses .....	2	-	-	1	1	-	-	-
Violating drug laws .....	16	-	10	5	1	-	-	-
Carrying weapons, etc. ....	-	-	-	-	-	-	-	-
Other major offenses .....	10	-	6	4	-	-	-	-
Abortion .....	3	-	3	-	-	-	-	-
Arson .....	1	-	1	-	-	-	-	-
Bigamy .....	3	-	1	2	-	-	-	-
Blackmail and extortion .....	2	-	1	1	-	-	-	-
Escape and jail break .....	1	-	-	1	-	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	-	-	-	-	-	-	-	-
Nonsupport or neglect .....	8	-	-	8	-	-	-	-
Violating liquor laws .....	39	-	12	12	15	-	-	-
Driving while intoxicated .....	-	-	-	-	-	-	-	-
Other motor vehicle laws .....	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy .....	-	-	-	-	-	-	-	-
Gambling .....	86	-	7	50	27	2	-	-
All other offenses .....	15	-	3	5	7	-	-	-



JUDICIAL CRIMINAL STATISTICS: 1937

IDAHO

In 1937, 87.3 percent of the persons charged in the District Courts of Idaho with major criminal offenses were convicted, a steady decrease from the 82.9 percent convicted in 1936, and the 79.7 percent convicted in 1935. The major factors in these year-to-year changes were the proportion of defendants who plead guilty which increased from 69.1 percent in 1935 to 74.1 percent in 1937, and the proportion dismissed which decreased from 14.8

percent in 1935 to 8.3 percent in 1937. Table 1 shows the comparative data for the three years.

Table 2, which shows the methods of disposition by classes of offenses, reveals that of the 497 charges disposed of by the District Courts during 1937, 432 were for major criminal offenses, and 65 were for offenses of a less serious nature.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	432	100.0	449	100.0	453	100.0
Eliminated without conviction ....	55	12.7	77	17.1	92	20.3
Dismissed .....	36	8.3	53	11.8	67	14.8
Jury waived, acquitted by court .....	1	0.2	3	0.7	1	0.2
Acquitted by jury .....	15	3.5	17	3.8	16	3.5
Other no-penalty dispositions ..	3	0.7	4	0.9	8	1.8
Convicted .....	377	87.3	372	82.9	361	79.7
Plea of guilty .....	320	74.1	327	72.8	313	69.1
Court finds guilty .....	11	2.5	10	2.2	11	2.4
Jury verdict guilty .....	46	10.6	35	7.8	37	8.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF IDAHO, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	497	75	50	1	15	9	422	357	16	49
Major offenses, total ..	432	55	36	1	15	3	377	320	11	46
Murder .....	3	2	1	-	1	-	1	-	-	1
Manslaughter .....	16	4	1	-	3	-	12	9	-	3
Robbery .....	19	6	6	-	2	-	13	8	1	4
Aggravated assault .....	6	2	-	-	2	-	4	4	-	-
Burglary .....	98	5	4	-	1	-	91	79	1	11
Larceny, except auto theft .....	103	10	7	-	3	-	93	82	2	9
Auto theft .....	6	3	1	-	-	2	3	2	-	1
Embezzlement and fraud .....	19	6	4	-	2	-	13	8	1	4
Stolen property .....	14	2	2	-	-	-	12	9	2	1
Forgery .....	108	9	7	1	1	-	99	91	2	6
Rape .....	14	2	1	-	1	-	12	9	1	2
Commercialized vice .....	-	-	-	-	-	-	-	-	-	-
Other sex offenses .....	10	-	-	-	-	-	10	8	1	1
Violating drug laws .....	1	1	-	-	-	1	-	-	-	-
Carrying weapons, etc. ....	3	1	1	-	-	-	2	1	-	1
Other major offenses .....	14	2	1	-	1	-	12	10	-	2
Abortion .....	-	-	-	-	-	-	-	-	-	-
Arson .....	1	1	-	-	-	-	1	-	-	1
Bigamy .....	1	1	1	-	-	-	-	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-	-	-
Escape and jail break .....	9	-	-	-	-	-	9	9	-	-
Kidnaping .....	2	-	-	-	-	-	2	1	-	1
Perjury .....	1	1	-	-	1	-	-	-	-	-
Other offenses:										
Minor assault .....	14	2	2	-	-	-	12	10	-	2
Nonsupport or neglect .....	6	3	3	-	-	-	3	3	-	-
Violating liquor laws .....	14	5	5	-	-	-	9	8	-	1
Driving while intoxicated .....	5	1	1	-	-	-	4	4	-	-
Other motor vehicle laws ..	7	1	1	-	-	-	6	4	2	-
Disorderly conduct and vagrancy .....	9	5	1	-	-	4	4	2	2	-
Gambling .....	-	-	-	-	-	-	-	-	-	-
All other offenses .....	10	3	1	-	-	2	7	6	1	-

Of the major charges in 1937, 346, or 80.1 percent, involved the taking of property through some form of burglary, theft, forgery, or the receipt of stolen goods, while 39, or 9.0 percent, involved the doing of personal injury through murder, manslaughter, assault, or rape. Of those charged with crimes against "property", 311, or 89.9 percent, were convicted, and of those charged with offenses against the person, 29, or 74.4 percent, were convicted. Robbery, which involves both "person" and "property" was charged against 19 defendants, of whom 13 were convicted.

The types of sentences imposed on those convicted of major crimes during 1935, 1936, and 1937 reveals a decrease in the use of probation or suspended sentences from 30.3 percent in 1935 to 23.9 percent in 1937, and an increase in commitments to

local jails from 14.7 percent in 1935 to 21.5 percent in 1937. While the extent to which the courts choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the individual offender is unknown, table 4 reveals a variety of sentences imposed during 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

This collection by the Census Bureau of statistics on the functioning of State courts has indicated wide variations exist in definitions and classifications of criminal behavior, in the use of pre-trial dispositions, in granting probation, and in the use of other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	377	100.0	372	100.0	360	100.0
Death .....	1	0.3	-	-	-	-
Prison or reformatory .....	197	52.3	199	53.5	182	50.6
Probation or suspended sentence .....	90	23.9	90	24.2	109	30.3
Local jails .....	81	21.5	64	17.2	53	14.7
Fine or costs only .....	2	0.5	3	0.8	7	1.9
Juvenile institutions .....	6	1.6	5	1.3	9	2.5
Other sentences' .....	-	-	11	3.0	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF IDAHO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	422	1	200	103	96	16	6	-
Major offenses, total .....	377	1	197	90	81	2	6	-
Murder .....	1	1	-	-	-	-	-	-
Manslaughter .....	12	-	11	1	-	-	-	-
Robbery .....	13	-	11	2	-	-	-	-
Aggravated assault .....	4	-	2	2	-	-	-	-
Burglary .....	91	-	66	22	-	-	3	-
Larceny, except auto theft .....	93	-	21	25	44	1	2	-
Auto theft .....	3	-	3	-	-	-	-	-
Embezzlement and fraud .....	13	-	9	3	1	-	-	-
Stolen property .....	12	-	5	6	1	-	-	-
Forgery .....	99	-	42	25	31	-	1	-
Rape .....	12	-	10	2	-	-	-	-
Commercialized vice .....	-	-	-	-	-	-	-	-
Other sex offenses .....	10	-	5	1	3	1	-	-
Violating drug laws .....	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	2	-	1	-	1	-	-	-
Other major offenses .....	12	-	11	1	-	-	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	1	-	1	-	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	9	-	8	1	-	-	-	-
Kidnaping .....	2	-	2	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	12	-	-	-	4	8	-	-
Nonsupport or neglect .....	3	-	-	2	1	-	-	-
Violating liquor laws .....	9	-	1	3	4	1	-	-
Driving while intoxicated .....	4	-	-	3	-	1	-	-
Other motor vehicle laws .....	6	-	-	-	4	2	-	-
Disorderly conduct and vagrancy .....	4	-	2	2	-	-	-	-
Gambling .....	-	-	-	-	-	-	-	-
All other offenses .....	7	-	-	3	2	2	-	-

JUDICIAL CRIMINAL STATISTICS: 1937

INDIANA

The trial courts of the State of Indiana disposed of the criminal charges against 9,625 defendants during 1937 according to reports furnished the Bureau of the Census by the clerks of the various courts. Of these, 5,068, or 52.7 percent, were charged with what the Census Bureau has defined as major crimes, while the remaining 4,557, or 47.3 percent, were charged with less serious offenses.

The summary of the work of these courts in the disposition of defendants charged with major offenses is presented in table 1 and shows that 2,905, or 57.3 percent, were convicted, while the other 2,163, or 42.7 percent, won acquittals, dismissals, or other non-penalty dispositions. It is interesting to note that only 5.1 percent of the defendants to major charges exercised their right to trial by jury, while 16.1 percent of the dispositions were by court trials after waiver of the right to jury hearings.

More detailed figures showing the type of disposition by the offense charged are presented in table 2. By grouping the major offenses which involved personal injury, namely, murder, manslaughter, aggravated assault, and rape, it may be seen that of the 757 defendants charged with one

of these crimes against the person, 370, or 48.9 percent, were convicted. A grouping of the defendants charged with the taking or conversion of property through some form of burglary, larceny, forgery, or the receipt of stolen goods reveals that 3,616, or 71.3 percent, of those accused of major crimes were charged with one of these "property" crimes and that of these, 2,158, or 59.7 percent, were convicted.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES: 1937

Disposition	Number	Percent
Defendants disposed of .....	5,068	100.0
Eliminated without conviction ....	2,163	42.7
Dismissed .....	1,774	35.0
Jury waived, acquitted by court .....	185	3.7
Acquitted by jury .....	86	1.7
Other non-penalty dispositions ..	118	2.3
Convicted .....	2,905	57.3
Plea of guilty .....	2,103	41.5
Court finds guilty .....	629	12.4
Jury verdict guilty .....	173	3.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CRIMINAL TRIAL COURTS OF INDIANA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION				CONVICTED				
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	9,625	4,352	3,622	353	117	260	5,273	3,998	1,047	228
Major offenses, total ..	5,068	2,163	1,774	185	86	118	2,905	2,103	629	173
Murder .....	86	43	29	1	5	8	43	12	6	25
Manslaughter .....	105	56	40	12	9	5	39	11	11	17
Robbery .....	287	127	85	21	18	3	140	78	46	16
Aggravated assault .....	359	184	152	19	6	7	175	92	57	26
Burglery .....	639	228	172	27	10	19	411	313	86	12
Larceny, except auto theft ..	1,570	551	465	44	6	36	1,019	805	192	22
Auto theft .....	406	124	87	10	1	26	282	201	68	13
Embezzlement and fraud .....	594	371	345	15	7	4	223	168	48	7
Stolen property .....	115	66	53	9	3	1	49	43	4	2
Forgery .....	292	118	111	4	2	1	174	143	26	5
Rape .....	207	94	75	7	11	1	113	57	39	17
Commercialized vice .....	11	4	4	-	-	-	7	-	-	-
Other sex offenses .....	133	55	44	7	-	4	78	57	19	2
Violating drug laws .....	11	2	2	-	-	-	9	4	1	4
Carrying weapons, etc. ....	130	55	50	2	2	1	75	54	17	4
Other major offenses .....	143	75	60	7	6	2	68	55	9	1
Abortion .....	3	3	2	1	-	-	-	-	-	-
Arson .....	25	15	12	-	2	1	10	7	3	-
Bigamy .....	8	2	2	-	-	-	6	3	3	-
Blackmail and extortion .....	7	5	3	-	1	1	2	2	-	-
Escape and jail break ..	37	31	-	-	1	-	36	35	1	-
Kidnaping .....	39	34	27	6	1	-	5	3	2	-
Perjury .....	24	18	14	-	1	-	9	8	-	1
Other offensees:										
Minor assault .....	418	206	182	15	2	7	212	160	42	10
Nonsupport or neglect ....	966	685	611	34	3	37	281	184	89	8
Violating liquor laws ....	815	254	219	14	5	16	561	496	57	8
Driving while intoxicated ..	530	160	105	35	9	11	370	274	84	12
Other motor vehicle laws .	264	122	85	24	4	9	142	109	26	7
Disorderly conduct and vagrancy .....	548	149	118	4	1	26	399	369	28	2
Gambling .....	198	75	63	5	1	6	123	93	28	2
All other offenses .....	818	538	465	37	6	30	280	210	64	6

From table 3, which presents the types of sentences imposed on those convicted of major offenses, it may be seen that prison or reformatory sentences were, by far, the most frequent mode of punishment for this group.

From the more detailed figures of table 4 it may be seen that of the 370 defendants convicted of major crimes against the person, 258, or 69.7 percent, were sentenced to prisons or reformatories, and 59, or 15.9 percent, were placed on probation or under suspended sentences. Of the 2,158 persons convicted of major property crimes, 1,248, or 57.9 percent, were sentenced to prisons or reformatories, and 552, or 25.6 percent were placed on probation or under suspended sentences. While the extent to which the courts of Indiana determine punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the individual offender is unknown, it is evident from table 4 that a variety of sentences are assessed for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

A further caution in the use of these figures must also be emphasized. Again this year, as in past years, the courts of Indiana have reported to the Census Bureau a very considerably larger number of persons sentenced to prisons and reformatories than these same penal institutions report having received. It is hoped that in the near future one of the State agencies will determine the reasons for these discrepancies, but, until that time, the possibility remains that they may be due to inaccuracies in reporting.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1937

Type of sentence	Number	Percent
Defendants sentenced .....	2,905	100.0
Death .....	9	0.3
Prison or reformatory .....	1,734	59.7
Probation or suspended sentence ..	677	23.3
Local jails .....	302	10.4
Fine or costs only .....	150	5.2
Juvenile institutions .....	33	1.1
Other sentences .....	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CRIMINAL TRIAL COURTS OF INDIANA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	5,273	9	2,102	1,202	782	1,115	62	1
Major offenses, total .....	2,905	9	1,734	677	302	150	33	-
Murder .....	43	9	34	-	-	-	-	-
Manslaughter .....	39	-	36	3	-	-	-	-
Robbery .....	140	-	110	18	10	2	-	-
Aggravated assault .....	175	-	99	37	22	16	1	-
Burglary .....	411	-	281	92	21	8	9	-
Larceny, except auto theft .....	1,019	-	512	278	156	52	21	-
Auto theft .....	282	-	194	65	17	5	1	-
Embezzlement and fraud .....	223	-	122	59	23	19	-	-
Stolen property .....	49	-	19	19	10	1	-	-
Forgery .....	174	-	120	39	10	5	-	-
Rape .....	113	-	89	19	3	2	-	-
Commercialized vice .....	7	-	2	3	-	2	-	-
Other sex offenses .....	78	-	39	16	14	8	1	-
Violating drug laws .....	9	-	3	-	3	3	-	-
Carrying weapons, etc. ....	75	-	20	16	13	26	-	-
Other major offenses .....	68	-	54	13	-	1	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	10	-	9	1	-	-	-	-
Bigamy .....	6	-	4	2	-	-	-	-
Bleedmail and extortion .....	2	-	2	-	-	-	-	-
Escape and jail break .....	36	-	35	1	-	-	-	-
Kidnaping .....	5	-	2	3	-	-	-	-
Ferjury .....	9	-	2	6	-	1	-	-
Other offenses:								
Minor assault .....	212	-	22	53	48	88	1	-
Nonsupport or neglect .....	281	-	57	174	18	32	-	-
Violating liquor laws .....	561	-	69	121	158	212	1	-
Driving while intoxicated .....	370	-	100	44	138	87	-	1
Other motor vehicle laws .....	142	-	18	27	22	74	1	-
Disorderly conduct and vagrancy .....	399	-	42	35	62	257	3	-
Gambling .....	183	-	2	8	5	108	-	-
All other offenses .....	280	-	58	63	29	107	23	-

JUDICIAL CRIMINAL STATISTICS: 1937

IOWA

In 1937, 77.9 percent of the persons charged with major criminal offenses in the Iowa District Courts were convicted, a notable increase from the 72.9 percent convicted in 1936, and the 74.8 percent convicted in 1935. Almost all dispositions resulted either from dismissals or pleas of guilt, while trials by courts and juries accounted for 10.2 percent of the dispositions in 1935, 6.5 percent in 1936, and 7.0 percent in 1937.

These data, which are shown in table 1, are, like those following, from reports made to the Bureau of the Census by courts, which, on the basis of the 1930 population, covered 65.7 percent of the State in 1937, 62.5 percent in 1936, and 84.8 percent in 1935.

More detailed figures on the work of these courts in 1937 are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,572	100.0	1,352	100.0	2,109	100.0
Eliminated without conviction ....	348	22.1	366	27.1	532	25.2
Dismissed .....	308	19.6	327	24.2	443	21.0
Jury waived, acquitted by court ..	2	0.1	2	0.1	-	-
Acquitted by jury .....	30	1.9	26	1.9	67	3.2
Other no-penalty dispositions ..	8	0.5	11	0.8	22	1.0
Convicted .....	1,224	77.9	986	72.9	1,577	74.8
Plea of guilty .....	1,146	72.9	925	68.4	1,429	67.8
Court finds guilty .....	26	1.7	16	1.2	27	1.3
Jury verdict guilty .....	52	3.3	45	3.3	121	5.7

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF IOWA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	2,847	639	561	5	63	10	2,208	2,077	48	83
Major offenses, total ..	1,572	348	308	2	30	8	1,224	1,146	26	52
Murder .....	24	9	6	-	3	-	15	7	3	5
Manslaughter .....	15	11	3	-	8	-	4	2	-	2
Robbery .....	37	11	10	-	1	-	26	24	-	2
Aggravated assault .....	70	14	11	-	2	1	56	48	4	4
Burglary .....	233	37	34	-	2	1	196	187	1	8
Larceny, except auto theft	479	65	56	2	5	2	414	400	7	7
Auto theft .....	97	13	13	-	-	-	84	81	2	1
Embezzlement and fraud ...	125	45	42	-	1	2	80	75	1	4
Stolen property .....	26	2	1	-	1	-	24	19	4	1
Forgery .....	192	52	49	-	2	1	140	138	1	1
Rape .....	41	18	15	-	3	-	23	18	-	5
Commercialized vice .....	5	2	2	-	-	-	3	2	-	1
Other sex offenses .....	132	52	50	-	1	1	80	76	1	3
Violating drug laws .....	-	4	-	-	-	-	4	3	-	1
Carrying weapons, etc. ....	26	2	2	-	-	-	24	21	-	3
Other major offenses .....	66	15	14	-	1	-	51	45	2	4
Abortion .....	-	-	-	-	-	-	-	-	-	-
Arson .....	14	5	5	-	-	-	9	9	-	-
Bigamy .....	3	-	-	-	-	-	3	2	1	-
Blackmail and extortion ..	2	2	2	-	-	-	-	-	-	-
Escape and jail break ..	39	4	3	-	1	-	35	31	-	4
Kidnaping .....	4	2	2	-	-	-	2	2	-	-
Perjury .....	4	2	2	-	-	-	2	1	1	-
Other offenses:										
Minor assault .....	32	8	7	-	1	-	24	22	-	2
Nonsupport or neglect ....	125	40	38	-	2	-	85	74	9	2
Violating liquor laws ....	282	66	62	-	4	-	216	202	2	12
Driving while intoxicated ..	492	73	57	-	16	-	419	400	7	12
Other motor vehicle laws ..	95	41	36	-	4	1	54	53	1	-
Disorderly conduct and vagrancy .....	32	7	6	1	-	-	25	25	-	-
Gambling .....	47	-	-	-	-	-	47	47	-	-
All other offenses .....	170	56	47	2	6	1	114	108	3	3

Of the defendants in 1937, 1,572, or 55.2 percent, were charged with major crimes, and of these, 1,152, or 73.3 percent, were charged with taking property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 150, or 9.5 percent, were charged with doing personal injury through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 938, or 81.4 percent were convicted, and of those charged with crimes against the person, 98, or 65.3 percent, were convicted. Robbery, which involves both "person" and "property", was the charge against 37 defendants, of whom 26 were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major offenses during these three years, reveals that jail, prison, and

reformatory sentences were given to 71.1 and 71.5 percent of those convicted in 1935 and 1936, respectively, and to 80.2 percent in 1937. The proportion granted probation decreased from about 23 percent in 1935 and 1936 to 15.3 percent in 1937. The extent to which Iowa courts determine punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, but table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

This collection of judicial criminal statistics by the Census Bureau is made possible through the cooperation of the clerks of the trial courts.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,224	100.0	983	100.0	1,570	100.0
Death .....	1	0.1	2	0.2	1	0.1
Prison or reformatory .....	526	43.0	408	41.5	645	41.1
Probation or suspended sentence	187	15.3	229	23.3	367	23.4
Local jails .....	455	37.2	295	30.0	471	30.0
Fine or costs only .....	44	3.6	41	4.2	67	4.3
Juvenile institutions .....	11	0.9	8	0.8	16	1.0
Other sentences .....	-	-	-	-	3	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF IOWA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	2,208	1	570	380	852	393	12	-
Major offenses, total .....	1,224	1	526	187	455	44	11	-
Murder .....	15	1	14	-	-	-	-	-
Manslaughter .....	4	-	2	2	-	-	-	-
Robbery .....	26	-	26	-	-	-	-	-
Aggravated assault .....	56	-	29	4	19	4	-	-
Burglary .....	196	-	78	24	85	3	6	-
Larceny, except auto theft .....	414	-	116	83	195	15	5	-
Auto theft .....	84	-	50	12	16	6	-	-
Embezzlement and fraud .....	80	-	31	20	27	-	-	-
Stolen property .....	24	-	6	4	12	2	-	-
Forgery .....	140	-	69	14	53	4	-	-
Rape .....	23	-	21	-	2	-	-	-
Commercialized vice .....	3	-	2	1	-	-	-	-
Other sex offenses .....	80	-	30	18	26	6	-	-
Violating drug laws .....	4	-	1	-	3	-	-	-
Carrying weapons, etc. ....	24	-	9	4	10	1	-	-
Other major offenses .....	51	-	42	1	7	1	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	9	-	5	-	3	1	-	-
Bigamy .....	3	-	1	-	2	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	35	-	35	-	-	-	-	-
Kidnaping .....	2	-	-	-	2	-	-	-
Perjury .....	2	-	1	1	-	-	-	-
Other offenses:								
Minor assault .....	24	-	-	6	17	1	-	-
Nonsupport or neglect .....	85	-	8	66	8	3	-	-
Violating liquor laws .....	216	-	10	45	88	73	-	-
Driving while intoxicated .....	419	-	8	36	191	184	-	-
Other motor vehicle laws .....	54	-	5	11	22	16	-	-
Disorderly conduct and vagrancy .....	25	-	-	5	17	3	-	-
Gambling .....	47	-	-	3	2	42	-	-
All other offenses .....	114	-	13	21	52	27	1	-

JUDICIAL CRIMINAL STATISTICS: 1937

KANSAS

Reports to the Bureau of the Census for 1935, 1936, and 1937 reveal a steady decrease in the number of defendants charged with major offenses who were disposed of by the District Courts of Kansas, but show little change in the proportions convicted. There was an even greater numerical reduction than table 1 reveals, for in 1937 the definition of major offenses was expanded to include seven classes of crimes which were not in-

cluded in the major offense totals for 1935 and 1936, but which involved 88 defendants in 1937.

