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JUDICIAL CRIMINAL STATISTICS 1941



U. S. DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS

U. S. DEPARTMENT OF COMMERCE
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JUDICIAL CRIMINAL STATISTICS 1941

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Symbols used in this report

Class or item not applicable.....	..
Data not available.....	--
Quantity is zero, in number columns.....	-
Quantity is zero, in percent columns.....	0
When figure is more than 0 and less than 0.05.....	0.0

JUDICIAL CRIMINAL STATISTICS

INTRODUCTION

The 1941 statistics show substantially the same facts and relationships in regard to the disposition and sentence of criminal offenders in courts of general jurisdiction as were found in the analysis of the data for the past six years. The 1941 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 a detailed analysis of the data collected.

It is emphasized again that comparisons between States should be made only with extreme caution and that probably no general conclusions concerning differences in 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 to 1941.

These statistics indicate that 77 percent of all defendants prosecuted for major offenses in the courts of general jurisdiction during 1941 were convicted. About seven-tenths of those eliminated without conviction were eliminated by dismissal of the charges against them. Pleas of guilty accounted for 84 percent of all convictions. Slightly over one-sixth of the defendants disposed of were brought to trial. Of the defendants convicted and sentenced, 38 percent received sentences to State prisons or reformatories, and about one-third were given probation or a suspended sentence.

SCOPE OF THE REPORT

Twenty-five States, including the District of Columbia, cooperated with the Bureau of the Census in furnishing reports on defendants in criminal cases disposed of during the year 1941 in courts having original felony jurisdiction. This is the tenth 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, 25 for 1939, and 27 for 1940. The two States omitted from the 1941 report, but which were included in the 1940 report, were Michigan and Indiana.

Limitations of the 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 disposed of finally 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 picture of the administration of criminal justice.

There are wide differences to be found from State to State both in the organization of the general trial courts and in the particular jurisdiction possessed by them. It will be noted in table 9 of this report (page xi) that the 1941 statistics were collected from several different kinds of courts and occasionally from two or three types within a single State. While most

States have one court of general jurisdiction in each county, in some States special jurisdiction to dispose of felony offenses has been given to local 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 when the defendant pleads guilty. As most of the felony cases are disposed of by pleas of guilty in the municipal courts, it is necessary to collect statistics from both of these types of courts in Vermont to obtain 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. Their misdemeanor jurisdiction is essentially residual; that is, they may dispose of all types of cases not within the exclusive jurisdiction of a lower court. In metropolitan counties the lower courts will handle the bulk of lesser offenses and only the felony cases will be tried in the general court. In the rural counties, however, nearly all cases, felony and misdemeanor, come before the general trial court. There are, therefore, some very real difficulties in a comparative analysis of these statistics. As has been the case each year since 1935, summary and comparative data in the State reports are 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 in the 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 in a preliminary hearing and never reach the general trial courts. In other counties, very few felony cases will be brought before a minor court 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.

METHODS OF COLLECTION

The judicial criminal statistics collected by the Bureau of the Census are based on an annual report made by the clerks of court on a uniform tally sheet supplied by the Bureau of the Census. It 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 sentence imposed. The 1941 data were collected by this tally-sheet method in 20 of the 25 States. In Pennsylvania a summary tally sheet was prepared from reports of the clerks and submitted to the Bureau by the Department of Welfare. 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 Ohio, 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 general instructions are intended to apply to many jurisdictions and 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. Inasmuch as clerks may have different ideas on the proper classification of offenders, there is undoubtedly a 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 preparation of the report, there is no way to check or eliminate them except to repeat the entire process of compilation.

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 has been used each year since 1937. Under this system the clerk of court fills out a standard card furnishing a summary of the action taken in each case filed and disposed of in his court. The collecting, editing, and clarifying of recorded data is done by a central statistical agency of the State, thus insuring uniform interpretation of the data reported. The cards are annually forwarded 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 quite easily be adapted 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.

ANALYSIS OF 1941 DATA

Disposition and Sentence, by States

The 1941 report consists principally of summaries for each of the 25 cooperating States. For 23 States it was possible to

TABLE 1.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY STATES: 1941

State	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total, 25 States.....	61,868	14,172	22.9	47,696	77.1
California.....	6,355	1,345	21.2	5,010	78.8
Colorado.....	1,345	308	22.9	1,037	77.1
Connecticut ¹	959	118	12.3	841	87.7
District of Columbia.....	1,645	501	30.5	1,144	69.5
Idaho.....	428	89	20.8	339	79.2
Iowa.....	1,890	421	22.3	1,469	77.7
Kansas.....	1,424	438	30.8	986	69.2
Massachusetts.....	3,083	474	15.4	2,609	84.6
Minnesota.....	1,696	174	10.3	1,522	89.7
Montana.....	503	105	20.9	398	79.1
New Hampshire.....	337	36	10.7	301	89.3
New Jersey.....	5,291	1,174	22.2	4,117	77.8
New Mexico.....	974	309	31.7	665	68.3
New York.....	9,432	2,330	24.7	7,102	75.3
North Dakota.....	413	62	15.0	351	85.0
Ohio.....	4,515	760	16.8	3,755	83.2
Oregon.....	1,048	191	18.2	857	81.9
Pennsylvania.....	14,411	4,347	30.2	10,064	69.8
Rhode Island.....	514	22	4.3	492	95.7
South Dakota.....	364	50	13.0	314	87.0
Utah.....	352	72	20.5	280	79.5
Vermont.....	533	138	25.9	395	74.1
Washington.....	1,334	182	13.6	1,152	86.4
Wisconsin.....	2,710	478	17.6	2,232	82.4
Wyoming.....	292	48	16.4	244	83.6

¹Statistics are for the year July 1, 1941 through June 30, 1942.

present a 5-year comparison showing, by major offenses, the number of defendants charged and convicted, together with the rate per 100,000 population. For all 25 States the procedural outcome and type of sentence imposed are shown in 5-year comparison tables. Such a comparison for a given State is much more reliable and useful than any comparisons that might be made between States, for reasons already outlined.

The first four tables will present the summary data on disposition and sentence, by States. Tables 5 to 8, inclusive, will present the same information for the 25 States combined, by offense.

Table 1 shows, by States, the number and proportion of defendants charged with major offenses who were eliminated without conviction, and the number and proportion convicted. The proportion of defendants eliminated without conviction ranges, from 31.7 in New Mexico to 4.3 in Rhode Island, and conversely the proportion convicted

ranges from 95.7 in Rhode Island to 68.3 in New Mexico. For the 25 States taken individually, the median proportion convicted is 79.5 percent.

Table 2 shows the number and proportion of defendants eliminated without conviction for each of the three types of elimination, namely, (1) dismissed and other no-penalty dispositions, (2) acquitted by court after waiver of jury trial, and (3) acquitted by jury. Dismissals and other no-penalty dispositions account for the great majority of defendants eliminated, ranging from 97.2 percent in New Hampshire to 48.6 percent in Utah. The median proportion dismissed for the 25 States taken individually is 81.2 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 that 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 43.1 percent in Utah to

TABLE 2.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY STATES: 1941

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, 25 States.....	14,172	9,654	68.1	1,152	8.1	3,366	23.8
California.....	1,345	928	69.0	244	18.1	173	12.9
Colorado.....	308	241	78.2	7	2.3	60	19.5
Connecticut ¹	118	101	85.6	10	8.5	7	5.9
District of Columbia.....	501	294	58.7	34	6.8	173	34.5
Idaho.....	89	81	91.0	-	0	8	9.0
Iowa.....	421	373	88.5	3	0.7	45	10.7
Kansas.....	438	377	86.1	3	0.7	58	13.2
Massachusetts.....	474	236	49.8	70	14.8	168	35.0
Minnesota.....	174	130	74.7	1	0.6	43	24.7
Montana.....	105	91	86.7	-	0	14	13.3
New Hampshire.....	36	35	97.2	-	0	1	2.8
New Jersey.....	1,174	767	65.3	241	20.5	166	14.1
New Mexico.....	309	251	81.2	5	1.6	53	17.2
New York.....	2,330	2,019	86.7	-	0	311	13.3
North Dakota.....	62	58	93.5	-	0	4	6.5
Ohio.....	760	552	72.6	97	12.8	111	14.6
Oregon.....	191	161	84.3	1	0.5	29	15.2
Pennsylvania.....	4,347	2,125	48.9	410	9.4	1,812	41.7
Rhode Island.....	22	17	77.3	1	4.5	4	18.2
South Dakota.....	50	40	80.0	-	0	10	20.0
Utah.....	72	35	48.6	6	8.3	31	43.1
Vermont.....	138	133	96.4	-	0	5	3.6
Washington.....	162	142	78.0	1	0.5	39	21.4
Wisconsin.....	478	428	89.5	18	3.8	32	6.7
Wyoming.....	48	39	81.3	-	0	9	18.8

¹Statistics are for the year July 1, 1941 through June 30, 1942.

2.8 percent in New Hampshire. The median proportion of defendants acquitted by jury for the 25 States is 14.6 percent.

Table 3 shows the number and proportion of convictions for each of the three types of conviction, that is, for (1) pleas of guilty, (2) convictions by court after waiver of jury trial, and (3) jury verdicts of guilty. As usual, a plea of guilty was the predominant method of reaching a conviction. The proportion of convictions resulting from pleas of guilty ranges from 98.8 percent in Rhode Island to 67.5 percent in Utah. The median percentage for the 24 States taken individually is 88.2 percent. (Data by method of conviction were not available for New York State.) Jury verdicts of guilty accounted for 29.6 percent of all convictions in Utah and 1.2 percent in Rhode Island. The median proportion of convictions by jury among the 24 States is 8.2 percent.

Table 4 shows, for each of the 25 States, the number and percent of those convicted and sentenced, by type of sentence imposed. In Montana, 75.4 percent of the defendants sentenced for major offenses received a prison sentence, while Rhode Is-

land, at the other end of the scale, showed only 14.4 percent of those convicted as sentenced to prison or death. For the 25 States, the median proportion of convicted defendants receiving a prison or death sentence is 47.5 percent. Probation was used most extensively in Rhode Island, where 81.5 percent were reported as being placed on probation or given a suspended sentence. 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 Utah where 45.0 percent of convicted defendants received such treatment. Montana reported the least use of this type of sentence with 16.1 percent, while the median percentage of the 25 States is 32.0. Pennsylvania reported the highest proportion of jail sentences, and Colorado reported the lowest. The median percentage of defendants sentenced to jail is 12.1.

Disposition and Sentence, by Offense

In interpreting the data presented in tables 5 to 8, showing disposition and sentence by offense for the 25 States combined,

TABLE 3.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY STATES: 1941

State	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per cent	Number	Per cent	Number	Per cent
Total, 24 States.....	140,594	34,232	84.3	2,323	5.7	4,039	9.9
California.....	5,010	4,220	84.2	419	8.4	371	7.4
Colorado.....	1,037	932	89.9	2	0.2	103	9.9
Connecticut ¹	841	786	93.5	40	4.8	15	1.8
District of Columbia.....	1,144	892	78.0	8	0.7	244	21.3
Idaho.....	339	296	87.3	3	0.9	40	11.8
Iowa.....	1,469	1,399	95.2	22	1.5	48	3.3
Kansas.....	986	864	87.6	26	2.6	96	9.7
Massachusetts.....	2,609	2,260	86.6	118	4.5	231	8.9
Minnesota.....	1,522	1,434	94.2	7	0.5	81	5.3
Montana.....	396	345	86.7	8	2.0	45	11.3
New Hampshire.....	301	274	91.0	18	6.0	9	3.0
New Jersey.....	4,117	3,542	86.0	401	9.7	174	4.2
New Mexico.....	665	569	85.6	36	5.4	60	9.0
North Dakota.....	351	339	96.6	2	0.6	10	2.8
Ohio.....	3,755	3,235	86.2	217	5.8	303	8.1
Oregon.....	857	769	89.7	15	1.8	73	8.5
Pennsylvania.....	10,064	7,560	75.1	649	6.4	1,855	18.4
Rhode Island.....	492	486	98.8	-	0	6	1.2
South Dakota.....	334	311	93.1	10	3.0	13	3.9
Utah.....	280	189	67.5	8	2.9	83	29.6
Vermont.....	395	380	96.2	4	1.0	11	2.8
Washington.....	1,152	1,022	88.7	35	3.0	95	8.2
Wisconsin.....	2,232	1,890	84.7	274	12.3	68	3.0
Wyoming.....	244	233	97.5	1	0.4	5	2.0

¹Excludes the 7,102 defendants convicted in New York State.

²Statistics are for the year July 1, 1941 through June 30, 1942.

TABLE 4.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY STATES: 1941

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, 25 States..	47,696	16,235	38.2	15,454	32.4	10,672	22.4	3,335	7.0
California.....	5,010	1,457	29.1	1,816	36.2	1,519	30.3	218	4.4
Colorado.....	1,037	733	70.7	265	25.6	34	3.3	5	0.5
Connecticut ²	841	289	34.4	231	27.5	295	35.1	26	3.1
District of Columbia...	1,144	708	61.9	293	25.6	137	12.0	6	0.5
Idaho.....	339	179	52.8	81	23.9	67	19.8	12	3.5
Iowa.....	1,469	612	41.7	266	18.1	499	34.0	92	6.3
Kansas.....	986	691	70.1	185	18.8	91	9.2	19	1.9
Massachusetts.....	2,609	1,426	54.7	719	27.5	—	—	465	17.8
Minnesota.....	1,522	683	44.9	661	43.4	148	9.7	30	2.0
Montana.....	398	300	75.4	64	16.1	17	4.3	17	4.3
New Hampshire.....	301	83	27.6	130	43.2	66	21.9	22	7.3
New Jersey.....	4,117	1,491	36.2	1,399	34.0	796	19.3	431	10.5
New Mexico.....	665	343	51.6	229	34.4	45	6.8	48	7.2
New York.....	7,102	2,886	40.6	2,494	35.1	1,659	23.4	63	0.9
North Dakota.....	351	183	52.1	59	16.8	76	21.7	33	9.4
Ohio.....	3,755	1,723	45.9	1,573	41.9	301	8.0	158	4.2
Oregon.....	857	418	48.8	305	35.6	102	11.9	32	3.7
Pennsylvania.....	10,064	1,812	18.0	2,620	26.0	4,262	42.3	1,370	13.6
Rhode Island.....	492	71	14.4	401	81.5	17	3.5	3	0.6
South Dakota.....	334	204	61.1	68	20.4	53	15.9	9	2.7
Utah.....	280	133	47.5	126	45.0	18	6.4	3	1.1
Vermont.....	395	147	37.2	105	26.6	72	18.2	71	18.0
Washington.....	1,152	629	54.6	369	32.0	139	12.1	15	1.3
Wisconsin.....	2,232	899	40.3	911	40.8	246	11.0	176	7.9
Wyoming.....	244	135	55.3	85	34.8	13	5.3	11	4.5

¹Includes 50 death sentences.

²Statistics are for the year July 1, 1941 through June 30, 1942.

³Includes defendants sentenced to local jails, workhouses, etc.

it must be remembered that a few States account for most of the cases reported and that the practices followed in these States in regard to both disposition and sentence dominantly influence the results shown in these tables. Five States—Pennsylvania, New York, California, New Jersey, and Ohio—account for about 65 percent of the cases covered, while the other 20 States account for the remainder.

Table 5 shows the number of defendants disposed of in the 25 States and those eliminated and convicted in each offense group. Auto theft, burglary, forgery and counterfeiting, and violating drug laws show in that order the highest proportions of convictions, while other major offenses and manslaughter show the lowest proportions.

Table 6 shows, by offense, the number and percent of defendants eliminated in the 25 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 murder show the lowest proportion of eliminations by dismissal and the highest proportion of acquittals by jury.

Table 7 shows, for each offense group, the number and percent of defendants convicted and sentenced in 24 States by type of conviction. Forgery, auto theft, larceny, and burglary are the offense groups showing the highest proportion of convictions by plea of guilty; and murder, manslaughter, and aggravated assault 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 25 States, by type of sentence imposed. As might be expected, nearly all persons convicted of murder were given a death or prison sen-

TABLE 5.—DEFENDANTS ELIMINATED WITHOUT CONVICTION AND DEFENDANTS CONVICTED, BY OFFENSE: 1941

Offense	Total disposed of	Eliminated without conviction		Convicted	
		Number	Percent	Number	Percent
Total.....	61,868	14,172	22.9	47,696	77.1
Murder.....	638	236	37.0	402	63.0
Manslaughter.....	1,551	642	41.4	909	58.5
Robbery.....	4,393	1,126	25.6	3,267	74.4
Aggravated assault.....	5,135	1,952	38.0	3,183	62.0
Burglary.....	11,378	1,600	14.1	9,778	85.9
Larceny, except auto theft ¹	12,054	2,118	17.6	9,936	82.4
Auto theft.....	4,944	661	13.4	4,283	86.6
Embezzlement and fraud.....	3,522	1,193	33.9	2,329	66.1
Stolen property, receiving, etc.....	1,419	466	32.8	953	67.2
Forgery and counterfeiting.....	4,642	672	14.5	3,970	85.5
Rape.....	2,732	851	31.1	1,881	68.9
Commercialized vice.....	888	235	26.5	653	73.5
Other sex offenses.....	4,546	1,192	26.2	3,354	73.8
Violating drug laws.....	446	70	15.7	376	84.3
Carrying, etc., weapons.....	1,484	289	19.5	1,195	80.5
Other major offenses.....	2,096	869	41.5	1,227	58.5

¹Includes embezzlement and fraud in Massachusetts.

TABLE 6.—DEFENDANTS ELIMINATED WITHOUT CONVICTION, BY METHOD OF DISPOSITION, BY OFFENSE: 1941

Offense	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.....	14,172	9,654	68.1	1,152	8.1	3,366	23.8
Murder.....	236	110	46.8	17	7.2	109	46.2
Manslaughter.....	642	344	53.6	59	9.2	239	37.2
Robbery.....	1,126	733	65.1	92	8.2	301	26.7
Aggravated assault.....	1,952	1,071	54.9	227	11.6	654	33.5
Burglary.....	1,600	1,166	72.9	108	6.8	326	20.4
Larceny, except auto theft ¹	2,118	1,545	73.0	174	8.2	399	18.8
Auto theft.....	661	492	74.4	62	9.4	107	16.2
Embezzlement and fraud.....	1,193	892	74.8	73	6.1	228	19.1
Stolen property, receiving, etc.....	466	313	67.2	38	8.2	115	24.7
Forgery and counterfeiting.....	672	597	88.8	16	2.4	59	8.8
Rape.....	851	554	65.1	45	5.3	252	29.5
Commercialized vice.....	235	118	50.2	38	16.2	79	33.5
Other sex offenses.....	1,192	770	64.6	115	9.6	307	25.8
Violating drug laws.....	70	37	52.9	16	22.9	17	24.3
Carrying, etc., weapons.....	289	181	62.6	42	14.5	66	22.8
Other major offenses.....	869	731	84.1	30	3.5	108	12.4

¹Includes embezzlement and fraud in Massachusetts.

tence. Of the 390 defendants shown in the table as receiving death or prison sentences for murder, 50 were given the death sentence. Probation and suspended sentence were used most frequently for those defendants convicted of receiving stolen property,

embezzlement and fraud, and auto theft. The offense groups showing the highest proportions of defendants given jail sentences were violating drug laws and carrying weapons.

As already pointed out, all reports

JUDICIAL CRIMINAL STATISTICS, 1941

TABLE 7.—DEFENDANTS CONVICTED, BY METHOD OF CONVICTION, BY OFFENSE: 1941

Offense	Total convicted	Plea guilty		Court finds guilty (jury waived)		Jury verdict guilty	
		Number	Per cent	Number	Per cent	Number	Per cent
Total.....	140,594	34,232	84.3	2,323	5.7	4,039	9.9
Murder.....	337	165	49.0	28	8.3	144	42.7
Manslaughter.....	746	479	64.2	58	7.9	209	28.0
Robbery.....	2,688	2,029	75.5	133	4.9	526	19.6
Aggravated assault.....	2,657	1,750	65.9	320	12.0	587	22.1
Burglary.....	8,330	7,366	88.4	362	4.3	602	7.2
Larceny, except auto theft ²	7,746	6,931	89.5	384	5.0	431	5.6
Auto theft.....	3,624	3,290	90.8	187	5.2	147	4.1
Embezzlement and fraud.....	2,315	2,045	88.3	97	4.2	173	7.5
Stolen property, receiving, etc.	857	692	80.7	47	5.5	118	13.8
Forgery and counterfeiting.....	3,686	3,509	95.2	74	2.0	103	2.8
Rape.....	1,642	1,237	75.3	127	7.7	278	16.9
Commercialized vice.....	643	483	75.9	56	8.7	99	15.4
Other sex offenses.....	3,122	2,428	77.8	294	9.4	400	12.8
Violating drug laws.....	339	271	79.9	32	9.4	36	10.6
Carrying, etc., weapons.....	898	727	81.0	85	9.5	86	9.6
Other major offenses.....	964	825	85.6	39	4.0	100	10.4

¹Excludes 7,102 defendants convicted in New York State.²Includes embezzlement and fraud in Massachusetts.

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED, BY TYPE OF SENTENCE, BY OFFENSE: 1941

Offense	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.....	47,696	18,235	38.2	15,454	32.4	10,672	22.4	3,335	7.0
Murder.....	402	390	97.0	-	0	10	2.5	2	0.5
Manslaughter.....	909	443	48.7	212	23.3	200	22.0	54	5.9
Robbery.....	3,267	2,318	71.0	429	13.1	435	13.3	85	2.6
Aggravated assault.....	3,183	1,103	34.7	841	26.4	1,009	31.7	230	7.2
Burglary.....	9,778	4,186	42.8	3,292	33.7	1,892	19.3	408	4.2
Larceny, except auto theft.....	9,936	2,808	28.3	3,744	37.7	2,641	26.6	743	7.5
Auto theft.....	4,283	1,563	36.5	1,681	39.2	832	19.4	207	4.8
Embezzlement and fraud..	2,329	520	22.3	1,011	43.4	596	25.6	202	8.7
Stolen property, receiving, etc.....	953	212	22.2	426	44.7	247	25.9	68	7.1
Forgery and counterfeiting.....	3,970	1,654	41.7	1,423	35.8	730	18.4	163	4.1
Rape.....	1,881	939	49.9	535	28.4	341	18.1	66	3.5
Commercialized vice.....	653	121	18.5	160	24.5	167	25.6	205	31.4
Other sex offenses.....	3,354	1,053	31.4	901	26.9	760	22.7	640	19.1
Violating drug laws.....	376	100	26.6	62	16.5	191	50.8	23	6.1
Carrying, etc., weapons.....	1,195	245	20.5	367	30.7	444	37.2	139	11.6
Other major offenses....	1,227	580	47.3	370	30.2	177	14.4	100	8.1

¹Includes defendants sentenced to local jails, workhouses, etc., in Massachusetts.²Includes 50 death sentences.³Includes embezzlement and fraud in Massachusetts.

received in the Census Bureau's collection of judicial criminal statistics are made voluntarily, and in some of the 20 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 1941, 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 9.—NUMBER AND TYPE OF COURTS FURNISHING REPORTS, BY STATES: 1941

State	Number of counties in State	Number of reports received from each type of court							Percent of population coverage ¹
		Dis-trict	Cir-cuit	Superior	Common pleas	Quarter session andoyer and term-iner	County	Mu-nicipal	
California.....	58	...	...	37	...	...	...	...	71.8
Colorado.....	63	59	...	...	...	...	...	...	99.1
Connecticut.....	8	...	...	9	5	...	...	...	100.0
District of Columbia.	1	1	...	...	...	...	...	...	100.0
Idaho.....	44	44	...	...	...	...	...	...	100.0
Iowa.....	99	100	...	...	...	...	...	...	100.0
Kansas.....	105	109	...	...	...	...	...	...	100.0
Massachusetts.....	14	...	...	14	...	...	...	...	100.0
Minnesota.....	87	87	...	...	...	...	...	...	100.0
Montana.....	56	56	...	...	...	...	...	...	100.0
New Hampshire.....	10	...	...	10	...	...	...	...	100.0
New Jersey.....	21	...	...	...	...	20	...	...	94.8
New Mexico.....	31	31	...	...	...	...	62	...	100.0
New York.....	62	...	...	...	...	...	...	...	100.0
North Dakota.....	53	51	...	...	...	...	...	...	97.3
Ohio.....	98	...	...	...	88	...	...	...	100.0
Oregon.....	36	...	35	...	...	...	...	...	99.7
Pennsylvania.....	67	...	...	...	...	63	...	...	97.7
Rhode Island.....	5	...	...	24	...	...	...	...	100.0
South Dakota.....	69	...	64	...	...	...	...	...	100.0
Utah.....	29	27	...	...	...	...	...	...	96.2
Vermont.....	14	...	...	...	...	12	12	...	---
Washington.....	39	...	...	36	...	...	...	...	95.7
Wisconsin.....	71	...	63	2	...	...	38	10	---
Wyoming.....	23	23	...	...	...	...	...	...	100.0

¹Percent 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.

²Several counties in these States were combined with other counties for reporting purposes.

JUDICIAL CRIMINAL STATISTICS

RHODE ISLAND, 1941

The Bureau of the Census received from the Department of Social Welfare at Providence reports on 514 defendants charged with major offenses who were disposed of in the 4 superior courts of Rhode Island during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome of defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction and whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 514 persons charged with major offenses in 1941, 492, or about 19 out of every 20, were convicted and sentenced; of these, 401, or about 16 out of every 20, were placed on probation or given a suspended sentence; and 71, or about 3 out of every 20, were sentenced to a State prison or reformatory. No defendants were charged with murder; of the 2 charged with manslaughter, 1 was convicted and imprisoned. Of the 404 defendants charged with major crimes against property in 1941 (burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 355, or about 19 out of every 20, were convicted. Of the 87 persons charged with major crimes against the person (murder, manslaughter, rob-

bery, aggravated assault, and rape) 61, or about 18 out of every 20, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 61.9 in 1937 to 93.8 in 1938 and then decreased to 72.1 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 60.7 in 1937 to 90.0 in 1938 and then decreasing to 69.0 in 1941. More defendants were charged and convicted of burglary than of any other offense during 1941, although the figures were rather high for auto theft. The rate for defendants convicted of burglary increased from 36.6 in 1937 to 43.9 in 1939 and then decreased to 31.0 in 1941. The conviction rate for auto theft increased steadily from 12.2 in 1938 to 16.7 in 1941. In the past 5 years, 1941 was the only year in which there were no dispositions for murder. (See table 1.)

During the past 5 years, about 19 out of every 20 defendants charged with major offenses were convicted. Although the percent of convictions fluctuated somewhat from year to year, there was, in general, a decrease from 98.6 in 1937 to 95.7 in 1941. Of all defendants convicted, the greatest proportion entered a plea of nolo contendere or not guilty. In 1941, 94.6 percent of all defendants pleaded nolo contendere, while only 1.2 percent were found guilty by jury. (See table 2.)

Annually over the past 5 years more than three-fifths of all convicted defendants have been placed on probation or given a suspended sentence. The proportion so sentenced showed no definite trend prior to 1939, but since that year has increased from 60.3 percent to 81.5 in 1941. The percent of convicted defendants sentenced to prison or reformatory decreased from 31.0 in 1939 to 14.4 in 1941, and those sentenced to pay a fine or to imprisonment in a local institution similarly decreased.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES, IN RHODE ISLAND, BY NUMBER AND RATE PER 100,000 POPULATION, 1937-1941

OFFENSE	DEFENDANTS CHARGED					DEFENDANTS CONVICTED				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	514	600	632	651	568	72.1	84.1	90.1	93.8	61.9
MURDER.....	-	2	1	2	2	0	0.3	0.1	0.3	0.3
MANSLAUGHTER.....	2	3	5	3	5	0.3	0.4	0.7	0.4	0.7
ROBBERY.....	28	20	29	43	9	3.9	2.8	4.1	6.2	1.3
AGGRAVATED ASSAULT.....	29	33	4	11	29	4.1	4.6	0.8	1.6	4.2
BURGLARY.....	224	258	310	304	254	31.4	36.2	44.2	43.8	36.6
LARCENY, EXCEPT AUTO THEFT.....	14	21	18	15	25	2.0	2.9	2.6	2.2	3.6
AUTO THEFT.....	122	109	95	85	117	17.1	15.3	13.5	12.2	16.9
EMBEZZLEMENT AND FRAUD.....	17	62	28	17	26	2.4	8.7	4.0	2.4	3.7
STOLEN PROPERTY, RECEIVING, ETC.....	3	3	3	1	1	0.4	0.1	0.4	0.1	0.1
FORGERY AND COUNTERFEITING.....	24	12	17	25	13	3.4	1.7	2.4	3.6	1.9
RAPE.....	6	26	26	35	28	1.1	3.6	3.7	5.0	4.0
OTHER MAJOR OFFENSES.....	43	53	96	110	69	6.0	7.4	15.7	15.8	8.5
MAJOR OFFENSES, TOTAL.....	492	571	625	625	580	69.0	80.0	89.1	90.0	60.7
MURDER.....	-	1	1	2	2	0	0.1	0.1	0.3	0.3
MANSLAUGHTER.....	1	3	5	3	5	0.1	0.4	0.7	0.4	0.7
ROBBERY.....	25	20	26	41	8	3.5	2.8	4.0	5.9	1.2
AGGRAVATED ASSAULT.....	28	32	4	11	29	3.9	4.5	0.8	1.6	4.2
BURGLARY.....	221	254	306	302	254	31.0	35.6	43.9	43.5	36.6
LARCENY, EXCEPT AUTO THEFT.....	13	20	18	15	23	1.8	2.8	2.6	2.2	3.3
AUTO THEFT.....	119	103	95	85	117	16.7	14.4	13.5	12.2	16.9
EMBEZZLEMENT AND FRAUD.....	16	50	28	15	26	2.2	7.0	4.0	2.2	3.7
STOLEN PROPERTY, RECEIVING, ETC.....	3	1	3	1	1	0.4	0.1	0.4	0.1	0.1
FORGERY AND COUNTERFEITING.....	23	12	17	25	13	3.2	1.7	2.4	3.6	1.7
RAPE.....	7	26	25	35	27	1.0	3.6	3.6	5.0	3.9
OTHER MAJOR OFFENSES.....	36	48	93	90	56	5.0	6.9	13.3	13.0	6.1

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	492	100.0	571	100.0	625	100.0	625	100.0	568	100.0
DEATH PENALTY.....	0	0	0	0	0	0	0	0	0	0
STATE PRISONS OR REFORMATORIES.....	71	14.4	116	20.3	194	31.0	182	25.9	146	26.1
PROBATION OR SUSPENDED SENTENCE.....	401	81.5	425	74.1	377	60.3	405	64.8	546	96.1
LOCAL JAILS, WORKHOUSES, ETC.....	13	2.6	25	4.4	48	7.8	57	9.1	59	10.4
FINE OR INSTITUTIONS FOR JUVENILES ONLY.....	0	0	0	0	0	0	0	0	0	0
OTHER SENTENCE.....	0	0	0	0	0	0	0	0	0	0

TABLE 2.—PROCEDURAL OUTCOME OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	514	100.0	600	100.0	632	100.0	651	100.0	568	100.0
ELIMINATED WITHOUT CONVICTION.....	22	4.3	29	4.8	7	1.1	26	4.0	8	1.4
DISMISSED OR NOLLE PROSEQUI.....	17	3.3	17	2.8	7	1.1	26	4.0	4	0.7
ACQUITTED BY COURT (JURY WAIVED).....	4	0.8	11	1.8	0	0	0	0	0	0
ACQUITTED BY JURY.....	4	0.8	11	1.8	0	0	0	0	0	0
OTHER FINAL DISPOSITION.....	0	0	0	0	0	0	0	0	0	0
CONVICTION RATE.....	492	95.7	571	95.2	625	98.9	625	96.0	560	98.6
NOLO CONTENDERE.....	486	94.6	565	94.2	625	98.9	625	96.0	557	98.1
COURT FINDS GUILTY (JURY WAIVED).....	6	1.2	6	1.0	0	0	0	0	3	0.5
JURY VERDICT GUILTY.....	0	0	0	0	0	0	0	0	0	0

¹INCLUDES PLEAS OF GUILTY.

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: RHODE ISLAND, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT						
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					BEATH PENALTY	STATE PRISON OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAIL OR WORKHOUSES, ETC.	FINE OR INSTITUTIONS FOR JUVENILES ONLY	OTHER SENTENCE	
	TOTAL DISPOSED OF	DISMISSED OR NOLLE PROSEQUI	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED	CONVICTION BY COURT (JURY WAIVED)	CONVICTION BY VERDICT	CONVICTION BY GUILTY PLEA	CONVICTION BY WAIVED							
ALL OFFENSES.....	797	296	290	1	4	1	493	-	8	-	-	72	407	19	3	-	-
MAJOR OFFENSES, TOTAL.....	514	22	17	1	4	-	486	-	6	-	-	71	401	17	3	-	-
MURDER.....	2	1	1	1	1	-	1	-	1	-	-	1	-	-	-	-	-
MANSLAUGHTER.....	2	1	1	1	1	-	1	-	1	-	-	1	-	-	-	-	-
ROBBERY.....	28	3	2	-	1	-	25	21	4	-	-	17	1	1	-	-	-
AGGRAVATED ASSAULT.....	224	3	2	-	1	-	221	217	4	-	-	20	17	2	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	14	1	1	-	1	-	13	13	0	-	-	2	10	1	-	-	-
AUTO THEFT.....	122	3	2	1	1	-	119	119	0	-	-	6	108	4	-	-	-
EMBEZZLEMENT AND FRAUD.....	3	1	1	-	1	-	3	3	0	-	-	2	2	1	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	24	1	1	1	1	-	23	23	0	-	-	1	20	2	-	-	-
FORGERY AND COUNTERFEITING.....	8	1	1	1	1	-	7	7	0	-	-	1	6	1	-	-	-
RAPE.....	12	1	1	1	1	-	11	11	0	-	-	5	11	1	-	-	-
COMMERCIALIZED VICE.....	17	2	1	1	1	-	15	15	0	-	-	1	14	1	-	-	-
OTHER SEX OFFENSES.....	11	1	1	1	1	-	10	10	0	-	-	1	7	2	-	-	-
DRUG VIOLATIONS.....	11	1	1	1	1	-	10	10	0	-	-	1	6	3	-	-	-
CARRYING, ETC. WEAPONS.....	12	1	3	3	2	-	9	9	0	-	-	1	7	2	-	-	-
OTHER MAJOR OFFENSES.....	5	2	2	2	2	-	3	3	0	-	-	1	3	2	-	-	-
ARSON.....	5	2	2	2	2	-	3	3	0	-	-	1	2	2	-	-	-
BIGAMY.....	2	1	1	1	1	-	1	1	0	-	-	1	1	0	-	-	-
BLACKMAIL AND EXTORTION.....	5	2	2	2	2	-	3	3	0	-	-	1	2	2	-	-	-
ESCAPE AND JAIL BREAK.....	5	2	2	2	2	-	3	3	0	-	-	1	2	2	-	-	-
OBSCENITY.....	1	1	1	1	1	-	1	1	0	-	-	1	1	0	-	-	-
PERJURY.....	1	1	1	1	1	-	1	1	0	-	-	1	1	0	-	-	-
MINOR OFFENSES, TOTAL.....	283	274	273	-	-	1	9	7	2	-	-	1	6	2	-	-	-

¹INCLUDES 1 PLEA OF GUILTY FOR BURGLARY.

²THIS GROUP INCLUDES MINOR ASSAULT, HOMICIDE, VIOLATIONS OF LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS. SYMBOLS USED IN THIS REPORT: - IN NUMBER COLUMNS INDICATE "NO CASES"; 0.0 INDICATES "LESS THAN ONE-TENTH OF 1 PERCENT."

JUDICIAL CRIMINAL STATISTICS

MONTANA, 1941

The Bureau of the Census received from clerks of court in Montana reports on 503 defendants charged with major offenses who were disposed of in the district courts of the 56 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome of defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction whose cases were disposed of by the court during the calendar year. If not convicted, a defendant charged with more than one offense was tabulated by the most serious offense charged, but in the case of conviction, by the most serious offense of which convicted.

Of the 503 defendants charged with major offenses in 1941, 398, or about 8 out of every 10, were convicted and sentenced; and of these, 300, or about 15 out of every 20, were sentenced to prisons or reformatories; 64, or about 3 out of every 20, were placed on probation or given a suspended sentence. Of the 10 defendants who were charged with murder, 7 were convicted and imprisoned. Of the 354 defendants charged with major crimes against property in 1941 (burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 304, or about 8 out of every 10, were convicted. Of the 100 persons charged with major crimes against the person (murder, manslaughter, robbery, aggravated assault, and rape) 65, or about 7 out of every 10, were con-

victed. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses has decreased to 89.9 in 1941 from 111.3 in 1937. The rate for defendants convicted of major offenses has decreased from 87.6 in 1938 to 71.1 in 1941. More defendants were charged and convicted of larceny than of any other offense during 1941, although the rates in previous years were generally higher for burglary. Convictions for forgery and counterfeiting ranked second in volume in 1941, for the first time, the rate per 100,000 population having steadily increased since 1937. The rate for defendants convicted of larceny in 1941 was 19.1; forgery and counterfeiting, 16.1; and burglary, 14.3. The rate for defendants convicted of murder in 1941 was 1.3 as compared with 2.3 in 1937. (See table 1.)

