


1912

## Treatment of Aliens in the Criminal Courts

Grace Abbott

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### Recommended Citation

Grace Abbott, Treatment of Aliens in the Criminal Courts, 2 J. Am. Inst. Crim. L. & Criminology 554 (May 1911 to March 1912)

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## THE TREATMENT OF ALIENS IN THE CRIMINAL COURTS.

(REPORT OF A SUB-COMMITTEE OF COMMITTEE G OF THE INSTITUTE.)

GRACE ABBOTT.<sup>1</sup>

This little study has been confined to an attempt to discover whether, in the matter of arrest, trial and commitment, the foreign-born of Chicago were denied any of the safeguards which protect the American-born who is accused of crime, what abuses and exploitations, if any, exist, by whom practiced, and how they may be prevented in the future. No attempt has been made to learn anything of the relative criminality of the various races or of the foreign-born generally as compared with the native American.

The only material available on this subject is the summary of arrests published by the Department of Police Records. These summaries for the years 1906, 1907, 1908 and 1909 (the latest yet published) are submitted with this statement.

The classifications are not scientific, and the information secured is, in many cases, undoubtedly inaccurate. Discussing these Chicago records of arrests, the United States Commission, in its Report on Immigration and Crime, says (p. 44, Abstract of Report): "Of the several classes of crime, offenses against public policy were most common. More than three-fourths of all arrests made during the period under consideration were for such offenses. In a large city like Chicago, offenses against public policy may indicate anything from ignorance to dangerous criminality." This, the report goes on to say, might be expected from foreign persons, coming from environments and accepting customs and rules of conduct different from those of the people of the United States. Constructive plans to help the immigrant through the night schools, so that he will not innocently commit these offenses against "public policy," should be made, and undoubtedly should make the plans, and interest the public in their execution.

*Scope of the Investigation.*—In the investigation all the courts in Chicago—Municipal, County, State and Federal, which have any criminal jurisdiction—were visited by the investigator. Various officers of the

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<sup>1</sup>[Of Hull House, Chicago. This is the report of a sub-committee of committee G of the Institute, presented at the third annual meeting, at Boston, September 2, 1911. See the footnote to the preceding Report.—Eps.]

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TABLE OF CRIME IN CHICAGO BY OFFENDER'S NATIVITY,  
1906-1909.

September 2, 1911. [See the footnote to the preceding report.—Eds.]

1906		1907		1908		1909	
F	M	F	M	F	M	F	M
7,718	1,316	6,596	891	6,231	981	5,828	839
4,628	606	3,794	631	3,332	620	3,490	4,410
40,514	5,595	23,379	3,337	26,842	3,730	38,318	5,299
1,206	1,289	941	1,109	1,061	1,097	1,585	1,080
650	1,063	606	204	467	203	613	139
366	366	242	242	273	273	301	301
712	712	508	508	549	549	624	624
263	263	205	205	238	238	230	230
5,948	5,948	4,293	4,293	4,668	4,668	4,633	4,633
1,417	1,417	931	931	1,157	1,157	1,044	1,044
116	116	118	118	114	114	162	162
2,063	2,063	1,616	1,616	1,936	1,936	1,927	1,927
3,405	3,405	2,405	2,405	2,218	2,218	2,407	2,407
788	788	663	663	787	787	771	771
785	785	633	633	625	625	676	676
5,142	5,142	4,956	4,956	5,762	5,762	5,412	5,412
2,743	2,743	2,080	2,080	2,449	2,449	2,709	2,709
237	237	307	307	387	387	319	319
1,643	1,643	1,230	1,230	1,226	1,226	384	384
308	308	238	238	266	266	1,438	1,438
100	100	66	66	80	80	72	72
1,001	1,001	713	713	972	972	732	732
91,554	91,554	63,132	63,132	68,220	68,220	70,576	70,576
12,376	12,376	10,652	10,652	10,651	10,651	9,866	9,866
3,345	3,345	3,336	3,336	7,096	7,096	60,719	60,719
70,235	70,235	44,134	44,134	50,573	50,573	60,719	60,719