With approximately one-fifth of the defendants dismissed each year and more than three-fifths pleading guilty, it is apparent that the proportion tried by courts and juries is relatively small. Actually, the percentage tried varied from 16.8 in 1935 to 12.8 in 1936 and to 13.1 in 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,793	100.0	1,842	100.0	2,110	100.0
Eliminated without conviction ...	452	25.2	464	25.2	559	26.5
Dismissed .....	380	21.2	374	20.3	417	19.8
Jury waived, acquitted by court	3	0.2	2	0.1	6	0.3
Acquitted by jury .....	54	3.0	61	3.3	109	5.2
Other no-penalty dispositions ..	15	0.8	27	1.5	27	1.3
Convicted .....	1,341	74.8	1,378	74.8	1,551	73.5
Fine of guilty .....	1,164	64.9	1,205	65.4	1,311	62.1
Court finds guilty .....	20	1.1	7	0.4	26	1.2
Jury verdict guilty .....	157	8.8	166	9.0	214	10.1

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF KANSAS, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plee guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	2,807	890	777	7	89	17	1,917	1,630	67	220
Major offenses, total ..	1,793	452	380	3	54	15	1,341	1,164	20	157
Murder .....	34	16	4	-	7	5	18	7	-	11
Manslaughter .....	23	11	4	1	6	-	12	7	-	5
Robbery .....	98	27	25	-	2	-	71	60	1	10
Aggravated assault .....	60	30	25	-	4	1	30	20	1	9
Burglary .....	286	57	46	2	9	-	229	211	1	17
Larceny, except auto theft	548	87	75	-	8	4	461	410	10	41
Auto theft .....	93	16	13	-	2	1	77	68	-	9
Embezzlement and fraud ..	176	95	88	-	5	2	81	70	-	11
Stolen property .....	31	5	5	-	-	-	26	21	-	5
Forgery .....	236	45	41	-	-	-	191	177	1	13
Rape .....	76	24	20	-	3	1	52	34	2	16
Commercialized vice .....	5	2	2	-	-	-	3	3	-	-
Other sex offenses .....	25	8	8	-	-	-	17	13	1	3
Violating drug laws .....	9	3	2	-	1	-	6	4	2	-
Carrying weapons, etc. ...	5	2	1	-	1	-	3	2	-	1
Other major offenses .....	88	24	21	-	2	1	64	57	1	6
Abortion .....	3	2	2	-	-	-	1	-	-	1
Arson .....	38	7	5	-	1	1	31	29	1	1
Bigamy .....	11	3	3	-	-	-	8	7	-	1
Bleekmail and extortion	2	1	1	-	-	-	1	1	-	-
Escape and jail break .....	27	8	8	-	-	-	19	18	-	1
Kidnaping .....	4	2	2	-	-	-	2	1	-	1
Perjury .....	3	1	-	-	1	-	2	1	-	1
Other offenses:										
Minor assault .....	59	21	20	-	-	-	38	31	2	5
Noneupport or neglect .....	158	88	87	-	1	-	70	58	8	4
Violating liquor laws ...	485	145	148	2	14	1	320	267	19	34
Driving while intoxicated	73	30	26	-	4	-	43	34	2	7
Other motor vehicle laws .	29	14	12	1	1	-	15	13	-	2
Disorderly conduct and vagrancy .....	24	16	14	-	2	-	8	7	-	1
Gambling .....	57	19	16	1	2	-	38	25	11	2
All other offenses .....	129	85	74	-	10	1	44	31	5	8

More detailed figures for 1937, given in table 2, show that 1,793, or 63.9 percent, of the defendants were charged with major crimes, and the remaining 1,014, or 36.1 percent, with less serious ones. Of the major offenses charged, 1,370, or 76.4 percent, involved the taking, receipt, or conversion of property through some form of fraud, forgery, burglary, larceny, or the receipt of stolen goods, while 193, or 10.8 percent, involved the doing of bodily harm through murder, assault, manslaughter, or rape. Convictions resulted in 1,065, or 77.7 percent, of the cases of crimes against "property", and in 112, or 58.0 percent, of the cases of crimes against the person. Robbery, involving both "person" and "property", was the charge against 98, or 5.5 percent, of the defendants in major cases, and of these, 71, or 72.4 percent, were convicted.

Only slight variations in the types of sentences imposed on those convicted of major offenses in each of these three years are revealed by the comparative data presented in table 3. Prison or reformatory sentences, which were assessed in about 70 percent of the convictions, were by far the most frequent type of punishment, with probation, assessed in approximately 15 percent, second. While the extent to which the courts of Kansas choose punishment on the basis of the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows that a variety of punishments and treatments are levied in offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes of offenses include crimes of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,341	100.0	1,371	100.0	1,545	100.0
Death .....	1	0.1	1	0.1	-	-
Prison or reformatory .....	961	71.7	1,014	74.0	1,066	69.0
Probation or suspended sentence .....	203	15.1	196	14.4	243	15.7
Local jails .....	158	11.8	128	9.3	187	12.1
Fine or costs only .....	16	1.2	25	1.8	45	2.9
Juvenile institutions .....	2	0.1	-	-	-	-
Other sentences .....	-	-	5	0.4	4	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF KANSAS, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	1,917	1	1,036	335	402	136	5	-
Major offenses, total .....	1,341	1	961	203	158	16	2	-
Murder .....	18	1	17	-	-	-	-	-
Manslaughter .....	12	-	9	1	2	-	-	-
Robbery .....	71	-	66	5	-	-	-	-
Aggravated assault .....	30	-	25	5	-	-	-	-
Burglary .....	229	-	203	26	-	-	-	-
Larceny, except auto theft .....	461	-	266	94	59	11	1	-
Auto theft .....	77	-	60	5	14	-	-	-
Embezzlement and fraud .....	31	-	44	24	10	2	1	-
Stolen property .....	26	-	15	2	8	1	-	-
Forgery .....	191	-	150	29	10	2	-	-
Rape .....	52	-	40	8	4	-	-	-
Commercialized vice .....	3	-	2	-	1	-	-	-
Other sex offenses .....	17	-	11	1	5	-	-	-
Violating drug laws .....	6	-	6	-	-	-	-	-
Carrying weapons, etc. ....	3	-	-	1	2	-	-	-
Other major offenses .....	64	-	47	4	13	-	-	-
Abortion .....	1	-	1	-	-	-	-	-
Arson .....	31	-	21	2	8	-	-	-
Bigamy .....	9	-	7	-	1	-	-	-
Blackmail and extortion .....	1	-	-	1	-	-	-	-
Escape and jail break .....	19	-	14	1	4	-	-	-
Kidnaping .....	2	-	2	-	-	-	-	-
Ferjury .....	2	-	2	-	-	-	-	-
Other offenses:								
Minor assault .....	38	-	-	4	25	9	-	-
Nonsupport or neglect .....	70	-	21	45	2	2	-	-
Violating liquor laws .....	320	-	46	59	173	42	-	-
Driving while intoxicated .....	43	-	3	5	20	15	-	-
Other motor vehicle laws .....	15	-	-	4	5	6	-	-
Disorderly conduct and vagrancy .....	8	-	1	1	4	2	-	-
Gambling .....	38	-	-	3	3	29	3	-
All other offenses .....	44	-	4	11	12	17	-	-



JUDICIAL CRIMINAL STATISTICS: 1937

MASSACHUSETTS

In 1937, major criminal charges against 3,044 persons were disposed of by the Superior Courts of Massachusetts, and, of these, 2,529, or 83.1 percent, resulted in convictions. Of similar charges in 1935 and 1936, respectively, 77.4 percent and 80.0 percent resulted in convictions. From table 1, which shows these data, it may also be seen that between 1935 and 1937, there were increases in the proportions of pleas of guilty from 65.9

percent to 69.9 percent and in court trials from 2.1 percent to 4.7 percent, and decreases in the proportions of dismissals from 13.3 percent to 10.0 percent and in jury trials from 18.6 percent to 15.4 percent.

More detailed figures on the work of these courts during 1937 are shown in table 2, which gives the outcome of disposition by offense.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	3,044	100.0	2,891	100.0	3,570	100.0
Eliminated without conviction ...	515	16.9	578	20.0	806	22.6
Dismissed .....	304	10.0	312	10.8	476	13.3
Jury waived, acquitted by court	66	2.2	45	1.6	40	1.1
Acquitted by jury .....	145	4.8	221	7.6	290	8.1
Other no-penalty dispositions ..	-	-	-	-	-	-
Convicted .....	2,529	83.1	2,313	80.0	2,764	77.4
Plea of guilty .....	2,129	69.9	1,981	68.5	2,352	65.9
Court finds guilty .....	76	2.5	64	2.2	36	1.0
Jury verdict guilty .....	324	10.6	268	9.3	376	10.5

Table 2. DEFENDANTS IN CRIMINAL CASES DISPOSED OF BY THE SUPERIOR COURTS OF MASSACHUSETTS, BY PROCEDURAL OUTCOME AND OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION				CONVICTED				
		Total	Dis-missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	3,601	646	406	73	167	-	2,955	2,480	107	368
Major offenses, total ..	3,044	515	304	66	145	-	2,529	2,129	76	324
Murder .....	12	1	1	-	-	-	11	6	-	5
Manslaughter .....	31	13	5	3	5	-	18	14	2	2
Robbery .....	404	73	39	6	28	-	331	244	11	76
Aggravated assault .....	163	34	18	2	14	-	129	86	3	40
Burglary .....	927	87	47	15	25	-	840	792	4	44
Larceny, except auto theft	*441	106	83	9	14	-	335	272	22	41
Auto theft .....	321	40	27	6	7	-	281	248	2	31
Embezzlement and fraud ...	(*)									
Stolen property .....	51	11	8	1	2	-	40	34	3	3
Forgery .....	50	8	3	3	2	-	42	42	-	-
Rape .....	225	3	20	5	11	-	189	138	19	32
Commercialized vice .....	11	6	-	-	-	-	5	4	1	-
Other sex offenses .....	98	21	7	8	2	-	77	59	3	15
Violating drug laws .....	10	3	3	-	-	-	7	6	1	-
Carrying weapons, etc. ....	130	16	11	1	4	-	114	96	1	17
Other major offenses .....	170	60	28	7	25	-	110	88	4	18
Abortion .....	47	9	6	-	3	-	38	31	-	7
Arson .....	67	36	11	5	20	-	31	23	1	7
Bigamy .....	10	2	2	-	-	-	8	8	-	-
Breach and extortion	7	1	-	1	-	-	6	3	2	1
Escape and jail break ..	14	2	2	-	-	-	12	12	-	-
Kidnaping .....	10	4	2	1	1	-	6	4	-	2
Perjury .....	15	6	5	-	1	-	9	7	1	1
Other offenses:										
Minor assault .....	122	14	11	1	2	-	108	81	6	21
Nonsupport or neglect ...	168	61	57	2	2	-	107	101	4	2
Violating liquor laws ...	5	2	1	-	1	-	3	3	-	-
Driving while intoxicated	22	4	2	1	1	-	18	16	1	1
Other motor vehicle laws .	106	12	5	2	5	-	94	82	4	8
Disorderly conduct and										
Inebriety .....	27	5	2	-	3	-	22	18	4	-
Gambling .....	5	1	-	-	1	-	4	3	-	1
All other offenses .....	102	32	24	1	7	-	70	47	12	11

\*Larceny, except auto theft, includes embezzlement and fraud.

Of the major charges in 1937, 1,790, or 56.8 percent, involved the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 431, or 14.2 percent, involved the doing of bodily harm through murder, manslaughter, assault, or rape. Convictions resulted in 1,538, or 85.9 percent, of the charges of crimes against "property", and in 347, or 30.5 percent, of the crimes against the person. Of the major charges, 404, or 13.3 percent, were of robbery, which involves both "property" and "person", and 331, or 81.9 percent, of these resulted in convictions.

Table 3, which presents the types of sentences imposed on those convicted of major offenses in 1935, 1936, and 1937, reveals an increase in jail, reformatory, and prison sentences from 50.4 per-

cent in 1935 to 56.1 percent in 1937, and a decrease in probation, suspended sentences, and cases "on file" from 48.9 percent in 1935 to 40.9 percent in 1937. "On file" designates those cases in which the court does not immediately fix sentence, but reserves the right to do so at any future time, and is a form of suspending sentence peculiar to Massachusetts.

While the extent to which Massachusetts courts choose correctional treatment for its rehabilitative effect on the offender or choose punishment according to the seriousness of the crime is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	2,529	100.0	2,313	100.0	2,764	100.0
Death .....	1	-	1	-	4	0.1
Prison or reformatory .....	774	30.6	714	30.9	695	25.1
Probation or suspended sentence .....	736	29.1	721	31.2	941	34.0
Local jails .....	695	27.5	531	23.0	700	25.3
Fine or costs only .....	24	0.9	46	2.0	12	0.4
Juvenile institutions .....	-	-	-	-	-	-
On file after conviction .....	299	11.8	300	13.0	412	14.9

Table 4. DEFENDANTS IN CRIMINAL CASES FOUND GUILTY AND SENTENCED BY THE SUPERIOR COURTS OF MASSACHUSETTS, BY SENTENCE OR TREATMENT AND OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles delinquents only	On file after conviction
All offenses .....	2,955	1	796	909	810	67	-	372
Major offenses, total .....	2,529	1	774	736	695	24	-	299
Murder .....	11	1	10	-	-	-	-	-
Manslaughter .....	18	-	14	-	3	1	-	-
Robbery .....	331	-	187	35	84	-	-	25
Aggravated assault .....	129	-	21	29	69	1	-	9
Burglary .....	840	-	263	304	167	-	-	106
Larceny, except auto theft .....	*335	-	55	123	87	-	-	70
Auto theft .....	281	-	70	90	100	-	-	21
Embezzlement and fraud .....	(1)	-	-	-	-	-	-	-
Stolen property .....	40	-	5	29	2	1	-	3
Forgery .....	42	-	1	14	18	-	-	9
Rape .....	169	-	81	30	62	-	-	16
Commercialized vice .....	5	-	3	1	-	-	-	1
Other sex offenses .....	77	-	28	15	16	1	-	17
Violating drug laws .....	7	-	-	5	-	-	-	2
Carrying weapons, etc. ....	114	-	13	33	45	14	-	11
Other major offenses .....	110	-	23	28	44	6	-	9
Abortion .....	38	-	7	8	15	3	-	5
Arson .....	31	-	5	12	10	1	-	3
Bigamy .....	8	-	-	4	2	-	-	-
Eblackmail and extortion ..	6	-	-	2	2	1	-	1
Escape and jail break .....	12	-	5	-	7	-	-	-
Kidnaping .....	5	-	6	-	-	-	-	-
Ferjury .....	9	-	-	2	6	1	-	-
Other offenses:								
Minor assault .....	108	-	-	38	48	6	-	16
Nonsupport or neglect .....	107	-	10	76	15	1	-	5
Violating liquor laws .....	3	-	-	3	-	-	-	-
Driving while intoxicated ..	18	-	2	3	3	8	-	2
Other motor vehicle laws ..	94	-	6	21	24	20	-	23
Disorderly conduct and vagrancy	22	-	-	3	1	8	-	10
Gambling .....	4	-	-	-	1	3	-	-
All other offenses .....	70	-	4	29	16	4	-	17

\*Larceny, except auto theft, includes embezzlement and fraud.

JUDICIAL CRIMINAL STATISTICS: 1937

MICHIGAN

Through the inclusion of major offense dispositions in the Superior Court of Grand Rapids and the Recorder's Court of Detroit, the Census Bureau statistics on judicial criminal procedures in Michigan are practically complete for 1937, since they include courts having jurisdiction, on the basis of the 1930 population, over 98.4 percent of the State. Since the two courts did not report in 1935 and 1936, the respective populations covered

in these years were 61.0 percent and 60.5 percent. From these reports, data in table 1 show the procedural outcome for dispositions of major cases in each of these years, and reveals that while the proportions convicted remained approximately the same, there were considerable variations in the proportionate use of disposition methods. Particularly evident is the decrease in pleas of guilty and the increase in dispositions by trial.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	4,723	100.0	2,624	100.0	2,693	100.0
Eliminated without conviction ....	822	17.4	424	16.2	434	16.1
Dismissed .....	467	9.9	292	11.1	291	10.8
Jury waived, acquitted by court .....	73	1.5	17	0.6	16	0.6
Acquitted by jury .....	224	4.7	80	3.0	90	3.3
Other no-penalty dispositions .....	58	1.2	35	1.3	37	1.4
Convicted .....	3,901	82.6	2,200	83.8	2,259	83.9
Plea of guilty .....	3,092	65.5	1,821	69.4	1,994	74.0
Court finds guilty .....	241	5.1	92	3.5	44	1.6
Jury verdict guilty .....	568	12.0	287	10.9	221	8.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF MICHIGAN, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	7,122	1,168	728	97	264	79	5,954	5,009	289	658
Major offenses, total ..	4,723	822	467	73	224	58	3,901	3,092	241	568
Murder .....	55	15	3	-	7	5	40	18	2	20
Manslaughter .....	258	87	17	3	64	3	171	76	10	85
Robbery .....	313	57	23	2	27	5	256	166	8	82
Aggravated assault .....	246	85	50	2	24	9	161	102	14	45
Burglary .....	907	98	56	7	26	7	811	694	36	81
Larceny, except auto theft .....	891	94	58	5	20	11	797	705	29	63
Auto theft .....	580	58	50	1	7	-	522	449	17	58
Embezzlement and fraud .....	223	63	47	2	10	4	160	130	10	20
Stolen property .....	62	11	8	1	2	-	51	42	5	4
Forgery .....	150	12	9	1	1	1	138	130	1	7
Rape .....	246	65	37	15	11	2	181	112	30	39
Commercialized vice .....	24	6	6	-	-	-	18	15	2	1
Other sex offense .....	406	91	47	24	15	5	315	226	55	34
Violating drug laws .....	43	14	12	1	-	1	29	22	3	4
Carrying weapons, etc. ....	174	30	15	9	5	1	144	113	19	12
Other major offenses .....	145	38	29	-	5	4	107	92	-	15
Abortion .....	4	2	2	-	-	-	2	2	-	-
Arson .....	42	18	11	-	5	2	24	19	-	5
Bigamy .....	13	3	3	-	-	-	10	7	-	3
Blackmail and extortion .....	2	-	-	-	-	-	2	2	-	-
Escape and jail break .....	56	6	4	-	-	2	50	50	-	-
Kidnaping .....	5	-	-	-	-	-	5	1	-	4
Perjury .....	23	9	9	-	-	-	14	11	-	3
Other offensee:										
Minor assault .....	124	27	16	5	3	3	97	86	2	9
Nonsupport or neglect .....	224	63	59	3	1	-	161	148	9	4
Violating liquor laws .....	125	29	22	2	4	1	96	83	6	7
Driving while intoxicated .....	207	28	19	-	8	1	179	161	6	12
Other motor vehicle laws ..	732	48	33	4	6	5	684	662	1	21
Disorderly conduct and vagrancy .....	522	30	26	-	2	2	492	482	3	7
Gambling .....	33	5	5	-	-	-	28	26	2	-
All other offenses .....	432	116	81	10	16	9	316	269	19	28

More detailed figures on the work of these courts in 1937, shown in table 2, reveal that 2,813, or 59.6 percent, of the major offenders were charged with the taking, conversion, or receipt of property through some form of burglary, larceny, fraud, or the receipt of stolen goods, while 805, or 17.0 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 2,479, or 88.1 percent, were convicted, while of those charged with offenses against the person, 553, or 68.7 percent, were convicted. Robbery, involving both "person" and "property" was the charge against 313 defendants, of whom, 256, or 81.8 percent, were convicted.

