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# JUDICIAL CRIMINAL STATISTICS 1940



U. S. DEPARTMENT OF COMMERCE  
BUREAU OF THE CENSUS



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*Jesse H. Jones, Secretary*  
BUREAU OF THE CENSUS  
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WASHINGTON



# JUDICIAL CRIMINAL STATISTICS

## 1940

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STATE TABLES

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

Symbols used in this report

Class or item not applicable-----	...
Data not available-----	---
Quantity is zero, in frequency tables-----	-
Quantity is zero, in rate and percent tables-----	0
Less than one-half of last figure to which decimal place is carried, if one place-----	0.0

## JUDICIAL CRIMINAL STATISTICS, 1940

### INTRODUCTION

Twenty-seven States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports of defendants in criminal cases disposed of in courts having original felony jurisdiction, during the year 1940. This is the ninth year in which 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, 30 for 1935 and 1936, 29 for 1937, 27 for 1938, and 25 for 1939. The two States returned to the 1940 collection were California and Indiana.

Scope of statistics.—The judicial criminal statistics gathered by the Bureau of the Census 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 that has authority 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 charged with a felony will be tried in a court of general jurisdiction, although he may have a preliminary examination 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 arrested on felony charges are finally disposed of in minor courts, either by the dismissal of the charge at the preliminary examination or by the reduction of the charge to a misdemeanor that 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 pic-

ture of the administration of criminal justice.

Methods of collection.—The judicial criminal statistics collected by the Bureau of the Census are based on annual reports made by the clerks of court on a uniform tally sheet supplied by the Bureau of the Census. This provides for the tallying of all defendants disposed of during the year, by offense and method of disposition, and for the tallying of all persons convicted, by offense for which convicted and by sentence imposed. The 1940 data were collected by this tally-sheet method in 22 of the 27 States. In two of these 22 States, Michigan and Pennsylvania, a summary tally sheet was prepared from the clerks' reports and submitted to the Bureau by central agencies: The Department of Correction in Michigan and the Department of Welfare in Pennsylvania. Reports were received from Massachusetts and New York on the basis of the reporting forms used by the Departments of Correction in those States. For the District of Columbia, Minnesota, and 74 of the 88 Ohio counties, the data were reported by means of individual-case cards.

### Tally-sheet Method

The accuracy of the data reported on the tally sheets necessarily depends on the care with which 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 classification of cases according to offense and particular method of disposition or type of sentence also is quite

difficult, and inasmuch as different clerks have different ideas as to how an offender should be classified, there is a resulting lack of uniformity in the data reported. 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 were available, it probably would not be based on 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.

#### Case-card Method

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, and was continued during 1938, 1939, and 1940. Under this system the clerks of court fill out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The collection, editing, and clarification of recorded data is done by a central statistical agency of the State, insuring uniform interpretation of the data reported. The cards are forwarded annually to the Bureau where they are coded and tabulated.

This method is far more flexible than the tally-sheet method because it makes possible a more intensive analysis of the data collected and can be adapted quite easily to the particular record-keeping routines used by the different clerks of court. As more work is required to tabulate, analyze, and summarize reports collected under the individual-case method, it would be difficult for the Bureau to undertake detailed supervision of such reports from a large number of States. Having tested the practicability of the individual-case method, the Census Bureau would encourage the establishment of State statistical bureaus or agencies for the collection of judicial criminal statistics. Such an agency could adapt the system to the particular laws, procedure, and practice of the State and make a much more detailed analysis of the statistics collected than could a national agency attempting to deal with all States. The development of a satisfactory national system of judicial criminal statistics will depend to a large extent on the successful establishment and operation of such State bureaus.

Limitations of the statistics.—There are wide differences to be found between States 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 10) that the 1940 statistics were collected

from several different kinds of courts and occasionally from two or three types within a single State. While most States have a single type of court of general jurisdiction, in some States special jurisdiction to dispose of felony offenses has been given to courts that 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 types of courts in Vermont to obtain adequate coverage of the felony convictions in that State.

There may be a great deal of variance 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, 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 also a large number of misdemeanor cases that are not disposed of by local justices of the peace. There are, therefore, some very real difficulties in comparison of these statistics. As has been the case each year since 1935, summary and comparative analysis of State material is limited to the major offense categories. It is thought that this method eliminates a great deal of variability in the statistics that would otherwise result from the widely differing jurisdiction over criminal cases of the reporting courts.

There are no refinements of selection, however, which will make up for the fact that these statistics do not embody the results of the early stages of prosecution of felony cases. In many counties large numbers of offenders arrested and charged with felonies are eliminated or disposed of on reduced charges in municipal or other minor courts before the cases ever reach the general trial courts, whereas in other counties very few felony cases will be disposed of in the minor courts, and the number of cases appearing in the trial courts will be, by comparison, exceedingly large. Consequently,

it is impossible to assume that statistics of courts of general jurisdiction fully account for prosecution practices. This fact limits the conclusions that may be drawn concerning variations in procedural and sentencing practices from State to State.

## ANALYSIS OF 1940 DATA

**Disposition and sentence, by States.**—The 1940 report consists principally of summaries for each of the 27 cooperating States. For 26 States it was possible to present a 4-year comparison showing, for major offenses, the number of defendants disposed of, by type of disposition and sentence. 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 present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, present the same information for the 27 States combined, by offense.

Table 1<sup>1</sup> 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 35.8 in Indiana to 4.8 in Rhode Island, and conversely the proportion convicted ranges from 95.2 in Rhode Island to 64.2 in Indiana. For the 27 States taken individually, the median proportion convicted is 81.2 percent.

TABLE 1.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY STATES: 1940

State	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total, 27 States.....	76,543	17,517	22.9	59,026	77.1
California <sup>1</sup> .....	6,184	1,197	19.4	4,987	80.6
Colorado.....	1,327	273	20.6	1,054	79.4
Connecticut <sup>2</sup> .....	901	121	13.4	780	86.6
District of Columbia.....	1,341	253	18.9	1,088	81.1
Idaho.....	576	103	17.9	473	82.1
Indiana.....	3,479	1,246	35.8	2,233	64.2
Iowa.....	2,195	498	22.7	1,697	77.3
Kansas.....	1,430	300	21.0	1,130	79.0
Massachusetts.....	3,194	547	17.1	2,647	82.9
Michigan.....	2,747	561	20.4	2,186	79.6
Minnesota.....	1,990	183	9.2	1,807	90.8
Montana.....	549	96	17.5	453	82.5
New Hampshire.....	432	51	11.8	381	88.2
New Jersey.....	7,250	1,731	23.9	5,519	76.1
New Mexico.....	969	284	29.3	685	70.7
New York.....	10,797	2,963	27.4	7,834	72.6
North Dakota.....	481	55	11.4	426	88.6
Ohio.....	5,320	867	16.3	4,453	83.7
Oregon.....	1,115	139	12.5	976	87.5
Pennsylvania.....	17,278	4,950	28.6	12,328	71.4
Rhode Island.....	600	29	4.8	571	95.2
South Dakota.....	478	62	13.0	416	87.0
Utah.....	394	74	18.8	320	81.2
Vermont.....	418	93	22.2	325	77.8
Washington.....	1,584	241	15.2	1,343	84.8
Wisconsin.....	3,192	528	16.5	2,664	83.5
Wyoming.....	322	72	22.4	250	77.6

<sup>1</sup>In all tables, California totals will somewhat exceed the figures given in the California State report as data were received from 4 counties after the publication date of the separate report.

<sup>2</sup>Statistics are for the year July 1, 1940 through June 30, 1941.

## JUDICIAL CRIMINAL STATISTICS, 1940

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination: (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 93.6 percent in Wisconsin to 44.4 percent in Massachusetts. The median proportion dismissed for the 27 States taken individually is 81.3 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 44.6 percent in Utah to 2.6 percent in Indiana. The median propor-

tion of defendants acquitted by jury for the 27 States is 16.4 percent.

Table 3 shows the number and proportion of convictions for each of the three types of conviction: (1) plea of guilty, (2) conviction by court after waiver of jury trial, and (3) jury verdict 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 98.9 percent in Rhode Island to 76.8 percent in Pennsylvania. The median percentage for the 26 States taken individually is 89.6 percent. (Data by method of conviction were not available for New York State.) Jury verdicts of guilty accounted for 19.4 percent of all convictions in Utah and 1.1 percent in Rhode Island. The median proportion of convictions by jury among the 26 States is 6.1 percent.

Table 4 shows, for each of the 27

TABLE 2.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1940

State	Total eliminated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Per cent	Number	Per cent	Number	Per cent
Total, 27 States.....	17,517	12,243	69.9	1,642	9.4	3,632	20.7
California.....	1,197	757	63.2	240	20.1	200	16.7
Colorado.....	273	219	80.2	5	2.0	49	17.9
Connecticut <sup>1</sup> .....	121	105	86.8	12	9.9	4	3.3
District of Columbia.....	253	166	65.6	35	13.8	52	20.6
Idaho.....	103	87	84.5	-	0	16	15.5
Indiana.....	1,246	1,093	87.7	120	9.6	33	2.6
Iowa.....	498	449	90.2	3	0.6	46	9.2
Kansas.....	300	245	81.7	6	2.0	49	16.3
Massachusetts.....	547	243	44.4	95	17.4	209	38.2
Michigan.....	561	488	87.0	14	2.5	59	10.5
Minnesota.....	183	137	74.9	3	1.6	43	23.5
Montana.....	96	75	78.1	-	0	21	21.9
New Hampshire.....	51	44	86.3	1	2.0	6	11.8
New Jersey.....	1,731	1,244	71.9	302	17.4	185	10.7
New Mexico.....	284	239	84.2	9	3.2	36	12.7
New York.....	2,963	2,453	82.8	-	0	510	17.2
North Dakota.....	55	44	80.0	2	3.6	9	16.4
Ohio.....	867	668	77.0	82	9.5	117	13.5
Oregon.....	139	113	81.3	1	0.7	25	18.0
Pennsylvania.....	4,950	2,428	49.1	687	13.9	1,835	37.1
Rhode Island.....	29	18	62.1	-	0	11	37.9
South Dakota.....	62	50	80.6	1	1.6	11	17.7
Utah.....	74	37	50.0	4	5.4	33	44.6
Vermont.....	93	82	88.2	1	1.1	10	10.8
Washington.....	241	200	83.0	1	0.4	40	16.6
Wisconsin.....	528	494	93.6	18	3.4	16	3.0
Wyoming.....	72	65	90.3	-	0	7	9.7

<sup>1</sup>Statistics are for the year July 1, 1940 through June 30, 1941.



TABLE 3.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1940

State	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per cent	Number	Per cent	Number	Per cent
Total, 26 States.....	151,192	43,890	85.7	3,202	6.3	4,100	8.0
California.....	4,987	4,242	85.1	340	6.8	405	8.1
Colorado.....	1,054	956	90.7	10	0.9	88	8.3
Connecticut.....	780	721	92.4	42	5.4	17	2.2
District of Columbia.....	1,088	914	84.0	2	0.2	172	15.8
Idaho.....	473	413	87.3	16	3.4	44	9.3
Indiana.....	2,233	1,954	87.5	213	9.5	66	3.0
Iowa.....	1,697	1,627	95.9	19	1.1	51	3.0
Kansas.....	1,130	1,007	89.1	19	1.7	104	9.2
Massachusetts.....	2,647	2,270	85.8	132	5.0	245	9.3
Michigan.....	2,186	1,932	88.4	154	7.0	100	4.6
Minnesota.....	1,807	1,741	96.3	3	0.2	63	3.5
Montana.....	453	390	86.1	21	4.6	42	9.3
New Hampshire.....	361	368	96.6	1	0.3	12	3.1
New Jersey.....	5,519	4,648	84.2	593	10.7	278	5.0
New Mexico.....	685	615	89.8	25	3.6	45	6.6
North Dakota.....	426	400	93.9	-	0	26	6.1
Ohio.....	4,453	3,959	88.9	223	5.0	271	6.1
Oregon.....	976	904	92.6	7	0.7	65	6.7
Pennsylvania.....	12,328	9,463	76.8	1,131	9.2	1,734	14.1
Rhode Island.....	571	565	98.9	-	0	6	1.1
South Dakota.....	416	387	93.0	17	4.1	12	2.9
Utah.....	320	251	78.4	7	2.2	62	19.4
Vermont.....	325	314	96.6	2	0.6	9	2.8
Washington.....	1,343	1,234	91.9	2	0.1	107	8.0
Wisconsin.....	2,664	2,378	89.3	217	8.1	69	2.6
Wyoming.....	250	237	94.8	6	2.4	7	2.8

<sup>1</sup>Excludes the 7,834 defendants convicted in New York State.

<sup>2</sup>Statistics for the year July 1, 1940 through June 30, 1941.

States, the number and percent of those convicted and sentenced, by type of sentence imposed. In Montana, 77.5 percent of the defendants sentenced for major offenses received a prison sentence, while Pennsylvania, at the other end of the scale, showed only 13.1 percent of those convicted as sentenced to prison or death. For the 27 States, the median proportion of convicted defendants receiving a prison or death sentence is 47.8 percent. Probation was used most extensively in Rhode Island, where 74.1 percent were reported as being placed on probation or given a suspended sentence. This is not surprising since Rhode Island law permits defendants to waive indictment by the grand jury and plead nolo contendere. Such defendants very frequently receive a deferred sentence. Probation was used next most extensively in New Hampshire where 53.0 percent of convicted defendants received such treatment. North Dakota reported the

least use of this type of sentence with 11.7 percent, while the median percentage of the 27 States is 32.1. Pennsylvania reported the highest proportion of jail sentences, and Wyoming reported the lowest. The median percentage of defendants sentenced to jail is 13.5.

#### Disposition and sentence, by offense.—

In interpreting the data presented in tables 5 to 8, showing disposition and sentence by offense, for the 27 States combined, it must be remembered that a few States account for most of the cases reported and that the practices followed in those States in regard to both disposition and sentence influence dominantly the results shown in these tables. Five States, Pennsylvania, New York, New Jersey, California, and Ohio, account for about 3/5 (61.2 percent) of the cases covered, while the other 22 States account for the remainder.

Table 5 shows the number of defendants

TABLE 4.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1940

State	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Total, 27 States..	59,026	122,084	37.4	19,847	33.6	12,952	21.9	4,143	7.0
California.....	4,987	1,524	30.6	1,689	33.9	1,607	32.2	167	3.3
Colorado.....	1,054	628	59.6	371	35.2	39	3.7	16	1.5
Connecticut <sup>2</sup> .....	780	230	29.5	250	32.1	265	34.0	35	4.5
District of Columbia..	1,088	680	62.5	297	27.3	108	9.9	3	0.3
Idaho.....	473	246	52.0	132	27.9	83	17.5	12	2.5
Indiana.....	2,233	1,180	52.8	689	30.9	220	9.9	144	6.4
Iowa.....	1,697	698	41.1	303	17.9	585	34.5	111	6.5
Kansas.....	1,130	805	71.2	211	18.7	105	9.3	9	0.8
Massachusetts.....	2,647	1,429	54.0	735	27.8	...	...	483	18.2
Michigan.....	2,186	923	42.7	1,098	50.2	105	4.8	50	2.3
Minnesota.....	1,807	788	43.6	719	39.8	240	13.3	60	3.3
Montana.....	453	351	77.5	62	13.7	24	5.3	16	3.5
New Hampshire.....	361	104	27.3	202	53.0	66	17.3	9	2.4
New Jersey.....	5,519	1,960	35.5	2,098	38.0	1,053	19.1	408	7.4
New Mexico.....	685	360	52.6	237	34.6	47	6.9	41	6.0
New York.....	7,834	3,227	41.2	2,845	36.3	1,719	21.9	43	0.5
North Dakota.....	426	262	61.5	50	11.7	77	18.1	37	8.7
Ohio.....	4,453	2,090	46.9	1,880	42.2	295	6.6	188	4.2
Oregon.....	976	504	51.6	326	33.4	132	13.5	14	1.4
Pennsylvania.....	12,328	1,619	13.1	3,411	27.7	5,442	44.1	1,856	15.1
Rhode Island.....	571	116	20.3	423	74.1	27	4.7	5	0.9
South Dakota.....	416	246	59.1	95	22.8	60	14.4	15	3.6
Utah.....	320	153	47.8	122	38.1	33	10.3	12	3.8
Vermont.....	325	117	36.0	91	28.0	66	20.3	51	15.7
Washington.....	1,343	770	57.3	381	28.4	182	13.6	10	0.7
Wisconsin.....	2,664	917	34.4	1,052	39.5	364	13.7	331	12.4
Wyoming.....	250	147	58.8	78	31.2	8	3.2	17	6.8

<sup>1</sup>Includes 63 death sentences.

<sup>2</sup>Statistics are for the year July 1, 1940 through June 30, 1941.

<sup>3</sup>Includes defendants sentenced to local jails, workhouses, etc.

disposed of in the 27 States and those eliminated and convicted in each offense group. Burglary, auto theft, violating drug laws, forgery and counterfeiting, and larceny, except auto theft, show, in that order, the highest proportions of convictions, while manslaughter and aggravated assault show the lowest proportions.

Table 6 shows, by offense, the number and percent of defendants eliminated in the 27 States for each of the three types of elimination. Defendants charged with forgery and counterfeiting show the highest proportion of eliminations by dismissal and lowest proportion of acquittals by jury. Defendants charged with manslaughter show the lowest proportion of eliminations by dismissals, but those charged with murder show the highest proportion of acquittals

by jury.

Table 7 shows, for each offense group, the number and percent of defendants convicted and sentenced in 26 States by type of conviction. Forgery and counterfeiting, auto theft, and burglary are the offense groups showing the highest proportion of convictions by plea of guilty; and murder, assault, and manslaughter are those showing the lowest. Murder and manslaughter, however, show the highest proportions of convictions by jury verdict.

Table 8 shows, for each offense group, the number and percent of defendants convicted and sentenced in the 27 States, by type of sentence imposed. As might be expected, nearly all persons convicted of murder were given a death or prison sentence. Of the 483 defendants shown in the table as

TABLE 5.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY OFFENSE: 1940

Offense	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total.....	76,543	17,517	22.9	59,026	77.1
Murder.....	828	311	37.6	517	62.4
Manslaughter.....	1,525	651	42.7	874	57.3
Robbery.....	5,532	1,429	25.8	4,103	74.2
Aggravated assault.....	5,556	2,127	38.3	3,429	61.7
Burglary.....	15,866	2,141	13.5	13,725	86.5
Larceny, except auto theft.....	<sup>1</sup> 15,574	2,805	18.0	12,769	82.0
Auto theft.....	5,460	815	14.9	4,645	85.1
Embezzlement and fraud.....	5,394	1,895	35.1	3,499	64.9
Stolen property, receiving, etc.....	1,769	605	34.2	1,164	65.8
Forgery and counterfeiting.....	5,271	835	15.8	4,436	84.2
Rape.....	3,087	1,056	34.2	2,031	65.8
Commercialized vice.....	1,034	282	27.3	752	72.7
Other sex offenses.....	4,938	1,305	26.4	3,633	73.6
Violating drug laws.....	660	102	15.5	558	84.5
Carrying, etc., weapons.....	1,753	422	24.1	1,331	75.9
Other major offenses.....	2,296	736	32.1	1,560	67.9

<sup>1</sup>Includes embezzlement and fraud in Massachusetts.

TABLE 6.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1940

Offense	Total eliminated	Dismissed and other no-penalty		Acquitted by court (jury waived)		Acquitted by jury	
		Number	Percent	Number	Percent	Number	Percent
Total.....	17,517	12,243	69.9	1,642	9.4	3,632	20.7
Murder.....	311	163	52.4	13	4.2	135	43.4
Manslaughter.....	651	334	51.3	69	10.6	248	38.1
Robbery.....	1,429	892	62.4	140	9.8	397	27.8
Aggravated assault.....	2,127	1,187	55.8	314	14.8	626	29.4
Burglary.....	2,141	1,587	74.1	163	7.6	391	18.3
Larceny, except auto theft.....	<sup>1</sup> 2,805	2,076	74.0	246	8.8	483	17.2
Auto theft.....	815	627	76.9	73	9.0	115	14.1
Embezzlement and fraud.....	1,895	1,529	80.7	133	7.0	233	12.3
Stolen property, receiving, etc.....	605	379	62.6	83	13.7	143	23.6
Forgery and counterfeiting.....	835	742	88.9	37	4.4	56	6.7
Rape.....	1,056	727	68.8	73	6.9	256	24.2
Commercialized vice.....	282	164	58.2	58	20.6	60	21.3
Other sex offenses.....	1,305	930	71.3	128	9.8	247	18.9
Violating drug laws.....	102	77	75.5	10	9.8	15	14.7
Carrying, etc., weapons.....	422	264	62.6	72	17.1	86	20.4
Other major offenses.....	736	565	76.8	30	4.1	141	19.2

<sup>1</sup>Includes embezzlement and fraud in Massachusetts.

## JUDICIAL CRIMINAL STATISTICS, 1940

TABLE 7.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1940

Offense	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per cent	Number	Per cent	Number	Per cent
Total.....	151,192	43,890	85.7	3,202	6.3	4,100	8.0
Murder.....	432	211	48.8	25	5.8	196	45.4
Manslaughter.....	725	488	67.3	48	6.6	189	26.1
Robbery.....	3,403	2,660	78.2	167	4.9	576	16.9
Aggravated assault.....	2,945	1,974	67.0	473	16.1	498	16.9
Burglary.....	11,842	10,759	90.9	501	4.2	582	4.9
Larceny, except auto theft.....	<sup>a</sup> 10,475	9,347	89.2	598	5.7	530	5.1
Auto theft.....	3,980	3,657	91.9	172	4.3	151	3.8
Embezzlement and fraud.....	3,489	3,101	88.9	226	6.5	162	4.6
Stolen property, receiving, etc.....	1,050	863	82.2	68	6.5	119	11.3
Forgery and counterfeiting.....	4,070	3,892	95.6	72	1.8	106	2.6
Rape.....	1,788	1,338	74.8	161	9.0	289	16.2
Commercialized vice.....	740	519	70.1	143	19.3	78	10.5
Other sex offenses.....	3,446	2,753	79.9	330	9.6	363	10.5
Violating drug laws.....	505	411	81.4	30	5.9	64	12.7
Carrying, etc., weapons.....	1,038	852	82.1	107	10.3	79	7.6
Other major offenses.....	1,264	1,065	84.3	81	6.4	118	9.3

<sup>1</sup>Excludes 7,834 defendants convicted in New York State.

<sup>2</sup>Includes embezzlement and fraud in Massachusetts.

receiving death or prison sentences for murder, 62 were given the death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of embezzlement and fraud, auto theft, and receiving stolen property. The offense groups showing the highest proportions of defendants given jail sentences were violating drug laws, and carrying, etc., weapons.

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 22 States reporting 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, that furnished statistics for 1940 and the percentage of the population in each State that resides within the jurisdiction

of the reporting courts, as based on the 1940 Census.

Table 10 presents the number of defendants convicted of all offenses who were reported as sentenced to adult State prisons and reformatories as compared with the total number admitted to adult State prisons and reformatories from the courts.<sup>1</sup> As might be expected, court sentence and prison-reformatory admission figures are not identical. For 14 States more persons are reported admitted to prisons and reformatories than are reported as sentenced, whereas in 13 States the converse is true.

In only 3 States (the District of Columbia, Minnesota, and Ohio) is there a rigid check on the accuracy of court statistics. Elsewhere errors are possible through omissions, repetition, and misclassification of offense or disposition. Discrepancies

<sup>1</sup>"Prisoners in State and Federal prisons and reformatories: 1940. Movement of population." Census Bureau, Washington, D.C., 1942.

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1940

Offense	Defendants sentenced	State prisons and reformatories		Probation and suspended sentence		Local jails, workhouses, etc.		All other sentences	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	59,026	22,084	37.4	19,847	33.6	12,952	21.9	4,143	7.0
Murder.....	517	*483	93.4	5	1.0	26	5.0	3	0.6
Manslaughter.....	874	429	49.1	217	24.8	183	20.9	45	5.1
Robbery.....	4,103	2,918	71.1	566	13.8	515	12.6	104	2.5
Aggravated assault.....	3,429	1,021	29.8	994	29.0	1,066	31.1	348	10.1
Burglary.....	13,725	5,756	41.9	4,910	35.8	2,580	18.8	479	3.5
Larceny, except auto theft.....	3 <sup>12</sup> 7,699	3,604	28.2	4,837	37.9	3,415	26.7	913	7.2
Auto theft.....	4,645	1,638	35.3	1,979	42.6	836	18.0	192	4.1
Embezzlement and fraud..	3,499	775	22.1	1,545	44.2	841	24.0	338	9.7
Stolen property, receiving, etc.....	1,164	227	19.5	480	41.2	304	26.1	153	13.1
Forgery and counterfeiting.....	4,436	1,952	44.0	1,571	35.4	781	17.6	132	3.0
Rape.....	2,031	983	48.4	584	28.8	376	18.5	88	4.3
Commercialized vice.....	752	112	14.9	157	20.9	219	29.1	264	35.1
Other sex offenses.....	3,633	954	26.3	1,085	29.9	817	22.5	777	21.4
Violating drug laws.....	558	168	30.1	88	15.8	269	48.2	33	5.9
Carrying, etc., weapons.	1,331	260	19.5	428	32.2	508	38.2	135	10.1
Other major offenses....	1,560	*804	51.5	401	25.7	216	13.8	139	8.9

<sup>1</sup>Includes defendants sentenced to local jails, workhouses, etc., in Massachusetts.

<sup>2</sup>Includes 62 deaths.

<sup>3</sup>Includes embezzlement and fraud in Massachusetts.

<sup>4</sup>Includes 1 death for kidnaping.

other than simple mistakes between judicial and prison reports fall into two groups. The first may be called minor and normal. These would include discrepancies induced by time lag between sentence and receipt at prison, granting of stay of execution or appeal after sentence, death or hospitalization of sentenced defendants, commitment to prison as probation violators of persons given probation, and incomplete judicial reporting. The major discrepancies appear in those jurisdictions in which the reporting courts try considerable numbers of defendants who are not imprisoned in reporting institutions if sentenced or where appreciable numbers of prisoners admitted were sentenced by courts having primarily or exclusively misdemeanor jurisdiction.

