The Politics of Crime Control: Race, Policing, and Reform in Twentieth-Century Chicago

by

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ABSTRACT

"The Politics of Crime Control: Race, Policing, and Reform in Twentieth-Century Chicago" is a political history of urban policing that examines the integral role of crime control in the governance of modern American cities. It does so through a case study of policing and reform in Chicago from the interwar decades through the post-World War II years, a period that saw massive changes including African American migration, immigration, industrialization, and labor unrest. Crime control served as the central political proxy through which city leaders, reformers, and law enforcement officers attempted to achieve urban order, and in so doing, constructed modern social and racial hierarchies. These officials and reformers contributed to the construction of the coercive state, a state apparatus that prioritized social order as the primary mode through which to express state legitimacy and exercise state power. In the context of early-twentieth-century Chicago, coercive state strategies worked in tandem with Progressive reformers and anti-crime activists to establish and reinforce spatial boundaries and to reify and redefine social hierarchies. Local police discretion represented the primary coercive state tool for addressing urban disorder, as well as one of the most intransigent and opaque modes of state power, especially in the service of defining and reinforcing racial hierarchy. The immediate, discretionary interactions between police and city residents served as one of the primary sites of racial formation in these decades, and elicited investigation, critique, and proposals for reform from myriad urban communities, other state institutions, and municipal reform organizations. Policing, therefore, represented the very intersection of coercive state power, municipal politics, racialization, and efforts for reform.

INTRODUCTION

On October 1, 1926, an African American woman who lived on Chicago's South Side sat down to write a strongly worded letter to Mayor William E. Dever, which she wrote "in honour of Chicago."[1] She was likely among the thousands of African Americans who had migrated to Chicago during the previous ten years, the wave of black urban migration known as the first Great Migration. The woman lamented the conditions of her neighborhood, advising the mayor that the narrow strip of land between State Street and Federal Street and bound by 31st Street and 39th Street was home to a disgraceful wave of law breaking. The South Side resident—who chose to identify herself only as "a hardworking woman"—described the daily harassment she faced as she returned home from work or other errands, only to be pursued by white men who roamed the streets, soliciting the black women they encountered. The letter arrived at the mayor's office during the years of federal Prohibition, in the midst of several ongoing crime control campaigns that the reformist mayor had mounted in order to drive liquor and crime from the city.[2] The hardworking woman's neighborhood was located in the middle of the racially segregated South Side Black Belt and her letter indicated one of the foremost problems that many African American city residents faced—police directed illicit establishments and illegal activity into

[1] Letter from Anonymous to William E. Dever, October 1, 1926, Box 4, Folder 29: Dever, William E. –Mayoralty Papers, Police Department, 1926-1927, William E. Dever Papers, Chicago History Museum [hereinafter Dever Papers].

[2] After assuming office in 1923, Dever directed police to shutter illegal saloons and dance halls, particularly those that catered to integrated clientele; months later he directed police to drive all alcohol from the city as well. "Mayor Backs Chief in Order to Mop Up Vice," *Chicago Journal*, April 18, 1923, Volume 5: Career to 1923, William E. Dever Scrapbooks, Chicago History Museum [hereinafter Dever Scrapbooks]; "Law and Order Dever's Motto," *Chicago Journal*, May 5, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks; "6 Black and Tan Cafes Divested of Licenses," *Chicago Daily Tribune*, May 8, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks.

black neighborhoods and failed to equally enforce the law thereafter. The woman wrote desperately that if the mayor would not exercise his executive power to direct police to enforce the law equally throughout the city "All hope is lost."[3] She had complained about the proliferation of illicit establishments and lawbreakers in her neighborhood before, "but it seems that the Police stand in with them."[4] This African American woman, who lived among the most criminalized and inequitably policed neighborhoods in early-twentieth-century Chicago, leveled an incisive critique of law enforcement officials themselves, drawing attention to the ways that police discretion and corruption had encouraged and endorsed law breaking on the black South Side.

The hardworking woman's letter indicated the intersection of several processes of law enforcement and racialization in Chicago over the course of the early twentieth century. Her lamentation over the dismal condition of her neighborhood and the fact that police stood by while illegal activity flourished there demonstrated two of the most intractable forms of racial discrimination that African American Chicagoans faced at the hands of law enforcement officers. Since pressure from Progressive reformers and business owners had resulted in the closing of the city's downtown vice districts in the second decade of the twentieth century, police had actively encouraged illegal activity to move south into the predominantly black neighborhoods of the South Side.[5] Police discretion to draw this spatial association between illegality and black urban space reinforced popular discourses of inherent black criminality that had circulated in Chicago

[3] Letter from Anonymous to William E. Dever, October 1, 1926, Box 4, Folder 29: Dever, William E. –Mayoralty Papers, Police Department, 1926-1927, Dever Papers.
[4] Ibid.
[5] Vice Commission of Chicago, *The Social Evil in Chicago: Study of Existing Conditions with Recommendations by the Vice Commission of Chicago* (Chicago: Vice Commission of Chicago, 1911), 38; Chicago Commission on Race Relations, *The Negro in Chicago: A Study of Race Relations and A Race Riot* (Chicago: University of Chicago Press, 1922), 344.

and around the country since the beginning of the twentieth century.[6] Many of the corrupt police that the woman observed likely benefited financially from their relationships with illicit enterprises, discouraging them from halting illegal activity in the neighborhood. This exercise of police discretion and corruption further underscored urban inequality, suggesting that the black residents of her neighborhood were undeserving of fair law enforcement. The woman's self-moniker—"hardworking"—also drew to mind a particular strain of black crime politics that had emerged in Chicago over the course of the Great Migration, one that intersected with the politics of respectability and drew contrasts between lawful African Americans and lawbreakers. By identifying as "hardworking," the letter writer situated herself as a part of respectable black Chicago who earned her living through honest means, in direct contrast to the women employed in the vice trades who also populated her neighborhood.

The problems that the hardworking woman faced in 1926 were the same ones that piqued the interests of a range of reformers in Chicago during the first four decades of the twentieth century—the proliferation of vice, the illegal sale of alcohol and operation of saloons, criminal syndicate activity and street crime, and discriminatory discretionary policing. The city's myriad reformers offered a range of solutions to the problems she confronted, each drawing on their own methods of urban improvement. The Vice Commission of Chicago, the Progressive municipal agency tasked with investigating and eradicating vice in the second decade of the twentieth century, would have suggested that low wages had ushered women in to the vice trades and that poor police discipline had resulted in the encouragement of those immoral establishments and their proliferation in black neighborhoods. The Progressive reformers and intellectuals in that organization would have recommended the complete elimination of vice establishments and

[6] "Voice of the People: The Southern Negro in the North," *Chicago Daily Tribune*, June 9, 1917; "Chicago Blames Idle Negroes for Crimes," *Detroit Free Press,* March 24, 1919; Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2010), 5.

strict law enforcement by police as the best solution.[7] The Chicago Commission on Race Relations, an interracial group of reformers and urban sociologists assembled after the 1919 Chicago Race Riot, would have noted the structural factors that limited the woman's residential and employment opportunities and recommended the improvement of economic opportunities for African Americans in order to reduce illegal activity on the black South Side.[8] In contrast, the anti-crime activists of the Chicago Crime Commission, a group of conservative businessmen concerned with urban lawfulness, might have recommended an increase in the number of police patrolmen detailed to the neighborhood as well as the close surveillance of the illicit establishments located there.[9] The Juvenile Protection Association, a group of women social workers who advocated for the improvement of juvenile justice, would have delegated a number of their own officers to the neighborhood to inspect the conditions and make recommendations for improved social services in order to prevent further law breaking.[10] These multiple possible solutions to the hardworking woman's dilemma demonstrated the potential for the problems of urban crime control to prompt diverse recommendations for the implementation of urban order, some in tension with one another and variously encouraging state expansion, surveillance, and policy changes in the early twentieth century.

"The Politics of Crime Control: Race, Policing, and Reform in Twentieth-Century Chicago" explores the questions, themes, and possibilities for reform raised by this hardworking woman's letter and reflected in the visions of these several reform organizations—questions of police discretion, state power, urban space, and race making in the modern United States. It

[7] Vice Commission of Chicago, *The Social Evil in Chicago,* 25.
[8] Chicago Commission on Race Relations, *The Negro in Chicago,* 640-651.
[9] Henry Barrett Chamberlin, "The Chicago Crime Commission—How the Business Men of Chicago Are Fighting Crime," *Journal of Criminal Law and Criminology* 11 (May 1920); Edwin Sims, "Fighting Crime in Chicago: The Crime Commission," *Journal of the American Institute of Criminal Law and Criminology*, 11 (May 1920-1921).
[10] "Annual Report of the Juvenile Protection Association," 1915-1916, Supplement 1, Box 1-SI, Folder 4: Annual Reports; 1907-1939, Juvenile Protection Association Records, University of Illinois at Chicago Special Collections [hereinafter JPA Records].

reveals the integral role of crime policy in the governance of modern American cities through a case study of policing and reform in Chicago from the early twentieth century through the post-World War II years. The dissertation spans one of the most significant periods of urban growth in the United States; the myriad urban changes in the first half of the twentieth century underlined the relationship between law enforcement and the imposition of urban order in a rapidly changing and diversifying metropolis. The chronological scope of the project captures two massive migrations of African Americans to Chicago, waves of European and Mexican immigration, and the eventual curtailment of that immigration. It was also a period of significant industrialization as well as expansion and municipalization of city services and infrastructure. These intersecting urban changes precipitated urgent responses from municipal officials and reformers alike, as they considered how crime and social deviance would affect the growing city and the building of an ordered metropolis. The endpoint of the dissertation—the years following WWII—captures critical changes to the relationship among racial categories, criminalization, and policing in the early twentieth century. By the post-WWII years, a second massive migration of African Americans had arrived in Chicago, European immigration had been restricted by federal legislation, and Prohibition was practically a distant memory. These shifts focused attention on the problem of black crime, in contrast to the intersecting crime control campaigns of the interwar years that had variously turned attention to criminality among the foreign born, ethnic immigrant gangs, and newly arrived African Americans. White racial violence also resurged again in the post-WWII years as it had in the years following the First World War, with similar endorsement by the law enforcement authorities, demonstrating ongoing state investment in the defense of the urban color line.[11]

[11] My dissertation builds on the work of urban historians of Chicago who have traced the intersection of migration, immigration, industrialization, and capitalism in the growth of that metropolis from the late nineteenth century

The dissertation is concerned with what I call "crime control politics"—a purposely expansive term that I have coined and deploy to signal the broad constellation of actors, institutions, state policies, and reforms concerned with urban crime and deviance and the achievement of lawfulness and urban order. Throughout the early twentieth century, crime served as the central political proxy and public discourse through which urban leaders, reformers, and law enforcement officers defined urban disorder and attempted to impose their own visions of improvement and reform. The broad boundaries of "crime control politics" capture not only concern regarding official law breaking, but also a range of deviant behaviors and actions that were criminalized by law enforcement officials and reformers, although not necessarily by the letter of the law. The dissertation primarily traces three types of crime control problems raised among early-twentieth-century Chicagoans: vice and moral turpitude, street crime and official law breaking, and state corruption and violence. Various historical actors prioritized these problems according to the conditions of their own neighborhoods, their political and reformist

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through the twentieth. For representative examples of that extensive historical literature, see Jeffrey S. Adler, *First in Violence, Deepest in Dirt: Homicide in Chicago, 1875-1920* (Cambridge: Harvard University Press, 2006); Gabriela F. Arredondo, *Mexican Chicago: Race, Identity, and Nation, 1916-1939* (Urbana: University of Illinois Press, 2008); Robin F. Bachin, *Building the South Side: Urban Space and Civic Culture in Chicago, 1890-1919* (Chicago: University of Chicago Press, 2004); Davarian Baldwin, *Chicago's New Negroes: Modernity, the Great Migration, and Black Urban Life* (Chapel Hill: University of North Carolina Press, 2007); Andrew W. Cohen, *The Racketeer's Progress: Chicago and the Struggle for the Modern Economy* (Cambridge: Cambridge University Press, 2004); Lizabeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919-1939* (Cambridge: Cambridge University Press, 1990); William Cronon, *Nature's Metropolis: Chicago and the Great West* (New York: W.W. Norton, 1991); Andrew J. Diamond, *Mean Streets: Chicago Youths and the Everyday Struggle for Empowerment in the Multiracial City, 1908-1969* (Berkeley: University of California Press, 2009); Maureen A. Flanagan, *Seeing with their Hearts: Chicago Women and the Vision of the Good City, 1871-1933* (Princeton: Princeton University Press, 2002); Margaret Garb, *City of American Dreams: A History of Homeownership and Housing Reform in Chicago, 1870-1919* (Chicago: University of Chicago Press, 2005); James R. Grossman, *Land of Hope: Chicago, Black Southerners, and the Great Migration* (Chicago: University of Chicago Press, 1989); Thomas A. Guglielmo, *White on Arrival: Italians, Race, Color, and Power in Chicago, 1890-1945* (New York: Oxford University Press, 2003); Arnold Hirsch, *Making the Second Ghetto: Race and Housing in Chicago, 1940-1960* (Cambridge: Cambridge University Press, 1983); Jeffrey Helgeson, *Crucibles of Black Empowerment: Chicago's Neighborhood Politics from the New Deal to Harold Washington* (Chicago: University of Chicago Press, 2014); Elaine Lewinnek, *The Working Man's Reward: Chicago's Early Suburbs and the Roots of American Sprawl* (New York: Oxford University Press, 2014); John T. McGreevy, *Parish Boundaries: The Catholic Encounter with Race in the Twentieth-Century Urban North* (Chicago: University of Chicago Press, 1996); Thomas L. Philpott, *The Slum and the Ghetto: Neighborhood Deterioration and Middle-Class Reform, Chicago, 1880-1930* (New York: Oxford University Press, 978); Allan H. Spear, *Black Chicago: The Making of a Negro Ghetto, 1890-1920* (Chicago: University of Chicago Press, 1967).

goals, and their racial and social contexts. Among Progressive reform organizations and many neighborhoods residents, vice and moral depravity served as the foremost challenge to urban improvement and middle-class notions of moral order. Groups such as the Vice Commission of Chicago and the Chicago Urban League sought to rid the city of vice establishments that law enforcement officials largely encouraged or ignored. Good government reformers and businessmen viewed official laxity and corruption as one of the city's leading crime problems, as they threatened state legitimacy and discouraged industrial growth. Those actors saw criminal syndicate activity and street crime as corresponding problems, as connections to criminal gangs spurred official corruption and discouraged rigorous law enforcement. Almost all city residents viewed street crime as a foremost problem in Chicago, as they experienced law breaking in their neighborhoods that often went unaddressed by law enforcement officers who chose to underpolice certain neighborhoods due to their racial, ethnic, or class dimensions. Finally, policed communities themselves also experienced the ubiquitous problem of illegal police brutality and state violence, seeking legal remedies to that endemic problem throughout the early twentieth century. All of these actors turned to law enforcement and criminal justice in some capacity to solve the problems of crime and disorder that they identified, demonstrating the centrality of law enforcement to urban development and governance in this period.

I self-consciously avoid the term "law and order politics" as a label for the many varieties of anti-crime policies and reformist sentiments in the dissertation due to the political connotations that the term invokes—that of a conservative turn to punitive politics and strict law enforcement often associated with the last few decades of the twentieth century. Admittedly, some of the actors in the dissertation did prescribe to ideologies of strict, punitive law enforcement; when that comparison is appropriate, I deploy the language of law and order. But

the broad swathe of actors concerned with controlling crime and disorder in early-twentieth-century Chicago spanned the political ideological spectrum. While some did invoke the kind of rhetoric and politics that modern American historians have come to associate with punitive law and order, others drew on Progressive reform traditions to imagine modes of curtailing crime that accounted for various urban social conditions such as poverty, unemployment, and housing discrimination. As the organizing framework for the dissertation, "crime control politics" provides for a broad consideration of the historical actors with a vested interest in urban lawfulness and order, rather than a narrow focus on actors who might obviously be associated with law enforcement, concerned with statutory crime, or calling for punitive measures. It also encompasses those who critiqued law enforcement itself, such as municipal government reformers and racial justice advocates who saw police as foremost lawbreakers due to their widespread connections to organized crime and their illegal uses of violence. The dissertation puts these actors into the same framework in order to understand the range of strategies pursued in order to control crime in its many forms and to understand how those strategies and policies interacted and influenced one another.

My capacious concept of crime control politics and close attention to the local scale have shaped my understanding of the American state in the early twentieth century. Scholarship on the American carceral state after World War II has meticulously documented its rise, the massive expansion of mass incarceration, and the punitive turn in American law enforcement policy.[12]

[12] For a sampling of recent historical scholarship on the rise of the American carceral state, the expansion of mass incarceration, and the bipartisan investment in punitive politics, see Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010); Robert T. Chase, "We Are Not Slaves: Rethinking the Rise of Carceral States through the Lens of the Prisoners' Rights Movement," *Journal of American History* Vol. 102, No. 1 (June 2015): 73-86; Ruth Wilson Gilmore, *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California* (Berkeley: University of California Press, 2007); Marie Gottschalk, *The Prison and the Gallows: The Politics of Mass Incarceration in America* (Cambridge: Cambridge University Press, 2006); Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge: Harvard University Press, 2016); Julilly Kohler-Hausmann, *Getting Tough: Welfare and*

Embarking on this project, I had expected to discover the gradual building or origin point of the modern carceral state in the same punitive mode that historians of the late twentieth century have catalogued. Questions posed by those scholars provided a critical starting point for my examination of early-twentieth-century law enforcement and provided the basis for a broader set of questions about the relationship among law enforcement, urban development, and municipal governance that eventually came to animate the dissertation.[13] What I found in early-twentieth-century Chicago was a range of reformers and municipal leaders far more concerned with imposing urban order, defining social hierarchy, and defending the urban color line than with punitive law enforcement or massive criminal justice state building. Certainly, attempts to achieve urban order through policing and crime control resulted in many instances of state scrutiny, surveillance, and punishment of Chicagoans. Those processes did not result from a dominant punitive law enforcement ethos, however, but rather from a conception of governance that foregrounded crime control as crucial to modern social order and state legitimacy.[14] Therefore, the label "carceral state" and its current historiographical associations with a massive criminal justice apparatus came to feel increasingly anachronistic as I spent time with these

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Imprisonment in 1970s America (Princeton: Princeton University Press, 2017); Marc Mauer, *Race to Incarcerate* (New York: New Press, 1999); Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014); Donna J. Murch, "Crack in Los Angeles: Crisis, Militarization, and Black Response to the Late Twentieth-Century War on Drugs," *Journal of American History*, Vol. 102, No. 1 (June 2015): 162-173; Jonathan Simon, *Governing through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear* (Oxford: Oxford University Press, 2007); Heather Ann Thompson, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History," *Journal of American History* Vol. 97, No. 3 (December 2010): 703-734; Heather Ann Thompson, *Blood in the Water: The Attica Prison Uprising of 1971 and Its Legacy* (New York: Pantheon Books, 2016).

[13] Similar questions about the politics of law enforcement and crime control as an engine of state capacity motivate Lisa McGirr's recent work on Prohibition, although she adopts a national and federal framework for her study. Lisa McGirr, *The War on Alcohol: Prohibition and the Rise of the American State* (New York: W.W. Norton, 2016).

[14] My archival findings were particularly in tension with historical literature that has emphasized late-twentieth-century conservative backlash as the primary causative factor in the development of American law enforcement and crime control policy. Katherine Beckett, *Making Crime Pay: Law and Order in Contemporary America* (New York: Oxford University Press, 1997); Michael Flamm, *Law and Order: Street Crime, Civil Unrest, and the Crisis of Liberalism in the 1960s* (New York: Columbia University Press, 2005); Christian Parenti, *Lockdown America: Police and Prisons in the Age of Crisis* (New York: Verso, 1999); Vesla M. Weaver, "Frontlash: Race and the Development of Punitive Crime Policy," *Studies in American Political Development* Vol. 21, No. 2 (November 2007), 230-265; Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage, 2006).

early-twentieth-century sources, encouraging a conception of the state that could capture its wider range of functions.

The concept that best captures this pursuit of order and its relationship to the politics of crime control is one that I call the "coercive state," a framework that encompasses both carceral state institutions as well as non-state actors with an interest in the institution of reform and the imposition of social order. A coercive state is one that prioritizes social order and the maintenance of social hierarchy as the primary mode through which to express state legitimacy and exercise state power, while also relying on public-private partnerships to provide social services and surveillance and to augment state capacities to compel lawfulness and adherence to respectable norms of behavior. In the context of early-twentieth-century Chicago, coercive state structures utilized reform movements to establish and reinforce spatial boundaries and to reify and redefine social hierarchies as they were unsettled due to influxes of African American migration, immigration, industrialization, and labor unrest. The coercive state encompasses the carceral state's expansion and contraction over time while also including non-state actors in initiating, pursuing, and enacting state projects of social control. Critically, the non-state actors and non-carceral state institutions that participate in coercive state projects tend to view law enforcement strategies and agencies as the most efficacious way to institute their visions of reform and urban order. The coercive state is then both a set of interlocking institutions and policies as well as a mode of governance and reform. It is not chronologically bounded but rather defined by its public-private collaborations in pursuit of social order through the means of law enforcement. The coercive state may be located and identified in other eras of American history beyond the boundaries of this dissertation, in moments when a variety of historical actors with a shared interest in order and reform turned toward law enforcement to achieve their ends.

In my close analysis of the role of the coercive state in organizing American society and constructing modern social hierarchies, I join the growing literature of American political history, drawing attention to the manifestations of state power evident in the routine interactions between police and city residents, thereby demonstrating the critical role that policing must play in understandings of diffuse, infrastructural state power.[15] My concept of the coercive state particularly draws on the historical literature of Progressivism, especially in its attention to the Janus-faced pursuit of both social reform and social control. Historians of Progressivism have catalogued a broad range of policies deployed in the service of middle-class normative standards of order and behavior in the late nineteenth and early twentieth centuries, including settlement work, urban planning, vice eradication, public health reform, labor protectionism, and socialized jurisprudence.[16] I demonstrate the centrality of law enforcement to historical actors engaged in projects of both social control and social reform and deploy "coercive state" as a concept that can

[15] I am particularly influenced by a range of political historians who have located diffuse state power among actors such as welfare workers, federal lawyers, marriage clerks, immigration officers, public health officials, and border patrol officers. My work indicates the utility of urban historical methodologies to political historians who seek to answer question about where, how, and when the modern American state grew in capacity over the course of the twentieth century by demonstrating how issues of urban order fostered efforts to expand state surveillance over everyday life. Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton: Princeton University Press, 2009); Risa Goluboff, *The Lost Promise of Civil Rights* (Cambridge: Harvard University Press, 2010); Kelly Lytle Hernández, *Migra!: A History of the US Border Patrol* (Berkeley: University of California Press, 2010); Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in Modern America* (New York: Oxford University Press, 2009); Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2005); William J. Novak, "The Myth of the "Weak" American State," *The American Historical Review*, 113 (3), 752-772; Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001); Michael Willrich*, Pox: An American Story* (New York: Penguin, 2011).

[16] For examples of historians of Progressivism who locate both its coercive and reformist impulses, see Paul Boyer, *Urban Masses and Moral Order in America, 1820-1920* (Cambridge: Harvard University Press, 1978); Miroslava Chávez-Garcia, *States of Delinquency: Race and Science in the Making of California's Juvenile Justice System* (Berkeley: University of California Press, 2012); Mark Connelly, *The Response to Prostitution in the Progressive Era* (Chapel Hill: University of North Carolina Press, 1980); Flanagan, *Seeing With their Hearts*; Estelle B. Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: University of Michigan Press, 1981); Anne Meis Knupfer, *Reform and Resistance: Gender, Delinquency, and America's First Juvenile Court* (New York: Routledge, 2001); Michael McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in American, 1870-1920* (New York: Free Press, 2003); Natalia Molina, *Fit to Be Citizens?: Public Health and Race in Los Angeles, 1879-1939* (Berkeley: University of California Press, 2006); Daniel T. Rodgers, *Atlantic Crossings: Social Politics in a Progressive Age* (Cambridge: Belknap Press of Harvard University Press, 1998); Shah, *Contagious Divides;* Michael Willrich, *City of Courts: Socializing Justice in Progressive Era Chicago* (Cambridge: Cambridge University Press, 2003).

hold both of those impulses together, rather than assuming an inherent tension between progressive and punitive ends. Critically, the coercive state can tolerate certain varieties of urban disorder while quashing others, a calculus informed by the local racial, spatial, and political contexts. For instance, state officials regularly tolerated and endorsed white popular violence during the early twentieth century, while simultaneously disproportionately arresting African Americans, as well as European and Mexican immigrants. The coercive state is then a historically specific embodiment of state power, informed by local contexts and power holders.

Police themselves were a critical component of the coercive state in early-twentieth-century Chicago, and policing—the most immediate and routine site of contact between city residents and the state—serves as the primary narrative engine of the dissertation as well as a lens onto the processes of state coercion, racialization, reform, and critique. Progressive reformers, business elites, city executives, federal officials, and racial justice advocates all adopted crime control as a lens through which to define urban disorder and viewed police as a critical component of resolving it, whether as agents of order or as objects of reform themselves. Scholars of urban policing have noted the historical tension between policing and efforts for reform, drawing attention to recurrent attempts to control police behavior and reform police department policy.[17] These reform efforts, however, have been routinely stymied by police reluctance to resign police power and autonomous discretion or have been transformed by local political circumstances resulting in the expansion of punitive law enforcement policies. I expand on this scholarship, drawing on its attention to the tension between policing and reform and

[17] For recent historical scholarship on the relationship between policing and reform, see the April 2017 special section of the *Journal of Urban History.* Chris Agee, "Crisis and Redemption: The History of American Police Reform since World War II," *Journal of Urban History* (April 18, 2017): 1-9.

extending that attention to an examination of early-twentieth-century urban development.[18] It was also the immediate, discretionary interactions between police and city residents that served as one of the primary sites of racial formation in these decades and elicited investigation, critique, and proposals for reform from myriad urban communities, other state institutions, and urban reform organizations.[19] Policing, therefore, represented the very intersection of coercive state power, municipal politics, racialization, and efforts for reform.

Police represented the primary state apparatus for addressing urban disorder in early-twentieth-century Chicago, as well as one of the most intransigent and opaque tools of state

[18] While the historical scholarship of urban policing and reform has grown in recent years, much of that work has focused on the second half of the twentieth century. Chris Agree, *The Streets of San Francisco: Policing and the Creation of a Cosmopolitan Liberal Politics, 1950-1972* (Chicago: University of Chicago Press, 2014); Andrew S. Baer, "From Law and Order to Torture: Race and Policing in De-Industrial Chicago," (Phd diss., Northwestern University, 2016); Martha Biondi, *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City* (Cambridge: Harvard University Press, 2003); Max Felker-Kantor, "Policing the Crisis: Law Enforcement, Race, and the Shaping of the Carceral State in late-Twentieth Century Los Angeles," (PhD diss., University of Southern California, 2014); Risa Goluboff, *Vagrant Nation: Police Power, Constitutional Change, and the Making of the 1960s* (New York: Oxford University Press, 2016); Leonard Moore, *Black Rage in New Orleans: Police Brutality and African American Activism from World War II to Hurricane Katrina* (Baton Rouge: Louisiana State University, 2010); Murch, "Crack in Los Angeles;" Micol Seigel, "Objects of Police History," *Journal of American History* Vol. 102, No. 1 (June 2015): 152-161; Sara Seo, "The Fourth Amendment, Cars, and Freedom in Twentieth-Century America," (PhD diss., Princeton University, 2016); Timothy Stewart-Winter, *Queer Clout: Chicago and the Rise of Gay Politics* (Philadelphia: University of Pennsylvania Press, 2016). Recent exceptions to this scholarly focus on the late twentieth century include Adler, *First in Violence, Deepest in Dirt*; Simon Balto, "'The Law Has a Bad Opinion of Me': Policing and Politics in Twentieth-Century Black Chicago," (Phd diss., University of Wisconsin, 2015); Jennifer Fronc, *New York Undercover: Private Surveillance in the Progressive Era* (Chicago: University of Chicago Press, 2009); Kali Gross, *Colored Amazons: Crime, Violence, and Black Women in the City of Brotherly Love, 1880-1910* (Durham: Duke University Press, 2006); Marilynn Johnson, *Street Justice: A History of Police Violence in New York City* (Boston: Beacon Books, 2003); Shannon King, *Whose Harlem is This, Anyway?: Community Politics and Grassroots Activism during the New Negro Era* (New York: New York University Press, 2015); Sam Mitrani, *The Rise of the Chicago Police Department: Class and Conflict, 1850-1894* (Urbana: University of Illinois Press, 2013); Gillian O'Brien, *Blood Runs Green: The Murder that Transfixed Gilded Age Chicago* (Chicago: Chicago University Press, 2015).

[19] Historical scholarship on the carceral state in the late nineteenth and early twentieth centuries has largely focused on penal institutions while I draw attention to the immediate contact between citizens and the coercive state through daily encounters with the police. Douglass A. Blackmon, *Slavery By Another Name: The Re-Enslavement of Black People in America From the Civil War to World War II* (New York: Doubleday, 2008); Mary Ellen Curtin, *Black Prisoners and Their World, Alabama, 1865-1900* (Charlottesville: University Press of Virginia, 2000); Talitha LeFlouria, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill: University of North Carolina Press, 2015); Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the New South* (London: Verso, 1996); Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State* (Cambridge: Cambridge University Press, 2008); David M. Oshinsky, *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York: Free Press, 1996); David Rothmans, *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (New York: Transaction, 1971).

power. All the historical actors and agencies who participated in coercive state projects engaged with police in some capacity, sometimes as collaborators and sometimes as critics of police. These actors all encountered the problem of police discretion, whether as a problem of official laxity, racial discrimination, or state violence.[20] In turn, they offered a variety of solutions to these problems—as reformers would have to the problems posed by the hardworking woman writing to Mayor Dever in 1926—ranging from equalized law enforcement, to increased state surveillance, to structural and economic improvements. Official discretion is embedded in the very structure of American law enforcement itself and nearly inseparable from state officials' ability to make decisions about when, where, and how to enforce the law.[21] However, this functional feature of law enforcement also became the site where assumptions about race and social hierarchy could be enacted by officers of the state, as they chose whom to arrest, which neighborhoods would receive surveillance, where to direct vice and other illegal activity, and when to exert violence.[22] These decisions were always historically contingent and informed by the social and political context of the city and the nation, as popularly circulating discourses about the link between blackness and criminality or proclivities to crime among the foreign born found expression in police tendencies to arrest African Americans and immigrants at

[20] My close attention to police discretion is particularly influenced by the work of William Novak and his critique of a weak/strong dichotomy for understanding the development of the American state. Novak encourages scholars to adopt the concept of infrastructural power to understand the vast reach of the state and its penetration into nearly every aspect of American civil society; police discretion is a critical component of infrastructural power. Novak, "The Myth of the "Weak" American State," 763.

[21] Michael Lipsky, *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services* (New York: Russell Sage Foundation, 1980).

[22] This analytic point is influenced by the work of critical race theorists who have indicated the role of race in American law and the ways that legal developments have worked to secure the structures of white supremacy and white privilege over time. These scholars draw particular attention to the active role that law has played in producing meaning for racial categories, arguing that law does not simply reflect a preexisting power structure, but that law itself produces and gives meaning to social and racial hierarchies. I draw on this contribution to show how policing has also been generative of racial knowledge and has played active role in the definition of racial hierarchies. Derrick Bell, "Racial Realism," *Connecticut Law Review* 24 (1992): 363-379; Cheryl Harris, "Whiteness as Property," *Harvard Law Review,* 106 (June 1993): 1707-1791; Kimberlé Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color," *Stanford Law Review*, Vol. 43, No. 6 (July 1991): 1241-1299.

disproportionate rates. Chicago's own particular racial history, including the massive growth of its African American population in the years after WWI and the construction of urban racial boundaries, also shaped the deployment of police discretion, as officers decided how to enforce the law based on the racial meaning of the spaces that they patrolled. Violence, the worst excess of police discretion, wove throughout nearly every daily interaction with police, serving as the foundation of state authority rather than an aberration from typical police conduct. Police brutality was so ubiquitous as to practically amount to department policy, and few Chicagoans could escape illegal police violence regardless of race, gender, or status.

The coercive state played a direct role in the redefinition of racial categories in the early twentieth century through the exercise of police discretion and other discretionary law enforcement practices. Police discretion allowed racial knowledge to suffuse daily interactions between police officers and Chicago residents and allowed that same racial knowledge to become embedded in campaigns to control crime. This understanding of policing as a state technology of race making draws on the work of scholars who have found similar race making functions among other officers of the state such as judges, immigration officials, marriage clerks, border patrol officers, and public health officers.[23] Racial knowledge informed the decisions of these state agents as they enforced regulations and enacted public policies, just as police drew on racial knowledge to inform their decisions about how to enforce the law. One of the foremost police race making technologies was the act of arrest; the choice to arrest one person and not to

[23] For scholars who have adopted similar approaches to the relationship among race, bureaucracy, and state knowledge, see Chávez-Garcia, *States of Delinquency;* Ariela Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge: Harvard University Press, 2008); Ian Haney López, *White By Law: The Legal Construction of Race* (New York: New York University Press, 2006); Daniel Martinez HoSang, *Racial Propositions: Ballot Initiatives and the Making of Postwar California* (Berkeley: University of California Press, 2010); Lytle Hernández, *Migra!*; Muhammad, *The Condemnation of Blackness*; Pascoe, *What Comes Naturally;* Shah, *Contagious Divides;* Nayan Shah, *Stranger Intimacy: Contesting Race, Sexuality, and the Law in the North American West* (Berkeley: University of California Press, 2011); Ngai, *Impossible Subjects*; Theodore M. Porter, *Trust in Numbers: The Pursuit of Objectivity in Science and Public Life* (Princeton: Princeton University Press, 1995).

arrest another demonstrated the immediacy of police discretion. This form of discretion also operated at the level of neighborhoods, as police administrators decided where to direct enforcement efforts thereby criminalizing some neighborhoods and decriminalizing others.[24]

Racial knowledge shaped successive crime control campaigns in Chicago throughout the early twentieth century, as officers deployed their understandings of racial difference to guide concerted efforts to control crime in the city. Progressive reformers' campaigns to control vice and other deviant activity in the first two decades of the twentieth century resulted in calls for the total suppression of vice, such as the Vice Commission of Chicago's 1911 recommendation "Constant and persistent repression of prostitution…absolute annihilation the ultimate ideal."[25] In practice, however, those recommendations resulted in the eradication of vice only from certain white neighborhoods, as police encouraged illicit establishments to relocate to African American neighborhoods by the second decade of the twentieth century.[26] Later crime control campaigns targeted racially integrated public spaces and ethnic immigrant social establishments, marking racial integration and foreign-born communities as necessarily criminal. Police also used discretionary tactics to demonstrate their own state authority and crime fighting vigor in the face of criticism from reformers; repeated mass police raids in African American neighborhoods and among immigrant communities in the interwar decades worked to criminalize those communities and dramatize police power.

Policing represented a critical site of racial formation in early-twentieth-century Chicago and demonstrated the instability of racial categories throughout this period and the complexity of those categories beyond a simple racial binary. Annual reports from the Chicago Police

[24] This attention to the work of police at the neighborhood level is influenced by Heather Ann Thompson's concept of "the criminalization of urban space." Thompson, "Why Mass Incarceration Matters," 706.
[25] Vice Commission of Chicago, *The Social Evil in Chicago,* 25.
[26] Chicago Commission on Race Relations, *The Negro in Chicago,* 344.

Department displayed a remarkable degree of transparency, documenting arrests and charges according to racial and ethnic categories as well as by gender. This record of early-twentieth-century police data served as an archive of discretion and race making, indexing not those who were most likely to break the law, but rather those who were most likely to be arrested. Police consistently arrested African Americans at disproportionate rates beginning in the early twentieth century; this overrepresentation of black arrests forged a statistical linkage between blackness and criminality through the operation of police discretion.[27] Similarly, certain immigrant groups in Chicago were consistently overrepresented among arrests and targeted in crime control campaigns for violations of the federal ban on alcohol and immigration regulations. Germans, Poles, and Italians were frequently overrepresented among liquor violations, while Mexicans, Greeks, Italians, and Chinese were detained at disproportionate rates in so-called deportation raids. Police discretion to make arrests, therefore, represented the site at which officers of the state could reinforce the association of certain racial categories with law breaking in the interwar decades.

Critically, however, the history of racialized policing in early-twentieth-century Chicago was not one of a strict binary between blackness and whiteness but instead represented a moment in time when the state puzzled over the meaning of those categories and the boundaries among them. Scholars of whiteness and immigration have shown the role of structures including labor unions, welfare programs, community institutions, and cultural consumption in incorporating ethnic immigrant communities into white racial categories.[28] Law enforcement also represented a

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[27] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609; Chicago Police Department, *Annual Report, Year Ending December 31st, 1930* (Chicago: Chicago Police Department, 1931), 22.

[28] Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge: Harvard University Press, 1999); Guglielmo, *White on Arrival*; Eric Lott, *Love and Theft: Blackface Minstrelsy and the American Working Class* (New York: Oxford University Press, 1993); David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991); Alexander

site where the boundaries of whiteness could be expanded or contracted, as Chicago police carefully chose whom to arrest and whom to leave undisturbed. While some white crimes and deviant behaviors were decriminalized and endorsed by the police, others were not, and the decision regarding whom to arrest and when largely hinged on a range of factors including the relationship of the policed community to the category of whiteness, the urban geography of the crime, and the relative threat that any given crime or deviance posed to the legitimacy of the coercive state itself. For instance, police routinely ignored white racial violence and failed to make arrests in white street crimes against black victims. This form of illegal white violence served to bolster the urban color line, one of the most critical coercive state projects in this period. Other white and immigrant crimes, however, were stringently policed such as criminal syndicate violence, the sale of illegal alcohol, and violations of federal immigration restrictions. The warrantless arrest of members of Chicago's immigrant communities stretched in the 1930s, contradicting arguments that whites and ethnic immigrants had been decriminalized or viewed as a rehabilitatable population at least a decade earlier.[29] Instead, local police continued to target recent European immigrants as well as Mexican immigrants in order to demonstrate their own authority and contradict claims of official laxity. While black crime gradually became a foremost priority among city leaders and reformers by the post-WWII years, the uneven decriminalization of whiteness in the decades before demonstrated that these racial categories did not become redefined in an even exchange, but rather through contingent processes that depended on the local politics of crime control.

Saxton, *The Rise and Fall of the White Republic: Class Politics and Mass Culture in Nineteenth Century America* (New York: Verso, 2003).

[29] Khalil Gibran Muhammad's intellectual history of black criminality contrasts the statistical linkage between blackness and criminality beginning in the late nineteenth century with the rehabilitation of whiteness by the end of the Progressive era in the 1920s. While he convincingly demonstrates the decoupling of whiteness and criminality among intellectuals in this period, local law enforcement officials and reformers continued to target European ethnic immigrants for arrest into the interwar decades. My attention to local scale disrupts the chronology that Muhammad outlines in his study. Muhammad, *The Condemnation of Blackness.*

Foremost among the actors who populate the dissertation are the policed themselves, especially the city's growing African American population and its immigrant communities, who engaged in their own variety of crime control politics and coercive state projects through the pursuit of equalized policing in their neighborhoods and the curtailment of illegal state violence. As masses of African Americans left Southern rural areas for urban centers following WWI, Chicago's black population more than doubled between 1910 and 1920, and doubled again by 1930.[30] The proportion of black Chicagoans comprising the total city population grew apace as well; by 1920, that proportion had grown to four percent, and by 1930 it had increased yet again to 6.9 percent. Most of those new black Chicagoans found homes in the South Side Black Belt, a narrow strip of racially segregated land roughly bounded by 31st Street to the north and 63rd Street to the south, Wentworth Avenue to the west and Cottage Grove Avenue to the east.[31] It was here that many new black migrants found some of the only landlords willing to rent to African Americans, usually at highly inflated rates. As a result, by 1920 more than 85 percent of black city residents lived in neighborhoods that were at least 50 percent African American, most of them concentrated on the black South Side.[32]

The African American population of Chicago was a diverse one in the early twentieth century, made up of black elites, leaders of racial improvement organizations, Old Settlers, and new Southern migrants. Among the masses of African Americans who comprised the 8.2 percent of Chicago's total population by 1940 were many thousands of migrants who had arrived in the years after each World War. The infusion of new black Southern migrants fostered intraracial

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[30] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 512; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609.
[31] Hirsch, *Making the Second Ghetto,* 3-4.
[32] Horace R. Cayton and St. Clair Drake, *Black Metropolis: A Study of Negro Live in a Northern City,* 4th ed. (Chicago: University of Chicago Press, 2015), 174-176.

divides along axes of class and status, as long-time black Chicago residents came to be known as "Old Settlers" as opposed to their newer Southern neighbors, most of whom were almost uniformly working class or impoverished.[33] In contrast, the leaders of racial improvement organizations were generally among the black intellectual, economic, and religious elite of Chicago, and many of them had links to national organizations and black intellectual institutions around the country. Scholars of black migration have demonstrated how those massive movements of African Americans to the urban South and North transformed urban racial landscapes, intraracial divisions, and black politics and rights claims.[34] The politics of crime control shaped claims for black rights as well, as black Chicagoans attempted to secure fair law enforcement and end police discrimination.

Resistance to discriminatory policing among African Americans demonstrated the potential for crime control politics to be oriented toward state institutions themselves and to be generative of claims to equal rights. Among some African American Chicagoans—particularly among political, economic, and intellectual black elites—discriminatory law enforcement clarified a black law and order politics that intersected with the politics of respectability, as some equated black lawfulness and moral upstanding with black rights to fair law enforcement. The politics of respectability wove throughout black public life during the Great Migration, a political discourse that assumed black racial success hinged on the improvement of the black working

[33] Joe W. Trotter, *Black Milwaukee: The Making of an Industrial Proletariat, 1915-45* (Urbana: University of Illinois Press, 1985); Joe W. Trotter, ed. *The Great Migration in Historical Perspective: New Dimensions of Race, Class, and Gender* (Bloomington: Indiana University Press, 1991); Richard W. Thomas, *Life for Us is What we Make It: Building Black Community in Detroit, 1915-1945* (Bloomington: Indiana University Press, 1992).
[34] Luther Adams, *Way Up North in Louisville: African American Migration in the Urban South, 1930-1970* (Chapel Hill: University of North Carolina Press, 2010); Lisa Krissoff Boehm, *Making a Way Out of No Way: African American Women and the Second Great Migration* (Jackson: University Press of Mississippi, 2009); James N. Gregory, *The Southern Diaspora: How the Great Migrations of Black and White Southerners Transformed America* (Chapel Hill: University of North Carolina Press, 2005); Grossman, *Land of* Hope; Donna Jean Murch, *Living for the City: Migration, Education, and the Rise of the Black Panther Party in Oakland, California* (Chapel Hill: University of North Carolina Press, 2010); Isabel Wilkerson, *The Warmth of Other Suns: The Epic Story of America's Great Migration* (New York: Random House, 2010).

class and the black poor.[35] The long entwinement between the politics of respectability and black calls for stringent law enforcement provide deep historical context for the relationship between black politics and American law enforcement. Black demands for policing during and after the Great Migration were consistent with demands for equal access to other state services, employment opportunities, and housing options. The history of black crime politics demonstrates that demands for fair and equal law enforcement have been an enduring feature of urban black life since the early twentieth century, contradicting recent analyses that suggest that African American demands for fair policing were directly motivated by punitive carceral politics and directly resulted in the massive growth of punitive law enforcement institutions and policies.[36] Other critiques of discriminatory policing along the black political spectrum in early-twentieth-century Chicago drew attention to the violations of civil liberties that suffused interactions with police, which indicated the potential for law enforcement to encourage multiple strains of critique at times in tension with one another. State violence itself was particularly generative of critiques; the Chicago branch of the NAACP mounted a concerted campaign against police brutality in the interwar years but consistently framed police violence as a racialized civil rights violation, precluding critiques that reached across boundaries of ethnicity or class. Legal and

[35] Leslie Brown, *Upbuilding Black Durham: Gender, Class, and Black Community Development in the Jim Crow South* (Chapel Hill: University of North Carolina Press, 2008); Kevin Gaines, *Uplifting the Race: Black Leadership, Politics, and Culture in the Twentieth Century* (Chapel Hill: University of North Carolina Press, 1996);); Evelyn Brooks Higginbotham, *Righteous Discontent: The Women's Movement in the Black Baptist Church, 1880-1920* (Cambridge: Harvard University Press, 1993); Tera Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labor After the Civil War* (Cambridge: Harvard University Press, 1997); Michele Mitchell, *Righteous Propagation: African Americans and the Politics of Racial Destiny after Reconstruction* (Chapel Hill: University of North Carolina Press, 2004); Victoria Wolcott, *Remaking Respectability: African American Women in Interwar Detroit* (Chapel Hill: University of North Carolina Press, 2001).

[36] This argument is in tension with recent scholarship that has suggested that African Americans political demands precipitated the rise of mass incarceration. James Forman Jr., "Racial Critiques of Mass Incarceration: Beyond the New Jim Crow," *NYU Law Review* Vol. 87, No. 1 (2012): 101-146; James Forman Jr., *Locking Up Our Own: Crime and Punishment in Black America* (New York: Farrar, Straus and Giroux, 2017); Michael Javen Fortner, "The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws," *Studies in American Political Development* Vol. 27, No. 1 (April 2013): 14-35; Michael Javen Fortner, *Black Silent Majority: The Rockefeller Drug Laws and the Politics of Punishment* (Cambridge: Harvard University Press, 2015)

political campaigns to end police violence provided models for ongoing efforts to curtail state violence into the twentieth century, however, and highlighted the role of law enforcement in the long history of American civil rights movements.[37]

Immigrant communities in early-twentieth-century Chicago displayed a similar degree of diversity along the axes of ethnicity and class. Chicago had seen an influx of immigration since the middle of the nineteenth century, beginning with waves of Irish immigration and followed by successive immigrations of Germans, Poles, and Italians, among others, as well as growing numbers of Mexican immigrants in the early twentieth century. Historical scholarship on immigration to Chicago has noted the role of immigrant communities in the city's burgeoning industrial workforce, labor movement, and political machine.[38] The proportion of foreign-born Chicago residents fell by 1920 and continued to fall in the face of federal immigration restrictions during that decade, but the number of first and second-generation immigrants in the city remained significant during the interwar decades. The declining number of foreign-born whites, however, obscured the growing population of Latino/a immigrants in Chicago during the twentieth century, a population often undercounted by the United States Census.[39] Recently,

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[37] These findings demonstrate that critiques of law enforcement and efforts to curtail illegal police violence played an integral role in early-twentieth-century movements for black equality, building on the work of scholars who have defined a Long Civil Rights Movement. For examples of scholarly literature that adopt that framework, see Tomiko Brown-Nagin, *Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement* (Oxford: Oxford University Press, 2011); Matthew Countryman, *Up South: Civil Rights and Black Power in Philadelphia* (Philadelphia: University of Pennsylvania Press, 2006); Goluboff, *The Lost Promise of Civil Rights*; Jacquelyn Dowd Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *Journal of American History*, Vol. 91, No. 4 (2005): 1233-1263; Robert Korstad and Nelson Lichtenstein, "Opportunities Found and Lost: Labor, Radicals, and the Early Civil Rights Movement," *Journal of American History*, 75 (December 1988): 768-811; Thomas Sugrue, *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (New York: Random House, 2008); Christina Greene, *Our Separate Ways: Women and the Black Freedom Movement in Durham North Carolina* (Chapel Hill: University of North Carolina Press, 2005); Zaragosa Vargas, *Labor Rights are Civil Rights: Mexican American Workers in Twentieth-Century America* (Princeton: Princeton University Press, 2007).

