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ACCOUNTING FOR CRIME

ALBERT COATES*

THE PROBLEM OF CRIME

"There is something downright uncanny about the stability of crime," wrote Attorney General Bickett in 1912.¹ "It seems to be perpetrated with as much regularity as the ebb and flow of the times. For example," he continued, "the total number of cases reported to the Attorney General for the four years beginning July 1st, 1904 and ending July 1st, 1908 is 40,604. The total number of cases for the next period of four years, that is, from July 1st, 1908, to July 1st, 1912, is 40,507, a difference of only 97 cases in the entire state in the two periods."

The Attorney General's comment on "the stability of crime" is as true in 1938 as it was in 1912. The regularity visualized in his statement still continues. But the dead level from which he could see horizons in the distance has curved upward into hills before our eyes.

For the average of 10,000 crimes yearly reported from the superior courts to the attorney general for the eight years from 1904 to 1912,² increased to 16,000 by 1929. The crimes reported by a relatively small number of inferior courts increased from 12,000 in 1931,³ to 18,000 in 1932,⁴ to 22,000 in 1934,⁵ to 25,000 in 1935,⁶ to 30,000 in 1936.⁷ The crimes reported from the inferior courts in a single populous Piedmont county increased from 2,000 in 1931⁸ to 3,000 in 1932,⁹ to 5,000 in 1934,¹⁰ to 6,000 in 1935,¹¹ to 8,000 in 1936.¹² Violations of traffic and liquor laws add up to a growing percentage of these reported crimes: 10,000 in 1931,¹³ 12,000 in 1932,¹⁴ 15,000 in 1934,¹⁵ 16,000 in 1935,¹⁶ and 21,000 in 1936¹⁷ out of the total of 44,000 of all crimes reported by both superior and inferior courts for that year.

Authorities estimate that in the United States during the year 1933,

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¹ REP. N. C. ATT'Y GEN. (1911-12) 9.

² REP. N. C. ATT'Y GEN. (1904-06) 20 *et seq.*; REP. N. C. ATT'Y GEN. (1907-08) 36 *et seq.*; REP. N. C. ATT'Y GEN. (1909-10) 52 *et seq.*; REP. N. C. ATT'Y GEN. (1911-12) 32 *et seq.*

³ REP. N. C. ATT'Y GEN. (1930-32) 39 *et seq.*

⁴ REP. N. C. ATT'Y GEN. (1930-32) 77 *et seq.*

⁵ REP. N. C. ATT'Y GEN. (1932-34) 75 *et seq.*

⁶ REP. N. C. ATT'Y GEN. (1934-36) 43 *et seq.*

⁷ REP. N. C. ATT'Y GEN. (1934-36) 62 *et seq.*

⁸ See note 3, *supra*.

⁹ See note 5, *supra*.

¹⁰ See note 7, *supra*.

¹¹ See note 4, *supra*.

¹² See note 6, *supra*.

¹³ See note 4, *supra*.

¹⁴ See note 6, *supra*.

¹⁵ See note 3, *supra*.

¹⁶ See note 5, *supra*.

¹⁷ See note 7, *supra*.

1,300,000 major offenses were committed¹⁸ and 15,000,000 minor offenses:¹⁹ 1,358,333 a month, 313,461 a week, 44,657 a day, 1,860 an hour. They further estimate that the annual cost of crime in the United States runs to \$13,000,000,000 a year:²⁰ \$1,083,333,333 a month, \$250,000,000 a week, \$35,616,438 a day. These estimates are enough to require an accounting for crime in North Carolina. They have been enough to start some to wringing necks, others to wringing hands and everybody to talking. But, in the words of the spiritual, everybody talking about heaven ain't going there. And everybody talking about crime doesn't mean everybody doing something about it. Perhaps no one knows what to do. Who does? In the effort to find out, this article undertakes to inquire into the records of crime that have been kept, are being kept, and can be kept, to inform ourselves of the extent, the causes, and the consequences of the crime with which we have to deal in North Carolina.

