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FIGHTING CRIME IN CHICAGO: THE CRIME COMMISSION

EDWIN W. SIMS¹

The general sentiment of the community with reference to crime in Chicago brought about the appointment of the Chicago Crime Commission and later appeared in the several attempted protests by grand juries. It is apparent from various occurrences that there is an insistent demand on the part of the public for action that will reduce the volume of crime in Chicago.

Immediately following the Winslow Brothers payroll robbery in 1917, when armed robbers held up the business office of a large concern in the middle of a busy day and robbed and murdered, the attention of the Chicago Association of Commerce was directed to the necessity for taking steps to curb crimes of violence, with the result that that association appointed a special committee to ascertain what, if anything, the business interests of Chicago could do to remedy conditions. One of the members of that committee was the late Joseph W. Moses, at that time president of the Chicago Bar Association.

Following an exhaustive study extending over a period of nearly a year, that special committee submitted a report recommending the "organization under the guidance and direction of the Chicago Association of Commerce of a commission for the suppression and prevention of crime." The present Crime Commission, consisting of upwards of one hundred members selected by the Association of Commerce, and serving without compensation, is the result of that report.

The Commission, thus organized, does not contemplate itself the apprehension of law breakers nor the prosecution of criminals; nor does it propose to duplicate the work of any department of the state or city government. It is an organization of lawyers and business men who are applying business methods to combat organized crime. It proposes, by observation and investigation, to find out why crime flourishes and criminals escape. While the Commission realizes that it is not possible entirely to eliminate crime in a city of this size, it nevertheless believes that it is possible to minimize it.

The report adopted by the Association of Commerce estimated the cost of the undertaking at approximately \$10,000 per month, and

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the period possibly necessary to secure substantial results at six years. The Commission has been at work a little over a year. During the first year of its existence its work was financed almost entirely by the banks of Chicago; every bank in Cook County, with one or two exceptions, contributed monthly to carry on the investigations which have been under way.

In its search for facts, the first thing the Commission learned was that there was not in existence any adequate official record either of crime or criminals. In order to establish conclusively the loopholes through which crime went unpunished the Commission established a bureau which records every crime of violence (burglary, robbery and murder), and every action of the authorities performed to safeguard against a repetition.

The Commission has, however, limited its activity to a consideration of crimes of violence. But as to these crimes, its records are comprehensive and complete. The card system is supplemented by a duplicate of the Criminal Court docket. No question has yet arisen as to the accuracy of the Commission's records, and they are now frequently resorted to by the police and other public officials as carrying the most comprehensive criminal data in the state.

These records show that during the year 1919 there were committed in Chicago a total of 336 murders, 2,916 robberies, 6,103 burglaries, and 4,447 thefts of automobiles.

These figures include a considerable number of bank and payroll robberies perpetrated in broad daylight. Most of the 13,466 burglaries, robberies and thefts were by armed men ready to kill if the occasion demanded.

This means that during the year 1919 there were more murders in Chicago with a population of approximately three million, than in the British Isles with a population of forty million. To put it another way, the number of murders during the year 1919 was:

In Great Britain, nine to one million population.

In Canada, thirteen to one million population.

In Chicago, one hundred and twelve to one million population.

The value of property stolen in Chicago last year is estimated at twelve million dollars. The terrific financial tax entailed on the community by this abnormal volume of crime is brought directly home by the rates on burglary and holdup insurance. The premiums Chicago pays on burglary insurance run into millions. Chicago pays \$27.50 per thousand as against \$19.80 per thousand in Greater New York, St. Louis and Cleveland, and against \$11.00 per thousand in Boston; that

is to say, Chicago pays \$7.70 per thousand more than any other city in the United States.

The following incidents illustrate the need of a state law creating a Bureau of Criminal Records and containing mandatory provisions for the reporting of crimes to such central agency:

In Chicago crimes are usually reported to the nearest police station, and under the regulations of the department the captains of the several police precincts are supposed to furnish to the chief of police at the central office a daily statement of all the crimes reported in their precincts. This is as it should be; otherwise policemen and detectives operating out of other stations would remain in ignorance of such crimes.

A few months after the Crime Commission had commenced the collection of criminal data, its records began to show a volume greatly in excess of the total number of crimes reported to the central department by the police precincts. An investigation of this discrepancy disclosed the fact that reports of many crimes of violence never got farther than the blotters of the local police stations. For instance, it was found that the captain of a certain precinct had carelessly or intentionally failed to report to the central office 104 out of 141 crimes reported in that precinct for one month; that is to say, out of 141 crimes of violence reported in that particular precinct a record of only 37 found its way into the central office of the Police Department.

A little later in the year, the Crime Commission called attention to the fact that, for a given period, 40 crimes of violence which the Commission's record showed to have been committed in another police precinct had not been reported to the central Police Department. The captain of the precinct was called upon to explain. He gave as his excuse for not reporting these crimes, that the money stolen could not be identified, and that the masked burglars could not be recognized.