[38] Cohen, *Making a New Deal*; Diamond, *Mean Streets*; Guglielmo, *White on Arrival*; McGreevy, *Parish Boundaries*; Dominic A. Pacyga, *Polish Immigrants and Industrial Chicago: Workers on the South Side, 1880-1922* (Columbus: Ohio State University Press, 1991); Philpott, *The Slum and the Ghetto*.

[39] The United States Census counted Mexicans as a separate category for the first time in 1930 although the 1920 census also provided an estimate of the number of Mexicans in Chicago. These numbers likely underestimated the number of Mexicans in the United States, however, as census enumerators were instructed to classify as Mexican

scholars have turned attention to Latino/a immigration to Chicago, tracing the gradual immigration of Mexicans and Puerto Ricans to Chicago before World War II and the more rapid growth of those communities in the post-war decades.[40] This scholarship has demonstrated the multiracial character of Chicago, a city often characterized by a black/white divide, but one that has historically been populated by many communities of color and processes of racialization that cannot be captured by a dual divide.[41]

Similarly to the criminalization of African Americans in early-twentieth-century Chicago, business elites, anti-crime reformers, and some city executives labeled new immigrants as one of Chicago's foremost crime problems, and police targeted those neighborhoods for raids and arrests particularly following rashes of criminal syndicate violence. This targeting of certain immigrant neighborhoods for criminalization also intersected with national immigration politics, reflecting nativism, immigration restrictionism, and deportation policies directed towards Mexicans. Parallel discriminatory policing tactics in African American and immigrant communities produced similar processes of criminalization in these marginalized neighborhoods, but those parallels diverged over time as some European immigrants became increasingly

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"all persons born in Mexico, or having parents born in Mexico, who are not definitely white, Negro, Indian, Chinese, or Japanese." This imprecise classification excluded Mexicans beyond second-generation immigrants, although since the Mexican community in Chicago was relatively new, the census numbers may be more accurate than in the US Southwest where Mexican communities were older. Paul Taylor, *Mexican Labor in the United States: Migration Statistics, III* (Berkeley: University of California Press, 1934), 26-27.

[40] Arredondo, *Mexican Chicago*; Lilia Fernandez, *Brown in the Windy City: Mexicans and Puerto Ricans in Postwar Chicago* (Chicago: University of Chicago Press, 2012); Michael Innis-Jiménez, *Steel Barrio: The Great Mexican Migration to South Chicago* (New York: New York University Press, 2013).

[41] I build on the work of scholars who have called for analyses of race to extend "beyond black and white," to consider how multiple communities of color have been racialized over time in relation to one another. Mark Brilliant, *The Color of American Has Changed: How Racial Diversity Shaped Civil Rights Reform in California, 1941-1978* (Oxford: Oxford University Press, 2010); Josh Kun and Laura Pulido, eds., *Black and Brown in Los Angeles: Beyond Conflict and Coalition* (Berkeley: University of California Press, 2014); Scott Kurashige, *The Shifting Grounds of Race: Black and Japanese Americans in the Making of Multiethnic Los Angeles* (Princeton: Princeton University Press, 2008); Natalia Molina, *How Race is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (Berkeley: University of California Press, 2014); Ngai, *Impossible Subjects*; Laura Pulido, *Black, Brown, Yellow, and Left: Radical Activism in Los Angeles* (Berkeley: University of California Press, 2006); Shah, *Contagious Divides*; Shah, *Stranger Intimacy*.

racialized as white and the connection between European immigrants and criminal syndicalism diminished with the repeal of Prohibition in 1933.[42] The outsized criminalization of some immigrants, however, continued into the 1930s as recent arrivals and members of their communities remained targets for arrests for street crimes and violations of federal immigration regulations. The continued targeting of certain immigrants for arrest demonstrated the uneven decriminalization of new arrivals to Chicago and indicated the role of local political and social circumstances in those processes of decriminalization, as older immigrants who had achieved political power in Chicago mostly escaped undue scrutiny. New urban spatial arrangements through the interwar decades and into the post-World War II years also influenced the criminalization of differently racialized communities, as many European immigrants found themselves able to integrate into predominantly white neighborhoods and eventually able to leave the city limits altogether, while African Americans and Mexicans became increasingly racially segregated over time.[43]

The politics of crime control also attracted urgent attention from a range of social reformers and criminal justice reformers in Chicago throughout the early twentieth century, reformers who spanned the ideological and methodological spectrum from Progressive uplift organizations and women's reform groups to conservative anti-crime businessmen and criminologists. Progressive reform organizations and settlement houses had turned their sights on

[42] The dissertation draws on and augments the recent work of Khalil Gibran Muhammad, whose work focuses attention on the urban North as a crucial site for the linkage of blackness and criminality in the decades after Emancipation. He argues that sociologists, criminologists, and other criminal justice reformers framed white city-dwellers as morally superior to their black counterparts and insisted on the impossibility of reforming the innate deviance and criminality of blacks in the urban North. The dissertation moves beyond Muhammad's intellectual and discursive analysis to consider how practices of urban policing and crime control themselves served to produce racial knowledge and establish linkages between non-whiteness and criminality. Muhammad, *The Condemnation of Blackness*.

[43] This finding draws on and contributes to scholarship of whiteness which has shown how culture, labor, and space have redefined the boundaries of white racial categories over time. I show how policing and law enforcement also played roles in the process of expanding and redefining whiteness. Guglielmo, *White on Arrival*; Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Pantheon Books, 1998); Jacobson, *Whiteness of a Different Color*; Roediger, *The Wages of Whiteness*.

problems of crime and urban disorder since the late nineteenth century, offering social services such as job training, domestic training, and housing assistance, in the interest of steering working-class and immigrant Chicagoans into productive labor rather than illegal enterprises. Chicago's reform landscape was crowded by such organizations by the early twentieth century, such as Jane Addams' Hull House, the Chicago Commons Settlement, the Juvenile Protection Association, and the Immigrants' Protective League. All of these organizations had been founded and operated by white Protestant elite women in the early twentieth century, many of them trained as social workers or sociologists. Some of those same reformers participated in municipal investigatory commissions, another dominant form of urban reform in the early twentieth century. Committees such as the Vice Commission of Chicago and the Chicago Commission on Race Relations performed exhaustive investigations of urban conditions, each producing lengthy reports on their findings accompanied by recommendations for improved urban conditions. The members of those commissions drew from among Progressive reformers as well as urban sociologists trained at the University of Chicago. In the interwar decades, a new variety of criminal justice reform also emerged among Chicago businessmen, who drew critical attention to law enforcement inefficiency and formed the Chicago Crime Commission in order to improve state operations. Recent scholarship has drawn attention to the persistent role of business and capitalist development in American political culture, and my attention to the role of anti-crime businessmen in the reform landscape of Chicago suggests that histories of capitalism must consider the relationship between business and law enforcement as well.[44] This masculine

[44] The history of American capitalism has grown rapidly in recent years, ranging from studies that examine the relationship between slavery and modern capitalist development, to the role of business in the making of modern American political culture, to late-twentieth-century developments in markets, debt, and credit. For two examples that consider the intersection of the history of capitalism and Chicago urban history, see Cohen, *The Racketeer's Progress*; Mitrani, *The Rise of the Chicago Police Department*. For representative examples of recent work on the history of American capitalism and business, see Edward E. Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014); Sven Beckert, *Empire of Cotton: A New History*

variety of urban reform stood in contrast to many Progressive organizations, although it did borrow from Progressive methodologies of urban investigation and knowledge accumulation.

Chicago reformers drew their agendas, evidence, and recommendations from local needs and circumstances, but many of those organizations also served as national models of urban improvement. Although Hull House was not the first settlement house in the United States, it became the most well-known by the early twentieth century and its publications served to instruct settlement work throughout the country.[45] Similarly, the Vice Commission of Chicago, along with New York City's Committee of Fourteen, was among the first municipal commissions to conduct a comprehensive study of urban vice conditions in the United States.[46] Its final publication, *The Social Evil in Chicago*, provided meticulous detail regarding local conditions as well as recommendations for vice eradication that could be imported to a variety of urban contexts. The same was true of the Chicago Commission on Race Relations, whose final publication, *The Negro in Chicago,* was widely read among urban sociologists and leaders of organizations such as the National Urban League.[47] Institutions such as the Municipal Court of Chicago also served as national leaders in early-twentieth-century criminal justice reform, drawing the attention of prominent jurists who viewed the local court as a model for socialized

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of Global Capitalism (London: Vintage, 2014); Angus Burgin, *The Great Persuasion: Reinventing Free Markets Since the Depression* (Cambridge: Harvard University Press, 2012); N.D.B. Connolly, *A World More Concrete: Real Estate and the Remaking of Jim Crow South Florida* (Chicago: University of Chicago Press, 2014); Louis Hyman, *Debtor Nation: The History of America in Red Ink* (Princeton: Princeton University Press, 2011); Andrew W. Kahrl, *The Land Was Ours: African American Beaches from Jim Crow to the Sunbelt South* (Cambridge: Harvard University Press, 2012); Bethany Moreton, *To Serve God and Wal-Mart: The Making of Christian Free Enterprise* (Cambridge: Harvard University Press, 2009); Julia C. Ott, *When Wall Street Met Main Street: The Quest for an Investors' Democracy* (Cambridge: Harvard University Press, 2011); Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan* (New York: W.W. Norton, 2009).

[45] Jane Addams, *Twenty Years at Hull House, With Autobiographical Notes* (New York: Macmillan Company, 1911).

[46] Joseph Mayer, *The Regulation of Commercialized Vice: An Analysis of the Transition From Segregation to Repression in the United States* (New York: Klebold Press, 1922), 52-53

[47] Muhammad, *The Condemnation of Blackness*, 238.

legal practice.[48] Interwar Chicago anti-crime activists literally fostered the national crime commission movement, traveling to urban centers through the country to instruct local activists in the formation of their own anti-crime organizations.[49] The range of interpretations of crime causation among these many Chicago reform organizations—from social and structural interpretations of law breaking, to individual explanations, to environmental causes—and the shifts in those interpretations over time also served as a bellwether for crime politics throughout the country. Progressive organizations in the early twentieth century and into the interwar decades tended to interpret law breaking and deviance as functions of social circumstances and recommended economic and environmental improvement as a solution. Anti-crime activists, by contrast, largely interpreted crime as an individual choice to violate the law, divorcing law breaking from the social and economic contexts that had been the focus of many Progressive reform organizations in the city.[50] As a result of their national influence and their signification of national trends, Chicago reformers served as a critical index to changes in crime control politics in the early-twentieth-century United States.

Federal officers of the state also played a role in the local politics of crime control, particularly with regard to the federal ban on alcohol and federal restrictions on immigration. In chapters that treat each of those topics, federal officers from the Bureau of Prohibition and the Bureau of Immigration play active roles in shaping urban law enforcement, pursuing campaigns to enforce federal statutes. These federal officers interacted with and collaborated with local law enforcement officials, particularly police, in pursuit of their own crime control campaigns. Other

[48] Willrich, *City of Courts.*
[49] Ernest Burgess, et al., "Survey of the Chicago Crime Commission," 1950, p. 11-12, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Ernest Watson Burgess Papers 1886-1966, University of Chicago Special Collections [hereinafter Burgess Papers].
[50] Knupfer, *Reform and Resistance*; Alice O'Connor, *Poverty Knowledge: Social Science, Social Policy, and the Poor in Twentieth-Century US History* (Princeton: Princeton University Press, 2000); Willrich, *City of Courts.*

efforts to intervene in urban crime control came in the form of federal investigations and recommendations for the improvement of law enforcement, particularly from the National Commission on Law Observance and Enforcement, a federally convened committee of criminologists and other reformers who sought to improve state efficiency. The many reports produced by this committee provided a wealth of information about the condition of law enforcement in many cities throughout the country, although its lack of enforcement power resulted in few changes to current practice. Scholars of early federal policing efforts have noted the relationship between federal criminal law and the gradual building of the federal state, but my work reorients that focus to the local scale to show how federal law enforcement shaped local crime control priorities and how efforts to impose urban order drew on the capacity of the federal state in the early twentieth century.[51]

Police themselves populate every chapter of the dissertation, as principal agents of the coercive state. The opacity of Police Department records poses an archival problem for those interested in the internal composition of the department, but occasional profiles of Chicago police officers in the late nineteenth and early twentieth centuries revealed that the department was staffed predominantly by first and second-generation European immigrants, particularly Irish and Germans.[52] Scholars of early-twentieth-century urban policing have show how police often acted as agents of political machines or criminal syndicates rather than officers of law

[51] McGirr, *The War on Alcohol*; Jessica R. Pliley, *Policing Sexuality: The Mann Act and the Making of the FBI* (Cambridge: Harvard University Press, 2014); Claire Bond Potter, *War on Crime: Bandits, G-Men, and the Politics of Mass Culture* (New Brunswick: Rutgers University Press, 1998).

[52] The Chicago Police Department itself shreds its records on seven-year cycles. Although the department is reputed to have retained a fair amount of uncatalogued materials, it denies access to academic researchers, forcing historians to rely on independent investigations and news sources as chief sources of historical information about the police. Richard C. Lindberg, *To Serve and Collect: Chicago Politics and Police Corruption from the Lager Beer Riot to the Summerdale Scandal* (New York: Praeger, 1991), 339; Mitrani, *The Rise of the Chicago Police Department*,10.

enforcement or defenders of the rule of law.[53] Patrolmen were often responsible for policing the very neighborhoods from whence they came, and many also had personal and financial relationships with criminal gangs. Police officials—district commanders, sergeants, and the department superintendent—held authority to direct police policy and to discipline their officers, often shielding them from discipline in instances of illegal violence or other misconduct. Other state officers with the discretion to direct crime control efforts also worked in tandem with police, particularly members of the State's Attorney's Office, the Chicago City Council, the Civil Service Commission, and the Chicago Mayor's Office. During the early twentieth century, the Chicago Republican and Democratic political machines vied for control of the mayor's office, trading control of the office until 1933, when the election of Anton Cermak initiated the beginning of sole Democratic power over the mayor's office. Chicago mayors often used crime control campaigns for political purposes, deploying law and order rhetoric to appease certain voters or tolerating illegal activity to satisfy others.

"The Politics of Crime Control" is a political history of urban policing from the early twentieth century through the years immediately following WWII, utilizing the methodological boundaries of an urban historical case study. Chicago exemplified the range of urban changes that animate the central questions of the dissertation; over the course of the early twentieth century, it saw massive African American migration, immigration, industrialization and labor organization, multiple movements for reform, and ongoing efforts for crime control. Chicago was a city with a reputation for notorious criminality but also one that drew sustained attention from criminal justice reformers and intellectuals concerned with race relations, urban

[53] Frank J. Donner, *Protectors of Privilege: Red Squads and Police Repression in Urban America* (Berkeley: University of California Press, 1990); Robert M. Fogelson, *Big-City Police* (Cambridge: Harvard University Press, 1977); Mark H. Haller, "Historical Roots of Police Behavior: Chicago, 1890-1925," *Law and Society Review* Vol. 10 (1975): 303-323; Eric H. Monkkonen, *Police in Urban America* (Cambridge: Cambridge University Press, 1981).

development, and crime. As a result, the urban archive of Chicago is an exceptionally rich site through which to study the historical relationship among race, crime, and policing.[54] The dissertation draws on this capacious archive, including municipal, state, and federal government records, investigatory commission reports and research records, news reports, historical sociology and criminology, the records of civic reform organizations, and the records of social reform and racial improvement organizations. While it takes account of broader political shifts in the early twentieth century, the dissertation maintains a close narrative focus on the city of Chicago, drawing on the methodological models of urban historians who have traced changes in national political culture and political economy through a local urban case study.[55] The urban historical focus on locality served as the best methodological approach to answer my questions about how routine interactions between the law enforcement officers and city residents shaped the arc of crime control campaigns and the relationship between criminality and racial categories

[54] Although the internal records of the Chicago Police Department are inaccessible, the records of Chicago reform organizations and University of Chicago urban researchers have been preserved and provide a window into city politics, criminal justice reform, and policing. For collections relevant to those themes, see American Civil Liberties Union, Illinois Division Records 1920-1982, University of Chicago Special Collections Research Center hereinafter IL ACLU Records]; Burgess Papers; Chicago Crime Commission Archive [hereinafter CCC Archive]; Chicago Urban League Records, University of Illinois at Chicago Special Collections [hereinafter CUL Records]; Dever Papers; The Illinois Writers Project: "Negro in Illinois" Papers, Vivian G. Harsh Research Collection of Afro-American History and Literature, Chicago Public Library [hereinafter IWP Papers]; Immigrants' Protective League Records, University of Illinois at Chicago Special Collections [hereinafter IPL Records]; JPA Records; Secretary of State (Executive Department), Executive Records, Miscellaneous Manuscripts, Illinois State Archives [hereinafter Sec. of State Records].

[55] Most of the models I have emulated here are draw from post-war metropolitan history, as well as twentieth century urban and cultural history. For representative examples of this methodological approach to urban and political history, see George Chauncey, *Gay New York: Gender, Urban Culture, and the Makings of the Gay Male World, 1890-1940* (New York: Basic Books, 1994); Connolly, *A World More Concrete*; Countryman, *Up South*; Diamond, *Mean Streets*; Lily Geismer, *Don't Blame Us: Suburban Liberals and the Transformation of the Democratic Party* (Princeton: Princeton University Press, 2014); Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton: Princeton University Press, 2006); Murch, *Living for the City*; Suleiman Osman, *The Invention of Brownstone Brooklyn: Gentrification and the Search for Authenticity in Postwar New York* (Oxford: Oxford University Press, 2011); Beryl Satter, *Family Properties: Race, Real Estate, and the Exploitation of Black Urban America* (New York: Metropolitan Books, 2009); George J. Sanchez, *Becoming Mexican American: Ethnicity, Culture, and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford University Press, 1993); Shah, *Contagious Divides*; Robert O. Self, *American Babylon: Race and the Struggle for Postwar Oakland* (Princeton: Princeton University Press, 2003); Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton: Princeton University Press, 1996); Willrich, *City of Courts*.

over the early twentieth century. Policing is necessarily local, and it was in those immediate, daily interactions that most Chicagoans experienced the authority of the coercive state to impose order on the diversifying city.

The history of Chicago itself, however, was not exceptional but rather demonstrated keen similarities to coercive state projects in other American cities during the early twentieth century. Most major American urban centers experienced similar social, political, and economic disruptions in this period, through waves of African American migration, immigration, and industrialization, and demonstrated similar investment in marshaling the coercive state to resolve those disruptions. Concerns regarding urban disorder prompted debate among urban leaders and reformers regarding the best way to restore order and often resulted in the increased policing of supposedly criminal, deviant, or indigent populations. Other urban contexts demonstrated a similar investment in the restoration of order in the early twentieth century, but did not always deploy crime as the primary discourse of urban disorder. In Chicago, crime dominated the public and political discourse, as most urban leaders and reformers coded urban problems as ones of crime and deviance due to the city's long history of criminal syndicalism and prevalence of street crime. As a result, the coercive state model found in early-twentieth-century Chicago prioritized police as foremost agents of restoring order, at times in need of reform themselves. City leaders and reformers in other urban centers sometimes prioritized the work of other state actors such as public health officials, housing authorities, or social workers, demonstrating how the achievement of urban order through coercive state projects was ultimately contingent on local political circumstances and social conditions.

Similarly to Chicago, cities with robust vice economies such as New York City saw reform movements and Progressive vice commissions investigate and attempt to eradicate

immoral activity in the early twentieth century, utilizing the methods of urban investigation deployed by the Vice Commission of Chicago and the Chicago Commission on Race Relations. The effects of vice reform in New York resulted in similar associations between deviance and black urban space, as police tended to resolve the problem of vice districts by ushering illicit establishments into black and working-class neighborhoods.[56] Western cities that saw influxes of Chinese and Latino/a immigration in the late nineteenth and early twentieth centuries deployed a range of state strategies to surveil and restrict those growing populations, such as residential segregation and strict public health regulations. The public discourse surrounding Chinese immigration in cities like San Francisco resembled that concerning African Americans and certain immigrants in Chicago, as some city leaders and reformers anticipated that those new populations would bring criminality and deviance to the city. Some Western cities differed in the primary state agencies utilized to discipline new immigrant communities, as public health officers and social workers—in addition to police officers—surveilled Chinese and Latino/as.[57] Other Northern urban centers like Detroit saw surges of African American migration in the early twentieth century and deployed similar techniques of black segregation and discriminatory policing among black neighborhoods. These discriminatory processes resulted in a similar development of black crime politics rooted in respectability, akin to the strain of black law and order politics that developed in early-twentieth-century Chicago.[58] The elaboration of black crime control politics in the urban North suggested that the Great Migration was a critical

[56] Chauncey, *Gay New York*; Fronc, *New York Undercover*; Chad Heap, *Slumming: Sexual and Racial Encounters in American Nightlife, 1885-1940* (Chicago: University of Chicago Press, 2009).
[57] Chávez-Garcia, *States of Delinquency*; Molina, *How Race is Made in America*; Shah, *Contagious Divides*.
[58] Sugrue, *The Origins of the Urban Crisis*; Thomas, *Life for Us is What We Make It*; Wolcott, *Remaking Respectability*; Olivier Zunz, *The Changing Face of Inequality: Urbanization, Industrial Development, and Immigrants in Detroit, 1880-1920* (Chicago: University of Chicago Press, 1982).

component in the process of developing that form of black political discourse in the context of growing black urban populations and the discriminatory policing they received.

The dissertation moves from the turn of the twentieth century through the interwar decades and ends in the years following WWII, tracing successive waves of black migration, European and Mexican immigration, post-war demobilization, and crime control campaigns. Each of its seven chronologically and thematically structured chapters examines a set of actors engaged in a problem of crime control or urban disorder and considers the critiques and reforms generated as a result. Together, they demonstrate points of consensus and tension regarding the relationship among lawfulness, urban order, and racial politics across a wide scope of historical actors, including city officials, police officers, municipal reformers, black migrants, immigrants, labor organizers, and business elites. Chapter 1, "Police Discretion and Racial Geographies in Migration-Era Chicago," sets the stage for the conflicts surrounding crime control, urban order, and police discretion in the decades to come. It examines the rapidly changing social landscape of the city during the first period of massive African American migration and considers how police discretion shaped the decriminalization of white racial violence, the defense of racial neighborhood boundaries, and the association between crime and black urban space.

The next two chapters turn attention to the years immediately following World War I, as the city saw increasing racial violence and some city leaders anticipated a post-war crime wave. Chapter 2, "Crime and Vicious Environment: The 1919 Chicago Race Riot and Black Crime Politics After WWI," narrates this notorious incident of massive racial violence with particular attention to the causal role of police in initiating and perpetuating the conflict. It also considers the post-riot investigation of the Chicago Commission on Race Relations, which leveled pioneering critiques of police discrimination and uncovered significant tensions among law

enforcement institutions with regard to race and criminality. Chapter 3, "The Cost of Crime: Business, Anti-Crime Activism, and Police State Building in Interwar Chicago," turns attention to the crime commission movement and efforts among urban businessmen to impose lawfulness on the city. It traces the points of resonance and departure between this anti-crime initiative and Progressive reformers in Chicago, demonstrating a shared investment in urban order among those movements but contrasting methods of improving state efficiency.

The following two chapters examine crime control campaigns that emerged from Chicago's post-WWI reform efforts and the consequences of those campaigns for urban inequality and racialization. Chapter 4, "Beer Wars and Black and Tans: Policing the Color Line During Prohibition," traces efforts to control crime in the Prohibition-era city and the effects of law and order politics during that decade. It finds that the rhetoric of law and order provided political cover for the disparate policing of racially marginalized communities, including the harassment of interracial couples, raids of integrated public spaces, and massive arrests in African American neighborhoods. Chapter 5, "Crime and the Foreign Born: Deportation Drives in the Depression Years," examines the consequences of similar policing among Chicago's immigrant neighborhoods as local officers refuted accusations of corruption and inefficiency through repeated raids and mass arrests for supposed immigration violations. These raids intersected with national anti-immigrant politics and represented a similar if distinct form of racialization through policing.

Violence—ranging from white popular violence and violent crime to state violence and state complicity in many forms of violence—runs throughout every chapter of the dissertation, but the penultimate chapter takes violence as its focus. Chapter 6, "Lawlessness in Law Enforcement: Police Violence and the Chicago NAACP Campaign Against Brutality," traces the

scope of police violence in interwar Chicago, showing that brutality was so endemic among police-citizen interactions it was tantamount to official policy. The chapter considers the Chicago branch of the NAACP's concerted legal campaign against police violence in the 1930s as well as its political and strategic limitations as a method to critique this most egregious use of police discretion. The final chapter turns attention to the years following World War II, mirroring the first chapter's focus on the consequences of post-war politics and massive migration. Chapter 7, "War, Migration, and the Law Enforcement Landscape of Mid-Century Chicago," concludes the dissertation by returning to the themes of migration, white racial violence, and police discretion. It demonstrates points of continuity in the criminalization of black urban space and the decriminalization of white racial violence along with keen differences in the urban legal and social landscape after the repeal of Prohibition and the intensified migration of African Americans to Chicago.

CHAPTER 1

POLICE DISCRETION AND RACIAL GEOGRAPHIES IN MIGRATION-ERA CHICAGO

On June 16, 1919, a bomb exploded in the basement of the home of William B. Austin. The Austin home was located on Bellevue Avenue near Lake Shore Drive, nestled among the ornate mansions of Chicago's tony Near North Side neighborhood. Austin was a white attorney who had recently rented a property on Grand Boulevard to Gertrude Harrison and her children, an African American family. The rental property was located near the concentration of black Chicagoans on the city's South Side, although the home was on a block with no other black residents. The integration of the block promoted violent threats to the Harrison home after the family took up residence there in March 1919. After receiving a warning that white neighbors planned to bomb her house, Mrs. Harrison notified the Forty-Eighth Street police station, where an officer informed her that this was likely "idle talk."[1] These warnings turned out to be anything but idle, however, when bombs exploded at Mrs. Harrison's home on the following two nights. Despite prior notifications and clear evidence indicating the apartment from which the second bomb had been thrown, "police failed to question either the persons living in the apartment or those leaving it immediately after the explosion…No arrests were made."[2]

[1] Chicago Commission on Race Relations, *The Negro in Chicago,* 129.
[2] Ibid.


LAKE SHORE DRIVE DISTRICT'S TASTE OF BOMB WARFARE

Effects of Dynamite on Home of William B. Austin, Who rented a South Side House to Negroes; Attorney Austin and His Offer of Reward, Which He Raised to $2,000 After the Blast.

PERSONAL—I WILL GIVE $500 REWARD for evidence leading to the arrest and conviction of the criminals who bombed my house at 4807 Grand-blvd. in May; also $100 for the identification of the man who threatened me over the phone at my residence Sunday. Address Y 375, Tribune.

PERSONAL— COMPENSATION WILL BE given

FIGURE 1.1: "LAKE SHORE DRIVE DISTRICT'S TASTE OF BOMB WARFARE," 1919[3]

Following the two attacks on Mrs. Harrison's Grand Boulevard house, William Austin received an anonymous phone call, promising more violence if he refused to evict the Harrison family. According to Austin, the caller asked, "Are you going to evict those two tenants," to which he responded, "I own the property and I can do what I choose with it. The tenants are highly respectable."[4] Just the day after, Austin placed an advertisement in the *Chicago Daily Tribune*, seeking information regarding the ongoing attacks: "I will give $500 reward for

[3] "LAKE SHORE DRIVE DISTRICT'S TASTE OF BOMB WARFARE," *Chicago Daily Tribune,* June 17, 1919.
[4] "Lake Shore Home Blasted in Negro War," *Chicago Daily Tribune*, June 17, 1919.

evidence leading to the arrest and conviction of the criminals who bombed my house at 4807 Grand-blvd in May; also $100 for the identification of the man who threatened me over the phone."[5] Several months after the incident, the real estate periodical *Property Owners' Journal* claimed that Austin had "violat[ed] a gentleman's obligation to his community in selling a home to a Negro."[6] It was apparently the violation of this unspoken agreement that prompted the attack on Austin's home in June, as a part of the ongoing defense of the color line in early-twentieth-century Chicago.

In the days after the Austin home bombing, *Chicago Defender* contributor Nahum Daniel Brascher lamented the frequency of these racially motivated attacks, telling readers "These exhibitions have increased rather than diminished until it has been regarded as a rather dull week if the home…of some one or more of our group is not bombed in some mysterious manner."[7] Brascher referred to the years-long campaign of racial violence in Chicago that had begun in earnest in 1917. As the black population of the city grew in the years following World War I, housing became increasingly scarce in the narrow South Side Black Belt, and those with the means to do so began to seek accommodations elsewhere in the city. Those attempts at desegregation elicited violent retaliation, as white homeowners associations repeatedly bombed black homes and the homes of those who would rent to black residents, with practically no response by police, many of whom lived among those homeowners associations and likely actively collaborated with them.[8] Although police always claimed ignorance of the perpetrators of these attacks, local news outlets and later investigations into the violence declared that white

[5] "Lake Shore Drive District's Taste of Bomb Warfare," *Chicago Daily Tribune,* June 17, 1919.
[6] Chicago Commission on Race Relations, *The Negro in Chicago,* 124.
[7] Nahum Daniel Brascher, "Bedlam of Bombs: Time for Real Action," *Chicago Defender*, June 21, 1919.
[8] Chicago Commission on Race Relations, *The Negro in Chicago,* 122-123.

neighborhood associations—particularly those in the South Side Kenwood and Hyde Park neighborhoods—had orchestrated the ongoing campaign of violence.[9]

Although most home bombings in early-twentieth-century Chicago received little if any concerted police response, upon first notice of the explosion at the Austin home on June 16th, a group of police officers from the Chicago Avenue station rushed to the scene. The first accounts of the crime reported that the bomb had exploded at the home of wealthy businessman and Rockefeller son-in-law Harold F. McCormick. The McCormick residence was just a block away from Austin's house on Bellevue Avenue, and the first witnesses assumed that the industrialist McCormick had been victim of an attack by labor unionists. Those initial false reports prompted a rapid response from city police, as "the vast machinery of the Chicago Police Department was started into action to round up what were considered perpetrators of a bolshevik or I.W.W. outrage."[10] However, when police arrived on the scene and learned that the bombing was not an attack on McCormick's home by a group of International Workers of the World operatives or other labor radicals but rather a racially motivated attack on a landlord who had rented to a black tenant "They expressed intense relief when they learned of the real motive underlying the attack."[11] The officers quickly dispersed from the scene, as this racially motivated attack on black upward mobility and residential integration failed to merit the urgency that a supposed attack on one of the city's most prominent owners of capital had elicited. Despite the quick retreat of officers from the scene, Lieutenant Flanigan of the Chicago Avenue police station later assured the Austin family that a full investigation would be made, informing them "We expect to

[9] Nahum Daniel Brascher, "Bedlam of Bombs: Time for Real Action," *Chicago Defender*, June 21, 1919; "Rev. A. J. Carey Denounces Hyde Park Protective Association," *Chicago Defender*, November 1, 1919; Chicago Commission on Race Relations, *The Negro in Chicago,* 129-132; National Association for the Advancement of Colored People, "Investigations of Hyde Park Property Association," Undated, Register T, Box 2, Folder 37: Johnson, Charles S.—Director, Records & Research--Chicago Urban League—Report of the NAACP for 1919, Charles S. Johnson Papers, 1866-1956, Registers K-W, Fisk University Special Collections [hereinafter Johnson Papers].
[10] "Lake Shore Home Blasted in Negro War," *Chicago Daily Tribune*, June 17, 1919.
[11] Ibid.

have a tangible clew [sic] shortly."[12] These reassurances proved hollow, however, as no arrests were made in the attack on Austin's home, nor in the series of attacks on the house he had rented to Mrs. Harrison and her family.

The attack on the Austin home in June of 1919, and the racially motivated bombings that led up to and followed the incident, captured the victimization of blackness and the power and consequences of police discretion in early-twentieth-century Chicago. Despite widely circulating knowledge that white homeowners' associations had coordinated and perpetrated the ongoing attacks on the growing black population of Chicago, police rarely if ever made an arrest in these instances of white racial violence. Fifty-eight home bombings took place between July 1917 and March 1921; the majority of the attacks occurred within a few blocks of the black South Side, as white Chicagoans attempted to harden the boundaries of the growing black district.[13] Instead of investigating these criminal acts, police repeatedly decriminalized white racial violence through the exercise of official discretion; among those 58 attacks, police made a mere two arrests. One of the men arrested was later released on a $500 bond, while the other was held for police surveillance for two days and then released.[14] Neither was ever convicted of a crime. Black leaders and aldermen repeatedly appealed to the mayor and superintendent of the Chicago Police Department, asking them to thoroughly investigate and halt the bombings.[15] When city law enforcement officials refused to do so, the Chicago Commission on Race Relations later observed that "the Negro population grew to trust less and less in the interest of the community and public agencies of protection."[16] Police failure to make arrests in the bombing of black

[12] "Lake Shore Home Blasted in Negro War," *Chicago Daily Tribune*, June 17, 1919.
[13] Chicago Commission on Race Relations, *The Negro in Chicago,* 123.
[14] Ibid.
[15] Ibid, 124; "Negro Editor Wants Mayor to Stop Bombings," *Chicago Daily Tribune*, May 4, 1921.
[16] Chicago Commission on Race Relations, *The Negro in Chicago,* 124.

homes and their failure to investigate widely held knowledge about the perpetrators of the attacks resulted in the implicit endorsement of the violent defense of the urban color line.

The culmination—although not the conclusion—of this concerted campaign of white racial violence occurred just a month after the bombing of the Austin residence, when the city was gripped by eight days of racial violence in an event that came to be known as the 1919 Chicago Race Riot.[17] The incident that touched off the riot was not a home bombing, but it was another instance of the violation and subsequent violent defense of the color line, in which police allowed and encouraged white racial violence first at a Chicago lakefront beach and then throughout the city. The accidental integration of one of the city's beaches incited a group of white onlookers to attack and kill a young black swimmer. When black witnesses demanded than an observing policeman arrest the guilty parties, he refused; the ensuing confrontation between black beachgoers and the officer escalated and became violent, engulfing the city in a violent riot that eventually required the arrival of the state militia in order to quell the chaos.

Police officers in early-twentieth-century Chicago—the arm of the coercive state in the city streets—decided when and where to enforce the law, resulting in the uneven application of law, the decriminalization of some communities, and the disproportionate criminalization of others. Police deployed discretion in a variety of ways that resulted in the further enforcement of the urban color line and the association of blackness and criminality.[18] As the black population of Chicago grew over the first few decades of the twentieth century, African Americans became increasingly overrepresented among arrests while public debates about crime in the city also marked African Americans—particularly new Southern migrants—as a particular source of law breaking. Police and other official discretion also played a critical role in the construction of

[17] Chapter 2 explores the role of police discretion in the advent of the riot, state violence during the riot itself and the strategies for reform advanced in the years following.
[18] Muhammad, *The Condemnation of Blackness.*

criminal geographies and illegal markets in the city, particularly with regard to the sale of vice and other supposedly immoral conduct. As reformers demanded the closure of the city's notorious vice districts in the first decades of the twentieth century, police encouraged those enterprises to move into the predominantly African American Black Belt. Through daily interactions with the police, Chicagoans encountered the state and navigated the power of state actors to leverage their authority to enact and enforce racial boundaries. These processes reflected the particular urban landscape and social politics of Chicago, including the shifting racial geography of the city over the course of the Great Migration and the relationship between white ethnic crime syndicates and the city's police force.

In early-twentieth-century Chicago, policing and the deployment of police discretion was a critical site of racial formation.[19] The locally contingent decisions of police officers made meaning for racial categories, making black Chicagoans the objects of violence and discriminatory law enforcement while decriminalizing white racial aggression by failing to make arrests. Police encouragement of illegal enterprises and underpolicing in black neighborhoods, disproportionate black arrests, and inflated statistics on black crime all contributed to the growing association of blackness and criminality and the decriminalization of white racial violence. A number of intersecting structures worked in concert during the first half of the twentieth century to erect racial boundaries in Chicago—racially restrictive real estate practices,

[19] My analysis here draws on the work of racial formation theorists and scholars who have applied racial formation theory to historical study. Racial formation theory provides that race is an unstable and historically specific category defined through micro-level social relations such as individual interactions and social contexts, and macro-level relations such as ideologies and institutions. Historians have deployed racial formation theory to demonstrate the historical contingency of racial orders and racial projects and the relational relationship among various racial categories often defined simultaneously and constitutively with regard to one another. For the formative work of racial formation theory, see Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to the 1980s* (New York: Routledge & Kegan Paul, 1986). For historical work that has usefully deployed racial formation theory to analyze historical racial projects, see Neil Foley, *White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley: University of California Press, 1997); Gross, *What Blood Won't Tell*; Laura E. Gómez, *Manifest Destinies: The Making of the Mexican American Race* (New York: New York University Press, 2007); Haney López, *White By Law*; HoSang, *Racial Propositions*; Molina, *How Race is Made in America*; Shah, *Contagious Divides.*

employment discrimination, and urban politics among them.[20] Police discretion and its role in crime control policy represented another critical component of urban racial politics, especially insofar as police drew upon the authority of the state to enforce racial boundaries and define the meaning of legality on the city streets. The diffusion of law enforcement authority and the near total power of police discretion meant that the construction of racialized categories of criminality occurred through dispersed law enforcement institutions informed by local knowledge and politics. Local state institutions, reform and racial justice organizations, and individual citizens forged this site of racial formation as they navigated the exigencies of stopping crime and securing fair law enforcement.

Police Discretion and the Making of a Wide Open Town

It was 2:30 in the morning on October 31, 1910, but one of the saloons on Chicago's Wabash Avenue was still crowded and noisy. Two out-of-towners sat at the bar, accompanied by two prostitutes. The men stood out in the busy saloon; they appeared to be farmers visiting the city and looking for a thrill. But their night of amusement was cut short when they argued with the waiter about the price of their drinks and were ejected from the establishment. Angry at this injustice, the farmers found two policemen patrolling nearby and brought the officers back to the Wabash saloon. The officers spoke to the waiter for a moment, but then turned to the farmers and

[20] The historical literature of black Chicago has meticulously catalogued black urban develop and racial exclusion in the first half of the twentieth century. For one of the earliest analyses of black urban development in Chicago, Cayton and Drake, *Black Metropolis*. For historical scholarship that considers the intersection of black migration and urban development, see Baldwin, *Chicago's New Negroes*; Beth Tompkins Bates, *Pullman Porters and the Rise of Protest Politics in Black America, 1925-1945* (Chapel Hill: University of North Carolina Press, 2001); Cynthia Blair, *I've Got To Make My Livin': Black Women's Sex Work in Turn-of-the-Century Chicago* (Chicago: University of Chicago Press, 2010); Marcia Chatelain, *South Side Girls: Growing Up in the Great Migration* (Durham: Duke University Press, 2015); Diamond, *Mean Streets*; Margaret Garb, *Freedom's Ballot: African American Political Struggles in Chicago from Abolition to the Great Migration* (Chicago: University of Chicago Press, 2014); Grossman, *Land of Hope*; Helgeson, *Crucibles of Black Empowerment*; Philpott, *The Slum and the Ghetto*; Spear, *Black Chicago.*

instructed them to "beat it or they would be arrested."[21] Surprised, the farmers hesitated, but finally left when one of the officers threatened to strike them with his club. Satisfied, the policemen covered their badges with their hands as they walked through the saloon; they walked to a back closet, where they exchanged their uniforms for casual clothing. They sat down in the still-bustling establishment, next to the same prostitutes with whom the farmers had been drinking. The waiter declined to charge the officers for their drinks, and they proceeded to enjoy a pleasurable late night. The city investigator who witnessed the scene recognized the officers as the patrolmen who had been assigned to police the district that night.[22] That investigator was a member of the Vice Commission of Chicago, a municipal organization charged with examining vice activity in the city; his description of the scene was later included in the commission's comprehensive report, *The Social Evil in Chicago.*

Chicago had held a reputation as a "wide open town" since the late nineteenth century, meaning that police, including both patrolmen and police officials, deployed their official discretion to encourage and profit from two notorious vice districts as well as several smaller areas of illicit activity throughout the city.[23] Illinois state legislators never legalized enterprises including prostitution, gambling, and unlicensed liquor sales, but Chicago proprietors of these operations knew well that a relationship with a police district captain would allow them to operate without much interference thanks to the power of police to use their discretion to allow vice to operate uninterrupted. In fact, it was so well known that the Chicago Police Department

[21] Vice Commission of Chicago, *The Social Evil in Chicago,* 156.
[22] The Vice Commission of Chicago withheld specific names and locations from its report, so it impossible to know the exact location of this particular saloon. But considering the patterns of saloon proprietors and prostitution soliciting in 1910, this incident probably occurred somewhere between Twelfth and Twenty-Second Streets.
[23] Vice was an expansive term used by early-twentieth-century Chicagoans to refer to prostitution, but also sometimes encompassed activities such as the sale of liquor, gambling, or referred generally to working-class cultural spaces like saloons and concert halls. The term is laden with sexual and racial implications and was often used to marginalize certain urban spaces and the people who inhabited them. Due to these historical meanings, some scholars choose to avoid using the term. It is used here not to refer normatively to establishments such as saloons, brothels, and gambling houses, but to indicate the moral assumptions of the historical actors who used the term.

protected and profited from vice establishments in designated areas of the city that some framed the practice as official policy.[24] City aldermen also played a crucial role in the system of protecting vice districts, as they often promised support to the mayor's office in exchange for power over police appointments in their wards.[25]

Police discretion shaped the geography of Chicago's vice economy as patrolmen concentrated vice operations in two distinct districts until the second decade of the twentieth century. The commercialization of vice in Chicago began in the late nineteenth century when the city's most prominent vice district, known as the Levee, grew in size and notoriety. Bounded by Van Buren Street to the north and Twelfth Street to the south and stretching between Clark Street to the west and State Street to the east, the Levee abutted Chicago's central business district.[26] Brothels and saloons occupied the Levee, but it was also a working-class neighborhood and provided a home for successive waves of migrants to Chicago, including Irish and German immigrants and African Americans.[27] Police officers exercised individual discretion with regard to which houses of prostitution or other vice establishments operated in the Levee, and patrolmen would often partake in illicit entertainment themselves. A 1904 investigation of policing maintained that officers thought nothing of abandoning their posts in the Levee to enjoy a drink in a saloon—much as the officers at the Wabash Avenue tavern had done in 1910—and would even allow soliciting that took place openly in the streets.[28]

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[24] "Crusade Rebuke for the Police," *Chicago Daily Tribune*, April 4, 1905; "Mayor Aims at Dives," *Chicago Record-Herald*, May 30, 1905; "City and County to War on Vice," *Chicago Daily Tribune*, June 1, 1905; "The Mayor's Vice Zones," *Chicago Daily Tribune*, June 2, 1905.
[25] Most notorious for their involvement in this system of quid pro quo were John Coughlin and Michael Kenna, aldermen from Chicago's first ward where the city's two most robust vice districts were located in the early twentieth century. Lindberg, *To Serve and Collect,* 126.
[26] Heap, *Slumming,* 39.
[27] Blair, *I've Got To Make My Livin',* 53.
[28] Alexander R. Piper, *Report of an Investigation of the Discipline and Administration of the Police Department of the City of Chicago* (Chicago: City Club of Chicago, 1904), 42.

During the first few years of the twentieth century, real estate near Chicago's central business district became increasingly desirable to railroad companies and manufacturers as they looked for low rents and close access to the downtown shopping district.[29] In order to encourage the construction of new railroad lines and the growth of industry, Mayor Carter Harrison directed police officers to shut down the Levee in 1904. That year, the Police Superintendent's annual report to the Chicago City Council maintained, "There remains but an insignificant remnant soon to disappear, where once flourished scenes of lewdness impossible to imagine at present."[30] Following the mayor's instructions, police closed the Levee but exercised their discretion to move illicit establishments south; most relocated to a new vice district between Eighteenth Street to the north and Twenty-Second Street to the south, and between Clark Street to the west and Wabash Avenue to the east.[31] Known as the Twenty-Second Street Levee, police protected this new vice district for the next seven years until that real estate similarly became desirable to the city's growing railroad industry.

Progressive critics of the Police Department's role in the vice trade highlighted the undue authority that police discretion placed in the hands of patrolmen themselves, arguing that it undermined the power of the state legislature and compromised the rule of law in the city. In 1905, Chicago Mayor Edward F. Dunne proposed to formalize the boundaries of vice districts in Chicago, a plan that would have effectively removed the power to decide the boundaries of the vice economy from police patrolmen themselves.[32] Dunne's plan met with vocal opposition from a variety of actors invested in the coercive state and its project to impose middle-class moral

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[29] Homer Hoyt, *One Hundred Years of Land Values in Chicago: The Relationship of the Growth of Chicago to the Rise in its Land Values, 1830-1933* (Chicago: University of Chicago, 1970), 142; Lindberg, *To Serve and Collect*, 130.
[30] *Report of the General Superintendent of Police of the City of Chicago to the City Council for the Fiscal Year Ending December 31, 1904* (Chicago, 1904), 26.
[31] Heap, *Slumming*, 40.
[32] "Wants Vice in Bounds," *Chicago Record-Herald*, May 31, 1905.

standards, including Protestant ministers, women's reform organizations, urban property owners, and State's Attorney John J. Healy. Ministers and women reformers insisted that only the complete eradication of vice could protect the morality of the city, while a number of property owners criticized the negative impact that vice districts would have on their nearby property values.[33] State's Attorney Healy, however, critiqued Dunne's proposal based on the implications it would have for the authority of the state. While Healy acknowledged that the total eradication of vice was likely impossible, he insisted that Chicago Police officers should enforce the law to the best of their ability and end the local toleration of vice, as "It in the first place shows a weakness on the part of the authorities to legalize vice in any form."[34] Healy's critique of vice toleration highlighted how the discretionary decisions of various state agencies could come into conflict with one another especially as they demonstrated tensions in the interpretation of the proper enforcement of the law.