The prison reports indicate that Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, and Wisconsin prisons receive appreciable numbers of misdemeanor prisoners.

Many of these are committed by minor courts not covered in Judicial Criminal reports. In addition, the Ohio Reformatory received 89 prisoners on commitments from juvenile courts. On the other hand, Massachusetts and Indiana put some prisoners in penal farms not included in prison reports and the District of Columbia has some prisoners incarcerated in various Federal penitentiaries. Comparisons for California, Michigan, and Vermont are invalidated by incomplete coverage. Probation violations are an important factor in the discrepancies in the States of Minnesota, Ohio, Pennsylvania, and New York.

#### SUMMARY AND CONCLUSION

The 1940 statistics show substantially the same facts and relationships in regard to the disposition and sentence of criminal

## JUDICIAL CRIMINAL STATISTICS, 1940

TABLE 9.—NUMBER AND TYPE OF COURTS FURNISHING REPORTS, BY STATES: 1940

State	Number of counties in State	Number of reports received from each type of court							Percent of population coverage <sup>1</sup>
		Dis-trict	Cir-cuit	Super-ior	Com-mon pleas	Quarter session and over and term-ner	Coun-ty	Mu-ni-cipal	
California.....	58	...	...	29	...	...	...	...	68.5
Colorado.....	63	50	...	...	...	...	...	...	99.2
Connecticut.....	8	...	...	9	5	...	...	...	100.0
Dist. of Columbia..	1	1	...	...	...	...	...	...	100.0
Idaho.....	44	44	...	...	...	...	...	...	100.0
Indiana.....	92	...	68	3	...	...	...	2	71.3
Iowa.....	99	100	...	...	...	...	...	...	100.0
Kansas.....	105	109	...	...	...	...	...	...	100.0
Massachusetts.....	14	...	...	14	...	...	...	...	100.0
Michigan.....	83	...	---	...	...	...	...	---	---
Minnesota.....	87	87	...	...	...	...	...	...	100.0
Montana.....	56	56	...	...	...	...	...	...	100.0
New Hampshire.....	10	...	...	10	...	...	...	...	100.0
New Jersey.....	21	...	...	...	...	20	...	...	98.3
New Mexico.....	31	31	...	...	...	...	...	...	100.0
New York.....	62	...	...	...	...	...	62	...	100.0
North Dakota.....	53	45	...	...	...	...	...	...	89.0
Ohio.....	88	...	...	...	88	...	...	...	100.0
Oregon.....	36	...	36	...	...	...	...	...	100.0
Pennsylvania.....	67	...	...	...	...	66	...	...	99.8
Rhode Island.....	5	...	...	4	...	...	...	...	100.0
South Dakota.....	69	...	64	...	...	...	...	...	100.0
Utah.....	29	28	...	...	...	...	...	...	97.1
Vermont.....	14	...	...	...	...	11	8	...	---
Washington.....	39	...	...	39	...	...	...	...	100.0
Wisconsin.....	71	...	64	2	...	19	12	...	---
Wyoming.....	23	23	...	...	...	...	...	...	100.0

<sup>1</sup>Percent of the population of the State residing within the jurisdictional limits of reporting courts as based on the 1940 Census. Percent of coverage could not be computed for States in which some courts having concurrent jurisdiction within certain counties did not report.

offenders in courts of general jurisdiction as were found in the analysis of the 1935, 1936, 1937, 1938, and 1939 data. As in 1939, the 1940 report is presented chiefly as a brief summary of the statistical data collected from the cooperating States. The reader is referred to the reports of 1935 and 1936 for a more comprehensive discussion of the scope of these statistics and the methods and limitations of their collection, as well as for detailed analysis of the data collected.

It is again emphasized that comparisons between States should be made only with 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 1937, 1938, 1939, and 1940.

Again in 1940, 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. About seven-tenths 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. Slightly over one-sixth of the defendants prosecuted in the trial courts were disposed of by means of trial. Of the defendants convicted and sentenced, slightly more than one-third received sentences to State prisons or reformatories, and about one-third were given probation or a suspended sentence.

TABLE 10.—COMPARISON OF COURT AND PRISON DATA FOR REPORTING STATES: 1940

State	Court sentences <sup>1</sup>		Percent of population covered by court reports <sup>2</sup>	Admissions to State prisons and reformatories from the courts
	Death penalty	Sentenced to State prisons and reformatories		
California.....	10	1,542	68.5	2,154
Colorado.....	1	646	99.2	691
Connecticut <sup>3</sup> .....	-	255	100.0	541
District of Columbia.....	1	699	100.0	668
Idaho.....	1	258	100.0	231
Indiana.....	1	1,406	71.3	1,362
Iowa.....	1	792	100.0	753
Kansas.....	-	846	100.0	780
Massachusetts.....	1	<sup>4</sup> 1,595	100.0	915
Michigan.....	-	1,038	---	2,395
Minnesota.....	-	813	100.0	887
Montana.....	-	358	100.0	305
New Hampshire.....	-	105	100.0	100
New Jersey.....	-	2,064	98.3	1,574
New Mexico.....	-	375	100.0	331
New York.....	24	3,263	100.0	3,633
North Dakota.....	-	277	89.0	263
Ohio.....	7	2,147	100.0	2,532
Oregon.....	2	517	100.0	530
Pennsylvania.....	7	1,670	99.8	2,358
Rhode Island.....	-	117	100.0	393
South Dakota.....	-	254	100.0	243
Utah.....	2	157	97.1	164
Vermont.....	1	136	---	222
Washington.....	4	778	100.0	742
Wisconsin.....	-	1,011	---	4,906
Wyoming.....	-	156	100.0	173

<sup>1</sup>Includes all offenses rather than the "major offense" group used in tables 1 through 9.

<sup>2</sup>Percent of the population of the State residing within jurisdictional limits of reporting courts, as based on the 1940 census.

<sup>3</sup>Statistics for the year July 1, 1940 through June 30, 1941.

<sup>4</sup>Includes those sentenced to local jails, workhouses, etc.





October 27, 1941

U. S. DEPARTMENT OF COMMERCE  
 Jesse H. Jones, Secretary  
 BUREAU OF THE CENSUS  
 J. C. Capt., Director  
 WASHINGTON

JUDICIAL CRIMINAL STATISTICS: CALIFORNIA, 1940

The Bureau of the Census received reports on 5,873 defendants charged with major offenses who were disposed of in the superior courts in 25 of the 58 counties of California during the calendar year 1940. The publication of these statistics for 1940 has been made possible by the District Attorneys of California who prepared the reports or secured the

cooperation of the court clerks.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years for which these statistics are available. In 1940 approximately 8 out of 10 (80.1 percent) of the total of 5,873 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1938 <sup>1</sup>		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	5,873	100.0	3,586	100.0	4,330	100.0	3,785	100.0
Eliminated without conviction....	1,168	19.9	619	17.3	745	17.2	774	20.4
Dismissed.....	594	10.1	342	9.5	402	9.3	464	12.3
Acquitted by court(jury waived)	240	4.1	96	2.7	70	1.6	31	0.8
Acquitted by jury.....	196	3.3	129	3.6	209	4.8	172	4.5
Other no-penalty disposition....	138	2.3	52	1.5	64	1.5	107	2.8
Convicted.....	4,705	80.1	2,967	82.7	3,585	82.8	3,011	79.6
Plea of guilty.....	3,985	67.9	2,451	68.3	3,039	70.2	2,492	65.8
Court finds guilty(jury waived)	330	5.6	195	5.4	199	4.6	147	3.9
Jury verdict guilty.....	390	6.6	321	9.0	347	8.0	372	9.8

<sup>1</sup>No report was published for 1939.

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: CALIFORNIA, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	7,864	1,565	782	378	240	165	6,299	5,219	630	450
Major offenses, total <sup>1</sup> .....	5,873	1,168	594	240	196	138	4,705	3,985	330	390
Murder.....	89	37	12	4	9	12	52	19	7	26
Manslaughter.....	158	65	18	20	25	2	93	49	13	31
Robbery.....	625	184	93	46	29	16	441	307	34	100
Aggravated assault.....	317	97	43	26	23	5	220	152	29	39
Burglary.....	1,222	182	101	30	23	28	1,040	922	67	51
Larceny, except auto theft....	562	108	64	13	19	12	474	392	49	33
Auto theft.....	692	93	44	24	12	13	599	546	40	13
Embezzlement and fraud.....	331	44	34	5	2	3	287	275	8	4
Stolen property, receiving, etc.	121	22	10	11	1	1	109	95	5	9
Forgery and counterfeiting....	739	61	35	9	6	11	678	657	7	14
Rape.....	229	88	48	17	16	7	141	109	11	21
Commercialized vice.....	23	7	5	2	-	-	16	7	6	3
Other sex offenses.....	260	84	35	17	12	20	176	132	30	14
Violating drug laws.....	205	36	20	8	7	1	169	140	14	15
Carrying, etc., weapons.....	86	16	9	4	2	1	70	64	4	2
Other major offenses.....	184	44	23	4	10	7	140	119	6	15
Abortion.....	5	3	-	-	3	-	2	-	-	2
Arson.....	30	12	4	1	4	3	18	15	1	2
Bigamy.....	19	2	2	-	-	-	17	14	2	1
Blackmail and extortion.....	3	2	2	-	-	-	1	1	-	-
Escape and jail break.....	91	12	8	1	-	3	79	74	3	2
Kidnaping.....	20	7	4	1	1	1	13	8	-	5
Perjury.....	16	6	3	1	2	-	10	7	-	3
Other offenses: <sup>2</sup>										
Minor assault.....	148	4	3	-	1	-	144	128	13	3
Nonsupport or neglect.....	175	62	51	3	2	6	113	105	5	3
Violating liquor laws.....	26	4	1	1	1	1	22	21	1	-
Driving while intoxicated.....	298	50	18	22	9	1	248	212	24	12
Other motor-vehicle laws.....	278	59	30	13	10	6	219	177	25	17
Disorderly conduct and vagrancy	88	8	5	1	-	2	80	78	1	1
Gambling.....	598	117	23	91	2	1	481	271	206	4
All other offenses.....	380	93	57	7	19	10	287	242	25	20

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 Census, reports cover 88.9 percent of the population in 1936, 51.8 percent in 1937, 39.3 percent in 1938, and 64.5 percent in 1940.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1938 <sup>1</sup>		1937		1936	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	4,705	100.0	2,967	100.0	3,585	100.0	2,946	100.0
Death penalty.....	10	0.2	7	0.2	13	0.4	11	0.4
State prisons or reformatories...	1,407	29.9	947	31.9	1,079	30.1	953	32.3
Probation or suspended sentence...	1,600	34.0	722	24.3	1,008	28.1	735	24.9
Local jails, workhouses, etc....	1,526	32.4	1,205	40.5	1,370	38.2	1,139	38.7
Fine or costs only.....	43	0.9	21	0.7	24	0.7	20	0.7
Institutions for juveniles.....	115	2.4	64	2.2	91	2.5	90	3.1
Other sentences.....	4	0.1	-	-	-	-	-	-

<sup>1</sup>No report was published for 1939.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: CALIFORNIA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	6,299	10	1,432	2,202	1,985	545	120	5
Major offenses, total <sup>1</sup> .....	4,705	10	1,407	1,600	1,526	43	115	4
Murder.....	52	10	40	1	1	-	-	-
Manslaughter.....	93	-	33	45	14	-	1	-
Robbery.....	441	-	318	77	20	-	25	1
Aggravated assault.....	220	-	52	13	144	10	1	-
Burglary.....	1,040	-	293	396	317	-	32	2
Larceny, except auto theft.....	474	-	105	139	217	7	6	-
Auto theft.....	599	-	116	256	186	3	38	-
Embezzlement and fraud.....	287	-	54	131	101	-	-	1
Stolen property, receiving, etc....	109	-	16	53	34	2	4	-
Forgery and counterfeiting.....	678	-	183	282	209	-	4	-
Rape.....	141	-	21	75	45	-	-	-
Commercialized vice.....	16	-	4	10	2	-	-	-
Other sex offenses.....	176	-	50	76	49	-	1	-
Violating drug laws.....	169	-	44	2	121	1	1	-
Carrying, etc., weapons.....	70	-	12	1	54	3	-	-
Other major offenses.....	140	-	66	43	12	17	2	-
Abortion.....	2	-	1	-	-	-	-	-
Arson.....	18	-	3	11	1	2	1	-
Bigamy.....	17	-	4	12	1	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	79	-	46	8	9	15	1	-
Kidnaping.....	13	-	10	3	-	-	-	-
Perjury.....	10	-	1	8	1	-	-	-
Other offenses: <sup>a</sup>								
Minor assault.....	144	-	-	32	91	21	-	-
Nonsupport or neglect.....	113	-	-	93	20	-	-	-
Violating liquor laws.....	22	-	1	3	3	15	-	-
Driving while intoxicated.....	248	-	1	129	86	32	-	-
Other motor-vehicle laws.....	219	-	7	130	58	23	1	-
Disorderly conduct and vagrancy..	80	-	-	4	43	33	-	-
Gambling.....	481	-	1	97	48	335	-	-
All other offenses.....	287	-	15	114	110	43	4	1

See footnotes 1 and 2 on first page.

U. S. DEPARTMENT OF COMMERCE  
Jesse H. Jones, Secretary  
BUREAU OF THE CENSUS  
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JUDICIAL CRIMINAL STATISTICS: COLORADO, 1940

The Bureau of the Census received from the clerks of court reports on 1,327 defendants charged with major offenses who were disposed of in the district courts of 59 of the 63 counties of Colorado during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of every 10 (79.4 percent) of the total of 1,327 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,327	100.0	1,528	100.0	1,546	100.0	1,567	100.0
Eliminated without conviction....	273	20.6	334	21.9	273	17.7	388	24.8
Dismissed.....	202	15.2	245	15.9	168	10.9	266	17.0
Acquitted by court(jury waived)	5	0.4	1	0.1	5	0.3	4	0.3
Acquitted by jury.....	49	3.7	78	5.1	74	4.8	93	5.9
Other no-penalty disposition....	17	1.3	12	0.8	26	1.7	25	1.6
Convicted.....	1,054	79.4	1,194	78.1	1,273	82.3	1,179	75.2
Flea of guilty.....	956	72.0	1,065	69.7	1,093	70.7	1,006	64.2
Court finds guilty(jury waived)	10	0.8	9	0.6	32	2.1	5	0.3
Jury verdict guilty.....	88	6.6	120	7.9	148	9.6	168	10.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: COLORADO, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,532	353	274	9	52	18	1,179	1,064	13	102
Major offenses, total <sup>1</sup> .....	1,327	273	202	5	49	17	1,054	956	10	88
Murder.....	32	19	3	1	15	-	13	2	-	11
Man slaughter.....	32	7	3	-	4	-	25	17	-	8
Robbery.....	88	9	4	2	3	-	79	72	3	4
Aggravated assault.....	41	18	17	-	-	1	23	15	3	5
Burglary.....	294	44	39	-	3	2	250	240	1	9
Larceny, except auto theft....	332	67	51	2	10	4	265	242	3	20
Auto theft.....	71	11	10	-	-	1	60	59	-	1
Embezzlement and fraud.....	187	41	34	-	6	1	146	126	-	20
Stolen property, receiving, etc.	29	5	5	-	-	-	24	24	-	-
Forgery and counterfeiting....	90	7	5	-	-	2	83	83	-	-
Rape.....	76	28	21	-	4	3	48	43	-	5
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	38	10	5	-	3	2	28	25	-	3
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	16	7	5	-	1	1	9	7	-	2
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	4	2	2	-	-	-	2	2	-	-
Bigamy.....	6	1	-	-	1	-	5	3	-	2
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-
Escape and jail break.....	1	1	1	-	-	-	-	-	-	-
Kidnaping.....	2	2	1	-	-	1	-	-	-	-
Perjury.....	2	1	1	-	-	-	1	1	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	15	5	5	-	-	-	10	3	1	6
Nonsupport or neglect.....	60	25	20	3	2	-	35	31	1	3
Violating liquor laws.....	28	13	13	-	-	-	15	13	-	2
Driving while intoxicated.....	12	5	4	-	1	-	7	6	-	1
Other motor-vehicle laws.....	5	1	1	-	-	-	4	3	-	1
Disorderly conduct and vagrancy	4	1	-	-	-	1	3	3	-	-
Gambling.....	14	5	4	1	-	-	9	9	-	-
All other offenses.....	67	25	25	-	-	-	42	40	1	1

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 98.5 percent of the population in 1937, 99.8 percent in 1938 and 1939, and 99.2 percent in 1940.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all of these offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,054	100.0	1,194	100.0	1,273	100.0	1,179	100.0
Death penalty.....	1	0.1	5	0.4	4	0.3	3	0.3
State prisons or reformatories...	627	59.5	772	64.7	841	66.1	838	71.1
Probation or suspended sentence...	371	35.2	348	29.1	321	25.2	249	21.1
Local jails, workhouses, etc.....	39	3.7	51	4.3	63	4.9	73	6.2
Fine or costs only.....	12	1.1	15	1.3	34	2.7	11	0.9
Institutions for juveniles.....	4	0.4	3	0.3	10	0.8	5	0.4
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE:  
COLORADO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,179	1	646	429	74	24	5	-
Major offenses, total <sup>1</sup> .....	1,054	1	627	371	39	12	4	-
Murder.....	13	1	12	-	-	-	-	-
Manslaughter.....	25	-	8	10	7	-	-	-
Robbery.....	79	-	64	15	-	-	-	-
Aggravated assault.....	23	-	10	7	6	-	-	-
Burglary.....	250	-	133	114	2	-	1	-
Larceny, except auto theft.....	265	-	147	94	16	5	3	-
Auto theft.....	60	-	37	23	-	-	-	-
Embezzlement and fraud.....	145	-	97	44	4	1	-	-
Stolen property, receiving, etc.....	24	-	10	10	2	2	-	-
Forgery and counterfeiting.....	83	-	56	23	1	3	-	-
Rape.....	43	-	28	19	1	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	28	-	18	9	-	1	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	1	-	-	-	-	-
Other major offenses.....	9	-	6	3	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	2	-	-	2	-	-	-	-
Bigamy.....	5	-	4	1	-	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	10	-	-	1	9	-	-	-
Non-support or neglect.....	35	-	2	32	-	1	-	-
Violating liquor laws.....	15	-	-	5	9	1	-	-
Driving while intoxicated.....	7	-	1	5	1	-	-	-
Other motor-vehicle laws.....	4	-	-	1	2	-	1	-
Disorderly conduct and vagrancy..	3	-	1	1	1	-	-	-
Gambling.....	9	-	2	3	-	4	-	-
All other offenses.....	42	-	13	10	13	6	-	-

See footnotes 1 and 2 on first page.

## JUDICIAL CRIMINAL STATISTICS: CONNECTICUT, 1940-1941\*

The Bureau of the Census received from the clerks of court reports on 901 defendants charged with major offenses who were disposed of in the superior and common pleas courts of the 8 counties of Connecticut during the fiscal year ended June 30, 1941.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of every 10 (86.6 percent) of the total of 901 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940-1941*		1939-1940*		1938-1939*		1937-1938*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	901	100.0	954	100.0	1,029	100.0	1,168	100.0
Eliminated without conviction....	121	13.4	111	11.6	156	15.2	178	15.2
Dismissed.....	90	10.1	91	9.5	140	13.6	154	13.2
Acquitted by court(jury waived)	12	1.3	11	1.2	12	1.2	14	1.2
Acquitted by jury.....	4	0.4	5	0.5	1	0.1	2	0.2
Other no-penalty disposition....	15	1.7	4	0.4	3	0.3	8	0.7
Convicted.....	780	86.6	843	88.4	873	84.8	990	84.8
Plea of guilty.....	721	80.0	755	79.1	821	79.8	898	76.9
Court finds guilty(jury waived)	42	4.7	54	5.7	36	3.5	66	5.7
Jury verdict guilty.....	17	1.9	34	3.6	16	1.6	26	2.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1940-1941\*

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,602	372	292	48	11	21	1,230	1,036	149	45
Major offenses, total <sup>1</sup> .....	901	121	90	12	4	15	780	721	42	17
Murder.....	9	1	-	-	-	1	8	5	1	2
Manslaughter.....	45	17	13	3	-	1	28	25	1	2
Robbery.....	66	8	6	-	1	1	58	51	4	3
Aggravated assault.....	25	4	3	-	-	1	21	15	5	1
Burglary.....	189	17	8	4	-	5	172	167	3	2
Larceny, except auto theft....	86	12	8	3	-	1	74	67	5	2
Auto theft.....	82	4	4	-	-	-	78	76	2	-
Embezzlement and fraud.....	68	8	6	-	1	1	60	57	3	-
Stolen property, receiving, etc.	12	2	2	-	-	-	10	8	2	-
Forgery and counterfeiting....	23	2	1	-	-	1	21	20	-	1
Rape.....	83	19	16	1	1	1	64	56	8	-
Commercialized vice.....	9	1	1	-	-	-	8	4	3	1
Other sex offenses.....	147	14	12	1	-	1	133	131	2	-
Violating drug laws.....	6	-	-	-	-	-	6	6	-	-
Carrying, etc., weapons.....	9	1	1	-	-	-	8	8	-	-
Other major offenses.....	42	11	9	-	1	1	31	25	3	3
Abortion.....	9	5	5	-	-	-	4	3	1	-
Arson.....	13	3	2	-	-	1	10	6	1	3
Bigamy.....	8	2	2	-	-	-	6	6	-	-
Blackmail and extortion.....	1	-	-	-	-	-	1	1	-	-
Escape and jail break.....	7	-	-	-	-	-	7	6	1	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	3	1	-	-	1	-	2	2	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	65	19	12	4	1	2	46	20	25	1
Nonsupport or neglect.....	42	23	22	1	-	-	19	9	8	2
Violating liquor laws.....	28	5	2	2	-	-	23	11	9	3
Driving while intoxicated....	47	11	6	3	1	1	36	21	11	4
Other motor-vehicle laws.....	166	78	55	17	4	2	88	68	17	3
Disorderly conduct and vagrancy	65	25	22	2	-	1	40	29	9	2
Gambling.....	69	17	16	1	-	-	52	46	6	-
All other offenses.....	219	73	67	6	-	-	146	111	22	13

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

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all of offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940-1941*		1939-1940*		1938-1939*		1937-1938*	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	780	100.0	843	100.0	873	100.0	990	100.0
Death penalty.....	-	-	-	-	2	0.2	-	-
State prisons or reformatories...	230	29.5	313	37.1	255	29.2	324	32.7
Probation or suspended sentence...	250	32.1	233	27.6	297	34.0	314	31.7
Local jails, workhouses, etc....	265	34.0	271	32.1	304	34.8	322	32.5
Fine or costs only.....	26	3.3	26	3.1	15	1.7	29	2.9
Institutions for juveniles.....	9	1.2	-	-	-	-	1	0.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1940-1941\*

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,230	-	255	331	381	251	12	-
Major offenses, total <sup>1</sup> .....	780	-	230	250	265	26	9	-
Murder.....	8	-	8	-	-	-	-	-
Manslaughter.....	28	-	16	3	5	3	-	-
Robbery.....	59	-	41	11	5	1	-	-
Aggravated assault.....	21	-	4	2	15	-	-	-
Burglary.....	172	-	45	70	57	-	-	-
Larceny, except auto theft.....	74	-	12	21	35	6	-	-
Auto theft.....	78	-	29	25	24	-	-	-
Embezzlement and fraud.....	60	-	12	19	26	3	-	-
Stolen property, receiving, etc..	10	-	-	5	3	2	-	-
Forgery and counterfeiting.....	21	-	5	5	7	4	-	-
Rape.....	64	-	17	25	22	-	-	-
Commercialized vice.....	8	-	3	1	4	-	-	-
Other sex offenses.....	133	-	22	51	46	5	9	-
Violating drug laws.....	6	-	3	2	1	-	-	-
Carrying, etc., weapons.....	8	-	1	1	6	-	-	-
Other major offenses.....	31	-	12	9	8	2	-	-
Abortion.....	4	-	2	-	-	2	-	-
Arson.....	10	-	3	7	-	-	-	-
Bigamy.....	6	-	1	2	3	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	7	-	3	-	4	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	2	-	1	-	1	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	46	-	1	7	29	9	-	-
Nonsupport or neglect.....	19	-	-	14	1	2	2	-
Violating liquor laws.....	23	-	-	1	3	19	-	-
Driving while intoxicated.....	36	-	-	2	17	17	-	-
Other motor-vehicle laws.....	88	-	3	4	9	72	-	-
Disorderly conduct and vagrancy..	40	-	-	14	13	13	-	-
Gambling.....	52	-	-	9	9	34	-	-
All other offenses.....	146	-	21	30	35	59	1	-

See footnotes on first page.