I

POLICE RECORDS

Agencies for the investigation of crime and the apprehension of criminals in North Carolina include: city police, county sheriffs, constables, coroners, state patrolmen and other state agencies, together with a multiplicity of federal investigative agencies.

City Police. Perhaps a tenth of the town and city police departments in North Carolina keep adequate criminal records. In some of these departments each officer is required to make a daily report of all complaints, investigations, arrests and other activities. These individual reports are consolidated into daily, monthly and yearly departmental reports, showing the number and types of crimes known to the police, the times and the places where the crimes were committed, the arrests made, the *nolle proseques* entered, the prosecutions, convictions, acquittals, sentences, and appeals; together with the age, race and sex of the offenders. Previous criminal records of offenders are kept on file and placed before the solicitor and judge. From this high standard police records dwindle to the scantiest and most informal sort and finally rest in the memory of the officer until they disappear in forgetfulness. No effort has been made to collect, correlate and compare even the police records that are kept.

County sheriffs, coroners, constables. Hardly a tenth of the county sheriffs keep criminal records which even faintly reveal the course of crime in their respective counties or the part the sheriff and his deputies

¹⁸ SELLIN, *Importance of Criminal Statistics* in PROCEEDINGS OF ATT'Y GENERAL'S CRIME CONFERENCE (1934) 381.

¹⁹ *Ibid.*

²⁰ HOBSON, *Address* in PROCEEDINGS OF ATT'Y GENERAL'S CRIME CONFERENCE (1934) 401, 402.

play in dealing with it. Such scanty information as these records show is nowhere collected, correlated and compared.

Coroners are required by statute to keep a record of each investigation. These records vary from fairly detailed reports to mere notations that an investigation was made. These reports are nowhere collected, compared or correlated.

If constables keep criminal records at all, they keep them to themselves.

State Highway Patrol. Each state highway patrolman is required to make daily and monthly reports of all motor vehicle law and other violations within his jurisdiction. These reports include: the name and address of the person charged, the prosecutor, the charge, section and act violated, name and address of the magistrate before whom the case is tried, date of arrest, date of hearing, disposition of case, together with other remarks that may be pertinent. This information is tabulated monthly and annually, in the central office in Raleigh, and is the beginning of a case history on each offender. To it is added subsequent proceedings where there is an appeal, together with any later violations which this defendant may commit.

Each patrolman is likewise required to report all automobile accidents coming to his attention, giving in detail all factors involved. From these reports the central office makes monthly and annual reports showing: type of accident and number of persons killed or injured, hour of occurrence, day of occurrence, description of drivers involved, nature of injuries, motorist violations, road location, condition of vehicles involved in accidents, city or rural accidents, types of vehicles involved in accidents, road conditions, light conditions, road surface, weather conditions, type of brakes, type of tires.²¹

Other State Agencies. Other state agencies with limited law enforcing powers include superintendents of state hospitals, the school for the deaf and dumb, and the Caswell Training School;²² bird, game²³ and forest wardens;²⁴ the fisheries commissioner and inspectors;²⁵ the superintendent of weights and measures and his deputies and inspectors;²⁶ bank examiners;²⁷ alcoholic beverages control law enforcement officers;²⁸ probation officers;²⁹ and inspectors of the gasoline and oil inspection division of the motor vehicle bureau.³⁰ Each of these agencies

²¹ The organization, powers and duties of the State Highway Patrol are set forth in N. C. CODE ANN. (Michie, 1935) §§3846(yy)-(qqq).

²² N. C. CODE ANN. (Michie, 1935) §6181.

²³ *Id.* §§2141(e), 2141(z), 2141(11), 2141(12).

²⁴ *Id.* §§2141(x), 6134, 6136, 6137.

²⁵ *Id.* §8064(m).

²⁶ N. C. CODE ANN. (Michie, Supp. 1937) §§3411(65)-(89).

²⁷ *Id.* §8064(m).

²⁸ *Id.* §§4665(1)-(13).

