

Spring 1963

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### Recommended Citation

Julian B. Roebuck, *The Negro Numbers Man as a Criminal Type: The Construction and Application of a Typology*, 54 *J. Crim. L. Criminology & Police Sci.* 48 (1963)

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# THE NEGRO NUMBERS MAN AS A CRIMINAL TYPE: THE CONSTRUCTION AND APPLICATION OF A TYPOLOGY

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Professor Roebuck in 1955 undertook an extended study of the arrest histories of 400 Negro felons incarcerated in the District of Columbia Reformatory in Lorton, Virginia. On the basis of this study, he constructed an arrest-history typology of 13 criminal patterns, principally based upon legal categories of crime. In this article, the author reports on his comparisons of the Negro numbers man with the other types of felons studied.—EDITOR.

The etiological approaches to crime are varied; an examination of the material which comprises the accumulated knowledge about the causation of crime and delinquency reveals many contradictions, inconsistencies, and inadequacies. Students of human behavior interested in criminology have suggested a variety of general theories for use in criminological research—among them, differential association, multiple factor, culture conflict, class conflict, ecological, psychodynamic, psychobiological, constitutional, anomie, and delinquent sub-culture theory. All of these theories, and others, have been repudiated in part by articulate critics who have pointed to cases that cannot be explained under a particular theoretical frame of reference.<sup>1</sup> Perhaps as a result of such cases, some criminologists have moved away from general theories to account for all criminal behavior toward separate theories for specific patterns of crime.<sup>2</sup>

<sup>1</sup>Hartung, *A Critique of the Sociological Approach to Crime and Corrections*, 23 LAW AND CONTEMP. PROB. 703 (1958); Hakeem, *A Critique of the Psychiatric Approach to Crime and Correction*, 23 LAW AND CONTEMP. PROB. 650 (1958); Clinard, *Criminological Research*, in SOCIOLOGY TODAY, PROBLEMS AND PROSPECTS 509 (Merton, Broom & Cottrell eds. 1959); TAPPAN, CRIME, JUSTICE AND CORRECTION 65-82, 215 (1960).

<sup>2</sup>For an excellent summary article on this approach see Gibbons & Garrity, *Some Suggestions for the Development of Etiological and Treatment Theory in Criminology*, 38 SOCIAL FORCES 51 (1959). RECKLESS, THE CRIME PROBLEM 324-25 (3d ed. 1961), among others, has called for special explanations. Examples of excellent work along this line are the studies of Donald R. Cressey, of financial trust violators, and that of Edwin M. Lemert on systematic check forgers. See also Riemer, *Embezzlement: Pathological Basis*, 32 J. CRIM. L. & C. 411 (1941); Lottier, *Tension Theory of Criminal*

Although general theories of crime are still advocated, some scholars maintain that eventually several specific orders of delinquency and crime will have to be recognized and that a different explanation of each order of criminal behavior may be found. It is reasoned that this approach will ease the struggle and frustrations of the criminologist who seeks to bring together, for study and explanation, the diversity of criminal behavior into a single capsule. Certainly any general theory of criminal behavior, given definitions of crime that include such disparate activity as murder, embezzlement, rape, and shoplifting, can hardly escape the necessity of being a general theory of human behavior.

Perhaps the criminologist could build and test smaller theoretical systems within the framework of general criminological theory in order to determine at which points general theory requires qualification, extension, or reformulation. In short, any "middle-range" theory must eventually become a subset of propositions within an acceptable general theory. If this strategy for criminological research is accepted, the first step to be taken is the construction of a workable typology which would provide the means for isolating the specific categories of criminal behavior to be explained by the special theories.

The typology and research described below seek to stimulate interest and research on specific types of crime and criminals. More specifically it is a

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*Behavior*, 7 AM. SOC. REV. 840 (1942); Clinard & Wade, *Toward the Delineation of Vandalism as a Sub-type in Juvenile Delinquency*, 48 J. CRIM. L., C. & P.S. 493 (1958).

tentative step in the direction of providing some of the facts needed for a theory of the etiology of the Negro numbers man as a distinct offender type.<sup>3</sup>

#### AN ARREST HISTORY TYPOLOGY

Several criminal typologies have already been suggested, and a critical literature is growing up around the issue;<sup>4</sup> still no comprehensive typology has as yet gained acceptance in the correctional field. Perhaps the criminologist will have to try first one and then another in a process of trial, elaboration, and modification. The typology utilized in the research reported below may have certain advantages over other typologies already in existence. It may have some disadvantages. The measure of its utility, if any, can only be

<sup>3</sup>Numbers game operators are usually defined as lottery law or policy violators. They are defined by themselves, the police, the underworld, and the betting public as numbers men, and therefore they are so designated in this paper. The numbers game, a variant form of policy, is a special type of *lottery* which constitutes a notorious form of gambling among Negroes in the large metropolitan areas of the Eastern Seaboard and the Mid-West. The player bets one cent upward on a three digit number (any combination of numbers from 000 to 999) which he notes on a "slip" and turns over to a "numbers writer," a street numbers bookie (with his wager commonly from ten cents to a quarter), who in turn passes it on to a "pick-up man," and finally it reaches the counting office (the "bank" or "drop") of the numbers ring. At the drop clerical workers check and tally each individual numbers slip and wager and sift out the slips bearing the winning combination, which is usually determined from pari-mutuel totals at a certain race track. The total payoff figures for the three, five, and seven races may be used, or any combination of prices in any three designated races. The last dollar numeral before the decimal is used. The last three digits of the daily total amount bet may also be designated the winning combination. Odds, though varying from one city to another, are usually in excess of 1000 to 1 that any particular combination of three numbers will turn up. The operators pay a winner from 500 to 800 to 1. For a history of the numbers game among Negroes see DRAKE & CAYTON, *BLACK METROPOLIS, A STUDY OF NEGRO LIFE IN A NORTHERN CITY* 470-94 (1945). For an account of the extent and method of operation of this gambling racket see DAVIE, *NEGROES IN AMERICAN SOCIETY* 422-25 (1949); KEFAUVER REPORT (Washington, Government Printing Office, U. S. Senate, Report No. 307, 1951); Sprigle, *Inside the Rackets*, Pittsburgh Post-Gazette, July 10, 1950, p. 1, cols. 1-2; Blanche, *Lotteries Yesterday, Today, and Tomorrow*, 269 *Annals* 71 (May 1950); Jacoby, *The Forms of Gambling*, *id.* at 39; Morehead, *The Professional Gambler*, *id.* at 80, Dizazga, *Gambling and the Law—Policy*, 44 *J. CRIM. L., C. & P.S.* 665 (1954).