This range of critiques took on institutional form with the establishment of the Vice Commission of Chicago (VCC) in 1910, an investigatory group formed by Mayor Fred A. Busse following urgent demonstrations by anti-vice reformers.[35] The work of the Vice Commission culminated in April 1911 with the publication of its exhaustive report, *The Social Evil in Chicago.*[36] The VCC unanimously recommended the complete eradication of vice from Chicago, repudiating Mayor Dunne's vice districting plan of 1905 and emphasizing the need to preserve the rule of law. The VCC drew attention to the undue power of police officers to legalize illicit activity at their own discretion "In place of enforcing the law the police have been allowed to

[33] "Fight on Levee Plan: Property Owners Opposed to Dunne's Scheme for the Segregation of Vice," *Chicago Record-Herald*, June 1, 1905.
[34] "City and County to War on Vice," *Chicago Daily Tribune*, June 1, 1905.
[35] "Chairman and Six Other Members of the Mayor's Vice Commission," *Chicago Daily Tribune*, March 6, 1910.
[36] Ibid; *Proceedings of the City Council of the City of Chicago*, (Chicago: May 2, 1910), 30; *Proceedings of the City Council of the City of Chicago*, (Chicago: July 5, 1910), 1000.

adopt arbitrary rules and uncertain regulations of their own…We have, then, a combined administrative and legislative power in the hands of a department of the local government."[37] The VCC identified the conflation of legislative and executive power that police discretion produced and emphasized the inviolability of Illinois criminal law above all else "It must not be forgotten that the law cannot be made subservient to any rules and regulations by any group of officials, whether they believe the law wise or unwise, effective in operation or futile in execution."[38] The report clarified that it was not necessarily individual officers who were to blame for this problem but the structure of law enforcement itself that had allowed police to accept graft payments in exchange for the toleration of vice. Here the VCC indicated that the problem of police discretion manifested not only through individual police misconduct but also through department policy and institutional structure, as patrolmen followed the directives of their superior officers.[39]

The investigation of the Vice Commission of Chicago occurred just a year after the United States Congress passed the Mann Act, better known as the White-Slave Traffic Act, a federal law that prohibited the transporting of women over state lines for "immoral purposes."[40] The national concern over so-called white slavery racialized the problem of urban prostitution, framing it as a particular threat to white womanhood. Despite this racial narrowing of the vice problem among national lawmakers and Progressive reformers, *The Social Evil in Chicago* did include evidence regarding the conditions of vice in black neighborhoods and indicated that when police relocated vice establishments they tended to direct them toward black

[37] Vice Commission of Chicago, *The Social Evil in Chicago,* 33.
[38] Ibid.
[39] Ibid, 150.
[40] Although the Mann Act was designed to give the federal government jurisdiction over prostitution, its vague language of "immoral purposes" allowed the law to be used to police consensual sexual relations as well, most notably interracial relationships. Famously, the first person prosecuted under the Mann Act was black boxing champion Jack Johnson for his relationship and later marriage to Lucille Cameron, a white woman. Pascoe, *What Comes Naturally,* 165.

neighborhoods.[41] In fact, that association of black urban space and vice had happened with the relocation of the Levee in 1904, as investigators found, "The situation along State Street from 16th Street is an illustration" of the worst vice conditions, directing attention to a predominantly black neighborhood.[42]

Despite the unequivocal recommendation of the Vice Commission of Chicago that vice be completely eliminated from the city, police discretion to protect vice persisted and officers continued to direct those establishments into close proximity to black residential neighborhoods. After the VCC disbanded in 1911, the private Committee of Fifteen took on the role of vice investigation in Chicago and continued the VCC's campaign of total vice elimination in Chicago.[43] Under pressure from anti-vice crusaders, Mayor Carter Harrison ordered the closing of the city's most famous brothel in October of 1911, a club located in the Twenty-Second Street Levee.[44] The work of anti-vice reformers was joined by economic pressures by the second decade of the twentieth century, as real estate values near the Twenty-Second Street Levee rose as railroad companies sought control of the property in order to link the Illinois Central line with the Western Indiana and Pennsylvania lines. In October 1912, State's Attorney John Wayman issued 135 warrants for the arrest of brothel and resort owners in the district and worked with members of the Police Department's Moral Squad to close a total of 518 establishments.[45] In addition to the use of arrest warrants, the Committee of Fifteen also occasionally published the names of real estate owners and landlords who rented their properties to brothels and gambling

[41] Vice Commission of Chicago, *The Social Evil in Chicago,* 38.
[42] Ibid, 37.
[43] Mary Lineman, "Vicious Circle: Prostitution, Reform, and Public Policy in Chicago 1830-1930" (PhD diss., Notre Dame University, 1991), 243.
[44] Blair, *I've Got To Make My Livin'*, 146.
[45] Wayman had previously served as legal counsel for the Santa Fe Railroad and some suggested that he sought to clear the vice district in order to allow the property values of the land to depreciate so that the railroad company could acquire the land cheaply, an accusation that Wayman vehemently denied. Walter Reckless, *Vice in Chicago* (Chicago: University of Chicago Press, 1933), 4-5; Blair, *I've Got To Make My Livin',* 146; Lindberg, *To Serve and Collect,* 130.

houses in order to shame property-holders into evicting those establishments.[46] Thanks to this combination of factors, by 1915, the Twenty-Second Street Levee was gone.[47]

In the midst of this campaign against vice in Chicago, a number of black Chicagoans remained skeptical that vice and illegal activity could be eliminated from the city. Instead, they predicted, police would use their discretion to encourage vice establishments to move south, into the city's Black Belt, as they had done for decades earlier. A few days after Wayman issued his wave of indictments in October 1912, editors at the *Chicago Defender* voiced concern that the campaign to clear Chicago's central business district would mean the "invasion of residence districts" on the South Side of the city where most black Chicagoans lived.[48] The *Defender* suggested that residents of the Black Belt might wake up to find that prostitutes had replaced their neighbors, "the bulk of them will be found here and there in respectable neighborhoods on the south side."[49] The *Defender* insisted that the invasion of vice would violate the respectability of black neighborhoods, suggesting that it was black respectability that was deserving of equal law enforcement. A week later, Revered Roberts of the Bethel A.M.E. Church told his congregation that the city's new policy of vice suppression was not the work of reform, but the work of "devilment."[50] The popular pastor addressed a large congregation that morning and reiterated the *Defender*'s assertion that police discretion to relocate vice threatened the respectability of the South Side "The incoming of the undesirables from any neighborhood is a menace to ever respectable family."[51]

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[46] Heap, *Slumming,* 51.
[47] Blair, *I've Got To Make My Livin',* 146.
[48] "The Vice Crusade in Chicago: The Negroes' Part," *Chicago Defender,* October 12, 1912.
[49] Ibid.
[50] "Rev. Roberts Flays Vice Crusade," *Chicago Defender*, October 19, 1912.
[51] Ibid.

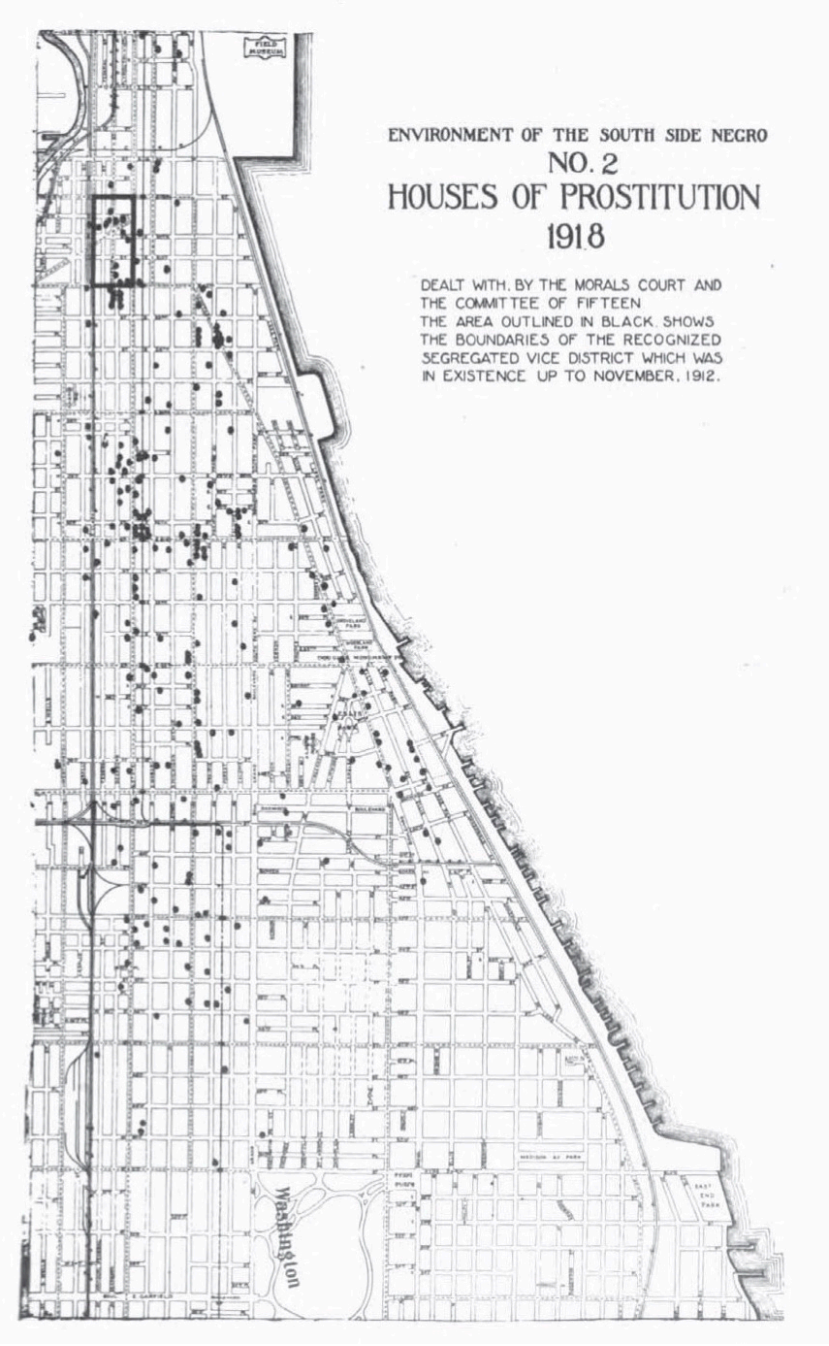

FIGURE 1.2: "HOUSES OF PROSTITUTION," 1918[52]

These critiques of racialized discretionary policing were prescient, as the number of vice establishments in the Black Belt steadily increased in the years following the state's attorney's anti-vice campaign. The number of houses of prostitution south of Thirty-Ninth Street, in the

[52] Chicago Commission on Race Relations, *The Negro in Chicago.*

heart of the Black Belt, quintupled over the course of the 1910s as police ushered vice establishments and other illegal activity south.[53] The Vice Commission of Chicago had foreshadowed the racialization of the city's vice geography in its 1911 report, citing testimony from a former police commissioner, "A former Chief of Police gave out a semi-official statement to the effect that so long as this degenerate group of persons confined their residence to districts west of Wabash avenue and east of Wentworth avenue they would not be apprehended. This part of the city is the largest residence section of colored families."[54] The statement offered a rare instance of a state official who explicitly connected police discretion with the association of blackness and criminality. While some city officials and reformers lamented the intractability of vice, here the police official openly admitted the active role of the state in constructing the vice economy through discretion and the direct linkages between black urban space and deviance forged through that process.

The ensuing years further demonstrated the ongoing association of vice, crime, and blackness through the active role of police in relocating vice establishments to African American neighborhoods. An investigation by the Juvenile Protection Association in 1913 drew attention to the fact that white proprietors of vice were only very rarely arrested in black neighborhoods and that the presence of those white offenders actually encouraged black Chicagoans to break the law, as the white criminal "naturally influences the colored men with whom he associates."[55] In its 1922 report, *The Negro in Chicago*, the Chicago Commission on Race Relations (CCRR) traced the movement of vice establishments into the Black Belt over the previous ten years.

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[53] Chicago Commission on Race Relations, *The Negro in Chicago,* 344.
[54] Vice Commission of Chicago, *The Social Evil in Chicago,* 38.
[55] *Annual Report of the Juvenile Protection Association*, 1910, Series VI, Supplement 1, Box 1, Folder 4: Annual Reports, 1907-1939, JPA Records; Louise de Koven Bowen, *The Colored People of Chicago: An Investigation made for the Juvenile Protective Association*, 1913, Series IV, Box 1, Folder 128: JPA—The Colored People of Chicago pamphlet, 1913, JPA Records.

While the number of vice establishments in the former Twenty-Second Street Levee had decreased, the number of resorts and houses of prostitution had increased steadily further south in the city. The CCRR estimated that the number of houses of prostitution between Thirty-First and Thirty-Ninth Streets had increased slightly from 62 to 84 between 1916 and 1918.[56] But a more dramatic increase had occurred between Thirty-Ninth and Fifty-Fifth Streets, in the center of the Black Belt, where the number of houses of prostitution had increased from 11 to 54. Although there were still fewer total houses of prostitution in this area of the city compared to those closer to the former vice district, this dramatic rate of increase suggested that it had been targeted as a new locale for the city's vice economy.

Black Chicago in the Age of Migration

The racial geography of Chicago transformed over the course of the early twentieth century as well, as the Great Migration of African Americans to the urban North, the immigration of Europeans, and the immigration of Mexicans during and after WWI created an increasingly racially diverse city.[57] The city's black population more than doubled between 1910 and 1920, and doubled again by 1930. The rate of black demographic change was most dramatic at the end of the 1910s; between 1916 and 1919 Chicago's black population grew by 86

[56] Chicago Commission on Race Relations, *The Negro in Chicago,* 344.

[57] Recent work on the history of Mexican immigration to Chicago and the urban North more generally has draw attention to the contingent racialization of Mexicans and called into question the utility of ethnicity models for understanding the Mexican experience in the urban North. Although this chapter focuses on the discriminatory policing of African Americans, Chicago police officers also discriminated against Mexicans, especially as the Mexican population of Chicago grew after 1930. Police arbitrarily arrested Mexicans, raided Mexican businesses, demanded bribes, and brutalized those they arrested. Arredondo, *Mexican Chicago,* 64-70. For other recent scholarship on Latino/a history in the urban North, see Fernandez, *Brown in the Windy City*; Marc Rodriguez, *The Tejano Diaspora: Mexican Americanism and Ethnic Politics in Texas and Wisconsin* (Chapel Hill: University of North Carolina Press, 2011); Lorrin Thomas, *Puerto Rican Citizen: History and Political Identity in Twentieth-Century New York City* (Chicago: University of Chicago Press, 2010); Zaragosa Vargas, *Proletarians of the North: A History of Mexican Industrial Workers in Detroit and the Midwest, 1917-1933* (Berkeley: University of California Press, 1993).

percent.[58] The proportion of black city residents also increased accordingly in those decades; in 1910, African Americans comprised just two percent of the total Chicago population.[59] By 1920, that proportion had grown to four percent, and by 1930 it had increased yet again to 6.9 percent.[60]

TABLE 1.1: CHICAGO—POPULATION CHANGES AND RACIAL DEMOGRAPHICS, 1890-1940[61]

YEAR	TOTAL POPULATION	WHITE	BLACK	FOREIGN-BORN WHITE	ALL OTHER	MEXICAN
1890	1,099,850	1,084,998 (98.6%)	14,271 (1.3%)	450,666 (41.0%)	581 (0.1%)	--
1900	1,698,575	1,667,140 (98.1%)	30,150 (1.8%)	585,420 (34.5%)	1,285 (0.1%)	--
1910	2,185,283	2,139,057 (97.9%)	44,103 (2.0%)	781,217 (35.7%)	2,123 (0.1%)	--
1920	2,701,705	2,589,169 (95.8%)	109,458 (4.0%)	805,482 (29.8%)	2,864 (0.1%)	1,141 (>.01%)
1930	3,376,438	3,117,731 (92.3%)	233,903 (6.9%)	842,057 (24.9%)	24,804 (0.7%)	19,362 (>.01%)
1940	3,396,808	3,114,554 (91.7%)	277,731 (8.3%)	672,705 (19.8%)	4,513 (0.1%)	7,132 (>.01%)

The vast majority of that black population growth came from Southern states; in 1910, 66.2 percent of non-white Illinois residents had been born outside the state and by 1920 that number had reached 75.3 percent, with fully 60.3 percent having been born in the South.[62] This growing African American population also skewed relatively young; the largest age

[58] Christopher Robert Reed, *The Rise of Chicago's Black Metropolis, 1920-1929* (Urbana: University of Illinois Press, 2011), 9-10.
[59] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 512.
[60] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609.
[61] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: Government Printing Office, various years).
[62] In 1910, 47.1 percent of Illinois residents had been born in the South and by 1920 that number had increased to 60.3 percent. According to United States Census data used to calculate these percentages, the South included Tennessee, Kentucky, Virginia, North Carolina, Maryland, Oklahoma, the District of Columbia, West Virginia, Delaware, Mississippi, Alabama, Georgia, Louisiana, Arkansas, Texas, South Carolina, and Florida. Everett S. Lee, "State of Birth, 1870-1950," University of Pennsylvania Studies of Population Redistribution and Economic Growth (Philadelphia, 1953).

demographic of Southern migrants arriving in Chicago in that decade were between 25 and 34 years old with a significant number of migrants in the 20 to 24 year old age demographic as well.[63] These patterns of migration and demographic change meant that by the end of the second decade of the twentieth century, most black Chicagoans were young, recent migrants from Southern states. Most of those new black residents lived in the narrow South Side Black Belt, confined by a racialized real estate market and white racial hostility. At the beginning of the twentieth century, two thirds of the city's black population lived in neighborhoods that were less than 50 percent African American. By the early 1920s, however, that number had shifted significantly, as 87 percent of black Chicagoans came to live in predominantly African American neighborhoods, a proportion that grew to over 90 percent a decade later.[64] Despite the comparatively smaller number of Mexicans in Chicago in these decades, the rate of increase of Mexicans in the city vastly exceeded that of African Americans. In 1920, the Mexican population of Chicago numbered merely 1,141, but by 1930 that number had increased seventeen-fold to nearly 20,000.[65]

[63] Grossman, *Land of Hope,* Appendix A.
[64] Cayton and Drake defined a "predominantly Negro neighborhood" as one in which African Americans comprised more than fifty percent of the residents. Cayton and Drake, *Black Metropolis,* 174-176.
[65] U.S. Bureau of the Census, *Fourteenth Census of the United States* (Washington, DC: US Government Printing Office, 1920), 247; U.S. Bureau of the Census, *Abstract of the Fifteenth Census of the United States* (Washington, DC: US Government Printing Office, 1930), 98.

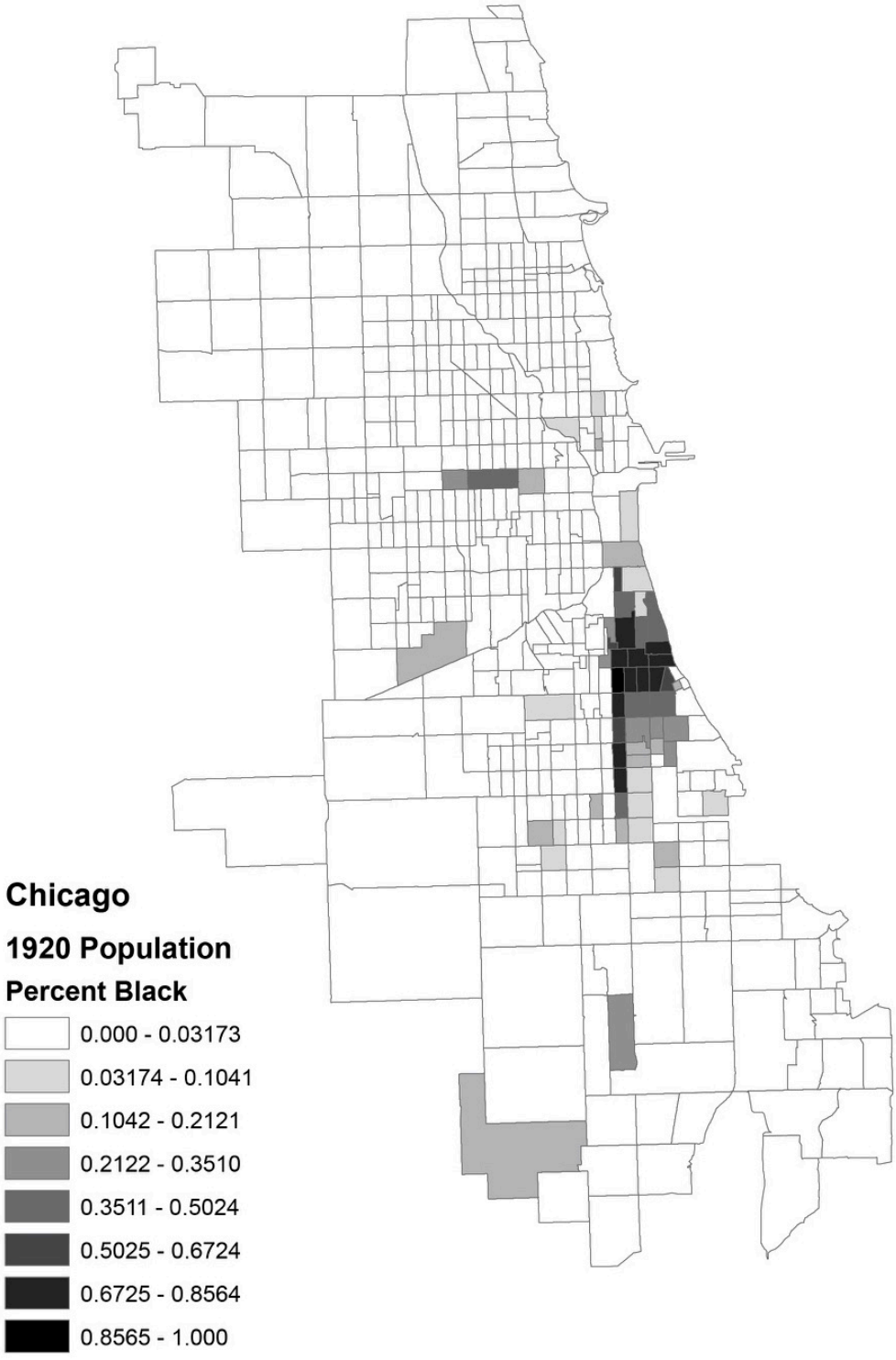

FIGURE 1.3: CHICAGO BLACK POPULATION DENSITY, 1920[66]

[66] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0* (Minneapolis, MN: University of Minnesota, 2011).

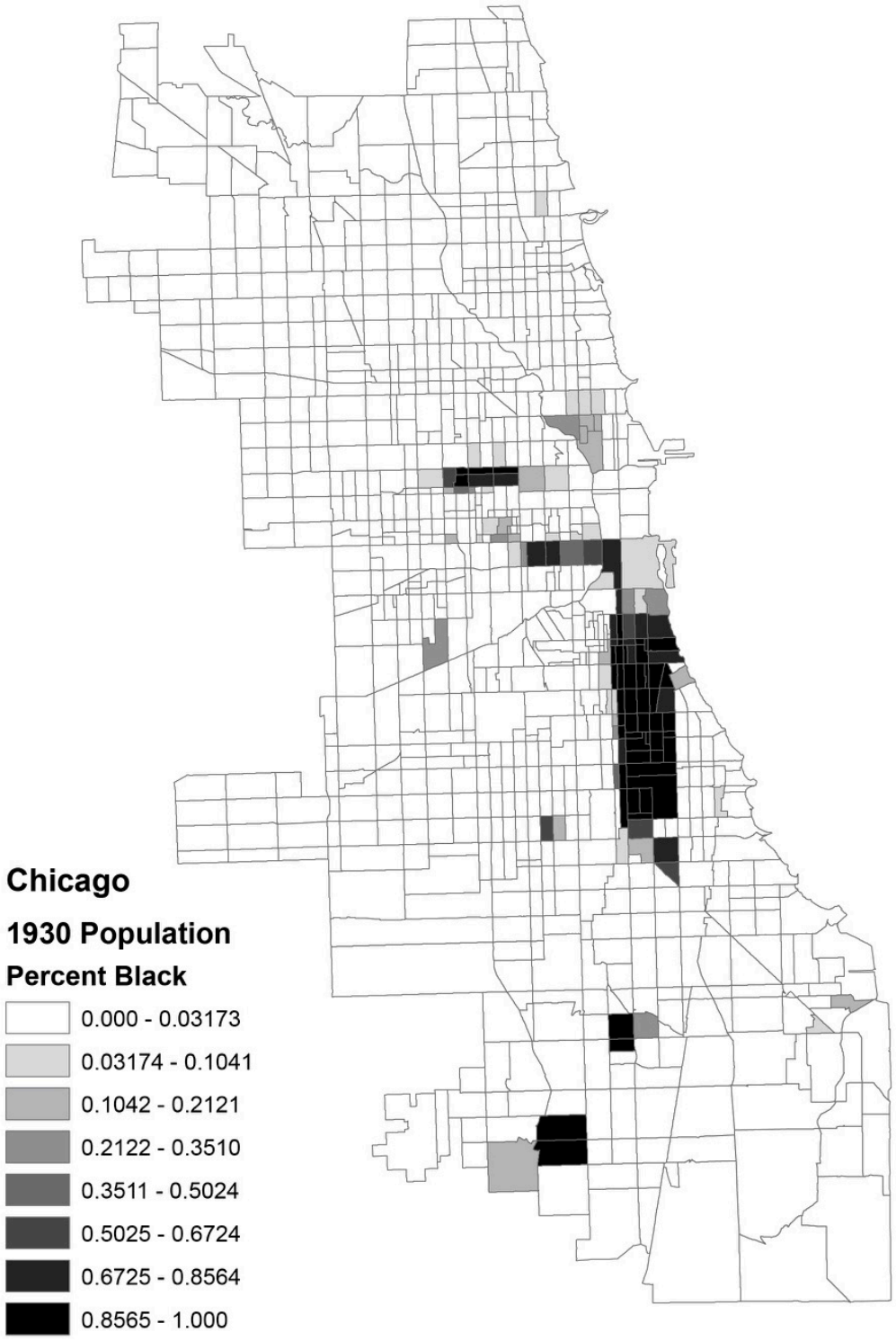

FIGURE 1.4: CHICAGO BLACK POPULATION DENSITY, 1930[67]

[67] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0* (Minneapolis, MN: University of Minnesota, 2011).

The rapid growth of the city's African American population in the years during and after WWI fueled public debates regarding Southern black migration as well as the perception that these new city residents were innately more criminal than white Chicagoans.[68] The city's major white newspapers and other news outlets around the country regularly ridiculed growing migrant populations, labeling them a threat to the moral and sanitary well-being of the city. A 1917 article from the *Chicago Daily Tribune* characterized black Southern migrants as unreliable, lazy workers, quoting a stockyards foreman who claimed that Southern migrants "work three or four days when they first arrive, draw their pay and quit point blank…These same men, however, are content to sleep and live in foul smelling rooms."[69] The same article went on to claim that black Southern migrants had "almost no standard of morals," failing to acknowledge how the segregated real estate market of Chicago contributed to poor living conditions on the black South Side. Other articles published by white newspapers suggested that Southern migrants simply could not adjust to life in the North since the Southern states were their natural homes. These accounts advised that black migrants would better thrive under the control of white Southerners; one typical article claimed "Give him a home in the south…where he is understood and can understand, and let him have a master, and you have given him the ideal home."[70] Articles like these drew regional distinctions between North and South, simultaneously critiquing Southern race relations while justifying Northern practices of racial segregation as necessary responses to black pathology.

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[68] Contemporary sociologists who studied black migration to the urban North also concluded that the overwhelming youth of most Southern migrants likely contributed to their perception as innately criminal. Louise Venable Kennedy, *The Negro Peasant Turns Cityward: Effects of Recent Migrations to Northern Centers* (New York: Columbia University Press, 1930), 184.

[69] "Seek to Check Negro Arrivals from the South," *Chicago Daily Tribune*, March 16, 1917.

[70] "Voice of the People: The Southern Negro in the North," *Chicago Daily Tribune*, June 9, 1917. For a similar paternalistic account of Southern migrant maladjustment, see "From a Southern Point of View," *Chicago Daily Tribune*, July 5, 1917.

In addition to the circulation of ideas about black criminality and pathology among major news outlets, city officials also criticized the conduct of black Southern migrants and blamed them for crime in the city. In March of 1919, Chicago Chief of Police John Garrity announced that the recent return of soldiers following the end of World War I had resulted in increased criminality among black Chicagoans after many were fired from the city's packing industries in order to vacate jobs for returning white soldiers.[71] Garrity singled out black Chicagoans in his announcement, racializing the city's perceived crime problem even while linking criminality to unemployment. Mayor William Hale Thompson affirmed Garrity's assessment of the source of Chicago's crime problem, prompting Ida Wells-Barnett and the Negro Fellowship League (NFL) to counter the accusation with a critique of the Chicago Police Department itself. Wells-Barnett had founded the NFL in 1908 as a political discussion group and community uplift organization that provided resources for new Southern migrants.[72] The NFL contended that Garrity and Thompson blamed black Chicagoans for crime in an attempt to excuse poor policing itself "It is bad enough that we are being discharged from work and made idle through no fault of our own without being held responsible for all the crime in Chicago in an attempt to excuse Big Bill's inefficient police force."[73] The Negro Fellowship League's rebuttal to Garrity's claim regarding black criminality drew attention to the decriminalization of certain white crimes particularly in its claim that black Chicagoans had been unfairly accused of "all the crime in Chicago." Furthermore, the critique identified the active role of the Police Department in not only disseminating discourses regarding innate black criminality but also in the construction of that discourse itself, through its disproportionate arrests of black city residents.

[71] "Chicago Blames Idle Negroes for Crimes," *Detroit Free Press,* March 24, 1919.
[72] Mia Bay, *To Tell the Truth Freely: The Life of Ida B. Wells* (New York: Hill and Wang, 2009), 282-283.
[73] "Mayor's Excuse for Crime Wave Stirs Negroes," *Chicago Daily Tribune*, March 25, 1919.

The public debate regarding Southern black migrant criminality also permeated black public discourse, demonstrating how accusations of Southern migrant criminality could animate and exacerbate black divisions along the lines of class and status. Longer-settled elite black residents—"Old Settlers"—tended to sentimentalize race relations in the city before the Great Migration, laying blame on new migrants for racial tensions and conflicts in the city, particularly after migration quickened after 1916.[74] Black elite and Old Settler attitudes toward new Southern migrants largely concentrated on inculcating new city residents to middle-class standards of respectability—the social and cultural standards of middle-class decorum that many of the city's black elites viewed as crucial to racial advancement writ large.[75] According to many elite black Chicagoans, the perception of Southern migrant criminality posed a threat to middle-class black status, especially as residential options for black city residents became increasingly circumscribed. This spatial amalgamation of blackness in Chicago obscured class and cultural differences within the community, making migrant and working-class black criminality a pressing concern among black elites who viewed this spatial proximity to assumedly criminal Southern migrants to be a threat to their own status and political power. The discourse of respectability and uplift, however, obscured the degree to which white racism itself had delimited migrants' abilities to access adequate housing, employment, and education, thereby restricting their access to the terms of middle-class respectability.[76]

Assumptions that the conduct of black migrants would reflect poorly on black Chicago as a whole prompted some Old Settlers to issue warnings and instructions to new city residents in

[74] Cayton and Drake, *Black Metropolis*, 73.
[75] For scholarship on the history of black uplift and respectability politics, see Brown, *Upbuilding Black Durham*; Gaines, *Uplifting the Race*; Higginbotham, *Righteous Discontent*; Mitchell, *Righteous Propagation.*
[76] Some historians of black migration and black urban culture have noted how migrants themselves transformed the meaning of respectability in the context of urban inequality and intraracial conflict in the urban north. Baldwin, *Chicago's New Negroes*; Wolcott, *Remaking Respectability.*

order to improve their behavior. For instance, one editorial in the pages of the *Chicago Defender* in 1917 provided a "Word to 'Newcomers,'" instructing new arrivals to the city in the standards of decorum. The writer directed Southern migrants on the proper Northern standards of dress "In the north a man is usually judged by the clothes he wears, how clean they are…it is different here in the north. In the south they don't care how they dress, here they make it a practice to look as well in the week as they do on Sunday."[77] Even black elites who expressed optimism about the adjustment of Southern migrants emphasized the need for those new city residents to accommodate to a respectable way of life. In a 1917 interview, Dr. George C. Hall, a prominent African American physician, recommended the rapid adjustment of Southern migrants "The colored man from the South does not need to be in the North very long before he learns…that he must be industrious and thrifty if he wants to get along."[78] Hall went on to insist that instruction from black elites was a critical component of that process "The new arrivals rapidly adjust themselves to their changed surroundings if they are reached by the proper people and get the right tip."[79] Hall's comments indicated both the widespread belief among black elites that Southern migrants were in need of adjustment and improvement once arriving in Chicago and the sense that the responsibility for aiding in that adjustment lay among elites themselves.

This sense of responsibility and urgency to improve the respectability of black Southern migrants took on organizational form with the founding of the Chicago Urban League (CUL) in 1916, a new branch of the National Urban League on Urban Conditions Among Negroes. The establishment of the CUL began as a project supported by black and white Chicago elites—physician George C. Hall, *Chicago Defender* editor Robert S. Abbott, philanthropist Julius

[77] "Word to 'Newcomers,'" *Chicago Defender*, May 19, 1917, Box 33: Chicago—The Exodus Train, Folder 2: Migration—Chicago, Great Migration in the Chicago Defender, IWP Papers.
[78] "Southerners Soon Readjusted," *Chicago Daily News*, April 2, 1917, Box 33: Chicago—The Exodus Train, Folder 5: Chicago—The Migrants Keep Coming, "Southerners Soon Readjusted" (Lillian Harper), IWP Papers.
[79] Ibid.

Rosenwald, University of Chicago sociologist Robert E. Park, and Wabash Avenue Y.M.C.A. executive secretary Alexander L. Jackson among them.[80] In collaboration with national organizers Eugene Knuckle Jones and T. Arnold Hill, the group defined its mission as the "adjustment or assimilation" of Southern migrants.[81] The project of Southern improvement infused the work of the early CUL; among the programs it established in its first year was the Southern Improvement Association, a group for recent migrants "in order to furnish the medium for a discussion of their difficulties and suggestions of things, of which they should not be ignorant, if they are to be desirable citizens."[82] Other work of the CUL focused on providing new migrants with the contrivances of middle-class respectable life, such as single-family housing and industrial work. In pursuit of this goal, the CUL largely acted as a social service agency in its first decades of existence, akin to the work performed among the city's many settlement houses.[83]

Along with the Chicago Urban League, the Chicago branch of the National Association for the Advancement of Colored People (NAACP) also served as a key organizational response to the problems of black Chicago in the early years of the Great Migration. First established as a vigilance committee of Progressive elites influenced by the National Negro Committee in 1910, the organization became a branch of the national NAACP in 1913.[84] One the first local organizations of the national NAACP, the Chicago branch set forth in its founding constitution

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[80] Arvarh E. Strickland, *History of the Chicago Urban League* (Urbana: University of Illinois Press, 1966), 29-30.
[81] *First Annual Report of the Chicago League on Urban Conditions Among Negroes*, October 1917, Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-1, CUL Records; Strickland, *History of the Chicago Urban League*, 25-27.
[82] "Brief Summary of the Work of the Chicago Urban League, March 1st to August 1st, 1917," September 1, 1917, Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-1, CUL Records.
[83] One CUL annual report characterized this work as that of a "clearing-house for the countless problems that affect Chicago's Negro population." "Seventh Annual Report of the Chicago Urban League," 1923, Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-5, CUL Records.
[84] Christopher Robert Reed, *The Chicago NAACP and the Rise of Black Professional Leadership, 1910-1966* (Bloomington: Indiana University Press, 1997), 32.

that among its activities would be "Efforts to lessen racial discrimination and to secure full civic, political and legal rights to colored citizens and others."[85] The early Chicago NAACP shied away from strident activism, however, and struggled to grow its membership in its first decade of existence. In 1922, national director of branches Robert Bagnall lamented to NAACP executive secretary James Weldon Johnson, "The branch has no proper records and is fast becoming dormant."[86] In an effort to revive the struggling branch, Johnson recruited Chicago Republican reformer Harold Ickes to act as president of the branch, instructing the new officer that "the masses of the colored people have not been reached by our association in Chicago, and only be reaching them, can the Chicago branch be brought to the position it should occupy."[87]

After a year and half in his new position, Ickes seemed no more satisfied with the state of the branch than NAACP leaders had been in 1922, reflecting to Bagnall "The feeling had been growing in me that probably one difficulty with our local branch was that we were too 'high brow.'"[88] Ickes went on to say that the visible white leadership of the organization likely hampered its prestige among the growing black population of Chicago, imploring Bagnall to see black leaders elected to the board of the organization and to other prominent leadership positions.[89] Within a year, the leadership had indeed changed as Dr. Carl Roberts, a surgeon and the first African American to act as president of the Chicago branch, assumed the office.[90] But according to the national director of branches, the change in leadership did little to change the

[85] "Constitution of the Chicago Branch of the NAACP," April 10, 1913, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[86] Letter from Robert W. Bagnall to James Weldon Johnson, March 11, 1922, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[87] Letter from James Weldon Johnson to Harold Ickes, October 13, 1922, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[88] Letter from Harold Ickes to Robert W. Bagnall, May 24, 1924, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[89] Ibid*;* Letter from Harold Ickes to Robert W. Bagnall, November 6, 1924, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[90] Reed, *The Chicago NAACP,* 66-67.

image of the Chicago NAACP among most of the city's black residents, as it "has so long been regarded as an organisation dominated by whites and a few colored individuals that it will take some time to educate public opinion to the realisation that it is an organisation of the people."[91] In part, Bagnall attributed this perception to the Chicago branch's commitment to an older model of interracial committee organizing rather than transitioning to mass organizing as other branches around the country had by the mid-1920s.

The challenges faced by the Chicago NAACP reflected the stratified class politics of early-twentieth-century black Chicago, divisions that had been fostered by the politics of respectability pursued by black elites and other organizations such as the Chicago Urban League. Class divisions divided black Chicago along the lines of wealth and profession as well as respectability and refinement.[92] Just as the CUL did in the same years, the Chicago NAACP assumed an educational and uplift mission among new black Chicago residents. For instance, the Educational Committee of the Chicago branch circulated pamphlets in the early 1920s to acclimate new migrants to the city and instruct them regarding proper conduct and behavior. Along with information about city governance and the social agencies with resources for the newly-arrived, the pamphlets described "Some Things a Citizen Should Do," among them, "Obey the Law," "Conduct one's self in a peaceful, considerate and gentlemanly manner in public and in private," and "Dress neatly, not "loud," and not in gaudy array."[93] The *Chicago Defender*, the most read black newspaper in Chicago by the interwar decades, echoed those educational pamphlets with its own advice columns in the 1920s, with catalogs of "Don'ts" for new migrants—"Don't let you property run down," "Don't sit around in the yard," "Don't talk so

[91] Letter from Robert W. Bagnall to Carl G. Roberts, March 31, 1925, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[92] Grossman, *Land of Hope,* 129.
[93] Educational Committee, Chicago NAACP, "Chicago Great City," August 1, 1923, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.

loud, we're not all deaf," "Don't make yourself a public nuisance," "Don't spend your time hanging around saloon doors," "Don't be seen in the streets with loose aprons," "Don't drink moonshine," "Don't forget to bathe," "Don't play hookey from school."[94] As a result, most of black Chicago found itself awash in educational advice and instruction by the second decade of the twentieth century, most of which framed black inequity as a product of Southern migrant conduct itself.

While many of the *Defender*'s advice columns aligned with the politics of respectability pursued by the Chicago Urban League and the Chicago NAACP, this African American newspaper also provided a space for the voices and critiques waged by migrants and other black city residents themselves. The *Defender* pursued a campaign against discriminatory policing in the years during and after WWI, and it also provided a record of the persistent conflicts between black Chicagoans and patrolmen engaged in daily processes of policing. In February 1914, the *Chicago Defender* began to publish its Legal Helps column, in which it publicly responded to inquiries that had been sent to the newspaper's Legal Department.[95] Editors of the *Defender* conceived of its Legal Helps column as a form of public legal aid, designed to those who could not afford legal advice. Although most questions submitted to the *Defender*'s Legal Department concerned commercial transactions and domestic life, the paper also regularly published

[94] "A Few Do's and Don'ts," *Chicago Defender*, July 13, 1918; "Some Don'ts," *Chicago Defender*, May 17, 1919; "Don'ts," *Chicago Defender*, September 9, 1922; "Don'ts for Newcomers," *Chicago Defender*, July 14, 1923; "Don'ts," *Chicago Defender*, April 2, 1927.

[95] The *Chicago Defender* not only became the most widely read black newspaper in the city but achieved national readership as well. Founded in 1905, by 1915 the *Defender* sold approximately 16,000 copies weekly and by 1920 it reportedly reached ten percent of the nation's black population. Historians of the Great Migration and African American history have indicated the critical role of the *Chicago Defender* in black political life, arguing that the paper played a critical role in shaping black public discourse and the course of black migration itself in these decades. Juliet E. K. Walker, "The Promised Land: The Chicago Defender and the Black Press in Illinois, 1862-1970," in Henry Lewis Suggs, *The Black Press in the Middle West, 1865-1985* (Westport, 1996), 74; Grossman, *Land of Hope,* 69.

questions about police conduct and discrimination.[96] These columns provided a glimpse into the *Defender*'s politics of law enforcement, as the editors of the paper regularly offered to aid aggrieved citizens in their cases against city officials and used the column to offer critiques of discriminatory law enforcement. Reflecting the *Defender*'s broader investment in the politics of respectability, however, those critiques of law enforcement were themselves premised on black respectability. Writers for the Legal Helps column and other *Defender* articles argued that African Americans in Chicago deserved equal law enforcement because they were respectable, law-abiding citizens.

The letters to the *Defender*'s Legal Helps column offered rare insight into the lived experiences of policing in early-twentieth-century Chicago. A few weeks after the establishment of the column, one letter writer described a recent interaction with a Chicago Police officer in the Black Belt "I was standing at the corner of South State and 31st Streets with several other friends, when a policeman told me to move on, or he would arrest me."[97] The letter writer inquired whether such a demand was indeed within the authority of the police officer, which the authors of the Legal Helps column affirmed, citing the Chicago Code of 1911. According to this section of the municipal code, which applied to so-called loungers and loafers, "No person shall obstruct or encumber any street corner or other public place…after being requested to move on by any police officer; any person violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense."[98] This section, however, only

[96] Joel E. Black, "A Theory of African-American Citizenship: Richard Westbrooks, The Great Migration, and the Chicago Defender's 'Legal Helps' Column," *Journal of Social History,* Vol. 46, No. 4 (Summer 2013): 899.
[97] "Defender's Legal Helps: Move On," *Chicago Defender,* February 28, 1914.
[98] "2030—Loungers and loafers.] No person shall obstruct or encumber any street corner or other public place in the city by lounging in or about the same after being requested to move on by any police officer; any person violating any of the provisions of this section shall be fined not less than five dollars nor more than fifty dollars for each offense." Edward J. Brundage, ed., *The Chicago Code of 1911, Containing All the General Ordinances of the City in Force March 13, A.D. 1911 Together with an Appendix Containing All Prohibition and Local Option Ordinances in*

empowered police to fine those who refused to move from street corners, not to arrest them, as the letter writer indicated he had been threatened. The code itself provided a considerable degree of discretion for police who wished to control access to public space in Chicago, providing them with the power to decide who would be allowed to traverse city streets and when. Discretion, then, was not a power seized by individual discriminatory police, but one provided for and embedded in law itself. The letter suggested that even with this considerable degree of official discretion, Chicago patrolmen still exceeded their legal authority in policing city streets, using arrests or threats of arrest to criminalize black Chicagoans for simply occupying public space.

A letter from November of 1914 similarly indicated the power of police discretion to allow for arbitrary arrest practices, as the letter writer asked, "Has a policeman or other officer the right to arrest a citizen without a warrant?"[99] The *Defender* assured the querier that arrests on suspicion were illegal in most circumstances, citing the section of the Chicago Code of 1911 that specified that a police officer could make a warrantless arrest in a case in which they had witnessed the commission of a crime or had reasonable suspicion to believe that a crime was about to be committed. Here again the municipal code provided for wide discretion "They shall have the power to arrest all persons in the city found in the act of violating any law or ordinance or aiding and abetting in any such violation, and shall arrest any person found under circumstances which would warrant a reasonable man in believing that such a person had committed or is about to commit a crime."[100] Barring such reasonable suspicion, the *Defender* maintained that a warrantless arrest would be illegal. But legal or not, the letter writer's query indicated that black Chicagoans often found themselves subject to arbitrary and warrantless

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Force on Said date: Also Certain Material Provisions of the Statutes of the State of Illinois Relating to Municipal Governments (Chicago: Callaghan, 1911), 646.

[99] "Defender's Legal Helps: Leasing Flats," *Chicago Defender,* November 7, 1914.

[100] Brundage, ed., *The Chicago Code of 1911,* 628.

arrests in which police exercised their wide discretion and asserted their authority to make such detentions.

While these examples demonstrated the power of police discretion on the city streets, other letters to the *Defender*'s Legal Helps column indicated the persistent pattern of racial discrimination and violence in the city's jails. A letter published in August 1914 described one man's futile attempts to secure his right to counsel "I was arrested and locked in the police station on Monday night at about 8 p.m. and demanded of the jailer that I be permitted to consult an attorney at once, by the jailer refused to allow me to do so until Thursday morning."[101] The *Defender* advised that the man had indeed been deprived of his civil liberties and instructed that the offending officers should have paid him $100 in compensation.[102] A column from November 1914 also indicated habitual brutality experienced by black arrestees in city jails. The authors of the Legal Helps column advised the letter writer to take his complaint to jail authorities and went on to recommend such action more widely "The same answer applies to the many complaints as to race discrimination practiced in the jail against colored prisoners."[103] This reference to the "many complaints" received by the *Defender*'s Legal Department suggested that the brutal treatment of black arrestees by police was typical and that most black Chicagoans could expect violent treatment if they found themselves in one of the city's jails.

The *Defender*'s Legal Helps column repeatedly advised readers to seek legal remedies for police discrimination, demonstrating the local formation of a litigious critique of racially discriminatory law enforcement. In its response to the August 1914 letter regarding rights to

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[101] "Defender's Legal Helps: Receiving Stolen Property," *Chicago Defender*, August 15, 1914.
[102] "1944. Misconduct—penalty] Any member of the police force who shall neglect or refuse to perform any duty required of him by the ordinances of the city or the rules and regulations of the department of police, or who shall in the discharge of his official duties be guilty of any fraud, extortion, oppression, favoritism or wilful [sic] wrong or injustice, may, in addition to any other penalty or punishment imposed by law, be fined not more than one hundred dollars for each offense." Brundage, ed., *The Chicago Code of 1911,* 629.
[103] "Defender's Legal Helps: Divorce Again," *Chicago Defender,* November 14, 1914.

counsel, the *Defender* advocated that the letter writer seek legal representation immediately in order to secure his due financial redress from the offending officers.[104] Subsequent columns advocated litigation further, arguing that legal action against police and city officials would eventually eliminate the problem of racially discriminatory law enforcement. The Legal Helps column recommended that all who were subjected to a warrantless arrest should initiate a lawsuit "Persons who have been arrested without warrant on suspicion and then turned loose after a few days' investigation should sue everyone connected with such arrest, would put a stop to this nefarious practice."[105] In addition to securing individual compensation for police discrimination, the *Defender* suggested that such lawsuits would eventually end discriminatory practices more widely, an argument that it advanced again in a September 1915 column concerning illegal police searches "When a few sterling worth citizens appeal such cases and then sue the officers then the nefarious practice will cease."[106] The *Defender*'s advocacy of litigation as the most effective critique of discriminatory law enforcement foreshadowed later strategies of racial justice that would emerge in Chicago, such as police brutality cases pursued by the Chicago branch of the National Association for the Advancement of Colored People in the 1930s.[107]

While the advocacy of legal remedies for discriminatory law enforcement dominated the advice dispensed by the *Defender*'s Legal Helps column in the second decade of the twentieth century, one unusual column in October 1914 provoked a more forceful appraisal of street policing in Chicago, demonstrating the potential for law enforcement to embolden black political critique. In this case, the letter writer complained about the inequitable treatment that black Chicagoans received at city police stations "A number of persons and tax payers have

[104] "Defender's Legal Helps: Receiving Stolen Property," *Chicago Defender*, August 15, 1914.
[105] "Defender's Legal Helps: Leasing Flats," *Chicago Defender*, November 7, 1914.
[106] "Defender's Legal Helps," *Chicago Defender*, September 11, 1915.
[107] See chapter 6 for a discussion of institutionalized police violence and the Chicago NAACP's campaign to end police brutality in the 1930s.

complained that certain police officers at the stations refuse to give civil answers to persons having business at the stations and treat them with overbearing arrogance and lock them up if they do no obey the tyrannical whims and officious caprices of these police officers."[108] As in other letters to the Legal Helps column, the power of police discretion suffused the complaint, but was labeled by the letter writer as "whims" and "caprices," descriptions that largely framed these actions as individual prerogatives and minimized the degree to which such discretion drew on the authority of law. The *Defender* advised that the names and badge numbers of offending officers should be submitted to the Chief of Police but went on to argue that this racially discriminatory conduct was fundamentally at odds with the democratic ideals that supposedly governed the city. Here, the authors of the column made an explicit critique of racially discriminatory police discretion "The police of Chicago who assume too much authority and play the role of petty tyrant…they must be made to know that the police do not make the laws and that they have no right and business to treat tax payers as though they were outlaws and hardened criminals."[109]

This critique of tyrannical policing alluded to the necessity of limits on the police discretion allowed by the municipal code of Chicago, suggesting that the extensive problem of police discrimination and violence could not be solved through individual complaints but would require broader legal or administrative change. In a marked departure from its typical measured advocacy of litigation, the *Defender* called for a broader critique of police practices "The time in Chicago has arrived for the citizen to rise up and put the arrogant and self-conceited police officer intoxicated with a little authority in his proper place. They should be made to devote their time in detecting some of the many law breakers and highwaymen who are making life so

[108] "Defender's Legal Helps: The Police Again," *Chicago Defender*, October 24, 1914.
[109] Ibid.

unsafe…instead of showing their authority upon some unoffending tax payer who comes to one of the stations to transact business."[110] The column suggested the insidious nature of official discretion—that the very police power provided by law could "intoxicate" an officer and cause him to overstep his authority. It also highlighted how police discretion could work to decriminalize the actions of some while inflicting illegal violence or arrests on others. In suggesting that police might do better to "devote their time in detecting some of the many law breakers" in the city, the *Defender* alluded to police failure to evenly enforce criminal laws, as they had in their failure to apprehend the many perpetrators of racial violence in the bombing campaign against black homes just a few years later.

