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To
Rush C. Butler

*President of the Illinois Association
for Criminal Justice*

In recognition of an unusually self-sacrificing and efficient leadership and support, the value of which can only be adequately estimated by those whom it has aided and inspired.

The Survey Committee.

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THE ILLINOIS CRIME SURVEY

EDITOR'S PREFACE

by

JOHN H. WIGMORE

EDITOR'S PREFACE

1. In performing the simple task of editing these chapters for the printer, I have made acquaintance with the facts here recorded—recorded so impartially and authentically.

It is not a pleasing record.

More than three thousand years ago, an Egyptian king caused to be made a Survey of the resources of his kingdom; in that Survey (deciphered by a Chicago scholar, the most famous living Egyptologist), recording with self-confidence the king's achievements, one passage discloses to us his ideas of some of the fundamentals by which one may test the efficiency of a system of penal justice:

"I made the land safe, so that even a lone woman could go on her way freely and none would molest her."

"I rescued the humble from their oppressors."

"I made every man safe in his home."

"I preserved the lives of those who sought my court of justice."

"The people were well content under my rule."

Alas! the recorded facts of this present Survey oblige us to admit that none of these fundamentals, as outlined by the Egyptian king, could be alleged today with truth in the city of Chicago. *Not a single one of them!* And must not a modern American city claim even a higher ideal for its measuring rod than the simple requirements of a primitive civilization?

2. If one asks, "Just what is wrong? Be concrete," it is enough to point to the Conclusions and Recommendations summarized at the end of each chapter of this Survey. They are dispassionately formed and concisely stated. They must be studied in detail.

Not everything is wrong, of course. But enough is wrong at every point to make the whole result a dismal and disconcerting picture. The main feature of what is wrong may be put into one word,—Inefficiency. No one part of the system of criminal justice works to maximum power, and most of them to less than moderate power,—Inefficiency everywhere. The Constitution's law is inefficient; the Legislature's law is inefficient; the Supreme Court's law is inefficient. The Trial Court's methods are inefficient; the Prosecuting Department is inefficient, and likewise the Police System. The Jury System is inefficient. The Probation and Parole Systems are inefficient; and with them the Prison System is inefficient.

Partly this inefficiency lies in the fixed rules and methods of law and administration; partly it lies in the personnel that exercise the powers and duties defined by the law. It might be said that not the best of laws and rules could produce adequate results with no better personnel as a whole; and that neither could the best personnel produce adequate results with these present laws and rules as a whole.

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3. But if one should ask, not, What is wrong? but, *Why* is it wrong? the answer is harder to formulate.

Of course, the specific and direct causes are herein plainly stated in the summaries to each chapter,—for example, the grand jury indictment law is one such cause; poor jury service is another.

Great and small together, there are a hundred of them.

But these specific and direct causes have larger ones behind, which in turn are the cause of the causes (so to speak) or at any rate prevent the causes from being thoroughly removed.

What are those larger causes?

4. My guess is that they are all reducible ultimately to *one* prime cause; and that cause is: the Selfishness of the Ordinary Citizen (the O. C., as Arthur Train calls him).

Here is an instance: Some years ago, a certain Chief of Police (not the present one), when a friend of mine asked him why a certain desirable measure was not undertaken by him, replied thus: “I haven’t had the time to get at it. *One-half of my day’s time is taken up with fending off requests made by all sorts of citizens, from aldermen down, who want me to do something that I shouldn’t do or to let them do something that they shouldn’t do.*” No doubt every Mayor, every Judge, and every Prosecuting Officer, could also tell a similar story.

That is probably at the heart of our trouble. We all want to achieve some selfish interest—great or small, permanent or passing—in the way of favor, graft, special privilege, jobbery, law-evasion, or law-breaking, at the cost of regular law and good government. From the captain of industry all along the line to the racketeer and the gangster, we put Self first and the City last,—or not at all.