In another case where an indictment was had by the state's attorney, despite the failure of the police to report the case, the captain explained indifferently that he did not think it necessary to report a case which had found its own way into the hands of the state's attorney. Following these occurrences the captain of that police precinct asked for a leave of absence. The result that actually followed this occurrence were reports showing an increase over previous reports of more than 100 per cent in burglary in that district.

Under conditions of which these instances are typical, the police

as a whole never learned of many crimes and naturally could not be expected to exert efforts to apprehend the perpetrators.

Had there been proper criminal records we would not, during the past year, have witnessed the disgraceful incident of a policeman being apprehended as a bandit—a man with a criminal record when he was sworn in as a police officer.

So, also, would the police doubtless be saved many weary and fruitless searches. Take the following for an instance: "John Doe," number 6504 Pontiac, number 3792 Joliet, was admitted to parole. He violated his parole and a warrant for his return to Joliet was issued and placed in the hands of the police. Let us assume that for the eight long months this warrant was in their possession they scoured the city for said "Doe" of Pontiac and Joliet—but no "Doe." It seems that about the time the warrant was issued "Doe" was placed in the county jail, where he remained under his own name undiscovered by the police during their search of eight months. An attempted jail-breaking finally called attention to the fact that he was there, and the warrant was served.

Taking murder cases in 1919 as typical of the infirmities of our system, we find that there were indictments in 131 cases as against 336 murders. Of the 203 defendants named in these 131 murder indictments, 44 were convicted, 61 were acquitted, and 98 cases were undisposed of at the close of the year; that is to say, in the case of murder there were 44 convictions as against 336 murders for the year. From this it will be seen that the deterrent influence conveyed to the lawless by a prospect of speedy prosecution and severe punishment is absolutely wanting.

These figures show that the criminal is warranted in assuming that in Chicago there is better than a 50-50 chance that he will never even be arrested. If arrested there stands between him and actual punishment the possibility of escape on inadequate bail. During the long line of continuances the disappearance or death of the state's witnesses is probable. Other chances are disagreement of the jury, a new trial, probation by the trial judge, appeal to higher courts, reversal, another trial, and if finally convicted and the conviction sustained on appeal, there still remains the possibility of parole or pardon.

The Crime Commission has been investigating the bond situation, and when it finishes it believes that a bond will be a bond and not a mere means of permitting criminals to escape punishment. The January bulletin of the Commission called attention to the fact that the grand total of 426 bonds forfeited for the year 1919 approximated

\$1,448,900.00 The high finance of some of the professional bondsmen is interesting:

"Richard Roe" schedules a six-flat building, which he values at \$25,000. He acknowledges an incumbrance of \$11,500, and according to the record he has only a half interest—namely, an equity of \$6,750—in the property. Since August 27, 1918, he has been accepted on a total of \$269,500 worth of bonds, scheduling this one piece of property. But that is not all. There has been a forfeiture (unsatisfied) standing of record in the criminal court since June 19, 1919, for \$3,500, since which date \$160,500 of the bonds above mentioned were given. On the date of the Commission's report he stood owing Cook County on forfeitures a total of \$25,000, with property of a possible value of \$6,750 responsible for the amount, notwithstanding which he was still surety on bonds totaling over \$100,000.

"John Doe," with an unsatisfied judgment of \$3,000 since July 25, 1918, appears on the books for \$196,500, 42 bonds in force plus 38 other bonds, totaling \$108,100, making a grand total of \$304,600 worth of bonds on which he became surety in 1919, all since his forfeiture. In December he added to his record for forfeitures, bringing his grand total up to \$20,000, in spite of which fact persons charged with crime stood released on his schedules in the amount of \$196,500.

In this connection, I am glad to state that the state's attorney and chief justice of the Criminal Court acted very promptly when the facts collected by the Crime Commission were brought to their attention and a grand jury is now investigating the situation.

In the opinion of the Crime Commission, one of the many causes of the prevalence of crime in Chicago is the delay in bringing criminal cases, especially when the criminals are known as habitual, to a speedy conclusion. The files of the Commission contain many cases which illustrate this point, and in December a docket record of twenty-one of these cases was brought to the attention of the chief justice of the Criminal Court by the Commission.

The case of Frank Rio and his associates is typical of the abuses of bail privileges and continuances. The law first began to annoy Rio on May 28th, 1918, when two indictments charging larceny were returned against him. He was admitted to \$3,000 bail and the cases continued. On May 7th, 1919, with the original indictments yet undisposed of, three additional indictments were returned against him for burglary. What happened then is best described by an extract

from the final report which the May grand jury submitted to Judge Kavanaugh. The grand jury stated as follows:

"One of the most aggravated cases we have handled was the case of three notorious criminals who were indicted by this grand jury for robbery and hold-ups committed while out on bail. We fixed the bail at \$25,000.00 in each case. When we handed these indictments to the judge we also requested him to prevent any reduction in the amount of the bail. In addition to the above, we asked the state's attorney's office to fight any reduction of the bail of these notorious criminals. Two members of the state's attorney's office fought this reduction to the limit. Notwithstanding our recommendations and their efforts, within a day or two we learned that the amount of the bond had been reduced from \$25,000.00 to \$10,000.00 in each of the three cases, and that these men were again at large in the community and able to continue their depredations on the public. We believe that bail for persons having a record of crime should be made extremely difficult."