During the past 5 years, 8 or 9 out of every 10 defendants charged with major offenses were convicted. Although the percent of defendants convicted decreased to 79.1 in 1941 from 85.8 in 1938, it was not so low as in 1937 when only 77.1 percent were convicted. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 68.6 percent of all defendants pleaded guilty, whereas only 6.9 percent were found guilty by jury and 1.6 percent by court. (See table 2.)

Nearly three-fourths of all defendants convicted during each of the past 5 years were sentenced to imprisonment in a State prison or reformatory. In 1941, 75.4 percent of all convicted defendants were so sentenced, as compared with 16.1 percent placed on probation or given a suspended sentence, and 4.3 percent sentenced to local jails or workhouses. In 1940, 77.5 percent were sentenced to State prisons or reformatories, while in 1938 the percentage was 70.9. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN MONTANA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	503	549	375	345	586	89.9	98.1	97.0	102.1	111.3
MURDER.....	10	8	8	5	18	1.8	1.4	2.1	1.5	3.4
MANSLAUGHTER.....	5	5	6	19	15	0.9	0.9	1.6	1.8	2.8
ROBBERY.....	27	31	16	18	42	4.8	5.5	4.1	5.6	7.6
AGGRAVATED ASSAULT.....	22	30	22	18	42	3.9	5.4	5.7	5.3	8.0
BURGLARY.....	99	149	93	89	139	17.7	26.6	24.1	26.3	26.4
LARCENY, EXCEPT AUTO THEFT.....	134	115	97	81	130	24.0	20.6	25.1	24.0	24.7
AUTO THEFT.....	19	42	14	21	28	3.4	7.5	3.6	6.2	5.3
EMBEZZLEMENT AND FRAUD.....	7	7	12	12	13	1.3	1.3	3.1	3.6	2.5
STOLEN PROPERTY, RECEIVING, ETC.....	7	28	6	6	11	1.3	5.0	1.6	1.8	2.1
FORGERY AND COUNTERFEITING.....	98	91	61	46	54	17.5	16.3	15.8	13.6	10.3
RAPE.....	36	27	13	17	45	6.4	4.8	3.4	5.0	8.5
OTHER MAJOR OFFENSES.....	39	16	27	25	51	7.0	2.9	7.0	7.4	9.7
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	398	453	321	296	452	71.1	81.0	83.1	87.6	85.9
MURDER.....	7	5	6	5	12	1.3	0.9	1.6	1.5	2.3
MANSLAUGHTER.....	3	1	3	2	7	0.5	0.2	0.8	0.6	1.3
ROBBERY.....	21	23	10	16	33	3.8	4.1	2.6	4.7	6.3
AGGRAVATED ASSAULT.....	18	23	20	15	21	3.2	4.1	5.2	4.4	4.0
BURGLARY.....	80	131	89	81	119	14.3	23.4	23.0	24.0	22.6
LARCENY, EXCEPT AUTO THEFT.....	107	95	78	69	103	19.1	17.0	20.2	20.4	19.6
AUTO THEFT.....	15	33	14	20	25	2.7	5.9	3.6	5.9	4.7
EMBEZZLEMENT AND FRAUD.....	6	4	9	10	8	1.1	0.7	2.3	3.0	1.5
STOLEN PROPERTY, RECEIVING, ETC.....	6	26	4	6	10	1.1	4.5	1.0	1.5	1.9
FORGERY AND COUNTERFEITING.....	90	84	58	44	52	16.1	15.1	15.0	13.0	10.0
RAPE.....	16	17	9	12	22	2.9	3.0	2.3	3.6	4.2
OTHER MAJOR OFFENSES.....	29	11	21	17	40	5.2	2.0	5.4	5.0	7.6

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 96.5 PERCENT OF THE POPULATION OF THE STATE FOR 1937, 61.9 PERCENT FOR 1938, 70.0 PERCENT FOR 1939, AND 100.0 PERCENT FOR 1940-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON LATEST ESTIMATED POPULATION. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

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

DEFENDANTS SENTENCED.....	1941		1940		1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEATH PENALTY.....	300	75.4	351	77.5	248	77.3	210	70.9	338	74.8	338	74.8	338	74.8
PROBATION OR SUSPENDED SENTENCE.....	64	16.1	62	13.7	46	14.3	58	19.6	90	19.9	90	19.9	90	19.9
LOCAL JAILS, WORKHOUSES, ETC.....	17	4.3	24	5.3	13	4.0	22	7.4	15	3.3	15	3.3	15	3.3
FINE OR COSTS ONLY.....	9	2.3	5	1.1	6	1.9	1	0.3	4	0.9	4	0.9	4	0.9
INSTITUTIONS FOR JUVENILES.....	8	2.0	11	2.4	7	2.2	4	1.4	5	1.1	5	1.1	5	1.1
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0	-	0	-	0

TABLE 2.—PROCEDURAL OUTCOME OF DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	503	100.0	549	100.0	375	100.0	345	100.0	586	100.0
ELIMINATED WITHOUT CONVICTION.....	105	20.9	97	17.5	51	14.4	46	14.2	132	22.1
DISMISSED.....	90	17.9	71	12.9	43	11.5	35	10.1	100	17.1
ACQUITTED BY JURY (JURY WAIVED).....	14	2.8	21	3.8	10	2.7	14	4.1	28	4.8
OTHER NO-MERIT DISPOSITION.....	398	79.1	453	82.5	321	85.6	296	85.8	452	77.1
PLEA OF GUILTY.....	345	68.6	390	71.0	294	78.4	275	79.7	379	64.7
COURT FINDS GUILTY (JURY WAIVED).....	8	1.6	21	3.8	4	1.1	3	0.9	0	0
JURY VERDICT GUILTY.....	43	8.5	42	7.7	23	6.7	13	3.2	69	11.3

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MONTANA, 1941

OFFENSE	PROCEDURAL OUTCOME										CONVICTED AND SENTENCED										SENTENCE OR TREATMENT														
	TOTAL DISPOSED WITHOUT CONVICTION		DISPOSED OF WITHOUT CONVICTION		ACQUITTED (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED AND SENTENCED		PLEA OF GUILTY		COURT FINDS GUILTY (JURY WAIVED)		COURT JURY VERDICT GUILTY		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR DELINQUENT ONLY		OTHER SENTENCE				
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT			
ALL OFFENSES.....	609	100.0	132	21.7	114	18.7	17	2.8	1	0.2	477	78.3	403	66.2	19	3.1	55	9.0	-	0	310	50.9	75	12.3	25	4.1	46	7.5	20	3.3	-	0			
MAJOR OFFENSES, TOTAL.....	503	100.0	105	20.9	90	17.9	14	2.8	1	0.2	398	79.1	345	68.6	8	1.6	45	9.0	-	0	300	59.6	64	12.7	17	3.4	9	1.8	8	1.6	-	0			
MURDER.....	10	2.0	3	3.0	1	1.0	2	2.0	0	0.0	7	7.0	3	3.0	-	-	4	4.0	-	-	3	3.0	7	7.0	-	-	-	-	-	-	-	-	-		
MANSLAUGHTER.....	5	1.0	2	2.0	1	1.0	1	1.0	0	0.0	3	3.0	3	3.0	-	-	2	2.0	-	-	3	3.0	2	2.0	-	-	-	-	-	-	-	-	-		
ROBBERY.....	27	5.4	4	4.0	3	3.0	1	1.0	1	1.0	21	21.0	19	19.0	-	-	2	2.0	-	-	12	12.0	2	2.0	-	-	-	-	-	-	-	-	-	-	
AGGRAVATED ASSAULT.....	95	19.0	19	19.0	19	19.0	1	1.0	1	1.0	80	80.0	66	66.0	-	-	5	5.0	-	-	64	64.0	14	14.0	-	-	-	-	-	-	-	-	-	-	
LEWDNESS, EXCEPT AUTO THEFT.....	134	26.8	27	27.0	22	22.0	5	5.0	1	1.0	107	107.0	95	95.0	-	-	2	2.0	-	-	68	68.0	26	26.0	-	-	-	-	-	-	-	-	-	-	
AUTO THEFT.....	19	3.8	4	4.0	4	4.0	1	1.0	1	1.0	15	15.0	14	14.0	-	-	1	1.0	-	-	9	9.0	3	3.0	-	-	-	-	-	-	-	-	-	-	
EMBEZZLEMENT AND FRAUD.....	7	1.4	1	1.0	1	1.0	1	1.0	0	0.0	6	6.0	5	5.0	-	-	1	1.0	-	-	5	5.0	1	1.0	-	-	-	-	-	-	-	-	-	-	
STOLEN PROPERTY, RECEIVING, ETC.....	98	19.6	1	1.0	1	1.0	7	7.0	2	2.0	90	90.0	69	69.0	-	-	1	1.0	-	-	79	79.0	2	2.0	-	-	-	-	-	-	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	50	10.0	20	20.0	10	10.0	2	2.0	1	1.0	18	18.0	11	11.0	-	-	4	4.0	-	-	13	13.0	2	2.0	-	-	-	-	-	-	-	-	-	-	-
COMMERCIALIZED VICE.....	12	2.4	2	2.0	1	1.0	1	1.0	0	0.0	10	10.0	7	7.0	-	-	3	3.0	-	-	8	8.0	1	1.0	-	-	-	-	-	-	-	-	-	-	-
VIOLATING DRUG LAWS.....	8	1.6	2	2.0	1	1.0	1	1.0	0	0.0	7	7.0	7	7.0	-	-	3	3.0	-	-	6	6.0	1	1.0	-	-	-	-	-	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	11	2.2	2	2.0	2	2.0	1	1.0	0	0.0	7	7.0	6	6.0	-	-	1	1.0	-	-	6	6.0	1	1.0	-	-	-	-	-	-	-	-	-	-	-
OTHER MAJOR OFFENSES.....	11	2.2	4	4.0	4	4.0	0	0.0	0	0.0	7	7.0	6	6.0	-	-	1	1.0	-	-	2	2.0	1	1.0	-	-	-	-	-	-	-	-	-	-	
ABORTION.....	3	0.6	2	2.0	2	2.0	0	0.0	0	0.0	1	1.0	1	1.0	-	-	1	1.0	-	-	1	1.0	1	1.0	-	-	-	-	-	-	-	-	-	-	
ARSON.....	2	0.4	1	1.0	1	1.0	0	0.0	0	0.0	1	1.0	1	1.0	-	-	1	1.0	-	-	1	1.0	1	1.0	-	-	-	-	-	-	-	-	-	-	
BOMBING.....	1	0.2	1	1.0	1	1.0	0	0.0	0	0.0	1	1.0	1	1.0	-	-	1	1.0	-	-	1	1.0	1	1.0	-	-	-	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	4	0.8	1	1.0	1	1.0	0	0.0	0	0.0	4	4.0	4	4.0	-	-	1	1.0	-	-	4	4.0	1	1.0	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	1	0.2	1	1.0	1	1.0	0	0.0	0	0.0	1	1.0	1	1.0	-	-	1	1.0	-	-	1	1.0	1	1.0	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	1	0.2	1	1.0	1	1.0	0	0.0	0	0.0	1	1.0	1	1.0	-	-	1	1.0	-	-	1	1.0	1	1.0	-	-	-	-	-	-	-	-	-	-	
MINOR OFFENSES.....	106	21.0	27	25.5	24	23.0	3	2.8	0	0.0	79	74.5	58	54.7	11	10.4	10	9.4	-	-	10	9.4	11	10.4	9	8.5	37	34.9	12	11.3	-	-	-	-	

THIS GROUP INCLUDES MINOR ASSAULT; INDECENT EXPOSURE; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS. SYMBOLS USED IN THIS REPORT: - IN NUMBER COLUMNS AND 0 IN RATE OR PERCENT COLUMNS INDICATE "NO CASES."

JUDICIAL CRIMINAL STATISTICS

NEW YORK, 1941

The Bureau of the Census received from the New York State Department of Correction reports on 9,432 defendants charged with major offenses who were disposed of in the trial courts of the 62 counties (including the 5 counties that are boroughs of New York City) during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment for all defendants disposed of in 1941 are presented, by offense, in table 4.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and, in the case of conviction, by the offense for which sentenced.

Of the 9,432 defendants charged with major offenses in 1941, 7,102, or about 8 out of every 10, were convicted and sentenced; of these, 2,865, or about 8 out of every 20, were sentenced to imprisonment in a State institution for adults; 2,494, or about 7 out of every 20, were placed on probation or given a suspended sentence; and 1,659, or about 5 out of every 20, were sentenced to imprisonment in a local institution. Of the 114 defendants charged with murder, 65 were convicted; of these, 21 received the death penalty and 42 were imprisoned in a State prison or reformatory. Of the 5,631 defendants charged with major crimes against property in 1941 (burglary, lar-

sony, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 4,691, or about 8 out of every 10, were convicted. Of the 2,265 persons charged with major crimes against the person (murder, manslaughter, robbery, aggravated assault, and rape) 1,572, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses has fluctuated from year to year, but the greatest change was a decrease from 80.1 in 1940 to 70.0 in 1941. The rate for defendants convicted of major offenses increased from 57.8 in 1937 to 59.3 in 1939 and then decreased to 52.7 in 1941. More defendants were charged with and convicted of larceny in 1941, 1940, and 1937 than of any other offense, while in 1939 and 1938 more were charged with and convicted of burglary. In 1941 the rate for defendants convicted of larceny was 16.2, as compared with 10.7 for burglary, whereas in 1939 the rate for burglary was 15.4, as compared with 15.2 for larceny. The rate for defendants convicted of murder has remained rather constant at 0.5 or 0.6 during the past 5 years. (See table 1.)

During the 5-year period, about 3 out of every 4 defendants charged with major offenses were convicted. The percentage of defendants convicted fluctuated from year to year, being 75.3 in 1941, as compared with 72.6 in 1940 and 78.0 in 1939. Data showing procedural outcome for defendants convicted is not available for New York. (See table 2.)

Annually over the past 5 years, about two-fifths of all convicted defendants have been sentenced to imprisonment in State institutions, but the percentage so sentenced has shown a slight decrease (43.6 percent to 40.3) from 1938 to 1941. The percentage of defendants placed on probation or given a suspended sentence increased from 31.8 in 1937 to 36.3 in 1940, but dropped to 35.1 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW YORK, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	9,432	10,797	10,153	10,687	10,316	70.0	80.1	76.0	79.4	76.8
MURDER.....	114	146	106	112	141	0.8	1.1	0.8	0.8	1.1
MANSLAUGHTER.....	229	210	222	222	251	1.7	1.6	1.7	1.7	1.9
ROBBERY.....	818	1,179	947	1,169	995	6.1	8.7	7.1	8.7	7.4
AGGRAVATED ASSAULT.....	737	787	816	924	924	5.5	5.9	6.1	6.9	7.4
BURGLARY.....	1,817	2,359	2,413	2,491	2,297	13.5	17.5	18.1	18.5	16.4
LARCENY, EXCEPT AUTO THEFT.....	2,485	2,799	2,375	2,453	2,601	18.4	20.8	17.8	18.2	19.4
AUTO THEFT.....	778	789	732	653	644	5.8	5.9	5.5	4.9	4.1
EMBEZZLEMENT AND FRAUD.....	20	30	17	41	158	0.1	0.2	0.1	0.3	1.2
STOLEN PROPERTY, RECEIVING, ETC.....	174	221	177	231	202	1.3	1.6	1.3	1.7	1.5
FORGERY AND COUNTERFEITING.....	357	505	408	446	335	2.6	3.7	3.1	3.3	2.5
RAPE.....	367	433	437	398	438	2.7	3.2	3.3	3.0	3.3
OTHER MAJOR OFFENSES.....	1,536	1,339	1,503	1,547	1,446	11.4	9.9	11.2	11.5	10.8
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	7,102	7,834	7,924	7,803	7,760	52.7	58.1	59.3	58.0	57.8
MURDER.....	65	85	61	67	77	0.5	0.6	0.5	0.5	0.6
MANSLAUGHTER.....	163	149	139	125	160	1.2	1.1	1.0	0.9	1.2
ROBBERY.....	579	700	691	793	694	4.3	5.2	5.2	5.9	5.2
AGGRAVATED ASSAULT.....	526	484	568	607	662	3.9	3.6	4.3	4.5	4.9
BURGLARY.....	1,448	1,883	2,058	2,080	1,914	10.7	14.0	15.4	15.3	14.3
LARCENY, EXCEPT AUTO THEFT.....	2,190	2,294	2,026	2,045	2,128	16.2	17.0	15.2	15.2	15.9
AUTO THEFT.....	659	665	623	535	456	4.9	4.9	4.7	4.0	3.4
EMBEZZLEMENT AND FRAUD.....	14	10	5	15	76	0.1	0.1	0.0	0.1	0.6
STOLEN PROPERTY, RECEIVING, ETC.....	96	114	85	80	106	0.7	0.8	0.6	0.6	0.8
FORGERY AND COUNTERFEITING.....	284	366	327	333	251	2.1	2.7	2.4	2.5	1.9
RAPE.....	239	243	294	249	299	1.8	1.8	2.2	1.9	2.2
OTHER MAJOR OFFENSES.....	839	841	1,047	894	937	6.2	6.2	7.8	6.6	7.0

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937 AND 1938, APPROXIMATELY 99.0 PERCENT FOR 1939, AND 100 PERCENT FOR 1940 AND 1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

SYMBOL: 0.0 INDICATES "LESS THAN ONE-TENTH OF 1 PER 100,000 POPULATION."

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	9,432	100.0	10,797	100.0	10,153	100.0	10,687	100.0	10,316	100.0
ELIMINATED WITHOUT CONVICTION.....	2339	24.7	2663	27.4	2229	22.0	2264	22.0	2556	24.8
DISMISSED.....	1720	18.3	1413	13.1	1332	13.1	1366	12.8	1659	16.1
ACQUITTED BY COURT (JURY WAIVED).....	311	3.3	510	4.7	573	5.6	765	7.2	897	8.7
ACQUITTED BY JURY.....	289	3.1	10-40	9.6	324	3.2	133	1.2	0	0
OTHER NON-FINALITY DISPOSITION.....	7102	75.3	7834	72.6	7924	78.0	7893	73.0	7760	75.2
PLEA OF GUILTY.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
COURT FINDS GUILTY (JURY WAIVED).....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
JURY VERDICT GUILTY.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	7102	100.0	7634	100.0	7924	100.0	7893	100.0	7760	100.0
DEATH PENALTY.....	21	0.3	24	0.3	23	0.3	20	0.3	18	0.2
STATE PRISONS OR REFORMATORIES.....	2865	40.3	3303	43.9	3338	42.1	3400	43.6	3317	42.7
PROBATION OR SUSPENDED SENTENCE.....	2494	35.1	2245	29.3	2772	35.0	2853	36.7	2465	31.8
LOCAL JAILS, WORKHOUSES, ETC.....	1659	23.4	1739	21.9	1729	21.8	1699	21.8	1877	24.2
FINE OR COSTS ONLY.....	45	0.6	20	0.4	55	0.7	20	0.3	40	0.5
INSTITUTIONS FOR JUVENILES.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
OTHER SENTENCES.....	18	0.3	14	0.2	7	0.1	31	0.4	16	0.2

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW YORK, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																			
	TOTALS DISPOSED OF					DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY					FINE OR COSTS ONLY					INSTITUTIONS FOR JUVENILES OR DELINQUENTS ONLY				
	TOTAL	DISEMPOWERED	ACQUITTED	OTHER	TOTAL CONVICTED	DISMISSED	ACQUITTED (COURT WAIVED)	ACQUITTED (JURY WAIVED)	OTHER	TOTAL CONVICTED	IDEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	INSTITUTIONS FOR JUVENILES OR DELINQUENTS ONLY	OTHER SENTENCE											
ALL OFFENSES.....	11,297	2,728	2,060	333	333	839	8,515	7,102	21	2,981	3,163	2,216	106	18	18	18	18	18	18											
MAJOR OFFENSES, TOTAL.....	9,432	2,330	1,730	289	289	7,102	6,143	5,000	21	2,865	2,494	1,659	45	18	18	18	18	18	18											
MURDER.....	114	49	29	11	11	9	65	9	21	42	53	27	21	2	2	2	2	2	2											
MANSLAUGHTER.....	229	66	36	21	21	9	163	9	21	130	13	4	21	2	2	2	2	2	2											
ROBBERY.....	518	259	176	38	38	25	579	38	25	579	38	27	25	3	3	3	3	3	3											
DISARMED ASSAULT.....	1,577	511	332	53	53	16	1,246	16	53	1,246	16	72	53	7	7	7	7	7	7											
AGGRAVATED ASSAULT.....	2,485	829	529	31	31	59	2,025	31	59	2,025	31	481	31	2	2	2	2	2	2											
LARCENY, EXCEPT AUTO THEFT.....	776	119	88	10	10	21	659	10	21	659	10	481	10	1	1	1	1	1	1											
AUTO THEFT.....	20	6	6	0	0	0	14	0	0	14	0	4	0	0	0	0	0	0	0											
EMBEZZLEMENT AND RAID.....	174	78	43	21	21	9	96	21	21	96	21	53	21	1	1	1	1	1	1											
STOLEN PROPERTY, RECEIVING, ETC.....	357	73	50	18	18	5	284	18	18	284	18	113	18	4	4	4	4	4	4											
FORGERY AND COUNTERFEITING.....	367	128	87	23	23	9	280	23	23	280	23	98	23	4	4	4	4	4	4											
RAPE.....	15	5	4	1	1	0	10	1	1	10	1	4	1	0	0	0	0	0	0											
COMMERCIALIZED VICE.....	38	15	6	14	14	17	23	14	17	23	14	138	14	5	5	5	5	5	5											
VIOLATING ORS.....	382	65	54	6	6	5	297	6	6	297	6	107	6	8	8	8	8	8	8											
CARRYING, ETC., WEAPONS.....	793	530	459	32	32	39	263	32	39	263	32	102	32	20	20	20	20	20	20											
OTHER MAJOR OFFENSES.....	94	29	24	2	2	3	65	2	2	65	2	38	2	11	11	11	11	11	11											
ABORTION.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ARSON.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
BIGAMY.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ELUCIDATION AND EXTORTION.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
BLACKMAIL AND EXTORTION.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
KNIFE AND FIREARMS VIOLATIONS.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
PERJURY.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
MINOR OFFENSES.....	1,815	402	330	22	22	50	1,413	22	22	1,413	22	669	22	61	61	61	61	61	61											

THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN LOWER COURTS.

SYMBOLS: CLASS OR ITEM NOT APPLICABLE... DATA NOT AVAILABLE... QUANTITY ZERO, IN NUMBER COLUMNS — QUANTITY ZERO, IN PERCENT COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

NEW HAMPSHIRE, 1941

The Bureau of the Census received from the clerks of court in New Hampshire reports on 337 defendants charged with major offenses who were disposed of in the superior courts of the 10 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 337 defendants charged with major offenses in 1941, 301, or about 9 out of every 10, were convicted and sentenced; of these, 130, or about 4 out of every 10, were placed on probation or had sentence suspended; and 83, or about 3 out of every 10, were sentenced to imprisonment in a State institution for adults. There were no convictions for murder, but there were 3 convictions for manslaughter. Of the 220 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 202, or about 18 out of every 20, were convicted. Of the 57 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 49, or about 17 out of every 20, were

convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed an increase from 88.5 in 1937 to 103.0 in 1938, but had decreased to 68.6 by 1941. The rate for defendants convicted of major offenses fluctuated from year to year, being highest at 80.6 in 1938 and lowest at 61.2 in 1941. More defendants were charged with and convicted of burglary than of any other offense in 1938, 1939, and 1941, but in 1937 and 1940, more were charged with and convicted of larceny. The rate for defendants convicted of burglary was 14.9 in 1941 as compared with 11.6 for larceny, whereas in 1937 the rate for larceny was 23.5 as compared with 16.1 for burglary. The rate for burglary reached the highest peak at 24.7 in 1938 and then steadily declined. In 1939 there were six defendants convicted of murder (a rate of 1.2 per 100,000 population) as compared with none in 1941 and one (a rate of 0.2) in 1940. (See table 1.)

During the past 5 years, 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted increased from 77.3 in 1939 to 88.2 in 1940 and to 89.3 in 1941, having decreased from 84.6 in 1937 to 78.2 in 1938. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 61.3 percent of all defendants pleaded guilty, whereas only 5.3 percent were found guilty by court and 2.7 percent by jury. (See table 2.)

Nearly one-half of all defendants convicted during the past 5 years were placed on probation or had sentence suspended. The proportion of these convicted defendants increased from 39.2 percent in 1937 to 53.0 percent in 1940, but declined to 43.9 percent in 1941. The proportion of defendants sentenced to imprisonment in a State institution for adults decreased from 31.7 in 1937 to 27.0 in 1939, but increased to 27.3 percent in 1940 and 27.6 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW HAMPSHIRE, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	337	432	436	496	422	68.6	87.9	89.3	103.0	88.5
MURDER.....	1	1	8	3	3	0.2	0.2	1.8	0.6	0.6
MANSLAUGHTER.....	3	2	4	4	9	0.6	0.4	0.8	0.8	1.9
ROBBERY.....	10	18	15	15	9	2.0	1.6	3.1	3.1	1.9
AGGRAVATED ASSAULT.....	19	13	15	15	8	3.9	2.6	3.7	3.1	1.3
BURGLARY.....	79	90	109	150	91	16.1	18.3	22.3	31.1	19.1
LARCENY, EXCEPT AUTO THEFT.....	59	98	78	105	128	12.0	19.9	16.0	21.8	26.4
AUTO THEFT.....	15	24	20	16	15	3.1	4.9	4.1	3.3	3.1
EMBEZZLEMENT AND FRAUD.....	32	54	74	75	38	6.5	11.0	15.1	15.6	8.0
STOLEN PROPERTY, RECEIVING, ETC.....	7	4	5	5	1	1.4	0.8	1.0	1.0	0.2
FORGERY AND COUNTERFEITING.....	18	20	10	10	16	3.7	4.1	2.0	2.1	3.6
RAPE.....	34	27	29	30	51	6.9	5.5	5.9	6.2	10.7
OTHER MAJOR OFFENSES.....	60	91	66	68	55	12.2	16.5	13.5	14.1	11.5
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	301	381	337	368	357	61.2	77.5	89.0	80.6	74.8
MURDER.....	-	1	6	1	2	0	0.2	1.2	0.2	0.4
MANSLAUGHTER.....	3	1	4	4	6	0.6	0.2	0.6	0.8	1.3
ROBBERY.....	9	13	11	11	6	1.8	1.6	2.7	2.3	1.7
AGGRAVATED ASSAULT.....	17	12	14	11	8	3.5	2.4	2.9	2.3	1.3
BURGLARY.....	73	86	95	119	77	14.9	17.5	19.4	24.7	18.1
LARCENY, EXCEPT AUTO THEFT.....	57	92	69	89	112	11.6	18.7	14.1	18.5	23.5
AUTO THEFT.....	13	21	17	14	11	2.6	4.3	3.5	2.9	2.3
EMBEZZLEMENT AND FRAUD.....	26	43	32	52	27	5.3	8.7	6.6	10.8	5.7
STOLEN PROPERTY, RECEIVING, ETC.....	7	3	4	4	1	1.4	0.6	0.8	0.8	0.2
FORGERY AND COUNTERFEITING.....	17	18	9	10	17	3.5	3.7	1.8	2.1	3.6
RAPE.....	29	20	20	24	41	5.9	4.1	4.1	5.0	8.6
OTHER MAJOR OFFENSES.....	50	78	55	49	49	10.2	15.5	11.3	10.2	10.3

NOTE.—Reports cover 100 percent of the population of the State for 1937-1941. Rates for 1940 and 1941 based on enumerated population of 1940; for 1937-1939 on estimated populations.

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	301	100.0	331	100.0	337	100.0	368	100.0	357	100.0
DEATH PENALTY.....	0	0	0	0	0	0	0	0	1	0.3
STATE PRISONS OR REFORMATORIES.....	83	27.6	104	27.3	91	27.0	113	29.1	113	31.7
PROBATION OR SUSPENDED SENTENCE.....	130	43.9	202	53.0	176	52.2	195	50.3	140	39.2
LOCAL JAILS, WORKHOUSES, ETC.....	66	22.3	66	19.9	15	4.5	18	4.9	95	26.8
FINE OR COSTS ONLY.....	3	1.0	1	0.3	3	0.9	1	0.3	14	4.0
OTHER SENTENCE.....	12	4.0	1	0	0	0	1	0.3	1	0.3

TABLE 2. —PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	337	100.0	432	100.0	436	100.0	422	100.0
ELIMINATED WITHOUT CONVICTION.....	36	10.7	51	11.8	99	22.7	108	21.8
ACQUITTED BY COURT (JURY WAIVED).....	31	9.2	38	8.8	86	19.7	80	16.1
ACQUITTED BY JURY.....	1	0.3	6	1.4	9	2.1	18	4.6
OTHER NON-PENALTY DISPOSITION.....	4	1.2	6	1.4	4	0.9	18	3.6
CONVICTED.....	301	89.3	381	88.2	337	77.3	387	84.6
PLEA OF GUILTY.....	19	5.7	305	80.2	354	76.6	353	70.7
COURT FINDS GUILTY.....	19	5.7	12	2.8	3	0.7	32	6.5
JURY VERDICT GUILTY.....	1	0.3	1	0.3	0	0	23	5.5

TABLE 4. —DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: NEW HAMPSHIRE, 1941

OFFENSE	TOTAL MAJOR OFFENSES DISPOSED OF	PROCEDURAL OUTCOME						CONVICTED AND SENTENCED						SENTENCE OR TREATMENT																				
		DISPOSED OF WITHOUT CONVICTION			CONVICTED			PLEA FINDS GUILTY (JURY WAIVED)			JURY VERDICT GUILTY			DEATH PENALTY			STATE PRISONS OR REFORMATORIES			PROBATION OR SUSPENDED SENTENCE			LOCAL JAILS, WORKHOUSES, ETC.			FINE OR COSTS ONLY			INSTITUTIONS OR JUVENILE DELINQUENTS ONLY			OTHER SENTENCE		
		DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	TOTAL CONVICTED	OTHER	OTHER	PLEA FINDS GUILTY	OTHER	OTHER	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS OR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE																	
ALL OFFENSES.....	426	66	58	2	6	360	326	22	12	9	85	153	76	24	4	18																		
MAJOR OFFENSES, TOTAL.....	337	36	31	1	4	301	274	18	9	85	130	66	7	3	12																			
MURDER.....	1	1	-	-	1	1	-	-	-	-	2	1	-	-	-																			
MANSLAUGHTER.....	3	-	1	-	-	3	-	-	-	3	1	-	-	-	-																			
ROBBERY.....	19	2	1	-	-	17	13	-	4	6	3	-	-	-	-																			
BURGLARY, ASSAULT.....	79	6	2	-	-	73	68	5	1	23	28	14	3	1	1																			
LARCENY, EXCEPT AUTO THEFT.....	59	2	5	1	1	57	56	1	3	5	34	17	3	1	4																			
AUTO THEFT.....	15	2	2	-	-	13	10	3	2	1	8	4	-	-	1																			
EMBEZZLEMENT AND FRAUD.....	32	6	6	-	-	26	23	3	2	6	13	4	2	-	1																			
STOLEN PROPERTY, RECEIVING, ETC.....	17	1	1	-	-	17	17	-	-	6	6	1	-	-	1																			
FORGERY AND COUNTERFEITING.....	13	1	5	-	-	12	12	1	2	19	13	5	-	-	3																			
RAPE.....	34	1	1	-	-	33	26	7	1	19	12	5	-	-	2																			
OTHER SEX OFFENSES.....	47	8	6	-	-	39	36	2	1	12	17	10	-	-	3																			
VIOLATING DRUG LAWS.....	2	-	-	-	-	2	2	-	-	2	2	-	-	-	-																			
CARRYING, ETC., WEAPONS.....	11	2	1	-	-	9	9	1	1	4	9	2	-	-	1																			
OTHER MAJOR OFFENSES.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-																			
ABORTION.....	9	2	1	-	-	7	7	-	-	4	2	1	-	-	-																			
ARSON.....	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-																			
BOMBING AND EXPLOSION.....	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-																			
ECHEMISM, OBSCENITY.....	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-																			
KIDNAPING.....	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-																			
PERJURY.....	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-																			
MINOR OFFENSES ¹	89	30	27	1	2	59	52	4	3	2	23	10	17	1	6																			

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS USED IN THIS REPORT: — IN NUMBER COLUMNS AND 0 IN PERCENT COLUMNS INDICATE "NO CASES."

JUDICIAL CRIMINAL STATISTICS.

KANSAS, 1941

June 11, 1942

The Bureau of the Census received from clerks of court in Kansas reports on 1,424 defendants charged with major offenses who were disposed of in the district courts of the 105 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court, having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 1,424 defendants charged with major offenses in 1941, 986, or about 7 out of every 10, were convicted and sentenced; of these, 691, or about 7 out of 10, were sentenced to imprisonment in a State institution for adults; and 185, or about 2 out of every 10, were placed on probation or given a suspended sentence. Of the 21 defendants charged with murder, 10 were convicted and imprisoned. Of the 1,149 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 850, or about 7 out of every 10, were convicted. Of the 201 persons charged with major crimes against the person (murder, manslaughter, ag-

gravated assault, and rape), 92, or about 5 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased, in general, from 96.5 in 1937 to 79.1 in 1941, with the exception of an increase to 99.0 in 1939. The rate for defendants convicted of major offenses followed the same trend, decreasing from 72.2 in 1937 to 54.7 in 1941, with the rise of 1939 reaching 76.8. More defendants were charged with and convicted of larceny than of any other offense during the 5-year period; convictions for burglary ranked second in volume. Although the rate for defendants convicted of larceny was 25.8 in 1939, it had decreased to 15.8 by 1941. There were more convictions for murder in 1938 than in any other year—the rate for that year being 1.7 as compared with 0.6 for 1940 and 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted has fluctuated from year to year, but the greatest change was a decrease from 79.0 percent in 1940 to 69.2 percent in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 60.7 percent of all defendants pleaded guilty, whereas only 6.7 percent were found guilty by jury and 1.8 percent by court. (See table 2.)

About seven-tenths of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced has fluctuated from year to year, decreasing from 78.0 in 1938 to 65.1 in 1939 and from 71.2 in 1940 to 70.1 in 1941. The proportion placed on probation or given suspended sentence also fluctuated from year to year, decreasing from 15.1 in 1939 to 9.0 in 1940 and from 22.7 in 1939 to 18.7 in 1940, and registering a slight increase to 18.8 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN KANSAS, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,424	1,430	1,805	1,658	1,793	79.1	79.4	99.0	90.0	96.6
MURDER.....	21	16	29	40	54	1.2	0.9	1.6	2.2	1.8
MANSLAUGHTER.....	23	14	22	27	23	1.3	0.8	1.2	1.5	1.2
ROBBERY.....	72	54	71	78	98	4.0	3.0	3.9	4.2	5.3
AGGRAVATED ASSAULT.....	69	60	55	71	60	4.9	3.3	3.0	3.9	3.2
BURGLARY.....	89	290	301	270	266	14.8	16.1	16.5	14.7	15.4
LARCENY, EXCEPT AUTO THEFT.....	369	404	554	525	548	20.5	22.4	30.4	28.5	29.6
AUTO THEFT.....	95	72	76	95	93	5.3	4.0	4.2	5.2	5.0
EMBEZZLEMENT AND FRAUD.....	85	123	174	124	176	4.7	6.8	9.5	6.7	9.5
STOLEN PROPERTY, RECEIVING, ETC.....	29	25	27	33	31	1.6	1.4	1.5	1.8	1.7
FORGERY AND COUNTERFEITING.....	232	205	258	199	236	12.9	11.4	14.1	10.8	12.7
RAPE.....	68	70	100	89	76	3.8	3.9	5.6	4.8	4.1
OTHER MAJOR OFFENSES.....	74	97	138	107	152	4.1	5.4	7.6	5.8	7.1
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	986	1,130	1,400	1,294	1,341	54.7	62.7	76.8	70.3	72.2
MURDER.....	10	10	22	31	18	0.6	0.6	1.2	1.7	1.0
MANSLAUGHTER.....	14	11	15	18	12	0.8	0.6	0.8	1.0	0.6
ROBBERY.....	56	43	51	53	71	3.1	2.4	2.8	2.9	3.8
AGGRAVATED ASSAULT.....	37	36	39	40	30	2.0	2.0	2.1	2.2	1.6
BURGLARY.....	208	244	255	225	229	11.4	13.9	14.0	12.2	12.3
LARCENY, EXCEPT AUTO THEFT.....	285	345	470	449	461	15.8	19.2	25.8	24.4	24.8
AUTO THEFT.....	80	68	67	78	77	4.4	3.8	3.7	4.2	4.1
EMBEZZLEMENT AND FRAUD.....	36	70	86	73	81	2.0	3.9	4.7	4.0	4.4
STOLEN PROPERTY, RECEIVING, ETC.....	16	17	20	24	26	0.9	0.9	1.1	1.3	1.4
FORGERY AND COUNTERFEITING.....	171	182	213	160	191	9.5	10.1	11.7	8.7	10.3
RAPE.....	37	38	64	57	62	2.1	2.1	3.6	3.1	2.8
OTHER MAJOR OFFENSES.....	44	66	98	66	93	2.4	3.7	5.4	4.7	5.0

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1424	100.0	1430	100.0	1805	100.0	1658	100.0	1793	100.0
ELIMINATED WITHOUT CONVICTION	438	30.8	300	21.0	405	22.4	364	22.0	452	25.2
DISMISSED.....	374	26.3	244	17.1	335	18.6	265	16.0	380	21.2
ACQUITTED BY COURT (JURY WAIVED)	3	0.2	6	0.4	7	0.4	20	1.2	3	0.2
ACQUITTED BY JURY.....	58	4.1	49	3.4	61	3.4	61	3.7	64	3.6
OTHER NON-FELONY DISPOSITION.....	88	6.2	79	5.5	79	4.4	77	4.6	74	4.1
CONVICTED.....	864	60.7	1131	79.1	1400	77.6	1284	78.0	1341	74.8
COURT FINE OR GUILTY (JURY WAIVED)	26	1.8	107	7.4	1263	70.0	1093	65.9	1164	64.9
JURY VERDICT GUILTY.....	96	6.7	104	7.3	121	6.7	164	9.9	157	8.8

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

DEFENDANTS SENTENCED.....	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEATH PENALTY.....	0	0	0	0	0	0	0	0	0	0
STATE PRISONS OR REFORMATORIES.....	691	70.1	805	71.2	911	65.7	1009	76.0	950	71.7
PRISON OR SUSPENDED SENTENCE.....	185	18.8	210	18.6	183	13.2	110	8.5	158	11.8
LOCAL JAILS, WORKHOUSES, ETC.....	18	1.8	9	0.8	20	1.4	53	4.1	16	1.2
FINES OR INSTITUTIONS FOR JUVENILE DELINQUENTS.....	...	...	...	...	...	...	...	...	...	...
OTHER SENTENCE.....	1	0.1	0	0	0	0	0	0	0	0

FIGURES RELEASED AS REPORTED TO U.S. SUBSEQUENT INFORMATION INDICATES THAT THE REPORT WAS INCORRECT AND THAT KANSAS CRIMINAL COURTS COMMIT TO INDIVIDUALS TO JUVENILE INSTITUTIONS.