THE CHICAGO POLICE DEPARTMENT IN THE MIGRATION YEARS

In contrast to the rapid growth of the non-white population of Chicago in the early twentieth century, the city's Police Department remained overwhelmingly staffed by white or European ethnic men.[111] For Irish and German immigrants in the nineteenth century, the newly consolidated Police Department had represented a chief source of employment for new arrivals to the city, as Department leadership found it advantageous to employment Irish and German patrolmen in order to control the city's growing immigrant working class communities.[112] By the late nineteenth century, the force was nearly 50 percent Irish or of Irish parentage.[113] The next-

[110] "Defender's Legal Helps: The Police Again," *Chicago Defender*, October 24, 1914.
[111] Mitrani, *The Rise of the Chicago Police Department,* 10-11.
[112] Before the increased hiring of Irish and German officers in the last three decades of the nineteenth century, the Chicago Police Department was predominantly native-born Protestant. Mitrani, *The Rise of the Chicago Police Department,* 10.
[113] These estimates of the demographic composition of the Chicago Police Department are based on Mark H. Haller's analysis of the police biographical data contained in Joseph J. Flinn's *History of the Chicago Police.* Haller's estimates of the ethnic heritage and national origins of Chicago Police officers were based on his analysis of the 1,100 police biographies in Flinn's book. Although Haller's estimates do not provide exact figures for Police Department demographics, they do suggest general trends in Police Department hiring, particularly the

largest ethnic group represented in the Chicago Police Department in that period was German or of German parentage, making up approximately ten percent of the force. Overall, foreign-born officers comprised over half of the CPD by the turn of the twentieth century, a notable figure in a city that was only about 35 percent foreign-born in 1900; the overrepresentation of foreign-born officers indicated that the CPD offered an important source of employment for newly arrived immigrants to Chicago.[114] Among some ethnic groups, this correlated with a drop in arrests; Irish immigrants had been overrepresented among arrests in the second half of the nineteenth century, but that rate declined as the number of Irish patrolmen employed by the CPD rose.[115]

While immigrant groups including Irish and Germans found themselves integrated into the ranks of the Police Department by the turn of the twentieth century, African American incorporation into the Police Department arrived at a markedly slower rate. Before the turn of the twentieth century, black police officers numbered approximately 25 among a total force of nearly 2,500 men; that number fell even lower in the first decade of the twentieth century, after the institution of civil service requirements that eliminated many black applicants.[116] The number of black police officers saw a steady rise during the years of the first Great Migration, however, due to the growth of the department as well as agitation for the increased hiring of African American applicants. Campaigns against the arbitrary and discriminatory conduct of white officers, often waged in the pages of the *Chicago Defender,* produced demands for the hiring of black police officers. The campaign for black police hiring in Chicago represented the intersection of multiple

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overrepresentation of Irish officers and foreign-born officers. John J. Flinn, *History of the Chicago Police from the Settlement of the Community to the Present Time* (Chicago: The Police Book Fund, 1887), 374-396 and 421-575; Haller, "Historical Roots of Police Behavior," 305.

[114] In 1890, the foreign-born population of Chicago made up 41 percent of the city's total population and in 1900 that number had fallen slightly to 34.5 percent. U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1890), 454; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1900), 613.

[115] Mitrani, *The Rise of the Chicago Police Department,* 10.

[116] Harold F. Gosnell, *Negro Politicians: The Rise of Negro Politics in Chicago* (Chicago: University of Chicago Press, 1935), 249

strains of black politics during the Great Migration. Some agitated for increased black police hiring in order to reduce anti-black police conduct, while others made a case for black police on the premise that it would solidify black middle class respectability. In the mid-1910s, one West Side resident cited police discrimination as the primary rationale for the urgency black hiring, telling an interviewer "The police were bothering our people so badly that we got together and asked to have some colored police sent out."[117] Among black elites, however, employment as police officers offered not only an improvement of services, but also "the prestige which colored officers would bring to the race."[118]

In the second decade of the twentieth century, black news outlets including the *Defender* and the *Chicago Whip* encouraged their readers to withhold their votes from the Republican Mayor William Hale Thompson if the Police Department failed to hire more black officers.[119] Thompson had solidified his electoral victories by courting black votes in Chicago, and the number of black police officers did begin to rise during his mayoral administration. When Thompson first assumed office in 1915, black officers comprised just 1.8 percent of the police force, a number that was relatively commensurate with the overall black population of the city, which numbered two percent in 1910.[120] The campaign for black officers succeeded in growing that number during Thompson's first administration; in 1922, the number of black police officers in Chicago had grown to 116 and by 1930 that number had climbed to 137.[121] However, despite this steady climb in the number of black police officers, African American police continued to

[117] Gosnell, *Negro Politicians*, 246.
[118] Ibid.
[119] Ibid.
[120] Louise de Koven Bowen, *The Colored People of Chicago: An Investigation made for the Juvenile Protective Association*, 1913, Series IV, Box 1, Folder 128: JPA—The Colored People of Chicago pamphlet, 1913, JPA Records; Chicago Police Department, *Annual Report, Year Ending December 31, 1913* (Chicago: Press of Barnard & Miller, 1914), 7; Chicago Police Department*, Annual Report* (Chicago: Chicago Police Department, 1917); U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910).
[121] Gosnell, *Negro Politicians,* 250; "Our Policemen Have Fine Record on Force," *Chicago Defender*, June 7, 1930; Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1930), 12a.

comprise only about two percent of the total police force over this entire period, despite the fact that the black population of Chicago had grown to 6.9 percent by 1930.[122] Despite an increase in the actual number of black police officers, black Chicagoans actually became increasingly underrepresented in the Chicago Police Department during the interwar decades.

Early-twentieth-century annual reports from the Chicago Police Department displayed a remarkable degree of official transparency The Department reported total arrests according to nativity beginning in 1899 and specified felony and misdemeanor arrests, charges, and convictions according to racial and ethnic group beginning in 1913. The CPD continued to report those totals until 1932.[123] Rather than offering an objective measure of urban crime, these annual reports represented an archive of police discretion, indicating whom and for what offenses police made arrests in the early twentieth century. Contemporary sociologists used this data with caution, noting unanswered questions about the methods of its collection but also acknowledging that the arrest data in the CPD annual reports was the only source of such information available.[124] Consequently, the arrest and conviction statistics of the Chicago Police Department could not be used to make definitive conclusions about the state of crime in the city, but they did represent a crucial discursive script in the politics of crime control and demonstrated how police administrators and city officials thought along a broad racial spectrum in these decades. These were the statistics referenced by municipal policy makers, reported in city newspapers, and consulted by urban reformers in their efforts to curtail crime and improve the efficiency of law enforcement. As such, despite the challenges this data presents for the historical interpretation of

[122] "Our Policemen Have Fine Record on Force," *Chicago Defender*, June 7, 1930; Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1930), 12a; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930).
[123] Chicago Police Department*, Annual Report* (Chicago: Chicago Police Department, various years).
[124] "Chicago Commission on Race Relations: Crime and the Negro," Undated, Box 9, Folder 7: Park Collection—The Negro, Bulletins and Reports—Chicago Commission on Race Relations: Crime and the Negro, Robert Ezra Park Papers, 1909-1946, Fisk University Special Collections [hereinafter Park Papers].

urban crime conditions, it served as the discursive terrain upon which many historical actors constructed their own ideas about criminal responsibility and the relationship among criminality, race, ethnicity, and gender.[125]

TABLE 1.2: NATIVITY OF PERSONS ARRESTED, CHICAGO POLICE DEPARTMENT ANNUAL REPORTS, 1899-1931[126]

NATIVITY	YEARS LISTED
Americans	1899-1931
Americans, Colored	1899-1931
Arabians	1902
Australians	1902
Austrians	1899-1931
Belgians	1902
Bohemians	1899-1931
Canadians	1899-1931
Chinese	1899-1931
Cubans	1902
Danes	1899-1931
English	1899-1931
French	1899-1931
Germans	1899-1931
Greeks	1899-1931
Hebrews	1916-1931
Hollanders	1899-1931
Hungarians	1902
Indians	1902
Italians	1899-1931
Irish	1899-1931
Lithuanians	1905-1931
Japanese	1902
Mexicans	1902; 1928-1931
Norwegians	1899-1931
Polanders	1899-1931
Portuguese	1902
Romanians	1916-1931
Russians	1899-1931

[125] This idea provides the methodological foundation for Khalil Gibran Muhammad's *The Condemnation of Blackness.* He encourages historians to discard statistics as an objective indicator of historical realities and instead interpret crime statistics "as text and as identity construction." Muhammad refers to Theodore M. Porter, who argues that seemingly objective indicators of social phenomena rest on ideological assumptions that are recreated by those indicators and other quantitative measures. Muhammad, *The Condemnation of Blackness*, 283; Porter, *Trust in Numbers*, viii-ix.

[126] Chicago Police Department*, Annual Report* (Chicago: Chicago Police Department, various years).

Scotch	1899-1931
Slavonians	1905-1931
Spanish	1902
Swedes	1899-1931
Swiss	1899-1927
Turks	1902
Welsh	1902
Other Nativities	1899-1931

Arrests and charges represented a critical site for the forging of a connection between blackness and criminality through the exercise of official police discretion. Police had arrested black Chicagoans in disproportionate numbers since the early twentieth century; although the rate of black arrests per 100,000 city residents remained below that of "American" arrests, the proportion of total black arrests was consistently outsized compared to the proportion of black city residents. In 1900, when the black population of Chicago made up 1.78 percent of the total city population, the number of black arrests made up 7.83 percent of total arrests.[127] By 1910, the black population of the city had risen only slightly to 2.02 percent, but the proportion of black arrests remained disproportionately high at 7.09 percent.[128] Ten years later, in 1920, the black population of the city had grown to 4.05 percent of total city residents, and the proportion of black arrests had risen significantly to 11.3 percent of the total number of arrests by the Chicago Police Department that year.[129] The proportion of black arrests in the city saw its biggest jump

[127] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1900), 613; Chicago Police Department, *Report of the General Superintendent of Police of the City of Chicago to the City Council* (Chicago: Daul-Hartman, Co. Printers, 1903), 56.
[128] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 512; Chicago Police Department, *Report of the General Superintendent of Police of the City of Chicago to the City Council* (Chicago: Bentley, Murray &Co., 1910), 18.
[129] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261; Chicago Police Department, *Annual Report, Year Ending December 31st, 1920* (Chicago: Chicago Police Department, 1921), 34.

between 1920 and 1930; in 1930, Chicago's black population made up 6.9 percent of the total city population, but black arrests represented 25.34 percent of total arrests.[130]

The total number of black arrests in Chicago was even more dramatically imbalanced when disaggregated by gender, as black women found themselves arrested at even higher rates than the total black population or black men in those decades. Like the total number of black arrests, the total proportion of black women arrested remained consistently higher than the proportion of black women in the city but became even more markedly disproportionate by the 1930s. In 1904, black women accounted for 11.95 percent of total women arrested, although they comprised approximately 1.7 percent of the total female population of the city.[131] In 1910, the proportion of black women in the city had grown slightly to 2.0 percent, but the number of black women arrested that year still made up 11.06 percent of all women arrested.[132] A decade later, the population of black women in Chicago had increased to 4.0 percent of the total population of women in the city, but the total number of black women arrested comprised 15.54 percent of women arrested that year.[133] And similarly to the proportion of total black arrests, the proportion of black women arrested saw its highest jump between 1920 and 1930. In a year when black

[130] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609; Chicago Police Department, *Annual Report, Year Ending December 31st, 1930* (Chicago: Chicago Police Department, 1931), 22.
[131] The Chicago Police Department did not start reporting total arrests of men and women separately until 1904. By that point, the total black female population of Chicago was likely higher than it had been during the last census in 1900, but by 1910 black women only comprised two percent of the total female population of the city. U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1900), 613; Chicago Police Department, *Report of the General Superintendent of Police of the City of Chicago to the City Council* (Chicago: Daul-Hartman, Co. Printers, 1904), 57; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 480.
[132] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 512; Chicago Police Department, *Report of the General Superintendent of Police of the City of Chicago to the City Council* (Chicago: Bentley, Murray &Co., 1910), 18.
[133] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261; Chicago Police Department, *Annual Report, Year Ending December 31st, 1920* (Chicago: Chicago Police Department, 1921), 34.

women made up 6.9 percent of the population of women in the city, black women made up 50.08 percent of women arrested in the city that year.[134]

TABLE 1.3: BLACK ARRESTS BY THE CHICAGO POLICE DEPARTMENT, 1900-1930[135]

YEAR	TOTAL ARRESTS	BLACK ARRESTS	BLACK ARRESTS AS PERCENT OF TOTAL	TOTAL POPULATION	BLACK POPULATION	BLACK POPULATION AS PERCENT OF TOTAL
1900	70, 438	5,512	7.83%	1,698,575	30, 150	1.78%
1910	76,628	5,434	7.09%	2,185,283	44,103	2.02%
1920	87,197	9,856	11.3%	2,701,705	109,458	4.05%
1930	183,434	46,487	25.34%	3,376,438	233,903	6.9%

Most black Chicagoans found themselves arrested most often for offenses that were also common among other populations in the city. In 1920, burglary, larceny, and robbery accounted for most black felony charges, mirroring the most common offenses cited by the police department for the population of Chicago as a whole. However, black arrestees were similarly overrepresented for these offenses as they were in total arrests for that year.[136] The influx of migrants increased the proportion of working-class black city residents, who crammed into the crowded neighborhoods of the black South Side and often struggled to find employment in the city's factories and manufacturing districts. Considering the economic constraints that black migrants found themselves living under once they reached Chicago, it was little wonder that black property crime would represent a significant proportion of black arrests. However, the

[134] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609; Chicago Police Department, *Annual Report, Year Ending December 31st, 1930* (Chicago: Chicago Police Department, 1931), 22.

[135] Chicago Police Department, *Report of the General Superintendent of Police of the City of Chicago to the City Council* (Chicago: Daul-Hartman, Co. Printers, 1904), 57; Chicago Police Department, *Report of the General Superintendent of Police of the City of Chicago to the City Council* (Chicago: Bentley, Murray &Co., 1910), 18; Chicago Police Department, *Annual Report, Year Ending December 31st, 1920* (Chicago: Chicago Police Department, 1921), 34; Chicago Police Department, *Annual Report, Year Ending December 31st, 1930* (Chicago: Chicago Police Department, 1931), 22.

[136] In 1920, charges against black defendants for burglary and larceny accounted for nearly 19 percent of total charges for those two offenses, in a year when the black population of the city accounted for only 4.05 percent of the total population. Chicago Police Department, "Statistics of Charges and Social Status," *Annual Report, Year Ending December 31st, 1920* (Chicago: Chicago Police Department, 1921).

number of black arrests for felony property crimes were so dramatically disproportionate compared to the proportion of black city residents, these numbers also suggested that police may have targeted this population for arrests or ignored similar property crimes that occurred among other population of the city.

While police maintained discretion regarding whom to arrest for violent crimes or property crimes, other misdemeanor offenses were defined entirely by official discretion. It were those misdemeanors and quality of life offenses that black Chicagoans found themselves arrested for in the greatest numbers, particularly disorderly conduct. According to police data, there were a handful of racial and ethnic groups that found themselves particularly likely to be arrested for disorderly conduct, African Americans, Irish, Italians, Poles, and Russians among them.[137] Black charges for disorderly conduct accounted for 11 percent of total charges for that offense in 1920 when the black population of the city was only 4.05 percent of the total population.[138] Evidently, it was the city's largest immigrant and migrant communities that often found themselves vulnerable to discretionary police harassment and arrest even while many in those same communities critiqued police officers for failing to clean up vice or prevent violent crime in their same neighborhoods.

Patterns of black overrepresentation among Chicago Police Department arrests and charges demonstrated how law enforcement practices themselves reflected and reinforced popular discourses of inherent black criminality that had circulated in Chicago and around the country since the early twentieth century. This evidence recalled Ida B. Wells's critique of the

[137] Together, these five groups made up 27 percent of arrests for disorderly conduct in 1920. Chicago Police Department, "Statistics of Charges and Social Status," *Annual Report, Year Ending December 31st, 1920* (Chicago: Chicago Police Department, 1921).
[138] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261; Chicago Police Department, *Annual Report, Year Ending December 31st, 1920* (Chicago: Chicago Police Department, 1921), 34.

Chicago Police Department, which she claimed had played an active role in unfairly accusing black city residents of committing "all the crime in Chicago."[139] City officials noted those racial discrepancies of arrests and charges in the early twentieth century, but none indicated efforts to rectify racially discriminatory patterns of policing. Interviewed by investigators of the Chicago Commission on Race Relations in 1920, Municipal Court Judge Daniel P. Trude admitted that he had noticed "more disposition on the part of the officers to make arrests of colored offenders," while Criminal Court Judge Charles M. Thomson related an incident that came before his bench in which a black man was repeatedly arrested, but in the judge's estimation "A crime occurred in their district, and they pounced on this chap, I felt pretty sure he was not guilty."[140] Similarly, Criminal Court Judge Kickham Scanlan concluded that police arrested many black Chicagoans "on suspicion," blaming that undue suspicion on racial prejudice and quipping "If you will tell me why race prejudice exists in this world, I will tell you why this is so."[141] Former Chicago Chief of Police Leroy T. Steward offered his own explanation for the overrepresentation of black arrests, concluding that this difference could be attributed to African American migration itself. He suggested that Chicago police officers were accustomed to seeing white workers in the city's Stockyards but unfamiliar with most new black migrants who had found work there. According to Steward, this made new black migrants more likely to be arrested, since "There is concerning them naturally a greater suspicion than would attach to the white man who had lived for a greater length of time in the same district."[142] Steward's response identified the active role of patrolmen themselves in driving up the number of black arrests and connected that role directly to the changes wrought by the massive migration of African Americans to Chicago.

[139] "Mayor's Excuse for Crime Wave Stirs Negroes," *Chicago Daily Tribune*, March 25, 1919.
[140] Chicago Commission on Race Relations, *The Negro in Chicago,* 350-351.
[141] Ibid, 351.
[142] Ibid.

Other official explanations for the high proportions of black arrests and charges laid blame on inherent black criminality itself. In the mid-1920s, Chicago Police Department Superintendent Morgan Collins spoke to an assembly of law enforcement officers and anti-crime activists at a conference organized the Chicago Crime Commission. Superintendent Collins's remarks drew attention to black crime in the city, and he concluded "One cause of our increase in murders in Cook County is the greatly increased number of colored people who have recently made their homes in Chicago…I do not mean to cast any reflection on the colored population, but statistics show that they are in fact one source of the increase in our murder rate."[143] Indeed, the black homicide rate in Chicago had been higher than the white homicide rate since the late nineteenth century and continued to rise in the 1920s as the number of black Chicagoans charged with murder more than doubled between 1920 and 1924 and the number convicted of murder rose by a factor of more than eight.[144] However, this singular reliance on statistics to understand the relationship between black Chicagoans and violent crime elided the structural factors that shaped the experiences of black city residents and magnified the violent crime rate among that population. Lack of policing in black neighborhoods along with the active role of police in directing vice establishments into the black South Side multiplied the number of potentially violent spaces in black neighborhoods with little if any state protection.[145] Police also neglected to intervene when black Chicagoans faced violent threats from white city residents, as they had during the Teamster's strike of 1905, the bombing campaign directed against black homes in the WWI years, and the 1919 Chicago Race Riot.[146] Poverty and racial segregation further

[143] Chicago Crime Commission, *Bulletin of the Chicago Crime Commission* (Chicago: Crime Commission of Chicago, December 10, 1924), 9-10.
[144] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, Various Years); Adler, *First in Violence, Deepest in Dirt,* 126-127.
[145] Adler, *First in Violence, Deepest in Dirt,* 127-129.
[146] Ibid, 136-137.

exacerbated violent crime among black Chicago neighborhoods, as families struggling to make a living wage or access adequate housing often experienced higher rates of domestic violence.[147]

White Racial Violence and Police Discretion

By the end of the First World War, the intersection of white supremacy and police discretion had produced an urban geography and political landscape in which black Chicagoans were associated with criminality and disproportionately targeted by city police, and one in which white racial violence against African Americans went nearly unchecked by the state. It was this context that William B. Austin's home was bombed on June 16, 1919, as well as the apartment he had rented to Gertrude Harrison just a few weeks earlier. The frequency of the white bombings of black homes increased by the close of the second decade of the twentieth century, especially along the border of the South Side Black Belt; between July 1917 and March 1921 there were 58 home bombings in Chicago.[148] As upwardly mobile black Chicagoans sought improved housing outside the Black Belt, some white neighborhoods formed protective associations to defend racial boundaries and property values, sometimes holding "indignation meetings" upon learning about potential new black neighbors.[149] An account from the *Baltimore Afro-American in* March 1919 reported three black home bombings in the previous three weeks, and more than twelve in the previous six moths "All of them were traced…to a class of whites

[147] In his study of murder in Chicago, Jeffrey Adler found unusually high rates of spousal violence among black families in the early twentieth century, a trend that he attributes to the structural discrimination faced by black families. Adler is careful to distinguish, however, that this pattern of domestic violence was highly similar to patterns of domestic violence in white Chicago homes in the previous several decades. These similar patterns of violence at dissimilar rates indicated that black violent crime was not due to racial difference or migrant maladjustment, but due to structural racial discrimination that black Chicagoans faced in the early twentieth century. Adler, *First in Violence, Deepest in Dirt,* 147-149.

[148] Minutes of the Chicago Law and Order League and the Hyde Park Protective Association, July 10, 1919, Folder 1, Chicago Law and Order League Papers, Chicago History Museum [hereinafter CLOL Papers]; Chicago Commission on Race Relations, *The Negro in Chicago,* 123.

[149] Louise de Koven Bowen, *The Colored People of Chicago: An Investigation,* 1913, p. 13, Series IV, Box 1, Folder 128: JPA—The Colored People of Chicago pamphlet, 1913, JPA Records; Spear, *Black Chicago,* 21-22.

who have become very much incensed because of the valuable properties colored people are getting in the exclusive sections of the South Side."[150]

Attacks on black homes began as early as 1906, when Hyde Park residents organized to intimidate black homebuyers. In 1910, a group of white homeowners on the West Side broke into a newly acquired black home, threatened the family inside with death, and proceeded to tear down the house and destroy everything inside.[151] Police made little effort to apprehend the perpetrators of these attacks, effectively legalizing these white attacks on black property and safety and decriminalizing white violence in the service of the color line. The failure of police to investigate most of these attacks and their reluctance to make arrests in these cases represented a pinnacle of racialized police discretion. Police and other law enforcement officials played an active role in the association of blackness and criminality as they exercised their discretion to make disproportionate black arrests and direct criminal enterprises into black neighborhoods. Police failure to stop the operation of white-owned vice enterprises and the lack of arrests in cases of white racial violence—such as the ongoing home bombings—further decriminalized white racial violence in the same moment.

White attacks on black property and black lives ranged from explosions at the homes of unassuming Southern migrants, to explosions at the houses of white landlords, to repeated attacks on elite black property owners. Reports of those attacks usually contained the same trope regarding police response—that police had investigated but found no evidence of the wrongdoers and made no arrests. This trope persisted in accounts of the bombing campaign despite widely held popular knowledge that white property owners' associations had coordinated the attacks and

[150] "Another Bomb Outrage in Chicago," *Baltimore Afro-American*, March 28, 1919.
[151] Philpott, *The Slum and the Ghetto,* 155-6; Louise de Koven Bowen, *The Colored People of Chicago: An Investigation,* 1913, p. 12, Series IV, Box 1, Folder 128: JPA—The Colored People of Chicago pamphlet, 1913, JPA Records.

often circulated knowledge about their targets before the actual explosion.[152] After an attack in July 1917, the *Chicago Daily Tribune* reported that the black residents of an apartment building on Maryland Avenue had been injured when a bomb exploded in the building. According to the report "There was a rumor that race resentments were responsible. No arrests were made."[153] The attack had thrown the sleeping residents from their beds and caused more than $10,000 in damage. S.T. Motley had acquired the building four years earlier, and "Rumors reached the police that white residents of the neighborhood resented the sale of the building to Motley, who is a negro."[154] In March 1920, white landlord Moses Fox received a call warning him that he would "suffer the consequences" of having sold a home to new African American owners.[155] On the evening of March 10th, an automobile drove slowly past the Fox home and tossed a dynamite bomb inside, which exploded and damaged properties throughout the block. It was later discovered that the evening chosen for the attack was one in which the usual black patrolman who policed the block was off duty and that a white patrolman had taken his place. As was typical of these attacks, "No arrests were made."[156]

[152] Chicago Commission on Race Relations, *The Negro in Chicago,* 123.
[153] "Bomb in Negro Flat Laid to Race Trouble," *Chicago Daily Tribune*, July 2, 1917.
[154] Ibid.
[155] Chicago Commission on Race Relations, *The Negro in Chicago,* 125.
[156] Ibid.

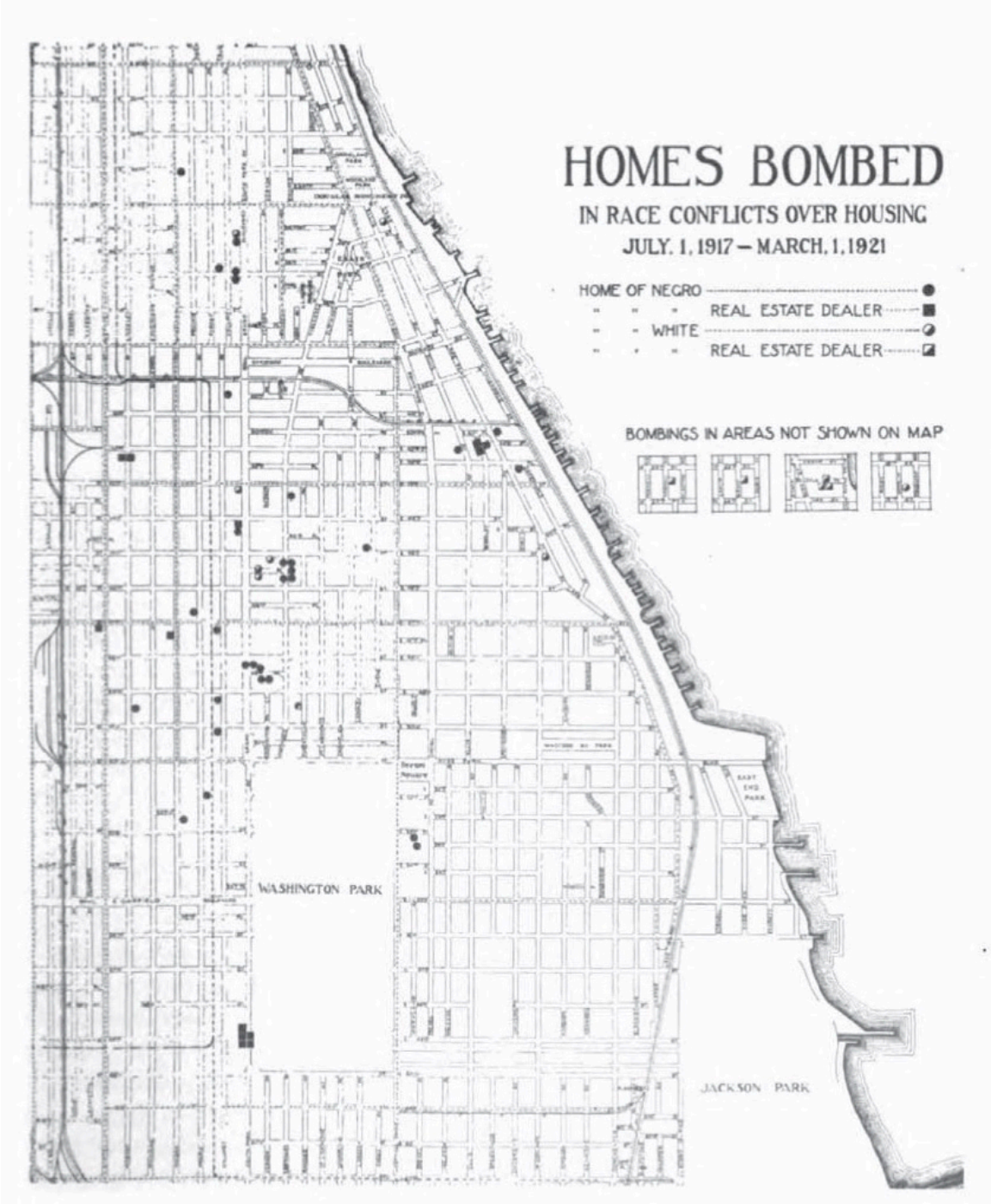

FIGURE 1.5: "HOMES BOMBED," 1917-1921[157]

Other attacks suggested that the goal of the violent campaign was not solely to confine black residential areas but also to stop black social and economic advancement. Over the course of a year beginning in November 1919, Jesse Binga, the owner of Chicago's first African

[157] Chicago Commission on Race Relations, *The Negro in Chicago.*

American bank and the holder of more than $500,000 of property in the city, was bombed five times at his homes and businesses. A bomb left the Binga realty officers in shambles in November 1919, and once again "No clews [sic] to the bombers were found, and no arrests were made."[158] After an attack on Binga's home a month later, police were detailed to guard the house on South Park Avenue, but attackers managed to plant another explosion. In a convenient "unguarded interval," the driver of an automobile tossed a bomb towards the Binga home, which fortuitously extinguished in a puddle of water. Those with knowledge of the attempted bombing explained that the perpetrators had objected to Binga's property ownership, particularly the real estate mogul's "$30,000 home in a white neighborhood."[159] Two more bombings of Binga's home followed over the course of the year; despite his offers of rewards for information leading to an arrest, "No one was arrested."[160]

Appeals to city leaders and police made little effect in changing the official response—or lack thereof—to the ongoing bombings, similarly to the inability of most black Chicagoans to persuade police to eliminate vice establishments from black neighborhoods in these years. Interracial committees and delegations sought audiences with the Mayor William Hale Thompson, Superintendent of Police John J. Garrity, and State's Attorney Maclay Hoyne urging investigations of the attacks, to no avail. When Thompson referred the matter to the Police Department "The police were unable to discover the bombers or anyone directing them."[161] Meanwhile, the attacks continued, as "The Negro population grew to trust less and less in the interest of the community and the public agencies of protection."[162] The recently reorganized Chicago branch of the National Association for the Advancement of Colored People prioritized

[158] Chicago Commission on Race Relations, *The Negro in Chicago,* 125.
[159] Ibid, 126.
[160] Ibid.
[161] Ibid, 124.
[162] Ibid.

the investigation of these violent attacks on black homes, listing among its top priorities "investigation of the destructive prohibitory methods used by some citizens to keep colored tenants out of certain neighborhoods."[163] Some drew attention to the fact that black votes had secured the mayor's office for Thompson despite the fact that the city executive failed to take decisive action on the campaign of white racial violence. Julius Taylor, editor of the African American weekly *Broad Ax*, implored Chicago's black leaders to continue to press Thompson on the issue, citing the fact that several black elites were integral members of Thompson's urban machine and yet black Chicagoans failed to receive adequate police protection.[164]

A week after the attack on the North Side Austin residence in June 1919, a seething editorial in the *Chicago Defender* demanded answers to the persistent problem of police decriminalization of this ongoing white racial violence. The writer posited that police "[winked] at these disgraceful occurrences because the victims are Colored people," suggesting that police discretion to allow the ongoing violence hinged as much on the race of the victims as it did on the race of the perpetrators. The *Defender* contrasted this consistent police negligence with successful investigations of "labor sluggers when these gentry were carrying on their reign of terror against the building industry," and noted that "the activity of the police was sufficient to…suppress the work of the I.W.W. and we can see no reason for the lack of similar activity in going after the bomb throwers."[165] Here the *Defender* identified the precise tension that had characterized the police response to the bombing of the Austin residence: police were apparently eager to respond to attacks on white capital but not to attacks on black homes and safety. The editorial asserted that black Chicagoans were entitled to equal police protection as taxpayers who

[163] *The Branch Bulletin*, June 1919, p. 59, Folder: Chicago Commission on Race Relations, Copies of "Branch Bulletin," 1919-1920, Sec. of State Records.
[164] "Negro Editor Wants Mayor to Stop Bombings," *Chicago Daily Tribune*, May 4, 1921.
[165] "Something Lacking," *Chicago Defender*, June 28, 1919.

supported law enforcement institutions through their tax dollars and that in the absence of police protection "We must protect ourselves."[166] Here the writer indicated how the failure of the police to provide equal protection could result in the politicization of black Chicago or even violent self defense, processes that would continue in the years to come as black residents continued to face and critique racially discriminatory police discretion.

In July 1919, only a month after the attacks on the Austin home, racial violence in Chicago transformed from targeted bombings to a wholesale riot. A confrontation on the Twenty-Ninth Street beach turned violent when a white crowd assaulted a young black swimmer and police failed to intervene. Investigators from the Chicago Commission on Race Relations and other black observers repeatedly referred to white rioters as "criminals," a notable discursive reframing of the decriminalized white racial violence that had plagued black Chicagoans for years.[167] Others expressed concern that a racially motivated home bombing could lead to another riot as the interwar decades progressed.[168] In a frustrated note from February of 1920, Chicago Commission on Race Relations vice chairman Francis Shepardson identified the central role that police discretion continued to play in the ongoing racial conflict "Property is being destroyed and life endangered by bomb throwing. The facts are known to all. They are reported in the papers. But there seems to be no authority interested in the protection of Americans whose skins are black…unless something is done soon another riot is certain."[169] It was that failure to protect all Chicagoans that black city residents and members of other subjugated communities would continue to grapple with as the interwar decades progressed.

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[166] "Something Lacking," *Chicago Defender*, June 28, 1919.
[167] "Spirit of Riot Loose in Chicago," *Baltimore Afro-American*, March 12, 1920; "Is Bombing Legal?," *Chicago Defender*, April 9, 1921; "The Crime Situation," *Chicago Defender*, April 23, 1921.
[168] Minutes of the Chicago Commission on Race Relations Executive Committee, February 25, 1920, Folder: Chicago Commission on Race Relations, Minutes of Meetings of Executive Committee, Feb. 20-Sept. 15, 1920, Sec. of State Records.
[169] Memo from Frank Lowden to Francis W. Shepardson, February 2, 1920, Folder: Chicago Commission on Race Relations—Correspondence, 1919-1920 (3), Sec. of State Records.

Chapter 2

CRIME AND VICIOUS ENVIRONMENT: THE 1919 CHICAGO RACE RIOT AND BLACK CRIME POLITICS AFTER WWI

It was a blistering hot Sunday afternoon on July 27, 1919, when Officer Daniel Callahan took a walk along the shore of Chicago's Twenty-Ninth Street beach.[1] Perhaps seeking a respite from the city's scorching summer heat, Callahan wandered several blocks from his post at the Cottage Grove Avenue police station and strolled along the water's edge.[2] As he surveyed the lakeshore, the police officer saw a group of white bathers enjoying the relief of the cool water. For years, a tacit understanding had dictated that black swimmers would use the beach two blocks north near Twenty-Seventh Street, while white swimmers would enter the water at Twenty-Ninth Street.[3] As Callahan watched over the segregated beach, he was surprised to see an unexpected figure bobbing in the water. Eugene Williams, an African American teenager, had drifted through the waves, crossing the invisible boundary that separated black beach from white. Callahan made no move to usher Williams northward toward the Twenty-Seventh Street beach. Neither did he stop a group of white swimmers as they gathered on the shore; the group ridiculed Williams and protested his entry into their supposedly protected waters. As the protestations grew more vehement, some of the white swimmers lobbed stones in Williams's direction as Callahan looked on.

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[1] "Riot Sweeps Chicago: Gun Battles and Fighting in Streets Keep the City in an Uproar," *Chicago Defender*, August 2, 1919.
[2] One newspaper account from July 1919 reported that "Racial feeling…had been on a par with the weather during the day," suggesting that Chicagoans indeed endured withering heat that week. "Report Two Killed, Fifty Hurt, in Race Riots: Bathing Beach Fight Spreads to Black Belt," *Chicago Daily Tribune,* July 28, 1919.
[3] Chicago Commission on Race Relations, *The Negro in Chicago,* 4.

Disquieted by the commotion, a group of black bathers decamped from their spot at Twenty-Seventh Street to investigate the disturbance, eliciting the taunts of the white crowd. The shouts grew louder and the two groups began to launch stones at one another. Callahan watched the altercation, choosing not to intervene in the increasingly violent fracas. Eventually, a white man sent another stone flying into the water towards Williams, striking him and knocking him from his raft. Williams struggled in the water, unable to keep himself afloat due to his injuries. A group of experienced swimmers attempted to rush to the boy's aid, but Callahan stopped them, ordering the group to stay on the beach as Williams drowned.

As the crowd waited in vain for Williams to reemerge from beneath the surface of the water, several black witnesses turned their ire on George Stauber, a white man whom they claimed had thrown the fatal stone.[4] They demanded that Callahan arrest Stauber, but the officer refused, failing to acknowledge Stauber's supposed crime. Incensed, a group of black swimmers attacked the officer, pushing him to the ground and pummeling him until Callahan ran from the beach and into a nearby drugstore.[5] There he made a call to the Cottage Grove Avenue police station, which dispatched two wagons loaded with officers. When the police arrived at the scene, Officer John O'Brien charged the crowd, attempting to quell the angry protestations. Hardly assuaged, the group of black onlookers attacked O'Brien, again calling for the arrest of Williams's attacker and repeating their demands for fair law enforcement. Disregarding these calls for Stauber's arrest, O'Brien fired his revolver into the crowd, striking three black men who fell to the ground.[6] Quickly following this confrontation between police and the black crowd,

[4] "Riot Sweeps Chicago: Gun Battles and Fighting in Streets Keep the City in an Uproar," *Chicago Defender*, August 2, 1919.
[5] Ibid.
[6] Ibid.

violence spread west from the beachfront along Twenty-Ninth Street and into the city's south side Black Belt, setting off one of the largest racial clashes in Chicago's history.[7]

The Chicago Race Riot of 1919 joined a period of heightened racial violence that would come to be known as the Red Summer—the summer and early autumn of 1919 when massive racial violence reached across the country into booming metropolises and smaller rural outposts. The riot also represented a crucial example in the long trajectory of police involvement in urban racial violence. Indeed, discriminatory policing and police violence have played a causal role in nearly every major urban racial conflict in United States history. Among early-twentieth-century race riots, police brutality, negligence, or encouragement of violence played a role in the East St. Louis Riot of 1917, the Tulsa Riot of 1921, and the Harlem Riot of 1935, in addition to the eight-day conflict in Chicago. In its investigation of twentieth-century race riots, the National Advisory Commission on Civil Disorders found that "Almost invariably the incident that ignites disorder arises from police action…police have come to symbolize white power, white racism, and white oppression."[8] Here the investigators found a deep historical pattern of police involvement in massive violence, along with a pattern of police defense the color line and protection of the privileges of whiteness, two patterns evident in Chicago in 1919 as well.

Officer Callahan's role in the incident on the Twenty-Ninth Street beach demonstrated the power of police discretion to define and defend racialized spaces and the potential for that discretion to spark vehement objection and massive urban violence. Callahan used his discretionary authority as an officer of the state to excuse Stauber for the murder of Eugene Williams with the full knowledge that a quick call to the Cottage Grove Avenue police station

[7] Chicago Commission on Race Relations, *The Negro in Chicago,* 4; William M. Tuttle, *Race Riot: Chicago in the Red Summer of 1919* (New York: Atheneum, 1970), 10.
[8] National Advisory Commission on Civil Disorders, *Report of the National Advisory Commission on Civil Disorders* (New York: Dutton, 1968), 93.

would provide him with the necessary institutional reinforcement to support that decision. The many witnesses on the beach that day may have formed their own varied interpretations of Callahan's actions. Stauber and the other white swimmers may have interpreted Callahan as a righteous defender of the urban color line and may have seen his choice not to make an arrest as the state sanctioning of white racial exclusivity and violence. The black swimmers who had demanded Stauber's arrest, however, likely saw Officer Callahan as a symbol of discriminatory state institutions, denying black Chicagoans equal protection of the law in the service of white supremacy. In his decision not to arrest Stauber but instead to call for more police officer to control black protestors, Callahan acted not as a rogue cop but as a representative of a state institution that provided for the discretionary power of police to decriminalize white violence at the site of racial conflict, allowing for the violent defense of the urban color line.

This story of urban policing and the 1919 Chicago Race Riot ultimately indicated the pivotal role that local law enforcement institutions played in the construction and defense of the urban color line. The incident on the Twenty-Ninth Street beach dramatized several of the conflicts that had suffused race relations in Chicago since the early twentieth century, as white beachgoers violently defended urban racial boundaries with the endorsement of state officials. Officer Callahan's failure to intervene in the violent conflict and his decision not to make any arrests following Williams's death mirrored repeated police failure to intervene in or investigate the ongoing violent attacks on black homes that had continued through the summer leading up to the days of the riot itself. Policing in the years before the conflict enacted patterns of racialized police violence and police neglect of black security and safety. These processes reflected the particular urban landscape and social politics of Chicago, including the shifting racial geography of the city over the course of the Great Migration and the relationship between white ethnic

crime syndicates and the city's police force. The riot, therefore, represented not a sudden explosion of urban racial violence, but rather the culmination of decades of the defense of racialized space and state complicity in the subjugation of blackness.

Patterns of discretionary policing during the days of the riot itself similarly reflected decades of racialized police discrimination. Imbued with the authority of the state, police officers deployed their discretion to decide which laws to enforce and whom to arrest, reflecting and reinforcing discourses of black criminality to guide their actions on the streets of Chicago.[9] In the years preceding the riot, police encouragement of illegal enterprises in South Side black neighborhoods, disproportionate black arrests, and inflated statistics of black crime all contributed to the growing association of blackness and criminality. Arrests during the days of the riot disproportionately targeted African Americans, despite the fact that injuries and fatalities were also disproportionately found among African Americans, indicating that police deployed their discretion to decriminalize many acts of white racial violence during the eight-day riot.[10] Accounts from riot witnesses also catalogued numerous instances in which police failed to intervene in violent white attacks on black city residents or participated in those attacks themselves, demonstrating how policing during the riot reinforced urban racial hierarchies and endorsed white racial violence. These patterns of racially disparate policing and prosecution did elicit objections from some state officials in the months and years following the riot itself. For instance, during the days of violence in late July and early August, the Cook County Grand Jury halted indictments after seeing only black defendants brought before them for riot violations.[11] These intra-state critiques and tensions demonstrated that despite years of racial discrimination

[9] Muhammad, *The Condemnation of Blackness,* 206-225.
[10] Chicago Commission on Race Relations, *The Negro in Chicago,* 1.
[11] "White Rioters Face Bolting Jurymen Today," *Chicago Daily Tribune*, August 7, 1919.

among police officers, law enforcement as an anti-black endeavor was not a consolidated state objective in the years following WWI.

The riot also played a critical role in fomenting black critiques of local law enforcement and elicited broad investigation of the conditions of black life in Chicago during the years of the first Great Migration. Over the course of the riot, race leaders—elites and leaders of racial advocacy organizations—appealed to the mayor of Chicago, asking him to direct police to fairly enforce the law and intervene in the many instances of white racial violence. These appeals echoed the respectable black law and order politics that had permeated elite black calls for fair law enforcement since the early twentieth century, calls that were premised on black lawfulness. The most trenchant and widely read critiques of riot violence and the state response, however, would be found in the final report of the state-appointed Chicago Commission on Race Relations (CCRR), which conducted a years-long investigation of black life in Chicago and the conditions that led to the massive racial violence in 1919. The CCRR's exhaustive report, *The Negro in Chicago: A Study of Race Relations and a Race Riot*, represented a comprehensive urban sociology of black life in Chicago, deploying the methodology of the newly established Chicago School of Sociology.[12] The many recommendations that the CCRR made for improving race relations in the city drew attention to the ongoing problems of police discretion while also pointing to the broad range of social causes of inequality in Chicago. These broad-based critiques showcased the influence of Progressive reform on the methods and recommendations of the CCRR, as its investigators drew connections between racial conflict and the conditions of

[12] Robert E. Park and Ernest W. Burgess, *Introduction to the Science of Sociology* (Chicago: University of Chicago Press, 1921); Robert E. Park, et al, *The City* (Chicago: University of Chicago Press, 1925).

urban life and drew attention to the strained relationship between black Chicagoans and the city's overwhelmingly white ethnic police force.[13]

The 1919 Chicago Race Riot represented the culmination of decades of racially discriminatory policing in Chicago, policing that had resulted in both the disproportionate criminalization of blackness and the decriminalization of white racial violence. Moreover, the riot itself, the patterns of discriminatory policing it showcased, and the critiques it elicited demonstrated the historical specificity of police discretion as a instrument of racial formation in early-twentieth-century Chicago. Police discretion did not work as an unmarked tool of racial hierarchy or anti-blackness, but rather functioned within the historically specific context of migration-era Chicago. The patterns of violence and discriminatory policing during the riot itself drew on years of state practices that criminalized blackness and reinforced the racial boundaries of urban space that many white neighborhood organizations had violently defended since the early twentieth century. The overwhelmingly white ethnic Police Department also drew on its many connections and financial relationships with ethnic gangs during the conflict, choosing not to arrests many affiliated with those groups despite their overt violence during the days of the riot. Informed by the racial, spatial, and political context of early-twentieth-century Chicago, police and other law enforcement officers patrolled the 1919 Chicago Race Riot as they had patrolled the city in the years leading up to the conflict, adhering to the discriminatory practices established through years of racially disparate law enforcement.