A study of the types of sentences imposed on those convicted of major offenses in 1935, 1936,

and 1937, shown in table 3, reveals that approximately three-fifths were sentenced to prisons, reformatories, or local jails each year, while most of the remaining two-fifths received suspended sentences or probation. The extent to which Michigan courts choose punishments according to the seriousness of the offense or correctional treatment for its rehabilitative effect on the offender is unknown, but table 4 shows a variety of sentences for the same general class of offenses. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The collection of judicial criminal statistics was begun by the Bureau of the Census in 1932, and is made possible by the voluntary cooperation of the clerks of the various general trial courts.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	3,901	100.0	2,189	100.0	2,257	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	1,856	47.6	1,109	50.7	1,154	51.1
Probation or suspended sentence .....	1,463	37.5	835	38.1	818	36.2
Local jails .....	458	11.7	160	7.3	207	9.2
Fine or costs only .....	123	3.2	85	3.9	76	3.4
Juvenile institutions .....	1	-	-	-	-	-
Other sentences .....	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF MICHIGAN, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles delinquents only	Other
All offenses .....	5,954	-	1,971	1,821	937	1,224	1	-
Major offenses, total .....	3,901	-	1,856	1,463	458	123	1	-
Murder .....	40	-	40	-	-	-	-	-
Manslaughter .....	171	-	71	85	5	10	-	-
Robbery .....	256	-	220	36	-	-	-	-
Aggravated assault .....	161	-	88	70	-	3	-	-
Burglary .....	811	-	453	351	-	7	-	-
Larceny, except auto theft .....	797	-	247	244	260	46	-	-
Auto theft .....	522	-	236	235	42	9	-	-
Embezzlement and fraud .....	160	-	43	87	14	16	-	-
Stolen property .....	51	-	14	24	6	7	-	-
Forgery .....	138	-	66	58	9	4	1	-
Rape .....	161	-	133	36	12	-	-	-
Commercialized vice .....	18	-	4	6	8	-	-	-
Other sex offenses .....	315	-	110	126	65	14	-	-
Violating drug laws .....	29	-	18	7	4	-	-	-
Carrying weapons, etc. ....	144	-	46	74	18	7	-	-
Other major offenses .....	107	-	68	24	15	-	-	-
Abortion .....	2	-	2	-	-	-	-	-
Arson .....	24	-	13	7	4	-	-	-
Bigamy .....	10	-	7	3	-	-	-	-
Blackmail and extortion .....	2	-	-	2	-	-	-	-
Escape and jail break .....	50	-	39	2	9	-	-	-
Kidnaping .....	5	-	5	-	-	-	-	-
Ferjury .....	14	-	2	10	2	-	-	-
Other offenses:								
Minor assault .....	97	-	-	27	45	25	-	-
Nonsupport or neglect .....	161	-	35	109	10	-	-	-
Violating liquor laws .....	96	-	13	44	15	24	-	-
Driving while intoxicated .....	179	-	18	16	77	70	-	-
Other motor vehicle laws .....	684	-	6	35	21	620	-	-
Disorderly conduct and vagrancy .....	492	-	15	57	261	159	-	-
Gambling .....	28	-	-	3	1	24	-	-
All other offenses .....	316	-	28	67	49	172	-	-

JUDICIAL CRIMINAL STATISTICS: 1937

MINNESOTA

For the year 1937, the reports of the District Courts of Minnesota show the same high rate of conviction of those charged with major offenses as had been attained in the years of 1935 and 1936. For 1937, the percentage of such defendants convicted was 87.8, while in the preceding year it was 87.9 percent, and in 1935, 86.9 percent. From table 1, which shows these data, it may also be noted that in 1937 only 7.6 percent of the defend-

ants charged with major crimes availed themselves of the right to trial by jury, while 82.7 percent were convicted by pleas of guilty, and 0.5 percent had their guilt determined by the court after waiving the right to jury trial.

More detailed figures, which show the type of disposition by offense are given for both major and minor offenses in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,908	100.0	1,911	100.0	2,164	100.0
Eliminated without conviction ....	232	12.2	231	12.1	284	13.1
Dismissed .....	161	8.4	168	8.8	202	9.3
Jury waived, acquitted by court ..	1	0.1	1	0.1	1	(*)
Acquitted by jury .....	55	2.9	46	2.4	60	2.8
Other no-penalty dispositions ..	15	0.8	16	0.8	21	1.0
Convicted .....	1,676	87.8	1,680	87.9	1,880	86.9
Plea of guilty .....	1,578	82.7	1,586	83.0	1,762	81.4
Court finds guilty .....	8	0.4	6	0.3	3	0.1
Jury verdict guilty .....	90	4.7	88	4.6	115	5.3

\*Percent not shown where less than 0.1

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF MINNESOTA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit- ted by Jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	2,330	301	218	2	64	17	2,029	1,912	12	105
Major offenses, total ..	1,908	232	161	1	55	15	1,676	1,578	8	90
Murder .....	19	5	-	-	4	1	14	10	-	4
Manslaughter .....	40	13	5	-	8	-	27	21	-	6
Robbery .....	80	5	5	-	-	-	75	73	-	2
Aggravated assault .....	85	22	9	-	11	2	63	53	-	10
Burglary .....	256	20	14	-	4	2	236	223	1	12
Larceny, except auto theft ..	630	70	56	1	9	4	560	537	3	20
Auto theft .....	163	3	-	-	3	-	160	157	1	2
Embezzlement and fraud ...	51	17	16	-	1	-	34	30	-	4
Stolen property .....	24	4	3	-	1	-	20	18	-	2
Forgery .....	287	28	26	-	1	1	259	255	1	3
Rape .....	92	17	13	-	4	-	75	65	-	9
Commercialized vice .....	5	1	1	-	-	-	4	4	-	-
Other sex offenses .....	109	14	6	-	4	4	94	83	1	10
Violating drug laws .....	4	-	-	-	-	-	4	4	-	-
Carrying weapons, etc. ....	10	2	1	-	-	1	8	7	-	1
Other major offenses .....	54	11	6	-	5	-	43	38	-	5
Abortion .....	4	1	-	-	1	-	3	3	-	-
Arson .....	24	2	1	-	1	-	22	19	-	3
Bigamy .....	6	-	-	-	-	-	6	5	-	1
Blackmail and extortion ..	5	2	1	-	1	-	3	2	-	1
Escape and jail break ..	5	-	-	-	-	-	5	5	-	-
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	10	6	4	-	2	-	4	4	-	-
Other offenses:										
Minor assault .....	35	7	6	-	1	-	28	27	1	-
Nonsupport or neglect .....	114	20	18	1	-	1	94	91	1	2
Violating liquor laws ....	59	7	5	-	2	-	52	52	-	-
Driving while intoxicated ..	71	7	7	-	-	-	64	61	1	2
Other motor vehicle laws ..	35	6	5	-	1	-	29	29	-	-
Disorderly conduct and vagrancy .....	4	2	2	-	-	-	2	2	-	-
Gambling .....	49	4	3	-	-	1	45	40	1	4
All other offenses .....	55	16	11	-	5	-	39	32	-	7

Of the 1,908 persons charged with major crimes in 1937, it may be seen from table 2 that 1,411, or 74.0 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 236, or 12.4 percent, were charged with doing personal injury through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 1,269, or 89.9 percent, were convicted, and of those charged with crimes against the person, 179, or 75.8 percent, were convicted. A further contrast is shown in that only 4.4 percent of those charged with "property" crimes as against 23.7 percent of those charged with crimes against the person were tried by juries. Robbery, which involves both "person" and "property" was the charge against 80 defendants, of whom 75 were convicted.

From table 3, which shows the type of sentence imposed on those convicted of major offenses, it may be seen that between 1935 and 1937 the percentage sentenced to prisons or jails decreased from 65.2 to 55.9, while the percentage placed on probation or under suspended sentences rose from 31.2 to 40.1 for the same years. The more detailed figures of table 4 show that widely different types of punishment were imposed for offenses of the same general class, but in the interpretation of these data it should be remembered that some classes include offenses of varying degrees of seriousness.

In Minnesota, the Bureau of Criminal Apprehension has cooperated in the collection of these statistics, and, since 1936, has used the more accurate method of individual case reporting.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,676	100.0	1,664	100.0	1,878	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	757	45.2	789	47.4	966	51.4
Probation or suspended sentence .....	672	40.1	573	34.4	585	31.2
Local jails .....	180	10.7	243	14.6	260	13.8
Fine or costs only .....	61	3.6	58	3.5	59	3.1
Juvenile institutions .....	6	0.4	1	0.1	6	0.3
Other sentences .....	-	-	-	-	2	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF MINNESOTA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	2,029	-	770	810	244	199	6	-
Major offenses, total .....	1,676	-	757	672	180	61	6	-
Murder .....	14	-	14	-	-	-	-	-
Manslaughter .....	27	-	18	4	2	3	-	-
Robbery .....	75	-	60	14	1	-	-	-
Aggravated assault .....	63	-	22	28	5	10	-	-
Burglary .....	236	-	115	90	30	-	1	-
Larceny, except auto theft .....	560	-	236	236	66	19	3	-
Auto theft .....	160	-	58	87	6	7	2	-
Embezzlement and fraud .....	34	-	8	14	7	5	-	-
Stolen property .....	20	-	2	12	2	4	-	-
Forgery .....	259	-	85	134	34	6	-	-
Rape .....	75	-	47	21	7	-	-	-
Commercialized vice .....	4	-	3	-	-	1	-	-
Other sex offenses .....	94	-	61	21	9	3	-	-
Violating drug laws .....	4	-	2	-	2	-	-	-
Carrying weapons, etc. ....	8	-	3	3	2	-	-	-
Other major offenses .....	43	-	26	10	6	1	-	-
Abortion .....	3	-	1	2	-	-	-	-
Arson .....	22	-	16	6	-	-	-	-
Bigamy .....	6	-	6	-	-	-	-	-
Blackmail and extortion .....	3	-	1	-	2	-	-	-
Escape and jail break .....	5	-	1	-	3	1	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Perjury .....	4	-	1	2	1	-	-	-
Other offenses:								
Minor assault .....	28	-	-	16	10	2	-	-
Nonsupport or neglect .....	94	-	12	78	4	-	-	-
Violating liquor laws .....	52	-	-	5	7	40	-	-
Driving while intoxicated .....	64	-	-	16	22	26	-	-
Other motor vehicle laws .....	29	-	-	5	13	11	-	-
Disorderly conduct and vagrancy .....	2	-	-	-	2	-	-	-
Gambling .....	45	-	-	3	1	41	-	-
All other offenses .....	39	-	1	15	5	18	-	-

JUDICIAL CRIMINAL STATISTICS: 1937

MONTANA

In 1937, 77.1 percent of the defendants charged with major offenses in the District Courts of Montana were convicted, a notable increase from the 70.5 percent convicted in 1936, and the 71.0 percent convicted in 1935. Changes in the proportions of pleas of guilty and of dismissals were the chief factors in these year-to-year differences. The proportion of cases tried by juries increased from 11.0 percent in 1936 to 16.6 per-

cent in 1937, while the proportion of cases tried by the courts after waiver of jury decreased for these same years from 1.8 percent to 0.7 percent.

These data, shown in table 1, are, like those following, from reports of all courts for 1935, and, on the basis of the 1930 population, from courts covering 98.8 percent and 95.8 percent of the State, respectively, in 1936 and 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	586	100.0	563	100.0	596	100.0
Eliminated without conviction ...	134	22.9	166	29.5	173	29.0
Dismissed .....	100	17.1	131	23.3	125	21.0
Jury waived, acquitted by court	-	-	-	-	4	0.7
Acquitted by jury .....	29	4.8	22	3.9	31	5.2
Other no-penalty dispositions ..	6	1.0	13	2.3	13	2.2
Convicted .....	452	77.1	397	70.5	423	71.0
Plea of guilty .....	379	64.7	347	61.6	370	62.1
Court finds guilty .....	4	0.7	10	1.8	10	1.7
Jury verdict guilty .....	69	11.8	40	7.1	43	7.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF MONTANA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	797	228	182	1	35	10	569	471	11	87
Major offenses, total ..	586	134	100	-	28	6	452	379	4	69
Murder .....	18	6	1	-	4	1	12	4	-	8
Manslaughter .....	15	8	4	-	3	-	7	3	-	4
Robbery .....	40	7	4	-	3	-	33	26	-	7
Aggravated assault .....	42	21	18	-	3	-	21	10	-	11
Burglary .....	139	20	18	-	2	-	119	104	3	12
Larceny, except auto theft	130	27	23	-	4	-	103	93	-	10
auto theft .....	29	3	3	-	-	-	25	24	-	1
Embezzlement and fraud ...	13	5	2	-	2	1	8	6	-	2
Stolen property .....	11	1	-	-	1	-	10	9	-	1
Forgery .....	54	2	2	-	-	-	52	49	1	3
Rape .....	45	23	17	-	4	2	22	16	-	6
Commercialized vice .....	1	1	1	-	-	-	-	-	-	1
Other sex offenses .....	10	3	2	-	-	1	7	6	-	1
Violating drug laws .....	11	3	3	-	-	-	8	7	-	1
Carrying weapons, etc. ....	9	-	-	-	-	-	9	7	-	2
Other major offenses .....	20	4	2	-	-	-	16	16	-	-
Abortion .....	-	-	-	-	-	-	-	-	-	-
Arson .....	7	1	1	-	-	-	6	6	-	-
Eigamy .....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	8	-	-	-	-	-	8	8	-	-
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	3	3	1	-	2	-	-	-	-	-
Other offenses:										
Minor assault .....	18	9	9	-	-	-	9	4	2	3
Non-support or neglect ....	8	3	3	-	-	-	5	5	-	-
Violating liquor laws ....	31	16	15	-	1	-	15	14	-	1
Driving while intoxicated ..	11	3	3	-	-	-	8	2	-	6
Other motor vehicle laws ..	20	6	5	1	-	-	14	12	-	2
Disorderly conduct and vagrancy .....	2	2	2	-	-	-	-	-	-	-
Gambling .....	69	36	32	-	2	2	32	29	2	2
All other offenses .....	53	19	13	-	4	2	34	27	3	4

More detailed figures on the work of these courts in 1937, which are shown in table 2, reveal that 586, or 73.5 percent, of the defendants were charged with major offenses. Of these, 375, or 64.0 percent, were charged with crimes involving the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 120, or 20.5 percent, were charged with having done personal injury through murder, manslaughter, assault, or rape. Of those charged with major "property" crimes, 317, or 84.5 percent, were convicted, while of those charged with crimes against the person, 62, or 51.7 percent, were convicted. Robbery, which involves both "property" and "person", was the charge against 40 defendants, and of these, 33 were convicted. Of the defendants charged with "property" crimes, 38, or 10.1 percent, were tried by juries,

while of those charged with crimes against the person, 43, or 35.3 percent, were tried by juries.

Table 3, which shows the types of sentences imposed on those convicted of major crimes in 1935, 1936, and 1937, reveals that in each of these years more than 70 percent of those convicted have been sentenced to prisons or reformatories, although the percentage placed on probation increased from 15.0 in 1936 to 19.9 in 1937.

Table 4 shows by offense the types of sentences imposed during 1937. Of the 62 persons sentenced for major crimes against the "person", 12, or 19.4 percent, were placed on probation or given suspended sentences, while of the 317 persons sentenced for major "property" crimes, 65, or 20.5 percent, received such sentences.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	452	100.0	387	100.0	422	100.0
Death .....	-	-	-	-	2	0.5
Prison or reformatory .....	338	74.8	296	76.5	303	71.8
Probation or suspended sentence .....	90	19.9	58	15.0	79	18.7
Local jails .....	15	3.3	13	3.4	27	6.4
Fine or costs only .....	4	0.9	6	1.6	2	0.5
Juvenile institutions .....	5	1.1	14	3.6	9	2.1
Other sentences .....	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF MONTANA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prison or reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	569	-	346	101	39	74	9	-
Major offenses, total .....	452	-	338	90	15	4	5	-
Murder .....	12	-	12	-	-	-	-	-
Manslaughter .....	7	-	4	3	-	-	-	-
Robbery .....	33	-	25	8	-	-	-	-
Aggravated assault .....	21	-	18	3	-	-	-	-
Burglary .....	119	-	87	32	-	-	-	-
Larceny, except auto theft .....	103	-	81	16	4	2	-	-
Auto theft .....	25	-	16	7	1	-	2	-
Embezzlement and fraud .....	8	-	7	1	-	-	-	-
Stolen property .....	10	-	4	3	3	-	-	-
Forgery .....	52	-	45	7	-	-	-	-
Rape .....	22	-	13	6	-	-	3	-
Commercialized vice .....	-	-	-	-	-	-	-	-
Other sex offenses .....	7	-	7	-	-	-	-	-
Violating drug laws .....	8	-	3	-	5	-	-	-
Carrying weapons, etc. ....	9	-	4	2	2	1	-	-
Other major offenses .....	16	-	12	3	-	1	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	6	-	3	2	-	1	-	-
Bigamy .....	2	-	2	-	-	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	3	-	1	-	-	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	9	-	1	1	2	5	-	-
Nonsupport or neglect .....	5	-	2	3	-	-	-	-
Violating liquor laws .....	15	-	-	-	3	12	-	-
Driving while intoxicated .....	8	-	-	-	4	4	-	-
Other motor vehicle laws .....	14	-	1	2	7	4	-	-
Disorderly conduct and vagrancy .....	-	-	-	-	-	-	-	-
Gambling .....	32	-	-	-	3	29	-	-
All other offenses .....	34	-	4	5	5	16	4	-



DEPARTMENT OF COMMERCE  
Bureau of the Census  
Washington

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JUDICIAL CRIMINAL STATISTICS: 1937

NEBRASKA

Page 1

Reports from the District Courts of Nebraska for 1935, 1936, and 1937 show, for major criminal charges, a steady increase in the proportions of defendants who entered pleas of guilty. This change is reflected in the increase in the percentages of convictions on such charges from 61.4 in 1935 to 84.6 in 1937. It is evident that, with from 64.4 to 76.2 percent pleading guilty during these years, the proportions disposed of by trial

methods are relatively limited. Actually, 91.9 percent were tried in 1935, 14.5 percent in 1936, and 12.9 percent in 1937.

These figures are from reports to the Census Bureau from all courts in 1935, and, in 1936 and 1937, respectively, on the basis of the 1930 population, from courts covering 98.3 percent and 97.8 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,034	100.0	1,098	100.0	1,311	100.0
Eliminated without conviction ...	159	15.4	190	17.3	244	18.6
Dismissed .....	110	10.6	147	13.4	166	12.7
Jury waived, acquitted by court	8	0.8	8	0.7	7	0.5
Acquitted by jury .....	38	3.7	30	2.7	58	4.4
Other no-penalty dispositions ..	3	0.3	5	0.5	13	1.0
Convicted .....	875	84.6	908	82.7	1,067	81.4
Plea of guilty .....	788	76.2	787	71.7	844	64.4
Court finds guilty .....	40	3.9	61	5.6	150	11.4
Jury verdict guilty .....	47	4.5	60	5.5	73	5.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NEBRASKA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	1,275	259	185	8	44	22	1,016	895	64	57
Major offenses, total ..	1,034	159	110	8	38	3	875	788	40	47
Murder .....	7	-	-	-	-	-	7	4	1	2
Manslaughter .....	25	13	4	2	7	-	12	5	1	6
Hobbery .....	46	7	4	-	3	-	39	35	2	2
Aggravated assault .....	34	12	7	-	5	-	22	19	-	3
Burglary .....	272	32	24	2	6	-	240	217	11	12
Larceny, except auto theft	180	26	20	1	4	1	154	141	6	7
Auto theft .....	74	7	5	-	2	-	67	65	2	-
Embezzlement and fraud ...	69	17	12	-	4	1	52	45	3	4
Stolen property .....	42	10	4	-	-	-	32	28	3	2
Forgery .....	151	8	4	1	2	1	143	133	8	2
Repe .....	21	5	3	-	2	-	16	15	-	1
Commercialized vice .....	3	-	-	-	-	-	3	3	-	-
Other sex offenses .....	36	9	7	1	1	-	27	24	2	1
Violating drug laws .....	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	18	4	4	-	-	-	14	13	1	-
Other major offenses .....	56	9	6	1	2	-	47	41	-	6
Abortion .....	4	-	-	-	-	-	4	3	-	1
Arson .....	29	6	3	1	2	-	23	22	-	1
Bigamy .....	2	-	-	-	-	-	2	1	-	1
Blackmail and extortion ..	2	2	2	-	-	-	-	-	-	-
Escape and jail break ..	14	-	-	-	-	-	14	12	-	2
Kidnaping .....	1	-	-	-	-	-	1	1	-	-
Ferjury .....	4	1	1	-	-	-	3	2	-	1
Other offenses:										
Minor assault .....	14	5	4	-	1	-	9	7	1	1
Nonsupport or neglect .....	54	38	21	-	-	17	16	14	2	-
Violating liquor laws ...	28	11	11	-	-	-	17	12	3	2
Driving while intoxicated	13	3	2	-	1	-	10	7	1	2
Other motor vehicle laws ..	15	3	2	-	1	-	12	9	2	1
Disorderly conduct and										
Vagrancy .....	10	2	2	-	-	-	8	2	6	-
Gambling .....	11	5	3	-	2	-	6	6	-	-
All other offenses .....	96	33	30	-	1	2	63	50	9	4

More detailed figures for 1937, shown in table 2, reveal that 1,034, or 81.1 percent, of the defendants in that year were charged with major crimes, while the remaining 241, or 18.9 percent, were charged with less serious offenses. Of those charged with major offenses, 768, or 74.2 percent, were charged with the taking of property through some form of burglary, larceny, fraud, forgery, or the receipt of stolen goods, while 87, or 8.4 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Convictions resulted in 668, or 87.3 percent, of the crimes against "property", and in 57, or 65.5 percent, of the crimes against the person. Robbery, involving both "person" and "property", was the charge against 46, or 4.4 percent, of the major offenders, and of these, 39, or 84.8 percent, were convicted.

The types of sentences imposed on defendants convicted of major offenses in 1935, 1936, and 1937, shown in table 3, varied only slightly from year to year, but there were increases in the proportions committed to prisons or reformatories and placed under suspended sentences or probation, and decreases in the proportions committed to local jails or required to pay fines or costs only. While the extent to which Nebraska courts fix punishments on the basis of the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender, is unknown, table 4 shows that a variety of sentences were imposed for offenses of the same general class in 1937. In interpreting these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	875	100.0	907	100.0	1,065	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	559	63.9	553	61.0	640	60.1
Probation or suspended sentence .....	198	22.6	189	20.8	207	19.4
Local jails .....	79	9.0	104	11.5	155	14.6
Fine or costs only .....	27	3.1	40	4.4	38	3.6
Juvenile institutions .....	12	1.4	21	2.3	17	1.6
Other sentences .....	-	-	-	-	8	0.8

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NEBRASKA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	1,016	-	577	241	115	70	13	-
Major offenses, total .....	875	-	559	198	79	27	12	-
Murder .....	7	-	7	-	-	-	-	-
Manslaughter .....	12	-	7	5	-	-	-	-
Robbery .....	39	-	32	6	-	-	1	-
Aggravated assault .....	22	-	18	4	-	-	-	-
Burglary .....	240	-	174	35	28	5	2	-
Larceny, except auto theft .....	154	-	82	42	26	2	2	-
Auto theft .....	67	-	51	10	1	2	3	-
Embezzlement and fraud .....	52	-	24	20	4	3	1	-
Stolen property .....	32	-	14	12	3	2	1	-
Forgery .....	143	-	87	46	-	8	2	-
Rape .....	16	-	14	1	1	-	-	-
Commercialized vice .....	3	-	2	-	1	-	-	-
Other sex offenses .....	27	-	6	7	12	2	-	-
Violating drug laws .....	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	14	-	4	5	1	4	-	-
Other major offenses .....	47	-	37	7	2	1	-	-
Abortion .....	4	-	1	1	2	-	-	-
Arson .....	23	-	18	5	-	-	-	-
Bigamy .....	2	-	1	1	-	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	14	-	14	-	-	-	-	-
Kidnaping .....	1	-	1	-	-	-	-	-
Perjury .....	3	-	2	-	-	1	-	-
Other offenses:								
Minor assault .....	9	-	1	-	4	4	-	-
Noneupport or neglect .....	16	-	4	7	4	1	-	-
Violating liquor laws .....	17	-	-	2	4	11	-	-
Driving while intoxicated .....	10	-	-	4	3	3	-	-
Other motor vehicle laws .....	12	-	-	4	4	4	-	-
Disorderly conduct and vagrancy .....	8	-	1	7	-	-	-	-
Gambling .....	6	-	-	1	-	5	-	-
All other offenses .....	63	-	12	18	17	15	1	-

JUDICIAL CRIMINAL STATISTICS: 1937

NEW HAMPSHIRE

In 1937, the Superior Courts of New Hampshire disposed of the major criminal charges against 422 persons, and, of these, 357, or 84.6 percent, were convicted. Of the persons similarly charged in 1935 and 1936, respectively, 78.1 percent and 83.1 percent were convicted. From table 1, which shows these data, it may also be noted that there was a steady decrease in the proportions of cases dismissed, and an increase from the 1935 proportion

pleading guilty of 71.3 percent to 78.4 percent for 1937.

