THE ILLINOIS ASSOCIATION FOR CRIMINAL JUSTICE

OFFICERS
Rush C. Butler, Chicago..................President
Walter A. Rosenfield, Rock Island........Vice-President
E. E. Crabtree, Jacksonville..............Vice-President
M. A. Graettinger, Chicago................Secretary
Earle H. Reynolds, Chicago................Treasurer

DIRECTORS
Richard Abrams
Sewell L. Avery
James G. Alexander
Frank D. Barton
Charles W. Boyden
William C. Boyden
Andrew A. Bruc
Rush C. Butler
Miss Jessie Binford
Claude G. Burnham
Bruce A. Campbell
James H. Cowley
H. E. Crabtree
Henry P. Crowell
Walter F. Dodd
Thomas R. Donnelley
Simeon W. Dixon
Fletcher M. Durbin
E. A. Eckert
D. B. Ellis
David Felmy
Charles K. Foster
Eugene Funk
James B. Forgan
Edward E. Gore
C. V. Gregory
M. A. Graettinger
O. Gollicksen
Elwood G. Goldman
Albert J. Harlow
John Harrison
E. W. Hinton
Bishop E. H. Hughes
Joel D. Hunter
W. E. Howe
Harry Eugene Kelly
W. V. Kelley
David Kinley
Charles W. Laporte

Dr. F. Emory Lyon
Max Mason
Amos C. Miller
John S. Miller
John R. Montgomery
Robert C. Moore
Mrs. J. W. Morrisson
James B. McDougal
Miss Agnes Nestor
Frank T. O'Hair
John W. O'Leary
James A. Patten
George W. Perkins
Earle H. Reynolds
Walter A. Rosenfield
Julius Rosenwald
Joseph T. Ryerson
Howard P. Savage
Frederick H. Scott
Walter Dill Scott
Frederic Seidenberg
Charles Ward Seabury
Mrs. W. W. Seymour
Edward M. Skinner
Harold H. Swift
George E. Scott
C. W. Terry
Caino A. Trimble
Willoughby G. Walling
Robert K. Welsh
Frank O. Wetmore
Dr. Eva M. Wilson
George H. Wilson
Frank H. Warren
Frank F. Winans
Matthew Woll
Walter Wood
F. W. Woodruff
THE ILLINOIS CRIME SURVEY

SURVEY COMMITTEE
Amos C. Miller, Chairman
John S. Miller, Vice-Chairman
Sewell L. Avery
Charles W. Boyden
Andrew A. Bruce
Simeon W. Dixon
Walter F. Dodd
Gustave F. Fischer

Albert J. Harno
Logan Hay
E. W. Hinton
Charles R. Napier
George A. Paddock
Lawrence Williams
Matthew Woll
F. W. Woodruff

SURVEY STAFF
Arthur V. Lashly, St. Louis.............Director of Survey
W. C. Jamison, Chicago...............Assistant Director of Survey
Raymond Moley, New York...............Consultant
C. E. Gehlke, Cleveland..............Statistician

EXECUTIVE COMMITTEE
Rush C. Butler, Chairman
M. A. Graettinger, Secretary
Sewell Avery
Jessie Binford
E. E. Crabtree
Henry P. Crowell
Amos C. Miller

John S. Miller
John R. Montgomery
Earle H. Reynolds
Walter A. Rosenfield
Julius Rosenwald
Joseph T. Ryerson
Charles Ward Seabury

LEGISLATIVE COMMITTEE
D. B. Ellis, Chairman
Jessie Binford
Bruce A. Campbell
E. E. Crabtree
Simeon W. Dixon
E. A. Eckert
David Feilmy
M. A. Graettinger

C. V. Gregory
Harry Eugene Kelly
Charles W. LaPorte
Mrs. J. W. Morrisson
Walter A. Rosenfield
Joseph T. Ryerson
C. W. Terry
Robert K. Welsh

REVISION COMMITTEE
Amos C. Miller, Chairman
John S. Miller, Vice-Chairman
Sewell L. Avery
Charles W. Boyden
Andrew A. Bruce
E. W. Burgess
Simeon W. Dixon
Walter F. Dodd
Gustave F. Fischer
Albert J. Harno

Logan Hay
E. W. Hinton
John R. Montgomery
Charles R. Napier
George A. Paddock
John H. Wicmore
Lawrence Williams
Matthew Woll
F. W. Woodruff

BUDGET COMMITTEE
Joseph T. Ryerson, Chairman
Earle H. Reynolds
Charles Ward Seabury
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.
CONTENTS

EDITOR’S PREFACE, by John H. Wigmore ............... 5
DIRECTOR’S INTRODUCTION, by Arthur V. Lashly ........ 11

PART I—THE MACHINERY OF JUSTICE

CHAPTER I

RECORDED FELONIES: AN ANALYSIS AND GENERAL SURVEY, by C. E. Gehlke

(I) INTRODUCTION

1. Regions covered by the Survey .................. 31
2. Explanation of Statistical Method Used ........... 32

(II) GENERAL DISPOSITION TABLE

3. Explanation of the Table ....................... 34
4. Percentage of all Cases Resulting in Execution of Sentence ........ 34
5. Eliminations in the Preliminary Hearings ........ 36
6. The Grand Jury Eliminations .................. 36
7. Trial Court Eliminations ....................... 36
8. Probation Eliminations ......................... 37
9. New Trials and Appeals Eliminations ............. 37
10. Other Eliminations ................................ 37

(III) PRELIMINARY HEARING ELIMINATIONS, IN DETAIL

11. Explanation of Table A-4 ..................... 37
12. Summary of Chief Modes of Elimination ............ 39

(IV) GRAND JURY ELIMINATIONS, IN DETAIL

13. Explanation of Table A-5 ..................... 42

(V) TRIAL COURT ELIMINATIONS, IN DETAIL

14. Explanation of Table A-6 ..................... 42
15. Cases Nolled and Stricken ..................... 42
16. Relative Importance of Nolled and Stricken ........ 44
17. Relative Importance of Eliminations by Prosecutor ........ 45
18. Eliminations by the Judge .................... 45
19. Eliminations by the Jury ...................... 46
20. Cases pending .................................. 46

(VI) FOUND GUILTY

21. Explanation of Table A-7 ..................... 46
22. Action by the Judge .......................... 48
23. Plea of Guilty ................................ 48
24. Action by the Jury ........................... 49
25. Adjudged Insane ................................ 49
26. Relative Importance of Pleas .................. 49
27. Found Guilty on Another Basis ................. 49
28. Found Guilty of a Lesser Offense ............... 50
(VII) **Dispositions After Guilt Has Been Established, in Detail**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>29. Probation and Modifications</td>
</tr>
<tr>
<td>30. New Trials and Appeals</td>
</tr>
<tr>
<td>31. New Trials Granted</td>
</tr>
<tr>
<td>32. Re-trials After Mistrials</td>
</tr>
<tr>
<td>33. Appeals</td>
</tr>
<tr>
<td>34. Summary of Sentences Executed</td>
</tr>
</tbody>
</table>

(VIII) **Summary of the Roles of Judge, Prosecutor, and Jury**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>35. The Judge</td>
</tr>
<tr>
<td>36. The Prosecutor</td>
</tr>
<tr>
<td>37. The Jury</td>
</tr>
<tr>
<td>38. Same: Modes of Disposition</td>
</tr>
</tbody>
</table>

(IX) **Nature of the Charge, Compared as to Disposition**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>39. Classification of Offenses</td>
</tr>
<tr>
<td>40. Frequency</td>
</tr>
<tr>
<td>41. Proportions of Most Frequent Offenses</td>
</tr>
<tr>
<td>42. Crimes Against the Person</td>
</tr>
<tr>
<td>43. Compared as to Disposition</td>
</tr>
<tr>
<td>44. Same: Compared as to Stage of Elimination</td>
</tr>
<tr>
<td>45. Same: Compared as to Jurisdictions</td>
</tr>
</tbody>
</table>

(X) **Sentences Executed**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>46. Explanation of Table C-1 (Classified Summary)</td>
</tr>
<tr>
<td>47. Definite Term Sentences</td>
</tr>
<tr>
<td>48. Indefinite Term Sentences</td>
</tr>
<tr>
<td>49. Fined and Sentenced, and Fined Only</td>
</tr>
<tr>
<td>50. Institutional Distribution of Sentences</td>
</tr>
</tbody>
</table>

(XI) **Pleas, Analyzed as to Disposition**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>51. Explanation of Tables D-1 and D-2</td>
</tr>
<tr>
<td>52. Distribution of Pleas, Regardless of Disposition</td>
</tr>
<tr>
<td>53. Guilty, and Not Guilty, Compared</td>
</tr>
<tr>
<td>54. Guilty of a Lesser Offense</td>
</tr>
<tr>
<td>55. Change of Plea</td>
</tr>
<tr>
<td>56. Final Pleas</td>
</tr>
<tr>
<td>57. General Comments</td>
</tr>
<tr>
<td>58. Jurisdictions Compared</td>
</tr>
</tbody>
</table>

(XII) **Bail, Analyzed as to Disposition**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>59. Explanation of Table E</td>
</tr>
<tr>
<td>60. Summary</td>
</tr>
<tr>
<td>61. Preliminary Hearing</td>
</tr>
<tr>
<td>62. Grand Jury</td>
</tr>
<tr>
<td>63. Eliminated in the Trial Court</td>
</tr>
<tr>
<td>64. Guilty in the Trial Court</td>
</tr>
</tbody>
</table>

(XIII) **Assignment of Counsel, Analyzed as to Disposition of Cases**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>65. Explanation of Table F</td>
</tr>
</tbody>
</table>
(XIV) TIME ELAPSED, IN RELATION TO DISPOSITION

66. Explanation of Table G ........................................... 92
67. Time Interval A: Total Elapsed Time .......................... 93
68. Time Interval B: Complaint to Preliminary Hearing ........ 95
69. Time Interval C: Preliminary Hearing to Grand Jury ...... 95
70. Time Interval D: Grand Jury to Trial Court .................. 95
71. Time Interval E: Arraignment to Trial Disposition .......... 95

