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## On Crime Conditions in Chicago

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# ON CRIME CONDITIONS IN CHICAGO<sup>1</sup>

EDWIN W. SIMS<sup>2</sup>

Circumstances surrounding recent acquittals of men charged with serious crimes, in the face of apparently convincing evidence of their guilt, indicate a complete breaking down of criminal law enforcement in this community. Accordingly, this meeting of citizens has been called by the Chicago Crime Commission for the purpose of taking action to restore the administration of criminal justice—to the end that murder, bombing, violence and the intimidation of citizens and officials may be stopped.

It is time for plain speaking. The cold facts in the situation are known. Men are murdered. Property is destroyed. The safety and comfort of the community is in danger. The murderers are known. The destroyers are known. They are arrested. They are tried. They are turned loose. They have no fear of the police. They sneer at the law and make a mockery of criminal justice as it is administered in Cook County today. This is no time for excuses. It is not a time for promises. It is a time for action. The turning point has come. Decency wins or anarchy triumphs. There is no middle course.

There are efforts to cloud the issue by involving it in the labor question. It is not a case of labor unions. Honestly conducted, unions have their place. They are a benefit to worker and employer alike. With honestly conducted union labor the citizens of Chicago have no quarrel. But if a murderer, a bomber, a slugger, an extortionist or a blackmailer happens to be an officer of a union, it does not make him immune from answering to the law-enforcing officers of the community for his acts.

The Chicago Crime Commission has but one object—the minimizing of crime. It cares not who commits the crime—the wealthy citizen or the ragged stranger. Time, place, social and financial ratings make no difference.

The courts of this state in the anarchist cases sustained the principle that men whose course of conduct is such as to induce or influence others to commit crimes may be punished by being hung on the

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<sup>1</sup>Opening statement at the special meeting of the Chicago Crime Commission, La Salle Hotel, Chicago, March 20, 1922.

<sup>2</sup>President of the Chicago Crime Commission, member of the Chicago Bar, former U. S. District Attorney, Associate Editor of this JOURNAL.

gallows, notwithstanding they, themselves, were not present and did not personally participate in the actual crime itself. The violence which this state punished in the anarchist cases was the outgrowth of political propoganda. The violence which this community fails to punish at this time is sordid by comparison, in that it has to do solely with the collection of graft. I respectfully submit for the serious consideration of the community the possibilities of prosecutions for conspiracy under the principle laid down in the case of *People v. Spies*, reported in Volume 122, Illinois Supreme Court Reports.

Now, let us examine briefly the results of the administration of criminal justice in Cook County during the last few months.

In so far as it concerns the three principal law-enforcing officers, it is as follows: The Chief of Police is under sentence to the County Jail for contempt of court. The State's Attorney, according to the public press, is threatened with contempt proceedings. The orders of the Chief Justice of the Criminal Court have been openly disregarded and a judge of that court is reported to have told him "to mind his own damn business."

In so far as it affects those charged with crime, twenty-six men charged with murder, extortion, conspiracy and the destruction of property by dynamite bombs have within a comparatively short time, and in the face of very convincing evidence, been turned loose on the community as the result of disagreements or acquittals.

The case against Elmer Peterson and others, charging conspiracy following the bombing of more than a score of establishments of the Laundrymen's Association, resulted in a verdict of not guilty, notwithstanding the fact that two of the defendants had previously been convicted of having explosives in their possession.

The case against William Quesse and others of the janitors' union, charged with conspiracy to commit malicious mischief and to extort money from owners of buildings who refused to be blackmailed, resulted in a disagreement in the face of convincing evidence of the bombing of the buildings and numerous payments of money.

In the case against Simon O'Donnell and others of the building trades, in which the payment of numerous sums of money and a series of bombings and other unlawful acts were charged, the jury after a brief deliberation returned a verdict of not guilty.

The case of Thos. Walsh, charged with the double murder of Adolph Georg, Jr., and Geo. Gast, resulted in a verdict of not guilty in the Georg case. Following this acquittal, the State's Attorney's

attempt to remove the Gast case to another court resulted in a defiance of the authority of Chief Justice Scanlan and threats of contempt against the State's Attorney.

There were more than thirty men in Georg's saloon when two unresisting citizens were wantonly murdered in cold blood. The newspapers intimate that these men were responsible citizens of prominence. Who were they? Why did they not testify in the case? Are they afraid of the influences behind the man who committed the murder or have they more respect for the power of the Mafia than they have for the organized government of this community? Are the civic organizations of this town prepared to force these men to do their duty and tell what they know in order that justice may be done? This community will do much to improve conditions if it goes to the bottom of this phase of the situation.

Under our system of government it is the duty of the police to apprehend lawbreakers; it is the duty of the State's Attorney to prosecute and convict the guilty; it is the duty of a judge to prevent a miscarriage of justice in his court, no matter what the cause. When criminals escape punishment it is due either to defective and antiquated criminal laws and procedure or to incompetency, inefficiency or corruption of officials. There is no room for lost motion. There is no use mincing words—someone or something is responsible.

A judge has inherent power to protect the integrity of his court and see that justice is done. If a miscarriage of justice occurs due to the failure of the police or the State's Attorney, or for any other cause, and he fails to exercise that power, the community should know why. If any judge is dragging the judicial ermine in the mire, he should be impeached. If dishonest lawyers are responsible, they should be disbarred. It is imperative that the Criminal Court be reorganized and enlarged.

In this emergency the court should have judges of sufficient ability and courage to prevent miscarriage of justice. If existing laws are insufficient to give the Chief Justice of the Criminal Court the authority which he must have to bring order out of chaos, that authority should be conferred on him by agreement of his associate judges pending the passing of necessary legislation.

The Crime Commission has invited here this evening Charles C. Fitzmorris, Superintendent of Police; Robert E. Crowe, State's Attorney of Cook County; Hon. Kickham Scanlan, Chief Justice of the Criminal Court, and others to tell you the facts first hand; to state to you what in their opinion is the cause of the difficulty and what should

be done to correct it. The Crime Commission then propose to lay the matter before the judges, the bar associations and all other commercial, financial, manufacturing and civic organizations in the city, to the end that action may be taken which will restore the administration of criminal justice in this community.