<sup>4</sup>Cressey, *Crime*, in *CONTEMPORARY SOCIAL PROBLEMS* 57-66 (Merton & Nisbet eds. 1961); MCGEE, *MONOGRAPH NO. 2, INQUIRIES CONCERNING KINDS OF TREATMENT FOR KINDS OF DELINQUENTS* (Board of Corrections, Sacramento, Calif., July 1961).

settled in the field. Because this typology is both new and basic to the research, we must first turn to a brief discussion of its construction.

The typology we advocate is based upon arrest-pattern categories as found in the official arrest records of a sizeable sample of incarcerated felons. The typology makes explicit use of legal terms and gives special emphasis to the criminal career. The use of legal terms was prompted by two considerations: first, the accessible official data concerned with criminal histories exist in terms of the legal nomenclature, that is, arrests by criminal charges; and second, the criminal code contains more specific, hence operational, definitions of criminal behavior than any set of nonlegal categories.<sup>5</sup>

It is certainly legitimate to question, as have many criminologists, the validity of differentiating between criminals on the basis of legal criminal categories rather than behavioral categorizations. If legal criminal categories were only legal categories, criticism would certainly be justified. However, studies by the author show that a considerable number of behavioral differences exist between groups of individuals with different arrest patterns, while a good deal of commonality exists in the backgrounds of individuals within a specific category of arrest patterns.<sup>6</sup> Thus, arrest patterns appear to constitute behavioral as well as legal categories of offenders. That significant differences exist between arrest-pattern groups seems sufficient reason to follow this approach to criminal typology further.

The typology used herein is developed from a longitudinal study of the known criminal offenses charged to individual offenders as revealed in their arrest histories. A type theory in which criminals are differentiated according to a single (usually most recent) offense has an extreme disadvantage in that offenders, unconcerned with criminological research, show some variability in their offenses.<sup>7</sup>

<sup>5</sup>Tappan, *Who is the Criminal?* 12 *AM. SOC. REV.* 96 (1947).

<sup>6</sup>Roebuck, *The Negro Drug Addict as an Offender Type*, 53 *J. CRIM. L., C. & P.S.* 36 (1962); Roebuck, *The Negro Assaulter and Drinker as an Offender Type*, *J. CRIME AND DELINQUENCY* (in press); Roebuck & Cadwallader, *The Negro Armed Robber as a Criminal Type; the Construction and Application of a Typology*, 4 *PACIFIC SOC. REV.* 21 (1961). See also: Roebuck, *A Tentative Criminal Typology of 400 Negro Felons* (unpublished study conducted under the auspices of the Institute for Criminological Research, Dept. of Corrections, Gov't of the District of Columbia, Washington, D.C., 1958).

<sup>7</sup>GILLIN, *THE WISCONSIN PRISONER: STUDIES IN*

Calling a man an "armed robber type," on the basis of his most recent crime, even though he has a long previous history as a "con man," is unlikely to lead to much useful knowledge.

In contrast, the present typology is based on the configuration of total known arrests for various criminal charges. The arrest history, a longitudinal measure of behavior, allows the investigator to observe the existence of a fixed pattern of behavior, if any such pattern exists. The case of an offender whose official arrest history shows nine robbery charges out of a total of twelve arrests may be taken as a hypothetical case. Similar sequences of arrests on other charges, e.g., assault, drunkenness, housebreaking, etc., may be classified in this manner. This approach makes it possible to classify individual criminals into criminal pattern categories.

Of course, this index, because it is a product of official records, does not account for all the crimes committed by the subject in his criminal career. No offender is apprehended for every crime he commits; and, of course, the offender may not be guilty of all the crimes he is charged with. However, the principal advantage in the use of arrest records stems from the fact, as Sutherland and Cressey (among others) have noted, that the further one gets away from a criminal's arrest history the more obscure and distorted become the facts of his criminal activities.<sup>8</sup> The possibility of the following outcomes subsequent to arrest loomed as blocks to a clear picture of an offender's criminal activity: "deals," "fixes," insanity adjudications, ignoramus of the indictment, abated proceedings, disappearance of star witness, jury tampering, hung jury, nolle prosequi, dismissal of the charges, bail jumping, fugitivity, acquittal, purging of contempt; retrospective motions to arrest judgment, to vacate judgment, to set aside the sentence, to grant a new trial, to set aside the verdict by reason of its being contrary to the weight of evidence, etc.

Some academic criminologists have utilized for illustrative and interpretative purposes the arrest histories of certain offender types.<sup>9</sup> Apparently

CRIMINOGENESIS (1946), has classified a number of incarcerated offenders for purposes of analysis into general criminal categories; e.g., sex offenders, property offenders, and murderers, on the basis of a single (conviction) charge.

<sup>8</sup> SUTHERLAND & CRESSEY, *PRINCIPLES OF CRIMINOLOGY* 32-36 (6th ed. 1960).

<sup>9</sup> RECKLESS, *THE CRIME PROBLEM* 87-95, 119-128, 154-177 (3d ed. 1961); TAPPAN, *CRIME, JUSTICE AND*

they have realized the inadequacy of any classification of offenders on the basis of conviction rates alone. Criminologists, institutional case workers, and parole and probation officers make ample use of arrest histories in discussing criminal careers and in developing the case histories of offenders.