²⁹ *Id.* §§1869-71, 1885.

³⁰ *Id.* §§223(a), 223(e).

³¹ *Id.* §§3411(65)-(89).

³² *Id.* §§4870(o)-(rr).

keeps such records as it sees fit of criminal law violations coming within its jurisdiction. But there is no correlation of the records of these state law enforcing agencies.

State Bureau of Identification. In 1925 the general assembly authorized a state bureau of identification "to receive and collect police information, to assist in locating, identifying, and keeping records of criminals in this State, and from other states, and to compare, classify, compile, publish, make available and disseminate any and all such information to the sheriffs, constables, police authorities, courts or any other officials of the State requiring such criminal identification, crime statistics and other information respecting crimes local and national."³¹ Few, if any, facilities have been furnished this bureau, established as part of the state prison under the law, to collect police statistics described in the foregoing statute. In 1937 the general assembly authorized the governor to create a state bureau of identification and investigation and provided that: "The records and equipment of the Identification Bureau now established at Central Prison shall be made available to the said Bureau of Identification and Investigation, and the activities of the Identification Bureau now established at Central Prison may, in the future, if the Governor deem advisable, be carried on by the bureau hereby established."³² The director of this bureau of identification has recently been appointed by the governor and is now engaged in setting up statistical machinery.

Federal law enforcing agencies. The principal federal law enforcing agencies operating in North Carolina include: the federal bureau of investigation in the United States department of justice,³³ the division of secret service in the treasury department,³⁴ the division of inspection in the post office department,³⁵ the bureau of narcotics in the treasury department,³⁶ the alcohol tax unit in the bureau of internal revenue,³⁷ the special intelligence unit under the bureau of internal revenue,³⁸ and the coast guard.³⁹ Each one of these agencies keeps systematic records of all law violations within its jurisdiction, but thus far there is no correlation of the records of these federal agencies, and no correlation between the federal records and the records of city, county and state

³¹ N. C. CODE ANN. (Michie, 1935) §7766(d).

³² N. C. CODE ANN. (Michie, Supp. 1937) §§7534(9)-(18).

³³ 41 STAT. 1175, 1410 (1921), 42 STAT. 613, 1080 (1922), 43 STAT. 217 (1924), 43 STAT. 1027 (1925), 5 U. S. C. A. §300 (1927).

³⁴ Organization and duties set out in U. S. GOV'T MANUAL 21.

³⁵ R. S. §4017, 21 STAT. 177 (1880), 42 STAT. 655 (1922), 43 STAT. 784 (1925), 39 U. S. C. A. §692 (1928).

³⁶ See 35 STAT. 614 (1909), 38 STAT. 275 (1914), 42 STAT. 596 (1922), 43 STAT. 657 (1924), 21 U. S. C. A. §177 (1927); U. S. GOV'T MANUAL 19.

³⁷ U. S. GOV'T MANUAL 16.

³⁸ *Ibid.*

³⁹ *Ibid.*

agencies. In the absence of a correlation of the records of federal agencies with those of state and local agencies the crime picture remains incomplete.

Summary. Police agencies constitute the first line of defense against crime. It is their business to find out what crimes are committed and who committed them. Police officers by investigation or report know or ought to know of more offenses than any other group. It is apparent from the foregoing analysis that some police agencies are keeping systematic police records, others are keeping them with a lick and a promise, and others are keeping no records at all. It is apparent that there is no correlation of statistics kept by city, county, state or federal agencies for the investigation of crime and the apprehension of criminals. It is apparent that no adequate picture of crime can be obtained without systematic records, uniformly kept by these several agencies and periodically correlated by cities, counties, and the state.

II

COURTS

Courts for the trial of criminal cases in North Carolina include: justices of the peace, juvenile courts, recorder's courts (including city courts, county courts, city-county courts), superior courts, supreme court, and federal courts.

