

*The 1929 Illinois Crime Survey*

There was a public perception, both in Chicago and elsewhere, that the courts, the police, and city government in Chicago were especially corrupt, that gangsters and other criminals had free rein in the city in the 1920's,<sup>197</sup> that Prohibition exacerbated these conditions, and that murders by and of organized crime figures in Chicago were not prosecuted.<sup>198</sup>

The Illinois Association for Criminal Justice was formed in 1925 "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."<sup>199</sup> The Illinois Crime Survey was established in 1924 during a period when reformers were temporarily in ascendancy.<sup>200</sup> The 1929

one hand, had established committees to make recommendations for combating the breakdown of law and order. . . . The increase in crime was seen therefore to be a result of a breakdown in the criminal justice system, resulting from political favoritism, corruption, and administrative laxity.

Haller, *supra* note 138, at vii–viii.

<sup>197</sup> Sinclair observes:

The simultaneous coming of automobiles, Thompson machine guns, and telephones allowed successful local gangsters to extend their control over whole cities and states. To do this, they needed a steady income. This income was provided by national prohibition. In the early days of the Volstead Act, gangsters were merely the "fronts" of ordinary businessmen who owned the breweries and distilleries. They provided protection and ensured delivery of the liquor, while the businessmen had the necessary political influence to prevent interference. In the first four years of prohibition in Chicago, under the corrupt administration of William Hale Thompson, John Torrio was in partnership with a well-known brewer, Joseph Stenson, who put the stamp of Gold Coast respectability on the Torrio gang. . . . In 1924, the profits of the Torrio–Stenson combine were estimated at fifty million dollars in four years . . . .

SINCLAIR, *supra* note 42, at 221.

<sup>198</sup> Grant and Katz write,

Alphonse "Scarface" Capone began his criminal career before the Eighteenth Amendment was added to the Constitution. Without the Volstead Act and the Eighteenth Amendment he might have become just as prosperous, just as influential, and just as ruthless. Without prohibition there would have been no bootlegging industry, but prostitution and gambling formed an ample basis for a successful career in crime.

GRANT & KATZ, *supra* note 18, at 104.

<sup>199</sup> This study became the Illinois Crime Survey, published in 1929, edited by John Henry Wigmore. It was the most extensive and sophisticated study of crime for its time and remained a model for criminological research for decades. The objectives were further: "[t]o 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 . . . ." Arthur V. Lashly, *Director's Introduction* to THE ILL. ASS'N FOR CRIMINAL JUSTICE, *supra* note 96, at 11.

<sup>200</sup> The Illinois Crime Survey was modeled upon a highly publicized survey of Cleveland in 1922, and another later survey in Missouri. The Illinois Association of Criminal Justice



Illinois Crime Survey Report contained an extensive study of Homicide in Chicago, using police files from the years 1926 and 1927 as part of its empirical investigation. The work of that study is a benchmark for the present evaluation of the comprehensiveness of this database.

The Illinois Crime Survey came out of the reform politics of the 1920's and the election of the ouster of Mayor William Dever, a dry candidate who ran on a platform in which he vowed to close "every vicious cabaret" in Chicago.<sup>201</sup> It was further spurred by the blatant behavior and widespread reputation of flamboyant organized crime figures in the city during the 1920's, and by the politics of Prohibition. The politics of Prohibition had much to do both with Mayor Dever's election and his defeat after a short term in office.<sup>202</sup>

The extensive work of the Illinois Crime Survey was supported by the presence on the Committee of public figures, sociologists, and lawyers whose professional subject of study was crime and urban sociology, as well as the presence of members of the administration of criminal justice and business and community leaders in the city. These civic leaders perceived that the corruption of legal and gov-

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selected Arthur V. Lashley, director of the Missouri study, to be its survey director. Haller, *supra* note 138, at vii.

<sup>201</sup> Sinclair notes:

A reform Mayor, William Dever, however, succeeded Thompson. His policy was to prosecute the large bootleggers, not their stooges. His new chief of police raided the Sieben brewery on May 19, 1924, and found enough evidence to indict most of the leading gangsters and pre-Volstead brewers of Chicago. The brewers, however, had enough influence to vanish from the indictment. Torrio and two of his aides were convicted. He lost prestige as a result, was shot down by rival gangsters, recovered, and emigrated to Italy, leaving his empire in the hands of Al Capone. . . . During the five years after 1924, the big-city gang wars flourished, and the remnants of the respectable brewers and distillers, who were still in the illegal trade, fled for their lives. In the time of the consolidation of Capone's power in Chicago, there were between 350 and 400 murders annually in Cook County, Illinois, and an average of 100 bombings each year.

SINCLAIR, *supra* note 42, at 221–22.

<sup>202</sup> See, e.g., the following comment:

Chicago had become a dry island in a sea of booze. Syndicate kingpin Johnny Torrio had realized that he could not work with the current city administration [of Dever]. Chief Collins had turned down bribes of up to \$100,000 per month, and Dever's Beer War had made the situation all too clear. [T]he heat was on. As long as this mayor and his police chief stayed in power, the heat would stay on. So Torrio simply moved his operations out of their reach. He decided to relocate in Cicero, a gritty Bohemian factory town eight miles west of the Loop. Torrio arranged an accommodation with one of the suburb's political factions, then sent his chief enforcer, a young tough named Al Capone, against the rival parties. Within a month, Cicero had become a syndicate duchy.

