

## CONVICT REGISTRATION

Los Angeles Times  
1931 09 27, pg A4

This appears to be  
an editorial.

The ordinance proposed by the office of Dist.-Atty. Fitts, requiring the registration with the Sheriff of all persons within the county who have been convicted of certain crimes, is excellent in purpose and intention and may prove very beneficial in operation. The need for some method of controlling the influx of racketeers that is expected during the next few months—the advance guard of which apparently already is here—is very great. It is so great, in fact, as to outweigh some objections to the plan and to make it worth a trial; since on trial it may be found that these objections are not, after all, of a serious nature, or that the legislation may be changed readily so as to meet them, if this is found desirable.

The advantages of the ordinance are fairly obvious. It will give the law-enforcement authorities a check on the members of the criminal class who comply with the law and register and probably a sufficient check to prevent them from engaging in any serious criminal activity while here; and it will provide a method with real teeth in it for putting the criminals who do not register out of harm's way for a good long period without the necessity of catching them in some unlawful act of which the proof may be difficult. If, as the proposal indicates will be done, each day's failure to register is made a separate offense, some of the public enemies against which the law is aimed may be sentenced to years of imprisonment. Sooner than face this possibility they will prefer to go elsewhere.

A humane provision is that convictions older than seven years do not count. A man who has gone straight that long is no danger to the community, in all probability, and is entitled to have an ancient misstep forgotten.

Not included in law  
as passed in 1933.

Among the objections to the ordinance as drawn may be mentioned (1) inclusion of certain misdemeanors among the crimes which require registration (2) possibility of opening the door to blackmail; (3) possibility that the right offenders will not be reached, and (4) the question whether the ordinance may not be held to provide an "added penalty" for an offense for which full penalty has been paid.

Ex post facto

It is obvious that to attempt to register all who have been convicted of misdemeanors would not only clog the registration lists unnecessarily, but subject those guilty of casual and minor offenses to undesirable humiliation. At the same time it is difficult to distinguish between misdemeanors, when the law classes them together. And if the law applied only to felons it would not touch the liquor racketeers, who certainly should be included.

As to possible blackmail, while the registration lists are not to be open to the public, they will necessarily be open to all peace officers and it will be impossible to keep the information from leaking.

The Mann Act and the Sullivan law may be cited as well-intentioned statutes which do not reach, and seldom have reached, those at whom they were aimed. The Mann Act was intended to punish commercial pandering across State lines, but no commercial panderer has ever been convicted under it, though many individuals guilty of mere philandering have felt its teeth and many others have paid blackmail because of its existence. The Sullivan law disarmed the law-abiding, while putting little handicap in the way of crooks arming themselves.

As to the question of "added penalty," this is a matter which may well be left to the courts to decide. It seems probable the objection on this ground is not insuperable.

However weighty these objections may seem, the community needs better weapons than it has in its war on the underworld. This ordinance gives promise of being a better weapon and is at least worth experimenting with.