[13] See chapter 1 for detail about the racial composition of the Chicago Police Department in the late nineteenth and early twentieth centuries.

RIOT POLICING IN 1919

July of 1919 had already seen racial conflict across the country by the time tensions erupted in Chicago; in the first few weeks of that month, massive violence occurred in Virginia, Texas, Arizona, Pennsylvania, and Washington, DC.[14] Reflecting on this period years later, NAACP Executive Secretary James Weldon Johnson gave it its moniker "Eight months after the armistice…there broke the Red Summer of 1919, and the mingled emotions of the race were bitterness, despair, and anger."[15] In the context of the immediate post-WWI years and the First Red Scare, the label ambiguously encompassed widespread fears of Bolshevism and anarchy as well as the racial bloodshed that gripped the nation. Over time, the label came to be primarily associated with the numerous violent attacks on African American communities that summer. Estimates regarding the number of conflicts during the Red Summer ranged from 25 to nearly 40 depending on the definition of racial conflict and the chronological scope used.[16] Mob actions resulting in multiple deaths and injuries occurred in Washington, DC, Chicago, Knoxville, Longview, TX, Norfolk, VA, Philadelphia, Charleston, Millen, GA and Bisbee, AZ.[17] Smaller-scale conflicts resulting in one or fewer fatalities or injuries happened in nearly 30 cities and at least 77 lynchings of African Americans occurred throughout the calendar year.[18]

The Red Summer erupted amidst a wide range of social disruptions, including post-war demobilization, temperance activism, the advent of federal Prohibition, intensified black

[14] "For Action on Race Riot Peril," *New York Times*, October 5, 1919.
[15] James Weldon Johnson, *Black Manhattan* (New York: Alfred A. Knopft, 1930), 246.
[16] There is no authoritative record of all the racial violence that occurred over the course of the summer and early fall of 1919, but newspaper records, state documents, court records, and the records of the NAACP indicated that at least 25 race riots occurred that year. Cameron McWhirter, *Red Summer: The Summer of 1919 and the Awakening of Black America* (New York: Henry Holt and Company, 2011), 13.
[17] National Association for the Advancement of Colored People, "Why Congress Should Investigate Race Riots and Lynchings," 1919, Part 07: The Anti-Lynching Campaign, 1912-1955, Series A: Anti-Lynching Investigative Files, 1912-1953, *Papers of the NAACP*.
[18] National Association for the Advancement for Colored People, "Lynching Record for 1919," 1919, Part 07: The Anti-Lynching Campaign, 1912-1955, Series A: Anti-Lynching Investigative Files, 1912-1953, *Papers of the NAACP*.

migration to the North and urban South, and labor conflict.[19] The confluence of these myriad social changes helps explain the timing of the Red Summer and the rapid concentration of violence over the span of a few months. Each race riot, however, was rooted in local conflicts. For instance, the Washington, DC race riot that began on July 19th followed frequent news reports of a black "crime wave" in the city, and the city's major dailies continued to trumpet warnings of black violence as the riot spread. Administrators of the district's police department also reported that the violence had been encouraged by anti-Prohibitionists, who endeavored to demonstrate the negative impact of the federal ban on alcohol.[20] The Chicago riot, however, followed the years of violence along the city's color line, as white neighborhood associations coordinated at least 58 bombings of black-occupied homes outside the Black Belt beginning in 1917.[21] The violent confrontation along Chicago's lakeside color line and the failure of police to address adequately the white racial violence at the Twenty-Ninth Street beach reflected that pattern of racial violence that had been sanctioned by police in Chicago since the beginning of the Great Migration.

What began with a dispute at the Twenty-Ninth Street beach soon enveloped the city, as violence spread through Chicago in the days after July 27th. News reports described gangs of white and black rioters alike wandering the streets of the city. These reports depicted a city gripped in violence, city residents taking cover in their homes for fear of venturing out into the street only to fall victim to the roving gangs.[22] While these reports drew repeated attention to the

[19] Jan Voogd, *Race Riots and Resistance: The Red Summer of 1919* (New York: Peter Lang, 2008), 3.
[20] *The Branch Bulletin*, August 1919, Folder: Chicago Commission on Race Relations, Copies of "Branch Bulletin," 1919-1920, Sec. of State Records.
[21] Chicago Commission on Race Relations, *The Negro in Chicago,* 122.
[22] The most comprehensive and descriptive records of the events and aftermath of the riot itself are the Chicago Commission on Race Relation's report, *The Negro in Chicago*, and contemporary news coverage of the conflict. The records of the National Urban League also contain some limited records about the riot. The Chicago Urban League attempted to help alleviate tensions during the riot itself, and likely investigated the causes of the conflict in its aftermath. But unfortunately, most early Chicago Urban League records were destroyed in two separate fires, one in

supposed role of city gangs in the conflict, police were often at the center of the violence. Two days after the riot began, a car full of white passengers crashed into a police patrol car at Thirty-Fifth Street and South State Street. The passengers had been roaming the Black Belt firing guns at black Chicagoans who unfortunately found themselves on the street that night. After the crash at Thirty-Fifth Street, a group of black bystanders rushed to the scene of the accident, enraged that police had done nothing to stop the attacks. Nearby police hurried to the scene as well, and soon the confrontation had nearly devolved into a brawl. Unable to subdue the black crowd, police opened fire, killing one black man and wounding 30 others.[23] They had failed to stop the white violence that targeted black Chicagoans, and police turned to violence themselves in order to subdue black anger during the conflict. The next night, violence flared again at Fifty-Third and State Streets in the Black Belt, as 200 policemen clashed with black Chicagoans for close to two hours. The officers fired nearly 1,000 rounds into the crowd, finally arresting 45 people before the incident was over. Eventually, police used axes and sledgehammers to force their way into surrounding black homes, searching for suspected snipers.[24] The incident at Fifty-Third Street demonstrated that police also acted as aggressors during the conflict, joining with white Chicagoans who sought black victims during the eight-day conflict and showing how the ongoing violence effectively authorized warrantless police searches of black private space and property.

Many examples of discriminatory policing during the Chicago Race Riot demonstrated keen police neglect for black safety when African Americans found themselves the victims of

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1918 and another in 1949, and only a limited number of sources from the organization remain for the years before 1940. "Flames Gut Chicago Urban League Office," *Chicago Defender*, February 19, 1949; Tuttle, *Race Riot,* 272; Nancy J. Weiss, *The National Urban League, 1910-1940* (New York: Oxford University Press, 1974), viii.

[23] "Twenty-Seven are Dead in Chicago Race Rioting," *Los Angeles Times,* July 30, 1919.

[24] "Chicago Mobs Fire on Troops: 200 Policemen in Battle with Negro Rioters," *San Francisco Chronicle*, July 31, 1919.

mob violence, echoing patterns of police neglect that black Chicagoans had critiqued in the years leading up to the riot. On July 28th, a group of white men beat Kin Lumpkin on the elevated train platform at Forty-Seventh Street. Instead of arresting his attackers, the patrolman who witnessed the incident arrested Lumpkin himself, charged him with inciting a riot, and held him in jail for five days.[25] In this instance, the observing police officer not only decriminalized this act of white racial violence but also used the incident to criminalize Lumpkin, laying blame on the black man for this instance of racial conflict. A few days later, a group of white men beat John Slovall in plain sight of a white policeman. Subsequently "No arrests were made. The officer did not even call for aid."[26] Here again, police decriminalized the racial violence of the white assailants and demonstrated deep disregard for black safety. By neglecting to aid Slovall, the officer failed to fulfill one of the basic tenants of state police power, to protect the health and safety of all Chicago residents.

While some of the worst reported violence occurred in the white ethnic West Side Back of the Yards neighborhood, police focused most of their attention and manpower on the South Side Black Belt. Police Superintendent John J. Garrity marshaled the full power of his department to patrol the Black Belt, even taking traffic patrolmen off their posts to further increase the police surveillance of black Chicago.[27] Garrity indicated that police were overwhelmingly deployed to the Black Belt, primarily concentrated between Twenty-Second and Thirty-Ninth Streets and east of Wentworth Avenue.[28] He estimated that approximately 2,800

[25] Chicago Commission on Race Relations, *The Negro in Chicago,* 34.
[26] Ibid, 35.
[27] "Chicago Mobs Fire on Troops: 200 Policemen in Battle with Negro Rioters," *San Francisco Chronicle*, July 31, 1919.
[28] Wentworth Avenue served as a "dead line," as police refused to allow any black Chicagoans to venture west of the street or any white Chicagoans to venture east of the street while violence continued. In this instance, police used the violent racial conflict in the city to formalize and enforce racial barriers that had been established by Jim Crow real estate practices over the previous two decades. Chicago Commission on Race Relations, *The Negro in Chicago,* 36.

police officers out of the department's total 3,500 patrolmen policed an approximately two square mile section of the Black Belt during the conflict, meaning that "four-fifths of the total police force was concentrated there."[29] This concentration resulted after Garrity ordered 1,000 additional police to patrol the predominantly black neighborhood, resulting in the densest concentration of police patrolmen in a given area of the city that Chicago had ever seen, leaving most of the rest of the city relatively unpatrolled.[30] As a result, many other city neighborhoods were vulnerable to unchecked violence during the riot and the majority of injuries incurred by Chicagoans during the conflict were sustained outside the zone of intense police surveillance.[31] Additionally, the violence that occurred in the Black Belt itself may have been aggravated by the acute police presence, as the Chicago Commission on Race Relations later found that "Many of the deaths and injuries occurred during clashes between white policemen and Negro mobs," suggesting that police exacerbated violence in black neighborhoods during the eight-day riot.[32]

Despite the intense deployment of police patrolmen during the conflict, Police Department officials claimed that they lacked the manpower to quell the violence. Consequently, on July 30th, Governor Frank Lowden ordered 6,000 members of the state's reserve militia and infantry into Chicago; they marched into the city "accoutered as for war."[33] Mayor William Hale Thompson and Police Superintendent Garrity had asked the governor for the assistance of the

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[29] News reports indicated that the overwhelming presence of police in the Black Belt during that week was greater than the city had ever seen. Chicago Commission on Race Relations, *The Negro in Chicago,* 36; "Twenty-Seven are Dead in Chicago Race Rioting: Troops to Guard City," *Los Angeles Times*, July 30, 1919.
[30] "Four Regiments in Chicago Called to Quell Race Riots Which Cause Seven Deaths," *The Globe*, July 29, 1919.
[31] Various reports differed on the precise boundaries of intense police surveillance during the days of rioting in July and August. While the state militia's barred zone encompassed a narrow strip of land the extended south to Fifty-Fifth Street, police sources indicated that the area of intense police patrols only ranged from Twenty-Second to Thirty-Ninth Street, and stretched east from Wentworth Avenue to the lakeshore. Other police witnesses, however, indicated that some police patrols ranged as far west as Ashland Avenue. The most consistent account of police concentration, however, placed most of the deployed patrolmen east of Wentworth Avenue between Twenty-Second and Thirty-Ninth Streets, in roughly a two square mile strip of land. Chicago Commission on Race Relations, *The Negro in Chicago,* 36-37.
[32] Chicago Commission on Race Relations, *The Negro in Chicago,* 37.
[33] "6000 Troops Patrol Negro District in Chicago," *St. Louis Post-Dispatch*, July 31, 1919.

state militia after they concluded that the city's police officers could not control "the public disorder and danger" without further assistance.[34] Militia members established a "barred zone" encompassing two square miles of the city's black neighborhoods, roughly stretching north to south from Twenty-Second Street to Fifty-Fifth Street and east to west from Michigan Avenue to Wentworth Avenue.[35] The borders of the barred zone formalized and hardened the racial boundaries of the city, as militia members refused to allow white Chicagoans to enter the black neighborhoods unescorted.[36] The establishment of the barred zone may have delivered some relief to black Chicagoans who had feared the violence of roving white gangs over the preceding days and represented the rare limitation of white mobility under a Jim Crow order.[37]

[34] Adjutant General of the State of Illinois, Special Orders, July 28, 1919, Folder: Chicago Commission on Race Relations, Communication, Special, General and Field Orders of Adjutant General's Office, July 28-Aug. 10, 1919, Sec. of State Records; Colonel Jas. Ronayne, Field Orders by command of Brigadier General Dickson, July 30, 1919, Folder: Chicago Commission on Race Relations, Communication, Special, General and Field Orders of Adjutant General's Office, July 28-Aug. 10, 1919, Sec. of State Records.
[35] "Troops Patrol Chicago Streets to Check Rioting," *Atlanta Constitution,* July 31, 1919.
[36] "Troops Rule Chicago," *The Washington Post,* August 1, 1919.
[37] Ibid.

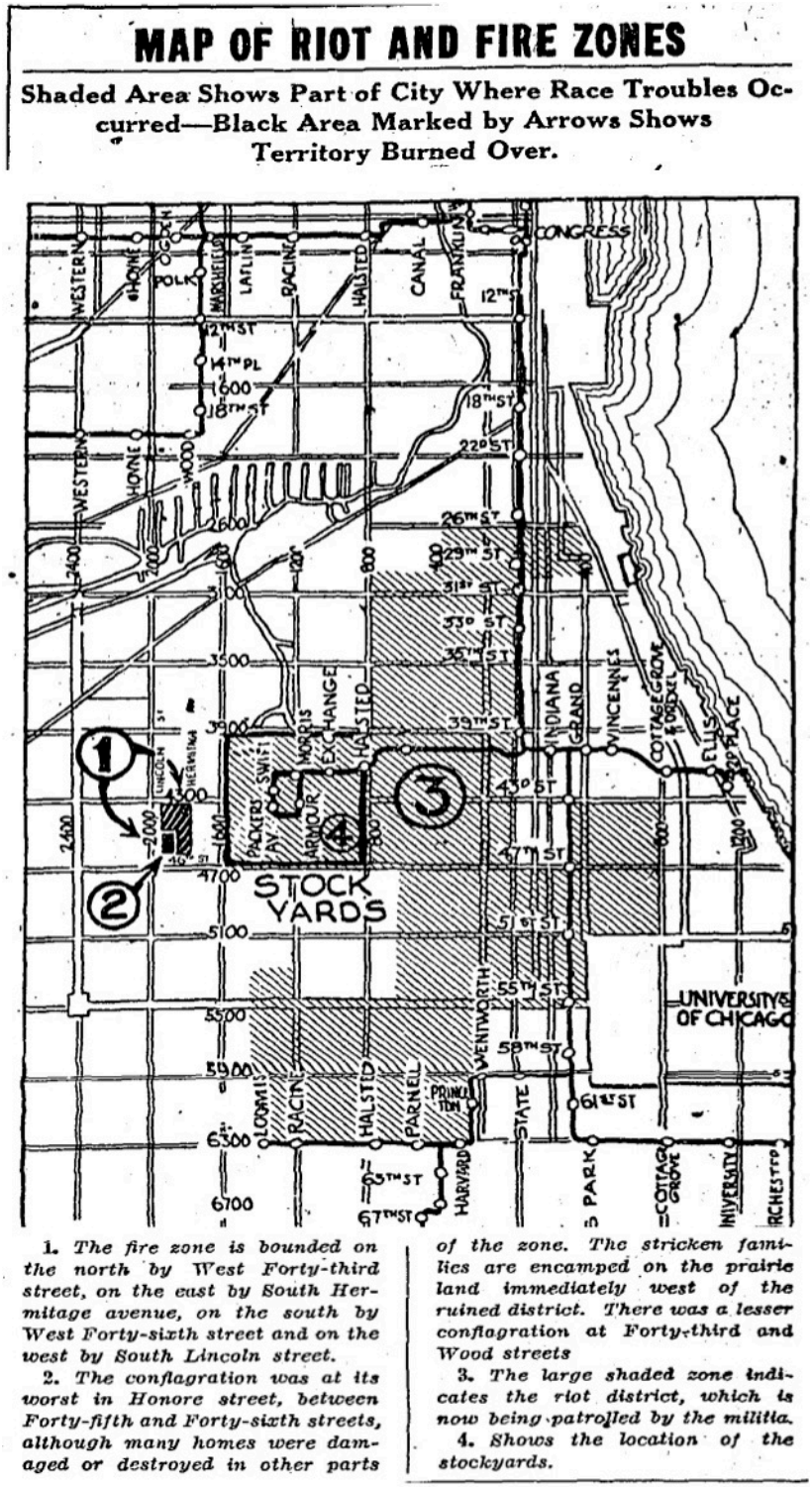

FIGURE 2.1: "MAP OF RIOT AND FIRE ZONES," 1919[38]

[38] "Map of Riot and Fire Zones," *Chicago Daily Tribune,* August 3, 1919.

But the establishment of the barred zone also stranded black Chicagoans in this corner of the city. The state militia's order kept city workers from their jobs in the central business district and kept industrial workers from their jobs in the nearby Stockyards.[39] On August 1st, a number of large packing companies in the Stockyards issued paychecks to 7,000 black employees at a YMCA headquarters in the Black Belt, as those workers had been restricted from retrieving their compensation for days.[40] Militia members allowed shipments of food and milk to enter the barred zone that day as well, "for the use of the negroes, who have been virtually held prisoners in their homes since Sunday because of the race riots."[41] It was not until August 7th, four days after the riot had supposedly ended, that militia members allowed black workers to return to their jobs in meatpacking plants in the Union Stockyards district; even after the temporary ban on black workers entering the Stockyards was lifted, those workers faced rigorous surveillance from police and militiamen who feared that the intermingling of black and white workers might produce further violence.[42] While some reports illustrated friendly relations between militiamen and Black Belt residents, troops also assumed the authority within the barred zone to search every person they met, ostensibly looking for concealed weapons. The temporarily constructed border of the barred zone provided these state actors with the authority to enact new tactics of surveillance upon any who chose to venture onto the city streets.[43]

The highest concentration of riot violence actually occurred in the Back of the Yards neighborhood, an industrialized neighborhood to the west of the Black Belt that was

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[39] "Troops Rule Chicago," *The Washington Post,* August 1, 1919; Brigadier General Field Orders, "Headquarters Mobilized State Forces," August 6, 1919, Folder: Chicago Commission on Race Relations, Communication, Special, General and Field Orders of Adjutant General's Office, July 28-Aug. 10, 1919, Sec. of State Records.
[40] "Keeping in Chicago Race Riot Area," *St. Louis Post-Dispatch*, August 1, 1919.
[41] Ibid.
[42] Colonel Jas. Ronayne, Field Orders by command of Brigadier General Dickson, August 6, 1919, Folder: Chicago Commission on Race Relations, Communication, Special, General and Field Orders of Adjutant General's Office, July 28-Aug. 10, 1919, Sec. of State Records.
[43] "Troops Patrol Chicago Streets to Check Rioting: Situation Looked So Serious at Nightfall that Mayor Called on Governor to Use Soldiers," *The Atlanta Constitution*, July 31, 1919.

predominantly populated by European ethnic residents, particularly Irish, Poles, Lithuanians, Slovaks, and Czechs.[44] Despite the fact that several deaths occurred in the Back of the Yards, "there [was] no record of an attempt by the police to increase the riot forces. In this district, gang raids by whites were practically beyond control."[45] The dearth of police in the Back of the Yards—in comparison to the intense concentration of police in the Black Belt—reflected Police Department strategy as well as the relationships many police officers had with local crime syndicates or European ethnic gangs, who relied on police discretion to protect their enterprises. The predominantly Irish Ragen's Colts had a significant presence in the Back of the Yards neighborhood, and some reports suggested that police officers had tipped off gang members when state investigators ventured into the neighborhood to survey the conflict in that district.[46] While the decision to concentrate the vast majority of police officers in the Black Belt came from Police Department administrators, this discrepancy in police deployment also allowed street patrolmen with ties to the ethnic gangs in the Back of the Yards to protect residents of that neighborhood from state surveillance.

The records of arrests and indictments during and following the eight-day conflict suggested that police had targeted black Chicagoans for criminalization during the riot despite abundant evidence of violence that reached across the color line. Among the 229 people arrested for criminal activity during the riot, 154 were black and only 75 were white. Of those arrested, the State's Attorney returned indictments against 81 black defendants and 47 white defendants, indicating that blacks served as defendants in riot-related cases almost twice as often as their

[44] Also known as Back of the Yards, the Stockyards district extended from Thirty-Ninth to Fifty-Fifth Streets, between Halsted on the east and the railroad tracks on the west. Since the late nineteenth century, the Stockyards district had been home to a succession of white ethnic communities, including Irish, Germans, Czechs, Poles, Lithuanians, and Slovaks, many of whom found work in the nearby slaughterhouses and meatpacking plants. Ann Durkin Keating, ed., *Chicago Neighborhoods and Suburbs: A Historical Guide* (Chicago: University of Chicago Press, 2008), 103-104.
[45] Chicago Commission on Race Relations, *The Negro in Chicago,* 38.
[46] Ibid, 39.

white counterparts.[47] The records of riot-related injuries, however, demonstrated an opposite trend; official records showed that 342 black city residents had been injured during the riot compared to 178 whites.[48] Among the 38 men killed during the riot, 23 of them were black and 15 were white.[49] In addition to the racial bias in deaths, the fatal violence of the riot had been concentrated upon black migrants; 14 of the black men killed had been born in Southern states.[50]

Considering that most of the riot violence occurred along the color line, arrest statistics should have suggested a reversed trend—if the number of arrested black rioters was double the number of white rioters, then the number of whites injured or killed would likely have been double the number of blacks injured or killed. An investigation into riot-related fatalities by the Cook County Coroner's Jury three months after the conflict had concluded that the disproportionate number of black arrests had exacerbated racial conflict, as "The failure of the police to arrest, impartially, at the time of rioting, whether from insufficient effort or otherwise, was a mistake and had a tendency to further incite and aggravate the colored population."[51] These racialized patterns of arrest during the riot mirrored patterns of disproportionate black arrests that had characterized policing in Chicago since the early twentieth century; black Chicagoans were regularly arrested at rates that were disproportionate to the proportion of blacks in the total population, even as the number of black city resident increased over the first two decades of the twentieth century.

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[47] Chicago Commission on Race Relations, *The Negro in Chicago,* 34.
[48] Ibid, 1.
[49] While women likely accounted for some of the number of people injured during the riot, only men were killed during the conflict. The Chicago Commission on Race Relations and the Coroner of Cook County reported the name, age, and race of all fatalities, but did not provide identifying information regarding those injured. Ibid.
[50] Among those killed during the riot were black men born in Mississippi, Georgia, Alabama, Virginia, Tennessee, and Kentucky. Peter M. Hoffman, *The Race Riots; Biennial Report, 1918-1919 and Official Record of Inquests on the Victims of the Race Riots of July and August, 1919* (Chicago, 1919), 16.
[51] "Report of the Coroner's Jury on the Race Riots," November 3, 1919, Folder: Chicago Commission on Race Relations—Miscellaneous (Coroner's Report, Progress Reports, Outlines of Study, etc.), 1919-1920, Sec. of State Records.

Police targeting of black Chicagoans for arrest during the days of the riot was met with criticism from other institutions of criminal justice in the weeks following the conflict, indicating that the discretionary targeting of black city residents did not enjoy a full consensus among representatives of the state. On August 6th, as the Grand Jury heard evidence in riot cases from the Assistant State's Attorney, one of the members of the jury stood up, exclaiming, "What the — is the matter with the state's attorney? Hasn't he got any white cases to present?"[52] The juror objected to the fact that in the preceding days, the Grand Jury had indicted 17 black men and no white men, a fact that he attributed to discriminatory work of city police and the State's Attorney. After the initial protestation in the jury room, other jurors voiced their objections as well, shouting, "Why are we getting cases against black men only? Why don't you present some cases against white rioters, too?"[53] The Assistant State's Attorney sifted through his notes but failed to find even one case against a white rioter, even after making a call to his office. Following these protestations of early August, the Cook County Grand Jury refused to hear any more evidence in cases of black rioters until the State's Attorney presented cases of white rioters as well. By the end of the month, the State's Attorney did present the Grand Jury with cases of white rioters; the Grand Jury issued a total of 17 indictments of white men charged with deadly assault, arson, and conspiracy. However, indictments of black Chicagoans for riot-related offenses also continued, and by the end of the Jury's term, 59 black indictments had been issued, significantly more than the total number of white rioters indicted.[54]

This controversy regarding the overrepresentation of black rioters' arrests and indictments demonstrated the range of state institutions with discretionary powers of

[52] "White Rioters Face Bolting Jurymen Today," *Chicago Daily Tribune*, August 7, 1919.
[53] Ibid.
[54] *The Branch Bulletin*, November 1919, Folder: Chicago Commission on Race Relations, Copies of "Branch Bulletin," 1919-1920, Sec. of State Records.

criminalization as well as the tensions that could manifest among those agencies in the process of law enforcement. After the group of protesting Grand Jurors bolted from the jury room on August 6th, State's Attorney Maclay Hoyne privately insinuated that their protestations likely stemmed from "vicious black belt politics," implying that Mayor William Hale Thompson had engineered this public attack on the State's Attorney's office in order to consolidate his support among black voters. Later, however, Hoyne joined the Grand Jury and the Coroner's Jury in finding police themselves at fault for the racial imbalance in arrests, "There is no doubt that a great many police officers were grossly unfair in making arrests. They shut their eyes to offenses committed by white men while they were very vigorous in getting all the colored men they could get."[55] Perhaps eager to deflect criticism from his own office, Hoyne suggested that he had prosecuted twice as many black defendants as white defendants simply due to the fact that police delivered those arrestees to his office. This argument, however, obscured the prosecutorial discretion of the State's Attorney's office even as it highlighted the distinct racialization of arrests during the days of the riot. News accounts indicated that Hoyne had worked closely with police during the conflict itself, and had instructed them "That they should have in mind future criminal prosecution" when making arrests; Hoyne had objected to the release of arrested rioters with only a fine.[56] These reports suggested that the State's Attorney's office had played a role in the official directives of the Police Department in controlling the riot and that Hoyne likely overstated the degree to which his office was beholden to the discretionary authority of police to make arrests. Furthermore, the State's Attorney's office was under no directive to indict all who were arrested during the riot; Hoyne's criticism of racial biases in arrests ultimately served to

[55] Chicago Commission on Race Relations, *The Negro in Chicago,* 34.
[56] "6000 Troops Patrol Negro District in Chicago," *St. Louis Post-Dispatch*, July 31, 1919.

obscure attention from the role that prosecutorial discretion also played in the criminalization of blackness that the Grand Jury objected to.

The protestations of the Grand Jury in August of 1919 elicited reports of confusion among law enforcement institutions in the waning days of the riot, as Chicago's major news outlets reported that the group had "gone on strike," framing the objections of the jurors as derelictions of their duties.[57] The Grand Jury refuted this accusation in its end-of-month report, instead explaining that "its position was merely a suspension of hearing further cases of crime committed by blacks against whites until the State's Attorney submitted evidence concerning the various crimes committed by whites against blacks."[58] According to the report "The reason for this attitude arose from a sense of justice on the part of this Jury."[59] Their choice of language offered a pointed critique of other law enforcement institutions including the Police Department and the State's Attorney's office, suggesting that the discretionary arrests and indictments leveled by those two agencies had compromised equal enforcement of the law. Ultimately, the Grand Jury concluded that black Chicagoans had "suffered more at the hands of the White Hoodlums, than the white people suffered at the hands of the Black Hoodlums, notwithstanding this fact, the cases presented to this Jury against the blacks far outnumber those against the white."[60] While the Jury conceded that a lack of coordination among law enforcement institutions might have produced the imbalance in cases presented, its members also concluded that official laxity and corruption likely caused the racial imbalance in arrests, arguing, "The

[57] "INDICT 23 MORE IN RIOT CASES; FIVE AS SLAYERS: Grand Jury Resumes Job After Charge of Discrimination," *Chicago Daily Tribune*, August 8, 1919.
[58] Cook County Grand Jury, "Final Report," August 1919, p. 1, Folder: Chicago Commission on Race Relations, Correspondence 1919-1920 (4), Sec. of State Records.
[59] Ibid.
[60] Ibid, 2.

Police department is in need of a thorough house cleaning."[61] In so doing, the Grand Jury produced a multifaceted critique of the policing of the 1919 riot, drawing attention to the imbalance in arrests motivated by discretion as well as the way that police corruption and relationships with criminal syndicates had caused failure to make arrests in neighborhoods such as the Back of the Yards.[62]

Black Crime Politics and Black Respectability in 1919

Four days after the inciting conflict at the Twenty-Ninth Street beach, and amidst continuing riot violence throughout the city, a group of five black men paid Mayor William Hale Thompson a visit at the Chicago City Hall. Drawn from the ranks of black Chicago's political, spiritual, and entrepreneurial leadership, the envoy included Major Robert R. Jackson, alderman of the Second Ward, Dr. Archibald J. Carey, AME clergyman, Reverend L. H. Williams, pastor at Olivet Baptist Church, Ferdinand L. Barnett, former Assistant's State's Attorney and editor of the racially progressive *Chicago Conservator*, and Colonel Franklin A. Denison, a former commander of the 8th Illinois Infantry and former Attorney General of Illinois.[63] The men represented a cross section of Chicago's black elites, drawing from those who led black congregations or businesses to those who held positions of political power; all of them had resided in Chicago before the beginning of the first Great Migration.

The men called on City Hall that day to make a direct appeal to Mayor Thompson—they asked for his help in curbing the ongoing violence and destruction of property in Chicago's

[61] Cook County Grand Jury, "Final Report," August 1919, p. 5, Folder: Chicago Commission on Race Relations, Correspondence 1919-1920 (4), Sec. of State Records.
[62] After these objections, the Grand Jury indicted thirteen white men in connection to the riot, bringing its total indictments as of August 13, 1919 to 67 people (17 white and 50 black). "Riot Grand Jury Votes to Indict 13 White Men," *Chicago Daily Tribune*, August 13, 1919.
[63] "Negroes Call on Mayor, Lowden, to Stop Riots," *Chicago Daily Tribune*, July 31, 1919; Cayton and Drake, *Black Metropolis*, 345-349; Dennis C. Dickerson, *African American Preachers and Politics: The Careys of Chicago* (Jackson: University Press of Mississippi, 2010), 4.

South Side black neighborhoods. Thompson had enjoyed significant popularity among Chicago's black voters since his first primary victory in 1915; courting black votes in the city's second and third wards proved critical to Thompson's plurality victories in his four pursuits of the mayor's office in the first three decades of the twentieth century.[64] Some attributed Thompson's success among black voters to his congenial oratory style and his self-fashioning as an anti-establishment candidate.[65] Archibald Carey had long been a Thompson supporter since the mayor first ran for alderman's office in 1900 and had helped the Republican candidate marshal support among the city's African American congregations in his campaigns for mayor.[66] It was perhaps this political relationship to the Thompson administration that prompted this group of black elites to appeal directly to the mayor in their pursuit of an end to the violence that had engulfed the city for days.

The group delivered two documents to Thompson: "An Appeal to the Public by Negro Citizens," and "The Causes and Cure for the Present Riot," both written during a two-day community meeting of ministers, social workers, businessmen, and other professionals at Olivet Baptist Church, the city's oldest and largest African American congregation.[67] Although Olivet Baptist Church had played an active part in the recruitment and support of new black Southern migrants since 1915, the meeting largely drew those from Chicago's black professional class.[68] But the meeting also revealed cleavages among black Chicagoans with regard to the causes of the violence; some black elites and Old Settlers turned their ire upon recent migrants to the city "who, they felt, had brought this catastrophe upon them."[69] Some attendees chafed at the remarks of one long time resident of Chicago, who reprimanded those who reprised white violence,

[64] Gosnell, *Negro Politicians,* 41.
[65] Ibid, 46.
[66] Ibid, 49-50.
[67] "Negroes Call on Mayor, Lowden, to Stop Riots," *Chicago Daily Tribune*, July 31, 1919; Grossman, *Land of Hope,* 156.
[68] Wallace D. Best, *Passionately Human, No Less Divine: Religion and Culture in Black Chicago, 1915-1952* (Princeton: Princeton University Press, 2005), 13-15.
[69] Cayton and Drake, *Black Metropolis*, 66.

telling the crowd, "One of the chief causes of the trouble is that the colored men have been taught they must act on the policy of an eye for an eye and a tooth for a tooth."[70] Indeed, the meeting convened in the midst of the violence and the documents produced by the group reflected the stratified class politics of black Chicago as well as the strain of black crime politics rooted in respectability that had found voice in the *Chicago Defender* in the preceding years.

The envoy to Mayor Thompson and the documents they presented framed black appeals to equal law enforcement in terms of respectability—that save for a select few, most black Chicagoans were upstanding and therefore entitled to equal protection under the law. For instance, the authors of the documents made careful distinctions between themselves and those who partook in the chaos of the riot. These distinctions largely fell along class lines, laying blame for the violence among the unemployed or uneducated. Describing those who had perpetuated the violence of the riot, the authors concluded "That irresponsible members of both races, persons with no property, families, no education, and sometimes no employment or anything else that would check their passions or move them to moderation are the ones making up largely, if not wholly, this riot…That, as a result of this outbreak, many innocent persons, persons who are taking no part, have had their homes burned, been assaulted, injured, murdered."[71] This description framed the participants of the riot as outside the boundaries of respectable Chicago, counter-posing criminality with law-abiding respectability. This critique echoed the politics of organizations such as the Chicago Urban League and the Chicago NAACP; indeed, some of the members of the envoy to Mayor Thompson and the attendees at the community meeting at Olivet Baptist Church had been involved in leading those same organizations. By framing their critique in opposition to those who had perpetuated the violence

[70] Cayton and Drake, *Black Metropolis*, 67.
[71] "Negroes Call on Mayor, Lowden, to Stop Riots," *Chicago Daily Tribune*, July 31, 1919.

of the riot, the authors of "The Causes and Cure of the Present Riot" bolstered their own authority to demand law enforcement. By framing themselves as committed to the project of urban order, the authors of the Olivet Baptist Church documents asserted that their critiques would not only protect black Chicagoans but would also improve law enforcement in the city more generally.

While the authors of "The Causes and Cure of the Present Riot" made careful distinctions between themselves and those who participated in the riot, they also drew critical attention to the role that white racism, discriminatory policing, and years of violent racial conflict had played in the ongoing riot. According to the authors of the document, "racial antipathy" was the fundamental cause of the current conflict, which they defined as a deep-seated racial prejudice on the part of white Chicagoans toward their black neighbors. The authors used the concept of racial antipathy to draw linkages among several recent racially charged conflicts in the city, including "minor racial clashes, assaults, bomb throwing, efforts against colored people moving into certain districts, and finally in an assault made upon a colored boy last Sunday that resulted in his death."[72] In this formulation, the conflict at the Twenty-Ninth Street beach was just the most recent incident in a longer history of racially motivated violence and the violent defense of the color line, which had manifested as daily and spectacular violence perpetrated against black city residents since the beginning of the twentieth century.

The authors of "The Causes and Cure of the Present Riot" directly implicated police in the conflict and the longer history of white racial violence in Chicago, asserting that the riot could have been prevented "had the police authorities present done their duty, or showed a disposition to do so."[73] Here the authors explicitly critiqued the nearly boundless power of police

[72] "Negroes Call on Mayor, Lowden, to Stop Riots," *Chicago Daily Tribune*, July 31, 1919.
[73] Ibid.

discretion that had allowed for the racial violence on the Twenty-Ninth Street beach and the death of Eugene Williams, as well as the violent defense of white urban space in the years before. This critique of police discretion extended to the days of the riot as well; the authors indicated the patterns of police laxity and disregard for black safety during the riot, "some members of the police department have been indifferent and inadequate in furnishing protection to our people."[74] By connecting years of racialized violence with the unchecked power of police discretion, the authors of "The Causes and Cure of the Present Riot" suggested not just a parallel between these forms of discrimination but also a direct relationship, as state power and police discretion provided the foundation for ongoing expressions of white supremacy.

The group of race leaders who visited Mayor Thompson in the midst of the 1919 Chicago Race Riot demonstrated the potential for urban violence and discriminatory law enforcement to politicize black elites, albeit a politics premised on black respectability. The authors of the documents composed at Olivet Baptist Church concluded their appeal to Thompson by invoking their equal rights to fair law enforcement, citing the emergent political consciousness of black Chicago. They asserted that African Americans in the city "[have] a distinct race consciousness, that has helped to fights its country's every battle, and that will content itself with nothing less than the full enjoyment of the privileges and rights granted under the law."[75] Here, the authors of the documents pushed their critique of racially discriminatory policing beyond a simple an indictment of the police for their role in the 1919 riot itself. Instead, they insisted, unchecked police discretion posed a threat to democratic principles and violated the rights of respectable black citizens. Here they identified one of the fundamental problems with the operation of police discretion and the reliance of law enforcement institutions upon the decisions of their officers

[74] "Negroes Call on Mayor, Lowden, to Stop Riots," *Chicago Daily Tribune*, July 31, 1919.
[75] Ibid.

about when and where to enforce the law. The near absolute discretionary authority of police officers empowered those state agents to qualify the rule of law and circumscribe equal protection of Chicagoans based on their own determinations of whom was most deserving of equal law enforcement.

The group presented Mayor Thompson with a fundamentally Progressive solution to the problem in Chicago; they urged the mayor to appoint a fifty-person committee to investigate the causes of the riot and make recommendations to prevent similar violence in the future.[76] Progressives in Chicago and around the country had long relied on investigatory commissions to solve social ills, assuming that the deep accumulation of knowledge provided the best foundation from which to craft social reform.[77] Support for a Progressive investigation of race relations in the city gained support among the city's professional and intellectual elites in the midst of the riot. On August 1st, a group of 81 individuals representing 48 social, civic, and professional organizations met at the city's Union League Club to discuss the ongoing violence. Represented organizations included the Chicago Association of Commerce, the Chicago Medical Association, the Chicago Bar Association, the Federation of Churches, the Chicago Urban League, the Women's City Club, and the Foreign Language Division.[78] The range of organizations represented at the Union Club meeting demonstrated broad interest in restoring urban order among business boosters, women's reform organizations, religious groups, and racial advocacy organizations.[79] The attendees requested action from Illinois Governor Frank Lowden and sent the governor a letter asking that he appoint "an emergency state committee to study the

[76] "Negroes Call on Mayor, Lowden, to Stop Rights," *Chicago Daily Tribune*, July 31, 1919.
[77] O'Connor, *Poverty Knowledge,* 26-44.
[78] Letter from Charles W. Folds to Frank Lowden, August 1, 1919, Folder: Chicago Commission on Race Relations, Press Notices, Pamphlets, Miscellaneous, 1919-1920, Sec. of State Records.
[79] Chicago Commission on Race Relations, *The Negro in Chicago,* xv; "Race Commission Asks the Public to Help," *Chicago Defender*, September 18, 1920.

psychological, social and economic causes underlying the conditions resulting in the present race riot and to make such recommendations as will tend to prevent a recurrence of such conditions in the future."[80]

Following this public urging, Governor Frank Lowden appointed twelve men—six white and six black—to the Chicago Commission on Race Relations in late August 1919.[81] Although Lowden claimed that he had sought "the most representative men of the two races," all the members of the CCRR were drawn from the city's economic, religious, and intellectual elites.[82] After the initial formation of the Commission, appointed members of the group turned their attention to fundraising in order to support the CCRR's work; they delegated most of the duties of research and writing to the Commission staff.[83] Since the Commission on Race Relations had been established after the regular session of the Illinois General Assembly, the state legislature made no additional appropriations when the governor formed the CCRR in August 1919, meaning that despite being a state institution, the Commission was "financed by the loyalty of

[80] "Brief Report of Citizens' Conference on the Race Riot at the Union League Club," August 1, 1919, Folder: Chicago Commission on Race Relations—Minutes, 1919-1920, Sec. of State Records.
[81] Chicago Commission on Race Relations, *The Negro in Chicago,* xvi.
[82] The chairman of the Commission, Edgar A. Bancroft, was a lawyer and president of the Illinois State Bar Association as well as the Chicago Bar Association. Other white members of the Commission included William Scott Bond, real estate dealer and University of Chicago trustee, Edward O. Brown, lawyer and one of the founders of the Chicago Urban League and the Chicago branch of the NAACP, Harry E. Kelly, lawyer and former president of the Denver Bar Association, Victor F. Lawson, newspaper editor and publisher of the *Chicago Daily News*, and Julius Rosenwald, the businessman and philanthrophist who was president of Sears, Roebuck & Company. Black members of the Commission included Robert S. Abbott, lawyer and founder of the *Chicago Defender*, George C. Hall, physician and vice president of the Chicago Urban League, George H. Jackson, real estate dealer and former member of the Ohio Legislature, Edward H. Morris, lawyer and former member of the Illinois General Assembly, Albert H. Roberts, lawyer and former member of the Illinois General Assembly, and Lacey Kirk Williams, minister of Olivet Baptist Church and president of the Illinois General Baptist State Convention. Abbott and Williams had both migrated to Chicago from the South in the early twentieth century like the majority of black Chicagoans by 1920. But unlike most of their black Southern migrant counterparts, they made their livings outside the confines of industrial labor. "Governor Lowden's Statement in Connection with the Recent Race Riots in Chicago," August 20, 1919, Folder: Chicago Commission on Race Relations, Press Notices, Pamphlets, Miscellaneous, 1919-1920, Sec. of State Records; Chicago Commission on Race Relations, *The Negro in Chicago,* 652-653.
[83] Arthur I. Waskow, *From Race Riot to Sit-In, 1919 and the 1960s: A Study in the Connections Between Conflict and Violence* (Gloucester, MA: Peter Smith, 1975), 73.

Chicago citizens."[84] Additionally, despite the fact that women had been present at both the Olivet Baptist Church Meeting and the Union Club meeting, Lowden failed to appoint any women as members of the Commission.[85]

Lowden charged the Chicago Commission on Race Relations "to study and report upon the broad question of the relations between the two races," describing the group as "a tribunal that has been constituted to get the facts and interpret them and to find a way out."[86] With this charge, the Commission set out with a mission of social research, drawing on the methodologies of urban surveys and neighborhoods investigations undertaken by Progressive reform organizations and urban sociologists. The research staff of the Chicago Commission on Race Relations drew from the leadership and staff of the country's settlement movement and Progressive reform organizations as well as academic elites trained in techniques of urban sociology. Graham Romeyn Taylor, the executive secretary of the CCRR, had worked at the Chicago Commons Social Settlement for twelve years while the group's associate executive secretary, Charles S. Johnson, had previously worked as the Director of Research for the Chicago Urban League.[87] Other staff members drew from a number of local and national reform and philanthropic organizations, including the Juvenile Protection League, the National Association for the Advancement of Colored People, the American Red Cross, the Chicago School of Civics and Philanthropy, Hull House, and the YMCA.[88] Several research staff

[84] Chicago Commission on Race Relations, "Minutes of the Meeting at the City Club of Chicago," February 25, 1920, Folder: Chicago Commission on Race Relations, Minutes of Meetings of Executive Committee, Feb. 20-Sept. 15, 1920, Sec. of State Records; Chicago Commission on Race Relations, "Copy of Multigraphed Letter Sent to 300 Negroes," Undated, Folder: Chicago Commission on Race Relations, Correspondence 1919-1920 (4), Sec. of State Records.
[85] Michael Willrich identifies a similar masculinization of municipal reform in his analysis of the Chicago Crime Commission, suggesting that the gendered rhetoric of crime control used by the Crime Commission also signaled their distance from vice reformers and social workers. Willrich, *City of Courts,* 282.
[86] Chicago Commission on Race Relations, *The Negro in Chicago,* xvi.
[87] Ibid*,* 653.
[88] Ibid, 653-655.

members had also worked on social surveys in other American cities before joining the staff of the CCRR; for instance, Lucius McGee and Charles H. Thompson had both worked on a survey of black life and neighborhoods in Richmond, Virginia while Esther Fulks had completed a survey of social services available to black residents of East St. Louis.[89] Twelve men represented the public face of the CCRR, but a significant degree of female labor contributed to the completion of its work and the group's final report.[90] Women comprised approximately half of the CCRR's research staff with relative racial parity represented among both men and women staff members.[91]

In September of 1922, after three years of investigation, the Chicago Commission on Race Relations published its findings and recommendations—*The Negro in Chicago: A Study of Race Relations and a Race Riot.* A nearly seven hundred page tome, *The Negro in Chicago* presented policy recommendations based on intensive sociological studies of urban life, including chapters on the riot itself, the migration of Southern African Americans to Chicago, housing conditions, crime and vice, industrial relations, and public opinion. The Commission concluded that it could offer no simple or rapid solution to racial tensions and violence in Chicago based on the complexity of its investigation. Ultimately, the investigators concluded, only "the disappearance of prejudice" could assuage racial tension, but barring this unlikely outcome, the authors offered a litany of recommendations for state and social agencies in the

[89] Chicago Commission on Race Relations, *The Negro in Chicago,* 654.
[90] While the CCRR maintained a staff of at least fifteen investigators over the course of its study, the group also elicited input from individual citizens and organizations, gesturing toward democratic procedure despite the fact that most of its work occurred outside the eye of the public. "Write Race Relation Commission Suggestions," *Chicago Defender*, December 20, 1919.
[91] While the CCRR's final report did not record the race of its research staff, records of the Commission included lists of staff members that did indicate their race and suggested that there was relative parity between black and white stuff members. "Investigators at Work, Chicago Commission on Race Relations," March 12, 1920, Folder: Chicago Commission on Race Relations, Notes on Investigational staff of commission and statement of progress, 1920, Sec. of State Records; "Investigational Staff, Chicago Commission on Race Relations," Undated, Folder: Chicago Commission on Race Relations, Notes on Investigational staff of commission and statement of progress, 1920, Sec. of State Records.

city.[92] Some of these recommendations spoke to ongoing problems with police discretion, as the CCRR called for police to "suppress the bombings of Negro and white homes," and to "promptly rid the Negro residence areas of vice resorts."[93] Among the CCRR's other recommendations were calls for stricter surveillance of city gangs, the provision of desegregated areas of recreation, the opening of schools in black neighborhoods, the expansion of social services to black communities, the improvement of black housing and the integration of certain neighborhoods, the desegregation of industrial employment and labor unions, and equal access to public accommodations.[94] These multitudinous recommendations presented a broad program of racial equity for the city of Chicago, suggesting that the prevention of racial violence in the future would have to be rooted in equal protection of the laws and equal provision of social services. These final recommendations also reflected the Progressive politics of many of the Commission members and its staff, who located the solutions to Chicago's racial tensions in social provisions that could be provided by state agencies and private institutions.

The final report of the Chicago Commission on Race Relations also reflected early-twentieth-century intellectual developments in the field of sociology, particularly the work of sociologists at the University of Chicago. Approximately one third of the CCRR staff members had completed or were in the process of completing a graduate degree at the University of Chicago, many of them in sociology. There, they studied under Ernest W. Burgess and Robert E. Park, two of the founding members of the Chicago School of Sociology and innovators of the concentric zone model of urban sociology.[95] The concentric zone model conceptualized urban space as successive zones, including the central business district, transitional or industrial areas,

[92] Chicago Commission on Race Relations, *The Negro in Chicago,* 640.
[93] Ibid, 641.
[94] Ibid, 640-650.
[95] Park and Burgess, *Introduction to the Science of Sociology*; Park, et al, *The City*.

working-class residential zones, an improved residential area, and commuter or suburban zones.[96] Burgess and Park argued that human behavior was strongly influenced by social structures and the physical environment, proposing that social relations in any given area of the city closely depended on its designated zone. This close attention to the role of the urban environment in social relations had a strong influence on the CCRR's final report, as the research staff found that housing conditions, neighborhood environments, and social institutions played significant roles in shaping black life in Chicago.