Justice of Peace Court Statistics. In 1868 the general assembly required county commissioners to furnish each justice of the peace "a criminal docket in which . . . the justice shall enter all his proceedings in a cause tried before him"; and "as often as he has filled his docket [he] shall file the same with the clerk of the Superior Court for his County."⁴⁰ The dockets furnished by the county commissioners to justices of the peace pursuant to this law usually call for the scantiest of information; only a fraction of this scanty information is received; and the information received comes in at such irregular intervals as to be practically useless for statistical purposes.

Recorder's Courts. In 1919 the general assembly required "the recorder or clerk of any court authorized" (by the recorder's court act of that year) to make reports to the attorney general of all criminal actions disposed of by such court, giving such information as: offenses charged, convictions, acquittals, convictions on confessions, discharges without trial; name, age, occupation, sex and race of all persons convicted or pleading guilty.⁴¹ In 1937 the general assembly extended the requirement to report to all "inferior courts but excepting courts of

⁴⁰ N. C. CODE ANN. (Michie, 1935) §§1482-1484.

⁴¹ *Id.* §§1588, 955.

Justices of the Peace."⁴² At the present time one hundred and eighty-six inferior courts are reporting under the law of 1937.⁴³

Superior Courts. Since 1868 the general assembly has required superior court officials to keep records of all criminal cases including offenses charged, convictions, acquittals, confessions, discharge without trial, name, age, occupation, sex and race of all persons convicted or pleading guilty, together with such other information concerning those convicted as the attorney general might require.⁴⁴

Probation Statistics. In 1937 the general assembly provided that "the judge of every court of record with criminal jurisdiction may suspend the imposition or the execution of a sentence [or may impose a fine] and place the defendant on probation."⁴⁵ Pursuant to this statute a probation director and staff have been appointed. The probation director requires members of the staff to keep records of each case submitted to them for investigation showing: personal history of the person convicted together with his marital, family and economic status; his previous criminal record and the history of the case in which he is at present involved; the conditions of probation; the record of the person while on probation; the revocation of probation with reasons therefor; and the termination of probation.

Supreme Court. In 1868 the general assembly required the attorney general to summarize for each succeeding general assembly the number of persons he had prosecuted, the crimes for which they were prosecuted, the counties where they were prosecuted, the results of the prosecution, and the punishment.⁴⁶ The attorney generals' reports list all criminal cases before the supreme court by its fall term and spring term and show their disposition: affirmed on appeal by state or defendant, new trial or reversal on appeal by state or defendant, remanded on defendant's appeal, modified and affirmed, continued to next term, appeal dismissed, judgment arrested, *venire de novo*.

State Bureau of Identification. In 1937 the general assembly provided that, "The Bureau of Identification and Investigation shall keep statistics, as far as possible, on all convictions of crime in this State, and for this purpose all courts having final jurisdiction, including Superior Courts and inferior courts, but excepting courts of justices of the peace, shall, each month, transmit to the bureau a record of all convictions had in such court for the preceding month, in such manner and form as shall be devised by the Director of the Bureau, acting under the supervision of the Governor."⁴⁷

⁴² N. C. CODE ANN. (Michie, Supp. 1937) §7534(11).

⁴³ *Id.* §7534(17).

⁴⁴ N. C. CODE ANN. (Michie, 1935) §955.

⁴⁵ N. C. CODE ANN. (Michie, Supp. 1937) §§4665(1)-(13).

⁴⁶ N. C. Pub. Laws 1868-69, c. 270, §82.

⁴⁷ N. C. CODE ANN. (Michie, Supp. 1937) §7534(11).

