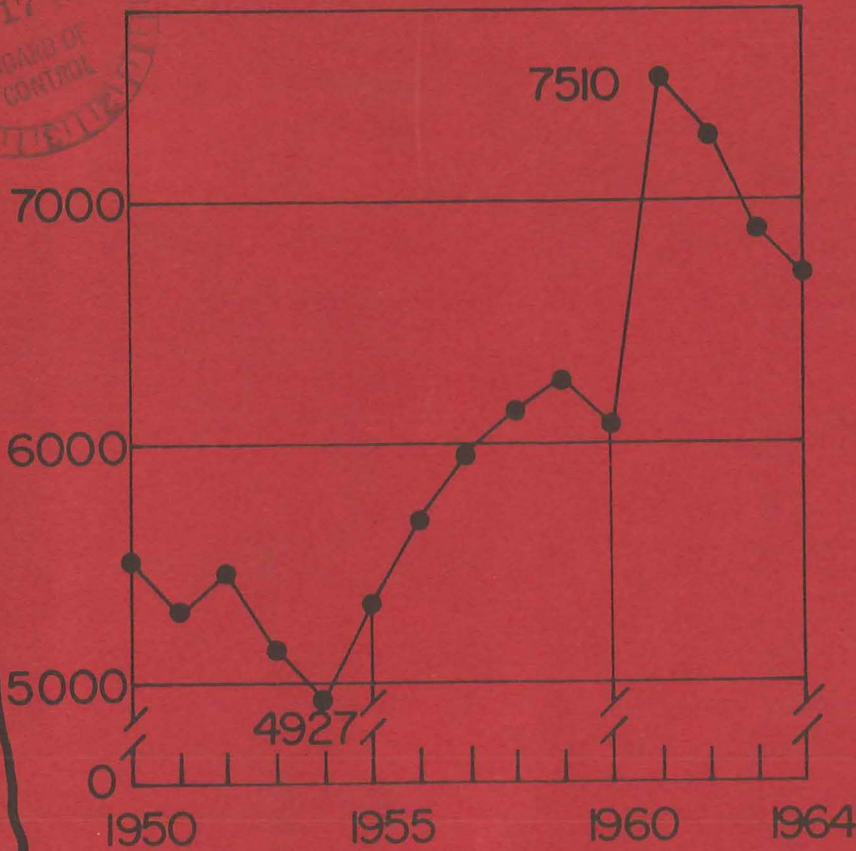


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FELONS IN IOWA COURTS



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Prepared For:
GOVERNOR'S ADVISORY COMMITTEE
ON CORRECTIONS
DECEMBER, 1964

PREFACE

Within the past two decades significant changes have occurred in the criminal litigation in the State of Iowa. The number of criminal cases in the respective District Courts has increased from 4833 in 1940 to 6086 in 1960 or by 28 percent. For the same years the total population in the state has risen about 8 percent. Felons in court, therefore, have increased almost four times faster than the number of inhabitants in the state. In the same 20 years Iowa has changed from a comparatively rural to an urban populated state with the cities becoming larger and certain rural areas decreasing in population. The principle that all men are equal before the court does not change with time but the administration of justice does have a relationship to the number and the character of the people served.

All the data in the present report have been tabulated from the Reports of the Board of Parole of Iowa for the respective years covering "Criminal Statistics for each County in the state", for the fiscal years ending June 30 of each year. Other sources are cited for respective facts.

Walter A. Lunden

Ames, Iowa
December 10, 1964

1967 gift

FELONS IN IOWA COURTS

In the past quarter century from 1940 to 1964 the number of felons tried in the District Courts of Iowa has varied from the lowest number of 3020 in 1945, at the end of World War II, to the highest number of 7510 in 1961. Since 1961, the number of offenders tried has decreased to 6750 in 1964. See Table I and Chart I for details.