Is there, indeed, any citizen of Chicago,—or shall we say of Illinois—who can go on his knees in the Temple, as did the Pharisee and the Publican in Scripture, lay his hand on his heart, and say in good conscience to his Maker, “I have never, when I was in a tight place, *never* sought to get what I wanted by evading or breaking the law, openly or secretly, or by using favor or fear with a public official; and I have *never* failed to contribute my share of time and work in such public service as came my way; and I have *never*, as a public official, sought my own profit at the cost of the public interest”?

5. But is the spirit of Public Sacrifice—the spirit of All for One and One for All—inherently lacking in our people? There was a time when it was a notable feature of Chicago’s civic life. Has it disappeared for good and all?

We do not admit that it has. We believe that it has only temporarily subsided. Perhaps it has been merely diverted by other interests. The masterful achievements and practical progress of this community in many important departments of life, since the period of the World’s Fair in 1893—the world’s wonder, it was then justly deemed—have perhaps absorbed overmuch energy in the pursuit of other ideals. Thus, the ideal of civic government has suffered sadly.

Editor's Preface

But the time has surely come when all the potent energy of this community must once more be summoned away from other things, and be sternly concentrated on that single ideal—Civic Unselfishness, and thereby Governmental Efficiency.

And then, by the time of Chicago's Civic Century Celebration, our people can look out over their splendid metropolis, and truly record for posterity's edification, the possession of all, and more than all, of the fundamental elements of civic justice so confidently recited to his own glory by that famous Egyptian monarch of three thousand years ago.

DIRECTOR'S INTRODUCTION

by

ARTHUR V. LASHLY

DIRECTOR'S INTRODUCTION

1. The Illinois Association for Criminal Justice was formed as the result of a movement initiated by the Illinois State Bar Association. In July, 1925, Mr. John R. Montgomery, the President of that Association, pursuant to authority for such action given at the annual meeting of that year, formed a committee on the "Enforcement of Criminal Law." The Chairman of that Committee was Mr. Amos C. Miller, of Chicago, and the other members were selected from that city and downstate.

After holding a series of meetings over an extended period of time, the Committee recommended that in its opinion a study should be made of the administration of justice in the state, similar to those studies which had previously been made in Missouri and New York. Accordingly, a meeting was called on February 6, 1926, of various organizations in the state, including the Illinois Chamber of Commerce, the Illinois Federation of Labor, the Illinois State Bankers' Association, the Illinois Agricultural Association, the Illinois Manufacturers' Association, the Industrial Club of Chicago, the Chicago Crime Commission, the Illinois Federation of Women's Clubs, the Illinois League of Women Voters, and a number of public welfare and charitable organizations.

The result of this meeting was the formation and incorporation of the Illinois Association for Criminal Justice. A Board of Directors of seventy-nine representative men and women was selected and this Board elected the officers and formed the various committees.

The purposes and objects of the Association were defined in the By-laws:

"The object for which it is formed is to conduct a state-wide survey of the administration of criminal justice and of the causes and conditions of crime within the State of Illinois; to initiate and secure the passage of legislation and to take such other remedial action tending to diminish crime and to improve the administration of justice as is deemed necessary or as is suggested by the findings and recommendations of such survey; and to promote and secure intelligent and efficient administration of civil and criminal justice within the State of Illinois through constructive co-operation with all officers, departments, tribunals and agencies, state, city, and county, charged with the duty of the suppression, prevention, and punishment of crime."

The Industrial Club of Chicago, largely through the efforts of Mr. Rush C. Butler (Chairman of the Association's Executive Committee) and Mr. Joseph T. Ryerson (Chairman of the Budget Committee), provided a fund of one hundred thousand dollars to conduct the survey and to promote the educational campaign following the survey.

Numerous preliminary meetings of the Survey Committee were held, at which the general outline of the work was agreed upon. The plan which was followed was adopted mainly from that initiated in the Missouri Survey

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and followed in the New York Survey. The surveys in Missouri, New York, and Illinois are the only ones of state-wide scope that have been made.