The more detailed figures on the work of these courts during 1937, which are presented in table 2, reveal that in addition to the 422 defendants charged with major offenses, 130 others, or 23.6 percent of the entire group, were charged with less serious forms of criminal behavior.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	422	100.0	414	100.0	397	100.0
Eliminated without conviction ...	65	15.4	70	16.9	87	21.9
Dismissed .....	49	11.6	54	13.0	75	18.9
Jury waived, acquitted by court	-	-	-	-	-	-
Acquitted by jury .....	6	1.4	9	2.2	4	1.0
Other no-penalty dispositions ..	10	2.4	7	1.7	8	2.0
Convicted .....	357	84.6	344	83.1	310	78.1
Plea of guilty .....	331	78.4	286	69.1	283	71.3
Court finds guilty .....	3	0.7	45	10.9	13	3.3
Jury verdict guilty .....	23	5.5	13	3.1	14	3.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF NEW HAMPSHIRE, BY OFFENSE: 1937

OFFENSE	Total defendant disposed of	DISPOSED OF WITHOUT CONVICTION				CONVICTED				
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	552	131	113	1	7	10	421	387	3	31
Major offenses, total ..	422	65	49	-	6	10	357	331	3	23
Murder .....	3	1	-	-	1	-	2	1	-	1
Manlaughter .....	9	3	1	-	-	2	6	5	-	1
Robbery .....	9	1	1	-	-	-	8	7	-	1
Aggravated assault .....	6	-	-	-	-	-	6	5	-	1
Burglery .....	91	14	11	-	2	1	77	73	-	4
Larceny, except auto theft	126	14	11	-	-	3	112	108	-	4
Auto theft .....	15	4	3	-	-	1	11	11	-	2
Embezzlement and fraud ...	38	11	9	-	-	2	27	23	2	2
Stolen property .....	1	-	-	-	-	-	1	1	-	-
Forgery .....	18	1	1	-	-	-	17	17	-	-
Rape .....	51	10	6	-	3	1	41	36	-	5
Commercialized vice .....	3	1	1	-	-	-	2	1	-	1
Other sex offenses .....	54	2	2	-	-	-	32	32	-	-
Violating drug laws .....	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	-	-	-	-	-	-	-	-	-	-
Other major offenses .....	18	3	3	-	-	-	15	11	1	3
Abortion .....	3	-	-	-	-	-	3	3	-	-
Arson .....	10	3	3	-	-	-	7	4	-	3
Bigamy .....	3	-	-	-	-	-	3	2	1	-
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	2	-	-	-	-	-	2	2	-	-
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault .....	10	3	2	-	1	-	7	6	-	1
Nonsupport or neglect ....	57	45	45	-	-	-	12	12	-	-
Violating liquor laws ....	3	2	2	-	-	-	1	1	-	-
Driving while intoxicated	5	1	1	-	-	-	4	4	-	-
Other motor vehicle laws .	32	8	7	1	-	-	24	20	-	4
Disorderly conduct and vagrancy .....	-	-	-	-	-	-	-	-	-	-
Gambling .....	-	-	-	-	-	-	-	-	-	-
All other offenses .....	23	7	7	-	-	-	16	13	-	3

Of the major offense charges disposed of in 1937, 289, or 68.5 percent, involved the taking or conversion of property through some form of burglary, theft, forgery, or the receipt of stolen goods, while 69, or 16.4 percent, involved the doing of personal injury by murder, manslaughter, assault or rape. Of those charged with offenses against property, 245, or 84.8 percent, were convicted, and of those charged with offenses against the person, 55, or 79.7 percent, were convicted. Robbery, which involves both "person" and "property", was charged against 9 persons, of whom 8 were convicted.

Table 3, which presents the types of sentences imposed on those convicted of major offenses in each of the three years of 1935, 1936, and 1937, shows a slight but steady increase in the propor-

tion of prison sentences imposed, a marked decrease in the use of probation or suspended sentences, and that the only death penalty of the period was assessed in 1937. While the extent to which the courts of New Hampshire choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The collection of statistics on the functioning of State criminal courts was begun by the Census Bureau in 1932, and is made possible by the voluntary cooperation of the clerks of court.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	357	100.0	344	100.0	310	100.0
Death .....	1	0.3	-	-	-	-
Prison or reformatory .....	113	31.7	106	30.8	92	29.7
Probation or suspended sentence .....	140	39.2	147	42.7	142	45.8
Local jails .....	83	23.2	81	23.5	62	20.0
Fine or costs only .....	15	4.2	8	2.3	11	3.5
Juvenile institutions .....	4	1.1	2	0.6	3	1.0
Other sentences .....	1	0.3	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF NEW HAMPSHIRE, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	421	1	118	163	102	32	4	1
Major offenses, total .....	357	1	113	140	83	15	4	1
Murder .....	2	1	1	-	-	-	-	-
Manslaughter .....	6	-	3	2	1	-	-	-
Robbery .....	8	-	7	1	-	-	-	-
Aggravated assault .....	6	-	2	-	-	4	-	-
Burglary .....	77	-	24	50	-	1	1	1
Larceny, except auto theft .....	112	-	18	33	57	3	1	-
Auto theft .....	11	-	1	7	3	-	-	-
Embezzlement and fraud .....	27	-	11	14	2	-	-	-
Stolen property .....	1	-	-	-	-	-	-	-
Forgery .....	17	-	5	4	5	3	-	-
Rape .....	41	-	26	8	5	-	2	-
Commercialized vice .....	2	-	1	-	-	1	-	-
Other sex offenses .....	32	-	5	18	7	2	-	-
Violating drug laws .....	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	-	-	-	-	-	-	-	-
Other major offenses .....	15	-	8	3	3	1	-	-
Abortion .....	3	-	1	1	2	-	-	-
Arson .....	7	-	6	1	-	-	-	-
Bigamy .....	3	-	1	1	1	1	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	2	-	2	-	-	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Ferjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	7	-	-	1	6	-	-	-
Nonsupport or neglect .....	12	-	-	11	1	-	-	-
Violating liquor laws .....	1	-	-	-	-	1	-	-
Driving while intoxicated .....	4	-	-	-	-	4	-	-
Other motor vehicle laws .....	24	-	3	4	7	10	-	-
Disorderly conduct and vagrancy .....	-	-	-	-	-	-	-	-
Gambling .....	-	-	-	-	-	-	-	-
All other offenses .....	16	-	2	7	5	2	-	-

DEPARTMENT OF COMMERCE  
Bureau of the Census  
Washington

JUDICIAL CRIMINAL STATISTICS: 1937

NEW JERSEY

In 1937, 79.7 percent of the defendants charged with major offenses in the trial courts of New Jersey were convicted, a notable increase from the 75.1 percent convicted in 1936, and the 70.0 percent convicted in 1935. Changes in the proportion of pleas of guilty and in the proportion of dismissals and other non-penalty dispositions were the chief factors in these year-to-year differences, for the proportions tried by courts and juries re-

mained approximately the same in each of the three years.

These data, shown in table 1, are, like those following, from reports voluntarily furnished the Bureau of the Census by the clerks of the various courts and include all courts for 1935 and 1936, and for 1937, courts which, on the basis of the 1930 population, covered 90.8 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	5,260	100.0	5,836	100.0	6,590	100.0
Eliminated without conviction ....	1,068	20.3	1,455	24.9	1,976	30.0
Dismissed .....	584	11.1	844	14.5	1,040	15.8
Jury waived, acquitted by court .....	218	4.1	259	5.0	261	4.0
Acquitted by jury .....	229	4.4	272	4.7	266	4.0
Other non-penalty dispositions ..	37	0.7	50	0.9	409	6.2
Convicted .....	4,192	79.7	4,381	75.1	4,614	70.0
Plea of guilty .....	3,628	69.0	3,640	62.4	3,832	58.1
Court finds guilty .....	310	5.9	414	7.1	376	5.7
Jury verdict guilty .....	254	4.8	327	5.6	406	6.2

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF NEW JERSEY, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	8,030	1,806	1,096	344	318	48	6,224	5,221	510	493
Major offenses, total ..	5,260	1,068	584	218	229	37	4,192	3,628	310	254
Murder .....	40	8	3	-	5	-	32	17	-	15
Manslaughter .....	142	71	37	9	23	2	71	54	3	14
Robbery .....	332	56	27	12	17	-	276	221	12	43
Aggravated assault .....	606	227	91	69	57	10	379	266	77	36
Burglary .....	1,088	86	61	9	15	1	1,002	941	42	19
Larceny, except auto theft ..	949	199	66	26	26	11	820	738	53	29
Auto theft .....	258	16	11	2	2	1	242	235	7	-
Embezzlement and fraud ....	376	129	92	20	14	3	246	220	16	10
Stolen property .....	168	57	25	20	11	3	111	96	10	5
Forgery .....	189	41	39	1	1	1	148	145	2	1
Rape .....	138	40	17	10	13	-	98	64	14	20
Commercialized vice .....	147	32	17	6	9	-	115	72	34	9
Other sex offenses .....	516	107	62	18	23	4	409	355	13	41
Violating drug laws .....	20	3	3	-	-	-	17	15	1	1
Carrying weapons, etc. ....	175	34	16	14	4	-	141	120	17	4
Other major offenses .....	117	32	20	2	9	1	85	69	9	7
Abortion .....	12	6	5	-	1	-	6	5	-	1
Arson .....	23	7	-	-	6	1	16	7	6	3
Bigamy .....	13	3	3	-	-	-	10	8	1	1
Blackmail and extortion .....	13	3	-	1	2	-	10	9	-	1
Escape and jail break .....	36	2	2	-	-	-	34	32	2	-
Kidnaping .....	4	3	3	-	-	-	1	1	-	-
Perjury .....	16	8	7	1	-	-	8	7	-	1
Other offenses:										
Minor assault .....	410	114	52	40	17	5	296	231	51	14
Non-support or neglect ....	549	183	159	17	5	2	366	316	44	6
Violating liquor laws .....	781	173	119	32	21	1	608	535	55	18
Driving while intoxicated ..	63	19	1	18	-	-	44	17	27	-
Other motor vehicle laws .	21	7	1	6	-	-	14	7	7	-
Disorderly conduct and vagrancy .....	291	9	9	-	-	-	282	111	-	171
Gambling .....	173	39	24	8	7	-	134	125	2	7
All other offenses .....	482	194	147	5	39	3	288	251	14	23

More detailed figures, presented in table 2, show the type of disposition according to the offense charged for both major and minor crimes. Of those charged with major offenses, 3,027, or 57.5 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 976, or 17.6 percent, were charged with crimes involving injury to the person, that is, either murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 2,569, or 84.9 percent, were convicted, and of those charged with crimes against the person, 580, or 62.6 percent, were convicted. It is interesting to note that 133, or 4.4 percent, of those charged with major property crimes were tried by juries, while 193, or 19.8 percent, of those charged with crimes against the person were tried by juries.

The types of sentences imposed on those convicted of major crimes in 1935, 1936, and 1937 are shown in table 3, and from these it may be seen that while probation or suspended sentences were granted in fewer instances in 1937 than in either of the former years, a larger proportion of the defendants were sentenced to prisons or reformatories. From the more detailed figures for 1937, which are presented in table 4, it may be seen that, of those convicted of "property" crimes, 824, or 32.1 percent were sentenced to prisons or reformatories, and 1,100, or 42.8 percent, were placed on probation or granted suspended sentences, while of those convicted of crimes against the person, 183, or 31.6 percent, were sentenced to prisons or reformatories, and only 170, or 29.3 percent, were granted probation or suspended sentences.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	4,192	100.0	4,352	100.0	4,534	100.0
Death .....	4	0.1	4	0.1	5	0.1
Prison or reformatory .....	1,425	34.0	1,524	35.0	1,447	31.9
Probation or suspended sentence .....	1,563	37.3	1,874	43.1	1,936	41.6
Local jails .....	920	21.9	767	17.6	903	19.9
Fine or costs only .....	190	4.5	126	2.9	225	5.0
Juvenile institutions .....	75	1.8	55	1.3	58	1.3
Other sentences .....	15	0.4	2	-	10	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF NEW JERSEY, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	6,224	4	1,555	2,422	1,371	758	90	24
Major offenses, total .....	4,192	4	1,425	1,563	920	190	75	15
Murder .....	32	4	28	-	-	-	-	-
Manslaughter .....	71	-	27	13	25	5	-	1
Robbery .....	276	-	153	62	47	5	3	1
Aggravated assault .....	379	-	81	137	143	15	3	-
Burglary .....	1,002	-	423	380	156	15	26	2
Larceny, except auto theft .....	820	-	221	351	192	23	31	2
Auto theft .....	242	-	87	111	38	2	3	1
Embezzlement and fraud .....	246	-	40	133	56	17	-	-
Stolen property .....	111	-	19	55	19	18	-	-
Forgery .....	148	-	34	70	39	5	-	-
Rape .....	98	-	47	20	15	13	3	-
Commercialized vice .....	115	-	39	18	26	29	2	1
Other sex offenses .....	409	-	126	153	92	35	2	1
Violating drug laws .....	17	-	4	2	11	-	-	-
Carrying weapons, etc. ....	141	-	34	45	59	7	2	1
Other major offenses .....	85	-	57	13	9	1	-	5
Abortion .....	6	-	4	1	1	-	-	-
Arson .....	16	-	8	7	1	-	-	-
Bigamy .....	10	-	8	1	1	-	-	-
Bleedmail and extortion .....	10	-	9	1	-	-	-	-
Escape and jail break .....	34	-	29	-	5	-	-	-
Kidnaping .....	1	-	1	-	-	-	-	-
Ferjury .....	9	-	1	-	1	1	-	5
Other offenses:								
Minor assault .....	296	-	37	140	75	42	1	1
Nonsupport or neglect .....	356	-	17	243	30	70	1	5
Violating liquor laws .....	608	-	29	221	168	154	4	2
Driving while intoxicated .....	44	-	3	-	9	35	-	-
Other motor vehicle laws .....	14	-	-	4	5	-	-	-
Disorderly conduct and vagrancy .....	282	-	3	61	87	136	-	-
Gambling .....	134	-	4	32	22	76	-	-
All other offenses .....	299	-	40	158	60	20	9	1

JUDICIAL CRIMINAL STATISTICS: 1937

NEW MEXICO

During 1937, 75.5 percent of the defendants charged with major criminal offenses in the District Courts of New Mexico were convicted, a remarkable increase from the 63.2 percent convicted in 1936, and the 59.4 percent convicted in 1935. A rise in the proportion of pleas of guilty, and a decrease in the number of cases dismissed were the chief factors in these year-to-year changes evident in the figures presented in table 1, below.

Table 1, like those following, is based upon reports from courts, which, on the basis of the 1930 population, covered 97.7 percent of the State in 1937, 92.1 percent in 1936, and 87.2 percent in 1935. The Attorney General and the Clerks of the Courts cooperated in providing these reports.

More detailed figures on the work of these courts during 1937 are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	838	100.0	867	100.0	944	100.0
Eliminated without conviction ....	205	24.5	319	36.8	383	40.6
Dismissed .....	143	17.1	266	30.7	302	32.0
Jury waived, acquitted by court ..	-	-	11	1.3	1	0.1
Acquitted by jury .....	57	6.8	36	4.2	54	5.7
Other no-penalty dispositions ..	5	0.6	6	0.7	26	2.8
Convicted .....	633	75.5	548	63.2	561	59.4
Plea of guilty .....	528	63.0	461	53.2	464	49.2
Court finds guilty .....	19	2.3	8	0.9	6	0.6
Jury verdict guilty .....	86	10.3	79	9.1	91	9.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NEW MEXICO, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	1,334	331	256	-	70	5	1,003	863	26	94
Major offenses, total ..	838	205	143	-	57	5	633	528	19	86
Murder .....	43	12	3	-	8	1	31	13	-	18
Manslaughter .....	16	6	3	-	3	-	10	9	-	1
Robbery .....	29	3	2	-	1	-	26	18	-	8
Aggravated assault .....	104	38	24	-	12	2	66	49	-	17
Burglary .....	65	8	7	-	1	-	57	48	2	7
Larceny, except auto theft ..	273	53	42	-	11	-	220	183	12	25
Auto theft .....	27	4	5	-	1	-	23	22	-	1
Embezzlement and fraud ...	81	21	14	-	7	-	60	59	-	1
Stolen property .....	33	13	7	-	4	2	20	18	-	2
Forgery .....	65	9	9	-	-	-	56	52	4	-
Repe .....	42	18	13	-	5	-	24	20	-	4
Commercialized vice .....	2	-	-	-	-	-	2	2	-	-
Other sex offenses .....	9	5	5	-	-	-	4	4	-	-
Violating drug laws .....	18	6	4	-	2	-	12	11	-	1
Carrying weapons, etc. ...	20	5	4	-	1	-	15	15	-	-
Other major offenses .....	11	4	3	-	1	-	7	5	1	1
Abortion .....	-	-	-	-	-	-	-	-	-	-
Arson .....	2	2	1	-	1	-	-	-	-	-
Bigamy .....	4	1	1	-	-	-	3	2	1	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	1	-	-	-	-	-	1	1	-	-
Kidnaping .....	1	-	-	-	-	-	1	-	-	1
Perjury .....	3	1	1	-	-	-	2	2	-	-
Other offenses:										
Minor assault .....	51	17	16	-	1	-	34	31	1	2
Noneupport or neglect ...	8	6	6	-	-	-	2	1	-	1
Violating liquor laws .....	32	11	8	-	3	-	21	20	1	-
Driving while intoxicated ..	174	30	27	-	3	-	144	142	1	1
Other motor vehicle laws .	56	15	14	-	1	-	41	38	2	1
Disorderly conduct and vagrancy .....	9	4	4	-	-	-	5	5	-	-
Gambling .....	61	9	8	-	1	-	52	52	-	-
All other offenses .....	105	34	30	-	4	-	71	66	2	3

Of the major offenses charged in 1937, 544, or 64.9 percent, involved the taking of property through some form of burglary, larceny, fraud, or the receipt of stolen goods, while 205, or 24.5 percent, involved the doing of personal injury by murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 436, or 80.1 percent, were convicted, and of those charged with crimes against the person, 131, or 63.9 percent, were convicted. Robbery, which involves both "property" and "person" was the charge against 29 defendants, of whom 26 were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major crimes in 1937, 1936, and 1935, reveals that in 1937, a larger proportion of the convicted defendants were sentenced to prisons or reformatories, and a smaller

proportion were granted probation than in either of the two earlier years. However, these changes were offset to some degree by the decrease in commitments to local jails.

While the extent to which the Courts of New Mexico fix punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the defendant is unknown, table 4 shows a variety of sentences imposed in 1937 for offenses of the same general class. In the interpretation of these figures, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The Census Bureau has collected such statistics on State criminal courts since 1932.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	633	100.0	547	100.0	557	100.0
Death .....	3	0.5	1	0.2	-	-
Prison or reformatory .....	404	63.8	324	59.2	336	60.3
Probation or suspended sentence	154	24.3	150	27.4	140	25.1
Local jails .....	58	9.0	48	8.8	43	7.7
Fine or costs only .....	29	4.6	16	2.9	24	4.3
Juvenile institutions .....	5	0.8	4	0.7	14	2.5
Other sentences .....	-	-	4	0.7	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NEW MEXICO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	1,003	3	426	237	190	137	8	2
Major offenses, total .....	633	3	404	154	38	29	5	-
Murder .....	31	3	28	-	-	-	-	-
Manslaughter .....	10	-	8	2	-	-	-	-
Robbery .....	26	-	23	3	-	-	-	-
Aggravated assault .....	66	-	37	19	1	9	-	-
Burglary .....	57	-	49	8	-	-	-	-
Larceny, except auto theft .....	220	-	129	60	21	6	4	-
Auto theft .....	23	-	13	7	2	1	-	-
Embezzlement and fraud .....	60	-	36	17	4	3	-	-
Stolen property .....	20	-	8	6	2	4	-	-
Forgery .....	56	-	37	14	4	-	1	-
Rape .....	24	-	20	4	-	-	-	-
Commercialized vice .....	4	-	2	1	-	-	-	-
Other sex offenses .....	12	-	9	3	-	-	-	-
Violating drug laws .....	12	-	2	4	3	6	-	-
Carrying weapons, etc. ....	15	-	3	4	-	-	-	-
Other major offenses .....	7	-	-	-	-	-	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	-	-	-	-	-	-	-	-
Bigamy .....	3	-	2	1	-	-	-	-
Bribe and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	1	-	-	1	-	-	-	-
Kidnaping .....	1	-	-	1	-	-	-	-
Ferjury .....	2	-	1	1	-	-	-	-
Other offenses:								
Minor assault .....	34	-	2	9	11	12	-	-
Nonsupport or neglect .....	2	-	2	-	-	-	-	-
Violating liquor laws .....	21	-	1	4	5	11	-	-
Driving while intoxicated .....	144	-	4	24	77	37	-	2
Other motor vehicle laws .....	41	-	3	2	21	15	-	-
Disorderly conduct and vagrancy .....	5	-	2	2	3	-	-	-
Gambling .....	52	-	-	22	12	18	-	-
All other offenses .....	71	-	10	20	23	15	3	-



JUDICIAL CRIMINAL STATISTICS: 1937

NEW YORK

The trial courts of the State of New York disposed of the criminal charges against 11,695 defendants during the calendar year 1937 according to figures furnished the Bureau of the Census by the State Department of Correction. Of this number, 10,316 were charged with what the Census Bureau has defined as major offenses, while the remaining 1,379, constituting 11.8 percent of the dispositions, were charged with less serious criminal offenses.

