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JUDICIAL CRIMINAL STATISTICS

1941



U. S. DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS

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Jesse H. Jones, Secretary
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JUDICIAL CRIMINAL STATISTICS 1941

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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.

ANALYSIS OF 1941 DATA

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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	81.8
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.....	43	39	81.3	-	0	9	18.8

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

2.3 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 ²	841	766	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.....	966	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	466	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	235	97.5	1	0.4	8	2.0

¹Excludes the 7,162 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	Defend-ants sen-tenced	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	18,235	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.....	359	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	³ 1,426	54.7	719	27.5	—	—	466	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	153	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	13.0
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.....	61,866	14,172	22.9	47,696	77.1
Murder.....	638	236	37.0	402	63.0
Manslaughter.....	551	642	41.4	909	58.5
Robbery.....	3,363	1,126	25.6	3,267	74.4
Aggravated assault.....	3,125	1,952	35.0	3,163	62.0
Burglary.....	11,508	1,800	14.1	9,778	85.9
Larceny, except auto theft ¹	12,054	2,118	17.5	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	32.9	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	Percent	Number	Percent	Number	Percent
Total.....	14,172	9,954	70.1	1,151	8.1	3,366	23.8
Murder.....	236	110	43.8	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.....	2,118	1,549	73.0	174	8.2	399	18.6
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	36	7.2	115	24.7
Forgery and counterfeiting.....	672	597	86.3	18	2.4	59	8.6
Rape.....	851	554	65.1	45	5.3	252	29.6
Commercialized vice.....	235	116	50.2	36	15.2	79	33.6
Other sex offenses.....	1,192	710	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.	657	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	641	20.4	1,009	31.7	230	7.2
Burglary.....	9,778	4,186	42.8	3,292	33.7	1,992	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
		District	Circuit	Superior	Common pleas	Quarter session and oyer and terminer	County	Municipal	
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.

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.....	2609	100.0	2647	100.0	2866	100.0	2593	100.0	2529	100.0
DEATH PENALTY.....	1	0.0	1	0.0	2	0.1	1	0.0	1	0.0
IMPRISONMENT.....	1425	54.6	1428	53.9	1667	58.4	1233	47.5	1469	58.1
PROBATION OR SUSPENDED SENTENCE.....	718	27.5	755	27.8	940	32.8	854	32.9	756	29.1
FINE OR COSTS ONLY.....	20	0.8	10	0.4	21	0.7	17	0.7	24	0.9
INSTITUTIONS FOR JUVENILES ONLY.....	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
ON FILE AFTER CONVICTION.....	445	17.1	473	17.9	315	11.0	268	11.2	299	11.8

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.....	3083	100.0	3194	100.0	3548	100.0	3085	100.0	3044	100.0
ELIMINATED WITHOUT CONVICTION.....	174	5.6	347	10.9	763	21.5	692	22.4	575	18.9
DISMISSED.....	225	7.3	242	7.6	293	8.3	441	14.3	304	10.0
ACQUITTED BY COURT (JURY WAIVED).....	70	2.3	95	3.0	93	2.6	109	3.5	66	2.2
ACQUITTED BY JURY.....	168	5.4	209	6.5	195	5.5	139	4.5	145	4.8
OTHER NON-PENALTY DISPOSITION.....	260	8.4	1	0.0	82	2.3	30	1.0	35	1.1
ON FILE AFTER CONVICTION.....	2260	73.3	2270	71.1	2860	81.1	2041	66.2	2129	69.9
PLEA OF GUILTY.....	2260	73.3	2270	71.1	2860	81.1	2041	66.2	2129	69.9
COURT FINDS GUILTY (JURY WAIVED).....	118	3.8	152	4.7	103	2.9	137	4.4	76	2.5
JURY VERDICT GUILTY.....	231	7.5	245	7.7	312	8.8	215	7.0	324	10.6

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

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																								
	TOTAL DISPOSED OF					DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					PROBATION					FINE					INSTITUTIONS					ON FILE AFTER VICTIM				
	TOTAL DISPOSED WITH CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	IMPRISONMENT	PROBATION OR SUSPENDED SENTENCE	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILES ONLY	ON FILE AFTER VICTIM																				
ALL OFFENSES.....	3,857	398	81	200	3	3,155	2,716	165	274	1	1,603	857	93	—	596																				
MAJOR OFFENSES, TOTAL.....	3,083	474	235	70	168	3	2,609	118	231	1	1,425	718	20	—	445																				
MURDER.....	16	6	—	—	1	10	14	2	4	—	9	—	—	—	—																				
MANSLAUGHTER.....	31	7	—	1	—	24	16	2	8	—	24	—	—	—	—																				
ROBBERY.....	273	50	18	8	24	225	174	13	36	—	174	32	—	17																					
AGGRAVATED ASSAULT.....	144	29	6	8	13	115	91	5	19	—	69	24	3	19																					
BURGLARY.....	645	61	35	13	34	784	733	17	34	—	400	297	3	87																					
LARCENY, EXCEPT AUTO THEFT.....	650	112	74	4	54	518	465	11	42	—	228	118	3	171																					
AUTO THEFT.....	404	47	29	11	7	357	331	16	10	—	183	109	2	63																					
STOLEN PROPERTY, RECEIVING, ETC.....	90	6	—	—	—	84	63	1	2	—	57	18	—	24																					
RACKETEERING AND GAMING.....	218	10	6	22	1	181	112	31	36	—	139	42	—	6																					
COMMERCIALIZED VICE.....	48	31	16	6	10	17	13	4	—	—	11	—	—	4																					
OTHER SEX OFFENSES.....	115	21	1	5	—	94	68	14	12	—	62	21	—	11																					
VIOLATING DRUG LAWS.....	63	6	2	1	—	6	6	—	—	—	3	—	—	12																					
CARRYING, ETC., WEAPONS.....	138	43	15	7	31	57	44	6	8	—	31	4	—	18																					
OTHER MAJOR OFFENSES.....	60	8	4	2	—	52	39	3	10	—	27	—	—	16																					
ABORTION.....	20	4	—	—	—	12	9	—	3	—	9	—	—	—																					
RIOT.....	60	21	—	—	—	39	3	—	—	—	18	—	—	—																					
BLACKMAIL AND EXTORTION.....	10	1	—	—	—	9	—	—	—	—	9	—	—	—																					
ESCAPE AND JAIL BREAK.....	16	1	—	—	—	5	4	—	—	—	5	—	—	—																					
KIDNAPING.....	19	5	—	—	—	16	16	—	—	—	15	—	—	—																					
PERJURY.....	15	2	3	—	—	10	8	—	—	—	5	—	—	—																					
MINOR OFFENSES ³	754	208	165	11	32	546	456	47	43	—	183	139	73	—	151																				

¹INCLUDES DEFENDANTS SENTENCED TO STATE PRISONS AND REFORMATORIES AND LOCAL JAILS, WORKHOUSES, ETC. ²PLACEMENT, EXCEPT AUTO THEFT, INCLUDES EMBEZZLEMENT AND FRAUD. ³INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATIONS OF LIQUOR, GAMBLING, OR DRIVING LAWS; AND OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS. ⁴SPARKS USED IN THIS REPORT. — IN NUMBER COLUMN AND 0 IN PERCENT COLUMN INDICATE "NO CASES"; 0.0 INDICATES "LESS THAN ONE-TENTH OF 1 PERCENT."

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) 359, or about 19 out of every 20, were convicted. Of the 67 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 80.7 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 15.7 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					RATE				
	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	81.9
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	18	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	0.6	1.6	4.2
BURGLARY	124	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	37	62	26	17	26	2.4	8.7	4.0	2.4	3.7
STOLEN PROPERTY, RECEIVING, ETC.	3	1	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	3.8	1.9
RAPE	4	26	26	35	28	1.1	3.6	3.7	5.0	4.0
OTHER MAJOR OFFENSES	43	53	96	110	59	6.0	7.4	15.7	15.8	8.5
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL	492	571	625	625	560	69.0	80.0	89.1	90.0	80.7
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	28	41	8	3.5	2.8	4.0	5.9	1.2
AGGRAVATED ASSAULT	28	32	4	11	29	3.9	4.5	0.6	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	26	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	3.8	1.7
RAPE	7	26	25	35	27	1.0	3.6	3.6	5.0	3.9
OTHER MAJOR OFFENSES	56	49	93	100	56	5.0	6.9	13.3	13.0	8.1

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	560	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	29.5	148	26.1
PROBATION OR SUSPENDED SENTENCE.....	401	81.5	455	79.1	577	92.3	405	64.8	546	97.6
LOCAL JAILS, WORKHOUSES, ETC.....	13	2.6	25	4.4	48	7.7	51	8.1	53	9.5
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		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
	DEFENDANTS DISPOSED OF.....	514	100.0	600	100.0	632	100.0	568	100.0
ELIMINATED WITHOUT CONVICTION.....	17	3.3	20	3.3	7	1.1	8	1.4
DISMISSED OR NOLLE PROSEQUI.....	1	0.2	1	0.2	26	4.0	4	0.7
ACQUITTED BY COURT (JURY WAIVED).....	3	0.6	1	0.2	0	0	0	0
ACQUITTED BY JURY.....	4	0.8	11	1.8	0	0	4	0.7
FINALLY DISPOSITION.....	462	90.4	577	95.7	605	95.9	570	95.4
CONVICTION.....	462	90.4	577	95.7	605	95.9	570	95.4
NO CONVICTION.....	1	0.2	1	0.2	0	0	0	0
NO CONVICTION.....	1	0.2	1	0.2	0	0	0	0
COURT FINDS GUILTY (JURY WAIVED).....	6	1.2	8	1.3	0	0	3	0.5

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						
	TOTAL DEFENDANTS DISPOSED OF		DISPOSED OF WITHOUT CONVICTION				CONVICTED AND SENTENCED				CONVICTED AND SENTENCED						
	TOTAL	DISPOSED	DISMISSED OR NOLLE PROSEQUI		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER	TOTAL CONVICTED AND SENTENCED	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAIL, WORKHOUSE, ETC.	FINE OR OTHER PENALTY ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
			NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT										NUMBER	PERCENT	COURT VERDICT GUILTY (JURY WAIVED)	COURT VERDICT GUILTY
ALL OFFENSES.....	797	296	290	1	4	1	4	1	501	495	8	72	407	19	3	-	-
MAJOR OFFENSES, TOTAL.....	514	22	17	1	4	-	4	-	492	486	6	71	401	17	3	-	-
MURDER.....	2	1	1	-	1	-	1	-	1	-	1	1	-	-	-	-	-
ROBBERY.....	28	3	2	-	1	-	1	-	25	21	4	17	1	-	-	-	-
DISORDERLY ASSAULT.....	224	3	2	-	1	-	1	-	221	257	1	20	17	2	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	14	1	1	-	1	-	1	-	13	13	-	2	10	1	-	-	-
AUTO THEFT.....	122	3	2	1	1	1	1	1	119	119	0	6	4	2	-	-	-
EMBEZZLEMENT AND FRAUD.....	17	1	1	1	1	1	1	1	16	16	0	6	8	2	-	-	-
STEAL PROPERTY, RECEIVING, ETC.....	3	3	3	-	-	-	-	-	3	3	-	1	2	2	-	-	-
FORGERY AND COUNTERFEITING.....	24	1	1	1	1	1	1	1	23	23	-	1	6	1	-	-	-
RAPE.....	12	1	1	-	-	-	-	-	7	7	0	1	1	1	-	-	-
COMMERCIALIZED VICE.....	8	1	1	-	-	-	-	-	7	7	-	1	1	1	-	-	-
OTHER SEX OFFENSES.....	17	2	1	-	1	-	1	-	15	15	-	5	10	1	-	-	-
OTHER MAJOR OFFENSES.....	11	1	1	-	-	-	-	-	10	10	-	7	2	1	-	-	-
ABORTION.....	12	3	3	-	-	-	-	-	9	9	-	1	6	1	-	-	-
ARSON.....	5	2	2	-	-	-	-	-	3	3	-	1	3	1	-	-	-
BIGAMY.....	2	2	2	-	-	-	-	-	2	2	-	1	1	1	-	-	-
BLACKMAIL AND EXTORTION.....	5	5	5	-	-	-	-	-	5	5	-	1	2	1	-	-	-
ESCAPE AND JAIL BREAK.....	5	5	5	-	-	-	-	-	5	5	-	1	1	1	-	-	-
OBSCENITY.....	1	1	1	-	-	-	-	-	1	1	-	-	-	-	-	-	-
PERJURY.....	1	1	1	-	-	-	-	-	1	1	-	-	-	-	-	-	-
MINOR OFFENSES.....	283	274	273	-	-	-	-	-	9	7	2	1	6	2	-	-	-

¹INCLUDES 1 PLEA OF GUILTY FOR BURGLARY.

²THIS GROUP INCLUDES MINOR ASSAULT, DISORDERLY CONDUCT, 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 AND 0 IN RATE OR PERCENT 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 97.6 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 73.1 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	96.1	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	6	15	0.9	0.9	1.6	1.8	2.8
ROBBERY.....	27	31	18	19	40	4.8	5.5	4.1	5.6	7.6
AGGRAVATED ASSAULT.....	26	30	22	13	42	3.0	3.4	3.7	3.3	8.0
BURGLARY.....	99	149	93	81	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	13	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	5	10	1.1	4.6	1.0	1.6	1.9
FORGERY AND COUNTERFEITING.....	90	84	58	44	55	16.1	15.1	15.0	13.0	10.0
RAPE.....	16	17	9	12	21	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 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	575	100.0	545	100.0	586	100.0
ELIMINATED WITHOUT CONVICTION.....	105	20.9	97	17.5	51	8.8	48	8.8	192	32.8
DISMISSED.....	90	17.9	71	12.9	43	7.5	35	6.4	100	17.1
ACQUITTED BY JURY (JURY WAIVED).....	14	2.8	21	3.8	10	1.7	14	2.6	28	4.8
OTHER NON-FATAL DISPOSITION.....	3.9	0.8	4.3	0.8	3.2	0.6	29.6	5.4	6	1.0
CONVICTED.....	345	68.6	390	71.0	594	103.5	475	87.1	452	77.1
PLEA OF GUILTY.....	4	0.8	21	3.8	2	0.4	3	0.5	4	0.7
COURT FINDS GUILTY (JURY WAIVED).....	43	8.5	42	7.7	23	4.0	18	3.2	69	11.9
JURY VERDICT GUILTY.....										

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.....	399	100.0	453	100.0	521	100.0	296	100.0	452	100.0
DEATH PENALTY.....	0	0	0	0	1	0.3	1	0.3	0	0
STATE PRISONS OR REFORMATORIES.....	300	75.4	351	77.5	248	47.7	210	70.9	338	74.8
PROBATION OR SUSPENDED SENTENCE.....	64	16.1	62	13.7	46	8.8	58	19.6	61	13.5
LOCAL JAILS, WORKHOUSES, ETC.....	17	4.3	24	5.3	13	2.5	22	7.4	15	3.3
FINE OR COSTS ONLY.....	9	2.3	5	1.1	6	1.2	1	0.3	4	0.9
INSTITUTIONS FOR JUVENILES.....	8	2.0	11	2.4	7	1.3	4	1.4	5	1.1
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	0

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

OFFENSE	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT										
	DISPOSED OF WITHOUT CONVICTION			CONVICTED AND SENTENCED			DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE				
	TOTAL DISPOSED WITHOUT CONVICTION	DISMISSED	ACQUITTED (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED								PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	COURT VERDICT GUILTY	
ALL OFFENSES.....	609	132	114	-	17	1	477	403	19	55	-	310	75	26	46	20	-
MAJOR OFFENSES, TOTAL.....	503	105	90	-	14	1	398	345	8	45	-	300	64	17	9	8	-
MURDER.....	10	3	1	-	2	-	7	3	-	4	-	7	-	-	-	-	-
MANSLAUGHTER.....	5	0	-	-	0	-	5	0	-	0	-	5	-	-	-	-	-
ROBBERY.....	27	6	3	-	1	1	21	13	-	2	-	12	2	-	-	-	-
AGGRAVATED ASSAULT.....	90	19	10	-	1	1	80	66	4	10	-	64	14	2	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	134	27	22	-	5	-	107	95	2	10	-	68	26	4	6	3	-
AUTO THEFT.....	19	4	1	-	1	-	15	14	1	1	-	9	3	2	1	-	-
EMBEZZLEMENT AND FRAUD.....	7	1	1	-	1	-	6	5	-	1	-	5	1	-	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	98	20	18	-	2	-	90	69	1	4	-	73	2	-	-	-	-
FUGITIVE AND COUNTERFEITING.....	36	2	0	-	0	-	10	11	1	4	-	13	2	-	-	-	-
COMMERCIALIZED VICE.....	12	2	1	-	1	-	10	7	-	3	-	8	1	1	1	-	-
VIOLATING DRUG LAWS.....	8	1	0	-	1	-	7	7	-	0	-	7	1	6	1	-	-
CARRYING, ETC., WEAPONS.....	7	2	2	-	2	-	5	5	-	2	-	6	1	1	1	-	-
OTHER MAJOR OFFENSES.....	11	2	4	-	1	-	7	6	-	1	-	7	1	-	-	-	-
ABORTION.....	5	2	2	-	2	-	1	1	-	1	-	1	-	-	-	-	-
ARSON.....	3	1	1	-	1	-	1	1	-	1	-	1	-	-	-	-	-
BLOWING UP OR BURNING DOWN.....	4	1	1	-	1	-	1	1	-	1	-	1	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	4	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.....	106	27	24	-	3	-	79	58	11	10	-	10	11	9	37	12	-

* THIS GROUP INCLUDES MINOR ASSAULT; HARBORING; VIOLATING LICENSE, GAMBLING, OR DRIVING LAWS; AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.
 * SINGLES USED IN THIS REPORT. - IN NUMBER COLUMNS AND 0 IN RATE OR PERCENT COLUMNS INDICATE 0 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-

ceeny, 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 (43.5 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	898	5.5	5.8	6.1	6.9	7.4
BURGLARY.....	1,817	2,359	2,412	2,497	2,207	13.5	17.5	18.1	18.5	15.4
LARCENY, EXCEPT AUTO THEFT.....	2,485	2,799	2,375	2,453	2,601	18.4	20.8	17.5	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	355	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	56.1	59.3	56.0	57.8
MURDER.....	65	85	61	67	77	0.5	0.5	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	3.5	4.3	4.5	4.9
BURGLARY.....	1,448	1,893	2,058	2,080	1,814	10.7	14.0	15.4	15.3	14.3
LARCENY, EXCEPT AUTO THEFT.....	2,190	2,294	2,026	2,045	2,139	16.2	17.0	15.2	15.2	15.9
AUTO THEFT.....	659	665	623	535	486	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	0.5	0.8
FORGERY AND COUNTERFEITING.....	284	366	327	333	251	2.1	2.7	2.4	2.5	1.9
RAPE.....	239	243	244	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	7.6	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 5. — NUMBER OF DEFENDERS WHOSE CASES WERE DISCONTINUED OR SETTLED

OFFENSE	1940		1941		1942		1943		1944	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
ALL OFFENSES	1,151	100.0	1,151	100.0	1,151	100.0	1,151	100.0	1,151	100.0
MAJOR OFFENSES	402	34.9	402	34.9	402	34.9	402	34.9	402	34.9
MINOR OFFENSES	749	65.1	749	65.1	749	65.1	749	65.1	749	65.1