True to its name, *The Negro in Chicago* focused intently on life within the boundaries of the city, but contemporary readers saw broad applicability in its analysis and conclusions. Daily newspapers around the country reported on the publication of *The Negro in Chicago*, indicating the widespread national interest in the riot and in the Commission on Race Relations' investigation. Editors of the *New York Times* characterized *The Negro in Chicago* as a model for repairing race relations throughout the country, suggesting that the report was "of national value, and not merely of local application," and that although the Commission's recommendations focused on the city of Chicago, they might be instructive "as to what the local governments, the principals and teachers in the schools, the social agencies, the labor unions, the employers of labor, the street car companies and, finally though not least of all, the press ought to do."[97] What may have begun as a confrontation on a local city beach had come to reflect the conditions of racial relations throughout the country, as national eyes trained on Chicago, abstracting an investigation that had been thoroughly rooted in local analysis to national significance.[98]

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[96] Park, et al, *The City*, 148.
[97] "Fair Play for the Negro," *New York Times*, September 26, 1922.
[98] In his analysis of the report for the *Chicago Defender*, columnist A.L. Jackson also argued that the findings of the Chicago Commission on Race Relations could apply to American cities more generally, suggesting that the very methods of the Commission, with its extensive research staff, specialized committees, and close attention to myriad of issues shaping black life and race relations made it relevant to urban dwellers across the nation. A.L Jackson, "The Aftermath of Chicago's Racial Conflict," *Chicago Defender*, October 7, 1922.

CRIME AND VICIOUS ENVIRONMENT

The Negro in Chicago provided both a roadmap to the improvement of race relations in Chicago and a comprehensive record of black urban life in the midst of the Great Migration of African Americans to Chicago. Chapters concerning housing conditions, industrial relations, racial violence, and public opinion generated an archive of black urban life, revealing the intersecting structures and institutions that worked to exclude African Americans from adequate housing, jobs, and equal protection of the law. The seventh chapter of *The Negro in Chicago*, "Crime and Vicious Environment," considered the state of crime among black Chicagoans and included detailed findings about the relationship among African Americans and law enforcement institutions as well as patterns of racial discrimination leading up to and during the riot itself. The CCRR's account of the days of rioting—the first chapter of its report—described a range of police misconduct during the conflict, including inequities in arrests, police disregard for black safety, and police violence against black city residents. "Crime and Vicious Environment" expanded upon that critique of street policing that had first appeared in the Commission's narrative of the riot, suggesting that discriminatory criminal justice in Chicago had actually been a causal factor in the conflict, not the result of it. The CCRR's research on crime in black Chicago documented racial biases in law enforcement ranging from patrolmen discretion and conduct, to the creation of criminal justice statistics and data, to prosecution and sentencing. The Commission concluded that assumptions regarding inherent black criminality shaped interactions among black Chicagoans and law enforcement institutions at their every stage.

In the introduction to "Crime and Vicious Environment," the investigators of the Chicago Commission on Race Relations asserted that race was not the most critical factor in analyzing the state and causes of crime in Chicago. Rather, "The most important element is the general

lawlessness, crime, and vice in the whole population, irrespective of race."[99] The concept of lawlessness—the idea that disregard or disrespect for the rule of law lay at the heart of the crime problem—had imbued crime control campaigns in Chicago and throughout the nation since the end of World War I. Temperance organizations and municipal reformers often invoked the problem of lawlessness to legitimate their criminal justice campaigns, arguing that this widespread disregard for the law had produced urban disorder and moral laxity. The discourse of lawlessness also implied a critique of police discretion, as some criminal justice reformers suggested that selective policing itself had played a role in fostering this perceived disrespect for the rule of law. For instance, in its bulletins and other publications, the businessmen-led Chicago Crime Commission often lamented the state of lawlessness that had gripped the city, insisting that stricter and more vigilant mechanisms of law enforcement could repair this perceived disregard for the law.[100] This privately funded and staffed organization had come to represent the best source of information about the state of criminal justice and law enforcement in the city in the few years since Chicago businessmen first began to investigate crime in 1917, especially in comparison to the incomplete and opaque records of the Chicago Police Department, and it served as a primary source of knowledge for the Commission on Race Relations' investigation of crime in Chicago.[101]

Much of the Commission on Race Relations' findings included in "Crime and Vicious Environment" demonstrated the inadequacies of the state response to the citywide violence and manifestations of racial bias in police response to the conflict. The investigators of the Chicago

[99] Chicago Commission on Race Relations, *The Negro in Chicago,* 327.
[100] "Report of Committee on Prevalence and Prevention of Crime in the City of Chicago to the Chicago Association of Commerce," June 13, 1918, Chicago History Museum; Chamberlin, "The Chicago Crime Commission;" "Report of the President," *Bulletin of the Chicago Crime Commission*, January 31, 1921, Municipal Reference Collection, Chicago Public Library [hereinafter MRC].
[101] Chicago Commission on Race Relations, *The Negro in Chicago;* 327.

Commission on Race Relations suggested that police had faced two major obstacles in quelling the violence that gripped Chicago that summer—an inadequate police force and widespread black distrust of white police officers.[102] The CCRR's research team collected testimony from scores of state officials over the course of its investigation, and several individuals who offered testimony highlighted the lacking manpower of the Chicago Police Department. General Superintendent of Police John J. Garrity testified before the Commission that his department lacked adequate force to properly patrol the city "I haven't had sufficient force now to properly police the city of Chicago by one-third."[103] Members of the Chicago Grand Jury similarly insisted that the Police Department would have to be enlarged in order to adequately protect the city in the future, suggesting, "at least one thousand officers should be added to the existing force."[104] Members of the Coroner's Jury—which had reviewed the fatalities of the riot—concurred with demands for a larger department but with the caveat that new patrolmen be paid increased wages and pensions, in order to draw talented men to the force.[105] Five months before the actual publication of *The Negro in Chicago*, the Chicago City Council heeded calls for a larger police department, increasing the force by 1,000 patrolmen positions.[106] While this increased police presence in the city seemed to address the first hurdle to urban order cited by the Chicago Commission on Race Relations, it failed to address the second—racially discriminatory policing and black mistrust of the city's overwhelmingly white and European ethnic police force.

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[102] Chicago Commission on Race Relations, *The Negro in Chicago,* 33.
[103] Ibid, 33-34.
[104] Ibid, 33.
[105] "Report of the Coroner's Jury on the Race Riots," November 3, 1919, Folder: Chicago Commission on Race Relations—Miscellaneous (Coroner's Report, Progress Reports, Outlines of Study, etc.), 1919-1920, Sec. of State Records.
[106] The addition of patrolmen to the Chicago Police Department and the role of anti-crime activists in the process of criminal justice state building are explored in chapter 3. *Proceedings of the City Council of the City of Chicago* (Chicago: May 24, 1922), 219 and 240; "More Police for Chicago: Council Increases City's Force Despite Hot Fight by "Big Tim" Murphy's Henchmen," *Los Angeles Times*, May 25, 1922.

Critiques of police arrest practices made by the Chicago Commission on Race Relations drew an important connection between police discretion and the criminalization of blackness in Chicago. The investigators highlighted the fact that arrest and indictment statistics—and the racial imbalance of those statistics during and after the riot—could not be separated from police discrimination on the streets of Chicago. Indeed, rather than reflecting any innate racial tendency toward criminality, criminal statistics reflected the discretion of police patrolmen themselves to arrest or not arrest any one offender. Investigators concluded that the operation of police discretion had created a feedback loop with regard to black criminalization—patrolmen assumed black Chicagoans to be predisposed to criminality and therefore arrested them at higher rates. Interviews with police officials and municipal judges suggested the same: "Negroes are more easily identified and more likely to be arrested, and it is reasonably certain that smaller proportion of Negroes who commit crimes escape than whites."[107] This reasonable certainty was confirmed in a section of the report concerning the opinions of criminal justice authorities, as the Commission indicated, "testimony is practically unanimous that Negroes are much more liable to arrest than whites, since police officers share in the general public opinion that Negroes 'are more criminal than whites.'"[108] Here the investigation showed how popular discourses concerning black predispositions to criminality—which had circulated in Chicago since the beginning of the twentieth century—had become operationalized into law enforcement practice, as police drew on those discourses to inform their own decisions. While Chicago police officers may have shared the idea of inherent black criminality with the Chicago public more generally, they also had the power to act on this discourse and exercise the authority of the state to arrest suspected black criminals at higher rates than their white counterparts.

[107] Chicago Commission on Race Relations, *The Negro in Chicago,* 330.
[108] Ibid, 345.

In one of its most remarkable arguments, *The Negro in Chicago* was the first published study in the United States to reject criminal statistics as objective measures of crime, suggesting instead that those statistics reflected racial bias and official discrimination.[109] The CCRR drew particular attention to the problems with the creation of criminal statistics at their sites of production—urban police stations—highlighting the significant power of local police bureaucrats in forging the connection between blackness and criminality. Once a patrolman had arrested an individual, that person was taken to the district police station where the desk sergeant recorded the circumstances of the arrest, including demographic data that listed the arrested person's race or nationality, gender, and age. According to the investigation of the CCRR, "The ability of these desk sergeants to correctly ascertain the prisoner's race or nationality is open to question."[110] The Commission suggested that when white arrestees were taken before police desk sergeants, those sergeants might misinterpret that person's nationality, recording Irish when the arrested man was Italian, for instance. But when black arrestees came before police desk sergeants, Commission investigators assumed that the race of the arrested person was never in doubt, and as a result "the Negro will be debited with all the crimes he commits, while figures for other groups will probably not indicate the full extent of their criminality."[111] In other words, the criminality of black Chicago had been inflated both through the discretionary arrests as well as through the process of creating criminal statistics themselves. Ultimately, Commission investigators concluded that racial biases in the creation of criminal statistics made it impossible for them to use those records to make any objective comparisons of criminality across racial or ethnic groups in Chicago.[112] This refusal to use the Chicago Police Department's statistics to

[109] Muhammad, *The Condemnation of Blackness,* 240-241.
[110] Chicago Commission on Race Relations, *The Negro in Chicago,* 329.
[111] Ibid.
[112] Ibid, 330.

compare rates of criminality served as a pointed critique of the department's policing and administrative practices, as the Commission suggested that these practices were so flawed as to preclude any useful analysis or conclusions about the relationship between criminality and race in Chicago.

While the Chicago Commission on Race Relations remained highly critical of the patterns of racially discriminatory policing and law enforcement before and during the riot, it also acknowledged that crime control was a real problem in black Chicago and throughout the city. Despite the racial biases that permeated the criminal justice system, black Chicagoans did experience crime at significant rates in their communities, a reality that could not be erased by critiques of discriminatory policing and prosecution. Critically, however, the Commission on Race Relations rejected popular discourses regarding inherent black criminality to explain high rates of crime in black neighborhoods, instead offering a model of crime causation that relied on spatial, economic, and psychological factors to explain the presence of crime in the city's predominantly black neighborhoods. This framework for understanding the prevalence of crime suggested that the structural conditions of white supremacy played principal roles in producing the conditions of urban crime, along with official discretion to relocate criminal enterprises and make decisions about where and when laws would be enforced.

Among the spatial factors that contributed to the proliferation of crime, the Commission on Race Relations identified the decades of police discretion that had allowed illegal enterprises to flourish in black neighborhoods. It was police discretion that had directed the progression of vice districts in Chicago since the early twentieth century, eventually driving most vices establishments south into the Black Belt when earlier districts were dissolved in 1912. Critical of the laxity that law enforcement officers adopted within Chicago's largest black neighborhood,

the CCRR insisted that black proximity to vice establishments did not indicated any racial affinity for illegality, refuting a common public perception that black Chicagoans were simply willing to tolerate vice in their neighborhoods. Instead, the CCRR argued that most of black Chicago lacked the political capital to draw adequate police protection, as most of the black residents of the city demonstrated "lack of sufficient influence and power to protest effectively against the encroachments of vice."[113] Here the Commission on Race Relations highlighted the fact that police had significantly more control over the proliferation of vice than the residents of the city's many neighborhoods, as well as the relative lack of political power most black Chicagoans had to change the policing practices in their neighborhoods. For instance, when Mayor William Dunne proposed to codify the boundaries of the city's vice districts in 1911, several wealthy Chicago property owners objected to the proposal on the grounds that the formalization of such districts would diminish their nearby property values.[114] As many black elites discovered in those same years, they lacked the institutional resources or capital to draw similar boundaries around African American neighborhoods, despite claims of black respectability and moral upstanding.

The politics of black respectability—the same politics that had imbued the Chicago Urban League and the *Chicago Defender* over the previous decade—provided the premise for the Commission on Race Relations' explanation of the economic factors that had encouraged crime among black Chicagoans. Claims to respectability that circulated among black elites who published the *Defender* or led the CUL suggested that it was respectability itself that provided for black deservedness of equal law enforcement. When poverty and economic privation undermined black middle class respectability, the CCRR warned that crime could follow. For

[113] Chicago Commission on Race Relations, *The Negro in Chicago,* 344.
[114] "Fight on Levee Plan: Property Owners Opposed to Dunne's Scheme for the Segregation of Vice," *Chicago Record-Herald*, June 1, 1905.

instance, a lack of adequate housing and exorbitantly high rents in the Black Belt forced many families to take on boarders, a practice that CCRR investigators argued disrupted the integrity of the family and therefore encouraged illegal behavior among black Chicagoans.[115] The CCRR failed to cite any specific testimony that confirmed the causal relationship between poor housing and criminality, but its analysis reflected a popular argument among early-twentieth-century criminologists and sociologists that a deviant or abnormal home environment could warp the mind and lead to criminal behavior.[116] The CCRR's investigation also drew a connection between low industrial wages and criminal behavior, suggesting that low wages encouraged property crimes among black Chicagoans and speculating that if all Chicagoans had adequate housing conditions, living wages, and equal access to education, the city would not face a crime problem.[117] Here the Commission on Race Relations walked a delicate line, identifying the economic and racial inequality that shaped black life in Chicago while still maintaining the centrality of respectability in arguments about black deservedness of equal law enforcement.

Finally, the Commission on Race Relations offered some hypotheses about psychological factors contributing to black crime but made a careful distinction between crime caused by race and crime caused by the structures of white supremacy. Investigators found that racial discrimination itself could incite some to illegal acts, finding that "The traditional ostracism, exploitation and petty daily insults to which they are continually exposed have doubtless provoked, even in normal-minded Negroes, a pathological attitude toward society which sometimes expresses itself defensively in act of violence and other lawlessness."[118] This proposition laid responsibility for black deviance on white officials who used their discretion to

[115] Chicago Commission on Race Relations, *The Negro in Chicago,* 340; Grossman, *Land of Hope,* 138; Spear, *Black Chicago,* 23-24.
[116] Mitchell, *Righteous Propagation,* 159-161.
[117] Chicago Commission on Race Relations, *The Negro in Chicago,* 356.
[118] Ibid, 342.

discriminate against African Americans, suggesting that law enforcement officials themselves had actually fostered black criminality. The Commission suggested that black animosity and mistrust of police expressed by black Chicagoans during the 1919 Race Riot also represented a logical reaction to decades of police discrimination as "A desire for social revenge might well be expected to result from the facetious and insulting manner in which Negroes are often treated by officers of the law."[119] This analysis of the role of racism in fostering black criminality implied not that stricter law enforcement could rid Chicago of its crime problem, but that law enforcement officers also had to correct their patterns of racial discrimination.

The investigation and conclusions of the Chicago Crime Commission on Race Relations represented the intersection of Progressive reform traditions and an urban sociological method of studying the city; together, they produced a social model of understanding crime in the city, which accounted for structural conditions and official discretion. The Commission's attention to spatial, economic, and psychological causes of crime among black Chicago closely resembled the concept of sociological jurisprudence that had been popularized by judges and jurists of the city's Municipal Court since the first decade of the twentieth century, but it also deployed the methodological tools of urban sociologists at the University of Chicago in order to base its conclusions in extensive empirical evidence.[120] This framework and methodology contrasted sharply with other attempts to curtail crime in Chicago during the interwar decades, particularly among conservative anti-crime activists who foregrounded individual choice as the foremost causes of criminal behavior. Despite the assumptions of some that the waning of Progressive movements for reform had also defeated social interpretations of criminality, the work of the

[119] Chicago Commission on Race Relations, *The Negro in Chicago,* 342.
[120] O'Connor, *Poverty Knowledge,* 45-54; Willrich, *City of Courts,* xxvii.

Chicago Commission on Race Relations demonstrated how sociological methods could ground Progressive arguments in local evidence and conditions.[121]

Social interpretations of crime causation had broad implications for urban crime control policy, as they suggested that punitive criminal justice could not address the many factors that led to crime in the city and certainly could not address the racialized differences in policing and prosecution. The CCRR's critique of criminal justice in Chicago indicated that a socialized model of law enforcement would be necessary to combat crime, including policies that expunged racial discrimination and affirmatively addressed economic and racial inequality. Such a model of law enforcement would have required the city of Chicago and the state of Illinois to thoroughly reform the Chicago Police Department and commit financial and institutional resources to a crime prevention program that took into account social factors such as economic inequality and residential segregation. The city did make some limited steps toward such a comprehensive crime control policy in the interwar decades, such as expanding the number of policewomen engaged in crime prevention work with women and children.[122]

Despite its many recommendations for reform, however, *The Negro in Chicago* did not bring about broad based change among Chicago state institutions and law enforcement agencies. In this regard, the comprehensive report joined other Progressive investigations, such as the Vice Commission of Chicago's *The Social Evil in Chicago*, in its myriad unrealized recommendations for reform. It did, however, represent one of the most comprehensive and influential accounts of black urban life after the first Great Migration of African Americans to the urban North, an

[121] Michael Willrich takes the establishment of the Chicago Crime Commission and the rise of national administrative court reforms as indications of the decline of sociological jurisprudence as a dominant strain of legal thought. While he is right to identify a shift in crime politics with the end of WWI, these interpretations of crime were not simply substituted for one another, but remained in tension with one another through the interwar decades. Willrich, *City of Courts,* 284.
[122] Lois Higgins, "Women Police Service," *Journal of Criminal Law and Criminology,* Vol. 41, No. 1 (May-June 1950): 101-106.

account that had been compiled following a conflict sparked by an incident of racially discriminatory policing.[123] Reviewers at the time noted the importance of the Commission's findings; NAACP assistant secretary Walter White called the report "an epoch in race relations in the United States" that could be abstracted beyond the city limits of Chicago, as "It indicates vividly the problems of adjusting relations between the races in all parts of America."[124] Beyond these appraisals, CCRR critiques of criminal statistics permeated the work of influential intellectuals into the interwar years, as prominent criminologists associated with the University of Chicago adopted the Commission's skepticism of criminal statistics and used that critique to undergird arguments about the association between urban geography and criminality, rather than suggesting that race or nationality served as the foremost determinant of lawfulness.[125] This lasting intellectual impact—in both urban sociology and criminology—provided *The Negro in Chicago* with a robust afterlife, while the afterlife of the riot itself would be seen in the ongoing defense of Chicago's urban color line, the continuation of white racial violence, and criminalization of blackness in the decades to come.

[123] Muhammad, *The Condemnation of Blackness,* 237.
[124] Walter White, "American Race Riots: Review of *The Negro in Chicago*," *The Nation* (November 1, 1922): 476.
[125] Muhammad, *The Condemnation of Blackness,* 241.

CHAPTER 3

THE COST OF CRIME: BUSINESS, ANTI-CRIME ACTIVISM, AND POLICE STATE BUILDING IN INTERWAR CHICAGO

On August 30, 1917, two hundred fifty police officers surrounded the home of Mrs. Francis Schnitzer on Thomas Street in Chicago's Northwest Side Humbolt Park neighborhood.[1] On any other day, the street was a quiet one. Mrs. Schnitzer's house sat among residential flats and apartment buildings, in sight of Lafayette Elementary School and only a few blocks away from Humbolt Park, one of the large boulevard parks that flanked the city's downtown business district.[2] The area had been home to immigrant communities since the mid-nineteenth century, as successive waves of immigrants including Danes, Norwegians, Italians, Bohemians, and Czechs populated the neighborhood.[3] By the second decade of the twentieth century, Polish, Russian, and German immigrants predominated.[4] A number of small businesses littered those few blocks near the Schnitzer house, but it was otherwise dominated by single and multi-family dwellings, homes to industrial workers and their families. Most of the gainfully employed residents of the neighborhood worked in manufacturing and mechanical trades, such as the clothing, steel, and lumber industries.[5] The residential area made for a peaceful respite for those workers who returned home each day from the nearby Union Stockyards and central manufacturing districts.

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[1] Walter Noble Burns, "Three Bandits Confess All: Wheed, Carrao, Admit Part in Double Murder," *Chicago Daily Tribune*, September 1, 1917.
[2] Chicago Zoning Commission, "Chicago Zoning Survey Maps," (Chicago: Chicago Zoning Commission, 1922).
[3] Cohen, *Making a New Deal,* 31.
[4] By 1920, first and second-generation European immigrants comprised over 90 percent of the census tract where Mrs. Schnitzer's house was located. Poles and Russians were the two largest immigrant groups in the tract, with Germans, Czechs, and Hungarians also significantly represented. Ernest W. Burgess and Charles Newcomb, eds., *Census Data of the City of Chicago, 1920* (Chicago: University of Chicago Press, 1931), 269.
[5] A significant portion of residents also worked in wholesale or retail trades. Ibid, 594.

At least, until a mass of police officers descended on one small block of Thomas Street in the early evening of August 30th.

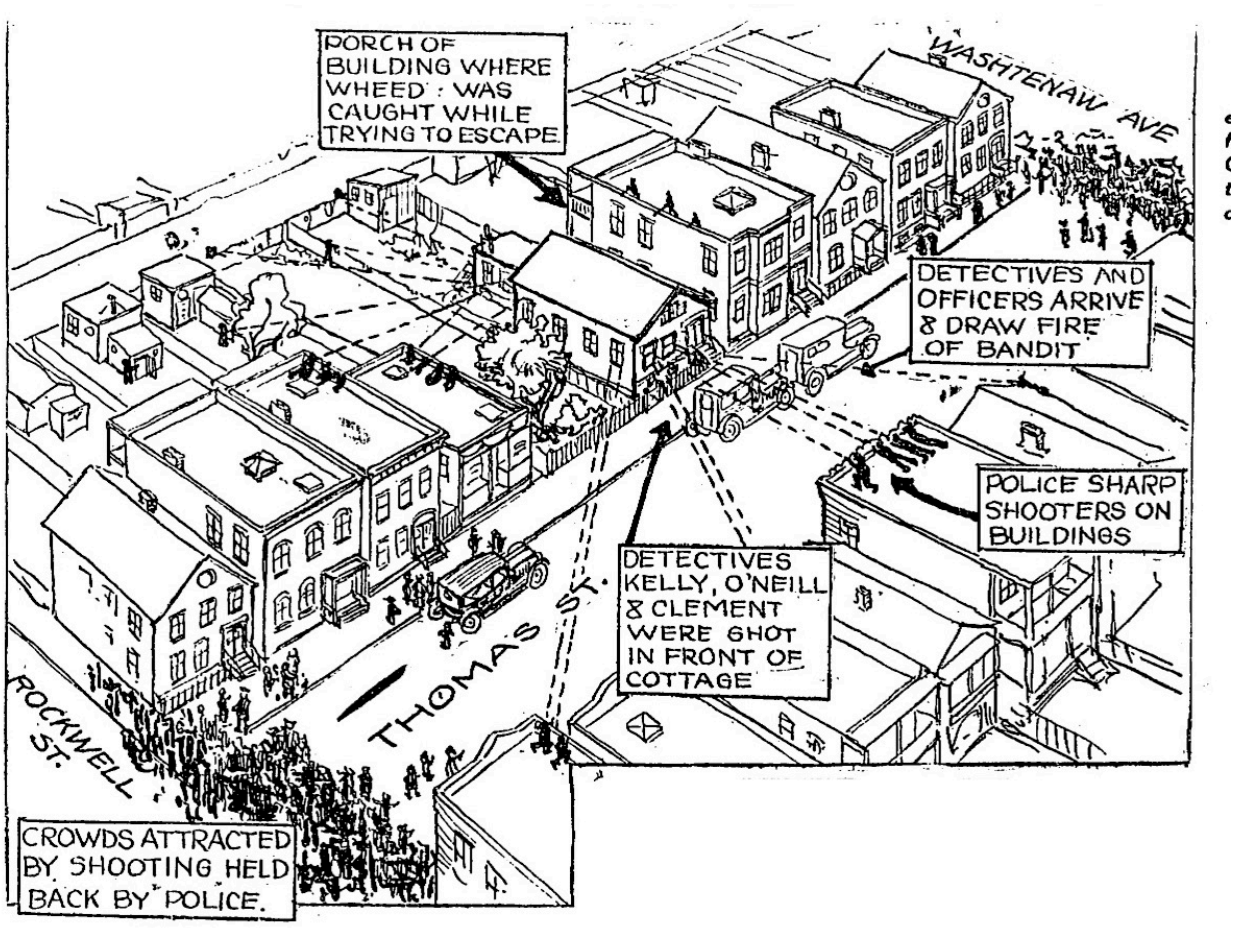
Two days earlier, a group of five men had stolen nearly $9,000 from a payroll delivery at the Winslow Brothers metal working plant on West Harrison Street, killing two Winslow employees in the process.[6] It was the eleventh such robbery in the city since the beginning of 1917, as Chicago industries regularly fell victim to brazen heists that netted thieves thousands of dollars.[7] Days after the Winslow Brothers' robbery, police at the West Side Maxwell Street station received an anonymous tip that a man named Edward Wheed had orchestrated and committed the crime. A group of Chicago Police detectives followed one of the man's associates to Wheed's mother's home on Thomas Street—Mrs. Schintzer's house on the Northwest Side. Officers stationed themselves on nearby rooftops as well adjacent street corners, all with rifles and revolvers trained on the little cottage, watching for any movement or sign of activity inside. When the officers approached the house, a barrage of bullets careened through the front door and windows as Wheed—barricaded inside—fended off his arrest with two automatic pistols.[8] The police officers retreated and called for reinforcements, but not before three of their number fell to the ground, wounded by Wheed's shots.

Soon police swarmed the cottage, as a veritable army of law enforcement officers descended on the house in an attempt to apprehend the payroll robber. At both ends of the block, crowds gathered to watch the showdown; while some accounts reported that between 2,000 and 3,000 people had gathered on Thomas Street, others claimed that nearly 5,000 had gathered to

[6] "Get Slayer in Two Hour Battle," *Chicago Daily Tribune*, August 31, 1917; "Policewoman Started Round-Up That Netted 50 Chicago Arrests," *Washington Post*, September 1, 1917.
[7] "Police Drive to Clean Chicago of Criminals," *Chicago Daily Tribune*, August 31, 1917.
[8] "Get Slayer in Two Hour Battle," *Chicago Daily Tribune*, September 1, 1917.

watch the confrontation.[9] Once 250 police officer reinforcements had assembled on the street, Police Superintendent Herman Schuettler instructed his forces, "Riddle that house with bullets. If Wheed appears at the windows, shoot to kill."[10] The officers volleyed gunshots toward the house, but somehow Wheed managed to evade their fire. After a stand-off that lasted nearly two hours, police threatened Wheed with explosions of formaldehyde and dynamite, promising to throw bombs into the house if he would not surrender. The scene fell quiet and the officers approached the house once more. Suddenly, they heard shots fired from a neighboring rooftop; Wheed had managed to climb out of a window and escape the assailed house. One of the detectives in the crowd below demanded Wheed's surrender once again, to which the man replied that he would indeed give himself up on the condition that the police guarantee that he would not be executed. Wheed asked if State's Attorney Michael Sullivan was among the masses of police on the street, to which one of the detectives feigned, "Yes, I'm Assistant State's Attorney Sullivan."[11] The impostor prosecutor promised Wheed that he would not be hanged, after which the man finally retreated from his position on the rooftop and surrendered himself to the crowd of police below.

[9] "Principals and Highlights in Battle Between Lone Bandit and 250 Police," *Chicago Daily Tribune*, August 31, 1917.
[10] "Get Slayer in Two Hour Battle," *Chicago Daily Tribune*, August 31, 1917.
[11] Ibid.



Where the battle was staged—The diagram shows the locality in which the fight took place as well as the strategic tactics employed by the opposing "forces."

FIGURE 3.1: "CROWDS ATTRACTED BY SHOOTING, HELD BACK BY POLICE," 1917[12]

The theatrical battle between Wheed and the Chicago Police Department ended the string of payroll robberies that had plagued Chicago businesses in 1917. Contrary to the promises of police officers on Thomas Street that day, however, Wheed was convicted of murder and executed by hanging less than six months after his arrest. Wheed's execution, simultaneous with that of Harry Lindrum for the murder of a city police officer, marked the first executions in Chicago in three years, a practice that law enforcement authorities hoped would "have a

[12] "Principals and Highlights in Battle Between Lone Bandit and 250 Police," *Chicago Daily Tribune,* August 31, 1917.

deterrent on the murder industry hereabouts."[13] The Winslow Brothers' payroll robbery had also prompted sweeping arrests by the Chicago Police Department. After the robbery and killing of the two Winslow employees, Police Superintendent Schuettler sent instructions to every police station, ordering patrolmen "to search every saloon, poolroom, and hangout of tough character after midnight…several hundred police were engaged in this wholesale round-up of crooks in all parts of the city."[14] The police dragnet resulted in the arrest of at least 50 men in a matter of days, which Schuettler lauded as the harbinger in a new era of crime control in Chicago. Celebrating the arrests, which he assumed would contribute to the end of similar robberies, Schuettler predicted, "It has brought about a police drive against intrenched [sic] crime which I hope will not end until every professional criminal in Chicago is brought to book."[15]

The Winslow Brothers' robbery, the sweeping arrests it prompted, and the dramatic pursuit of Wheed and his accomplices spurred the organization of private anti-crime activism in Chicago, particularly among many of the city's businessmen who wished to see the protection of their property as well as the imposition of urban order. Following that string of payroll robberies in 1917, leaders of the Chicago Association of Commerce—an organization of middle-class merchants and manufacturers formed in 1904—commissioned a study of crime conditions in the city and subsequently recommended the establishment of a permanent organization to monitor law enforcement.[16] On that recommendation, members of the Association formed the Chicago Crime Commission in 1919. Although it was a private organization, the Crime Commission blurred the division between public and private institutions, acting as a quasi-state law

[13] "LINDRUM AND WHEED DIE ON JAIL SCAFFOLD: Men Present Contrast as They Meet Their Fate," *Chicago Daily Tribune*, February 16, 1918.
[14] "Get Slayer in Two Hour Battle," *Chicago Daily Tribune*, August 31, 1917.
[15] Ibid.
[16] Louise Drusilla Walker, "The Chicago Association of Commerce: Its History and Policies" (PhD diss., University of Chicago, 1941), 2-3.

enforcement agency in the years after its formation. The group drew on the logic of Progressive reformers, viewing an independent agency as the best avenue toward improved policy and order in the city.[17] Also similarly to Progressives, they collaborated closely with state institutions, posting Crime Commission members as observers in the city's police stations and courtrooms and organizing conferences among law enforcement officials in order to promote the coordination of multiple agencies.[18] The Crime Commission also positioned itself as the foremost source of criminal justice knowledge in the city, compiling a comprehensive docket of all cases that reached the Criminal Court, from which "any person [could] obtain, in five minutes or less, exact information concerning any case at all."[19] In 1922, it was the Chicago Crime Commission and the evidence it provided that convinced the Chicago City Council to increase the city's police department by more than 20 percent by hiring 1,000 new patrolmen, the same recommendation that the Chicago Commission on Race Relations made that same year.[20]

The establishment of the Chicago Crime Commission marked the advent of the crime commission movement, as businessmen and members of the professional class across the country formed private organizations to improve the operation of urban law enforcement and protect the interests of business and capital. Although a number of cities had established civic committees to examine vice in the early years of the twentieth century, the crime commission movement distinguished itself from those Progressive-era reform efforts in its attention to violent

[17] Boyer, *Urban Masses and Moral Order in America*; Flanagan, *Seeing with Their Hearts*; McGerr, *A Fierce Discontent*; Daniel Rodgers, *Atlantic Crossings: Social Politics in a Progressive Age* (Cambridge: Harvard University Press, 1998).
[18] Chamberlin, "The Chicago Crime Commission," 389; "Chicago Crime Commission: Some Excerpts from the Record of Sixteen Years," Undated, Series I: General Files, Box 4, Folder 10: Chicago Crime Commission, 1932-1939, Burgess Papers; Kenneth L. Roberts, "Watchdogs of Crime," *Saturday Evening Post*, October 8, 1927.
[19] Kenneth L. Roberts, "Watchdogs of Crime," *Saturday Evening Post*, October 8, 1927, p. 47.
[20] "Chicago Crime Commission: Some Excerpts from the Record of Sixteen Years," Undated, Series I: General Files, Box 4, Folder 10: Chicago Crime Commission, 1932-1939, Burgess Papers.

crime and property crime.[21] The Chicago Crime Commission was the first such private anti-crime organization in the country, and its structure and methods served as a model for a number of crime commissions in the interwar decades.[22] Members of the Chicago group would often travel to other cities around the United States, offering guidance regarding the creation of a local crime commission.[23] Over the course of the 1920s, businessmen and other anti-crime activists formed approximately 30 crime commissions across the country, including the National Crime Commission, formed in 1925 in New York City to coordinate the work of various municipal crime commissions and promote the growth of the crime commission movement. By the end of the 1920s, the federal government joined in the growing crime commission movement when President Herbert Hoover established the National Commission on Law Observance and Enforcement to study the impact of Prohibition and the condition of law enforcement in the country. Members of local crime commissions populated the federal group, including Chicago Crime Commission vice president Frank J. Loesch.[24]

The Chicago Crime Commission joined a crowded field of organizations interested in social reform and the improvement of municipal governance in post-WWI Chicago. Until 1919,

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[21] Before WWI, most municipal investigations of law enforcement focused their attention on vice rather than on violent crime. By 1916, over thirty American cities and towns across the country had commissioned investigations of vice conditions, including Atlanta (1912), Baltimore (1911), Buffalo, NY (1913), Cleveland (1916), Denver (1913), Honolulu (1914), Lexington (1915), Little Rock (1913), Minneapolis (1911), New York City (1902), Newark (1914), Philadelphia (1913), Pittsburgh (1913), Portland, OR (1912), and St. Louis, MO (1914). Mayer, *The Regulation of Commercialized Vice,* 52-53.

[22] Ernest Burgess, et al., "Survey of the Chicago Crime Commission," 1950, p. 11-12, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers; Virgil Peterson, *Crime Commissions in the United States* (Chicago: Chicago Crime Commission, 1945), 3-4 and 15.

[23] Among the municipal crime commissions explicitly modeled after the Chicago Crime Commission were the Kansas City Law Enforcement Association (1920), the Crime Commission of Los Angeles (1922), the Baltimore Criminal Justice Commission (1922), and the Citizens' Committee on the Control of Crime in New York (1937). Ernest Burgess, et al., "Survey of the Chicago Crime Commission," 1950, p. 11-12, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers.

[24] "HOOVER NAMES MEMBERS OF CRIME COMMISSION: Wickersham Selected as Chairman; Judge McCormick in Group; One Woman Paid Honor," *Los Angeles Times*, May 21, 1929; Ernest Burgess, et al., "Survey of the Chicago Crime Commission," 1950, p. 11-12, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers; Peterson, *Crime Commissions in the United States*, 3-4 and 15.

Chicago reform organizations were dominated by Progressive groups interested in the improvement of urban living and working conditions, such as Hull House, the Immigrants' Protective League, the Juvenile Protection Association, and the Vice Commission of Chicago. Members of the Crime Commission distinguished themselves from those organizations, drawing gendered contrasts between their work to end crime and the work of Progressive reformers to improve social conditions of the city. Along with the organization's self-fashioning as a masculinized crime control organization, the Crime Commission also marked a shift in the interpretation of crime causation among anti-crime activists and criminal justice reformers. The businessmen who controlled the Crime Commission largely interpreted crime as an individual choice to violate the law, divorcing it from social and economic circumstances that had been the focus of many Progressive reform organizations in the city.[25] This interpretation of crime causation directly shaped the agenda of businessmen anti-crime activists, as they focused their attention on strengthening state coercive capacity in order to deter individuals from choosing to commit crimes. In its publications and in the public remarks of its members, the Crime Commission repeatedly argued that the city needed a larger police department in order to adequately detect crime but almost never elaborated its reasoning or described how a stronger state would therefore curtail law breaking. The underlying assumption seemed to be that a more powerful state would be better equipped to coerce its citizenry into lawfulness. The 1922 Chicago Police Department patrolmen increase represented the institutional expression of this interpretation of criminality, popularized by the Chicago Crime Commission and shared by many like-minded anti-crime activists throughout the nation during the interwar decades.

European ethnic crime—particularly organized crime—dominated the imagination of the Crime Commission as the most pressing crime problem facing Chicago leaders. Crime

[25] Knupfer, *Reform and Resistance*; O'Connor, *Poverty Knowledge*; Willrich, *City of Courts.*

Commission officers regularly referenced the problem of "professional criminals" that plagued the city, a coded term that brought to mind Italian and other European ethnic lawbreakers and members of criminal syndicates.[26] Chicago newspapers had lamented the problem of syndicated crime among Italians or "alien murderers" since the late nineteenth century, and the Crime Commission's attention to professional criminals invoked that discourse to mark crime as a problem that had arrived in Chicago among the foreign born.[27] The organization was founded during the same year as the Chicago Race Riot and conducted its initial investigatory work simultaneously to that of the Chicago Commission on Race Relations. However, the Crime Commission's critiques of policing in Chicago focused on the inefficiency, corruption, and laxity of the department, obscuring the entrenched patterns of anti-black discrimination demonstrated by Chicago police since the early twentieth century. The elite-led and white-dominated anti-crime organization marginalized racial critiques of policing and law enforcement that had been rigorously documented by the members and research staff of the Chicago Commission on Race Relations, such as the disproportionate rates of black arrests, racially skewed crime statistics, and patterns of racially discriminatory police violence.[28] Perhaps even more surprisingly, the Crime Commission did not foreground black crime as a paramount problem in interwar Chicago.

The Chicago Crime Commission's attention to criminal syndicalism, law enforcement inefficiency, police graft, and official laxity suggested a critique of police discretion, albeit one distinct from the critiques of discretion that had emerged among other criminal justice reformers and Chicago residents in the early twentieth century. The Crime Commission insisted that police

[26] *Bulletin of the Chicago Crime Commission,* November 8, 1920, p. 8, MRC; *Bulletin of the Chicago Crime Commission,* December 12, 1920, p. 2, MRC; *Bulletin of the Chicago Crime Commission,* January 31, 1921, p. 5-6, MRC.
[27] Guglielmo, *White on Arrival,* 77.
[28] The Chicago Commission on Race Relations also suggested that higher rates of crime in black Chicago neighborhoods could be attributed to negligent policing and that discriminatory policing itself may have fostered resentment and anger among black Chicagoans, which could have contributed to the escalation of the riot itself. Chicago Commission on Race Relations, *The Negro in Chicago,* 327-356.

failure to evenly enforce the law across the city and patrolmen's acceptance of payments in exchange for official laxity had resulted in a widespread disregard for the rule of law, which had encouraged further law breaking in Chicago.[29] As a result of delays in the criminal justice system, potential lawbreakers might assume that they would never face consequences for violating the law and therefore be undeterred from doing so. This line of thinking aligned with the Crime Commission's conception of crime causation as an individual choice, one that could be deterred through the elimination of police discretion. The Vice Commission of Chicago had made a similar critique of police discretion in its 1911 investigation, finding that police decisions not to enforce the law had provided for the flourishing of vice in certain neighborhoods of the city.[30] The Chicago Commission on Race Relations expanded on the Vice Commission's analysis of the relationship between race and police discretion, showing how disproportionate arrests of black Chicagoans as well as police failure to stop crime in black neighborhoods had resulted in unequal access to fair law enforcement.[31] The Crime Commission, however, excluded the spatial and racial analyses of these organizations from its critique of official discretion. Occasionally, Crime Commission Bulletins suggested that black migration played a role in the city's crime problem, but their investigations of law enforcement never identified racial discrimination as a significant problem in policing.[32]

The crime commission movement demonstrated the potential for local anti-crime activists and owners of capital to play an integral role in urban crime control policy and demonstrated how a deterrence-based program of crime control could translate into police state building and institutional development. Anti-crime activists' focus on managerial reforms and the protection

[29] *Bulletin of the Chicago Crime Commission,* December 23, 1920, p. 2, MRC.
[30] Vice Commission of Chicago, *The Social Evil in Chicago,* 33.
[31] Chicago Commission on Race Relations, *The Negro in Chicago,* 329.
[32] *Bulletin of the Chicago Crime Commission,* January 31, 1921, p. 33-34, MRC.

of capital and business interests largely framed police discretion as a problem of official laxity and graft, obscuring the way that discretion also provided state endorsement for the arbitrary, discriminatory, and violent treatment of the city's African American, immigrant, and working class communities. Although the post-WWI years seemed to mark an age of reform and modernization for urban policing and criminal justice, the role of business and capital in shaping the development of policing institutions in these years demonstrated how racial hierarchy and class politics shaped the reform process itself, protecting the power of law enforcement officers to mete out discriminatory treatment even in the midst of supposed reforms. The absence of racial and spatial analyses in the agenda of the Crime Commission led the group to focus on top-down managerial reforms rather than giving attention to the conduct of patrolmen throughout the city. As a consequence, the unmarked whiteness of interwar anti-crime activism produced a reform discourse in which the problem of anti-black law enforcement was displaced by the relationship between European ethnic crime and official graft and framed as a problem that could be solved through administrative changes and state building alone.

"Crime Waves" and Anti-Crime Activism after WWI

The proliferation of the crime commission movement throughout the United States reflected widespread concern with the improvement of law enforcement in the years following WWI, especially as city officials and other observers across the country predicted a nationwide post-war crime wave. Civic leaders and newspaper headlines decried increases in crime that they anticipated would certainly accompany the end of the war and the return of soldiers to American cities. There is no clear scholarly consensus regarding the empirical basis of such fears of post-war crime waves, and most early-twentieth-century criminologists asserted that predictions of a

general rise in lawlessness were unfounded.[33] Examination of long-term crime trends with available data indicate that violent crime in the United States actually fell significantly from the mid-nineteenth century through the mid-twentieth century, with occasional variations to that trend.[34] Historical homicide rates showed some slight surges following war demobilization, although those trends were only based on data for homicide arrests and could not necessarily be abstracted to account for a more broadly defined "crime wave."[35] Homicide rates in Chicago as well as those throughout the nation did rise slightly in 1919 but proceeded to fall almost immediately over the course of the following two years.[36]

Despite these questions about actual increases in crime, the perception or prediction of a coming post-war crime wave played a critical role in shaping crime control politics.[37] Headlines from the *Los Angeles Times* to the *New York Times* announced, "Wave of Crime Follow War: Lawlessness is Increasing in Every Large City," and warned of the coming "Worldwide Crime Wave."[38] Although these accounts of post-war crime conditions consistently linked a national crime wave to the end of the war, there was little consensus regarding the causal relationship between the two. Some accounts predicted that the psychological effects of war would encourage criminal activity among returning soldiers, or that the shock of returning to a quotidian civilian life would cause some former soldiers to seek thrills in the form of crime.[39] Other reports implied

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[33] Janis Appier, " "We're Blocking Youth's Path to Crime": The Los Angeles Coordinating Councils During the Great Depression," *Journal of Urban History,* 31 (2005): 191.
[34] Gottschalk, *The Prison and the Gallows,* 25.
[35] Ted Robert Gurr, "Historical Trends in Violent Crime: Europe and the United States," in *Violence in America: The History of Crime,* ed. Ted Robert Gurr (Newbury Park: Sage Publications, 1989), 41.
[36] Mark Asbridge and Swarna Weerasinghe, "Homicide in Chicago from 1890 to 1930: Prohibition and its Impact on Alcohol- and Non-Alcohol-Related Homicides," *Addiction,* 104 (2009), 360.
[37] Potter, *War on Crime,* 64.
[38] Frederic J. Haskin, "Wave of Crime Follows War: Lawlessness is Increasing in Every Large City," *Los Angeles Times*, March 16, 1919; William L. Chenery, "Worldwide Crime Wave," *New York Times*, October 10, 1920.
[39] These analyses predicted that the transition from regimented military life would inevitably cause an adverse reaction among some returning soldiers "While fighting, a soldier is held at a tension. When he is discharged and told to return to a peaceful occupation the tension is relieved and a reaction follows." Frederic J. Haskin, "Wave of Crime Follows War: Lawlessness is Increasing in Every Large City," *Los Angeles Times,* March 16, 1919; "No

that war demobilization itself would not necessarily cause criminal behavior, but that the mass mobilization of soldiers may have drafted many likely criminals, and that the end of the war would see the return those men and their criminal tendencies to their home cities.[40] Some criminal justice professionals scoffed at this linkage between military service and criminality; in 1922, the president of New York's Commission of Prisons conducted a survey of penal institutions in that state, finding that more than half of the former servicemen in the state reformatory had been under arrest before the war, suggesting that their service was not necessarily the cause of their criminal behavior.[41] Other accounts made sweeping generalizations about Americans' tendency towards crime in the interwar decades, some claiming that the national experience of war had encouraged widespread disregard for the rule of law, that the new federal ban on alcohol had done the same, or that the state sanctioned violence of war had carried over into American cities at its close.[42]

In addition to these consistent linkages of war demobilization and crime, other observers connected rises in crime to economic downturn, unemployment, and labor radicalism. Civic reformers had linked unemployment and crime since the early twentieth century, often suggesting that joblessness or low wages drove many city-dwellers to seek work in the vice

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Postwar Crime Wave Here: Los Angeles Unique Among Large Cities of Country in Psychological Reaction to Strain of the World Struggle," *Los Angeles Times*, March 30, 1919.

[40] Robert H. Gault, "Returned Soldiers and Crime," *Chicago Daily Tribune*, May 4, 1919.

[41] Frank L. Christian, the superintendent of the New York State Reformatory, faulted the recruitment standards of the military itself for the supposed link between wartime service and crime. He suggested that laxity in mental health examinations had allowed an undue number of likely criminals to enter the ranks of the US military at the start of the war and that a disproportionate number of men with criminal histories had also volunteered for service, thereby creating a correlation between crime and military service, but not necessarily suggesting causation. Major Lewis A. Lawes, the warden of Sing Sing Prison, likewise concluded that the third of ex-servicemen in Sing Sing who had criminal records before the war "would have been criminals anyway, and only suspended operations during service." John S. Kennedy, "Soldiers and Crime: Showing that Cause Cannot Be Attributed to Service During the War," *New York Times,* January 8, 1922.

[42] Albert F. Nathan, "Drug Fiends Make "Crime Wave,"" *Los Angeles Times*, November 30, 1919; William L. Chenery, "Worldwide Crime Wave," *New York Times,* October 10, 1920.

trades.[43] A census of Chicago police precincts in 1914 found nearly 30,000 unemployed men, and most police officers interviewed in the census agreed that unemployment had contributed to higher rates of crime in their districts.[44] An investigation by the Chicago City Council Committee on Crime drew similar conclusions a year later, suggesting that the pressures of economic conditions "inevitably produce the crushed or distorted bodies and minds from which the army of crime is recruited."[45] As World War I came to a close, these links between unemployment and crime took on a newly urgent tone as the nation faced the homecoming of thousands of soldiers who might not be able to find work upon their return. At the 1919 convention of the International Association of Chiefs of Police, William A. Pinkerton of the Pinkerton National Detective Agency warned that the wartime experiences of former soldiers made them particularly likely to turn to criminality if faced with unemployment, "[Their] Methods used are those of men accustomed to taking great risks, men who will brook no interference, they constitute a new class of criminals."[46] Pinkerton's warning fused fears about the relationship between unemployment and crime with the idea that the war had produced a new culture of violence that would take hold of civil society.