court, hangers-on, and individuals up for trial were interrogated. The State Penitentiary at Joliet, the City Bridewell, the County Jail, and some of the cells at the police stations, were visited—wardens, guards and police officers were interviewed at each place, as well as a number of the prisoners. The secretaries of the Chicago Bar Association and of volunteer associations, which have representatives in almost constant attendance at some one of criminal courts, namely, the Legal Aid Society, the Juvenile Protective Association and the Bureau of Personal Service, were consulted as to their knowledge of abuses and remedies which they thought practical. The superintendents of the Central Howard Association and of the Prison League of the Volunteers of America, to whom a large number of prisoners are paroled every year, were visited. The Austro-Hungarian, Italian and Greek consuls and the editors of some of the foreign newspapers assisted in securing information. Cases of exploitation formerly handled by the league, as well as those which were discovered in the present investigation, were made the basis of the recommendations.

*The Courts In Chicago and the Immigrant.*—Of all the courts, the Municipal were the most important, so far as the immigrant population is concerned. This is where the foreigner usually has his first and only contact with the American machinery of justice. These courts were established when the wretched police and justice courts were abolished in 1905. They have both civil and criminal jurisdiction. The criminal jurisdiction extends to all cases in which the punishment is by fine or imprisonment, otherwise than in the penitentiary; all criminal cases which may be prosecuted otherwise than by indictment by a grand jury; proceedings for the prevention of crime, and for the arrest, examination and commitment of persons charged with criminal offenses (R. S., Ch. 37, No. 265). The Municipal Court consists of a chief justice and twenty-seven associate justices. They are all elected at large for a term of four years. The associate justices are assigned to the various civil and criminal branches by the chief justice. He makes a practice of transferring them from time to time, so that the old connection with local politicians has been broken up.

The Municipal Court has from the beginning occupied a very different position in the eyes of the public from that occupied by the old justice courts and the result has been a much higher type of judges than was before possible. These judges have generally tried to protect the people brought before them from the sort of abuses formerly suffered. But in spite of these improvements, a spirit of indifference sometimes characterizes the various branches of the Municipal Courts

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of the city. Even when the judge is honest and intelligent, there is often an atmosphere of off-handedness and apparent disregard of the main issues. The inarticulate administration of the oath, the aimless going to and fro; the close, unpleasant odor, the noise and confusion, now lulled, now increased by the pounding of the gavel, these things leave with those who are having their first experience with our judicial system a scattered and distracted impression. Very often one encounters among the foreign-born of Chicago the very definite conviction that an innocent man has no better chance of release when brought before the Municipal Court than a guilty one. This seems to be due not so much to actual misjudgment of facts presented, but to the general haste which makes a man timid about presenting his case and convinces him that the judge has no time to hear his story of how it all happened. This varies very much, however, with the individual judge. The patience and kindness of some make the stranger to American justice feel that the judge thinks every case important, and is determined to settle it fairly. Unless the foreigner feels this, his first contact with our courts is worse than lost. Instead of learning respect for our law and our judicial methods, because of the lack of dignity and apparent carelessness and what seems to him the inevitable uncertain outcome, the stranger is apt to feel that the law is not very seriously regarded even by those especially charged with its administration.

Judges of the Municipal, as well as the higher courts of Chicago, seem quite free from the sort of prejudice which police officers and juries often display. These latter are quite often convinced that a foreigner, and especially one from Eastern Europe, is guilty of everything he can be charged with, and feel especially indignant when the injured man is an American. In rural communities, where the population is largely American, and the foreigners have no educated or influential spokesman, this is especially true. While usually free from such narrow prejudice as this, among those judges whose intentions are best, one is conscious so often of the feeling that if a mistake has been made, after all it is not so grave if the person affected by it is a foreigner. The idea seems to be that the foreigner feels disgrace less keenly, that his social position is already so low that he does not suffer very much from the experience of arrest and even of conviction.