The summary of the work of these courts in disposing of defendants charged with major offenses, presented in table 1 below, shows that 75.2 percent were convicted and 24.8 percent dismissed or acquitted. It may come as a surprise to the layman to discover that only 17 percent of the major charges were heard by juries, while 66.9 percent were disposed of by convictions on pleas of guilty.

A more detailed analysis of dispositions, shown in table 2, reveals that 5,047, or 58.8 percent, of the major offenders were defendants in charges involving the taking, receipt, or conversion of property through burglary, larceny, theft, forgery, or receiving stolen goods, while 1,828, or 17.7 percent, were charged with offenses involving

bodily harm through murder, manslaughter, aggravated assault or rape. Convictions were secured in 81.5 percent of the "property" crimes and in 65.5 percent of the crimes against "person". Robbery, the most common of the offenses which involve both "person" and "property", was the charge against 995, or 9.6 percent, of the major offenders, of whom 694, or 69.7 percent, were convicted.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES: 1937

Disposition	Number	Percent
Defendants disposed of .....	10,316	100.0
Eliminated without conviction ..	2,556	24.8
Dismissed .....	1,659	16.1
Jury waived, acquitted by court ..	-	-
Acquitted by jury .....	897	8.7
Other no-penalty dispositions ..	-	-
Convicted .....	7,760	75.2
Plea of guilty .....	6,904	66.9
Court finds guilty .....	-	-
Jury verdict guilty .....	856	8.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF NEW YORK, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	11,695	2,761	1,823	-	938	-	8,934	7,968	-	966
Major offenses, total ..	10,316	2,556	1,659	-	897	-	7,760	6,904	-	856
Murder .....	141	64	38	-	26	-	77	42	-	35
Manslaughter .....	251	91	42	-	49	-	160	102	-	58
Robbery .....	995	301	159	-	142	-	694	556	-	138
Aggravated assault .....	998	356	158	-	176	-	662	553	-	109
Burglary .....	2,207	293	204	-	89	-	1,914	1,958	-	158
Larceny, except auto theft ..	2,601	473	350	-	123	-	2,128	1,996	-	132
Auto theft .....	544	88	59	-	30	-	456	439	-	17
Embezzlement and fraud ..	158	82	76	-	6	-	76	74	-	2
Stolen property .....	202	96	66	-	30	-	106	80	-	26
Forgery .....	335	84	68	-	16	-	251	236	-	15
Rape .....	438	139	76	-	63	-	299	256	-	43
Commercialized vice .....	32	14	11	-	3	-	18	13	-	5
Other sex offenses .....	351	109	60	-	49	-	242	205	-	37
Violating drug laws .....	35	1	1	-	-	-	34	31	-	3
Carrying weapons, etc. ....	437	93	75	-	18	-	344	314	-	30
Other major offenses .....	591	292	217	-	75	-	299	255	-	44
Abortion .....	(*)	-	-	-	-	-	-	-	-	-
Arcan .....	86	25	19	-	6	-	61	56	-	5
Bigamy .....	(*)	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	(*)	-	-	-	-	-	-	-	-	-
Escape and jail break ..	(*)	-	-	-	-	-	-	-	-	-
Kidnaping .....	(*)	-	-	-	-	-	-	-	-	-
Perjury .....	(*)	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault .....	484	1	1	-	-	-	483	421	-	62
Nonsupport or neglect ....	302	79	69	-	10	-	223	215	-	8
Violating liquor laws ....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated ..	101	13	2	-	11	-	88	73	-	15
Other motor vehicle laws ..	6	-	-	-	-	-	8	8	-	-
Disorderly conduct and vagrancy .....	25	-	-	-	-	-	25	25	-	-
Gambling .....	20	-	-	-	-	-	20	19	-	1
All other offenses .....	439	112	92	-	20	-	327	303	-	24

\*Not returned separately. Offenses reported as "other felonies" included in other major offenses.

The most frequent type of punishment or correctional treatment of those convicted of major offenses is incarceration for, as is shown in table 3, 66.9 percent were committed to jails, prisons, or reformatories, while 31.8 percent were given probation or suspended sentences.

The types of sentences imposed for convictions in the same general class of offenses, shown in table 4, reveals the breadth of judicial discretion employed, but in the interpretation of this information it should be remembered that the various degrees and subdivisions of these offenses are not shown.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES: 1937

Type of sentence	Number	Percent
Defendants sentenced .....	7,760	100.0
Death .....	18	0.2
Prison or reformatory .....	3,317	42.7
Probation or suspended sentence ..	2,465	31.8
Local jails .....	1,877	24.2
Fine or costs only .....	40	0.5
Juvenile institutions .....	-	-
Other sentences .....	43	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF NEW YORK: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	8,934	18	3,391	3,037	2,361	80	-	47
Major offenses, total .....	7,760	18	3,317	2,465	1,877	40	-	43
Murder .....	77	18	59	-	-	-	-	1
Manslaughter .....	160	-	132	16	10	-	-	2
Robbery .....	694	-	615	30	43	-	-	6
Aggravated assault .....	662	-	378	117	158	9	-	-
Burglary .....	1,914	-	694	702	500	5	-	13
Larceny, except auto theft .....	2,128	-	541	829	741	7	-	10
Auto theft .....	456	-	135	226	93	-	-	2
Embezzlement and fraud .....	76	-	26	44	6	-	-	-
Stolen property .....	106	-	37	45	16	8	-	-
Forgery .....	251	-	101	106	44	-	-	-
Rape .....	299	-	188	90	38	1	-	2
Commercialized vice .....	18	-	9	5	4	-	-	-
Other sex offenses .....	242	-	142	59	38	2	-	1
Violating drug laws .....	54	-	6	3	25	-	-	-
Carrying weapons, etc. ....	344	-	147	78	114	4	-	1
Other major offenses .....	299	-	128	115	47	4	-	5
Abortion .....	(*)	-	-	-	-	-	-	-
Arson .....	61	-	27	32	1	-	-	1
Bigamy .....	(*)	-	-	-	-	-	-	-
Bleekmail and extortion .....	(*)	-	-	-	-	-	-	-
Escape and jail break .....	(*)	-	-	-	-	-	-	-
Kidnaping .....	(*)	-	-	-	-	-	-	-
Perjury .....	(*)	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	483	-	-	202	277	1	-	3
Nonsupport or neglect .....	223	-	36	160	27	-	-	-
Violating liquor laws .....	-	-	-	-	-	-	-	-
Driving while intoxicated .....	88	-	14	17	49	8	-	-
Other motor vehicle laws .....	8	-	1	3	4	-	-	-
Disorderly conduct and vagrancy .....	25	-	-	19	3	3	-	1
Gambling .....	20	-	-	3	8	9	-	-
All other offenses .....	327	-	23	168	116	20	-	-

The collection by the Bureau of the Census of statistics on the functioning of State courts of a general trial nature in criminal cases was begun in 1932 under the authority of an Act of Congress and is made possible by the voluntary cooperation of State reporting agencies. In New York, the cooperating agency is the State Department of Correction, and whatever differences may seem to exist between these tables and reports from that Department for the same period are due to the necessity of reducing figures obtained by them to the less detailed classifications reported by other States.

This collection of judicial criminal statistics, while not embracing all States nor always all areas within the States which do report, re-

veals wide variations in the jurisdiction of the various criminal courts, in definitions and classifications of criminal behavior, in the use of pre-trial dispositions, and in the use of various types of correctional treatment. Many factors account for these variations, including differences in the laws governing each State, in the tradition and practice of each court, in the individuality of each judge and prosecutor, and in community prejudices for or against the enforcement of certain laws. While such differences suggest the need for caution in comparisons between States, even more do they point out the need for developing greater uniformity through comparative studies of the relative merits of the different practices.

JUDICIAL CRIMINAL STATISTICS: 1937

NORTH DAKOTA

The proportion of major criminal charges in the District Courts of North Dakota disposed of by pleas of guilty increased from 70.0 percent in 1935 to 73.9 percent in 1937. Most of the other charges were dismissed, and only a small proportion resulted in trials to determine guilt. Actually, courts and juries tried 8.6 percent of the defendants in 1937, 11.5 percent in 1936, and 8.1 percent in 1935.

Table 1, which shows these data, and tables following are from reports of all courts in 1935, and, on the basis of the 1930 population, from courts covering 77.4 percent of the State in 1936 and 98.6 percent in 1937.

More detailed figures on the work of these courts in 1937 are given in table 2, which shows dispositions for both major and minor offenses.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	536	100.0	330	100.0	504	100.0
Eliminated without conviction ....	109	20.3	59	17.9	116	23.0
Dismissed .....	92	17.2	47	14.2	100	19.8
Jury waived, acquitted by court	-	-	-	-	-	-
Acquitted by jury .....	15	2.8	5	1.5	6	1.2
Other no-penalty dispositions ..	2	0.4	7	2.1	10	2.0
Convicted .....	427	79.7	271	82.1	388	77.0
Plea of guilty .....	396	73.9	238	72.1	353	70.0
Court finds guilty .....	3	0.6	6	1.8	10	2.0
Jury verdict guilty .....	28	5.2	27	8.2	25	5.0

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF NORTH DAKOTA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	995	228	198	3	24	3	767	702	14	51
Major offenses, total ..	536	109	92	-	15	2	427	396	3	28
Murder .....	3	-	-	-	-	-	3	1	-	2
Manslaughter .....	11	5	-	-	-	-	6	2	-	4
Robbery .....	11	3	3	-	-	-	8	6	-	2
Aggravated assault .....	17	4	3	-	1	-	13	11	1	1
Burglary .....	57	7	7	-	-	-	50	46	2	2
Larceny, except auto theft	166	21	17	-	4	-	145	143	-	2
Auto theft .....	36	4	4	-	-	-	32	31	-	1
Embezzlement and fraud ...	50	15	12	-	3	-	35	35	-	-
Stolen property .....	15	5	5	-	-	-	10	8	-	2
Forgery .....	55	8	8	-	-	-	47	44	-	3
Rape .....	35	14	8	-	4	2	21	18	-	3
Commercialized vice .....	22	4	4	-	-	-	18	17	-	1
Other sex offenses .....	35	11	9	-	2	-	24	21	-	3
Violating drug laws .....	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ...	5	-	-	-	-	-	5	5	-	-
Other major offenses .....	18	8	7	-	1	-	10	8	-	2
Abortion .....	-	-	-	-	-	-	-	-	-	-
Areon .....	4	1	-	-	1	-	3	1	-	2
Bigamy .....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion ..	3	2	2	-	-	-	1	1	-	-
Escape and jail break ..	6	3	3	-	-	-	3	3	-	-
Kidnaping .....	1	1	1	-	-	-	-	-	-	-
Perjury .....	2	1	1	-	-	-	1	1	-	-
Other offenses:										
Minor assault .....	27	11	11	-	-	-	16	11	-	5
Noneupport or neglect ....	42	10	10	-	-	-	32	27	2	3
Violating liquor laws ....	52	18	13	3	2	-	34	27	1	6
Driving while intoxicated	147	12	10	-	2	-	135	132	1	2
Other motor vehicle laws .	54	9	8	-	1	-	45	42	1	2
Disorderly conduct and vagrancy .....	17	4	4	-	-	-	13	11	-	2
Gambling .....	11	8	8	-	-	-	3	3	-	-
All other offenses .....	109	47	42	-	4	1	62	53	6	3

In 1937, 536, or 53.9 percent, of the defendants were charged with major crimes, and of these, 379, or 70.7 percent, involved the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 66, or 12.3 percent, involved doing bodily injury through murder, manslaughter, assault, or rape. Of those charged with crimes against "property", 319, or 84.2 percent, were convicted, and of those charged with offenses against the person, 43, or 65.2 percent, were convicted. Robbery, which involves both "person" and "property", was charged against 11 defendants, of whom 8 were convicted.

Comparative data, presented in table 3, on the types of sentences imposed on those convicted of major offenses during 1935, 1936, and 1937 reveal that incarceration was, by far, the most frequent

type of punishment. The percentage sentenced to prisons, reformatories, and jails increased from 72.6 in 1935 to 78.9 in 1937, while the proportion granted suspended sentences or probation decreased from 15.5 percent in 1935 to 12.4 percent in 1937. While the extent to which the courts of North Dakota choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The collection of judicial criminal statistics by the Census Bureau is made possible by the voluntary cooperation of the clerks of the courts.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	427	100.0	275	100.0	387	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	219	51.3	158	57.5	190	49.1
Probation or suspended sentence .....	53	12.4	32	11.6	60	15.5
Local jails .....	118	27.6	55	20.0	91	23.5
Fine or costs only .....	13	3.0	6	2.2	9	2.3
Juvenile institutions .....	24	5.6	24	8.7	28	7.2
Other sentences .....	-	-	-	-	9	2.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF NORTH DAKOTA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	787	-	242	120	290	80	32	3
Major offenses, total .....	427	-	219	53	118	13	24	-
Murder .....	3	-	3	-	-	-	-	-
Manslaughter .....	6	-	-	2	4	-	-	-
Robbery .....	8	-	6	-	-	-	2	-
Aggravated assault .....	13	-	7	2	2	2	-	-
Burglary .....	50	-	38	9	-	-	3	-
Larceny, except auto theft .....	145	-	58	14	55	6	12	-
Auto theft .....	32	-	26	2	3	-	1	-
Embezzlement and fraud .....	35	-	16	4	13	1	-	-
Stolen property .....	10	-	2	3	4	1	-	-
Forgery .....	47	-	24	12	7	2	2	-
Rape .....	21	-	19	-	-	1	1	-
Other sex offenses .....	18	-	1	1	16	-	-	-
Violating drug laws .....	24	-	9	4	9	-	2	-
Carrying weapons, etc. ....	5	-	4	-	1	-	-	-
Other major offenses .....	10	-	6	-	4	-	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	3	-	2	-	1	-	-	-
Bigamy .....	2	-	-	-	-	-	-	-
Election and extortion .....	1	-	1	-	-	-	-	-
Escape and jail break .....	3	-	1	-	2	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Ferjury .....	1	-	-	-	1	-	-	-
Other offenses:								
Minor assault .....	16	-	-	2	13	1	-	-
Non-support or neglect .....	32	-	17	13	2	-	-	-
Violating liquor laws .....	34	-	1	7	21	5	-	-
Driving while intoxicated .....	135	-	-	24	99	12	-	-
Other motor vehicle laws .....	45	-	-	3	16	26	-	-
Disorderly conduct and vagrancy .....	13	-	-	6	3	2	2	-
Gambling .....	3	-	-	-	1	2	-	-
All other offenses .....	62	-	5	12	17	19	6	3

JUDICIAL CRIMINAL STATISTICS: 1937

OHIO

In 1937, 80.8 percent of the defendants charged with major offenses in the Common Pleas Courts of Ohio were convicted, a notable increase from the 73.6 percent convicted in 1936 and the 75.1 percent convicted in 1935. Changes in the proportions of pleas of guilty and of dismissals are the chief factors in these year-to-year differences. Each year between 9 and 10 percent of the defendants were tried by juries, while the proportion

tried by the court after waiver of jury increased from 6.3 percent in 1935 to 7.1 percent in 1937.

These data, shown in table 1, are, like those following, from reports of all courts for 1935, and, on the basis of the 1930 population, reports of courts with jurisdiction over 99.8 percent and 97.5 percent of the State, respectively, for 1936 and 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	6,010	100.0	5,732	100.0	6,591	100.0
Eliminated without conviction ...	1,153	19.2	1,525	26.4	1,643	24.9
Dismissed .....	796	13.2	1,171	20.4	1,239	18.8
Jury waived, acquitted by court	129	2.1	110	1.9	101	1.5
Acquitted by jury .....	158	2.6	139	2.4	192	2.9
Other no-penalty dispositions ..	70	1.2	95	1.7	111	1.7
Convicted .....	4,857	80.8	4,217	73.6	4,948	75.1
Plea of guilty .....	4,152	69.1	3,560	61.9	4,177	63.4
Court finds guilty .....	300	5.0	278	4.8	318	4.8
Jury verdict guilty .....	405	6.7	389	6.8	453	6.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE COMMON PLEAS COURTS OF OHIO, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit-ted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	9,095	1,903	1,470	154	201	78	7,192	6,228	441	523
Major offenses, total ..	6,010	1,153	796	129	158	70	4,857	4,152	300	405
Murder .....	107	45	15	4	22	4	62	15	6	41
Manslaughter .....	233	54	26	7	20	1	179	115	25	39
Robbery .....	689	166	108	31	17	10	523	401	39	63
Aggravated assault .....	312	79	47	18	8	6	233	175	29	29
Burglary .....	1,415	177	137	13	16	11	1,238	1,113	54	71
Larceny, except auto theft	891	117	84	11	14	8	774	685	48	41
Auto theft .....	625	91	62	2	9	18	535	502	15	18
Embezzlement and fraud ...	344	121	106	7	8	-	223	202	10	11
Stolen property .....	147	25	15	8	2	-	122	104	7	11
Forgery .....	474	72	66	1	2	3	402	384	10	8
Repe .....	231	76	44	12	17	3	155	104	21	30
Commercialized vice .....	15	3	3	-	-	-	12	9	1	2
Other sex offenses .....	123	41	29	2	6	4	82	60	15	7
Violating drug laws .....	64	5	3	2	-	-	79	71	6	2
Carrying weapons, etc. ...	227	42	29	8	5	-	185	168	11	6
Other major offenses .....	92	39	22	3	12	2	53	44	3	6
Abortion .....	7	3	2	2	2	-	-	-	-	-
Arson .....	37	10	2	-	6	2	27	20	3	4
Eigamy .....	6	7	5	-	-	-	6	6	-	-
Blackmail and extortion	11	7	5	1	1	-	4	3	-	1
Escape and jail break ...	8	4	1	-	3	-	4	3	-	1
Kidnaping .....	11	6	6	-	-	-	5	5	-	-
Perjury .....	12	5	5	-	-	-	7	7	-	-
Other offenses:										
Minor assault .....	417	94	84	1	7	2	323	240	46	37
Nonsupport or neglect ...	582	220	200	7	9	4	362	322	23	17
Violating liquor laws .....	635	124	112	4	7	1	511	474	18	19
Driving while intoxicated	593	49	39	3	7	-	544	508	24	12
Other motor vehicle laws .	260	75	65	4	5	1	185	171	11	3
Disorderly conduct and vagrancy .....	101	19	19	-	-	-	82	79	-	3
Gambling .....	100	25	23	1	1	-	75	71	3	1
All other offensee .....	397	144	132	5	7	-	253	211	16	26

More detailed figures on the work of these courts in 1937, shown in table 2, reveal that 6,010, or 66.1 percent, of the defendants were charged with major offenses, and that of these, 3,897, or 64.8 percent, were alleged to have committed crimes involving the taking of property through some form of larceny, theft, burglary, or the receipt of stolen goods, while 883, or 14.7 percent, were charged with offenses involving the doing of bodily harm through murder, manslaughter, assault, or rape. Of those charged with major "property" offenses, 3,294, or 84.5 percent, were convicted, and of those charged with major crimes against the person, 629, or 71.2 percent, were convicted. Robbery, involving both "person" and "property", was the charge against 689, or 11.5 percent, of those answering major charges, and 523, or 75.9 percent, of these were convicted.

A considerable increase between 1936 and 1937 in the granting of probation and a decrease in commitments to local jails are among the changes to be noted in table 3, which shows the type of sentences imposed on defendants convicted of major crimes in 1935, 1936, and 1937. While the extent to which Ohio courts fix punishment on the basis of the seriousness of the offense or choose the type of correctional treatment on the basis of its rehabilitative effect on the individual is unknown, table 4, showing types of sentences imposed by offense, does reveal the breadth of judicial discretion employed. In the interpretation of these data, it should be remembered that certain classes of offenses include crimes of widely varying seriousness, and that the laws of Ohio prohibit the granting of probation in convictions of certain specified offenses.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	4,857	100.0	4,040	100.0	4,847	100.0
Death .....	3	0.1	4	0.1	13	0.3
Prison or reformatory .....	2,279	46.9	1,893	46.9	2,292	47.3
Probation or suspended sentence .....	1,932	39.8	1,433	35.5	1,742	35.9
Local jails .....	427	8.8	512	12.7	568	11.7
Fine or costs only .....	212	4.4	182	4.5	217	4.5
Juvenile institutions .....	4	0.1	11	0.3	-	-
Other sentences .....	-	-	5	0.1	15	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE COMMON PLEAS COURTS OF OHIO, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	7,192	3	2,354	2,488	939	1,403	5	-
Major offenses, total .....	4,857	3	2,279	1,932	427	212	4	-
Murder .....	62	3	59	-	-	-	-	-
Manslaughter .....	179	-	89	51	30	9	-	-
Robbery .....	523	-	408	115	-	-	-	-
Aggravated assault .....	233	-	120	113	-	-	-	-
Burglary .....	1,238	-	654	576	4	2	2	-
Larceny, except auto theft .....	774	-	209	295	204	65	1	-
Auto theft .....	535	-	260	275	-	-	-	-
Embezzlement and fraud .....	223	-	55	129	29	10	-	-
Stolen property .....	122	-	31	53	31	7	-	-
Forgery .....	402	-	197	177	4	23	1	-
Rape .....	155	-	91	28	32	4	-	-
Commercialized vice .....	12	-	4	1	2	5	-	-
Other sex offenses .....	82	-	44	16	10	12	-	-
Violating drug laws .....	79	-	17	22	9	31	-	-
Carrying weapons, etc. ....	185	-	18	56	70	41	-	-
Other major offenses .....	53	-	23	25	2	3	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	27	-	15	10	-	2	-	-
Bigamy .....	6	-	2	4	-	-	-	-
Breach of contract .....	4	-	3	-	-	1	-	-
Escape and jail break .....	4	-	1	1	2	-	-	-
Kidnaping .....	5	-	1	4	-	-	-	-
Ferjury .....	7	-	1	6	-	-	-	-
Other offenses:								
Minor assault .....	323	-	-	55	180	88	-	-
Non-support or neglect .....	362	-	45	275	18	24	-	-
Violating liquor laws .....	511	-	3	78	92	338	-	-
Driving while intoxicated .....	544	-	1	78	145	320	-	-
Other motor vehicle laws .....	185	-	3	11	27	143	1	-
Disorderly conduct and vagrancy .....	82	-	-	11	16	55	-	-
Gambling .....	75	-	-	9	1	65	-	-
all other offenses .....	253	-	23	39	33	158	-	-

DEPARTMENT OF COMMERCE  
Bureau of the Census  
Washington

JUDICIAL CRIMINAL STATISTICS: 1937

OREGON

In 1937, 87.9 percent of the persons charged with major crimes in the Circuit Courts of Oregon were convicted, while in 1935 and 1936, respectively, 69.9 percent and 84.5 percent of persons similarly charged were convicted. Major factors in these year-to-year changes were the increase in the proportion pleading guilty from 63.8 percent in 1935 to 82.1 percent in 1937, and the decrease in the proportion dismissed from 23.7 percent in

1935 to 7.2 percent in 1937. These data are contained in table 1, while more detailed figures for 1937 are given in table 2.