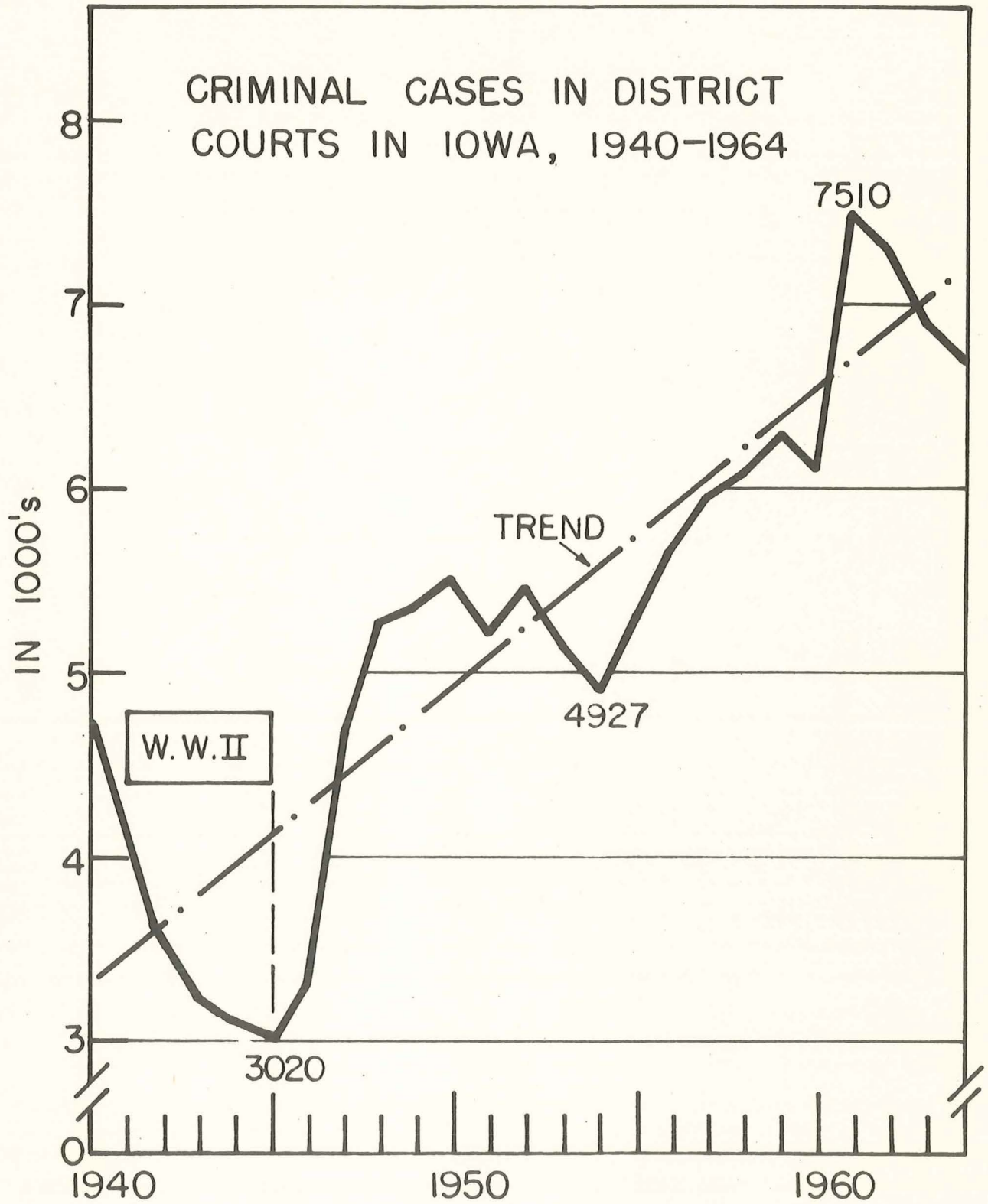
Table I Criminal Cases in District Courts of Iowa, 1935-64

Year	Cases	Year	Cases
1935	4261	1950	5501
1936	4358	1951	5292
1937	4436	1952	5450
1938	4504	1953	5175
1939	4709	1954	4927
1940	4833	1955	5347
1941	(a)	1956	5626
1942	3578	1957	5997
1943	3232	1958	6162
1944	3126	1959	6264
1945	3020	1960	6086
1946	3361	1961	7510
1947	4766	1962	7285
1948	5230	1963	6863
1949	5314	1964	6750

Source: From Biennial Reports of Iowa Board of Parole for respective years for years ending June 30.

(a) No data for 1941

The above figures differ from those reported by the Annual Reports to the Supreme Court of Iowa because reporting year of court uses the calendar year where the Reports of Board of Parole use fiscal year ending June 30.