It seems to me that one of the most outstanding circumstances connected with the survey was the variety of interests which were drawn together and which actually participated in the work. In addition to the State Bar Association, which initiated the movement, and the Industrial Club of Chicago, which financed it, it was actively participated in by Northwestern University, the University of Chicago, and the State University, the Institute of Juvenile Research, the Local Community Research Committee, the Chicago Crime Commission, the American Institute of Criminal Law and Criminology, the Juvenile Protective Association, and indirectly, through representatives on various committees, by the United Charities, the Juvenile Detention Home, and the School of Social Service Administration. In addition to these, the more important state-wide civic and business organizations are represented on the Board of Directors and the active committees.

From the legal profession and the universities were drawn most of the experts invited to undertake the preparation of the reports, and the following gentlemen (named more particularly hereinafter), who gave their time in research and writing reports without any compensation: Andrew A. Bruce, E. W. Burgess, Gustave F. Fischer, Albert J. Harno, John J. Healy, Ludvig Hektoen, Herman W. Adler, H. W. Singer, E. W. Hinton, and William D. Knight. Mr. Francis Hugh Miller, of the Chicago Bar, acted as contact man with, and abstracted and summarized all reports for, the Press. The members of the Survey and Revision Committees, who spent much of their time in meetings of subcommittees and of the whole committees, served without compensation. Mr. Butler and Mr. Amos C. Miller, in particular, as chairmen of committees, devoted a great deal of their time to this work in consultation and in providing contacts for the research workers; the Director is impelled by candor to record that he has never come in contact with two men who were able to keep a more even keel and to do more work in a short time with less friction or more uniform courtesy than these two.

2. Below is a statement of the several reports and their authors, together with a brief outline of the scope of each. The survey reports have been grouped under three main divisions; namely, *The Machinery of Justice*, *Specific Types of Offenses*, and *Organized Crime in Chicago*.

I. THE MACHINERY OF JUSTICE

The reports under this division are:

Recorded Felonies, an analysis and general survey of twenty thousand case histories of felony prosecutions in Cook County and in seventeen down-state counties, by C. E. GEHLKE of Western Reserve University, Cleveland, Ohio, who served as statistician for the survey. These cases represent all felony prosecutions begun in the several counties surveyed, in the year 1926, and also in the city of Milwaukee, Wisconsin, where the same class of cases was examined for purposes of comparison. The data compiled from the study of these cases are tabulated, the various tables showing where cases

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drop out, from the preliminary hearing to final disposition. Each table is analyzed; the responsibility of judge, prosecutor, and jury in the disposition of cases is discussed; and comparisons of judicial administration in the various jurisdictions are made. This includes a comparison of all phases of judicial administration and prosecution in Milwaukee and Chicago. The results were compared with those found in reports of state-wide surveys made in Missouri and New York.

The Supreme Court, in Felony Cases, by ALBERT J. HARNO, Dean of the College of Law of the University of Illinois. In this report the decisions of the Supreme Court in felony cases for the period from 1917 to 1927 are analyzed. The decisions were classified for discussion, and after showing the number of cases affirmed and the number reversed in a series of tables, the report classifies those which were reversed as to grounds for reversal, which are: (a) violation of constitutional provisions; (b) defective pleadings; (c) erroneous instructions; (d) errors in admission of evidence; (e) variance; (f) conduct of prosecutor; (g) conduct of trial judge; (h) form of verdict; (i) insufficient evidence; (j) sundry grounds, such as remarks by bystanders, intoxication of the accused, and ineligibility of the state's attorney. Cases reversed and remanded were followed through the trial courts to which they were remanded and final disposition is shown.

The Trial Courts, in Felony Cases, by former Judge E. W. HINTON, Acting Dean of the Law School of the University of Chicago. Judge Hinton discusses the laws regulating the procedure in criminal cases and the work of the trial courts throughout the state, as indicated by an analysis of the twenty thousand felony prosecutions already referred to.