U. S. DEPARTMENT OF COMMERCE  
*Jesse H. Jones, Secretary.*  
 BUREAU OF THE CENSUS  
*J. C. Capt. Director*  
 WASHINGTON

JUDICIAL CRIMINAL STATISTICS: DISTRICT OF COLUMBIA, 1940

The Bureau of the Census has announced that 1,341 defendants charged with major offenses were disposed of in the District Court of the District of Columbia during the calendar year 1940, according to data obtained from the records of the court.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4

years. In 1940 approximately 8 out of every 10 (81.1 percent) of the total of 1,341 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,341	100.0	1,520	100.0	1,788	100.0	1,720	100.0
Eliminated without conviction....	253	18.9	375	24.7	492	27.5	412	24.0
Dismissed.....	162	12.1	250	16.4	327	18.3	301	17.5
Acquitted by court(jury waived)	35	2.6	3	0.2	7	0.4	-	-
Acquitted by jury.....	52	3.9	107	7.0	154	8.6	105	6.1
Other no-penalty disposition..	4	0.3	15	1.0	4	0.2	6	0.3
Convicted.....	1,088	81.1	1,145	75.3	1,296	72.5	1,308	76.0
Plea of guilty.....	914	68.2	955	62.8	1,069	59.8	1,107	64.4
Court finds guilty(jury waived)	2	0.1	1	0.1	4	0.2	-	-
Jury verdict guilty.....	172	12.8	189	12.4	223	12.5	201	11.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,568	306	205	40	57	4	1,262	1,077	4	181
Major offenses, total <sup>1</sup> ....	1,341	253	162	35	52	4	1,088	914	2	172
Murder.....	15	6	3	1	1	1	9	5	-	4
Manslaughter.....	21	6	1	1	4	-	15	9	-	6
Robbery.....	209	49	28	7	14	-	160	122	-	38
Aggravated assault.....	139	38	24	5	9	-	101	73	-	28
Burglary.....	339	30	22	4	4	-	309	273	2	34
Larceny, except auto theft....	145	22	13	4	4	1	123	113	-	10
Auto theft.....	173	26	18	5	3	-	147	125	-	22
Embezzlement and fraud.....	65	17	7	3	7	-	48	43	-	2
Stolen property, receiving, etc.	44	18	14	4	-	-	26	23	-	3
Forgery and counterfeiting....	68	9	8	-	1	-	59	56	-	3
Rape.....	28	7	4	-	2	1	21	11	-	10
Commercialized vice.....	10	2	-	1	1	-	8	7	-	1
Other sex offenses.....	2	1	1	-	-	-	1	1	-	-
Violating drug laws.....	72	20	19	-	1	-	52	45	-	7
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	11	2	-	-	1	1	9	5	-	4
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	3	1	-	-	-	1	2	-	-	2
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	5	1	-	-	1	-	4	2	-	2
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	2	-	-	-	-	-	2	2	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	40	-	-	-	-	-	40	34	-	6
Nonsupport or neglect.....	12	6	4	1	1	-	6	5	-	1
Violating liquor laws.....	26	9	9	-	-	-	17	15	-	2
Driving while intoxicated....	1	1	1	-	-	-	-	-	-	-
Other motor-vehicle laws.....	-	-	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy	1	1	1	-	-	-	-	-	-	-
Gambling.....	136	33	25	4	4	-	103	101	2	-
All other offenses.....	11	3	3	3	-	-	8	8	-	-

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the type of sentence imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,088	100.0	1,145	100.0	1,296	100.0	1,308	100.0
Death penalty.....	1	0.1	1	0.1	1	0.1	4	0.3
Reformatory <sup>2</sup> .....	679	62.4	697	60.9	776	59.9	713	54.5
Probation or suspended sentence.....	297	27.3	338	29.5	349	26.9	451	34.5
Local jails, workhouses, etc.....	108	9.9	104	9.1	187	12.9	185	10.3
Fine or costs only.....	3	0.3	5	0.4	3	0.2	-	-
Institutions for juveniles.....	-	-	-	-	-	-	5	0.4
Other sentences.....	-	-	-	-	-	-	-	-

<sup>1</sup>The reformatory at Lorton, Virginia, is the only District of Columbia institution for the incarceration of felons. However, a few offenders convicted in the District Court are housed in other Federal penal institutions.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1940

Offense	Total number of defendants sentenced	Death penalty	Reformatory <sup>3</sup>	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,262	1	699	333	168	11	-	-
Major offenses, total <sup>1</sup> .....	1,088	1	679	297	108	3	-	-
Murder.....	9	1	8	-	-	-	-	-
Manslaughter.....	15	-	13	-	2	-	-	-
Robbery.....	160	-	128	23	9	-	-	-
Aggravated assault.....	101	-	82	51	8	-	-	-
Burglary.....	309	-	225	74	10	-	-	-
Larceny, except auto theft.....	123	-	55	37	31	-	-	-
Auto theft.....	147	-	66	59	21	1	-	-
Embezzlement and fraud.....	48	-	19	21	8	2	-	-
Stolen property, receiving, etc.....	26	-	8	13	5	-	-	-
Forgery and counterfeiting.....	59	-	22	27	10	-	-	-
Rape.....	21	-	19	2	-	-	-	-
Commercialized vice.....	8	-	5	3	-	-	-	-
Other sex offenses.....	1	-	1	-	-	-	-	-
Violating drug laws.....	52	-	42	5	5	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	9	-	6	2	1	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	2	-	2	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	4	-	4	-	-	-	-	-
Escape and jail break.....	1	-	-	-	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	2	-	-	2	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	40	-	-	16	22	2	-	-
Nonsupport or neglect.....	6	-	-	-	2	-	-	-
Violating liquor laws.....	17	-	4	2	10	1	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	-	-	-	-	-	-	-	-
Disorderly conduct and vagrancy.....	-	-	-	-	-	-	-	-
Gambling.....	103	-	13	60	25	5	-	-
All other offenses.....	8	-	3	4	1	-	-	-

See footnotes 1 and 2 on first page.

<sup>3</sup>The reformatory at Lorton, Virginia, is the only District of Columbia institution for the incarceration of felons. However, a few offenders convicted in the District Court are housed in other Federal penal institutions.



Table 5 shows the maximum term of sentence given those convicted of a major offense, and indicates further the extent to which probation, jail, and penitentiary were used to carry out the sentences given. Table 6 presents the median time interval for

TABLE 5.—MAXIMUM TERM OF SENTENCE AND METHOD OF EXECUTION OF SENTENCE GIVEN DEFENDANTS CONVICTED OF MAJOR OFFENSES, IN THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1940

Offense	Grand total	Totals			Under 3 months		3-5 months		6-8 months		9-11 months		12 months		13-23 months		
		Jail	Probation	Reformatory <sup>1</sup>	Jail	Probation	Jail	Probation	Jail	Probation	Jail	Probation	Jail	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>
Major offenses, total....	1,085	108	297	679	3	-	18	-	46	9	25	2	16	27	50	33	141
Murder.....	9	-	-	8	-	-	-	-	-	-	-	-	-	-	-	-	1
Manslaughter.....	15	2	-	13	-	-	-	-	-	-	-	-	-	-	-	-	17
Robbery.....	160	8	23	128	-	-	-	-	-	-	-	-	-	-	-	-	19
Aggravated assault.....	101	6	31	62	-	-	-	-	-	-	-	-	-	-	-	-	41
Burglary.....	309	10	74	225	-	-	-	-	-	-	-	-	-	-	-	-	14
Larceny, except auto theft <sup>2</sup> .....	123	31	37	55	-	-	-	-	-	-	-	-	-	-	-	-	15
Auto theft.....	148	21	59	68	-	-	-	-	-	-	-	-	-	-	-	-	2
Embezzlement and fraud.....	48	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Stolen property, receiving, etc.....	58	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6
Forgery and counterfeiting.....	23	10	27	19	-	-	-	-	-	-	-	-	-	-	-	-	1
Rape.....	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
Other sex offenses <sup>3</sup> .....	52	5	5	42	-	-	-	-	-	-	-	-	-	-	-	-	16
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	9	1	2	6	-	-	1	-	-	-	-	-	-	-	-	-	-

  

Major offenses, total....	2 years		3 years		4 years		5 years		6 years		7 years		8 years		9 years		10 years and over		Life
	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	Probation	Reformatory <sup>1</sup>	
Major offenses, total....	82	144	133	187	7	52	-	20	4	35	7	3	11	27	2	1	-	-	-
Murder.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	2	1
Manslaughter.....	-	2	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Robbery.....	8	15	11	42	-	12	-	8	1	9	1	1	1	4	-	-	14	-	-
Aggravated assault.....	10	13	13	7	2	26	-	3	-	4	-	-	-	-	-	-	-	-	-
Burglary.....	19	39	41	77	3	20	-	3	-	13	3	-	-	-	-	-	-	-	-
Larceny, except auto theft <sup>2</sup> .....	7	16	15	14	1	4	-	1	1	3	1	-	-	-	-	-	-	-	-
Auto theft.....	17	24	28	18	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
Embezzlement and fraud.....	7	2	5	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Stolen property, receiving, etc.....	6	2	3	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Forgery and counterfeiting.....	5	5	9	5	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
Rape.....	1	5	-	3	-	4	-	1	-	1	-	-	1	1	-	-	-	-	-
Other sex offenses <sup>3</sup> .....	2	2	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Violating drug laws.....	2	12	1	3	-	1	-	-	-	-	1	1	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other major offenses.....	-	2	-	2	1	-	-	-	1	2	-	-	-	-	-	-	-	-	-

<sup>1</sup>The reformatory at Lorton, Virginia, is the only District of Columbia institution for the incarceration of felons. However, a few offenders convicted in the District Court are housed in other Federal penal institutions. <sup>2</sup>Includes 43 convicted of petty larceny. <sup>3</sup>Includes commercialized vice.

TABLE 6.—MEDIAN TIME INTERVAL FROM FILING OF INDICTMENT TO FINAL DISPOSITION FOR ALL DEFENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND SENTENCE: DISTRICT OF COLUMBIA, 1940

Method of disposition and sentence	1940		1939		1938	
	Number of defendants	Median time (days)	Number of defendants	Median time (days)	Number of defendants	Median time (days)
All dispositions.....	1,588	24	1,849	31	2,253	45
Eliminations, total.....	306	41	435	51	662	93
Dismissed.....	205	38	305	62	483	126
Acquitted, total.....	97	41	115	25	175	58
By court.....	40	45	3	( <sup>1</sup> )	9	( <sup>1</sup> )
By jury.....	57	39	112	25	166	58
Other no penalty.....	4	( <sup>1</sup> )	15	( <sup>1</sup> )	4	( <sup>1</sup> )
Convictions, total.....	1,282	22	1,414	27	1,591	37
Plead guilty, total.....	1,077	20	1,180	24	1,333	34
Prison sentence.....	560	17	588	19	620	28
Probation.....	360	23	412	27	426	37
Jail sentence.....	146	27	172	31	277	50
Fine.....	11	( <sup>1</sup> )	8	( <sup>1</sup> )	10	( <sup>1</sup> )
Tried and found guilty, total.....	185	30	234	43	258	52
Death sentence.....	1	( <sup>1</sup> )	1	( <sup>1</sup> )	1	( <sup>1</sup> )
Prison sentence.....	159	29	164	38	181	50
Probation.....	23	33	35	50	34	60
Jail sentence.....	22	25	34	61	42	59
Total trials.....	282	32	349	35	433	54

<sup>1</sup>Median not computed where base is less than 20.

TABLE 7.—DISPOSITION OF CHARGES AND TOTAL CONVICTIONS FOR SELECTED MAJOR OFFENSES, BY THE DISTRICT COURT: DISTRICT OF COLUMBIA, 1940

Offense	Charged				Convicted		
	Total	Disposed of without conviction	Convicted as charged	Convicted of a lesser offense	Total	Charged same offense	Charged with more serious offense.
Total.....	976	159	706	111	726	706	20
Murder, first degree.....	18	5	1	12	1	1	-
Murder, second degree.....	6	1	-	5	8	-	8
Manslaughter.....	11	6	4	1	13	4	9
Negligent homicide.....	1	-	1	-	2	1	1
Robbery.....	206	45	125	26	135	125	-
Assault to rob.....	35	4	22	9	22	22	-
Assault with deadly weapon.....	151	36	95	20	96	95	1
Burglary.....	354	30	309	15	309	309	-
Grand larceny.....	119	22	79	18	80	79	1
Forgery.....	72	9	59	4	59	59	-
Sodomy.....	3	1	1	1	1	1	-

the disposition of all defendants charged with criminal offenses for each of the last 3 years by method of disposition and type of sentence. In 1940 the interval was 24 days, which represents a decrease of 46.7 percent since 1938 when the median was 45 days. The median time required for dismissal of a defendant for an offense charged has decreased from 126 in 1938 to 38 in 1940, which is a decrease of 69.8 percent. The median interval for all cases disposed of by trial has decreased from 54 days in 1938 to 35 days in 1939 and 32 days in 1940. The median interval for the disposition of defendants who plead guilty has been shorter than for those found guilty by trial in all 3 years, except for

defendants receiving a jail sentence in 1940. Of the defendants who plead guilty, the time interval has been longer for those sentenced to jail than for those sentenced to prison or placed on probation. Table 7 presents a comparison between the number of defendants charged with a selected major offense and the number convicted for that offense. Although 18 defendants were charged with first degree murder only 1 was convicted; 5 were released without conviction and 12 convicted for a lesser offense. The offense charges selected for this comparison included only those for which at least one defendant was tried and convicted of a lesser offense than charged.

JUDICIAL CRIMINAL STATISTICS: IDAHO, 1940

The Bureau of the Census received from the clerks of court reports on 576 defendants charged with major offenses who were disposed of in the district courts of the 44 counties in Idaho during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (82.1 per cent) of the total of 576 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	576	100.0	594	100.0	510	100.0	432	100.0
Eliminated without conviction...	103	17.9	84	14.1	86	16.9	55	12.7
Dismissed.....	83	14.4	61	10.3	65	12.7	36	8.3
Acquitted by court(jury waived)	-	-	-	-	6	1.2	1	0.2
Acquitted by jury.....	16	2.8	16	2.7	13	2.5	15	3.5
Other no-penalty disposition...	4	0.7	7	1.2	2	0.4	3	0.7
Convicted.....	473	82.1	510	85.9	424	83.1	377	87.3
Plea of guilty.....	413	71.7	475	80.0	373	73.1	320	74.1
Court finds guilty(jury waived)	16	2.8	5	0.8	18	3.5	11	2.5
Jury verdict guilty.....	44	7.6	30	5.1	33	6.5	46	10.6

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	685	158	112	11	19	16	527	455	23	49
Major offenses, total <sup>1</sup> .....	576	103	83	-	16	4	473	413	16	44
Murder.....	9	1	-	-	1	-	8	4	-	4
Manslaughter.....	15	7	1	-	3	3	8	5	-	3
Robbery.....	32	2	2	-	2	-	30	22	4	4
Aggravated assault.....	26	8	6	-	2	-	18	14	1	3
Burglary.....	155	21	18	-	3	-	134	123	3	8
Larceny, except auto theft....	83	10	8	-	2	-	73	65	3	5
Auto theft.....	9	2	2	-	2	-	7	7	-	5
Embezzlement and fraud.....	21	8	7	-	1	-	13	9	-	4
Stolen property, receiving, etc.	9	1	1	-	-	-	8	8	-	4
Forgery and counterfeiting....	154	24	22	-	2	-	130	118	4	8
Rape.....	33	9	8	-	-	1	24	22	-	2
Commercialized vice.....	-	-	-	-	-	-	-	-	-	2
Other sex offenses.....	9	3	3	-	-	-	6	5	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	-	-	-	-	1	1	-	-
Other major offenses.....	20	7	5	-	2	-	13	10	1	2
Abortion.....	1	1	-	-	1	-	-	-	-	-
Arson.....	6	3	3	-	-	-	3	3	-	-
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	3	-	-	-	-	-	3	1	-	2
Escape and jail break.....	1	-	-	-	-	-	1	1	-	-
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	6	2	2	-	1	-	3	2	1	-
Other offenses: <sup>2</sup>										
Minor assault.....	9	3	3	-	-	-	6	2	2	2
Wonsupport or neglect.....	9	6	6	-	-	-	3	1	1	1
Violating liquor laws.....	11	4	4	-	-	-	7	6	1	-
Driving while intoxicated.....	15	6	4	-	1	1	9	9	-	-
Other motor-vehicle laws.....	6	2	2	-	-	-	4	4	-	-
Disorderly conduct and vagrancy	12	5	2	-	3	7	5	2	-	-
Gambling.....	-	-	-	-	-	-	-	-	-	-
All other offenses.....	47	29	8	11	2	8	18	15	1	2

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	473	100.0	510	100.0	424	100.0	377	100.0
Death penalty.....	1	0.2	-	-	-	-	1	0.3
State prisons or reformatories.....	245	51.8	292	57.3	241	56.8	197	52.3
Probation or suspended sentence.....	132	27.9	139	27.3	94	22.2	90	23.9
Local jails, workhouses, etc.....	85	17.5	76	14.9	78	18.4	81	21.5
Fine or costs only.....	1	0.2	1	0.2	2	0.5	2	0.5
Institutions for juveniles.....	11	2.3	2	0.4	9	2.1	6	1.6
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	527	1	258	148	101	7	12	-
Major offenses, total <sup>1</sup> .....	473	1	245	132	83	1	11	-
Murder.....	8	1	7	-	-	-	-	-
Manslaughter.....	8	-	4	2	-	-	-	-
Robbery.....	30	-	25	3	2	-	-	-
Aggravated assault.....	19	-	8	5	6	1	-	-
Burglary.....	104	-	62	42	23	-	6	-
Larceny, except auto theft.....	73	-	54	22	12	-	5	-
Auto theft.....	7	-	1	5	1	-	-	-
Embezzlement and fraud.....	13	-	5	5	3	-	-	-
Stolen property, receiving, etc..	8	-	4	2	2	-	-	-
Forgery and counterfeiting.....	130	-	70	35	27	-	-	-
Rape.....	24	-	14	8	2	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	6	-	5	-	1	-	-	-
Violating drug laws.....	1	-	-	-	-	-	-	-
Carrying, etc., weapons.....	1	-	-	1	-	-	-	-
Other major offenses.....	13	-	8	3	2	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	2	-	2	-	1	-	-	-
Bigamy.....	2	-	-	2	-	-	-	-
Blackmail and extortion.....	3	-	2	1	-	-	-	-
Escape and jail break.....	1	-	-	-	1	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	3	-	3	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	6	-	-	-	4	2	-	-
Nonsupport or neglect.....	3	-	-	2	1	-	-	-
Violating liquor laws.....	7	-	1	4	-	2	-	-
Driving while intoxicated.....	9	-	-	4	5	-	-	-
Other motor-vehicle laws.....	4	-	-	1	1	1	1	-
Disorderly conduct and vagrancy..	7	-	6	1	-	-	-	-
Gambling.....	-	-	-	-	-	-	-	-
All other offenses.....	18	-	6	4	7	1	-	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: INDIANA, 1940

The Bureau of the Census received from the clerks of court reports on 3,479 defendants charged with major offenses who were disposed of in the trial courts in 71 of the 92 counties of Indiana during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 6 out of 10 (64.2 percent) of the total of 3,479 defendants were convicted. Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1938		1937	
	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,479	100.0	3,932	100.0	5,068	100.0
Eliminated without conviction...	1,246	35.8	1,417	36.0	2,163	42.7
Dismissed.....	1,031	29.6	1,210	30.8	1,774	35.0
Acquitted by court(jury waived)	120	3.4	100	2.5	185	3.7
Acquitted by jury.....	33	0.9	39	1.0	86	1.7
Other no-penalty disposition..	62	1.8	68	1.7	118	2.3
Convicted.....	2,233	64.2	2,515	64.0	2,905	57.3
Plea of guilty.....	1,954	56.2	2,110	53.7	2,103	41.5
Court finds guilty(jury waived)	213	6.1	288	7.3	629	12.4
Jury verdict guilty.....	66	1.9	117	3.0	173	3.4

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: INDIANA, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	6,033	2,563	2,204	200	48	111	3,470	3,012	375	83
Major offenses, total <sup>1</sup> .....	3,479	1,246	1,031	120	33	62	2,233	1,954	213	66
Murder.....	35	17	10	1	4	2	18	9	2	7
Manslaughter.....	52	28	20	4	3	1	24	15	4	5
Robbery.....	148	77	53	15	1	8	71	63	2	6
Aggravated assault.....	217	101	81	13	3	4	116	80	25	11
Burglary.....	575	136	111	11	4	10	439	378	49	12
Larceny, except auto theft.....	965	267	211	26	4	26	698	627	66	5
Auto theft.....	332	68	65	3	-	-	264	250	14	-
Embezzlement and fraud.....	374	224	211	9	1	3	150	134	13	3
Stolen property, receiving, etc.	112	51	33	3	3	2	61	57	4	-
Forgery and counterfeiting....	247	105	91	3	2	4	142	131	9	2
Rape.....	126	61	47	11	3	-	65	45	12	8
Commercialized vice.....	14	6	6	-	-	-	8	3	-	-
Other sex offenses.....	127	44	34	6	3	1	83	72	8	3
Violating drug laws.....	20	4	4	-	-	-	16	15	1	-
Carrying, etc., weapons.....	53	27	23	4	-	-	26	20	4	2
Other major offenses.....	82	30	26	1	2	1	52	50	-	2
Abortion.....	1	-	-	-	-	-	1	1	-	-
Arson.....	15	7	3	1	2	1	9	9	-	-
Bigamy.....	15	4	4	-	-	-	12	12	-	-
Blackmail and extortion.....	2	1	1	-	-	-	1	1	-	-
Escape and jail break.....	28	3	3	-	-	-	23	23	-	-
Kidnaping.....	6	5	5	-	-	-	1	-	-	1
Perjury.....	15	10	10	-	-	-	5	4	-	1
Other offenses: <sup>2</sup>										
Minor assault.....	305	181	156	17	3	5	124	105	18	1
Minor support or neglect.....	617	431	387	18	1	25	186	136	50	-
Violating liquor laws.....	316	103	93	6	1	3	213	192	20	1
Driving while intoxicated.....	276	71	54	14	1	2	205	178	24	3
Other motor-vehicle laws.....	180	102	88	10	2	2	78	67	8	3
Disorderly conduct and vagrancy	267	74	70	1	1	2	193	180	12	1
Gambling.....	103	75	74	1	-	-	28	27	1	-
All other offenses.....	490	280	251	13	6	10	210	173	29	8

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 Census, reports cover 99.2 percent of the population in 1937; 73.7 percent in 1938; and 71.3 percent in 1940. No report was made in 1939.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1938		1937	
	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	2,233	100.0	2,515	100.0	2,905	100.0
Death penalty.....	1	( <sup>1</sup> )	4	0.2	9	0.3
State prisons or reformatories...	1,179	52.8	1,368	55.2	1,734	59.7
Probation or suspended sentence...	689	30.9	730	29.0	677	23.3
Local jails, workhouses, etc.....	220	9.9	224	8.9	302	10.4
Fine or costs only.....	80	3.6	134	5.3	150	5.2
Institutions for juveniles.....	63	2.8	35	1.4	33	1.1
Other sentences.....	1	( <sup>1</sup> )	-	-	-	-

<sup>1</sup>Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: INDIANA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	3,470	1	1,406	1,030	426	511	90	6
Major offenses, total <sup>1</sup> .....	2,233	1	1,179	689	220	80	63	1
Murder.....	18	-	18	-	-	-	-	-
Manslaughter.....	24	-	20	3	1	-	-	-
Robbery.....	71	-	64	7	-	-	-	-
Aggravated assault.....	116	-	62	32	13	8	1	-
Burglary.....	439	-	274	118	25	6	16	-
Larceny, except auto theft.....	698	-	324	249	93	22	10	-
Auto theft.....	264	-	111	112	12	4	25	-
Embezzlement and fraud.....	150	-	64	52	20	14	-	-
Stolen property, receiving, etc.	61	-	29	20	11	1	-	-
Forgery and counterfeiting.....	142	-	82	45	6	9	-	-
Rape.....	65	-	51	8	5	1	-	-
Commercialized vice.....	8	-	-	-	5	3	-	-
Other sex offenses.....	83	-	30	23	14	5	11	-
Violating drug laws.....	16	-	12	1	3	-	-	-
Carrying, etc., weapons.....	26	-	4	7	7	-	-	-
Other major offenses.....	52	1	34	12	5	-	-	1
Abortion.....	1	-	-	1	-	-	-	-
Arson.....	9	-	5	2	2	-	-	-
Bigamy.....	12	-	4	5	3	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	23	-	22	1	-	-	-	-
Kidnaping.....	1	1	-	-	-	-	-	-
Perjury.....	5	-	2	3	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	124	-	12	31	45	35	1	-
Nonsupport or neglect.....	186	-	38	131	9	8	-	-
Violating liquor laws.....	213	-	24	26	32	129	-	2
Driving while intoxicated.....	205	-	59	25	42	78	1	-
Other motor-vehicle laws.....	78	-	16	14	13	34	-	1
Disorderly conduct and vagrancy..	193	-	34	47	37	72	2	1
Gambling.....	28	-	-	2	-	26	-	-
All other offenses.....	210	-	44	65	28	49	23	1

See footnotes 1 and 2 on first page. (a) No report was made in 1939.