CASES IN RURAL AND URBAN COUNTIES

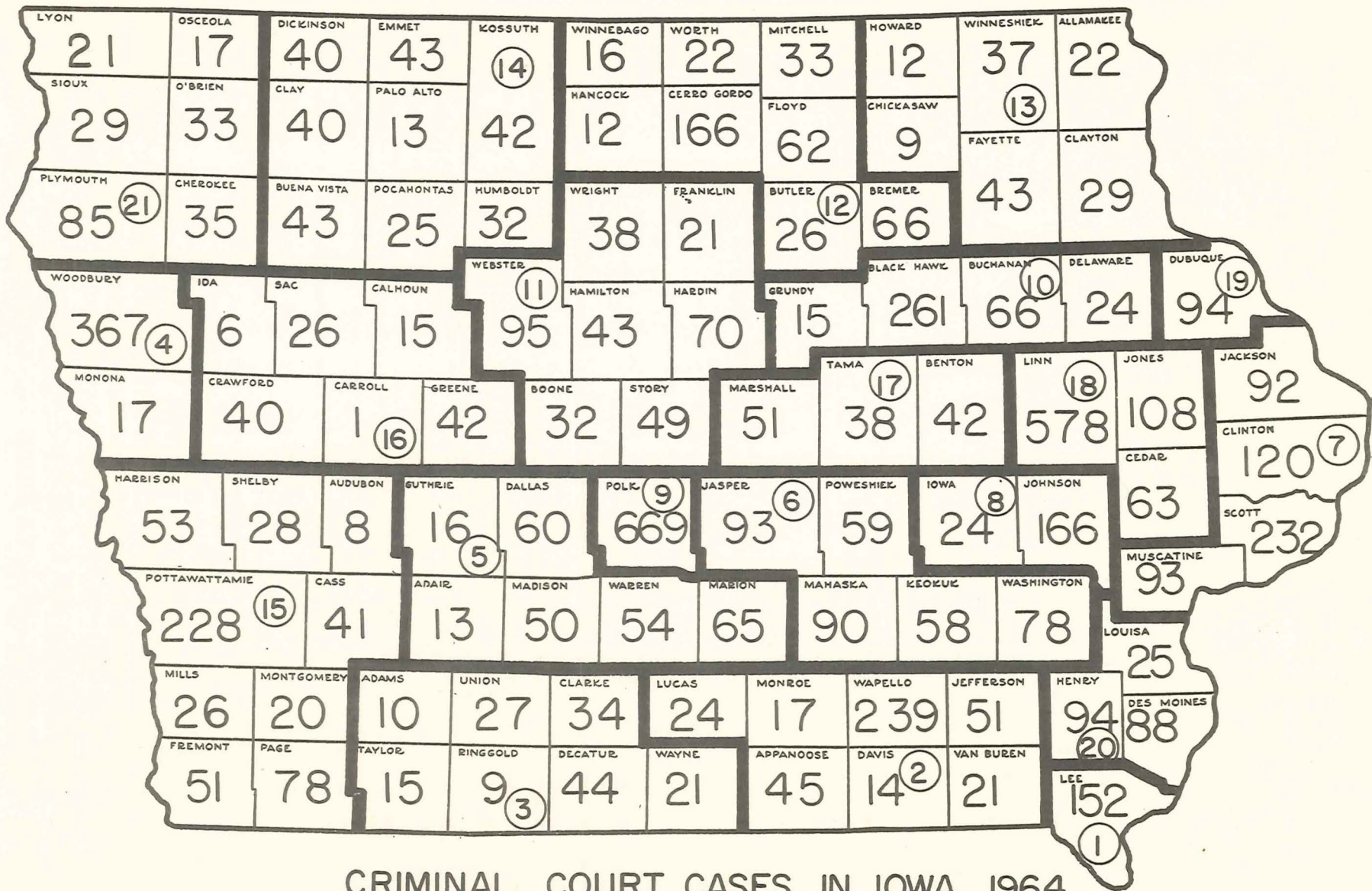
In 1963, more than half of all felons in court were tried in 11 Large-City Counties in the state. Of the 6863 offenders tried in the respective courts, 3461 or 50.5 percent were handled in the 11 Large-City Counties and 3404 or 49.5 percent in the remaining 38 counties. The 11 Large-City Counties are; Black Hawk, Cerro Gordo, Clinton, Des Moines, Dubuque, Linn, Polk, Pottawattamie, Scott, Wapello and Woodbury. See Table 2 for data by county size. The map shows cases by counties in the Judicial Districts for 1964.