The Juries, in Felony Cases, in the Criminal Courts of Cook County, by GUSTAVE F. FISCHER, Chairman of the Jury Service Committee of the Industrial Club of Chicago. This Committee, under Mr. Fischer's direction, has for many years taken an active interest in the subject, and the report goes thoroughly into all phases of administration of the selection and service of jurors in Cook County, including Chicago.

The Prosecutor (Outside of Chicago), in Felony Cases, by WILLIAM D. KNIGHT, State's Attorney of Winnebago County. Mr. Knight discusses the duties of down-state prosecutors and the manner of their performance, based upon personal experience and observation as well as a study of case histories in the various jurisdictions, from the standpoint of prosecution.

The Prosecutor (in Chicago), in Felony Cases, by JOHN J. HEALY of Chicago, former State's Attorney of Cook County. The report contains a thorough analysis of all phases of prosecution in the city of Chicago during 1926 and 1927.

Rural Police Protection, by BRUCE SMITH of the National Institute of Public Administration, New York, an authority on state police organization. The report is based on personal contacts with sheriffs, constables, county police, private protective associations and the State Highway Police.

The Police (in the City of Chicago), by AUGUST VOLLMER, Chief of Police of Berkeley, California.

The Coroner, in Cook County, by Dr. LUDVIG HEKTOEN, the eminent pathologist, chairman of the Medical Division of the National Research

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Council. The report is devoted largely to the medical aspects of the coroner's office.

The Municipal Court of Chicago as a Criminal Court, by Professor RAYMOND MOLEY of Columbia University, New York. This report is a thorough analysis of the municipal court in operation as a court of preliminary hearing in felony cases, based upon personal observation and study of a large number of cases handled in that court.

The Probation and Parole System, in five parts: the first, "History of the Probation and Parole System," by former Judge ANDREW A. BRUCE, President of the American Institute of Criminal Law and Criminology and member of the faculty of the Law School of Northwestern University; the second and fifth, "Experience with Paroles, 1917 to 1927" and "The Probation System," by ALBERT J. HARNO, Dean of the College of Law of the University of Illinois; and the third and fourth, "Prison and Parole Methods, as Effective for Rehabilitation of the Convict" and "Factors Determining Success or Failure on Parole," by E. W. BURGESS, Professor of Sociology of the University of Chicago.

Record Systems, by W. C. JAMISON, Assistant Director of Survey. The report contains a detailed analysis of the systems of keeping records pertaining to the administration of criminal justice throughout the state in felony cases, including police departments, courts, and justices of the peace, with recommendations for uniform methods of collecting and reporting criminal complaints and arrests made on such complaints, and the essential facts as to the offender arrested; for recording the facts as to disposition of criminal prosecutions by all the courts and the state's attorneys; and for recording facts pertaining to the treatment of convicts confined in state institutions, and methods for reporting such data; and for a state bureau of criminal identification and statistics.

II. SPECIFIC TYPES OF OFFENSES AND OFFENDERS

This division includes the following reports:

Homicide in Cook County, prepared by ARTHUR V. LASHLY, of St. Louis, Mo., director of the Survey. The report deals with all types of homicide in Cook County for the years 1926 and 1927, classified by grades of criminality, modes of killing, color and sex of victims, motives, and distribution as to localities and by months. The report also includes a discussion of police administration in murder cases with relation to unsolved murders, which are classified as to color and sex and mode of killing, and a comparison is made of unsolved murders and unconvicted murderers to the total of murders as well as to kinds of perpetrators. An analysis of the administration of the coroner's office in cases of felonious homicide is made. All cases of felonious homicide, in connection with which some person was charged with the offense of murder or manslaughter, were tabulated and followed through to final disposition.

The Juvenile Delinquent, prepared by the Local Community Research Committee of the University of Chicago, under the direction of a special committee consisting of JESSIE F. BINFORD, Director of the Juvenile Protective Association, Chairman; Professor EDITH ABBOTT and Professor E. W.