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: KANSAS, 1941

OFFENSE	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT								
	DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED			DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PRISON OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE		
	TOTAL DISPOSED OF WITHOUT CONVICTION	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY								COURT VERDICT GUILTY	JURY VERDICT GUILTY
ALL OFFENSES.....	2,284	793	5	86	8	1,392	1,217	36	139	727	323	271	70	...	1
MAJOR OFFENSES, TOTAL.....	1,424	374	3	58	3	986	864	26	96	691	185	91	18	...	1
MURDER.....	21	11	6	7	1	10	3	7	7	10	1	5	1	...	1
MANSLAUGHTER.....	23	14	6	5	2	14	8	8	8	6	2	2	...	...	...
ROBBERY.....	72	16	4	7	2	56	44	10	10	48	6	6	...	...	...
AGGRAVATED ASSAULT.....	89	50	1	7	1	31	157	2	2	16	23	12	...	...	...
BURGLARY.....	260	61	26	12	2	268	177	9	9	164	23	12	...	...	...
DRIVING WHILE INTOXICATED.....	369	174	15	12	...	289	233	4	4	189	71	34	10	...	1
AUTO THEFT.....	95	14	1	2	...	80	32	2	2	68	8	4	...	...	...
EMBEZZLEMENT AND FRAUD.....	85	49	42	3	2	36	32	2	2	13	6	2	2	...	...
STOLEN PROPERTY, RECEIVING ETC.....	229	15	12	12	1	16	14	2	2	8	6	2	4	...	...
FORGERY AND COUNTERFEITING.....	232	61	56	...	...	171	165	1	1	35	12	4	...	...	...
RAPE.....	68	31	27	4	4	37	27	1	9	34	3	...	...	...	...
COMMERCIALIZED VICE.....	18	10	1	1	1	8	7	1	1	6	1	1	1	...	...
OTHER SEX OFFENSES.....	11	1	1	1	1	8	7	1	1	6	1	1	1	...	...
VIOLATING DRUG LAWS.....	14	1	1	1	1	10	8	2	2	9	1	1	1	...	...
CARRYING, ETC., WEAPONS.....	40	16	14	7	4	23	19	3	3	10	5	7	...	...	...
OTHER MAJOR OFFENSES.....	14	5	3	2	2	9	7	2	2	5	3	1	4	...	...
ARSON.....	10	3	2	1	1	7	7	...	...	5	3	1	4	...	...
BIGAMY.....	2	2	2	1	1	2	2	...	...	2	1	2	...	...	...
BLAUGHTER AND EXTORTION.....	7	2	2	1	1	5	5	...	...	2	1	2	...	...	...
ESCAPE AND JAIL BREAK.....	3	2	2	1	1	1	1	...	...	1	1	...	...	...	...
KIDNAPING.....	4	4	4	1	1	1	1	...	...	1	1	...	...	...	...
PERJURY.....	860	454	419	2	28	5	406	355	10	43	138	180	52	...	...

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: CLASS OR ITEM NOT APPLICABLE

QUANTITY ZERO, IN NUMBER COLUMNS -

QUANTITY ZERO, IN PERCENT COLUMNS -

JUDICIAL CRIMINAL STATISTICS

WYOMING, 1941

June 11, 1942

The Bureau of the Census received from the clerks of court in Wyoming reports on 292 defendants charged with major offenses who were disposed of in the district courts of the 23 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 292 defendants charged with major offenses in 1941, 244, or about 8 out of every 10, were convicted and sentenced; of these, 135, or about 11 out of every 20 were sentenced to imprisonment in a State institution for adults; and 85, or about 7 out of every 20, were placed on probation or given a suspended sentence. Of the 5 defendants charged with murder, 4 were convicted and imprisoned. Of the 260 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 223, or about 9 out of every 10, were convicted. Of the 26 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and

rape), 16, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed a general decrease from 142.0 in 1937 to 116.5 in 1941, although a momentary rise was registered in 1939 when the rate jumped to 155.5. The rate for defendants convicted of major offenses followed the same trend, decreasing from 115.2 in 1937 to 97.3 in 1941, with a momentary peak of 129.7 in 1939. In 1941, 1938, and 1937, more defendants were charged with and convicted of larceny than of any other offense; in 1940 the convictions were the same for larceny as for burglary, while in 1939 they were higher for burglary. Convictions for forgery and counterfeiting ranked second in volume in 1941 for the first time. During the 5 years, the rate for larceny decreased, in general, from 42.9 in 1937 to 29.9 in 1941. Forgery and counterfeiting increased from 18.2 in 1937 to 23.5 in 1941, and burglary increased from 23.8 in 1937 to 36.8 in 1939 and then declined to 19.9 in 1941. (See table 1.)

During the past 5 years about 8 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted fluctuated from year to year, being 83.6 in 1941 as compared with 77.6 in 1940 and 83.4 in 1939. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 81.5 percent of all defendants pleaded guilty, whereas only 1.7 percent were found guilty by jury and 0.3 percent by court. (See table 2.)

Nearly three-fifths of all defendants convicted during the past 5 years have been sentenced to imprisonment in a State institution for adults. The proportion so sentenced each year has shown a definite decrease, from 63.0 percent in 1937 to 55.3 percent in 1941. In contrast, however, the proportion placed on probation or given a suspended sentence increased from 16.6 in 1938 to 34.8 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN WYOMING, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	292	322	385	317	328	116.5	128.4	155.5	136.0	142.0
MURDER.....	5	4	4	6	7	2.0	1.6	1.6	2.6	3.0
MANSLAUGHTER.....	2	5	7	1	4	0.8	2.0	2.8	0.4	1.7
ROBBERY.....	15	15	17	6	13	6.0	6.0	6.9	2.6	5.6
AGGRAVATED ASSAULT.....	10	10	17	15	10	4.0	4.0	6.9	6.5	4.3
BURGLARY.....	57	72	98	64	70	22.7	28.7	39.6	27.9	30.3
LARCENY, EXCEPT AUTO THEFT.....	85	82	92	82	114	33.9	32.7	37.2	35.7	49.4
AUTO THEFT.....	22	20	29	19	20	8.8	8.0	11.7	8.3	8.7
EMBEZZLEMENT AND FRAUD.....	10	28	22	30	11	4.0	11.2	8.9	13.1	4.8
STOLEN PROPERTY, RECEIVING, ETC.....	7	6	9	8	7	2.8	2.4	3.6	3.5	3.0
FORGERY AND COUNTERFEITING.....	64	60	70	50	45	25.5	23.9	28.3	21.8	19.5
RAPE.....	9	8	17	14	11	3.6	3.2	6.9	6.1	4.8
OTHER MAJOR OFFENSES.....	6	12	3	22	16	2.4	4.8	1.2	9.6	6.9
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	244	250	321	247	266	97.3	99.7	129.7	107.5	115.2
MURDER.....	4	2	1	6	6	1.6	0.8	0.4	2.6	2.6
MANSLAUGHTER.....	2	3	4	1	1	0.8	1.2	1.6	0.4	0.4
ROBBERY.....	13	13	16	4	11	5.2	5.2	6.5	1.7	4.8
AGGRAVATED ASSAULT.....	7	7	13	11	7	2.8	2.8	5.3	4.4	2.6
BURGLARY.....	50	65	91	60	56	19.9	25.9	36.8	26.1	23.8
LARCENY, EXCEPT AUTO THEFT.....	75	65	77	62	99	29.9	25.9	31.1	27.0	42.9
AUTO THEFT.....	13	13	26	19	17	5.2	5.2	10.5	8.3	7.4
EMBEZZLEMENT AND FRAUD.....	6	13	16	21	7	2.4	5.2	6.5	9.1	3.0
STOLEN PROPERTY, RECEIVING, ETC.....	7	5	6	6	3	2.8	2.0	2.0	2.6	1.3
FORGERY AND COUNTERFEITING.....	59	50	61	43	42	23.5	19.9	24.6	18.7	18.2
RAPE.....	3	4	9	4	5	1.2	1.6	3.6	1.7	2.2
OTHER MAJOR OFFENSES.....	5	10	2	11	14	2.0	4.0	0.8	4.8	6.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 95.6 PERCENT OF THE POPULATION OF THE STATE FOR 1937, 93.6 PERCENT FOR 1938, AND 100.0 PERCENT FOR 1939-41. RATES ARE BASED ON 1940 CENSUS FIGURES AND LATEST POPULATION ESTIMATES FOR 1937-1939. THE RATES FOR 1937 AND 1938 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 2. — PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	292	100.0	322	100.0	385	100.0	317	100.0	328	100.0
ELIMINATED WITHOUT CONVICTION	48	16.4	72	22.4	64	16.6	70	22.1	62	18.9
DISMISSED.....	36	12.3	63	19.6	54	14.0	53	16.7	51	15.5
ACQUITTED BY COURT (JURY WAIVED).....	0	0.0	0	0.0	0	0.0	5	1.6	0	0.0
ACQUITTED BY COURT.....	9	3.1	2	0.6	9	2.3	11	3.5	10	3.0
OTHER INDEMNITY DISPOSITION.....	242	83.6	247	77.0	321	83.9	247	77.9	266	81.2
PLEA OF GUILTY.....	258	81.5	237	73.6	311	80.6	233	73.5	241	73.5
COURT FINDS GUILTY (JURY WAIVED).....	1	0.3	6	1.9	0	0.0	6	1.9	11	3.4
JURY VERDICT GUILTY.....	5	1.7	7	2.2	10	2.6	6	1.9	14	4.3

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	244	100.0	250	100.0	321	100.0	247	100.0	266	100.0
DEATH PENALTY.....	0	0.0	0	0.0	0	0.0	1	0.4	0	0.0
STATE PRISONS OR REFORMATORIES.....	135	55.3	147	58.8	196	61.1	155	62.8	181	68.0
PRISON OR SUSPENDED SENTENCE.....	85	34.8	78	31.2	89	27.7	41	16.6	46	17.3
LOCAL JAILS, WORKHOUSES, ETC.....	13	5.3	4	1.6	10	3.1	16	6.5	14	5.3
INSTITUTIONS FOR JUVENILES.....	10	4.1	13	5.2	20	6.2	31	12.6	0	0.0
OTHER SENTENCE.....	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

TABLE 4. — DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: WYOMING, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF		PROCEDURAL OUTCOME				CONVICTED AND SENTENCED				SENTENCE OR TREATMENT						
	TOTAL DISPOSED WITHOUT CONVICTION	TOTAL CONVICTED	DISPOSED OF WITHOUT CONVICTION		CONVICTED AND SENTENCED		PLEA OF GUILTY (JURY WAIVED)	PLEA OF GUILTY (WAVED)	FOURTH JURY VERDICT GUILTY	DEATH PENALTY REFORMATORIES	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL PRISONS, HOUSES, ETC.	FINE OR FINE AND INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE		
			ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED										PLEA OF GUILTY (WAVED)	FOURTH JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL PRISONS, HOUSES, ETC.	FINE OR FINE AND INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
ALL OFFENSES.....	393	66	52	10	4	327	303	17	7	7	136	127	22	19	22	1	
MAJOR OFFENSES, TOTAL.....	292	48	36	9	3	244	228	1	5	5	135	85	13	1	10	-	
MURDER.....	5	1	-	-	-	4	4	-	-	-	4	-	-	-	-	-	-
MANSlaughter.....	2	2	2	-	-	12	12	-	-	-	6	4	-	-	-	-	-
ROBBERY.....	15	3	2	-	-	17	16	1	-	-	2	3	2	-	3	-	-
AGGRAVATED ASSAULT.....	10	3	6	-	1	50	48	2	-	-	26	22	7	1	2	-	-
BURGLARY.....	87	10	6	-	3	75	74	1	1	1	39	39	27	1	2	-	-
LARCENY, EXCEPT AUTO THEFT.....	55	22	9	-	1	13	13	-	-	-	8	5	5	-	1	-	-
AUTO THEFT.....	22	4	5	-	0	7	7	-	-	-	3	3	1	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	17	1	-	-	-	16	16	-	-	-	0	0	0	-	-	-	-
TOLDO PROPERTY, RECEIVING, ETC.....	19	1	-	-	-	18	18	-	-	-	1	1	1	-	-	-	-
FORGERY AND COUNTERFEITING.....	64	9	6	-	-	59	59	-	-	-	40	14	0	-	4	-	-
RAPE.....	9	3	3	-	-	6	6	-	-	-	2	2	1	-	-	-	-
COMMERCIALIZED VICE.....	3	1	-	-	-	3	3	-	-	-	2	2	1	-	-	-	-
OTHER SEX OFFENSES.....	1	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
VIOLATING DRUG LAWS.....	2	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
CARRYING, ETC., WEAPONS.....	2	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
OTHER MAJOR OFFENSES.....	1	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
ASSAULT.....	1	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
BLAUGHTER AND EXTORTION.....	1	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
ESCAPE AND JAIL BREAK.....	1	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
KIDNAPING.....	1	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
PERJURY.....	1	1	1	-	-	1	1	-	-	-	1	1	1	-	-	-	-
MINOR OFFENSES: ¹	101	18	16	-	1	85	65	16	2	2	42	9	18	12	1	-	-

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS - QUANTITY ZERO, IN PERCENT COLUMNS 0

JUDICIAL CRIMINAL STATISTICS

IDAHO, 1941

The Bureau of the Census received from clerks of court in Idaho reports on 428 defendants charged with major offenses who were disposed of in the district courts of the 44 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and, in the case of conviction, by the most serious offense of which convicted. Of the 428 persons charged with major offenses in 1941, 339, or about 8 out of every 10, were convicted and sentenced; of these, 179, or about 5 out of 10, were sentenced to a State prison or reformatory; and 81, or 2 out of 10, were placed on probation or given a suspended sentence. Six defendants were convicted of murder and imprisoned in a State institution. Of the 352 persons charged with major crimes against property in 1941 (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 294, or about 8 out of every 10, were convicted. Of the 49 persons charged with major crimes against the person (murder, man-

slaughter, aggravated assault, and rape), 32, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 87.3 in 1937 to 115.1 in 1939, and then decreased to 81.5 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 76.2 in 1937 to 98.8 in 1939, and then decreasing to 64.6 in 1941. More defendants were convicted of burglary than of any other offense in 1939-1941 while in 1937 and 1938 more were convicted of forgery and counterfeiting. The rate for defendants convicted of burglary increased from 18.4 in 1937 to 30.4 in 1939, but decreased to 15.1 in 1941, and the rate for forgery and counterfeiting increased from 20.0 in 1937 to 26.7 in 1939, then decreased to 17.0 in 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses were convicted. Aside from a slight increase in 1939, the rate of conviction decreased from 87.3 in 1937 to 79.2 in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 69.2 percent of all defendants pleaded guilty, whereas only 9.3 percent were found guilty by jury verdict and 0.7 percent by court. (See table 2.)

Annually during the past 5 years slightly more than half of all convicted defendants have been sentenced to imprisonment in a State institution. The proportion so sentenced was 52.3 percent in 1937, 57.3 percent in 1939, 51.8 in 1940, and increased slightly to 52.8 in 1941. The percent of convicted defendants placed on probation or given a suspended sentence increased from 22.2 in 1938 to 27.9 in 1940, but decreased to 23.9 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN IDAHO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	428	576	594	510	432	81.5	109.7	115.1	101.3	87.3
MURDER.....	6	9	11	10	3	1.1	1.7	2.1	2.0	0.6
MANSLAUGHTER.....	12	15	14	10	16	2.3	2.9	2.7	2.0	3.2
ROBBERY.....	17	32	17	23	19	3.2	6.1	3.3	4.6	3.8
AGGRAVATED ASSAULT.....	14	26	22	21	6	2.7	5.0	4.3	4.2	1.2
BURGLARY.....	113	155	171	133	96	21.5	29.5	35.1	26.4	19.4
LARCENY, EXCEPT AUTO THEFT.....	21	83	110	71	103	11.6	15.8	21.3	14.1	20.8
AUTO THEFT.....	25	9	9	6	18	4.8	1.7	1.0	3.6	1.2
EMBEZZLEMENT AND FRAUD.....	19	21	15	33	19	3.6	4.0	2.9	6.6	3.8
STOLEN PROPERTY, RECEIVING, ETC.....	9	9	16	13	14	1.7	1.7	3.1	2.6	2.8
FORGERY AND COUNTERFEITING.....	108	154	152	131	108	20.6	29.3	29.5	26.0	21.8
RAPE.....	16	23	23	17	14	3.0	6.3	4.5	3.4	2.8
OTHER MAJOR OFFENSES.....	28	30	38	30	28	5.3	5.7	7.4	6.0	5.7
MAJOR OFFENSES, TOTAL.....	339	473	510	424	377	64.6	90.1	98.8	84.2	76.2
MURDER.....	6	8	7	5	1	1.1	1.5	1.4	1.0	0.2
MANSLAUGHTER.....	8	8	11	6	12	1.5	1.5	2.1	1.2	2.4
ROBBERY.....	15	30	14	18	13	2.9	5.7	2.7	3.6	2.6
AGGRAVATED ASSAULT.....	9	18	17	18	4	1.7	3.4	3.3	3.6	0.8
BURGLARY.....	95	134	157	119	91	18.1	25.5	30.4	23.4	14.4
LARCENY, EXCEPT AUTO THEFT.....	17	73	97	58	93	3.3	13.9	18.8	11.5	18.8
AUTO THEFT.....	49	7	4	18	3	3.2	1.2	0.8	3.6	0.6
EMBEZZLEMENT AND FRAUD.....	12	13	11	18	13	2.3	2.5	2.1	3.6	2.6
STOLEN PROPERTY, RECEIVING, ETC.....	7	8	9	11	12	1.3	1.5	1.7	2.2	2.4
FORGERY AND COUNTERFEITING.....	89	130	138	122	99	17.0	24.8	26.7	24.2	20.0
RAPE.....	9	24	16	11	12	1.7	4.6	3.1	2.2	2.4
OTHER MAJOR OFFENSES.....	23	20	29	21	24	4.4	3.8	5.6	4.2	1.9

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	428	100.0	578	100.0	594	100.0	510	100.0	452	100.0
ELIMINATED WITHOUT CONVICTION.....	89	20.8	103	17.9	84	14.1	86	16.9	55	12.7
DISMISSED.....	72	16.8	83	14.4	61	10.5	65	12.7	36	8.1
ACQUITTED BY COURT (JURY WAIVED).....	-	0	-	0	-	0	6	1.2	1	0.2
ACQUITTED BY JURY.....	8	1.9	16	2.8	16	2.7	13	2.5	15	3.5
OTHER NON-PENALTY DISPOSITION.....	9	2.1	4	0.7	17	2.9	2	0.4	3	0.7
PLEA OF GUILTY.....	293	79.2	433	77.7	470	80.9	431	83.1	377	87.3
COURT FINDS GUILTY (JURY WAIVED).....	253	69.2	413	71.7	437	75.0	373	72.2	311	71.2
JURY VERDICT GUILTY.....	40	9.3	44	7.6	30	5.1	33	6.5	45	10.6

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	339	100.0	473	100.0	510	100.0	424	100.0	377	100.0
DEATH PENALTY.....	-	0	1	0.2	-	0	-	0	0	0.3
STATE PRISONS OR REFORMATORIES.....	179	52.8	245	51.8	292	57.3	241	56.8	197	52.3
PROBATION OR SUSPENDED SENTENCE.....	81	23.9	132	27.9	139	27.3	94	22.2	90	23.9
LOCAL JAILS, WORKHOUSES, ETC.....	67	19.8	83	17.5	76	14.9	78	18.4	81	21.5
INSTITUTIONS FOR INSANE.....	8	2.3	11	2.3	2	0.4	6	1.4	2	0.6
OTHER SENTENCE.....	1	0.3	-	0	-	0	-	0	0	0

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: IDAHO, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																						
	TOTAL DISPOSED WITHOUT CONVICTION		DISMISSED		ACQUITTED (JURY WAIVED)		ACQUITTED (JURY)		OTHER		TOTAL COPIES AND SENTENCED		CONVICTED AND SENTENCED		COURT FINES (JURY WAIVED)		JURY FINDS GUILTY		DEATH PENALTY REFORMATORIES		STATE PRISONS OR REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR INSTITUTIONS FOR DELINQUENTS ONLY		INSTITUTIONS OR JUVENILE DETENTION		OTHER SENTENCE		
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	
ALL OFFENSES.....	505	123	99	-	9	15	353	524	7	42	-	188	96	75	12	8	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
MAJOR OFFENSES, TOTAL.....	428	89	72	-	8	9	359	296	3	40	-	179	81	67	3	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1		
MURDER.....	6	4	2	-	2	-	6	5	5	1	-	6	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
MANSLAUGHTER.....	17	2	2	-	2	-	15	15	6	3	-	10	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ROBBERY.....	14	3	5	-	5	-	9	9	6	3	-	5	4	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
AGGRAVATED ASSAULT.....	113	18	13	-	13	-	83	83	12	12	-	54	26	15	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
BURGLARY.....	211	16	19	-	19	-	197	197	6	6	-	21	11	17	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
THEFT.....	19	2	5	-	5	-	12	12	1	1	-	7	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
EMBEZZLEMENT AND FRAUD.....	9	2	12	-	12	-	7	7	2	2	-	2	2	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
STOLEN PROPERTY, RECEIVING, ETC.....	108	19	15	-	15	-	89	86	2	3	-	46	26	15	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
FORGERY AND COUNTERFEITING.....	16	7	5	-	5	-	9	9	6	6	-	3	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
RAPE.....	13	1	1	-	1	-	2	2	2	2	-	2	2	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
COMMERCIALIZED VICE.....	11	1	1	-	1	-	8	8	1	1	-	8	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER SEX OFFENSES.....	1	1	1	-	1	-	10	10	1	1	-	8	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
UNLAWFUL WEAPONS.....	1	1	1	-	1	-	1	1	1	1	-	1	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	1	1	1	-	1	-	1	1	1	1	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER MAJOR OFFENSES.....	12	2	2	-	2	-	10	10	7	7	-	6	7	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ABORTION.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ARSON.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BIGAMY.....	2	-	-	-	-	-	2	2	1	1	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	9	1	1	-	1	-	8	8	6	6	-	2	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BLACKMAIL AND JAIL BREAK.....	1	1	1	-	1	-	1	1	1	1	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BLACKMAIL AND KIDNAPING.....	1	1	1	-	1	-	1	1	1	1	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	1	1	1	-	1	-	1	1	1	1	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	78	34	27	-	1	6	44	38	4	2	-	9	15	8	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

THIS GROUP INCLUDES MINOR ASSAULT, NONSUPPORT, VIOLATIONS OF LIQUOR, GAMBLING, OR DRIVING LAWS, AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS — QUANTITY ZERO, IN PERCENT COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

IOWA, 1941

The Bureau of the Census received from clerks of court in Iowa reports on 1,890 defendants charged with major offenses who were disposed of in the district courts of the 99 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar years. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and, in the case of conviction, by the most serious offense of which convicted.

Of the 1,890 persons charged with major offenses in 1941, 1,469, or about 8 out of every 10, were convicted and sentenced; of these, 612, or about 4 out of 10, were sentenced to a State institution; 499, or about 3 out of 10, were sentenced to a local institution; and 266, or about 2 out of 10, were placed on probation or given a suspended sentence. Of the 19 defendants charged with murder, 16 were convicted and sentenced to imprisonment in a State penal institution. Of the 1,458 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 1,170, or about 8 out of every 10, were convicted. Of the 158 persons charged with major crimes against the person (murder,

manslaughter, aggravated assault, and rape), 108, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses generally decreased, from 95.0 in 1937 to 74.5 in 1941, with the exception of a slight rise in 1939. The rate for defendants convicted of major offenses was 74.0 in 1937 as compared with 57.9 in 1941. More defendants were charged with and convicted of larceny than of any other offense during the 5-year period. Convictions for forgery and counterfeiting ranked second in order of frequency. The rate for larceny decreased from 25.0 in 1937 to 19.1 in 1941, whereas the rate for forgery and counterfeiting increased from 8.5 in 1937 to 9.6 in 1940, decreasing to 9.1 in 1941. Convictions for murder showed no definite trend but were highest at 0.9 in 1937. (See table 1.)

During the past 5 years, about 15 out of every 20 defendants charged with major offenses have been convicted. The percentage of defendants convicted decreased from 79.8 in 1938 to 77.2 in 1939, but increased to 77.7 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 74.0 percent of all defendants pleaded guilty, whereas only 2.5 percent were found guilty by jury verdict and 1.2 percent by court. (See table 2.)

About two-fifths of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 43.0 percent in 1937 to 44.1 percent in 1938, but has fluctuated around 41 percent since 1939. The proportion placed on probation or given a suspended sentence increased from 15.3 in 1937 to 20.0 in 1939, but declined to 18.1 percent in 1941. Approximately one-third of all convicted defendants were sentenced to imprisonment in a local institution during the last 5 years. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN IOWA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,890	2,195	1,875	1,641	1,572	74.5	86.5	92.5	85.6	95.0
MURDER.....	19	17	15	20	24	0.7	0.7	0.7	1.0	1.5
MANSLAUGHTER.....	22	20	20	18	15	0.9	0.8	1.0	0.9	0.9
ROBBERY.....	66	67	63	53	37	2.6	2.6	3.1	2.8	2.2
AGGRAVATED ASSAULT.....	81	69	85	71	70	3.2	2.7	4.2	3.7	4.2
BURGLARY.....	229	300	254	203	233	9.0	11.8	12.5	10.6	14.1
LARCENY, EXCEPT AUTO THEFT.....	567	588	482	492	479	22.3	23.2	23.8	25.7	29.0
AUTO THEFT.....	119	161	142	107	97	4.7	6.3	7.0	5.6	5.9
EMBEZZLEMENT AND FRAUD.....	164	233	232	146	125	6.5	9.2	11.4	7.6	7.6
STOLEN PROPERTY, RECEIVING, ETC.....	24	33	22	45	26	0.9	1.3	1.1	2.3	1.6
FORGERY AND COUNTERFEITING.....	289	311	240	221	192	11.4	12.3	11.8	11.5	11.6
RAPE.....	36	48	53	36	41	1.4	1.9	2.6	1.9	2.5
OTHER MAJOR OFFENSES.....	274	348	267	229	233	10.8	13.7	13.2	11.9	14.1
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	1,469	1,697	1,448	1,309	1,224	57.9	66.9	71.4	68.3	74.0
MURDER.....	16	13	10	13	15	0.6	0.5	0.5	0.7	0.9
MANSLAUGHTER.....	15	10	13	12	4	0.6	0.4	0.6	0.6	0.2
ROBBERY.....	52	51	39	45	28	2.0	2.0	1.9	2.3	1.6
AGGRAVATED ASSAULT.....	56	52	60	43	56	2.2	2.0	3.0	2.2	3.4
BURGLARY.....	183	232	224	165	198	7.2	8.1	11.1	8.6	11.3
LARCENY, EXCEPT AUTO THEFT.....	424	515	417	427	414	19.1	20.2	20.6	22.3	25.0
AUTO THEFT.....	98	126	124	93	84	3.9	5.0	6.1	4.9	5.1
EMBEZZLEMENT AND FRAUD.....	104	145	124	85	80	4.1	5.7	6.1	4.4	4.8
STOLEN PROPERTY, RECEIVING, ETC.....	19	25	16	40	24	0.7	1.0	0.8	2.1	1.5
FORGERY AND COUNTERFEITING.....	230	244	193	180	140	9.1	9.6	9.5	9.4	8.5
RAPE.....	21	34	36	22	23	0.8	1.3	1.8	1.1	1.4
OTHER MAJOR OFFENSES.....	191	252	192	184	162	7.5	9.9	9.5	9.6	9.8

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 66.6 PERCENT OF THE POPULATION OF THE STATE IN 1937; 77.2 PERCENT IN 1938; 80.6 PERCENT IN 1939; AND 100 PERCENT FOR 1940 AND 1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

JUDICIAL CRIMINAL STATISTICS

NORTH DAKOTA, 1941

The Bureau of the Census received from clerks of court in North Dakota reports on 413 defendants charged with major offenses who were disposed of in the district courts of 51 of the 53 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 413 persons charged with major offenses in 1941, 351, or about 17 out of every 20, were convicted and sentenced; of these, 183, or about 5 out of 10, were sentenced to a State institution; 76, or about 2 out of 10, were sentenced to a local institution; and 59, or less than 2 out of 10, were placed on probation or given a suspended sentence. Of the 4 defendants charged with murder, 3 were convicted and sentenced to imprisonment in a State penal institution. Of the 306 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 260, or about 8 out of every 10,

were convicted. Of the 50 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 43, or about 9 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 84.5 in 1937 to 92.8 in 1939, but decreased to 66.1 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 67.3 in 1937 to 80.1 in 1939 and then decreasing to 56.2 in 1941. More defendants were charged with and convicted of larceny than of any other offense during the 5-year period. Convictions for burglary ranked second in order of frequency. The rate for larceny decreased from 26.8 in 1939 to 17.4 in 1941. The rate for burglary increased from 7.9 in 1937 to 15.6 in 1940, but decreased to 8.0 in 1941. (See table 1.)

During the past 3 years, about 17 out of every 20 defendants charged with major offenses have been convicted. The percentage of defendants convicted increased from 79.7 in 1937 to 88.6 in 1940, but decreased to 85.0 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 82.1 percent of all defendants pleaded guilty whereas only 2.4 percent were found guilty by jury and 0.5 percent by court. (See table 2.)

Slightly more than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percentage of defendants so sentenced increased from 51.3 in 1937 to 61.5 in 1940, but dropped to 52.1 percent in 1941. With the exception of 1940, the proportion placed on probation or given a suspended sentence increased, as a whole, from 12.4 in 1937 to 16.8 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NORTH DAKOTA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	413	461	584	533	536	66.1	84.2	92.6	88.6	84.5
MURDER.....	4	3	4	4	3	0.6	0.5	0.6	0.7	0.5
MANSLAUGHTER.....	8	3	5	4	11	1.3	0.5	0.8	0.7	1.7
ROBBERY.....	8	11	17	12	11	1.3	1.9	2.7	2.0	1.7
AGGRAVATED ASSAULT.....	10	18	23	29	17	1.6	3.2	3.5	4.8	2.7
BURGLARY.....	57	90	98	82	57	9.1	15.8	15.5	13.7	9.0
LARCENY, EXCEPT AUTO THEFT.....	130	131	169	134	166	20.8	23.0	30.0	22.3	26.2
AUTO THEFT.....	27	27	27	31	26	4.3	4.3	4.3	5.2	3.7
EMBEZZLEMENT AND FRAUD.....	35	54	46	55	50	5.6	9.5	7.3	9.2	7.9
STOLEN PROPERTY, RECEIVING, ETC.....	3	8	13	8	15	0.5	1.4	2.1	1.3	2.4
FORGERY AND COUNTERFEITING.....	46	44	35	43	55	7.4	7.7	5.5	7.2	8.7
RAPE.....	28	25	47	38	35	4.5	4.4	7.5	6.3	5.5
OTHER MAJOR OFFENSES.....	57	78	60	93	80	9.1	13.7	12.7	15.5	12.6
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	351	426	505	440	427	56.2	74.6	80.1	73.3	67.3
MURDER.....	3	2	3	3	3	0.5	0.4	0.5	0.5	0.5
MANSLAUGHTER.....	8	3	5	3	6	1.3	0.5	0.8	0.3	0.9
ROBBERY.....	6	10	16	8	8	1.0	1.8	2.5	1.3	1.3
AGGRAVATED ASSAULT.....	10	14	11	24	13	1.6	2.5	1.7	4.0	2.0
BURGLARY.....	50	89	93	72	50	8.0	15.6	14.7	12.0	7.9
LARCENY, EXCEPT AUTO THEFT.....	109	122	167	122	145	17.4	21.4	26.8	20.3	22.8
AUTO THEFT.....	22	15	27	26	32	3.5	2.6	4.3	4.3	5.0
EMBEZZLEMENT AND FRAUD.....	27	47	40	49	35	4.3	8.2	6.3	8.2	5.5
STOLEN PROPERTY, RECEIVING, ETC.....	3	7	12	7	10	0.5	1.2	1.9	1.2	1.6
FORGERY AND COUNTERFEITING.....	43	42	32	36	47	6.9	7.4	5.1	6.0	7.4
RAPE.....	22	20	26	28	21	3.5	3.5	4.1	4.7	3.0
OTHER MAJOR OFFENSES.....	48	55	71	63	57	7.7	9.6	11.3	10.5	9.0

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 99.5 PERCENT OF THE POPULATION OF THE STATE FOR 1937; 93.8 PERCENT FOR 1938; 96.5 PERCENT FOR 1939; 89.0 PERCENT FOR 1940; AND 97.3 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

JUDICIAL CRIMINAL STATISTICS

UTAH, 1941

The Bureau of the Census received from clerks of court in Utah reports on 352 defendants charged with major offenses who were disposed of in the district courts of 27 of the 29 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 352 persons charged with major offenses in 1941, 280, or about 8 out of every 10, were convicted and sentenced; of these, 131, or slightly more than 9 out of every 20, were sentenced to imprisonment in a State institution; and 126, or about 9 out of every 20, were placed on probation or given a suspended sentence. Of the 5 defendants charged with murder, 2 were convicted and given the death penalty. Of the 279 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 224, or 16 out of every 20, were convicted. Of the 48 persons charged with major crimes against the person

(murder, manslaughter, aggravated assault and rape), 36, or about 15 out of every 20, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 71.4 in 1937 to 76.5 in 1939, and then decreased to 66.5 in 1941. The rate for defendants convicted of major offenses increased from 52.7 in 1938 to 63.7 in 1939, and then decreased to 52.9 in 1941. More defendants were convicted of burglary than of any other offense during the 5-year period. The rate of conviction for burglary increased from 17.2 in 1937 to 24.9 in 1939, and then decreased to 15.9 in 1941. Convictions for larceny ranked second in frequency in 1937, 1939, and 1940, but convictions for forgery and counterfeiting ranked second in 1938 and 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted was lowest in 1938 (73.4 percent), but increased to 83.4 in 1939, and then decreased to 79.5 in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 53.7 percent of all defendants pleaded guilty, 23.6 percent were found guilty by jury, and only 2.3 percent were found guilty by court. The percentage of conviction by jury was higher in 1941 than in any of the preceding 4 years. (See table 2.)