Federal Courts. In the closely-knit federal criminal law administration machinery "the several district attorneys and marshals are required to report to the [United States] Attorney General an account of their official proceedings, and of the state and condition of their respective offices, in such time and manner as the Attorney General may direct."⁴⁸ It is further provided that probation officers must send to the attorney general statistics on probation work.⁴⁹

Under another federal statute, the director of the census was authorized "decennially to collect statistics relating to crime, including judicial statistics pertaining thereto, provided that such statistics shall include information upon the following questions, namely: Age, sex, color, race, nativity, parentage, and such other questions relating to these subjects as the director in his discretion may deem proper." In 1931 the statute was amended to authorize the director of the census "to compile and publish annually statistics relating to crime."⁵⁰

Summary. Court officials constitute the second line of defense against crime. If it is important to know the crimes committed and to catch the criminals it is equally important to find out what is done with them after they are caught: whether the case against a defendant is *nolle prossed*, or prosecuted, or a plea of guilty to a lesser offense is accepted, whether he is convicted of the crime charged or of a lesser degree of the crime or acquitted altogether, and if he is convicted whether he is put on probation or punished, and the quantity and type of the punishment. With justice of the peace courts, juvenile courts, city courts, county courts, state courts and federal courts trying criminals for crimes committed in the same territory, and with the judges in all these courts except justices of the peace, authorized to punish or put on probation it is obvious that no authoritative record of the disposition of criminal cases in the courts can be kept without the help of all. It is apparent from the foregoing analysis that federal trial and appellate courts in North Carolina are keeping systematic records of their criminal cases. So are the Supreme Court of North Carolina, most of the superior courts, some of the inferior courts and a few justices of the peace. Present laws require collection of criminal statistics from the supreme court, superior courts and inferior courts; but no effort is

⁴⁸ REV. STAT. §362 (1875), 5 U. S. C. A. §317 (1927).

⁴⁹ "The Attorney General, or his authorized agent, shall investigate the work of the probation officers . . . and shall have access to the records of all probation officers. He shall collect for publication statistical and other information concerning the work of the probation officers. He shall prescribe record forms and statistics to be kept by the probation officers and shall formulate general rules for the proper conduct of the probation work. He shall incorporate in his annual report a statement concerning the operation of the probation system in such courts." 43 STAT. 1260 (1925), 46 STAT. 503 (1930), 18 U. S. C. A. §§727, 728 (Supp. 1936).

⁵⁰ 38 STAT. 800 (1915), 13 U. S. C. A. §317 (1927).

being made to collect statistics from federal courts and justices' courts in order to complete the picture. The information available is not being utilized to the full extent of its possibilities.

III

PENAL AND CORRECTIONAL INSTITUTIONS

In 1868-69 the general assembly required the state board of charities "to inspect county jails, and all prisons and prison camps and other institutions of a penal . . . nature, and to require reports from sheriffs of counties and superintendents of public welfare and other county officers in regard to the number, sex, age, physical and mental condition, criminal record, occupation, nationality and race of inmates, or such other information as may be required by the state board."⁵¹

Pursuant to this authority the state board of charities and public welfare began to collect prison statistics which have constantly increased in volume and in value. *City jails* ordinarily do not send in reports under this statute. *County jails* are required to send in monthly reports on furnished forms. Reports are received from around 70% of these jails and tabulated monthly by race, sex and status.

The Prison Division of the State Highway and Public Works Commission sends in monthly reports giving for the state prison system: the number of prisoners at the beginning of each month, the number received during the month, the number released during the month, the number at the end of each month. These consolidated reports are made up from monthly reports sent in by the superintendents of the eighty-odd state prison camps.⁵² Similar reports are sent in monthly to the state board of charities and public welfare by all of the state's correctional institutions.⁵³ By voluntary agreement since 1932 all the foregoing reports of the state's penal and correctional institutions have been consolidated in a single biennial report edited by the state board of charities and public welfare.

Federal authorities are authorized to make arrangements for the temporary confinement in local prisons and jails of federal prisoners awaiting trial. Further provisions allow federal authorities to arrange for persons convicted of federal offenses to serve their terms in state prisons. Usually upon conviction, however, federal convicts are sent to federal reformatories and prisons scattered throughout the country.⁵⁴ Federal officials must report to the bureau of prisons.

⁵¹ N. C. CODE ANN. (Michie, 1935) §5008.

⁵² *Id.* §§7748(a)-(cc).