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		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED	
	NUMBER	PERCENT	ACQUITTED	RECEIVED PROBATION	OTHER	TOTAL CONVICTED	AREA OF GUILTY	COURT VERDICT	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, HOUSES OF CORRECTIONS, ETC.	FINES OR COSTS ONLY	INSTITUTIONS FOR JUVENILES OR DELINQUENTS ONLY	OTHER SENTENCE	
ALL OFFENSES	11,247	100.0	2,060	18.3	338	8,515	7,816	694	21	2,981	3,163	2,216	106	18		
MAJOR OFFENSES	9,432	100.0	1,750	18.6	311	7,102	6,515	634	21	2,865	2,494	1,622	45	18		
MINOR OFFENSES	1,815	100.0	300	16.5	22	1,413	1,281	160	—	116	669	597	61	—		
MURDER	114	100.0	—	—	11	65	—	—	21	42	—	—	—	2		
MANSLAUGHTER	282	100.0	—	—	21	163	—	—	130	17	—	—	—	3		
ROBBERY	511	100.0	—	—	20	379	—	—	179	13	—	—	—	2		
RAPE	1,011	100.0	—	—	38	579	—	—	369	72	107	—	—	1		
KNIGHTMARE ASSAULT	1,637	100.0	—	—	59	1,286	—	—	588	72	107	—	—	7		
LAGRACY	2,485	100.0	—	—	31	1,190	—	—	516	336	1	—	—	2		
ARREST	773	100.0	—	—	10	659	—	—	481	998	707	—	—	2		
EMBEZZLEMENT AND FRAUD	20	100.0	—	—	—	14	—	—	312	154	—	—	—	2		
STOLEN PROPERTY, RECEIVING, ETC.	174	100.0	—	—	21	96	—	—	4	7	—	—	—	1		
FORGERY AND COUNTERFEITING	357	100.0	—	—	18	284	—	—	113	124	46	—	—	1		
PERJURY	387	100.0	—	—	18	223	—	—	92	94	46	—	—	1		
COMMERCIALIZED VICE	16	100.0	—	—	1	10	—	—	—	—	—	—	—	—		
VIOLATING TRAFFIC LAWS	38	100.0	—	—	14	22	—	—	123	45	59	—	—	—		
CARRYING, ETC., WEAPONS	382	100.0	—	—	6	377	—	—	8	283	—	—	—	—		
OTHER MAJOR OFFENSES	793	100.0	—	—	32	263	—	—	107	83	103	—	—	4		
ABORTION	34	100.0	—	—	2	65	—	—	—	—	—	—	—	—		
ARSON	28	100.0	—	—	3	65	—	—	38	16	11	—	—	—		
BLGAM	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
ELUCIDATION AND EXTORTION	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
REBELLION AND JAIL BREAK	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
KNIFE	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
PERJURY	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
MINOR OFFENSES	1,815	100.0	300	16.5	22	50	1,413	—	—	126	669	597	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 11.5 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 84.5 in 1937 to 78.2 in 1938. Of all defendants convicted, the greatest proportion pleaded guilty. In 1941, 81.3 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	435	496	422	68.6	87.9	89.3	103.0	88.5
MURDER.....	1	1	8	3	3	0.2	0.2	1.6	0.6	0.6
MANSLAUGHTER.....	3	2	4	4	9	0.6	0.4	0.8	0.5	1.9
ROBBERY.....	10	8	15	15	2	2.0	1.6	3.1	3.1	1.9
AGGRAVATED ASSAULT.....	19	13	19	15	9	3.9	2.6	3.7	3.1	1.3
BURGLARY.....	79	90	109	150	91	16.1	13.3	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	6.0
STOLEN PROPERTY, RECEIVING, ETC.....	7	4	5	5	1	1.4	0.8	1.0	1.0	0.2
FORGERY AND COUNTERFEITING.....	19	20	10	10	18	3.7	4.1	2.0	2.1	3.3
RAPE.....	34	27	29	30	51	6.9	5.5	5.9	6.2	10.7
OTHER MAJOR OFFENSES.....	60	21	66	68	55	12.2	18.5	13.8	14.1	11.5
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	301	381	337	388	357	61.2	77.5	69.0	80.6	74.8
MURDER.....	-	1	6	1	2	0	0.2	1.2	0.2	0.4
MANSLAUGHTER.....	3	2	4	4	6	0.6	0.2	0.6	0.8	1.3
ROBBERY.....	9	8	13	11	3	1.8	1.6	2.7	2.3	1.7
AGGRAVATED ASSAULT.....	17	12	14	11	5	3.5	2.4	2.9	2.3	1.3
BURGLARY.....	73	86	95	113	77	14.9	17.5	19.4	24.7	16.1
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	32	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	1.9	2.1	3.6
RAPE.....	20	20	20	26	41	5.9	4.1	4.1	5.0	8.6
OTHER MAJOR OFFENSES.....	59	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	321	100.0	337	100.0	422	100.0	422	100.0
DEATH PENALTY.....	0	0	0	0	0	0	0	0	0	0
STATE PRISONS OR REFORMATORIES.....	83	27.5	104	27.3	150	43.9	202	53.0	140	31.7
PROBATION OR SUSPENDED SENTENCE.....	150	43.9	202	53.0	176	52.2	195	50.3	140	31.7
LOCAL JAILS, WORKHOUSES, ETC.....	66	21.8	68	21.3	132	39.1	178	48.0	95	22.2
FINES OR FORFEITURE.....	3	1.0	3	0.9	3	0.9	3	0.8	4	1.1
OTHER SENTENCE.....	12	4.0	0	0	0	0	0	0	1	0.3

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.....	337	100.0	432	100.0	436	100.0	496	100.0	422	100.0
ELIMINATED WITHOUT CONVICTION.....	36	10.7	51	11.8	99	22.7	108	21.9	65	15.4
ACQUITTED BY COURT (JURY WAIVED).....	51	9.2	38	8.8	86	19.7	80	16.1	49	11.6
ACQUITTED BY JURY.....	1	0.3	6	1.4	9	2.1	0	0	0	0
OTHER NON-REVALITY DISPOSITION.....	4	1.2	6	1.4	4	0.9	13	3.6	10	2.4
PLEA OF GUILTY.....	201	89.3	321	89.2	337	77.3	388	78.2	357	84.6
COURT CONVICTED.....	17	5.1	363	90.2	354	76.5	353	70.3	353	70.3
JURY VERDICT GUILTY.....	9	2.7	12	2.8	3	0.7	32	6.5	23	5.5

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

OFFENSE	TOTAL DEFENDANTS DISPOSED OF				PROCEDURAL OUTCOME				CONVICTED AND SENTENCED						SENTENCE OR TREATMENT					
	DISPOSED OF WITHOUT CONVICTION		DISPOSED OF WITH CONVICTION		TOTAL CONVICTED AND SENTENCED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	PLEA OF GUILTY	FINES OR FORFEITURE (PAID)	JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR OTHER PENALTY ONLY	INSTITUTIONS OR JUVENILE DETENTION ONLY	OTHER SENTENCE		
	NUMBER	PERCENT	NUMBER	PERCENT															FILED GUILTY	PRISONED OR SUSPENDED 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	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
MANSLAUGHTER.....	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
ROBBERY.....	19	2	1	0	0	17	13	0	0	0	0	0	0	0	0	0	0	0		
ARSON.....	19	2	1	0	0	17	13	0	0	0	0	0	0	0	0	0	0	0		
BURGLARY.....	79	6	2	1	1	75	68	5	4	0	23	28	14	3	1	1	1	1		
LARCENY, EXCEPT AUTO THEFT.....	59	2	2	1	1	57	56	1	0	0	5	34	17	3	1	1	1	1		
AUTO THEFT.....	15	2	2	1	1	13	10	3	0	0	1	8	4	2	1	1	1	1		
EMBEZZLEMENT AND FRAUD.....	32	2	6	2	2	26	23	3	1	0	6	13	4	2	1	1	1	1		
STOLEN PROPERTY, RECEIVING, ETC.....	17	1	1	0	0	17	17	0	0	0	1	6	1	0	0	0	0	0		
FORGERY AND COUNTERFEITING.....	18	1	5	0	0	22	26	4	2	0	19	12	5	1	1	1	1	1		
PAPER OFFENSES.....	34	1	1	0	0	33	36	2	1	0	12	17	10	0	0	0	0	0		
OTHER SEX OFFENSES.....	47	8	6	1	1	39	36	2	1	0	2	17	10	0	0	0	0	0		
VIOLATING DRUG LAWS.....	2	1	1	0	0	2	2	0	0	0	2	2	0	0	0	0	0	0		
CARRYING, ETC., WEAPONS.....	11	2	1	0	0	9	9	0	0	0	4	9	2	0	0	0	0	0		
OTHER MAJOR OFFENSES.....	9	2	1	0	0	7	7	0	0	0	4	2	1	0	0	0	0	0		
ABORTION.....	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
ARSON.....	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
BOMBING AND EXPLOSION.....	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
OBSCENITY.....	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
PEDESTALING.....	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
PERJURY.....	1	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
MINOR OFFENSES ¹	89	30	27	1	2	59	52	4	3	0	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.
 * SMHOLS 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, 966, 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 1937 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	1,688	1,793	79.1	79.4	99.0	90.0	96.6
MURDER.....	21	16	29	40	34	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.....	287	290	301	270	286	14.8	16.1	16.8	14.7	15.4
LARCENY, EXCEPT AUTO THEFT.....	369	404	554	525	548	20.5	22.4	30.4	28.5	29.5
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	135	107	152	4.1	5.4	7.6	5.8	7.1
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	966	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	3.5
AGGRAVATED ASSAULT.....	37	36	39	40	30	1.7	2.0	2.1	2.2	1.6
BURGLARY.....	206	244	255	225	229	11.4	13.5	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.....	33	33	64	57	52	2.1	2.1	3.5	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		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,424	100.0	1,430	100.0	1,805	100.0	1,658	100.0
ELIMINATED WITHOUT CONVICTION.....	438	30.8	300	21.0	405	22.4	364	22.0
DISMISSED.....	374	26.3	244	17.1	335	18.6	265	16.0
ACQUITTED BY COURT/JURY WAIVED.....	3	0.2	6	0.4	7	0.4	20	1.2
ACQUITTED BY JURY.....	58	4.1	49	3.4	61	3.4	61	3.7
OTHER NON-PENALTY DISPOSITION.....	982	69.5	1,131	79.0	1,402	77.6	1,294	77.9
CONVICTED.....	864	60.7	1,107	70.4	1,263	70.0	1,093	64.9
PROBATION.....	26	1.8	19	1.3	16	0.9	37	2.2
COURT FINES/GUILTY WAIVED.....	96	6.7	104	7.3	121	6.7	164	9.9

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

SENTENCE	1941		1940		1939		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	966	100.0	1,190	100.0	1,400	100.0	1,294	100.0
DEATH PENALTY.....	-	0	-	0	-	0	-	0
STATE PRISONS OR REFORMATORIES.....	681	70.1	805	71.2	911	65.7	1,009	76.0
PROBATION OR SUSPENDED SENTENCE.....	183	18.9	205	17.3	137	10.8	110	8.5
LOCAL JAILS, WORKHOUSES, ETC.....	16	1.6	9	0.8	20	1.4	52	4.1
INSTITUTIONS FOR THE FEELIBLE.....	...	...	...	...	...	...	44	3.3
OTHER SENTENCE.....	1	0.1	-	0	-	0	1	0.1

*FIGURES RELEASED AS REPORTED TO U.S. SUBSEQUENT INFORMATION INDICATES THAT THE REPORT WAS INCOMPLETE AND THAT KANSAS CRIMINAL COURTS COMMIT TO INDIVIDUALS TO CORRECTIONAL 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 OTHER INSTITUTIONS)		LOCAL JAILS, WORKHOUSES, ETC.		FINES OR COSTS ONLY		INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY		OTHER SENTENCE		
	TOTAL DISPOSED OF	DISMISSED	ACQUITTED BY COURT	ACQUITTED BY JURY	TOTAL CONVICTED AND SENTENCED	DEATH PENALTY	JURY VERDICT GUILTY	DEATH PENALTY	PRISON	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINES OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE						
	(CONVICTION)	(CONVICTION)	(WAIVED)	(WAIVED)	(SENCE)	(GUILTY)	(GUILTY)	(GUILTY)	(OR OTHER INSTITUTIONS)	(OR SUSPENDED SENTENCE)	(JAILS, WORKHOUSES, ETC.)	(OR COSTS ONLY)	(FOR JUVENILE DELINQUENTS ONLY)	(OTHER SENTENCE)						
ALL OFFENSES.....	2,284	892	793	5	86	8	1,392	1,217	36	139	-	727	323	271	70	-	...	...	1	
MAJOR OFFENSES, TOTAL.....	1,424	438	374	3	58	3	986	864	26	96	-	691	185	91	18	-	...	...	1	
MURDER.....	21	11	4	-	7	-	10	3	-	7	-	10	-	-	-	-	-	-	-	-
MANSLAUGHTER.....	23	19	6	-	3	-	14	8	-	8	-	8	-	-	-	-	-	-	-	-
ROBBERY.....	72	16	14	-	2	-	56	44	-	10	-	48	-	6	2	-	-	-	-	-
AGGRAVATED ASSAULT.....	89	58	50	-	1	-	31	167	2	14	-	16	-	23	12	-	-	-	-	-
BURGLARY.....	569	61	52	-	12	-	298	233	9	23	-	189	-	71	34	-	-	-	-	-
BURGLARY, EXCEPT AUTO THEFT.....	98	14	15	-	1	-	80	65	4	4	-	15	-	13	6	-	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	85	49	42	-	3	-	36	32	2	2	-	8	-	6	2	-	-	-	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	229	15	12	-	3	-	171	165	1	2	-	8	-	6	2	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	232	43	56	-	5	-	165	155	1	9	-	34	-	12	4	-	-	-	-	-
RAPE.....	68	31	27	-	4	-	37	27	1	9	-	3	-	3	-	-	-	-	-	-
COMMERCIALIZED VICE.....	1	1	1	-	1	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-
OTHER SEX OFFENSES.....	18	10	9	-	1	-	8	7	-	-	-	5	-	1	-	-	-	-	-	-
VIOLATING DRUG LAWS.....	11	1	-	-	-	-	1	10	4	-	-	9	-	1	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	14	7	4	-	4	-	7	6	-	-	-	5	-	7	-	-	-	-	-	-
OTHER MAJOR OFFENSES.....	40	15	14	-	4	-	23	19	-	3	-	10	-	5	-	-	-	-	-	-
ARSON.....	14	5	3	-	2	-	9	7	-	2	-	3	-	1	-	-	-	-	-	-
BLOWGUN.....	10	5	2	-	1	-	5	3	-	1	-	4	-	1	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	2	2	2	-	1	-	2	2	-	2	-	1	-	4	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	7	2	2	-	1	-	5	5	-	1	-	2	-	1	-	-	-	-	-	-
KIDNAPING.....	3	3	1	-	1	-	1	1	-	-	-	1	-	1	-	-	-	-	-	-
PERJURY.....	4	4	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	860	454	419	2	28	5	406	365	10	43	-	36	138	180	52	-	-	-	-	-

THIS GROUP INCLUDES MINOR ASSAULT; 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

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 62.0 percent in 1937 to 35.3 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	138.0	142.0
MURDER.....	5	4	4	6	7	2.0	1.6	1.6	2.6	3.0
MANSLAUGHTER.....	2	5	7	6	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.....	55	72	93	64	70	22.7	28.7	39.6	27.9	30.3
LARCENY, EXCEPT AUTO THEFT.....	87	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	4.3	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	5	4	1	1	0.8	1.2	1.6	0.4	0.4
ROBBERY.....	13	13	16	6	11	5.2	5.2	6.5	1.7	4.8
AGGRAVATED ASSAULT.....	7	10	13	11	6	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	5	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, 93.8 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 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	1	0.4	0	0
STATE PRISONS OR REFORMATORIES.....	135	55.3	147	58.8	195	61.1	135	54.7	161	60.0
PROBATION 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	8	3.1	10	3.1	16	6.5	14	5.3
LOCAL JAILS, WORKHOUSES, ETC.....	10	4.1	13	5.2	20	6.2	31	12.6	14	5.3
INSTITUTIONS FOR JUVENILES.....	0	0	0	0	0	0	0	0	0	0
OTHER SENTENCE.....	0	0	0	0	0	0	0	0	0	0

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.....	292	100.0	322	100.0	345	100.0	317	100.0	326	100.0
ELIMINATED WITHOUT CONVICTION.....	48	16.4	72	22.4	61	16.6	70	22.1	62	18.9
DISMISSED BY COURT (JURY WAIVED).....	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	1	0.3	0	0
ACQUITTED BY JURY.....	9	3.1	2	0.6	9	2.6	11	3.5	10	3.0
OTHER NECESSARY DISPOSITION.....	242	83.6	247	77.0	321	92.8	274	86.7	267	81.7
PLEA OF GUILTY.....	234	81.5	237	75.6	311	90.6	235	75.5	241	75.5
COURT FINDS GUILTY (JURY WAIVED).....	1	0.3	6	1.9	0	0	5	1.6	11	3.4
JURY VERDICT GUILTY.....	5	1.7	7	2.2	10	2.6	6	1.9	14	4.3

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

OFFENSE	PROCEDURAL OUTCOME				CONVICTED AND SENTENCED				SENTENCE OR TREATMENT						
	TOTAL DISPOSED OF	DISPOSED OF WITHOUT CONVICTION			TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY (WAIVED)	PLEA GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY REFORMATORIES	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR CORRECTIONS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS	OTHER SENTENCE
		CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)												ACQUITTED BY JURY	OTHER
ALL OFFENSES.....	393	66	52	10	4	327	303	17	7	136	127	22	19	22	1
MAJOR OFFENSES, TOTAL.....	292	48	36	9	3	244	228	1	5	135	85	13	1	10	-
MURDER.....	5	1	-	-	-	4	4	-	-	-	-	-	-	-	-
MANSLOUTER.....	2	2	2	-	-	13	12	-	-	6	4	-	-	-	-
AGGRAVATED ASSAULT.....	10	3	6	-	1	7	6	1	-	2	3	2	-	3	-
BRIEGARY.....	57	10	6	-	1	50	48	2	-	26	22	7	1	2	-
LARCENY, EXCEPT AUTO THEFT.....	55	9	5	-	3	1	75	74	1	39	27	5	1	2	-
AUTO THEFT.....	22	9	5	-	1	13	13	-	-	3	5	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	10	4	3	-	1	0	7	-	-	3	5	-	-	-	-
COLLUSION, RECEIVING ETC.....	6	5	5	-	-	59	59	-	-	40	14	1	-	4	-
RAPE.....	64	9	6	-	-	3	2	-	-	2	2	-	-	-	-
COMMERCIALIZED VICE.....	3	3	-	-	-	3	3	-	-	2	2	-	-	-	-
OTHER SEX OFFENSES.....	3	1	1	-	-	1	1	-	-	1	1	-	-	-	-
VIOLATING BRIG LAWS.....	1	1	1	-	-	1	1	-	-	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	2	1	1	-	-	1	1	-	-	1	1	-	-	-	-
OTHER MAJOR OFFENSES.....	2	1	1	-	-	1	1	-	-	1	1	-	-	-	-
ABDUCTION.....	1	1	-	-	-	1	1	-	-	-	-	-	-	-	-
BLACKMAIL.....	1	1	-	-	-	1	1	-	-	-	-	-	-	-	-
BLACKMAIL AND EXTORTION.....	1	1	1	-	-	1	1	-	-	-	-	-	-	-	-
ESCAPE AND JAIL BREAK.....	1	1	1	-	-	1	1	-	-	-	-	-	-	-	-
KIDNAPING.....	1	1	1	-	-	1	1	-	-	-	-	-	-	-	-
PERJURY.....	1	1	1	-	-	1	1	-	-	-	-	-	-	-	-
MAJOR OFFENSES.....	101	18	16	-	1	83	65	16	2	1	42	9	18	12	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 48 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 18.1 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 87.5 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 1938, 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.—DEPENDANTS 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	33.1	26.4	19.4
LARCENY, EXCEPT AUTO THEFT.....	61	83	110	71	103	11.6	15.8	21.3	14.1	20.8
AUTO THEFT.....	25	9	5	19	4	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	33	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
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	339	472	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	16.4
LARCENY, EXCEPT AUTO THEFT.....	49	73	97	58	93	9.3	13.9	18.8	11.5	18.8
AUTO THEFT.....	17	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 3. — TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES

SENTENCE	1941		1940		1939		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	359	100.0	473	100.0	510	100.0	464	100.0
DEATH.....	0	0	0	0	0	0	0	0
STATE PRISONS OR REFORMATORIES.....	179	52.8	245	51.8	292	57.3	241	56.8
PROBATION OR SUSPENDED SENTENCE.....	61	25.9	152	27.9	139	27.3	94	22.2
LOCAL JAILS, WORKHOUSES, ETC.....	67	19.8	83	17.5	76	14.9	78	18.4
LOCAL JAILS, WORKHOUSES, ETC.....	9	2.9	11	2.5	2	0.4	6	1.6
INSTITUTIONS FOR JUVENILES.....	8	2.3	11	2.5	2	0.4	6	1.6
OTHER SENTENCE.....	1	0.3	1	0.2	0	0	0	0

TABLE 4. — 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.....	428	100.0	572	100.0	524	100.0	452	100.0
ELIMINATED WITHOUT CONVICTION.....	89	20.8	103	17.9	84	14.1	55	12.3
DISMISSED.....	72	16.8	83	14.4	61	10.5	36	8.3
ACQUITTED BY COURT (JURY WAIVED).....	0	0	0	0	0	0	0	0
ACQUITTED BY JURY.....	8	1.9	16	2.8	17	3.2	15	3.5
OTHER NON-FINALITY DISPOSITION.....	9	2.1	4	0.7	17	3.2	2	0.4
PLEA OF GUILTY.....	298	79.2	437	77.7	430	83.1	320	71.3
PLEA OF GUILTY.....	298	79.2	437	77.7	430	83.1	320	71.3
COURT FINDS GUILTY (JURY WAIVED).....	3	0.7	2	0.4	5	1.0	11	2.5
JURY VERDICT GUILTY.....	40	9.3	44	7.6	30	5.1	45	10.6

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					DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE PRISONS OR REFORMATORIES					PROBATION OR SUSPENDED SENTENCE					LOCAL JAILS, WORKHOUSES, ETC.					FINE OR COSTS ONLY					INSTITUTIONS FOR JUVENILE DELINQUENTS					OTHER SENTENCE				
	TOTAL	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY FINDS GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS	OTHER SENTENCE	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT												
ALL OFFENSES.....	506	122	99	-	9	15	354	7	42	-	188	96	75	12	8	4																													
MAJOR OFFENSES, TOTAL.....	428	89	72	-	9	9	359	298	3	40	-	179	81	67	3	1																													
MURDER.....	6	4	2	2	0	0	6	5	1	4	1	1	4	3	1	1																													
MANSLAUGHTER.....	12	17	2	2	0	0	15	15	0	6	2	4	4	3	1	1																													
ROBBERY.....	14	18	15	0	0	0	19	9	6	3	3	0	10	4	2	1																													
AGGRAVATED ASSAULT.....	113	18	15	0	0	5	95	83	12	6	6	12	54	26	15	2																													
BURGLARY.....	21	18	19	0	0	2	17	10	6	1	1	6	21	13	17	2																													
THEFT.....	19	7	5	0	0	2	12	11	1	1	1	2	2	2	2	4	1																												
EMBEZZLEMENT AND FRAUD.....	9	2	2	0	0	2	7	6	1	1	1	1	2	2	2	4	1																												
STOLEN PROPERTY, RECEIVING, ETC.....	108	19	15	0	0	2	89	6	3	3	3	3	46	26	15	2																													
FORGERY AND COUNTERFEITING.....	16	1	1	0	0	2	9	6	3	3	3	2	4	3	1	1																													
RAPE.....	13	1	1	0	0	1	10	8	1	1	1	2	2	2	2	1																													
COMMERCIALIZED VICE.....	1	1	1	0	0	1	1	1	0	0	0	1	1	1	1	1																													
OTHER SEX OFFENSES.....	11	1	1	0	0	1	1	1	0	0	0	1	1	1	1	1																													
VIOLATION OF PROBATION.....	1	1	1	0	0	1	1	1	0	0	0	1	1	1	1	1																													
CARRYING FIREARMS.....	12	2	2	0	0	10	7	9	0	0	0	3	6	7	3																														
OTHER MAJOR OFFENSES.....	12	2	2	0	0	10	7	9	0	0	0	3	6	7	3																														
ABORTION.....	1	1	1	0	0	1	1	1	0	0	0	1	1	1	1																														
ARSON.....	2	2	2	0	0	2	2	2	0	0	0	2	2	2	2																														
BIGAMY.....	2	2	2	0	0	2	2	2	0	0	0	2	2	2	2																														
ELUCIDATION AND EXTORTION.....	9	1	1	0	0	8	6	6	0	0	0	2	6	6	2																														
VIOLATION OF JAIL BREAKING.....	1	1	1	0	0	1	1	1	0	0	0	1	1	1	1																														
VIOLATION OF PROBATION.....	1	1	1	0	0	1	1	1	0	0	0	1	1	1	1																														
PERJURY.....	1	1	1	0	0	1	1	1	0	0	0	1	1	1	1																														
MINOR OFFENSES.....	78	34	27	-	1	6	44	38	4	2	2	2	9	15	8	9																													

1. 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.
 2. QUANTITY ZERO, IN PERCENT COLUMNS.

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 1,468 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 9.8 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 1936 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									
	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES, TOTAL.....	1,890	2,195	1,675	1,641	1,572	74.5	86.8	92.5	89.8	95.0
MURDER.....	19	17	15	20	24	0.7	0.7	0.7	1.0	1.5
MANSLAUGHTER.....	22	20	18	15	15	0.9	0.8	1.0	0.9	0.9
ROBBERY.....	66	67	63	53	37	2.8	2.8	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	9.4	11.8	12.5	10.6	14.1
LARCENY, EXCEPT AUTO THEFT.....	587	588	482	492	479	22.3	22.2	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	9.6	11.4	7.6	7.0
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	12.7	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	1.5
AGGRAVATED ASSAULT.....	56	52	60	43	58	2.2	2.0	3.0	2.2	3.4
BURGLARY.....	193	232	224	165	196	7.2	8.1	11.1	8.6	11.8
LARCENY, EXCEPT AUTO THEFT.....	464	518	417	427	414	19.1	20.2	20.1	22.3	25.0
AUTO THEFT.....	98	128	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	0.9	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; 100 PERCENT FOR 1940 AND 1941. RATES FOR 1937 AND 1941 BASED ON ESTIMATED POPULATION OF 1941; FOR 1938-1939 ON ESTIMATED POPULATIONS. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

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

PROCENTRAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF	1,990	100.0	2,195	100.0	1,875	100.0	1,741	100.0	1,572	100.0
UNLIMITED WITHOUT CONVICTION	121	22.8	498	22.7	427	22.8	322	20.2	348	22.1
ADMITTED TO PROBATION	359	18.0	459	20.9	359	19.1	299	17.4	308	19.6
ACQUITTED BY JURY (JURY WAIVED)	3	0.2	3	0.1	14	0.7	10	0.6	0	0.0
ACQUITTED BY JURY (JURY WAIVED)	15	0.7	46	2.1	41	2.2	32	2.0	30	1.9
OTHER NON-REALLY DISPOSITION	140	7.0	163	7.4	130	6.9	111	6.3	8	0.5
CONVICTED	1,467	73.7	1,697	77.3	1,448	77.3	1,309	79.8	1,224	77.9
PLEA OF GUILTY	1,599	74.0	1,627	74.1	1,373	73.3	1,235	71.6	1,156	72.9
COURT FINDS GUILTY (JURY WAIVED)	22	1.2	19	0.9	50	2.6	31	1.8	52	3.3
JURY VERDICT GUILTY	48	2.5	31	1.4	58	3.1	33	1.9	52	3.3

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	1,469	100.0	1,697	100.0	1,448	100.0	1,309	100.0	1,224	100.0
DEATH PENALTY	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
STATE PRISONS OR REFORMATORIES	612	41.7	697	41.1	597	41.4	577	44.1	526	43.0
PROBATION OF SUPERSEDED SENTENCE	266	18.1	303	17.9	290	20.0	276	15.7	197	15.3
LOCAL JAILS, WORKHOUSES, ETC.	459	31.0	585	34.5	470	32.5	441	33.7	435	37.2
FINE OR COSTS ONLY	68	4.6	91	5.4	73	5.0	20	1.6	4	0.3
INSTITUTIONS FOR JUVENILES	20	1.4	20	1.2	16	1.1	23	1.8	14	1.1
OTHER SENTENCE	4	0.3	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: IOWA, 1941

OFFENSE	PROCENTRAL OUTCOME										SENTENCE OR TREATMENT															
	TOTAL DISPOSED OF WITHOUT CONVICTION		DISPOSED OF WITHOUT CONVICTION		ACQUITTED BY JURY		CONVICTED		CONVICTED AND SENTENCED		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		PROBATION OF SUPERSEDED SENTENCE		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR 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
ALL OFFENSES	4,850	1,027	742	359	24	86	175	3,605	3,447	61	95	678	481	1,197	1,201	68	31	15								
MAJOR OFFENSES, TOTAL	1,990	421	359	14	1,469	1,399	22	48	16	13	4	16	612	266	499	68	20	4								
MURDER	19	3	5	—	—	—	—	14	15	11	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
MANSLAUGHTER	22	3	5	—	—	—	—	15	11	11	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
ROBBERY	66	14	13	—	—	—	—	52	49	1	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
AGGRAVATED ASSAULT	81	25	23	—	—	—	—	58	56	17	4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
BURGLARY	567	119	103	—	—	—	—	464	466	10	8	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
LEWD AND DECEIT AUTO THEFT	119	21	18	—	—	—	—	98	94	3	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
EMBEZZLEMENT AND FRAUD	164	60	50	1	6	3	104	101	101	1	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
STEALER PROPERTY, RECEIVING, ETC.	24	5	5	—	—	—	—	19	16	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
FUGITIVE AND COUNTERFEITING	289	59	48	—	—	—	—	225	225	3	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
RAPE	36	15	12	—	—	—	—	20	20	3	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
COMMERCIALIZED VICE	8	3	3	—	—	—	—	5	5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
OTHER SEX OFFENSES	128	47	39	—	—	—	—	81	76	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
BLASTING DRUG LAWS	33	16	7	—	—	—	—	23	23	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
OTHER MAJOR OFFENSES	92	23	19	1	2	1	69	61	8	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
ADULTERY	3	1	2	—	—	—	—	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
ABORTION	1	1	1	—	—	—	—	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
ADULTERY	1	1	2	—	—	—	—	10	7	3	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
BIGAMY	5	3	2	—	—	—	—	7	7	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
BLACKMAIL AND EXTORTION	5	3	2	—	—	—	—	5	5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
ESCAPE AND JAIL BREAK	43	4	3	—	—	—	—	37	37	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
FLORISSING	1	1	1	—	—	—	—	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
PERJURY	12	7	5	—	—	—	—	5	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
MINOR OFFENSES	2,740	606	393	21	161	2,134	2,048	39	47	66	215	698	1,133	11	11											

THIS GROUP INCLUDES MINOR ASSAULT; MORSUPPORT; 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

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, 153, 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 92.6 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 88.5 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	NUMBER					RATE PER 100,000 POPULATION				
	1941	1940	1939	1938	1937	1941	1940	1939	1938	1937
MAJOR OFFENSES—TOTAL.....	413	461	564	533	536	66.1	84.2	92.6	80.0	84.5
MURDER.....	4	3	4	4	3	0.6	0.5	0.6	0.7	0.5
MANSLAUGHTER.....	8	3	5	4	11	1.0	0.4	0.8	0.7	1.7
ROBBERY.....	8	11	17	12	11	1.0	1.3	2.7	2.0	1.7
AGGRAVATED ASSAULT.....	10	16	23	29	17	1.3	2.1	3.2	4.5	2.7
BURGLARY.....	57	90	98	82	57	9.1	15.8	14.5	13.7	9.0
LARCENY, EXCEPT AUTO THEFT.....	130	131	169	134	122	20.5	20.0	30.0	22.3	26.2
AUTO THEFT.....	27	27	27	31	36	4.7	4.7	4.3	5.4	5.7
EMBEZZLEMENT AND FRAUD.....	35	54	46	55	50	5.0	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	41	35	43	55	7.4	7.7	5.5	7.2	9.7
RAPE.....	28	25	47	38	36	4.7	4.4	7.8	6.2	5.5
OTHER MAJOR OFFENSES.....	57	78	60	93	80	9.1	10.7	8.4	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	3	3	3	3	0.5	0.4	0.5	0.5	0.5
MANSLAUGHTER.....	5	3	5	2	6	0.8	0.4	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	166	122	145	17.4	14.4	20.8	20.3	22.8
AUTO THEFT.....	22	15	27	26	32	3.5	2.7	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	1.5
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	3.4	4.1	4.7	3.0
OTHER MAJOR OFFENSES.....	48	55	71	83	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; 92.8 PERCENT FOR 1938; 96.5 PERCENT FOR 1939; 89.0 PERCENT FOR 1940; AND 97.3 PERCENT FOR 1941. RATES FOR 1937 AND 1941 ARE BASED ON ENUMERATED POPULATION OF 1940; FOR 1938-1939 ON ESTIMATED POPULATION. THE RATES FOR 1937-1939 ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

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

PEACE-TYPE OUTCOME	1941		1940		1939		1938		1937	
	NUMBERS	PERCENT	NUMBERS	PERCENT	NUMBERS	PERCENT	NUMBERS	PERCENT	NUMBERS	PERCENT
DEFENDANTS CHARGED WITH MAJOR OFFENSES	113	100.0	403	100.0	544	100.0	536	100.0	506	100.0
ACQUITTED	51	45.0	55	13.6	67	12.3	69	12.9	74	14.6
ACQUITTED BY JURY	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
ACQUITTED BY COURT (JURY WAIVED)	4	3.5	4	1.0	1	0.2	78	14.6	92	17.2
OTHER NON-FINALITY DISPOSITION	4	3.5	0	0.0	1	0.2	5	0.9	15	2.8
CONVICTED	62	55.0	426	105.5	440	80.9	427	79.7	427	84.4
PLEA OF GUILTY	359	315.0	400	100.0	460	84.6	414	77.2	396	78.3
COURT FINDS GUILTY (JURY WAIVED)	12	10.5	0	0.0	3	0.5	10	1.9	3	0.6
JURY VERDICT GUILTY	10	8.8	26	6.4	22	4.0	16	3.0	28	5.2

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

SENTENCE	1941		1940		1939		1938		1937	
	NUMBERS	PERCENT	NUMBERS	PERCENT	NUMBERS	PERCENT	NUMBERS	PERCENT	NUMBERS	PERCENT
DEFENDANTS SENTENCED	311	100.0	426	100.0	505	100.0	443	100.0	427	100.0
DEATH PENALTY	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
STATE PRISON OR REFORMATORY	183	58.8	262	61.5	270	53.5	238	53.7	216	50.6
PROBATION OR SUPERSEDDED SENTENCE	59	18.9	50	11.7	71	14.1	55	12.5	53	12.4
LOCAL JAILS, WORKHOUSES, ETC.	76	24.4	104	24.4	108	21.4	108	24.5	118	27.6
FINE OR COSTS ONLY	10	3.2	8	1.9	22	4.4	10	2.3	13	3.0
INSTITUTIONS FOR JUVENILES	23	7.4	29	6.8	34	6.7	39	8.9	24	5.6
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 OFFENSES: NORTH DAKOTA, 1941

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																								
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE PRISON OR REFORMATORY					PROBATION OR SUPERSEDDED SENTENCE					LOCAL JAILS, WORKHOUSES, ETC.					INSTITUTIONS FOR JUVENILES					OTHER SENTENCE				
	TOTAL DISPOSED OF WITHOUT CONVICTION	ACQUITTED (JURY COURT WAIVED)	ACQUITTED BY JURY	ACQUITTED BY COURT (JURY WAIVED)	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA GUILTY	COURT VERDICT GUILTY	DEATH PENALTY	STATE PRISON OR REFORMATORY	PROBATION OR SUPERSEDDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	INSTITUTIONS FOR JUVENILES	OTHER SENTENCE	TOTAL DISPOSED OF WITHOUT CONVICTION	ACQUITTED (JURY COURT WAIVED)	ACQUITTED BY JURY	ACQUITTED BY COURT (JURY WAIVED)	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA GUILTY	COURT VERDICT GUILTY	DEATH PENALTY	STATE PRISON OR REFORMATORY	PROBATION OR SUPERSEDDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	INSTITUTIONS FOR JUVENILES	OTHER SENTENCE							
ALL OFFENSES, TOTAL	767	110	95	2	8	5	657	634	7	16	202	166	52	208	183	59	76	10	23	26	3														
MAJOR OFFENSES, TOTAL	413	62	54	-	4	4	351	339	2	10	183	166	52	208	183	59	76	10	23	26	3														
MURDER	4	1	1	-	-	-	3	1	-	2	-	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
MANSLAUGHTER	8	2	1	-	1	-	6	7	-	1	-	-	-	-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
RIBBERY	17	0	0	-	1	-	16	6	-	10	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
AGGRAVATED ASSAULT	57	7	19	-	1	-	37	9	-	3	-	-	-	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
LARCENY, EXCEPT AUTO THEFT	130	21	109	-	1	-	107	1	-	5	-	-	-	27	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
AUTO THEFT	27	5	22	-	2	-	22	2	-	16	-	-	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
EMBEZZLEMENT AND FRAUD	35	3	32	-	1	-	29	3	-	3	-	-	-	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
STOLEN PROPERTY, RECEIVING, ETC.	43	3	40	-	1	-	35	3	-	4	-	-	-	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
FUGITIVE AND COUNTERFEITING	23	0	4	-	1	-	21	1	-	2	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
SAFE	6	0	0	-	0	-	6	0	-	0	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
COMMERCIAL VICE	37	6	31	-	0	-	26	1	-	10	-	-	-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
VIOLATING DRUG LAWS	11	0	0	-	0	-	11	0	-	1	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
CARRYING, ETC., WEAPONS	8	0	0	-	1	-	7	1	-	5	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
OTHER MAJOR OFFENSES	4	2	1	-	1	-	2	1	-	1	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
ARSON	4	2	1	-	1	-	2	1	-	1	-	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
BIGAMY	2	1	1	-	-	-	1	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
EDUCATIONAL AND EXTORTION	1	1	1	-	-	-	1	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
ESCAPE FROM JAIL BREAK	1	1	1	-	-	-	1	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
KIDNAPING	1	1	1	-	-	-	1	-	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
PERJURY	2	2	2	-	-	-	2	2	-	2	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-						
MINOR OFFENSES, TOTAL	354	48	41	2	4	1	306	295	5	6	19	107	42	152	183	59	76	10	23	26	3														

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 OF ITEM NOT APPLICABLE ... QUANTITY ZERO, IN NUMERIC COLUMNS - QUANTITY ZERO, IN PERCENT COLUMNS 0.