JUDICIAL CRIMINAL STATISTICS: IOWA, 1940

The Bureau of the Census received from the clerks of court reports on 2,195 defendants charged with major offenses who were disposed of in the district courts in the 99 counties of Iowa during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (77.3 percent) of the total of 2,195 defendants were convicted. Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,195	100.0	1,875	100.0	1,641	100.0	1,572	100.0
Eliminated without conviction...	495	22.7	427	22.8	332	20.2	348	22.1
Dismissed.....	439	20.0	359	19.1	289	17.6	308	19.6
Acquitted by court(jury waived)	3	0.1	14	0.7	10	0.6	2	0.1
Acquitted by jury.....	46	2.1	41	2.2	32	2.0	30	1.9
Other no-penalty disposition...	10	0.5	13	0.7	1	0.1	8	0.5
Convicted.....	1,697	77.3	1,448	77.2	1,309	79.8	1,224	77.9
Plea of guilty.....	1,627	74.1	1,373	73.2	1,225	74.6	1,146	72.9
Court finds guilty(jury waived)	19	0.9	20	1.1	31	1.9	26	1.7
Jury verdict guilty.....	51	2.3	55	2.9	53	3.2	52	3.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IOWA, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	4,652	977	866	14	77	20	3,875	3,513	48	114
Major offenses, total <sup>1</sup> .....	2,195	498	439	3	46	10	1,697	1,627	19	51
Murder.....	17	4	2	-	2	-	13	9	-	4
Manslaughter.....	20	10	8	1	1	-	10	5	-	5
Robbery.....	67	16	14	-	1	1	51	44	2	5
Aggravated assault.....	69	17	14	-	2	1	52	45	-	7
Burglary.....	300	68	60	-	8	-	232	227	2	3
Larceny, except auto theft.....	588	75	67	1	7	-	513	502	7	4
Auto theft.....	161	35	35	-	-	-	126	123	2	1
Embezzlement and fraud.....	233	88	77	1	10	-	145	142	-	3
Stolen property, receiving, etc.	33	8	7	-	1	-	25	24	-	1
Forgery and counterfeiting.....	311	67	59	-	3	5	244	236	3	5
Rape.....	48	14	12	-	2	-	34	29	-	5
Commercialized vice.....	18	5	5	-	-	-	13	13	-	-
Other sex offenses.....	149	55	49	-	6	-	94	90	-	4
Violating drug laws.....	31	7	7	-	-	-	24	23	-	1
Carrying, etc., weapons.....	44	12	11	-	-	-	32	31	-	1
Other major offenses.....	106	17	12	-	2	3	89	84	3	2
Abortion.....	1	1	1	-	-	-	-	-	-	-
Arson.....	17	2	-	-	1	1	15	14	-	1
Bigamy.....	4	1	1	-	-	-	3	3	-	-
Blackmail and extortion.....	8	1	1	-	-	-	7	7	-	-
Escape and jail break.....	62	4	2	-	-	2	58	57	1	-
Kidnaping.....	2	1	1	-	-	-	1	1	-	1
Perjury.....	12	7	6	-	1	-	5	3	2	-
Other offenses: <sup>2</sup>										
Minor assault.....	63	28	21	1	6	-	35	32	-	3
Nonsupport or neglect.....	179	96	91	1	1	3	83	79	1	3
Violating liquor laws.....	248	88	86	-	2	-	160	170	2	8
Driving while intoxicated.....	1,374	158	138	1	18	1	1,216	1,167	6	41
Other motor-vehicle laws.....	188	28	26	-	2	-	160	158	-	2
Disorderly conduct and vagrancy	66	19	18	-	1	-	47	47	-	-
Gambling.....	96	8	7	-	1	-	88	88	-	-
All other offenses.....	243	74	60	8	3	3	169	145	18	6

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 86.6 percent of the population of the State in 1937; 77.2 percent in 1938; 80.8 percent in 1939; and 100.0 percent in 1940.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the

last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,697	100.0	1,448	100.0	1,309	100.0	1,224	100.0
Death penalty.....	1	0.1	-	-	1	0.1	1	0.1
State prisons or reformatories...	697	41.1	599	41.4	577	44.1	526	43.0
Probation or suspended sentence...	303	17.9	290	20.0	206	15.7	187	15.3
Local jails, workhouses, etc.....	585	34.5	470	32.5	441	33.7	455	37.2
Fine or costs only.....	91	5.4	73	5.0	61	4.7	44	3.6
Institutions for juveniles.....	20	1.2	16	1.1	23	1.8	11	0.9
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: IOWA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	3,675	1	792	526	1,227	1,088	41	-
Major offenses, total <sup>1</sup> .....	1,697	1	697	303	585	91	20	-
Murder.....	13	1	12	-	-	-	-	-
Manslaughter.....	10	-	7	2	-	1	-	-
Robbery.....	51	-	42	3	4	2	-	-
Aggravated assault.....	52	-	15	11	21	5	-	-
Burglary.....	232	-	97	44	83	4	4	-
Larceny, except auto theft.....	513	-	158	90	232	26	7	-
Auto theft.....	126	-	72	20	32	1	1	-
Embezzlement and fraud.....	145	-	43	40	48	12	2	-
Stolen property, receiving, etc.....	25	-	6	6	10	3	-	-
Forgery and counterfeiting.....	244	-	112	35	90	5	2	-
Rape.....	34	-	23	8	2	-	1	-
Commercialized vice.....	13	-	4	2	3	4	-	-
Other sex offenses.....	94	-	33	21	29	9	2	-
Violating drug laws.....	24	-	7	7	12	4	1	-
Carrying, etc., weapons.....	32	-	2	6	16	8	-	-
Other major offenses.....	89	-	71	8	3	7	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	15	-	10	3	-	2	-	-
Bigamy.....	3	-	1	-	1	-	-	-
Blackmail and extortion.....	7	-	2	3	1	1	-	-
Escape and jail break.....	58	-	55	-	1	2	-	-
Kidnaping.....	1	-	-	-	-	1	-	-
Perjury.....	5	-	3	2	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	35	-	5	4	19	7	-	-
Nonsupport or neglect.....	83	-	11	56	13	3	-	-
Violating liquor laws.....	180	-	11	25	46	97	1	-
Driving while intoxicated.....	1,216	-	19	59	479	658	1	-
Other motor-vehicle laws.....	160	-	10	14	18	115	3	-
Disorderly conduct and vagrancy..	47	-	2	31	8	5	1	-
Gambling.....	88	-	-	4	3	81	-	-
All other offenses.....	169	-	37	30	56	31	15	-

See footnotes 1 and 2 on first page.



JUDICIAL CRIMINAL STATISTICS: KANSAS, 1940

The Bureau of the Census received from the clerks of court reports on 1,430 defendants charged with major offenses who were disposed of in the 105 district courts of Kansas during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately four-fifths (79.0) of the total of 1,430 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,430	100.0	1,805	100.0	1,658	100.0	1,793	100.0
Eliminated without conviction....	300	21.0	405	22.4	364	22.0	452	25.2
Dismissed.....	244	17.1	335	18.6	265	16.0	380	21.2
Acquitted by court (jury waived)	6	0.4	7	0.4	20	1.2	3	0.2
Acquitted by jury.....	49	3.4	61	3.4	61	3.7	54	3.0
Other no-penalty disposition...	1	0.1	2	0.1	18	1.1	15	0.8
Convicted.....	1,130	79.0	1,400	77.6	1,294	78.0	1,341	74.8
Plea of guilty.....	1,007	70.4	1,263	70.0	1,093	65.9	1,164	64.9
Court finds guilty (jury waived)	19	1.3	16	0.9	37	2.2	20	1.1
Jury verdict guilty.....	104	7.3	121	6.7	164	9.9	157	8.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: KANSAS, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dis-missed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,259	679	588	12	75	4	1,560	1,389	32	139
Major offenses, total <sup>1</sup> .....	1,430	300	244	6	49	1	1,130	1,007	19	104
Murder.....	16	6	1	-	5	-	10	5	-	5
Manslaughter.....	14	3	1	-	2	-	11	2	-	8
Robbery.....	54	11	9	-	2	-	43	36	-	7
Aggravated assault.....	60	24	19	-	5	-	36	28	2	6
Burglary.....	290	46	37	1	7	1	244	220	7	17
Larceny, except auto theft.....	404	59	49	-	10	-	345	316	2	27
Auto theft.....	72	4	4	-	-	-	68	67	-	1
Embezzlement and fraud.....	123	53	48	1	4	-	70	58	2	10
Stolen property, receiving, etc.	25	8	7	-	1	-	17	17	-	-
Forgery and counterfeiting.....	205	23	22	-	1	-	182	172	2	8
Rape.....	70	32	21	2	9	-	38	30	1	7
Commercialized vice.....	3	2	2	-	-	-	1	1	-	-
Other sex offenses.....	14	7	5	2	-	-	7	6	1	-
Violating drug laws.....	7	3	3	-	-	-	4	4	-	-
Carrying, etc., weapons.....	4	1	1	-	-	-	3	2	-	1
Other major offenses.....	69	18	15	-	3	-	51	43	1	7
Abortion.....	1	-	-	-	-	-	1	1	-	-
Arson.....	21	5	3	-	2	-	13	12	-	4
Bigamy.....	7	-	-	-	-	-	7	7	-	-
Blackmail and extortion.....	5	4	4	-	-	-	1	1	-	-
Escape and jail break.....	24	2	2	-	-	-	22	19	1	2
Kidnaping.....	2	1	-	-	1	-	1	-	-	1
Perjury.....	9	6	6	-	-	-	3	3	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	30	13	13	-	-	-	17	14	-	3
Nonsupport or neglect.....	84	44	43	-	1	-	40	33	2	5
Violating liquor laws.....	462	187	172	1	12	2	275	254	6	15
Driving while intoxicated.....	62	31	26	-	5	-	31	27	-	4
Other motor-vehicle laws.....	21	15	14	-	1	-	6	5	1	-
Disorderly conduct and vagrancy.....	42	32	29	-	3	-	10	10	-	-
Gambling.....	27	13	13	-	-	-	14	12	2	-
All other offenses.....	61	44	34	5	4	1	37	27	2	8

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all of these groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	1,130	100.0	1,400	100.0	1,294	100.0	1,341	100.0
Death penalty.....	-	-	-	-	-	-	1	0.1
State prisons or reformatories...	805	71.2	911	65.1	1,009	78.0	961	71.7
Probation or suspended sentences..	211	18.7	318	22.7	117	9.0	203	15.1
Local jails, workhouses, etc.....	105	9.3	151	10.8	110	8.5	158	11.8
Fine or costs only.....	9	0.8	20	1.4	53	4.1	16	1.2
Institutions for juveniles.....	-	-	-	-	*4	0.3	*2	0.1
Other sentences.....	-	-	-	-	1	0.1	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: KANSAS, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,560	-	846	351	310	51	-	2
Major offenses, total <sup>1</sup> .....	1,130	-	805	211	105	9	-	-
Murder.....	10	-	10	-	-	-	-	-
Manslaughter.....	11	-	8	2	1	-	-	-
Robbery.....	43	-	40	3	-	-	-	-
Aggravated assault.....	36	-	21	4	9	2	-	-
Burglary.....	244	-	204	36	4	-	-	-
Larceny, except auto theft.....	345	-	212	79	49	5	-	-
Auto theft.....	68	-	59	2	7	-	-	-
Embezzlement and fraud.....	70	-	38	17	13	2	-	-
Stolen property, receiving, etc.	17	-	8	3	6	-	-	-
Forgery and counterfeiting.....	182	-	127	48	7	-	-	-
Rape.....	38	-	33	5	-	-	-	-
Commercialized vice.....	1	-	1	-	-	-	-	-
Other sex offenses.....	7	-	6	1	-	-	-	-
Violating drug laws.....	4	-	3	1	-	-	-	-
Carrying, etc., weapons.....	3	-	1	2	-	-	-	-
Other major offenses.....	51	-	34	8	9	-	-	-
Abortion.....	1	-	-	-	1	-	-	-
Arson.....	16	-	10	5	1	-	-	-
Bigamy.....	7	-	4	-	3	-	-	-
Blackmail and extortion.....	1	-	-	-	1	-	-	-
Escape and jail break.....	22	-	18	1	3	-	-	-
Kidnaping.....	1	-	-	-	-	-	-	-
Perjury.....	3	-	1	2	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	17	-	-	7	6	4	-	-
Nonsupport or neglect.....	40	-	10	29	1	-	-	-
Violating liquor laws.....	275	-	20	78	166	11	-	2
Driving while intoxicated.....	31	-	-	7	18	6	-	-
Other motor-vehicle laws.....	6	-	-	2	1	3	-	-
Disorderly conduct and vagrancy..	10	-	2	2	5	1	-	-
Gambling.....	14	-	-	4	2	8	-	-
All other offenses.....	37	-	9	13	8	9	-	-

See footnotes 1 and 2 on first page.

<sup>1</sup>Figures released as reported to us. Subsequent information indicates that the report was incorrect and that Kansas Criminal Courts commit no individuals to juvenile institutions.

JUDICIAL CRIMINAL STATISTICS: MASSACHUSETTS, 1940

The Bureau of the Census received from the clerks of court reports on 3,194 defendants charged with major offenses who were disposed of in the superior courts of the 14 counties of Massachusetts during the calendar year 1940.

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of every 10 (82.9 percent) of the total of 3,194 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

Table 1 shows the disposition of defendants

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	3,194	100.0	3,548	100.0	3,085	100.0	3,044	100.0
Eliminated without conviction....	547	17.1	683	19.3	692	22.4	515	16.9
Dismissed.....	242	7.6	393	11.1	441	14.3	304	10.0
Acquitted by court(jury waived)	95	3.0	93	2.6	109	3.5	66	2.2
Acquitted by jury.....	209	6.5	195	5.5	139	4.5	145	4.8
Other no-penalty disposition...	1	( <sup>1</sup> )	2	0.1	3	0.1	-	-
Convicted.....	2,647	82.9	2,865	80.7	2,393	77.6	2,529	83.1
Plea of guilty.....	2,270	71.1	2,450	69.1	2,041	66.2	2,129	69.9
Court finds guilty(jury waived)	132	4.1	103	2.9	137	4.4	76	2.5
Jury verdict guilty.....	245	7.7	312	8.8	215	7.0	324	10.6

<sup>1</sup>Less than one-tenth of 1 percent.

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: MASSACHUSETTS, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	3,852	693	319	113	260	1	3,159	2,711	160	288
Major offenses, total <sup>1</sup> .....	3,194	547	242	95	209	1	2,647	2,270	132	245
Murder.....	19	7	4	-	2	1	12	8	1	4
Manlaughter.....	17	4	-	-	3	-	13	9	1	3
Robbery.....	406	75	16	12	45	-	333	256	14	53
Aggravated assault.....	111	29	6	4	19	-	82	49	12	21
Burglary.....	962	88	53	14	21	-	874	813	15	46
Larceny, except auto theft.....	566	132	75	19	38	-	434	391	16	27
Auto theft.....	311	38	18	1	19	-	273	249	12	12
Embezzlement and fraud.....	...	...	...	...	...	...	...	...	...	...
Stolen property, receiving, etc.	62	16	7	2	7	-	46	38	1	7
Forgery and counterfeiting.....	57	7	4	3	-	-	50	48	2	-
Rape.....	275	63	24	16	23	-	212	150	34	28
Commercialized vice.....	13	4	2	-	2	-	9	7	2	-
Other sex offenses.....	119	28	9	14	5	-	91	61	14	16
Violating drug laws.....	19	4	-	-	-	-	19	15	4	4
Carrying, etc., weapons.....	78	6	4	-	-	-	72	63	6	6
Other major offenses.....	179	52	20	9	23	-	127	103	6	18
Abortion.....	35	15	3	1	11	-	20	17	3	3
Arson.....	82	24	10	6	8	-	58	48	3	7
Bigamy.....	12	2	1	1	-	-	10	7	2	1
Blackmail and extortion.....	6	4	-	-	4	-	2	1	-	1
Escape and jail break.....	14	1	1	-	-	-	13	11	-	2
Kidnaping.....	11	1	1	-	-	-	10	6	1	3
Perjury.....	19	5	4	1	-	-	14	13	-	1
Other offenses: <sup>2</sup>										
Minor assault.....	108	12	2	3	7	-	96	68	9	19
Nonsupport or neglect.....	96	26	21	4	1	-	70	68	2	-
Violating liquor laws.....	22	7	4	-	3	-	15	16	1	3
Driving while intoxicated.....	25	1	-	-	1	-	24	20	1	-
Disorderly conduct and vagrancy	182	23	4	1	18	-	159	133	9	17
Gambling.....	28	3	-	-	3	-	25	22	2	1
All other offenses.....	75	13	13	-	-	-	62	62	-	1
All other offenses.....	122	61	33	10	18	-	61	53	5	3

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Larceny, except auto theft, includes embezzlement and fraud.

<sup>3</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all of offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	2,647	100.0	2,865	100.0	2,393	100.0	2,529	100.0
Death penalty.....	1	( <sup>1</sup> )	2	0.1	1	( <sup>1</sup> )	1	( <sup>1</sup> )
Imprisonment.....	1,428	53.9	1,587	55.4	1,253	52.3	1,469	58.1
Probation or suspended sentence.....	735	27.8	940	32.8	854	35.7	736	29.1
Fine or costs only.....	10	0.4	21	0.7	17	0.7	24	0.9
Institutions for juveniles.....	-	-	-	-	-	-	-	-
Other sentences.....	473	17.9	315	11.0	268	11.2	299	11.8

<sup>1</sup>Less than one-tenth of 1 percent.

<sup>2</sup>Includes defendants sentenced to State prisons and reformatories and local jails, workhouses, etc.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: MASSACHUSETTS, 1940

Offense	Total number of defendants sentenced	Death penalty	Imprisonment <sup>2</sup>	Probation or suspended sentence	Fine or costs only	Institutions for juvenile delinquents only	On file after conviction
All offenses.....	3,159	1	1,595	889	74	-	600
Major offenses, total <sup>1</sup> .....	2,647	1	1,428	735	10	-	473
Murder.....	12	1	11	-	-	-	-
Manslaughter.....	13	-	13	-	-	-	-
Robbery.....	333	-	256	37	-	-	40
Aggravated assault.....	82	-	46	17	3	-	16
Burglary.....	874	-	411	329	-	-	134
Larceny, except auto theft.....	434	-	176	124	1	-	133
Auto theft.....	273	-	143	95	1	-	34
Stolen property, receiving, etc....	46	-	15	23	-	-	8
Forgery and counterfeiting.....	50	-	20	13	-	-	17
Rape.....	212	-	147	48	-	-	17
Commercialized vice.....	9	-	6	-	-	-	3
Other sex offenses.....	91	-	47	18	2	-	24
Violating drug laws.....	19	-	12	4	-	-	3
Carrying, etc., weapons.....	72	-	43	8	1	-	20
Other major offenses.....	127	-	82	19	2	-	24
Abortion.....	20	-	10	8	-	-	2
Arson.....	58	-	32	8	-	-	18
Bigamy.....	10	-	7	2	1	-	-
Blackmail and extortion.....	2	-	1	-	-	-	1
Escape and jail break.....	13	-	13	-	-	-	-
Kidnaping.....	10	-	10	-	-	-	-
Perjury.....	14	-	9	1	1	-	3
Other offenses: <sup>3</sup>							
Minor assault.....	96	-	41	36	1	-	16
Nonsupport or neglect.....	70	-	8	58	-	-	4
Violating liquor laws.....	15	-	12	-	-	-	3
Driving while intoxicated.....	24	-	12	1	7	-	4
Other motor-vehicle laws.....	159	-	63	26	11	-	59
Disorderly conduct and vagrancy...	25	-	2	2	-	-	21
Gambling.....	62	-	16	7	32	-	7
All other offenses.....	61	-	13	22	13	-	13

<sup>1</sup>Includes defendants sentenced to State prisons and reformatories and local jails, workhouses, etc. See footnotes 1, 2, and 3 on first page.

JUDICIAL CRIMINAL STATISTICS: MICHIGAN, 1940

The Bureau of the Census received reports on 2,747 defendants charged with major offenses who were disposed of in the trial courts of the 83 counties of Michigan during the calendar year 1940. The publication of these statistics was made possible by the cooperation of George A. Kropp of the Michigan

Department of Correction. Some areas, especially Wayne County, are incompletely reported as evidenced by the fact that the reporting clerks of court indicate 1,038 persons sentenced to prisons or reformatories whereas the total number of prisoners received from the courts during the year was 2,395.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,747	100.0	4,173	100.0	4,623	100.0	4,723	100.0
Eliminated without conviction....	561	20.4	863	20.7	949	20.5	822	17.4
Dismissed.....	261	9.5	370	8.9	518	11.2	467	9.9
Acquitted by court(jury waived)	14	0.5	61	1.9	130	2.8	73	1.5
Acquitted by jury.....	59	2.1	105	2.5	78	1.7	224	4.7
Other no-penalty disposition...	227	8.3	307	7.4	223	4.8	58	1.2
Convicted.....	2,186	79.6	3,310	79.3	3,674	79.5	3,901	82.6
Plea of guilty.....	1,932	70.3	2,652	63.6	2,997	64.6	3,092	65.5
Court finds guilty(jury waived)	154	5.6	373	8.9	379	8.2	241	5.1
Jury verdict guilty.....	100	3.6	285	6.8	308	6.7	568	12.0

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: MICHIGAN, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	3,753	814	395	33	68	318	2,939	2,592	220	127
Major offenses, total <sup>1</sup> .....	2,747	561	261	14	59	227	2,186	1,932	154	100
Murder.....	24	8	3	-	-	5	16	9	-	7
Manslaughter.....	81	42	15	4	16	7	39	26	4	9
Robbery.....	155	26	16	1	2	7	129	111	8	10
Aggravated assault.....	142	57	32	1	8	16	85	61	10	14
Burglary.....	667	64	31	1	4	28	603	553	32	13
Larceny, except auto theft.....	437	57	24	-	3	30	380	334	32	14
Auto theft.....	306	38	15	-	2	21	268	247	16	5
Embezzlement and fraud.....	143	50	23	2	3	22	93	79	11	3
Stolen property, receiving, etc.	39	22	13	-	1	8	17	15	1	1
Forgery and counterfeiting.....	151	21	11	1	1	8	130	125	1	4
Rape.....	174	54	24	2	7	21	120	95	17	8
Commercialized vice.....	10	4	4	-	-	-	6	6	-	-
Other sex offenses.....	277	81	33	2	6	40	196	173	14	9
Violating drug laws.....	2	1	1	-	-	-	1	1	-	-
Carrying, etc., weapons.....	66	18	6	-	3	9	48	44	3	1
Other major offenses.....	73	18	10	-	3	5	55	48	5	2
Abortion.....	7	3	2	-	-	1	4	4	-	-
Arson.....	22	5	1	-	2	2	17	13	3	1
Bigamy.....	8	2	1	-	-	1	6	6	-	-
Blackmail and extortion.....	5	2	1	-	-	1	3	3	-	-
Escape and jail break.....	17	2	1	-	-	1	15	12	2	1
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	14	4	3	-	1	-	10	10	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	53	7	6	1	-	-	46	39	6	1
Nonsupport or neglect.....	148	55	18	1	3	33	92	85	4	4
Violating liquor laws.....	118	34	22	-	2	10	84	69	10	5
Driving while intoxicated.....	23	2	1	-	-	1	21	19	2	-
Other motor-vehicle laws.....	44	11	6	2	-	3	33	26	5	2
Disorderly conduct and vagrancy	92	4	1	-	-	3	88	79	7	2
Gambling.....	128	25	11	-	2	12	103	98	4	1
All other offenses.....	400	115	69	15	2	29	285	245	28	12

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (79.8 percent) of the total of 2,747 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposi-

tion of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	2,186	100.0	3,310	100.0	3,874	100.0	3,901	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	933	42.7	1,430	43.2	1,786	48.6	1,856	47.6
Probation or suspended sentence...	1,098	50.2	1,511	45.6	1,293	35.2	1,463	37.5
Local jails, workhouses, etc....	105	4.8	214	6.5	472	12.8	458	11.7
Fine or costs only.....	50	2.3	155	4.7	123	3.3	123	3.2
Institutions for juveniles.....	-	-	-	-	-	-	1	( <sup>1</sup> )
Other sentences.....	-	-	-	-	-	-	-	-

<sup>1</sup>Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: MICHIGAN, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	2,939	-	1,038	1,556	180	165	-	-
Major offenses, total <sup>1</sup> .....	2,186	-	933	1,098	105	50	-	-
Murder.....	16	-	16	-	-	-	-	-
Manslaughter.....	39	-	18	21	-	2	-	-
Robbery.....	129	-	115	14	-	-	-	-
Aggravated assault.....	65	-	40	37	4	4	-	-
Burglary.....	803	-	233	356	8	6	-	-
Larceny, except auto theft.....	390	-	144	193	35	8	-	-
Auto theft.....	268	-	86	172	8	2	-	-
Embezzlement and fraud.....	93	-	21	60	3	9	-	-
Stolen property, receiving, etc.	17	-	7	9	-	1	-	-
Forgery and counterfeiting.....	130	-	65	60	2	3	-	-
Rape.....	120	-	69	48	3	-	-	-
Commercialized vice.....	6	-	4	1	1	-	-	-
Other sex offenses.....	196	-	65	90	33	8	-	-
Violating drug laws.....	1	-	1	-	-	-	-	-
Carrying, etc., weapons.....	48	-	15	26	3	4	-	-
Other major offenses.....	55	-	36	11	5	3	-	-
Abortion.....	4	-	2	-	2	-	-	-
Arson.....	17	-	11	6	1	-	-	-
Bigamy.....	6	-	1	1	1	-	-	-
Blackmail and extortion.....	3	-	1	2	-	-	-	-
Escape and jail break.....	15	-	12	2	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	10	-	6	-	1	3	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	46	-	1	24	11	10	-	-
Nonsupport or neglect.....	93	-	18	74	1	-	-	-
Violating liquor laws.....	84	-	10	44	13	17	-	-
Driving while intoxicated.....	21	-	5	8	3	5	-	-
Other motor-vehicle laws.....	33	-	2	21	6	4	-	-
Disorderly conduct and vagrancy..	88	-	36	28	15	9	-	-
Gambling.....	103	-	1	22	24	55	-	-
All other offenses.....	285	-	32	226	2	15	-	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: MINNESOTA, 1940

The Bureau of the Census received from the Minnesota Bureau of Criminal Apprehension reports on 1,990 defendants charged with major offenses who were disposed of in the district courts of the 87 counties of Minnesota during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of every 10 (90.8 percent) of the total of 1,990 defendants were convicted.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,990	100.0	2,069	100.0	2,295	100.0	1,908	100.0
Eliminated without conviction...	183	9.2	196	9.5	294	12.8	252	12.2
Dismissed.....	130	6.5	152	7.4	231	10.1	161	8.4
Acquitted by court (jury waived)	3	0.2	-	-	2	0.1	1	0.1
Acquitted by jury.....	43	2.2	56	2.7	43	1.9	54	2.9
Other no-penalty disposition...	7	0.4	8	0.4	18	0.8	15	0.8
Convicted.....	1,807	90.8	1,873	90.5	2,001	87.2	1,676	87.8
Plea of guilty.....	1,741	87.5	1,784	86.2	1,903	82.9	1,578	82.7
Court finds guilty (jury waived)	3	0.2	6	0.3	6	0.3	8	0.4
Jury verdict guilty.....	63	3.2	82	4.0	92	4.0	90	4.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,602	262	194	4	56	8	2,340	2,257	5	78
Major offenses, total <sup>1</sup> .....	1,990	183	130	3	43	7	1,807	1,741	3	63
Murder.....	14	4	-	-	2	2	10	6	-	4
Manslaughter.....	24	8	2	-	6	-	16	11	-	5
Robbery.....	53	3	2	-	1	-	50	45	-	5
Aggravated assault.....	76	18	9	-	8	1	53	52	1	5
Burglary.....	278	14	10	-	3	1	264	260	-	4
Larceny, except auto theft.....	656	46	43	-	3	-	590	573	-	17
Auto theft.....	151	8	7	-	1	-	142	139	-	4
Embezzlement and fraud.....	52	16	12	-	4	-	36	34	-	2
Stolen property, receiving, etc.	38	2	1	-	2	-	35	35	-	6
Forgery and counterfeiting.....	353	20	17	-	2	1	333	321	-	2
Rape.....	91	10	3	1	4	2	81	75	-	6
Commercialized vice.....	27	7	7	-	-	-	20	19	-	1
Other sex offenses.....	115	18	11	1	6	-	97	92	1	4
Violating drug laws.....	8	2	1	1	-	-	6	5	1	-
Carrying, etc., weapons.....	4	3	3	-	-	-	1	1	-	-
Other major offenses.....	70	3	2	-	1	-	67	63	-	4
Abortion.....	7	-	-	-	-	-	7	6	-	1
Arson.....	41	1	1	-	-	-	40	39	-	1
Bigamy.....	4	1	-	-	1	-	3	3	-	-
Blackmail and extortion.....	7	1	1	-	-	-	6	4	-	2
Escape and jail break.....	5	-	-	-	-	-	5	5	-	-
Kidnaping.....	3	-	-	-	-	-	3	3	-	-
Perjury.....	3	-	-	-	-	-	3	3	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	36	5	2	-	3	-	31	26	-	5
Nonsupport or neglect.....	121	19	17	-	2	-	102	99	1	2
Violating liquor laws.....	188	21	17	-	4	-	167	165	-	2
Driving while intoxicated.....	-	-	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	5	-	-	-	-	-	5	5	-	-
Disorderly conduct and vagrancy	6	2	2	-	-	-	4	4	-	-
Gambling.....	172	11	9	-	2	-	161	159	-	2
All other offenses.....	84	21	17	1	2	1	63	58	1	4

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on

those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,807	100.0	1,873	100.0	2,001	100.0	1,676	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	788	43.6	859	45.9	903	45.1	757	45.2
Probation or suspended sentence...	719	39.8	740	39.5	788	39.4	672	40.1
Local jails, workhouses, etc.....	240	13.3	212	11.3	267	13.3	180	10.7
Fine or costs only.....	55	3.0	55	2.9	35	1.7	61	3.6
Institutions for juveniles.....	5	0.3	7	0.4	8	0.4	6	0.4
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	2,340	-	813	863	315	344	5	-
Major offenses, total <sup>1</sup> .....	1,807	-	788	719	240	55	5	-
Murder.....	10	-	10	-	-	-	-	-
Manslaughter.....	16	-	9	4	2	1	-	-
Robbery.....	50	-	42	8	-	-	-	-
Aggravated assault.....	58	-	29	19	4	6	-	-
Burglary.....	264	-	109	125	28	-	2	-
Larceny, except auto theft.....	590	-	232	246	89	20	2	-
Auto theft.....	143	-	58	74	10	-	1	-
Embezzlement and fraud.....	36	-	2	20	7	7	-	-
Stolen property, receiving, etc.....	35	-	7	12	10	6	-	-
Forgery and counterfeiting.....	333	-	135	131	61	6	-	-
Rape.....	81	-	53	23	5	-	-	-
Commercialized vice.....	20	-	6	2	7	5	-	-
Other sex offenses.....	97	-	60	21	12	4	-	-
Violating drug laws.....	6	-	2	3	1	-	-	-
Carrying, etc., weapons.....	1	-	-	-	-	-	-	-
Other major offenses.....	67	-	39	31	3	-	-	-
Abortion.....	7	-	5	2	-	-	-	-
Arson.....	40	-	14	24	2	-	-	-
Bigamy.....	3	-	2	1	-	-	-	-
Blackmail and extortion.....	6	-	3	2	1	-	-	-
Escape and jail break.....	5	-	5	-	-	-	-	-
Kidnaping.....	3	-	3	-	-	-	-	-
Perjury.....	3	-	1	2	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	31	-	-	11	15	5	-	-
Nonsupport or neglect.....	102	-	18	79	5	-	-	-
Violating liquor laws.....	167	-	-	21	38	108	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	5	-	-	2	2	1	-	-
Disorderly conduct and vagrancy.....	4	-	-	2	-	2	-	-
Gambling.....	161	-	2	7	-	152	-	-
All other offenses.....	63	-	5	22	15	21	-	-

See footnotes 1 and 2 on first page.