The police in large metropolitan areas have in many instances either combined or cross-filed their modus operandi files with their "rap sheets" in an attempt at a rough classification of arrestees into a criminal typology. Most large law enforcement agencies have appropriately titled spaces on the reverse sides of their fingerprint blanks for the notation of the specific techniques used in the commission of the acts which led to each specific arrest.<sup>10</sup> Certainly the value of the offender's official arrest history has been recognized in the assessment of his criminal career. Perhaps a more systematic analysis of this record as a criminal source is called for.

One of the basic assumptions underlying this typology and the research that emanated from it was that arrest patterns would indicate a particular scheme of behavior or criminal career. If non-criminals manifest a pattern in their lawful activities, then the logic of contemporary behavioral theory leads us to assume that the unlawful activities of the criminal must also manifest an identifiable pattern. Our typology is designed to classify criminals in terms of illegal careers as revealed in cumulative arrest histories. The basis for classification is the most frequent charge or charges occurring in the total arrest history of the subject. The charges appearing in the later phases of the criminal's arrest history are given greater weight. It is assumed that the later entries in an offender's arrest history more accurately reflect the current state in his criminal development than those entries occurring in the earlier portions of his arrest history.<sup>11</sup>

The actual construction of the typology was the product of an extended analysis of a sample of 400 arrest histories selected at random, at time of

CORRECTION 122-30, 138-40, 149-50, 153-54, 166-67, 204-05, 226-29 (1960).

<sup>10</sup> FITZGERALD, *HANDBOOK OF CRIMINAL INVESTIGATION* 119-25 (1951).

<sup>11</sup> In addition to the question of frequency of charge, consideration was given to the role that time intervals between charges might play. A preliminary investigation of the sample revealed a remarkable homogeneity in the length of time intervals between charges. Only ten out of the total 400 arrest histories exhibited an interval of five or more years between arrests (omitting, of course, time spent in incarceration).

entrance, from 1,155 Negro cases who entered the District of Columbia Reformatory, Lorton, Virginia, between January 5, 1954, and November 8, 1955.<sup>12</sup> An analysis of the 400 arrest histories based on the frequency of criminal charge occurring in each history permitted the grouping of all cases into four general classes:<sup>13</sup>

1. *Single Pattern*—This label was attached to an arrest history which showed a high frequency of one kind of criminal charge. In order for a history to be classified as a single pattern, it had to satisfy one of the following conditions:
  - a) It had to show three or more arrests, *all* for the same charge.
  - b) An arrest history which contained at least four arrests for a given charge *and additional arrests for other charges* was divided into three sections and qualified for a single pattern:<sup>14</sup>
    - 1) If at least one of the four-or-more arrests for a given charge appeared in the last section of the arrest history; and,
    - 2) If the charge constituted at least 33 per cent of those charges which occurred in the last two sections of the arrest history.
2. *Multiple Pattern*—An arrest history of two or three single patterns each of which would qualify as a single pattern according to the criteria set forth in Item 1. b) above.
3. *Mixed Pattern*—An arrest history of three or more arrests in which none of the charges formed a frequency pattern as defined above ("Jack-of-all-trades").
4. *No Pattern*—An arrest history of fewer than

three arrests. This is a residual category of those offenders with insufficient arrests to warrant analysis.

The final result was a typology of 13 criminal patterns. Eleven of these include distinct legal categories.<sup>15</sup>

#### COMPARISON OF NEGRO NUMBERS MEN WITH OTHER CRIMINAL TYPES

Given the typology, the next step was to investigate the relationship between various classes of criminals and the social and personal background factors held—in the opinion of the author, within more general sociopsychological theory—to be among the significant determinants of human behavior, whether lawful or unlawful. Thirty-three characteristics were drawn from the life-history or total career of the offender, including family and community background, peer and reference group relations, indices of personal disorganization and juvenile delinquency, leisure-time activities, marital history, and work history. Additionally, for qualitative comparison, an attempt was made to assess the degree of professionalization involved within each of the criminal categories. In this attempt the interview schedules included the following topical outline which each offender was asked to discuss with the interviewer: (1) social and criminal relationships with other law violators (prior to incarceration); (2) techniques and skills utilized in criminal activity; (3) organized criminal activity; (4) lone wolf criminal activity; (5) lawful occupational pursuits; (6) identification with any particular kind or kinds of criminal activity; (7) status in the underworld; (8) attitude toward law enforcement machinery.

#### *Statistical Comparisons*

The statistical part of the present study involved the comparison of 16 Negro offenders in the single arrest pattern of numbers game operators with the 384 offenders making up the remainder of the sample described above, with reference to these 33

<sup>15</sup> (1) Single pattern of robbery (N 32); (2) Single pattern of narcotic drug laws (N 50); (3) Single pattern of numbers game operators (N 16); (4) Single pattern of burglary (N 15); (5) Single pattern of sex offenses (N 15); (6) Single pattern of auto theft (N 8); (7) Single pattern of confidence games (N 10); (8) Single pattern of check forgery (N 6); (9) Triple pattern of drunkenness, assault, and larceny (N 43); (10) Double pattern of larceny and burglary (N 64); (11) Double pattern of assault and drunkenness (N 40); (12) Mixed pattern (N 71); (13) No pattern (N 32).

<sup>12</sup> The Reformatory was actually a penitentiary and housed a heterogeneous group of felons who were serving sentences ranging to life imprisonment.

<sup>13</sup> In determining criminal patterns (arrest-history patterns) a chronological arrest history on each of the 400 cases was derived from the official arrest records. Legal nomenclature was adhered to, including the offense categories found in the criminal codes of the District of Columbia, the various states, and the U. S. Code.

<sup>14</sup> Obviously, not all numbers are divisible by three. When the number of arrests could not be divided into three equal sections, the later sections were given more weight. Thus, an arrest history showing (3K + 1)—where K is the largest number which will divide into the number of arrests three times and the 1 is the remainder—was divided into three sections as follows: K, K, K + 1; similarly, the division of an arrest history showing (3K + 2) was divided into three sections as follows: K, K + 1, K + 1.

characteristics.<sup>16</sup> All statistical differences cited below are significant at the .05 level of confidence or beyond. The test used to determine the significance of differences was that of chi-square. The qualitative comparisons are noted as such and were kept separate from the statistical data.