(XV) SUMMARY OF FOREGOING ANALYSIS

72. Disposition of Cases, in General ................................ 100
73. Nature of Charge, in Its Significance for Disposition ...... 100
74. Sentences .......................................................... 101
75. Pleas and Dispositions ............................................ 101
76. Bail and Disposition .............................................. 101
77. Assigned Counsel and Disposition .............................. 102
78. Time Elapsed in Its Relation to Disposition ................. 102

(XVI) MILWAUKEE AND CHICAGO, COMPARED

79. Disposition in General ............................................. 102
80. Nature of Charge .................................................. 102
81. Sentences .......................................................... 103
82. Pleas .............................................................. 103
83. Bail ............................................................... 103
84. Assignment of Counsel ........................................... 103
85. Time Intervals ..................................................... 103

CHAPTER II

THE SUPREME COURT IN FELONY CASES, by Albert J. Harno

1. Scope of the Chapter .............................................. 113
2. Function of the Supreme Court in Criminal Cases .......... 113
3. Statistical Summaries of Rulings, Classified as to Quantity, Grounds of Reversal, etc. .......... 115

(I) CONSTITUTIONAL PROVISIONS, AS GROUND FOR REVERSAL

4. Due Process ....................................................... 118
5. Searches and Seizures ............................................. 118
6. Self-Incrimination ............................................... 120

(II) DEFECTIVE PLEADINGS, AS GROUND FOR REVERSAL

7. Liberal Views ..................................................... 123
8. Technical Views .................................................. 124
9. Negative Averments .............................................. 127
10. In General ....................................................... 130

(III) ERRONEOUS INSTRUCTIONS, AS GROUND FOR REVERSAL

11. In General ....................................................... 131
12. Alibi ............................................................ 132
13. Self-Defense ..................................................... 133
14. Insanity .......................................................... 136
15. Reasonable Doubt ............................................... 139
16. Miscellaneous Errors in Giving and Refusing Instructions 140
(IV) Errors in the Admission of Evidence

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.</td>
<td>In General</td>
</tr>
<tr>
<td>18.</td>
<td>Confessions</td>
</tr>
<tr>
<td>19.</td>
<td>Other Crimes</td>
</tr>
<tr>
<td>20.</td>
<td>Complaints of Children</td>
</tr>
<tr>
<td>21.</td>
<td>Curing Error by Direction to Disregard</td>
</tr>
<tr>
<td>22.</td>
<td>Husband’s or Wife’s Testimony</td>
</tr>
<tr>
<td>23.</td>
<td>Cross-Examination</td>
</tr>
</tbody>
</table>

(V) Variance, as Ground for Reversal

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.</td>
<td>In General</td>
</tr>
<tr>
<td>25.</td>
<td>Doctrine of Idem Sonans</td>
</tr>
<tr>
<td>26.</td>
<td>Joint Indictments</td>
</tr>
<tr>
<td>27.</td>
<td>Content of the Indictment</td>
</tr>
<tr>
<td>28.</td>
<td>Proof of Offense Differing from One Alleged</td>
</tr>
</tbody>
</table>

(VI) Conduct of Prosecutor, as Ground for Reversal

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>29.</td>
<td>In General</td>
</tr>
<tr>
<td>30.</td>
<td>Improper Remarks</td>
</tr>
<tr>
<td>31.</td>
<td>Misconduct in Introducing Evidence and in Cross Examination</td>
</tr>
<tr>
<td>32.</td>
<td>Some Discriminations</td>
</tr>
</tbody>
</table>

(VII) Conduct of Trial Judge, as Ground for Reversal

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>33.</td>
<td>Respective Functions of Court and Jury</td>
</tr>
<tr>
<td>34.</td>
<td>Comments by the Judge</td>
</tr>
<tr>
<td>35.</td>
<td>Limiting the Argument of Counsel</td>
</tr>
<tr>
<td>36.</td>
<td>Absence from the Court Room</td>
</tr>
</tbody>
</table>

(VIII) Form of Verdict, as Ground for Reversal

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>37.</td>
<td>In General</td>
</tr>
</tbody>
</table>

(IX) Evidence Insufficient to Sustain Verdict

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>38.</td>
<td>In General</td>
</tr>
<tr>
<td>39.</td>
<td>Alibi</td>
</tr>
<tr>
<td>40.</td>
<td>Corpus Delicti</td>
</tr>
</tbody>
</table>

(X) Sundry Grounds for Reversal

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>41.</td>
<td>Remarks by Bystanders</td>
</tr>
<tr>
<td>42.</td>
<td>Intoxication of the Accused</td>
</tr>
<tr>
<td>43.</td>
<td>Ineligibility of State’s Attorney</td>
</tr>
</tbody>
</table>

(XI) Subsequent Disposition of Cases Reversed and Remanded

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>44.</td>
<td>In General</td>
</tr>
</tbody>
</table>

(XII) Conclusion

<table>
<thead>
<tr>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>45.</td>
<td>Progress and Growth in the Criminal Law</td>
</tr>
<tr>
<td>46.</td>
<td>Summary</td>
</tr>
</tbody>
</table>
CHAPTER III

THE TRIAL COURTS IN FELONY CASES, by E. W. Hinton

(1) LAWS GOVERNING CRIMINAL PROCEDURE AND COURT ORGANIZATION

1. Preliminary Examination .................................................. 195
2. Indictment ................................................................. 195
3. Arraignment and Pleas .................................................. 197
4. Changes of Venue .......................................................... 197
5. Continuance ............................................................... 198
6. Selection of the Jury ...................................................... 198
7. Function of the Judge .................................................... 199
8. Function of the Jury ...................................................... 200
9. Motion for New Trial ..................................................... 200
10. Motion in Arrest of Judgment .......................................... 200
11. Bill of Exception .......................................................... 200
12. Appellate Review .......................................................... 201
13. Insanity Inquest ........................................................... 201
14. Courts and Jurisdiction .................................................. 201

(II) WORK OF THE TRIAL COURTS

15. Scope of Survey ........................................................... 202
16. Elimination of Cases at Preliminary Stage .......................... 204
17. Elimination at the Grand Jury Stage ................................ 205
18. Elimination of Cases in the Trial Court ............................. 206
19. Nolle Prosequi and Dismissals ......................................... 208
20. Stricken from the Docket ............................................... 208
21. Discharges by the Court ............................................... 211
22. Pending Cases ............................................................ 211
23. Acquittals, by Court and by Jury ..................................... 211
24. Found Insane ............................................................. 213
25. Convictions, by Court and by Jury ................................... 213
26. Continuances ............................................................. 216
27. Bail Bonds (Cook County) ............................................... 216
28. Same, Comparison with the City of St. Louis ...................... 217
29. Same, Numerical Importance of Bail Forfeitures ................. 217
30. Habeas Corpus ........................................................... 218
31. Conclusions ............................................................... 218
32. Recommendations ....................................................... 219

CHAPTER IV

THE JURIES, IN FELONY CASES, IN COOK COUNTY,
by Gustave F. Fischer

1. Foreword ........................................................................ 225
2. Relative Importance of Jury Trials .................................... 226
3. Constitutional and Statutory Provisions ............................... 227
4. Administration in Cook County ........................................ 228
5. Method of Determining Qualifications of Electors ............... 229
6. The Jury Box .................................................................. 230
7. Drawing Petit Jurors ....................................................... 230
8. Selection of Grand Jurors ............................................... 231
9. Personnel of Juries .................................................. 231
10. Jury Service Statistics .............................................. 231
11. Excessive Drafts and Excuses .................................... 233
12. Length of Jury Service ............................................ 233
13. Intimidation of Jurors ............................................. 234
14. Public Sentiment as to Jury Service ......................... 236
15. Summary of Findings .............................................. 239
16. Recommendations .................................................. 242

CHAPTER V

THE PROSECUTOR (OUTSIDE OF CHICAGO) IN FELONY CASES, by William D. Knight

1. The State’s Attorney and His Client, the People .................. 249
2. The Importance of the State’s Attorney as a Public Officer .... 250
3. Personnel and Compensation ........................................ 251
4. Felony Cases Handled ................................................ 254
5. The Preliminary Hearing ............................................ 258
6. Plea of Guilty ....................................................... 260
7. The Grand Jury ...................................................... 263
8. The Trial ................................................................ 263
9. Disposition in the Trial Court ....................................... 265
10. Preparation of Cases .................................................. 267
11. The Problem of Witnesses .......................................... 268
12. Nolle Prosequi ......................................................... 269
13. Relative Responsibility of State’s Attorney, Judge, and Jury 270
14. The Coroner’s Inquest ............................................... 272
15. Office Records ........................................................ 273
16. Bail Bonds ............................................................ 274
17. Probation ................................................................ 274
18. Delays and Continuances ............................................. 275
19. General Comment ...................................................... 277
20. Findings ................................................................ 278
21. Recommendations .................................................... 278

