

CHAPTER XXVIII
SUMMARY AND RECOMMENDATIONS

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SUMMARY AND RECOMMENDATIONS

*1. A Survey of Facts, the
Necessary Basis for a
Program of Crime Control.*

The killing of McSwiggin, the youthful assistant state's attorney, with his gangster companions by other gangsters, aroused the citizens of Chicago and focused public attention on organized crime. The question, "Who killed McSwiggin?" was not legally settled by the evidence secured. But the newspaper reports of the amazing disclosures before successive grand juries served to convince the public upon three points: (1) that crime was organized on a scale and with resources unprecedented in the history of Chicago; (2) that the leading gangsters were practically immune from punishment; and (3) that the position of power and affluence achieved by gangsters and their immunity from punishment was due to an unholy alliance between organized crime and politics.

The series of events in the two and one-half years that have elapsed since the murder of McSwiggin have only deepened the conviction of the public as to the correctness of these conclusions. Striking evidence of this reaction was seen in the popular uprising in the April, 1928, primary and in the county election in November of the same year.

Public belief in the existence of organized crime and its political affiliations may be sufficient for crusades against crime and the winning of primaries and of elections, but it is not adequate as a basis of a permanent policy and an effective program of crime control. All intelligent readers of newspapers in Chicago know that for years there has been a succession of exposés of crime, of vice, of gambling, of bootlegging and of graft, and likewise a series of crusades against these evils, with little or no permanent effect.

The basic assumption of the present study, therefore, is that an adequate program of crime control must be based upon the facts secured from a detailed account and subsequent analysis, first, of the history of organized crime and of the crusades against it; and second, of the conditions in Chicago which nurture criminal gangs and foster alliances between gangsters and politicians.

Newspaper accounts of crime news were found to be the best source of materials for the historical study of crime in Chicago. The day by day reports of crime and vice for the past twenty-five years were systematically collected, compared and classified. When this material was finally organized, it presented a consistent and coherent picture of the origin, growth, and ramifications of organized crime under the conditions of life in a modern metropolitan community. But what is more, it disclosed significant facts which must be taken into account in drawing up recommendations in the formulation of any thorough-going program of crime control.

Illinois Crime Survey

2. The Capital Facts.

(1) There exists in Chicago, today, an *underworld system of control* which enforces its decrees by bombs and murder. Its history, traced for twenty-five years in this study, discloses its various interlocking manifestations in commercialized vice, gambling, bootlegging, and gang crimes.

(2) This extra-legal government has no formal organization, but is best described as a *feudal system* held together by powerful leaders, by intense personal loyalties, by the gangsters' code of morals, by alliances and agreements with rival gangster chiefs, and by their common warfare against the forces of organized society. This gangster form of organization is feudal also in the sense of "feud," not alone against society but between gangs. Loyalties are intense because of the life and death significance of the ties that bind members of the gang together.

(3) The *overlordship of the underworld*, during these twenty-five years has been held in something like a royal succession, first, by Big Jim Colosimo, a friend of politicians and chief of the south side levee up to 1920; then, at his death, by his chief lieutenant, John Torrio, who organized rival gangsters into a city-wide bootlegging syndicate (1920-1924); and after his retirement by his right hand man, Scarface Al Capone, who as head of the dominant faction of gangsters has consolidated commercialized vice, gambling, and bootlegging and even certain branches of "racketeering" into an extremely profitable system of protected exploitation (1924-). During this same time one man, Mont Tennes, has secured and maintained his position of dominance in the gambling fraternity by his control of the direct news from the tracks.

(4) The highly successful careers of these four powerful personalities are matched by our findings on the *persistency of the careers of minor personalities*. The same addresses of vice, gambling, and bootlegging resorts and the same names of their keepers recur over and over again in the history of organized crime in Chicago and Cook County.

(5) During this same twenty-five year period there have been thirteen chiefs of police. Only one chief of police, Morgan Collins, served four years, although for the last six elections mayors have been chosen for a full four-year term. This constant shifting of commissioners of police in the mid-term of the mayor's tenure of office has been the result, almost without exception, of charges of incompetence or graft. The conclusion is inescapable that frequent changes in the office of police commissioner, due in the first place to political changes in administration, and secondly, to the recognized breakdown of the police department as a law enforcing agency, make of it an *ineffective organization in the war against organized crime*. Commissioners of police come and go, mayors succeed mayors, state's attorneys are supplanted by their successors, but the leaders and followers in the ranks of organized crime remain the same. It is also true and a part of the same situation that the police force and its traditions remain and the political organization and its loyalties remain.

(6) This *persistency and continuity in the personnel of organized crime* explains in large part the failure of the many exposures of vice, gambling, bootlegging, and graft, and of a series of earnest and determined civic

Illinois Crime Survey

solution. Only in the case of the strike has the public demanded a recognition of its interest and an open discussion of the merits of the dispute.