⁵³ *Id.* §§5008-5013.

⁵⁴ REV. STAT. §§5537-5542 (1875), 18 U. S. C. A. §§691-696 (1927).

IV

PARDON AND PAROLE

Pursuant to the constitution of 1868⁵⁵ the general assembly in 1868 required the governor to keep "a register of all applications for pardon, or for commutation of any sentence, with a list of the official signatures and recommendations in favor of such application."⁵⁶ In 1933 and 1935 the general assembly authorized the governor to appoint a parole commissioner to "aid him in more fully performing all the duties required of him in examining, hearing, sorting and arranging such material as is presented in connection with pardons and paroles and to set up a system of paroles."⁵⁷

The clerks of all superior and inferior courts are required to attach to the commitment of each prisoner a statement of: "(1) the court in which the prisoner was tried, (2) the name of the prisoner and of all co-defendants, (3) the date or term when the prisoner was tried, (4) the offense with which the prisoner was charged and the offense for which he was convicted, (5) the judgment of the court and the date of the beginning of the sentence, (6) the name and address of the presiding judge, (7) the name and address of the prosecuting solicitor, (8) the name and address of private prosecuting attorney, if any, (9) the name and address of the arresting officer, and (10) all available information of the previous criminal record of the prisoner."⁵⁸ This information is relayed by the prison to parole authorities.

The parole authorities interview each felon as soon as possible after his commitment to obtain further information about his background, family, habits, attitudes and the circumstances leading up to the crime of which he is convicted. Supplemental information is obtained including: case history from the state board of public welfare, fingerprint reports from the federal bureau of investigation, health report from the prison physician, identification photographs, reports from the judge and solicitor of the court in which he was tried, etc.

When the prisoner's case comes up for review by the parole office, the foregoing information is supplemented by reports from the prison division giving the prisoner's institutional history, grade promotions and demotions and social attitudes, and by further staff interviews with the prisoner. Field investigations and monthly reports are required of prisoners on parole.

Penal and correctional institutions connected with pardon and parole constitute the third line of defense against crime. If it is important to know the crime, catch the criminal and convict him, it is equally im-

⁵⁵ N. C. CONST. art. III, §6.

⁵⁶ N. C. Pub. Laws 1868-69, c. 270, §29.

⁵⁷ N. C. CODE ANN. (Michie, 1935) §7757(a).

⁵⁸ *Id.* §7757(10).

portant to know the penal or correctional treatment that is prescribed for him, the length of the sentence, the proportion of the sentence he serves, whether his sentence ended by escape, parole or pardon, and the effect upon him of the treatment he receives. With prisoners committed to city jails, county jails, state penitentiary, prison camps in the state prison system and various correctional institutions, it is obvious that a true picture of the prison population and the prison system cannot be obtained without the help of all. It is apparent from the foregoing analysis that the state parole office is keeping complete records in all cases of pardon, commutation and parole. State penal and correctional institutions are keeping fairly adequate records of all persons committed to their care. County and city jail reports are being kept, if not reported, with a fair degree of consistency. A step toward correlation has been taken in the consolidated report of these institutions issued biennially under the editorship of the state board of charities and public welfare. The information available is not being utilized to the full extent of its possibilities.

V

CLEARING HOUSE OF CRIME STATISTICS

A significant step was taken in the direction of a central collecting agency when the general assembly in 1868 required all superior court solicitors to keep records of their criminal cases and turn in reports semi-annually to the attorney general.⁵⁹ The collection of criminal statistics from superior courts authorized by the laws of 1868 got off to a slow start. The attorney general in 1869⁶⁰ explained that he had not required the solicitors to make reports for the preceding year because he did not believe the laws of 1868 authorized him to furnish them with record books until the following year. The poor results obtained after forms were furnished caused him in 1887⁶¹ to recommend changes which were enacted in the law of 1889. In 1889 the general assembly shifted the responsibility of these reports from the solicitor to the clerk of the superior court, changed the requirement from semi-annual reports to reports "within twenty days after the adjournment of any term of the Superior Court at which criminal causes were triable," and expanded the required information.⁶² The first reports under the law of 1889 appeared in the attorney general's report for the biennium ending in 1891.