JUDICIAL CRIMINAL STATISTICS: MONTANA, 1940

The Bureau of the Census received from the clerks of court reports on 549 defendants charged with major offenses who were disposed of in the district courts of the 56 counties of Montana during the calendar year 1940.

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of every 10 (82.5 percent) of the total of 549 defendants were convicted.

Table 2 presents detailed figures of all dis-

Table 1 shows the disposition of defendants

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	549	100.0	375	100.0	345	100.0	586	100.0
Eliminated without conviction...	96	17.5	54	14.4	49	14.2	134	22.9
Dismissed.....	71	12.9	43	11.5	35	10.1	100	17.1
Acquitted by court(jury waived)	-	-	-	-	-	-	-	-
Acquitted by jury.....	21	3.8	10	2.7	14	4.1	28	4.8
Other no-penalty disposition...	4	0.7	1	0.3	-	-	6	1.0
Convicted.....	453	82.5	321	85.6	296	85.8	452	77.1
Plea of guilty.....	390	71.0	294	78.4	275	79.7	379	64.7
Court finds guilty(jury waived)	21	3.8	2	0.5	3	0.9	4	0.7
Jury verdict guilty.....	42	7.7	25	6.7	18	5.2	69	11.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	667	139	104	-	31	4	528	440	39	49
Major offenses, total <sup>1</sup> .....	549	96	71	-	21	4	453	390	21	42
Murder.....	8	3	-	-	2	1	5	1	1	3
Manslaughter.....	5	4	1	-	3	-	1	1	-	-
Robbery.....	31	8	7	-	1	-	23	22	-	1
Aggravated assault.....	30	7	3	-	4	-	23	20	1	2
Burglary.....	149	18	15	-	2	1	131	120	6	5
Larceny, except auto theft.....	115	20	13	-	5	2	95	64	10	21
Auto theft.....	42	9	9	-	-	-	33	31	-	2
Embezzlement and fraud.....	7	3	3	-	-	-	4	3	-	1
Stolen property, receiving, etc.	28	2	1	-	1	-	26	21	-	5
Forgery and counterfeiting.....	91	7	7	-	-	-	84	81	2	1
Rape.....	27	10	8	-	2	-	17	16	-	1
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	11	3	3	-	-	-	8	7	1	-
Violating drug laws.....	2	-	-	-	-	-	2	2	-	-
Carrying, etc., weapons.....	2	1	1	-	-	-	1	1	-	-
Other major offenses.....	1	1	-	-	1	-	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	1	1	-	-	1	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	27	11	8	-	3	-	16	8	5	3
Nonsupport or neglect.....	1	1	1	-	-	-	-	-	-	-
Violating liquor laws.....	1	1	-	-	1	-	-	-	-	-
Driving while intoxicated.....	17	4	3	-	1	-	13	10	1	2
Other motor-vehicle laws.....	7	2	1	-	1	-	5	3	-	2
Disorderly conduct and vagrancy	5	2	2	-	-	-	4	3	1	-
Gambling.....	26	17	13	-	4	-	9	9	-	-
All other offenses.....	33	5	5	-	-	-	28	17	11	-

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 96.5 percent of the population of the State in 1937, 61.9 percent in 1938, 70.0 percent in 1939, and 100.0 percent in 1940.

positions in 1940, showing the method of disposition of all defendants, by offense groups.  
 Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.  
 Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	453	100.0	321	100.0	296	100.0	452	100.0
Death penalty.....	-	-	1	0.3	1	0.3	-	-
State prisons or reformatories...	351	77.5	248	77.3	210	70.9	338	74.8
Probation or suspended sentence...	62	13.7	46	14.3	58	19.6	90	19.9
Local jails, workhouses, etc.....	24	5.3	13	4.0	22	7.4	15	3.3
Fine or costs only.....	5	1.1	6	1.9	1	0.3	4	0.9
Institutions for juveniles.....	11	2.4	7	2.2	4	1.4	5	1.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	528	-	358	77	36	30	25	2
Major offenses, total <sup>1</sup> .....	453	-	351	62	24	5	11	-
Murder.....	5	-	5	-	-	-	-	-
Manslaughter.....	1	-	1	-	-	-	-	-
Robbery.....	23	-	22	1	-	-	-	-
Aggravated assault.....	23	-	22	-	-	1	-	-
Burglary.....	131	-	96	33	-	-	2	-
Larceny, except auto theft.....	95	-	74	8	4	3	6	-
Auto theft.....	33	-	16	3	13	-	1	-
Embezzlement and fraud.....	4	-	2	2	-	-	-	-
Stolen property, receiving, etc..	26	-	20	1	4	1	-	-
Forgery and counterfeiting.....	84	-	73	11	-	-	-	-
Rape.....	17	-	13	3	-	-	1	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	8	-	7	-	-	-	1	-
Violating drug laws.....	2	-	-	-	2	-	-	-
Carrying, etc., weapons.....	1	-	-	-	1	-	-	-
Other major offenses.....	-	-	-	-	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	16	-	3	4	4	3	-	2
Nonsupport or neglect.....	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	13	-	2	2	4	5	-	-
Other motor-vehicle laws.....	5	-	-	3	1	1	-	-
Disorderly conduct and vagrancy..	4	-	-	1	1	1	1	-
Gambling.....	9	-	-	-	-	9	-	-
All other offenses.....	28	-	2	5	2	6	13	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: NEW HAMPSHIRE, 1940

The Bureau of the Census received from the clerks of court reports on 432 defendants charged with major offenses, who were disposed of in the superior courts of the 10 counties of New Hampshire during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of every 8 (88.2 percent) of the total of 432 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	432	100.0	436	100.0	496	100.0	422	100.0
Eliminated without conviction....	51	11.8	99	22.7	108	21.8	65	15.4
Dismissed.....	38	8.8	86	19.7	80	16.1	49	11.6
Acquitted by court(jury waived)	1	0.2	-	-	2	0.4	-	-
Acquitted by jury.....	6	1.4	9	2.1	8	1.6	6	1.4
Other no-penalty disposition....	6	1.4	4	0.9	18	3.6	10	2.4
Convicted.....	381	88.2	337	77.3	388	78.2	357	84.6
Flea of guilty.....	368	85.2	354	76.6	353	71.2	331	78.4
Court finds guilty(jury waived)	1	0.2	-	-	3	0.6	3	0.7
Jury verdict guilty.....	12	2.8	3	0.7	32	6.5	23	5.5

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: NEW HAMPSHIRE, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	506	72	58	1	6	7	434	416	1	17
Major offenses, total <sup>1</sup> .....	432	51	38	1	6	6	381	368	1	12
Murder.....	1	-	-	-	-	-	1	1	-	-
Manslaughter.....	2	1	1	-	-	-	1	1	-	-
Robbery.....	8	-	-	-	-	8	8	-	-	-
Aggravated assault.....	13	1	1	-	-	12	12	-	-	-
Burglary.....	90	4	3	-	-	86	82	-	4	-
Larceny, except auto theft....	98	6	5	-	1	92	89	1	2	-
Auto theft.....	24	3	3	-	-	21	21	-	-	-
Embezzlement and fraud.....	54	11	9	-	2	43	41	-	2	-
Stolen property, receiving, etc.	4	1	1	-	-	3	3	-	-	-
Forgery and counterfeiting....	20	2	2	-	-	18	18	-	-	-
Rape.....	27	7	6	-	1	20	19	-	1	-
Commercialized vice.....	1	-	-	-	-	1	1	-	-	-
Other sex offenses.....	50	6	3	-	2	44	43	-	1	-
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	3	1	-	-	1	2	2	-	-	-
Other major offenses.....	37	8	4	-	1	29	27	-	2	-
Abortion.....	3	2	2	-	-	1	1	-	-	-
Arson.....	28	6	2	-	1	22	20	-	2	-
Bigamy.....	2	-	-	-	-	2	2	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	3	-	-	-	-	3	3	-	-	-
Kidnaping.....	1	-	-	-	-	1	1	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	4	2	1	-	-	1	2	1	-	1
Nonsupport or neglect.....	16	1	1	-	-	15	15	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	9	4	4	-	-	5	3	-	2	-
Other motor-vehicle laws.....	20	1	1	-	-	19	17	-	2	-
Disorderly conduct and vagrancy	1	1	1	-	-	-	-	-	-	-
Gambling.....	1	-	-	-	-	1	1	-	-	-
All other offenses.....	23	12	12	-	-	11	11	-	-	-

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	381	100.0	337	100.0	388	100.0	357	100.0
Death penalty.....	-	-	-	-	-	-	1	0.3
State prisons or reformatories...	104	27.3	91	27.0	113	29.1	113	31.7
Probation or suspended sentence..	202	53.0	176	52.2	195	50.3	140	39.2
Local jails, workhouses, etc.....	66	17.3	55	16.3	70	18.0	83	23.2
Fine or costs only.....	8	2.1	12	3.6	8	2.1	15	4.2
Institutions for juveniles.....	1	0.3	3	0.9	1	0.3	4	1.1
Other sentences.....	-	-	-	-	1	0.3	1	0.3

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: NEW HAMPSHIRE, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juveniles delinquents only	Other sentences
All offenses.....	434	-	105	223	76	29	1	-
Major offenses, total <sup>1</sup> .....	381	-	104	202	66	8	1	-
Murder.....	1	-	1	-	-	-	-	-
Manslaughter.....	8	-	7	1	-	-	-	-
Robbery.....	12	-	1	6	5	-	-	-
Aggravated assault.....	85	-	23	48	14	1	-	-
Burglary.....	92	-	12	68	12	-	-	-
Larceny, except auto theft.....	21	-	4	8	8	-	1	-
Auto theft.....	43	-	8	26	9	-	-	-
Embezzlement and fraud.....	3	-	-	1	1	1	-	-
Stolen property, receiving, etc..	18	-	7	10	1	-	-	-
Forgery and counterfeiting.....	20	-	13	5	2	-	-	-
Rape.....	1	-	1	-	-	-	-	-
Commercialized vice.....	44	-	12	17	10	5	-	-
Other sex offenses.....	-	-	-	-	-	-	-	-
Violating drug laws.....	2	-	-	1	1	-	-	-
Carrying, etc., weapons.....	29	-	15	11	2	1	-	-
Other major offenses.....	1	-	-	1	-	-	-	-
Abortion.....	22	-	12	8	1	1	-	-
Arson.....	2	-	1	-	1	-	-	-
Bigamy.....	2	-	-	-	1	-	-	-
Blackmail and extortion.....	3	-	1	2	-	-	-	-
Escape and jail break.....	1	-	1	-	-	-	-	-
Kidnaping.....	1	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	2	-	-	1	1	-	-	-
Nonsupport or neglect.....	15	-	-	12	3	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	5	-	-	-	2	3	-	-
Other motor-vehicle laws.....	19	-	-	5	2	12	-	-
Disorderly conduct and vagrancy.	-	-	-	-	-	-	-	-
Gambling.....	1	-	-	-	-	1	-	-
All other offenses.....	11	-	1	3	2	5	-	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: NEW JERSEY, 1940

The Bureau of the Census received from the clerks of court reports on 7,250 defendants charged with major offenses who were disposed of in the trial courts in 20 of the 21 counties of New Jersey during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (76.1 percent) of the total of 7,250 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	7,250	100.0	5,870	100.0	6,104	100.0	5,260	100.0
Eliminated without conviction...	1,721	23.9	1,170	19.9	1,208	19.8	1,068	20.3
Dismissed.....	1,132	15.6	702	12.0	681	11.2	584	11.1
Acquitted by court(jury waived)	302	4.2	254	4.3	292	4.8	218	4.1
Acquitted by jury.....	185	2.6	188	3.2	201	3.3	229	4.4
Other no-penalty disposition...	112	1.5	28	0.4	34	0.6	37	0.7
Convicted.....	5,519	76.1	4,700	80.1	4,896	80.2	4,192	79.7
Plea of guilty.....	4,648	64.1	4,102	69.9	4,207	68.9	3,628	69.0
Court finds guilty(jury waived)	593	8.2	374	6.4	386	6.3	310	5.9
Jury verdict guilty.....	278	3.8	223	3.8	303	5.0	254	4.8

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty	
All offenses.....	11,210	3,438	2,263	545	227	403	7,772	6,142	1,297	533	
Major offenses, total <sup>1</sup> .....	7,250	1,721	1,132	302	185	112	5,519	4,648	593	278	
Murder.....	51	16	2	1	13	-	35	22	1	12	
Manslaughter.....	103	33	36	7	20	-	40	28	1	11	
Robbery.....	400	71	39	25	8	-	329	275	23	31	
Aggravated assault.....	743	286	162	80	38	6	457	333	94	30	
Burglary.....	1,666	164	125	20	14	5	1,502	1,350	120	22	
Larceny, except auto theft.....	1,193	204	120	43	16	25	989	864	86	39	
Auto theft.....	298	90	66	20	3	1	308	265	24	19	
Embezzlement and fraud.....	956	376	261	31	19	65	580	470	94	16	
Stolen property, receiving, etc.....	182	50	28	15	5	2	102	84	11	7	
Forgery and counterfeiting.....	127	26	24	2	-	-	101	95	3	3	
Rape.....	220	62	40	6	16	-	158	125	15	18	
Commercialized vice.....	180	39	28	10	1	-	141	108	27	11	
Other sex offenses.....	691	182	124	29	25	4	509	387	78	44	
Violating drug laws.....	18	1	-	-	1	-	17	17	-	-	
Carrying, etc., weapons.....	202	49	35	11	1	2	153	127	18	6	
Other major offenses.....	150	52	43	2	5	2	98	88	3	7	
Abortion.....	21	10	8	-	2	-	11	9	-	2	
Arson.....	27	8	7	-	1	-	19	18	1	-	
Bigamy.....	17	4	3	-	-	1	13	12	1	-	
Blackmail and extortion.....	13	11	9	1	1	-	2	2	-	-	
Escape and jail break.....	47	3	3	-	-	-	44	41	1	2	
Kidnaping.....	1	1	-	-	1	-	-	-	-	-	
Perjury.....	24	15	13	1	-	1	9	6	-	3	
Other offenses: <sup>2</sup>											
Minor assault.....	1,059	540	203	122	11	194	519	296	199	24	
Nonsupport or neglect.....	657	179	155	17	6	1	478	320	154	4	
Violating liquor laws.....	611	372	357	9	6	-	239	205	23	11	
Driving while intoxicated.....	38	8	-	6	2	-	30	13	17	-	
Other motor-vehicle laws.....	101	79	68	9	2	-	22	5	15	2	
Disorderly conduct and vagrancy	433	105	46	12	-	47	328	122	206	-	
Gambling.....	358	52	36	12	1	3	306	282	22	1	
All other offenses.....	703	372	266	46	14	46	331	251	67	13	

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total of offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 Census, reports cover 90.3 percent of the population in 1937, 100 percent in 1938 and 1939, and 98.3 percent in 1940. Reports were not received from Gloucester county for 1940.

all defendants by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	5,519	100.0	4,700	100.0	4,896	100.0	4,192	100.0
Death penalty.....	-	-	2	( <sup>1</sup> )	-	-	4	0.1
State prisons or reformatories...	1,960	35.5	1,555	33.1	1,698	34.7	1,425	34.0
Probation or suspended sentence..	2,098	38.0	1,704	36.3	1,797	36.7	1,563	37.3
Local jails, workhouses, etc.....	1,053	19.1	944	20.1	1,044	21.5	920	21.9
Fine or costs only.....	241	6.2	402	8.6	308	6.3	190	4.5
Institutions for juveniles.....	51	0.9	80	1.7	33	0.7	75	1.8
Other sentences.....	16	0.3	13	0.3	16	0.3	15	0.4

<sup>1</sup>Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	7,772	-	2,064	3,272	1,531	815	75	17
Major offenses, total <sup>1</sup> .....	5,519	-	1,960	2,098	1,053	341	51	16
Murder.....	35	-	33	1	-	-	-	1
Manslaughter.....	40	-	12	8	13	7	-	-
Robbery.....	329	-	246	40	38	3	1	1
Aggravated assault.....	457	-	121	156	168	32	-	-
Burglary.....	1,502	-	741	506	182	51	15	7
Larceny, except auto theft.....	989	-	249	463	201	49	24	3
Auto theft.....	308	-	115	132	43	13	3	1
Embezzlement and fraud.....	580	-	67	366	106	40	-	1
Stolen property, receiving, etc.	102	-	14	57	14	16	1	-
Forgery and counterfeiting.....	101	-	35	36	20	8	-	2
Rape.....	158	-	76	40	22	18	2	-
Commercialized vice.....	141	-	48	35	33	20	-	-
Other sex offenses.....	509	-	119	196	130	61	3	-
Violating drug laws.....	17	-	13	-	3	1	-	-
Carrying, etc., weapons.....	153	-	42	47	47	16	1	-
<i>Other major offenses</i> .....	98	-	49	14	28	6	1	-
Abortion.....	11	-	2	3	4	2	-	-
Arson.....	19	-	8	5	5	-	1	-
Bigamy.....	13	-	5	2	6	-	-	-
Blackmail and extortion.....	2	-	-	-	-	2	-	-
Escape and jail break.....	44	-	32	1	11	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	9	-	2	5	2	2	-	-
<i>Other offenses:</i> <sup>2</sup>								
Minor assault.....	519	-	52	233	170	63	1	-
Nonsupport or neglect.....	478	-	14	245	35	83	-	1
Violating liquor laws.....	239	-	9	72	72	86	-	-
Driving while intoxicated.....	30	-	-	-	12	18	-	-
Other motor-vehicle laws.....	22	-	1	4	1	16	-	-
Disorderly conduct and vagrancy..	328	-	-	182	92	54	-	-
Gambling.....	306	-	6	190	48	62	-	-
All other offenses.....	331	-	22	148	48	90	23	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: NEW MEXICO, 1940

The Bureau of the Census received from the clerks of court reports on 969 defendants charged with major offenses who were disposed of in the district courts of the 31 counties of New Mexico during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of every 10 (70.7 percent) of the total of 969 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	969	100.0	1,008	100.0	955	100.0	838	100.0
Eliminated without conviction...	284	29.3	280	27.8	238	24.9	205	24.5
Dismissed.....	223	23.0	237	23.5	183	19.2	143	17.1
Acquitted by court(jury waived)	9	0.9	4	0.4	1	0.1	-	-
Acquitted by jury.....	36	3.7	39	3.9	51	5.3	57	6.8
Other no-penalty disposition...	16	1.7	-	-	3	0.3	5	0.6
Convicted.....	685	70.7	728	72.2	717	75.1	633	75.5
Plea of guilty.....	615	63.5	661	65.6	622	65.1	528	63.0
Court finds guilty(jury waived)	25	2.6	5	0.5	33	3.5	19	2.3
Jury verdict guilty.....	45	4.6	62	6.2	62	6.5	86	10.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NEW MEXICO, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict
All offenses.....	1,482	466	371	17	49	29	1,016	908	44	64
Major offenses, total <sup>1</sup> .....	969	284	223	9	36	16	685	615	25	45
Murder.....	27	9	-	-	9	-	18	10	-	8
Manslaughter.....	23	5	3	-	1	1	18	13	1	4
Robbery.....	32	5	5	-	-	-	27	24	1	2
Aggravated assault.....	100	48	38	2	8	-	52	44	1	7
Burglary.....	90	12	12	-	-	-	78	71	5	2
Larceny, except auto theft.....	296	97	79	1	9	8	199	183	10	6
Auto theft.....	43	6	2	1	-	3	37	33	-	4
Embezzlement and fraud.....	79	23	20	1	1	1	56	52	1	3
Stolen property, receiving, etc.	28	11	11	-	-	-	17	16	-	1
Forgery and counterfeiting.....	127	28	24	1	1	-	101	99	2	-
Rape.....	40	15	13	-	-	-	25	20	-	5
Commercialized vice.....	5	2	-	2	-	-	3	2	1	-
Other sex offenses.....	30	11	10	1	-	-	19	18	-	1
Violating drug laws.....	6	1	-	-	1	-	5	5	-	-
Carrying, etc., weapons.....	17	3	3	-	-	-	14	11	3	-
Other major offenses.....	26	10	9	-	4	3	16	14	-	2
Abortion.....	1	1	1	-	-	-	-	-	-	-
Arson.....	8	3	2	-	1	-	5	5	-	-
Bigamy.....	5	-	-	-	-	-	5	5	-	-
Blackmail and extortion.....	3	3	-	-	1	2	-	-	-	-
Escape and jail break.....	6	1	-	-	-	1	5	3	-	2
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	2	2	-	-	2	-	-	-	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	54	17	15	-	1	1	37	32	1	4
Non-support or neglect.....	11	6	5	-	1	-	5	4	1	-
Violating liquor laws.....	44	24	18	-	3	3	20	15	-	5
Driving while intoxicated.....	153	11	10	-	-	-	142	134	4	4
Other motor-vehicle laws.....	62	24	21	2	1	-	38	36	-	2
Disorderly conduct and vagrancy	7	7	2	-	-	-	5	-	-	-
Gambling.....	19	6	5	1	-	-	13	13	-	-
All other offenses.....	163	87	72	5	6	4	76	59	13	4

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 population, reports cover 100 percent in 1940, and 98.0 percent in 1939, 1938, and 1937.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	685	100.0	728	100.0	717	100.0	633	100.0
Death penalty.....	-	-	1	0.1	4	0.6	3	0.5
State prisons or reformatories...	360	52.6	377	51.8	389	54.3	404	63.8
Probation or suspended sentence..	237	34.6	276	37.9	248	34.6	154	24.3
Local jails, workhouses, etc.....	47	6.9	40	5.5	39	5.4	38	6.0
Fine or costs only.....	13	1.9	24	3.3	14	2.0	29	4.6
Institutions for juveniles.....	28	4.1	10	1.4	23	3.2	5	0.8
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: NEW MEXICO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,016	-	375	387	154	65	35	-
Major offenses, total <sup>1</sup> .....	685	-	360	237	47	13	28	-
Murder.....	18	-	18	-	-	-	-	-
Manslaughter.....	18	-	12	6	-	-	-	-
Robbery.....	27	-	24	3	-	-	-	-
Aggravated assault.....	52	-	25	15	7	4	1	-
Burglary.....	78	-	52	19	2	-	5	-
Larceny, except auto theft.....	199	-	76	64	18	6	15	-
Auto theft.....	37	-	20	11	5	1	-	-
Embezzlement and fraud.....	56	-	43	12	-	1	-	-
Stolen property, receiving, etc.....	17	-	3	8	2	-	4	-
Forgery and counterfeiting.....	101	-	49	50	2	-	-	-
Rape.....	25	-	16	7	1	-	1	-
Commercialized vice.....	3	-	-	2	-	-	1	-
Other sex offenses.....	19	-	7	7	4	-	1	-
Violating drug laws.....	5	-	1	3	1	-	-	-
Carrying, etc., weapons.....	14	-	3	6	4	1	-	-
Other major offenses.....	16	-	11	4	1	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	5	-	1	4	-	-	-	-
Bigamy.....	5	-	5	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	4	-	1	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	37	-	-	16	13	7	1	-
Nonsupport or neglect.....	5	-	1	3	1	-	-	-
Violating liquor laws.....	20	-	8	10	2	-	-	-
Driving while intoxicated.....	142	-	2	62	61	17	-	-
Other motor-vehicle laws.....	38	-	1	17	10	10	-	-
Disorderly conduct and vagrancy..	-	-	-	-	-	-	-	-
Gambling.....	13	-	2	3	8	-	-	-
All other offenses.....	76	-	11	42	9	8	6	-

See footnotes 1 and 2 on first page.