The numbers men were a comparatively older, more intelligent, and more literate group of offenders. Six were between 30 and 39; four, 40 to 49; three, over 50; two, 25 to 30; one, under 25 (median age 38). According to the Lindner Gurvitz Revised Beta I.Q. Test, 12 were of average intelligence and 4 were above average intelligence (median I.Q., 105). Their median Stanford Achievement Test grade level was 8.1. For the remainder of the sample the median age was 33, median I.Q., 86, and S.A.T. grade median, 5.0.

Statistical comparisons revealed that the men in this pattern less frequently grew up in slum neighborhoods. They were more often products of strong family structures in which close ties were the rule; i.e., divorces, desertions, abandonments, and separations were less frequent; and more often the family relationships were characterized by intimate, affectionate ties. They were less often from families in which other members had criminal records, and less often from economically dependent or demoralized families; e.g., comparatively, arrest, jail, and prison records among family members were rare; economic aid from welfare agencies was uncommon; and the excessive use of alcohol, the use of opiate drugs, and the engagement in prostitution, adultery, and incest by family members were unusual. They came significantly more often from patriarchal homes, as opposed to the typical matriarchal home of most other offenders; e.g., the father played the dominant role in interpersonal relations with his spouse in decision-making during family-crisis situations, and in disciplining children. They were more frequently products of homes unmarked by emotional conflict where adequate supervision by both parents was typical. Supervision of their childhood ac-

tivities was generally firm, considerate, and consistent. Conversely, the men in the remainder of the sample frequently grew up in families characterized by emotional conflict where supervision by parents was usually lax. Hostility toward the father figure was expressed less frequently by this group. Contrariwise, a high proportion of the other offenders repeatedly expressed enmity, antagonism, resentment, and dislike for their fathers. This hostility seemed to stem from a basic lack of admiration and respect for a rejecting parent.

The childhood and adolescent adjustments of the numbers men (as measured by the researcher's criteria) were far superior to those of the men in the remainder of the sample. They were less often disciplinary problems at school; i.e., they were rarely in trouble for fighting, stealing, insubordination, sex delinquency, and the destruction of school property, in contrast to many of the other offenders. A lower proportion of them were school truants and "home runaways." They worked less often at street trades, and they had fewer juvenile delinquent companions. Only one was a member of a juvenile delinquent gang, only one was committed to an institution for juvenile delinquency, and only one had adult criminal companions before age eighteen (these companions were numbers men). As adults, they were more often married (usually, they said, happily). They were less often problem drinkers. Not one was a drug addict. On the negative side, a higher proportion of them were inveterate gamblers.<sup>17</sup>

#### *Qualitative Comparisons*

A qualitative examination of this group<sup>18</sup> indicated a stable family background relatively free of emotional conflict, economic deprivation, and physical violence.<sup>19</sup> These remarks from one numbers man about his parental family were typical:

"My father worked at the post office as a mail clerk. He retired a few years ago. My mother worked in the government at one time as a clerk.

<sup>16</sup> In addition to comparing these 16 offenders with the remainder (384) of the entire sample, we also compared them with the offenders in each of the remaining 12 patterns. The internal comparison data are not treated in this study, except to note that offenders in the pattern numbers game operators are most similar in background to those in the *residual* category of "No Pattern" (comprised of offenders with less than three arrests); however, the men in "No Pattern" were much less prone to gambling. The qualitative material also demonstrated them to be less frequently "sports" and "high livers."

<sup>17</sup> The data were obtained from institutional records and lengthy interviews. The records included social case workers' admission summaries and case histories and clinical psychologists' personality profiles based on clinical interviews and Minnesota Multiphasic Personality Inventories.

<sup>18</sup> In addition to the statistical findings reported here, considerable qualitative evidence was gathered from interviews to support and extend the quantitative study. The material is summarized below.

<sup>19</sup> DRAKE & CAYTON, *op. cit. supra* note 3, at 546-49, note the respectable, middle-class backgrounds of many Negro numbers men.

TABLE  
COMPARISON OF SINGLE PATTERN OF NUMBERS GAME VIOLATORS WITH ALL OTHER OFFENDERS

Selected Social and Personal Attributes	Numbers Men (N = 16)		All Others (N = 384)		SIGN. OF $\chi^2$	Selected Social and Personal Attributes		Numbers Men (N = 16)		All Others (N = 384)		SIGN. OF $\chi^2$
	N.W.C.*	N.W.C.	N.W.C.	N.W.C.		N.W.C.	N.W.C.	N.W.C.	N.W.C.			
1. Reared in more than one home.....	3	158	N.S.**	0	208	.01						
2. Mother figure southern migrant.....	3	171	N.S.	2	277	.01						
3. Mother figure domestic servant.....	13	287	N.S.	7	59	.01						
4. Dependent family.....	6	290	.01	1	250	.01						
5. Family broken by desertion.....	2	138	N.S.	0	301	.01						
6. Demoralized family.....	1	195	.01	2	201	.01						
7. Criminality in family.....	1	170	.01	3	185	.05						
8. Mother figure dominant.....	2	217	.01	3	200	.02						
9. Inadequate supervision—father.....	3	193	.05	3	285	.01						
10. Inadequate supervision—mother.....	4	278	.01	5	231	.05						
11. Conflict in family.....	3	231	.01	1	141	.05						
12. Overt hostility toward father.....	2	269	.01	4	173	N.S.						
13. Overt hostility toward mother.....	1	77	N.S.	1	145	.05						
14. Disciplinary problem at home.....	2	117	N.S.	1	214	.01						
15. History of running away.....	3	182	.05	1	162	.01						
16. Inveterate gambler***.....	16	154	.01	0	64	N.S.						
17. Problem drinker.....	2	191	.02									

\* Number With Characteristic.

\*\* Not Significant.

\*\*\* Nonprofessional gambling.