Director's Introduction

BURGESS, of the University of Chicago; HARRISON A. DOBBS, Superintendent of the Juvenile Detention Home; and JOEL D. HUNTER, General Secretary of the United Charities. The report is in two parts: the first was prepared by CLIFFORD SHAW, of the Institute of Juvenile Research, and pertains to the quantity and distribution of delinquency and the personality of the delinquent offenders; the second was prepared by EARL D. MYERS, of the University of Chicago, and deals with the treatment of delinquents in the juvenile courts and in the various institutions in which they are confined. This report also deals with truancy and incorrigibility of school children in Chicago, a study having been made of the records in the Bureau of Compulsory Education and the Chicago Parental School.

The Deranged and Defective Delinquent, by a Committee consisting of Doctors LUDVIG HEKTOEN, above mentioned, HERMAN W. ADLER, State Criminologist, and H. DOUGLAS SINGER, eminent alienist, all of Chicago. The report was written by Dr. Singer and is prefaced by an introduction prepared by JOHN H. WIGMORE, Dean of the Law School of Northwestern University, in which he compares the lawyers' and psychiatrists' theories of crime and punishment. A long-time study was made of records in the criminal courts of Cook County, the Psychiatric Clinic of the Municipal Court of Chicago, the state penitentiaries at Joliet and Chester, the Asylum for the Criminal Insane, and the State Reformatory at Pontiac. The law and procedure in Illinois pertaining to the trial and disposition of insanity cases is discussed in relation to expert testimony and the proceedings for the treatment and commitment of insane criminals. All cases in Cook County from 1923 to 1927 in which verdicts of insanity were rendered are traced through the various stages, and the subsequent history of persons found insane, including those released by writs of habeas corpus, and subsequent mental histories of persons committed to penal institutions during the same period in cases where the issue of insanity was raised at the trial are discussed.

III. ORGANIZED CRIME IN CHICAGO

The third and final division of the survey is devoted exclusively to a discussion of this subject. The report, in twelve sections, was prepared by JOHN LANDESCO, Research Director of the American Institute of Criminal Law and Criminology, under the direction of an Advisory Committee consisting of Judge ANDREW A. BRUCE, President of the Institute, JOHN H. WIGMORE, and E. W. BURGESS, above mentioned. The introductory passages were prepared by Judge Bruce and the summary of findings, conclusions and recommendations by Professor Burgess. The report is a detailed history of organized crime over a period of twenty-five years in the city of Chicago and surrounding communities. It takes up each phase of underworld organization and operation under various heads, such as exploitation of prostitution; the rule of the underworld, dealing with syndicated gambling, beer wars and gang feuds; terrorization by bombs; racketeering; the gangster and the politician; funerals of gangsters; the gangster's apology for his criminal career, and finally, a Who's Who of Organized Crime in Chicago. The recommendations following this report contain suggestions for official and citizen action calculated to break up the alliance between crime and politics in the

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city of Chicago, which has existed for so many years and has persisted despite the best efforts of the citizens to prevent it.

3. Some general conclusions which emerge plainly from the Survey may here be briefly emphasized:

Failures of justice are traceable more often to administrative defects than to weaknesses in the laws. The situation in Chicago and Cook County has largely been the result of poor administration. There seems to be no doubt, after making allowance for the maximum of inexperience and incompetence which will always be more or less in evidence in public office, and allowing for every failure of justice due to weaknesses and loopholes in the antiquated laws of criminal procedure, that no serious problem of crime exists in any community of this state, urban or rural, where the police and sheriffs, the prosecutors and the courts are all doing their duty honestly and to the best of their respective abilities. Problems of crime arise when one or more of these officials fails or refuses to do his or their duty. The need for better men and more honest, vigorous, and conscientious administration transcends the need for new legislation. We should, however, not depreciate the need of more modern codes of criminal procedure. Changes in laws made with a view to meeting modern conditions of crime and putting the state upon a more even footing with the defendant in criminal prosecutions will be a great help to honest, vigorous, and conscientious administrators of the law. But when placed in the hands of public officials who are disposed towards laxity of enforcement and leniency towards criminals, they become no more effective than the so-called obsolete criminal codes.