About one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. In general, the proportion so sentenced decreased from 56.8 percent in 1937 to 46.8 in 1941. The proportion of defendants placed on probation or given a suspended sentence generally increased from 29.1 percent in 1937 to 45.0 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN UTAH, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	352	394	415	383	377	66.5	73.7	76.5	71.8	71.4
MURDER.....	5	7	8	6	6	0.9	1.3	1.5	1.1	1.1
MANSLAUGHTER.....	11	13	7	19	15	2.1	2.4	1.3	3.4	2.8
ROBBERY.....	28	28	24	25	37	5.3	5.2	4.4	4.7	7.0
AGGRAVATED ASSAULT.....	13	11	16	12	15	2.5	2.1	2.9	2.2	2.8
BURGLARY.....	104	134	153	120	105	19.6	25.1	28.2	22.5	19.9
LARCENY, EXCEPT AUTO THEFT.....	46	62	80	49	80	8.7	11.6	11.1	9.2	15.1
AUTO THEFT.....	4	7	23	11	10	0.8	1.3	4.2	2.1	1.9
EMBEZZLEMENT AND FRAUD.....	21	19	8	21	17	4.0	3.5	1.5	3.9	3.2
STOLEN PROPERTY AND RECEIVING, ETC.....	6	9	4	2	-	1.5	1.7	0.7	1.4	0
FORGERY AND COUNTERFEITING.....	68	52	47	57	42	12.8	9.7	8.7	10.7	8.0
RAPE.....	19	13	23	16	7	3.6	2.4	4.2	3.0	1.3
OTHER MAJOR OFFENSES.....	25	39	42	46	43	4.7	7.3	7.7	8.8	8.1
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	280	320	346	281	296	52.9	59.9	63.7	52.7	56.0
MURDER.....	2	4	6	3	3	0.4	0.7	1.1	0.6	0.6
MANSLAUGHTER.....	9	9	5	7	9	1.7	1.7	0.9	1.3	1.7
ROBBERY.....	22	19	19	16	27	4.2	3.6	3.5	3.0	5.1
AGGRAVATED ASSAULT.....	9	9	11	9	7	1.7	0.9	2.0	1.7	1.3
BURGLARY.....	84	114	135	104	91	15.9	21.3	24.9	19.5	17.2
LARCENY, EXCEPT AUTO THEFT.....	37	58	49	33	72	7.0	10.9	9.0	6.2	13.6
AUTO THEFT.....	3	6	23	6	9	0.6	1.1	4.2	1.1	1.7
EMBEZZLEMENT AND RECEIVING, ETC.....	11	17	6	12	12	2.1	3.2	1.1	2.2	2.5
STOLEN PROPERTY, RECEIVING, ETC.....	4	6	3	1	-	0.8	1.1	0.6	0.7	0
FORGERY AND COUNTERFEITING.....	63	49	42	47	31	11.9	9.2	7.7	8.8	5.9
RAPE.....	16	8	21	10	3	3.0	1.5	3.9	1.9	0.6
OTHER MAJOR OFFENSES.....	20	25	26	33	32	3.8	4.7	4.8	6.2	6.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 100.0 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1939, 97.1 PERCENT FOR 1940, AND 96.2 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1940 AND 1941 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 2. — PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	352	100.0	394	100.0	419	100.0	383	100.0	377	100.0
ELIMINATED WITHOUT CONVICTION.....	72	20.5	74	18.8	65	16.6	102	26.6	81	21.5
DISMISSED.....	27	7.7	37	9.4	35	8.7	41	10.7	47	12.5
ACQUITTED BY COURT (JURY WAIVED).....	6	1.7	4	1.0	27	6.5	15	3.7	9	2.5
ACQUITTED BY JURY.....	3	0.8	3	0.8	2	0.5	11	2.9	10	2.7
OTHER.....	3	0.8	3	0.8	9	2.2	11	2.9	10	2.7
DISPOSED BY JUDICIAL DISPOSITION.....	280	79.5	320	81.2	346	83.4	281	73.4	286	78.5
CONVICTED.....	189	53.7	251	63.7	257	61.9	208	54.3	221	58.6
PLEA OF GUILTY.....	8	2.3	7	1.8	12	2.9	13	3.4	9	2.4
COURT FINDS GUILTY (JURY WAIVED).....	8	2.3	7	1.8	12	2.9	13	3.4	9	2.4
JURY VERDICT GUILTY.....	83	23.6	62	15.7	77	18.6	60	15.7	66	17.5

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	280	100.0	320	100.0	346	100.0	281	100.0	296	100.0
DEATH PENALTY.....	2	0.7	2	0.6	—	—	0	—	—	—
STATE PRISONS OR REFORMATORIES.....	132	47.6	151	47.2	156	45.1	151	53.7	168	56.8
LOCAL JAILS, WORKHOUSES, ETC.....	126	45.6	123	38.3	123	35.6	121	43.1	133	45.0
FINES OR COSTS ONLY.....	18	6.4	35	10.3	46	13.3	6	2.1	7	2.4
INSTITUTIONS FOR JUVENILES.....	2	0.7	9	2.8	6	1.7	1	0.4	5	1.7
OTHER SENTENCE.....	—	—	0	—	2	0.6	3	1.1	4	1.4

TABLE 4. — DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: UTAH, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF				PROCEDURAL OUTCOME				CONVICTED AND SENTENCED				SENTENCE OR TREATMENT														
	TOTAL OF DISPOSED BY CONVICTION		DISPOSED OF WITHOUT CONVICTION		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL NUMBER AND PERCENT SENTENCED		PLEA OF GUILTY		COUNTY FINES (JURY WAIVED)		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		LOCAL PRISONS, WORKHOUSES, ETC.		FINE OR INSTITUTIONS FOR JUVENILES ONLY		OTHER SENTENCE		
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	
ALL OFFENSES.....	477	114	49	12	363	238	189	8	280	189	8	83	2	135	149	40	35	1	1	—	—	—	—	—	—	—	
MAJOR OFFENSES, TOTAL.....	352	72	27	3	280	189	8	280	189	8	83	2	131	126	18	2	—	—	—	—	—	—	—	—	—	—	
MURDER.....	5	3	—	—	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
MANSLAUGHTER.....	11	4	2	—	9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
AGGRAVATED BATTERY.....	23	6	2	—	21	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
AGGRAVATED ASSAULT.....	13	4	—	—	13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
BRIEBLY.....	104	29	6	2	102	94	65	2	97	25	3	16	—	39	43	1	—	—	—	—	—	—	—	—	—	—	
LARCENY, EXCEPT AUTO THEFT.....	46	9	4	1	42	3	3	—	—	—	—	—	—	12	14	—	—	—	—	—	—	—	—	—	—	—	
AUTO THEFT.....	4	1	1	—	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
EMBEZZLEMENT AND FRAUD.....	21	10	3	4	18	11	4	—	—	—	—	—	—	3	6	—	—	—	—	—	—	—	—	—	—	—	
STOLEN PROPERTY, RECEIVING, ETC.....	8	4	2	1	6	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
FORGERY AND COUNTERFEITING.....	68	5	4	—	64	49	1	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
RAPES.....	19	5	—	—	19	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
COMMERCIALIZED VICE.....	14	2	1	—	13	12	8	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
OBSCENE EXHIBITIONS.....	1	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
VIOLATING DRUG LAWS.....	1	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
CARRYING, ETC., WEAPONS.....	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
OTHER MAJOR OFFENSES.....	10	3	2	—	8	7	—	—	—	—	—	—	—	2	4	—	—	—	—	—	—	—	—	—	—	—	
ABORTION.....	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
ARSON.....	4	1	—	—	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
BIGAMY.....	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
BLACKMAIL AND EXTORTION.....	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
ESCAPE AND JAIL BREAK.....	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
VIOLATING PROBATION.....	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
PENURY.....	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
MINOR OFFENSES.....	125	42	22	3	103	49	15	19	83	49	15	19	—	4	25	22	35	—	—	—	—	—	—	—	—	—	—

THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS — QUANTITY ZERO, IN PERCENT COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

COLORADO, 1941

The Bureau of the Census received from clerks of court in Colorado reports on 1,345 defendants charged with major offenses who were disposed of in the district courts of 59 of the 63 counties during the calendar year 1941. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

The tables present an enumeration of only those persons, charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted.

Of the 1,345 persons charged with major offenses in 1941, 1,037, or about 8 out of every 10, were convicted and sentenced; of these, 733, or about 7 out of 10, were sentenced to a State institution; and 265, or about 5 out of 20, were placed on probation or given a suspended sentence. Of the 20 defendants charged with murder, 14 were convicted and sentenced to imprisonment in a State penal institution. Of the 1,094 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 875, or about 8 out of every 10, were

convicted. Of the 178 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 112, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased, from 146.8 in 1937 to 120.8 in 1941. The rate for defendants convicted of major offenses decreased from 110.4 in 1938 to 93.1 in 1941. In 1938 more defendants were charged with and convicted of burglary than of any other offense, but during the other years, the figures were highest for larceny. In general, however, the rates for both larceny and burglary decreased during the 5-year period. The rate for defendants convicted of murder decreased from 2.5 in 1937 to 1.3 in 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses have been convicted. In 1937, 75.2 percent of the defendants were convicted; in 1939, 75.1 percent; and in 1941, 77.1 percent; of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 69.3 percent of all defendants pleaded guilty, whereas only 7.7 percent were found guilty by jury and 0.1 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced decreased from 71.1 in 1937 to 59.5 in 1940, but increased to 70.7 in 1941. In contrast, however, the proportion of defendants placed on probation or given a suspended sentence increased from 21.1 in 1937 to 35.2 in 1940, but decreased to 25.6 in 1941. (See table 3.)

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN COLORADO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED									
	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1936	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,345	1,327	1,528	1,546	1,567	120.8	119.1	137.6	141.2	146.8
MURDER.....	20	32	34	31	58	1.8	2.9	3.1	2.8	5.4
MANSLAUGHTER.....	31	32	29	26	39	2.8	2.9	2.6	2.4	3.7
ROBBERY.....	112	88	102	143	95	10.1	7.9	9.2	13.1	8.9
AGGRAVATED ASSAULT.....	56	41	45	53	63	5.0	3.7	4.1	4.8	5.9
BURGLARY.....	277	294	347	381	355	24.9	26.4	31.5	34.8	31.4
LARCENY, EXCEPT AUTO THEFT.....	1392	1429	1429	1429	1429	121.3	121.3	121.3	121.3	121.3
AUTO THEFT.....	49	71	70	63	81	4.4	6.4	6.3	5.8	7.5
EMBEZZLEMENT AND FRAUD.....	164	187	148	179	191	14.7	16.8	13.3	16.3	17.9
STOLEN PROPERTY, RECEIVING, ETC....	47	29	34	52	22	4.2	2.6	3.1	4.7	2.1
FORGERY AND COUNTERFEITING.....	91	90	127	112	97	8.2	8.1	11.4	10.2	9.1
RAPE.....	71	76	101	78	102	6.2	6.3	8.3	8.0	7.5
OTHER MAJOR OFFENSES.....	73	55	73	58	62	6.6	4.9	6.6	5.3	5.8
MAJOR OFFENSES, TOTAL.....	1,037	1,054	1,194	1,273	1,179	93.1	94.6	107.5	116.3	110.4
MURDER.....	14	13	17	16	27	1.3	1.2	1.5	1.5	2.5
MANSLAUGHTER.....	20	25	19	15	27	1.8	2.2	1.7	1.4	2.5
ROBBERY.....	97	79	88	117	60	8.7	7.1	7.9	10.7	7.5
AGGRAVATED ASSAULT.....	35	25	27	35	43	3.1	2.1	2.4	3.2	4.0
BURGLARY.....	238	250	306	334	423	21.4	22.4	27.6	30.5	26.5
LARCENY, EXCEPT AUTO THEFT.....	275	265	329	310	328	24.7	23.8	29.6	28.3	30.7
AUTO THEFT.....	40	60	58	55	62	3.6	5.4	5.2	5.0	5.8
EMBEZZLEMENT AND FRAUD.....	115	146	108	162	130	10.3	13.1	9.7	14.8	12.2
STOLEN PROPERTY, RECEIVING, ETC....	32	24	33	43	17	2.9	2.2	3.0	3.9	1.6
FORGERY AND COUNTERFEITING.....	78	83	109	98	80	7.0	7.4	9.8	8.0	7.5
RAPE.....	43	48	50	44	69	3.9	4.3	4.5	4.0	6.5
OTHER MAJOR OFFENSES.....	50	38	50	44	33	4.5	3.4	4.5	4.0	3.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 99.5 PERCENT OF THE POPULATION OF THE STATE FOR 1937; 99.8 PERCENT FOR 1938; 99.8 PERCENT FOR 1939; 99.2 PERCENT FOR 1940; AND 99.1 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATION. THE RATES ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 2. — PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,345	100.0	1,227	100.0	1,528	100.0	1,546	100.0	1,507	100.0
ELIMINATED WITHOUT CONVICTION.....	304	22.2	323	26.6	324	21.9	373	17.7	368	24.8
DISMISSED.....	150	11.2	202	15.2	243	15.9	169	10.9	266	17.0
ACQUITTED BY JURY.....	7	0.5	5	0.4	1	0.1	5	0.3	4	0.3
ACQUITTED BY COURT.....	60	4.5	49	3.7	76	5.1	74	4.8	93	5.9
OTHER NON-PENALTY DISPOSITION.....	37	2.8	17	1.3	12	0.8	26	1.7	25	1.6
CONVICTED.....	1,037	77.1	1,054	79.4	1,194	78.1	1,179	82.3	1,179	75.2
PLEA OF GUILTY.....	952	69.3	956	72.0	1,065	69.7	1,093	70.7	1,008	64.2
COURT FINDS GUILTY.....	2	0.1	10	0.8	9	0.6	32	2.1	8	0.5
JURY VERDICT GUILTY.....	103	7.7	88	6.8	120	7.9	148	9.4	168	10.3

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	1,037	100.0	1,054	100.0	1,194	100.0	1,272	100.0	1,179	100.0
DEATH PENALTY.....	733	70.7	627	59.5	772	64.7	841	66.3	838	71.3
PROBATION.....	265	25.6	371	35.2	348	29.1	331	25.2	239	21.1
LOCAL JAILS, WORKHOUSES, ETC.....	34	3.3	39	3.7	51	4.3	33	4.9	75	6.2
FINE OR COSTS ONLY.....	4	0.4	12	1.1	15	1.3	34	2.7	11	0.9
INSTITUTIONS FOR JUVENILES.....	1	0.1	4	0.4	3	0.3	10	0.8	5	0.4
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

TABLE 4. — DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: COLORADO, 1941

OFFENSE	PROCEDURAL OUTCOME										CONVICTED AND SENTENCED										SENTENCE OR TREATMENT											
	TOTAL DISPOSED OF		DISMISSED		ACQUITTED BY COURT		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED		PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY		DEATH PENALTY	STATE PRISON REFORMATORIES	PROBATION	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILES								
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT						NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT			
ALL OFFENSES.....	1,586		384		259		9		71		45		1,202		1,080		12		110		-		316		70		38		1		4	
MAJOR OFFENSES, TOTAL.....	1,345		308		204		7		60		37		1,037		932		2		103		-		265		34		4		1		-	
MURDER.....	20		6		1		1		3		2		14		3		-		11		-		14		1		-		-		-	
MANSLAUGHTER.....	31		11		5		1		5		2		17		3		-		13		-		5		5		-		-		-	
ROBBERY.....	112		15		9		1		7		5		97		85		11		11		-		10		14		5		-		-	
AGGRAVATED ASSAULT.....	56		21		11		1		2		35		26		26		9		9		-		21		7		7		-		-	
BURGLARY.....	277		59		22		1		7		10		238		252		13		23		-		63		91		1		1		-	
LARCENY, EXCEPT AUTO THEFT.....	354		79		62		1		12		4		275		252		23		195		-		93		17		1		1		-	
AUTO THEFT.....	49		3		3		3		4		1		109		84		25		30		-		30		2		1		-		-	
STOLEN MOTOR VEHICLES.....	154		49		35		3		4		1		140		124		16		114		-		19		2		1		-		-	
STOLEN MOTOR VEHICLES, ETC.....	47		15		17		1		3		2		32		28		4		14		-		19		2		1		-		-	
FIREARMS AND COUNTERFEITING.....	91		23		17		1		1		5		78		77		1		11		-		20		7		1		-		-	
RAPE.....	71		18		20		1		4		3		43		34		1		8		-		35		7		1		-		-	
COMMERCIALIZED VICE.....	42		9		4		-		1		4		33		26		-		7		-		27		5		1		-		-	
OTHER SEX OFFENSES.....	1		-		-		-		-		-		1		1		-		1		-		1		1		-		-		-	-
VIOLATING DRUG LAWS.....	1		-		-		-		-		-		1		1		-		1		-		1		1		-		-		-	-
CARRYING, ETC., WEAPONS.....	20		14		8		1		1		1		14		14		1		1		-		1		1		-		-		-	-
OTHER MAJOR OFFENSES.....	7		2		2		1		1		1		4		4		-		1		-		3		1		-		-		-	-
VIOLATION.....	2		1		1		-		-		-		1		1		-		1		-		1		1		-		-		-	-
BIGAMY.....	2		1		1		-		-		-		1		1		-		1		-		1		1		-		-		-	-
BLACKMAIL AND EXTORTION.....	10		6		4		-		1		1		4		4		-		1		-		2		2		-		-		-	-
ESCAPE AND JAIL BREAK.....	1		1		1		-		1		1		1		1		-		1		-		1		1		-		-		-	-
KIDNAPING.....	2		1		1		-		1		1		1		1		-		1		-		1		1		-		-		-	-
PERJURY.....	24		1		1		-		1		1		1		1		-		1		-		1		1		-		-		-	-
MINOR OFFENSES.....	241		76		55		2		11		8		165		148		10		7		-		40		51		34		4		4	

* THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS — QUANTITY ZERO, IN PERCENT COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

CONNECTICUT, 1941

(Statistics are for the year July 1 through June 30)

The Bureau of the Census received from clerks of court in Connecticut reports on 959 defendants charged with major offenses who were disposed of in the superior and common pleas courts of the 8 counties during the fiscal year ending June 30, 1942. Of these 959 defendants, 841, or about 17 out of 20, were convicted and sentenced; of these, 288, or about 7 out of 20, were sentenced to a State prison or reformatory; 231, or about 5 out of 20, were placed on probation; and 235, or about 7 out of 20, were sentenced to a local jail or workhouse. Of the 10 defendants convicted of murder, 1 received the death penalty and 9 were sentenced to a State prison or reformatory. Of the 523 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 462 or about 88 out of every 100, were convicted. Of the 182 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 163, or about 90 out of every 100, were convicted. (See table 4.)

For the fiscal year ending June 30, 1942, the rate for defendants charged with major offenses was 56.1 per 100,000 population. During the 4 preceding years, the rate had decreased from 70.4 for the fiscal year ending in June 1938 to 52.7 for the year ending in June 1941. The rate for defendants convicted followed the same trend, decreasing from 59.6 for the fiscal year 1938 to 45.6 for the fiscal year 1941, but increasing to 49.2 in the fiscal year 1942. In each of the 5 years, more defendants were convicted of burglary than were convicted of any other offense. The rate for defendants convicted of burglary decreased, however, from 18.6 for the fiscal year ending in 1938 to 9.7 for the year ending in 1942. (See table 1.)

During the past 5 years, about 17 out of every 20 defendants charged with major offenses were convicted. The proportion of defendants convicted has been slightly higher during the past 3 years than during the 2 preceding years. During the fiscal year

ending in 1942, 87.7 percent were convicted as compared with 84.4 percent during the fiscal year ending in 1940, and 84.8 percent for the year ending in 1939. Of all defendants convicted, the greatest proportion have pleaded guilty. During the fiscal year 1942, 82.0 percent of all defendants pleaded guilty as compared with 4.2 percent found guilty by court and 1.6 percent by jury verdict.

During each of the past 5 years, the proportion of defendants sentenced to State prisons and reformatories was almost the same as the proportion placed on probation or sentenced to a local jail, workhouse, etc. In the fiscal year ending in June 1942, 34.2 percent were sentenced to a State prison or reformatory, 27.5 percent were placed on probation or given a suspended sentence, and 35.1 percent were sentenced to a local jail or workhouse. In the fiscal year ending in June 1938, the corresponding proportions were 52.7 percent, 31.7 percent, and 32.5 percent; for the year ending in 1940, the proportions were 37.1 percent, 27.6 percent, and 32.1 percent. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of during the fiscal year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and, in case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during the last 5 fiscal years is presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of during the fiscal year ending June 30, 1942, are presented in table 4 by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN CONNECTICUT, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1942

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941-1942	1940-1941	1939-1940	1938-1939	1937-1938	1941-1942	1940-1941	1939-1940	1938-1939	1937-1938
MAJOR OFFENSES, TOTAL.....	959	901	954	1,029	1,168	56.1	52.7	56.4	61.6	70.4
MURDER.....	10	9	3	10	10	0.6	0.5	0.2	0.6	0.6
MANSLAUGHTER.....	47	45	33	36	48	2.7	2.6	2.0	2.2	2.9
ROBBERY.....	73	66	91	64	66	4.3	3.9	5.4	3.8	4.0
AGGRAVATED ASSAULT.....	40	25	38	30	32	2.3	1.5	2.2	1.8	1.9
BURGLARY.....	175	189	244	292	340	10.2	11.1	14.4	17.5	20.5
LARCENY, EXCEPT AUTO THEFT.....	94	86	82	94	137	5.5	5.0	4.9	5.6	8.3
AUTO THEFT.....	97	82	77	62	104	5.7	4.8	4.2	3.7	6.3
EMBEZZLEMENT AND FRAUD.....	45	68	71	71	64	2.5	4.0	4.6	4.2	3.5
STOLEN PROPERTY, RECEIVING.....	22	12	13	16	26	1.1	0.7	0.8	1.0	1.6
FORGERY AND COUNTERFEITING.....	19	23	15	22	21	1.1	1.3	0.9	1.3	1.3
RAPE.....	85	83	60	80	48	5.0	4.9	3.6	4.8	2.9
OTHER MAJOR OFFENSES.....	254	213	227	252	282	14.9	12.5	13.4	15.1	17.0
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	841	780	843	873	990	49.2	45.6	49.9	52.2	59.5
MURDER.....	10	8	3	7	6	0.6	0.5	0.2	0.4	0.4
MANSLAUGHTER.....	36	28	20	23	33	2.1	1.6	1.2	1.4	2.0
ROBBERY.....	62	58	82	57	52	3.6	3.4	4.9	3.4	3.1
AGGRAVATED ASSAULT.....	38	21	36	25	26	2.2	1.2	2.1	1.5	1.6
BURGLARY.....	165	172	227	271	309	9.7	10.1	13.4	16.2	18.6
LARCENY, EXCEPT AUTO THEFT.....	74	74	70	78	115	4.5	4.3	4.1	4.7	6.9
AUTO THEFT.....	87	74	68	59	93	5.1	4.6	4.0	3.5	5.6
EMBEZZLEMENT AND FRAUD.....	36	60	68	61	47	2.1	3.5	4.0	3.7	2.8
STOLEN PROPERTY, RECEIVING, ETC.....	17	10	13	13	20	1.0	0.6	0.8	0.8	1.2
FORGERY AND COUNTERFEITING.....	13	21	14	19	20	1.1	1.2	0.8	1.1	1.2
RAPE.....	79	64	51	73	36	4.6	3.7	3.0	4.4	2.2
OTHER MAJOR OFFENSES.....	216	186	191	187	253	12.6	10.9	11.3	11.2	14.0

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATION OF POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATION.

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

PROCEDURAL OUTCOME	1941-1942		1940-1941		1939-1940		1937-1938	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
	SENTENCE		SENTENCE		SENTENCE		SENTENCE	
DEFENDANTS DISPOSED OF.....	959	100.0	901	100.0	954	100.0	1,029	100.0
ELIMINATED WITHOUT CONVICTION.....	18	12.3	121	13.4	91	11.6	156	15.2
DISMISSED.....	96	10.0	90	10.1	91	9.5	140	13.6
ACQUITTED BY COURT (JURY WAIVED).....	10	1.0	12	1.3	11	1.2	12	1.2
ACQUITTED BY JURY.....	7	0.7	4	0.4	5	0.5	1	0.1
OTHER NON-PENALTY DISPOSITION.....	5	0.5	15	1.7	4	0.4	3	0.3
CONVICTED.....	841	87.7	780	86.6	843	88.4	873	84.8
PLEA OF GUILTY.....	786	82.0	721	80.0	756	79.1	791	76.9
COURT FINDS GUILTY (JURY WAIVED).....	40	4.2	42	4.7	34	3.6	36	3.5
JURY VERDICT GUILTY.....	15	1.6	17	1.9	34	3.6	18	1.8
DEFENDANTS SENTENCED.....	841	100.0	780	100.0	843	100.0	873	100.0
DEATH PENALTY.....	1	0.1	-	-	-	-	-	-
STATE PRISONS OR REFORMATORIES.....	288	34.2	250	32.1	313	37.1	292	32.7
PROBATION OR SUSPENDED SENTENCE.....	231	27.5	250	32.1	233	27.6	297	34.0
LOCAL JAILS, WORKHOUSES, ETC.....	295	35.1	285	34.0	271	32.1	304	34.8
FINE OR COSTS ONLY.....	26	3.1	26	3.3	26	3.1	15	1.7
INSTITUTIONS FOR JUVENILES.....	-	-	9	1.2	-	-	-	-
OTHER SENTENCES.....	-	-	0	0	0	0	0	0

TABLE 4. — DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR AND COMMON PLEAS COURTS, BY OFFENSE: CONNECTICUT, 1941-1942

OFFENSE	PROCEDURAL OUTCOME										CONVICTED AND SENTENCED										SENTENCE OR TREATMENT									
	TOTAL DISPOSED OF WITHOUT CONVICTION		DISMISSED		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED AND SENTENCED		PLEA GUILTY		COURT FINDS GUILTY (JURY WAIVED)		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR JUVENILES OR DELINQUENTS ONLY		OTHER SENTENCE	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
ALL OFFENSES.....	1,552	31.1	260	30	1.5	7	5	841	786	40	15	26	1	316	296	413	193	26	-	-	-	-	-	-	-	-	-	-	-	-
MAJOR OFFENSES, TOTAL.....	1,959	118	96	10	7	5	841	786	40	15	26	1	316	288	231	295	26	-	-	-	-	-	-	-	-	-	-	-	-	-
MURDER.....	10	-	9	1	-	-	-	10	8	1	1	1	1	9	7	6	9	-	-	-	-	-	-	-	-	-	-	-	-	-
MANSLAUGHTER.....	47	11	9	2	1	2	-	32	3	3	1	1	14	41	6	15	9	-	-	-	-	-	-	-	-	-	-	-	-	-
ROBBERY.....	73	18	9	2	1	2	-	66	5	3	1	1	41	14	3	20	1	-	-	-	-	-	-	-	-	-	-	-	-	-
AGGRAVATED ASSAULT.....	40	2	2	0	1	1	-	38	3	1	1	1	15	53	47	40	1	-	-	-	-	-	-	-	-	-	-	-	-	-
BURGALARY.....	175	10	12	1	1	1	-	165	15	6	4	2	132	32	26	34	4	-	-	-	-	-	-	-	-	-	-	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	94	17	10	1	1	1	-	87	8	4	2	1	32	20	35	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
AUTO THEFT.....	97	10	7	0	1	1	-	87	8	1	1	1	15	8	13	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	43	7	6	1	1	1	-	35	3	1	1	1	3	3	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	72	5	5	1	1	1	-	67	5	1	1	1	29	29	21	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	16	1	3	0	1	1	-	13	1	1	1	1	3	3	3	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OBSCENE AND LASCIVIOUS.....	6	0	2	0	1	1	-	4	0	1	1	1	2	2	2	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER SEX OFFENSES.....	165	27	21	1	2	3	138	129	7	2	2	2	33	40	63	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
VIOLATING DRUG LAWS.....	4	-	-	-	-	-	4	4	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	12	8	6	4	-	-	12	11	1	1	1	1	4	3	6	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER MAJOR OFFENSES.....	56	4	4	-	-	-	48	40	4	4	4	4	24	7	11	7	6	-	-	-	-	-	-	-	-	-	-	-	-	-
ABORTION.....	13	1	1	1	1	1	-	11	8	2	1	1	1	1	6	2	3	-	-	-	-	-	-	-	-	-	-	-	-	-
BIGAMY.....	12	3	3	-	-	-	9	9	-	-	-	-	4	4	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
EDUCATIONAL AND EXTORTION.....	1	-	-	-	-	-	1	1	-	-	-	-	1	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	15	1	-	-	-	-	15	12	1	1	1	1	1	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	1	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	573	103	164	20	8	1	380	296	73	11	11	11	288	231	295	118	167	-	-	-	-	-	-	-	-	-	-	-	-	-

1 THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN PERCENT COLUMNS — QUANTITY ZERO, IN NUMBER COLUMNS 0.

JUDICIAL CRIMINAL STATISTICS

SOUTH DAKOTA, 1941

The Bureau of the Census received from clerks of court in South Dakota reports on 384 defendants charged with major offenses who were disposed of in the circuit courts of the 69 counties during the calendar year 1941. Of the 384 persons charged with major offenses in 1941, 334, or 9 out of every 10, were convicted and sentenced; of these, 202, or 6 out of every 10, were sentenced to imprisonment in a State institution for adults; 68, or about 2 out of every 10, were placed on probation or given a suspended sentence. Two defendants charged with murder were convicted and given the death penalty. Of the 319 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 279, or about 9 out of every 10, were convicted. Of the 58 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 33, or about 9 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased from 80.4 in 1937 to 59.7 in 1941. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 68.4 in 1938 to 51.9 in 1941. In each of the 5 years, more defendants were convicted of larceny than were convicted of any other offense, but the rate for defendants convicted of larceny decreased from 26.5 in 1938 to 18.8 in 1941. (See table 1.)

During the past 5 years, about 17 out of every 20 defendants charged with major offenses were convicted. In 1937, 83.8 percent of the defendants were convicted; in 1939, 88.7 percent; and in 1941, 87.0

percent. In 1941, 81.0 percent of all defendants pleaded guilty, whereas 3.4 percent were found guilty by jury and 2.6 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 55.7 in 1939 to 60.5 in 1941. The proportion of defendants placed on probation or given a suspended sentence increased from 18.6 in 1937 to 22.8 in 1940, but decreased to 20.4 in 1941. The proportion sentenced to local jails and workhouses also fluctuated from year to year, increasing from 17.9 in 1937 to 20.2 in 1938, decreasing to 14.4 in 1940, and registering a slight increase to 15.9 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN SOUTH DAKOTA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	384	478	468	392	526.	59.7	74.3	76.9	78.7	80.4
MURDER.....	2	4	3	-	3	0.3	0.6	0.5	0	0.5
MANSLAUGHTER.....	2	7	6	4	6	0.3	1.1	1.0	0.8	0.9
ROBBERY.....	15	9	11	5	12	2.3	1.4	1.8	1.0	1.8
AGGRAVATED ASSAULT.....	17	15	11	12	15	1.7	2.3	1.8	2.4	2.3
BURGLARY.....	47	73	81	74	89	7.3	12.1	13.3	14.9	13.6
LARCENY, EXCEPT AUTO THEFT.....	134	151	156	151	169	20.8	23.5	25.6	30.3	25.8
AUTO THEFT.....	19	23	17	9	18	3.0	3.8	2.8	1.8	2.8
EMBEZZLEMENT AND FRAUD.....	35	48	37	21	38	5.4	7.5	6.1	4.2	5.8
STOLEN PROPERTY, RECEIVING, ETC.....	6	5	11	8	12	0.9	0.8	1.8	1.6	1.8
FORGERY AND COUNTERFEITING.....	63	81	69	50	67	9.8	12.6	11.3	10.0	10.2
RAPE.....	23	22	26	21	24	3.6	3.4	4.3	4.2	3.7
OTHER MAJOR OFFENSES.....	27	35	40	37	73	4.2	5.4	6.6	7.4	11.2
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	334	416	415	341	441	51.9	64.7	68.2	68.4	67.4
MURDER.....	2	2	3	-	3	0.3	0.3	0.5	0	0.5
MANSLAUGHTER.....	2	3	4	2	5	0.3	0.5	0.7	0.4	0.8
ROBBERY.....	14	7	11	3	11	2.2	1.1	1.8	0.6	1.7
AGGRAVATED ASSAULT.....	10	10	6	10	10	1.6	1.6	1.0	2.0	1.5
BURGLARY.....	40	74	71	65	71	6.2	11.5	11.7	13.0	10.9
LARCENY, EXCEPT AUTO THEFT.....	121	159	147	133	146	18.8	21.6	24.2	26.5	22.3
AUTO THEFT.....	16	20	17	9	17	2.5	3.1	2.8	1.8	2.6
EMBEZZLEMENT AND FRAUD.....	23	37	32	18	28	3.6	5.8	5.3	3.6	4.3
STOLEN PROPERTY, RECEIVING, ETC.....	5	3	11	8	11	0.8	0.5	1.8	1.6	1.7
FORGERY AND COUNTERFEITING.....	60	78	64	48	65	9.3	12.1	10.5	9.6	9.9
RAPE.....	19	15	19	18	14	3.0	2.3	3.1	3.6	2.1
OTHER MAJOR OFFENSES.....	22	28	30	28	60	4.4	4.4	4.9	5.6	9.2

*NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 99.7 PERCENT OF THE POPULATION OF THE STATE IN 1937; 76.8 PERCENT IN 1938; 4 PERCENT IN 1939; AND 100 PERCENT IN 1940 AND 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATIONS COVERED BY THE REPORTS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	354	100.0	478	100.0	468	100.0	392	100.0	526	100.0
ELIMINATED WITHOUT CONVICTION.....	50	13.0	62	13.0	53	11.3	51	13.0	85	16.2
DISMISSED.....	3	0	44	9.2	56	11.9	2	0.5	7	1.3
ACQUITTED BY JURY (JURY WAIVED).....	10	2.8	11	2.3	13	2.8	13	3.3	13	2.5
OTHER NON-PENALTY DISPOSITION.....	3	0.8	16	3.3	2	0.4	1	0.3	1	0.2
CONVICTED.....	334	87.0	416	87.0	415	88.7	341	87.0	441	83.8
DEATH PENALTY.....	1	0.3	1	0.2	1	0.2	1	0.3	1	0.2
STATE PRISONS OR REFORMATORIES.....	1	0.3	1	0.2	1	0.2	1	0.3	1	0.2
LOCAL JAILS OR WORKHOUSES.....	2	0.6	1	0.2	1	0.2	1	0.3	1	0.2
FINE OR COSTS ONLY.....	7	2.1	11	2.3	11	2.4	7	1.8	16	3.0
INSTITUTIONS FOR JUVENILES.....	2	0.6	4	0.8	4	0.8	3	0.8	7	1.3
OTHER SENTENCE.....	1	0.3	1	0.2	1	0.2	1	0.3	1	0.2
JURY VERDICT GUILTY.....	13	3.4	12	2.5	19	4.1	10	2.6	26	4.9

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	354	100.0	416	100.0	415	100.0	341	100.0	441	100.0
DEATH PENALTY.....	2	0.6	2	0.5	2	0.5	2	0.6	0	0
STATE PRISONS OR REFORMATORIES.....	202	57.1	246	59.1	231	55.7	191	56.0	257	58.3
LOCAL JAILS OR WORKHOUSES.....	68	19.2	85	20.4	77	18.6	69	20.0	92	20.9
FINE OR COSTS ONLY.....	53	15.0	60	14.4	79	19.0	59	17.3	83	18.8
INSTITUTIONS FOR JUVENILES.....	7	2.0	11	2.6	11	2.7	7	2.1	16	3.6
OTHER SENTENCE.....	2	0.6	4	1.0	4	1.0	6	1.8	7	1.6

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: SOUTH DAKOTA, 1941

OFFENSE	PROCEDURAL OUTCOME					CONVICTED AND SENTENCED					SENTENCE OR TREATMENT				
	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION		ACQUITTED BY JURY		TOTAL CONVICTED AND SENTENCED	PLEA GUILTY	CONVICTED GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
		TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	OTHER											PLEA GUILTY	CONVICTED GUILTY (JURY WAIVED)	JURY VERDICT GUILTY
ALL OFFENSES.....	642	83	63	16	4	559	525	15	19	2	212	116	81	5	-
MAJOR OFFENSES, TOTAL.....	354	50	37	10	3	334	311	10	13	2	202	53	7	2	-
MURDER.....	2	-	-	-	-	2	2	-	-	2	-	-	-	-	-
MANSLAUGHTER.....	12	1	-	-	-	11	11	-	-	-	-	-	-	-	-
ROBBERY.....	11	1	-	-	-	10	10	-	-	-	-	-	-	-	-
BLINDING.....	47	1	1	1	1	44	43	-	-	-	-	-	-	-	-
BURGLARY.....	134	13	10	2	1	121	112	5	4	-	69	25	1	1	-
LARCENY, EXCEPT AUTO THEFT.....	19	5	3	1	1	15	14	-	-	-	-	-	-	-	-
AUTO THEFT.....	35	12	7	4	1	23	21	2	2	-	11	5	3	1	-
EMBEZZLEMENT AND FRAUD.....	63	3	3	1	1	60	58	2	2	-	37	10	2	1	-
STOLEN PROPERTY, RECEIVING, ETC.....	23	1	1	1	1	21	19	1	1	-	14	5	-	-	-
FUGITIVE AND COUNTERFEITING.....	12	1	1	-	-	11	10	-	-	-	-	-	-	-	-
COMMERCIALIZED VICE.....	1	-	-	-	-	1	1	-	-	-	-	-	-	-	-
OTHER SEX OFFENSES.....	6	3	2	1	1	3	3	-	-	-	-	-	-	-	-
DRUGS AND DRUG LAWS.....	5	1	1	1	1	3	3	-	-	-	-	-	-	-	-
OTHER MAJOR OFFENSES.....	9	1	1	1	1	7	7	-	-	-	-	-	-	-	-
ABORTION.....	6	1	1	1	1	5	5	-	-	-	-	-	-	-	-
ARSON.....	6	1	1	1	1	5	5	-	-	-	-	-	-	-	-
BIGAMY.....	3	-	-	-	-	3	3	-	-	-	-	-	-	-	-
BLADDER AND EXTORTION.....	3	-	-	-	-	3	3	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PELVIC.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	258	33	26	6	1	225	214	5	6	-	10	75	63	74	3

1 THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.
 3-50012

JUDICIAL CRIMINAL STATISTICS

NEW MEXICO, 1941

The Bureau of the Census received from clerks of court in New Mexico reports on 974 defendants charged with major offenses who were disposed of in the district courts of the 31 counties during the calendar year 1941. Of these 974 defendants, 665, or about 7 out of 10, were convicted and sentenced; of these, 342, or about 5 out of 10, were sentenced to a State institution; 229, or about 3 out of 10, were placed on probation or given a suspended sentence. Of the 23 defendants charged with murder, 12 were convicted, 1 received the death penalty, and 11 were sentenced to a State institution. Of the 658 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 468, or about 7 out of every 10, were convicted. Of the 229 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 132, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 169.7 in 1937 to 196.6 in 1939, but had decreased to 183.1 in 1941. The rate for defendants convicted of major offenses increased from 128.2 in 1937 to 142.5 in 1938 and then decreased to 128.0 in 1941. In each of the 5 years, more defendants were convicted of larceny than were convicted of any other offense. The rate for defendants convicted of larceny decreased, however, from 52.9 in 1939 to 36.7 in 1941. (See table 1.)