Other explanations of the supposed post-war crime wave played upon associations between labor radicalism and lawlessness, particularly the growing influence of the Industrial Workers of the World (IWW), the radical labor union founded in Chicago in 1905.

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[43] Vice Commission of Chicago, *The Social Evil in Chicago,* 42.
[44] "Police Report 28,231 Jobless," *Chicago Daily Tribune*, March 1, 1914. The United States Commission on Industrial Relations conducted this census in 1914, and performed similar censuses in other urban centers around the country. Based on these surveys, the Commission concluded that economic conditions had produced a class of permanently unemployed who often had no options but to turn to crime to support themselves. United States Commission on Industrial Relations, *Final Report of the Commission on Industrial Relations: Including the Report of Basil M. Manly, Director of Research and Investigation, and the Individual Reports and Statements of the Several Commissioners* (United States: US Government Printing Office, 1916), 107.
[45] Charles E. Merriam, *Report of the City Council Committee on Crime of the City of Chicago* (Chicago: Press of H.G. Adair, 1915), 12.
[46] "Crime is Blamed on Lack of Jobs," *Detroit Free Press,* April 15, 1919.

Characterizations of the IWW as an organization of criminals littered news reports during the second decade of the twentieth century, many of them linking the union's socialist politics to supposed anarchism and lawlessness.[47] One description of an IWW convention in Ohio in 1915 claimed that the organization flagrantly violated so-called "capitalistic laws" in defense of the working class, going on to define capitalistic law as "any law duly enacted by Congress, a State Legislature or a municipality which workingmen might take it into their heads to violate."[48] This report directly counter-posed labor radicalism and lawfulness, suggesting that IWW members purposefully violated the law in pursuit of their own interests. In January 1919, Los Angeles Chief of Police John L. Butler predicted that returning soldiers would seize jobs from "men of I.W.W. tendencies" who would then return to "their old occupations of doing no more work than necessary" and likely engage in criminal activities.[49] In strained logic, Butler implied that the wartime labor shortage might have temporarily quelled labor radicalism, but that the temporary respite would end when returning soldiers reclaimed their jobs. Radical members of the Industrial Workers of the World might then find themselves unemployed and free to engage in criminal activity or violence. These foreboding warnings framed the supposed post-war crime wave as a threat to business and capital, predicting that unemployed criminals or labor radicals might direct violence or other lawless attacks on owners of business themselves.

These numerous predictions of post-war lawlessness and a national crime wave sowed fear that urban disorder would pose threats to investments and flows of capital within and among

[47] "War on Miners' Union, Goldfield Owners Ask Federal Court to Disband It, Call it "Criminal Society"," *Washington Post,* December 26, 1907; "Labor Chief Warns Workingmen Against the Industrial Workers of the World, "Anarchy Its Creed, Violence Its Weapon," He Says," *St. Louis Post-Dispatch*, July 27, 1913; "Sharp Rebuke For the IWW, Idle and Vicious Element Scored by Blethen," *Los Angeles Times*, August 13, 1914; "The IWW," *Washington Post,* July 10, 1917; "Menace of the IWW: Senator King Says Both Labor and Capital Face Perils from Criminals Working for Nation's Enemies," *New York Times*, September 2, 1917; "Lock Chicago IWW in Cells," *Chicago Daily Tribune*, September 29, 1917.
[48] "What are I.W.W.'s?," *Los Angeles Times,* April 11, 1915.
[49] "Police Predict Wave of Crime," *Los Angeles Times*, January 2, 1919.

the country's industrial urban centers. In that context, business interests and urban boosterism drove the expansion of the post-WWI anti-crime activist and crime commission movement throughout the country, as owners of capital sought to protect their property and firms and foster investment. Businessmen in a number of American cities established independent criminal justice improvement organizations in the years after World War I. For instance, following the Cleveland Crime Survey in 1922, which found that the city's murder rate was 50 percent higher than that of 30 other large American cities, the Cleveland Chamber of Commerce established the Cleveland Association for Criminal Justice to monitor police work and help coordinate the work of the city's criminal courts. The survey also found that the city's burglary insurance rates were among the highest in the country, an issue of particular concern to urban businessmen who often found their firms subjected to payroll robberies like those that had plagued Chicago in 1917.[50]

Within five years after the conclusion of the war, the business-led anti-crime movement had stretched across the country and into nearly every major industrial center. In 1922, the state of New York recommended the formation of a private crime commission modeled on the Cleveland Association for Criminal Justice and the Chicago Crime Commission.[51] One year later, members of Los Angeles' business and civic elite announced their plans to establish the Los Angeles Crime Commission in order to suppress existing crime and curtail seasonal crime waves produced by "the great annual influx of criminals from all parts of the country, driven from the North and East by cold weather."[52] Members of several business booster organizations established the Baltimore Criminal Justice Commission nearly simultaneously; the Baltimore

[50] Burglary insurance rates in Cleveland in the early 1920s were equaled by eight counties in the country but exceeded by none. Leonard Porter Ayres, *The Cleveland Survey of Criminal Justice* (Cleveland: Cleveland Trust Company, 1922), 5; Charles Wood, "How Cleveland Cut Its Record of Crimes of Violence by 'Looking Shocking Situation in the Face,'" *St. Louis Post-Dispatch*, April 16, 1922.
[51] "Citizens to Survey Courts and Police," *New York Times*, May 1, 1922.
[52] "Prominent Citizens Form Anti-Crime Commission," *Los Angeles Times*, January 5, 1923.

Association of Commerce, the Baltimore Stock Exchange, and the Maryland Bar Association were among the 25 business and civic organizations that contributed members to the new anti-crime organization. Among anti-crime groups, the Baltimore Criminal Justice Commission represented a rare collaboration between business and labor; among the organizations represented in the commission were the Congress of Industrial Organizations and the American Federation of Labor. Notably, however, the more radical Industrial Workers of the World was not represented.[53]

As businessmen and members of the professional class in cities around the country organized in response to predictions of a national crime wave, they appealed to the long relationship between capital and urban order. During the mid-nineteenth century, Chicago, along with nearly every other major Northern city, established a bureaucratized municipal police force.[54] Industrial centers faced massive waves of immigration in this period and the attendant expansion of the urban industrial working class. Business elites, such as the leadership of the Illinois Central Railroad, pushed the Chicago City Council to modernize the police department in 1855, expecting that a strengthened state coercive apparatus would help to quell labor strikes, attract Eastern investment capital, and discipline the city's growing immigrant population.[55] These business elites deployed an ideology of order to legitimize the expanded coercive power of the state; order was a malleable concept that allowed for vast disciplinary state power over immigrant and working class communities.[56] Post-WWI anti-crime activists reasserted this long-

[53] Peterson, *Crime Commissions in the United States*, 21-22.
[54] Monkkonen, *Police in Urban American,* 164-168.
[55] The Chicago City Council established the Chicago Police Department in 1853, although this initial action did little more than create the legal framework for the department and provide wide discretionary powers for policemen. In 1855, the City Council approved a number of modernizing reforms that reorganized the police into a department comprised of full-time officers with police ranks with defined roles. The 1855 reforms also divided the city into precincts and provided for police uniforms. Mitrani, *The Rise of the Chicago Police Department,* 19-28.
[56] Sam Mitrani argues that this ideology of order—be that urban order, moral order, or social order—came to dominate the behavior of police and other municipal institutions in Chicago by the end of the late nineteenth century.

standing relationship between urban order and the interests of capital, although their anti-crime campaigns also marked subtle differences from their nineteenth-century predecessors. Post-WWI anti-crime businessmen in Chicago and throughout the nation interested themselves in police policy and criminal procedure itself, aspects of civic life that had been largely ignored by nineteenth-century advocates of expanded urban police capacity. No longer contented to see police simply put down labor unrest, post-war businessmen anti-crime activists argued that the reduction of crime and efficient law enforcement itself was crucial to foster the growth of capital.[57] According to the rhetoric of these businessmen, urban order depended on legal order, a relationship that members of the Chicago Association of Commerce invoked in their response to Edward Wheed's dramatic showdown with Chicago Police in 1917.

It was in this context of national apprehension about an imminent crime wave—and spurred by Wheed's robbery of the Winslow Brothers' payroll delivery in 1917—that the Chicago Association of Commerce instructed ten of its members to investigate the condition of law enforcement in the city.[58] The members of the organization's Committee on the Prevalence and Prevention of Crime in the City of Chicago represented the city's business boosters as well as its commercial and professional elites.[59] Although two of its members had legal training, most

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He suggests that business elites encouraged the expansion of police institutions in that period because only state institutions had the financial and organizational resources to guarantee the discipline of Chicago's industrial working class and protect the further development of industrial capitalism. Mitrani, *The Rise of the Chicago Police Department,* 6-13.

[57] A number of scholars have identified a shift in crime control politics marked by the expansion of the crime commission movement, suggesting that this new mobilization of anti-crime businessmen marked the masculinzation of criminal justice reform and a reactionary turn away from the feminized reform ethos of the Progressive era. Indeed, this interpretation rightly identifies a gendered shift in the structure of municipal improvement organizations themselves and draws attention to anti-crime activists' emphasis on a legalistic definition of criminality. However, characterizing the crime commission movement as a reactionary turn toward punitive crime control politics glosses over the historical continuity between this mobilization of anti-crime activism and the business interests that encouraged the establishment of urban police departments in the nineteenth century. Willrich, *City of Courts,* 292-293.

[58] Chamberlin, "The Chicago Crime Commission," 387.

[59] The committee included Edward E. Gore and Francis T. Simmons, both former directors of the Chicago Association of Commerce, commercial real estate traders W.W. Baird and Jacob L. Kesner, retailers Frederic H.

of the committee members had no formal background in law enforcement or criminal justice, their only apparent qualification for the task being their status as members of the business community. When the Committee on the Prevalence of Crime delivered its final report in June of 1918, its findings and recommendations reflected the agenda of the post-WWI anti-crime movement, particularly in its focus on augmenting the coercive power of the state and improving the efficiency of criminal justice institutions. Upon the publication of the Committee's report, chairman Edward E. Gore clarified that the group did not set out to study crime itself or to rehabilitate those who broke the law. Instead "Its purpose is solely to secure the punishment of the guilty and to make the punishment adequate to the crime."[60] According to the committee, the deficiencies of the criminal justice system were to blame for the state of crime in the city, including insufficient policing, poor criminal record keeping, and an inadequate state criminal code.

The final report of the Committee on the Prevalence and Prevention of Crime was guided by the assumption that a robust coercive state was the most effective way to control urban crime. The report began by lamenting the inadequate numerical strength of the Chicago Police Department; according to its findings, Chicago had only one patrolman for every 712 city residents, while Philadelphia had one patrolman for every 468 residents, New York had a

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Scott and Fred L. Rossbach, commercial lawyers Joseph W. Moses and Frederick P. Vose, and the owner of the Chicago Telephone Company W. Rufus Abbott. Chicago Association of Commerce, *Chicago Commerce* Vol. 8, no. 14 (August 9, 1912), 10; Chicago Association of Commerce, *Chicago Commerce*, Vol. 8, No. 29 (November 22, 1912), 18; Chicago Association of Commerce, *Chicago Commerce*, Vol. 8, No. 34 (December 27, 1912), 13; Chicago Association of Commerce, *Chicago Commerce*, Vol. 9, No. 29 (November 21, 1913), 1; Chicago Association of Commerce, *Chicago Commerce*, Vol. 10, No. 9 (July 3, 1914), 1; Chicago Association of Commerce, *Chicago Commerce*, Vol. 10, No. 11 (July 17, 1914), 23; Chicago Association of Commerce, *Chicago Commerce*, Vol. 10, No. 37 (January 15, 1915), 24; Commercial Law League of America, *Bulletin of the Commercial Law League of America*, Vol. 23, No. 10 (October 1918), 512; Jessie K. Krueger, "Believing in Chicago," *Buildings and Building Management* (March 1915), 19-22.

[60] "Businessmen Organize to Check Crime and Plan a Series of Changes in Law," *Chicago Daily Tribune*, December 7, 1918.

patrolman for every 553 residents, and London had one patrolman for every 427 residents.[61] In addition to the generally inadequate number of patrolmen in Chicago compared to similarly sized cities, the report added that police strength had been furthered diminished by political influence on the department, as commanding officers often deployed patrolmen to protect the property of their political allies, diminishing the number of police available to patrol the city.[62] This critique of policing in Chicago implied one of discretion and corruption as well; the Committee noted that commanding officer discretion to deploy patrolmen according to political commitments had compromised urban safety. The report made little mention of the quality of policing or the conduct of individual officers, beyond recommending that police officers receive improved legal training in order that their investigations would better support the work of the State's Attorney in prosecuting crimes.[63] The authors of the report also failed to elaborate precisely how the numerical increase of patrolmen that they recommended would reduce or prevent crime beyond the implicit assumption that a larger police department would increase the state's means of surveillance and therefore deter citizens from illegal activity. Although the report acknowledged that officers' political connections could impede equal policing, it failed to explicitly mark the crimes committed by police themselves—such as police violence and graft—thereby obscuring how law enforcement itself could be a source of urban crime.

The Committee's advocacy of a robust law enforcement state extended beyond the Police Department itself, as it also advocated for the establishment of a new state agency that would aggregate and preserve criminal records throughout Illinois and make those records "available for the use of the State's Attorney and for presentation to the court in order that the character of

[61] "Report of Committee on Prevalence and Prevention of Crime in the City of Chicago to the Chicago Association of Commerce," June 13, 1918, p. 3, Chicago History Museum.
[62] Ibid.
[63] Ibid, 3-6.

the defendant, as indicated by his criminal history, might have proper consideration by the court."[64] The members of the Committee on the Prevalence of Crime suggested that such a bureau of criminal information would be especially useful in tracking and punishing repeat offenders, whom they assumed to be primarily responsible for the perceived epidemic of crime in the city. In particular, the Committee hoped that a bureau of criminal information with the capability to aggregate crime data across jurisdictional boundaries would help police and prosecutors apprehend so-called "seasoned criminals" who had committed crimes in multiple jurisdictions.[65] Like the report's recommendation to increase the size of the police department, the recommendation that the state of Illinois establish a centralized bureau of criminal records and statistics relied on the assumption that increased state capacity to monitor its citizenry would ultimately curtail crime.

Despite these numerous recommendations regarding the expansion of the law enforcement state, the Committee on the Prevalence and Prevention of Crime recommended the establishment of a private commission to oversee the process of criminal justice reform in Chicago, demonstrating a tension within the report regarding whether or not private or public agencies represented the best path to lawfulness. The Committee recommended that the Chicago Association of Commerce assume ongoing responsibility for improving law enforcement in the city, suggesting that a permanent "Commission for the Suppression and Prevention of Crime" should undertake the task. Their recommendations regarding the funding and membership of this new commission indicated that urban business interests would continue to play an integral role in the administration and functioning of the group, just as businessmen had played a crucial role in initiating anti-crime activism in Chicago following the Winslow Brothers' robbery. The

[64] "Report of Committee on Prevalence and Prevention of Crime in the City of Chicago to the Chicago Association of Commerce," June 13, 1918, p. 8, Chicago History Museum.
[65] Ibid.

members of the Committee predicted that such a commission would require approximately $10,000 per month to support its work, but that "the fund required can be reasonably expected to be subscribed by the business interests of Chicago most concerned in the suppression of crime."[66] They expected the Chicago Association of Commerce to assume responsibility for the organization of this new commission and recommended that the CAC select "the members thereof to be representative of the important business interests of Chicago and of its best citizenship."[67] The Committee's report reiterated several times that the "quality of the men" who might be assigned to the new anti-crime organization was paramount, emphasizing the gender and class boundaries of membership in the new organization. The recommendations failed to address whether or not the group would be an interracial one, but considering that the membership of the CAC itself was overwhelmingly white, it followed that the new Crime Commission would be as well.

Following on these recommendations, the Chicago Association of Commerce formed the Chicago Crime Commission (CCC) in January 1919, appointing approximately 100 men to the commission from among its ranks.[68] Members of the Crime Commission gathered for their first annual meeting on January 8, 1920, assembling at the Union League Club of Chicago, a civic organization similarly interested in the improvement of municipal governance.[69] Edwin Sims, a Chicago lawyer and former United States District Attorney, served as the first president of the Chicago Crime Commission. Sims had also been the secretary of the Vice Commission of Chicago, the Progressive municipal reform organization that had conducted a thorough

[66] "Report of Committee on Prevalence and Prevention of Crime in the City of Chicago to the Chicago Association of Commerce," June 13, 1918, p. 16, Chicago History Museum.
[67] Ibid.
[68] Walker, "The Chicago Association of Commerce," 163.
[69] James D. Nolan, *Glory, Darkness, Light: A History of the Union League Club of Chicago* (Evanston: Northwestern University Press, 2004), 85-86.

investigation of urban vice conditions in 1911.[70] Sims' role in both the Vice Commission of Chicago and the Crime Commission indicated some degree of overlap between early-twentieth-century Progressive reform organizations and the anti-crime activism of the post-WWI years, although the women reformers who had formed the core of Progressive social investigation in Chicago were wholly excluded from the Crime Commission. The Commission itself was never explicit about its racial boundaries, but by the mid-1920s, the CCC and like-minded organizations around the country had succeeded in creating an anti-crime movement that largely served the interests of white-controlled capital.

Presiding over the Crime Commission's first annual meeting in January 1920, Sims recalled that in its early months, the CCC had only the report of the Committee on the Prevalence and Prevention of Crime to guides its actions, but since then "we have organized into a directorate, and these by-laws have been framed, committees have been suggested, headquarters have been rented, an operating director secured, and a force organized."[71] Indeed, within the space of only a year, Chicago's anti-crime movement had grown from an ad-hoc committee to an extensive organization made up of thirteen committees and 110 members.[72] While the Operating Director and Executive Secretary drew a salary, all other members of the Crime Commission served without compensation, thereby limiting membership in the organization to those with the capital and resources to support many hours of law enforcement monitoring without pay.[73] The

[70] Reflecting the influence of Chicago's Progressive reformers, the Vice Commission had concluded that prostitution had largely been caused by environmental and economic factors as those in blighted neighborhoods turned to vice in order to make a living. Vice Commission of Chicago, *The Social Evil in Chicago*, 2.
[71] Chicago Crime Commission, *Bulletin of the Chicago Crime Commission,* January 19, 1920, p. 6, MRC.
[72] Among the original thirteen committees of the Chicago Crime Commission were the Executive Committee, the Committee on Police, the Committee on Sheriffs, Coroners, Bailiffs and Clerks, the Committee on Juries, the Committee on Prosecutions, the Courts Committee, the Committee on Punishment and Parole, the Committee on Institutions, the Committee on the Origin of Crime, the Committee on Statistics, the Committee on Legislation, the Finance Committee, and the Committee on Publicity. Chicago Crime Commission, *Bulletin of the Chicago Crime Commission,* October 6, 1920, p. 9-11, MRC.
[73] Sims, "Fighting Crime in Chicago," 21.

structure and membership of the new Chicago Crime Commission assured that the city's local anti-crime movement and that of similar organizations around the country would remain the purview of the professional classes, excluding input from many of the city's policed communities themselves, including working-class ethnic communities and the growing African American and Mexican American communities of the urban North. Prior membership in the Chicago Association of Commerce also served as a unofficial but largely regarded prerequisite for membership on the Crime Commission, practically guaranteeing that anti-crime activism remained in the hands of the city's business elite.

Urban Reform and the Politics of Knowledge in Interwar Chicago

In May 1920, two imposing maps—each covered in thumbtacks—hung on the walls of the Chicago Crime Commission offices at 179 W. Washington Street, in the heart of the city's downtown business district.[74] The first map indicated the locations of violent crimes that had occurred in the city over the previous sixteen months, each tack corresponding to a numbered card in the Crime Commission's files.[75] The second map indicated the homes and meeting places of convicted and suspected criminals, including establishments like athletic clubs and poolrooms where crime was assumed to flourish.[76] A visitor to the CCC offices could quickly gather information on any given crime indicated on the map, as the Commission's numbered files included background on each crime. If relevant, they also catalogued information about the arrest and the actions of the Grand Jury and included a replica of the Criminal Court docket. The maps allowed the Crime Commission to visualize crime throughout the city and to track the relative

[74] "The President's Address," *Bulletin of the Chicago Crime Commission*, January 19, 1920, p. 20, MRC.
[75] The CCC indexed homicides, burglaries, and robberies in these records. Chamberlin, "The Chicago Crime Commission," 389.
[76] Ibid.

effectiveness of the Chicago Police Department's precinct captains. Operating Director Henry Barrett Chamberlin explained that if a precinct had a relatively low number of crimes reported, it usually indicated either police corruption or failure to report complaints or an efficient law enforcement apparatus in that precinct.[77] In this way, the maps made visible the CCC's own surveillance of crime in the city as well as its evaluation of law enforcement institutions. By 1927, the card catalogue in the Crime Commission offices comprised nearly 300,000 cards, including records on tens of thousands of lawbreakers and the major criminal trials of the previous decade. By all accounts, the Crime Commission had fashioned itself "into a combination of a detective agency, a newspaper morgue and an army intelligence department."[78] These comprehensive maps of crime and criminal establishments visualized the Crime Commission's critique of police discretion as well; by cataloguing the occurrence of every crime in Chicago, the Commission made a record of the law breaking that the Police Department had ignored over the previous year.

The work and agenda of the Chicago Crime Commission reflected a strictly legalistic definition of crime and the idea that crime was caused almost exclusively by individual choice. This ideology of crime causation had direct implications for crime control policy and the reform of policing institutions and implied an assertive critique of police discretion—especially police failure to apprehend lawbreakers. According to members of the Crime Commission, police discretion had resulted in an inefficient and indulgent law enforcement state in which would-be criminals could violate the law without the expectation of being arrested or prosecuted. One description of the Crime Commission's surveillance of the Chicago Police Department exemplified this critique "One Chicago police captain, for example, reported thirty-seven

[77] Chamberlin, "The Chicago Crime Commission," 390.
[78] Roberts, "Watchdogs of Crime," 47.

complaints over a period of one month, whereas the investigation of the Crime Commission showed that there had been 141 complaints."[79] Other publications of the Crime Commission located problems with discretion not only among commanding officers but also among the rank and file of the department. An article concerning recent changes to Police Department officials in 1920 suggested that sound leadership would be necessary in order to eliminate the misuse of discretion among patrolmen "The uniformed officer on the beat is the only representative of our government recognized by many thousands of our inhabitants. It is important, therefore, that he be a man of integrity, fairness and courage. The example of an inefficient or corrupt police official injuriously affects the whole moral fibre of the community."[80]

Businessmen and economic elites had played a limited role in the Progressive moral reform movements of the late nineteenth and early twentieth centuries, often lending capital and other resources to reform organizations but leaving the labor of investigation and social work to women and religious groups. The influence of business did occasionally circumscribe the recommendations of Progressive reform organizations, particularly among movements to eliminate prostitution and saloon culture from the landscape of the city. Saloons and vice tourism played a sustaining role in the early-twentieth-century commercial life of cities like Chicago, as these establishments often abutted downtown business districts and served as spaces of leisure for urban business elites.[81] Many landlords also made significant profits among establishments of prostitution, charging exorbitant rents to brothel owners who found themselves limited by police directives to keep urban vice in strict spatial boundaries.[82]

[79] Roberts, "Watchdogs of Crime," 47.
[80] "Concerning Firzmorris," *Bulletin of the Chicago Crime Commission,* December 23, 1920, p. 10, MRC.
[81] Boyer, *Urban Masses and Moral Order in America,* 214.
[82] Blair, *I've Got to Make My Livin',* 128.

Business owners also chafed at some of the economic critiques of Progressive anti-vice investigations. For instance, the Vice Commission of Chicago's exhaustive 1911 report on prostitution, *The Social Evil in Chicago*, cited low wages as one of the most significant factors that drove young women into the vice trades, imploring readers, "Is it any wonder that a tempted girl who receives only six dollars per week…sells her body for twenty-five dollars per week when she learns there is a demand for it and men are willing to pay the price[?]"[83] But, despite insistence by Vice Commission investigators that low wages had caused the proliferation of prostitution in Chicago, proposals to establish a minimum living wage were nowhere among the group's myriad recommendations.[84] In all likelihood, the businessman members of the Vice Commission had managed to keep such recommendations out of the group's final report; Julius Rosenwald, a member of the Vice Commission and eventually the Crime Commission, publicly maintained that low wages had no connection to the city's vice problem.[85] The idea of a minimum wage to guard against vice was later taken up by state and national anti-vice organizations; in 1913, Illinois Senator J. Hamilton Lewis introduced a bill establishing a national minimum wage to the United States Senate. Lewis's bill followed on the recommendations of the Illinois Vice Commission, a group that formed after the investigation of the Vice Commission of Chicago, but his bill failed to garner the necessary support.[86]

The rise of the crime commission movement in Chicago and around the country marked a new development in the politics of urban reform, in which business interests were not just represented but foregrounded in the leadership and agendas of these new organizations. The movement also represented a gendered shift away from the feminized social reform ethos of

[83] Vice Commission of Chicago, *The Social Evil in Chicago*, 43; Boyer, *Urban Masses and Moral Order in America,* 215.
[84] Vice Commission of Chicago, *The Social Evil in Chicago*, 55-65.
[85] Linehan, "Vicious Circle," 236.
[86] "Wants US to Govern Wages," *Chicago Daily Tribune*, May 14, 1913.

many Progressive-era organizations and towards a masculinized legalistic approach to crime control, both in the institutional structure of crime commissions and in the rhetoric they used to describe criminality. The reformist landscape of Chicago was populated by a range of social reform organizations by the post-WWI years, many of them similarly concerned with crime and delinquency. A significant number of those organizations had also been founded or led by women. Local examples of female-led Progressive reform organizations included Hull House, co-founded in 1889 by Jane Addams and Ellen Gates Star, the Juvenile Protection Association, also founded by Jane Addams in 1901 and led by Jesse F. Binford until 1952, the Immigrants' Protective League, founded in 1908 and directed by Grace Abbott, and the Negro Fellowship League, founded in 1908 by Ida B. Wells.[87] Women social workers comprised the majority of staff for Hull House and the Juvenile Protection Association, as well as the majority of research staff of the Chicago Commission on Race Relations.[88] In contrast, the Chicago Crime Commission was led and populated entirely by men.[89]

Although the agenda of the Chicago Crime Commission seemed to be concerned with criminal justice reform, members of the group self-consciously rejected the label of "reformers," a strategic rhetorical choice that drew gendered distinctions between their work and the work of women-led Progressive reform organizations. Describing the work of the Crime Commission in 1920, operating director Henry Barrett Chamberlin insisted that the group was not a reform organization, but rather "An organization of bankers, business and professional men who are applying modern business methods to correct a system…It is interested solely in making

[87] Addams, *Twenty Years at Hull House,* 91-96; "Annual Report of the Juvenile Protection Association," 1910, p. 12, Supplement 1, Box 1-SI, Folder 4: Annual Reports; 1907-1939, JPA Records; "League for the Protection of Immigrants, Annual Report," 1909-1910, p. 5-6, Box 4-SII, Folder 59a: Annual Reports I—1909-1916, IPL Records; Bay, *To Tell the Truth Freely,* 282-283.
[88] Chicago Commission on Race Relations, *The Negro in Chicago,* 653-655.
[89] *Bulletin of the Chicago Crime Commission,* January 19, 1920, p. 19-20, MRC.

Chicago a place in which to live and work with a reasonable assurance that its citizens will not be the prey of gunman and thieves."[90] As operating director of the CCC, Chamberlin was responsible for coordinating the work of the organization's various committees and made it clear to his members that the Crime Commission would focus its efforts on curtailing violent crime and property crime, turning attention away from the sexual vice, gambling, and juvenile delinquency that had drawn the attention of the Vice Commission of Chicago and the Juvenile Protection Association. The strict contrast that Chamberlin drew between the work of the Crime Commission and that of other reformers reflected the blurred boundary that the crime commissions straddled between private and public agencies. Chamberlin consigned "reform" to the private sphere, while the work of preventing crime among the members of the CCC "[grew] up in the departments of state and municipal government having to do with the prevention, apprehension, prosecution and punishment of crime and criminals."[91] It was this perceived access to the inner workings of the state and the ears of state officials that excluded the work of the CCC from the category of reform, in Chamberlin's formulation.

Occasionally, Crime Commission leaders' contrast between their own work and that of Progressive organizations took on the form of disparagingly gendered language when anti-crime activists characterized the work of women reformers and social workers as emotional dabbling, in contrast to their own serious work to prevent crime in Chicago. At the conclusion of the organization's first annual meeting in January 1920, CCC President Edwin Sims derided the work of the city's social workers "This tender regard for the feelings of those in the clutches of the law, thus publicly displayed, conveyed to ten thousand criminals plying their vocation in Chicago the mistaken impression that the community was more interested in them than it was in

[90] Chamberlin, "The Chicago Crime Commission," 396.
[91] Ibid.

their victims."[92] Sims belittled the city's social workers as overly emotional and suggested that this attention to the social roots of criminality was misplaced "It would be more helpful if this sympathy was directed to a consideration of the feelings of the widows and children of police men who are murdered in the discharge of their duty or to the survivors of those who are victimized by the outlaws."[93] In an address to the Chicago Association of Commerce in 1921, Sims continued his disparagingly gendered characterization of the city's social workers and vice reformers, lamenting, "Crime has been aided by maudlin sentimentalists who, forgetting the victim, stimulated the sympathy of the community for the criminal until we had reached the pass where the Crime Commission took hold, where few, if any criminals were actually being punished."[94] Here again Sims trivialized the work of Chicago's predominantly female social workers, reducing their attention to the rehabilitative ethos to sentimentality. Reflecting on the history of the Crime Commission in 1960, CCC member and former criminal court clerk James Doherty speculated that this rejection of the "reformer" label won the organization more authority in the eyes of state institutions "Consequently [Chamberlin] got a warmer reception from mayors, chiefs of police, state's attorneys and other law enforcement officials when seeking their cooperation in something that was strictly anti-crime."[95] Doherty's speculation suggested that that the group's gendered distinction from feminized Progressive reform organizations also gave the CCC a strategic advantage in its relationship to state law enforcement officials.

While leaders of the Chicago Crime Commission drew stark contrasts between its approach to urban crime and that of Progressive social reform organizations, there was significant overlap between Progressives' and anti-crime activists' methods of producing urban

[92] "The President's Address," *Bulletin of the Chicago Crime Commission,* January 19, 1920, p. 18, MRC.
[93] Ibid.
[94] "Business vs. Crime," *Bulletin of the Chicago Crime Commission*, May 3, 1921, p. 2, MRC.
[95] James Doherty, "History Chicago Crime Commission," *The Police Digest* (December 1960): 18.

change. In particular, anti-crime activists in Chicago and around the country relied on the Progressive insistence that the accumulation of knowledge about social problems served an integral role in improving urban social ills. Settlement houses such as Hull House had conducted surveys of urban life in Chicago since the late nineteenth century, regularly publishing their findings about neighborhood development and working conditions in order to educate policy makers and reformers alike.[96] The final report of the Vice Commission of Chicago served not only as an announcement of the group's recommendations for eliminating prostitution from Chicago, but also as a comprehensive catalogue of the vice establishments that investigators had discovered over the course of their year of work, serving as a benchmark for the condition of vice in the city in 1911.[97] Investigators for the Juvenile Protection Association continued this work in the decades following the publication of the Vice Commission report, conducting annual reviews of vice establishments in Chicago and forwarding their findings on to state authorities, including the Chicago Police Department.[98] The Chicago Urban League also relied on methods of urban investigation as the basis for its reform work; a year after the founding of the CUL, its research department reported that it was "working out a system of records based upon investigations, clippings, reports, bulletins and other sources of information, which will enable the League to interpret Negro life and act as a bureau of information on all matters relating to the race."[99]

Much of the early work of the Chicago Crime Commission followed on this Progressive model of knowledge accumulation, as the group prioritized assembling records of law breaking

[96] *Hull-House Maps and Papers: A Presentation of Nationalities and Wages in a Congested District of Chicago* (New York: T.Y. Crowell & Company, 1895).
[97] Vice Commission of Chicago, *The Social Evil in Chicago.*
[98] Letter from Jesse Binford to Charles C. Fitzmaurice [sic], December 23, 1920, Series III, Box 8, Folder 108: Vice Investigation in Chicago, Illinois 1920-1923—correspondence and reports; February 1920-February 1923, JPA Records.
[99] "First Annual Report of the Chicago League on Urban Conditions Among Negroes," October 1917, Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-1, CUL Records.

during its early years, a function that its membership lauded as "the only way you can get any good results."[100] Although it lacked state authority or sanction, the Crime Commission fashioned itself a clearinghouse for law enforcement knowledge and a coordinating agency among institutions such as the Chicago Police Department and the Criminal Court of Cook County. In fact, CCC Secretary W. Rufus Abbott claimed in February 1922 that the record keeping of the Commission was so comprehensive that law enforcement officials and city residents had come to see the CCC as the most authoritative source of information regarding urban crime "Where two agencies differ as to a figure or entry, it has become the established custom to accept the Chicago Crime Commission's figure as accurate and indisputable."[101] Crime Commission members had also taken up the task of observing the workings of law enforcement agencies in the course of their criminal record gathering, and Abbott further claimed that this surveillance had improved the operation of law enforcement itself, as "the daily visits of Crime Commission operatives to the various departments for the purpose of obtaining records has resulted in a more careful and accurate keeping of official files."[102] Addressing the CCC membership in 1920, President Edwin Sims reasoned that complete crime records would provide the basis with which to authoritatively diagnose the state of crime in Chicago and apprehend repeat offenders.[103]

The Crime Commission's self-fashioned role as authoritative record keeper of crime in Chicago also resulted in the blurring of distinctions between public and private institutions in the interwar city. In fact, according to CCC President Edwin Sims, the group's accumulation of knowledge on urban crime had come to be seen as the most reliable source of information for law enforcement officials themselves by the early 1920s, as "they are now frequently resorted to

[100] "Report of the Committee on Police," *Bulletin of the Chicago Crime Commission,* January 19, 1920, p. 9, MRC.
[101] "Report of the Secretary," *Bulletin of the Chicago Crime Commission*, February 10, 1922, p. 6, MRC.
[102] Ibid.
[103] "Report of the Committee on Statistics," *Bulletin of the Chicago Crime Commission,* January 19, 1920, p. 14, MRC.

by the police and other public officials as carrying the most comprehensive criminal data in the state."[104] By 1923, the work of the Crime Commission in the city's criminal justice system had become so ubiquitous that its Committee on Publicity felt the need to clarify that the group was "an unofficial body of citizens; that it receives no support from public funds of any kind," correcting what was apparently a common misconception.[105] By assuming the role of authoritative criminal record keeper, the Crime Commission also implied a critique of state law enforcement institutions, suggesting that those agencies had failed in their responsibility to maintain records of urban law breaking. For instance, the CCC indicated that one of the most significant hurdles that the Chicago Police Department faced in curtailing crime was its lack of knowledge about past and current criminal activity in the city. In an attempt to remedy that gap in state knowledge, the CCC repeatedly recommended the establishment of a centralized criminal records bureau for the state of Illinois that could collect and coordinate knowledge about the citizenry and its criminal activity, a recommendation that anticipated the later work of the Federal Bureau of Investigation and the nationally distributed Uniform Crime Reports.[106] The presence of CCC members in spaces like the city's courts and police precincts also represented a critique of law enforcement administration, implying that the state required this citizens' surveillance in order to effectively enforce the law.[107]

The Crime Commission's agenda also followed from its legalistic interpretation of crime and its assumption that those who chose to break the law had forfeited their rights to social

[104] Sims, "Fighting Crime in Chicago," 22.
[105] "Report of the Committee on Publicity," *Bulletin of the Chicago Crime Commission*, February 8, 1923, p. 60, MRC.
[106] "Report of Committee on Prevalence and Prevention of Crime in the City of Chicago to the Chicago Association of Commerce," June 13, 1918, p. 8, Chicago History Museum; "Report of the President," *Bulletin of the Chicago Crime Commission*, January 31, 1921, p. 4, MRC; "Report of the Committee on Legislation," *Bulletin of the Chicago Crime Commission*, February 10, 1922, p. 44, MRC; "Report of the Committee on Legislation," *Bulletin of the Chicago Crime Commission*, February 8, 1923, p. 56, MRC.
[107] "Report from the Committee on Courts," *Bulletin of the Chicago Crime Commission*, October 6, 1920. p. 7, MRC.

services and sympathy from law-abiding citizens. From this perspective, organizations that attempted to aid law-breakers ultimately impeded the project of law enforcement. According to the members of the Crime Commission, urban order necessitated strict adherence to the law, and crime control could be best achieved by punitive state action in order to deter future law breaking. A Crime Commission bulletin from November 1920 began with a list of men who had been executed by the state over the previous six years, a list that the CCC lauded as the culmination of years of concerted efforts of urban crime control and a representation of "organized attempts of the public authorities, popular opinion and the Chicago Crime Commission to stamp out the flourishing business of murder in this city by the means provided for its eradication—enforcement of the law as it is written upon statute books of Illinois."[108] These publications consistently suggested that the causes of crime lay in individual choice, implicitly rejecting the social interpretations of criminality that had been advocated by many of the city's Progressive reform organizations and reform-minded jurists since the early twentieth-century.[109]

Social interpretations of criminality—those that located the causes of crime in factors such as economic privation, neighborhood conditions, and urban maladjustment—had circulated among Chicago civic reformers and jurists since the early twentieth century and shaped the programs of the city's settlement houses, mutual aid societies, and municipal courts. After the establishment of the Municipal Court of Chicago in 1905, many of the court's leading jurists, including Chief Justice Harry M. Olson, adopted a social interpretation of crime that acknowledged the role that poverty, family structure, and urban environment played in law

[108] "Court Delays Aid Murderers," *Bulletin of the Chicago Crime Commission*, November 8, 1920. p. 1, MRC.
[109] Progressive reform organizations such as Chicago's Juvenile Protection Association and Hull House leveled economic critiques of crime, drawing a causal link between poverty and criminal activity and suggesting that impoverished Chicagoans shouldered an undue burden of criminalization due to higher rates of arrest. Addams, *Twenty Years at Hull House,* 157-163; "Crime in Chicago," 1915, p. 2-3, Series IV, Box 1, Folder 129: Juvenile Protection Association—County Jails and Crimes pamphlets; 1913-1916, JPA Records.

breaking and criminalization.[110] Occasionally, the conflicts between the Crime Commission's legalistic interpretation of criminality and the social interpretations of other institutions came into relief. Leaders of the Juvenile Protection Association recognized that the gendered critiques leveled by Crime Commission members like Chamberlin and Sims derived in part from fundamental differences in their interpretations of crime causation. Jane Addams and a group of social workers had founded the Juvenile Protection Association in 1899 after the passage of the Illinois Juvenile Court Law to secure adequate funding for probation officers; later the group expanded its work to include functions such as neighborhood surveillance and supervised recreation in order to prevent juvenile delinquency.[111] In 1923, University of Chicago economist and social worker Edith Abbott wrote to JPA director Jessie F. Binford, indicating a degree of hostility between the JPA and the Crime Commission despite their assumedly shared goals of preventing law breaking in Chicago. In her 1923 letter, Abbott recommended that Binford and her staff forego any attempt to collaborate with members of the CCC, but reluctantly admitted that the Crime Commission had seen some success in its efforts to improve urban law enforcement despite its frequent use of inflammatory rhetoric regarding crime in the city, "Of course I do think they get some results but very small ones and not to compare with the positive harm that it [sic] done by the kind of propaganda they carry on."[112] Abbott failed to elaborate on the "propaganda" to which she referred, although she could have been referencing some of the

[110] Willrich, *City of Courts,* 59-95.
[111] During its first ten years of existence, the Juvenile Protection Association was known as the Juvenile Court Committee, due to its focus on monitoring the Juvenile Court and securing adequate state funding for court officers. In June 1909, the Juvenile Court Committee took over the work of a number of Juvenile Protection Leagues that had been established in city neighborhoods by local social workers. After merging with these neighborhood organizations, the newly renamed Juvenile Protection Association expanded its activities to include delinquency prevention. Juvenile Protection Association, *Annual Report of the Juvenile Protection Association,* 1910, p. 11-12, Series VI, Supplement 1, Box 1, Folder 4: Annual Reports; 1907-1939, JPA Records.
[112] Letter from Edith Abbott to Jessie F. Binford, January 24, 1923, Series I, Box 1, Folder 2: Bowen, Louise de Koven Bowen—correspondence; March 1904-January 1923, JPA Records.

Crime Commission's publicity materials that regularly lamented the invasion of the city by habitual criminals.[113]

By 1930, the Juvenile Protection Association starkly distinguished itself from the Crime Commission in its annual report, contesting claims that the JPA dispensed undue sympathy to those who violated the law. Instead, the report argued that attention to the individual lives of law-breakers was not a sentimental impulse, but was the most effective way to understand crime causation and prevention "We think not only of the young men as they commit murders or robberies, but as boys traveling a long road of delinquency and crime…We are convinced that no solution will be found through legislation or change in the police or any other law enforcing department."[114] The report indicated that the JPA saw the solution to urban crime not in the strict rule of law advocated by the Crime Commission, but in crime preventative services that would address problems of education and unemployment among the city's impoverished classes. That the JPA thought it necessary in 1930 to draw distinctions between its approach to crime and delinquency and that of the Crime Commission indicated that the tension between these two interpretations of crime causation continued into the interwar decades, beyond the initial concerns about post-war crimes waves and the mobilization of the anti-crime movement.

Police State Building and Chicago's 1922 Police Patrolmen Increase

On September 16, 1922, one thousand three hundred Chicago police officers descended on Grant Park, the picturesque green space on the edge of Lake Michigan, just blocks from the city's downtown skyscrapers. Over the previous several years, Chicagoans had grown used to the sight of police swarming the city streets—the image of hundreds of police officers crowding

[113] *Bulletin of the Chicago Crime Commission,* January 31, 1921, p. 17, MRC.
[114] Juvenile Protection Association, *Annual Report of the Juvenile Protection Association*, 1930, p. 14, Series VI, Supplement 1, Box 1, Folder 4: Annual Reports; 1907-1939, JPA Records.

downtown boulevards recalled the dramatic showdown leading to Edward Wheed's arrest in 1917 or the chaotic days of the Chicago Race Riot in 1919. But on that September day, the mood was light. That morning police paraded through the downtown business district, performing drills and formations with precision timing. They had trained for three months in preparation for the day, practicing drill commands and honing their own individual strength and stamina during practices at the city's various playgrounds and parks.[115] These military imitations brought to mind a disciplined and professionalized urban police force, a stark contrast from the untrained and non-uniform force that had comprised the Chicago Police Department just decades earlier.[116]

The procession through the city streets and the overwhelming presence of police in the park that day exhibited and celebrated the recently expanded Chicago Police Department, which had gained 1,000 new patrolmen positions four months earlier following the approval of the Chicago City Council.[117] That weekend in September, the Policemen's Benevolent Association hosted the first Police Department field days, featuring many of the new patrolmen recruits as they competed in track and field events as well as novelty games.[118] The two days of competition put the department's strength and discipline on display, demonstrating the improved manpower of the force and the masculine vigor of the officers themselves. As an account published by the Chicago Crime Commission described, "It was the first time that the general public had opportunity to view so large a number of the department in so varied a program of physical activity, in which muscle and brawn were directed by healthy minds capable of fast thinking and

[115] "Restrict Police Athletes to 3 Events in Meet," *Chicago Daily Tribune*, August 22, 1922; "Officials Are Chosen for Big Field Meet of Police Department," *Chicago Daily Tribune*, September 5, 1922; "All Sorts of Games at Cops' Field Day." *Chicago Daily Tribune*, September 10, 1922.
[116] Mitrani, *The Rise of the Chicago Police Department,* 20.
[117] *Proceedings of the City Council of the City of Chicago* (Chicago: May 24, 1922), 219 and 240.
[118] "Cop Athletes Thrill 25,000 at Field Day," *Chicago Daily Tribune*, September 17, 1922.

quick judgement [sic]."[119] Although the day proceeded with a tone of revelry, the field days showcased the coercive capacity of law enforcement in the city, signaling to onlookers that the officers competing that day could make an arrest just as quickly as they complete the fifty-yard dash.

Twenty-five thousand Chicagoans gathered in the park on the first day of competition, cheering on members of their police districts and according one account "yell[ing] themselves hoarse, first for their favorite cops, then for the winners."[120] The first day of competition proved so popular that 40,000 people arrived the next morning to watch the second day of events; the crowd so exceeded the capacity of the park's amphitheater that thousands of would-be spectators were forced to watch from the roof tops of nearby buildings along Michigan Avenue.[121] In one of the most popular games of the day, teams of five officers competed in "motorcycle football," in which the officers played a game similar to polo while riding department-issued motorcycles.[122] While it made for an entertaining spectacle, the game also displayed how the technological advancements of the department would augment its crime fighting capability, as one account acknowledged, "At times the eight machines seemed nothing by a mass of wreckage, but eventually the ball would emerge, propelled by the foot of a cop speeding as though after an auto bandit."[123] At the end of the day, officials distributed trophies and medals to the officers and teams who had won their respective events; most of the prizes had been donated by Chicago businessmen, many of them members of the Chicago Crime Commission.[124]

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[119] "Crime Trend Downward: Figures Show Reduction in Major Crimes—How Crime Commission Helped," *Bulletin of the Chicago Crime Commission*, 26 (October 25, 1922): 3.
[120] "Cop Athletes Thrill 25,000 at Field Day," *Chicago Daily Tribune,* September 17, 1922.
[121] "40,000 Fans See traffic Police Win Track Meet," *Chicago Daily Tribune*, September 18, 1922.
[122] "Police to Play Motor Football at Field Meet," *Chicago Daily Tribune*, August 31, 1933.
[123] "Cop Athletes Thrill 25,000 at Field Day," *Chicago Daily Tribune*, September 17, 1922.
[124] "All Sorts of Games at Cops' Field Day," *Chicago Daily Tribune*, September 10, 1922.

The inaugural Chicago Police field day allowed Chicago businessmen and members of the Crime Commission to survey and celebrate the recent triumph of their police state building advocacy. On May 23, 1922, a group of seven Chicago aldermen had called a special meeting of the Chicago City Council.[125] There was only one item on the Council agenda that day—the consideration of Police Superintendent Charles Fitzmorris's request to add 1,000 new patrolmen to the city's police force. The Chicago Police Department had grown steadily but not dramatically over the previous ten years and Fitzmorris's request represented the largest single police force increase in the city's history to that point. In 1921, the department numbered just over 5,000 officers and patrolmen and the addition of 1,000 new police would represent a 20 percent increase in its size.[126] Fitzmorris had filed a similar petition to the City Council earlier that year, but the city aldermen denied his request, refusing to grant the appropriation necessary for the police increase.[127] But in May, Fitzmorris returned to the City Council chambers, this time with the support of the Chicago Crime Commission. Members of the Crime Commission had resubmitted Fitzmorris's request to Alderman John A. Richert, the chairman of the City Council Finance Committee, and had sent a delegation of "well-known and influential citizens" to meet with Richert and persuade him of the immediate need for 1,000 new patrolmen in Chicago.[128] This advocacy for a dramatic increase in the size of the Chicago Police Department

[125] The seven aldermen that called the May 23rd special meeting were John A. Richert, Ross A. Woodhull, Walter P. Steffen, Guy Guernsey, Dorsey Crowe, John H. Lyle, and Joseph O. Kostner. *Proceedings of the City Council of the City of Chicago* (Chicago: May 23, 1922), 173.
[126] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1921-1922), 8.
[127] The *Proceedings of the City Council of the City of Chicago* for 1922 does not include a record of Fitzmorris's initial request to increase the size of the Chicago Police Department. Consequently, it is impossible to definitively determine why the aldermen refused to approve the request. However, when the police increase was later approved in May 1922, Alderman Anton Cermak also introduced a resolution promising not to increase municipal taxes to pay for the new police hires, suggesting that initial opposition to Fitzmorris's request may have been financially motivated. *Proceedings of the City Council of the City of Chicago* (Chicago: May 24, 1922), 240; Chicago Crime Commission, "Fourth Annual Report of the Chicago Crime Commission," *Bulletin of the Chicago Crime Commission*, February 8, 1923, p. 20, MRC.
[128] Chicago Crime Commission, "Fourth Annual Report of the Chicago Crime Commission," *Bulletin of the Chicago Crime Commission*, February 8, 1923, p. 20, MRC.

aligned with the Crime Commission's assumption that a strong coercive state was the best bulwark against crime.