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 20 of the 49 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 128, 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 46 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 73.4 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 56.6 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	6	6	6	0.9	1.3	1.5	1.1	1.1
MANSLAUGHTER.....	11	13	7	19	16	2.4	5.2	4.3	3.4	2.8
ROBBERY.....	28	28	24	25	37	5.3	5.8	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	127	105	19.6	25.1	28.2	22.5	19.9
LARCENY, EXCEPT AUTO THEFT.....	46	62	80	49	90	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.....	8	9	4	2	4	1.5	1.7	0.7	0.4	0
FORGERY AND COUNTERFEITING.....	60	52	47	57	42	12.8	9.7	8.7	10.7	8.0
RAPE.....	19	13	23	16	7	3.6	2.7	4.2	3.0	1.3
OTHER MAJOR OFFENSES.....	25	39	42	46	43	4.7	7.3	7.7	8.5	8.1
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	280	320	346	261	296	52.9	55.9	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 FRAUD.....	11	17	6	12	12	2.1	3.2	1.1	2.2	2.3
STOLEN PROPERTY, RECEIVING, ETC.....	4	4	3	4	1	0.9	1.1	0.7	0.3	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 1. — PROCEEDING OUTCOME FOR DEFENDANTS HELD WITH MAJOR OFFENSES

PROCEEDING 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	415	100.0	383	100.0	377	100.0
ELIMINATED WITHOUT CONVICTION	72	20.5	74	18.8	85	20.6	112	29.3	91	24.2
DISMISSED	77	22.0	57	14.5	66	16.1	41	10.7	47	12.5
ACQUITTED BY COURT (JURY WAIVED)	17	4.8	11	2.8	15	3.6	15	3.9	3	0.8
ACQUITTED BY JURY	53	15.1	41	10.4	43	10.4	37	9.7	31	8.2
OTHER	4	1.1	0	0.0	0	0.0	2	0.5	2	0.5
CONVICTED	280	79.5	320	81.2	330	79.4	271	70.7	286	75.8
PLEA OF GUILTY	189	53.7	251	63.7	257	61.9	208	54.3	221	58.6
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	97	23.6	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	291	100.0	296	100.0
DEATH PENALTY	2	0.7	2	0.6	-	0.0	0	0.0	1	0.4
STATE PRISONS OR REFORMATORIES	132	47.5	151	47.2	156	45.1	101	34.7	169	57.4
LOCAL JAILS, WORKHOUSES, ETC.	126	45.0	122	38.2	123	35.5	121	41.6	107	36.1
LOCAL JAILS, WORKHOUSES, ETC.	18	6.4	35	10.3	23	6.6	21	7.2	33	11.1
FINE OR COSTS ONLY	2	0.7	9	2.8	6	1.7	1	0.3	5	1.7
INSTITUTIONS FOR JUVENILES	1	0.4	0	0.0	2	0.6	3	1.0	4	1.4
OTHER SENTENCE	-	0.0	3	0.9	-	0.0	-	0.0	-	0.0

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

OFFENSE	PROCEDURAL OUTCOME										CONVICTED AND SENTENCED					SENTENCE OR TREATMENT					INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
	TOTAL DISPOSED OF		DISPOSED OF WITHOUT CONVICTION				CONVICTED AND SENTENCED				PLEA OF GUILTY (JURY WAIVED)	TOTAL COURT FINES AND COSTS SENTENCED	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	LOCAL JAILS, WORKHOUSES, ETC.	PROBATION OR SUPERVISOR SENTENCE	FINE OR PENITENTIARY ONLY					
	NUMBER	PERCENT	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL COURT FINES AND COSTS SENTENCED	PLEA OF GUILTY (JURY WAIVED)	COURT FINES AND COSTS (JURY WAIVED)	COURT FINES AND COSTS (JURY WAIVED)	COURT FINES AND COSTS (JURY WAIVED)								COURT FINES AND COSTS (JURY WAIVED)	COURT FINES AND COSTS (JURY WAIVED)			
ALL OFFENSES, TOTAL	477	114	49	44	12	363	238	23	102	2	135	149	40	35	1	1	1	1				
MAJOR OFFENSES, TOTAL	352	72	27	31	8	280	189	8	83	2	131	126	18	2	1	1	1	1				
MURDER	5	1	1	3	-	2	-	-	2	2	1	2	0	-	-	-	-	-				
MANSLAUGHTER	11	3	2	5	-	22	14	-	10	-	14	6	2	-	-	-	-	-				
AGGRAVATED ASSAULT	23	6	2	1	1	29	19	-	10	-	19	6	0	-	-	-	-	-				
BURGLARY	104	28	6	2	10	94	65	3	16	-	39	47	1	1	1	1	1	1				
LARCENY, EXCEPT AUTO THEFT	46	12	4	4	1	37	25	2	10	-	12	14	4	1	1	1	1	1				
AUTO THEFT	4	1	1	1	-	3	3	-	3	-	-	2	2	1	1	1	1	1				
EMBEZZLEMENT AND FRAUD	21	6	3	2	4	11	4	-	3	-	3	6	2	1	1	1	1	1				
STOLEN PROPERTY, RECEIVING, ETC.	8	2	1	1	1	4	4	-	4	-	4	3	2	1	1	1	1	1				
FORGERY AND COUNTERFEITING	68	18	4	1	1	63	40	-	14	-	31	30	1	1	1	1	1	1				
RAPE	19	5	1	1	1	16	7	-	7	-	14	7	4	1	1	1	1	1				
COMMERCIALIZED VICE	14	4	1	1	-	12	8	-	3	-	8	4	2	1	1	1	1	1				
VIOLATING DRUG LAWS	1	0	-	-	-	1	1	-	1	-	1	1	-	-	-	-	-	-				
CARRYING, ETC., WEAPONS	1	0	-	-	-	1	1	-	1	-	1	1	-	-	-	-	-	-				
OTHER MAJOR OFFENSES	10	3	2	1	1	7	5	1	1	-	2	4	1	1	1	1	1	1				
ABORTION	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-				
ANISON	4	1	-	-	-	4	3	-	1	-	1	3	-	-	-	-	-	-				
BIGAMY	1	0	-	-	-	1	1	-	1	-	1	1	-	-	-	-	-	-				
BLACKMAIL AND EXTORTION	1	0	-	-	-	1	1	-	1	-	1	1	-	-	-	-	-	-				
ESCAPE AND JAIL BREAK	1	0	-	-	-	1	1	-	1	-	1	1	-	-	-	-	-	-				
VIOLATING PROBATION	1	0	1	1	-	1	1	-	1	-	1	1	-	-	-	-	-	-				
PENITENTIARY	3	1	-	-	-	2	1	-	1	-	1	1	-	-	-	-	-	-				
MINOR OFFENSES, TOTAL	125	42	22	3	13	4	83	49	15	19	4	25	22	33	1	1	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 DISTRICT COURTS.

SYMBOLS: QUANTITY ZERO, IN PERCENT COLUMNS -

3-36599

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 1,034 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 176 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 1937 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	1938	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	41	58	1.8	2.9	3.1	2.8	5.4
MANSLAUGHTER.....	31	32	29	26	29	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	31.3	34.8	31.4
LARCENY, EXCEPT AUTO THEFT.....	352	325	428	428	378	31.4	29.1	37.4	34.8	39.5
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	76	102	6.8	6.9	9.8	8.0	7.5
OTHER MAJOR OFFENSES.....	73	55	73	58	62	6.8	4.9	6.6	5.3	5.8
	DEFENDANTS CONVICTED									
MAJOR OFFENSES, TOTAL.....	1,037	1,054	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	1.9	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	23	27	35	43	3.1	2.1	2.4	3.2	4.0
BURGLARY.....	238	250	306	334	283	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	63	109	98	60	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 79.5 PERCENT OF THE POPULATION OF THE STATE FOR 1937; 90.8 PERCENT FOR 1938; 90.8 PERCENT FOR 1939; 90.2 PERCENT FOR 1940; AND 99.1 PERCENT FOR 1941. RATES FOR 1940 AND 1941 ARE BASED ON ESTIMATED POPULATION OF 1940; FOR 1937-1939 ON ESTIMATED POPULATION. THE RATES ARE BASED ON THE PERCENT OF POPULATION COVERED BY THE REPORTS.

TABLE 3.—TYPE OF SENTENCE, IN GROUP OF DEFENDANTS TO BE TRIED AT MINOR OFFENSES

PROCEDURAL OUTCOME	1941		1942		1943		1944		1945		1946		1947	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,545	100.0	1,527	100.0	1,528	100.0	1,546	100.0	1,527	100.0	1,540	100.0	1,527	100.0
ELIMINATED WITHOUT CONVICTION.....	304	20.3	373	20.6	324	21.6	377	24.7	498	32.9	478	31.4	519	34.1
DISMISSED.....	152	10.0	202	15.2	243	15.9	168	11.0	266	17.6	246	16.1	338	22.3
ACQUITTED BY COURT (JURY WAIVED).....	60	4.0	49	3.3	78	5.1	74	4.8	93	6.1	81	5.3	103	6.8
ACQUITTED BY JURY.....	37	2.5	49	3.3	12	0.8	26	1.7	35	2.3	31	2.0	43	2.8
OTHER NON-PENALTY DISPOSITION.....	1,037	77.1	1,054	79.4	1,194	78.1	1,175	82.3	1,179	75.2	1,166	75.4	1,179	77.1
CONVICTED.....	352	23.3	396	26.3	324	21.6	377	24.7	429	28.3	472	31.3	508	33.3
PLEA OF GUILTY.....	103	6.8	110	7.2	106	7.0	109	7.1	108	7.1	108	7.1	108	7.1
COURT FINDS GUILTY (JURY WAIVED).....	103	6.8	110	7.2	106	7.0	109	7.1	108	7.1	108	7.1	108	7.1
JURY VERDICT GUILTY.....	103	6.8	88	5.8	120	7.9	148	9.6	168	11.0	170	11.1	168	11.0

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

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																			
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE PENITENTIARIES AND REFORMATORIES					LOCAL JAILS, WORK-HOUSES, ETC.					FINE COSTS ONLY					INSTITUTIONS FOR JUVENILES (REL. ONLY)				
	TOTAL DISPOSED OF WITHOUT CONVICTION	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY (JURY WAIVED)	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	OTHER	REFORMATORIES	STATE PENITENTIARIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORK-HOUSES, ETC.	FINE COSTS ONLY	INSTITUTIONS FOR JUVENILES (REL. ONLY)	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT				
ALL OFFENSES.....	1,586	394	259	9	71	45	1,202	1,080	12	110	-	773	316	70	38	1	4													
MINOR OFFENSES, TOTAL.....	1,345	308	204	7	60	37	1,037	932	2	113	-	735	295	34	4	1														
MURDER.....	20	6	1	1	3	2	14	3	-	11	-	14	10	-	-	-														
MANSLAUGHTER.....	31	11	5	1	5	2	17	3	-	13	-	14	5	-	-	-														
ROBBERY.....	112	15	9	1	5	97	85	11	-	11	-	93	14	-	-	-														
AGGRAVATED ASSAULT.....	56	21	11	1	2	35	26	2	-	9	-	21	7	-	-	-														
BURGLARY.....	277	39	62	1	7	10	238	225	-	13	-	165	63	-	-	-														
LARCENY, EXCEPT AUTO THEFT.....	354	79	62	1	12	4	275	232	-	23	-	195	91	-	-	-														
AUTO THEFT.....	154	49	32	6	4	110	109	1	-	11	-	59	3	-	-	-														
STOLEN PROPERTY RECEIVED, ETC.....	47	15	15	3	6	4	32	124	-	11	-	19	30	-	-	-														
FUGITIVE AND COUNTERFEITING.....	91	23	17	1	4	5	78	77	-	1	-	19	20	-	-	-														
RAPE.....	71	23	20	1	4	3	43	34	1	8	-	35	7	-	-	-														
COMMERCIALIZED VICE.....	42	9	4	-	1	4	33	26	-	7	-	27	5	-	-	-														
OTHER SEX OFFENSES.....	1	-	-	-	-	1	1	1	-	1	-	1	-	-	-	-														
VIOLATING DRUG LAWS.....	1	-	-	-	-	1	1	1	-	1	-	1	-	-	-	-														
CARRYING, ETC., WEAPONS.....	29	14	8	-	1	1	14	4	-	1	-	12	3	-	-	-														
OTHER MAJOR OFFENSES.....	7	2	2	-	-	1	5	4	-	1	-	3	1	-	-	-														
ARSON.....	9	4	3	-	1	4	4	4	-	1	-	3	1	-	-	-														
BIGAMY.....	2	1	1	-	-	1	1	1	-	-	-	1	-	-	-	-														
BLACKMAIL AND EXTORTION.....	10	6	4	-	-	1	1	1	-	-	-	1	-	-	-	-														
ESCAPE AND JAIL BREAK.....	2	1	-	-	-	1	1	1	-	-	-	1	-	-	-	-														
KIDNAPING.....	2	1	-	-	-	1	1	1	-	-	-	1	-	-	-	-														
PERJURY.....	2	1	-	-	-	1	1	1	-	-	-	1	-	-	-	-														
MINOR OFFENSES.....	241	76	55	2	11	8	165	148	10	7	-	40	51	36	34	1	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 296, 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	71	62	104	5.7	4.8	4.2	3.7	6.3
EMBEZZLEMENT AND FRAUD.....	45	68	77	71	64	2.5	4.0	4.6	4.2	3.3
STOLEN PROPERTY, RECEIVING, ETC.....	22	12	13	16	26	1.3	0.6	0.7	1.0	1.8
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	359	9.7	10.1	13.4	16.2	18.6
LARCENY, EXCEPT AUTO THEFT.....	77	74	70	76	115	4.5	4.3	4.1	4.7	6.9
AUTO THEFT.....	87	78	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.....	18	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	233	12.6	10.9	11.5	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.

2. — PROCEDURAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941-1942		1943-1944		1945-1946		1947-1948		1949-1950		1951-1952	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	259	100.0	301	100.0	354	100.0	402	100.0	460	100.0	516	100.0
ELIMINATED WITHOUT CONVICTION.....	118	45.5	121	40.2	156	44.1	178	44.3	182	40.0	212	41.1
DISMISSED.....	95	36.7	90	30.1	111	31.4	140	34.8	154	33.5	178	34.5
ACQUITTED BY COURT (JURY WAIVED).....	10	3.9	12	4.0	11	3.1	12	3.0	14	3.0	14	2.7
ACQUITTED BY JURY.....	17	6.6	14	4.7	15	4.3	11	2.7	11	2.4	11	2.1
OTHER NON-PENALTY DISPOSITION.....	5	1.9	15	5.0	4	1.1	3	0.8	3	0.7	9	1.7
CONVICTED.....	84	32.4	180	60.0	198	56.2	224	55.7	256	55.7	304	59.1
PLEA OF GUILTY.....	786	30.2	721	23.9	755	21.3	845	21.0	873	19.0	848	16.4
COURT FINDS GUILTY (JURY WAIVED).....	40	15.4	42	14.0	54	15.2	58	14.4	58	12.6	57	11.1
JURY VERDICT GUILTY.....	15	5.8	17	5.7	24	6.8	18	4.5	18	4.0	22	4.3

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

SENTENCE	1941-1942		1943-1944		1945-1946		1947-1948		1949-1950		1951-1952	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS SENTENCED.....	841	100.0	780	100.0	843	100.0	873	100.0	900	100.0	990	100.0
DEATH PENALTY.....	1	0.1	-	-	-	-	0	0	2	0.2	-	-
STATE PRISONS OR REFORMATORIES.....	288	34.2	250	32.1	313	37.1	255	29.2	324	36.0	324	32.7
PROBATION OR SUSPENDED SENTENCE.....	221	26.3	250	32.1	233	27.6	297	34.0	314	34.7	317	31.9
LOCAL JAILS, WORKHOUSES, ETC.....	235	28.0	265	34.0	271	32.1	304	34.8	322	35.8	322	32.5
FINE OR COSTS ONLY.....	26	3.1	26	3.3	26	3.1	15	1.7	29	3.4	29	2.9
INSTITUTIONS FOR JUVENILES.....	-	-	0	0	9	1.2	-	-	0	0	1	0.1
OTHER SENTENCE.....	-	-	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										SENTENCE OR TREATMENT																
	TOTAL DEFENDANTS DISPOSED OF		DISMISSED		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		STATE PRISONS OR REFORMATORIES		PROBATION OR SUSPENDED SENTENCE		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR JUVENILES OR DELINQUENTS		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.....	1,532	100.0	311	20.3	260	17.0	30	1.9	15	0.9	6	0.4	1,221	79.7	841	55.0	786	51.3	413	27.0	296	19.3	193	12.6	1	0.1	
MAJOR OFFENSES, TOTAL.....	959	100.0	118	12.3	96	10.0	7	0.7	5	0.5	5	0.5	841	87.7	786	82.9	413	48.5	295	30.8	231	24.1	26	2.7	-	-	
MURDER.....	10	1.0	-	-	9	0.9	1	0.1	-	-	-	-	8	0.8	32	3.2	1	0.1	-	-	7	0.7	6	0.6	-	-	
MANSLAUGHTER.....	47	4.9	11	1.1	9	0.9	1	0.1	2	0.2	-	-	36	3.6	58	5.8	41	4.1	15	1.5	6	0.6	-	-			
ROBBERY.....	73	7.6	20	2.1	18	1.8	1	0.1	1	0.1	-	-	62	6.2	82	8.2	41	4.1	20	2.0	3	0.3	-	-			
AGGRAVATED ASSAULT.....	40	4.2	10	1.0	8	0.8	1	0.1	1	0.1	-	-	38	3.8	59	5.9	14	1.4	3	0.3	47	4.7	-	-			
BURGLARY.....	175	18.1	20	2.1	17	1.7	1	0.1	1	0.1	-	-	165	16.5	159	16.3	53	5.3	65	6.5	20	2.0	-	-			
LARCENY, EXCEPT AUTO THEFT.....	94	9.7	17	1.7	12	1.2	4	0.4	4	0.4	-	-	77	7.7	71	7.1	32	3.2	26	2.6	34	3.4	-	-			
AUTO THEFT.....	97	10.0	10	1.0	10	1.0	-	-	-	-	-	-	87	8.5	1	0.1	1	0.1	3	0.3	20	2.0	-	-			
EMBEZZLEMENT AND FRAUD.....	43	4.5	7	0.7	5	0.5	1	0.1	1	0.1	-	-	36	3.6	35	3.5	1	0.1	8	0.8	1	0.1	-	-			
STOLEN PROPERTY RECEIVING, ETC.....	172	17.8	7	0.7	5	0.5	1	0.1	1	0.1	-	-	17	1.7	18	1.8	1	0.1	1	0.1	12	1.2	-	-			
POSSY AND COUNTERFEITING.....	6	0.6	1	0.1	1	0.1	-	-	-	-	-	-	1	0.1	1	0.1	-	-	-	-	3	0.3	-	-			
PERSECUTION.....	17	1.8	6	0.6	3	0.3	1	0.1	1	0.1	-	-	14	1.4	11	1.1	5	0.5	2	0.2	29	2.9	-	-			
OTHER SEX OFFENSES.....	165	17.1	27	2.8	21	2.1	2	0.2	2	0.2	3	0.3	138	13.8	129	12.9	7	0.7	40	4.0	63	6.3	2	0.2			
VIOLATING DRUG LAWS.....	4	0.4	-	-	-	-	-	-	-	-	-	-	4	0.4	-	-	-	-	-	-	3	0.3	-	-			
CARRYING, ETC., WEAPONS.....	12	1.2	8	0.8	6	0.6	-	-	-	-	-	-	11	1.1	11	1.1	4	0.4	11	1.1	6	0.6	-	-			
OTHER MAJOR OFFENSES.....	56	5.8	4	0.4	4	0.4	-	-	-	-	-	-	48	4.8	40	4.0	4	0.4	7	0.7	1	0.1	3	0.3			
ABORTION.....	13	1.3	1	0.1	1	0.1	-	-	-	-	-	-	11	1.1	8	0.8	2	0.2	1	0.1	6	0.6	-	-			
BLOODY.....	12	1.2	3	0.3	3	0.3	-	-	-	-	-	-	9	0.9	9	0.9	4	0.4	3	0.3	2	0.2	-	-			
ILLEGAL AND EXTORTION.....	15	1.5	1	0.1	1	0.1	-	-	-	-	-	-	15	1.5	12	1.2	1	0.1	2	0.2	1	0.1	-	-			
ESCAPE AND JAIL BREAK.....	1	0.1	-	-	-	-	-	-	-	-	-	-	1	0.1	-	-	-	-	-	-	2	0.2	-	-			
PERJURY.....	1	0.1	-	-	-	-	-	-	-	-	-	-	1	0.1	-	-	-	-	-	-	1	0.1	-	-			
MINOR OFFENSES.....	573	100.0	193	33.7	164	28.6	20	3.5	8	1.4	1	0.2	380	66.3	296	51.9	73	12.6	118	20.6	65	11.3	167	29.1	1	0.2	

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.
 SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS — QUANTITY ZERO, IN PERCENT 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 38 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, 83.3 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 22.6 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.....	11	15	11	12	15	1.7	2.3	1.8	2.4	2.3
BURGLARY.....	134	151	156	74	89	22.5	22.1	23.3	14.9	13.6
LARCENY, EXCEPT AUTO THEFT.....	134	151	156	151	169	20.8	23.5	25.6	30.3	28.8
AUTO THEFT.....	19	23	17	9	18	3.0	3.6	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	132	146	18.8	21.6	24.1	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; 74 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.