By far the greater number of recommendations growing out of the survey pertain to administration. The recommendations, both administrative and legislative, were made without regard to prospects for immediate adoption. Some of them look far into the future; others appear ripe for present application. Amongst the recommendations are several which, if adopted and properly administered, would insure more promptness and certainty in the apprehension and conviction of guilty felons. Comparison of judicial administration in all parts of Illinois with Milwaukee indicates that the Wisconsin laws permitting the state's attorney to charge in felony cases upon information, and authorizing the waiver of a jury by the defendant in such cases results in great speed in disposing of felony prosecutions. Effective application of the habitual offender laws now in force depends almost wholly upon adequate means for identifying criminals and obtaining their previous records. Prosecutions under these statutes are seldom begun for lack of such information. The survey recommends methods for the accumulation of such material for the benefit of parole and probation officials, police, prosecutors and courts throughout the state.

The police do not catch more than twenty per cent of those who commit felony crimes. The number who escape can only be ascertained by a comparison of the number of crimes actually committed in a given community with the number of prosecutions started in the same classes of cases. This information was not to be had anywhere in the state, except in the City of Chicago, and even there the figures of felony crimes reported to the police

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were suppressed so that only seventeen per cent of complaints received in the city's forty police stations during 1927 were entered in the only official public crime record maintained by the department in the office of the secretary of police. The record of suppression of criminal complaints in 1926 was about the same. These facts were ascertained by an investigation of the complaints at each station, and a comparison of the result with the official published records of the department. Taking, for example, the number of robbery and burglary complaints found to have been lodged with the stations during 1926, the period covered by the survey, and comparing them with the number of prosecutions started, it was shown that in Chicago during that year 21,301 robberies and burglaries were actually committed, but during the same period only 4,129 robbery and burglary prosecutions were started, indicating 80.61 per cent of persons committing those offenses were never caught. Of the total number of prosecutions started, 1,177 persons charged with those offenses in 1926 were punished, and that is only 5.52 per cent of those committing these crimes. Comparison of similar records in other large cities where they are available are not greatly at variance with these figures and indicate that the weakest spot in the administration of the machinery of the law is in the detection and apprehension of criminals.

When prosecution fails, the whole judicial process fails. During the period covered by the survey, prosecution in Chicago was at a low state of efficiency. The state's attorney was a political boss and his assistants were appointed mainly on a political basis and without reference to their ability. The assistants having charge of prosecutions of felony cases at the preliminary hearing in the municipal court were particularly incompetent and indifferent. The report states that these officials "usually know nothing about the facts in the cases and are not prepared to and do not render efficient service." To this fact was largely ascribed the failure of fifty-six per cent of all cases to survive the preliminary hearing.

After the municipal election in April, 1927, the mayor, the state's attorney, the coroner, the chief of police, the sheriff of Cook County, and a majority of the judges of the criminal courts were all affiliated with the dominant political faction in the county, thus permitting a degree of co-operation between these various agencies seldom found in any large city. Their cooperation, however, did not result in greater efficiency, but rather in diminished efficiency, the report stating that "prosecution in Chicago and Cook County is generally ineffective and barren of reasonably substantial results." The records indicated that literally thousands of felons were being released outright by the prosecutor or given light punishment upon reduction of felony charges to misdemeanors and a plea of guilty in the criminal court. Some of Chicago's most dangerous criminals were the beneficiaries of this leniency. One did not have to go far beyond the results of the survey on prosecution in Cook County to find the reasons for the general state of lawlessness prevailing in Chicago in that period. The criminal who knew his way about had no fear of prosecution.

Acquittals by juries are relatively unimportant so far as the number of cases disposed of without punishment is concerned. Out of a total of thirteen thousand felony charges filed in Cook County in 1926, only five hundred

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were tried by juries and one-half of those resulted in acquittals. Assuming that each acquittal is a failure of justice, which, of course, is not a fact, this would still account for only two per cent of all felony charges filed. Eighteen persons are released through the action or by the influence of the state's attorney to one person released by the jury. The failure of jurors to convict in the face of evidence clearly indicating guilt always attracts attention and adverse public comment, and it is important, therefore, that jury trials be conducted by competent prosecutors and under rules and laws providing for the procedure in such trials which give the defendant a fair trial but no improper advantage. But the fact, nevertheless, stands out that in the whole scheme of the administration of justice, the jury is not nearly so important as is popularly believed.