CHAPTER VI

THE PROSECUTOR (IN CHICAGO) IN FELONY CASES, by John J. Healy

1. Factors in the Administration of Criminal Justice ............ 285
2. Power and Duty of the State’s Attorney .......................... 288
3. State’s Attorney’s Staff .............................................. 288
4. Police Department ..................................................... 289
5. Felonies Prosecuted in Chicago in 1926 ......................... 292
6. Ten Thousand Fruitless Prosecutions ............................... 294
7. Elimination in the Preliminary Hearing ............................ 296
8. Elimination in the Grand Jury ....................................... 298
9. Elimination after Indictment and Prior to Sentence .......... 300
10. Never Apprehended .................................................. 300
11. Bond Forfeited, Not Apprehended ................................ 301
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12.</td>
<td>Certified to Other Courts</td>
</tr>
<tr>
<td>13.</td>
<td>Nolle Prosequi</td>
</tr>
<tr>
<td>14.</td>
<td>Stricken, with Leave to Reinstatement</td>
</tr>
<tr>
<td>15.</td>
<td>Same: Account Other Indictments</td>
</tr>
<tr>
<td>16.</td>
<td>Dismissed for Want of Prosecution</td>
</tr>
<tr>
<td>17.</td>
<td>Off Call</td>
</tr>
<tr>
<td>18.</td>
<td>Felony Waived</td>
</tr>
<tr>
<td>19.</td>
<td>Acquitted by Jury</td>
</tr>
<tr>
<td>20.</td>
<td>Only a Preliminary Hearing</td>
</tr>
<tr>
<td>21.</td>
<td>Bond Forfeitures</td>
</tr>
<tr>
<td>22.</td>
<td>What Does It Mean in Chicago to Be “Guilty”?</td>
</tr>
<tr>
<td>23.</td>
<td>Total Convictions, Classified as to Lesser Offenses</td>
</tr>
<tr>
<td>24.</td>
<td>Pleas and Probations</td>
</tr>
<tr>
<td>25.</td>
<td>The Plea, the Prosecutor, and the Jury, Compared as to Responsibility</td>
</tr>
<tr>
<td>26.</td>
<td>Specific Examples of Unsatisfactory Prosecutions in 1926</td>
</tr>
<tr>
<td>27.</td>
<td>Same: Pleas to a Lesser Offense</td>
</tr>
<tr>
<td>28.</td>
<td>Same: Intimidation of Witnesses</td>
</tr>
<tr>
<td>29.</td>
<td>Same: Restitution to Prosecuting Witness</td>
</tr>
<tr>
<td>30.</td>
<td>Same: Dismissed for Want of Prosecution</td>
</tr>
<tr>
<td>31.</td>
<td>Same: Probation Improperly Granted</td>
</tr>
<tr>
<td>32.</td>
<td>Summary of Findings</td>
</tr>
<tr>
<td>33.</td>
<td>Recommendations</td>
</tr>
</tbody>
</table>

**CHAPTER VII**

**RURAL POLICE PROTECTION, by Bruce Smith**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>In General</td>
</tr>
<tr>
<td>2.</td>
<td>The Sheriff and His Aides</td>
</tr>
<tr>
<td>3.</td>
<td>Township Constables</td>
</tr>
<tr>
<td>4.</td>
<td>Recent Rural Police Developments</td>
</tr>
<tr>
<td>5.</td>
<td>County Police</td>
</tr>
<tr>
<td>6.</td>
<td>Private Protective Associations</td>
</tr>
<tr>
<td>7.</td>
<td>State Highway Police</td>
</tr>
<tr>
<td>8.</td>
<td>Same: Management of Personnel</td>
</tr>
<tr>
<td>9.</td>
<td>Same: Disciplinary Action</td>
</tr>
<tr>
<td>10.</td>
<td>Same: Training</td>
</tr>
<tr>
<td>11.</td>
<td>Same: Uniformed Patrol</td>
</tr>
<tr>
<td>12.</td>
<td>Riots and Riot Duty</td>
</tr>
<tr>
<td>13.</td>
<td>A Constructive Program</td>
</tr>
</tbody>
</table>

**CHAPTER VIII**

**THE POLICE (IN CHICAGO), by August Vollmer**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Foreword</td>
</tr>
<tr>
<td>2.</td>
<td>Political Factors</td>
</tr>
<tr>
<td>3.</td>
<td>Police Personnel</td>
</tr>
<tr>
<td>4.</td>
<td>Civil Service Examinations</td>
</tr>
<tr>
<td>5.</td>
<td>Police Training</td>
</tr>
<tr>
<td>6.</td>
<td>Divisional Organization</td>
</tr>
</tbody>
</table>
7. Staff Organization ........................................... 365
8. Same: Commercialized Crime and Politics, as Affecting Staff Organization .................. 366
9. Same: Traffic Control ........................................ 367
10. Signal Methods ............................................. 368
11. Records, Reports, and Statistics ....................... 369
12. State Bureau of Police, for Co-operation ........... 370
13. Recommendations ......................................... 372

CHAPTER IX

THE CORONER (IN COOK COUNTY), by Ludvig Hektoen

1. History ......................................................... 377
2. Qualifications of Present Staff ......................... 378
3. Handling of Autopsies ..................................... 378
4. Management of the Chemical Laboratory ............... 383
5. Reports of Cause of Death ................................ 383
6. Summary ...................................................... 386
7. Recommendations ........................................... 388

CHAPTER X

THE MUNICIPAL COURT OF CHICAGO, by Raymond Moley

1. Introduction .................................................. 393
2. History, Organization, and Criminal Jurisdiction .... 394
3. The Chief Justice and His Powers ....................... 396
4. Felony Dispositions .......................................... 398
5. Same: Dismissals and Discharges ....................... 398
6. Judicial Personnel ........................................... 400
7. Same: Ages .................................................... 401
8. Same: Education and Experience ....................... 402
9. Same: Rating by Bar ....................................... 403
10. Housing and Decorum of the Branch Courts ........... 404
11. Prosecution in the Municipal Court .................... 406
12. The Gentlemen for the Defense ......................... 408
13. Bail Bond Branch Court .................................. 410
14. Routine of the Clerk’s Office ............................ 413
15. Conclusions and Recommendations .................... 415
16. Partisan Politics, the Ultimate Problem ............... 417

CHAPTER XI

THE PROBATION AND PAROLE SYSTEM, by Andrew A. Bruce, E. W. Burgess and Albert J. Harno

PART A. HISTORY OF THE SYSTEM IN ILLINOIS

1. The Function of the Board of Paroles .................... 427
2. Pardons, Paroles and Probation, Distinguished .......... 428
3. Prerogatives of the Governor ............................. 428
4. The Various Theories of Criminal Punishment .......... 430
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Same: Modern Tendencies of Theory</td>
<td>431</td>
</tr>
<tr>
<td>(a)</td>
<td>The So-Called Classical School of Penology</td>
<td>432</td>
</tr>
<tr>
<td>(b)</td>
<td>The Neo-Classical School</td>
<td>432</td>
</tr>
<tr>
<td>(c)</td>
<td>The Positive School of Penology</td>
<td>433</td>
</tr>
<tr>
<td>(d)</td>
<td>The School of Modern Penology</td>
<td>433</td>
</tr>
<tr>
<td>6</td>
<td>The Policy of Punishment in Early Illinois</td>
<td>434</td>
</tr>
<tr>
<td>7</td>
<td>The Reaction Against Excessive Severity; The First State Penitentiary; And the More Humane Criminal Code of 1833</td>
<td>435</td>
</tr>
<tr>
<td>8</td>
<td>The Era of Reform, after 1847</td>
<td>436</td>
</tr>
<tr>
<td>9</td>
<td>The First State Reform School, and the Beginning of Paroles</td>
<td>437</td>
</tr>
<tr>
<td>10</td>
<td>A System of Parole for Juvenile Offenders</td>
<td>437</td>
</tr>
<tr>
<td>11</td>
<td>The Abolition of the Use of the Lash, and the Substitution of Solitary Confinement</td>
<td>437</td>
</tr>
<tr>
<td>12</td>
<td>The Abuse of the Punishment of Solitary Confinement</td>
<td>438</td>
</tr>
<tr>
<td>13</td>
<td>The Good Time Allowance</td>
<td>439</td>
</tr>
<tr>
<td>14</td>
<td>The General Adult Parole Acts of 1895, 1897 and 1899</td>
<td>440</td>
</tr>
<tr>
<td>15</td>
<td>The Indeterminate Sentence</td>
<td>440</td>
</tr>
<tr>
<td>16</td>
<td>First State Board of Pardons and Paroles</td>
<td>442</td>
</tr>
<tr>
<td>17</td>
<td>The Creation of the Department of Public Welfare in 1917; and of the New Parole Board in 1927</td>
<td>443</td>
</tr>
<tr>
<td>(a)</td>
<td>The Legislation Prior to 1917</td>
<td>443</td>
</tr>
<tr>
<td>(b)</td>
<td>The Creation of the Department of Public Welfare in 1917</td>
<td>443</td>
</tr>
<tr>
<td>(c)</td>
<td>The Act of 1927 and the New Board of Paroles</td>
<td>443</td>
</tr>
<tr>
<td>18</td>
<td>The Cost of Parole</td>
<td>444</td>
</tr>
<tr>
<td>19</td>
<td>Justification for the Indeterminate Sentence and the Parole</td>
<td>446</td>
</tr>
<tr>
<td>20</td>
<td>Same: Necessity of Adequate Supervision</td>
<td>446</td>
</tr>
<tr>
<td>21</td>
<td>Same: Failure of the Flat Sentence Policy</td>
<td>446</td>
</tr>
<tr>
<td>22</td>
<td>Same: The New System Not Popular Among Criminal Classes</td>
<td>447</td>
</tr>
<tr>
<td>23</td>
<td>Length of Indeterminate Sentences</td>
<td>448</td>
</tr>
<tr>
<td>24</td>
<td>Defects in the Fixed Sentence Plan</td>
<td>448</td>
</tr>
<tr>
<td>25</td>
<td>Indeterminate Sentence and Parole Favored by the Committee if Adequately Provided for and Properly Administered</td>
<td>450</td>
</tr>
<tr>
<td>26</td>
<td>Problem of Parole Not Yet Solved in Illinois</td>
<td>450</td>
</tr>
<tr>
<td>27</td>
<td>Partisan Politics and the System of Probation and Paroles</td>
<td>451</td>
</tr>
<tr>
<td>28</td>
<td>Same: Political Officers Generally</td>
<td>452</td>
</tr>
<tr>
<td>29</td>
<td>Same: Danger of Partisan Political Appointments</td>
<td>452</td>
</tr>
<tr>
<td>30</td>
<td>Same: Partisan Politics and Our Penitentiaries</td>
<td>453</td>
</tr>
<tr>
<td>31</td>
<td>Same: The Prison Guard</td>
<td>454</td>
</tr>
<tr>
<td>32</td>
<td>Same: Idleness as a Preparation for Freedom</td>
<td>455</td>
</tr>
</tbody>
</table>