U. S. DEPARTMENT OF COMMERCE  
 Jesse H. Jones, Secretary  
 BUREAU OF THE CENSUS  
 J. C. Capt. Director  
 WASHINGTON

JUDICIAL CRIMINAL STATISTICS: NEW YORK, 1940

The Bureau of the Census received from the New York State Department of Correction reports on 10,797 defendants charged with major offenses who were disposed of in trial courts of the 62 counties (including the five counties that are boroughs of New York City) of New York during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of 10 (72.6 per cent) of the total of 10,797 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	10,797	100.0	10,153	100.0	10,687	100.0	10,316	100.0
Eliminated without conviction.....	2,963	27.4	2,229	22.0	2,884	27.0	2,556	24.8
Dismissed.....	1,413	13.1	1,332	13.1	1,986	18.6	1,659	16.1
Acquitted by court (jury waived)	-	-	-	-	-	-	-	-
Acquitted by jury.....	510	4.7	573	5.6	765	7.2	897	8.7
Other no-penalty disposition...	1,040	9.6	324	3.2	133	1.2	-	-
Convicted.....	7,834	72.6	7,924	78.0	7,803	73.0	7,760	75.2
Plea of guilty.....	( <sup>1</sup> )	( <sup>1</sup> )	7,121	70.1	6,955	65.1	6,904	66.9
Court finds guilty (jury waived)	( <sup>1</sup> )	( <sup>1</sup> )	-	-	-	-	-	-
Jury verdict guilty.....	( <sup>1</sup> )	( <sup>1</sup> )	803	7.9	848	7.9	856	8.3

<sup>1</sup>Data not available.

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	12,585	3,338	1,599	-	521	1,218	9,247	8,447	-	800
Major offenses, total <sup>1</sup> .....	10,797	2,963	1,413	-	510	1,040	7,834	(*)	-	(*)
Murder.....	146	61	11	-	12	38	85	(*)	-	(*)
Manslaughter.....	210	61	20	-	33	8	149	(*)	-	(*)
Robbery.....	1,179	479	165	-	32	221	700	(*)	-	(*)
Aggravated assault.....	789	303	105	-	102	96	484	(*)	-	(*)
Burglary.....	2,359	476	243	-	69	169	1,883	(*)	-	(*)
Larceny, except auto theft.....	2,799	505	269	-	54	182	2,294	(*)	-	(*)
Auto theft.....	789	124	77	-	14	33	665	(*)	-	(*)
Embezzlement and fraud.....	30	20	4	-	3	10	16	(*)	-	(*)
Stolen property, receiving, etc.	221	107	63	-	29	15	114	(*)	-	(*)
Forgery and counterfeiting.....	505	139	83	-	10	46	366	(*)	-	(*)
Rape.....	433	190	91	-	36	63	243	(*)	-	(*)
Commercialized vice.....	15	2	2	-	1	-	12	(*)	-	(*)
Other sex offenses.....	287	100	47	-	20	33	187	(*)	-	(*)
Violating drug laws.....	57	4	3	-	-	1	53	(*)	-	(*)
Carrying, etc., weapons.....	389	96	55	-	15	26	293	(*)	-	(*)
Other major offenses.....	591	295	170	-	29	96	296	(*)	-	(*)
Abortion.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(*)	-	(*)
Arson.....	109	38	25	-	1	11	71	(*)	-	(*)
Bigamy.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(*)	-	(*)
Blackmail and extortion.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(*)	-	(*)
Escape and jail break.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(*)	-	(*)
Kidnaping.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(*)	-	(*)
Perjury.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(*)	-	(*)
Other offenses: <sup>2</sup>										
Minor assault.....	580	-	-	-	-	-	580	(*)	-	(*)
Nonsupport or neglect.....	510	212	84	-	1	127	298	(*)	-	(*)
Violating liquor laws.....	1	-	-	-	-	-	1	(*)	-	(*)
Driving while intoxicated.....	77	9	6	-	2	1	68	(*)	-	(*)
Other motor-vehicle laws.....	12	-	-	-	-	-	12	(*)	-	(*)
Disorderly conduct and vagrancy	7	-	-	-	-	-	7	(*)	-	(*)
Gambling.....	95	-	-	-	-	-	95	(*)	-	(*)
All other offenses.....	506	154	96	-	8	50	352	(*)	-	(*)

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

\*Not returned separately. Offenses reported as "other felonies" and malicious mischief (felony) are included in other major felonies.

Note.—The following five counties reported in part in 1939: Erie, Essex, Lewis, Niagara, and Suffolk.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	7,834	100.0	7,924	100.0	7,803	100.0	7,760	100.0
Death penalty.....	24	0.3	23	0.3	20	0.3	18	0.2
State prisons or reformatories...	3,203	40.9	3,338	42.1	3,400	43.6	3,317	42.7
Probation or suspended sentence..	2,845	36.3	2,772	35.0	2,633	33.7	2,465	31.8
Local jails, workhouses, etc.....	1,719	21.9	1,729	21.8	1,699	21.8	1,877	24.2
Fine or costs only.....	29	0.4	55	0.7	20	0.3	40	0.5
Institutions for juveniles.....	-	-	-	-	-	-	-	-
Other sentences.....	14	0.2	7	0.1	31	0.4	43	0.6

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	9,247	24	3,263	3,624	2,244	75	-	17
Major offenses, total <sup>1</sup> .....	7,834	24	3,203	2,845	1,719	29	-	14
Murder.....	85	24	58	2	1	-	-	-
Manslaughter.....	149	-	119	19	11	-	-	-
Robbery.....	700	-	639	51	9	-	-	1
Aggravated assault.....	484	-	281	94	106	3	-	-
Burglary.....	1,883	-	701	719	457	2	-	4
Larceny, except auto theft.....	2,294	-	561	1,076	651	4	-	2
Auto theft.....	665	-	176	324	164	-	-	1
Embezzlement and fraud.....	10	-	2	6	2	-	-	-
Stolen property, receiving, etc..	114	-	28	57	23	4	-	2
Forgery and counterfeiting.....	356	-	160	151	51	2	-	2
Rape.....	243	-	97	95	51	-	-	-
Commercialized vice.....	12	-	6	3	3	-	-	-
Other sex offenses.....	187	-	116	38	31	-	-	2
Violating drug laws.....	53	-	20	4	27	-	-	-
Carrying, etc., weapons.....	293	-	97	114	85	7	-	-
Other major offenses.....	296	-	152	92	47	5	-	-
Abortion.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Arson.....	71	-	48	15	8	-	-	-
Bigamy.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Blackmail and extortion.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Escape and jail break.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Kidnaping.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Perjury.....	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Other offenses: <sup>2</sup>								
Minor assault.....	580	-	16	279	282	3	-	-
Nonsupport or neglect.....	298	-	28	179	88	1	-	2
Violating liquor laws.....	1	-	-	-	-	1	-	-
Driving while intoxicated.....	68	-	5	16	45	2	-	-
Other motor-vehicle laws.....	12	-	-	7	4	1	-	-
Disorderly conduct and vagrancy..	7	-	-	5	2	-	-	-
Gambling.....	95	-	3	67	18	7	-	-
All other offenses.....	352	-	8	226	86	31	-	1

See footnotes 1, 2, and 3 on first page.

## JUDICIAL CRIMINAL STATISTICS: NORTH DAKOTA, 1940

The Bureau of the Census received from the clerks of court reports on 481 defendants charged with major offenses who were disposed of in district courts in 45 of the 53 counties of North Dakota during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of 10 (88.6 percent) of the total of 481 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	481	100.0	584	100.0	533	100.0	536	100.0
Eliminated without conviction....	55	11.4	79	13.5	93	17.4	109	20.3
Dismissed.....	42	8.7	60	10.3	78	14.6	92	17.2
Acquitted by court(jury waived)	2	0.4	1	0.2	-	-	-	-
Acquitted by jury.....	9	1.9	9	1.5	12	2.3	15	2.8
Other no-penalty disposition....	2	0.4	9	1.5	3	0.6	2	0.4
Convicted.....	426	88.6	505	86.5	440	82.6	427	79.7
Plea of guilty.....	400	83.2	480	82.2	414	77.7	396	73.9
Court finds guilty(jury waived)	-	-	3	0.5	10	1.9	3	0.6
Jury verdict guilty.....	26	5.4	22	3.8	16	3.0	28	5.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: NORTH DAKOTA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	811	121	100	3	16	2	690	651	5	34
Major offenses, total <sup>1</sup> .....	481	55	42	2	9	2	426	400	-	26
Murder.....	3	1	-	-	1	-	2	2	-	-
Manslaughter.....	3	-	-	-	-	-	3	1	-	2
Robbery.....	11	1	1	-	-	-	10	8	-	2
Aggravated assault.....	18	4	2	2	-	-	14	12	-	2
Burglary.....	90	1	1	-	-	-	89	87	-	2
Larceny, except auto theft.....	151	9	7	-	2	-	122	115	-	7
Auto theft.....	16	1	-	-	-	1	15	15	-	-
Embezzlement and fraud.....	64	7	6	-	1	-	47	46	-	1
Stolen property, receiving, etc.	8	1	1	-	-	-	7	5	-	2
Forgery and counterfeiting....	44	2	2	-	-	-	42	42	-	-
Rape.....	25	5	4	-	1	-	20	19	-	1
Commercialized vice.....	5	3	2	-	1	-	2	2	-	-
Other sex offenses.....	51	18	14	-	3	1	33	28	-	5
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	6	-	-	-	-	-	6	6	-	-
Other major offenses..... <sup>2</sup>	16	2	2	-	-	-	14	12	-	2
Abortion.....	6	-	-	-	-	-	6	5	-	1
Arson.....	-	-	-	-	-	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	1	1	1	-	-	-	-	-	-	-
Escape and jail break.....	6	-	-	-	-	-	6	5	-	1
Kidnaping.....	1	-	-	-	-	-	1	1	-	-
Perjury.....	2	1	1	-	-	-	1	1	-	-
Other offenses: <sup>3</sup>										
Minor assault.....	13	8	8	-	-	-	5	3	-	2
Nonsupport or neglect.....	39	18	17	-	1	-	21	20	-	1
Violating liquor laws.....	23	7	7	-	-	-	16	15	-	1
Driving while intoxicated.....	137	5	5	-	-	-	132	128	2	2
Other motor-vehicle laws.....	15	4	3	-	1	-	11	11	-	-
Disorderly conduct and vagrancy	6	-	-	-	-	-	6	4	-	2
Gambling.....	8	1	1	-	-	-	7	7	-	-
All other offenses.....	89	23	17	1	5	-	66	63	3	-

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

<sup>3</sup>On the basis of the 1940 census, reports cover 98.5 percent of the population in 1937; 93.8 percent in 1938; 98.5 percent in 1939; and 89 percent in 1940. The following counties did not submit 1940 reports: Hettinger, La Moure, Mercer, Sargent, Steele, Towner, and Traill. The Nelson County report on 11 defendants was omitted because the data were not complete.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	426	100.0	505	100.0	440	100.0	427	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	262	61.5	270	53.5	228	51.8	219	51.3
Probation or suspended sentence..	50	11.7	71	14.1	55	12.5	53	12.4
Local jails, workhouses, etc.....	77	18.1	108	21.4	108	24.5	118	27.6
Fine or costs only.....	8	1.9	22	4.4	10	2.3	13	3.0
Institutions for juveniles.....	29	6.8	34	6.7	39	8.9	24	5.6
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE NORTH DAKOTA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	690	-	277	125	204	51	33	-
Major offenses, total <sup>1</sup> .....	426	-	262	50	77	8	29	-
Murder.....	2	-	2	-	-	-	-	-
Manslaughter.....	3	-	2	-	-	1	-	-
Robbery.....	10	-	8	1	-	-	1	-
Aggravated assault.....	14	-	8	1	5	-	-	-
Burglary.....	89	-	66	8	8	-	7	-
Larceny, except auto theft.....	122	-	61	14	40	2	5	-
Auto theft.....	15	-	10	-	1	-	4	-
Embezzlement and fraud.....	47	-	23	12	7	1	4	-
Stolen property, receiving, etc..	7	-	3	2	-	-	2	-
Forgery and counterfeiting.....	42	-	28	6	7	-	1	-
Rape.....	20	-	15	-	2	-	5	-
Commercialized vice.....	2	-	-	-	2	-	-	-
Other sex offenses.....	33	-	21	4	6	2	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	6	-	3	-	1	2	-	-
Other major offenses.....	14	-	12	2	-	-	-	-
Abortion.....	6	-	-	-	-	-	-	-
Arson.....	6	-	5	1	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	6	-	5	1	-	-	-	-
Kidnaping.....	1	-	1	-	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	5	-	-	2	1	2	-	-
Nonsupport or neglect.....	21	-	10	11	-	-	-	-
Violating liquor laws.....	16	-	-	2	10	4	-	-
Driving while intoxicated.....	132	-	-	25	98	9	-	-
Other motor-vehicle laws.....	11	-	-	6	4	1	-	-
Disorderly conduct and vagrancy..	6	-	-	-	5	1	-	-
Gambling.....	7	-	-	-	1	6	-	-
All other offenses.....	66	-	5	29	8	20	4	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: OHIO, 1940

The Bureau of the Census, acting in collaboration with the office of the Secretary of State of Ohio, received from the clerks of court reports on 5,320 defendants charged with major offenses who were disposed of in the common pleas courts in the 88 counties of Ohio during the calendar year 1940. Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (83.7 per-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	5,320	100.0	5,516	100.0	6,459	100.0	6,010	100.0
Eliminated without conviction....	967	16.3	925	16.7	997	15.4	1,153	19.2
Dismissed.....	620	11.7	668	12.1	682	10.6	796	13.2
Acquitted by court (jury waived)	82	1.5	93	1.7	83	1.3	129	2.1
Acquitted by jury.....	117	2.2	123	2.2	179	2.8	158	2.6
Other no-penalty disposition....	48	0.9	41	0.7	55	0.8	70	1.2
Convicted.....	4,453	83.7	4,611	83.3	5,462	84.6	4,857	80.8
Plea of guilty.....	3,959	74.4	4,070	73.8	4,757	73.3	4,152	69.1
Court finds guilty (jury waived)	223	4.2	226	4.2	263	4.1	200	3.3
Jury verdict guilty.....	271	5.1	305	5.5	472	7.3	405	6.7

TABLE 2.—DISPOSITION OF DEFENDENTS IN CRIMINAL CASES IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	7,450	1,476	1,162	115	146	53	5,974	5,338	311	325
Major offenses, total <sup>1</sup> .....	5,320	867	620	82	117	48	4,453	3,959	223	271
Murder.....	72	21	6	4	7	4	52	19	8	25
Manslaughter.....	181	39	18	6	14	1	142	106	13	23
Robbery.....	592	93	59	14	17	3	499	417	31	51
Aggravated assault.....	271	61	24	7	15	5	210	162	30	18
Burglary.....	1,473	183	124	20	26	13	1,290	1,189	51	50
Larceny, except auto theft....	692	74	59	6	8	1	618	562	18	38
Auto theft.....	540	54	45	2	5	2	486	461	16	9
Embezzlement and fraud.....	318	101	90	2	6	3	217	202	7	8
Stolen property, receiving, etc.	105	21	16	1	4	-	85	75	3	7
Forgery and counterfeiting....	504	96	87	1	2	6	408	392	10	6
Rape.....	150	48	29	10	5	4	102	69	11	22
Commercialized vice.....	46	8	8	-	-	-	38	36	1	1
Other sex offenses.....	119	21	15	2	1	-	98	77	17	4
Violating drug laws.....	25	3	2	1	-	-	22	20	2	-
Carrying, etc., weapons.....	132	18	10	5	1	2	114	110	1	3
Other major offenses.....	98	26	18	1	6	1	72	62	4	6
Abortion.....	7	2	-	-	-	-	5	2	-	5
Arson.....	42	9	3	1	4	1	33	33	-	-
Bigamy.....	14	3	3	-	-	-	11	11	-	-
Blackmail and extortion.....	8	1	1	-	-	-	7	3	2	2
Escape and jail break.....	11	5	5	-	-	-	6	6	-	-
Kidnaping.....	4	1	1	-	-	-	3	3	-	-
Perjury.....	12	5	3	-	2	-	7	4	2	1
Other offenses: <sup>2</sup>										
Minor assault.....	372	83	76	4	3	-	289	236	36	17
Nonsupport or neglect.....	599	275	263	10	2	-	324	291	22	11
Violating liquor laws.....	192	42	39	1	1	-	150	143	5	2
Driving while intoxicated.....	411	35	28	-	6	1	378	365	7	4
Other motor-vehicle laws.....	223	74	57	-	9	-	149	129	8	5
Disorderly conduct and vagrancy	50	14	13	-	-	-	36	31	3	2
Gambling.....	79	26	22	1	-	3	53	53	-	-
All other offenses.....	204	60	44	7	9	-	144	122	7	15

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 Census, reports cover 97.4 percent of the population in 1937, 99.8 percent in 1938, and 100 percent in 1939 and 1940.

cent) of the total of 5,320 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on

those convicted of major offenses during each of the last 4 years

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	4,453	100.0	4,611	100.0	5,462	100.0	4,857	100.0
Death penalty.....	7	0.2	1	(a)	18	0.3	3	0.1
State prisons or reformatories...	2,083	46.8	2,093	45.4	2,508	45.9	2,279	46.9
Probation or suspended sentence..	1,890	42.2	2,001	43.4	2,297	42.1	1,932	39.8
Local jails, workhouses, etc.....	295	6.6	379	8.2	468	8.6	427	8.8
Fine or costs only.....	188	4.2	137	3.0	173	3.2	212	4.4
Institutions for juveniles.....	-	-	-	-	-	-	4	0.1
Other sentences.....	-	-	-	-	-	-	-	-

(a) Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	5,974	7	2,147	2,365	327	327	-	1
Major offenses, total <sup>1</sup> .....	4,453	7	2,083	1,880	295	188	-	-
Murder.....	52	7	45	-	-	-	-	-
Manslaughter.....	142	-	64	52	15	11	-	-
Robbery.....	499	-	388	111	-	-	-	-
Aggravated assault.....	210	-	91	107	5	7	-	-
Burglary.....	1,290	-	644	626	18	2	-	-
Larceny, except auto theft.....	616	-	152	268	159	59	-	-
Auto theft.....	436	-	223	246	4	3	-	-
Embezzlement and fraud.....	217	-	55	127	22	13	-	-
Stolen property, receiving, etc.,	85	-	15	44	17	9	-	-
Forgery and counterfeiting.....	408	-	193	182	9	24	-	-
Rape.....	102	-	63	23	15	1	-	-
Commercialized vice.....	38	-	3	2	1	32	-	-
Other sex offenses.....	98	-	62	18	9	9	-	-
Violating drug laws.....	22	-	7	6	7	2	-	-
Carrying, etc., weapons.....	114	-	25	45	32	14	-	-
Other major offenses.....	72	-	45	23	2	2	-	-
Abortion.....	5	-	4	1	-	-	-	-
Arson.....	23	-	26	7	-	-	-	-
Bigamy.....	11	-	4	7	-	-	-	-
Blackmail and extortion.....	7	-	3	4	-	-	-	-
Escape and jail break.....	6	-	1	1	2	2	-	-
Kidnaping.....	3	-	3	-	-	-	-	-
Perjury.....	7	-	4	3	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	289	-	-	67	156	65	-	1
Nonsupport or neglect.....	324	-	41	271	6	6	-	-
Violating liquor laws.....	150	-	-	12	36	102	-	-
Driving while intoxicated.....	376	-	-	51	101	224	-	-
Other motor-vehicle laws.....	149	-	1	30	10	108	-	-
Disorderly conduct and vagrancy..	36	-	-	4	2	30	-	-
Gambling.....	53	-	-	3	2	48	-	-
All other offenses.....	144	-	22	47	19	56	-	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: OREGON, 1940

The Bureau of the Census received from the clerks of court reports on 1,115 defendants charged with major offenses who were disposed of in the 36 circuit courts of Oregon during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940, 7 out of every 8 (87.5) of the total of 1,115 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,115	100.0	1,136	100.0	1,089	100.0	832	100.0
Eliminated without conviction...	139	12.5	193	17.0	127	11.7	101	12.1
Dismissed.....	106	9.5	150	13.2	94	8.6	60	7.2
Acquitted by court(jury waived)	1	0.1	3	0.3	3	0.3	-	-
Acquitted by jury.....	25	2.2	32	2.8	27	2.5	35	4.2
Other no-penalty disposition..	7	0.6	8	0.7	3	0.3	6	0.7
Convicted.....	976	87.5	943	83.0	962	88.3	731	87.9
Plea of guilty.....	904	81.1	891	78.4	891	81.8	683	82.1
Court finds guilty(jury waived)	7	0.6	7	0.6	4	0.4	5	0.6
Jury verdict guilty.....	65	5.8	45	4.0	67	6.2	43	5.2

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: OREGON, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dis-missed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,358	206	153	1	38	14	1,152	1,058	9	85
Major offenses, total <sup>1</sup> .....	1,115	139	106	1	25	7	976	904	7	65
Murder.....	10	2	-	-	1	1	8	3	1	4
Manslaughter.....	17	7	4	-	3	-	10	6	-	4
Robbery.....	30	5	4	-	1	-	25	22	-	3
Aggravated assault.....	36	7	5	-	2	-	29	24	1	4
Burglary.....	185	19	16	-	2	1	166	157	1	8
Larceny, except auto theft.....	263	26	24	-	1	1	237	222	1	14
Auto theft.....	91	10	9	-	1	-	81	77	1	3
Embezzlement and fraud.....	153	14	9	1	4	-	139	133	-	6
Stolen property, receiving, etc.....	34	3	3	-	-	-	31	28	-	3
Forgery and counterfeiting.....	161	15	9	-	3	3	148	142	1	3
Rape.....	43	15	12	-	3	-	28	22	1	5
Commercialized vice.....	6	1	1	-	-	-	5	3	-	2
Other sex offenses.....	53	7	6	-	1	-	46	43	-	3
Violating drug laws.....	1	2	2	-	-	-	1	7	-	1
Carrying, etc., weapons.....	9	2	2	-	-	-	7	7	-	-
Other major offenses.....	23	6	2	-	3	1	17	15	-	2
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	12	3	-	-	2	1	9	8	-	1
Bigamy.....	3	1	1	-	-	-	2	2	-	-
Blackmail and extortion.....	1	1	1	-	-	-	-	-	-	-
Escape and jail break.....	4	-	-	-	-	-	4	4	-	-
Kidnaping.....	1	-	-	-	-	-	-	-	-	-
Perjury.....	3	1	-	-	1	-	2	1	-	1
Other offenses: <sup>2</sup>										
Minor assault.....	31	6	5	-	1	-	25	20	-	5
Nonsupport or neglect.....	48	7	7	-	-	-	41	38	1	2
Violating liquor laws.....	24	16	6	-	5	5	18	4	-	4
Driving while intoxicated.....	19	4	2	-	2	2	15	12	-	3
Other motor-vehicle laws.....	9	1	-	-	1	-	8	5	1	2
Disorderly conduct and vagrancy..	4	-	-	-	-	-	4	4	-	-
Gambling.....	41	21	21	-	-	-	20	19	-	1
All other offenses.....	67	12	6	-	6	-	55	52	-	3

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 population, reports cover 57.3 percent of the population of the State in 1937, 90.9 percent in 1938, 88.0 percent in 1939, and 100.0 percent in 1940.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of

the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	976	100.0	943	100.0	962	100.0	731	100.0
Death penalty.....	2	0.2	-	-	1	0.1	-	-
State prisons or reformatories...	502	51.4	437	46.3	430	44.7	348	47.6
Probation or suspended sentence...	326	33.4	342	36.3	355	36.9	283	38.7
Local jails, workhouses, etc....	132	13.5	145	15.4	157	16.3	85	11.6
Fine or costs only.....	12	1.2	8	0.8	14	1.5	13	1.8
Institutions for juveniles.....	2	0.2	9	1.0	5	0.5	2	0.3
Other sentences.....	-	-	2	0.2	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN CIRCUIT COURTS, BY OFFENSE: OREGON, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,152	2	517	414	172	42	5	-
Major offenses, total <sup>1</sup> .....	976	2	502	326	132	12	2	-
Murder.....	8	2	6	-	-	-	-	-
Manslaughter.....	10	-	8	2	-	-	-	-
Robbery.....	25	-	19	6	-	-	-	-
Aggravated assault.....	29	-	20	6	2	1	-	-
Burglary.....	166	-	100	47	18	-	1	-
Larceny, except auto theft.....	237	-	111	87	37	2	-	-
Auto theft.....	81	-	33	26	22	-	-	-
Embezzlement and fraud.....	139	-	70	48	20	1	-	-
Stolen property, receiving, etc.	31	-	6	14	11	-	-	-
Forgery and counterfeiting.....	146	-	81	58	6	1	-	-
Rape.....	23	-	19	8	-	-	1	-
Commercialized vice.....	5	-	2	-	-	3	-	-
Other sex offenses.....	46	-	21	12	10	3	-	-
Violating drug laws.....	1	-	-	-	1	-	-	-
Carrying, etc., weapons.....	7	-	1	5	1	-	-	-
Other major offenses.....	17	-	5	7	4	1	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	9	-	5	4	-	-	-	-
Bigamy.....	2	-	-	2	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	4	-	-	-	3	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	2	-	-	1	1	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	25	-	-	10	11	4	-	-
Nonsupport or neglect.....	41	-	2	36	3	-	-	-
Violating liquor laws.....	8	-	-	2	3	3	-	-
Driving while intoxicated.....	16	-	-	5	7	2	1	-
Other motor-vehicle laws.....	8	-	1	2	3	1	1	-
Disorderly conduct and vagrancy..	4	-	-	3	-	-	1	-
Gambling.....	20	-	-	3	-	17	-	-
All other offenses.....	55	-	12	27	13	3	-	-

See footnotes 1 and 2 on first page.