A further significant step was taken in 1919 when the general assembly required "the Recorder or clerk of any court authorized [by the

⁵⁹ N. C. Pub. Laws 1868-69, c. 270, §83.

⁶⁰ REP. N. C. ATT'Y GEN. (1869) 8.

⁶¹ REP. N. C. ATT'Y GEN. (1887) 11.

⁶² N. C. CODE ANN. (Michie, 1935) §955.

Recorder's court act of that year] to make reports to the Attorney General of all criminal actions disposed of by such court in the same manner and to the same extent as is now required by law of the Clerks of the Superior Courts."⁶³ But this 1919 statute did not cover a large number of inferior courts created under special acts prior to 1919. The attorney general in his report for the biennium ending in 1932 pointed out that "all of these inferior courts having greater jurisdiction than that of courts of Justices of the Peace should be required to make such reports, if these statistics are to be of any considerable value."⁶⁴ In 1937 the general assembly authorized the governor in his discretion to set up a state bureau of identification under his office to receive criminal statistics heretofore received by the attorney general and extended the requirement of reports from those recorder's courts authorized under the law of 1919 to all "inferior courts but excepting courts of Justices of the Peace."⁶⁵ The director of this bureau has been appointed and is now in the process of setting up machinery for collecting statistics.

This bureau of identification is thus expressly required to collect criminal statistics from all superior courts and from all recorders or other intermediate courts. Before the crime situation as reflected in the courts is fully portrayed, reports must be received from the justices of the peace, juvenile courts, supreme court and federal courts.

The bureau of identification and investigation of 1937, as heir to the bureau of identification of 1925, is authorized "to receive and collect police information . . . and to compare, classify, compile, publish, make available and disseminate any and all such information to the sheriffs, constables, police authorities . . . or any other officials. . . ."⁶⁶

⁶³ *Id.* §1588.

⁶⁴ REP. N. C. ATT'Y GEN. (1930-32) 5.

⁶⁵ N. C. CODE ANN. (Michie, Supp. 1937) §7534(11).

⁶⁶ *Ibid.* All states having Departments of Justice make some compulsory provision for the collection of criminal identification data at a central bureau: in California, to be sent to the bureau of criminal identification set up under a board appointed by the governor, CAL. GEN. LAWS (Deering, 1931) Act 1904, §§1-15; in Iowa, to the bureau of criminal identification set up in the attorney general's office, IOWA CODE, (1935) §§13415-13417-b2; in Louisiana, to the bureau of identification of the state police, LA. CODE CRIM. PROC. ANN. (Dart, 1932) art. 701; in Nebraska, to the bureau of identification and investigation set up under the governor, NEB. COMP. STAT. (1929) c. 29, §§208-210; in New Mexico, to the state police set up under the governor, N. M. Pub. Laws 1937, c. 35; in Pennsylvania, to the state police, PA. STAT. ANN. (Purdon, 1931) tit. 19, §§1401-1406; in Rhode Island, to the bureau of criminal identification in the attorney general's office, R. I. Pub. Laws Jan. Sess. 1927, c. 977; and in South Dakota, to the division of identification and investigation in the attorney general's office, S. D. Pub. Laws 1937, c. 104.

The method of handling criminal statistics varies in the different states. Police officers are required to furnish complete criminal statistics in Nebraska to the bureau of identification and investigation; in Pennsylvania, to the state department of welfare; and in Rhode Island to the state public welfare commission. NEB. COMP. STAT. (1926) c. 29, §§208-210; PA. STAT. ANN. (Purdon, 1931) tit. 71, §601; R. I. Pub. Laws 1932, c. 1930. Clerks of court are required to send in criminal statistics, in South Dakota to the bureau of identification and investigation, and in Iowa to the board of parole. S. D. Pub. Laws 1937, c. 104; Iowa

Thus, apparently it may collect criminal statistics from all city, county and state police agencies. Before the crime situation as known to the police is fully portrayed, reports must be received from all the foregoing agencies and from the multiplicity of federal agencies operating in this state.