**PART B. EXPERIENCE WITH PAROLES, 1917 TO 1927**

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>33</td>
<td>The Supervisor's Office, 1917-1927</td>
<td>456</td>
</tr>
<tr>
<td>34</td>
<td>Condition of the Records</td>
<td>457</td>
</tr>
<tr>
<td>35</td>
<td>Powers of the Supervisor</td>
<td>457</td>
</tr>
<tr>
<td>36</td>
<td>The Prison Population</td>
<td>458</td>
</tr>
<tr>
<td>37</td>
<td>The Parole Board Created in 1927</td>
<td>459</td>
</tr>
<tr>
<td>38</td>
<td>Procedure of the Parole Board</td>
<td>460</td>
</tr>
<tr>
<td>39</td>
<td>Regulations Adopted for the Board's Action</td>
<td>461</td>
</tr>
<tr>
<td>40</td>
<td>Official Statements of Trial Judges and State's Attorneys: Their Value</td>
<td>463</td>
</tr>
<tr>
<td>41</td>
<td>Same: Replies of the Judges</td>
<td>465</td>
</tr>
<tr>
<td>42</td>
<td>Same: Replies of the State's Attorneys</td>
<td>466</td>
</tr>
<tr>
<td>43</td>
<td>Estimate of the Work of the Board</td>
<td>467</td>
</tr>
<tr>
<td>44</td>
<td>Recommendations to the Board</td>
<td>468</td>
</tr>
<tr>
<td>45</td>
<td>Lesser Pleas and Pleas of Guilty: Their Relation to Parole</td>
<td>470</td>
</tr>
</tbody>
</table>
46. Same: Extent of this Practice ........................................ 473
47. Same: The Problem for the Parole Board ........................ 473
48. Same: Action of the State's Attorney in Securing Pleas of
     Guilty ................................................................. 475

PART C. PRISON AND PAROLE METHODS, AS EFFECTIVE FOR REHABILITATION
        OF THE CONVICT

49. Statute Provision .................................................. 478
50. The Illinois State Reformatory at Pontiac ...................... 478
51. Same: Occupational and Training Opportunities .............. 478
52. Same: Non-productive Occupations .............................. 480
53. Same: Summary of Occupational Opportunities ............... 482
54. Same: Academic School ........................................... 483
55. Same: The Library ................................................. 484
56. Same: Recreation .................................................. 485
57. Same: Administration and Discipline ......................... 486
58. Same: Conclusion .................................................. 489
59. Illinois State Penitentiary at Joliet .......................... 490
60. Same: Occupational Opportunities .............................. 491
61. Same: The School and the Library .............................. 494
62. Same: Chaplain .................................................... 495
63. Same: Recreation .................................................. 495
64. Same: Administration and Discipline ......................... 496
65. Same: Recommendations to the Board ......................... 500
66. The Southern Illinois Penitentiary at Menard ............... 500
67. Same: Occupational Opportunities .............................. 500
68. Same: The School and the Library .............................. 502
69. Administration .................................................... 503
70. Same: Discipline .................................................. 504
71. Conclusion ........................................................ 506
72. Purpose of Parole Supervision ................................ 507
73. Prison Records for Parole Supervision ....................... 507
74. Employment on Parole ............................................ 509
75. Supervision on Parole ............................................ 510
76. Same: Parole Supervision of Delinquent Children from the
        State Training School for Girls at Geneva ............... 511
77. Same: Parole and Supervision of Commitments to St. Charles 513
78. Same: Reorganization of Parole Supervision ................. 513
79. Length of the Parole Period ................................... 514

PART D. FACTORS DETERMINING SUCCESS OR FAILURE ON PAROLE

80. Different Types of Paroled Men ................................ 516
81. Same: First Offenders and Other Types ....................... 516
82. What Proportion of Paroled Men Make Good? ................... 518
83. What Does “Making Good” Mean? ................................ 520
84. Major and Minor Violations of Parole ......................... 521
85. Factors Making for Success or Failure on Parole ............ 521
86. Same: Offense Named in the Indictment ....................... 522
87. Same: Number of Associates in Crime Resulting in Conviction 523
88. Same: National or Racial Origin ................................ 523
89. Same: Parental Status and Marital State ...................... 523
90. Same: Type of Offender .......................................... 524
91. Same: The Criminal as a Social Type ......................... 525
92. Same: Place or Residence ....................................... 525
PART E. THE PROBATION SYSTEM

107. Purpose and Scope of Probation, Contrasted with Parole 541
108. Trial Court's Discretion 542
109. Judges' Views on the Probation System 543
110. State's Attorneys' Views on the Probation System 544
111. Extent of Use Made of Probation 544
112. Conditions Required for Admission to Probation: Preliminary Inquiry 547
113. Same: Pleas of Guilty to Lesser Offense 548
114. Probation Supervision: The Personnel 551
115. Same: Comments of Judges 553
116. Violation of Conditions of Probation 554
117. Probation Results: In General 556
118. Same: Men 557
119. Same: Women 561
120. Same: Comments of Judges and State's Attorneys 565
121. Summary and Findings 565
122. Recommendations 571
123. Conclusion 574

CHAPTER XII

CRIME RECORD SYSTEMS, by W. C. Jamison

1. General Lack of Record Systems 579
2. Records of Complaints of Offenses 579
3. Records of Criminal Proceedings 579
4. Lack of Uniformity and Centralized System: (1) Outside of Cook County 580
5. Same: (2) Cook County 582
6. Requirements of an Adequate System 582
7. Identification Records 585
8. Recommendations 586
PART II—SPECIFIC TYPES OF OFFENSES AND OFFENDERS

CHAPTER XIII

HOMICIDE (IN COOK COUNTY), by Arthur V. Lashly

1. Introduction ................................................. 593
2. Agencies Dealing with Homicide .......................... 595
   (a) Police ................................................. 595
   (b) Coroner ................................................. 596
   (c) State's Attorney ........................................ 598
3. Sources of Data of Homicide .............................. 599
4. What is Homicide? .......................................... 600
5. Homicides 1926, 1927, Classified by Grades of Criminality 600
6. Homicides Classified by Modes of Killing ................. 602
7. Murder by Automobile ...................................... 602
8. Infanticide .................................................. 604
9. Abortion .................................................... 604
10. Undetermined Violence .................................... 604
11. Justifiable Homicide ...................................... 606
12. Killed by Police .......................................... 606
13. Homicides Classified as to Color and Sex of Victims 606
14. Colored Victims .......................................... 606
15. Modes of Killing, as Related to Color and Sex .......... 608
16. Motives .................................................... 608
17. Gang Murders .............................................. 610
18. Other Motives .............................................. 611
   (a) Murders by Abortion .................................. 611
   (b) Murderers Killed on Spot ............................ 612
   (c) Murderers Suicides ................................... 612
   (d) Domestic Quarrels .................................... 612
   (e) Altercations and Brawls .............................. 612
19. Murder Distribution by Months ........................... 612
20. Murders Classified by Localities ........................ 613
21. Police Administration in Murder Cases .................. 619
22. Same: Unsolved Murders, Classified ..................... 619
23. Same: Color and Sex ...................................... 621
24. Same: Gun Murders ........................................ 621
25. Same: Unsolved and Unconvicted Murders, Compared to Total Murders ........................................... 621
26. Murders Classified as to Kinds of Known Perpetrators 622
27. Judicial Disposition of Homicides Charged by Police 625
28. Same: Unknown to Coroner but Later Charged by Police 626
29. Same: Judicial Disposition, in Detail .................. 626
30. Same: Found Guilty ....................................... 628
31. Same: Arrested but No Charge Filed .................... 628
32. Same: Disposed of Without Punishment ................. 628
33. Same: Sentences Pronounced on Guilty ................ 629
34. Same: Disposition of Gang Murder Cases ............... 629
35. Same: Disposition of Murder Cases, Summarized ........ 630
36. Same: Disposition in Homicide Cases Other Than Murder 632
37. Summary of Findings ..................................... 634
38. Recommendations .......................................... 639
CHAPTER XIV

THE JUVENILE DELINQUENT, by Clifford R. Shaw and Earl D. Myers

PART A—Quantity of Delinquency in Cook County

1. Numerical Quantity, in General ........................................... 645
2. Number of Cases .......................................................... 646
3. Number of Cases Brought into Court ............................... 647
4. Number of Cases Committed to Institutions ..................... 648
5. Foregoing Totals Compared .......................................... 649
6. Geographic Location of Delinquencies ........................... 650
7. Residence of Delinquent Boys ....................................... 651
8. Residence of Delinquent Girls ..................................... 651
9. Distribution of Delinquencies by Police Districts .......... 659

PART B—Personality of Delinquent Offenders

10. Delinquency and the Community .................................. 662
11. Delinquency as Group Behavior .................................... 662
12. Diffusion of Delinquent Patterns of Conduct ................. 663
13. The Delinquent and His Social World ............................ 663
14. Age Distribution of Delinquents .................................. 664
15. Types of Offenses ....................................................... 665
16. Number of Appearances in Court ................................ 666
17. Racial Origin of Delinquents ...................................... 666
18. Religious Affiliations of Delinquents ............................ 668
19. Extent of Juvenile Delinquency Outside of Cook County ... 670