LB 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.....	334	100.0	478	100.0	468	100.0	392	100.0	526	100.0
ELIMINATED WITHOUT CONVICTION.....	59	13.0	62	13.0	83	17.3	51	13.0	85	16.2
DISMISSED.....	4	1.0	41	8.6	56	11.8	29	7.3	39	7.4
ACQUITTED BY JURY (JURY WAIVED).....	10	2.6	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
PLEA OF GUILTY.....	311	81.0	387	81.0	374	79.9	305	77.8	406	77.2
COURT FINDS GUILTY (JURY WAIVED).....	10	2.6	17	3.6	22	4.7	28	6.6	9	1.7
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.....	334	100.0	416	100.0	415	100.0	341	100.0	441	100.0
DEATH PENALTY.....	2	0.6	246	59.0	0	0	0	0	0	0
STATE PRISONS OR REFORMATORIES.....	202	60.2	85	20.4	231	55.7	191	56.0	257	58.3
LOCAL JAILS OR WORKHOUSES.....	68	20.4	60	14.4	79	19.0	69	20.2	92	20.9
FINE OR COSTS ONLY.....	53	15.9	11	2.6	17	4.1	7	2.1	16	3.6
INSTITUTIONS FOR JUVENILES.....	7	2.1	0	0	0	0	6	1.8	7	1.6
OTHER SENTENCE.....	-	0	0	0	0	0	-	0	-	0

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		CONVICTED		TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY	FINES OR COSTS WAIVED	JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR DELINQUENTS ONLY	OTHER SENTENCE		
		DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER											PLEA OF GUILTY	FINES OR COSTS WAIVED	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR DELINQUENTS ONLY	OTHER SENTENCE
ALL OFFENSES: TOTAL.....	642	83	63	-	16	4	559	525	15	19	2	212	143	116	81	5	-
MAJOR OFFENSES: TOTAL.....	334	50	37	-	10	3	334	311	10	13	2	202	68	53	7	2	-
MURDER.....	2	-	-	-	-	-	2	2	-	-	2	2	-	-	-	-	-
MANSLAUGHTER.....	15	1	-	-	-	-	14	13	-	-	1	10	3	1	-	-	-
ROBBERY.....	11	1	1	-	1	-	10	9	-	-	1	27	11	2	1	-	-
BURGLARY.....	47	1	6	-	1	40	39	4	-	-	69	25	25	1	1	-	-
LARCENY, EXCEPT AUTO THEFT.....	134	13	10	-	2	121	112	5	4	-	10	10	6	3	3	-	-
AUTO THEFT.....	19	5	7	-	4	1	23	21	2	-	11	11	1	1	1	-	-
EMBEZZLEMENT AND FRAUD.....	35	6	3	-	1	5	5	5	-	-	2	2	10	11	2	-	-
STOLEN PROPERTY, RECEIVING, ETC.....	63	3	3	-	1	58	58	2	-	-	37	37	10	11	2	-	-
FORGERY AND COUNTERFEITING.....	23	4	1	-	1	19	17	1	1	-	14	14	5	-	-	-	-
RAPE.....	1	-	1	-	-	-	1	1	-	-	7	7	4	-	-	-	-
COMMERCIALIZED VICE.....	12	1	1	-	-	-	11	10	-	-	1	1	1	3	-	-	-
OTHER SEX OFFENSES.....	6	3	2	-	1	3	3	3	-	-	1	1	1	1	-	-	-
DRUGS AND DRUG LAWS.....	5	1	1	-	-	-	3	3	-	-	1	1	1	1	-	-	-
CARRYING CONCEALED WEAPONS.....	9	1	7	-	1	2	6	6	-	-	1	1	1	1	-	-	-
OTHER MAJOR OFFENSES.....	6	1	1	-	-	-	5	3	-	-	4	4	-	-	-	-	-
BLIGHT.....	6	1	1	-	-	-	5	3	-	-	2	2	-	-	-	-	-
ELUCIDATION AND EXTORTION.....	3	-	-	-	-	-	3	3	-	-	1	1	1	2	-	-	-
ESCAPE AND JAIL BREAK.....	3	-	-	-	-	-	3	3	-	-	-	-	-	-	-	-	-
KIDNAPING.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
PERJURY.....	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES.....	258	33	25	-	6	1	225	214	5	6	-	10	75	63	74	3	-

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

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, 242, 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), 488, 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 143.1 in 1941. The rate for defendants convicted of major offenses increased from 128.2 in 1937 to 142.5 in 1939 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 24.4 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	91	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	6.7
FORGERY AND COUNTERFEITING.....	118	127	107	81	65	22.2	23.9	20.9	16.1	13.2
RAPE.....	62	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.....	28	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	190	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	36	36	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	73	68	17.7	14.7	17.7	14.5	11.8
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 96.0 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.

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.....	974	100.0	969	100.0	1,008	100.0	985	100.0	938	100.0
ELIMINATED WITHOUT CONVICTION.....	37.6	28.4	29.3	27.8	24.9	20.3	24.5	20.3	24.5	
DISMISSED BY COURT (JURY WAIVED).....	2.0	0.2	1.0	0.1	1.0	0.1	1.0	0.1	1.0	
ACQUITTED BY JURY.....	5	0.5	9	0.9	4	0.4	3	0.3	3	
OTHER NO-PENALTY DISPOSITION.....	5	0.5	36	3.7	39	3.9	51	5.2	57	
CONVICTED.....	668	68.3	665	68.5	721.2	71.7	75.1	693	75.5	
PLEA OF GUILTY.....	568	58.4	635	65.5	661	65.6	622	63.1	523	
COURT FINDS GUILTY (JURY WAIVED).....	60	6.2	45	4.6	62	6.2	62	6.5	88	

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.....	665	100.0	685	100.0	728	100.0	717	100.0	632	100.0
DEATH PENALTY.....	1	0.2	1	0.1	1	0.1	4	0.6	3	
STATE PRISONS OR REFORMATORIES.....	242	36.4	227	33.1	276	37.9	248	34.6	404	
PROBATION OR SUPERSEDENCE.....	229	34.4	247	36.0	276	37.9	248	34.6	154	
LOCAL JAILS, WORKHOUSES, ETC.....	45	6.8	47	6.9	40	5.5	39	5.4	38	
FINE OR COSTS ONLY.....	23	3.5	13	1.9	24	3.3	14	2.0	29	
INSTITUTIONS FOR JUVENILES.....	23	3.5	28	4.1	10	1.4	23	3.2	5	
OTHER SENTENCE.....	-	0	-	0	-	0	-	0	-	

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

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OF TREATMENT																								
	TOTAL DISPOSED WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY					STATE PRISONS OR REFORMATORIES					PROBATION OR SUPERSEDENCE					LOCAL JAILS, WORKHOUSES, ETC.					INSTITUTIONS FOR JUVENILES OR OTHER SENTENCE ONLY				
	TOTAL	DISMISSED	ACQUITTED	OTHER	TOTAL	PLEA GUILTY	OTHER	DEATH	STATE	PROBATION	LOCAL	INSTITUTIONS	OTHER	DEATH	STATE	PROBATION	LOCAL	INSTITUTIONS	OTHER	DEATH	STATE	PROBATION	LOCAL	INSTITUTIONS	OTHER										
ALL OFFENSES.....	1,477	477	397	8	60	12	1,000	872	58	70	1	356	367	132	91	32	1																		
MAJOR OFFENSES, TOTAL.....	974	309	242	5	53	9	665	569	36	60	1	342	229	45	23																				
MURDER.....	23	11	3	0	8	12	11	7	0	5	1	11	16	1	1																				
MANSLAUGHTER.....	29	11	9	1	1	1	22	10	1	1	1	19	2	1																					
ROBBERY.....	133	51	17	1	4	1	81	31	4	4	0	50	20	0	2																				
AGGRAVATED ASSAULT.....	173	76	12	0	12	2	95	51	6	7	0	44	20	0	5																				
LEWDNESS.....	271	106	66	0	6	4	165	178	5	12	0	84	12	4	4																				
AUTO THEFT.....	55	7	4	0	3	48	41	5	2	2	0	21	14	8	5																				
EMBEZZLEMENT AND FRAUD.....	78	32	23	1	3	46	34	4	7	5	0	18	20	3	5																				
STOLEN PROPERTY, RECEIVING, ETC.....	124	4	0	0	0	1	20	18	1	1	0	6	3	1	1																				
FORGERY AND COUNTERFEITING.....	163	24	19	0	6	1	94	36	3	5	0	58	31	2	2																				
UNLAWFUL GAMING.....	63	1	1	0	1	61	52	2	1	1	0	29	1	1	1																				
OTHER SEX OFFENSES.....	40	19	17	1	1	21	11	2	1	2	0	12	5	2	2																				
VIOLATING DRUG LAWS.....	8	6	4	1	1	2	2	1	1	1	0	1	1	1	1																				
CARRYING ETC., WEAPONS.....	19	8	7	0	1	11	11	1	1	1	0	2	7	2	1																				
OTHER MAJOR OFFENSES.....	17	9	5	0	1	2	9	7	1	1	0	6	1	1	1																				
VIOLATING LAWS OF PROBATION.....	16	5	3	0	2	3	2	1	1	1	0	1	3	1	1																				
BIGAMY.....	3	0	0	0	0	3	3	0	0	0	0	0	0	0	0																				
BLACKMAIL AND EXTORTION.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0																				
ESCAPE AND JAIL BREAK.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0																				
KIDNAPING.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0																				
FRAUD.....	5	2	1	0	1	2	2	1	1	1	0	2	1	1	1																				
MINOR OFFENSES.....	503	168	155	3	7	3	303	303	22	10	0	14	158	87	66																				

1 THIS GROUP INCLUDES MINOR ASSAULT; HONORSUPPORT; VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS, AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE NOT LISTED SEPARATELY IN THIS TABLE.
 SYMBOLS: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.
 2-30011

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 1936 to 80.3 in 1941. The rate for defendants convicted of major offenses followed the same general trend, decreasing from 80.9 in 1936 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 65.7 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	22	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	30	49	1.7	2.9	0.6	1.8	3.0
STOLEN PROPERTY, RECEIVINGS, ETC.....	22	19	10	13	22	1.3	1.1	0.6	0.8	1.3
FORGERY AND COUNTERFEITING.....	119	167	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	335	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	0.5	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	1.3	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		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,554	100.0	1,584	100.0	1,627	100.0	1,579	100.0
ELIMINATED WITHOUT CONVICTION:	182	11.6	241	15.2	254	15.7	260	16.4
DISMISSED.....	140	10.5	195	12.3	177	11.0	200	12.7
ACQUITTED BY COURT (JURY WAIVED).....	42	2.7	40	2.5	58	3.6	52	3.3
OTHER NON-REXALTY DISPOSITION.....	32	2.1	14	0.9	18	1.1	17	1.1
CONVICTED.....	1,152	74.4	1,243	78.4	1,355	84.3	1,289	81.6
PLEA OF GUILTY.....	1,022	66.0	1,234	77.9	1,355	84.3	1,206	76.4
COURT FINDS GUILTY (JURY WAIVED).....	35	2.3	2	0.1	4	0.2	12	0.8
JURY VERDICT GUILTY.....	95	6.1	107	6.8	121	7.5	132	8.4

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

DEFENDANTS SENTENCED.....	1941		1940		1939		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
1152	100.0	1,743	100.0	1,560	100.0	1,557	100.0	
DEATH PENALTY.....	1	0.1	4	0.2	2	0.1	4	0.2
PRISON.....	828	54.5	766	57.0	776	57.1	853	65.7
PROBATION OF SUPERSEDING SENTENCE.....	269	32.0	281	28.4	356	46.2	289	21.2
LOCAL JAILS, WORKHOUSES, ETC.....	139	12.1	182	13.6	203	14.9	193	14.6
FINE OR COSTS ONLY.....	13	1.1	10	0.7	12	0.9	7	0.5
INSTITUTIONS FOR JUVENILES.....	2	0.2	0	0	9	0.7	7	0.5
OTHER SENTENCE.....	0	0	0	0	2	0.1	0	0

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

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT																																		
	TOTAL DEFENDANTS DISPOSED OF					DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					STATE PRISONS OR REFORMATORIES					PROBATION OF SUPERSEDING SENTENCE					LOCAL JAILS, WORKHOUSES, ETC.					FINE OR COSTS ONLY					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	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT											
ALL OFFENSES.....	1,682		294		226		2		53		13		1,388		1,022		58		111		1		632		457		214		78		3		3												
MAJOR OFFENSES, TOTAL.....	1,554		182		140		1		39		2		1,152		1,022		35		95		1		628		369		139		13		2		-												
MURDER.....	13		2		2		1		1		11		11		3		-		6		1		10		-		15		1		-		-												
MANSLAUGHTER.....	13		2		2		1		1		11		11		3		-		6		1		10		-		15		1		-		-												
ROBBERY.....	76		14		10		1		15		1		61		49		-		12		2		21		7		3		2		2		2												
AGGRAVATED ASSAULT.....	36		14		13		-		1		32		32		30		-		2		-		23		7		3		2		2		2												
BURGLARY.....	257		21		19		1		2		236		210		6		6		20		2		159		70		5		1		1		1												
BURGLARY, EXCEPT AUTO THEFT.....	366		59		48		11		4		307		266		19		22		22		4		266		128		6		6		6		6												
AUTO THEFT.....	169		15		11		4		1		154		142		8		4		4		1		68		81		3		3		3		3												
EMBEZZLEMENT AND FRAUD.....	28		5		5		0		0		23		20		2		3		3		0		7		11		5		1		1		1												
RECEIVING STOLEN PROPERTY, RECEIVING, ETC.....	22		6		6		0		0		16		15		1		8		4		0		8		6		2		2		2		2												
FORGERY AND COUNTERFEITING.....	119		7		7		1		1		112		109		3		3		3		0		92		26		4		4		4		4												
RAPE.....	51		2		2		0		0		24		20		4		4		4		0		20		4		0		0		0		0												
COMMERCIALIZED VICE.....	127		16		14		2		2		121		112		2		2		2		0		66		10		36		2		2		2												
VIOLATION OF PROBATION.....	19		2		2		0		0		17		17		0		0		0		0		16		6		0		0		0		0												
OTHER MAJOR OFFENSES.....	49		5		5		1		1		13		13		1		1		1		1		7		3		3		3		3		3												
ABORTION.....	1		1		1		0		0		1		1		0		0		0		0		1		0		0		0		0		0												
ARSON.....	6		2		2		0		0		6		6		0		0		0		0		3		2		1		1		1		1												
BIGAMY.....	5		2		2		0		0		3		3		0		0		0		0		3		2		1		1		1		1												
BLACKMAIL AND EXTORTION.....	5		1		1		0		0		2		2		0		0		0		0		2		1		1		1		1		1												
ESCAPE AND JAIL BREAK.....	5		1		1		0		0		2		2		0		0		0		0		2		1		1		1		1		1												
KIDNAPING.....	3		2		2		0		0		1		1		0		0		0		0		1		0		0		0		0		0												
PERDUI.....	4		2		2		0		0		1		1		0		0		0		0		1		0		0		0		0		0												
MINOR OFFENSES.....	348		112		86		1		14		11		236		197		23		16		1		4		88		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. 3-30916

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; 1,999, or about 3 out of every 10, were placed on probation or given 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), 578, 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 135.8 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, 77.6 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	1,321	1,082	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.....	343	398	226	262	258	8.7	9.7	5.5	6.4	6.9
EMBEZZLEMENT AND FRAUD.....	408	965	674	606	375	10.3	23.4	16.3	17.5	10.1
STOLEN PROPERTY, RECEIVING, ETC.....	179	152	153	205	148	4.6	3.7	4.1	5.0	4.5
FORGERY AND COUNTERFEITING.....	142	127	111	167	139	4.6	3.1	2.7	4.1	5.1
RAPE.....	272	280	201	182	138	6.1	5.4	4.9	4.4	3.7
OTHER MAJOR OFFENSES.....	987	1,241	976	1,044	975	15.0	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	117.8	119.3	112.8
MURDER.....	41	35	23	27	32	1.0	0.9	0.6	0.9	0.9
MANSLAUGHTER.....	43	40	36	55	71	1.1	1.0	0.9	1.3	1.9
ROBBERY.....	270	329	322	394	276	6.8	8.0	7.3	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	22.3	36.7	28.9	29.3	27.0
LARCENY, EXCEPT AUTO THEFT.....	673	989	908	913	820	17.1	24.2	22.9	22.8	22.1
AUTO THEFT.....	319	308	149	237	242	8.1	7.5	4.8	5.6	6.5
EMBEZZLEMENT AND FRAUD.....	286	550	438	382	246	7.3	14.2	10.6	9.3	6.6
STOLEN PROPERTY, RECEIVING, ETC.....	175	102	119	141	111	3.7	2.5	2.9	3.4	3.0
FORGERY AND COUNTERFEITING.....	119	101	95	125	143	3.0	2.5	2.3	2.9	4.0
RAPE.....	179	159	150	120	94	4.5	3.9	3.6	2.9	2.5
OTHER MAJOR OFFENSES.....	773	918	764	797	767	19.8	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 1939 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 3. — PROCENTRAL OUTCOME FOR DEFENDANTS CHARGED WITH MAJOR OFFENSES

PROCEDURAL OUTCOME	1941		1940		1939		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	5,291	100.0	5,250	100.0	5,870	100.0	6,104	100.0
ELIMINATED WITHOUT CONVICTION.....	1,174	22.2	1,721	32.8	1,770	29.9	1,266	20.3
ACQUITTED BY COURT (JURY WAIVED).....	734	14.0	1,352	25.7	1,020	17.2	594	9.7
ACQUITTED BY JURY.....	141	2.7	182	3.5	292	4.9	218	3.6
Other (MAY BE REPROSECUTED).....	28	0.5	112	2.1	25	0.4	27	0.4
CONVICTED.....	4,117	77.8	5,513	104.8	4,100	69.8	4,132	67.6
PLEA OF GUILTY.....	3,542	67.1	4,700	89.5	4,486	76.4	4,132	67.6
COURT FINDS GUILTY (JURY WAIVED).....	401	7.6	593	11.2	374	6.4	366	5.9
JURY VERDICT GUILTY.....	174	3.3	278	5.3	223	3.8	303	4.8

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

SENTENCE	1941		1940		1939		1937	
	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
DEATH PENALTY.....	3	0.1	—	0	2	0.0	—	0
STATE PRISONS OR REFORMATORIES.....	1,488	36.1	1,960	35.5	1,555	33.1	1,498	30.6
IMPRISONMENT OF SUFFERED SENTENCE.....	1,796	43.6	2,053	37.2	1,944	41.4	1,953	39.9
IMPRISONMENT OF SUFFERED SENTENCE, ETC.,.....	408	9.9	541	9.8	402	8.5	308	6.3
FINE OR COSTS ONLY.....	11	0.3	51	0.9	80	1.7	33	0.7
INSTITUTIONS FOR JUVENILES.....	—	—	—	—	—	—	—	—
OTHER SENTENCE.....	12	0.3	16	0.3	13	0.3	16	0.3

