



1926

## Crime Statistics

North Dakota Law Review

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constitute an Executive Committee, which has taken active charge and is planning for two district meetings during the year.

The Lake Region District, one of the first to be organized, just held a very successful meeting at Langdon on the 6th of October, which was graced by the presence of the State President, who delivered an excellent address on "The Heart and Soul of the Constitution of the United States." Messrs. Spencer and Cross, Barristers and Solicitors of Morden, Canada, were guests of the District, and contributed effectively to the program.

We are advised that the attendance of local business men was solicited for this meeting, and, because of the cordiality of the invitation, quite a number accepted. This may seem new and novel to some of our practitioners, but we have the word of President Lawrence and Mr. Cuthbert that it was also stimulating and of much mutual benefit. That being the case, the suggestion will merit the consideration of committees having charge of other district programs.

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### THE PSYCHIATRIST'S REMEDY

Doctor William A. White, Director of St. Elizabeth's Hospital, of Washington, D. C., comes forward with an appeal for more scientific approach to the crime problem, and makes the following concrete suggestions:

1. Segregate the dangerous anti-social types so long as they continue dangerous. This means largely doing away with fixed sentences, at least for certain types of crime, and making the return to freedom conditional upon some change in the individual that gives one a right to suppose that perhaps he will function more effectively as a social unit than he has in the past.

2. Eliminate punishment as a vengeance motive and retain it only for definitely constructive ends for conditioning conduct.

3. Transform prisons into laboratories for the study of human behavior and the conditioning of human conduct.

4. Abolish the hypothetical question in trials.

5. Discard the concept of responsibility. This is largely a metaphysical one. Society should be protected from people who act anti-socially. This should be done without raising metaphysical questions.

6. Make the positions of District Attorney and Judge of the Criminal Courts permanent positions, appointment to be on competitive examination and protected by civil service laws.

7. Have District Attorneys and Criminal Court Judges serve internships in psychiatric clinics and prisons.

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### CRIME STATISTICS

The Bureau of the Census is making a comparative survey covering inmates in prisons and reformatories. Complete returns have been received for 58 institutions in 31 States. These 58 prisons and reformatories had a total of 27,018 prisoners received from the courts

during the year 1926, as compared with 21,054 in 1923, or an increase of 28.3 per cent.

For the 31 States represented there were 34.1 prisoners received per 100,000 of the general population, as compared with 27.9 per 100,000 received in 1923. In other words, the number of prison admissions has increased much more rapidly than the general population.

In the 31 States covered by this statement there has been a steady increase in the number of prisoners in state prisons and reformatories, as indicated by the figures for the dates at the beginning of the three most recent years for which data is available, to-wit:

January 1, 1923 .....	47,578
January 1, 1926 .....	59,692
January 1, 1927 .....	63,828

The number of prisoners in confinement per 100,000 of the general population increased from 66.6 on January 1, 1923, to 84.1 on January 1, 1927. For the most part, also, the figures for the individual states show striking increases.

The figures given are based on reports furnished to the Bureau of the Census by the institutions, through the cooperation of the state agencies in charge of such institutions.

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#### WE POINT AND VIEW

"It is easy and it is popular to ridicule and to criticize, to call attention to the law's failures, inequalities and delays, to exalt the past at the expense of the present, and to propose remedies for real or fancied wrongs, ill considered and ill-advised; it is not easy, in the conditions under which we are living, complicated and ever increasingly so, to determine upon rules of conduct to be prescribed by governing authority which shall secure to all the blessings of liberty and assure to all justice and security. To that task, in so far as in us lies, the members of this association, by our very inheritance, are committed. To that task, lawyers of America, by the oaths which they have taken, are called. In the performance of that task every lawyer, worthy of the name, has a right to glory. In the administration of the law of the land there have been failures. There have been glorious successes, too. Here and there its members have been unworthy of its traditions, but there are no names on the pages of American history that are brighter than many of those that adorn the roster of the American Bar. The years of the life of this Association represent years of service of ever-increasing value. With its great and multiplying membership, with vastly improved opportunities for conference and communication among its members, with greater realization of its own possibilities and recognition of its share in the obligations of citizenship, is it too much to hope that during the coming years its power may be greater, its influence more widely extended, its service more genuinely helpful, its accomplishment more fully in accord with the will and the wishes of its founders almost fifty years ago, not for ourselves, but for our country?"—Charles S. Whitman, Past President American Bar Association.

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#### PUBLIC UTILITIES

The Village of Orville, Ohio, passed the following ordinance in 1892: "That Aurel P. Gans and Mellville D. Wilson of Canal Dover,