PART C—Treatment of Delinquents

(1) IN COOK COUNTY

20. The Juvenile Court ..................................................... 677
21. Same: Organization of the Court .................................. 678
22. Same: Procedure of Complaint and Arrest ...................... 678
23. Same: Juvenile Detention Home .................................... 680
24. Same: Hearing in Court .............................................. 681
25. Same: Probation ......................................................... 682
   (a) The Staff .......................................................... 682
   (b) Visits ............................................................. 682
   (c) Duty-Load ....................................................... 684
   (d) Repeaters ....................................................... 685
   (e) Sex ................................................................. 688
   (f) Place of Commitment ......................................... 689
   (g) Supervision ..................................................... 691
26. Chicago and Cook County School for Boys ..................... 691
   (a) Purpose .......................................................... 691
   (b) Time of Detention .............................................. 692
   (c) Parole ........................................................... 692
   (d) Escapes .......................................................... 693
   (e) Management ..................................................... 695
   (f) Treatment of Boys ............................................. 696
   (g) Release and After-Care ...................................... 698
27. Private Institutional Care for Delinquent Girls ................ 698

xix
29. Same: The Chicago Home for Girls .............................................. 701
30. Truancy and Incorrigibility of School Children in Chicago ........... 703
31. Same: The Bureau of Compulsory Education ............................ 703
32. Same: The Chicago Parental Schools ....................................... 705

(II) OUTSIDE COOK COUNTY

33. The County Courts and Probation .......................................... 706
   (a) Social Investigation ...................................................... 707
   (b) Probation and Committal .............................................. 708
   (c) Repeaters ........................................................................ 708
34. Same: Detention Before Hearing ............................................ 708
35. Same: Hearings in Court ...................................................... 711
36. St. Charles School for Boys .................................................. 713
37. Same: Military Discipline ..................................................... 714
38. Same: Corporal Punishment ................................................... 715
39. Same: Reclassification ......................................................... 717
40. Same: Personnel ................................................................... 718
41. The State Training School for Girls at Geneva ......................... 718
42. Same: Discipline ................................................................... 720
43. Same: Personnel ................................................................... 721
44. Same: Movement of Population .............................................. 722
45. Release and After-Care ........................................................ 722

(III) FINDINGS AND RECOMMENDATIONS

46. Findings .............................................................................. 725
47. Recommendations .............................................................. 728

CHAPTER XV

THE DERANGED OR DEFECTIVE DELINQUENT,

by H. Douglas Singer

1. Introduction: The Lawyer's and the Psychiatrist's Attitude to Crime and Penalty .................................................. 737

(1) LAW AND PROCEDURE IN ILLINOIS

2. Scope of a Psychiatric Examination ......................................... 748
3. Sources of Information ........................................................... 749
4. Definition of Insanity .............................................................. 750
5. Determination of Insanity ......................................................... 751
6. Selection of Experts ................................................................ 751
7. Qualifications of Expert Witnesses ........................................ 753
8. Stage of Proceedings for Raising the Question of Insanity ......... 755
9. State Hospitals Used for Committal ........................................ 757

(II) EXTENT OF PSYCHOPATHIC CONDITIONS IN PERSONS TRIED

10. Verdicts of Insanity in Cook County, 1923-1927 ...................... 757
11. Procedural Stages, Verdicts, and Later Status, for Insanity Issues, 1923-1927 .................................................. 758
12. Subsequent History of Persons Found Insane .......................... 760
13. Same: Release by Writs of Habeas Corpus .............................. 760
14. Subsequent Mental History of Persons Committed to Penal Institutions, 1923-1927 761
15. Same: Before 1923 763
16. Same: At the State Reformatory at Pontiac 763

(III) PROFESSIONAL OPINION AS TO IMPROVEMENTS IN LAW AND PROCEDURE

18. Same: Qualifications of Psychiatric Experts 765
19. Same: Selection of Psychiatric Experts 765
20. Same: Remuneration of Psychiatric Experts 766
21. Same: Presentation of Expert Testimony 766
22. Same: The Hypothetical Question 766
23. Same: Purpose of a Psychiatric Examination 767
24. Same: As an Aid to Determining Probation 767
25. Same: Some Instructive Comments 767
27. Same: Selection of Experts 769
28. Same: Presentation of Expert Testimony 770
29. Same: Purpose of a Psychiatric Examination 771
30. Same: Facilities Needed 771
31. Same: Temporary Insanity 771
32. Same: Additional Comments 772
33. Massachusetts’ Practice 772
34. The New California Law 775
35. Canadian Practice 776

(IV) PSYCHIATRIC ASSISTANCE IN THE COURTS OF COOK COUNTY

36. The Juvenile Court: History and Organization 777
37. Same: The Institute for Juvenile Research 779
38. Same: Juvenile Examinations, 1924, Classified 779
39. Same: General Procedure 781
40. Same: Social Supervision and Treatment 781
41. Same: General Medical Examinations 782
42. Same: Juvenile Research Institute Assistance Outside of Chicago 786
43. Psychiatric Service at the Cook County House of Correction and County Jail 788
44. The Criminal Court: Summary of Facts Already Presented 789
45. The Municipal Court 792
46. Same: Psychopathic Laboratory Data, 1914-1917 794
47. Same: Subsequent Reports 796
48. Same: Summary 803

(V) RECOMMENDATIONS

49. (A) Improvements in Present System 804
50. Same: The Criminal Courts: Capital Offenses 804
51. Same: Non-Capital Felonies 806
52. Same: Quasi-Criminal Offenses 807
53. Same: House of Correction and County Jail 808
54. Same: Juvenile Court 808
55. Same: Outside of Chicago 808
56. (B) Radical Reorganization of System: (a) Felonies 809
57. Same: (b) Misdemeanors and Delinquencies 809
58. Same: (c) Machinery Needed 810
PART III—ORGANIZED CRIME IN CHICAGO

BY JOHN LANDESCO

CHAPTER XVI

INTRODUCTION, by Andrew A. Bruce

815

CHAPTER XVII

THE McSWIGGIN ASSASSINATION AS A TYPICAL INCIDENT

1. Scope of the Inquiry
   827
2. Theories of Why McSwiggin Was Killed
   828
3. The Inquiries of a Coroner's Jury and Six Grand Juries
   830
4. The Coroner's Jury
   830
5. The First Special Grand Jury
   832
6. The Federal Grand Jury Indicts Capone and the O'Donnells
   836
7. The Second, Third, and Fourth Special Grand Juries Investigate Vote Frauds
   837
8. Organized Crime and the Paralysis of Justice
   840
9. Conclusion
   841

CHAPTER XVIII

THE EXPLOITATION OF PROSTITUTION

1. Organized Vice: The 1910 Committee of Fifteen
   845
2. The Morals Squad of 1913
   848
3. The Thompson Administration, 1915
   851
4. The Murder of Colosimo, 1920
   856
5. The Daily News Exposé, 1920
   857
6. The Crowe Grand Jury Investigations, 1922
   859
7. The Dever Administration, 1923
   860
8. The Second Thompson Administration, 1927
   861
9. Summary
   863

CHAPTER XIX

THE RULE OF THE UNDERWORLD: TENNES AS A VICE CHIEF

1. Syndicated Gambling
   866
2. Gambling in Chicago Twenty-Five Years Ago
   868
3. The Bombing War of 1907
   870
4. The Contempt Action Against Horace Argo
   874
5. The Rise of Tennes to a National Position
   874
Chapter XX

The Rule of the Underworld: Torrio as Overlord

1. Brewing and Beer Running, the Golden Future
2. The Occupation of Cicero
3. The Metropolitan Operations
4. The O'Donnells Intrude
5. "Hi-Jacking" and Gang Warfare
6. Police Persecution of the Enemies of Torrio
7. Brewery Ownership
8. Controlling of Elections
9. Metropolitan Beer King
10. The Gold Coast Brewer and the Underworld Chief
11. The Outcome of the Sieben Case
12. Immunity and Political Connections
13. Qualities of Leadership
14. The Waning of Torrio's Prestige
15. Conclusion

Chapter XXI

The Beer Wars

1. Origins
2. The South Side Beer War
3. The West Side Beer War
4. The Truce
5. Guerrilla Warfare
6. Summary

Chapter XXII

Terrorization by Bombs

1. Purposes
2. Gambling War Bombing
3. "Black-Hand"

Page

6. The Chain Store System, Applied to Gambling 875
7. Police Reorganization, 1910 and 1927 878
8. The National Wires 879
9. Rebellion and Submission of Tennes' Lieutenants 880
0. The National Trust 880
1. The Civil Suits of Gambler vs. Gambler 881
2. The Civil Service Investigation 884
3. The Quiet Years—1912 to 1916 887
4. The City Council's Crime Commission of 1915 888
5. The Graft Exposes of 1916, 1917 and 1918 890
6. The Landis Inquiry of 1916 892
7. The Retirement of Tennes and the Rise of Al Capone (1917-1928) 898
8. Crowe's War on Gambling 900
9. Dever and the Closing of Gambling Resorts 900
0. New Methods of War 901
1. Thompson and the Wide-Open Town 901
<table>
<thead>
<tr>
<th></th>
<th>Extent of the Problem</th>
<th>4.</th>
<th>Same:</th>
<th>937</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>The Trials of the “Black-Hand” Cases</td>
<td></td>
<td>Same:</td>
<td>942</td>
</tr>
<tr>
<td>6</td>
<td>Phillipelli Resists—A Glimpse of a “Black-Hand” Gang</td>
<td></td>
<td>Same:</td>
<td>943</td>
</tr>
<tr>
<td>7</td>
<td>The Futile Raid</td>
<td></td>
<td>Same:</td>
<td>944</td>
</tr>
<tr>
<td>8</td>
<td>The Purchase of Paroles</td>
<td></td>
<td>Same:</td>
<td>946</td>
</tr>
<tr>
<td>9</td>
<td>Federal Prosecution</td>
<td></td>
<td>Same:</td>
<td>947</td>
</tr>
<tr>
<td>10</td>
<td>Bombing as an Organized Crime</td>
<td></td>
<td>Same:</td>
<td>948</td>
</tr>
<tr>
<td>11</td>
<td>Summary of Conclusions</td>
<td></td>
<td>Same:</td>
<td>950</td>
</tr>
<tr>
<td>12</td>
<td>Political Bombing: The Powers-D’Andrea Feud</td>
<td></td>
<td>Same:</td>
<td>953</td>
</tr>
<tr>
<td>13</td>
<td>Race-Rivalry and Political Succession</td>
<td></td>
<td>Same:</td>
<td>954</td>
</tr>
<tr>
<td>14</td>
<td>Political Bombing and a Popular Uprising</td>
<td></td>
<td>Same:</td>
<td>956</td>
</tr>
<tr>
<td>15</td>
<td>Inter-Racial Bombing</td>
<td></td>
<td>Same:</td>
<td>958</td>
</tr>
<tr>
<td>16</td>
<td>The Availability of Terrorists in Chicago Produces Terrorism</td>
<td></td>
<td>Same:</td>
<td>960</td>
</tr>
<tr>
<td>17</td>
<td>Labor Union Bombing: The Building Trades War</td>
<td></td>
<td>Same:</td>
<td>962</td>
</tr>
<tr>
<td>18</td>
<td>Psychology of Building Trades Graft</td>
<td></td>
<td>Same:</td>
<td>965</td>
</tr>
<tr>
<td>19</td>
<td>“The Law” and the Union Terrorist</td>
<td></td>
<td>Same:</td>
<td>968</td>
</tr>
<tr>
<td>20</td>
<td>Psychology of the Direct Actionist Labor Leader</td>
<td></td>
<td>Same:</td>
<td>971</td>
</tr>
<tr>
<td>21</td>
<td>The “Strong Arm” Gangs: The Sweeney Gang</td>
<td></td>
<td>Same:</td>
<td>973</td>
</tr>
<tr>
<td>22</td>
<td>Joseph Sangerman’s Bombing Crew</td>
<td></td>
<td>Same:</td>
<td>974</td>
</tr>
<tr>
<td>23</td>
<td>Life History of a Terrorist</td>
<td></td>
<td>Same:</td>
<td>974</td>
</tr>
<tr>
<td>24</td>
<td>Summary of Conclusions</td>
<td></td>
<td>Same:</td>
<td>974</td>
</tr>
</tbody>
</table>