You know, she typed. When us children came along she quit and stayed home. There were times when things were tight but we managed. We didn't bother with no welfare. We had enough to eat and wear. We had to go to school and keep clean. Also Sunday School. We didn't run the streets either. We stayed at home when we were not at school or at the playground. The old man brought his check home at the end of each month and we all shared alike. He didn't drink it up or live it up with the chicks. He wore the pants in the family, but he wasn't rough. You know he didn't cuss and slap everybody around. He was good to my mother. All in all we had a happy home. If we got out of line they [parents] mostly talked to us and made us stay in the house for a day or two. I never got but two whippings."

In discussing their infrequent juvenile delinquent activities not one mentioned housebreaking, strong-arm activities, or robbery. Involvement in sporadic, unplanned pursuits such as petty thefts from grocery stores were mentioned. Their friends were free of police and juvenile court contact. Accounts of this kind were common:

"I had no use for gang boys. Most of them were thugs who lived in the bottom. They never was my kind. I scuffled around with some of them at school. You know, I was no sissy, but I gave them plenty of traveling space and they just left me alone. Sure, I stole a few things as I went through life. I guess everybody does. You know, like a toy or something. I sure had no habit of stealing. My buddies were good boys. We didn't get in trouble with the teachers and we steered clear of cops."

It is of note that these men between the ages of 17 and 18 began drinking beer, gambling at cards and dice, and engaging in sexual intercourse with school-girl companions. These activities were generally conducted surreptitiously and rarely led to parental attention or police action. As one offender asserted:

"Well I always wanted to be a sport. You know wear sharp clothes and have a good time with the chicks. I guess you would say I always had a desire to live high on the hog. About seventeen or eighteen I started to really make out with the girls. I was a good dancer, and I knew how to dress. I also had a good line. I could sweet talk them into anything. Well, if you call messing around with the girls delinquent I was one. I

liked to shoot craps and play poker a little too. I drank some beer at parties and mostly when I danced. I didn't talk about this at home. The folks would have raised a howl. All the other boys in the neighborhood did the same thing though. Some of them are school teachers and lawyers now. Some of them write numbers too."

Conversely, the onset of delinquent activities among the men in the other criminal categories who were delinquents generally occurred in pre-adolescence. Their activities—not as well masked as those of the numbers men—more frequently resulted in formal community and police action. Their offenses more often involved stealing, the destruction of property, and violence.

Though the numbers men grew up in non-slum areas, they claimed that their family members and neighborhood acquaintances were tolerant of the numbers game.

"My folks were respectable, law abiding people. None of them went to jail. They knew about the numbers. Man, everybody knows about the numbers. My mother and father use to play a number now and then. My sister, who went to college, was married to a numbers man. Everybody in the neighborhood knew what the number was each day whether they played one or not. Everybody knew too when somebody hit [won]. Of course my folks didn't like no craps or poker playing. At home we use to joke about dreaming up a good number to play."

In reference to later community adjustment, all of these men had strong primary group ties. Eleven maintained strong ties with their first primary group, the parental family; 13 experienced strong marital ties; the remaining 3 sustained stable relationships with a paramour.

Their difficulties as adults stemmed from gambling. Though professional gamblers with some understanding of odds and the laws of chance, these men spent much of their leisure time betting at the race track, prize fights, poker games, and at various other major sports events throughout the Northeast. Betting on horses was their chief recreation. They earned their money from "marks" (numbers players), and at the same time they were "marks" themselves at the race track. Their reactions to this anomaly are illustrated by these comments:

"Money that comes easy, goes easy. Money you win from gambling moves around like ice on top of a red-hot stove. But you know horse racing



is the sport of kings. I got to have some fun, you know. Then too, I don't gamble all of the money I make from the numbers away."<sup>20</sup>

A sizeable portion of their time was spent with attractive young women whom they euphemistically alluded to as "slick chicks," "fine broads," "foxes," and "party girls." They wined, dined, and socialized with these women at two plush cocktail lounges situated in a Negro commercial section of Washington, D. C. They passed these girls around among themselves at what they termed "respectable time intervals" (3-6 months). Many of these "play mates" worked in a numbers ring as clerical workers. At times they were actually "kept women," who accepted their roles as companions and sex partners. These remarks were characteristic:

"These chicks as a rule were for real. I mean they would never squeal. They knew we were in the life, and with us they knew they got the best of what there was to get like entertainment, clothes, perfume, booze. Everybody knew who was going with who. The fruit basket would turn over now and then and we would change partners in a nice way, but we didn't get upset and jealous. It was the life. You know we lived it up. We were gentlemen. No girl had to worry about us beating her up or pushing her around. You know many men do slap women around. They understood we were married. They never called us at home. In fact we were all good friends. Some of the chicks worked for us as clerical help."

Their leisure-time nexus of gambling and women seemed to constitute prescribed role playing:

"Well, you know in my business you have to be a sport and a spender. You got to have front. You have to impress the public that you are a man in the know who knows how to live it up. You got to wear sharp clothes; hang out in the best places; set up the boys and girls at the bar with drinks. And you know, give the chicks a break. When these suckers see you swinging out now and then with a fine broad they know you have some money, and they figure they can play their numbers with you safely. This is a

competitive business. Of course it's not too hard on me to play the game. My wife understands this. She's been with me now ten years. She isn't going anywhere. Of course she is not too happy when I go out and blow a chunk [money] after a big run, but I have to do that. At that time I have to prove I can stand the run."