In the City of Chicago, organized crime presents the worst problem, and of all classes of organized criminals those who are engaged mainly in the manufacture, distribution, and sale of intoxicating liquor constitute the greatest menace. Organized criminals are mercenaries. Our reports show that the gangs of gunmen in Chicago and vicinity are bound together and maintained largely by the profits of bootlegging and gambling. It is under the bootleggers' banner that thousands of minor criminals are constantly being recruited, attracted by the ease with which enormous profits can be made. "They have not abandoned their earlier criminal operations in which they were engaged," says one of the reports, "but continue in these as sidelines. Being immune from prosecutions for their operations in the manufacture and distribution of beer and whiskey, they have been able to obtain protection from the consequences of other crimes like murder, burglary, and robbery because of their new political alliances and stronger financial position." It was the bootlegger, the "hi-jacker" and the rum runner who gave Chicago its reputation as a crime center. One would think that the supply of gunmen would be exhausted when it is remembered that some six hundred of them have perished since prohibition went into effect, but there appears to be a never failing source of recruits. If all the murders committed by gangsters in Cook County were eliminated, the murder rate in this community would be reduced to normal.

The situation is further aggravated by the fact that no one has ever been convicted or punished for a gang murder in Cook County for the period covered by the survey, indicating a complete failure upon the part of detecting and prosecuting agencies. "It is respectfully suggested," says the report on *Homicide*, "that a becoming effort by the police as a murder prevention agency would result in suppressing public gambling and wholesale liquor manufacturing and rum running, which would deprive these gangs of their main sources of revenue, and when that is done, there being nothing left to fight for, little will remain of the gang problem. In order to be profitable both of these enterprises must be conducted in the most flagrant and notorious manner. So conducted, they are as obvious to the police as to anyone else; therefore it should not be difficult to suppress them if there existed the desire to do so."

It is said in the *Organized Crime* report, "There is no blinking the fact that prohibition has introduced the most difficult problems of law enforce-

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ment in the field of organized crime. The enormous revenues derived from bootlegging have purchased protection for all forms of criminal activities and have demoralized law enforcing agencies. Questions have been raised as to the practicability of the enforcement of prohibition in metropolitan cities, because of the widespread adverse sentiment. This skepticism only indicates that the enforcement of prohibition is a matter of public opinion. Once the relation between the profits of bootlegging and the activities of organized crime is clearly seen, there should be no insuperable difficulties in the way of some practical form of the control of the situation. A minimum program of prohibition enforcement in the interest of the control of organized crime might be to concentrate enforcement efforts upon the commercialization of bootlegging, especially in the hands of organized gangs. In this way the backbone of organized crime would be broken. Chicago can and should be rid of the mercenary criminal gangs that exist because of political alliances. But this cannot be successfully accomplished without frank recognition of the problem created by prohibition and the intelligence and courage to act upon this knowledge."

4. *Organized Crime.* No better illustration of the interlocking connection between bootlegging and all other forms of commercialized crime can be cited than that presented in the person of Capone, the recognized leader of the bootlegging industry in this community. He is also the boss of the gambling syndicates and of commercialized vice. Lately he has appeared as the dominant factor in the control of gangsters who are engaged in racketeering. The reports of the Survey on this latest phenomenon of organized crime in Chicago must be of great interest because of the spread of "racketeering" to other cities. The *modus operandi* is for the gangster to approach the owner of a service business, mainly those employing drivers, with a proposal to organize a combination of owners of such businesses with a view to increasing prices. The gangster at the same time undertakes to get control of the drivers' organizations. If any person thus approached refuses to come in, his place is bombed or he is otherwise threatened and intimidated until he does come in. When control of the employers and employees has been obtained, the "racketeer" then demands a subsidy in the form of dues, and the reports indicate that enormous sums of money have been taken in this way, reaching in some cases to hundreds of thousands of dollars per year. The public pays the bills in higher prices for the service.

