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NORTH CAROLINA CRIME STUDIES

JESSE FREDERICK STEINER*

Realization of our lack of adequate knowledge of the crime situation in our country has led in the last few years to a demand for crime surveys of a much more pretentious nature than have been undertaken in the past. For our knowledge of crime and its treatment we have had to rely for the most part upon specific studies of limited scope, as for example, local investigations of juvenile delinquency, studies of the administration of justice in a city, examination of certain groups of convicted prisoners to determine the part that mental or other factors play in the making of criminals, or upon city wide statistical analyses of court records. Our national criminal statistics furnished by the Federal census are misleading and inadequate, and fail to present us with a comprehensive picture of crime as it exists in the United States. A similar criticism must also be passed upon many of our states, for State Departments of Public Welfare or other official agencies are seldom equipped to furnish accurate data concerning the nature, extent, and trends of crime in their states. As one means of remedying this situation several State Crime Commissions have been officially appointed and charged with the responsibility of making a survey of crime within their jurisdictions. It is doubtful, however, whether politically appointed commissions will prove to be very serviceable in setting forth unbiased facts about the crime situation. The Missouri Crime Survey, the report of which has just been published, is a recent example of a pretentious study carried out under private auspices, the State Bar Association, and is perhaps a much better method of getting at this problem. The Georgia Survey of Criminal Justice, a coöperative venture under the direction of the State Department of Public Welfare and financed by the American Institute of Criminal Law and Criminology, represents still another means of approach to this problem of crime investigation.

The study of crime now under way in North Carolina differs from all these surveys in that it is a research project of the Institute for Research in Social Science of the State University. The purpose of the study is to serve the State by collecting and classifying for convenient use all possible data concerning crime and methods

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of dealing with it in all sections of the State. It is thought of not as a brief, intensive study designed to furnish material for legislative action but rather as a continuous study persisted in year after year so that there may be in the files of the Institute for Research in Social Science the most complete and authoritative information possible concerning the State's crime problem. From time to time it is planned to issue monographs dealing with different phases of the subject, these to be published either by the University Press or issued as bulletins in coöperation with the State Department of Public Welfare. The *University News Letter* which has a wide circulation throughout the State is also being utilized as a means of educational publicity that will reach a large number of people.

For a number of years there has been recognition by a small minority of the need for a state-wide investigation of the whole crime situation. The State Department of Public Welfare with its inadequate staff and funds has been assembling information especially concerning our penal institutions. In 1922, the North Carolina State Conference for Social Work appointed a Citizens' Committee of One Hundred on Prison Legislation which has collected certain facts concerning the prison system and has attempted with very little success to sponsor a program of prison reform. One year ago the Institute for Research in Social Science of the University embarked upon a study of negro criminality in the State as a part of a larger study being made of the negro in the South. It is impracticable, however, to study negro crime without collecting facts concerning the entire criminal situation and consequently this investigation has been increasing in scope until it has assumed the form of a state-wide investigation of crime which will include the nature and amount of crime, the conditions under which crime is produced, available information concerning the criminals themselves, the administration of criminal justice, methods of penal treatment, and the work going on in the field of crime prevention.

This study, like all others, has obvious limitations growing out of insufficient personnel and financial support. This limitation in resources has made it impossible from the beginning to embark on a well balanced program of investigation covering all the phases of the subject mentioned. Last year six people, including the director, were engaged in this investigation. Of these five assistants, one was an instructor giving about one half time to this study, two were research

assistants giving the major portion of their time, and two were graduate students writing their Master's theses in this field.

As a starting point for this study of crime, it was decided to make a detailed statistical analysis of the Superior Court Cases in the 100 counties of the State for the three year period ending June 30, 1925. The data for this study consists of the reports turned in to the Attorney-General at the end of each term of court by the clerks of the Superior Court. These reports are supposed to include the name, age, race, sex, and occupation of each defendant, the offense with which he is charged and the sentence of the court. Since the original records of many of the clerks of court contain only the name, offense and disposition of the case, it is apparent that the other information given on these reports cannot always be relied upon as accurate.

While these reports have been tabulated and summarized by the Attorney-General in his biennial reports, the analysis carried out in the University study is much more detailed and complete. For example, a separate tabulation sheet is used for each county for each year, which makes possible a study of the changing crime rate in each county, and the variations from county to county and year to year in the sort of crimes apprehended, the type of offender, and his treatment by the court. In addition, the four outstanding sections of the State, the Tidewater, Plain and Sandhill, Piedmont, and Mountain, each of which differs widely from the other in its geographical situation and social characteristics, have been subjected to a similar analysis in order to reveal the interesting sectional variations in the amount and nature of crime and the degree of law enforcement.

There is space in this paper to mention briefly only a few of the interesting facts disclosed by this statistical study. In the first place, the rate of serious negro crime seems to be decreasing as far as Superior Court indictments are concerned. The negroes, however, still comprise forty per cent of the indictments while they form only twenty-seven per cent of the population of the State. Contrary to what might be expected the negro indictment rate is higher in the western half of the State where the negroes form only twenty per cent of the population than in the eastern half where they constitute forty per cent of the population. No conclusions, however, can be drawn from this fact until the records of the recorder's courts are also studied.