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

OFFENSE	TOTAL DEFENDANTS DISPOSED OF		DISPOSED OF WITHOUT CONVICTION				CONVICTED AND SENTENCED				SENTENCE OF TREATMENT							
	NUMBER	PERCENT	DISPOSED OF WITHOUT CONVICTION	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED	PLEA OF GUILTY	COURT FINDS GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PREPARATION OF SUFFERED SENTENCE	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR DELINQUENTS	OTHER SENTENCE	
																		NUMBER
ALL OFFENSES.....	7,944	100.0	1,985	25.0	362	18.2	59	2.9	4,963	62.3	3	0.0	2,132	26.8	1,131	14.3	29	0.4
MAJOR OFFENSES, TOTAL.....	5,291	100.0	1,174	22.2	241	4.5	28	0.5	3,542	67.0	3	0.0	1,359	25.7	796	15.0	408	7.7
MURDER.....	57	1.1	16	28.1	4	7.0	1	1.8	28	49.1	3	5.3	9	15.8	—	—	—	—
MANSLAUGHTER.....	101	1.9	37	37.0	3	3.0	1	1.0	33	32.7	—	—	7	21.2	—	—	—	—
ROBBERY.....	614	7.7	50	8.1	14	2.3	2	0.3	254	41.4	—	—	50	8.1	—	—	—	—
AGGRAVATED ASSAULT.....	1,624	20.6	294	18.1	39	2.4	12	0.7	700	43.1	—	—	98	6.0	—	—	—	—
UNLAWFUL WEAPON.....	963	12.1	164	17.0	—	—	—	—	164	17.0	—	—	—	—	—	—	—	—
LIKELY TO ACCEPT AUTO THEFT.....	831	10.5	158	19.0	29	3.5	5	0.6	626	75.1	—	—	208	25.2	—	—	—	—
AUTO THEFT.....	343	4.3	24	7.0	9	2.6	3	0.9	293	85.4	—	—	140	48.1	—	—	—	—
EMBEZZLEMENT AND FRAUD.....	403	5.1	122	30.3	15	3.7	1	0.2	262	64.8	—	—	36	13.7	—	—	—	—
STOLEN PROPERTY, RECEIVING, ETC.....	179	2.3	54	30.2	10	5.6	7	3.9	115	64.3	—	—	19	16.5	—	—	—	—
FUGITIVE AND CONTRAVENTING.....	172	2.2	47	27.3	5	2.9	3	1.7	113	65.7	—	—	30	26.5	—	—	—	—
RACE.....	242	3.0	63	26.0	5	2.1	19	7.8	152	62.4	—	—	92	55.2	—	—	—	—
COMMERCIALIZED VICE.....	166	2.1	22	13.3	7	4.2	1	0.6	134	80.1	—	—	49	29.2	—	—	—	—
OTHER SEX OFFENSES.....	593	7.5	107	18.0	37	6.2	26	4.4	318	53.6	—	—	130	40.9	—	—	—	—
VIOLATING DRUG LAWS.....	167	2.1	27	16.2	1	0.6	1	0.6	115	68.9	—	—	34	29.3	—	—	—	—
VIOLATING PROBATION, ETC., RESPONSES.....	94	1.2	21	22.3	2	2.1	1	1.1	69	73.4	—	—	10	14.5	—	—	—	—
OTHER OFFENSES.....	23	0.3	1	4.3	—	—	—	—	3	13.0	—	—	1	33.3	—	—	—	—
ABORTION.....	11	0.1	3	27.3	1	9.1	1	9.1	13	118.2	—	—	6	45.5	—	—	—	—
ARSON.....	23	0.3	10	43.5	1	4.3	1	4.3	13	56.5	—	—	3	23.1	—	—	—	—
BIGAMY.....	11	0.1	3	27.3	1	9.1	1	9.1	7	63.6	—	—	3	27.3	—	—	—	—
BLACKMAIL AND EXTORTION.....	4	0.0	1	25.0	—	—	—	—	3	75.0	—	—	2	50.0	—	—	—	—
ESCAPE AND JAIL BREAK.....	38	0.5	4	10.5	—	—	—	—	33	86.8	—	—	3	7.9	—	—	—	—
KIDNAPING.....	1	0.0	1	100.0	—	—	—	—	—	—	—	—	—	—	—	—	—	—
PENURIA.....	10	0.1	1	10.0	—	—	—	—	9	90.0	—	—	1	10.0	—	—	—	—
MINOR OFFENSES ¹	2,653	33.3	831	31.3	614	23.1	45	1.7	1,421	53.6	—	—	753	28.4	365	13.6	627	23.6

¹ THIS GROUP INCLUDES MINOR ASSAULT; NONSUPPORT; VIOLATING LIQUOR, GAMBLING, OR OF LIVING 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; 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	306	9.5	472	13.8	476	15.7
DISMISSED	353	13.0	405	12.7	247	7.6	333	9.8	329	11.0
ACQUITTED BY JURY (JURY WAIVED)	32	1.2	48	1.5	27	0.8	34	1.0	41	1.4
OTHER NON-RESULT 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	2375	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	180	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
DEFENDANTS SENTENCED	2232	100.0	2664	100.0	2719	100.0	2958	100.0	2548	100.0
DEATH PENALTY	899	40.3	917	34.4	830	30.5	899	30.4	730	28.6
STATE PRISONS OR REFORMATORIES	911	40.8	1032	39.5	1154	42.4	1158	39.1	1053	41.3
LOCAL JAILS, WORKHOUSES, ETC.	246	11.0	364	13.7	431	15.9	561	19.0	500	19.6
FINES OR COSTS ONLY	140	6.3	233	10.6	264	9.7	315	10.6	235	9.2
INSTITUTIONS FOR JUVENILES	25	1.1	36	1.4	36	1.3	25	0.8	30	1.2
OTHER SENTENCE	11	0.5	12	0.5	4	0.1	-	-	-	0

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

OFFENSE	TOTAL DEFENDANTS DISPOSED OF		PROCEDURAL OUTCOME				CONVICTED AND SENTENCED				SENTENCE OR TREATMENT								
	TOTAL NUMBER	PERCENT	DISPOSED OF WITHOUT CONVICTION		CONVICTED		CONVICTED AND SENTENCED		DEATH PENALTY	STATE PRISONS OR REFORMATORIES	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE	NUMBER	PERCENT			
			TOTAL NUMBER	PERCENT	DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	OTHER	TOTAL NUMBER									PERCENT	PLEA OF GUILTY	VERDICT GUILTY	FINES OR COSTS ONLY	LOCAL JAILS, HOUSES, ETC.	STATE PRISONS OR REFORMATORIES	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS ONLY	OTHER SENTENCE
ALL OFFENSES	7,664	100.0	1,020	478	350	714	55	53	206	6,636	5,961	100	...	1,009	2,018	711	2,796	31	71
MAJOR OFFENSES, TOTAL	2,710	100.0	478	350	18	32	98	2,232	1,890	274	68	...	899	911	246	140	25	11	
MURDER	18	4	4	2	4	2	14	4	2	37	2	8	...	14	-	-	-	-	-
MANSLAUGHTER	50	13	4	3	4	2	27	6	2	76	6	3	...	65	4	12	4	-	-
ROBBERY	101	16	15	1	1	1	95	7	1	110	11	3	...	53	7	5	5	8	-
AGGRAVATED ASSAULT	154	14	21	1	1	3	110	28	1	274	38	5	...	159	30	22	2	7	-
BREACH OF PEACE	350	35	31	10	10	10	317	9	3	348	10	3	...	199	56	9	54	7	-
LARCENY, EXCEPT AUTO THEFT	244	25	24	3	3	2	209	22	4	236	22	4	...	145	24	24	26	5	1
AUTO THEFT	245	22	24	3	3	1	173	16	10	222	10	2	...	42	80	25	26	5	-
STOLEN PROPERTY RECEIVED, ETC.	21	2	1	1	1	1	19	15	2	160	2	2	...	-	13	1	5	-	-
FORGERY AND COUNTERFEITING	319	77	62	2	2	14	242	17	1	224	17	1	...	126	104	8	4	-	-
RAPES	186	44	31	2	2	8	142	15	5	122	15	5	...	74	59	3	6	-	-
COMMERCIALIZED VICE	27	13	3	3	3	4	19	302	54	11	3	...	4	107	60	19	2	9	-
OTHER SEX OFFENSES	368	66	43	5	5	3	325	54	12	271	54	12	...	105	8	5	6	1	-
VIOLATING DRUG LAWS	27	1	1	1	1	1	26	2	2	24	2	2	...	3	7	5	6	-	-
VIOLATING LAWS RELATIVE TO GAMING, ETC., WEAPONS	60	15	1	1	1	3	65	54	7	54	7	4	...	33	23	7	7	-	-
OTHER MAJOR OFFENSES	12	3	1	1	1	1	16	12	1	12	1	1	...	5	7	1	1	-	-
ADULTERY	1	1	1	1	1	1	1	1	1	1	1	1	...	2	1	1	1	-	-
BISSON	1	1	1	1	1	1	1	1	1	1	1	1	...	2	1	1	1	-	-
VIOLATING PROBATION	5	2	1	1	1	1	2	2	2	27	2	2	...	20	4	4	4	-	-
ESCAPE AND JAIL BREAK	32	4	2	2	2	2	28	2	2	27	2	2	...	1	1	1	1	-	-
KIDNAPING	3	1	1	1	1	1	1	1	1	1	1	1	...	1	1	1	1	-	-
PERJURY	20	4	1	1	1	1	16	10	4	10	4	2	...	2	12	2	2	-	-
MINOR OFFENSES ¹	4,954	100.0	550	384	37	21	103	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 63 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 4,252, 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 26.0 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	493	499	3.9	4.0	3.8	4.1	5.0
ROBBERY.....	861	1,078	958	2,660	1,695	8.9	10.9	9.7	27.0	17.4
AGGRAVATED ASSAULT.....	1,988	2,093	2,635	2,651	3,015	20.6	21.2	26.8	26.9	31.0
BURGLARY.....	2,349	2,973	3,058	3,105	2,936	24.3	30.1	31.1	31.5	30.2
LARCENY, EXCEPT AUTO THEFT.....	2,474	3,449	4,747	6,025	5,759	25.6	34.9	48.2	61.1	58.9
AUTO THEFT.....	572	610	874	1,015	915	5.9	6.2	8.9	10.3	9.4
EMBEZZLEMENT AND FRAUD.....	1,273	1,470	1,978	1,995	1,795	13.2	14.9	19.1	20.2	18.4
STOLEN PROPERTY, RECEIVING, ETC.....	433	540	520	379	520	4.5	5.5	5.3	3.8	5.2
FORGERY AND COUNTERFEITING.....	394	522	618	776	634	4.1	5.2	6.2	7.9	6.5
RAPE.....	509	544	578	804	697	5.3	5.5	5.8	8.1	7.0
OTHER MAJOR OFFENSES.....	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	14,158	18,293	15,904	104.0	124.6	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	1,186	1,407	1,569	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	4,458	19.2	26.9	37.4	46.8	45.8
AUTO THEFT.....	437	489	733	776	707	5.0	4.9	7.4	7.9	7.3
EMBEZZLEMENT AND FRAUD.....	769	898	1,169	1,299	931	8.0	9.1	12.2	13.2	10.2
STOLEN PROPERTY, RECEIVING, ETC.....	246	296	236	247	296	2.4	3.2	3.0	2.5	3.4
FORGERY AND COUNTERFEITING.....	343	412	459	652	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	2,494	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 PENN.; 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	NUMBER	PERCENT	NUMBER	PERCENT	
DEFENDANTS SENTENCED.....	10054	100.0	12328	100.0	14158	100.0	12917	100.0	15904	100.0					
DEATH PENALTY.....	3	0.0	7	0.1	9	0.1	8	0.0	7	0.0					
STATE PRISONS OR REFORMATORIES.....	1809	18.0	1012	13.1	1904	13.4	2474	12.5	2292	14.4					
PROBATION OF SUPERSED SENTENCE.....	2620	26.2	3111	27.7	3704	26.6	5131	37.8	4701	29.6					
LOCAL JAILS, WORKHOUSES, ETC.....	4252	42.5	3411	44.1	6474	45.7	8170	44.7	7131	44.8					
FINE OR COSTS ONLY.....	1015	10.1	1494	12.0	1573	11.1	1664	9.1	1637	10.3					
INSTITUTIONS FOR JUVENILES.....	173	1.7	237	1.9	276	1.9	226	1.2	94	0.5					
OTHER SENTENCE.....	162	1.6	135	1.1	159	1.1	120	0.7	42	0.5					

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

OFFENSE	TOTAL DEFENDANTS DISPOSED OF				PROCEDURAL OUTCOME				CONVICTED AND SENTENCED				SENTENCE OR TREATMENT					
	TOTAL DISPOSED OF	DISMISSED	ACQUITTED BY COURT (MAILED)	ACQUITTED BY JURY	TOTAL CONVICTED AND SENTENCED	OTHER	PLEA OF GUILTY	JURY VERDICT	DEATH PENALTY	STATE PRISONS OR REFORMATORIES	PROBATION OF SUPERSED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR JUVENILES ONLY	OTHER SENTENCE			
ALL OFFENSES, TOTAL.....	53,869	9,943	4,198	1,196	3,371	1,170	23,946	16,135	4,683	3,128	3	1,923	6,431	7,364	5,526	1,015	173	182
MAJOR OFFENSES, TOTAL.....	14,411	4,347	1,550	410	1,812	575	10,054	7,550	649	1,855	3	1,809	2,620	4,262	1,015	173	182	
MURDER.....	106	42	4	5	30	3	64	28	10	26	3	51	10					
MANSLAUGHTER.....	379	253	81	14	105	53	121	65	12	44		22	17	79	3			
ROBBERY.....	861	197	55	8	109	25	664	400	14	250		323	34	295	8			
AGGRAVATED ASSAULT.....	1,988	995	375	98	427	95	932	532	133	358		66	323	509	69			
BURGLARY.....	2,349	215	87	22	176	23	2,026	1,575	79	290		583	389	913	69			
LARCENY, EXCEPT AUTO THEFT.....	2,474	619	242	90	211	66	1,855	1,575	133	149		202	650	769	159			
AUTO THEFT.....	572	85	21	6	45	13	487	408	29	50		113	108	234	7			
EMBEZZLEMENT AND FRAUD.....	1,273	504	232	40	160	52	769	627	40	102		41	315	520	62			
STOLEN PROPERTY, RECEIVING, ETC.....	353	167	35	16	74	44	246	173	14	59		27	115	115	16			
FORGERY AND COUNTERFEITING.....	508	215	35	11	117	13	543	319	17	87		64	85	180	31			
RAPES.....	517	122	14	29	157	21	295	289	30	83		64	97	122	140			
DOMESTICATED VICE.....	1,757	555	222	37	214	65	1,201	857	80	254		110	297	315	347			
OTHER SEX OFFENSES.....	820	156	39	24	46	17	394	282	39	73		114	145	182	41			
VIOLATING LIQUOR, GAMBLING, OR DRIVING LAWS, AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.....	19,478	2,648	708	1,559	605	13,682	8,575	4,034	1,273			114	3,811	3,102	4,522	152	2,000	

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: DATA NOT AVAILABLE, ---; QUANTITY ZERO, 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), 602, 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 108.2 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, 66.4 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					RATE PER 100,000 POPULATION				
	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	159	---	61	95	1.6	1.9	---	2.3	2.8
MANSLAUGHTER.....	109	168	---	71	115	4.0	3.5	---	2.7	3.4
ROBBERY.....	600	515	---	291	290	12.1	13.1	---	11.1	8.6
AGGRAVATED ASSAULT.....	593	317	---	177	277	7.3	6.7	---	6.3	8.2
BURGLARY.....	1,502	1,222	---	706	804	14.2	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	675	---	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 DISPOSED OF	6255	100.0	5972	100.0	5585	100.0	4830	100.0	4320	100.0
ELIMINATE WITHOUT CONVICTION	1745	27.9	1768	29.6	1743	31.2	1472	30.4	1292	29.9
DISMISSED	744	11.8	594	10.1	542	9.7	462	9.6	402	9.3
ACQUITTED BY COURT (JURY WAIVED)	244	3.8	240	4.1	96	1.7	70	1.6	70	1.6
ACQUITTED BY JURY	173	2.7	195	3.3	129	2.3	209	4.3	189	4.4
OTHER NONPENAL DISPOSITION	164	2.6	138	2.3	92	1.6	94	1.9	84	1.9
CONVICTED	4510	72.1	4203	70.3	3842	68.7	3358	69.6	3028	70.2
PLEA OF GUILTY	3720	59.5	3583	59.9	3451	61.8	3039	62.8	2762	63.9
COURT FINDS GUILTY (JURY WAIVED)	419	6.6	323	5.4	195	3.4	199	4.1	146	3.4
JURY FINDS GUILTY	371	5.9	320	5.4	321	5.7	347	7.1	310	7.1

TABLE 3.—TYPE 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	5010	100.0	4705	100.0	4400	100.0	3967	100.0	3585	100.0
DEATH PENALTY	5	0.1	10	0.2	7	0.2	13	0.4	13	0.4
STATE PRISONS OR REFORMATORIES	1422	29.0	1407	29.9	1347	30.6	1279	32.3	1079	30.1
PROBATION OR SUSPENDED SENTENCE	1816	36.2	1600	34.0	1722	39.1	1608	40.6	1608	45.1
LOCAL JAILS, WORKHOUSES, ETC.	115	2.3	1263	26.9	122	2.8	1524	38.4	1524	42.4
FINE OR COSTS ONLY	115	2.3	115	2.4	64	1.4	91	2.3	91	2.5
OTHER SENTENCE	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 DISPOSED OF		DISPOSED OF WITHOUT CONVICTION				CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED		CONVICTED AND SENTENCED	
	NUMBER	PERCENT	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA OF GUILTY AND AND (JURY WAIVED)	PLEA OF GUILTY	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)	FINES OR COSTS (JURY WAIVED)
ALL OFFENSES: TOTAL	8,091	1,719	912	380	216	173	184	5,307	628	437	5	1,491	2,673	1,902	137	115	49	47	—	—
MAJOR OFFENSES: TOTAL	6,355	1,345	744	244	173	184	5,010	419	371	5	1,452	1,816	1,519	56	115	47	—	—	—	—
MURDER	77	40	12	8	13	7	37	18	6	13	5	32	—	—	—	—	—	—	—	—
MISLAUGHTER	199	31	25	13	22	7	118	60	39	36	—	82	13	5	—	—	—	—	—	—
AGGRAVATED BATTERY	600	213	125	56	30	21	337	294	38	55	—	242	89	24	—	—	—	—	—	—
AGGRAVATED ASSAULT	323	104	60	18	19	7	259	169	50	40	—	61	42	140	13	—	—	—	—	—
BURGLARY	1,202	115	29	20	40	9	948	76	75	47	—	308	376	272	—	—	—	—	—	—
LARCENY, EXCEPT AUTO THEFT	573	203	71	24	8	10	460	379	50	31	—	460	162	185	—	—	—	—	—	—
AUTO THEFT	764	119	60	21	9	29	645	573	50	22	—	108	289	205	—	—	—	—	—	—
EMBEZZLEMENT AND FRAUD	210	30	15	4	4	7	180	169	6	5	—	36	90	33	—	—	—	—	—	—
STOLEN PROPERTY, RECEIVING, ETC.	178	49	30	9	5	3	129	92	16	21	—	38	56	42	—	—	—	—	—	—
FORGERY AND COUNTERFEITING	997	82	63	3	5	11	918	877	20	18	—	259	357	232	—	—	—	—	—	—
RAPE	277	88	43	14	11	14	169	101	12	16	—	23	93	60	—	—	—	—	—	—
COMMERCIALIZED VICE	345	100	8	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
OTHER SEX OFFENSES	202	83	11	27	15	23	233	213	56	34	—	96	105	61	—	—	—	—	—	—
LODGING DRUG LAWS	108	20	11	16	—	16	169	132	21	16	—	112	114	6	—	—	—	—	—	—
CARRYING WEAPONS	207	59	39	11	4	5	148	125	11	12	—	73	43	12	—	—	—	—	—	—
OTHER MAJOR OFFENSES	27	21	21	—	—	—	6	5	—	—	—	3	3	—	—	—	—	—	—	—
ARSON	29	10	5	2	2	2	19	12	2	5	—	7	8	—	—	—	—	—	—	—
BIGAMY	10	3	3	—	—	—	7	6	—	—	—	1	6	—	—	—	—	—	—	—
BLAUGHTER AND EXTORTION	4	2	1	—	—	—	2	1	—	—	—	1	—	—	—	—	—	—	—	—
ESCAPE AND JAIL BREAK	105	9	4	3	—	—	97	89	7	1	—	53	17	9	—	—	—	—	—	—
KIDNAPING	12	5	3	1	1	—	7	—	—	—	—	6	1	—	—	—	—	—	—	—
PERJURY	19	9	2	6	—	—	10	7	—	—	—	2	8	—	—	—	—	—	—	—
MINOR OFFENSES: ¹	1,736	374	168	135	43	2	1,362	1,087	209	66	—	39	857	363	81	—	—	—	—	—