On the basis of rates there were 267 cases in the 11 Large-City Counties and 185 per 100,000 in the 23 Rural-Farm Counties in 1964. These differences in cases and rates are due to the fact that crime rates are higher in the Large-City Counties than in the smaller areas. In 1963, crime rates in Iowa ranged from 822 in Metropolitan Areas, to 524 in other cities to 333 per 100,000 in rural areas. (Based on the Uniform Crime Reports, F B. I., 1963, p. 56)

Table 2. Criminal Cases in District Courts of Iowa in 1963 and 1964 and Distribution of Population in 1962 By size of Counties

County Groups	Counties No.	Population 1962 Percent	Criminal Cases		Cases Per 100,000 Rate
			1963 Percent	1964 Percent	
I Rural-Farm	23	10.1	8.0	7.7	185
II Small-Town	34	21.1	18.4	20.3	233
III Large-Town	22	15.1	13.1	14.8	238
IV Small-City	9	12.8	10.0	12.2	231
V Large-City	11	40.9	50.5	45.0	267
Total	99	100.0	100.0	100.0	243

Note: I Rural-Farm Counties=Largest Community under 2500 inhabitants or 100 percent Rural
 II Small-Town Counties=Largest Town between 2500 and 4999
 III Large-Town Counties=Largest Town between 5000 and 9999
 IV Small-City Counties=Largest City between 10,000 and 25,000
 V Large-City Counties=Largest City over 25,000
 Classification of counties based on U.S. Census Data.



CRIMINAL COURT CASES IN IOWA, 1964
TOTAL : 6750

④ = JUDICIAL DISTRICTS

CONVICTIONS

Current information from the District Courts in Iowa, for 1963 and 1964 reveal that four-fifths of all defendants in criminal cases were convicted and one-fifth acquitted or dismissed. In 1963, the courts convicted 83.1 percent (82.1 percent in 1964) of all felons charged with crimes. In the past convictions have varied from the lowest percentage of 73.8 percent in 1943, during World War II, to the highest of 86.8 percent in 1948. In general there were fewer convictions during the years of the Great Depression (1930-38) and World War II.

CONVICTIONS IN RURAL AND URBAN COUNTIES

In the past two years, courts in the Rural-Farm Counties of the state show higher percentage of convictions than courts in the Large-City Counties. In the 23 Rural-Farms Counties convictions ran as high as 92 percent in 1964 whereas in the 11 Large-City Counties convictions constituted only 77.6 percent of all cases in court. The lower percentage of convictions in the Large-City Counties is due in large measure to the fact that County Attorneys in these counties refer more cases to the Grand Jury, whereas, in the Rural-Farm Counties the Grand Jury is used less frequently.

Table 3. Convictions in "Rural-Farm" and "Large-City" Counties of Iowa in 1963 and 1964

Year	Rural-Farm (23)	Large-City (11)
1963	84 Percent	81 Percent
1964	92 Percent	77 Percent