May 28, 1919, a fifth indictment was returned charging burglary and Rio was again admitted to bail.

During the hot spell Rio seems to have become peeved at the action of the state's attorney in setting his cases for trial, and on June 24, 1919, he openly expressed his disapproval by walking out of the court room while court was in session and his bonds were forfeited.

It appears, however, that Rio's business engagements were not seriously interfered with by the forfeiture of his bond, for we find that new indictments, one charging burglary and the other larceny, were returned shortly thereafter, namely, on July 9, 1919. This brought the total number of pending indictments against him up to seven.

In October there was a trial on the robbery indictments returned the May previous, with a verdict of "not guilty."

The history of this case is extremely interesting as showing the annoyance to which one who engages in the business of burglary and crime is subjected by the law. It will be noted that during the pendency of the original case in the Criminal Court, Rio accumulated a total of eight indictments for alleged violations. It appears, however, that the verdict of "not guilty" on one of the eight charges pending against him had a stimulating effect because shortly thereafter he was arrested for an alleged theft of furs valued at thousands of dollars. He was again indicted November 14, 1919, and released on a \$35,000 bond, on which property scheduled at \$20,000 was given as security.

The difficulty in securing conviction after long delay is evidenced by the following:

February 10, 1911, Michael Heinan, 17 years of age, was shot and killed by Thomas Chap, a bartender in a saloon. At the coroner's inquest Chap admitted the shooting, and justified his act by accusing Heinan of striking matches on the bar top and kicking his dog. The boy was ordered from the saloon, and as he left Chap shot him in the back. Chap was indicted for murder March 4, 1911, and released on \$10,000 bonds.

In compiling its report on continuances, the Crime Commission ran across the case, and in December, 1919, eight and one-half years after the crime was committed, the defendant was placed on trial. The evidence seemed to be convincing, and the case was ably presented by the state's attorney, notwithstanding which the jury returned a verdict of "not guilty."

The jurors, in explaining how they came to reach that verdict in the face of the evidence presented, stated that they felt there was some reason which was being withheld from them for the nearly nine-year delay, and that under such peculiar circumstances they concluded to return a verdict of "not guilty."

A certain volume of crime is inevitable in every community. It is not the existence of accidental crime resulting from passionate outbursts which has stirred Chicago, it is the growing belief that in this community crime has become an established occupation, carried on by men who have dedicated themselves to the business.

In the opinion of the Crime Commission the abnormal volume of crime in Chicago is due fundamentally to failure to apprehend criminals and punish crime with that certain, sure swiftness necessary to inspire fear in prospective law-breakers. So much soft-hearted sympathy has been mixed with the application of lawful force that it has become so feeble as to practically lose its effect upon the habitual criminal.

There has been too much mollycoddling of the less than one-third of one per cent of our population which is criminal. We seem to have forgotten that the small fraction of this one-third of one per cent, which happens to be temporarily imprisoned in the jails and penitentiaries, is there because it should be punished.

We have for years agitated improving conditions in the jails. Suppose we pause and spend some time and energy in providing safety for the law-abiding citizen and the property he has acquired by honest toil. We have kept on providing for criminals flowers, libraries,

athletics; and hot and cold running water, social visiting organizations, probation, paroles, pardons, and a lot of things, until what was previously intended as punishment is no longer punishment. We have had too little punishment and too much probation.

If we are going to make Chicago a safe place to live in, one of the things we must do is to provide punishment that punishes, instead of giving criminals a vacation in institutions where they have a better living than if they were free.

If we expect our officials to lock up criminals when the law commands that they be locked up and prosecuted, and hang them when it ordains that they be hanged, we must quit being squeamish about it when those officials do their duty.

The tender solicitude for the welfare of criminals publicly expressed by social workers and others is very unfortunate. It conveys to ten thousand criminals plying their vocation in Chicago the mistaken impression that the community is more interested in them than it is in their victims.

It would be more helpful if this sympathy was directed to a consideration of the feelings of the widows and children of policemen who are murdered in the discharge of their duty, or to the survivors of those who are victimized by the outlaws.

It is only fair to Chicago and Cook County officials to state that they have shown themselves willing to co-operate with the Crime Commission in the correction of existing evils; and inasmuch as these conditions spring largely from an imperfect system, are the growth of years, and not necessarily due to the default or neglect of existing officials, the community may not properly blame them for conditions for which they are not responsible.

There is unquestionably a strong feeling on the part of lay citizens that lawyers are responsible for the laws and their administration. If this feeling actually exists, the question arises as to whether the bar of Chicago does not in fact owe a duty to the community to ascertain the facts and take steps as an association to speed up the legal machinery having to do with the administration of the law in criminal cases.