(11) In elections and in gangster funerals the real nature of the *alliance* or the community of interests *between the gangster and the politician* is most clearly discerned. Primaries and elections show the mutuality of services: the politician affords protection or immunity from prosecution, the gangster rallies his friends for legal as well as fraudulent voting. Election frauds have again and again been under investigation during the last twenty-five years, but no effective comprehensive attempt has been made to eliminate frauds. The different tricks employed by gangsters have been analyzed and classified in this study and methods of preventing their use can readily be devised. A more intimate picture of the "friendly relations" of politician and gangster is revealed by the funerals of gangsters. Here the gangster is seen in his role as popular hero and benefactor of the people. The decline in ostentatious display in recent years at gangster funerals is due in part to the growth of public disapproval, of which newspaper condemnation and the edict of the archbishop against church burial is both cause and effect. But it is also found that the old type of friendly relations between gangster and politician is fast being replaced by alliances based upon financial considerations.

(12) Life histories of criminals secured for this study were used not only to check the materials obtained from other sources, but also to find out how the *gangster* looks at his own life. They show that *he is a product of his surroundings* in the slum areas in the same way in which the good citizen is a product of the lake front environment. While the good citizen has grown up in an atmosphere of obedience to the law, the gangster has lived his life in a region of law breaking, of graft, and of "fixing." Because they have been reared in two different worlds, they have never been able to understand each other. The stories which the gangsters tell should enable good citizens to deal more intelligently and therefore more effectively with the problem of organized crime. When the public once realizes how deep rooted and widespread are the practices and philosophy of the gangster, it will not be content with merely punishing individual gangsters and their allies, but will be moved to make a frontal attack upon the basic causes of crime in Chicago.

(13) From a card catalogue of seven thousand names of men active in the various fields of organized crime, a list of the four hundred most prominent was selected for a "Who's Who of Organized Crime in Chicago." When the names of these seasoned criminal characters were cleared through the Identification Bureau, certain conclusions were definitely established. In the first place, the *leading criminal profiteers* in bootlegging, gambling, vice, and labor and merchant "racketeering" *run little risk of prosecution* and conviction in conducting these illegal operations. Underlings occasionally receive punishment, almost without exception, of a minor kind. In the second place, it was found that the vice lords and other criminal chiefs who turned bootlegger magnates with the coming of prohibition *have not abandoned their original activities*, such as murder, burglary, robbery, gambling, and vice, but still engage in these with the additional protection afforded by their new political alliances and stronger financial position. In the third place, it was

Summary and Recommendations

shown that the strongest *criminal gangs* are losing their neighborhood character and are increasingly *becoming mercenaries' retainers*, held together by need of protection and expectation of profits. From these records the inference can readily be drawn that while neighborhood criminal gangs can rely only on the influence of the local politician, mercenary criminal gangs have understandings with the highest sources of protection in the county, the city, and certain of the nearby towns and villages. There was also evidence that these criminals' gangs control wide areas in which they enjoy a monopoly of the bootlegging privileges.

(14) The clearing of these four hundred names through the *Bureau of Identification* provided an opportunity of testing its efficiency as an instrument in the control of organized crime. There can be no doubt that this Bureau is an indispensable institution in protecting society from the criminal. Its record system was, however, devised to deal with the individual criminal and not with the gangster and the new forms and manifestations of organized crime.

3. *Conclusion.* The final and summary conclusion of our study is that the control of organized crime is always, in the last analysis, a *problem of public opinion*. Organized crime always seeks to commercialize and to exploit human nature. Society through legislation and other measures strives to protect its citizens against wayward impulses that are destructive of human happiness and social order. Public opinion in our largest American cities seems ever to fluctuate between endorsement of a wide-open town with little or no enforcement of the laws regulating personal conduct and reform supported by crusades.

Crusades arouse public sentiment against some existing abuse or disorder, but they are so sweeping in character that they are usually only temporarily successful and a reaction sets in against them. One reason for the failure of crusades against crime and vice is that they seek to endorse some general policy of law enforcement. They are seldom or never based on a study of the problem. What is needed is a program that will deal with the crime problem in detail and consecutively, that is by analyzing the crime situation into its different elements, by taking up each crime situation separately, and one by one working out a constructive solution. This is only the application of business methods and scientific procedure to the study and solution of the crime situation. The order of the selection of individual crime situations for specialized treatment would depend upon many factors, such as existing conditions, the given state of public opinion, and the relative efficiency of available methods of control.

The wave of public sentiment that is aroused by the crusade needs direction, otherwise it is dissipated and lost. Public sentiment is a great force if properly directed. But direction requires fact finding and research. Public opinion as expressed at the ballot box gives a public official a mandate to act, but it requires more wisdom than the public usually possesses to direct his activity.