Violators of the prohibition law are on the average three years older than other offenders. The typical bootlegger in North Carolina is a farmer over thirty years of age and frequently of middle age and beyond. The study of disposition of indictments indicates that fifty-four per cent of liquor cases are sentenced which is six per cent above the average for all offenses. Moreover the willingness to convict prohibition law violators varies from county to county as is shown by the fact that in certain counties only twenty-five per cent of those indicted on liquor charges are sentenced while in other counties seventy-five per cent are found guilty and made to pay the penalty.

The disposition of those found guilty by the courts throws light on the status of punishment in the State. Thirty-eight per cent of the convicted received only a fine; eight per cent were sent to the state prison; forty-five per cent were sent to the county chain gangs; and nine per cent sent to the jail, workhouse, ordered out of the county, or state, or sentenced to capital punishment. Out of 328 indictments for murder and manslaughter during the three year period, 187 were convicted and eighteen were sentenced to be electrocuted.

Those interested in this statistical phase of this crime study will find in the December, 1926, issue of *Social Forces* a more detailed summary of the findings. It is planned to extend this study of the Superior courts to cover at least a five year period in order to give a basis for conclusions concerning the trend of serious crime in the State. This year two graduate students of the University have begun a similar statistical study of the Recorder's Courts. Because of the extensive nature of this task, their efforts at present are limited to a few typical counties which it is believed will furnish a fair picture of the nature and extent of minor crimes throughout the State.

This statistical approach to the study of crime is being supplemented by case histories of criminals as one means of throwing light on the causes of crime. Last year a research assistant began an investigation of selected negro criminals for the purpose of preparing case histories to include the criminal's own story of his life, his family history, his mental status, and facts about his life secured from study of official records, interviews with prison officials, teachers, employers, relatives and others who know something of his past. In these histories particular attention is being paid to a study of the

neighborhoods in which the criminal has lived and the various groups with which he has associated. Two types of negro offenders are being very carefully studied—the floater who has arrived in the State recently from the lower South and has become a habitue of the negro underworld; and the settled resident in the community from a law abiding family, who for some reason has become a chronic offender. Through these two methods, the statistical and the case history, we are expecting to have much light thrown on the nature and trend of crime in the State and the factors most responsible for the making of criminals.

Another phase of this study has to do with the cost of crime in the State. This investigation for the present is limited to the administrative costs of crime, including police departments, criminal courts, and penal institutions. The other and indirect costs of crime such as the losses of the victims of crime, the cost of protective devices as for example locks and burglary insurance, and the financial expenditures of agencies interested in the prevention of crime are reserved for a later study.

The method followed in this particular investigation was to make a detailed study of the cost of crime in one county easily accessible to the University for the purpose of discovering the difficulties involved in such an investigation and working out a technique for further study. The problems that arise in connection with such an analysis of costs of crime are complicated and many. The Superior Courts handle both civil and criminal cases making it necessary to determine what portion of their costs should be assigned to crime. The sheriff and other county officials give only a part of their time to enforcement of criminal law. The county convict camp may be operated at a profit or loss depending on the number of prisoners, their efficiency, the number of days lost through bad weather and sickness, and the value of the work accomplished.

In Durham County, the county chosen for this preliminary study, the net administrative annual cost of crime based on a study of a three year period ending in 1925 amounted approximately to \$61,150. Of this amount 80 per cent was chargeable to the police department alone. The Recorder's Court, when account was taken of fines and costs collected, showed a surplus of \$5,250 above the cost of its maintenance. After careful study it was decided that half of the cost of the Superior Court should be assigned to criminal cases, and on this basis this part of the work of the Superior Court cost the

county a little more than \$11,000 a year. The annual maintenance of the jail and workhouse amounted to about \$6,500. The county convict road work according to the best estimates of the county authorities was operated at an annual profit of approximately \$10,000. On the basis of these figures, for which absolute accuracy cannot be claimed, the net per capita administrative cost of crime in the county was not more than \$1.25. The above figures, however, do not include the capital outlay for buildings used in connection with the trial and detention of criminals. In recent years, Durham County has expended approximately \$350,000 for its workhouse, convict headquarters, and that portion of the courthouse comprising the jail and the space used in the administration of criminal justice.

Upon the basis of the experience gained last year in the study of this one county, a plan of procedure has been devised for use in other counties by the aid of which it is hoped that the administrative costs of crime can be assembled without a prohibitive amount of time or labor. When to these county totals are added the costs of the state penal institutions, we will be in a position to make a fairly accurate estimate of the administrative cost of crime in the entire State. While this investigation has not gone far enough to warrant any conclusions it does seem that many of the frequently heard statements of the cost of crime are unduly exaggerated. Instead of the State already staggering under the heavy financial burden of dealing with crime it may appear that the State could well afford to make a little larger outlay of money and equip itself to use more modern scientific methods of treatment of its criminal population.