During the past 5 years, approximately 7 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted

decreased from 75.5 percent in 1937 to 68.3 percent in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 58.4 percent of all defendants pleaded guilty, whereas only 6.2 were found guilty by jury and 3.7 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced had decreased from 63.8 in 1937 to 51.4 in 1941. In contrast, however, the proportion of defendants placed on probation or given a suspended sentence increased from 24.3 in 1937 to 37.9 in 1939, but decreased to 34.4 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW MEXICO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	974	969	1,008	955	838	183.1	182.2	196.6	189.7	169.7
MURDER.....	23	27	18	50	43	4.3	5.1	3.5	9.9	8.7
MANSLAUGHTER.....	29	23	23	24	16	5.5	4.3	4.5	4.8	3.2
ROBBERY.....	33	32	23	24	29	6.2	6.0	4.5	4.8	5.9
AGGRAVATED ASSAULT.....	114	100	115	126	104	21.4	18.8	22.4	25.0	21.1
BURGLARY.....	79	90	98	81	65	14.9	16.9	19.1	16.1	13.2
LARCENY, EXCEPT AUTO THEFT.....	271	296	343	288	273	51.0	55.7	66.9	57.2	55.3
AUTO THEFT.....	55	43	43	36	27	10.3	8.1	8.4	7.2	5.5
EMBEZZLEMENT AND FRAUD.....	78	79	83	89	51	14.7	14.9	16.2	13.7	16.4
STOLEN PROPERTY, RECEIVING, ETC.....	24	28	25	50	33	4.5	5.3	4.9	9.9	8.7
FORGERY AND COUNTERFEITING.....	118	127	107	81	65	22.2	23.9	20.9	16.1	13.2
RAPE.....	63	40	52	58	42	11.8	7.5	10.1	11.5	8.5
OTHER MAJOR OFFENSES.....	87	84	78	68	60	16.4	15.8	15.2	13.5	12.2
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	665	685	728	717	633	125.0	128.8	142.0	142.5	128.2
MURDER.....	12	18	13	35	31	2.3	3.4	2.5	7.0	6.3
MANSLAUGHTER.....	18	18	12	13	10	3.4	3.4	2.3	2.6	2.0
ROBBERY.....	22	27	17	21	26	4.1	5.1	3.3	4.2	5.3
AGGRAVATED ASSAULT.....	62	52	54	66	66	11.7	9.8	10.5	13.1	13.4
BURGLARY.....	63	78	79	66	57	11.8	14.7	15.4	13.1	11.5
LARCENY, EXCEPT AUTO THEFT.....	195	199	271	242	220	36.7	37.4	52.9	48.1	44.6
AUTO THEFT.....	48	37	34	32	23	9.0	7.0	6.6	6.4	4.7
EMBEZZLEMENT AND FRAUD.....	46	56	56	47	60	8.6	10.5	10.9	9.3	12.2
STOLEN PROPERTY, RECEIVING, ETC.....	17	20	17	40	20	3.8	3.2	3.3	7.9	4.1
FORGERY AND COUNTERFEITING.....	94	101	91	66	56	17.7	17.7	17.7	14.5	11.3
RAPE.....	40	25	34	31	24	7.5	4.7	6.6	6.2	4.9
OTHER MAJOR OFFENSES.....	45	57	50	51	40	8.5	10.7	9.8	10.1	8.1

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 99.0 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1939, AND 100.0 PERCENT FOR 1940 AND 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATION. THE RATES FOR 1937-1939 ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

JUDICIAL CRIMINAL STATISTICS

WASHINGTON, 1941

The Bureau of the Census received from clerks of court in Washington reports on 1,334 defendants charged with major offenses who were disposed of in the superior courts of 36 of the 39 counties during the calendar year 1941. Of these 1,334 defendants, 1,152, or about 9 out of 10, were convicted and sentenced; of these, 628, or about 5 out of 10, were sentenced to a State institution; 369, or about 3 out of 10, were placed on probation or given a suspended sentence. Of the 13 defendants charged with murder, 11 were convicted, 1 received the death penalty, and 10 were sentenced to a State institution. Of the 1,037 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 909, or about 9 out of every 10, were convicted. Of the 129 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 102, or about 8 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased from 97.5 in 1938 to 80.3 in 1941. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 80.9 in 1938 to 69.3 in 1941. More defendants were charged with and convicted of larceny than of any other offense in each of the 5 years; convictions for burglary ranked second in number. Although the rate for defendants convicted of larceny was 24.5 in 1939, it decreased to 18.5 in 1941. (See table 1.)

During the past 5 years, about 17 out of every 20 defendants charged with major offenses were con-

victed. The percentage of defendants convicted has increased from 81.6 in 1937 to 86.4 in 1941. Of all the defendants convicted, the greatest proportion pleaded guilty. In 1941, 76.6 percent of all defendants pleaded guilty, whereas only 7.1 were found guilty by jury and 2.6 percent by court. (See table 2.)

More than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percentage so sentenced decreased from 85.7 in 1937 to 54.5 in 1941. In contrast, however, the proportion of all defendants placed on probation or given a suspended sentence increased from 15.0 in 1937 to 32.0 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses, during 1941 and the preceding 4 years, are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN WASHINGTON, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,334	1,584	1,614	1,637	1,579	80.3	91.2	94.6	97.5	95.4
MURDER.....	13	16	13	32	23	0.8	0.9	0.8	1.9	1.4
MANSLAUGHTER.....	49	42	29	44	67	2.9	2.4	1.7	2.6	4.0
ROBBERY.....	76	76	88	83	76	4.6	4.4	5.2	4.9	4.6
AGGRAVATED ASSAULT.....	36	55	45	66	54	2.2	3.2	2.6	4.0	3.3
BURGLARY.....	257	324	377	361	298	15.5	18.7	22.1	21.5	18.0
LARCENY, EXCEPT AUTO THEFT.....	366	476	507	456	440	22.0	27.4	29.7	27.2	26.6
AUTO THEFT.....	169	122	124	97	116	10.2	7.0	7.3	5.8	7.0
EMBEZZLEMENT AND FRAUD.....	28	51	10	50	49	1.7	2.9	0.6	1.8	3.0
STOLEN PROPERTY, RECEIVING, ETC.....	22	19	10	13	22	1.3	1.1	0.6	0.8	1.3
FORGERY AND COUNTERFEITING.....	119	187	161	205	167	7.2	10.8	9.4	12.2	10.1
RAPE.....	31	48	22	45	60	1.9	2.8	1.3	2.7	3.6
OTHER MAJOR OFFENSES.....	168	168	228	205	207	10.1	9.7	13.4	12.2	12.5
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,152	1,343	1,360	1,357	1,289	69.3	77.4	79.7	80.9	77.9
MURDER.....	11	10	7	19	17	0.7	0.6	0.4	1.1	1.0
MANSLAUGHTER.....	35	26	17	28	45	2.1	1.5	1.0	1.7	2.7
ROBBERY.....	61	66	71	70	66	3.7	3.8	4.2	4.2	4.0
AGGRAVATED ASSAULT.....	32	44	33	53	48	1.9	2.5	2.0	3.2	2.9
BURGLARY.....	236	300	349	323	273	14.2	17.3	20.5	19.2	16.5
LARCENY, EXCEPT AUTO THEFT.....	307	401	418	383	350	18.5	23.1	24.5	22.8	21.1
AUTO THEFT.....	154	108	110	82	104	9.3	6.2	6.4	4.9	6.3
EMBEZZLEMENT AND FRAUD.....	23	31	5	11	25	1.4	1.8	0.3	0.7	1.5
STOLEN PROPERTY, RECEIVING, ETC.....	16	14	9	10	17	1.0	0.8	0.5	0.6	1.0
FORGERY AND COUNTERFEITING.....	112	174	146	178	150	6.7	10.0	8.6	10.6	9.1
RAPE.....	24	37	16	30	43	1.4	2.1	0.9	1.5	2.6
OTHER MAJOR OFFENSES.....	141	132	179	170	151	8.5	7.6	10.5	10.1	9.1

NOTE.—On the basis of the 1940 Census, reports cover 100.0 percent of the population of the State for 1937-1940, and 95.7 percent for 1941. Rates for 1940 and 1941 are based on enumerated population of 1940; for 1937-1939 on estimated populations. The rates for 1941 are based on the proportion of population covered by the reports.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941			1940			1939			1938			1937		
	NUMBER	PERCENT													
DEFENDANTS DISPOSED OF.....	1,354	100.0	1,584	100.0	1,614	100.0	1,637	100.0	1,579	100.0	1,500	100.0	1,433	100.0	
ELIMINATED WITHOUT CONVICTION.....	182	13.6	241	15.2	254	15.7	280	17.1	290	18.4	290	19.4	290	19.4	
DISMISSED.....	140	10.5	186	11.7	177	11.0	200	12.2	219	13.9	219	14.6	219	14.6	
ACQUITTED BY COURT (JURY WAIVED).....	32	2.4	40	2.5	58	3.6	58	3.5	52	3.4	52	3.4	52	3.4	
ACQUITTED BY COURT (JURY VERDICT WAIVED).....	3	0.2	1	0.1	1	0.1	1	0.1	1	0.1	1	0.1	1	0.1	
OTHER NON-REASONABLE DISPOSITION.....	2	0.1	14	0.9	18	1.1	16	1.0	17	1.1	17	1.1	17	1.1	
OTHER CONVICTED.....	1,152	86.4	1,343	84.8	1,360	84.3	1,357	82.9	1,289	81.6	1,289	81.6	1,289	81.6	
PLEA OF GUILTY.....	1,022	76.6	1,234	77.9	1,235	76.5	1,206	75.7	1,128	71.4	1,128	71.4	1,128	71.4	
COURT FINDS GUILTY (JURY WAIVED).....	35	2.6	2	0.1	4	0.2	19	1.2	18	1.1	18	1.1	18	1.1	
JURY VERDICT GUILTY.....	95	7.1	107	6.8	121	7.5	132	8.1	143	9.1	143	9.1	143	9.1	

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

SENTENCE	1941			1940			1939			1938			1937		
	NUMBER	PERCENT													
DEFENDANTS SENTENCED.....	1,152	100.0	1,343	100.0	1,360	100.0	1,357	100.0	1,289	100.0	1,289	100.0	1,289	100.0	
DEATH PENALTY.....	1	0.1	4	0.3	2	0.1	4	0.3	5	0.4	5	0.4	5	0.4	
PRISON.....	628	54.5	766	57.0	776	57.1	853	62.9	847	65.7	847	65.7	847	65.7	
PROBATION OF SUSPENDED SENTENCE.....	369	32.0	281	23.4	356	26.2	288	21.2	193	15.0	193	15.0	193	15.0	
LOCAL JAILS, WORKHOUSES, ETC.....	139	12.1	182	13.6	203	14.9	198	14.6	231	17.9	231	17.9	231	17.9	
FINE OR COSTS ONLY.....	13	1.1	10	0.7	12	0.9	7	0.5	13	1.0	13	1.0	13	1.0	
INSTITUTIONS FOR JUVENILES.....	12	1.1	0	0	0	0	0	0	0	0	0	0	0	0	
OTHER SENTENCE.....	2	0.2	0	0	2	0.1	0	0	0	0	0	0	0	0	

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSE: WASHINGTON, 1941

OFFENSE	PROCEDURAL OUTCOME										CONVICTED AND SENTENCED										SENTENCE OR TREATMENT													
	TOTAL DISPOSED		DISMISSED		ACQUITTED		DISPOSED OF WITHOUT CONVICTION		ACQUITTED		CONVICTED		TOTAL CONVICTED		PLEA OF GUILTY		CONVICTED BY COURT		DEATH PENALTY		STATE PRISONS		PROBATION		LOCAL		INSTITUTIONS		OTHER					
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT				
ALL OFFENSES.....	1,682		294		226		2		53		13		1,388		1,219		58		111		1		632		457		214		78		3			
MAJOR OFFENSES, TOTAL.....	1,534		182		140		1		39		2		1,152		1,022		35		95		1		628		369		139		13		2			
MURDER.....	15		2		2		0		1		1		11		5		0		6		1		10		7		15		1		0			
MANSLAUGHTER.....	10		14		10		0		15		1		31		30		1		12		0		55		14		2		2		0			
ROBBERY.....	76		14		10		0		3		0		49		49		0		2		0		21		7		3		2		0			
AGGRAVATED ASSAULT.....	257		21		19		1		2		0		236		210		6		20		0		159		70		5		2		0			
BURGLARY.....	365		59		48		1		11		4		266		19		22		22		0		307		128		60		6		0			
LARCENY, EXCEPT AUTO THEFT.....	169		15		11		1		4		0		154		142		18		4		0		68		81		3		3		1			
AUTO THEFT.....	28		5		5		0		0		0		23		20		3		3		0		7		11		5		1		0			
EMBEZZLEMENT AND FRAUD.....	22		6		6		0		0		0		16		15		1		1		0		8		6		2		0		0			
STOLEN PROPERTY, RECEIVING, ETC.....	119		7		7		0		1		0		112		109		3		3		0		62		26		4		0		0			
FORGERY AND COUNTERFEITING.....	7		0		0		0		0		0		7		7		0		0		0		0		0		0		0		0		0	
RAPE.....	51		2		2		0		1		0		24		20		4		4		0		20		4		0		0		0		0	
COMMERCIALIZED VICE.....	197		16		14		2		2		0		181		110		2		0		0		66		16		96		2		0		0	
VIOLATION OF PROBATION.....	2		0		0		0		0		0		2		2		0		0		0		0		0		0		0		0		0	
OTHER MAJOR OFFENSES.....	19		4		3		2		1		1		13		12		1		1		0		7		3		3		1		0		0	
ABORTION.....	1		0		0		0		0		0		1		1		0		0		0		0		0		0		0		0		0	
ARSON.....	6		0		0		0		0		0		6		6		0		0		0		0		0		0		0		0		0	
BIGAMY.....	5		2		2		0		0		0		3		3		0		0		0		3		2		1		1		0		0	
BLACKMAIL AND EXTORTION.....	5		1		1		0		0		0		4		4		0		0		0		0		1		0		0		0		0	
ESCAPE AND JAIL BREAK.....	5		1		1		0		0		0		4		4		0		0		0		0		0		0		0		0		0	
KIDNAPING.....	4		0		0		0		0		0		4		4		0		0		0		0		0		0		0		0		0	
PERJURY.....	4		0		0		0		0		0		4		4		0		0		0		0		0		0		0		0		0	
MINOR OFFENSES.....	348		112		86		1		14		11		236		197		23		16		0		4		83		75		65		1		3	

1. THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS. QUANTITY ZERO, IN NUMBER COLUMNS, —; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

2. SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, —; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

3-30016

JUDICIAL CRIMINAL STATISTICS

NEW JERSEY, 1941

The Bureau of the Census received from clerks of court in New Jersey reports on 5,291 defendants charged with major offenses who were disposed of in the trial courts in 20 of the 21 counties during the calendar year 1941. Of these 5,291 defendants, 4,117, or about 8 out of every 10, were convicted and sentenced; of these, 1,488, or about 4 out of every 10, were sentenced to a State institution; 1,939, or about 3 out of every 10, were placed on probation or on a suspended sentence; and 796, or about 2 out of every 10, were sentenced to a local institution. Of the 57 defendants charged with murder, 41 were convicted; of these, 3 received the death penalty and 38 were sentenced to a State institution. Of the 3,250 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 2,666, or 8 out of every 10, were convicted. Of the 1,054 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 673, or about 6 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses has fluctuated from year to year, but the greatest changes were an increase from 142.1 in 1939 to 177.3 in 1940, and a decrease to 134.2 in 1941. The rate for defendants convicted of major offenses followed the same general trend, increasing from 115.8 in 1939 to 155.0 in 1940, and decreasing to 104.4 in 1941. In each of the 5 years, more defendants were convicted of burglary than were convicted of any other offense; convictions for larceny ranked second in number. The rate for defendants convicted of burglary increased from 28.9 in 1939 to 36.7 in 1940, and then decreased to 22.2 in 1941. (See table 1.)

During the past 5 years, 8 out of every 10 defendants charged with major crimes were convicted. In 1938, 80.2 percent of the defendants were convicted; in 1940, 76.1 percent; and in 1941, 76.0 percent. In 1941, 66.9 percent of all defendants pleaded guilty, whereas only 7.6 were found guilty by court and 5.3 by jury. (See table 2.)

More than one-third of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 33.1 in 1939 to 36.1 in 1941. The proportion of defendants placed on probation or given a suspended sentence decreased from 37.3 in 1937 to 36.3 in 1939, increasing to 38.0 in 1940, and decreasing to 34.0 in 1941. The proportion of defendants sentenced to local jails and workhouses decreased from 21.9 in 1937 to 19.3 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and, in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN NEW JERSEY, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	5,291	7,250	5,870	6,104	5,260	134.2	177.3	142.1	148.8	141.6
MURDER.....	57	51	34	43	40	1.4	1.2	0.8	1.0	1.1
MANSLAUGHTER.....	101	103	70	110	142	2.6	2.5	1.7	2.7	3.8
ROBBERY.....	354	400	397	504	332	9.0	9.8	9.6	12.3	8.9
AGGRAVATED ASSAULT.....	654	743	661	674	606	16.6	18.2	16.0	16.4	16.3
BURGLARY.....	963	1,666	1,298	1,361	1,088	24.4	40.7	31.4	33.2	29.3
LARCENY, EXCEPT AUTO THEFT.....	831	1,193	1,054	1,046	949	21.1	29.2	25.5	25.5	25.5
AUTO THEFT.....	345	598	226	262	258	8.7	9.7	5.5	6.4	6.9
EMBEZZLEMENT AND FRAUD.....	403	956	674	506	375	10.3	23.4	16.3	12.5	10.1
STOLEN PROPERTY, RECEIVING, ETC.....	179	152	158	205	163	4.5	3.7	4.1	4.1	4.5
FORGERY AND COUNTERFEITING.....	172	127	111	167	189	4.4	3.1	2.7	4.1	5.1
RAPE.....	242	220	201	182	138	6.1	5.4	4.9	4.4	3.7
OTHER MAJOR OFFENSES.....	987	1,241	976	1,044	975	25.0	30.3	23.6	25.4	26.2
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	4,117	5,519	4,700	4,896	4,192	104.4	135.0	113.8	119.3	112.8
MURDER.....	41	35	23	37	32	1.0	0.9	0.6	0.9	0.9
MANSLAUGHTER.....	43	40	26	55	71	1.1	1.0	0.9	1.3	1.9
ROBBERY.....	270	329	322	394	276	6.8	8.0	7.8	9.6	7.4
AGGRAVATED ASSAULT.....	415	457	454	471	379	10.5	11.2	11.0	11.5	10.2
BURGLARY.....	874	1,502	1,192	1,224	1,002	22.2	36.7	28.9	29.8	27.0
LARCENY, EXCEPT AUTO THEFT.....	673	989	908	913	820	17.1	24.2	22.0	22.3	22.1
AUTO THEFT.....	319	308	199	237	242	8.1	7.5	4.8	5.8	6.5
EMBEZZLEMENT AND FRAUD.....	286	580	438	382	246	7.3	14.2	10.6	9.3	6.6
STOLEN PROPERTY, RECEIVING, ETC.....	125	102	119	141	111	3.2	2.5	2.9	3.4	3.0
FORGERY AND COUNTERFEITING.....	119	101	95	126	148	3.0	2.5	2.3	2.9	4.0
RAPE.....	179	158	150	120	95	4.5	3.9	3.6	2.9	2.6
OTHER MAJOR OFFENSES.....	773	918	764	797	767	19.5	22.4	18.5	19.4	20.6

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 90.8 PERCENT OF THE POPULATION OF THE STATE IN 1937; 100.0 PERCENT IN 1938 AND 1939; 98.3 PERCENT IN 1940; AND 94.8 PERCENT IN 1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 2. —PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	5,291	100.0	7,250	100.0	5,970	100.0	6,104	100.0	5,250	100.0
ELIMINATED WITHOUT CONVICTION.....	1,174	22.2	1,731	23.9	1,170	19.9	1,208	19.8	1,068	20.3
DISMISSED.....	729	14.0	1,032	15.6	702	12.0	661	11.2	584	11.1
ACQUITTED BY COURT (JURY WAIVED).....	445	8.4	632	9.6	402	7.2	405	7.4	341	7.4
ACQUITTED BY JURY.....	541	10.2	1,182	17.6	1,194	21.4	232	4.8	218	4.1
OTHER ACQUITTALS.....	28	0.5	112	1.5	25	0.4	234	4.6	227	4.4
CONVICTED.....	4,117	77.8	5,519	76.1	4,700	80.1	4,896	80.2	4,132	79.0
PLEA OF GUILTY.....	3,542	66.9	4,468	64.1	4,103	69.8	4,207	69.3	3,633	69.7
COURT FINDS GUILTY (JURY WAIVED).....	401	7.6	593	8.2	374	6.4	386	6.3	310	5.9
JURY VERDICT GUILTY.....	174	3.3	278	3.8	223	3.8	303	5.0	254	4.8

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	4,117	100.0	5,519	100.0	4,700	100.0	4,896	100.0	4,132	100.0
DEATH PENALTY.....	3	0.1	—	0	—	0	—	0	—	0
STATE PRISONS OR REFORMATORIES.....	1,483	36.1	1,950	35.5	1,555	33.1	1,698	34.7	1,425	34.0
IMPRISONMENT OF SUSPENDED SENTENCE.....	1,726	41.9	1,053	19.1	1,044	22.2	1,047	21.4	1,353	32.0
INSTITUTIONS FOR THE DEAF, BLIND, ETC.....	408	9.9	341	6.2	402	8.6	308	6.3	190	4.5
INSTITUTIONS FOR JUVENILES.....	—	0	3	0.1	—	—	—	—	—	—
OTHER SENTENCE.....	12	0.3	16	0.3	13	0.3	16	0.3	15	0.4

TABLE 4. —DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: NEW JERSEY, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF				PROCEDURAL OUTCOME				SENTENCE OR TREATMENT																			
	DISPOSED OF WITHOUT CONVICTION		DISPOSED OF WITH CONVICTION		ACQUITTED		DISMISSED		CONVICTED		PLEA OF GUILTY (JURY WAIVED)		COURT FINDS GUILTY (JURY WAIVED)		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		PREPARATION OF SUSPENDED SENTENCE		LOCAL JAILS, HOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR JUVENILES OR DELINQUENTS ONLY		OTHER SENTENCE	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
ALL OFFENSES.....	7,944	100.0	1,985	25.0	5,959	75.0	211	5.9	5,748	72.2	4,963	62.1	761	9.6	3	0.0	1,611	20.3	2,132	26.9	1,131	14.3	408	5.1	29	0.4	18	0.2
MAJOR OFFENSES, TOTAL.....	5,291	100.0	1,174	22.2	4,117	77.8	166	3.1	3,951	74.7	3,542	67.1	401	7.6	3	0.1	1,488	28.1	1,399	26.5	796	15.0	408	7.7	11	0.2	12	0.2
MURDER.....	57	1.1	16	0.3	4	0.1	11	0.2	1	0.0	29	0.6	1	0.0	3	0.1	38	0.7	9	0.2	—	—	—	—	—	—	—	—
MANSLAUGHTER.....	101	1.9	37	0.7	3	0.0	18	0.3	2	0.0	23	0.5	2	0.0	—	—	18	0.3	9	0.2	—	—	—	—	—	—	—	—
ROBBERY.....	574	10.8	50	1.0	19	0.4	13	0.3	2	0.0	264	6.4	20	0.4	—	—	270	5.4	26	0.5	—	—	—	—	—	—	—	—
AGGRAVATED ASSAULT.....	1,054	19.8	294	5.5	11	0.2	39	0.8	12	0.3	703	17.7	55	1.1	—	—	98	2.0	117	2.4	—	—	—	—	—	—	—	—
LIBEL.....	963	18.3	89	1.6	1	0.0	1	0.0	1	0.0	87	2.1	74	1.5	—	—	205	4.2	243	5.0	—	—	—	—	—	—	—	—
LIBEL, EXCEPT AUTO THEFT.....	831	15.8	113	2.2	29	0.6	11	0.2	5	0.1	626	15.9	29	0.6	—	—	205	4.2	194	4.0	—	—	—	—	—	—	—	—
AUTO THEFT.....	343	6.4	24	0.5	12	0.2	9	0.2	3	0.1	293	7.3	23	0.5	—	—	140	2.8	108	2.2	—	—	—	—	—	—	—	—
EMBEZZLEMENT AND FRAUD.....	405	7.5	122	2.3	105	2.1	13	0.3	1	0.0	236	5.9	5	0.1	—	—	36	0.7	161	3.3	—	—	—	—	—	—	—	—
STOLEN PROPERTY, RECEIVING, ETC.....	179	3.4	54	1.0	37	0.7	10	0.2	7	0.1	115	2.9	6	0.1	—	—	19	0.4	77	1.6	—	—	—	—	—	—	—	—
FORGERY AND COUNTERFEITING.....	172	3.3	53	1.0	47	0.9	15	0.3	1	0.0	113	2.9	3	0.1	—	—	30	0.6	29	0.6	—	—	—	—	—	—	—	—
RAPE.....	242	4.5	36	0.7	19	0.4	3	0.1	3	0.1	152	3.8	24	0.5	—	—	92	1.9	55	1.1	—	—	—	—	—	—	—	—
COMMERCIALIZED VICE.....	166	3.2	22	0.4	7	0.1	2	0.0	1	0.0	113	2.8	16	0.3	—	—	49	1.0	49	1.0	—	—	—	—	—	—	—	—
OTHER SEX OFFENSES.....	59	1.1	12	0.2	67	1.3	26	0.5	2	0.0	316	7.9	18	0.4	—	—	130	2.6	132	2.7	—	—	—	—	—	—	—	—
VIOLATING DRUG LAWS.....	167	3.1	27	0.5	1	0.0	17	0.4	—	—	115	2.9	1	0.0	—	—	34	0.7	5	0.1	—	—	—	—	—	—	—	—
VIOLATING, ETC., ORDINANCES.....	94	1.7	21	0.4	2	0.0	2	0.0	1	0.0	69	1.7	2	0.0	—	—	74	1.5	51	1.0	—	—	—	—	—	—	—	—
OTHER OFFENSES.....	23	0.4	7	0.1	1	0.0	1	0.0	1	0.0	3	0.1	2	0.0	—	—	4	0.1	6	0.1	—	—	—	—	—	—	—	—
ARSON.....	11	0.2	3	0.1	1	0.0	1	0.0	1	0.0	13	0.3	1	0.0	—	—	1	0.0	6	0.1	—	—	—	—	—	—	—	—
BIGAMY.....	3	0.1	1	0.0	2	0.0	1	0.0	1	0.0	7	0.2	1	0.0	—	—	—	—	3	0.1	—	—	—	—	—	—	—	—
BLACKMAIL AND EXTORTION.....	38	0.7	4	0.1	1	0.0	—	—	—	—	3	0.1	3	0.1	—	—	2	0.0	1	0.0	—	—	—	—	—	—	—	—
ESCAPE AND JAIL BREAK.....	1	0.0	1	0.0	—	—	—	—	—	—	33	0.8	—	—	—	—	25	0.5	3	0.1	—	—	—	—	—	—	—	—
KIDNAPING.....	1	0.0	1	0.0	—	—	—	—	—	—	1	0.0	—	—	—	—	1	0.0	—	—	—	—	—	—	—	—	—	—
PENURY.....	10	0.2	1	0.0	1	0.0	—	—	—	—	9	0.2	—	—	—	—	—	—	2	0.0	—	—	—	—	—	—	—	—
MINOR OFFENSES ¹	2,653	50.2	811	15.4	614	12.1	45	1.0	31	0.6	1,421	36.0	61	1.3	—	—	123	2.4	733	14.3	355	7.3	627	12.8	18	0.4	6	0.1

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR OF DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, —; QUANTITY ZERO, IN PERCENT COLUMNS, 0; IF THE FIGURE IS MORE THAN 0 AND LESS THAN 0.05, 0.0.

JUDICIAL CRIMINAL STATISTICS

WISCONSIN, 1941

The Bureau of the Census received from clerks of court in Wisconsin reports on 2,710 defendants charged with major offenses who were disposed of in the reporting trial courts during the calendar year 1941. Of these 2,710 defendants, 2,232, or about 8 out of every 10, were convicted and sentenced; of these, 899, or about 4 out of 10, were sentenced to a State prison or reformatory; 911, or about 4 out of 10, were placed on probation or given a suspended sentence, and 246, or about 1 out of 10, were sentenced to local jails or workhouses. Of the 18 defendants charged with murder, 14 were convicted and sentenced to a State penal institution. Of the 1,827 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 1,519, or about 8 out of every 10, were convicted. Of the 378 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 303, or about 8 out of every 10, were convicted. (See table 3.)

During the past 5 years, approximately 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted has decreased from 86.2 percent in 1938 to 82.4 percent in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 69.7 percent of all defendants pleaded guilty; only 10.1 percent were found guilty by court and 2.5 percent by jury. (See table 1.)

Approximately two-fifths of the defendants sentenced during the last 5 years were placed on probation or given suspended sentence. The percent so sentenced has remained about the same from year to year. In contrast, however, the proportion of defendants sentenced to imprisonment in a State institution has increased from 28.6 in 1937 to 40.3 in 1941. The trend in sentences to local jails and workhouses has been downward, the percent having decreased from 19.6 in 1937 to 11.0 in 1941. (See table 2.)

Under Wisconsin law, county, municipal, and superior courts in some counties have

varying degrees of criminal jurisdiction concurrent with the circuit court. Not all courts which exercise original felony jurisdiction in these counties have submitted a report on criminal dispositions during the past 5 years. Although reports on criminal dispositions were received from 67 of the 71 counties in 1941, all courts reported in only 42 counties, containing 39.8 percent of the population; one or more courts reported in 25 counties, containing 57.5 percent of the population. Reports were received from 67 counties in 1940; all courts reported in 28 counties, containing 26.0 percent of the population, and one or more courts reported in 39 counties, containing 70.4 percent. In 1939, of the 62 counties reporting, all courts reported in 29 counties, containing 29.4 percent of the population, and 1 or more courts reported in 33 counties, containing 63.6 percent. In 1938, with 63 counties reporting, all courts reported in 28 counties, containing 28.5 percent of the population, and one or more courts reported in 35 counties, containing 66.6 percent. In 1937, 70 counties reported; all courts reported in 27 counties, containing 27.0 percent of the population, and 1 or more courts reported in 43 counties containing 72.8 percent.¹ A comparison of Wisconsin judicial dispositions during the 5-year period must be made, therefore, with reservations.

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense charged, and in the case of conviction, by the most serious offense of which convicted. Table 1 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 2 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 3, by offense.

¹Percentages are based on the enumerated population, 1940 census.

TABLE 1.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	2710	100.0	3192	100.0	3522	100.0	3430	100.0	3024	100.0
ELIMINATED WITHOUT CONVICTION	478	17.6	528	16.5	506	15.7	472	13.8	476	15.7
DISMISSED.....	35	1.3	42	1.3	33	1.0	33	1.0	42	1.4
ACQUITTED (JURY WAIVED).....	39	1.4	49	1.5	47	1.4	31	0.9	31	1.0
ACQUITTED BY JURY.....	32	1.2	16	0.5	27	0.8	34	1.0	39	1.3
OTHER NO-PENALTY DISPOSITIONS.....	98	3.6	85	2.7	44	1.4	32	0.9	64	2.1
CONVICTED.....	2232	82.4	2664	83.5	2719	84.3	2958	86.2	2548	84.3
PLEA OF GUILTY.....	1890	69.7	2378	74.5	2275	73.6	2585	75.4	2275	75.2
COURT FINDS GUILTY (JURY WAIVED).....	274	10.1	217	6.8	277	8.6	290	8.5	190	6.3
JURY VERDICT GUILTY.....	68	2.5	69	2.2	69	2.1	83	2.4	83	2.7

TABLE 2.—TYPE OF SENTENCES IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

DEFENDANTS SENTENCED.....	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEATH PENALTY.....	899	40.3	917	34.4	830	30.5	899	30.4	750	28.6
STATE PRISONS OR REFORMATORIES.....	911	40.8	1052	39.5	1154	42.4	1158	39.1	1053	41.3
STATE PRISONS OR REFORMATORIES AND INSTITUTIONS FOR JUVENILE DELINQUENTS.....	246	11.0	364	13.7	431	15.9	561	19.0	500	19.6
LOCAL JAILS, WORKHOUSES, ETC.....	140	6.3	233	10.6	264	9.7	315	10.6	235	9.2
FINE OR COSTS ONLY.....	25	1.1	36	1.4	36	1.3	25	0.8	30	1.2
INSTITUTIONS FOR JUVENILE DELINQUENTS.....	11	0.5	12	0.5	4	0.1	—	—	—	—
OTHER SENTENCE.....	—	—	—	—	—	—	—	—	—	—

TABLE 3.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: WISCONSIN, 1941

OFFENSE	TOTALS REFERRED TO DISPOSED OF	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT									
		DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED			DEATH PENALTY	STATE PRISONS OR REFORMATORIES	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE				
		TOTAL DISPOSED OF WITHOUT CONVICTION	ACQUITTED (DISHESSED)	ACQUITTED BY COURT (JURY WAIVED)	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY (JURY WAIVED)	COURT VERDICT GUILTY							JURY VERDICT GUILTY			
ALL OFFENSES.....	7,664	1,028	714	55	53	206	6,636	5,961	575	100	...	1,009	2,018	711	2,796	31	71
MAJOR OFFENSES, TOTAL.....	2,710	478	330	18	32	98	2,232	1,990	274	68	...	899	911	246	140	25	11
MURDER.....	18	1	2	—	4	2	14	4	2	8	...	14	—	—	—	—	—
MANSLAUGHTER.....	50	13	4	3	4	2	37	27	3	7	...	65	7	5	4	8	—
ROBBERY.....	101	16	15	1	1	—	95	76	6	3	...	53	30	22	5	—	—
AGGRAVATED ASSAULT.....	124	14	9	1	1	3	110	78	11	11	...	159	64	64	7	—	—
BURGLARY.....	350	35	21	1	10	10	317	274	38	5	...	184	234	94	54	—	—
LARCENY, EXCEPT AUTO THEFT.....	244	25	24	3	3	19	209	186	22	4	...	181	204	21	5	—	—
AUTO THEFT.....	245	26	54	3	1	12	173	160	10	2	...	42	80	25	26	—	—
STOLEN PROPERTY, REFINANCING, ETC.....	21	—	—	—	—	—	19	15	2	2	...	—	—	—	—	—	—
FORGERY AND COUNTERFEITING.....	319	77	62	1	14	14	242	224	17	1	...	126	104	8	4	—	—
RAPES.....	186	44	31	2	8	3	142	122	15	5	...	74	59	3	6	—	—
COMMERCIALIZED VICE.....	27	13	3	—	4	19	302	11	3	—	...	—	—	—	—	—	—
OTHER SEX OFFENSES.....	368	66	45	—	3	9	302	256	54	12	...	105	107	60	19	2	9
VIOLATING DRUG LAWS.....	27	1	—	—	—	—	3	2	1	—	...	1	—	—	—	—	—
CARRYING, ETC., WEAPONS.....	60	7	1	—	5	3	54	7	4	—	...	33	23	7	—	—	—
OTHER MAJOR OFFENSES.....	11	1	2	—	—	—	16	12	—	—	...	5	7	—	—	—	—
ADULTERY.....	12	3	—	—	—	—	12	1	—	—	...	—	—	—	—	—	—
BISSON.....	3	—	—	—	—	—	3	2	—	—	...	—	—	—	—	—	—
VIOLATING PROBATION.....	5	2	—	—	—	—	5	1	—	—	...	—	—	—	—	—	—
ESCAPE AND JAIL BREAK.....	32	4	2	—	—	2	28	27	1	—	...	20	4	4	—	—	—
KIDNAPING.....	3	1	1	—	—	—	2	2	—	—	...	—	—	—	—	—	—
PERJURY.....	20	4	1	—	—	3	16	10	4	2	...	2	12	2	—	—	—
MINOR OFFENSES ¹	4,954	550	384	37	21	108	4,404	4,071	301	32	...	110	1,107	465	2,656	6	60

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 SYMBOLS: CLASS OR ITEM NOT APPLICABLE, —; QUANTITY ZERO, IN NUMBER COLUMNS, —; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

JUDICIAL CRIMINAL STATISTICS

PENNSYLVANIA, 1941

The Bureau of the Census received from the Department of Welfare in Pennsylvania, reports on 14,411 defendants charged with major offenses who were disposed of in trial courts in 83 of the 67 counties during the calendar year 1941. Of these 14,411 defendants, 10,064, or about 7 out of 10, were convicted and sentenced; of these, 2,620, or about 3 out of 10, were placed on probation or given a suspended sentence; 1,809, or about 2 out of 10, were sentenced to a State institution; and 4,262, or about 4 out of 10, were sentenced to local jails or workhouses. Of the 106 defendants charged with murder, 64 were convicted; 3 received the death penalty, 51 were sentenced to a State institution, and 10 were sentenced to local institutions. Of the 8,356 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 6,390, or about 8 out of every 10, were convicted. Of the 2,982 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 1,472, or about 5 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses decreased from 249.1 in 1938 to 149.0 in 1941. The rate for defendants convicted of major offenses decreased from 185.3 in 1938 to 104.0 in 1941. During the years 1937 to 1940 more defendants were convicted of larceny than were convicted of any other offense, but in 1941 more defendants were convicted of burglary. The rate for defendants convicted of larceny decreased from 48.8 in 1938 to 19.2 in 1941, while the rate for defendants convicted of burglary decreased from 27.9 in 1938 to 21.0 in 1941. (See table 1.)