A permanent policy and program of law enforcement cannot be based upon crusades but must rely upon the creation of a public opinion that is informed upon the actual workings of organized crime and political machines.

Illinois Crime Survey

Newspapers render a valuable service in giving relatively accurate day by day reports of crime. But the vivid accounts of current events in the newspapers do not give their readers the balance and perspective necessary for formulating a permanent policy and program. The present study has indicated how, in the past, *crusades against crime have repeatedly failed* although public opinion had each time been inflamed to white heat.

The following recommendations are accordingly based upon the conclusion that the crux of the crime problem lies in its relation to public opinion:

4. *Recommendations.*
1. To cope with the problem of organized crime through honest and efficient law enforcement, the police department, the judges and the courts, and the state's attorney's office must be sustained by the constant force of intelligent public opinion.

To be intelligent, the public must have a continuous supply of reliable information both upon the work of these law enforcing agencies and upon the course of developments in the crime situation. Current newspaper accounts of crime news are insufficient for this purpose. Nor can reliance be placed exclusively upon the reports of their own work given out by law enforcing agencies. These are desirable and necessary, but they must take their places in a larger scheme of crime accounting.

It is necessary to devise and institute *a comprehensive plan of fact finding and reporting to provide the public with authentic information* upon the efficiency and integrity of its law enforcing agencies, upon the activities and practices of criminal gangs and gangsters, and upon crime in all its manifestations.

2. The plan as outlined here attempts to define and to extend the activities of existing agencies interested in crime control, so far as they involve the field of investigation and reporting.

(a) *A uniform system of records* for crime reporting should be established for all law enforcing agencies and placed in a central bureau in charge of a competent statistician of standing in his profession, as recommended in the report on Record Systems made for this Survey.

(b) The work of the *Bureau of Identification* should be enlarged to include a complete record upon every criminal, including pertinent material on organized crime, as, for example, membership in what gang, type of criminal activity, and criminal trade-marks. The Bureau of Identification should serve as the eye and the memory not only of the detective bureau, but of the prosecuting attorney and the court. While the previous criminal record of a person charged with a crime does not and should not have a bearing upon deciding his guilt or his innocence, it should be in the hands of the judge and the prosecutor as of material assistance in determining admission to probation or acceptance of lesser pleas. It should also be before the Parole Board in its determination of the time to be served in prison before release on parole.

(c) *The Chicago Crime Commission* has for years operated as the chief citizen law enforcement agency in Cook County and has done a splendid service in planning measures for increased efficiency in administration, stimulating public officials in the performance of their duties, educating its

Summary and Recommendations

members and contributing to the formation of an intelligent public opinion by imparting information of actual crime conditions and the problems of law enforcement.

(d) The *Committee of Fifteen* and the *Juvenile Protective Association* have specialized in the field of law enforcement with signal success, the former having been responsible for the breaking up of segregated commercialized prostitution in the city of Chicago, and the latter being a strong factor in every effort to prevent and suppress conditions contributing to juvenile delinquency.

(e) A research and crime accounting organization, not involved in crusades for law enforcement, should be charged with the responsibility of making *regular reports to the public* on the status of the crime situation and the efficiency of the work of official law enforcing agencies. These reports should be made at regular intervals and should be in the simplest statistical form consistent with accuracy. The organization selected for this service should have the entire confidence of the community and should be as free as humanly possible from the charge of control by any political faction or any organization promoting any special program.

(f) *Research institutions*, like universities through their social science departments, law schools and medical schools, the Institute of Criminal Law and Criminology, and the Behavior Research Fund *should be given adequate funds* for studies in criminology. Upon these institutions must be placed the chief reliance for basic, long-time studies and publications in the conditions and causes of organized crime. In the meantime, law enforcing agencies and private organizations interested in law enforcement may secure valuable assistance by securing the co-operation of these research organizations in the prosecution of individual studies and surveys. The citizens of Chicago and other large American cities should realize that many of the attempts to control crime, both in its individual and organized forms, must of necessity be makeshifts until the biological, psychological and sociological sciences secure a more fundamental understanding of forces moulding human nature and society. The science of criminology is only in its beginnings. Most of the research in the past has been based upon studies of men in prisons, but little study has been made of the behavior of the criminal in his own environment in the gang and the neighborhood. In fact, more studies have been made of the criminal than of crime. Further research in this field is imperative.