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 781 persons charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 885, 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-

victed. The percentage of defendants convicted decreased to 81.8 in 1941 after having increased from 83.0 in 1929 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 1929 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 1929 to 33.4 in 1940, but increased to 35.8 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
MAJOR OFFENSES, TOTAL.....	1,048	1,115	1,136	1,089	822	96.5	102.3	119.5	112.5	133.8
MURDER.....	15	10	4	12	7	1.4	0.9	0.4	1.2	1.2
MANSLAUGHTER.....	35	17	21	17	15	3.2	1.6	2.2	1.8	2.5
ROBBERY.....	30	30	40	50	27	2.8	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	195	187	171	110	13.4	17.0	19.7	17.7	13.4
LARCENY, EXCEPT AUTO THEFT.....	227	263	351	296	259	21.8	24.1	37.0	30.6	42.2
AUTO THEFT.....	75	91	76	84	42	6.9	8.4	8.0	8.7	7.0
EMBEZZLEMENT AND FRAUD.....	122	153	157	137	98	12.1	14.0	13.4	14.1	15.9
STOLEN PROPERTY, RECEIVING, ETC.....	23	24	25	45	19	2.1	3.1	2.6	4.6	2.2
FORGERY AND COUNTERFEITING.....	143	161	120	119	111	13.5	14.3	12.6	12.3	18.5
RAPE.....	48	42	35	51	24	4.4	3.9	3.7	5.3	4.0
OTHER MAJOR OFFENSES.....	191	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	91.2	99.3	122.0
MURDER.....	13	9	2	7	4	1.2	0.7	0.2	0.7	0.7
MANSLAUGHTER.....	11	20	16	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	39	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	227	289	229	218	19.5	17.7	29.4	23.2	36.4
AUTO THEFT.....	61	81	73	79	39	6.5	7.4	7.7	8.2	6.5
EMBEZZLEMENT AND FRAUD.....	105	129	106	115	84	9.7	10.6	11.1	11.9	14.0
STOLEN PROPERTY, RECEIVING, ETC.....	20	21	19	39	15	1.8	2.0	2.0	4.0	1.7
FORGERY AND COUNTERFEITING.....	129	146	92	110	106	11.9	13.4	9.8	11.4	17.7
RAPE.....	24	23	23	41	19	3.1	2.6	3.1	4.7	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 3. — PROCEEDURAL OUTCOME FOR DEFENDANTS CHANGED WITH MAJOR OFFENSES

PROCEEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF . . .	10,048	100.0	11,113	100.0	10,859	100.0	831	100.0	831	100.0
ELIMINATED WITHOUT CONVICTION	191	1.9	193	1.7	127	11.7	101	12.1	0	0
DISMISSED	1	0.01	1	0.01	2	0.2	0	0	0	0
ACQUITTED BY COURT (JURY WAIVED)	189	1.9	192	1.7	125	11.5	101	12.1	0	0
ACQUITTED BY JURY	2	0.02	2	0.02	1	0.01	0	0	0	0
OTHER NON-PENALTY DISPOSITION	87	0.9	87	0.8	52	4.8	31	3.7	0	0
PLEA OF GUILTY	8,770	87.3	9,443	84.3	9,557	87.3	6,953	83.7	6,953	83.7
COURT FINDS GUILTY (JURY WAIVED)	15	0.15	17	0.15	14	0.13	11	1.3	0	0
JURY FINDS GUILTY	75	0.75	54	0.48	45	4.1	32	3.8	0	0

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	8,577	100.0	9,776	100.0	442	100.0	962	100.0	751	100.0
DEATH PENALTY	0	0	0	0	0	0	0	0	0	0
STATE PRISONS OR REFORMATORIES	416	4.9	502	5.1	427	96.3	447	46.5	348	46.5
PROBATION OF SUSPENDED SENTENCE	102	1.2	119	1.2	142	32.1	263	27.3	233	30.9
LOCAL JAILS, WORKHOUSES, ETC.	23	0.3	12	0.1	8	1.8	14	1.5	13	1.7
FINE OR COSTS ONLY	0	0	0	0	0	0	0	0	0	0
INSTITUTIONS FOR JUVENILES	2	0.02	0	0	2	0.4	0	0	0	0
OTHER SENTENCE	0	0	0	0	0	0	0	0	0	0

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

OFFENSE	TOTAL DEFENDANTS DISPOSED OF		PROCEEDURAL OUTCOME						CONVICTION AND SENTENCE						SENTENCE OR TREATMENT					
	TOTAL	DISPOSED WITHOUT CONVICTION	DISPOSED OF WITHOUT CONVICTION			CONVICTION AND SENTENCE			PLEA OF GUILTY	PLEA OF NOT GUILTY	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
			DISMISSED	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	OTHER	ACQUITTED												
ALL OFFENSES: TOTAL	1,410	741	197	4	27	956	21	92	2	442	380	147	90	6	2	2	2	2	2	2
MAJOR OFFENSES: TOTAL	1,048	191	154	1	19	769	15	75	2	416	205	102	25	5	2	2	2	2	2	2
MURDER	15	2	1	0	1	3	1	9	2	11	5	1	1	0	0	0	0	0	0	0
MANSLAUGHTER	25	2	2	0	2	21	2	27	4	23	7	1	1	0	0	0	0	0	0	0
ROBBERY	39	17	6	0	6	41	2	43	6	37	6	0	4	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	63	17	6	0	10	52	6	58	6	52	6	0	4	0	0	0	0	0	0	0
UNLAWFUL WEAPON	146	20	14	1	2	126	123	3	3	126	59	12	3	1	1	1	1	1	1	1
LARCENY, EXCEPT THEFT	227	56	34	1	5	184	3	14	3	184	82	29	4	1	1	1	1	1	1	1
AUTO THEFT	75	17	11	2	2	61	57	4	4	61	30	18	3	1	1	1	1	1	1	1
EMBEZZLEMENT AND FRAUD	132	27	21	2	4	105	2	5	5	105	8	6	2	3	3	3	3	3	3	3
STOLEN PROPERTY, RECEIVING, ETC.	243	54	13	2	20	17	1	7	7	171	47	6	2	3	3	3	3	3	3	3
FORGERY AND COUNTERFEITING	125	14	13	1	1	109	121	10	10	109	26	5	3	1	1	1	1	1	1	1
RAPE	48	14	1	1	1	34	24	2	2	34	1	1	1	1	1	1	1	1	1	1
COMMERCIALIZED VICE	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
OTHER SEX OFFENSES	71	12	11	1	1	59	5	3	3	59	18	10	11	1	1	1	1	1	1	1
VIOLATING DRUG LAWS	2	0	0	0	0	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1
CARRYING, ETC., WEAPONS	24	5	4	1	7	19	17	2	2	19	5	19	7	1	1	1	1	1	1	1
OTHER MAJOR OFFENSES	24	5	4	1	7	19	17	2	2	19	5	19	7	1	1	1	1	1	1	1
VIOLATION OF PROBATION	15	3	3	0	3	11	1	1	1	11	3	9	1	1	1	1	1	1	1	1
BLANKET	3	0	0	0	0	3	3	0	0	3	2	1	1	1	1	1	1	1	1	1
BLACKMAIL AND EXTORTION	3	0	0	0	0	3	3	0	0	3	2	1	1	1	1	1	1	1	1	1
ESCAPE AND JAIL BREAK	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
KIDNAPING	4	1	1	1	1	3	2	2	2	3	1	1	1	1	1	1	1	1	1	1
PERJURY	4	1	1	1	1	3	2	2	2	3	1	1	1	1	1	1	1	1	1	1
MINOR OFFENSES: TOTAL	362	150	138	3	8	187	6	19	6	187	75	45	65	1	1	1	1	1	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

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 399 defendants charged with major crimes against property (robbery, burglary, larceny, auto theft, embezzlement, fraud, stolen property, forgery, and counterfeiting), 298, or about 9 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 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 DISMISSED OF.....	533	100.0	413	100.0	475	100.0	424	100.0	649	100.0
ELIMINATED WITHOUT CONVICTION.....	138	25.9	93	22.2	97	22.8	96	22.7	144	22.2
DISMISSED.....	79	14.8	71	17.0	79	18.6	66	15.6	117	18.0
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	31	7.5	16	3.8	7	1.6	18	2.8
OTHER VERDICTS.....	395	74.1	325	77.8	338	77.9	359	83.9	507	77.8
CONVICTIONS.....	380	71.3	314	75.1	311	72.2	317	75.0	486	74.9
PLEA OF GUILTY.....	4	0.8	2	0.5	1	0.2	1	0.2	0	0
COURT FINDS GUILTY (JURY WAIVED).....	11	2.1	9	2.2	16	3.8	20	4.5	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.....	1	0.3	-	-	1	0.3	-	-	0	0
STATE PRISONS OR REFORMATORIES.....	147	37.9	116	28.7	134	33.5	128	31.9	184	36.4
PROBATION OF SUSPENDED SENTENCE.....	105	26.4	91	22.8	97	24.6	87	22.1	132	26.1
PROBATION OF SUSPENDED SENTENCE, ETC.....	72	18.2	66	16.2	53	13.4	83	21.0	122	24.2
FINE OR COSTS ONLY.....	20	5.1	37	9.1	30	7.6	34	8.6	59	11.7
FINE OR COSTS FOR JUVENILES.....	50	12.7	14	3.5	13	3.3	10	2.6	8	1.6
INSTITUTIONS FOR JUVENILES.....	20	5.1	14	3.5	13	3.3	10	2.6	8	1.6
OTHER SENTENCE.....	1	0.3	-	-	1	0.3	-	-	0	0

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

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OR TREATMENT									
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					DEATH PENALTY					OTHER INSTITUTIONS				
	TOTAL DISPOSED OF WITHOUT CONVICTION	ACQUITTED BY COURT (JURY WAIVED)	ACQUITTED BY JURY	OTHER	TOTAL CONVICTED AND SENTENCED	PLEA GUILTY	COURT GUILTY (JURY WAIVED)	JURY VERDICT GUILTY	DEATH PENALTY	REFORMATORIES	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, HOUSES, ETC.	FINE OR COSTS ONLY	OTHER INSTITUTIONS FOR JUVENILES ONLY						
ALL OFFENSES.....	4,289	470	301	6	15	148	3,819	3,757	51	31	-	-	196	31.0	674	2,587	33	11		
MAJOR OFFENSES, TOTAL.....	533	138	79	-	5	54	395	380	4	11	-	-	147	105	72	50	20	1		
MURDER.....	1	-	1	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
MANSLAUGHTER.....	9	4	3	-	1	1	5	4	-	1	-	-	-	-	-	-	-	-	-	
ROBBERY.....	6	1	1	-	1	1	5	4	-	1	-	-	-	-	-	-	-	-	-	
AGGRAVATED ASSAULT.....	3	1	-	-	1	1	2	1	-	1	-	-	-	-	-	-	-	-	-	
BIGAMY.....	84	16	5	-	11	68	67	1	-	1	-	-	36	17	2	2	11	7	1	
LARCENY, EXCEPT AUTO THEFT.....	219	53	29	-	22	166	164	11	-	1	-	-	35	41	55	27	7	1	1	
AUTO THEFT.....	13	3	4	-	3	11	11	1	-	1	-	-	8	4	1	2	2	1	1	
EMBEZZLEMENT AND FRAUD.....	57	12	9	-	3	25	25	1	-	1	-	-	5	10	3	7	1	1	1	
STOLEN PROPERTY, RECEIVING, ETC.....	27	1	1	-	1	25	28	1	-	1	-	-	11	4	6	1	1	1	1	
FORGERY AND COUNTERFEITING.....	22	1	0	-	4	22	22	1	-	1	-	-	3	2	1	1	1	1	1	
COMMERCIALIZED VIO.....	6	1	0	-	4	6	6	1	-	1	-	-	1	2	1	1	1	1	1	
OTHER SEX OFFENSES.....	90	19	14	-	5	61	59	2	-	2	-	-	28	27	1	4	1	1	1	
VIOLATING DRUG LAWS.....	1	1	1	-	2	2	2	1	-	1	-	-	10	2	4	-	-	-	-	
CARRYING, ETC., WEAPONS.....	23	1	3	-	2	16	15	1	-	1	-	-	2	2	-	-	-	-	-	
OTHER MAJOR OFFENSES.....	8	4	-	-	2	4	3	1	-	1	-	-	2	2	-	-	-	-	-	
ABORTION.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ARSON.....	8	4	-	-	2	2	2	1	-	1	-	-	1	1	-	-	-	-	-	
BIGAMY.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
BLACKMAIL AND EXTORTION.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
ESCAPE AND JAIL BREAK.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
PERMITS.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
PERJURY.....	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
MINOR OFFENSES ¹	3,756	332	222	6	10	94	3,424	3,357	47	20	-	-	49	21.3	602	2,537	13	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: QUANTITY ZERO, IN NUMBER COLUMNS, -; QUANTITY ZERO, IN PERCENT COLUMNS, 0.
 3-20242

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 1,315 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) 188, 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 64.0 in 1938 to 60.7 in 1941. The rate for defendants convicted of major offenses decreased from 73.2 in 1938 to 64.6 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 76.1 in 1938 to 71.8 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 46.9 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	3.1	3.1
BURGLARY.....	191	278	225	272	256	6.8	10.0	8.1	10.0	9.4
LARCENY, EXCEPT AUTO THEFT.....	538	636	702	772	630	19.3	22.8	23.4	24.2	23.2
AUTO THEFT.....	139	151	170	171	173	5.0	5.4	6.2	6.3	6.0
EMBEZZLEMENT AND FRAUD.....	61	52	71	75	81	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	331	374	287	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	64.6	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	62	1.5	2.1	2.2	2.2	2.3
BURGLARY.....	172	264	220	254	236	6.2	9.5	8.0	9.3	8.7
LARCENY, EXCEPT AUTO THEFT.....	439	590	639	725	560	17.8	21.1	23.1	26.1	20.6
AUTO THEFT.....	155	143	161	152	160	5.8	5.1	5.8	5.6	4.9
EMBEZZLEMENT AND FRAUD.....	42	36	59	55	54	1.5	1.3	2.1	2.0	1.3
STOLEN PROPERTY, RECEIVING, ETC.....	24	35	23	51	20	0.9	1.3	1.0	1.9	0.7
FORGERY AND COUNTERFEITING.....	270	333	303	343	259	9.7	11.9	11.2	12.1	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	133	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 3.—TYPES 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.....	1,622	100.0	1,607	100.0	1,673	100.0	1,601	100.0	1,576	100.0
DEATH PENALTY.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
STATE PRISON OR REFORMATORY.....	683	44.9	703	45.6	850	44.9	903	45.1	757	45.2
PROBATION OR SUSPENDED SENTENCE.....	651	42.4	719	39.8	740	39.5	748	39.4	672	40.1
LOCAL JAILS, WORKHOUSES, ETC.....	149	9.7	244	13.3	212	11.3	267	13.3	180	10.7
FINE OR COSTS ONLY.....	27	1.8	55	3.0	55	2.9	38	1.7	51	3.6
INSTITUTIONS FOR JUVENILES.....	1	0.1	.....	.....	.....	.....	.....	.....	.....	.....
OTHER SENTENCE.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

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

PROCEDURAL OUTCOME	1941		1940		1939		1938		1937	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
DEFENDANTS DISPOSED OF.....	1,740	100.0	1,730	100.0	1,748	100.0	1,690	100.0	1,610	100.0
ELIMINATED WITHOUT CONVICTION.....	174	10.0	183	10.6	166	9.5	194	11.5	173	10.8
DISMISSED BY COURT.....	174	10.0	183	10.6	166	9.5	194	11.5	173	10.8
ACQUITTED BY JURY.....	1	0.1	2	0.2	173	9.9	183	10.8	184	11.4
ACQUITTED BY COURT.....	47	2.5	43	2.5	56	3.2	42	2.5	40	2.5
OTHER NON-FORMAL DISPOSITION.....	5	0.3	7	0.4	8	0.4	18	1.0	15	0.9
CONVICTED.....	1,566	89.7	1,547	89.3	1,582	90.5	1,496	88.5	1,437	89.1
PLEA OF GUILTY.....	1,454	84.1	1,411	81.5	1,434	82.0	1,402	82.9	1,373	85.3
COURT FINDS GUILTY (JURY WAIVED).....	7	0.4	3	0.2	48	2.7	94	5.6	64	4.0
JURY VERDICT GUILTY.....	61	4.1	62	3.7	105	6.0	102	6.1	90	5.7

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

OFFENSE	PROCEDURAL OUTCOME										SENTENCE OF TREATMENT																									
	DISPOSED OF WITHOUT CONVICTION					CONVICTED AND SENTENCED					TOTAL CONVICTED AND SENTENCED	DEATH PENALTY	STATE PRISON OR REFORMATORY	PROBATION OR SUSPENDED SENTENCE	LOCAL JAILS, WORKHOUSES, ETC.	FINE OR COSTS ONLY	INSTITUTIONS FOR DELINQUENTS	OTHER SENTENCE																		
	TOTAL	DISMISSED	ACQUITTED BY COURT	ACQUITTED BY JURY	OTHER	PLA GUILTY	JURY GUILTY	JURY WAIVED	PLA GUILTY	JURY GUILTY									JURY WAIVED																	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT																		
ALL OFFENSES.....	2,101	.....	226	10.7	2	.....	52	2.4	5	0.2	1,766	83.6	.....	.....	705	33.5	843	40.1	204	9.7	114	5.4	2	0.1	.....	.....	.....	.....	.....	.....
MAJOR OFFENSES, TOTAL.....	1,696	.....	174	10.3	1	.....	43	2.5	5	0.3	1,424	83.9	.....	.....	683	40.3	651	38.4	148	8.7	27	1.6	2	0.1	.....	.....	.....	.....	.....	.....
MURDER.....	17	.....	5	29.4	.....	.....	1	5.9	1	5.9	9	52.9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
MANSLAUGHTER.....	37	.....	11	29.7	.....	.....	9	24.3	1	2.7	15	40.5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ROBBERY.....	57	.....	18	31.6	.....	.....	6	10.5	1	1.8	30	52.8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
AGGRAVATED ASSAULT.....	57	.....	18	31.6	.....	.....	6	10.5	1	1.8	30	52.8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ARSON.....	191	.....	19	9.9	.....	.....	5	2.6	.....	.....	122	63.9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
LARCENY, EXCEPT AUTO THEFT.....	539	.....	41	7.6	.....	.....	4	0.7	.....	.....	495	91.8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
AUTO THEFT.....	134	.....	4	3.0	.....	.....	2	1.5	.....	.....	132	97.8	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
EMBEZZLEMENT AND FRAUD.....	61	.....	19	31.2	.....	.....	2	3.3	.....	.....	40	65.6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
STOLEN PROPERTY, RECEIVING, ETC.....	295	.....	25	8.5	.....	.....	2	0.7	.....	.....	21	7.1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
FORGERY AND COUNTERFEITING.....	110	.....	15	13.6	.....	.....	2	1.8	.....	.....	93	84.5	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
RAPE.....	10	.....	1	10.0	.....	.....	1	10.0	.....	.....	8	80.0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
COMMERCIAL ZEEB VIO.....	90	.....	7	7.8	.....	.....	1	1.1	.....	.....	67	74.4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
VIOLATING BRIG LAWS.....	3	.....	1	33.3	.....	.....	1	33.3	.....	.....	2	66.7	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
VIOLATING ETC., WEAPONS.....	2	1	50.0	1	50.0	1	50.0
CARRYING ETC., WEAPONS.....	64	7	10.9	1	1.6	54	84.4
OTHER MAJOR OFFENSES.....	13	.....	1	7.7	.....	.....	1	7.7	.....	.....	12	92.3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ABORTION.....	28	.....	1	3.6	.....	.....	1	3.6	.....	.....	27	96.4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ARSON.....	9	.....	1	11.1	.....	.....	1	11.1	.....	.....	8	88.9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
BIGAMY.....	2	.....	1	50.0	.....	.....	1	50.0	.....	.....	1	50.0	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
ESCAPE FROM JAIL, BREAK.....	9	.....	1	11.1	.....	.....	1	11.1	.....	.....	8	88.9	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
KIDNAPING.....	6	.....	1	16.7	.....	.....	1	16.7	.....	.....	5	83.3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
PERJURY.....	6	.....	1	16.7	.....	.....	1	16.7	.....	.....	5	83.3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
MINOR OFFENSES.....	405	.....	52	12.8	.....	.....	9	2.2	.....	.....	353	87.2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
MINOR OFFENSES, TOTAL.....	405	.....	52	12.8	.....	.....	9	2.2	.....	.....	353	87.2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