An illustration of the way it works: One man engaged in the dyeing and cleaning business refused to come in. Bombs were placed in the suits that were sent to his establishment and they exploded when they were handled. On one occasion the driver of a truck loaded with suits to be cleaned and pressed was knocked insensible, placed in the back of the truck, covered with clothing, which was then saturated with gasoline and set on fire. He miraculously escaped death. Upon another occasion the driver of one of the wagons was "taken for a ride" and a bullet put in each knee, thereby rendering him a cripple for life. Instances of mayhem of this character could be multiplied. When this man got tired of applying to the police and the state's attorney for protection, he took the chief of the bootlegger gangsters into his company, giving him a large block of stock in the con-

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cern and announced that he then had no further need of the Employers' Association or of the police department for he had the "best protection in the world." That happened about eight months ago. It is significant to note that recently the warfare against this man's business has again broken out, notwithstanding the "best protection in the world." His gangster partner is now engaged in a war with another gang and the property of the man who took the gangster in is now being attacked as an incident of this struggle.

The genesis of this new manifestation of organized crime and its connection with the other activities is related in the chapter on "Racketeering." "In 'racketeering' the gunman and the ex-convict have seized control of business associations and have organized mushroom labor unions and have maintained or raised price and wage standards by violence, and have exploited these organizations for personal profit. This entrance of the gangster and gunman into the field of industry in Chicago seems to be due to two factors; first, the agreement to control competition under any conditions is difficult, and particularly when these agreements are in violation of the law. Where a line of action is outlawed, whether the manufacture and the sale of alcoholics or gambling, or trade or price agreements, a situation is created favorable for the entrance of the gangster on invitation or upon his own initiative. Second, the gunman and the gangster with their tactics of intimidation and punishment were available to carry out strong-arm methods free from serious interference by the law enforcing agencies. This survey of 'racketeering' in Chicago discloses the extent and degree of the breakdown of our local governmental machinery. The police, the state's attorney's office, and the courts are now failing to maintain law and order in the fields of labor and business as they have failed to repress the outlawed activities of vice, gambling, bootlegging, and robbery. As a result, the gunmen and gangsters are at present actually in control of the destinies of over ninety necessary economic activities."

No doubt the report on *Organized Crime* will be the center of interest in these Survey reports and will elicit the greatest comment. Judge Bruce's introduction to that report discusses both the dark and the bright sides of Chicago's development and progress. Dr. Burgess' summary of findings and recommendations concluding the report gives a resumé of the report and some valuable comments and recommendations for follow-up action.

The recent election putting into office a new state's attorney, a new coroner, and a new sheriff, and the appointment of a new commissioner of police, will doubtless result in substantial improvement in conditions in Cook County, and have indeed already done so. But there is no telling what the future will bring. They may be unable to stamp out organized crime and break up the politico-criminal alliances, notwithstanding their best combined efforts. One may doubt the wisdom of becoming too enthusiastic about the future.

5. May it, however, be surmised that Chicago is no worse than other cities, if the facts were known? Comparison of the results of statistics on judicial administration in Chicago, New York, St. Louis, and Cleveland do not provide an adequate basis for accurately determining whether the law is being

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enforced more effectively in any one of these cities than in the others. The real test, however, will be found in comparisons of control of the forces of organized crime in the large urban centers. None of the Surveys in the other jurisdictions have included any appraisal of the effectiveness of law enforcing agencies to combat the organized crime menace. Only the Illinois Survey has attempted to do that. If, however, one may properly draw upon press reports of conditions existing in the other cities, such as Philadelphia, Detroit, Pittsburgh, Los Angeles, and New York, they all point rather definitely to the existence in those cities of conditions of organized crime, which if fully disclosed, as has now been done in Chicago, would reveal conditions comparable to those existing here.