Tables 1 and 2, like those following, are based on reports from all courts in 1936, and from courts, which, on the basis of the 1930 population, covered 64.5 percent of the State in 1935 and 54.9 percent in 1937.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	832	100.0	1,045	100.0	784	100.0
Eliminated without conviction ....	101	12.1	162	15.5	236	30.1
Dismissed .....	60	7.2	123	11.8	186	23.7
Jury waived, acquitted by court ..	-	-	1	0.1	2	0.3
Acquitted by jury .....	35	4.2	34	3.3	34	4.3
Other no-penalty dispositions ..	6	0.7	4	0.4	14	1.8
Convicted .....	731	87.9	883	84.5	548	69.9
Plea of guilty .....	683	82.1	809	77.4	500	63.8
Court finds guilty .....	5	0.6	3	0.3	5	0.6
Jury verdict guilty .....	43	5.2	71	6.8	43	5.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CIRCUIT COURTS OF OREGON, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	1,050	143	92	-	44	7	907	828	9	70
Major offenses, total ..	832	101	60	-	35	6	731	683	5	43
Murder .....	7	3	1	-	2	-	4	1	-	3
Manslaughter .....	15	8	-	-	8	-	7	2	-	5
Robbery .....	27	6	2	-	3	1	21	18	1	2
Aggravated assault .....	37	2	1	-	1	-	35	29	-	6
Burglary .....	110	5	3	-	1	1	105	99	1	5
Larceny, except auto theft ..	259	41	27	-	13	1	218	209	1	8
Auto theft .....	42	3	3	-	-	-	39	37	-	2
Embezzlement and fraud ..	95	11	7	-	2	2	84	63	-	1
Stolen property .....	19	3	2	-	1	-	16	16	-	-
Forgery .....	111	5	5	-	-	-	106	103	-	3
Rape .....	24	5	1	-	4	-	19	12	-	7
Commercialized vice .....	1	-	-	-	-	-	1	1	-	-
Other sex offenses .....	51	6	5	-	-	1	45	42	2	1
Violating drug laws .....	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	7	-	-	-	-	-	7	7	-	-
Other major offenses .....	27	3	3	-	-	-	24	24	-	-
Abortion .....	-	-	-	-	-	-	-	-	-	-
Arson .....	15	2	2	-	-	-	13	13	-	-
Bigamy .....	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion ..	5	1	1	-	-	-	4	4	-	-
Escape and jail break ..	6	-	-	-	-	-	6	6	-	-
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault .....	26	2	1	-	1	-	24	21	-	3
Non-support or neglect ....	36	4	4	-	-	-	32	31	1	-
Violating liquor laws .....	10	2	1	-	1	-	8	7	-	1
Driving while intoxicated ..	23	5	2	-	3	-	18	14	1	3
Other motor vehicle laws ..	17	2	1	-	1	-	15	12	1	2
Disorderly conduct and vagrancy .....	5	-	-	-	-	-	5	5	-	-
Gambling .....	9	3	3	-	-	-	6	4	-	2
All other offenses .....	92	24	20	-	3	1	68	51	1	16

Of the major charges disposed of during 1937, 636, or 76.4 percent involved the taking or conversion of property through some form of burglary, larceny, forgery, or the receipt of stolen goods, while 83, or 10.0 percent, involved the doing of personal injury through murder, manslaughter, assault, or rape. Of those charged with crimes against "property", 568, or 89.3 percent, were convicted, and of those charged with offenses against the person, 65, or 78.3 percent, were convicted. Robbery, which involves both "property" and "person" was the charge against 27 defendants and of these 21 were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major crimes during 1937, 1936, and 1935, reveals a steady decrease in the proportion committed to prisons and reforma-

tries, and a steady increase in the use of probation or suspended sentences. While the extent to which the Oregon courts choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

The Census Bureau's collection of statistics on the functioning of State criminal courts has indicated wide variations exist in definitions and classifications of criminal behavior, in the use of pre-trial dispositions, in granting probation, and in the use of other judicial prerogatives.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	731	100.0	882	100.0	548	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	348	47.6	492	55.8	309	56.4
Probation or suspended sentence	283	38.7	256	30.2	142	25.9
Local jails .....	65	11.6	110	12.5	74	13.5
Fine or costs only .....	13	1.8	8	0.9	15	2.7
Juvenile institutions .....	2	0.3	5	0.6	1	0.2
Other sentences .....	-	-	1	0.1	7	1.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CIRCUIT COURTS OF OREGON, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	907	-	367	348	145	43	4	-
Major offenses, total .....	731	-	348	283	85	13	2	-
Murder .....	4	-	4	-	-	-	-	-
Manslaughter .....	7	-	4	3	-	-	-	-
Robbery .....	21	-	14	7	-	-	-	-
Aggravated assault .....	35	-	15	10	8	1	1	-
Burglary .....	105	-	65	39	1	-	-	-
Larceny, except auto theft .....	218	-	84	88	37	9	-	-
Auto theft .....	39	-	18	13	5	2	1	-
Embezzlement and fraud .....	84	-	29	44	11	-	-	-
Stolen property .....	16	-	5	8	6	-	-	-
Forgery .....	106	-	53	47	6	-	-	-
Rape .....	19	-	16	3	-	-	-	-
Commercialized vice .....	1	-	-	-	-	1	-	-
Other sex offenses .....	45	-	23	16	6	-	-	-
Violating drug laws .....	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	7	-	5	1	1	-	-	-
Other major offenses .....	24	-	13	7	4	-	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	13	-	8	5	-	-	-	-
Bigamy .....	1	-	1	-	-	-	-	-
Eblackmail and extortion .....	4	-	3	-	1	-	-	-
Escape and jail break .....	6	-	1	2	3	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	24	-	1	10	10	3	-	-
Non-support or neglect .....	32	-	4	26	2	-	-	-
Violating liquor laws .....	8	-	-	3	3	1	2	-
Driving while intoxicated .....	18	-	-	4	13	1	-	-
Other motor vehicle laws .....	15	-	-	4	8	3	-	-
Disorderly conduct and vagrancy .....	5	-	-	2	3	-	-	-
Gambling .....	6	-	-	-	-	6	-	-
All other offenses .....	68	-	14	17	21	16	-	-



JUDICIAL CRIMINAL STATISTICS: 1937

PENNSYLVANIA

In 1937, 70.4 percent of those answering major criminal charges in the general trial courts of Pennsylvania were convicted, according to a report to the Bureau of the Census by the State Department of Welfare. This was a slight increase from the 69.5 percent reported convicted in 1936, and the 67.6 percent reported for 1935. These data are shown in table 1, from which it may also be noted that while more than 40 percent of the cases

were disposed of by juries each year, court trials did not exceed 3 percent of any year's dispositions.

More detailed figures on the work of these courts during 1937, which are given in table 2, show that 22,603, or 48.7 percent of the defendants were charged with what the Bureau of the Census has classified as major crimes.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	22,603	100.0	22,067	100.0	23,019	100.0
Eliminated without conviction ....	8,699	29.6	6,727	30.5	7,465	32.4
Dismissed .....	2,684	11.9	2,674	12.1	2,648	12.4
Jury waived, acquitted by court	145	0.6	122	0.6	123	0.5
Acquitted by jury .....	3,602	15.9	3,769	17.1	4,251	18.5
Other no-penalty dispositions ..	268	1.2	162	0.7	243	1.1
Convicted .....	15,904	70.4	15,340	69.5	15,554	67.6
Plea of guilty .....	9,799	43.4	9,048	41.0	9,429	41.0
Court finds guilty .....	457	2.0	498	2.3	375	1.6
Jury verdict guilty .....	5,648	25.0	5,794	26.3	5,750	25.0

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF PENNSYLVANIA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	46,387	14,961	6,536	662	7,050	613	31,526	18,608	3,522	9,396
Major offenses, total ..	22,603	6,699	2,684	145	3,602	268	15,904	9,799	457	5,648
Murder .....	213	82	13	-	59	10	131	43	2	86
Manslaughter .....	489	312	95	16	191	10	177	76	8	93
Robbery .....	1,695	296	39	5	232	20	1,599	698	19	662
Aggravated assault .....	3,015	1,456	692	18	725	21	1,559	724	32	803
Burglary .....	2,936	416	177	7	209	23	2,520	1,930	31	559
Larceny, except auto theft	5,799	1,281	493	32	702	54	4,458	2,941	137	1,380
auto theft .....	915	208	55	-	144	9	707	493	14	200
Embezzlement and fraud ..	1,795	804	485	22	262	35	991	612	40	339
Stolen property .....	502	172	55	14	101	2	330	215	44	71
Forgery .....	634	134	76	4	46	8	500	431	15	54
Rape .....	697	276	80	4	186	6	421	181	15	225
Commercialized vice .....	629	278	27	10	234	7	351	162	8	181
Other sex offenses .....	2,070	646	321	9	257	59	1,424	878	81	465
Violating drug laws .....	239	55	5	-	50	-	184	59	-	125
Carrying weapons, etc. ....	1,035	283	71	4	204	4	752	356	11	385
Other major offenses .....	(*)									
Abortion .....	(*)									
Arson .....	(*)									
Bigamy .....	(*)									
Blackmail and extortion	(*)									
Escape and jail break ..	(*)									
Kidnaping .....	(*)									
Perjury .....	(*)									
Other offenses:										
Minor assault .....	3,102	1,525	816	29	644	36	1,577	826	55	696
Nonsupport or neglect .....	3,999	751	578	50	37	106	3,248	1,127	2,086	35
Violating liquor laws .....	3,284	1,113	461	39	567	46	2,171	1,457	66	648
Driving while intoxicated	5,558	1,420	254	35	1,108	23	4,138	2,707	74	1,357
Other motor vehicle laws	2,244	940	439	237	231	33	1,304	804	341	159
Disorderly conduct and										
vagrancy .....	241	113	83	15	7	8	128	73	50	5
Gambling .....	1,522	524	111	16	393	4	998	662	7	329
All other offenses .....	3,834	1,776	1,110	96	481	89	2,058	1,153	386	519

\*Not returned separately. Included in "All other offenses."

Of the major offense charges in 1937, 12,521, or 55.4 percent, involved the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 4,414, or 19.5 percent, involved doing personal injury through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 9,506, or 75.9 percent, were convicted, and of those charged with crimes against the person, 2,288, or 51.8 percent, were convicted. Robbery, which involves both "person" and "property" was charged against 1,695 persons, of whom, 1,399, or 82.5 percent, were convicted.

As is shown in table 3, the courts made use of the various methods of punishment and correctional treatment in approximately the same proportions during each of the three years. Table 4 shows,

however, that in 1937 different types of sentences were imposed for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

This collection of judicial criminal statistics, which was begun by the Census Bureau in 1932, is made possible by the cooperation of State reporting agencies and courts, and has revealed many variations in the definitions and classifications of criminal behavior, in the use of pretrial dispositions, and in the use of different types of sentences. Such variations suggest, in addition to the need for caution in the interpretation of data, the need for comparative studies to determine the relative merits of different practices.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	15,904	100.0	15,340	100.0	15,554	100.0
Death .....	7	(*)	16	0.1	6	(*)
Prison or reformatory .....	2,292	14.4	1,897	12.4	1,925	12.4
Probation or suspended sentence .....	4,701	29.6	4,362	28.4	4,513	29.0
Local jails .....	7,131	44.8	6,926	45.1	6,983	44.9
Fine or costs only .....	1,637	10.3	1,918	12.5	1,857	11.9
Juvenile institutions .....	94	0.6	201	1.3	90	0.6
Other sentences .....	42	0.3	20	0.1	180	1.2

\*Percent not shown where less than 0.1.

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF PENNSYLVANIA, BY OFFENSE, 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	31,526	7	2,470	8,951	11,861	7,917	239	81
Major offenses, total .....	15,904	7	2,292	4,701	7,131	1,637	94	42
Murder .....	131	7	104	6	13	-	-	1
Manslaughter .....	177	-	37	42	81	17	-	-
Robbery .....	1,399	-	381	232	776	8	2	-
Aggravated assault .....	1,559	-	60	535	818	142	2	2
Burglary .....	2,520	-	674	761	962	77	38	8
Larceny, except auto theft .....	4,458	-	538	1,602	1,968	313	33	4
Auto theft .....	707	-	138	216	301	38	13	1
Embezzlement and fraud .....	991	-	39	321	478	151	-	2
Stolen property .....	330	-	30	105	151	40	-	3
Forgery .....	500	-	53	162	202	81	1	1
Rape .....	421	-	92	36	226	66	-	1
Commercialized vice .....	351	-	25	104	155	65	-	2
Other sex offenses .....	1,424	-	95	331	422	556	3	17
Violating drug laws .....	184	-	1	26	148	9	-	-
Carrying weapons, etc. ....	752	-	25	222	430	74	1	-
Other major offenses .....	(*)	-	-	-	-	-	-	-
Abortion .....	(*)	-	-	-	-	-	-	-
Arson .....	(*)	-	-	-	-	-	-	-
Bigamy .....	(*)	-	-	-	-	-	-	-
Blackmail and extortion .....	(*)	-	-	-	-	-	-	-
Escape and jail break .....	(*)	-	-	-	-	-	-	-
Kidnaping .....	(*)	-	-	-	-	-	-	-
Perjury .....	(*)	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	1,577	-	52	569	688	259	6	3
Nonsupport or neglect .....	3,248	-	3	500	14	2,731	-	-
Violating liquor laws .....	2,171	-	8	676	716	771	-	-
Driving while intoxicated .....	4,138	-	5	1,184	2,149	796	2	2
Other motor vehicle laws .....	1,304	-	19	317	370	595	7	2
Disorderly conduct and vagrancy .....	128	-	2	38	43	58	7	-
Gambling .....	998	-	-	304	281	408	4	1
All other offenses .....	2,058	-	89	662	469	682	125	31

\*Not returned separately. Included in "All other offenses."

JUDICIAL CRIMINAL STATISTICS: 1937

RHODE ISLAND

The exceptionally high proportion of convictions resulting from the disposition of major criminal offense charges against defendants in the superior courts of Rhode Island for 1935 increased in 1936 and in 1937 reached the still higher proportion of 98.6 percent, according to reports made to the Bureau of the Census. Factors in this change were the decrease in the percentage of dismissals and the increase in the percentage of

pleas of guilty (including pleas of nolo contendere).

Table 1, presenting comparative data for 1935, 1936, and 1937, also includes figures showing that in each year less than 2 percent of the defendants availed themselves of the right to trial by jury. The work of the superior courts for 1937 is shown in more detail in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of ...	568	100.0	560	100.0	676	100.0
Eliminated without conviction	8	1.4	22	3.9	37	5.5
Dismissed .....	4	0.7	17	3.0	29	4.3
Jury waived, acquitted by court .....	-	-	-	-	6	0.9
Acquitted by jury .....	4	0.7	2	0.4	2	0.3
Other no-penalty disposition	-	-	3	0.5	-	-
Convicted .....	560	98.6	538	96.1	639	94.5
Plea of guilty .....	557	98.1	534	95.4	627	92.8
Court finds guilty .....	-	-	-	-	1	0.1
Jury verdict guilty .....	3	0.5	4	0.7	11	1.6

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF RHODE ISLAND, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION				CONVICTED				
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	854	46	37	-	9	-	808	799	-	9
Major offenses, total ..	568	8	4	-	4	-	560	557	-	3
Murder .....	2	-	-	-	-	-	2	2	-	-
Manslaughter .....	5	-	-	-	-	-	5	5	-	-
Robbery .....	9	1	-	-	1	-	8	8	-	-
Aggravated assault .....	29	-	-	-	-	-	29	28	-	1
Burglary .....	254	-	-	-	-	-	254	253	-	1
Larceny, except auto theft	25	2	1	-	1	-	23	23	-	-
Auto theft .....	117	-	-	-	-	-	117	117	-	-
Embezzlement and fraud ..	26	-	-	-	-	-	26	26	-	-
Stolen property .....	1	-	-	-	-	-	1	1	-	-
Forgery .....	13	1	1	-	1	-	12	12	-	-
Rape .....	28	1	1	-	-	-	27	27	-	-
Commercialized vice .....	13	2	1	-	1	-	11	11	-	-
Other sex offenses .....	19	1	1	-	-	-	18	18	-	-
Violating drug laws .....	4	-	-	-	-	-	4	3	-	1
Carrying weapons, etc. ....	18	-	-	-	-	-	18	18	-	-
Other major offenses, etc. ...	5	-	-	-	-	-	5	5	-	-
Abortion .....	2	-	-	-	-	-	2	2	-	-
Arson .....	-	-	-	-	-	-	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break .....	1	-	-	-	-	-	1	1	-	-
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	2	-	-	-	-	-	2	2	-	-
Other offenses:										
Minor assault .....	20	5	5	-	-	-	15	15	-	-
Nonsupport or neglect ....	6	4	4	-	-	-	2	2	-	-
Violating liquor laws ....	3	-	-	-	-	-	3	3	-	-
Driving while intoxicated ..	79	7	5	-	2	-	72	71	-	1
Other motor vehicle laws ..	77	12	10	-	2	-	65	65	-	-
Disorderly conduct and vagrancy .....	25	4	4	-	-	-	21	21	-	-
Gambling .....	13	2	2	-	-	-	11	11	-	-
All other offenses .....	63	4	3	-	1	-	59	54	-	5

Of the defendants charged with major offenses, 436, or 76.8 percent, were charged with the taking, receipt, or conversion of property through theft, burglary, larceny, fraud, forgery, or the receipt of stolen goods; and of these, 433, or 99.3 percent, were convicted. Doing bodily harm through assault, murder, manslaughter, or rape was the charge against 64, or 11.3 percent, of the major offenders, and 63 convictions were returned in the disposition of these charges. Eight of the 9 defendants charged with robbery, usually considered the most serious of the crimes involving both "person" and "property," were convicted.

By far the most frequent type of punishment or correctional treatment imposed, as shown in table 3, was suspended sentence or probation. The steady increase in prison or reformatory commit-

ments was counterbalanced by a decrease in jail sentences.

Types of sentence are shown, by offense, in table 4, revealing the breadth of judicial discretion employed. In the interpretation of these data it should be remembered, however, that the degrees or subdivisions of these offenses are not shown.

The collection of statistics on the functioning of State courts in criminal proceedings was begun by the Census Bureau in 1932 under the authority of an Act of Congress and is made possible by the voluntary cooperation of State reporting agencies. In Rhode Island the cooperating agency is the Division of Probation and Criminal Statistics of the Department of Public Welfare.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	560	100.0	538	100.0	639	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	146	26.1	116	21.6	120	18.8
Probation or suspended sentence .....	346	61.8	354	65.8	396	62.0
Local jails .....	59	10.5	63	11.7	104	16.3
Fine or costs only .....	3	0.5	5	0.9	14	2.2
Juvenile institutions .....	6	1.1	-	-	5	0.8
Other sentences .....	-	-	-	-	-	-

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF RHODE ISLAND, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juveniles delinquents only	Other
All offenses .....	808	-	154	403	88	157	6	-
Major offenses, total .....	560	-	146	346	59	3	6	-
Murder .....	2	-	2	-	-	-	-	-
Manslaughter .....	5	-	3	2	-	-	-	-
Robbery .....	8	-	3	5	-	-	-	-
Aggravated assault .....	29	-	7	15	7	-	-	-
Burglary .....	254	-	65	161	23	-	5	-
Larceny, except auto theft .....	23	-	1	14	7	1	-	-
Auto theft .....	117	-	28	81	7	-	1	-
Embezzlement and fraud .....	26	-	4	15	6	1	-	-
Stolen property .....	1	-	-	-	-	1	-	-
Forgery .....	12	-	3	6	3	-	-	-
Rape .....	27	-	12	15	-	-	-	-
Commercialized vice .....	11	-	4	6	1	-	-	-
Other sex offenses .....	18	-	7	10	1	-	-	-
Violating drug laws .....	4	-	-	4	-	-	-	-
Carrying weapons, etc. ....	16	-	2	9	4	-	-	-
Other major offenses .....	5	-	2	3	-	-	-	-
Abortion .....	2	-	1	1	-	-	-	-
Arson .....	-	-	-	-	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	1	-	-	1	-	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Perjury .....	2	-	1	1	-	-	-	-
Other offenses:								
Minor assault .....	15	-	-	7	2	6	-	-
Nonsupport or neglect .....	2	-	-	1	1	-	-	-
Violating liquor laws .....	3	-	-	-	-	3	-	-
Driving while intoxicated .....	72	-	-	-	15	57	-	-
Other motor vehicle laws .....	66	-	-	6	6	53	-	-
Disorderly conduct and vagrancy .....	21	-	2	13	2	4	-	-
Gambling .....	11	-	-	6	-	6	-	-
All other offenses .....	59	-	6	25	3	25	-	-

JUDICIAL CRIMINAL STATISTICS: 1937

SOUTH DAKOTA

Reports from the Circuit Courts of South Dakota to the Bureau of the Census show that in each of the past three years more than four-fifths of the defendants charged with major crimes were convicted. However, the proportion reported convicted in 1937 (83.8 percent) was below that reported for 1936 (86.1 percent), and that reported for 1935 (88.7 percent). Of course, any changes in reporting accuracy would affect these figures.