Several agencies are now collecting statistics on a state-wide scale for successive links in the criminal law enforcing machinery: the probation department, the prison division of the state highway and public works commission, the state board of charities and public welfare, and the division of pardons and paroles. Each of these agencies is collecting statistics for its own specific purposes; but these specific purposes are not only consistent with but would be furthered by a central clearing house.

If every city, county, state and federal agency for the investigation of crime and the arrest, prosecution, trial, probation, punishment, parole or pardon of criminals in North Carolina, keeps adequate criminal records they will be valuable to the agency keeping them even if it keeps them to itself. They will become infinitely more valuable as they share them with like agencies operating in the same territory and in adjoining cities, counties, states and nations and thus lay the basis for charting local, state and national trends in crime. They will become even more valuable as like agencies constituting each separate link share their criminal records with successive links in the chain of our law enforcing machinery. For police agencies in North Carolina are interested in more than a complete picture of offenses known to the police and the number of police investigations and arrests. The thoroughness of their investigations and the accuracy of their findings may be tested in every step of the criminal proceedings which follow: by the committing magistrate when he decides whether to bind over or discharge, by the prosecuting attorney when he decides whether to prosecute or not to prosecute, by the grand jury when it decides whether to return a true bill or no true bill, by the trial jury when it decides whether to bring in a verdict of guilty or not guilty, by the trial judge when he decides on probation or punishment, by the appellate judge when he decides to reverse or modify or affirm, by the parole commissioner when he decides to recommend or not to recommend a pardon or parole.

CODE (1935) §§3808, 3809. According to information secured from the attorneys general of the several states, no effort is made at collection of criminal statistics by a central state agency in Kansas, Mississippi, Pennsylvania, or Tennessee. Prosecuting attorneys report criminal statistics to the attorney general in Arkansas, California, Maine, Minnesota, Montana, New Hampshire, North Dakota, Oklahoma, Washington, and Wisconsin. Clerks of court report to the state bureau of identification in Arizona. Bureaus of identification have been set up in Massachusetts, New Jersey, and Oregon under the state police; in West Virginia under the department of public safety; in Florida under the commissioner of agriculture and in Montana and Wyoming under the warden of the state penitentiary.

Just as the prosecution, courts, prisons and parole commissioner may in swift succession neutralize the efforts of police, so inefficient and ineffective police at the start may render well nigh useless the successive efforts of the agencies that follow. No law is stronger than the police desk, the prosecutor's office, the jury box, the judge's bench or the governor's chair. They will hang separately if they do not hang together. And they will all hang together if they do not have the understanding support of an informed public opinion.

We do not have in North Carolina today a public opinion informed on crime—its causes, consequences and extent—or the workings of our law enforcing agencies. It may be fairly said that beyond the scope of individual experience we do not have informed opinion in the ranks of police, prosecution, court, prison or parole officials. We must find the facts before we can have informed opinion. All city, county, state and federal law enforcing agencies in North Carolina must help to find the facts through systematic records, painstakingly kept from day to day, carefully collected and analyzed and compared from month to month and from year to year, periodically placed on the desk of every law enforcing officer and brought home to the people.

This will not be the end—it will only be the beginning. And that is something we do not have today. It will not solve the problem of crime, but it will show us what it is and maybe where to start; whether we are off on the right foot and making headway, or marking time. This is no fanciful scheme. Every business of any size and worthy of the name has long ago put into practice an accounting system of its own. The cities, the counties and the state of North Carolina have installed and are steadily improving systems of accounting in finance. Governmental units did not know where they stood until this was done. The time has come to begin accounting for crime. Scattered law enforcing agencies in North Carolina have already begun. No one city, no one county, nor the state alone can do this job; but all together can.