Their statements demonstrated that the numbers game was a regular, day-by-day occupation and that they were interested in upward mobility in an activity which called for differential responsibility and skills at various levels of performance. As one numbers man reported:

"I've made my living by the numbers for years. I started out working for a 'numbers writer' twenty years ago as a 'runner.' He died two years later. I had worked hard and had played him square. The big boy [numbers backer] knew I knew the territory and everybody in it. He also knew I was a pleasant, fast talker and a hard worker who could put on a front. I know to keep my mouth shut when necessary. I could shoot the breeze with the customers about most anything they wanted to talk about... you know, sports, gambling, women, even politics. He knew I could also keep my hand out of his bag [steal the backer's take]. Five years later he made me a 'pick-up man.' You see I had a head for figures. I could estimate the normal take in most areas of the city. It was hard for a 'writer' to hold out on me cause I knew what the people bet in his area. A few years later the big boy's 'head man' was 'busted' [arrested] at the drop and then I got my big break. He called me up to help supervise the drop. Three of us fought it out for 'head man' for two years. The competition was keen. I had to be nice to everybody there though I knew some were gunning for me. I really had to be a politician and learn more about numbers too. You know, a little bookkeeping and percentages. I also had to get to know the strong and weak points of workers. I had to learn when to recommend hiring and firing certain people. It takes a certain kind of head for figures and a certain kind of personality for numbers. You got to be careful who you hire. You can't afford to hire a 'willy' [country boy]. You got to pick a man with some class who knows what's happening, and who knows how to dress and talk right. You got to stay away from gorillas [strong armers] unless you are

<sup>20</sup> These remarks revealed an adage of the professional gambling fraternity that the gambler wins at the game that is his speciality, only to lose money at another man's game. See Morehead, *The Professional Gambler*, 269 Annals 81 (May 1950). For a psychoanalytical explanation of this phenomenon see BERGLER, TENSIONS CAN BE REDUCED TO NUISANCES, A TECHNIQUE FOR NOT-TOO-NEUROTIC PEOPLE 176-88 (1960).

hiring a bouncer. Finally I made a 'head man.' After the big boy was finally busted I took over as a backer. Not everybody makes it. You can get froze at any level. I was lucky, and I guess I got more class than most people."

Though all these men made their living primarily from numbers, ten of them claimed that at one time or another they had invested money as "silent partners" in what they referred to as legitimate enterprises—bars, liquor stores, tourist homes, poolrooms, and used car lots. Five said they owned rental property. The capital for these business ventures was invariably made from numbers. Their general attitude toward legitimate business, money, and the numbers game may be adduced from the following expressions of one numbers man:

"What good is a lot of money less it's put to use? Stepping out into business was just like another gamble to me. Many Negro businessmen in this town got their start from working at numbers. Some retire, some don't. If it wasn't for numbers some people wouldn't have jobs and homes. I went into numbers for the same reason other people go into teaching or medicine or anything else. I noticed some outstanding successful people in the game. They attracted me so I went in."<sup>21</sup>

None of them claimed any association with other aspects of the organized underworld, though they were quite familiar with the criminal argot. They asserted only a newspaper knowledge of other underworld activities and admitted to no more than a nodding acquaintance with offenders outside the gambling fraternity. Their criminal companions were usually other numbers men, though they admitted to some association with other types of gamblers—e.g., owners and operators of gambling houses; race-track bookies; boxing, football, and baseball bookies; and "house" card and dice dealers:

"I associated with my own kind. Now and then I went to the race track or had a drink with some of the dice and card players. One or two were pretty good guys. Now and then I had a drink with old Charlie, a cardsharp, and with Bill who runs a crap table. Those hoodlums like

<sup>21</sup> DRAKE & CAYTON, *op. cit. supra* note 3, at 486-94, found that Negro numbers men often invested in legitimate business in Chicago; e.g., taverns, shoe stores, food marts, and real estate. Moreover, many numbers men considered themselves to be race leaders. On this point see also JUNKER & ADAMS, *COLOR AND HUMAN NATURE* 20-21 (1941).

muggers, heist men, and housebreakers were not my kind of people. They were in another world. They are nothing but scum."

These men were members of different gambling rings varying in number of personnel from 15 to 100, and they identified themselves as gamblers with a definite status among their kind. One commented:

"I have been in business for years as a gambler. The police have known me and everybody who works for me for years. I am hard to catch. All of the Negroes in D. C. know about me and my organization. You and everybody else knows about me from the newspapers. I'm a numbers man and I'm not ashamed of it. I started as a numbers runner. I worked hard and was honest. I never renegeed on a bet. I got respect from my own kind. I got a \$50,000 house, a wife and two nice kids. This is my first bust in thirty years. How much money you got? I got a few 'big' ones [one thousand dollar bills]."

The interview material suggested that 15 of these men were products of the Negro middle class. All were reared in non-slum neighborhoods by respectable parents; 12 graduated from high school; three attended college; ten stated that one or more of their siblings had attended college; 12 stated that their wives attended college; 14 claimed that their parents had steady, non-laboring jobs; and all mentioned friends and family connections among professionals and semi-professionals. The admission summary materials and the visiting and correspondence records supported these statements.<sup>22</sup> The men presented themselves as respectable, middle class people who were church-goers, home-owners, and fathers.

Perhaps, though products of the Negro middle class, these men who lived in the non-criminal as well as the criminal world could best be described as middle and upper class "shadies." But no less a scholar than E. Franklin Frazier lends support to their claim of respectability. He contends that "playing the numbers" has become respectable among members of the Negro middle class, and that some members of Negro "society" derive their incomes from the numbers. He claims further that the Negro middle class is also being recruited from the successful underworld Negroes who have

<sup>22</sup> All these men had received numerous friendly letters and visits from Negro professional and business men while incarcerated. Some of their family members and friends had married into the Negro professional and business classes.

gained their money from numbers, and that the sporting and criminal elements are acquiring a dominant position among Negroes.<sup>23</sup>

Regardless of their class position in the Negro community, these men were criminals because they engaged in an illegal racket. They evinced in the interviews the "fast buck" philosophy of the "angle boy" and the professional criminal and expressed negative feelings about all law enforcement machinery, especially the police. Moreover they seemed to have rationalized away their specific form of criminal activity. Gambling to them did not constitute "real" criminal behavior. These assertions by one interviewee were typical:

"Why don't the cops spend their time on these hoodlums and leave us numbers men alone. All we do is provide opportunity for people to gamble. You can't stop gambling. We provide a service for which we deserve some return. Hell, we pay 800 to 1 odds. Everybody has his angle. Take you, you got your racket. You probably will write a book. The police have theirs. They will take a red hot stove [accept bribes]. Trying to do away with crooked cops is as easy as dipping all the water out of the Atlantic Ocean with a saucer."