These data, shown in table 1, are, like those following, from reports of all courts for 1935, and for 1936 and 1937, respectively, from courts which, on the basis of the 1930 population, covered 97.3 and 99.6 percent of the State.

More detailed figures for 1937, which show the type of disposition by the offense, are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	526	100.0	512	100.0	567	100.0
Eliminated without conviction ....	85	16.2	71	13.9	64	11.3
Dismissed .....	70	13.3	48	9.4	31	5.5
Jury waived, acquitted by court	1	0.2	-	-	-	-
Acquitted by jury .....	13	2.5	18	3.5	29	5.1
Other no-penalty dispositions ..	1	0.2	5	1.0	4	0.7
Convicted .....	441	83.8	441	86.1	503	88.7
Plea of guilty .....	406	77.2	419	81.8	461	81.3
Court finds guilty .....	9	1.7	2	0.4	6	1.1
Jury verdict guilty .....	26	4.9	20	3.9	36	6.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CIRCUIT COURTS OF SOUTH DAKOTA, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	948	152	127	2	21	2	796	734	32	30
Major offenses, total ..	526	85	70	1	13	1	441	406	9	26
Murder .....	3	-	-	-	-	-	3	2	-	1
Manslaughter .....	6	1	-	-	-	-	5	3	-	2
Robbery .....	12	1	-	-	1	-	11	11	-	-
Aggravated assault .....	15	5	4	-	1	-	10	8	-	2
Burglary .....	89	18	18	-	-	-	71	68	1	2
Larceny, except auto theft	169	23	15	1	7	-	146	135	5	6
Auto theft .....	18	1	1	-	-	-	17	17	-	-
Embezzlement and fraud ...	38	10	7	-	3	-	28	27	-	1
Stolen property .....	12	1	1	-	-	-	11	9	-	2
Forgery .....	67	2	2	-	-	-	65	65	-	-
Repe .....	24	10	9	-	1	14	9	1	4	-
Commercialized vice .....	2	-	-	-	-	-	2	2	-	-
Other sex offenses .....	27	2	2	-	-	-	25	22	2	1
Violating drug laws .....	7	-	-	-	-	-	7	7	-	-
Carrying weapons, etc. ...	9	3	3	-	-	-	6	5	-	1
Other major offenses .....	28	8	7	-	1	-	20	16	-	4
Abortion .....	2	1	1	-	-	-	1	1	-	-
Arson .....	1	1	-	-	1	-	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	4	-	-	-	-	-	4	-	-	4
Escape and jail break ..	17	3	3	-	-	-	14	14	-	-
Kidnaping .....	1	-	-	-	-	-	1	1	-	-
Perjury .....	3	3	3	-	-	-	-	-	-	-
Other offenses:										
Minor assault .....	12	7	5	-	1	1	5	5	-	-
Nonsupport or neglect ...	39	9	9	-	-	-	30	25	4	1
Violating liquor laws ...	49	16	14	-	2	-	33	33	-	-
Driving while intoxicated	163	7	4	-	3	-	156	151	2	3
Other motor vehicle laws .	39	3	2	1	-	-	36	36	-	-
Disorderly conduct and vagrancy .....	36	4	4	-	-	-	32	28	4	-
Gambling .....	5	1	1	-	-	-	4	2	2	-
All other offenses .....	79	20	18	-	2	-	59	48	11	-

Of the defendants disposed of during 1937, 526, or 55.5 percent, were charged with what the Bureau of the Census defines as major offenses, and of these, 43, or 9.1 percent, were charged with murder, manslaughter, aggravated assault, or rape (offenses which involve injury to a person), while 393, or 74.7 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods. Of those charged with offenses against the person, 32, or 86.7 percent, were convicted, while 339, or 86.0 percent, of those charged with "property" crimes were convicted.

The comparative data, given in table 3, on the types of sentences imposed on those convicted of major offenses in each of the three years reveals that the decrease in the proportion sentenced to

prisons and reformatories is matched by a corresponding increase in the proportion sentenced to local jails. Combining these two types of sentences reveals that an almost constant percentage (74.9 for 1935, 76.5 for 1936, and 76.2 for 1937) of those convicted have been incarcerated.

While the extent to which the Courts of South Dakota impose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows that, with the exception of murder, manslaughter, and robbery, a variety of sentences were imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	441	100.0	441	100.0	503	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	257	58.3	271	61.5	314	62.4
Probation or suspended sentence .....	82	18.6	95	21.5	92	18.3
Local jails .....	79	17.9	66	15.0	63	12.5
Fine or costs only .....	16	3.6	7	1.6	23	4.6
Juvenile institutions .....	7	1.6	2	0.5	10	2.0
Other sentences .....	-	-	-	-	1	0.2

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CIRCUIT COURTS OF SOUTH DAKOTA, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	796	-	272	183	229	98	13	1
Major offenses, total .....	441	-	257	82	79	16	7	-
Murder .....	3	-	3	-	-	-	-	-
Manslaughter .....	5	-	5	-	-	-	-	-
Robbery .....	11	-	4	-	-	-	-	-
Aggravated assault .....	10	-	4	2	4	-	-	-
Burglary .....	71	-	43	18	4	-	1	-
Larceny, except auto theft .....	146	-	75	32	30	4	5	-
Auto theft .....	17	-	9	4	2	1	1	-
Embezzlement and fraud .....	28	-	12	11	3	2	-	-
Stolen property .....	11	-	9	-	2	-	-	-
Forgery .....	65	-	40	7	17	1	-	-
Rape .....	14	-	12	1	1	-	-	-
Commercialized vice .....	2	-	1	-	1	-	-	-
or sex offenses .....	25	-	15	6	2	2	-	-
Violating drug laws .....	7	-	-	-	7	-	-	-
Carrying weapons, etc. ....	6	-	3	1	-	2	-	-
Other major offenses .....	20	-	10	-	6	4	-	-
Abortion .....	1	-	-	-	1	-	-	-
Arson .....	-	-	-	-	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-
Blackmail and extortion .....	4	-	-	-	-	4	-	-
Escape and jail break .....	14	-	9	-	5	-	-	-
Kidnaping .....	1	-	1	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	5	-	-	1	3	1	-	-
Nonsupport or neglect .....	30	-	10	13	6	1	-	-
Violating liquor laws .....	33	-	-	6	13	14	-	-
Driving while intoxicated .....	158	-	-	32	91	32	-	1
Other motor vehicle laws .....	36	-	1	19	3	13	-	-
Disorderly conduct and vagrancy .....	32	-	-	5	15	9	3	-
Gambling .....	4	-	-	2	-	2	-	-
All other offenses .....	59	-	4	23	19	10	3	-

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JUDICIAL CRIMINAL STATISTICS: 1937

UTAH

Reports of the District Courts of Utah reveal that while the percentage of convictions resulting from charges of major crimes decreased from 71.1 in 1935 to 67.4 in 1936, it rose to 78.5 in 1937. Although changes in the proportions of pleas of guilty and of dismissals were the chief factors in these year-to-year differences, a steady decrease in the use of trial by jury is to be noted. The trial of felony charges by the court after waiver

of jury, which was legalized in 1935, was used in only a limited number of cases.

Table 1, which shows these data, and the tables following are from reports to the Census Bureau by all courts for 1937, and for 1935 and 1936, respectively, by courts covering, on the basis of the 1930 population, 98.1 percent and 98.3 percent of the State.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	377	100.0	291	100.0	415	100.0
Eliminated without conviction ....	81	21.5	95	32.6	120	28.9
Dismissed .....	47	12.5	61	21.0	71	17.1
Jury waived, acquitted by court ..	1	0.3	-	-	4	1.0
Acquitted by jury .....	31	8.2	28	9.6	31	7.5
Other no-penalty dispositions ..	2	0.5	6	2.1	14	3.4
Convicted .....	296	78.5	196	67.4	295	71.1
Plea of guilty .....	221	58.6	139	47.8	192	46.3
Court finds guilty .....	9	2.4	5	1.7	6	1.4
Jury verdict guilty .....	66	17.5	52	17.9	97	23.4

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF UTAH, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	462	112	70	3	37	2	350	261	15	74
Major offenses, total ..	377	81	47	1	31	2	296	221	9	66
Murder .....	6	3	-	-	3	-	3	-	-	3
Manslaughter .....	15	6	1	-	5	-	9	3	-	6
Robbery .....	37	10	8	-	2	-	27	15	-	12
Aggravated assault .....	15	8	4	-	2	2	7	4	-	3
Burglary .....	105	14	7	-	7	-	91	81	1	9
Larceny, except auto theft ..	80	8	4	1	3	-	72	57	2	13
Auto theft .....	10	1	-	-	1	-	9	9	-	-
Embezzlement and fraud ...	17	5	1	-	4	-	12	7	2	3
Stolen property .....	-	-	-	-	-	-	-	-	-	-
Forgery .....	42	11	9	-	2	-	31	28	-	3
Rape .....	7	-	4	-	-	-	3	-	-	3
Commercialized vice .....	-	-	-	-	-	-	-	-	-	-
Other sex offenses .....	24	6	6	-	-	-	18	6	4	8
Violating drug laws .....	1	1	1	-	-	-	-	-	-	-
Carrying weapons, etc. ....	5	2	1	-	1	-	3	2	-	1
Other major offenses .....	13	2	1	-	1	-	11	9	-	2
Abortion .....	-	-	-	-	-	-	-	-	-	-
Arson .....	4	-	-	-	-	-	4	4	-	-
Bigamy .....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	-	-	-	-	-	-	-	-	-	-
Kidnaping .....	2	-	-	-	-	-	2	2	-	-
Perjury .....	7	2	1	-	1	-	5	3	-	2
Other offenses:										
Minor assault .....	10	2	2	-	-	-	8	8	-	-
Nonsupport or neglect ....	11	2	2	-	-	-	9	9	-	-
Violating liquor laws .....	29	9	8	-	1	-	20	11	4	5
Driving while intoxicated ..	8	4	2	-	2	-	4	2	1	1
Other motor vehicle laws ..	13	9	5	1	3	-	4	4	-	-
Disorderly conduct and vagrancy .....	3	2	1	1	-	-	1	1	-	-
Gambling .....	-	-	-	-	-	-	-	-	-	-
All other offenses .....	11	3	3	-	-	-	8	5	1	2

More detailed figures on the work of these courts in 1937, given in table 2, show that 377, or 81.6 percent, of the defendants were charged with major crimes, while the remaining 85, or 18.4 percent, were charged with less serious offenses. Of the major offenders, 254, or 67.4 percent, were charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 43, or 11.4 percent, were charged with doing bodily harm through murder, manslaughter, assault, or rape. Of those charged with "property" crimes, 215, or 84.6 percent, were convicted, and of those charged with offenses against the person, 22, or 51.2 percent, were convicted. Hobberty, which involves both "person" and "property", was the charge in 37 instances, and of these, 27, or 73.0 percent, resulted in convictions.

It may be noted from table 3 that prison sentences were imposed on more than half of the defendants convicted of major crimes in 1935, 1936, and 1937, while suspended sentences or probation were imposed almost twice as frequently in 1937 (29.1 percent) as in 1935 (14.9 percent). While the extent to which the courts of Utah determine punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender, is unknown, table 4 shows a variety of punishments for offenses of the same class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness. It is also interesting that, between 1936 and 1937, the increase in pleas of guilty is almost the same as the increase in probation or suspended sentences.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	296	100.0	190	100.0	295	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	168	56.8	118	62.1	185	62.7
Probation or suspended sentence	86	29.1	36	18.9	44	14.9
Local jails .....	33	11.1	27	14.2	42	14.2
Fine or costs only .....	5	1.7	9	4.7	16	5.4
Juvenile institutions .....	4	1.4	-	-	7	2.4
Other sentences .....	-	-	-	-	1	0.3

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF UTAH, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	350	-	171	100	54	20	5	-
Major offenses, total .....	296	-	168	86	33	5	4	-
Murder .....	3	-	3	-	-	-	-	-
Manslaughter .....	9	-	1	1	6	1	-	-
Robbery .....	27	-	21	3	-	-	3	-
Aggravated assault .....	7	-	4	1	2	-	-	-
Burglary .....	91	-	60	31	-	-	-	-
Larceny, except auto theft .....	72	-	28	24	17	2	1	-
Auto theft .....	9	-	3	5	1	-	-	-
Embezzlement and fraud .....	12	-	5	3	2	2	-	-
Stolen property .....	-	-	-	-	-	-	-	-
Forgery .....	31	-	21	8	2	-	-	-
Rape .....	3	-	3	-	-	-	-	-
Commercialized vice .....	5	-	5	-	-	-	-	-
Other sex offenses .....	18	-	13	4	1	-	-	-
Violating drug laws .....	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	3	-	2	1	-	-	-	-
Other major offenses .....	11	-	4	5	2	-	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	4	-	1	3	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-
Election and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	-	-	-	-	-	-	-	-
Kidnaping .....	2	-	-	-	2	-	-	-
Perjury .....	5	-	3	2	-	-	-	-
Other offenses:								
Minor assault .....	8	-	-	6	2	-	-	-
Nonsupport or neglect .....	9	-	-	5	-	4	-	-
Violating liquor laws .....	20	-	-	2	8	10	-	-
Driving while intoxicated .....	4	-	-	1	3	-	-	-
Other motor vehicle laws .....	4	-	-	-	4	-	-	-
Disorderly conduct and vagrancy .....	1	-	-	-	1	-	-	-
Gambling .....	-	-	-	-	-	-	-	-
All other offenses .....	8	-	3	-	3	1	1	-



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JUDICIAL CRIMINAL STATISTICS: 1937

Page 1

VERMONT

In 1937, 77.8 percent of the defendants charged with major offenses in the trial courts of Vermont were convicted, a slight increase from the 74.5 percent convicted in 1936, and the 73.9 percent convicted in 1935. Each year, almost all charges were disposed of either by plea of guilty or dismissal, and very few resulted in trials. Actually, the percentage of trials was 4.3 in 1937, 8.5 in 1936, and 7.7 in 1935.

The data shown in the following tables are compiled from reports furnished by both county and municipal courts. It is estimated that, on the basis of the 1930 population, the reports covered approximately 98 percent of the State in 1935, 65 percent in 1936, and 90 percent in 1937.

More detailed figures on the work of these courts in 1937 are presented in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	649	100.0	377	100.0	659	100.0
Eliminated without conviction ....	144	22.2	96	25.5	172	26.1
Dismissed .....	117	18.0	76	20.2	121	18.4
Jury waived, acquitted by court ..	1	0.2	3	0.8	2	0.3
Acquitted by jury .....	8	1.2	4	1.1	8	1.2
Other no-penalty dispositions ..	18	2.8	13	3.4	41	6.2
Convicted .....	505	77.8	281	74.5	487	73.9
Plea of guilty .....	486	74.9	256	67.9	446	67.7
Court finde guilty .....	-	-	2	0.5	18	2.7
Jury verdict guilty .....	19	2.9	23	6.1	23	3.5

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE TRIAL COURTS OF VERMONT, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquit- ted by jury	Other	Total	Plea guilty	Jury waived, finds guilty	Jury verdict guilty
All offenses .....	5,205	578	464	18	28	68	4,627	4,531	55	41
Major offenses, total ..	649	144	117	1	8	18	505	486	-	19
Murder .....	6	4	1	-	2	1	2	-	-	2
Larceny .....	-	-	-	-	-	-	-	-	-	-
Robbery .....	2	1	1	-	-	1	1	1	-	-
Aggravated assault .....	7	6	5	-	1	1	1	1	-	-
Burglery .....	76	13	11	-	2	2	63	63	-	-
Larceny, except auto theft ..	277	51	49	-	2	-	226	224	-	2
Auto theft .....	50	5	4	-	1	1	45	44	-	1
Embezzlement and fraud ...	28	6	4	-	2	2	22	22	-	-
Stolen property .....	25	8	6	-	2	17	16	16	-	1
Forgery .....	25	2	2	-	-	23	23	-	-	-
Rape .....	24	11	9	-	2	13	11	11	-	2
Commercialized vice .....	13	4	4	-	-	9	9	9	-	-
Other sex offenses .....	82	21	14	-	3	4	61	56	-	5
Violating drug laws .....	-	-	-	-	-	-	-	-	-	-
Carrying weapons, etc. ...	-	-	-	-	-	-	-	-	-	-
Other major offenses .....	34	12	7	1	1	3	22	16	-	6
Abortion .....	1	-	-	-	-	1	-	-	-	1
Arson .....	18	8	4	1	-	3	10	6	-	4
Bigamy .....	2	1	1	-	-	1	1	1	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break ..	11	2	1	-	1	-	9	8	-	1
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	2	1	1	-	-	1	1	1	-	-
Other offenses:										
Minor assault .....	5	3	3	-	-	2	2	-	-	-
Non-support or neglect .....	83	34	26	3	1	4	49	48	-	1
Violating liquor laws .....	131	63	50	-	1	12	68	64	1	3
Driving while intoxicated ..	295	30	23	1	6	-	265	256	2	7
Other motor vehicle laws ..	1,158	64	47	-	4	13	1,094	1,042	47	5
Disorderly conduct and vagrancy .....	2,589	162	129	12	5	16	2,427	2,423	2	2
Gambling .....	57	15	14	1	-	42	41	41	-	1
All other offenses .....	238	63	55	-	3	5	175	169	3	3

In 1937, 649, or 12.5 percent, of the defendants were charged with major crimes, and of these, 481, or 74.1 percent, were charged with the taking of property through some form of burglary, fraud, larceny, or the receipt of stolen goods, while 37, or 5.7 percent, were charged with doing bodily injury through murder, assault, or rape. Of those charged with crimes against "property", 396, or 82.3 percent, were convicted, and of those charged with crimes against the person, 16, or 43.2 percent, were convicted. No cases of manslaughter, and only 2 of robbery, were disposed of during the year.

Table 3 shows the types of sentences imposed on those convicted of major offenses in 1935, 1936, and 1937. The number of prison sentences reported for 1936 was proportionately greater than for 1935

and 1937. However, the 1936 data do not include reports from 5 municipal courts which were included in the other 2 years. As municipal courts make proportionately less use of prison sentences than do county courts, this fact probably accounts for the variation noted. In each year, nevertheless, incarceration was, by far, the most frequent type of punishment, with more than three-fifths of the sentences being to prisons, reformatories, or jails. While the extent to which the courts of Vermont choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	505	100.0	281	100.0	487	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	184	36.4	134	47.7	193	39.6
Probation or suspended sentence .....	132	26.1	59	21.0	96	19.7
Local jails .....	122	24.2	43	15.3	117	24.0
Fine or costs only .....	59	11.7	40	14.2	63	12.9
Juvenile institutions .....	8	1.6	5	1.8	15	3.1
Other sentences .....	-	-	-	-	3	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE TRIAL COURTS OF VERMONT, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	4,627	-	220	310	1,607	2,464	26	-
Major offenses, total .....	505	-	184	132	122	59	8	-
Murder .....	2	-	2	-	-	-	-	-
Manslaughter .....	1	-	-	-	-	-	-	-
Robbery .....	1	-	1	-	-	-	-	-
Aggravated assault .....	1	-	-	-	-	-	-	-
Burglary .....	53	-	29	28	-	1	5	-
Larceny, except auto theft .....	226	-	43	51	92	39	1	-
Auto theft .....	45	-	20	7	13	5	-	-
Embezzlement and fraud .....	22	-	2	8	7	4	1	-
Stolen property .....	17	-	4	5	4	4	-	-
Forgery .....	23	-	13	5	4	1	-	-
Rape .....	13	-	9	4	-	-	-	-
Commercialized vice .....	9	-	6	3	-	-	-	-
Other sex offenses .....	61	-	38	18	1	4	-	-
Violating drug laws .....	-	-	-	-	-	-	-	-
Carrying weapons, etc. ....	-	-	-	-	-	-	-	-
Other major offenses .....	22	-	16	3	1	1	1	-
Abortion .....	1	-	1	-	-	-	-	-
Araon .....	10	-	8	1	-	-	1	-
Bigamy .....	1	-	-	1	-	-	-	-
Blackmail and extortion .....	1	-	-	-	-	-	-	-
Escape and jail break .....	9	-	7	1	1	-	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Ferjury .....	1	-	-	-	-	1	-	-
Other offenses:								
Minor assault .....	2	-	-	1	-	-	1	-
Non-support or neglect .....	49	-	10	33	1	1	4	-
Violating liquor laws .....	68	-	6	29	6	27	-	-
Driving while intoxicated .....	265	-	2	31	38	194	-	-
Other motor vehicle laws .....	1,094	-	7	20	80	983	4	-
Disorderly conduct and vagrancy .....	2,427	-	5	33	1,518	1,069	2	-
Gambling .....	42	-	42	1	3	36	-	-
All other offenses .....	175	-	6	30	39	93	7	-

JUDICIAL CRIMINAL STATISTICS: 1937

WASHINGTON

The proportion convicted of the defendants charged with major crimes in the Superior Courts of Washington has increased steadily from 77.3 percent in 1935 to 81.6 percent in 1937, according to annual reports received from these Courts by the Bureau of the Census. The reports also reveal an even greater increase in the proportion of defendants pleading guilty (62.8 percent in 1935 to 71.4 percent in 1937). In no one of these years

did more than 15 percent of the defendants exercise their right to a trial by jury. During the three year period juries returned verdicts of "guilty" against 3 of every 4 persons tried by them.