JUDICIAL CRIMINAL STATISTICS: PENNSYLVANIA, 1940

The Bureau of the Census received from the Department of Welfare at Harrisburg data on 17,273 defendants charged with major offenses who were disposed of in trial courts in 56 of the 67 counties of Pennsylvania during the calendar year 1940. Juniata County, reporting a total of 44 cases for 1940, is omitted because the offense and disposition break-downs were not available in form comparable with that of other counties. Table 1 shows the disposition of defendants

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	17,278	100.0	19,937	100.0	24,548	100.0	22,603	100.0
Eliminated without conviction....	4,950	28.6	5,779	29.0	6,255	25.5	6,899	29.6
Dismissed.....	1,778	10.3	2,299	11.5	2,259	9.2	2,684	11.9
Acquitted by court(jury waived)	687	4.0	770	3.9	409	1.7	145	0.6
Acquitted by jury.....	1,835	10.6	2,151	10.8	3,348	13.6	3,602	15.9
Other no-penalty disposition...	650	3.8	559	2.8	239	1.0	268	1.2
Convicted.....	12,328	71.4	14,158	71.0	18,293	74.5	15,904	70.4
Plea of guilty.....	9,463	54.8	10,946	54.9	11,252	45.8	9,799	43.4
Court finds guilty(jury waived)	1,131	6.5	1,084	5.4	514	2.1	457	2.0
Jury verdict guilty.....	1,734	10.0	2,128	10.7	6,527	26.6	5,648	25.0

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	38,180	11,464	4,767	1,953	3,463	1,281	26,716	18,006	5,875	2,835
Major offenses, total <sup>1</sup> .....	17,278	4,950	1,778	687	1,835	650	12,328	9,463	1,131	1,734
Murder.....	169	63	6	1	38	18	106	62	3	41
Manslaughter.....	391	235	72	20	93	50	156	105	5	46
Robbery.....	1,076	271	48	18	169	36	805	556	27	222
Aggravated assault.....	2,093	952	324	171	368	89	1,141	626	238	277
Burglary.....	2,973	422	89	56	189	86	2,551	2,213	98	240
Larceny, except auto theft....	3,449	799	311	127	265	86	2,660	2,215	247	198
Auto theft.....	610	121	29	14	54	24	439	406	33	50
Embezzlement and fraud.....	1,470	571	304	70	143	54	899	779	62	58
Stolen property, receiving, etc.	540	227	53	40	85	49	313	206	38	69
Forgery and counterfeiting....	522	110	64	11	19	16	412	373	12	27
Rape.....	544	232	97	6	110	19	312	171	25	116
Commercialized vice.....	621	176	37	43	53	43	445	285	105	55
Other sex offenses.....	1,767	517	268	50	149	50	1,250	912	115	223
Violating drug laws.....	561	15	2	5	8	8	146	102	10	34
Carrying, etc., weapons.....	586	184	30	48	60	18	422	298	71	53
Other major offenses.....	306	85	36	12	35	2	221	154	42	25
Abortion.....	32	9	2	1	6	2	23	13	3	7
Arson.....	75	25	10	1	13	1	50	40	1	9
Bigamy.....	21	5	3	-	2	-	16	14	-	2
Blackmail and extortion.....	25	15	3	6	6	-	10	5	1	4
Escape and jail break.....	75	2	-	-	2	-	73	70	-	3
Kidnaping.....	2	1	-	-	-	1	1	1	-	-
Perjury.....	76	28	18	4	6	-	48	11	37	-
Other offenses: <sup>2</sup>										
Minor assault.....	1,665	921	450	140	229	102	744	445	142	157
Nonsupport or neglect.....	4,845	991	821	66	9	95	3,854	992	2,848	14
Violating liquor laws.....	1,959	509	151	136	149	73	1,450	1,112	209	130
Driving while intoxicated.....	3,412	837	65	169	553	20	2,575	2,147	147	281
Other motor-vehicle laws.....	2,597	1,215	591	326	208	95	1,382	941	309	132
Disorderly conduct and vagrancy	2,277	117	64	35	10	8	1,160	78	73	5
Gambling.....	3,179	882	205	239	299	119	2,317	1,642	469	206
All other offenses.....	2,968	1,062	642	155	146	119	1,906	1,188	545	173

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 population, reports cover 100 percent of the population of the State in 1937, 99.6 percent in 1938, 100 percent in 1939, and 99.8 percent in 1940.

charged with major offenses for each of the last 4 years. In 1940 approximately 7 out of every 10 (71.4 percent) of the total of 17,278 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced . . . . .	12,328	100.0	14,158	100.0	18,293	100.0	15,904	100.0
Death penalty . . . . .	7	0.1	9	0.1	8	( <sup>1</sup> )	( <sup>1</sup> )	( <sup>1</sup> )
State prisons or reformatories . . . . .	1,612	13.1	1,904	13.4	2,474	13.5	2,292	14.4
Probation or suspended sentence . . . . .	3,411	27.7	3,764	26.6	5,631	30.8	4,701	29.6
Local jails, workhouses, etc. . . . .	5,442	44.1	6,474	45.7	8,170	44.7	7,131	44.8
Fine or costs only . . . . .	1,484	12.0	1,573	11.1	1,664	9.1	1,637	10.3
Institutions for juveniles . . . . .	237	1.9	276	1.9	226	1.2	94	0.6
Other sentences . . . . .	135	1.1	158	1.1	120	0.7	42	0.3

<sup>1</sup>Less than one-tenth of 1 percent.

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses . . . . .	26,716	7	1,670	7,109	8,520	7,137	400	1,873
Major offenses, total <sup>1</sup> . . . . .	12,328	7	1,612	3,411	5,442	1,484	237	135
Murder . . . . .	106	7	72	1	24	-	-	2
Manslaughter . . . . .	156	-	38	17	87	10	3	1
Robbery . . . . .	805	-	244	111	423	3	23	1
Aggravated assault . . . . .	1,141	-	41	382	510	223	4	1
Burglary . . . . .	2,551	-	567	590	1,254	60	75	5
Larceny, except auto theft . . . . .	2,660	-	264	956	1,153	224	57	6
Auto theft . . . . .	489	-	78	137	234	28	12	-
Embezzlement and fraud . . . . .	899	-	37	339	370	150	-	3
Stolen property, receiving, etc. . . . .	313	-	9	108	128	64	4	-
Forgery and counterfeiting . . . . .	412	-	53	115	214	29	-	1
Rape . . . . .	312	-	66	29	187	21	7	2
Commercialized vice . . . . .	445	-	15	92	149	189	-	-
Other sex offenses . . . . .	1,250	-	63	325	334	416	11	101
Violating drug laws . . . . .	146	-	3	44	78	17	-	-
Carrying, etc., weapons . . . . .	422	-	9	136	235	40	1	1
Other major offenses . . . . .	221	-	53	45	62	40	40	11
Abortion . . . . .	23	-	7	5	8	10	-	-
Arson . . . . .	50	-	12	5	21	3	2	7
Bigamy . . . . .	16	-	1	5	10	-	-	-
Blackmail and extortion . . . . .	10	-	-	5	4	1	-	-
Escape and jail break . . . . .	73	-	21	1	13	-	38	-
Kidnaping . . . . .	1	-	-	-	-	1	-	-
Perjury . . . . .	48	-	12	24	6	2	-	4
Other offenses: <sup>2</sup>								
Minor assault . . . . .	744	-	8	300	208	225	1	1
Nonsupport or neglect . . . . .	3,854	-	3	1,084	46	1,220	7	*1,494
Violating liquor laws . . . . .	1,450	-	3	305	309	831	2	-
Driving while intoxicated . . . . .	2,575	-	7	567	1,207	793	-	1
Other motor-vehicle laws . . . . .	1,332	-	9	331	374	665	3	1
Disorderly conduct and vagrancy . . . . .	160	-	2	83	32	58	12	3
Gambling . . . . .	2,317	-	1	336	537	1,442	1	-
All other offenses . . . . .	1,906	-	26	722	365	418	137	238

See footnotes 1 and 2 on first page.

\*The nature of the sentence has been reported as "support order."

U. S. DEPARTMENT OF COMMERCE  
 Jesse H. Jones, Secretary  
 BUREAU OF THE CENSUS  
 J. C. Capt, Director  
 WASHINGTON

JUDICIAL CRIMINAL STATISTICS: RHODE ISLAND, 1940

The Bureau of the Census received from the Department of Social Welfare at Providence reports on 600 defendants charged with major offenses who were disposed of in the superior courts of the 5 counties of Rhode Island during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940, approximately 19 out of 20 (95.2 percent) of the total of 600 defendants were convicted. Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	600	100.0	632	100.0	651	100.0	568	100.0
Eliminated without conviction....	29	4.8	7	1.1	26	4.0	8	1.4
Dismissed.....	17	2.8	7	1.1	26	4.0	4	0.7
Acquitted by court(jury waived)	-	-	-	-	-	-	-	-
Acquitted by jury.....	11	1.8	-	-	-	-	4	0.7
Other nb-penalty disposition....	1	0.2	-	-	-	-	-	-
Convicted.....	571	95.2	625	98.9	625	96.0	560	98.6
Plea of guilty.....	565	94.2	625	98.9	625	96.0	557	98.1
Court finds guilty(jury waived)	-	-	-	-	-	-	-	-
Jury verdict guilty.....	6	1.0	-	-	-	-	3	0.5

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: RHODE ISLAND, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dis-missed and nolle prosequi	Acquit- ted by court (jury waived)	Acquit- ted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury ver- dict guilty
All offenses.....	629	34	21	-	12	1	595	589	-	6
Major offenses, total <sup>1</sup> .....	600	29	17	-	11	1	571	565	-	6
Murder.....	2	1	-	-	-	1	1	-	-	1
Manslaughter.....	3	-	-	-	-	3	3	-	-	-
Robbery.....	20	-	-	-	-	20	20	-	-	-
Aggravated assault.....	33	1	1	-	-	32	30	-	2	-
Burglary.....	258	4	4	-	-	254	254	-	-	-
Larceny, except auto theft....	21	1	-	-	-	20	20	-	-	-
Auto theft.....	109	6	6	-	-	103	103	-	-	-
Embezzlement and fraud.....	62	12	2	-	-	50	48	-	2	-
Stolen property, receiving, etc.	12	-	-	-	-	1	1	-	-	-
Forgery and counterfeiting....	12	-	-	-	-	12	12	-	-	-
Rape.....	26	-	-	-	-	26	25	-	1	-
Commercialized vice.....	1	-	-	-	-	1	1	-	-	-
Other sex offenses.....	9	-	-	-	-	9	9	-	-	-
Violating drug laws.....	3	-	-	-	-	3	3	-	-	-
Carrying, etc., weapons.....	14	-	-	-	-	14	14	-	-	-
Other major offenses.....	26	4	4	-	-	22	22	-	-	-
Abortion.....	2	-	-	-	-	2	2	-	-	-
Arson.....	14	3	3	-	-	11	11	-	-	-
Bigamy.....	2	-	-	-	-	2	2	-	-	-
Blackmail and extortion.....	1	-	-	-	-	1	1	-	-	-
Escape and jail break.....	6	1	1	-	-	5	5	-	-	-
Kidnaping.....	1	-	-	-	-	1	1	-	-	-
Perjury.....	1	-	-	-	-	1	1	-	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	5	-	-	-	-	5	5	-	-	-
Nonsupport or neglect.....	-	-	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	11	1	1	-	-	10	10	-	-	-
Disorderly conduct and vagrancy	-	-	-	-	-	-	-	-	-	-
Gambling.....	5	3	3	-	-	2	2	-	-	-
All other offenses.....	8	1	-	-	1	7	7	-	-	-

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

<sup>3</sup>Defendants who were convicted on a plea of nolo contendere are included with pleas of guilty.

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted and sentenced for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	571	100.0	625	100.0	625	100.0	560	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	116	20.3	194	31.0	162	25.9	146	26.1
Probation or suspended sentence...	423	74.1	377	60.3	405	64.8	346	61.8
Local jails, workhouses, etc.....	27	4.7	46	7.4	57	9.1	59	10.5
Fine or costs only.....	5	0.9	8	1.3	1	0.2	3	0.5
Institutions for juveniles.....	-	-	-	-	-	-	6	1.1
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: RHODE ISLAND, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	595	-	117	441	31	6	-	-
Major offenses, total <sup>1</sup> .....	571	-	116	423	27	5	-	-
Murder.....	1	-	1	-	-	-	-	-
Manslaughter.....	3	-	1	2	-	-	-	-
Robbery.....	20	-	8	12	-	-	-	-
Aggravated assault.....	32	-	4	27	1	-	-	-
Burglary.....	254	-	50	192	12	-	-	-
Larceny, except auto theft.....	20	-	5	15	-	-	-	-
Auto theft.....	103	-	19	82	2	-	-	-
Embezzlement and fraud.....	50	-	5	32	9	4	-	-
Stolen property, receiving, etc..	1	-	-	1	-	-	-	-
Forgery and counterfeiting.....	12	-	3	8	1	-	-	-
Rape.....	26	-	5	20	1	-	-	-
Commercialized vice.....	1	-	-	1	-	-	-	-
Other sex offenses.....	9	-	2	7	-	-	-	-
Violating drug laws.....	3	-	2	1	-	-	-	-
Carrying, etc., weapons.....	14	-	2	11	-	1	-	-
Other major offenses.....	32	-	9	12	1	-	-	-
Abortion.....	2	-	-	2	-	-	-	-
Arson.....	11	-	2	9	-	-	-	-
Bigamy.....	2	-	1	1	-	-	-	-
Blackmail and extortion.....	1	-	1	-	-	-	-	-
Escape and jail break.....	5	-	4	-	1	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	1	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	5	-	-	2	3	-	-	-
Nonsupport or neglect.....	-	-	-	-	-	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	-	-	-	-	-	-	-	-
Other motor-vehicle laws.....	10	-	-	10	-	-	-	-
Disorderly conduct and vagrancy..	-	-	-	-	-	-	-	-
Gambling.....	2	-	-	1	1	-	-	-
All other offenses.....	7	-	1	5	-	1	-	-

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: SOUTH DAKOTA, 1940

The Bureau of the Census received from the clerks of court reports on 478 defendants charged with major offenses who were disposed of in circuit courts of the 69 counties of South Dakota during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 9 out of 10 (87.0 percent) of the total of 478 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	478	100.0	468	100.0	392	100.0	526	100.0
Eliminated without conviction...	62	13.0	53	11.3	51	13.0	85	16.2
Dismissed.....	44	9.2	38	8.1	35	8.9	70	13.3
Acquitted by court(jury waived)	1	0.2	-	-	2	0.5	1	0.2
Acquitted by jury.....	11	2.3	13	2.8	13	3.3	13	2.5
Other no-penalty disposition...	6	1.3	2	0.4	1	0.3	1	0.2
Convicted.....	416	87.0	415	88.7	341	87.0	441	83.8
Plea of guilty.....	387	81.0	374	79.9	305	77.8	406	77.2
Court finds guilty(jury waived)	17	3.6	22	4.7	26	6.6	9	1.7
Jury verdict guilty.....	12	2.5	19	4.1	10	2.6	26	4.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	747	112	81	2	18	11	635	588	28	19
Major offenses, total <sup>1</sup> .....	478	62	44	1	11	6	416	387	17	12
Murder.....	4	2	-	-	1	1	2	1	-	1
Manslaughter.....	7	4	4	-	-	-	3	2	-	1
Robbery.....	9	2	2	-	-	-	7	5	-	2
Aggravated assault.....	15	5	3	-	1	1	10	7	-	3
Burglary.....	78	4	2	1	1	1	74	72	2	-
Larceny, except auto theft....	151	12	8	-	4	-	139	134	4	1
Auto theft.....	23	3	3	-	-	-	20	18	1	1
Embezzlement and fraud.....	48	11	7	1	2	1	37	35	2	-
Stolen property, receiving, etc.	5	2	2	-	-	-	3	3	-	-
Forgery and counterfeiting....	81	3	1	-	-	2	78	70	7	1
Rape.....	22	7	5	-	2	-	15	14	1	-
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	22	6	6	-	-	-	16	15	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	2	-	-	-	-	-	2	2	-	-
Other major offenses.....	11	1	1	-	-	-	10	9	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	5	1	1	-	-	-	4	4	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	-	-	-	-	5	5	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	-	-	1	-	-	1
Other offenses: <sup>2</sup>										
Minor assault.....	11	4	4	-	-	-	7	5	1	1
Nonsupport or neglect.....	28	4	4	-	-	-	24	24	-	-
Violating liquor laws.....	23	9	3	-	1	-	17	16	-	1
Driving while intoxicated.....	97	5	3	-	-	1	92	82	9	1
Other motor-vehicle laws.....	26	7	5	-	1	1	19	18	-	1
Disorderly conduct and vagrancy	6	-	-	-	-	-	6	6	-	-
Gambling.....	6	1	-	1	-	-	5	5	-	-
All other offenses.....	69	20	13	-	4	3	49	45	1	3

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 census, reports cover 99.7 percent of the population in 1937; 76.8 percent in 1938; 94.4 percent in 1939; and 100 percent in 1940.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	416	100.0	415	100.0	341	100.0	441	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	246	59.1	231	55.7	191	56.0	257	58.3
Probation or suspended sentence...	95	22.8	87	21.0	68	19.9	82	18.6
Local jails, workhouses, etc....	60	14.4	79	19.0	69	20.2	79	17.9
Fine or costs only.....	11	2.6	7	1.7	7	2.1	16	3.6
Institutions for juveniles.....	4	1.0	11	2.7	6	1.8	7	1.6
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	635	-	254	179	111	86	4	1
Major offenses, total <sup>1</sup> .....	416	-	246	95	60	11	4	-
Murder.....	2	-	2	-	-	-	-	-
Manslaughter.....	3	-	2	-	1	-	-	-
Robbery.....	7	-	6	-	1	-	-	-
Aggravated assault.....	10	-	6	4	-	-	-	-
Burglary.....	74	-	53	13	7	-	1	-
Larceny, except auto theft.....	139	-	67	34	26	9	3	-
Auto theft.....	20	-	13	5	2	-	-	-
Embezzlement and fraud.....	37	-	20	12	4	1	-	-
Stolen property, receiving, etc....	3	-	-	2	1	-	-	-
Forgery and counterfeiting.....	78	-	48	17	13	-	-	-
Rape.....	15	-	13	2	-	-	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	16	-	7	6	3	-	-	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	2	-	2	-	-	-	-	-
Other major offenses.....	10	-	7	-	2	1	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	4	-	3	-	1	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	5	-	4	-	-	1	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	1	-	-	-	1	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	7	-	1	3	1	2	-	-
Nonsupport or neglect.....	24	-	3	17	3	1	-	-
Violating liquor laws.....	17	-	1	7	4	5	-	-
Driving while intoxicated.....	92	-	1	33	33	25	-	-
Other motor-vehicle laws.....	19	-	-	7	1	11	-	-
Disorderly conduct and vagrancy..	6	-	-	1	3	2	-	-
Gambling.....	5	-	-	-	-	5	-	-
All other offenses.....	49	-	2	16	6	24	-	1

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: UTAH, 1940

The Bureau of the Census received from the clerks of court reports on 394 defendants charged with major offenses who were disposed of in the district courts in 28 of the 29 counties of Utah during the calendar year 1940.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 3 out of 10 (31.2 per cent) of the total of 394 defendants were convicted. Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	394	100.0	415	100.0	383	100.0	377	100.0
Eliminated without conviction...	74	18.8	69	16.6	102	26.6	81	21.5
Dismissed.....	37	9.4	36	8.7	41	10.7	47	12.5
Acquitted by court(jury waived)	4	1.0	7	1.7	14	3.7	1	0.3
Acquitted by jury.....	33	8.4	23	5.5	45	11.7	31	8.2
Other no-penalty disposition...	-	-	3	0.7	2	0.5	2	0.5
Convicted.....	320	81.2	346	83.4	281	73.4	296	78.5
Plea of guilty.....	251	63.7	257	61.9	208	54.3	221	58.6
Court finds guilty(jury waived)	7	1.8	12	2.9	13	3.4	9	2.4
Jury verdict guilty.....	62	15.7	77	18.6	60	15.7	66	17.5

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: UTAH, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict
All offenses.....	549	128	62	6	59	1	421	315	22	84
Major offenses, total <sup>1</sup> .....	394	74	37	4	33	-	320	251	7	62
Murder.....	7	3	1	-	2	-	4	-	-	4
Manlaughter.....	13	4	2	-	2	-	9	3	1	5
Robbery.....	28	9	2	-	7	-	19	10	3	1
Aggravated assault.....	31	6	2	-	4	-	5	3	1	1
Burglary.....	134	20	11	2	7	-	114	88	3	25
Larceny, except auto theft....	62	4	3	-	1	-	58	51	-	7
Auto theft.....	7	1	1	-	-	-	6	6	-	-
Embezzlement and fraud.....	19	2	1	-	1	-	17	16	-	1
Stolen property, receiving, etc.	9	3	1	1	1	-	6	6	-	-
Forgery and counterfeiting....	52	3	3	-	-	-	49	45	1	3
Rape.....	13	5	1	1	3	-	8	6	-	2
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	23	6	4	-	2	-	17	13	-	4
Violating drug laws.....	-	-	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	3	-	-	-	-	-	3	2	-	1
Other major offenses.....	13	8	5	-	3	-	5	4	-	1
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	5	2	1	-	1	-	3	2	-	1
Bigamy.....	2	-	-	-	-	-	2	2	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	4	4	3	-	1	-	-	-	-	-
Kidnaping.....	1	1	1	-	-	-	-	-	-	-
Perjury.....	1	1	-	-	1	-	-	-	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	10	5	3	1	1	-	5	2	2	1
Nonsupport or neglect.....	9	4	3	-	-	1	5	3	2	-
Violating liquor laws.....	35	1	1	-	-	-	34	31	2	1
Driving while intoxicated....	43	23	5	1	17	-	20	9	1	10
Other motor-vehicle laws.....	17	7	3	-	4	-	10	3	5	2
Disorderly conduct and vagrancy	4	2	2	-	-	-	2	2	-	-
Gambling.....	9	-	-	-	-	-	9	7	-	2
All other offenses.....	28	12	8	-	4	-	16	7	3	6

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

On the basis of the 1940 Census, reports cover 100.0 percent of the population of the State in 1937, 1938, and 1939, and 97.1 percent (all counties except Sanpete) in 1940.

positions in 1940, showing the method of disposition of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the

last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	320	100.0	346	100.0	281	100.0	296	100.0
Death penalty.....	2	0.6	-	-	1	0.4	-	-
State prisons or reformatories...	151	47.2	156	45.1	151	53.7	169	56.8
Probation or suspended sentence...	122	38.1	159	46.0	104	37.0	86	29.1
Local jails, workhouses, etc....	33	10.3	23	6.6	21	7.5	33	11.1
Fines or costs only.....	9	2.8	6	1.7	1	0.4	5	1.7
Institutions for juveniles.....	-	-	2	0.6	3	1.1	4	1.4
Other sentences.....	3	0.9	-	-	-	-	-	-

TABLE 4—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: UTAH, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	421	2	157	154	50	53	-	5
Major offenses, total <sup>1</sup> .....	320	2	151	122	33	9	-	3
Murder.....	4	2	2	-	-	-	-	-
Manslaughter.....	9	-	-	-	9	-	-	-
Robbery.....	19	-	15	4	-	-	-	-
Aggravated assault.....	5	-	4	1	-	-	-	-
Burglary.....	114	-	67	44	2	1	-	-
Larceny, except auto theft.....	58	-	14	30	12	2	-	-
Auto theft.....	5	-	4	1	1	-	-	-
Embezzlement and fraud.....	17	-	7	4	5	1	-	-
Stolen property, receiving, etc....	6	-	1	2	-	2	-	-
Forgery and counterfeiting.....	49	-	22	27	1	-	-	-
Rape.....	8	-	4	1	1	1	-	1
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	17	-	6	7	2	1	-	1
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	3	-	1	-	-	1	-	1
Other major offenses.....	5	-	4	1	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	3	-	3	-	-	-	-	-
Bigamy.....	2	-	1	1	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	5	-	-	3	-	2	-	-
Nonsupport or neglect.....	5	-	1	4	-	-	-	-
Violating liquor laws.....	34	-	-	14	4	16	-	-
Driving while intoxicated.....	20	-	-	4	6	9	-	1
Other motor-vehicle laws.....	10	-	-	-	3	7	-	-
Disorderly conduct and vagrancy..	2	-	-	2	-	-	-	-
Gambling.....	9	-	2	1	6	-	-	-
All other offenses.....	16	-	5	3	3	4	-	1

See footnotes 1 and 2 on first page.



U. S. DEPARTMENT OF COMMERCE  
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*J. C. Capt, Director*  
 WASHINGTON

JUDICIAL CRIMINAL STATISTICS: VERMONT, 1940

The Bureau of the Census received from the clerks of court reports on 418 defendants charged with major offenses who were disposed of in the trial courts of the 14 counties of Vermont during the calendar year 1940.

Table 1 shows the disposition of defendants

charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (77.8 percent) of the total of 418 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing method of disposition of all defendants, by offense groups.