As a beginning of the study of our penal system, a detailed investigation of the county convict chain gang system has been undertaken. This type of penal treatment, which may be regarded as the major method of punishment in the South, has been almost entirely ignored by books on criminology. In North Carolina as well as in other Southern states criticisms of convict road camps caused by a few instances of brutal treatment of convicts have directed public attention to this method of employing convicts and made such a study very timely. The chief written materials for this study are found in the files of the State Board of Charities and Public Welfare and State Department of Health and in the meager records of county highway commissions and other county officials. Additional infor-

mation was secured through visits to camps which afforded opportunity to observe conditions and interview the prisoners as well as the officers in charge. In order to determine the educational status of the convicts, standard literacy tests were given. The method followed was to assemble the prisoners around the dining table, in groups of ten or fifteen and while they were working on the tests there were recorded on individual cards the name, race, age, occupation, church membership, birthplace, address, offense and sentence of the prisoner, the last two items and the others if possible being secured from or verified by official records. It usually required two hours to complete these tests in a camp, which gave ample time to observe sanitary conditions, nature of the equipment, the extent to which chains are used, and to talk with the camp officials about disciplinary methods, and other matters pertaining to camp administration. In order not to interfere with the work of the prisoners, the camps were visited on Saturday afternoon and Sundays.

Thirty-three road camps were visited in 20 counties and information secured from 1521 prisoners—469 white and 1052 negroes. Since only 46 counties in the State maintain chain gangs and since the more populous counties were visited, this part of the investigation covered more than half of the camps and at least two-thirds of the county convicts. From the point of view of criminal statistics it is believed that the information secured from these prisoners constitutes our most reliable data and besides covers a wider range of facts than do existing court records. A few of the findings concerning the convicts may be briefly noted. Twenty-nine per cent of these convicts are totally illiterate—16 per cent of the whites and 34 per cent of the negroes.¹ Fifty-two per cent of the whites and 83 per cent of the negroes—three-fourths of the total number—do not have sufficient education to read a newspaper with any facility. Out of the 1500, only seven had the rating of high school students and five had attended college for a year or more. Two hundred and sixty-eight, or 23 per cent of these illiterates and near illiterates, were boys from 14 to 20 years of age, and yet only one county has even made a beginning in providing instruction for these prisoners who come within the public school age.

With reference to occupational status, among the whites, the skilled trade group comprised about one-third of the convicts, the

¹ According to the 1920 Census, the illiteracy rate for North Carolina is as follows: whites, 8.2 per cent; negroes, 24.5 per cent; both races, 13.1 per cent.

farmers one-fourth, and the unskilled labor group one-seventh. As would be expected about half of the negro convicts were unskilled laborers with the next largest group that of the farmers.

Since there is little accurate information concerning the proportion of rural and urban crime, special effort was made to determine whether the prisoners actually lived in a city, small town or open country. According to our findings, 62 per cent live in towns and cities of more than 2500 inhabitants, 28 per cent live in rural territory, while 9 per cent live in villages and small towns. It is also worth mentioning that in the counties having a large city very few, if any, prisoners came from the country districts whereas in the more rural counties where there were no cities of large size a large proportion of those convicted came from the farms.

Because of local interest in the matter of church membership, careful inquiry was made to determine the religious status of the convicts. Although no one was recorded as a church member unless he was able to give the name of the local church to which he belonged and was willing to state that he still regarded himself a member of the church, our results show that 38 per cent were church members. The significance of this is apparent when we realize that approximately 41 per cent of males 10 years of age and over are church members in North Carolina.

In this study of the county convict chain gang system many important questions arise for which answers are being sought. Are the convict labor camps operated at a profit or loss in the different counties? Why should there exist such vast differences in the methods of handling the convicts? Is it practicable to provide instruction for illiterate convicts under 21 years of age? Would the present system be improved by State control? In view of the wide use of the convict chain gang system throughout the South, why do less than half of the counties in this State maintain convict road camps? A comprehensive report dealing with this county convict labor problem in North Carolina is now being prepared and will constitute the first volume to be published in connection with this crime investigation.

The above mentioned projects now under way in this study of crime do not by any means cover the entire field. We have begun with the most accessible material and have also been guided in the choice of phases to be investigated by the capacities and limitations

of the persons available for this work. Among the next steps there should be provision for the mental examination of prisoners, a detailed study of criminal justice including police administration and criminal court procedure, a study of the State prison system and the State institutions for juvenile offenders and a bringing together of all available information concerning the operation of the parole and probation systems. In this whole field of crime investigation in this State, the administration of criminal justice stands out as a problem of first importance which requires expert and painstaking study. Plans are now under way for the Law School of the University to assume responsibility for this phase of the State-wide crime investigation. A study of criminal justice is of particular interest to the legal profession of the State and cannot be carried out in any adequate manner without the coöperation of the State Bar Association and those connected in an official capacity with the administration of the criminal law. Without doubt this phase of our investigation constitutes one of the most vital steps in working out more effective means of handling the crime situation.