These comparative data are shown in table 1, while more detailed figures for 1937, which show disposition by offense, are presented in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	1,579	100.0	1,501	100.0	1,721	100.0
Eliminated without conviction ...	290	18.4	315	21.0	390	22.7
Dismissed .....	219	13.9	199	13.3	251	14.6
Jury waived, acquitted by court	2	0.1	2	0.1	1	0.1
Acquitted by jury .....	52	3.3	47	3.1	70	4.1
Other no-penalty dispositions ..	17	1.1	87	4.5	68	4.0
Convicted .....	1,289	81.6	1,186	79.0	1,331	77.3
Plea of guilty .....	1,128	71.4	1,015	67.6	1,080	62.8
Court finds guilty .....	18	1.1	8	0.5	64	3.7
Jury verdict guilty .....	143	9.1	163	10.9	187	10.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE SUPERIOR COURTS OF WASHINGTON, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION					CONVICTED			
		Total	Dis-missed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	2,071	480	392	6	72	20	1,591	1,391	34	166
Major offenses, total ..	1,579	290	219	2	52	17	1,289	1,128	18	143
Murder .....	23	6	3	-	3	-	17	5	-	12
Manslaughter .....	67	22	10	-	11	1	45	29	1	15
Robbery .....	76	6	9	-	1	-	66	52	-	14
Aggravated assault .....	54	6	4	-	2	-	48	40	1	7
Burglary .....	298	25	18	-	7	-	273	249	-	24
Larceny, except auto theft	440	90	76	-	9	5	350	308	7	35
Auto theft .....	116	12	9	-	2	1	104	100	-	4
Embezzlement and fraud ...	49	24	20	-	2	2	25	17	4	4
Stolen property .....	22	5	5	-	-	-	17	17	-	-
Forgery .....	167	17	15	-	2	-	150	139	-	11
Rape .....	60	17	8	1	5	3	43	39	1	3
Commercialized vice .....	1	-	-	-	-	-	1	-	-	-
Other sex offenses .....	103	27	21	-	4	2	76	68	1	7
Violating drug laws .....	15	5	1	1	-	3	10	6	3	1
Carrying weapons, etc. ....	17	3	3	-	-	-	14	14	-	-
Other major offenses .....	71	21	17	-	4	-	50	44	-	6
Abortion .....	1	-	-	-	-	-	1	-	-	-
Arson .....	13	6	2	-	4	-	12	12	-	-
Bigamy .....	8	1	1	-	-	-	7	7	-	-
Blackmail and extortion ..	6	2	2	-	-	-	4	4	-	-
Escape and jail break .....	10	2	2	-	-	-	8	8	-	-
Kidnaping .....	7	5	5	-	-	-	2	2	-	-
Perjury .....	21	5	5	-	-	-	16	10	-	6
Other offenses:										
Minor assault .....	55	12	11	-	1	-	43	40	-	3
Nonsupport or neglect ....	45	22	20	-	-	2	23	22	1	-
Violating liquor laws .....	57	31	26	1	3	1	26	17	7	2
Driving while intoxicated ..	98	32	25	1	6	-	66	60	1	5
Other motor vehicle laws ..	43	13	12	-	1	-	30	28	-	2
Disorderly conduct and vagrancy .....	36	11	11	-	-	-	25	21	3	1
Camping .....	42	18	16	-	2	-	24	23	1	-
All other offenses .....	116	51	42	2	7	-	65	52	3	10

Of those charged with major offenses in 1937, 1,092, or 69.2 percent, of the defendants answered charges involving the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods, while 204, or 12.9 percent, were charged with one of the offenses involving personal injury - murder, manslaughter, aggravated assault, or rape. Of those charged with "property" crimes, 919, or 84.2 percent, were convicted, while of those charged with offenses against the person, 153, or 75.0 percent, were convicted. Robbery, an offense which involves both "person" and "property", was the charge against 76 defendants, of whom, 66, or 86.8 percent, were convicted.

Table 3, which shows the types of sentences imposed on those convicted of major offenses during

each of the past three years, reveals that an almost constant proportion (approximately 65 percent) were sentenced to prisons or reformatories each year and that the proportion sentenced to jails increased from 14.4 percent in 1935 to 17.9 percent in 1937. In all, 83.6 percent of those convicted in 1937 were incarcerated.

While the extent to which the courts of Washington choose punishment according to the seriousness of the offense or choose correctional treatment for its rehabilitative effect on the individual is unknown, as table 4 shows, a variety of punishments were imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,289	100.0	1,170	100.0	1,323	100.0
Death .....	5	0.4	1	0.1	4	0.3
Prison or reformatory .....	847	65.7	763	65.2	867	65.5
Probation or suspended sentence .....	193	15.0	202	17.3	205	15.5
Local jails .....	231	17.9	182	15.6	190	14.4
Fine or costs only .....	13	1.0	15	1.3	36	2.7
Juvenile institutions .....	-	-	7	0.6	13	1.0
Other sentences .....	-	-	-	-	8	0.6

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE SUPERIOR COURTS OF WASHINGTON, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	1,591	5	859	251	388	79	9	-
Major offenses, total .....	1,289	5	847	193	231	13	-	-
Murder .....	17	5	12	-	-	-	-	-
Manslaughter .....	45	-	18	5	20	2	-	-
Robbery .....	66	-	65	1	-	-	-	-
Aggravated assault .....	48	-	31	8	5	4	-	-
Burglary .....	273	-	222	47	4	-	-	-
Larceny, except auto theft .....	350	-	167	60	122	1	-	-
Auto theft .....	104	-	73	22	9	-	-	-
Embezzlement and fraud .....	25	-	8	4	8	5	-	-
Stolen property .....	17	-	6	2	9	-	-	-
Forgery .....	150	-	134	14	2	-	-	-
Rape .....	43	-	39	2	2	-	-	-
Commercialized vice .....	1	-	1	-	-	-	-	-
Other sex offenses .....	76	-	35	16	25	-	-	-
Violating drug laws .....	10	-	7	1	2	-	-	-
Carrying weapons, etc. ....	14	-	2	-	11	1	-	-
Other major offenses .....	50	-	27	11	12	-	-	-
Abortion .....	1	-	1	-	-	-	-	-
Araon .....	12	-	8	3	1	-	-	-
Bigamy .....	7	-	5	2	-	-	-	-
Blackmail and extortion .....	4	-	2	1	1	-	-	-
Escape and jail break .....	8	-	1	1	4	-	-	-
Kidnaping .....	2	-	1	1	-	-	-	-
Perjury .....	16	-	7	3	6	-	-	-
Other offenses:								
Minor assault .....	43	-	-	8	28	7	-	-
Non-support or neglect .....	23	-	-	15	8	-	-	-
Violating liquor laws .....	26	-	2	9	11	4	-	-
Driving while intoxicated .....	66	-	1	4	45	7	9	-
Other motor vehicle laws .....	30	-	2	5	13	10	-	-
Disorderly conduct and vagrancy .....	25	-	1	1	19	5	-	-
Gambling .....	24	-	-	6	2	16	-	-
All other offenses .....	65	-	7	10	31	17	-	-

JUDICIAL CRIMINAL STATISTICS: 1937

WISCONSIN

For 1937, Wisconsin courts with criminal jurisdiction reported that of 3,024 persons charged with major crimes, 2,548, or 84.3 percent, were convicted. Similar figures for 1935 and 1936, respectively, were 79.1 percent and 77.7 percent. It may also be noted that in no one of these three years did as many as 5 percent of the defendants avail themselves of their right to trial by jury, while 8.5 percent in 1935, 8.0 percent in 1936,

and 7.7 percent in 1937 waived trial by jury and were tried by the court.

These figures, which are presented in table 1, are, like those in tables following, from reports of practically all courts in the State having the power to try persons charged with major offenses, and include Superior, Circuit, County, and Municipal Courts.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	3,024	100.0	3,005	100.0	3,417	100.0
Eliminated without conviction ....	476	15.7	670	22.3	714	20.9
Dismissed .....	332	11.0	454	15.1	480	14.0
Jury waived, acquitted by court ..	41	1.4	42	1.4	49	1.4
Acquitted by jury .....	39	1.3	41	1.4	52	1.5
Other no-penalty dispositions ..	64	2.1	133	4.4	133	3.9
Convicted .....	2,548	84.3	2,335	77.7	2,703	79.1
Flea of guilty .....	2,275	75.2	2,049	68.2	2,346	68.7
Court finds guilty .....	190	6.3	199	6.6	244	7.1
Jury verdict guilty .....	83	2.7	87	2.9	113	3.3

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE CRIMINAL TRIAL COURTS OF WISCONSIN, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION				CONVICTED				
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	17,505	1,306	959	126	71	150	16,199	15,533	545	121
Major offenses, total ..	3,024	476	332	41	39	64	2,548	2,275	190	83
Murder .....	18	5	2	-	2	1	13	2	4	7
Manslaughter .....	51	16	5	-	9	2	35	19	3	13
Robbery .....	83	5	4	-	1	-	78	69	5	4
Aggravated assault .....	95	29	13	3	5	8	66	49	14	3
Burglary .....	385	22	16	3	1	2	363	328	32	3
Larceny, except auto theft ..	786	105	86	6	7	6	681	630	45	6
Auto theft .....	267	28	12	13	-	3	239	221	14	4
Embezzlement and fraud ..	269	92	77	-	1	14	177	170	5	2
Stolen property .....	48	8	5	-	-	3	40	36	1	3
Forgery .....	261	29	24	2	-	3	232	223	7	2
Rape .....	169	27	14	5	4	4	142	112	18	12
Commercialized vice .....	31	7	2	1	3	1	24	20	3	1
Other sex offenses .....	476	92	65	8	3	16	384	326	38	20
Violating drug laws .....	4	-	-	-	-	-	4	3	1	-
Carrying weapons, etc. ....	29	4	4	-	-	-	25	25	-	-
Other major offenses .....	52	7	3	-	3	1	45	42	-	3
Abortion .....	2	-	-	-	-	-	2	1	-	1
Arson .....	20	5	1	-	3	1	15	14	-	1
Bigamy .....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion ..	1	-	-	-	-	-	1	1	-	-
Escape and jail break .....	21	1	1	-	-	-	20	19	-	1
Kidnaping .....	2	-	-	-	-	-	2	2	-	-
Perjury .....	4	1	1	-	-	-	3	3	-	-
Other offenses:										
Minor assault .....	258	69	62	3	2	2	189	152	29	8
Nonsupport or neglect .....	488	170	139	15	-	16	318	278	38	2
Violating liquor laws .....	253	67	59	3	3	2	186	159	21	6
Driving while intoxicated ..	619	34	28	1	2	3	585	513	69	3
Other motor vehicle laws ..	7,215	129	98	9	4	18	7,086	7,044	40	2
Disorderly conduct and vagrancy .....	4,581	111	57	40	1	13	4,470	4,391	78	1
Gambling .....	103	39	29	5	5	-	54	59	3	2
All other offenses .....	964	211	155	9	15	32	753	662	77	14

More detailed figures for 1937, which show for both major and minor crimes the type of disposition by the class of offense charged, are given in table 2. From these, it may be seen that of the persons charged with major offenses, 333, or 11.0 percent, were accused either of murder, manslaughter, assault, or rape, all of which involve the doing of personal injury. Likewise, among the defendants to major charges were 2,016 persons charged with the taking of property through some form of burglary, larceny, forgery, fraud, or the receipt of stolen goods. Of those charged with offenses against the person, 256, or 76.9 percent, were convicted, while of those charged with "property" crimes, 1,732, or 85.9 percent were convicted. Robbery, an offense which involves both "property" and "person" was the charge against 83 defendants, and, of these, 78 were convicted.

Figures on the types of sentences imposed on those convicted of major crimes during the years 1935, 1936, and 1937, which are presented in table 3, reveal a steady decrease in the proportions sentenced to jails end to prisons and reformatories, and an increase in the proportion placed on probation or under suspended sentences.

While the extent to which the courts of Wisconsin chose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the individual offender is unknown, table 4 shows that a variety of sentences were imposed in 1937 for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	2,548	100.0	2,330	100.0	2,703	100.0
Death .....	-	-	-	-	-	-
Prison or reformatory .....	730	28.6	717	30.8	867	32.1
Probation or suspended sentence	1,053	41.3	855	36.7	969	35.8
Local jails .....	500	19.6	498	20.9	621	23.0
Fine or costs only .....	235	9.2	252	10.8	237	8.8
Juvenile institutions .....	30	1.2	13	0.6	6	0.2
Other sentences .....	-	-	5	0.2	3	0.1

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE CRIMINAL TRIAL COURTS OF WISCONSIN, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	16,199	-	799	3,902	1,820	9,568	30	80
Major offenses, total .....	2,548	-	730	1,053	500	235	30	-
Murder .....	13	-	13	-	-	-	-	-
Manslaughter .....	35	-	11	6	14	4	-	-
Robbery .....	78	-	65	11	-	-	2	-
Aggravated assault .....	66	-	36	20	-	9	1	-
Burglary .....	363	-	128	175	45	1	14	-
Larceny, except auto theft .....	681	-	120	272	197	88	4	-
Auto theft .....	239	-	68	135	21	12	3	-
Embezzlement and fraud .....	177	-	26	87	37	26	1	-
Stolen property .....	40	-	4	22	7	6	1	-
Forgery .....	232	-	90	108	31	3	-	-
Rape .....	142	-	51	88	-	-	3	-
Commercialized vice .....	24	-	2	4	6	12	-	-
Other sex offenses .....	384	-	88	110	121	64	1	-
Violating drug laws .....	4	-	-	-	4	-	-	-
Carrying weapons, etc. ....	25	-	6	9	11	6	-	-
Other major offenses .....	45	-	28	9	6	2	-	-
Abortion .....	2	-	-	-	-	1	-	-
Arson .....	15	-	9	6	-	-	-	-
Bigamy .....	2	-	2	-	-	-	-	-
Extortion .....	1	-	-	-	1	-	-	-
Escape and jail break .....	20	-	13	2	5	-	-	-
Kidnaping .....	2	-	2	-	-	-	-	-
Perjury .....	3	-	2	-	-	1	-	-
Other offenses:								
Minor assault .....	189	-	-	20	68	101	-	-
Nonsupport or neglect .....	318	-	23	245	47	3	-	-
Violating liquor laws .....	186	-	5	25	28	128	-	-
Driving while intoxicated .....	585	-	1	20	26	514	-	24
Other motor vehicle laws .....	7,086	-	9	121	39	6,861	-	56
Disorderly conduct and vagrancy .....	4,470	-	15	2,226	1,020	1,209	-	-
Gambling .....	64	-	-	1	-	63	-	-
All other offenses .....	753	-	16	191	92	454	-	-

JUDICIAL CRIMINAL STATISTICS: 1937

WYOMING

The District Courts of Wyoming reported that 81.1 percent of those charged with major criminal offenses were convicted in 1937, while 74.0 percent were convicted in 1936, and 77.0 percent in 1935. Only small percentages (10.7 in 1937, 8.1 in 1936, and 12.1 in 1935) had their guilt determined by court or jury trials, almost all cases being disposed of either by convictions on pleas of guilty or by dismissals.

The data presented in the following tables are from reports furnished to the Census Bureau by all District Courts of the State for 1935, and for 1936 and 1937, respectively, by courts covering, on the basis of the 1930 population, 92.5 and 96.4 percent of the State.

More detailed figures on the work of these courts in 1937 are given in table 2.

Table 1. DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of .....	328	100.0	273	100.0	356	100.0
Eliminated without conviction ....	62	18.9	71	26.0	82	23.0
Dismissed .....	51	15.5	49	17.9	73	20.5
Jury waived, acquitted by court ..	-	-	1	0.4	-	-
Acquitted by jury .....	10	3.0	6	2.2	3	0.8
Other no-penalty dispositions ..	1	0.3	15	5.5	6	1.7
Convicted .....	266	81.1	202	74.0	274	77.0
Plea of guilty .....	241	73.5	187	68.5	234	65.7
Court finds guilty .....	11	3.4	3	1.1	19	5.3
Jury verdict guilty .....	14	4.3	12	4.4	21	5.9

Table 2. DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURTS OF WYOMING, BY OFFENSE: 1937

OFFENSE	Total defendants disposed of	DISPOSED OF WITHOUT CONVICTION				CONVICTED				
		Total	Dismissed	Jury waived, acquitted by court	Acquitted by jury	Other	Total	Plea guilty	Jury waived, court finds guilty	Jury verdict guilty
All offenses .....	522	113	95	3	14	1	409	344	50	15
Major offenses, total ..	328	62	51	-	10	1	266	241	11	14
Murder .....	7	1	-	-	1	-	6	2	-	4
Manslaughter .....	4	3	3	-	-	-	1	-	-	1
Robbery .....	13	2	2	-	-	-	11	9	2	-
Aggravated assault .....	10	4	1	-	3	-	6	4	1	1
Burglary .....	70	15	14	-	-	1	55	55	-	-
Larceny, except auto theft ..	114	15	12	-	3	-	99	88	7	4
Auto theft .....	20	3	3	-	-	-	17	17	-	-
Embezzlement and fraud ...	11	4	4	-	-	-	7	6	-	1
Stolen property .....	7	4	3	-	1	-	3	2	-	1
Forgery .....	45	3	2	-	1	-	42	41	-	1
Rape .....	11	6	5	-	1	-	5	4	-	1
Commercialized vice .....	-	-	-	-	-	-	-	-	-	-
Other sex offenses .....	9	2	2	-	-	-	7	6	1	-
Violating drug laws .....	2	-	-	-	-	-	2	2	-	-
Carrying weapons, etc. ...	1	-	-	-	-	-	1	1	-	-
Other major offenses .....	4	-	-	-	-	-	4	4	-	-
Abortion .....	-	-	-	-	-	-	-	-	-	-
Arson .....	-	-	-	-	-	-	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion ..	-	-	-	-	-	-	-	-	-	-
Escape and jail break .....	4	-	-	-	-	-	4	4	-	-
Kidnaping .....	-	-	-	-	-	-	-	-	-	-
Perjury .....	-	-	-	-	-	-	-	-	-	-
Other offenses:										
Minor assault .....	8	2	2	-	-	-	6	4	2	-
Nonsupport or neglect ....	11	5	4	1	-	-	6	5	1	-
Violating liquor laws ....	9	3	2	-	1	-	6	4	2	-
Driving while intoxicated ..	14	4	4	-	-	-	10	8	2	-
Other motor vehicle laws ..	10	1	1	-	-	-	9	3	6	-
Disorderly conduct and vagrancy .....	19	-	-	-	-	-	19	11	8	-
Gambling .....	8	4	3	-	1	-	4	4	-	-
All other offenses .....	115	32	28	2	2	-	83	64	18	1

In 1937, 328, or 82.8 percent, of the defendants were charged with major crimes, while the remaining 194, or 37.2 percent, were charged with less serious offenses. Of the major offenses charged, 267, or 81.4 percent, involved the taking or conversion of property through some form of burglary, larceny, forgery, or fraud, while 32, or 9.8 percent, involved the doing of bodily harm through murder, manslaughter, assault, or rape. Convictions were returned in 223, or 83.5 percent, of the charges of crimes against "property", and in 18, or 56.3 percent, of the charges of crimes against the person. Robbery, involving both "person" and "property", was charged against 13 defendants, of whom 11 were convicted.

From table 3, which shows the types of sentences imposed on those convicted of major crimes

during the three year period, it may be noted that in each year more than three-fourths of those sentenced were given terms in prisons, reformatories, or jails. While the extent to which the courts of Wyoming choose punishment according to the seriousness of the offense, or choose correctional treatment for its rehabilitative effect on the offender is unknown, table 4 shows a variety of sentences for offenses of the same general class. In the interpretation of these data, however, it should be remembered that some classes include offenses of very different degrees of seriousness.

This collection of statistics on the functioning of State criminal courts was begun by the Census Bureau in 1932, under the authority of an Act of Congress, and is made possible by the cooperation of the clerks of court.

Table 3. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1937		1936		1935	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	266	100.0	202	100.0	272	100.0
Death .....	-	-	1	0.5	-	-
Prison or reformatory .....	181	68.0	144	71.3	195	71.7
Probation or suspended sentence	46	17.3	28	13.9	54	19.9
Local jails .....	25	9.4	18	8.9	15	5.5
Fine or costs only .....	14	5.3	10	5.0	7	2.6
Juvenile institutions .....	-	-	-	-	-	-
Other sentences .....	-	-	1	0.5	1	0.4

Table 4. TYPES OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURTS OF WYOMING, BY OFFENSE: 1937

OFFENSE	Total number of defendants sentenced	Death penalty	State prisons and reformatories	Probation or suspended sentence	Local jails	Fine or costs only	Institutions for juvenile delinquents only	Other
All offenses .....	409	-	193	96	44	62	14	-
Major offenses, total .....	266	-	181	46	25	14	-	-
Murder .....	6	-	6	-	-	-	-	-
Manslaughter .....	1	-	1	-	-	-	-	-
Robbery .....	11	-	7	4	-	-	-	-
Aggravated assault .....	6	-	5	1	-	-	-	-
Burglary .....	55	-	47	8	-	-	-	-
Larceny, except auto theft .....	99	-	48	20	22	9	-	-
Auto theft .....	17	-	15	2	-	-	-	-
Embezzlement and fraud .....	7	-	5	2	-	-	-	-
Stolen property .....	3	-	-	2	-	1	-	-
Forgery .....	42	-	35	6	1	-	-	-
Rape .....	5	-	5	-	-	-	-	-
Commercialized vice .....	5	-	-	-	-	-	-	-
Other sex offensee .....	7	-	5	1	1	-	-	-
Violating drug laws .....	2	-	-	-	1	1	-	-
Carrying weapons, etc. ....	1	-	-	-	-	1	-	-
Other major offensee .....	4	-	2	-	-	2	-	-
Abortion .....	-	-	-	-	-	-	-	-
Arson .....	-	-	-	-	-	-	-	-
Bigamy .....	-	-	-	-	-	-	-	-
Blackmail and extortion .....	-	-	-	-	-	-	-	-
Escape and jail break .....	4	-	2	-	-	2	-	-
Kidnaping .....	-	-	-	-	-	-	-	-
Ferjury .....	-	-	-	-	-	-	-	-
Other offenses:								
Minor assault .....	6	-	-	-	3	3	-	-
Nonsupport or neglect .....	6	-	1	4	1	-	-	-
Violating liquor laws .....	6	-	-	-	-	6	-	-
Driving while intoxicated .....	10	-	-	4	1	5	-	-
Other motor vehicle laws .....	9	-	-	1	-	8	-	-
Disorderly conduct and vagrancy .....	19	-	-	-	8	10	1	-
Gambling .....	4	-	-	-	-	4	-	-
All other offenses .....	83	-	11	41	6	12	13	-