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.
 SYMBOLS: CLASS OR ITEM NOT APPLICABLE,; QUANTITY ZERO, -; QUANTITY ZERO, IN NUMBER COLUMNS, -; 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), 186, 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 46.8 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 24.8 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 84.1 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 34.5 in 1937 to 62.4 in 1940, but dropped to 51.4 in 1941. The percentage of defendants placed on probation decreased from 34.5 in 1937 to 28.6 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 in-jury 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	25	33	57	28	6.3	3.2	5.0	8.9	4.5
ROBBERY.....	262	209	261	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.....	287	339	300	317	383	43.3	51.1	45.6	49.7	62.1
LARCENY, EXCEPT AUTO THEFT.....	201	145	171	207	241	26.3	21.9	26.0	31.4	39.1
AUTO THEFT.....	271	173	155	203	225	40.9	26.3	23.6	32.1	36.5
EMBEZZLEMENT AND RECEIVING, ETC.....	174	65	87	114	83	14.6	9.8	17.2	25.7	14.4
STOLEN PROPERTY, RECEIVING, ETC.....	56	44	45	51	42	5.4	6.6	6.8	8.0	6.8
FORGERY AND COUNTERFEITING.....	87	63	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	46	9.5	14.3	26.4	17.1	7.8
DEFENDANTS CONVICTED										
MAJOR OFFENSES, TOTAL.....	1,144	1,086	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	150	193	211	283	22.2	24.1	30.2	33.1	43.5
AGGRAVATED ASSAULT.....	131	101	99	127	107	13.8	15.2	15.0	19.9	17.4
BURGLARY.....	226	309	261	272	349	24.1	46.5	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	25.1	28.9
EMBEZZLEMENT AND FRAUD.....	49	46	49	76	53	7.4	7.7	7.4	12.2	8.6
STOLEN PROPERTY, RECEIVING, ETC.....	24	26	23	30	19	3.4	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	79	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	15,520	100.0	17,788	100.0	17,170	100.0
ELIMINATED WITHOUT CONVICTION:	5,017	30.5	5,253	34.1	5,275	34.0	4,422	24.9	4,172	24.3
DISMISSED:	284	1.7	162	1.1	250	1.6	327	1.8	301	1.7
ACQUITTED BY COURT (JURY WAIVED):	34	0.2	35	0.2	36	0.2	7	0.0	4	0.0
ACQUITTED BY JURY:	173	1.0	52	0.3	117	0.8	154	0.9	165	1.0
OTHER NONPENAL DISPOSITION:	1,182	7.2	1,088	7.1	1,145	7.4	725	4.1	1,308	7.6
PLEA OF GUILTY:	892	5.4	914	6.0	955	6.2	1,069	6.0	1,107	6.4
COURT FINDS GUILTY (JURY WAIVED):	8	0.0	2	0.0	1	0.0	4	0.0	0	0.0
JURY VERDICT GUILTY:	2,44	14.8	1,72	11.2	1,89	12.5	2,23	12.5	2,01	11.7

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:	11,44	100.0	10,88	100.0	11,45	100.0	12,96	100.0	13,08	100.0
DEATH PENALTY:	6	0.5	1	0.1	0	0.0	0	0.0	0	0.0
REFORMATORY:	705	61.4	670	61.3	697	60.3	776	59.5	713	54.1
INSTITUTIONS:	137	12.0	137	12.6	104	9.1	167	12.9	155	11.9
FINES OR COSTS ONLY FOR JUVENILES:	6	0.5	3	0.3	5	0.4	3	0.2	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 THE DISTRICT COURT, BY OFFENSE: DISTRICT OF COLUMBIA, 1941

OFFENSE	TOTAL DEFENDANTS DISPOSED OF	PROCEDURAL OUTCOME						SENTENCE OR TREATMENT								
		DISPOSED WITHOUT CONVICTION			CONVICTED AND SENTENCED			DEATH PENALTY	REFORMATORY ¹	PROBATION OR SUPERSEDED SENTENCE	LOCAL JAILS, HOUSES OF CORRECTIONS, ETC.	FINES OR COSTS ONLY	INSTITUTIONS FOR JUVENILE DELINQUENTS	OTHER SENTENCE		
		TOTAL DISPOSED	ACQUITTED (COURT WAIVED)	ADMITTED (JURY)	TOTAL CONVICTED	PLEA OF GUILTY	COURT VERDICT GUILTY									
ALL OFFENSES:	1,849	556	326	183	12	1,293	1,018	8	267	6	718	353	202	14	-	-
MAJOR OFFENSES, TOTAL:	1,645	501	284	173	10	1,144	942	8	244	6	702	293	137	6	-	-
NUMBER:	21	8	4	1	3	13	4	9	9	3	10	-	-	-	-	-
MANSLAUGHTER:	42	16	3	4	8	26	9	16	20	1	20	-	-	-	-	-
ROBBERY:	262	115	72	2	41	147	101	46	8	6	8	-	-	-	-	-
AGGRAVATED ASSAULT:	219	88	41	1	131	67	131	53	25	10	53	-	-	-	-	-
BURGLARY:	287	51	33	9	16	260	147	14	14	75	75	-	-	-	-	-
LARCENY, EXCEPT AUTO THEFT:	1,011	59	24	1	3	204	204	1	26	108	86	-	-	-	-	-
AUTO THEFT:	1,071	43	5	17	1	481	41	8	26	26	15	-	-	-	-	-
EMBEZZLEMENT AND FRAUD:	21	35	12	11	-	24	5	14	5	14	5	-	-	-	-	-
FORGERY AND COUNTERFEITING:	87	15	9	2	2	74	68	6	6	40	24	-	-	-	-	-
RAPE:	59	34	15	4	17	25	4	2	3	18	3	-	-	-	-	-
COMMERCIALIZED VICE:	8	4	4	-	-	4	2	1	2	3	1	-	-	-	-	-
OTHER SEX OFFENSES:	17	4	2	2	1	13	10	3	3	1	1	-	-	-	-	-
VIOLATING DRUG LAWS:	30	17	11	-	-	17	12	5	1	2	3	-	-	-	-	-
CARRYING, ETC., WEAPONS:	8	2	2	-	-	6	6	1	1	1	1	-	-	-	-	-
OTHER MAJOR OFFENSES:	30	17	11	-	-	17	12	5	1	2	3	-	-	-	-	-
ABORTION:	8	2	5	-	-	7	7	1	1	4	2	-	-	-	-	-
PRISON:	1	1	1	-	-	1	1	1	1	1	1	-	-	-	-	-
BLIGHTED HOPE:	1	1	1	-	-	1	1	1	1	1	1	-	-	-	-	-
ESCAPE AND JAIL BREAK:	5	1	2	-	-	3	3	3	2	2	2	-	-	-	-	-
KIDNAPING:	1	1	1	-	-	1	1	1	1	1	1	-	-	-	-	-
PERJURY:	11	5	4	-	-	6	5	4	2	4	2	-	-	-	-	-
MINOR OFFENSES ² :	204	55	42	1	10	2	149	126	-	23	15	60	65	8	-	-

¹ THE REFORMATORY AT LORTON, 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, WHICH INCLUDES MINOR ASSAULT, MURDER, VIOLATING DRUG LAWS, GAMBLING, OR VIOLATING LAWS, AND ALL OTHER OFFENSES GENERALLY CLASSIFIED AS MISDEMEANORS WHICH ARE USUALLY TRIED IN MINOR COURTS.

² SYMBOLS: 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, 67.6 percent were tried within 59 days after entering plea, but of the defendants who were convicted 73.5 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 57.4 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, 53, 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	23	1	244	138	40	2	1	60	2
45-59 DAYS.....	153	50	24	3	23	-	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	70	6	111	47	25	-	-	35	4
6-11 MONTHS.....	79	39	21	2	16	-	31	11	9	-	-	7	4
12 MONTHS AND OVER.....	70	47	30	-	11	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	...	15.2	...	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	...	14.6	...	18.9	15.9	27.4	...	...	24.5	...
45-59 DAYS.....	7.2	9.0	7.4	...	11.6	...	6.4	4.8	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.....	1,840	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	145	7	1	245	22
UNDER 1 MONTH.....	1,492	460	256	34	165	5	1,022	693	72	7	2	238	21
0-7 DAYS.....	1,083	397	216	30	148	3	696	423	11	7	1	217	17
8-14 DAYS.....	234	49	33	4	10	2	195	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.....	102	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	17	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	48.7	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	-	5	41	-	59	-	-	2	-	54	2
1 MONTH.....	105	46	-	8	58	-	58	-	-	-	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	-	33	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	48.6	0	...	47.5	...	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	PROBATION 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	1	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	19.0	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	31.5	22.3	...	0	0
45-59 DAYS.....	6.4	...	5.0	8.2	7.9	...	0	0
2 MONTHS.....	7.8	...	8.1	7.1	7.4	...	0	0
3-5 MONTHS.....	8.6	...	7.8	7.9	9.9	...	0	0
6-11 MONTHS.....	2.4	...	2.3	1.3	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	160
MURDER, FIRST DEGREE.....	17	6	5	6
MURDER, SECOND DEGREE.....	13	1	2	9
MANSLAUGHTER.....	30	15	11	4
NEGLECT HOMICIDE.....	3	1	2	-
ROBBERY.....	250	101	134	25
ATTEMPT TO COMMIT ROBBERY.....	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.....	306	61	226	18
LARCENY, EXCEPT AUTO THEFT.....	170	39	109	22
PETTY LARCENY.....	1	-	1	-
AUTO THEFT.....	266	40	228	-
EMBEZZLEMENT AND FRAUD.....	97	48	48	1
STOLEN PROPERTY, RECEIVING, ETC.....	27	12	24	3
FORGERY AND COUNTERFEITING.....	87	13	74	-
RAPE.....	28	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	28	-
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
NEGLECT HOMICIDE.....	6	2	4
ROBBERY.....	134	134	-
ATTEMPT TO ROB.....	11	8	3
ATTEMPT TO COMMIT ROBBERY.....	2	1	1
AGGRAVATED ASSAULT.....	3	3	-
ASSAULT WITH DEADLY WEAPON.....	127	126	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 56 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 83.3 percent of the defendants were convicted. In 1941, 83.2 percent of all defendants were convicted; 71.7 percent pleaded guilty, 4.7 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 41.4 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				
	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	699	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.....	1,000	1,000	1,000	1,000	1,000	10.0	10.0	10.0	10.0	10.0
FORGERY AND COUNTERFEITING.....	399	504	479	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.....	35	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.....	355	499	494	674	525	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	11.6
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	135	151	122	1.0	1.2	2.0	1.9	1.8
FORGERY AND COUNTERFEITING.....	371	408	392	516	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	2.5
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 97.7 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 ENHANCED POPULATION OF 1941; 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.....	4,515	100.0	5,320	100.0	5,536	100.0	6,459	100.0	6,010	100.0
ELIMINATED WITHOUT CONVICTION.....	760	16.8	857	16.3	925	16.7	997	15.4	1,153	19.2
DISMISSED BY COURT (JURY WAIVED).....	528	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.....	11	0.5	17	0.3	2.2	0.0	1.79	0.0	1.58	0.0
OTHER NON-PENALTY DISPOSITION.....	24	0.5	48	0.9	4.1	0.0	53	0.8	70	1.2
CONVICTED.....	3,755	83.2	4,463	83.7	4,611	83.3	5,462	84.6	4,857	80.8
PLEA OF GUILTY.....	32,355	71.7	39,599	74.4	40,770	73.5	47,377	73.3	41,777	69.5
COURT FINDS GUILTY (JURY WAIVED).....	217	4.8	225	4.2	236	4.3	236	3.6	304	5.0
JURY VERDICT GUILTY.....	305	6.7	271	5.1	305	5.5	472	7.3	347	5.8

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.....	3,755	100.0	4,453	100.0	4,611	100.0	5,462	100.0	4,857	100.0
DEATH PENALTY.....	2	0.1	7	0.2	1	0.0	18	0.3	3	0.1
STATE PRISONS OR REFORMATORIES.....	1,721	45.6	2,083	45.6	2,093	45.4	2,506	45.9	2,279	46.9
PROBATION OF SUSPENDED SENTENCE.....	1,575	41.9	1,890	42.2	2,001	43.4	2,237	42.1	1,932	39.8
LOCAL JAILS, WORKHOUSES, ETC.....	301	8.0	295	6.6	379	8.2	469	8.6	527	10.9
FINE OR COSTS ONLY.....	138	4.2	188	4.2	157	3.0	173	3.2	225	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 TRIAL							
	TOTAL DISPOSED WITHOUT CONVICTION		DISMISSED		ACQUITTED BY COURT (JURY WAIVED)		ACQUITTED BY JURY		OTHER		TOTAL CONVICTED		PLEA GUILTY		COURT FINDS GUILTY (JURY WAIVED)		DEATH PENALTY		STATE PRISONS OR REFORMATORIES		LOCAL JAILS, WORKHOUSES, ETC.		FINE OR COSTS ONLY		INSTITUTIONS FOR JUVENILES		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.....	6,694	1,172	861	138	147	26	5,522	4,825	508	309	2	1,784	2,144	673	919	2	1,721	1,573	301	158	-	-	-	-	-	-	-	-
MAJOR OFFENSES, TOTAL.....	4,515	760	528	97	111	24	3,755	3,235	217	303	2	1,721	1,573	301	158	-	-	-	-	-	-	-	-	-	-	-	-	-
MURDER.....	58	22	6	3	10	3	36	13	7	16	2	34	54	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
MANSLAUGHTER.....	193	32	11	8	12	1	161	121	14	26	2	121	72	26	11	-	-	-	-	-	-	-	-	-	-	-	-	-
ROBBERY.....	452	96	60	17	15	4	358	276	36	44	4	272	79	5	3	-	-	-	-	-	-	-	-	-	-	-	-	-
AGGRAVATED ASSAULT.....	234	55	32	13	6	4	179	137	17	25	2	137	82	5	3	-	-	-	-	-	-	-	-	-	-	-	-	-
BURGLARY.....	1,080	125	89	16	19	1	955	851	40	64	4	474	455	24	8	-	-	-	-	-	-	-	-	-	-	-	-	-
LARCENY, EXCEPT AUTO THEFT.....	634	86	62	16	7	1	548	492	22	34	2	211	220	19	3	-	-	-	-	-	-	-	-	-	-	-	-	-
AUTO THEFT.....	499	55	45	3	5	2	449	310	6	15	1	210	220	36	6	-	-	-	-	-	-	-	-	-	-	-	-	-
EMBEZZLEMENT AND FRAUD.....	371	102	51	3	10	1	316	210	3	4	1	150	122	17	10	-	-	-	-	-	-	-	-	-	-	-	-	-
STOLEN PROPERTY, RECEIVING ETC.....	399	63	57	2	9	2	321	216	11	11	1	147	166	7	4	-	-	-	-	-	-	-	-	-	-	-	-	-
FORGERY AND COUNTERFEITING.....	157	36	22	4	2	4	92	63	13	26	2	79	22	20	2	-	-	-	-	-	-	-	-	-	-	-	-	-
CHEMICAL SEX VIOLENCE.....	41	29	1	1	1	1	35	31	2	2	6	3	15	7	5	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER SEX OFFENSES.....	132	29	13	5	8	3	105	77	16	10	2	76	15	7	5	-	-	-	-	-	-	-	-	-	-	-	-	-
VIOLATING DRUG LAWS.....	21	18	13	2	2	2	21	18	2	1	4	4	37	4	4	-	-	-	-	-	-	-	-	-	-	-	-	-
CARRYING, ETC., WEAPONS.....	121	25	15	3	5	2	105	97	5	13	1	38	29	6	6	-	-	-	-	-	-	-	-	-	-	-	-	-
OTHER MAJOR OFFENSES.....	177	33	3	3	5	2	169	110	5	7	2	58	42	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-
ADULTERY.....	5	13	0	2	3	2	34	28	1	5	1	15	17	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-
ABDUCTION.....	47	10	0	1	1	1	46	14	2	2	3	11	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-
BLINDING.....	15	3	0	1	1	1	14	1	1	1	1	1	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-
SLAVERY AND EXTORTION.....	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	-	-	-	-	-	-	-	-	-	-	-	-	-
KIDNAPING.....	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	-	-	-	-	-	-	-	-	-	-	-	-	-
MINOR OFFENSES ¹	2,179	412	333	41	36	2	1,767	1,590	91	86	63	571	372	761	-	-	-	-	-	-	-	-	-	-	-	-	-	-

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; WHEN FIGURE IS MORE THAN 0 AND LESS THAN 0.05, 0.0.

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						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	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	122	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	718	72	28	-	12	2
15-29 DAYS	1,284	124	52	30	36	4	1,160	875	104	73	13	85	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	85	55	13	22	5	419	268	56	34	2	50	9
3-5 MONTHS	513	152	99	13	18	2	361	237	47	28	7	54	8
6-11 MONTHS	285	138	124	4	8	1	130	98	8	9	-	16	1
12 MONTHS AND OVER	468	373	367	6	2	-	95	68	9	6	-	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	...	29.5	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	14.4	16.3	10.3	...	3.8	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	21.9
45-59 DAYS	6.1	6.3	5.0	11.6	8.2	...	5.1	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	17.9
3-5 MONTHS	7.7	11.3	11.5	9.4	12.2	...	6.9	5.2	10.7	10.3	...	16.0	15.7
6-11 MONTHS	4.0	11.6	11.3	5.4	5.4	...	2.4	2.2	1.4	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						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 ENTERING PLEA	578	578	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	1,284	71	35	14	23	1	1,177	875	11	1	1	35	4
15-29 DAYS	819	32	14	5	12	1	787	638	104	31	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	2	-	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	2	-	240	188	40	5	-	7	-
6-11 MONTHS	99	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	...	6.5	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	0.9	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 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 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 488, 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 64.5 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.

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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 ¹	DISPOSED OF WITHOUT CONVICTION					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 TRIED.....	5,712	887	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	-	-	142	23	205	28
0-7 DAYS.....	221	70	-	43	27	-	151	-	-	72	5	67	6
8-14 DAYS.....	173	43	-	21	22	-	130	-	-	56	6	57	11
15-29 DAYS.....	207	50	-	24	26	-	157	-	-	54	12	60	11
1 MONTH.....	214	71	-	33	36	-	143	-	-	50	7	73	15
30-44 DAYS.....	141	44	-	20	24	-	97	-	-	34	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	87.5	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	18.2	15.0	...	18.7	0	0	20.6	...	16.9	21.6
15-29 DAYS.....	21.1	17.5	0	17.4	17.7	...	21.5	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	15.3	...	13.9	0	0	12.9	...	13.9	23.5
45-59 DAYS.....	7.4	9.5	0	9.4	8.5	...	6.6	0	0	5.9	...	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	6.1	15.7	...	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	...	0.5	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 ¹ 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	1,670	438	713	-	-
0-7 DAYS.....	1,573	-	469	460	234	450	-	-
8-14 DAYS.....	836	-	290	270	99	77	-	-
15-29 DAYS.....	1,160	1	388	500	105	186	-	-
1 MONTH.....	928	1	347	477	106	77	-	-
30-44 DAYS.....	592	1	234	352	64	41	-	-
45-59 DAYS.....	336	-	113	145	42	36	-	-
2 MONTHS.....	419	-	122	176	80	41	-	-
3-6 MONTHS.....	381	-	115	171	34	61	-	-
6-11 MONTHS.....	130	-	24	78	6	23	-	-
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
3-6 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 15.6 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-

vinced and sentenced. Of the defendants who were convicted, 62.8 percent were tried in less than 1 month after plea, as compared with 59.2 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.)