3. While the organization of intelligent public opinion through a comprehensive plan of criminal accounting and research is stressed as the primary solution required for the control of crime, and particularly organized crime, certain *additional measures* are also recommended which should go far in the improvement of existing conditions:

(a) The lack of full participation on the part of many *immigrant communities* in general public opinion is only matched by the ignorance of the native American of the lake front neighborhoods of conditions of life and thought in the river wards. More effective measures than in the past should be introduced to break through this lack of comprehension. At present the police and the public seem to hold the entire Sicilian colony responsible for

Illinois Crime Survey

any outrage committed by a single Sicilian. This attitude could not exist if there were understanding and friendly relations between immigrant communities and the outside American public. Civic organizations should have representatives of these immigrants in their membership and should be certain to have their spokesman represented in the discussion of all problems bearing on crime. The police department might profit from the experience of other cities as well as from its own recent success in solving a spectacular crime in giving trustworthy policemen of a given national origin further scope in dealing with crime in immigrant neighborhoods of their compatriots, especially where they have the support of law-abiding elements.

(b) Any program of organized crime must deal with the control of *boys' gangs*, from which criminal gangs most frequently originate. F. M. Thrasher in his book "The Gang," and C. R. Shaw in his report on "The Nature and Extent of Juvenile Delinquency," for this survey, find that the gang thrives in the slum areas of Chicago where there is inadequate provision for the recreational and vocational interests of the boy. The problem of the gang and its relation to crime constitutes a challenge to the public schools, the settlements, and our other welfare agencies. It is recommended that these organizations unite in a determined constructive effort to control boys' gangs and so prevent this source from which criminals and gangsters are recruited.

(c) The facts of *bombing and "racketeering"* show the professional bomber and gunman employed in a variety of fields where conflicts are solved by violence and intimidation rather than by peaceful means. The causes of conflict should be discovered in each of these fields by undertaking special studies and, if possible, pacific methods introduced to settle interracial conflicts, political contests, labor and industrial disputes. A system of *boards of conciliation and arbitration* should be set up in which merits of the conflict would be brought out into the open and a settlement made in view of all interests including that of the public. In the case of merchant "racketeering" our study seems to indicate that the basic condition favorable to the entrance of the gunman is the present legal prohibitions against making trade agreements. It is recommended that serious attention be given to the removal, with provisions to safeguard public interests, of these prohibitions against the legitimate co-operation of merchants and the protection of their individual and collective interests. The recognition of the probable desirability of this action does not, however, condone the existing state of lawlessness and disorder in certain businesses and enterprises in Chicago, from which other large cities are entirely free.

(d) One cause of the inefficiency of the police department of Chicago is its *control by politics and politicians*. A study should be made as the basis for a plan of reorganization of the police department, so as to make of it an efficient instrument for law enforcement.

(e) The analysis in this study of all the different known varieties of *election frauds* indicates that measures may easily be taken to reduce them to a minimum. When this is done the political influence of the gangster will be greatly reduced. Only measures that secure mutual understandings between immigrants and the larger American public will undermine and finally destroy the hold of the gangster upon his local neighborhood.

Summary and Recommendations

(f) While the original sources of the gangster's power lie in his own neighborhood, the overlords of vice, gambling and bootlegging have taken full advantage of the complexity of county, city, town, and village government in the *greater Chicago region*. Crime control can no longer function with a system of administrative machinery which has been rendered obsolete by the growth of the city and the new means of rapid transportation like the automobile. Problems of health and recreation as well as organized crime demand the organization of a municipality of the metropolitan Chicago. The consolidation of the City of Chicago and Cook County is a practical first step.

4. There is no blinking the fact that *liquor prohibition* has introduced the most difficult problems of law enforcement 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 interests 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.

5. This study shows that *no one agency* can cope with the range of problems presented by organized crime in gambling, commercialized vice, bootlegging and gang activities. The diversity of the problems require the specialized handling of the Crime Commission, which stimulates the efforts of law enforcing agencies and the permanent interest of special groups.

But in addition to the efforts of the Crime Commission, some way should be found of coordinating its efforts with the other organizations in order to avoid duplication and to insure cooperation. Coordination will perhaps best be secured, not by the amalgamation of these organizations as has been proposed, but by provision for an organization that will specialize upon fact finding, crime reporting, and the making of special studies as occasion may require. This organization should not be tied up with any special policy or program, but should be disinterested in order to insure public confidence in its findings and reports. It would seem that the Illinois Association for Criminal Justice is the best qualified of existing organizations to assume this function. The undertaking of this service would be a natural and logical sequence of the survey which it is now bringing to completion.

The importance of this service cannot be overestimated. No one today knows how much crime there is in Chicago or in any other large city in this

Illinois Crime Survey

country. No one knows the total cost of crime to the community. Yet these facts are essential to any adequate program of crime accounting. To develop intelligent public opinion in the field of crime control there is just the same need of getting exact and accurate information as in the fields of fire prevention and public health. And just as great improvement in crime prevention and control may be expected from systematic and continuous reports on crime conditions and law enforcement as have resulted from similar publicity measures in the field of public health.