SCHMIDT, *supra* note 110, at 106 (internal citation omitted). Dever became a one-term mayor.



ernmental institutions was detrimental to economic development, and could not be addressed without bringing together a broad consensus of the population. Similarly, today potential investors and financial institutions insist upon reliable, institutionalized dispute settling mechanisms and a stable legal system with predictable outcomes.

The reports on organized crime, homicide, and the police included in the Illinois Crime Survey are directly relevant to further work on this database. Not only was the Illinois Crime Survey the most sophisticated and extensive study of crime in a single jurisdiction of its time, it stands as a model of nuanced scholarship. It offers a wealth of narrative information and statistics on homicide, the police, organized crime, and the social and economic circumstances of crime, criminals, and homicide.<sup>203</sup>

Fortunately the work of the Commission continued after the Mayor Dever was ousted when Mayor William “Big Bill” Thompson, who was no a reform candidate, was returned to office in 1927, allegedly signaling the return of a regime which would not prosecute organized crime figures.<sup>204</sup> The groundwork of connections and cooperation among a variety of academic and legal institutions had been laid, and the work of the Illinois Crime Survey continued, finally being published as a 1,000 page report in 1929.

The extensive research and commentary on crime and law enforcement in the 1929 Illinois Crime Survey could not have been accomplished without an unusual collaboration among academics, lawyers, criminal justice administrators, sociologists, and politicians. It required the cooperation of many public and educational institutions, and the interest, backing and commitment of the larger civic commu-

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<sup>203</sup> Before the term was commonplace, it exemplifies “thick description,” in the words of Clifford Geertz, combining some comprehensive, quantitative analysis with detailed description of individual instances which typify the general case:

Building systems of discourse, structures of representation within which what might be going on can be set out as assertions and arguments, dressed with evidence, is what anthropologists who claim, as most of us still do, to be recounting things that are indeed the case are up to. And up against. It is to such systems, structures, configurations of signs, ways of saying, not to the deliverances of reality, which only seers are privy to, that doubts and objections are properly addressed.

CLIFFORD GEERTZ, *AFTER THE FACT* 19 (1995) (discussing the theory behind anthropology).

<sup>204</sup> Interestingly, there is a sharp drop in homicides reported in this data set during 1925 and 1926, in the term of Mayor Dever, and in all felonies. See *supra* fig.1. These declines may not be directly attributable to the change in the city government, or the administration or the police.

nity. If its initial impetus was to rid governmental institutions of corruption, it continued with a serious, broad based research agenda grounded in sociology and criminology when reform of city government could no longer be the principal purpose, and remains relevant and richly informative after three quarters of a century. It is a tribute to the civic culture of the time that the work of the Survey continued after the regime change, at public expense, and published such an extensive, highly critical report.

The Illinois Crime Survey report on Homicide in Cook County used the data from 1924–1926 from this police log.<sup>205</sup> The colorful characters of the postwar period, and their many dramatizations, may have created a legend, but the legend seems to have had a basis in reality as well.<sup>206</sup> One question for further research is the extent to which these reports of unprosecuted homicides involving organized crime are verified by the reports of homicides in this database.<sup>207</sup>

*The Present Perspective on These Contemporaneous Studies*

The study of homicide, and the study of violent behavior generally, has always focused on differences in homicide rates by demographic groups,<sup>208</sup> and especially groups differentiated by gender and race.<sup>209</sup> That focus is present with a different slant in all three of these

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<sup>205</sup>The report states,

For the ensuing analysis of homicides in Cook County, including the city of Chicago, for the years 1926 and 1927, the records in the office of the coroner of Cook County were examined . . . [as well as the] records of the police, State's Attorney, and the courts . . . to determine cases in which prosecutions had been started.

THE ILL. ASS'N FOR CRIMINAL JUSTICE, *supra* note 96, at 599.

<sup>206</sup> "Between 1923 and 1926, the newspapers reported, there were 135 gang killings. Of these, some 70 involved what the papers called 'big shots.'" GRANT & KATZ, *supra* note 18, at 107.

<sup>207</sup> One obvious research task is to replicate the documentation of homicides in 1926–1927, as reported in THE ILLINOIS ASS'N FOR CRIMINAL JUSTICE, *supra* note 166, at 605 for the other years of the decade of the 1920's. In other words, one could go back to coroner's reports, to newspaper reports and other records to compare the incidence of homicide across all years for the 1920's.

<sup>208</sup> Marvin Wolfgang's study of homicide in Philadelphia argues that the homicide rates for African Americans are strikingly higher than those for whites in some categories of homicides, e.g. Saturday night killings. See WOLFGANG, *supra* note 162, at 106–14. See also *id.*, tbl. 9, and surrounding discussion.

<sup>209</sup> See BREARLEY, *supra* note 162, at 19–20. Brearley publishes homicide rates per 100,000 by year and state for 1918–1927. Illinois shows an increase from 6.6 in 1918 to 10.4 in 1927. For the entire United States during the 9 years, the rate was 8.26. Individual states varied enormously, with Florida showing a rate of 50.0 in the single year 1926, and an overall rate of 29.55. *Id.* All the states which break down their rates for white and African