

## **Notre Dame Law Review**

Volume 5 | Issue 2 Article 4

11-1-1929

# Protection for Witnesses

Francis T. Ready

Follow this and additional works at: http://scholarship.law.nd.edu/ndlr



Part of the Law Commons

#### **Recommended Citation**

Francis T. Ready, Protection for Witnesses, 5 Notre Dame L. Rev. 96 (1929). Available at: http://scholarship.law.nd.edu/ndlr/vol5/iss2/4

This Commentary is brought to you for free and open access by NDLScholarship. It has been accepted for inclusion in Notre Dame Law Review by an authorized administrator of NDLScholarship. For more information, please contact lawdr@nd.edu.

### **EDITORIAL COMMENT**

#### PROTECTION FOR WITNESSES

The recent murder of Samuel Goldberg, wealthy resident of East Chicago, Indiana, immediately after he had conferred with Oliver Loomis, federal district attorney for the Northern District of Indiana, in connection with the widely-heralded Lake County liquor and election fraud investigation now being conducted there, reveals the alarming and entirely unjustified inadequacy of the protection afforded witnesses testifying against organized "racketdom". Despite what the chambers of commerce of some of our large cities may assert to the contrary, it is a fact—one attesting to the inadequacy of the law-enforcing branch of our government-that in all large American cities, some to a greater extent than others, organized, fearless, and unscrupulous gangsters and racketeers are rife. So powerful have they become in some of our cities, notably Chicago, that they dare, and seemingly with impunity, to threaten with death those who refuse to commit the revolting offense of perjury when called upon to testfy in a court of justice against their corrupt practices. The public may well criticise their law-enforcement agencies for their apparent impotency to suppress and exterminate organized racketeering; but it is even more justified in directing criticism toward a law-enforcement department which so lacks zest and determination to bring offending racketeers to justice that it does not afford witnesses, answering legal summons, the armed protection necessary to insure the safety of their lives.

A murder such as that of Goldberg will inevitably receive widespread publicity. The circumstances of such a death and the underlying reasons for it are bound to come to the attention of public at large. With what consequence? In the trial of any case in which "racketdom" has a hand, those in whose power it would be to convict them, will be reluctant to testify. And this despite the fact that there has been no open blackguard because a gangster's enscience does not demand that he always give ex-

press warning. The result will be that gangdom will have successfully thrown the proverbial monkey wrench into the machinery of justice and won a position of advantage, the dire result of which, if no remedy is applied, is difficult to imagine.

There is, however, a remedy. The American people are inherently a law-abiding, order-respecting body. If they are but awakened to a realization of the fact that by failing to supply the proper protection for witnesses called upon to testify against this ever-growing wave of organized crime which is threatening the peace and order to which they have so long been accustomed. they will rise up and, through the power of the ballot, see that the machinery of justice is not thus hampered in its war on "racketdom." American people are, for the most part, a reading people. Since this is true newspapers and magazines possess more power to mould and direct public opinion than any other agency in the land. Theirs is the power to awaken or suppress public interest—and public interest is public opinion—in any current question of moment. The editorial writers of every estimable news periodical of wide circulation may well direct the influence which they unquestionably wield to rouse public indignation against this shameful neglect of duty on the part of our law-enforcement bodies.

F. T. R.