All claimed that the gambling ring for which they worked retained a criminal lawyer on a permanent basis. It is interesting to note that their court records revealed that only four different lawyers (three Negro and one white) were involved in the 16 different court cases.<sup>24</sup>

Though, according to their reports, the various numbers rings in which they worked competed with each other for personnel and for betting customers, there was no evidence of syndicated numbers activity. To the contrary, the data indicated that the leaders (numbers backers) were local products. There appeared to be a feudal system (minus a king) including several rings, each maintaining its own organizational pattern and its own base of operations, and each possessing an individual set of employees. Additionally, the process of mutual aid as well as competition was

<sup>23</sup> FRAZIER, *BLACK BOURGEOISIE* 127-213 (1957).

<sup>24</sup> The white attorney, a well-known local criminal lawyer, was referred to jokingly by this group under study as the "Great White Father." While the research was in progress this paternal figure died. He was sorely grieved both inside and outside the institution. Relatives and friends of the men under study viewed his remains and sent flowers. As one numbers man remarked, "An institution has passed on."

evident in the relationships among these various rings:

"Anybody can move with no trouble from one backer to another if he is a good man. Backers hire out from under each other, and they don't get mad about it. That's the game. We don't worry about no violence or syndicate business. D.C. is just not that kind of town. All the backers I know are local yokels like me. They just worked up on their own. If somebody gets in your bag [steals from the ring] too much he just gets fired. You may get another backer. Then you steal too much again and get caught. Well, have somebody stick a fork in you for brother you are done. You are through. You see these backers know each other and help each other. What one knows all knows. Say a man wants to bet \$100 on a number. That's too much. Sure, I'll take his bet all right, but the backer will call up and lay part of it off to other backers. He might keep \$25 and then lay \$25 each off to three others. That way if the number comes up the run isn't so bad on any one backer. Again if one backer gets a big run he can call four or five other backers and borrow some bread [money] to cover the bet if he's short. They all scratch each other's backs. In this business it's live and help live. One backer gets too smart and tries to cut the big fat hog [attempts to hog all the business by playing lone wolf], the others cut off his water in time [force him out of business]. Backers also tip each other off if they hear about police raids."

The arrest histories of these men were comparatively brief (mean: 5.2 per man), and the overwhelming number of their arrests were for lottery-law charges. There were a few disorderly conduct charges, usually connected with the presence of the offender in a house dice or card game or in a numbers counting office, and an occasional intoxication charge. Other types of charges were rare. Criminal progression was not in evidence; the arrest histories generally began and terminated with lottery-law violation charges.

The District Attorney's Reports on all crimes for which these offenders had served felony sentences showed that these men were engaged in professional gambling. A study of the modus operandi of these offenders disclosed their membership in a gambling ring where planning, organization, leadership, chain of command, skills and techniques, and a division of labor were in evidence.

Each ring was headed by a "numbers backer." Included in these organizations were head men or "lieutenants," "pick-up men," "numbers writers," clerical workers, "look-out men," "numbers runners," and "bouncers."<sup>25</sup> Four of the 16 men under study claimed to be "numbers backers," four were numbers backer's "lieutenants," two were "pick-up men," and six stated they were "numbers writers."

The numbers men appeared to be in good health and made few somatic complaints.<sup>26</sup> They reacted to the interview situation in a friendly and cooperative manner. There were no obvious diagnostic signs of neurosis, psychopathy, or psychosis.<sup>27</sup> They appeared to be extroverted and outgoing personalities, who verbalized well at a highly literate level. Neither verbal aggression nor verbal passivity was noted. These men expressed strong emotional ties with friends and family members. Comparatively speaking, they appeared to be sophisticated in reference to the criminal as well as the non-criminal world. Though not regular church attenders, they expressed a strong religious orientation of an orthodox type.<sup>28</sup> They were well-poised, confident, and self-satisfied. In short, they seemed to relate well and to have well-integrated personalities.

<sup>25</sup> The numbers backer finances the operation, suffers the "hits" (numbers players' wins) and receives the profits. He selects and pays the personnel of the gambling ring; employs the legal talent; acts as chief planner; and symbolizes in his leadership role the security and strength of the organization. The backer's lieutenant supervises the personnel and the operation at the drop. The pick-up man moves from one designated spot in the city to another at certain hours of the day to pick up the money and numbers slips from individual numbers writers which he in turn delivers to the drop. He also delivers the winnings from the "hits" to the numbers writers. Look-out men report any ascertainable police surveillance or activity in reference to any phase of the organization's operation. Numbers runners are employees of a numbers writer who pick up small bets in a given numbers writer's area. Bouncers work as watchmen, bodyguards, and janitors at the drop.

<sup>26</sup> Medical examination by a D.C. Department of Corrections physician showed that 12 were organically sound, one had diabetes, one had a hyperthyroid condition, and two suffered from mild heart murmurs.

<sup>27</sup> According to Minnesota Multiphasic Personality Inventories which were interpreted by a D.C. Department of Corrections clinical psychologist, only one score of the total 144 sub-scale scores was above 70. These scores would compare favorably with those of a non-criminal group, and, of course, they compared extremely favorably with the scores of the other criminal types (with the exception of the residual category of "No Pattern").

<sup>28</sup> Five were Baptists, five were Methodists, two were Presbyterians, and four were Roman Catholics.

#### SUMMARY AND CONCLUSIONS

The statistical analysis showed that the 16 subjects characterized by a single arrest pattern of numbers laws violations differed significantly from the other 384 offenders in 25 of the 33 social and personal characteristics studied. All of the differences were significant at or beyond the .05 level of confidence. The marked behavioral differences found between offender types and the commonality of behavior within the offender type, suggest that a typology based on arrest patterns is a feasible and fruitful approach to the study of crime. The empirical data, both quantitative and qualitative, show clearly that the Negro numbers man differs in kind and degree from other criminal types in terms of theoretically relevant social-psychological background factors.