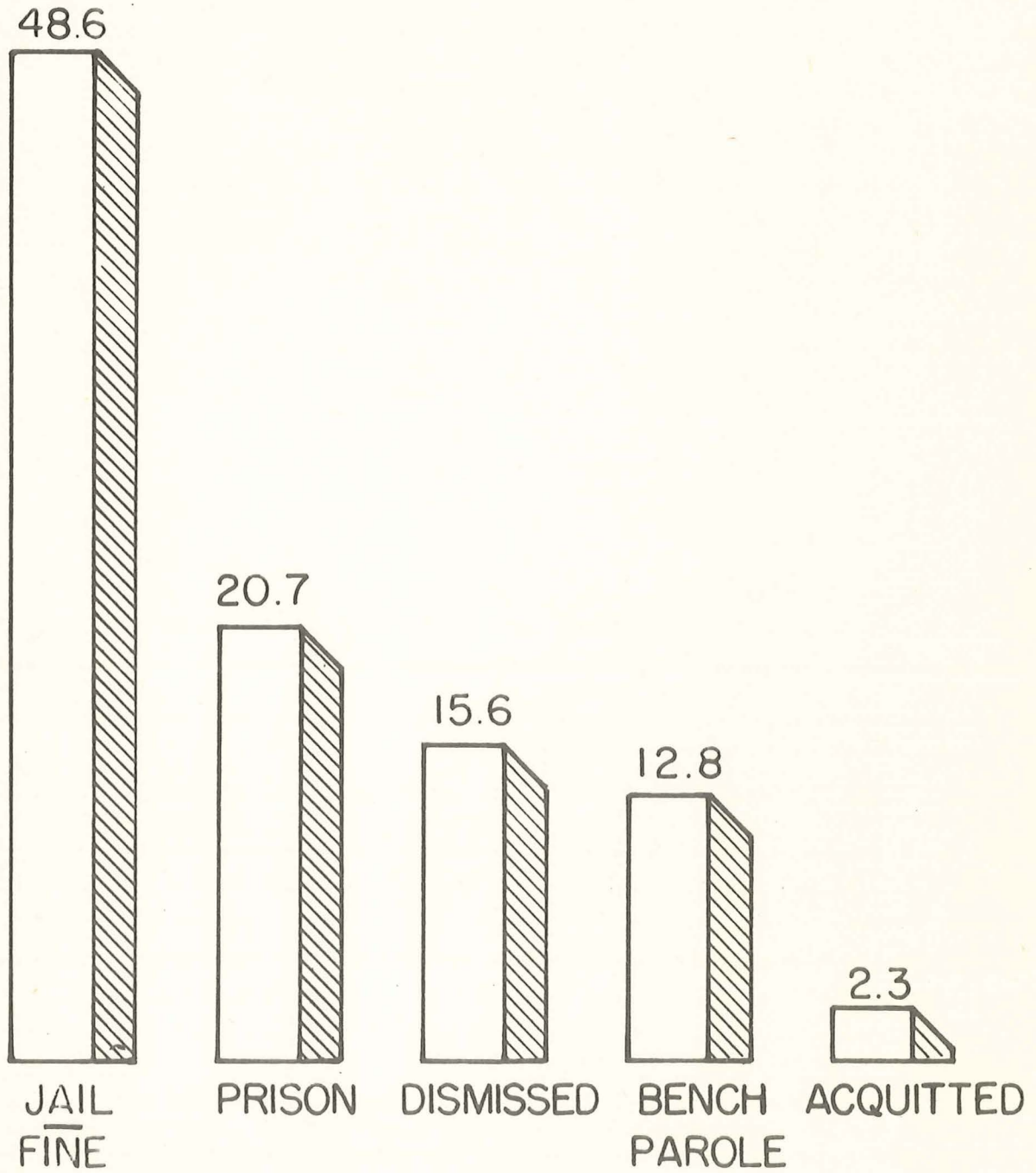
CHANGES IN TYPES OF SENTENCES

Present data show that District Courts are imposing more prison sentences than in previous years. Between 1940 and 1960 less than 20 percent of all defendants were sentenced to prison. In 1953, only 10.8 percent of the felons were sentenced to prison. In 1963, of the total 6863 criminal cases in District Court, 20.3 percent or 1390 of the defendants were sentenced to prison or reformatory. In 1964, of 6750 the offenders, 1394 or 20.7 percent received prison sentences. Whether the increase in prison commitments is due to the greater severity of the crimes or a change in judicial policies cannot be stated. Both factors may be involved.

Table 4. Percent of Felons Receiving Prison Sentences in District Courts in Iowa

Year	Percent
1940	18.7
1945	18.4
1950	12.5
1955	13.5
1960	17.1
1963	20.3
1964	20.7

DISPOSITION OF 6750 CRIMINAL
COURT CASES IN IOWA, 1964
(PERCENTAGES)



RURAL - URBAN DIFFERENCES IN PRISON SENTENCES

In spite of the fact that there were more acquittals and dismissals in the Large-City Counties these same counties meted out more prison sentences than the Rural-Farm Counties. In the 23 Rural-Farm Counties in 1964 of the 522 defendants, 90 or 17.2 percent received prison sentences where as in the Large-City Counties 761 or 25 percent of the 3043 felons were sentenced to prison or reformatory.

JAIL AND/OR FINES SENTENCES

In contrast to the data on prison sentences the courts in the 23 Rural-Farm Counties made wider use of Jail and/or Fines than the Large-City Counties. In 1964 of the 522 felons in the 23 Rural-Farm Counties 337 or 64.6 percent received Jail and/or Fines whereas in the 11 Large-City Counties only 1067 or 35.2 percent of the felons were given a Jail and/or Fines sentences.

