

1944

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Recommended Citation

Walter J. Howe, Problems of the Submachine Gun in Post-War Crime, 35 J. Crim. L. & Criminology 69 (1944-1945)

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PROBLEMS OF THE SUBMACHINE GUN IN POST-WAR CRIME

Walter J. Howe

(In the following article, Mr. Howe, Civilian Firearms Technician for the United States Ordnance Department, Fort Dix, New Jersey, warns of the possible danger which may ensue after the war if submachine guns should fall into the hands of criminals. The utility of the weapon for lawless enterprise, the war training in its use received by countless thousands, its possible availability in numbers unheard of heretofore, lend weight to the fear that trouble lies ahead unless we exert our utmost vigilance in controlling its unlawful use.—Editor.)

On Friday, February 4, 1944, newspapers carried the account of a \$30,000 payroll robbery in New York City, perpetrated in broad daylight by three back alley "commandos", whose ringleader, according to the printed story, was armed with a submachine gun. With it he prodded the policeman guarding the money, at the same time reminding him, "You're a dead cop if you touch your gun."

With any gunman perpetrating a daylight robbery this admonition cannot be construed as idle talk, and most especially when the criminal is resting his index finger on the trigger of a weapon mechanically capable of dispatching ten bullets per second. Surely the most rabid armchair exponent of fast gun draw will concede that at a moment like this even Billy the Kid would be tempted to plead *nolo contendere*.

A few days after the robbery New York City police, on an anonymous telephone tip, arrested one Harry Napoli who, while readily admitting that he possessed a submachine gun, denied any connection with the holdup. He directed the police to his home, where the weapon was hidden, and explained that it had been given to him by a soldier.

Police experts noted with great interest the construction features of the gun, which, not unlike many military small arms, embodied simplicity of operation with ease of disassembly and assembly. This latter point enables a person to carry the piece partially disassembled and concealed until needed. Only a few seconds are required to assemble it and put it to misuse.

While crimes of violence committed with a submachine gun are not as yet commonplace affairs, the incident previously related as this writer interprets it, foreshadows a potential post-war situation worthy of much careful thought.

Before delving into the legal aspect of the submachine gun,

perhaps it would be well to review briefly the technical phase of the discussion, so that we might better appreciate the necessity for preventative action.

The submachine gun, or, as it is known in Europe, the machine pistol, is a comparatively recent development. During World War I the Germans and Italians employed it in combat but only to a very limited extent.

In 1921 General John T. Thompson added the product of his work and ingenuity to the long list of great American ordnance developments. Weighing but ten pounds, and four inches short of a yard in length, his submachine gun is capable of delivering approximately seven hundred shots per minute. The hard hitting .45 caliber ammunition can be fed either from a twenty-shot clip or a fifty-shot drum magazine into this recoil-operated weapon, and the operator's ability to put forth a hail of devastating fire at proximal ranges is limited only by the number of loaded magazines he can carry. With the butt stock detached (just a matter of pressing the proverbial American button), the gun is easily concealed under an overcoat because the gun's overall length is decreased to less than twenty-four inches. And in that abbreviated form it is no less efficient at holdup distances.

It is common knowledge that the Army, Navy and police were not the only ones to appreciate the possibilities of the submachine gun. During the prohibition and Dillinger era, gangland's progressive operators were among the first to prove the "combat" efficiency of this innovation.

Simplicity of operation and ease of disassembly for repairs are features common not only to the Thompson but all other submachine guns. This, coupled with the world-wide ease with which ammunition can be procured (.45 caliber Automatic for American, 9MM Luger for European), demonstrates why the submachine gun is coveted by the lawless. Desire for the weapon has been whetted further because of improvements recently made in the gun.

Recently, in keeping with wartime production needs, many steps forward have been made in the manufacture of small arms. Not the least of these which have been affected is the submachine gun. The most modern of this type weapon is lighter and more compact, by a great measure, than the Thompson. A few months ago the public was introduced to the Army Ordnance Department's latest small arm—a submachine gun that could be carried conveniently in an ordinary briefcase. The Germans have an equal to this in their Schmeisser Machine Pistol—and the British in their Sten Gun.