These offenders, unlike the majority of the other offender types, grew up in "adequate" home situations unmarked by weak family structure, faulty parental supervision, demoralization, criminality, and economic dependence. Personal vices—alcoholism and drug addiction—were not in evidence, and they were relatively free of personality deviations. Moreover, they were not juvenile delinquents (officially speaking) grown up. Despite these favorable factors they became professional criminals in the fullest sense.<sup>29</sup>

What peculiar constellation of background and personality characteristics disposed them to this and not to other patterns of criminal behavior? The full answer to this question is not known. However, their developmental histories offer some hypothetical clues in this direction. They grew up in home and neighborhood situations which were quite tolerant of the numbers game racket. Parents, friends, and acquaintances played numbers. In fact, some of their neighbors and in-laws were numbers men. In a sense they were reared in a cultural milieu where the numbers game constituted a community institution which though illegal was not defined as "really criminal." In late adolescence they adopted an adult recreation pattern of drinking, gambling, and dancing which

<sup>29</sup> Four other criminal categories approached the status of professional criminals in certain respects; however, they were less skilled in their criminal activities and less well organized. They represented for the most part institutionalized offenders (having served time frequently in correctional institutions as juveniles and as adults) who were much less successful in their criminal pursuits—single pattern of robbery, single pattern of burglary, and single pattern of embezzlement and fraud.

they did not conceive of as reprehensible or illegal. Sexually precocious, they began dating early and engaging in promiscuous heterosexual relations. The role of the "sport," the "smoothie," and the "big spender" which was tied in with their early recreation pattern intrigued them. They became interested in "sharp clothes," expensive tastes, and what they called "high living." They were surreptitious in these activities because of their desire to please "conventional parents." They avoided juvenile delinquents and juvenile delinquent gang activity. Fighting, stealing, and violence were defined as behavior outside of their life style. They were especially concerned with remaining clear of arrest and police contacts. In a sense they conceived of themselves as what Walter C. Reckless has called "good boys."<sup>30</sup> As young adults they admired the numbers men with whom they came in contact through family and neighborhood acquaintances. They considered some of these racketeers to be outstanding successes in their field. Material success and the way of life of the numbers man that went with this success appealed to them. Consequently they rationalized away the illegal aspects of the numbers game and entered it as a "business pursuit."

This rationalization was probably not too difficult. Perhaps the urban Negro middle class has in part accepted the numbers man. Perhaps he is acceptable because of his money. Material wealth is undoubtedly a great determinant of social status among members of a minority group who are at the bottom of the economic ladder, who have not been stratified into functional social classes until quite recently, and who are discriminated against and segregated. In these circumstances the social class lines of urban Negroes are probably fluid. It must also be remembered that the Negro middle and upper classes are much smaller in base and less economically secure than are the white middle and upper classes.<sup>31</sup>

Treatment prospects with such a group of offenders do not appear heartening. Perhaps when the urban Negro comes to be less spatially separated and socially isolated from the remainder of the community, and when his middle and upper class membership increases in size, economic base,

<sup>30</sup> Reckless, Dinitz & Murray, *Self Concept as an Insulator Against Delinquency*, 21 AM. SOC. REV. 744-46 (1956).

<sup>31</sup> FRAZIER, *op. cit. supra* note 23, at 47. For a more recent, historical overview of Negro social classes see KAHL, THE AMERICAN CLASS STRUCTURE 233-48 (1960).

and security the numbers man will come to be viewed for what he is, a racketeer. Perhaps then the moral indignation of the Negro community will fall upon him, and all supports for his claim to respectability will be removed. Horace Cayton, co-author of *Black Metropolis* and a noted authority on Negro life in Northern cities, supports this point of view.<sup>32</sup>

In prison the numbers men were generally tractable, pleasant, and courteous inmates who were usually liked by other inmates as well as by prison employees. They accepted their time philosophically, and they did not seek special favors. The prison term was viewed as an occupational hazard. In the prison setting they made themselves as unobtrusive as possible. As a rule they were not interested in status within the inmate sub-culture. Neither "peddler-conniver" nor prison toughs, they seemed to approximate in type the "real man" construct suggested by Gresham Sykes—the dignified, composed inmate who does not exploit others and who is able to endure the hardships of incarceration.<sup>33</sup> Their short sentences (usually three years) and their strong primary group ties on the outside perhaps militated against preoccupation with prison status. On the other hand they subscribed to the principle that every man has his price; that all occupations are rackets. They saw little use for and they avoided such therapy programs as group counseling, group therapy, and individual therapy. The institution's religious and educational programs were of no interest to them. They appeared to have crystallized their social values and the attitudes which underpinned their specific form of criminal behavior—a behavior which appears to have strong support among their peer groups in "free" society.

The sample of offenders used in this study is admittedly small, and the claim is not made that it is representative of all Negro numbers men throughout the United States. The assumption is made, however, that some common elements in social background and personality configuration

<sup>32</sup> Interview with Horace Cayton, July 18, 1961. Mr. Cayton says that it is increasingly difficult for the Negro numbers man to mingle socially with members of the Negro middle and upper classes. He claims that there have always been certain elite Negro circles which numbers men could not crash, though he agrees that there has been some penetration of the middle and upper Negro social classes by numbers men.

<sup>33</sup> Sykes, *Men, Merchants and Toughs: A Study of Reactions to Imprisonment*, 4 SOCIAL PROBLEMS 130-38 (1956).

exist among Negro numbers men. The confidence man is a confidence man whether he resides in Philadelphia, Boston, Washington, D.C., or elsewhere. In the same sense so is a numbers man. Though the numbers game varies slightly from one locale to another, its modus operandi, as practiced among Negroes, is fairly well standardized. More

research needs to be done on this specific type of criminal behavior and on the men who participate in it as operators. No definitive work is extant on such a group of offenders to this writer's knowledge. It is hoped that this research may pave the way for further research in reference to the etiology of the Negro numbers man.