During the past 5 years, about 7 out of every 10

defendants charged with major offenses were convicted. The percentage of defendants convicted has decreased from 74.5 in 1938 to 69.8 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 52.5 percent of all defendants pleaded guilty; only 12.9 were found guilty by jury and 4.5 percent by court. (See table 2.)

Slightly more than one-fourth of the defendants sentenced during the last 5 years were placed on probation or given a suspended sentence. The percent so sentenced decreased from 30.8 in 1938 to 26.6 in 1939, and to 28.0 in 1941. The proportion of defendants sentenced to imprisonment in a State institution had decreased from 14.4 percent in 1937 to 13.1 in 1940, increasing to 18.0 percent in 1941. Sentences to local jails and workhouses have decreased from 44.8 percent in 1937 to 42.3 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense of which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN PENNSYLVANIA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	14,411	17,278	19,937	24,548	22,603	149.0	174.9	202.6	249.1	232.1
MURDER.....	106	169	180	197	213	1.1	1.7	1.8	2.0	2.2
MANSLAUGHTER.....	379	391	375	403	499	3.9	4.0	3.8	4.1	5.0
AGGRAVATED ASSAULT.....	861	1,078	958	2,660	1,695	8.9	10.9	9.7	27.0	17.4
BURGLARY.....	1,988	2,093	2,635	2,651	3,015	20.6	21.2	26.8	26.9	31.0
LARCENY, EXCEPT AUTO THEFT.....	2,349	2,973	3,058	3,105	2,936	24.3	30.1	31.1	31.5	30.2
AUTO THEFT.....	2,474	3,449	4,747	6,025	5,759	25.6	34.9	48.2	61.1	58.9
EMBEZZLEMENT AND FRAUD.....	572	610	874	1,015	915	5.9	6.2	8.9	10.3	9.4
STOLEN PROPERTY, RECEIVING, ETC.....	1,273	1,470	1,878	1,995	1,795	13.2	14.9	19.1	20.2	18.4
FORGERY AND COUNTERFEITING.....	433	540	520	379	502	4.5	5.5	5.3	3.8	5.2
RAPE.....	394	522	618	776	634	4.1	5.2	6.2	7.9	7.2
OTHER MAJOR OFFENSES.....	509	544	578	804	697	5.3	5.7	6.0	8.2	7.0
	3,073	3,441	3,519	4,538	---	31.8	34.8	35.8	46.0	---
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	10,064	12,328	14,358	18,293	15,904	104.0	124.8	143.9	185.6	163.3
MURDER.....	64	106	111	105	131	0.7	1.1	1.1	1.1	1.3
MANSLAUGHTER.....	121	156	136	175	177	1.3	1.6	1.4	1.8	1.8
ROBBERY.....	664	805	771	2,274	1,399	6.9	8.1	7.8	23.1	14.4
AGGRAVATED ASSAULT.....	993	1,141	1,386	1,407	1,559	10.3	11.5	13.1	14.3	16.0
BURGLARY.....	2,026	2,551	2,636	2,746	2,520	21.0	25.8	26.8	27.9	25.9
LARCENY, EXCEPT AUTO THEFT.....	1,855	2,660	3,683	4,813	4,468	19.2	26.9	37.4	48.8	45.8
AUTO THEFT.....	487	489	733	776	707	5.0	4.9	7.4	7.9	7.3
EMBEZZLEMENT AND FRAUD.....	769	693	1,169	1,299	961	8.0	9.1	12.2	13.2	10.2
STOLEN PROPERTY, RECEIVING, ETC.....	246	238	236	247	330	3.2	3.0	4.0	2.5	3.6
FORGERY AND COUNTERFEITING.....	343	412	459	662	500	3.5	4.2	4.7	6.7	5.1
RAPE.....	294	312	369	490	421	3.0	3.2	3.7	5.0	4.3
OTHER MAJOR OFFENSES.....	2,202	2,484	2,479	3,299	---	22.8	25.1	25.2	33.5	---

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 100.0 PERCENT OF THE POPULATION IN 1937; 99.6 PERCENT IN 1938; 100.0 PERCENT IN 1939; 99.8 PERCENT IN 1940; AND 97.7 PERCENT IN 1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON LATEST ESTIMATED POPULATION. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	10,054	100.0	12,328	100.0	14,159	100.0	13,293	100.0	15,904	100.0
DEATH PENALTY.....	3	0.1	7	0.1	9	0.1	8	0.0	7	0.0
STATE PRISONS OR REFORMATORIES.....	1,809	18.0	1,612	13.1	1,904	13.4	2,474	13.5	2,292	14.4
LOCAL JAILS, WORKHOUSES, ETC.....	2,620	26.0	3,411	27.7	3,764	26.6	5,631	30.8	4,701	29.6
FINES OR COSTS ONLY.....	4,252	42.5	5,412	44.1	6,474	45.7	8,170	44.7	7,131	44.8
INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY.....	1,015	10.1	1,434	12.0	1,573	11.1	1,664	9.1	1,657	10.5
OTHER SENTENCE.....	173	1.7	276	2.3	1.9	2.76	1.9	2.2	94	0.5
OTHER SENTENCE.....	182	1.8	135	1.1	159	1.1	120	0.7	42	0.5

TABLE 2. — PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	14,411	100.0	17,271	100.0	19,937	100.0	24,548	100.0	22,603	100.0
ELIMINATED WITHOUT CONVICTION.....	4,947	30.2	4,950	28.6	5,776	29.0	6,956	29.6	6,698	29.6
DISMISSED.....	1,550	10.8	1,778	10.3	2,239	11.5	2,819	11.6	2,834	11.6
ACQUITTED BY COURT (JURY WAIVED).....	410	2.8	637	4.0	770	3.9	409	1.7	145	0.6
ACQUITTED BY JURY.....	1,912	12.6	1,935	10.6	2,151	10.8	3,548	15.6	3,602	15.9
OTHER NON-FATALITY DISPOSITION.....	575	4.0	650	3.8	559	2.8	259	1.0	268	1.2
CONVICTED.....	7,064	69.8	12,928	71.4	14,159	71.0	16,999	70.4	15,904	70.4
PLEA OF GUILTY.....	7,530	52.5	9,463	54.3	10,846	54.9	12,632	45.3	9,999	45.4
JURY FINDS GUILTY (JURY WAIVED).....	649	4.5	1,131	6.5	1,064	5.4	514	2.1	457	2.0
JURY VERDICT GUILTY.....	1,855	12.9	1,734	10.0	2,128	10.7	6,927	28.6	5,046	25.0

TABLE 4. — DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: PENNSYLVANIA, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT														
		DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED			STATE PRISONS OR REFORMATORIES			LOCAL JAILS, WORKHOUSES, ETC.			FINES OR COSTS ONLY			INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY			OTHER SENTENCE		
		TOTAL DISPOSED OF	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	VERDICT GUILTY	VERDICT GUILTY (JURY WAIVED)	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUPERVISED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINES OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE					
ALL OFFENSES.....	33,989	9,943	4,347	1,550	410	1,196	3,371	1,178	23,946	16,135	4,683	3,128	3	1,809	2,620	6,431	7,364	5,538	505	2,382		
MAJOR OFFENSES, TOTAL.....	14,411	4,347	1,550	410	1,196	3,371	1,178	23,946	16,135	4,683	3,128	3	1,809	2,620	6,431	7,364	5,538	505	2,382			
MURDER.....	106	42	81	14	105	58	30	3	64	28	10	26	3	51	10	10	10	10	10	10		
MANSLAUGHTER.....	379	256	157	55	8	109	25	121	65	12	44	44	3	22	79	3	3	3	3	3		
ROBBERY.....	861	1,977	961	375	98	427	95	664	400	14	250	323	34	34	296	8	8	8	8	8		
AGGRAVATED ASSAULT.....	1,938	995	353	87	22	176	33	2,056	1,573	133	358	86	323	509	66	66	66	66	66	66		
BURGLARY.....	2,349	523	87	22	176	33	2,056	1,573	133	358	86	323	509	66	66	66	66	66	66	66		
ARSON, EXCEPT AUTO THEFT.....	2,474	619	242	90	27	142	66	1,855	1,573	133	358	86	323	509	66	66	66	66	66	66		
AUTO THEFT.....	572	85	21	6	45	13	487	408	29	50	13	108	234	7	7	7	7	7	7	7		
EMBEZZLEMENT AND FRAUD.....	1,273	504	232	40	160	52	769	627	40	102	41	315	520	82	82	82	82	82	82	82		
STOLEN PROPERTY, RECEIVING, ETC.....	453	167	35	16	74	44	246	173	14	59	27	87	115	16	16	16	16	16	16	16		
FORGERY AND COUNTERFEITING.....	594	231	53	11	114	31	543	319	17	87	65	140	65	65	65	65	65	65	65	65		
RAPE.....	517	122	14	29	157	22	249	200	17	83	52	92	122	150	150	150	150	150	150	150		
COMMERCIALIZED VICE.....	1,757	555	222	37	214	62	1,201	857	80	264	110	297	315	347	347	347	347	347	347	347		
VICARIOUS OFFENSES.....	620	126	39	24	46	17	394	282	39	70	11	14	29	2	2	2	2	2	2	2		
OTHER MAJOR OFFENSES.....	198	26	19	5	18	6	148	23	23	36	53	27	46	47	47	47	47	47	47	47		
ADULTERY.....	20	15	3	1	4	1	13	8	5	5	5	5	5	5	5	5	5	5	5	5		
ABDUCTION.....	70	13	5	9	1	11	10	4	4	5	21	9	16	8	8	8	8	8	8	8		
BIGAMY.....	13	2	1	2	4	2	1	1	1	3	1	5	6	6	6	6	6	6	6	6		
BLAGAM AND EXTORTION.....	13	8	2	4	2	4	2	2	2	3	1	2	3	3	3	3	3	3	3	3		
ESCAPE AND JAIL BREAK.....	54	4	3	1	1	1	50	49	1	1	29	3	14	14	14	14	14	14	14	14		
KIDNAPING.....	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2		
PERJURY.....	20	6	5	1	1	1	14	7	7	7	7	7	7	7	7	7	7	7	7	7		
MINOR OFFENSES ¹	19,478	5,596	2,648	798	1,559	603	13,882	8,575	4,064	1,273	114	3,811	5,102	4,525	132	2,200						

¹THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 SYMBOLS: DATA NOT AVAILABLE; ---; QUANTITY ZERO, IN NUMBER COLUMNS; -; IF FIGURE IS MORE THAN 0 AND LESS THAN 0.05, 0.0.

JUDICIAL CRIMINAL STATISTICS

CALIFORNIA, 1941

The Bureau of the Census received from clerks of court in California reports on 6,355 defendants charged with major offenses who were disposed of in the superior courts in 37 of the 58 counties during the calendar year 1941. Of these 6,355 defendants, 5,010, or about 8 out of 10, were convicted and sentenced; of those convicted, 1,816, or about 4 out of 10, were placed on probation or given a suspended sentence; 1,452, or about 3 out of 10, were sentenced to a State institution. Of the 77 defendants charged with murder, 37 were convicted, 5 received the death penalty, and 32 were sentenced to a State institution. Of the 4,524 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 3,714, or about 8 out of every 10, were convicted. Of the 916 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 603, or about 7 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses increased from 128.3 in 1937 to 137.3 in 1938, and from 124.1 in 1940 to 128.1 in 1941. The rate for defendants convicted of major offenses increased from 106.2 in 1937 to 113.6 in 1938, and from 99.4 in 1940 to 101.0 in 1941. In each of the 4 years indicated, more defendants were convicted of burglary than were convicted of any other offense; convictions for forgery and counterfeiting ranked second in number. The rate for defendants convicted of burglary decreased to 20.1 in 1941, the lowest figure for the 4-year period. (See table 1.)

In each of the 4 years for which data are avail-

able, about 8 out of every 10 defendants charged with major offenses were convicted. The percentage of defendants convicted decreased from 82.8 in 1937 to 78.8 in 1941. In 1941, 86.4 percent of all defendants pleaded guilty, 6.6 percent were found guilty by court, and 5.8 were found guilty by jury. (See table 2.)

Slightly less than one-third of all defendants convicted during the 4 years were placed on probation or given a suspended sentence. The percent so sentenced increased from 24.3 in 1938 to 36.2 in 1941. The proportion of defendants sentenced to imprisonment in a State institution for adults decreased from 31.9 in 1938 to 29.0 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year 1941. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941, 1940, 1938, and 1937 are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the 4-year period, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN CALIFORNIA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	NUMBER									
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	6,355	5,873	---	3,586	4,330	128.1	124.1	---	137.3	128.3
MURDER.....	77	69	---	71	93	1.6	1.9	---	2.3	2.8
MANSLAUGHTER.....	199	168	---	171	115	4.0	3.5	---	2.7	3.4
ROBBERY.....	600	625	---	291	290	12.1	13.2	---	11.1	8.6
AGGRAVATED ASSAULT.....	263	317	---	177	277	7.3	6.7	---	6.3	8.2
BURGLARY.....	1,202	1,222	---	706	860	24.2	25.8	---	27.0	23.8
LARCENY, EXCEPT AUTO THEFT.....	573	582	---	288	397	11.6	12.3	---	11.0	11.8
AUTO THEFT.....	764	692	---	268	320	15.4	14.6	---	10.3	9.5
EMBEZZLEMENT AND FRAUD.....	210	331	---	461	319	4.2	7.0	---	17.6	9.5
STOLEN PROPERTY, RECEIVING, ETC.....	178	131	---	63	94	3.6	2.8	---	2.4	2.8
FORGERY AND COUNTERFEITING.....	997	739	---	365	534	20.1	15.6	---	14.0	15.8
RAPE.....	277	229	---	142	177	5.6	4.8	---	5.4	5.2
OTHER MAJOR OFFENSES.....	915	758	---	693	910	18.4	16.0	---	26.5	27.0
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	5,010	4,705	---	2,967	3,585	101.0	99.4	---	113.6	106.2
MURDER.....	37	52	---	47	66	0.7	1.1	---	1.8	2.0
MANSLAUGHTER.....	118	93	---	52	61	2.4	2.0	---	2.0	1.8
ROBBERY.....	387	441	---	216	223	7.6	9.3	---	8.3	6.6
AGGRAVATED ASSAULT.....	259	220	---	127	194	5.2	4.6	---	4.9	5.7
BURGLARY.....	998	1,040	---	620	720	20.1	22.0	---	23.7	21.3
LARCENY, EXCEPT AUTO THEFT.....	460	474	---	243	327	9.3	10.0	---	9.3	9.7
AUTO THEFT.....	645	599	---	237	288	13.0	12.7	---	9.1	8.5
EMBEZZLEMENT AND FRAUD.....	180	287	---	377	273	3.6	6.0	---	14.4	8.1
STOLEN PROPERTY, RECEIVING, ETC.....	129	109	---	48	74	2.6	2.3	---	1.8	2.2
FORGERY AND COUNTERFEITING.....	915	678	---	331	493	18.4	14.3	---	12.7	14.6
RAPE.....	189	141	---	94	122	3.8	3.0	---	3.6	3.6
OTHER MAJOR OFFENSES.....	693	571	---	575	744	14.0	12.1	---	22.0	22.0

NOTE.—On the basis of the 1940 census, reports cover 51.8 percent of the population in 1937, 39.3 percent in 1938, 68.5 percent in 1940, and 71.8 percent in 1941. Rates for 1940 and 1941 are based on enumerated population of 1940; for 1937 and 1938 on estimated populations. The rates are based on the proportion of population covered by the reports.

TABLE 3.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANT DISMISSED	6,355	100.0	5,973	100.0	---	---	2,585	100.0	4,330	100.0
ELIMINATED WITHOUT CONVICTION	13.45	21.2	11.68	19.9	---	---	61.3	47.3	74.8	47.3
DISMISSED	744	11.7	594	10.1	---	---	342	9.3	402	9.3
ACQUITTED BY COURT (JURY WAIVED)	244	3.8	240	4.1	---	---	96	2.7	70	1.6
ACQUITTED BY JURY	173	2.7	196	3.3	---	---	129	3.6	209	4.8
OTHER NON-FORMAL DISPOSITION	164	2.6	138	2.3	---	---	82	2.1	84	1.9
CONVICTED	5,020	78.4	4,783	80.1	---	---	2,451	84.2	3,039	70.2
PLEA OF GUILTY	4,309	67.2	4,039	67.6	---	---	195	5.4	199	4.6
COURT FINDS GUILTY (JURY WAIVED)	371	5.8	330	5.6	---	---	321	9.0	347	8.0
JURY VERDICT GUILTY	---	---	---	---	---	---	---	---	---	---

TABLE 3.—FIVE OF SENTENCE IMPOSED ON DEPENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANT SENTENCED	5,010	100.0	4,705	100.0	---	---	2,967	100.0	2,585	100.0
DEATH PENALTY	5	0.1	10	0.2	---	---	7	0.2	13	0.4
STATE PRISONS OR REFORMATORIES	1,452	29.0	1,407	29.9	---	---	947	31.9	1,079	50.1
PROBATION OR SUSPENDED SENTENCE	1816	36.2	1600	34.0	---	---	1,222	44.3	1,008	38.1
LOCAL JAILS, WORKHOUSES, ETC.	113	2.3	126	2.7	---	---	122	4.1	152	5.9
FINE OR COSTS ONLY	115	2.3	115	2.4	---	---	64	2.2	91	2.5
OTHER SERVICE	47	0.9	4	0.1	---	---	---	---	---	---

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN SUPERIOR COURTS, BY OFFENSES: CALIFORNIA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR PUNISHMENT																	
	TOTAL DEFENDANTS DISMISSED WITHOUT CONVICTION		DISMISSED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED AND SENTENCED		PLEA OF GUILTY		FINES OR COSTS (JURY WAIVED)		JURY VERDICT GUILTY		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR UNDEVIANT DELINQUENTS ONLY		OTHER SENTENCE	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
	8,091	1,719	912	380	216	173	184	6,372	5,307	628	437	371	5	1,491	2,673	1,902	157	115	49									
ALL OFFENSES: TOTAL	8,091	1,719	912	380	216	173	184	6,372	5,307	628	437	371	5	1,491	2,673	1,902	157	115	49									
MAJOR OFFENSES: TOTAL	6,355	1,345	744	244	173	184	5,010	4,220	419	371	5	1,452	1,816	1,519	56	115	47											
MURDER	77	40	12	8	13	23	7	37	18	6	13	5	32	—	—	—	—	—	—									
MISLAUGHTER	199	81	31	25	23	30	2	118	60	19	33	3	35	—	—	—	—	—	—									
ROBBERY	6,00	213	125	36	30	19	21	337	294	38	55	24	242	89	24	15	5	1	—									
AGGRAVATED ASSAULT	353	104	60	18	19	27	259	169	50	40	40	14	242	82	120	13	20	2	—									
BURGLARY	1,202	204	115	29	20	40	998	876	75	47	308	376	308	376	272	272	35	5	—									
BURGLARY, EXCEPT AUTO THEFT	573	113	71	24	8	16	40	460	379	50	31	185	185	9	185	9	22	4	—									
AUTO THEFT	754	119	60	21	9	29	645	573	50	22	108	289	205	1	205	1	30	12	—									
AUTO THEFT AND FRAUD	210	30	15	4	4	3	189	169	6	5	36	90	53	38	56	42	2	1	—									
EMBEZZLEMENT AND FRAUD	178	49	32	9	5	11	129	92	16	21	18	21	259	367	252	2	2	—										
STOLEN PROPERTY, RECEIVING, ETC.	997	82	63	3	5	11	915	877	20	18	—	—	259	367	252	2	2	—										
FORGERY AND COUNTERFEITING	277	88	43	14	11	14	169	101	12	16	—	—	20	9	60	—	4	—										
RAPE	102	8	3	1	1	1	99	8	3	3	—	—	—	—	—	—	—	—										
COMMERCIALIZED VICE	53	102	8	27	15	23	232	213	36	34	—	—	86	105	81	4	—	—										
OTHER SEX OFFENSES	208	33	11	16	16	16	169	132	21	12	—	—	169	132	114	1	—	—										
SEXUAL OFFENSES	102	20	11	18	1	1	88	78	8	2	—	—	13	6	65	3	—	—										
CHILD ABUSE, NEGLECT, OR DEPENDENCY	207	59	39	11	4	5	148	125	11	12	—	—	73	43	12	17	2	—										
OTHER MAJOR OFFENSES	27	21	21	—	—	—	6	5	—	—	—	—	3	3	—	—	—	—										
ABORTION	29	10	5	1	2	2	19	12	2	5	—	—	7	8	—	—	—	—										
ARSON	29	10	3	—	—	—	7	6	—	—	—	—	1	6	—	—	—	—										
BIGAMY	10	4	3	—	—	—	2	1	—	—	—	—	1	1	—	—	—	—										
BLACKMAIL AND EXTORTION	106	9	1	4	3	—	89	7	1	—	—	—	53	17	9	17	1	—										
ESCAPE AND JAIL BREAK	12	5	3	1	1	—	7	1	—	—	—	—	6	6	—	—	—	—										
KIDNAPING	19	9	2	6	1	—	10	5	1	2	—	—	2	8	—	—	—	—										
PERJURY	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---									
MINOR OFFENSES: ¹	1,756	374	168	136	43	27	1,362	1,087	209	66	66	—	39	857	333	81	—	—	2									

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 SMILES: NOT AVAILABLE, ---; QUANTITY ZERO, IN NUMBER COLUMNS, —; QUANTITY ZERO, IN PERCENT COLUMNS, 0.

JUDICIAL CRIMINAL STATISTICS

OREGON, 1941

The Bureau of the Census received from clerks of court in Oregon reports on 1,048 defendants charged with major offenses who were disposed of in the circuit courts of 35 of the 36 counties during the calendar year 1941. Of these 1,048 defendants, 857, or about 8 out of 10, were convicted and sentenced; of those convicted, 416, or about 5 out of 10, were sentenced to the State prison; 305, or about 4 out of 10, were placed on probation or given a suspended sentence. Of the 15 defendants charged with murder, 13 were convicted, 2 received the death penalty, and 11 were sentenced to the State prison. Of the 791 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 665, or about 17 out of every 20, were convicted. Of the 156 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 109, or about 13 out of every 20, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed a downward trend from 133.3 in 1937 to 96.5 in 1941, although there was a slight increase in 1939 over 1938. The rate for defendants convicted of major offenses decreased from 122.0 in 1937 to 78.9 in 1941. In each of the 5 years, more defendants were convicted of larceny than were convicted of any other offense. The rate for defendants convicted of larceny decreased from 30.4 in 1939 to 18.5 in 1941. (See table 1.)

During the past 5 years, about 17 out of every 20 defendants charged with major offenses were con-

vinced. The percentage of defendants convicted decreased to 81.8 in 1941 after having increased from 83.0 in 1939 to 87.5 in 1940. In 1941, 73.4 percent of all defendants pleaded guilty, 7.0 percent were found guilty by jury, and 1.4 percent by court. (See table 2.)

Slightly less than one-half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The percent so sentenced increased from 44.7 in 1939 to 51.4 in 1940, but decreased to 48.5 in 1941. The proportion of defendants placed on probation or given a suspended sentence decreased from 38.7 in 1937 to 33.4 in 1940, but increased to 35.6 in 1941. (See table 3.)

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and, in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN OREGON, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
	1,048	1,115	1,136	1,089	832	96.5	102.3	119.5	112.5	138.8
MAJOR OFFENSES, TOTAL.....	1,048	1,115	1,136	1,089	832	96.5	102.3	119.5	112.5	138.8
MURDER.....	15	10	4	12	7	1.4	0.9	0.4	1.2	1.2
MANSLAUGHTER.....	35	30	21	17	15	3.2	1.6	2.2	1.8	2.5
ROBBERY.....	25	30	40	50	27	2.3	2.8	4.2	5.2	4.5
AGGRAVATED ASSAULT.....	68	36	52	29	37	6.3	3.3	5.5	3.0	6.2
BURGLARY.....	146	185	187	171	110	13.4	17.0	19.7	17.7	18.4
LARCENY, EXCEPT AUTO THEFT.....	257	263	351	296	259	21.8	24.1	37.0	30.6	43.2
AUTO THEFT.....	75	91	76	84	42	6.9	8.4	8.0	8.7	7.0
EMBEZZLEMENT AND FRAUD.....	122	153	127	137	95	12.2	14.0	13.4	14.1	15.9
STOLEN PROPERTY, RECEIVING, ETC.....	23	34	25	45	19	2.1	3.1	2.6	4.6	3.2
FORGERY AND COUNTERFEITING.....	148	161	120	119	111	13.2	14.8	12.6	12.3	18.5
RAPE.....	48	43	35	51	24	4.4	3.9	3.7	5.3	4.0
OTHER MAJOR OFFENSES.....	101	92	98	78	86	9.3	8.4	10.3	8.1	14.3
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	857	976	943	962	731	78.9	89.6	99.2	99.3	122.0
MURDER.....	13	8	2	7	4	1.2	0.7	0.2	0.7	0.7
MANSLAUGHTER.....	11	10	12	11	7	1.0	0.9	1.3	1.1	1.2
ROBBERY.....	23	25	36	44	21	2.1	2.3	3.8	4.5	3.5
AGGRAVATED ASSAULT.....	51	29	38	24	35	4.7	2.7	4.0	2.5	5.8
BURGLARY.....	126	166	166	155	105	11.6	15.2	17.5	16.0	17.5
LARCENY, EXCEPT AUTO THEFT.....	201	237	289	279	218	18.5	21.7	30.4	23.8	36.4
AUTO THEFT.....	61	81	73	79	39	5.6	7.4	7.7	8.2	6.5
EMBEZZLEMENT AND FRAUD.....	105	139	106	115	84	9.7	12.8	11.2	11.9	14.0
STOLEN PROPERTY, RECEIVING, ETC.....	20	31	19	39	16	1.8	2.8	2.0	4.0	2.7
FORGERY AND COUNTERFEITING.....	129	146	93	110	106	11.9	13.4	9.8	11.4	17.7
RAPE.....	34	28	29	41	19	3.1	2.6	3.1	4.2	3.2
OTHER MAJOR OFFENSES.....	83	76	80	58	77	7.6	7.0	8.4	6.0	12.8

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 57.3 PERCENT OF THE POPULATION OF THE STATE FOR 1937, 90.9 PERCENT FOR 1938, 88.0 PERCENT FOR 1939, 100.0 PERCENT FOR 1940, AND 99.7 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON THE ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON LATEST ESTIMATED POPULATIONS. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 2. —PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1048	100.0	1115	100.0	1135	100.0	1089	100.0	832	100.0
ELIMINATED WITHOUT CONVICTION	191	18.2	139	12.5	193	17.0	127	11.7	101	12.1
DISMISSED.....	154	14.7	106	9.5	150	13.2	94	8.6	60	7.2
ACQUITTED BY COURT (JURY WAIVED)	1	0.1	1	0.1	3	0.3	3	0.3	0	0
ACQUITTED BY JURY.....	29	2.8	25	2.2	32	2.8	27	2.5	35	4.2
OTHER NON-PENALTY DISPOSITION.....	7	0.7	8	0.6	8	0.7	3	0.3	6	0.7
PLEA OF GUILTY.....	857	81.8	875	78.5	830	73.0	862	79.3	721	87.9
COURT FINDS GUILTY (JURY WAIVED)	751	71.4	707	63.4	794	70.0	819	75.3	652	78.4
JURY VERDICT GUILTY.....	15	1.4	7	0.6	9	0.8	4	0.4	5	0.6
OTHER SENTENCE.....	73	7.0	65	5.8	45	4.0	67	6.2	43	5.2

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	857	100.0	976	100.0	943	100.0	982	100.0	721	100.0
DEATH PENALTY.....	2	0.2	0	0.0	0	0.0	1	0.1	0	0.0
STATE PRISONS OR REFORMATORIES.....	415	48.5	502	51.4	437	46.3	450	44.7	348	47.6
PROBATION OR SUSPENDED SENTENCE.....	305	35.6	325	33.4	342	36.3	355	36.9	283	38.7
LOCAL JAILS, WORKHOUSES, ETC.....	102	11.9	132	13.5	145	15.4	157	16.3	85	11.6
FINE OR COSTS ONLY.....	25	2.9	12	1.2	8	0.8	14	1.5	13	1.8
INSTITUTIONS FOR JUVENILES.....	5	0.6	2	0.2	9	1.0	5	0.5	2	0.3
OTHER SENTENCE.....	2	0.2	0	0.0	2	0.2	0	0.0	0	0.0

TABLE 4. —DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN CIRCUIT COURTS, BY OFFENSE: OREGON, 1941

OFFENSE	PROCEDURAL OUTCOME										CONVICTED AND SENTENCED										SENTENCE OR TREATMENT																					
	TOTAL DEFENDANTS DISPOSED OF		DISPOSED OF WITHOUT CONVICTION		ACQUITTED		OTHER		TOTAL COPIED AND SENTENCED		PLEA OF GUILTY		COURT FINDS GUILTY (JURY WAIVED)		JURY FINDS GUILTY		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		LOCAL JAIL, WORKHOUSE, ETC.		INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY		OTHER SENTENCE															
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT														
ALL OFFENSES, TOTAL.....	1,410		341		292		4		37		8		8		1,069		956		21		92		2		2		442		380		147		90		6		2		2			
MAJOR OFFENSES, TOTAL.....	1,048		191		154		1		29		7		8		857		769		15		75		2		2		416		305		102		25		5		2					
MURDER.....	15		2		1		0		1		0		0		13		3		1		9		2		2		11		5		1		0		0		0		0			
MANSLAUGHTER.....	24		2		2		0		0		0		0		11		11		0		4		0		0		18		7		0		0		0		0		0			
ROBBERY.....	59		17		6		0		1		1		1		21		27		2		8		0		0		52		6		0		0		0		0		0			
UNLAWFUL ASSAULT.....	69		17		6		0		10		1		1		53		41		2		8		0		0		56		6		0		0		0		0		0			
BURGLARY.....	146		20		14		1		5		1		1		125		123		2		14		0		0		83		55		12		0		0		0		0			
LARCENY, EXCEPT THEFT.....	237		36		34		0		2		0		0		201		184		3		14		0		0		83		82		29		4		0		0		0			
AUTO THEFT.....	75		14		11		2		2		2		2		57		57		3		14		0		0		30		18		13		0		0		0		0			
EMBEZZLEMENT AND FRAUD.....	132		27		21		2		4		4		4		105		98		2		5		0		0		50		39		12		3		0		0		0			
STOLEN PROPERTY, RECEIVING, ETC.....	23		3		3		0		1		1		1		20		17		1		7		0		0		129		47		6		2		3		0		0			
FORGERY AND COUNTERFEITING.....	143		14		13		0		1		1		1		129		121		1		10		0		0		26		5		3		0		0		0		0			
RAPE.....	48		14		12		0		2		2		2		34		24		1		1		0		0		1		1		1		0		0		0		0		0	
COMMERCIALIZED VICE.....	2		1		1		0		0		0		0		1		1		1		1		0		0		1		1		0		0		0		0		0		0	
OTHER SEX OFFENSES.....	71		12		11		0		1		1		1		59		51		5		3		0		0		20		18		10		11		0		0		0		0	
VIOLATING DRUG LAWS.....	2		1		1		0		0		0		0		2		2		2		2		0		0		1		1		0		0		0		0		0		0	
CARRYING, ETC., WEAPONS.....	2		1		1		0		0		0		0		2		2		2		2		0		0		1		1		0		0		0		0		0		0	
OTHER MAJOR OFFENSES.....	24		5		4		0		1		1		1		19		17		2		2		0		0		5		1		1		0		0		0		0		0	
VIOLATING DRUG LAWS.....	15		3		3		0		0		0		0		12		11		1		1		0		0		3		2		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	3		3		3		0		0		0		0		3		3		0		1		0		0		0		0		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	15		3		3		0		0		0		0		12		11		1		1		0		0		3		2		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	3		3		3		0		0		0		0		3		3		0		1		0		0		0		0		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	15		3		3		0		0		0		0		12		11		1		1		0		0		3		2		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	2		1		1		0		0		0		0		1		1		1		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	2		1		1		0		0		0		0		1		1		1		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0		0		1		1		0		0		0		0		0		0	
VIOLATING DRUG LAWS.....	4		1		1		0		0		0		0		3		2		2		1		0																			

JUDICIAL CRIMINAL STATISTICS

VERMONT: 1941

The Bureau of the Census received from clerks of court in Vermont, reports on 533 defendants charged with major offenses, who were disposed of in the reporting trial courts during the calendar year 1941. Of these 533 defendants, 395, or about 7 out of every 10, were convicted and sentenced; of those convicted, 147, or about 4 out of 10, were sentenced to a State prison or reformatory; and 105, or about 3 out of 10, were placed on probation or given a suspended sentence. Of the 389 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 298, or about 8 out of every 10, were convicted. Of the 34 persons charged with major crimes against the person (manslaughter, aggravated assault, and rape), 14, or about 4 out of every 10, were convicted. (See table 3.)

During the past 5 years, approximately 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted decreased from 77.3 in 1940 to 74.1 in 1941. Of all defendants convicted, the greatest proportion have pleaded guilty. In 1941, 71.3 percent of all defendants pleaded guilty, 2.1 percent were found guilty by jury, and 0.8 percent were found guilty by court. (See table 1.)

Slightly less than two-fifths of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The proportion so sentenced increased from 36.4 in 1937 to 40.9 in 1939, decreased to 35.7 in 1940, and increased to 37.2 in 1941. The proportion of defendants placed on probation or given a suspended sentence decreased from 29.6 in 1939 to 26.6 in 1941. (See table 2.)

Under Vermont law, municipal courts in 11 counties exercise felony jurisdiction concurrent with the county court.

In 1941, although reports on criminal dispositions were received from courts in 13 counties, containing 98.9 percent of the State's population, reports were received from all courts exercising felony jurisdiction in only 10 counties, containing 68.9 percent of the population. In 1940, reports were received from 12 counties, containing 90.7 percent of the population, but from all felony courts in only 7 counties, containing 50.1 percent of the population. In 1939, the 13 counties from which reports were received contained 98.9 percent of the State's population, but the 5 counties from which all felony courts reported contained only 33.5 percent of the population. In 1938, the 12 reporting counties contained 92.7 percent of the population and the 5 from which all felony courts reported contained 27.8 percent. In 1937, all felony courts reported in only 11 counties, containing 85.0 percent of the population, whereas reports were received from 13 counties, containing 99.0 percent of the population.¹ Comparison of judicial criminal dispositions during the 5-year period must, therefore, be made with reservations.

The following tables present an enumeration of only those persons charged with a major offense and actually brought before a court having felony jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. Table 1 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 2 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 3, by offense.

¹Percentages are based on the enumerated population, 1940 census.

TABLE 1.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	533	100.0	418	100.0	425	100.0	434	100.0	649	100.0
ELIMINATED WITHOUT CONVICTION.....	438	75.9	93	22.2	97	22.8	96	22.1	144	22.0
DISMISSED.....	79	14.8	71	17.0	79	18.6	63	14.6	117	18.2
ACQUITTED BY COURT (JURY WAIVED).....	5	0.9	10	2.4	11	2.6	2	0.5	8	1.2
ACQUITTED BY JURY.....	54	10.1	11	2.6	16	3.8	7	1.6	18	2.8
OTHER.....	3,955	74.1	3,255	77.8	3,238	77.2	3,338	77.9	5,057	77.8
CONVICTED.....	3,860	72.3	3,144	75.1	3,111	73.0	3,177	73.0	4,983	74.9
PLEA OF GUILTY.....	4	0.8	2	0.5	1	0.2	1	0.2	0	0.0
COURT FINDS GUILTY (JURY WAIVED).....	11	2.1	9	2.2	16	3.8	20	4.6	19	2.9
JURY VERDICT GUILTY.....										