An example of the sort of thing this attitude is responsible for is brought out by the story of an Austrian-German girl, who, when her case first came to us, was serving a fine in the House of Correction, and had been referred to us by the inspector of immigration, to whom she had been reported for deportation. One of his officers had seen her,

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and could not make very much out of her story, but saw no reason for deporting her. One of the investigators for the Immigrants' Protective League visited her and found that the girl had no idea why she was in prison. She said she had come to America with a foster uncle who had since died and that his wife had returned to Hungary; that she had been doing housework, had lost her place and had gone back to the house where her uncle used to live, when the owner of the house had her arrested. Our investigator saw this woman, who said that the girl's head was not clean and therefore she did not want to take her in; and that she had told a passing policeman to take her to the Home for the Friendless. Instead the policeman took her to the station, and the next day the judge fined her ten dollars and costs, which meant thirty-three days in the House of Correction. The judge afterwards said that he did not know what else to do with her, or any other place where he could have sent her to be "cleaned up." The girl could have been cared for at the Woman's Model Lodging House or the Home for the Friendless, or any one of a number of institutions which undertake to look after friendless girls. Instead she was treated as if she had committed a crime, and there is a criminal record against her. We secured her release, and she has been doing housework in the place we found for her for over a year now, and is reported by her employer as a very clean and trustworthy girl. Complete ignorance of the social resources of the city and the belief that the girl would not mind, rather than actual unkindness, were the faults in this judge. The League has had other cases in which the court objected to allowing what would be the American standard of injury applied in the case of a man or woman from Eastern Europe. Only by contact with these people in their daily life can the measure of their suffering be determined. Those who meet them in this way know how keenly the disgrace of a prison sentence is felt and judges should take their opinions instead of acting on their own a priori theories. This attitude on the part of a judge is important because it is so far reaching in its effects. It forms the example which leads to exaggerated and even brutal prejudice which police sometimes display.

*Interpreters.*—Lack of proper interpreters often prevents the immigrant from securing justice in Chicago courts. To know in advance the offense with which he is charged so that he may summon witnesses and employ counsel in his behalf, to be confronted with the witnesses against him and to have an opportunity to relate his own story are, in theory, the rights of every accused person, but because of his ignorance of English they are often denied the immigrant. Several cases were

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found by the investigator in which the charge was not known by the accused—sometimes because it was supposed that he must know why he had been arrested, and sometimes because there was no one present who could interpret. For example, a policeman in the employ of a railroad company arrested a Polish man who was trespassing on the elevated tracks. No interpreter could be found in the court room, but as there seemed no question but that he had been trespassing, he was sent to the House of Correction. Not only was he given no chance to tell the court his story, but the charge was not explained to him. It was assumed that he knew he had committed a crime when he walked along the elevated track and would understand the reason for his arrest. (But such an assumption is, in this and many other cases, unwarranted.) The significance of signing a jury waiver usually goes unexplained also. It is probable that even the English-speaking people who sign these often do not understand just what they are doing. It is doubtful if the foreigner ever does. He is handed a paper which he signs as a matter of course, without having its contents translated. While a trial without jury is likely to be quite fair, nevertheless a jury trial is a recognized safeguard of the accused, and the foreigner should have an explanation of this fact.

When an interpreter is provided, no pretense is made of translating the testimony of the witnesses against him to the immigrant defendant. This places him at a serious disadvantage, because he cannot properly present his own case, for the import of a question can often be appreciated only when the previous testimony is known. In no real sense then is the immigrant who cannot speak English "confronted" with the witnesses against him. What is usually done in these cases is to translate the questions asked the immigrant and his replies to the same. Even this is very imperfectly done, for there are no official interpreters whose competence, honesty and impartiality have already been determined, except in the Juvenile Court. In five of the criminal branches of the Municipal Court, court officials (usually clerks) are used; in eight policemen occasionally interpret, and in two the police do all that is done; five depend largely upon people they may "pick up in the court room;" one sometimes calls in a neighbor; in one the prosecuting attorney translates, and in three we were told that sometimes interpreters were not obtainable, in which cases they "got along the best they could." In one branch of the Municipal Court the bailiff said he very often thought that the judge's finding would have been different if the defendant had been able to state his side of the case; and that he sometimes felt convinced that innocent men were "sent up." In another court, the clerk

said that it was only in the case of Italians that there was any difficulty in getting interpreters and in that case "we do the best we can without." When asked if that was not rather hard on the Italians, he answered casually, "Well, we don't have very many of those cases."