**CHAPTER XXIII**

**RACKETEERING**

<table>
<thead>
<tr>
<th></th>
<th>What is “Racketeering?”</th>
<th>1.</th>
<th></th>
<th>979</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Wide Extent of Racketeering in Chicago</td>
<td></td>
<td></td>
<td>979</td>
</tr>
<tr>
<td>3</td>
<td>A Pressing Problem of Modern Business</td>
<td></td>
<td></td>
<td>980</td>
</tr>
<tr>
<td>4</td>
<td>The Laundry Associations</td>
<td></td>
<td></td>
<td>982</td>
</tr>
<tr>
<td>5</td>
<td>Same: The Chicago Laundry Owners’ Associations</td>
<td></td>
<td></td>
<td>983</td>
</tr>
<tr>
<td>6</td>
<td>Same: The Chicago Wet and Dry Laundry Owners’ Association</td>
<td></td>
<td></td>
<td>984</td>
</tr>
<tr>
<td>7</td>
<td>Same: The Chicago Linen Supply Association</td>
<td></td>
<td></td>
<td>984</td>
</tr>
<tr>
<td>8</td>
<td>Same: The Chicago Hand Laundry Owners’ Association</td>
<td></td>
<td></td>
<td>984</td>
</tr>
<tr>
<td>9</td>
<td>Same: The Laundry Service Association of Chicago</td>
<td></td>
<td></td>
<td>985</td>
</tr>
<tr>
<td>10</td>
<td>Same: The Allied Laundry Council</td>
<td></td>
<td></td>
<td>985</td>
</tr>
<tr>
<td>11</td>
<td>Cleaners and Dyers</td>
<td></td>
<td></td>
<td>986</td>
</tr>
<tr>
<td>12</td>
<td>Food Dealers</td>
<td></td>
<td></td>
<td>990</td>
</tr>
<tr>
<td>13</td>
<td>The Bootblacks</td>
<td></td>
<td></td>
<td>992</td>
</tr>
<tr>
<td>14</td>
<td>The “Lefty Lewis” Case</td>
<td></td>
<td></td>
<td>994</td>
</tr>
<tr>
<td>15</td>
<td>Conclusions</td>
<td></td>
<td></td>
<td>997</td>
</tr>
</tbody>
</table>

**CHAPTER XXIV**

**THE GANGSTER AND THE POLITICIAN**

<table>
<thead>
<tr>
<th></th>
<th>Introduction</th>
<th>1.</th>
<th></th>
<th>1001</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>The Ragen Colts</td>
<td></td>
<td></td>
<td>1001</td>
</tr>
<tr>
<td>3</td>
<td>Same: “Hit Me and You Hit 2,000”</td>
<td></td>
<td></td>
<td>1002</td>
</tr>
<tr>
<td>4</td>
<td>Same: Dances and Social Affairs</td>
<td></td>
<td></td>
<td>1002</td>
</tr>
<tr>
<td></td>
<td>Title</td>
<td>Page</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>----------------------------------------------------------------------</td>
<td>------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Same: The Race Riots</td>
<td>1003</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Same: Factionness</td>
<td>1004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Same: A Play Group</td>
<td>1004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Same: Repercussion of the Beer War</td>
<td>1004</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Same: Election Violence</td>
<td>1005</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Same: Criminal Colts: Hugh McGovern</td>
<td>1005</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Same: Internal Feuds Due to Beer War</td>
<td>1006</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Same: Joseph &quot;Dynamite&quot; Brooks</td>
<td>1006</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Same: The Leader's Sentiment for the Club</td>
<td>1007</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>The Morality of the &quot;Yards&quot;</td>
<td>1007</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>The Capone Gang</td>
<td>1010</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Same: Pre-Election Preparation</td>
<td>1011</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Same: The Gangsters' Busy Day</td>
<td>1011</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>The Strictly Business Gang</td>
<td>1012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Occupational Skill and Apprenticeship</td>
<td>1012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>The O'Banion Gang</td>
<td>1013</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Same: Gangster Suasion</td>
<td>1014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Similarities and Differences in Business Gangs</td>
<td>1014</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Election Frauds</td>
<td>1015</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Same: The Technique</td>
<td>1017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Conclusions</td>
<td>1021</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**CHAPTER XXV**

**FUNERALS OF GANGSTERS**

<table>
<thead>
<tr>
<th></th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The Funeral of Colosimo, 1920</td>
<td>1025</td>
</tr>
<tr>
<td>2</td>
<td>Same: Its Significance</td>
<td>1027</td>
</tr>
<tr>
<td>3</td>
<td>Dion O'Banion's Funeral</td>
<td>1028</td>
</tr>
<tr>
<td>4</td>
<td>Funeral of &quot;Nails&quot; Morton, the Community Hero</td>
<td>1030</td>
</tr>
<tr>
<td>5</td>
<td>Recent Decline of Display</td>
<td>1032</td>
</tr>
<tr>
<td>6</td>
<td>Passing of Tim Murphy</td>
<td>1036</td>
</tr>
<tr>
<td>7</td>
<td>The Ushle Funeral in New York City, 1928</td>
<td>1039</td>
</tr>
<tr>
<td>8</td>
<td>Conclusion</td>
<td>1039</td>
</tr>
</tbody>
</table>

**CHAPTER XXVI**

**THE GANGSTER'S APOLOGIA PRO VITA SUA**

<table>
<thead>
<tr>
<th></th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Psychology of the Gangster</td>
<td>1043</td>
</tr>
<tr>
<td>2</td>
<td>Autobiography of a Gangster: Childhood Period</td>
<td>1044</td>
</tr>
<tr>
<td>3</td>
<td>Same: A Jail Record</td>
<td>1045</td>
</tr>
<tr>
<td>4</td>
<td>Protection by Friends</td>
<td>1047</td>
</tr>
<tr>
<td>5</td>
<td>The Gangster's Defense</td>
<td>1048</td>
</tr>
<tr>
<td>6</td>
<td>Gangsters' Sacrifices for Loyalty</td>
<td>1050</td>
</tr>
<tr>
<td>7</td>
<td>Is the Gangster Remorseful?</td>
<td>1051</td>
</tr>
<tr>
<td>8</td>
<td>Gangsters' Mutual Loyalty</td>
<td>1053</td>
</tr>
<tr>
<td>9</td>
<td>Do Gangsters Reform?</td>
<td>1053</td>
</tr>
<tr>
<td>10</td>
<td>Gang Standards Versus the Law</td>
<td>1055</td>
</tr>
<tr>
<td>11</td>
<td>Conclusion</td>
<td>1057</td>
</tr>
</tbody>
</table>
CHAPTER XXVII

A WHO'S WHO OF ORGANIZED CRIME IN CHICAGO

1. Mode of Compilation .......................... 1061
2. Same: Incompleteness of the Police Department Records 1062
3. Defects of Method in the Police Records ........ 1064
4. Who's Who in Vice and Gambling .............. 1065
   (A) Record in Identification Bureau ............ 1066
   (B) No Record in Identification Bureau, but Other Record of Conviction 1066
   (C) No Record in Identification Bureau, nor Other Record of Conviction, but Notorious in These Activities 1066
5. Same: Group (A): Leaders Not Fully Recorded in Police Records .................. 1067
6. Same: Groups (B) and (C): Leaders Not Recorded At All in the Police Records .... 1069
7. Who's Who in Bootlegging ..................... 1070
8. Same: The Bootlegger’s Immunity from Justice . 1071
9. Same: A List of Leading Bootlegger-Criminals with Meager Police Records .......... 1073
10. Same: Bootlegger-Criminals with No Police Record ... 1077
11. Lack of Police Records of Criminal Gangs ....... 1080
12. Same: Characteristics of Criminal Gangs .......... 1083
13. Criminal Occupations ....................... 1083
14. Same: Pickpockets and “Con” Men ............... 1083
15. Same: Labor Racketeers ..................... 1084
16. Same: Merchant Racketeers ................... 1085
17. Same: Racketeers with No Records ............. 1085
18. Same: Auto Larceny ......................... 1085
19. Same: Mail, Pay Roll Bandits, and Safe-Blowers . 1086
20. Same: Summary ................................ 1086
21. Conclusion .................................. 1087