BENCH PAROLES

The number of Bench Paroles issued by the courts in the respective counties varied from rural to urban areas. In 1964 only 10.2 percent of the felons in the Rural-Farm Counties were granted bench paroles whereas in the Large-City Counties bench paroles constituted 17.4 percent of all dispositions. (See table 5 and 6 for details by county groups and dispositions for 1963 and 1964)

DISPOSITION OF CRIMINAL
CASES IN 23 RURAL AND 11 URBAN
COUNTIES IN IOWA, 1964
(PERCENTAGES)

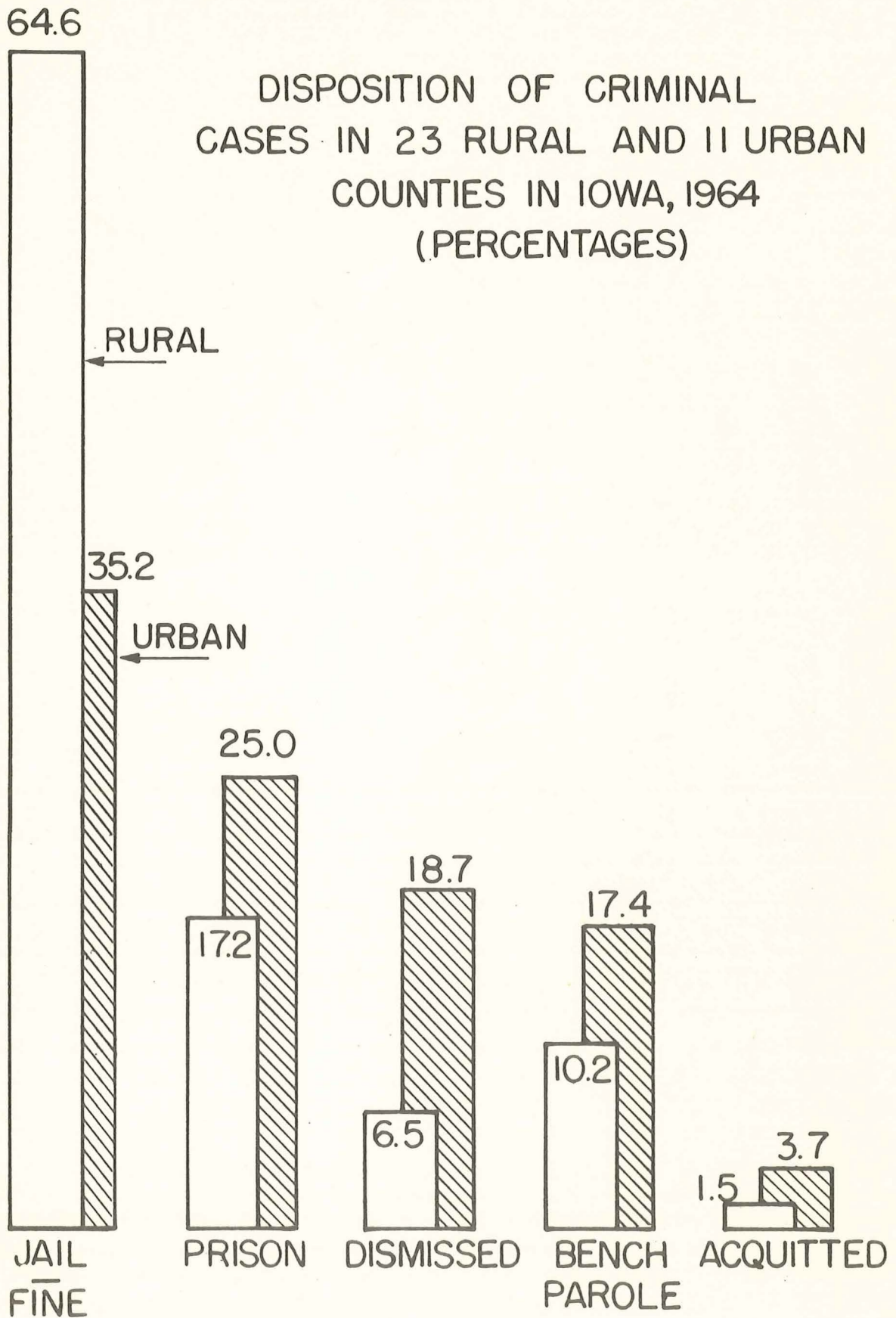


Table 5 Criminal Cases in Iowa District Courts 1963
Disposition of Cases by County Size