In the Court of Domestic Relations, the newly created branch of the Municipal Court, the clerk, city attorney and occasionally someone "picked up" in the court room do the interpreting. Two branches of the Municipal Court are given over to jury trial. These sit in the County Building—where criminal branches of the County and Circuit Courts also sit. In these too there is the same method of securing interpreters. In one of these courts, the city attorney interprets; in several, people are taken at random from the crowd, and police officers are occasionally used. There is never any test of the competence of the interpreter, and yet as a rule he is more intelligent than the people who translate in the outlying branches of the Municipal Courts. Most frequently he is a clerk or other attaché of one of the courts, and because of the large number of people employed in these buildings, it is usually possible to secure some disinterested person. In these courts there is more dignity and a general appearance of thoroughness, so that one feels that the interpreting is being better done, although there is often the same incompetence. This is also true of the United States District Court, and the United States Commissioner, before whom deportation cases are tried. The Juvenile Court, which is a branch of the State Circuit Court, is the one place where there is an official interpreter appointed by a Civil Service examination. This man speaks German, Polish and Bohemian. In cases where he cannot interpret, and where there is no one on the regular force who can, someone is "picked up from the crowd." Mr. Witter, the chief probation officer, is eager to secure competent interpreters for all cases.

Such methods of selecting interpreters cannot but result in injustice. In the first place, there is no real test of competence. A Bohemian interprets for Poles, Slovaks, Croatians, Servians and Russians. He may, of course, be able to do this, yet in most cases he can understand something of what is being said because of the general similarity of the languages, but does not appreciate the finer distinctions which are so important in a trial. There is also no guarantee of honesty and impartiality. A police officer, and especially one that has had anything to do with a man's arrest, should never interpret for him. Neither should the prosecuting attorney, a relative of the defendant or complainant be used as interpreters. They may be honest, but they cannot be impartial. A change in the emphasis alone may make a great differ-



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ence in the mind of the judge. A Polish girl had had a man arrested on the charge of rape. The man denied the girl's story and his attorney laid great emphasis on the fact that she said that after the struggle with the man, not knowing anyone to whom she could go for help or advice, she went to "sleep." This had great weight with the judge and the defendant was not bound over to the Grand Jury. Investigation showed that the girl intended to say that she went to bed, and, when told of the translation, said the judge must have known she could not have gone to sleep after an experience of that sort, which was, of course, exactly the way in which the judge had reasoned, only the part of her story which he had believed was that she had gone to sleep. The interpreter in this case was furnished by the defense. Sometimes an interpreter acquires a reputation for misinterpretation on behalf of the party by which he is employed. It was said, for example, to be impossible to convict an Italian who employed a certain shrew mid-wife as his interpreter. This was known throughout the Italian colony long before it was suspected by prosecuting attorneys. She is now generally known and is not allowed to interpret. A man may, however, be honest and intelligent, and also a good linguist, and still be a poor court interpreter. Languages rarely fit into each other with nice precision, and legal language is especially difficult. It takes a person with a special faculty for interpretation and also with a highly developed social sense to perform this very important service.

Chief Justice Olson of the Municipal Court says he expects to be able to employ four interpreters in the near future. That number will, of course, not really meet the need, but it will be a step in the right direction. There seems to be no prospect at the present time of securing any for the other courts, although their need is attested to by judges, attorneys and social workers.