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	418	100.0	425	100.0	434	100.0	649	100.0
Eliminated without conviction...	93	22.2	97	22.8	96	22.1	144	22.2
Dismissed.....	71	17.0	79	18.6	86	19.8	117	18.0
Acquitted by court(jury waived)	1	0.2	1	0.2	1	0.2	1	0.2
Acquitted by jury.....	10	2.4	11	2.6	2	0.5	8	1.2
Other no-penalty disposition...	11	2.6	6	1.4	7	1.6	18	2.8
Convicted.....	325	77.8	328	77.2	338	77.9	505	77.8
Plea of guilty.....	314	75.1	311	73.2	317	73.0	486	74.9
Court finds guilty(jury waived)	2	0.5	1	0.2	1	0.2	-	-
Jury verdict guilty.....	9	2.2	16	3.8	20	4.6	19	2.9

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: VERMONT, 1940

Offense	Total defendants disposed of	Disposed of without conviction					Convicted			
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	2,611	356	279	6	21	50	2,255	2,214	14	27
Major offenses, total <sup>1</sup> .....	418	93	71	1	10	11	325	314	2	9
Murder.....	3	1	-	-	-	1	2	1	-	1
Manlaughter.....	1	1	-	-	-	-	-	-	-	-
Robbery.....	3	1	-	-	-	2	2	-	-	
Aggravated assault.....	2	1	-	-	-	1	1	-	-	
Burglary.....	82	16	10	-	3	3	66	65	1	
Larceny, except auto theft....	151	31	22	-	4	5	120	117	-	
Auto theft.....	14	-	-	-	-	-	14	14	-	
Embezzlement and fraud.....	31	10	9	-	1	-	21	20	-	
Stolen property, receiving, etc.	12	5	3	1	-	1	7	7	-	
Forgery and counterfeiting....	13	2	2	-	-	-	11	11	-	
Rape.....	22	9	9	-	-	-	13	11	1	
Commercialized vice.....	1	1	-	-	-	1	-	-	-	
Other sex offenses.....	65	*11	10	-	1	-	54	52	2	
Violating drug laws.....	-	-	-	-	-	-	-	-	-	
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-	-	
Other major offenses.....	18	4	3	-	1	-	14	13	1	
Abortion.....	3	2	1	-	-	-	1	-	-	
Arson.....	7	1	1	-	-	-	6	6	-	
Bigamy.....	1	-	-	-	-	-	1	1	-	
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	
Escape and jail break.....	6	-	-	-	-	-	6	6	-	
Kidnaping.....	-	-	-	-	-	-	-	-	-	
Perjury.....	1	1	1	-	-	-	-	-	-	
Other offenses: <sup>2</sup>										
Minor assault.....	65	20	20	-	-	-	45	44	1	
Nonsupport or neglect.....	66	30	21	-	-	9	36	31	5	
Violating liquor laws.....	43	9	6	-	1	2	34	31	1	
Driving while intoxicated....	173	25	15	-	4	6	148	143	5	
Other motor-vehicle laws.....	730	54	40	3	2	9	676	668	4	
Disorderly conduct and vagrancy	1,031	101	91	2	4	4	930	923	2	
Gambling.....	3	-	-	-	-	-	3	3	-	
All other offenses.....	82	24	15	-	-	9	58	57	1	

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Both county and municipal courts have felony jurisdiction. In 1940, 11 of 14 county courts and 8 of 14 municipal courts reported criminal dispositions.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	325	100.0	328	100.0	338	100.0	505	100.0
Death penalty.....	1	0.3	-	-	-	-	-	-
State prisons or reformatories...	116	35.7	134	40.9	123	37.9	164	36.4
Probation or suspended sentence...	91	28.0	97	29.6	87	25.7	132	26.1
Local jails, workhouses, etc.....	66	20.3	53	16.2	83	24.6	122	24.2
Fine or costs only.....	37	11.4	30	9.1	34	10.1	59	11.7
Institutions for juveniles.....	14	4.5	13	4.0	6	1.8	8	1.6
Other sentences.....	-	-	1	0.3	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: VERMONT, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	2,255	1	136	204	528	1,372	14	-
Major offenses, total <sup>1</sup> .....	325	1	116	91	66	37	14	-
Murder.....	2	1	1	-	-	-	-	-
Manslaughter.....	-	-	-	-	-	-	-	-
Robbery.....	2	-	2	-	-	-	-	-
Aggravated assault.....	1	-	1	-	-	-	-	-
Burglary.....	66	-	37	18	6	-	5	-
Larceny, except auto theft.....	120	-	21	22	45	27	5	-
Auto theft.....	14	-	3	3	5	3	-	-
Embezzlement and fraud.....	21	-	6	12	2	1	-	-
Stolen property, receiving, etc.....	7	-	2	3	-	2	-	-
Forgery and counterfeiting.....	11	-	3	4	3	-	1	-
Rape.....	13	-	9	2	1	1	-	-
Commercialized vice.....	-	-	-	-	-	-	-	-
Other sex offenses.....	54	-	23	25	1	2	3	-
Violating drug laws.....	-	-	-	-	-	-	-	-
Carrying, etc., weapons.....	-	-	-	-	-	-	-	-
Other major offenses.....	14	-	8	2	3	1	-	-
Abortion.....	1	-	1	-	-	-	-	-
Arson.....	6	-	3	2	-	1	-	-
Bigamy.....	1	-	1	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	6	-	3	-	3	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	45	-	-	17	8	20	-	-
Nonsupport or neglect.....	36	-	3	23	7	3	-	-
Violating liquor laws.....	34	-	4	3	7	20	-	-
Driving while intoxicated.....	148	-	1	19	14	114	-	-
Other motor-vehicle laws.....	676	-	2	13	16	645	-	-
Disorderly conduct and vagrancy..	930	-	6	26	409	489	-	-
Gambling.....	3	-	-	-	-	3	-	-
All other offenses.....	58	-	4	12	1	41	-	-

See footnotes 1 and 2 on first page.

U.S. DEPARTMENT OF COMMERCE  
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JUDICIAL CRIMINAL STATISTICS: WASHINGTON, 1940

The Bureau of the Census received from the clerks of court reports on 1,584 defendants charged with major offenses who were disposed of in the superior courts of the 39 counties of Washington during the calendar year 1940.

charged with major offenses for each of the last 4 years. In 1940, approximately 8 out of every 10 (84.8 percent) of the total of 1,584 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposition

Table 1 shows the disposition of defendants

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1933		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	1,584	100.0	1,614	100.0	1,637	100.0	1,579	100.0
Eliminated without conviction...	241	15.2	254	15.7	280	17.1	230	18.4
Dismissed.....	186	11.7	177	11.0	200	12.2	219	13.9
Acquitted by court (jury waived)	1	6.1	1	0.1	6	0.4	2	0.1
Acquitted by jury.....	40	2.5	58	3.6	53	2.5	52	3.3
Other no-penalty disposition...	14	0.9	18	1.1	16	1.0	17	1.1
Convicted.....	1,343	84.8	1,350	84.3	1,357	82.9	1,289	81.6
Plea of guilty.....	1,234	77.9	1,235	76.5	1,206	73.7	1,128	71.4
Court finds guilty (jury waived)	2	0.1	4	0.2	19	1.2	18	1.1
Jury verdict guilty.....	107	6.8	121	7.5	122	8.1	143	9.1

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: WASHINGTON, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict guilty
All offenses.....	1,869	359	275	3	52	29	1,510	1,387	3	120
Major offenses, total <sup>1</sup> .....	1,584	241	186	1	40	14	1,343	1,234	2	107
Murder.....	16	6	2	-	3	1	10	-	1	9
Manslaughter.....	42	16	8	-	10	-	26	20	-	6
Robbery.....	76	10	8	-	2	-	66	53	-	13
Aggravated assault.....	55	11	9	-	-	-	44	40	-	4
Burglary.....	324	24	15	-	6	3	300	288	-	12
Larceny, except auto theft....	476	75	64	-	7	4	401	381	-	20
Auto theft.....	122	14	12	-	1	1	109	104	-	4
Embezzlement and fraud.....	51	20	19	-	-	1	31	28	-	3
Stolen property, receiving, etc.	19	5	5	-	-	-	14	13	-	1
Forgery and counterfeiting....	137	13	10	-	1	2	124	163	1	10
Rape.....	48	11	10	-	-	-	37	30	-	7
Commercialized vice.....	3	2	1	-	-	-	1	-	-	1
Other sex offenses.....	111	15	12	-	2	1	96	83	-	13
Violating drug laws.....	4	3	3	-	-	-	1	-	-	1
Carrying, etc., weapons.....	14	3	3	-	-	-	11	10	-	1
Other major offenses.....	36	13	7	-	4	1	23	21	-	2
Abortion.....	21	8	3	-	3	1	13	13	-	-
Arson.....	4	-	-	-	-	-	4	4	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	2	1	-	-	1	-	1	1	-	-
Escape and jail break.....	4	2	2	-	-	-	2	2	-	2
Kidnaping.....	5	2	2	-	-	-	3	3	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	47	18	15	1	2	-	29	27	-	2
Nonsupport or neglect.....	40	28	19	-	9	-	12	12	-	-
Violating liquor laws.....	24	10	6	-	1	3	14	10	-	4
Driving while intoxicated....	49	19	12	-	5	2	20	29	-	1
Other motor-vehicle laws.....	34	11	7	-	3	-	23	22	-	-
Disorderly conduct and vagrancy	25	11	11	-	-	-	14	14	-	-
Gambling.....	6	2	2	-	-	-	5	3	-	-
All other offenses.....	61	19	17	-	1	1	42	36	1	5

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—Reports cover 100 percent of the population of the State in 1940, 1939, 1938, and 1937

of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all of these offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	1,343	100.0	1,360	100.0	1,357	100.0	1,289	100.0
Death penalty.....	4	0.3	2	0.1	4	0.3	5	0.4
State prisons or reformatories...	766	57.0	776	57.1	853	62.9	847	65.7
Probation or suspended sentence..	381	28.4	356	26.2	288	21.2	193	15.0
Local jails, workhouses, etc.....	182	13.6	203	14.9	198	14.6	231	17.9
Fine or costs only.....	10	0.7	12	0.9	7	0.5	13	1.0
Institutions for juveniles.....	-	-	9	0.7	7	0.5	-	-
Other sentences.....	-	-	2	0.1	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN SUPERIOR COURTS, BY OFFENSE: WASHINGTON, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	1,510	4	778	425	257	40	-	6
Major offenses, total <sup>1</sup> .....	1,343	4	766	381	182	10	-	-
Murder.....	10	4	6	-	-	-	-	-
Manslaughter.....	26	-	13	5	7	1	-	-
Robbery.....	66	-	58	7	1	-	-	-
Aggravated assault.....	44	-	24	14	5	1	-	-
Burglary.....	300	-	195	95	10	-	-	-
Larceny, except auto theft.....	401	-	170	115	110	6	-	-
Auto theft.....	108	-	52	53	3	-	-	-
Embezzlement and fraud.....	31	-	12	11	8	-	-	-
Stolen property, receiving, etc.,	14	-	2	7	4	1	-	-
Forgery and counterfeiting.....	174	-	134	34	5	1	-	-
Rape.....	37	-	31	6	-	-	-	-
Commercialized vice.....	1	-	1	-	-	-	-	-
Other sex offenses.....	96	-	59	16	21	-	-	-
Violating drug laws.....	1	-	-	-	1	-	-	-
Carrying, etc., weapons.....	11	-	2	4	5	-	-	-
Other major offenses.....	23	-	7	14	2	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	13	-	3	8	2	-	-	-
Bigamy.....	4	-	2	2	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	1	-	-	1	-	-	-	-
Kidnaping.....	2	-	2	-	-	-	-	-
Perjury.....	3	-	-	3	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	29	-	1	14	14	-	-	-
Nonsupport or neglect.....	12	-	-	5	5	-	-	-
Violating liquor laws.....	14	-	1	1	4	5	-	3
Driving while intoxicated.....	20	-	-	5	20	5	-	-
Other motor-vehicle laws.....	23	-	2	4	9	8	-	-
Disorderly conduct and vagrancy..	14	-	-	6	8	-	-	-
Gambling.....	3	-	-	-	1	2	-	-
All other offenses.....	42	-	8	9	14	8	-	3

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: WISCONSIN, 1940

The Bureau of the Census received reports on 2,192 defendants charged with major offenses who were disposed of in the trial courts of Wisconsin during the calendar year 1940. Under Wisconsin law, county, municipal, and superior courts have varying degrees of jurisdiction concurrent with the circuit court within the various counties. Reports

on judicial criminal statistics in 1940 were received from 66 of the 71 counties, all courts reported in 22 counties, containing 22.8 percent of the State's population; one or more courts reported in 34 counties, containing 71.8 percent of the population. The 5 counties for which no reports were received contain 5.5 percent of the population of the State, ac-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	2,192	100.0	2,225	100.0	2,430	100.0	2,224	100.0
Eliminated without conviction...	528	16.5	506	15.7	472	13.8	476	17.7
Dismissed.....	409	12.8	388	12.0	335	9.8	332	11.9
Acquitted by court(jury waived)	18	0.6	47	1.5	71	2.1	41	1.4
Acquitted by jury.....	16	0.5	27	0.8	34	1.0	39	1.3
Other no-penalty disposition...	35	2.7	44	1.4	32	0.9	34	1.2
Convicted.....	2,664	33.5	2,719	34.3	2,958	36.2	2,548	34.3
Plea of guilty.....	2,278	74.5	2,373	73.6	2,585	75.4	2,275	75.2
Court finds guilty(jury waived)	217	5.3	277	8.6	230	8.5	190	8.2
Jury verdict guilty.....	69	2.2	69	2.1	33	2.4	52	2.7

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1940

Offense	Total defendants disposed of	Disposed of without conviction				Convicted				
		Total	Dismissed	Acquitted by court (jury waived)	Acquitted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury verdict (jury waived)
All offenses.....	21,004	15,022	1,017	73	1	8,885	10,782	10,203	652	97
Major offenses, total <sup>1</sup> .....	3,192	528	409	13	1	85	2,664	2,378	217	69
Murder.....	19	4	2	-	-	2	15	6	-	9
Manslaughter.....	34	11	6	-	-	1	22	13	-	9
Robbery.....	104	12	9	-	-	4	91	75	11	15
Aggravated assault.....	98	15	7	-	-	4	83	54	11	16
Burglary.....	476	49	27	-	2	20	427	394	25	8
Larceny, except auto theft...	761	30	63	-	1	5	661	636	39	7
Auto theft.....	233	39	27	-	-	9	194	121	21	-
Embezzlement and fraud.....	416	148	123	-	6	1	268	237	23	8
Stolen property, receiving, etc.	57	10	7	-	-	2	47	43	3	1
Forgery and counterfeiting...	308	35	23	-	-	1	272	267	4	2
Rape.....	195	48	33	-	-	3	147	119	11	7
Commercialized vice.....	22	9	9	-	-	-	12	8	3	2
Other sex offenses.....	373	30	22	-	-	9	320	263	49	8
Violating drug laws.....	3	2	-	-	-	-	1	1	-	-
Carrying, etc., weapons.....	22	1	1	-	-	-	22	22	-	-
Other major offenses.....	79	11	8	-	-	3	59	47	7	-
Abortion.....	3	-	-	-	-	-	3	3	-	-
Arson.....	10	3	3	-	-	-	29	25	2	3
Bigamy.....	1	-	-	-	-	-	1	1	-	-
Blackmail and extortion.....	10	-	-	-	-	-	10	6	2	2
Escape and jail break.....	11	4	2	-	-	-	7	6	-	-
Kidnaping.....	2	1	1	-	-	-	1	1	-	-
Perjury.....	11	3	2	-	-	-	8	4	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	279	105	97	11	5	2	174	142	27	5
Nonsupport or neglect.....	400	142	136	2	-	10	257	203	5	-
Violating liquor laws.....	266	35	27	4	-	1	221	213	8	-
Driving while intoxicated.....	731	44	20	4	6	14	687	613	72	2
Other motor-vehicle laws.....	11,175	8,665	1,617	7	-	3,517	2,510	2,443	67	3
Disorderly conduct and vagrancy	4,059	347	97	11	-	199	3,752	3,366	386	-
Gambling.....	76	12	4	4	1	3	64	32	12	-
All other offenses.....	828	183	126	18	3	31	642	556	76	11

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

ording to the 1940 census.

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 approximately 8 out of 10 (83.5 percent) of the total of 3,192 defendants were convicted.

Table 2 presents detailed figures of all dispositions in 1940, showing the method of disposi-

tion of all defendants, by offense groups.

Table 3 shows the type of sentence imposed on those convicted of major offenses during each of the last 4 years.

Table 4 shows the sentences imposed on the total number of defendants convicted for all offense groups.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced .....	2,664	100.0	2,719	100.0	2,958	100.0	2,548	100.0
Death penalty.....	-	-	-	-	-	-	-	-
State prisons or reformatories...	917	34.4	830	30.5	899	30.4	720	28.6
Probation or suspended sentence...	1,052	39.5	1,154	42.4	1,158	39.1	1,063	41.3
Local jails, workhouses, etc.....	364	13.7	431	15.9	561	19.0	500	19.6
Fine or costs only.....	283	10.6	264	9.7	315	10.6	235	9.2
Institutions for juveniles.....	36	1.4	36	1.3	25	0.8	30	1.2
Other sentences.....	12	0.5	4	0.1	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	10,982	-	1,011	3,910	1,457	4,463	42	99
Major offenses, total <sup>1</sup> .....	2,664	-	917	1,052	364	283	36	12
Murder.....	15	-	15	-	-	-	-	-
Manslaughter.....	23	-	8	8	4	3	-	-
Robbery.....	91	-	77	12	1	1	-	-
Aggravated assault.....	83	-	40	17	15	11	-	-
Burglary.....	427	-	215	182	16	1	13	-
Larceny, except auto theft.....	681	-	122	294	153	113	8	1
Auto theft.....	194	-	72	92	21	5	4	-
Embezzlement and fraud.....	268	-	53	109	42	63	-	1
Stolen property, receiving, etc.....	47	-	8	14	14	11	-	-
Forgery and counterfeiting.....	273	-	123	136	7	5	1	1
Rape.....	147	-	63	72	5	7	-	-
Commercialized vice.....	13	-	3	2	4	4	-	-
Other sex offenses.....	320	-	87	97	66	51	10	9
Violating drug laws.....	1	-	-	-	1	-	-	-
Carrying, etc., weapons.....	22	-	6	6	5	5	-	-
Other major offenses.....	5	-	25	21	10	3	-	-
Abortion.....	5	-	-	-	-	2	-	-
Arson.....	29	-	17	11	1	-	-	-
Bigamy.....	1	-	1	-	-	-	-	-
Blackmail and extortion.....	10	-	2	4	3	1	-	-
Escape and jail break.....	7	-	3	-	4	-	-	-
Kidnaping.....	1	-	-	1	-	-	-	-
Perjury.....	8	-	3	3	2	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	174	-	6	39	30	99	-	-
Nonsupport or neglect.....	257	-	31	172	31	20	-	3
Violating liquor laws.....	231	-	3	13	11	203	-	1
Driving while intoxicated.....	637	-	-	96	52	524	-	15
Other motor-vehicle laws.....	2,510	-	3	352	57	2,045	1	52
Disorderly conduct and vagrancy..	3,752	-	29	2,063	835	816	-	9
Gambling.....	64	-	-	-	5	59	-	-
All other offenses.....	643	-	22	123	72	414	5	7

See footnotes 1 and 2 on first page.

JUDICIAL CRIMINAL STATISTICS: WYOMING, 1940

The Bureau of the Census received from the clerks of court reports on 322 defendants charged with major offenses who were disposed of in the 23 district courts of Wyoming during the calendar year 1940

Table 1 shows the disposition of defendants charged with major offenses for each of the last 4 years. In 1940 more than three-fourths (77.6) of the total of 322 defendants were convicted.

Table 2 presents detailed figures of all dis-

TABLE 1.—DISPOSITION OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

Disposition	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants disposed of.....	322	100.0	385	100.0	317	100.0	328	100.0
Eliminated without conviction....	72	22.4	64	16.6	70	22.1	62	18.9
Dismissed.....	63	19.6	54	14.0	53	16.7	51	15.5
Acquitted by court(jury waived)	-	-	-	-	5	1.6	-	-
Acquitted by jury.....	7	2.2	9	2.3	11	3.5	10	3.0
Other no-penalty disposition...	2	0.6	1	0.3	1	0.3	1	0.3
Convicted.....	250	77.6	321	83.4	247	77.9	266	81.1
Plea of guilty.....	237	73.6	311	80.8	233	73.5	241	73.5
Court finds guilty(jury waived)	6	1.9	-	-	8	2.5	11	3.4
Jury verdict guilty.....	7	2.2	10	2.6	6	1.9	14	4.3

TABLE 2.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: WYOMING, 1940

Offense	Total de-fendants dis-posed of	Disposed of without conviction					Convicted			
		Total	Dis-missed	Acquit-ted by court (jury waived)	Ac-quit-ted by jury	Other	Total	Plea guilty	Court finds guilty (jury waived)	Jury ver-dict guilty
All offenses.....	435	100	87	-	11	2	335	309	18	8
Major offenses, total <sup>1</sup> .....	322	72	63	-	7	2	250	237	6	7
Murder.....	4	2	-	-	2	-	2	2	-	-
Manslaughter.....	5	2	-	-	2	-	3	3	-	-
Robbery.....	15	2	2	-	-	13	11	1	1	1
Aggravated assault.....	10	3	3	-	-	7	6	-	1	1
Burglary.....	72	7	7	-	-	65	61	4	-	-
Larceny, except auto theft.....	82	17	16	-	1	65	65	-	-	-
Auto theft.....	20	7	7	-	-	13	13	-	-	-
Embezzlement and fraud.....	23	15	12	-	2	13	13	-	-	-
Stolen property, receiving, etc.....	6	1	1	-	-	5	3	-	-	2
Forgery and counterfeiting.....	60	10	9	-	1	50	47	1	2	1
Rape.....	8	4	-	-	-	4	3	-	-	1
Commercialized vice.....	-	-	-	-	-	-	-	-	-	-
Other sex offenses.....	7	1	1	-	-	6	6	-	-	-
Violating drug laws.....	3	-	-	-	-	3	3	-	-	-
Carrying, etc., weapons.....	1	-	-	-	-	1	1	-	-	-
Other major offenses.....	1	1	1	-	-	-	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-	-	-
Arson.....	1	1	1	-	-	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>										
Minor assault.....	12	2	2	-	-	10	9	-	-	1
Nonsupport or neglect.....	8	1	1	-	-	7	7	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-	-	-
Driving while intoxicated.....	27	10	6	-	4	17	16	1	-	-
Other motor-vehicle laws.....	6	-	-	-	-	6	6	-	-	-
Disorderly conduct and vagrancy..	5	1	1	-	-	4	-	-	4	-
Gambling.....	14	7	7	-	-	7	7	-	-	-
All other offenses.....	41	7	7	-	-	34	27	7	-	-

<sup>1</sup>This group represents those felonies or serious offenses that are more comparable between States than the total offenses reported by the general trial courts.

<sup>2</sup>Most of these offenses are tried in large numbers by minor courts not reporting here.

Note.—On the basis of the 1940 population, reports cover 95.6 percent of the population of the State in 1937, 93.8 percent in 1938, and 100.0 percent in 1939 and 1940.

positions in 1940, showing the method of disposition of all defendants, by offense groups. Table 4 shows the sentences imposed on the total number of defendants convicted for all of these convicted of major offenses during each of the last 4 years.

TABLE 3.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

Type of sentence	1940		1939		1938		1937	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants sentenced.....	250	100.0	321	100.0	247	100.0	266	100.0
Death penalty.....	-	-	-	-	1	0.4	-	-
State prisons or reformatories...	147	58.8	196	61.1	155	62.8	181	68.0
Probation or suspended sentence...	78	31.2	89	27.7	41	16.6	46	17.3
Local jails, workhouses, etc.....	8	3.2	10	3.1	13	5.3	25	9.4
Fine or costs only.....	4	1.6	6	1.9	6	2.4	14	5.3
Institutions for juveniles.....	13	5.2	20	6.2	31	12.6	-	-
Other sentences.....	-	-	-	-	-	-	-	-

TABLE 4.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED IN DISTRICT COURTS, BY OFFENSE: WYOMING, 1940

Offense	Total number of defendants sentenced	Death penalty	State prisons or reformatories	Probation or suspended sentence	Local jails, workhouses, etc.	Fine or costs only	Institutions for juvenile delinquents only	Other sentences
All offenses.....	335	-	156	103	32	18	25	1
Major offenses, total <sup>1</sup> .....	250	-	147	78	8	4	13	-
Murder.....	2	-	2	-	-	-	-	-
Manslaughter.....	3	-	2	1	-	-	-	-
Robbery.....	13	-	9	4	-	-	-	-
Aggravated assault.....	7	-	2	5	-	-	-	-
Burglary.....	65	-	34	24	-	-	7	-
Larceny, except auto theft.....	65	-	37	19	3	1	5	-
Auto theft.....	13	-	7	6	-	-	-	-
Embezzlement and fraud.....	13	-	4	8	1	-	-	-
Stolen property, receiving, etc..	5	-	4	1	-	-	-	-
Forgery and counterfeiting.....	50	-	40	9	1	-	-	-
Rape.....	4	-	4	-	-	-	-	-
Commercialized vice.....	6	-	2	-	-	3	1	-
Violating drug laws.....	3	-	-	-	3	-	-	-
Carrying, etc., weapons.....	1	-	-	1	-	-	-	-
Other major offenses.....	-	-	-	-	-	-	-	-
Abortion.....	-	-	-	-	-	-	-	-
Arson.....	-	-	-	-	-	-	-	-
Bigamy.....	-	-	-	-	-	-	-	-
Blackmail and extortion.....	-	-	-	-	-	-	-	-
Escape and jail break.....	-	-	-	-	-	-	-	-
Kidnaping.....	-	-	-	-	-	-	-	-
Perjury.....	-	-	-	-	-	-	-	-
Other offenses: <sup>2</sup>								
Minor assault.....	10	-	-	5	5	-	-	-
Nonsupport or neglect.....	7	-	-	5	2	-	-	-
Violating liquor laws.....	-	-	-	-	-	-	-	-
Driving while intoxicated.....	17	-	1	-	15	1	-	-
Other motor-vehicle laws.....	6	-	-	3	1	2	-	-
Disorderly conduct and vagrancy..	4	-	-	1	1	4	4	-
Gambling.....	7	-	-	1	1	4	1	1
All other offenses.....	34	-	8	11	-	7	8	-

See footnotes 1 and 2 on first page.