CHAPTER XXVIII

SUMMARY AND RECOMMENDATIONS, by E. W. Burgess .................. 1091
**LIST OF TABLES**

**CHAPTER I—Recorded Felonies, an Analysis and General Survey**

| Table A-2 | Felonies in Relation to Population of Regions Surveyed | 32 |
| Table A-3 | Summarized Disposition Table | 35 |
| Table A-4 | Cases Disposed of in Preliminary Hearing | 38 |
| Table A-41 | Relative Importance of Eliminations in Preliminary Hearing | 39 |
| Table A-5 | Cases Disposed of in Grand Jury | 41 |
| Table A-6 | Cases Disposed of in Trial Court | 43 |
| Table A-61 | Summary of Cases Nolled and Stricken | 44 |
| Table A-62 | Relative Importance of “Nolle” and “Stricken” | 44 |
| Table A-63 | Relative Importance of Eliminations by Prosecutor | 45 |
| Table A-64 | Eliminations by the Judge | 45 |
| Table A-65 | Eliminations by the Jury | 46 |
| Table A-7 | Percentage Distribution of Guilty Cases | 47 |
| Table A-71 | Classification of Cases Found Guilty, by Type of Procedure Leading to Disposition | 48 |
| Table A-72 | Classification of Cases Found Guilty, by Type of Procedure Leading to Disposition | 49 |
| Table A-73 | Proportion of Cases Guilty of Lesser Offense (Base—Total Cases Entering Trial Court) | 50 |
| Table A-74 | Proportion of Cases Guilty of Lesser Offense (Base—Total Cases Guilty) | 51 |
| Table A-81 | Summary of Results of New Trials Granted | 52 |
| Table A-8 | Probation, Modifications, New Trials, and Appeals | 53 |
| Table A-82 | Summary of Results of Retrial of Mistrials | 54 |
| Table A-83 | Summary of Results of Appeals | 54 |
| Table A-9 | Total Eliminated by Judicial Action | 55 |
| Table A-10 | Total Eliminated by Action of the Prosecutor | 56 |
| Table A-11 | Comparative Eliminations by Judge and by Prosecutor | 56 |
| Table A-12 | Percentages of Dispositions of Cases Acted on by Jury | 57 |
| Table A-13 | Action of the Jury | 57 |
| Table B-1 | Classification of Cases by Charge in Preliminary Hearing | 59 |
| Table B-2 | Charges Ranking According to Frequency | 60 |
| Table B-3 | Combined Percentages of Larceny, Embezzlement and Fraud, Robbery and Burglary | 61 |
| Table B-4 | Combined Percentages of Crimes Against the Person: Homicide, Assault, Rape, and Sex Crimes Other Than Rape | 61 |
| Table B-5 | Classification of Charges by Dispositions | 63, 64, 65 |
| Table B-6 | Ratios of the Percentages of Major Dispositions of Each Group of Charges to the Percentages of the Major Dispositions of All Cases, Reduced to Indices | 62 |
| Table B-7 | Ratios of the Percentages of the Guilty in the Individual Jurisdictions to the Percentages in the State, for the Same Charges, Reduced to Indices | 66 |
| Table C-1 | Classified Summary of Sentences | 67 |
| Table C-2 | Percentage Distribution of Sentences of Each Major Type | 69, 70 |
Table D-1 Cases Entering Trial Court, Classified by Disposition, with the Percentage Distribution of the Several Types of Pleas for Each Disposition . 73, 74, 75, 76
Table D-2 Cases Entering Trial Court, Classified by Disposition and by Type of Plea, with Percentage Distribution of Dispositions for Each Type of Plea . 77, 78, 79, 80
Table D-3 Percentage Distribution of Cases Entering Trial Court by Principal Classes of Pleas . 81
Table D-4 Percentage Distribution of Final Pleas of Guilty as Guilty of Offense Charged, and Guilty of Lesser Offense . 82
Table D-5 Percentage Distribution of Final Pleas Between Unchanged and Changed Pleas . 83
Table D-6 Percentage Distribution of Final Pleas of Guilty as Unchanged Pleas, and as Changed Pleas . 83
Table E Relation of Bail to Disposition . 87, 88
Table E-1 Eliminated in Preliminary Hearing . 89
Table E-2 Eliminated in Grand Jury . 89
Table E-3 Eliminated in Trial Court . 90
Table E-4 Guilty in Trial Court . 90
Table F Relation of Assigned Counsel to Disposition . 91
Table G-1 Time Intervals—Complaint to Disposition in the Trial Court . 94
Table G-2 Time Intervals—Complaint to Disposition in the Preliminary Hearing . 96
Table G-3 Time Intervals—Disposition in the Preliminary Hearing to Disposition in Grand Jury . 97
Table G-4 Time Intervals—Disposition in Grand Jury to Arraignment in Trial Court . 98
Table G-5 Time Intervals—Arraignment in Trial Court to Disposition in Trial Court . 99

APPENDICES TO CHAPTER I

Table C Summary of Sentences . . . . 104, 105, 106, 107
Table H Schedule of Felony Case Histories . . . . 108

CHAPTER II—THE SUPREME COURT IN FELONY CASES

Table 1 Supreme Court Criminal Rulings 1917-1927, by years . 115
Table 2 Supreme Court Rulings, Criminal and Civil . 115
Table 3 Supreme Court Rulings, Classified as to Offenses . 116
Table 4 Supreme Court Rulings, Classified as to Counties . 117
Table 5 Supreme Court Rulings, Classified as to Grounds for Reversal . . . . 117
Table 6 Disposition of Cases, Reversed and Remanded by Supreme Court . . . . 181

CHAPTER III—THE TRIAL COURTS IN FELONY CASES

Table 1 Cases Disposed of in Preliminary Hearing . . . . 203
Table 2 Comparison of Regions, as to Results at Preliminary Hearing . . . . 204
Table 3 Comparison of Regions, at the Grand Jury Stage . . . . 205
Table 4 Cases Disposed of in Trial Court . . . . 207
Table 5 Comparison of Regions, as to Results in All Stages . . . . 209
Table 6 Dismissal for Other Indictments Pending . . . . 211
Table 7 Pending Cases . . . . 211
### Chapter IV—The Juries in Felony Cases (Cook County)

<table>
<thead>
<tr>
<th>Table</th>
<th>Jury Service, Classified by Occupation</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>232</td>
</tr>
</tbody>
</table>

### Chapter V—The Prosecutor (Outside of Chicago) in Felony Cases

<table>
<thead>
<tr>
<th>Table</th>
<th>Years of Practice Before Election to Office</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>251</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>252</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>252</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>253</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>253</td>
</tr>
<tr>
<td>6</td>
<td>Felony Cases, 1926, by Counties and Population</td>
<td>255</td>
</tr>
<tr>
<td>7</td>
<td>Disposition of Felonies, Summarized</td>
<td>256</td>
</tr>
<tr>
<td>8</td>
<td>Disposition at Preliminary Hearing</td>
<td>259</td>
</tr>
<tr>
<td>9</td>
<td>Disposition by Found Guilty</td>
<td>261</td>
</tr>
<tr>
<td>10</td>
<td>Disposition by Grand Jury</td>
<td>264</td>
</tr>
<tr>
<td>11</td>
<td>Disposition in Trial Court</td>
<td>266</td>
</tr>
<tr>
<td>12</td>
<td>Elimination by Action of Prosecutor</td>
<td>271</td>
</tr>
<tr>
<td>13</td>
<td>Elimination by Action of Judge</td>
<td>271</td>
</tr>
<tr>
<td>14</td>
<td>Elimination by Action of Jury</td>
<td>272</td>
</tr>
<tr>
<td>15</td>
<td>Comparative Elimination by Prosecutor, Judge, and Jury</td>
<td>272</td>
</tr>
<tr>
<td>16</td>
<td>Time Interval A: Complaint to Disposition in Trial Court</td>
<td>276</td>
</tr>
</tbody>
</table>

### Chapter VI—The Prosecutor (in Chicago) in Felony Cases

<table>
<thead>
<tr>
<th>Table</th>
<th>Felonies Prosecuted in Chicago in 1926, by Offenses</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>292</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>292</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>293</td>
</tr>
<tr>
<td>4</td>
<td>Disposition of Cases in the Preliminary Hearing</td>
<td>296</td>
</tr>
<tr>
<td>5</td>
<td>Elimination of Cases in the Grand Jury</td>
<td>298</td>
</tr>
<tr>
<td>6</td>
<td>Elimination of Cases After Indictment</td>
<td>300</td>
</tr>
<tr>
<td>7</td>
<td>Nolle Prosequi, Compared for Other Urban Jurisdictions</td>
<td>301</td>
</tr>
<tr>
<td>8</td>
<td>Fate of Those Found Guilty</td>
<td>310</td>
</tr>
<tr>
<td>9</td>
<td>Pleas of Guilty, in Seven Jurisdictions, Compared</td>
<td>310</td>
</tr>
<tr>
<td>10</td>
<td>Disposition of Guilty Cases</td>
<td>311</td>
</tr>
<tr>
<td>11</td>
<td>Guilty of Lesser Offense</td>
<td>311</td>
</tr>
<tr>
<td>12</td>
<td>Net Result of Guilty as Charged</td>
<td>312</td>
</tr>
<tr>
<td>13</td>
<td>Total Convictions, Classified as to Lesser Offenses</td>
<td>313</td>
</tr>
<tr>
<td>14</td>
<td>Prosecutor and Jury, Compared</td>
<td>316</td>
</tr>
</tbody>
</table>

### Chapter VII—Rural Police Protection

<table>
<thead>
<tr>
<th>Table</th>
<th>Comparative Rural Homicide Rates, 1922-1925</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>337</td>
</tr>
<tr>
<td>2</td>
<td>Attacks on Illinois Banks, 1924-1927</td>
<td>342</td>
</tr>
<tr>
<td>3</td>
<td>Riot Duty Performed by National Guard, 1917-1926</td>
<td>350</td>
</tr>
</tbody>
</table>