*Ignorance of Court Methods and Procedure.*—The immigrant man, who is accused of crime, suffers not alone because of the lack of competent interpreters. Ignorant of the American legal system, he does not know what his rights and privileges are and no one explains anything to him. An example of this was the case of a Bohemian man who was involved in a fight in a saloon. The man claimed he was attacked by two men and in self-defense hit one of them with a beer glass. He was arrested several days afterward and his bail fixed at a thousand dollars. When he suggested to the officer, who understood some Bohemian, that his employer would "get him out," the officer told him no one would pay a thousand dollars for him. This he thought was probably true, so he gave up all hope. The trial came the morning after his arrest.

The two men who had attacked him were the only witnesses against him. He did not understand what they said. The judge spoke Bohemian and asked him a few questions, but his story was uncorroborated. He was sentenced to a year in the House of Correction for "assault with a deadly weapon." His employer, who was present at the quarrel, reported the case to the Immigrants' Protective League. His employer said the man was temperate and hard working, and his young wife and neighbors told the same story. The facts in this case have been presented to the governor, so that his pardon will probably be secured. Mr. Whitman, formerly warden of the Cook County Jail, and at present warden of the House of Correction, says that he feels that it is usually in cases of this sort that men who might be called innocent are sentenced. The immigrant has been drinking or doing some small thing he ought not to be doing. He is arrested, often on the complaint of someone who expects to profit by his misfortune. Circumstances seem to be against him. He does not know how to put his case or how to secure the help of his friends. He is badly frightened and completely discouraged as to the outcome. It would take a great deal of time and patience to get from him the real facts of the case. Someone who is accustomed to court procedure appears against him and he is sentenced as a matter of course. In a number of such cases, Mr. Whitman says he has secured the pardon of the men.

*Lawyers.*—When one considers the helplessness even of fairly intelligent Americans in the hands of unscrupulous lawyers, one realizes somewhat how completely such a lawyer has at his mercy the ignorant foreigner. The lawyer is usually secured by one of the following methods, which indicate the type of man he is apt to be:

1. Through the saloonkeeper or local banker. If an immigrant gets into trouble, he usually appeals to the saloonkeeper or banker, who are persons of prestige and power in every foreign colony. A lawyer is then recommended. He is likely to be the one who will pay the best percentage to the saloonkeeper or banker, and is rarely a man of any ability or standing. Still care is taken to secure a lawyer who does something in the case, lest people will not apply to the saloonkeeper or banker in the future.

2. Through the police. That the police sometimes recommend lawyers on a percentage agreement there can be no doubt. In one case the investigator for the League talked with an officer at one of the Municipal Courts about the case of an Italian who had had a man arrested for assault. The officer explained that the Italian did not know how to present his case, the officer had asked for a continuance for him

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and expected him to "come across with \$5 or \$10." The investigator said he would look up a lawyer for the man. To this the officer replied that he was going to recommend someone, but that he was willing to "go in" for the investigator's lawyer if they both "got something."

3. Through personal solicitation by the attorney. This is the method usually employed with men who are held awaiting trial at the County Jail. The names of those brought in during the past twenty-four hours are posted in the jail every morning. About twenty-five lawyers of the lowest grade, both in honesty and ability, go over these lists every morning and solicit the patronage of the prisoners. The posting of these lists is a comparatively recent innovation. Before it was done there were frequent complaints that the guards sold the names to certain lawyers, who thus got a monopoly of the business. The "reform" has evidently given the same class of lawyers an equal chance at the prisoners, but has afforded them no additional protection.

4. The recommendation of fellow-prisoners. Lawyers very often make an arrangement with the prisoners at the County Jail to recommend them to their fellow-prisoners and also to "tip them off" as to which prisoners have money or relatives who will employ an attorney. The warden of the County Jail says that prisoners often make quite an income from the commissions they receive for this service.

*Abuses Practiced by Lawyers.*—1. The lawyer is employed in the belief that he will secure bail. The commonest way in which these lawyers deceive their clients is by promising to secure bondsmen or "put them on the street," as the saying goes at the County Jail. The prisoner pays the lawyer whatever he has, in the hope of immediate release. When the prisoner complains to the jailer of the failure of the lawyer to fulfill his agreement, the only receipt he can show is for retainer's fee, and the lawyer, of course, always denies having promised to secure bail.

