



WHAT IS WRONG WITH THE POLICE ?

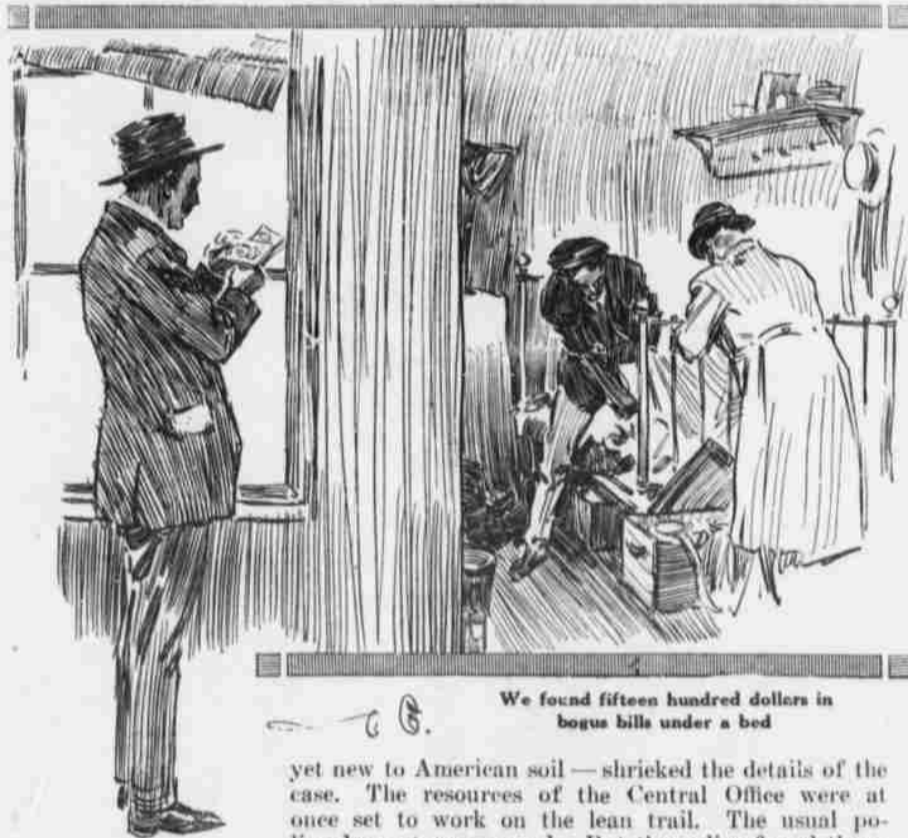
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HE MUTILATED BODY of an unknown man was found in a barrel in the East Side Italian district of New York in April, 1903. Obviously murder had been done. The clothes were gone, the body badly disfigured. There were no clues either to the identity of the victim or his assailants, except, of course, certain broad facts in his appearance and the surrounding locality, suggesting that he belonged to the poorer class of Italians, probably a laborer.

The newspapers, barren for the moment of profitable copy, and ready to personify the hint of a Black Hand connection — this was when the Mafia was



We found fifteen hundred dollars in bogus bills under a bed

yet new to American soil — shrieked the details of the case. The resources of the Central Office were at once set to work on the lean trail. The usual police dragnet was spread. But the police found themselves against a stone wall. There was not a splinter of light to guide them.

It was quite by chance that I entered the case at this point. I was in charge of the New York district of the United States Secret Service at the time and only lately had been investigating the antecedents of a certain gang of Italians of ill repute, suspected of counterfeiting. A glance at the murder victim at the morgue convinced me that he was a member of the gang, whom I had last glimpsed a short time before under a peculiar electric light. I took the liberty of sending a note to Chief McCluskey, then in charge of Central Office, suggesting that I might be able to assist the department.

My offer was accepted and I viewed the body again, this time under such an electric glow as had given me my last view of the Italian of my suspicions. My theory was right — the dead man was one Benedetto Madonia, supposedly a member of the criminal organization we had been investigating. And with the recognition, of course, came the obvious corollary; what more likely than that Madonia had been killed by his companions, perhaps because of a suspicion of his loyalty? There is no organization more suspicious of treachery or more cold-blooded in its punishment than a band of Italian criminals.

OF the gang we had been trailing the two most prominent members were a pair whom I rated among the most dangerous foreign criminals in the country. Eventually the Central Office and myself located the couple, and then we confronted the most difficult feature of the case. It was one thing to take our suspects into custody, but quite another proposition to obtain direct legal evidence that would convict. As I saw it, an arrest at this point was entirely premature. It is infinitely more difficult to build a case against a suspect after he is jailed than when he is at liberty, oblivious of the coil around him. The Central Office, however, desired immediate action.

When I saw that the matter was to be rushed, I stepped to the background, convinced that the case would fall through at the first legal sifting of the evidence. The men were duly taken into custody, the newspapers applauded their arrest — and then the prosecution awoke to the fact that its net would not hold. There was no moral doubt of the prisoners being guilty, but there is a wide

gulf between moral doubt and legal doubt. Eventually the two men were released.

The labor, time, expense that had gone into the case had been wasted. A pair of notorious criminals had calmly walked through prison gates that should never have been opened to them again. Why? The question brings us to one of the fundamental evils of American police conditions.

The police department should be a business institution, and as it exists today — I am speaking of the average city department — there is nothing it lacks more than sane, practical, systematic business methods. There is no branch of our government to which a sound, tested system of operations is more vital — and there is no branch of our government in which such a system is less in evidence. The protection of public life and public property, the apprehension of the law-breaker is first and foremost a big business proposition. It is a task demanding organization, system, well-planned and well-supervised machinery, and above all, carefully thought-out action. Nothing is more detrimental to its efficiency and impressiveness as a retributive agent than haphazard, hurried methods such as too often prevail in a digest of American police conditions. Too many policemen make the mistake of viewing an arrest as their most important function. The most vital task of a policeman is not an arrest — but a conviction. An arrest without the necessary evidence for a jury is not only wasted labor, but in its final analysis a confession of weakness. A business administration of our police departments would mean not only a definite reason for an arrest — but a definite result.

I AM fully aware that under our present system, the executive heads of our police are not wholly to blame. National attention is at once focused on a big criminal case. Through the medium of the press, its details become household gossip. It is not my purpose now to comment on the sensational, distorted form in which these details are often presented. I am not quarreling with the American newspaper as an institution. I am emphasizing just now the so-called yellow journalism. The freshness of the case wearing off, and with ten or a dozen extras a day, legitimate developments are soon exhausted, editorial broadsides, for want of another target, are turned on the police. If an arrest has not been made, heavy-typed letters ask the question — WHY? The harassed executives at Headquarters see themselves ruthlessly pilloried. It is not the public, but the press, that demands a victim. The newspaper hopper must be filled. And in desperation, the police dragnet is often closed days before sober judgment would advise rounding in on the quarry.

Consider the aforementioned case of Italian complexion. We have seen the two suspected men walk safely away from the police, although no doubt could be entertained of their guilt of a first degree crime. What became of them? And what, is perhaps even more pertinent, was the next step of the police?



Surrounded the headquarters of the gang and caught both of our men red-handed

The Central Office just then was busy with a variety of other matters. The criminal docket of New York is never allowed to grow lean. There was no time, or at least it was thought there was no time, to continue further on an unpromising trail. The case was suffered to drop. The (Continued on Page 12)