### Chapter IX—The Coroner (in Cook County)

<table>
<thead>
<tr>
<th>Table</th>
<th>Qualifications of Coroner's Physicians, 1921-1927</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>379, 380</td>
</tr>
</tbody>
</table>

### Chapter X—The Municipal Court of Chicago

<table>
<thead>
<tr>
<th>Table</th>
<th>Business of Branch Courts, 1927</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>396</td>
</tr>
<tr>
<td>2</td>
<td>Disposition of Cases in Preliminary Hearings</td>
<td>398</td>
</tr>
<tr>
<td>3</td>
<td>Proportion of Felony Cases Dismissed, etc.</td>
<td>399</td>
</tr>
<tr>
<td>4</td>
<td>Disposition of Felony Cases, by Years</td>
<td>400</td>
</tr>
<tr>
<td>5</td>
<td>Age of Judges</td>
<td>402</td>
</tr>
<tr>
<td>6</td>
<td>Law Schools Attended by Judges</td>
<td>402</td>
</tr>
<tr>
<td>7</td>
<td>Rating by Bar Members</td>
<td>404</td>
</tr>
</tbody>
</table>
CHAPTER XI—THE PROBATION AND PAROLE SYSTEM

Table 1  Prison Population, 1927  458
Table 2  Prisoners Sentenced on Lesser Pleas, etc., Classified by Offenses and Counties  474
Table 3  Parolees, as to Types of Offenders When Paroled, Classified as to Institutions  516
Table 4  Same: Classified as to Percentage of Types  517
Table 5  Same: Classified as to Previous Record  517
Table 6  Parole Violators: Committee's Study  519
Table 7  Same: Official Report, Compared  519
Table 8  Same: Public Welfare Report, Compared  519
Table 9  Same: Pontiac Report, Compared  520
Table 10  Same: Major and Minor Violations  521
Table 11  Factors of Violation: Type of Offense  522
Table 12  Same: Type of Offender  524
Table 13  Same: Major and Minor Violations  524
Table 14  Same: Social Type  525
Table 15  Same: Type of Residence  526
Table 16  Same: Type of Sentence  527
Table 17  Same: Time Served  527
Table 18  Same: Previous Criminal Record  528
Table 19  Same: Previous Work Record  528
Table 20  Same: Prison Behavior Record  528
Table 21  Same: Age When Paroled  529
Table 22  Same: Intelligence  530
Table 23  Same: Psychiatric Personality Type  530
Table 24  Same: Psychiatric Prognosis  531
Table 25  Quantity of Parole Releases, Classified by Years  535
Table 26  Time Served, Classified by Types of Offenders  536
Table 27  Expectancy Factors, Two Cases Compared  538
Table 28  Expectancy Rates of Violation and Non-Violation  539
Table 29  Probation Percentages of Those Found Guilty  546
Table 30  Record of Probationers Discharged: All Courts  556
Table 31  Record of Probationers Discharged: Cook County, Chicago  556
Table 32  Men Discharged According to Offenses: Criminal Court of Cook County  557
Table 33  Same: Municipal Court of Chicago  558
Table 34  Men Discharged According to Judges: Criminal Court of Cook County  559
Table 35  Same: Municipal Court of Chicago  560
Table 36  Women Discharged According to Offenses: Criminal Court of Cook County  562
Table 37  Same: Municipal Court of Chicago  562
Table 38  Women Discharged According to Judges: Criminal Court of Cook County  563
Table 39  Same: Municipal Court of Chicago  563

CHAPTER XIII—HOMICIDE (IN COOK COUNTY)

Table 1  Homicides, 1926-1927, Classified by Grades of Criminality  601
Table 2  Homicides Classified by Modes of Killing  603
Table 3  Homicides Classified as to Color and Sex of Victims  605
Table 4  Percentage of Colored Victims  606
Table 5  Chart Comparing Victims as to Color and Sex  607
Table 6  Chart of Modes of Killing, as Related to Color and Sex  609
Table 7  Murders Classified as to Motives for Killing .......................... 610
Table 8  Murders Classified by Months ........................................... 612
Table 9  Map of Murders Classified by Localities ............................... 613
Table 10 Murders Classified as to Motive, Race, Population and 
          Locality ............................................................................. 616, 617
Table 11 Unsolved Murders Classified as to Sex, Color and Mode of 
          Killing .................................................................................. 620
Table 12 Chart Comparing Unsolved and Unconvicted Murders 
          with Total Murders ................................................................. 622
Table 12-A Unsolved Murders Classified by Causes of Death ............... 623
Table 13 Murders Classified as to Kinds of Known Perpetrators .......... 624
Table 14 Homicides Classified as to Judicial Disposition After 
          Police Charge .......................................................................... 625
Table 15 Total Persons Charged in Homicide Cases ......................... 626
Table 16 Judicial Disposition of Murder Charges, in Detail ............... 627
Table 17 Chart of Judicial Disposition of Murder Charges ................. 631
Table 17-A Chart of Nature of Sentences ......................................... 632
Table 18 Judicial Disposition of Other Than Murder Charges, in 
          Detail ..................................................................................... 633

CHAPTER XIV—THE JUVENILE DELINQUENT

Table 1  Number of Cases of Delinquency Investigated, 1910, 1920-26 646
Table 2  Number of Cases Brought to Juvenile Court .......................... 648
Table 3  Number of Cases Committed to Institutions .......................... 649
Table 4 Foregoing Tables, Compared ................................................. 649
Table 5 Map I, Showing Places of Residence of Delinquent Boys ....... 655
Table 6 Map II, Showing Ratio of Delinquent Boys to Population ....... 654
Table 7 Map III, Showing Radial Distribution .................................... 655
Table 8 Map IV, Showing Places of Residence of Delinquent Girls ...... 656
Table 9 Map V, Showing Ratio of Delinquent Girls to Population ........ 657
Table 10 Map VI, Showing Radial Distribution ................................... 658
Table 11 Map VII, Showing Delinquencies by Police Districts .......... 660
Table 12 Age Distribution by Delinquents ......................................... 664
Table 13 Same: By Sex ..................................................................... 665
Table 14 Types of Boys’ Offenses ..................................................... 665
Table 15 Types of Girls’ Offenses ..................................................... 666
Table 16 Number of Court Appearances .......................................... 667
Table 17 Nationality of Delinquent Boys ......................................... 667
Table 18 Nationality of Delinquent Girls ......................................... 669
Table 19 Religious Affiliations of Delinquent Boys ......................... 669
Table 20 Religious Affiliations of Delinquent Girls ......................... 669
Table 21 Delinquency in Illinois Counties, Compared ....................... 672, 673
Table 22 Map VIII, Showing Rate of Commitment of Boys, by 
          Counties ................................................................................ 674
Table 23 Map IX, Showing Rate of Commitment of Girls, by 
          Counties ................................................................................ 675
Table 24 Chart of Organization of Cook County Juvenile Court .......... 679
Table 25 Juvenile Court Cases, Classified by Daily Hours ............... 680
Table 26 Same: Classified by Court Orders ....................................... 686
Table 27 Same: Classified as to Boys .............................................. 687
Table 28 Same: Classified as to Girls .............................................. 687
Table 29 Same: Classified as to Volume and Sex .............................. 688
Table 30 Same: Classified as to Multiple Committals and Sex .......... 688
Table 31 Same: Classified as to Committal Preceded by Probation ..... 689
Table 32  Same: Classified as to Committal Followed by Probation ................................. 690
Table 33  Same: Classified as to Initial Committal Followed by Probation  .................. 690
Table 34  Population Movement at School for Boys ................................................. 693
Table 35  Departures from School for Boys, Classified by Cause ............................... 695
Table 36  Same: Classified as to Repetition ............................................................ 695
Table 37  Juvenile Court Committals, Classified as to Institutions ............................ 699
Table 38  Disposition of Juvenile Delinquency Cases, in 95 Illinois Counties ................. 707
Table 39  Places of Detention, Outside of Cook County ............................................. 709
Table 40  Boys’ Jail Detentions, Classified as to Length of Time ................................ 710
Table 41  Girls’ Jail Detentions, Classified as to Length of Time ............................... 710
Table 42  Juvenile Home Detentions, Classified as to Length of Time ......................... 710
Table 43  Movement of Population, Training School for Girls ................................... 722

CHAPTER XV—DERANGED AND DEFECTIVE DELINQUENTS

Table 1  Criminal Court, Findings of Insanity, 1924-1927 ..................................... 757
Table 2  Procedural Stages, Verdicts, and Later Status of Insanity Issues, 1923-1927 .... 758
Table 3  Mental Condition of Convicts, 1923-1927 .................................................. 762
Table 4  Same: Before 1923 ......................................................................................... 763
Table 5  Same: Mental Condition of Prisoners at Pontiac, 1927 ..................................... 764
Table 6  Children Examined at Juvenile Research Institute, 1924 ................................. 780
Table 7  Behavior Types and Intelligence Ratings Given by the Laboratory .................. 794
Table 8  Rearrangement of Figures of Table 7 ............................................................. 795
Table 9  Laboratory Rating of Persons from Different Branches of the Municipal Court .................................................................................................................. 795
Table 10 Persons Sent to the Psychopathic Laboratory from the Municipal Court Branches, October 22, 1927, to March 9, 1928 ................................................................. 798
Table 11 Total Cases in the Municipal Court During November and December, 1927 .................................................................................................................. 798
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.
Illinois Crime Survey

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
Illinois Crime Survey

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
Director's Introduction

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
Illinois Crime Survey

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. Harro, 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 arrest records 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 HEIKEN, 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 LANDSCO, 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
Illinois Crime Survey

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
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 cooperation 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
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-
Director's Introduction

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-
Illinois Crime Survey

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 gunman 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 gunman 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
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.