2. After the acceptance of a fee, the lawyer fails to appear at the trial. In one quite typical case a lawyer received \$90 from the sister of a German man accused of crime. The sister understood that the lawyer was to secure bail and defend the man. He did neither and the man was convicted. When the case was reported to the Bar Association, he went to the court and asked for a modification of the sentence. In another case a lawyer promised to defend a man accused of theft, and who was awaiting trial, for twenty-five dollars. Thinking he was signing an agreement to this effect, he signed an order for the money the police had taken from him at the time of his arrest—sixty-three dollars. Having secured this, the lawyer did not appear again. The man was quite

without friends, did not speak English, and did not know the name of the lawyer. He wrote to a visitor for the United Charities, with whom he had spoken quite by accident in the court room. It was reported by her to the Immigrants' Protective League. The lawyer's name was not difficult to learn, and as both the Immigrants' Protective League and the Legal Aid Society had other cases against him, it was possible to have him disbarred. It is not necessary to point out that disbarment is a wholly inadequate remedy for evils of this sort.

3. Continuing cases in order to collect money from the relatives or friends of the prisoner. The following case illustrates the method employed: A Pole was arrested for forgery, was supplied by a saloon-keeper with an attorney. The man's wife paid \$25 as retainer's fee, and later \$30, \$10 and \$2 in installments. The case came up several times, and as the lawyer failed to appear, the Legal Aid Society took up the matter, and told the attorney that unless he came to court on a certain day to defend the man, they would get along without him. He finally did appear. The man was found not guilty. He had been in jail from December 24 to February 17. The lawyer afterwards tried to collect an additional fee of \$33, as the fee agreed upon had been \$100. His reason for delaying the trial was that he wanted to get the money before the man got out of jail. Cases are often continued and men are left in jail for eight or nine months, only because the attorney fears he may have difficulty in collecting his fee after the trial. During this time their families are in need, and after it, even if the accused should be declared innocent, the stigma of their long imprisonment is almost as great as if they had been found guilty.

4. The lawyer appears, but makes little or no attempt at defense. The type of lawyer who gets hold of the immigrant who is in trouble does not care anything for his professional reputation. He usually has not the ability to make a good criminal lawyer, and so after he has collected all the money he can, he does as little as possible. A case in point is that of a young Italian who was arrested for murder. A lawyer visited him in jail, and said he would guarantee for a thousand dollars to "put him on the street." The man wrote home to Italy, and his mother sold her farm and sent him the money. When the case came up for trial, the man was given a life sentence. There may be some doubt as to the man's innocence, but there is no doubt whatever that his lawyer defended him in an utterly incompetent way. Both the judge and the state's attorney expressed disgust at the way the attorney had conducted the case. This same lawyer, when asked afterwards why he had not appealed the case, said he felt convinced of the

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man's guilt, and that if the case was tried again there was little doubt but that he would get a death sentence. He later offered to appeal the case for an additional \$300. Shortly after this the uncle of the defendant came to this country with \$300 to see if he could do anything further about the matter. He kept paying small sums, ten, twenty-five, fifty dollars, to different lawyers to look into the case for him. Most of them, after investigation, offered to take it up for three or four hundred dollars. He finally accepted the offer of one, who promised to see it through to the Supreme Court if necessary, for \$200. After getting the money this lawyer allowed the time for appeal to elapse without doing anything. When he learned of the League's interest in the case, he returned all but \$30. Other lawyers kept writing to him, one of whom said that he had heard of the case through the clerk of the court, and had become interested in it. It is hard to say just how many had a share of his three hundred dollars. At any rate, when it was gone the man went back to Italy without having accomplished anything.