County	Prison		Bench Parole		Jail and or Fine		Acquittal		Dismissed		Total	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
I Rural Farm	82	15.1	60	11.1	313	57.8	10	1.8	77	14.2	542	100.0
II Small Town	215	17.0	124	9.8	756	59.8	26	2.1	143	11.3	1264	100.0
III Large Town	170	18.8	103	11.4	504	55.8	9	1.0	117	13.0	903	100.0
IV Small City	152	21.9	55	7.9	389	56.2	11	1.6	86	12.4	693	100.0
V Large City	771	22.3	643	18.6	1366	39.4	35	1.0	646	18.7	3461	100.0
Total	1390	20.3	985	14.4	3328	48.4	91	1.3	1069	15.6	6863	100.0

Note: In the reports of the Board of Parole dispositions are divided into six types, In the above data "Bench Parole" (429) and "Suspend Sentence" (556) have been combined.

Table 6 Criminal Cases in Iowa District Court, 1964
Disposition of Cases by County Size

County Groups	Prison		Bench Parole		Jail and or Fine.		Acquittal		Dismissed		Total	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
I Rural Farm	90	17.2	53	10.2	337	64.6	8	1.5	34	6.5	522	100.0
II Small Town	219	16.0	106	7.7	865	63.3	16	1.2	162	11.8	1368	100.0
III Large Town	159	15.9	105	10.5	553	55.5	9	0.9	171	17.2	997	100.0
IV Small City	165	20.1	69	8.4	464	56.5	9	1.1	114	13.9	821	100.0
V Large City	761	25.0	531	17.4	1067	35.2	113	3.7	570	18.7	3042	100.0
Total	1394	20.7	864	12.8	3286	48.6	155	2.3	1051	15.6	6750	100.0

SENTENCES IN SEVEN LARGE-CITY COUNTIES

In addition to the variations in dispositions of cases in courts in Rural and Urban areas there are wide differences in the types of sentences in the Large-City Counties in Iowa.

In 1964, in Wapello County, 85 or 35.6 percent of the 239 felons in court were either acquitted or dismissed. In contrast only 9.6 percent (22) of the 228 felons in Pottawattamie County were not convicted. In Woodbury County in the same year the court failed to convict 103 or 28.1 percent of the 367 defendants. In Linn County acquittals and dismissals made up 19.2 percent (111) of the 578 cases in court. The percentage in Black Hawk County was the same but in Scott County only 16 or 11.2 percent of the 232 felons were not convicted.

In the seven Large-City Counties, Scott County ranks highest in prison sentences. Of all defendants in court in 1964 (134) or 57.8 percent received prison sentences. In contrast to this only 9.6 percent or 23 of the 239 felons in Wapello County were sentenced to prison. In Pottawattamie County, 38.2 percent of the defendants were sentenced to prison as were 25.3 percent in Linn County and 20.2 percent in Polk County.

In 1964 none of the 232 felons in Scott County were given a bench parole but in Pottawattamie County, bench paroles were granted to 71 or 31.1 percent of the 228 felons. In Linn County, 27.5 percent of the defendants were issued bench paroles as were 22.9 percent in Woodbury and 23.4 percent in Black Hawk County. In Polk County 11.8 percent or 79 of the defendants received a bench parole as did 8.4 percent in Wapello County. (See Table 5)

The percentages of felons given jail and/or fines sentences varied from the lowest of 21.1 percent in Pottawattamie County to the highest of 46.4 percent in Wapello County. In Polk County, 42.2 percent (282) of the 669 felons received jail and/or fines sentences. (See Table 7)

Table 7. Criminal Court Dispositions in seven Large-City Counties in Iowa 1964

County	Dispositions								Total	
	Prison		Bench Parole		Jail and or Fines		Acquittals and Dismissal			
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Polk	135	20.2	79	11.8	282	42.2	173	25.8	669	100.0
Linn	146	25.3	159	27.5	162	28.0	111	19.2	578	100.0
Woodbury	70	19.1	84	22.9	110	29.9	103	28.1	367	100.0
Black Hawk	68	26.1	61	23.4	82	31.3	50	19.2	261	100.0
Wapello	23	9.6	20	8.4	111	46.4	85	35.6	239	100.0
Scott	134	57.8	0	0	72	31.0	26	11.2	232	100.0
Pottawattamie	87	38.2	71	31.1	48	21.1	22	9.6	228	100.0
Total	663	25.8	474	18.4	867	33.7	570	22.1	2574	100.0

Note: The above seven counties have been selected because each had more than 200 criminal cases in court. Bench Paroles and suspended sentences have been combined under "Bench Paroles".