TABLE 2.—TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

DEFENDANTS SENTENCED.....	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEATH PENALTY.....	395	100.0	325	100.0	328	100.0	338	100.0	505	100.0
STATE PRISONS OR REFORMATORIES.....	147	37.2	116	35.7	134	40.9	126	37.9	184	36.4
PROBATION OF SUSPENDED SENTENCE.....	105	26.6	91	28.0	97	29.6	87	25.7	132	26.1
PROBATION OF COSTS ONLY.....	72	18.2	66	20.3	53	16.2	83	24.6	122	24.2
FINE OR COSTS ONLY.....	50	12.7	37	11.4	30	9.1	34	10.1	59	11.7
INSTITUTIONS FOR JUVENILES.....	20	5.1	14	4.3	13	4.0	16	4.8	8	1.6
OTHER SENTENCE.....	1	0.3	-	-	1	0.3	-	-	-	-

TABLE 3.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN TRIAL COURTS, BY OFFENSE: VERMONT, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OF TREATMENT																									
	TOTAL DISPOSED OF		DISPOSED OF WITHOUT CONVICTION		CONVICTED		ACQUITTED		OTHER		TOTAL CONVICTED		CONVICTED AND SENTENCED		PLEA		COURT		DEATH		PRISON		LOCAL		FINE		INSTITUTIONS		OTHER							
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT				
ALL OFFENSES.....	4,289		470		501		6		15		148		3,819		3,757		51		51		-		196		318		674		2,587		83		11			
MAJOR OFFENSES, TOTAL.....	533		138		79		5		54		395		380		4		11		11		-		147		105		72		50		20		1			
MURDER.....	9		4		3		1		1		5		5		4		1		1		-		4		4		-		-		-		-			
MANSLAUGHTER.....	6		3		3		-		-		3		3		-		-		-		-		-		-		-		-		-		-			
ROBBERY.....	3		3		3		-		-		3		3		-		-		-		-		-		-		-		-		-		-			
AGGRAVATED ASSAULT.....	84		16		5		11		22		68		67		166		164		2		-		36		17		55		27		2		11			
BURGLARY.....	219		53		29		4		3		111		111		111		111		11		-		35		41		35		27		7		1			
LARCENY, EXCEPT AUTO THEFT.....	18		12		9		2		3		25		25		25		25		11		-		8		8		8		8		-		-			
AUTO THEFT.....	57		12		9		2		3		25		25		25		25		11		-		5		5		5		5		-		-			
EMBEZZLEMENT AND FRAUD.....	25		12		9		2		3		25		25		25		25		11		-		5		5		5		5		-		-			
STOLEN PROPERTY, RECEIVING, ETC.....	22		15		10		6		4		21		21		21		21		11		-		11		4		6		1		1		1			
FORGERY AND COUNTERFEITING.....	6		6		6		6		6		6		6		6		6		6		-		6		6		6		6		6		6		6	
COMMERCIALIZED VICE.....	80		19		14		5		5		61		59		59		59		2		-		28		27		1		4		1		1		1	
OTHER SEX OFFENSES.....	23		7		3		2		2		16		15		15		15		7		-		10		4		4		4		4		4		4	
VIOLATING DRUG LAWS.....	8		4		4		4		4		4		4		4		4		4		-		4		4		4		4		4		4		4	
CARRYING, ETC., WEAPONS.....	1		1		1		1		1		1		1		1		1		1		-		1		1		1		1		1		1		1	
OTHER MAJOR OFFENSES.....	12		1		1		1		1		12		12		12		12		12		-		8		4		4		4		4		4		4	
ABORTION.....	8		4		4		4		4		4		4		4		4		4		-		4		4		4		4		4		4		4	
ARSON.....	1		1		1		1		1		1		1		1		1		1		-		1		1		1		1		1		1		1	
BIGAMY.....	1		1		1		1		1		1		1		1		1		1		-		1		1		1		1		1		1		1	
BLACKMAIL AND EXTORTION.....	1		1		1		1		1		1		1		1		1		1		-		1		1		1		1		1		1		1	
ESCAPE AND JAIL BREAK.....	1		1		1		1		1		1		1		1		1		1		-		1		1		1		1		1		1		1	
OBSCENITY.....	1		1		1		1		1		1		1		1		1		1		-		1		1		1		1		1		1		1	
PERJURY.....	1		1		1		1		1		1		1		1		1		1		-		1		1		1		1		1		1		1	
MINOR OFFENSES ¹	3,756		332		222		6		10		94		3,424		3,357		47		20		-		49		213		602		2,537		13		10		10	

¹—THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 SYMBOLS: Q, QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.
 3-50293

JUDICIAL CRIMINAL STATISTICS

MINNESOTA, 1941

Of the 1,696 defendants charged with major offenses in the district courts of Minnesota, 1,522, or approximately 9 out of 10, were convicted and sentenced. Of those convicted, 683, or about 4 out of 10, were sentenced to State prisons and reformatories, and 861 were placed on probation or given a suspended sentence. Of the 1,313 defendants charged with major offenses against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting) 1,194, or about 9 out of every 10, were convicted. Of the 231 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape) 185, or about 8 out of every 10, were convicted. (See table 4.)

The rate per 100,000 population for all defendants charged with major offenses showed a downward trend, from 84.0 in 1938 to 60.7 in 1941. The rate for defendants convicted of major offenses decreased from 73.2 in 1938 to 54.5 in 1941. The rate of conviction was higher for larceny, except auto theft, than for any other offense in each of the 5 years, but decreased from 26.1 in 1938 to 17.8 in 1941. (See table 1.)

During the past 5 years, approximately 9 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted increased from 87.2 in 1938 to 90.8 in 1940, but decreased to 89.7 in 1941. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 84.6 percent of all defendants pleaded guilty, 4.8 percent were found guilty by jury, and

0.4 percent were found guilty by court. (See table 2.) Slightly less than half of all defendants convicted during the past 5 years were sentenced to imprisonment in a State institution for adults. The proportion so sentenced decreased from 45.9 in 1939 to 44.9 in 1941. A slightly smaller proportion of convicted defendants were placed on probation or given a suspended sentence. In 1937 the percentage so treated was 40.1; in 1939, 39.5; in 1941, 43.4. (See table 3.)

The following tables present data on the disposition of persons charged with a criminal offense and brought before a district court, which is the court having original felony jurisdiction in Minnesota. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and, in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rates per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense. These tables were prepared from individual reports submitted by the Minnesota Bureau of Criminal Apprehension for each defendant disposed of in a district court.

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN MINNESOTA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,696	1,990	2,069	2,295	1,908	60.7	71.3	74.9	84.0	70.2
MURDER.....	17	14	12	16	19	0.6	0.5	0.4	0.6	0.7
MANSLAUGHTER.....	37	24	28	36	40	1.3	0.9	1.0	1.3	1.5
ROBBERY.....	61	53	127	106	90	2.2	1.9	4.6	3.9	2.9
AGGRAVATED ASSAULT.....	57	76	72	97	85	2.0	2.7	2.6	3.5	3.1
BURGLARY.....	191	278	225	272	256	6.8	10.0	8.1	10.0	9.4
LARCENY, EXCEPT AUTO THEFT.....	539	636	702	772	620	19.3	22.8	23.4	23.2	23.2
AUTO THEFT.....	139	151	170	171	163	5.0	5.4	6.2	6.3	6.0
EMBEZZLEMENT AND FRAUD.....	61	52	71	75	51	2.2	1.9	2.6	2.7	1.9
STOLEN PROPERTY, RECEIVING, ETC.....	27	38	37	75	24	1.0	1.4	1.3	2.7	0.9
FORGERY AND COUNTERFEITING.....	295	353	321	374	237	10.6	12.6	11.6	13.7	10.6
RAPE.....	120	91	112	87	92	4.3	3.3	4.1	3.2	3.4
OTHER MAJOR OFFENSES.....	182	224	192	214	181	5.4	8.0	7.0	7.8	6.7
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	1,522	1,807	1,873	2,001	1,676	54.5	64.7	67.8	73.2	61.6
MURDER.....	12	10	7	11	14	0.4	0.4	0.3	0.4	0.5
MANSLAUGHTER.....	26	16	17	22	27	0.9	0.6	0.6	0.8	1.0
ROBBERY.....	53	50	111	100	75	1.9	1.8	4.0	3.7	2.8
AGGRAVATED ASSAULT.....	42	58	62	60	63	1.5	2.1	2.2	2.2	2.3
BURGLARY.....	172	284	220	294	236	6.2	9.5	8.0	9.3	8.7
LARCENY, EXCEPT AUTO THEFT.....	493	590	639	713	580	17.8	21.1	23.1	26.1	20.9
AUTO THEFT.....	135	143	161	152	160	4.8	5.1	5.8	5.6	5.9
EMBEZZLEMENT AND FRAUD.....	42	36	59	55	34	1.5	1.3	2.1	2.0	1.3
STOLEN PROPERTY, RECEIVING, ETC.....	24	35	28	51	20	0.9	1.3	1.0	1.9	0.7
FORGERY AND COUNTERFEITING.....	270	333	308	343	259	9.7	11.9	11.2	12.9	9.5
RAPE.....	105	81	101	63	75	3.8	2.9	3.7	2.3	2.8
OTHER MAJOR OFFENSES.....	143	191	160	177	153	5.1	6.8	5.8	6.5	5.6

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE STATE FOR 1937-1941. RATES FOR 1940 AND 1941 BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 2.—PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1068	100.0	1090	100.0	1009	100.0	919	100.0
ELIMINATED WITHOUT CONVICTION.....	174	16.3	192	17.6	196	19.5	232	25.2
DISMISSED.....	125	11.7	130	12.0	132	13.1	161	17.4
ACQUITTED BY COURT (JURY WAIVED).....	1	0.1	3	0.2	6	0.6	2	0.2
ACQUITTED BY JURY.....	43	4.0	43	3.9	56	5.5	55	5.9
OTHER NO-PENALTY DISPOSITION.....	5	0.5	7	0.6	8	0.8	15	1.6
CONVICTED.....	1,522	89.7	1,607	147.3	1,673	164.4	1,676	181.1
PLEA OF GUILTY.....	1,454	84.6	1,741	159.7	1,764	172.6	1,903	207.0
COURT FINDS GUILTY (JURY WAIVED).....	7	0.6	3	0.2	6	0.6	6	0.6
JURY VERDICT GUILTY.....	61	5.7	63	5.8	83	8.1	90	9.7

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	1,522	100.0	1,607	100.0	1,673	100.0	1,601	100.0	1,676	100.0
DEATH PENALTY.....	683	44.9	763	47.5	859	51.3	903	56.4	757	45.2
STATE PRISONS OR REFORMATORIES.....	661	43.4	719	44.7	740	44.2	748	46.7	672	40.1
PROBATION OR SUPERSED SENTENCE.....	148	9.7	240	14.9	212	12.6	257	16.1	180	10.7
LOCAL JAILS, WORKHOUSES, ETC.....	27	1.8	52	3.2	55	3.3	35	2.2	61	3.6
FINE OR COSTS ONLY.....	2	0.1	1	0.1	0	0.0	8	0.5	0	0.0
INSTITUTIONS FOR JUVENILES.....	1	0.1	1	0.1	0	0.0	0	0.0	0	0.0
OTHER SENTENCE.....	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

TABLE 4.—DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN DISTRICT COURTS, BY OFFENSE: MINNESOTA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																								
	TOTAL DISPOSED OF WITHOUT CONVICTION					DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE REFORMATORIES					PROBATION OR SUPERSED SENTENCE					LOCAL JAILS, COSTS, FINES, ETC.					INSTITUTIONS FOR OTHER SENTENCE DELINQUENTS				
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT					
ALL OFFENSES.....	2,101		225	10.7	167	7.9	2	0.1	52	2.5	1,875	89.3	1,434	68.3	7	0.3	96	4.5	705	33.5	843	40.1	204	9.7	114	5.4	2	0.1	1	0.0					
MAJOR OFFENSES, TOTAL.....	1,696		174	10.3	125	7.4	1	0.0	43	2.5	1,522	89.7	1,434	87.5	7	0.4	81	5.3	683	40.3	661	39.3	143	8.4	27	1.6	2	0.1	1	0.0					
MURDER.....	17		5	29.4	3	58.8	1	17.6	1	100.0	12	70.6	9	52.9	9	52.9	3	17.6	12	70.6	7	41.2	6	35.3	6	35.3	7	41.2	1	5.9					
MANSLAUGHTER.....	27		11	40.7	2	7.4	9	33.3	9	33.3	16	59.3	15	55.6	11	40.7	11	40.7	13	48.1	15	55.6	7	25.9	6	22.2	7	25.9	6	22.2					
ROBBERY.....	57		18	31.6	6	10.5	6	10.5	3	5.3	30	52.5	30	52.5	14	24.5	9	15.8	14	24.5	19	33.3	17	29.8	2	3.5	2	3.5	2	3.5					
AGGRAVATED ASSAULT.....	191		19	9.9	15	7.8	4	2.1	4	2.1	172	88.1	165	85.8	7	3.6	7	3.6	85	43.7	67	35.1	17	8.8	11	5.6	1	0.5	2	1.0					
LARCENY, EXCEPT AUTO THEFT.....	539		41	7.6	35	6.5	4	0.7	4	0.7	498	92.4	434	80.5	3	0.6	11	2.1	193	37.5	245	45.4	43	8.1	11	2.1	1	0.2	2	0.4					
AUTO THEFT.....	139		4	2.9	4	2.9	2	1.4	2	1.4	135	97.1	132	95.0	1	0.7	2	1.4	6	4.3	23	16.6	11	7.9	2	1.4	1	0.7	1	0.7					
EMBEZZLEMENT AND FRAUD.....	61		19	31.1	17	27.9	2	3.3	2	3.3	42	68.8	40	65.6	2	3.3	2	3.3	6	9.8	13	21.3	7	11.5	2	3.3	1	1.6	1	1.6					
STOLEN PROPERTY, RECEIVING, ETC.....	295		25	8.5	22	7.4	1	0.3	2	0.7	270	91.5	268	91.4	1	0.3	1	0.3	105	38.5	126	42.8	35	11.9	6	2.0	1	0.3	1	0.3					
FORGERY AND COUNTERFEITING.....	179		15	8.4	10	5.6	4	2.2	4	2.2	169	94.4	81	45.2	2	1.1	16	9.5	58	32.5	56	31.3	10	5.6	2	1.1	1	0.5	1	0.5					
RAPE.....	10		7	70.0	4	40.0	2	20.0	2	20.0	7	70.0	6	60.0	7	70.0	6	60.0	4	40.0	14	140.0	8	80.0	2	20.0	2	20.0	1	10.0					
COMMERCIALIZED VICE.....	80		7	8.8	4	5.0	2	2.5	2	2.5	73	91.2	67	83.8	7	8.8	6	7.5	49	61.3	14	17.5	8	10.0	2	2.5	1	1.2	1	1.2					
VIOLATING DRUG LAWS.....	3		1	33.3	1	33.3	1	33.3	1	33.3	2	66.7	2	66.7	1	33.3	1	33.3	1	33.3	1	33.3	1	33.3	1	33.3	1	33.3	1	33.3	1	33.3			
CARRYING, ETC., WEAPONS.....	2		1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0	1	50.0			
OTHER MAJOR OFFENSES.....	64		7	10.9	7	10.9	1	1.6	1	1.6	57	89.1	54	84.4	9	14.1	9	14.1	35	54.7	27	42.2	7	10.9	1	1.6	1	1.6	1	1.6	1	1.6			
ABORTION.....	23		1	4.3	1	4.3	1	4.3	1	4.3	22	95.7	20	87.0	7	30.4	7	30.4	11	47.8	15	65.2	1	4.3	1	4.3	1	4.3	1	4.3	1	4.3			
ARSON.....	9		1	11.1	1	11.1	1	11.1	1	11.1	8	88.9	8	88.9	1	11.1	1	11.1	5	55.6	5	55.6	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1			
STIGMA.....	9		1	11.1	1	11.1	1	11.1	1	11.1	8	88.9	8	88.9	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1			
ESCAPE AND EXTORTION.....	9		1	11.1	1	11.1	1	11.1	1	11.1	8	88.9	8	88.9	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1			
ESCAPE AND JAIL BREAK.....	9		1	11.1	1	11.1	1	11.1	1	11.1	8	88.9	8	88.9	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1	1	11.1			
KIDNAPING.....	6		1	16.7	1	16.7	1	16.7	1	16.7	5	83.3	5	83.3	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7			
PERJURY.....	6		1	16.7	1	16.7	1	16.7	1	16.7	5	83.3	5	83.3	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7	1	16.7			
MINOR OFFENSES.....	405		52	12.7	42	10.5	1	0.2	9	2.2	353	87.3	352	86.9	6	1.5	15	3.7	23	5.7	137	33.8	56	13.8	87	21.5	2	0.5	1	0.2	1	0.2			

↑ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 SYMBOLS: CLASS OF ITEM NOT APPLICABLE,; QUANTITY ZERO, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.
 3-1386

JUDICIAL CRIMINAL STATISTICS

DISTRICT OF COLUMBIA, 1941

Of the 1,645 defendants charged with major offenses and disposed of during 1941 in the District Court of the District of Columbia, 1,144, or approximately 7 out of 10, were convicted and sentenced. Of the 1,144 convicted defendants, 702, or about 6 out of 10, were sentenced to imprisonment in the reformatory, and 292, or a little less than one-half as many, were placed on probation or given a suspended sentence. Thirteen of the 21 defendants charged with murder were convicted and sentenced, as were 26 of the 42 charged with manslaughter. Of the 1,241 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 913, or about 7 out of every 10, were convicted. Of the 341 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 195, or about 6 out of every 10, were convicted and sentenced. (See table 4.)

The rate per 100,000 population for all defendants convicted of major offenses decreased from 212.2 in 1937 to 164.1 in 1940, but increased to 172.5 in 1941. In 1941 the rate of conviction was higher for auto theft than it was for any other offense, but in the 4 previous years the rate had been highest for burglary. The rate of conviction for burglary decreased from 56.6 in 1937 to 39.7 in 1939, increased to 46.6 in 1940, and dropped to 34.1 in 1941. For auto theft, the rate of conviction dropped from 28.9 in 1937 to 17.8 in 1939, but increased to 22.2 in 1940 and 34.8 in 1941. (See table 1.)

During the past 5 years, about 7 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted decreased from 81.1 in 1940 to 69.5 in 1941; in the 3 previous years, it ranged from 72.5 to 76.0. In each

of the 5 years, the greatest proportion of defendants were convicted on a plea of guilty. In 1941, 54.2 percent of all defendants pleaded guilty, 14.8 percent were convicted by jury, and only 0.5 percent were convicted by court. (See table 2.)

Over one-half of the defendants convicted during the past 5 years were sentenced to imprisonment in the reformatory at Lorton or in a Federal institution. The percentage so treated increased from 54.5 in 1937 to 62.4 in 1940, but dropped to 61.4 in 1941. The percentage of defendants placed on probation decreased from 34.5 in 1937 to 25.6 in 1941. (See table 3.)

The first four tables present an enumeration of only those persons charged with a major offense and actually brought before a court having Federal jurisdiction, whose cases were disposed of by the court during the calendar year. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rate per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on those defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4, by offense.

A common criticism of court administration is that there are often unnecessary and exceedingly long delays in the disposition of criminal cases. Since individual reports were received on the disposition

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN DISTRICT OF COLUMBIA, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,645	1,341	1,520	1,788	1,720	248.1	202.2	231.0	280.4	279.1
MURDER.....	21	15	16	26	13	3.2	2.3	2.4	4.1	2.1
MANSLAUGHTER.....	42	21	33	57	28	6.3	3.2	5.0	8.9	4.5
ROBBERY.....	262	209	251	313	369	39.5	31.5	39.7	49.1	59.9
AGGRAVATED ASSAULT.....	219	139	143	168	158	33.0	21.0	21.7	26.3	25.6
BURGLARY.....	237	339	300	317	383	43.3	51.1	45.6	49.7	62.1
LARCENY, EXCEPT AUTO THEFT.....	201	145	171	200	241	30.3	21.9	26.0	31.4	39.1
AUTO THEFT.....	271	173	155	165	225	40.9	26.6	23.6	24.1	36.5
EMBEZZLEMENT AND FRAUD.....	97	68	112	124	89	14.6	9.8	17.2	25.7	14.4
STOLEN PROPERTY, RECEIVINGS, ETC.....	36	44	45	51	42	5.4	6.6	6.8	8.0	6.8
FORGERY AND COUNTERFEITING.....	87	68	81	106	94	13.1	10.3	12.3	16.6	15.3
RAPE.....	69	28	28	72	30	8.9	4.2	4.3	11.3	4.9
OTHER MAJOR OFFENSES.....	63	95	174	109	48	9.5	14.3	26.4	17.1	7.8
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,144	1,088	1,145	1,296	1,308	172.5	164.1	174.0	203.2	212.2
MURDER.....	13	9	8	13	10	2.0	1.4	1.2	2.0	1.6
MANSLAUGHTER.....	26	15	27	44	19	3.9	2.3	4.1	6.9	3.1
ROBBERY.....	147	180	193	211	268	22.2	24.1	30.2	33.1	43.5
AGGRAVATED ASSAULT.....	131	101	99	127	107	19.8	15.2	15.0	19.9	17.4
BURGLARY.....	226	309	261	272	349	34.1	46.6	39.7	42.7	56.6
LARCENY, EXCEPT AUTO THEFT.....	162	123	144	147	190	24.4	18.5	21.9	23.1	30.8
AUTO THEFT.....	231	147	117	162	178	34.8	22.2	17.8	25.4	28.9
EMBEZZLEMENT AND FRAUD.....	49	46	49	78	53	7.4	7.7	7.4	12.2	8.6
STOLEN PROPERTY, RECEIVINGS, ETC.....	24	26	25	30	18	3.6	3.9	3.5	4.7	2.9
FORGERY AND COUNTERFEITING.....	74	59	71	92	67	11.2	8.9	10.8	14.4	10.9
RAPE.....	25	21	18	42	16	3.8	3.2	2.7	6.6	2.6
OTHER MAJOR OFFENSES.....	36	70	129	78	33	5.4	10.6	19.6	12.2	5.4

NOTE.—REPORTS COVER 100 PERCENT OF THE POPULATION OF THE DISTRICT OF COLUMBIA FOR 1937-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS.

TABLE 2. — PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	16,451	100.0	15,411	100.0	15,220	100.0	17,788	100.0	17,720	100.0
ELIMINATED WITHOUT CONVICTION.....	507	30.5	253	18.9	375	24.7	492	27.5	412	24.0
DISMISSED.....	284	17.3	162	12.1	250	16.4	327	18.3	301	17.5
ACQUITTED BY COURT (JURY WAIVED).....	34	2.1	35	2.6	3	0.2	7	0.4	0	0
ACQUITTED BY JURY.....	13	0.8	52	3.3	115	7.0	154	8.5	165	9.1
OTHER NON-FORMAL DISPOSITION.....	170	10.3	0	0	0	0	0	0	0	0
PLEA OF GUILTY.....	11,440	69.5	10,889	70.8	11,445	75.3	12,996	72.5	13,008	76.0
COURT FINDS GUILTY (JURY WAIVED).....	892	54.2	914	66.2	955	62.8	1,069	59.8	1,107	64.4
JURY VERDICT GUILTY.....	8	0.5	2	0.1	1	0.1	4	0.2	2	0.1
OTHER SENTENCE.....	2,444	14.8	1,722	12.8	1,899	12.4	2,223	12.5	2,011	11.7

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

DEFENDANTS SENTENCED.....	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEATH PENALTY.....	6	0.5	6	0.1	0	0	0	0	0	0
REFORMATORY ¹	706	61.4	670	60.3	697	61.3	776	59.3	713	54.5
PROBATION ²	233	20.6	237	21.3	238	21.1	349	26.9	451	34.5
INSTITUTIONS FOR MEN.....	137	12.0	108	9.9	104	9.1	167	12.9	135	10.3
INSTITUTIONS FOR JUVENILES.....	6	0.5	3	0.3	5	0.4	3	0.2	5	0.4
OTHER SENTENCE.....	0	0	0	0	0	0	0	0	0	0

TABLE 4. — DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																													
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY					REFORMATORY ¹					PROBATION ² OR SUPERSEDED SENTENCE					LOCAL JAILS, HOUSES, ETC.					INSTITUTIONS FOR JUVENILE DELINQUENTS					OTHER SENTENCE				
	TOTAL DISPOSED	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT VERDICT GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	REFORMATORY ¹	PROBATION ² OR SUPERSEDED SENTENCE	LOCAL JAILS, HOUSES, ETC.	INSTITUTIONS FOR JUVENILE DELINQUENTS	OTHER SENTENCE	TOTAL DISPOSED	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	COURT VERDICT GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	REFORMATORY ¹	PROBATION ² OR SUPERSEDED SENTENCE	LOCAL JAILS, HOUSES, ETC.	INSTITUTIONS FOR JUVENILE DELINQUENTS	OTHER SENTENCE										
ALL OFFENSES.....	1,849	556	326	35	183	12	1,293	1,018	8	267	6	718	353	202	14	-	-	-	-	-	60	6	702	293	137	6	-	-	-	-	-									
MAJOR OFFENSES, TOTAL.....	1,645	501	284	34	173	10	1,144	892	8	244	6	702	293	137	6	-	-	-	-	-	60	6	702	293	137	6	-	-	-	-	-	-								
MURDER.....	21	8	4	1	3	1	13	4	-	9	3	10	-	-	3	-	-	-	-	-	9	1	1	1	1	1	1	1	1	1	1	1	1							
MANSLAUGHTER.....	42	16	3	4	8	1	26	9	-	16	1	20	-	-	20	-	-	-	-	-	9	1	1	1	1	1	1	1	1	1	1	1	1							
ROBBERY.....	262	115	72	2	41	1	147	101	-	46	1	46	-	-	131	-	-	-	-	-	8	1	1	1	1	1	1	1	1	1	1	1	1	1						
AGGRAVATED ASSAULT.....	219	88	41	6	40	1	131	67	-	33	1	33	-	-	63	-	-	-	-	-	8	1	1	1	1	1	1	1	1	1	1	1	1	1						
BURGLARY.....	287	61	33	9	16	1	260	147	-	14	1	14	-	-	52	-	-	-	-	-	25	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
LARCENY, EXCEPT AUTO THEFT.....	201	39	24	5	11	3	147	81	-	14	1	14	-	-	75	-	-	-	-	-	35	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
AUTO THEFT.....	97	43	24	5	17	3	231	204	-	26	1	26	-	-	108	-	-	-	-	-	86	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
EMBEZZLEMENT AND FRAUD.....	35	12	11	-	1	1	24	41	-	8	1	8	-	-	26	-	-	-	-	-	15	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
FORGERY AND COUNTERFEITING.....	87	15	11	-	2	2	74	68	-	6	1	6	-	-	5	-	-	-	-	-	24	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
RACE MATRIMONY.....	59	34	15	2	17	2	25	4	-	2	1	2	-	-	18	-	-	-	-	-	40	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
COMMERCIALIZED VICE.....	8	4	4	1	1	1	4	2	-	3	1	3	-	-	3	-	-	-	-	-	5	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
OTHER SEX OFFENSES.....	17	2	2	2	2	1	13	10	-	3	1	3	-	-	5	-	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
VIOLATING DRUG LAWS.....	30	17	11	-	6	-	13	12	-	1	1	1	-	-	7	-	-	-	-	-	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
CARRYING, ETC., WEAPONS.....	8	2	5	-	2	-	6	5	-	1	1	1	-	-	4	-	-	-	-	-	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
OTHER MAJOR OFFENSES.....	30	17	11	-	6	-	13	12	-	1	1	1	-	-	7	-	-	-	-	-	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
ABORTION.....	8	2	5	-	2	-	6	5	-	1	1	1	-	-	4	-	-	-	-	-	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
PRISON.....	3	1	1	-	1	-	1	1	-	1	1	1	-	-	1	-	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
BLIGHTED HOPE.....	1	1	1	-	1	-	1	1	-	1	1	1	-	-	1	-	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
ESCAPE AND JAIL BREAK.....	5	1	2	-	1	-	3	3	-	1	1	1	-	-	2	-	-	-	-	-	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
KIDNAPING.....	11	1	5	-	1	-	6	5	-	1	1	1	-	-	4	-	-	-	-	-	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1					
PER-JURY.....	204	55	42	1	10	2	149	126	-	23	1	23	-	-	16	-	-	-	-	-	60	6	65	8	-	-	-	-	-	-	-	-	-	-						

¹THE REFORMATORY AT LEXINGTON, VIRGINIA, IS THE ONLY DISTRICT OF COLUMBIA INSTITUTION FOR THE INCARCERATION OF FELONS. WOMEN CONVICTED IN THE DISTRICT COURT AND SENTENCED TO IMPRISONMENT ARE INCARCERATED IN THE HOUSE AT OCCOQUAN.

²PROBATION INCLUDES MAJOR ASSAULT, MURDER, VIOLATING DRUG LAWS, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

³SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS; —, QUANTITY ZERO, IN PERCENT COLUMNS; 0.

of defendants in the District Court, an analysis of the time elements between dates of filing the indictment, and the final plea, trial, or disposition was made possible. These data are presented in tables 5 to 8 by method of disposition, according to the total time elapsing from filing of indictment to the disposition, from filing of indictment to the final plea, and from final plea to trial. For defendants convicted and sentenced, the total time elapsing from filing to disposition is presented by sentence or treatment. In an analysis of these data, it must be remembered that the disposition accorded a defendant directly concerns his personal welfare and what might appear to be unjustified when viewed from the standpoint of pure efficiency may appear only just and right when fully analyzed.

Nearly three-fourths of the 1,849 defendants were disposed of in less than 2 months, but the disposition of 70, or 3.8 percent, was pending for 12 months or more. Defendants who were convicted and sentenced received somewhat speedier treatment than those who were eliminated without conviction. Of the defendants who were convicted, 79.4 percent were disposed of in less than 2 months and 54.1 percent in less than 1 month; but of the defendants eliminated without conviction, only 55.8 percent were disposed of in less than 2 months and only 34.0 percent in less than 1 month. (See table 5.) These data seem to substantiate the statement that the probability of a conviction decreases with the passage of time.

For 60.1 percent of the defendants who entered a plea, the time lost between filing of the indictment and final plea did not exceed 1 week. Of the 872 defendants who pleaded guilty as charged, how-

ever, only 49.7 percent had entered their final plea by the end of 7 days, and of the 146 who pleaded guilty to a lesser offense than charged, only 11, or 7.5 percent, had entered their final plea by the end of 1 week. (See table 6.)

Of the 1,849 defendants disposed of in 1941, only 494 were brought to trial, and of these, 275, or 55.7 percent, were convicted and sentenced. Of the defendants not convicted, 57.6 percent were tried within 59 days after entering plea, but of the defendants who were convicted 75.5 percent had been tried by then. (See table 7.) Defendants convicted and sentenced to jail received somewhat slower disposition than those placed on probation or sentenced to imprisonment in the reformatory. Of the defendants sentenced to jail, 49.0 percent were disposed of during the first month, as compared with 56.4 percent of those placed on probation and 57.1 percent of those sentenced to the reformatory. (See table 8.)

Only 169, or 13.1 percent of the 1,293 convicted defendants, had been charged with a more serious offense than that of which convicted. Of these 169 defendants, 22 were convicted by jury, 1 by court, and 146, or 86.4 percent, on a plea of guilty. The greatest number of these defendants, 55, had been charged with assault with a deadly weapon, but were convicted of threatened assault. Twenty-five were charged with robbery, but of these, 3 were convicted of assault to rob, 10 with threatened assault, and 12 with petit larceny. Table 9 presents these 169 defendants convicted of a lesser offense, by offense charged, and table 10 by offense convicted, in comparison with defendants convicted as charged.

TABLE 5.—DEFENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FILING OF INDICTMENT AND FINAL DISPOSITION: DISTRICT OF COLUMBIA, 1941

TIME ELAPSED	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED						
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL.....	1,849	556	326	35	183	12	1,293	872	146	7	1	245	22
UNDER 1 MONTH.....	889	189	99	11	76	3	700	571	48	3	-	73	5
0-7 DAYS.....	40	9	7	-	2	-	31	27	1	-	-	3	-
8-14 DAYS.....	355	72	38	6	28	-	283	254	11	-	-	15	3
15-29 DAYS.....	494	108	54	5	46	3	386	290	36	3	-	55	2
1 MONTH.....	448	121	61	13	46	1	327	178	54	2	1	86	6
30-44 DAYS.....	315	71	37	10	28	1	244	139	40	2	1	60	2
45-59 DAYS.....	133	50	24	3	25	-	85	39	14	-	-	26	4
2 MONTHS.....	163	62	49	3	10	-	101	50	9	2	-	37	3
3-5 MONTHS.....	209	98	66	2	20	6	111	47	25	-	-	35	4
6-11 MONTHS.....	70	39	21	6	16	-	31	11	9	-	-	7	4
12 MONTHS AND OVER.....	70	47	30	-	15	2	23	15	1	-	-	7	-
							PERCENT						
TOTAL.....	100.0	100.0	100.0	(¹)	100.0	(¹)	100.0	100.0	100.0	(¹)	(¹)	100.0	(¹)
UNDER 1 MONTH.....	48.1	34.0	30.4	...	41.5	...	54.1	65.5	32.9	...	...	29.8	...
0-7 DAYS.....	2.2	1.6	2.1	...	1.1	...	2.4	3.1	0.7	...	...	1.2	...
8-14 DAYS.....	19.2	12.9	11.7	...	15.3	...	21.9	29.1	7.5	...	...	6.1	...
15-29 DAYS.....	26.7	19.4	16.6	...	25.1	...	29.9	33.3	24.7	...	...	22.4	...
1 MONTH.....	24.2	21.8	18.7	...	25.1	...	25.3	20.4	37.0	...	...	35.1	...
30-44 DAYS.....	17.0	12.8	11.3	...	12.6	...	18.9	15.9	27.4	...	...	24.5	...
45-59 DAYS.....	7.2	9.0	7.4	...	14.6	...	6.4	4.5	9.6	...	...	10.6	...
2 MONTHS.....	8.8	11.2	15.0	...	5.5	...	7.8	5.7	6.2	...	...	15.1	...
3-5 MONTHS.....	11.3	17.6	20.2	...	10.9	...	8.6	5.4	17.1	...	...	14.3	...
6-11 MONTHS.....	3.8	7.0	6.4	...	8.7	...	2.4	1.3	6.2	...	...	2.9	...
12 MONTHS AND OVER.....	3.8	8.5	9.2	...	8.2	...	1.8	1.7	0.7	...	...	2.9	...

¹PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 6.—DEPENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FILING OF INDICTMENT AND FINAL PLEA ON ARRAIGNMENT: DISTRICT OF COLUMBIA, 1941

TIME ELAPSING FROM FILING TO PLEA	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION						CONVICTED					
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS.....	1,849	556	326	35	183	12	1,293	872	145	7	1	245	22
DEFENDANTS NOT ENTERING PLEA..	46	46	41	-	-	5	-	-	-	-	-	-	-
DEFENDANTS ENTERING PLEA.....	1,803	510	285	35	183	7	1,293	872	146	7	1	245	22
UNDER 1 MONTH.....	1,492	460	256	34	165	5	1,032	693	72	7	1	238	21
0-7 DAYS.....	1,083	397	216	30	148	3	686	423	11	7	1	217	17
8-14 DAYS.....	234	49	33	4	10	2	185	138	26	-	-	17	4
15-29 DAYS.....	175	14	7	-	7	-	161	122	35	-	-	4	-
1 MONTH.....	148	14	10	1	3	-	134	98	35	-	-	-	1
30-44 DAYS.....	103	9	5	1	3	-	94	67	26	-	-	-	1
45-59 DAYS.....	45	5	-	-	-	-	40	31	9	-	-	-	-
2 MONTHS.....	60	18	3	-	14	1	42	28	13	-	-	1	-
3-5 MONTHS.....	61	8	8	-	-	-	53	30	20	-	-	3	-
6-11 MONTHS.....	16	1	1	-	-	-	15	9	6	-	-	-	-
12 MONTHS AND OVER.....	26	9	7	-	1	1	16	14	-	-	-	3	-
PERCENT													
DEFENDANTS ENTERING PLEA.....	100.0	100.0	100.0	(¹)	100.0	(¹)	100.0	100.0	100.0	(¹)	(¹)	100.0	(¹)
UNDER 1 MONTH.....	82.8	90.2	89.8	...	90.2	...	79.8	79.5	49.3	...	...	97.1	...
0-7 DAYS.....	60.1	77.8	75.8	...	80.9	...	53.1	49.7	7.5	...	...	88.6	...
8-14 DAYS.....	13.0	9.6	11.6	...	5.5	...	14.3	15.8	17.8	...	...	8.9	...
15-29 DAYS.....	9.7	2.7	2.5	...	3.8	...	12.5	14.0	24.0	...	...	1.6	...
1 MONTH.....	8.2	2.7	3.5	...	1.6	...	10.4	11.2	24.0	...	...	0	...
30-44 DAYS.....	5.7	1.8	1.8	...	1.6	...	7.3	7.7	17.8	...	...	0	...
45-59 DAYS.....	2.5	1.0	1.8	...	0	...	3.1	3.6	6.2	...	...	0	...
2 MONTHS.....	3.3	3.5	1.1	...	7.7	...	3.2	3.2	8.9	...	...	0.4	...
3-5 MONTHS.....	3.4	1.6	2.8	...	0	...	4.1	3.4	13.7	...	...	1.2	...
6-11 MONTHS.....	0.9	0.2	0.4	...	0	...	1.2	1.0	4.1	...	...	0	...
12 MONTHS AND OVER.....	1.4	1.8	2.5	...	0.5	...	1.3	1.6	0	...	...	1.2	...