*Bondsmen.*—Professional bondsmen are denied access to the men awaiting trial, and are therefore compelled to work through the relatives or the lawyer. Lawyers are eager to secure all the money which the accused has, for themselves, and so refuse to share with the bondsmen. He finds the relatives difficult to deal with, for they are apt to turn to the local saloonkeeper or "banker." Often these men themselves go bail, being very well paid for this as well as for all the other services they render the immigrant. The rates charged by bonding companies are extremely high because these men are little known and usually have no property.

In only one case did we find any evidence that bondsmen, lawyer, and policeman had for their mutual profit secured the arrest of a man. It needs a corrupt judge to make such a combination really effective, and the Municipal judges have not been the type of men who would lend themselves to the petty exploitation which police judges sometimes did.

*The Police and Immigrants' Crime.*—Arrests are frequently made because a policeman fails to understand a man or the man does not understand the officer and so fails to obey orders. As there are no interpreters at the courts, so there are no interpreters at the police stations, and without any further examination the man is locked up. The following case is one of many which shows the way in which the immigrant suffers in this connection. A Polish woman went to the station to ask an officer to protect herself and her children against

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her drunken and brutal husband. She was much excited. The officer thought "something was the matter with the woman," and locked her up. Fortunately the Polish investigator for the League discovered her and she was sent with an officer to the rescue of the children. Cases similar to this are frequently reported to the League. A German sailor who missed his boat was left stranded without money or clothes. A man advised him to apply to an officer who would give him a place to work at fifty cents a day until the boat came back. He applied to the officer, was locked up and fined \$15 and costs. When released he expected to receive \$15 and was amazed when he was handed five cents for car fare.

The Chicago police force is constantly charged with corruption and inefficiency. Recently we had a series of bomb explosions which did considerable damage to property. Thirty-six bombs were thrown and the police did nothing except arrest "suspects," who were subsequently discharged. The police explained first that they were the result of a "gamblers' war" and then attributed them to "labor troubles." There is the same scandalous situation in regard to the so-called Black Hand outrages. The Chicago Tribune reported last month the forty-fifth murder since Jan. 1, 1911, which the police charged to the Black Hand. Prominent Italians and the leading Italian newspapers have tried to interest themselves in the situation. Most of these believe that, although there is probably a Black Hand organization, very little of the murder, bomb throwing, blackmailing and kidnapping charged to such a society are really committed by its members, but hold to the theory that a band of criminals are operating under police protection, and the police are covering up their failure to arrest the offenders to the satisfaction of the American public by attributing them to the Black Hand. They refuse to believe that the police cannot discover the Italian perpetrators of the small per cent of these crimes which they believe they commit. This seems a reasonable theory, because such woeful police incompetence, as the situation would otherwise argue, seems impossible.

The police method of preventing crime of this sort is as unintelligent as it is unjust. About a year ago, following several "outrages," the police arrested quite at random fifty Italians in one neighborhood. The men were all fined one dollar and costs for disorderly conduct and the inspector thought that this would frighten the colony into behaving. Instead the arrest and conviction of men known to be innocent was teaching not respect for law, but disrespect. The Italian consulate is at present employing a man to investigate every Black Hand case reported in the newspapers. Out of the first thirty he investigated,

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there was only one which could not be explained on some theory other than that it was committed by the Black Hand. The result of all this is that the Italian suffers at every turn. He is not protected against the criminal inside or outside of his own ranks, and the general public grows increasingly indignant, not at the police, but at all Italians.

The immigrant, because of his frequent friendlessness and ignorance of English, is an easy victim of any form of police corruption or violence. This should be a matter of serious concern to the American public, because the foreigner does not understand that the American usually reasons that allowances must be made for the American police, and a dangerous disrespect for American law is liable to result. A number of years ago an officer ordered a man to get off a garbage can on which he was sitting. He did not understand English and so did not obey. The officer shot and killed the man. A recent visit in that neighborhood revealed the fact that those people believed that was the sort of thing that the American law permitted and had little feeling of respect for it in consequence. Three similar murders, in one of which an immigrant was the victim, were committed by plain-clothes men last winter. The connection of such crimes with the general increase of crime should be carefully considered if the police are to continue to carry guns.