While the exact number of submachine guns that have been manufactured in this country is probably a military secret, some

idea can be gained from partial totals on production published in the newspapers from time to time. From these indications a conservative estimate would place the figure at over a half million guns. Add to this figure the number manufactured by our allies, and by the enemy and you have a fair picture of the great number of this type weapon in circulation. In all probability a great percentage of these will be worn out and unserviceable at the war's end. But it is not mere guess to say that there will be many guns in good condition still remaining.

Already souvenirs, in the form of weapons, have found their way back to this country from the world's battlefronts and, while it might appear, on the surface, to be a criticism of our brave men "over there," some tactful but efficient method must be devised that will prevent weapons of the submachine gun class from getting into the hands of the wrong persons. Legally the possession of a submachine gun or, for that matter, any firearms stated in the National Firearms Act of June 26, 1934, is a violation of this law, unless the firearm is appropriately registered with the Commissioner of Internal Revenue. That is a cold approach to the problem, however, for no law enforcement officer will feel as if he is making any great catch if he is forced to apprehend a returning serviceman who, either with or without knowledge of the existing statutes prohibiting possession of submachine guns, wants a war memento. On the other hand, the same officer knows that this weapon may some day be stuck in his back.

If there were a way of guaranteeing that all such "souvenirs" could be rendered unserviceable for all time there would be no problem at all. But so long as such weapons are left on the loose in serviceable shape we can anticipate that some—possibly many—will find their way into wrong hands. Unfortunately, it is only after damage has been done that they are sometimes recovered by the police.

While it goes without saying that the writer would be the last to campaign for any action that would detract from or in any way lessen the joyous feelings of the homecoming victors, nevertheless he feels that a painless but totally efficient system must be formulated and put into action as soon as possible which will prevent the private return of submachine guns to our shores unless approval has been secured from military or naval authorities.

Pages could be filled describing the devious ways and means that might accomplish in small degree what must be effected in maximum degree, if traffic and circulation of submachine guns is to be held to absolute minimum.

Some might suggest relaxing the penalties of existing laws if an ex-serviceman were found to be in possession of such a deadly weapon. That, as the writer sees it, is a secondary approach to

the problem and if such a situation should arise, the arresting officer and presiding judge will have to deal with it as their professional liberties allow.

Others might, in a sincere frame of mind, see possibilities in allowing discharged veterans to turn in souvenir submachine guns within a specified time after their return. Obviously, such a plan as this would serve no beneficial purpose but would allow time for the guns to find their way into wrong hands. And for all practical considerations a submachine gun that is not confined to military, certain industrial, or police circles is in wrong hands.

The writer's experiences and contacts lead him to believe that the best method of control appears to lie in the exercise of control as close to the source of potential trouble as is practical and expedient. If influential and respected members of law enforcement agencies were to invite the attention of proper War and Navy Department officials to this problem, suggesting that steps be taken to forestall any potential untoward incidents, it seems reasonable to believe they would be only too glad to cooperate. Directives could be promulgated through official channels by these responsible government officials informing all military and naval personnel concerned with the terms of the National Firearms Act of June 26, 1934, and penalties. These same officials could see to it that well designed posters were placed conspicuously in forts, camps and other cantonments. At debarkation centers (the most vital spot) special vigilance is of the essence. Perhaps a qualified military officer might be assigned to direct the important activity of submachine gun control at these locations where, under pressure of other duties, regularly assigned personnel may possibly overlook this vital problem.

This writer realizes that on the surface and in the eyes of the disinterested citizen, the matter herein discussed might appear to be premature, overdrawn, and perhaps a reflection against the serviceman. To any such allegations it might be pointed out that in time of peace we prepare for war, although we do not have any particular adversary in mind. By the same token, we should in time of war take steps to insure the public safety against criminals during the post-war period. The earnest plea for this action is not being directed against individuals. It is an appeal for a means and a method which will insure, insofar as it is humanly possible, that submachine guns will not be permitted to get into wrong hands. The best way to do that is to keep them from all but the hands of lawfully approved persons.