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 7.—DEPENDANTS DISPOSED OF IN THE DISTRICT COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FINAL PLEA ON ARRAIGNMENT AND TRIAL: DISTRICT OF COLUMBIA, 1941

TIME ELAPSING FROM PLEA TO TRIAL	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION						CONVICTED					
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS.....	1,849	556	326	35	183	12	1,293	872	146	7	1	245	22
DEFENDANTS NOT TRIED.....	1,355	337	326	-	-	11	1,018	872	146	-	-	-	-
DEFENDANTS TRIED.....	494	219	-	35	183	1	275	-	-	7	1	245	22
UNDER 1 MONTH.....	245	102	-	16	86	-	143	-	-	5	-	131	7
0-7 DAYS.....	53	17	-	3	14	-	36	-	-	-	-	34	2
8-14 DAYS.....	87	38	-	7	31	-	49	-	-	3	-	43	3
15-29 DAYS.....	105	47	-	6	41	-	58	-	-	2	-	54	2
1 MONTH.....	105	46	-	8	58	-	59	-	-	-	1	52	6
30-44 DAYS.....	57	26	-	6	20	-	31	-	-	-	1	28	2
45-59 DAYS.....	48	20	-	2	18	-	28	-	-	-	-	24	4
2-5 MONTHS.....	41	14	-	3	11	-	27	-	-	2	-	23	2
6-11 MONTHS.....	85	43	-	8	35	-	42	-	-	-	-	35	7
12 MONTHS AND OVER.....	18	14	-	-	13	1	4	-	-	-	-	4	-
PERCENT													
DEFENDANTS TRIED.....	100.0	100.0	0	(¹)	100.0	(¹)	100.0	0	0	(¹)	(¹)	100.0	(¹)
UNDER 1 MONTH.....	49.8	46.6	0	...	47.6	...	52.0	0	0	...	...	53.5	...
0-7 DAYS.....	10.7	7.8	0	...	7.7	...	13.1	0	0	...	...	13.9	...
8-14 DAYS.....	17.6	17.4	0	...	15.9	...	17.8	0	0	...	...	17.6	...
15-29 DAYS.....	21.3	21.5	0	...	22.4	...	21.1	0	0	...	...	22.0	...
1 MONTH.....	21.3	21.0	0	...	20.8	...	21.5	0	0	...	...	21.2	...
30-44 DAYS.....	11.5	11.9	0	...	10.9	...	11.3	0	0	...	...	11.4	...
45-59 DAYS.....	9.7	9.1	0	...	9.8	...	10.2	0	0	...	...	9.8	...
2-5 MONTHS.....	8.3	6.4	0	...	6.0	...	9.8	0	0	...	...	9.4	...
6-11 MONTHS.....	17.2	19.6	0	...	19.1	...	15.3	0	0	...	...	14.3	...
12 MONTHS AND OVER.....	3.6	6.4	0	...	7.1	...	1.5	0	0	...	...	1.6	...

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 8.—DEPENDANTS CONVICTED AND SENTENCED IN THE DISTRICT COURT BY SENTENCE AND TIME ELAPSING FROM FILING OF INDICTMENT TO FINAL DISPOSITION: DISTRICT OF COLUMBIA, 1941

TIME ELAPSING	TOTAL NUMBER OF DEPENDANTS SENTENCED	DEATH PENALTY	REFORMATORY	PROMOTION OR SUSPENDED SENTENCE	LOCAL JAILS	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER
TOTAL.....	1,293	6	718	353	202	14	-	-
Under 1 month.....	700	1	410	185	99	5	-	-
0-7 days.....	31	-	28	-	3	-	-	-
8-14 days.....	283	-	180	67	32	4	-	-
15-29 days.....	386	1	202	118	64	1	-	-
1 month.....	327	3	157	105	61	1	-	-
30-44 days.....	244	2	121	76	45	-	-	-
45-59 days.....	83	1	36	29	16	1	-	-
2 months.....	101	-	61	25	15	-	-	-
3-5 months.....	111	1	56	28	20	6	-	-
6-11 months.....	31	-	16	8	5	1	-	-
12 months and over.....	23	-	18	2	2	1	-	-
PERCENT								
TOTAL.....	100.0	(¹)	100.0	100.0	100.0	(¹)	0	0
Under 1 month.....	54.1	...	57.1	52.4	49.0	...	0	0
0-7 days.....	2.4	...	3.9	0	1.5	...	0	0
8-14 days.....	21.9	...	25.1	19.0	15.8	...	0	0
15-29 days.....	29.9	...	28.1	33.4	31.7	...	0	0
1 month.....	25.3	...	21.9	29.7	30.2	...	0	0
30-44 days.....	18.9	...	16.9	21.5	22.3	...	0	0
45-59 days.....	6.4	...	5.0	8.2	7.9	...	0	0
2 months.....	7.8	...	8.5	7.1	7.4	...	0	0
3-5 months.....	8.6	...	7.8	7.9	9.9	...	0	0
6-11 months.....	2.4	...	2.2	2.3	2.5	...	0	0
12 months and over.....	1.8	...	2.5	0.6	1.0	...	0	0

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 9.—DEPENDANTS DISPOSED OF BY OFFENSE CHARGED AND TYPE OF DISPOSITION: DISTRICT OF COLUMBIA, 1941

OFFENSE	TOTAL	DISPOSED OF WITHOUT CONVICTION	CONVICTED AS CHARGED	CONVICTED OF A LESSER OFFENSE
ALL OFFENSES.....	1,849	556	1,124	169
MAJOR OFFENSES, TOTAL.....	1,721	501	1,052	168
MURDER, FIRST DEGREE.....	17	6	5	6
MURDER, SECOND DEGREE.....	13	2	2	9
MANSLAUGHTER.....	30	15	11	4
NEGLIGENT HOMICIDE.....	3	1	2	-
ROBBERY.....	290	101	134	25
ATTEMPT TO ROB.....	24	14	8	2
ATTEMPT TO COMMIT ROBBERY.....	1	-	1	-
AGGRAVATED ASSAULT.....	9	3	3	3
ASSAULT WITH DEADLY WEAPON.....	266	85	128	55
MAYHEM.....	1	-	1	-
BURGLARY.....	305	61	226	18
LARCENY, EXCEPT AUTO THEFT.....	170	39	109	22
PETTY LARCENY.....	1	-	1	-
AUTO THEFT.....	268	-	228	-
EMBEZZLEMENT AND FRAUD.....	97	48	48	1
STOLEN PROPERTY, RECEIVING, ETC.....	27	12	24	3
FORGERY AND COUNTERFEITING.....	87	13	74	-
RAPE.....	26	10	5	11
CARNAL KNOWLEDGE.....	40	24	9	7
COMMERCIALIZED VICE.....	9	4	4	1
OTHER SEX OFFENSES.....	8	2	5	1
OTHER MAJOR OFFENSES.....	47	21	26	-
MINOR OFFENSES, TOTAL.....	128	55	72	1

TABLE 10.—DEPENDANTS CONVICTED, BY OFFENSE FOR WHICH CONVICTED, AND TYPE OF CHARGE: DISTRICT OF COLUMBIA, 1941

OFFENSE	TOTAL	CHARGED SAME OFFENSE	CHARGED WITH MORE SERIOUS OFFENSE
ALL OFFENSES.....	1,293	1,124	169
MAJOR OFFENSES, TOTAL.....	1,144	1,052	92
MURDER, FIRST DEGREE.....	5	5	-
MURDER, SECOND DEGREE.....	8	2	6
MANSLAUGHTER.....	20	11	9
NEGLIGENT HOMICIDE.....	6	6	-
ROBBERY.....	134	134	4
ATTEMPT TO ROB.....	11	8	3
ATTEMPT TO COMMIT ROBBERY.....	2	1	1
AGGRAVATED ASSAULT.....	3	3	-
ASSAULT WITH DEADLY WEAPON.....	127	128	1
MAYHEM.....	1	1	-
BURGLARY.....	226	226	-
LARCENY, EXCEPT AUTO THEFT.....	111	109	2
PETTY LARCENY.....	51	1	50
AUTO THEFT.....	231	228	3
EMBEZZLEMENT AND FRAUD.....	49	48	1
STOLEN PROPERTY, RECEIVING, ETC.....	24	24	-
FORGERY AND COUNTERFEITING.....	74	74	-
RAPE.....	5	5	-
CARNAL KNOWLEDGE.....	20	9	11
COMMERCIALIZED VICE.....	4	4	-
OTHER SEX OFFENSES.....	6	5	1
OTHER MAJOR OFFENSES.....	26	26	-
MINOR OFFENSES, TOTAL.....	149	72	77

JUDICIAL CRIMINAL STATISTICS

OHIO, 1941

Of the 4,515 defendants disposed of for a major offense in the common pleas courts of Ohio during 1941, 3,755, or approximately 8 out of 10, were convicted and sentenced. Of the 3,755 convicted defendants, 1,721, slightly less than half, were sentenced to imprisonment in a State prison or reformatory, and for 1,573 sentence was suspended. Thirty-six of the 58 defendants charged with murder were convicted and sentenced, as were 161 of the 193 charged with manslaughter. Of the 3,441 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 2,904, or about 17 out of every 20, were convicted. Of the 642 persons charged with major crimes against the person (murder, manslaughter, aggravated assault, and rape), 497, or about 15 out of every 20, were convicted and sentenced. (See table 4.)

The rate per 100,000 population for all defendants convicted of major offenses increased from 72.8 in 1937 to 79.7 in 1938, but decreased to 54.4 in 1941. The rate of conviction was higher for burglary than for any other offense during each of the 5 years, but it decreased from 21.8 in 1938 to 13.8 in 1941. (See table 1.)

During the past 5 years, about 8 out of every 10 defendants charged with major offenses have been convicted. The percentage of defendants convicted has remained almost constant since 1939, when 85.3 percent of the defendants were convicted. In 1941, 83.2 percent of all defendants were convicted; 71.7 percent pleaded guilty, 6.7 percent were convicted by jury, and 4.8 percent were convicted by court. (See table 2.)

From 1937 to 1941 there was little change in the proportion of defendants sentenced to imprisonment and placed on probation. The proportion of defendants placed on probation showed a slight increase, from 39.8 in 1937 to 43.4 in 1939, but dropped to 41.9 in 1941. The proportion of defend-

ants sentenced to imprisonment in a State prison or reformatory ranged from 46.9 in 1937 to 45.4 in 1939, but increased to 45.8 in 1941. (See table 3.)

Tables 1 to 4 present data on the disposition of persons charged with a criminal offense and brought before a common pleas court, which is the court having original felony jurisdiction in Ohio. A defendant charged with more than one offense, if not convicted, was tabulated by the most serious offense with which charged, and in the case of conviction, by the most serious offense of which convicted. The number of defendants charged with and convicted of selected major offenses during 1941 and the preceding 4 years are presented in table 1, together with the rates per 100,000 population. Table 2 shows the procedural outcome for defendants charged with major offenses during the past 5 years, while table 3 shows the type of sentence imposed on defendants who were convicted. Detailed data on procedural outcome and sentence or treatment of all defendants disposed of in 1941 are presented in table 4 by offense. The tables were prepared from individual reports received from the office of the Secretary of State of Ohio for each defendant disposed of in a common pleas court.

A common criticism of court administration is that there are often unnecessary and exceedingly long delays in the disposition of criminal cases. Individual reports were received on the disposition of defendants in the common pleas courts and on the basis of these records, time intervals from filing of indictment or information to final plea, trial, and disposition were computed. These data are presented in tables 5 to 8 by method of disposition, according to total time elapsing from filing of indictment or information to disposition, from filing to final plea, and from final plea to trial. For defendants convicted and sentenced, total time elapsing from filing to disposition is presented by sentence or treatment. In the analysis of these data

TABLE 1.—DEFENDANTS CHARGED WITH AND CONVICTED OF SELECTED MAJOR OFFENSES IN OHIO, BY NUMBER AND RATE PER 100,000 POPULATION: 1937-1941

OFFENSE	DEFENDANTS CHARGED					RATE PER 100,000 POPULATION				
	NUMBER									
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	4,515	5,320	5,536	6,459	6,010	65.4	77.0	80.2	94.3	90.1
MURDER.....	58	73	72	115	107	0.8	1.1	1.0	1.7	1.6
MANSLAUGHTER.....	193	181	175	201	233	2.8	2.6	2.5	2.9	3.5
ROBBERY.....	452	592	602	778	689	6.5	8.6	8.7	11.4	10.3
AGGRAVATED ASSAULT.....	234	271	262	340	312	3.4	3.9	3.8	5.0	4.7
BURGLARY.....	1,080	1,473	1,497	1,682	1,415	15.6	21.3	21.7	24.5	21.2
LARCENY, EXCEPT AUTO THEFT.....	634	692	775	804	891	9.2	10.0	11.2	11.7	13.4
AUTO THEFT.....	499	540	524	661	626	7.2	7.8	7.6	9.6	9.4
EMBEZZLEMENT AND FRAUD.....	301	318	313	378	344	4.4	4.6	4.5	5.5	5.2
STOLEN PROPERTY, RECEIVING, ETC.....	1,044	1,084	1,073	1,257	1,147	11.5	11.8	11.7	13.2	12.1
FORGERY AND COUNTERFEITING.....	399	504	473	601	474	5.8	7.3	6.9	8.8	7.1
RAPE.....	157	150	183	191	231	2.3	2.2	2.7	2.8	3.5
OTHER MAJOR OFFENSES.....	432	420	491	551	541	6.3	6.1	7.1	8.0	8.1
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	3,755	4,453	4,611	5,462	4,857	54.4	64.5	66.8	79.7	72.8
MURDER.....	36	52	50	89	62	0.5	0.8	0.7	1.3	0.9
MANSLAUGHTER.....	161	142	132	169	175	2.3	2.1	1.9	2.5	2.7
ROBBERY.....	356	499	494	674	523	5.2	7.2	7.2	9.8	7.8
AGGRAVATED ASSAULT.....	179	210	199	272	233	2.6	3.0	2.9	4.0	3.5
BURGLARY.....	955	1,290	1,341	1,492	1,238	13.8	18.7	19.4	21.8	18.6
LARCENY, EXCEPT AUTO THEFT.....	548	618	677	706	774	7.9	8.9	9.8	10.3	11.8
AUTO THEFT.....	444	486	454	588	535	6.4	7.0	6.6	8.6	8.0
EMBEZZLEMENT AND FRAUD.....	199	217	215	268	223	2.9	3.1	3.1	3.9	3.3
STOLEN PROPERTY, RECEIVING, ETC.....	86	85	85	131	122	1.0	1.2	2.0	1.9	1.8
FORGERY AND COUNTERFEITING.....	325	408	392	532	402	4.9	5.9	5.5	7.5	6.0
RAPE.....	121	102	135	137	155	1.8	1.5	2.0	2.0	2.2
OTHER MAJOR OFFENSES.....	354	344	397	424	411	5.1	5.0	5.8	6.2	6.2

NOTE.—ON THE BASIS OF THE 1940 CENSUS, REPORTS COVER 97.4 PERCENT OF THE POPULATION OF THE STATE FOR 1937; 99.8 PERCENT FOR 1938; AND 100.0 PERCENT FOR 1939-1941. RATES FOR 1940 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATIONS. THE RATES ARE BASED ON THE PROPORTION OF POPULATION COVERED BY THE REPORTS.

TABLE 2. — PROCEDURAL OUTCOMES FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF...	4515	100.0	5382	100.0	5536	100.0	6459	100.0	6010	100.0
ELIMINATED WITHOUT CONVICTION	760	16.8	867	16.3	925	16.7	997	15.4	1153	19.2
DISMISSED BY COURT (JURY WAIVED)	526	11.7	620	11.7	668	12.1	682	10.6	796	13.2
ACQUITTED BY COURT (JURY WAIVED)	97	2.1	82	1.5	93	1.7	83	1.3	129	2.1
ACQUITTED BY JURY	111	2.5	117	2.2	123	2.2	179	2.8	158	2.6
OTHER NO-PENALTY DISPOSITION...	24	0.5	48	0.9	41	0.7	53	0.8	70	1.2
CONVICTED...	3755	83.2	4453	83.7	4611	83.3	5462	84.6	4857	80.8
PLEA OF GUILTY...	3225	71.7	3939	74.4	4070	73.5	4737	73.3	4315	71.9
COURT FINDS GUILTY (JURY WAIVED)	217	4.9	223	4.2	258	4.5	293	4.5	300	5.0
JURY VERDICT GUILTY...	505	11.2	571	10.6	505	9.1	472	7.3	457	7.6

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED...	3755	100.0	4453	100.0	4611	100.0	5462	100.0	4857	100.0
DEATH PENALTY...	2	0.1	7	0.2	1	0.0	18	0.3	3	0.1
STATE PRISONS OR REFORMATORIES	1721	45.6	2083	46.8	2093	45.4	2506	45.9	2279	46.9
PROBATION OF SUSPENDED SENTENCE	1573	41.9	1880	42.2	2001	43.4	2297	42.1	1932	39.8
LOCAL JAILS, WORKHOUSES, ETC.	301	8.0	595	13.5	679	14.7	463	8.5	527	10.9
FINE OR COSTS ONLY	158	4.2	188	4.2	157	3.0	173	3.2	222	4.6
INSTITUTIONS FOR JUVENILES...	-	0	-	0	-	0	-	0	-	0
OTHER SENTENCE...	-	0	-	0	-	0	-	0	-	0

TABLE 4. — DISPOSITION OF DEFENDANTS IN CRIMINAL CASES IN COMMON PLEAS COURTS, BY OFFENSE: OHIO, 1941

OFFENSE	PROCEDURAL OUTCOME										CONVICTED AND SENTENCED										SENTENCE OR PUNISHMENT									
	TOTAL DISPOSED WITHOUT CONVICTION		DISMISSED		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED AND SENTENCED		PLEA GUILTY		COURT FINDS GUILTY (JURY WAIVED)		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		PROBATION OF SUSPENDED SENTENCE		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR JUVENILES OR DELINQUENTS ONLY		OTHER SENTENCE	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
ALL OFFENSES...	6,694	100.0	1,172	17.6	861	12.9	97	1.4	138	2.1	26	0.4	5,522	82.6	4,825	72.3	508	7.6	2	0.03	1,784	26.7	2,144	32.1	673	10.1	919	13.7	301	4.5
MAJOR OFFENSES, TOTAL...	4,515	100.0	760	17.1	528	11.7	111	2.4	147	3.3	24	0.5	3,755	83.2	3,235	76.1	217	5.0	2	0.04	1,721	38.3	1,573	34.8	158	3.5	158	3.5	301	6.7
MURDER...	58	1.3	32	0.7	6	0.1	3	0.07	10	0.2	3	0.07	36	0.8	13	0.3	7	0.15	2	0.04	34	0.75	54	1.2	11	0.25	24	0.5	5	0.11
MANSLAUGHTER...	193	4.3	102	2.3	11	0.2	8	0.18	12	0.27	1	0.02	161	3.6	121	2.7	14	0.31	161	3.5	272	6.0	79	1.7	26	0.6	5	0.11	5	0.11
ROBBERY...	452	10.0	260	5.9	60	1.3	15	0.3	44	0.8	4	0.09	358	7.9	276	6.3	36	0.8	89	1.9	82	1.8	455	10.1	82	1.8	24	0.5	3	0.07
AGGRAVATED ASSAULT...	234	5.2	132	3.0	13	0.3	13	0.3	6	0.13	4	0.09	179	3.9	137	3.1	17	0.37	157	3.4	179	3.9	157	3.4	82	1.8	5	0.11	3	0.07
BURGLARY...	1,080	24.0	625	14.1	89	1.6	19	0.3	16	0.24	1	0.02	955	21.8	851	19.6	40	0.9	492	10.6	485	10.9	474	10.6	150	3.3	36	0.8	2	0.04
LARCENY, EXCEPT AUTO THEFT...	634	14.1	386	8.5	16	0.3	16	0.3	7	0.1	2	0.04	549	12.4	492	11.1	22	0.5	514	11.3	211	4.7	220	4.9	139	3.0	36	0.8	2	0.04
AUTO THEFT...	499	11.2	285	6.5	45	0.9	5	0.1	10	0.15	1	0.02	314	7.0	284	6.5	6	0.13	303	6.6	210	4.6	122	2.7	10	0.2	4	0.09	2	0.04
EMBEZZLEMENT AND FRAUD...	79	1.8	42	0.9	3	0.06	3	0.06	1	0.01	-	-	169	3.7	150	3.4	3	0.06	15	0.3	50	1.1	33	0.7	14	0.3	4	0.09	1	0.02
STOLEN PROPERTY, RECEIVING, ETC.	399	9.1	233	5.3	57	1.2	2	0.04	9	0.13	4	0.09	316	7.1	281	6.4	11	0.24	147	3.2	179	3.9	166	3.7	16	0.3	20	0.4	1	0.02
PASSPORT AND CHECKBOOK...	157	3.6	63	1.4	2	0.04	1	0.02	2	0.04	2	0.04	121	2.7	82	1.9	13	0.29	6	0.13	35	0.75	22	0.5	26	0.5	7	0.15	5	0.11
OTHER SEX OFFENSES...	41	0.9	29	0.6	4	0.09	1	0.02	1	0.02	3	0.07	35	0.8	31	0.7	2	0.04	7	0.15	6	0.13	3	0.06	5	0.11	4	0.08	4	0.08
VIOLATING DRUG LAWS...	21	0.4	18	0.4	2	0.04	2	0.04	2	0.04	-	-	21	0.4	18	0.4	1	0.02	4	0.08	9	0.2	9	0.2	4	0.08	4	0.08	2	0.04
CARRYING, ETC., WEAPONS...	121	2.7	73	1.6	13	0.3	2	0.04	5	0.07	2	0.04	105	2.3	97	2.2	5	0.11	37	0.8	42	0.9	29	0.6	27	0.6	2	0.04	2	0.04
OTHER MAJOR OFFENSES...	177	3.9	103	2.3	3	0.06	3	0.06	5	0.07	2	0.04	92	2.0	73	1.6	5	0.11	38	0.8	15	0.3	17	0.3	2	0.04	2	0.04	1	0.02
ADULTERY...	5	0.1	3	0.06	3	0.06	2	0.04	2	0.04	2	0.04	3	0.06	2	0.04	1	0.02	8	0.18	5	0.11	17	0.3	2	0.04	2	0.04	1	0.02
ARSON...	47	1.0	28	0.6	0	0.00	0	0.00	1	0.02	1	0.02	28	0.6	14	0.3	2	0.04	1	0.02	2	0.04	11	0.2	2	0.04	1	0.02	1	0.02
BLINDING...	15	0.3	11	0.2	1	0.02	1	0.02	1	0.02	1	0.02	9	0.2	7	0.15	2	0.04	2	0.04	5	0.11	11	0.2	1	0.02	1	0.02	1	0.02
ESCAPE AND JAIL BREAK...	12	0.2	11	0.2	1	0.02	1	0.02	1	0.02	1	0.02	11	0.2	10	0.2	2	0.04	2	0.04	2	0.04	5	0.11	1	0.02	1	0.02	1	0.02
KIDNAPING...	14	0.3	14	0.3	1	0.02	1	0.02	1	0.02	1	0.02	13	0.2	11	0.2	2	0.04	10	0.2	1	0.02	5	0.11	1	0.02	1	0.02	1	0.02
PERJURY...	17	0.3	15	0.3	5	0.1	1	0.02	1	0.02	1	0.02	12	0.2	10	0.2	2	0.04	1	0.02	1	0.02	9	0.2	2	0.04	1	0.02	1	0.02
MINOR OFFENSES...	2,179	49.5	412	9.4	335	7.5	41	0.9	36	0.8	2	0.04	1,787	39.8	1,590	35.8	91	2.0	63	1.4	571	12.8	372	8.3	781	17.4	158	3.5	1	0.02

THIS GROUP INCLUDES MIND ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0; WHEN FIGURE IS MORE THAN 0 AND LESS THAN 0.05, 0.0.

3-52613

TABLE 5.—DEFENDANTS DISPOSED OF IN THE COMMON PLEAS COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FILING OF CHARGE AND FINAL DISPOSITION, OHIO, 1941

TIME ELAPSING	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					TOTAL	CONVICTED					
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER		PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL	6,694	1,172	861	138	147	26	5,522	4,384	441	272	36	338	51
UNDER 1 MONTH	3,824	255	119	68	57	11	3,569	3,089	226	172	17	100	15
0-7 DAYS	1,635	62	38	18	3	3	1,573	1,496	50	21	-	5	1
8-14 DAYS	905	69	29	20	16	4	836	719	72	28	4	12	2
15-29 DAYS	1,284	124	52	30	38	4	1,160	875	104	73	13	83	12
1 MONTH	1,107	179	97	35	40	7	928	624	97	71	10	108	18
30-44 DAYS	697	105	54	19	28	4	592	404	59	47	8	63	11
45-59 DAYS	410	74	43	16	12	3	336	220	38	24	2	45	7
2 MONTHS	514	95	55	13	22	5	419	268	56	34	2	50	9
3-5 MONTHS	515	152	99	13	18	2	361	237	47	28	7	54	8
6-11 MONTHS	268	138	124	4	1	1	138	98	9	8	-	16	1
12 MONTHS AND OVER	468	373	367	4	2	2	95	68	9	8	-	10	-
PERCENT													
TOTAL	100.0	100.0	100.0	100.0	100.0	(¹)	100.0	100.0	100.0	100.0	(¹)	100.0	100.0
UNDER 1 MONTH	57.1	21.8	13.8	49.3	38.8	...	64.6	70.5	51.2	44.9	...	29.6	29.4
0-7 DAYS	24.4	5.3	4.4	13.0	2.0	...	28.5	34.1	11.3	7.7	...	1.5	2.0
8-14 DAYS	13.5	5.9	3.4	14.9	10.9	...	15.1	16.4	16.3	10.3	...	3.6	3.9
15-29 DAYS	19.2	10.6	6.0	21.7	25.9	...	21.0	20.0	23.6	26.8	...	24.6	23.5
1 MONTH	16.5	15.3	11.3	25.4	27.2	...	16.8	14.2	22.0	26.1	...	32.0	35.3
30-44 DAYS	10.4	9.0	6.3	13.8	19.0	...	10.7	9.2	13.4	17.3	...	18.6	21.6
45-59 DAYS	6.1	6.3	5.0	11.6	8.2	...	6.1	5.0	8.6	8.8	...	13.3	13.7
2 MONTHS	7.7	8.1	6.4	9.4	15.0	...	7.5	6.1	12.7	12.5	...	14.8	17.3
3-5 MONTHS	7.7	11.3	11.5	9.4	12.9	...	6.9	5.4	10.7	10.3	...	16.1	15.7
6-11 MONTHS	4.0	11.8	11.0	3.6	5.4	...	2.4	1.4	2.3	3.3	...	4.7	2.0
12 MONTHS AND OVER	7.0	31.8	42.6	2.9	1.4	...	1.7	1.6	2.0	2.9	...	3.0	0

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 6.—DEFENDANTS DISPOSED OF IN THE COMMON PLEAS COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN FILING OF CHARGE AND PLEA OR ARRAIGNMENT, OHIO, 1941

TIME ELAPSING FROM FILING TO PLEA	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					TOTAL	CONVICTED					
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER		PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS	6,694	1,172	861	138	147	26	5,522	4,384	441	272	36	338	51
DEFENDANTS NOT ENTERING PLEA	578	576	566	-	-	12	-	-	-	-	-	-	-
DEFENDANTS ENTERING PLEA	6,116	594	295	138	147	14	5,522	4,384	441	272	36	338	51
UNDER 1 MONTH	4,828	526	257	120	136	13	4,302	3,428	249	249	34	295	47
0-7 DAYS	3,025	423	210	101	101	11	2,602	2,015	69	216	32	231	39
8-14 DAYS	819	32	71	35	14	23	1	775	678	1	1	55	4
15-29 DAYS	819	32	14	5	12	1	787	639	104	11	1	29	4
1 MONTH	591	23	13	4	6	-	568	435	93	12	2	23	3
30-44 DAYS	377	18	11	4	3	-	359	278	58	8	2	11	2
45-59 DAYS	214	5	-	-	3	-	209	157	35	4	-	12	1
2 MONTHS	270	12	5	4	2	1	258	202	45	4	-	6	1
3-5 MONTHS	257	17	11	6	-	-	240	188	40	5	-	7	-
6-11 MONTHS	98	9	5	2	2	-	89	77	9	-	-	3	-
12 MONTHS AND OVER	72	7	4	2	1	-	65	54	5	2	-	4	-
PERCENT													
DEFENDANTS ENTERING PLEA	100.0	100.0	100.0	100.0	100.0	(¹)	100.0	100.0	100.0	100.0	(¹)	100.0	100.0
UNDER 1 MONTH	78.9	88.6	87.1	87.0	92.5	...	77.9	78.2	56.5	91.5	...	87.3	92.2
0-7 DAYS	49.5	71.2	71.2	73.2	68.7	...	47.1	46.0	15.6	79.4	...	68.3	76.5
8-14 DAYS	16.1	12.0	11.2	10.1	15.6	...	16.5	17.7	17.2	8.1	...	10.4	7.8
15-29 DAYS	13.4	5.4	4.7	3.6	8.2	...	14.3	14.6	23.6	4.0	...	8.6	7.8
1 MONTH	9.7	3.9	4.4	2.9	4.1	...	10.3	9.9	21.1	4.4	...	6.8	5.9
30-44 DAYS	6.2	3.0	3.7	2.9	2.0	...	6.5	6.3	13.2	2.9	...	3.3	3.9
45-59 DAYS	3.5	0.8	0.7	0	2.0	...	3.8	3.6	7.9	1.5	...	3.6	2.0
2 MONTHS	4.4	2.0	1.7	2.9	1.4	...	4.7	4.6	10.2	1.5	...	1.8	2.0
3-5 MONTHS	4.2	2.9	3.7	4.3	0	...	4.3	4.3	9.1	1.8	...	2.1	0
6-11 MONTHS	1.6	1.5	1.7	1.4	1.4	...	1.6	1.6	2.0	0	...	0.9	0
12 MONTHS AND OVER	1.2	1.2	1.4	1.4	0.7	...	1.2	1.2	1.1	0.7	...	1.2	0

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

it may be remembered that the disposition accorded a defendant directly concerns his personal welfare and what might appear to be unjustified when viewed from the standpoint of pure efficiency may appear just and right when fully analyzed.

Nearly three-fourths of the 6,694 defendants were disposed of in less than 2 months, but the disposition of 468, or 7.0 percent, was pending for 12 months or more. Defendants who were convicted and sentenced re-

ceived speedier treatment than those who were eliminated without conviction. Of the defendants who were convicted, 81.4 percent were disposed of in less than 2 months and 64.6 percent in less than 1 month; but of the defendants eliminated without conviction only 37.1 percent were disposed of in less than 2 months and 21.8 percent in less than 1 month. (See Table 5.) These data seem to substantiate the statement that the probability of a conviction decreases with the passage of time.

JUDICIAL CRIMINAL STATISTICS: OHIO

TABLE 7.—DEFENDANTS DISPOSED OF IN THE COMMON PLEAS COURT, BY METHOD OF DISPOSITION AND TIME BETWEEN PLEA OR ARRAIGNMENT TO TRIAL: OHIO, 1941

TIME ELAPSING FROM PLEA TO TRIAL	TOTAL DEFENDANTS DISPOSED OF	DISPOSED OF WITHOUT CONVICTION					CONVICTED						
		TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	PLEA OF GUILTY		COURT FINDS GUILTY		JURY VERDICT GUILTY	
								AS CHARGED	LESSER	AS CHARGED	LESSER	AS CHARGED	LESSER
TOTAL DEFENDANTS.....	6,694	1,172	861	138	147	26	5,522	4,384	441	272	36	338	51
DEFENDANTS NOT TRIED.....	5,712	867	861	-	-	26	4,825	4,384	441	-	-	-	-
DEFENDANTS TRIED.....	982	285	-	138	147	-	697	-	-	272	36	338	51
UNDER 1 MONTH.....	601	163	-	88	75	-	438	-	-	182	23	205	28
0-7 DAYS.....	221	70	-	43	27	-	151	-	-	72	5	68	6
8-14 DAYS.....	173	43	-	21	22	-	130	-	-	56	6	57	11
15-29 DAYS.....	207	50	-	24	26	-	157	-	-	54	12	80	11
1 MONTH.....	214	71	-	33	38	-	143	-	-	50	5	73	15
30-44 DAYS.....	141	44	-	20	24	-	97	-	-	35	3	47	12
45-59 DAYS.....	73	27	-	13	14	-	46	-	-	15	2	26	3
2-5 MONTHS.....	68	24	-	9	15	-	44	-	-	15	2	24	3
6-11 MONTHS.....	92	25	-	7	18	-	67	-	-	22	6	34	5
12 MONTHS AND OVER.....	7	2	-	1	1	-	5	-	-	3	-	2	-
PERCENT													
DEFENDANTS TRIED.....	100.0	100.0	0	100.0	100.0	(¹)	100.0	0	0	100.0	(¹)	100.0	100.0
UNDER 1 MONTH.....	61.2	37.2	0	63.8	51.0	...	62.8	0	0	66.9	...	60.7	54.9
0-7 DAYS.....	22.5	24.6	0	31.2	18.4	...	21.7	0	0	26.5	...	20.1	11.8
8-14 DAYS.....	17.6	15.1	0	15.2	15.0	...	18.7	0	0	20.6	...	16.9	21.6
15-29 DAYS.....	21.1	17.5	0	17.4	17.7	...	28.5	0	0	19.9	...	23.7	21.6
1 MONTH.....	21.8	24.9	0	23.9	25.9	...	20.5	0	0	18.4	...	21.6	29.4
30-44 DAYS.....	14.4	15.4	0	14.5	16.3	...	13.9	0	0	12.9	...	13.9	23.5
45-59 DAYS.....	7.4	9.5	0	9.4	9.5	...	6.6	0	0	5.5	...	7.7	5.9
2-5 MONTHS.....	6.9	8.4	0	6.5	10.2	...	6.3	0	0	5.5	...	7.1	5.9
6-11 MONTHS.....	9.4	8.8	0	5.1	12.2	...	9.5	0	0	8.1	...	10.1	9.8
12 MONTHS AND OVER.....	0.7	0.7	0	0.7	0.7	...	0.7	0	0	1.1	...	0.6	0

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

TABLE 8.—DEFENDANTS CONVICTED AND SENTENCED IN THE COMMON PLEAS COURT, BY SENTENCE AND TIME FROM FILING OF CHARGE TO FINAL DISPOSITION: OHIO, 1941

TIME ELAPSING	TOTAL NUMBER OF DEFENDANTS SENTENCED	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
TOTAL.....	5,522	2	1,784	2,144	673	919	-	-
UNDER 1 MONTH.....	3,569	1	1,147	1,270	438	713	-	-
0-7 DAYS.....	1,573	-	469	420	234	450	-	-
8-14 DAYS.....	836	-	290	370	99	77	-	-
15-29 DAYS.....	1,160	-	388	440	105	186	-	-
1 MONTH.....	928	1	347	397	106	77	-	-
30-44 DAYS.....	592	1	234	252	64	41	-	-
45-59 DAYS.....	336	-	113	145	42	36	-	-
2 MONTHS.....	419	-	122	176	80	41	-	-
3-5 MONTHS.....	381	-	115	171	34	61	-	-
6-11 MONTHS.....	131	-	24	78	6	22	-	-
12 MONTHS AND OVER.....	95	-	29	52	9	5	-	-
PERCENT								
TOTAL.....	100.0	(¹)	100.0	100.0	100.0	100.0	0	0
UNDER 1 MONTH.....	64.5	...	64.3	59.2	65.1	77.6	0	0
0-7 DAYS.....	28.5	...	26.3	19.5	34.8	49.0	0	0
8-14 DAYS.....	15.1	...	16.3	17.3	14.7	8.4	0	0
15-29 DAYS.....	21.0	...	21.7	22.4	15.6	20.2	0	0
1 MONTH.....	16.8	...	19.5	18.5	15.8	8.4	0	0
30-44 DAYS.....	10.7	...	13.1	11.8	9.5	4.5	0	0
45-59 DAYS.....	6.1	...	6.3	6.8	6.2	3.9	0	0
2 MONTHS.....	7.6	...	6.8	8.2	11.9	4.5	0	0
3-5 MONTHS.....	6.9	...	6.4	8.0	5.1	6.6	0	0
6-11 MONTHS.....	2.4	...	1.3	3.6	0.9	2.4	0	0
12 MONTHS AND OVER.....	1.7	...	1.6	2.4	1.3	0.5	0	0

¹ PERCENT NOT SHOWN WHEN BASE IS LESS THAN 50.

For a little over three-fourths of the defendants who entered a plea, the time elapsing from filing of indictment or information to final plea was less than 1 month and for nearly half of them it did not exceed 1 week. Of the defendants who pleaded guilty to a lesser offense, only 15.5 percent had entered final plea by the end of a week, whereas 46.0 percent of those pleading guilty as charged entered final plea during the first week. (See table 6.)

Of the 6,694 defendants disposed of in the common pleas courts, only 982, or 14.7 percent, were brought to trial, and these, 697, or 71.0 percent, were con-

victed and sentenced. Of the defendants who were convicted, 62.8 percent were tried in less than 1 month after plea, as compared with 57.2 percent of those who were not convicted. (See table 7.) Defendants convicted and placed on probation seem to have been disposed of a little more slowly than those receiving other treatment. Of all defendants placed on probation, 59.2 percent were disposed of within 1 month after filing of indictment or information, as compared with 64.3 percent of those sentenced to State prison or reformatory and 65.1 percent of those sent to local jails. (See table 8.)