In the years preceding Fitzmorris's and the Crime Commission's appearance before the Chicago City Council, a number of reformers and observers had implored the city to improve and increase its police force, arguing that certain areas of Chicago were inadequately policed or wholly neglected by law enforcement officials. For instance, the Vice Commission of Chicago found in 1911 that police encouraged illegal activity in designated areas of the city, often driving prostitution and gambling into black neighborhoods on the city's South Side. Those concentrated areas of vice were usually neglected by police, who allowed law breaking to flourish in those specified areas. Following the Chicago Race Riot of 1919, the Cook County Grand Jury, the Cook County Coroner's Jury, and the Chicago Commission on Race Relations all critiqued the inadequate size of the Chicago Police Department, drawing particular attention to the failure of the Police Department to prevent racial conflict and violence. In fact, the Grand Jury came to precisely the same conclusion as Superintendent Fitzmorris would three years later, advocating in its August 1919 report "It is the opinion of this Jury that the police force is also inadequate in numbers, and at least one thousand officers should be added to the existing force."[129] The Commission on Race Relations further specified how such an augmented police force should be deployed "Distributed as adequately to protect both races in white and Negro neighborhoods and to avoid the gross inequalities of protection which, in the riot of 1919, permitted widespread depredations…against Negroes in white neighborhoods, and attacks in Negro neighborhoods by invading white hoodlums."[130] The inadequacy of the police force had been manifest in the

[129] "Grand Jury Report," August 1919, p. 5, Folder: Chicago Commission on Race Relations, Correspondence 1919-1920 (4), Sec. of State Records.
[130] Chicago Commission on Race Relations, *The Negro in Chicago,* 640.

resolution of the riot itself, when Governor Frank Lowden ordered the state militia into Chicago to quell the violence.

Despite these years of appeals for improved and augmented policing from criminal justice agencies and reformers, it was a series of bombings of Chicago factories in early 1922—attacks on business attributed to so-called "union sluggers"—and the urging of the city's anti-crime businessmen that finally prompted this episode of dramatic municipal police state building.[131] In the weeks before the Crime Commission lent its support to Fitzmorris's request for 1,000 new patrolmen, a number of factories had been bombed and police turned their attention to Chicago labor leaders as the guilty parties behind the attacks. In the second week of May, two police patrolmen were killed as they guarded a factory that had previously been bombed, prompting raids on Chicago labor organizations in pursuit of the culprits.[132] Police Superintendent Fitzmorris framed these attacks as part of the longer history of violent clashes between labor and police in Chicago, asserting that the union leaders were "just as guilty of the murders of the two policemen as were the anarchists of the Haymarket riots."[133] An editorial in the *Chicago Defender* pointed out the irony that it was these factory bombings that drove the city's businessmen anti-crime activists to appeal to the City Council for improved policing, when they had stood silently years earlier when black homes were repeatedly bombed by white neighborhood associations.[134] Anti-crime activists' robust mobilization in response to attacks on capital in 1922 demonstrated the racial boundaries of their police state advocacy, which did not extend to the protection of black-owned or occupied property.

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[131] "Drive in Chicago to Cleanse City of Crime Gangs," *The Globe*, May 11, 1922; "Raid Bomb Factory in Chicago's War on Labor Terror," *New York Times,* May 13, 1922; "Chicagoans Demand 1,000 More Police," *New York Times*, May 20, 1922.
[132] "8 Alleged Labor War Leaders in Chicago Indicted," *St. Louis Post-Dispatch*, May 12, 1922.
[133] "Labor Chiefs Seized," *Washington Post*, May 11, 1922.
[134] "The Recoil," *Chicago Defender*, April 1, 1922.

When he presented his request for an additional 1,000 patrolmen to the Chicago City Council on May 23rd, Police Superintendent Fitzmorris offered a letter of support from the Chicago Crime Commission. In the letter, CCC President Edwin Sims commended Fitzmorris on his leadership of the Police Department over the previous two years but lamented that the personnel of the department was simply insufficient to properly police the city. As Sims described to the city aldermen "In the opinion of the Chicago Crime Commission, the man-power is totally inadequate. That degree of protection of life and property to which citizens of Chicago are entitled is not possible with the existing force, no matter how ably it may be directed or how wisely it may be distributed."[135] Here Sims walked a careful line, finding the deficiencies in the policing of Chicago to be due to a lack of capacity rather than poor police administration, training, or individual conduct. Sims's critique stood in contrast to a number of other critiques of policing in Chicago offered in the preceding years. Following its investigation of the fatalities during the 1919 Race Riot, the Chicago Coroner's Jury concluded that its interviews with more than 150 policemen revealed "quite a number possessing none of the attributes making good policemen."[136] The Coroner's Jury recommended a new police-training program as well as significantly augmented police salaries in order to draw more qualified applicants to the department. Sims, however, avoided any direct critique of police training or conduct, instead finding fault for poor policing in the CPD's patrolmen capacity. Sims's remarks and his invocation of the "protection of life and property to which citizens of Chicago are entitled"

[135] *Proceedings of the City Council of the City of Chicago* (Chicago: May 23, 1922), 174.
[136] "Report of the Coroner's Jury on the Race Riots," November 3, 1919, p. 6, Folder: Chicago Commission on Race Relations—Miscellaneous (Coroner's Report, Progress Reports, Outlines of Study, etc.), 1919-1920, Sec. of State Records.

suggested that the growth of the Police Department represented more than just state development, but also the fulfillment of citizens' rights to adequate and equal law enforcement.[137]

The 1922 request to increase the size of the Chicago Police Department demonstrated one of the outcomes of the Crime Commission's meticulous accumulation of criminal justice knowledge over the previous three years; the records compiled by the CCC confirmed that the current police force was simply inadequate. Sims's letter to the City Council included three charts of data regarding Chicago's law enforcement institutions. The first tracked the growth of the Chicago Police Department over the previous twelve years while the next two compared police personnel numbers and appropriations among major American cities. The first chart revealed that Chicago Police Department growth had been modest since 1910; the department had only grown by about 300 positions over the previous twelve years, while the population of the city had increased by over 500,000 people.[138] This meant that while the Police Department had grown by about nine percent, the population of the city had growth by nearly 25 percent over the same period. Sims's data also disaggregated the size of the Police Department according to rank, showing that the number of patrolmen—those responsible for guarding the city streets—had actually fallen over the previous twelve years, from 3,785 street officers to 3,642.[139] This tracking of police personnel among various positions within the department demonstrated that despite moderate increases since 1910, Police Department growth had been disproportionately

[137] Along with the report from the Crime Commission, Chicago City Clerk James T. Igoe also presented a letter from State's Attorney Robert E. Crowe, in which he similarly argued that an appropriation for the new officers would be the most efficacious use of city funds in the fight against crime "I know of no better way of spending the people's money than in affording protection to life and property, and the immediate addition of one thousand men to the Department will contribute largely to the prevention of crime in the first instance, and the apprehension of the criminal who violates the law." *Proceedings of the City Council of the City of Chicago* (Chicago: May 23, 1922), 174-175.
[138] Ibid, 174; U.S. Bureau of the Census, *Thirteenth Census of the United States* (Washington, DC: US Government Printing Office, 1910), 437; U.S. Bureau of the Census, *Census of the United States* (Washington, DC: US Government Printing Office, 1920), 248.
[139] *Proceedings of the City Council of the City of Chicago* (Chicago: May 23, 1922), 174.

directed to police administration rather than patrolmen who would do the labor of protecting the city.

	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920
Gen. Supt.	1	1	1	1	1	1	1	1	1	1	1
Asst. Supt.	1	1	1								
1st Deputy				1	1	1	1	1	1	1	1
2d Deputy				1	1	1	1	1	1	1	
Inspector	9	7									
Captain Det.	1	1	1	1	1	1	1	1	1	1	1
Captains	17	18	23	23	27	24	28	28	27	26	27
Lieut. Det.	3	3	3	3	4	4	4	4	4		2
Lieutenants	68	68	67	68	70	74	87	82	82	82	84
1st Cl. Sgt.								12	11		
Sergts.	370	389	376	326	316	320	299	360	350	355	328
2d Cl. Sgts.				396	497	546	549	546	590	541	508
1st Cl. Det.				65	96	93	95				
Patrolmen	3785	3948	3963	3533	3406	3574	3549	3585	3185	3573	3683
Dept. Insp.				1	1	1	1	1	1	1	1
Total	4255	4436	4435	4419	4421	4640	4616	4622	4254	4582	4636

	1921	(May 1) 1922
Supt.	1	1
Deputy Supt.	1	1
Capt. Detectives	1	1
Captains	30	35
Lieut. Detectives	2	3
Lieutenants	86	91
Sergeants	331	779
2d Cl. Sergts.	483	
Patrolmen	3692	3642
Dept. Insp.	1	1
Total	4628	4554

COMPARATIVE POLICE STATISTICS COST PER CAPITA
APRIL, 1922.

		Popula-tion.	Last Approp.	Cost per Capita.
1.	Boston (1921)	755,807	$ 4,113,274	5.44
2.	New York	5,792,004	30,370,753	5.24
3.	Detroit	1,099,334	5,578,542	5.08
4.	Philadelphia	1,877,988	9,162,960	4.89
5.	St. Louis	790,070	3,734,235	4.73
6.	Newark	429,237	2,025,607	4.73
7.	San Francisco	526,709	2,261,932	4.29
8.	Buffalo	523,387	2,154,307	4.11
9.	Chicago	2,804,989	11,132,137	397

$1,000,000 of Detroit appropriation for new headquarters.

COMPARATIVE POLICE STATISTICS PEOPLE PER OFFICER
APRIL, 1922.

	City.	Popula-tion.	Police Force.	People Per Officer.
1.	Boston (1921)	755,807	1,916	395
2.	Philadelphia	1,877,988	4,655	403
3.	Newark	429,237	923	465
4.	New York	5,792,004	11,482	504
5.	Buffalo	523,387	1,019	514
6.	San Francisco	526,709	1,006	523
7.	St. Louis	790,070	1,505	525
8.	Cincinnati	408,778	751	543
9.	Detroit	1,099,334	1,942	564
10.	Kansas City	339,616	560	605
11.	Chicago	2,804,989	4,618	607

The City Clerk submitted the following communication, which was ordered published and placed on file:

OFFICE OF STATE'S ATTORNEY,
CHICAGO, Ill., May 23, 1922.

Honorable William Hale Thompson, Mayor of Chicago, and the Honorable Members of the City Council, Chicago, Illinois:

GENTLEMEN—Permit me to urge upon you the necessity of favorable and immediate action on the ordinance providing for the addition of one thousand men to the Police Department of Chicago.

Every person who is familiar with the criminal situation of Chicago must know that for many years Chicago has not been adequately policed, and that is especially true at the present time. I know of no

FIGURE 3.2: "COMPARATIVE POLICE STATISTICS," 1922[140]

Sims and the Crime Commission offered this data on the Chicago Police Department without any text in the way of explanation, perhaps assuming that the aldermen would agree that

[140] *Proceedings of the City Council of the City of Chicago* (Chicago: May 23, 1922), 174.

a larger police force with an increased surveillance capacity would therefore decrease crime. According to this logic, potential lawbreakers would be most effectively deterred from crime if the state had a greater presence on the city streets. To bolster the Crime Commission's support of Fitzmorris's request further, Sims also included two additional charts comparing the Chicago Police Department to a number of departments in other major American cities, both suggesting that Chicago city leaders had failed to provide their citizens with appropriate law enforcement in comparison to their peers in other urban centers.[141] The first chart compared monthly police appropriations, showing that Chicago only spent $3.97 per capita to control crime and protect its citizenry during the month of April, while Boston, New York, and Detroit had each spent over $5 per capita.[142] The last chart compared the number of city residents per police officer in a number of large urban centers. While the Boston Police Department numbered 395 city residents per officer and Philadelphia 403 city residents per officer, the Crime Commission found that Chicago number 607 city residents per officer.[143] The proposed increase of 1,000 patrolmen would decrease that ratio to just fewer than 500 city residents per officer, a proportion much closer to that of New York, San Francisco, and St. Louis.

Despite what the Crime Commission and Police Superintendent Fitzmorris may have seen as overwhelming evidence supporting the growth of the Police Department, the patrolmen increase elicited significant debate among city aldermen, indicating that the logic of an increased coercive state to control crime did not enjoy a consensus among all city stakeholders. Fitzmorris's request had been defeated before, and opposition to the police addition remained on the City Council by May of 1922. During a discussion at the special session, Alderman Guy

[141] All of the cities compared in these two charts were geographically located in the Northern or Western United States—Boston, New York, Detroit, Philadelphia, St. Louis, Newark, San Francisco, Buffalo, Cincinnati, and Kansas City. *Proceedings of the City Council of the City of Chicago* (Chicago: May 23, 1922), 174.
[142] Ibid.
[143] Ibid.

Guernsey argued that the cost of the new patrolmen was more than the city could afford, because "bridges needed painting, alleys needed cleaning," and that "certain people are taking advantage of a psychological situation to put 1,000 more men on city payrolls."[144] The Crime Commission's data on police appropriations was meant to serve as a rebuttal to arguments like this, suggesting that Chicago city leaders could well afford to fund a larger police department considering the fact that peer industrial urban centers had done so. Couched in Guernsey's financial argument, however, was also a subtle critique of the supposed crime problem itself. Guernsey's reference to the "psychological situation" that had overtaken the city implied that the news of a crime wave that littered the city's headlines was not based on empirical evidence but rather represented unfounded assumptions about rising crime. In the months leading up to Fitzmorris's request to the City Council, newspaper headlines in the city and around the country decried a perceived crime wave, echoing the anxious anticipation of a national crime wave that had followed the conclusion of WWI only a few years earlier. In February 1922, for instance, *Chicago Daily Tribune* report Arthur Evans labeled the city a "crime resort," opining that the city's supposed crime wave had simply become a matter of fact of city life.[145] Discerningly, Guernsey predicted that the idea of a crime wave itself—rather than actual rises in the crime rate—was the key motivator of demands to grow the city's law enforcement apparatus.

What followed at the City Council's special session on May 23rd represented a dramatized debate regarding the responsibility for and efficacy of urban law enforcement—who should pay for the patrolmen increase and would it work as a crime control measure? Most of Guernsey's fellow aldermen seemed to ignore his arguments about the "psychological situation" and turned attention instead to rebutting his financial arguments against the new police

[144] "More Police, 1,000 of Them, to Guard City," *Chicago Daily Tribune*, May 25, 1922.
[145] Arthur Evans, "Law's Delays Make Chicago Crime Resort," *Chicago Daily Tribune*, February 9, 1922.

appropriation. Alderman Russ Woodhull agreed with Guernsey that while bridges and alleys certainly deserved their attention, "life and property are more important even than paint for the bridges and cleaner alleys."[146] Woodhull echoed the Crime Commission's argument that Chicagoans were entitled to the protection provided by law enforcement officers and that such an entitlement should be a financial priority for the city. Other arguments against the patrolmen increase reflected the city's long conflict between organized labor and police. Alderman Robert J. Mulcahy accused Fitzmorris of making the request for some "ulterior purpose," suggesting that the Police Superintendent planned to use the new officers to attack organized labor. Mulcahy bluntly accused Fitzmorris of these political ends, telling the Council, "It's simply another move in the battle to kick union labor out of Chicago and make it an open-shop town."[147]

Only a few aldermen objected to the idea that a larger police force would better control urban crime, the very premise of the Crime Commission's support of Fiztmorris's proposal. Alderman Albert suggested that increased numerical strength would have little effect on crime rates, telling the Council that four murders had occurred in his ward during the previous week, and that "More police will not get to the bottom of the situation. It is the hell holes, operating with the connivance of the police to whom graft is being paid that is at the bottom of the situation."[148] Albert's comments echoed the critiques of police corruption leveled by the Vice Commission of Chicago in 1911, which had faulted police for tolerating and encourage vice enterprises in designated areas of the city. Police who accepted graft payments from criminal syndicates or vice proprietors benefited from their discretionary power to allow illegal enterprises to flourish and were thereby financially dis-incentivized from the strict enforcement of the law. The Vice Commission recommended better surveillance of police themselves and the

[146] "More Police, 1,000 of Them, to Guard City," *Chicago Daily Tribune*, May 25, 1922.
[147] "More Police for Chicago," *Los Angeles Times*, May 25, 1922.
[148] "More Police, 1,000 of Them, To Guard City," *Chicago Daily Tribune*, May 25, 1922.

immediate dismissal of any patrolmen found to have failed to enforce prohibitions against the vice trades, rather than an increase in the size of the department.[149] Albert's comments to the City Council in May of 1922 highlighted how the police state building advocacy of the Crime Commission had obscured the question of officer corruption, one that had been forefront in the investigations of the Vice Commission and other anti-vice organizations as well as the Chicago Commission on Race Relations.

The financial question seemed to press most urgently upon the city aldermen, as nearly a third of the City Council voted against the proposed patrolmen increase until a resolution was put forth to refer the question to the Council's Committee on Finance for further review.[150] At the regular meeting of the Council on May 24th, the Committee on Finance indicated that $675,000 could be appropriated for the remaining calendar year to support the hiring of 1,000 new patrolmen, a sum that had apparently been found among the year's "miscellaneous receipts."[151] Although it failed to appear in the report of the Committee on Finance, the Crime Commission may have played an integral role in this recommendation, as the group sent "a delegation of well-known and influential citizens" to discuss the police increase with the Committee's chairman, Alderman John A. Richert, after Fitzmorris's initial request for more patrolmen had been denied.[152] Alderman Anton Cermak appended an additional resolution, promising that no additional taxes or levies would be imposed on the people of Chicago to pay for the new patrolmen, although it remained unclear how the city would continue to pay for the augmented department without increasing revenues.[153] With these financial details in place, the aldermen

[149] Vice Commission of Chicago, *The Social Evil in Chicago,* 62.
[150] *Proceedings of the City Council of the City of Chicago* (Chicago: May 23, 1922), 175.
[151] Ibid, 219.
[152] Chicago Crime Commission, *Bulletin of the Chicago Crime Commission,* February 8, 1923, p. 20, MRC.
[153] *Proceedings of the City Council of the City of Chicago* (Chicago: May 24, 1922), 240.

voted overwhelmingly to approve the new Chicago Police Department patrolmen, increasing the size of the department by nearly 20 percent in one fell swoop.[154]

Members of the Chicago Crime Commission and their supporters celebrated the expansion of the Chicago Police Department as a triumph of their anti-crime activism and evidence of the potential for knowledge about crime to bring about necessary changes to American policing institutions. The conservative, anti-labor *Chicago Daily Tribune* proclaimed that the patrolmen increase amounted to "A Crushing Blow at Terrorism" and commended aldermen and taxpayers for appropriating the necessary funds "to provide adequate protection of life and property and to retrieve the good name of the city."[155] Reflecting on the reputation that Chicago had earned as a crime-ridden urban center, the *Tribune* continued, "It should make Chicago the terror of criminals in the future rather than the haven of criminals which it has been frequently in the past."[156] Six months after the City Council's approval of the increase, the Crime Commission issued a bulletin lauding its own role in the growth of the Police Department and maintained that the recent decline in urban crime could be attributed to its advocacy of expanded police capacity. The Commission asserted, "Precinct commanders now have more men available for patrol duty than ever before in the history of the department, and have no valid excuse for failure to cut down preventable crime and maintain order."[157] Indeed, arrest totals rose in the years after the patrolman increase; total arrests by the CPD in 1923 were nearly 40 percent higher than they had been the previous year, and those totals continued to rise until 1927.[158] However, conclusions about the direct impact of the police patrolmen increase on the reduction

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[154] Only five alderman dissented from the vote on May 24th, including Guernsey and Mulcahy. *Proceedings of the City Council of the City of Chicago* (Chicago: May 24, 1922), 219.
[155] "A Crushing Blow at Terrorism," *Chicago Daily Tribune*, May 26, 1922.
[156] Ibid.
[157] "Crime Trend Downward: Figures Show Reduction in Major Crimes—How Crime Commission Helped," *Bulletin of the Chicago Crime Commission*, October 25, 1922, p. 3, MRC.
[158] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).

of crime in Chicago overlooked the role of political context in shifting those numbers as well, particularly the law and order crime control campaigns of the Prohibition years.

TABLE 3.1: CHICAGO POLICE DEPARTMENT, 1913-1930[159]

YEAR	NUMBER OF POLICE	NUMBER OF ARRESTS
1913	4,443	107,257
1914	4,420	111,461
1915	5,331	114,625
1916	5,277	104,535
1917	5,199	129,270
1918	4,706	105,632
1919	5,120	91,457
1920	5,152	87,197
1921	5,140	117,719
1922	6,184	132,290
1923	5,965	181,980
1924	6,010	242,602
1925	5,862	264,494
1926	6,080	211,317
1927	6,078	161,234
1928	6,098	150,885
1929	6,712	194,999
1930	6,719	183,434

Furthermore, even some members of the Crime Commission itself admitted that these rises in arrests might not be evidence of better crime control but rather caused by the augmented capacity of the Police Department itself. At the CCC's 1923 annual meeting, President Edwin Sims celebrated the new surveillance capacity of the Chicago Police Department, praising its efficiency and adding "No longer does the Department content itself with merely apprehending criminals after the offense; it now keeps tab on potential and prospective criminals before they get into action."[160] This surveillance of suspected or likely criminals may have been borrowed

[159] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).
[160] "Report of the President," *Bulletin of the Chicago Crime Commission*, February 8, 1923, p. 4, MRC.

from the Crime Commission's own practices. In addition to its encyclopedic catalogue of crimes committed, the Commission kept "records of all criminals and all persons whose histories would be valuable to criminal investigators."[161] Sims lauded the Police Department for this so-called "crime prevention" measure, but his description of police work after 1922 demonstrated how a state with expanded surveillance capability might actually construct criminality itself and discover criminal activity where it had not and might not ever occur. At the same meeting, the CCC's Committee on Police praised the work of Police Superintendent Fitzmorris and his discipline of CPD officers, even going to far as to suggest that "Citizens who fail to get full police service from the Chicago Department are now in a measure to blame themselves."[162]

The Racial Boundaries of Anti-Crime Activism

Just over a year after the Chicago City Council approved Police Superintendent Fitzmorris's request to add 1,000 new patrolmen to the Chicago Police Department, Robert S. Abbott wrote a pointed letter to Mayor William E. Dever. The founder of the *Chicago Defender* and an established member of Chicago's black economic elite, Abbott had also served as a member of the Chicago Commission on Race Relations after the Chicago Race Riot of 1919.[163] Echoing critiques of racial discrimination leveled by the Commission on Race Relations, Abbott's letter of June 1923 drew attention to the racially discriminatory conduct of city police officers, particularly on Chicago's predominantly black South Side. Abbott condemned police interference with interracial couples on the city streets, alerting the mayor: "Numerous

[161] Roberts, "Watchdogs of Crime," 47.
[162] "Report of the Committee on Police," *Bulletin of the Chicago Crime Commission,* February 8, 1923, p. 17, MRC.
[163] Robert S. Abbott founded *The Chicago Defender* in 1905 and by the 1920s his publishing career had brought him considerable financial success. Abbott's biographer Roi Ottley claims that Abbott had achieved millionaire status by this period. Abbott's affluence allowed him to become a significant patron of the arts as well as a supporter of racial justice organizations, serving on the executive board of the Chicago NAACP and the board of directors of the Chicago Urban League. Reed, *The Rise of Chicago's Black Metropolis,* 36-41; Roi Ottley, *The Lonely Warrior: The Life and Times of Robert S. Abbott* (Chicago: Henry Regnery, 1955), 219.

complaints have come to us with reference to the activities of the police in their attempt to regulate the relations of white and Colored citizens particularly."[164] Assuming the collective voice of black Chicago, Abbott carefully adhered to the boundaries of law abiding respectability in his critique of police conduct, "It is needless to say that all right thinking citizens are in sympathy with any lawful effort to suppress the activities of unlawful and criminal residents, not only in this section of the city, but throughout the entire city."[165] But he went on to clarify that interracial socializing violated no law, and in fact some of the city's most "worthy" and respectable families included interracial couples. Here Abbott asserted that not only was interracial socializing legal and morally sound, but also that police harassment of interracial couples threatened and violated black respectability.

These tensions between respectability and critiques of law enforcement recurred in debates regarding urban policing among black Chicagoans in the years follow World War I. Abbott's repeated emphasis on the respectability of black city residents—and therefore their deservedness of equal law enforcement—echoed the exhortations of the men who had visited Mayor William Hale Thompson during the days of the 1919 Race Riot and asked the mayor to provide for adequate law enforcement in order to quell the violence that had flourished in black neighborhoods. In criticizing the policing of the city during the riot, those men had made careful distinctions between themselves and those who chose to break the law during the eight-day riot. Explaining the progression of the riot itself, they claimed "irresponsible members of both races, persons with no property, families, no education, and sometimes no employment or anything else that would check their passions or move them to moderation are the ones making up largely, if not wholly, this riot…many innocent persons, persons who are taking no part, have had their

[164] "Writes Mayor on Police Officers Who Are Inhuman: Robt. S. Abbott Sends Letter on Conditions That Will Have to be Stopped," *Chicago Defender*, June 23, 1923.
[165] Ibid.

homes burned, been assaulted, injured, murdered."[166] The men had gone on to recommend that in order to stop the rioting, it would be necessary to "close up all vice hovels, which are the breeders of crime, the covert of the lawless and the retreat of an idle, irresponsible element."[167] Likewise, in the months leading up to the riot, the *Defender* published a series of editorials regarding the bombing of black homes by white neighborhood associations, lamenting the respectable status of the victims of these crimes "The sufferers in this instance are taxpayers and respectable citizens…no charge of immorality or lawlessness can be laid at their door."[168] These many critiques of police discretion demonstrated the concern among black elites that racially discriminatory policing not only violated black equality but also black respectability.

Abbott's letter to the mayor further elucidated the state of policing in the city in the months since the Chicago Police Department patrolmen increase of May 1922. The letter provided a window into the daily interactions between Chicago police officers and city residents, as Abbott described the harassment and intimidation black Chicagoans frequently experienced at the hands of law enforcement officials. He lamented the embarrassment of black women, who suffered "humiliation on the part of police officers who, for reasons best known to themselves, have stopped and questioned [black women] on the street, in automobiles, and in restaurants."[169] He went on to explain how law enforcement might be improved in black neighborhoods, telling the mayor, "what the South Side needs is not so much in the way of additional police officers as more TACTFUL AND SENSIBLE police officers, who are good officers, to administer the law

[166] "Negroes Call On Mayor, Lowden, To Stop Riots," *Chicago Daily Tribune*, July 31, 1919.
[167] "Writes Mayor on Police Officers Who Are Inhuman: Robt. S. Abbott Sends Letter on Conditions That Will Have to be Stopped," *Chicago Defender*, June 23, 1923.
[168] "Something Lacking," *Chicago Defender*, June 28, 1919.
[169] "Writes Mayor on Police Officers Who Are Inhuman: Robt. S. Abbott Sends Letter on Conditions That Will Have to be Stopped," *Chicago Defender*, June 23, 1923.

and not go beyond the law in preserving the peace of the community."[170] Abbott's comments directly contradicted the repeated exhortations of the Chicago Crime Commission over the previous four years in its insistence that a larger police force would foster lawfulness in the city. Instead, Abbott drew attention to the illegal conduct of officers themselves, who stopped and arrested black Chicagoans for the apparent offense of appearing with a white companion in public. It was not *more* policing that would solve the problem of law breaking on the black South Side, but *better* policing that would do so. As the *Defender* editorialized when it republished Abbott's letter on June 23, 1923, "[Police] are public servants and in Chicago, at least, must enforce the law and not make law by their own regulations for special groups."[171] Here the *Defender* suggested that the now augmented Police Department simply continued the same practices of discretion and corruption that the Vice Commission and other social reformers had identified for decades—they directed illegal enterprises to take root in black neighborhoods.

In the years following the Chicago Police Department patrolmen increase, the department significantly increased its number of annual arrests especially following the election of the law-and-order mayor William E. Dever in 1923 (see Table 3.1). The mayor pursued an aggressive campaign against alcohol in the city, following a series of violent confrontations among Chicago's criminal syndicates. In concert with that campaign, however, the mayor also directed police to shut down the city's vice establishments and officers targeted those that featured racially integrated clientele. That crime control campaign eventually extended to interracial couples as well, such as those highlighted in Abbott's letter. These practices demonstrated the consequences of the limited law enforcement reform campaign of the crime commission movement following WWI, one concerned with police discretion but not the ways that discretion

[170] "Writes Mayor on Police Officers Who Are Inhuman: Robt. S. Abbott Sends Letter on Conditions That Will Have to be Stopped," *Chicago Defender*, June 23, 1923.
[171] Ibid.

created and reinforced racial and spatial boundaries in the city. In assuming that a more robust coercive state could more effectively curtail crime in Chicago, the Crime Commission played an integral role in increasing the state's capacity for surveillance and detention.

CHAPTER 4

BEER WARS AND BLACK AND TANS: POLICING THE COLOR LINE DURING PROHIBITION

Just a few days before Christmas in 1926, Chicago's black South Side endured an invasion. Hundreds of police officers flooded the neighborhoods of the densely populated Black Belt, armed with shotguns and tear gas bombs. They charged through the streets and stormed into nearly every cafe on the South Side as well as into many private homes, indiscriminately arresting over 500 black men beginning on the afternoon of December 22nd and stretching into the early morning hours the next day. Officers herded the arrestees into police wagons and deposited them at the Wabash Avenue police station, crowding holding cells with detained men. Police violently accosted black city residents over the course of the raid; at one recreation hall on South State Street, police threw a tear gas bomb through a window when those inside refused to open the door. Shocked, the occupants relented, as "Suffocation caused by the bomb caused the terror-stricken men to open the door. Twenty-eight were grabbed by the police here."[1]

This violent raid of the black South Side came in the wake of the killing of Patrolmen Julian Bonfield earlier that month, reportedly by two black men during the course of a burglary. Soon after the murder, police had conducted a similar dragnet raid another South Side black neighborhood; they invaded the second and third wards with shotguns and tear gas bombs and arrested 350 men.[2] The burglary and murder of Patrolman Bonfield had been committed by only two men according to several eyewitness reports, but this hardly gave police pause as they made

[1] "Chicago Black Belt is Terrorized When Police Seek Slayer," *Pittsburgh Courier,* December 25, 1926.
[2] "Nab 350 in Hunt for Two Killers of Policemen," *Chicago Daily Tribune*, December 16, 1926.

hundreds of indiscriminate arrests that month. The only plausible connection between these sweeping arrests and the suspected killers was race, as officers deployed the racial identity of the suspects to legitimate their arbitrary and violent policing of the city's black neighborhoods. Police paraded the hundreds arrested in front of witnesses to the Bonfield murder, but those witnesses identified none of the arrestees as suspects, and police "Reluctantly released most of the prisoners, holding some they claimed have "records.""[3] Observers of the raids emphasized the extensive scope of the arrests that had landed so many black men in city jails, describing police who "herded the Negroes into police wagons, giving few of them opportunity to demonstrate they had no possible connection with the crime."[4] These observations made it clear that police had ignored the protocols of arrest, failing to investigate those detained or secure warrants for their arrest.

A number of black journalists maintained that police had pursued the wide-scale raids in order to refute criticisms of their failure to apprehend the burglars quickly on the night of the murder, and thus conducted the raids as a spectacle to demonstrate their crime-fighting prowess.[5] Some also suggested that this "reign of terror" was an effort by police to disprove their own reputation for corruption and graft by "hounding—or rather "cleaning up"—the Negro neighborhoods."[6] Chicago's Communist daily, the *Daily Worker*, contrasted the raids following the murder of Officer Bonfield with the events that had followed the murder of Assistant State's Attorney William H. McSwiggin months earlier. Although it was widely believed that McSwiggin had been killed by the Capone criminal syndicate, the *Daily Worker* noted, "These brave Chicago police did not make any widespread raid or search during which homes were

[3] "Chicago Black Belt is Terrorized When Police Seek Slayer," *Pittsburgh Courier,* December 25, 1926.
[4] Ibid.
[5] Ibid.
[6] "Chicago Police Covering Up Criminal Connections by Attacks on Negroes," *New York Amsterdam News*, December 29, 1926.

broken into, nor were there ten arrests made, let alone 350."[7] The *Daily Worker* speculated that such a raid would not be visited upon any other area of the city, save for a "red" raid.

The police raids of December 1926 identified one of the critical tensions in the city's black crime politics during the interwar decades: while many black Chicagoans repeatedly called for equitable policing and crime control in their neighborhoods, their demands were often met with the violent and discriminatory policing that characterized the raids in late 1926. These raids elicited objection and critique among black Chicagoans who cited not only the violence that they had endured, but also egregious violations of civil liberties as police made sweeping invasions of private residences and businesses and made hundreds of warrantless arrests. The mayor and Police Superintendent received a deluge of phone calls from black leaders following the raids, protesting police conduct and brutality. The wholesale warrantless arrests drew particular ire, as the *Pittsburgh Courier* described: "The action of the police in arresting 500 persons in connection with a crime involving one person is branded as indefensible and outrageous by leaders of the race."[8] Black leaders assembled a meeting of community members the evening following the second raid, where attendees implored police to better control crime in the city but lamented the targeting of black neighborhoods for mass arrests. "It is stupid, cowardly, and asinine to try to create the impression that the majority of crimes here are done by Negroes," commented one speaker, "Crime should be and must be suppressed in this city. But it cannot be done by the police in such a foolish and unconstitutional way as was done last Wednesday

[7] *Daily Worker* quoted in "Chicago Police Covering Up Criminal Connections by Attacks on Negroes," *New York Amsterdam News*, December 29, 1926.
[8] "Chicago Black Belt is Terrorized When Police Seek Slayer," *Pittsburgh Courier,* December 25, 1926.

night."[9] According to those assembled at the meeting, the raids represented the failure of law enforcement to protect black safety as well as the active violation of black rights.

The raids on Chicago's black South Side came after years of anti-crime drives and law and order campaigns in the city, processes set in motion by city officials and a range of criminal justice reformers. That decade saw the ascendance of new Democratic leadership to the mayor's office, which endeavored to distance itself from the accusations of political corruption and lawlessness that had plagued city executives for decades before. Elected by a plurality in 1923, Democratic Mayor William E. Dever sought to clean his Police Department of graft and rid the city of illegal bootlegging, an ambitious agenda in a city notorious for rampant crime and an unchecked liquor trade. Dever's law and order politics reflected his own history as a reform-minded jurist as well as multiple strains of criminal justice reform that had manifested in the city over the previous decade, such as the work of the Vice Commission of Chicago, the Juvenile Protection Association, the Chicago Crime Commission, and the Immigrants' Protective League. The crime politics of the new Democratic mayor represented the intersection of those multiple criminal justice reform traditions, as the mayor targeted so-called vice with a campaign against saloons soon after his election, but also deployed a strict legalistic understanding of crime as an individual choice. These policies melded the ideologies of Progressive reformers and the rhetoric and agenda of the city's emergent crime commission movement.

The crime control campaigns and policing strategies of 1920s Chicago transformed the rhetoric of criminal justice reformers into municipal policy, as the mayor and his administration deployed a localized law and order discourse that prioritized the rule of law, equalized law enforcement, and the rationalization of law enforcement institutions. In the first few months of

[9] "Chicago Police Covering Up Criminal Connections by Attacks on Negroes," *New York Amsterdam News*, December 29, 1926.

his administration, Dever directed police to shutter so-called black and tan saloons, which catered to integrated clientele. Although this campaign was consistent with decades of anti-vice activism in Chicago, it also exhibited a targeted racial component, as police only closed saloons where interracial socializing occurred. That campaign against black and tan saloons transformed as police arrested and harassed interracial couples and gatherings as the 1920s progressed. Later crime control campaigns expanded upon the law and order impulse that characterized the mayor's campaign. Dever had entered office promising that he was no Prohibitionist, in order to secure votes among the city's ethnic immigrant communities, but altered his policies after witnessing a rash of Prohibition-related violence in 1923. Instead of turning a blind eye to the sale of alcohol, the mayor directed the Superintendent of the Chicago Police Department to crack down on the liquor trade, initiating what would come to be known as the city's Beer Wars. Indeed, both the total number and rate of arrests by the CPD rose notably during the crime control campaigns of the 1920s; by 1925 the rate of arrest for all Chicagoans was more than three times what it had been just five years earlier.[10] The Democratic Mayor Dever would only serve one term as city executive, as many of the constituencies who had swept him into office in 1923 abandoned him four years later, an electoral fate often attributed to his insistence on Prohibition enforcement and the subsequent erosion of support among European ethnic voters when Dever lost to William Hale Thompson in 1927.

The story of Chicago's Prohibition-era law and order politics demonstrates how a narrow scholarly focus on the policing of European ethnics during this period obscures the full effect that interwar crime control campaigns had on the politics and geography of American cities—

[10] The rate of arrest for all Chicago citizens in 1920 was 3,226 arrests per 100,000; by 1925 that rate had risen to 9,790 arrests per 100,000 with each intervening year showing consistent increases in the total arrest rate. After 1925, the arrest rate in Chicago declined but never reached the arrest rate in 1920. Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).

especially their effects on the policing and criminalization of African Americans. Historians of Prohibition have rightfully indicated that European ethnic communities were often targets of Prohibition enforcement and have shown how the federal ban on alcohol worked to discipline ethnic social spaces and culture in the context of post-WWI nativism and Progressive reform.[11] In Chicago, Italians and Poles represented two of the most frequently targeted populations for Prohibition arrests and comprised a significant portion of those arrests, charges, and convictions in the 1920s.[12] However, the policing of blackness and the color line itself also became a priority among law enforcement officers in interwar Chicago, both among policy makers and police on the city streets. Black Chicagoans were overrepresented among general arrests and arrests for Prohibition violations, a pattern that reflected and reinforced the strict policing of interracial spaces and socialization.[13] Scholars of whiteness have demonstrated the centrality of several intersecting structures that contributed to the process of incorporating various ethnic immigration communities into white racial categories, such as labor and unionism, welfare programs, community institutions, and cultural production and consumption.[14] Law enforcement also represented a critical site where the racial boundaries could be expanded or contracted, as Chicago police chose carefully whom to arrest in the context of Prohibition-era crime control campaigns and whom to leave undisturbed by the criminal justice state.

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[11] Michael Lerner, *Dry Manhattan: Prohibition in New York City* (Cambridge: Harvard University Press, 2007); McGirr, *The War on Alcohol.*

[12] Throughout the 1920s, "Americans" always composed the largest category of Prohibition-related arrests; this demographic category likely included many second-generation immigrants as well as native-born whites. After that, Italians and Poles consistently remained the groups with the highest numbers of Prohibition charges and convictions, with Italians making up 10-11 percent of total charges, and Poles making up 8-16 percent of total charges over the course of the decade. Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).

[13] Ibid.

[14] Jacobson, *Whiteness of a Different Color*; Guglielmo, *White on Arrival*; Lott, *Love and Theft*; Roediger, *The Wages of Whiteness*; Saxton, *The Rise and Fall of the White Republic*.

The multiple crime control campaigns and patterns of racially discriminatory policing in interwar Chicago elicited a range of critiques among black Chicagoans, some critiques in tension with one another along the lines of class and status. Many black elites—such as economic elites, church leaders, and black clubwomen—celebrated the mayor's campaign against black and tan saloons, viewing those establishments as blights on black neighborhoods. This support resonated with middle-class and elite calls for more stringent policing in black neighborhoods that had circulated since the early twentieth century, especially as black Chicagoans objected to police encouragement of vice in black areas. These claims drew on the strain of black law and order politics that was rooted in claims to black respectability and premised on the idea that since black Chicagoans were moral and law-abiding, they were therefore deserving of fair law enforcement. However, other black critics—some elite, others migrant or working class—drew attention to the racially discriminatory character of many anti-crime campaigns in interwar Chicago and the consistent patterns of racially discriminatory police conduct. These critiques drew attention to the failure of the criminal justice state to guarantee equal protection of the law as well as the frequent violations of black rights that occurred during interactions with the police.

Chicago's interwar anti-crime campaigns demonstrated how state campaigns against crime could transform into racial policing projects and official efforts to construct and defend the urban color line in the context of a rapidly diversifying city. Policing practices in 1920s Chicago—including the disproportionate scrutiny of racially integrated spaces of leisure, the harassment and arrest of interracial couples, and the disproportionate number of black arrests for Prohibition violations and other offenses—continued and expanded processes of racialized policing that had taken root in Chicago over the previous two decades. Ultimately, it was at this local scale that the criminal justice state most directly constructed and defended the color line in

the diversifying city. Through the intersection of local law and order discourse, racial conflict, and the politics of Prohibition enforcement, 1920s Chicago became a site where local law enforcement officials drew on the power of the state to enforce conceptions of racial hierarchy and inscribe that hierarchy onto the urban landscape.

Law and Order from the Ground Up

On January 26, 1923, Chicagoans awoke to a shocking headline. William Hale Thompson—"Big Bill" —would not seek reelection for mayor.[15] Although he had previously expressed his desire to serve a third term, the boisterous city executive faced faltering public opinion in the wake of his response to the 1919 Race Riot and a conflict with the city's school board.[16] Thompson also confronted increasing opposition from municipal reform groups, including the City Club of Chicago and the newly formed Committee of One Hundred, a group of Republican businessmen who sought to nominate a reform-minded candidate for the city's executive office.[17] Thompson's administration had also been plagued by accusations of corruption and graft, such as claims that Thompson kept "$1,000,000 real estate experts" on his payroll in order to dole out city resources to his political cronies.[18] Thompson refuted those

[15] "GOP Splits as Mayor Quits," *Chicago Daily Journal*, January 26, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks; "Mayor Tells Why He Will Not be Candidate Again," *Chicago Herald Examiner*, January 26, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks; "Thompson Won't Run," *Chicago Daily Tribune*, January 26, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks.
[16] John R. Schmidt, *"The Mayor Who Cleaned Up Chicago:" A Political Biography of William E. Dever* (DeKalb: Northern Illinois University Press, 1989), 55.
[17] City Club of Chicago, *The City Club Bulletin*, Vol. 16, No. 2 (January 8, 1923), 1; Schmidt, "*The Mayor Who Cleaned Up Chicago,"* 58.
[18] "War on Crime and Graft is Dever's Slogan," *Chicago Journal*, January 22, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks.

claims even as he declined to run again, arguing that he had only drawn on city resources for the construction of new public works and city beautification projects.[19]

News coverage among the city's major dailies captured the range of political sentiments that Thompson had cultivated over his eight years in office. The Hearst-owned *Chicago Examiner* lamented his retirement, heralding the mayor as an unparalleled progressive, booster, and literal builder of the modern city, hastily dismissing his notorious cronyism as a "sense of loyalty to his friends" and an unfortunately slow recognition of "the shortcomings of those he had favored."[20] The *Chicago Daily News*, a frequent critic of Thompson along with the *Chicago Daily Tribune*, took a decidedly different view of the mayor's retirement, lauding the announcement as the end of an "8-Year Regime of Ruin," predicting that the city could look forward to "a future free from the shackles of a political ring which has been described as the worst since the days of Boss Tweed's rule in New York."[21] Both of these depictions of Thompson's time in the mayor's office were grounded in some degree of truth—the Republican mayor did pursue many civic improvement projects and urban boosterism, but was also notorious for political scandals, graft, and connections to organized crime. These two caricatures of Thompson's tenure each glossed over his cultivation of a form of urban populism, however, especially among the city's growing black population. Thompson's aggressive campaigning on the South Side had secured him 80 percent of Republican primary votes in the majority-black second ward in the four primary elections that he had entered since 1915, which proved to give

[19] "Mayor Tells Why He Will Not be Candidate Again," *Chicago Herald Examiner*, January 26, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks.
[20] Established in 1902, William Randolph Hearst's sensationalistic *Chicago Examiner*'s primary rival was the *Chicago Daily Tribune,* a frequent critic and sometimes-litigious rival of Thompson. The *Examiner*'s generous appraisal of Thompson's tenure likely derived in part from its desire to distance itself from the position of the *Tribune*. "Mr. Thompson Retires," *Chicago Examiner*, January 27, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks.
[21] "City Faces New Era as 8-Year Regime of Ruin is Smashed," *Chicago Daily News*, January 27, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks.

Thompson a crucial margin in the crowded Republican field.[22] Some attributed Thompson's consistent popularity among black voters to his political showmanship and his self-styling as a common man of the people. Thompson was also adept at navigating racial politics in the midst of the Great Migration, often citing the discriminatory records of his opponents and their supporters in his own campaign rhetoric and in his appeals to black voters.[23]

Thompson's announcement opened the field for that year's mayoral contest, as new candidates emerged from both the Republican and Democratic camps. Real estate financier and recently appointed United States Postmaster Arthur Lueder won the Republication nomination, while the newly ascendant boss of the Democratic machine, George Brennan, tapped Superior Court Judge William E. Dever for his party's nomination.[24] Brennan sought a candidate who could draw votes from the city's reform elements while also appealing to ethnic voters and found his ideal nominee in Dever.[25] Dever had been a member of Chicago's Democratic political landscape since the early twentieth century, when settlement reformer Graham Taylor supported Dever's bid for City Council in 1902.[26] As an alderman, Dever made a name for himself as an advocate of Progressive urbanism and reform, supporting continuing efforts for municipal transit ownership in the early decades of the twentieth century and advocating for more stringent

[22] Gosnell, *Negro Politicians,* 40-41.
[23] Ibid, 47.
[24] Schmidt, *"The Mayor Who Cleaned Up Chicago,"* 66.
[25] Machine politics doomed the nomination of front-runner Anton Cermak when the party's Irish leaders refused to nominate the Czech president of the Cook County Board of Commissioners. "Dever Named by Democrats in Mayor Race," *Chicago Journal*, January 18, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks.
[26] Douglas Bukowski, "William Dever and Prohibition: The Mayoral Elections of 1923 and 1927," *Chicago History* (Summer 1978), 109.

regulation of city saloons.[27] Dever won a judgeship on the Superior Court of Cook County in 1910, sitting on the bench until his nomination for mayor in 1923.[28]

After winning the Democratic nomination in January 1923, Dever announced a platform based on civic improvement and reform, citing municipal transit, schools, and the elimination of vice as the centerpieces of his campaign.[29] In a series of early campaign remarks, Dever emphasized the need to institute a new civic culture around city improvements and urban reform, in an attempt to distance himself from the graft that had characterized Thompson's previous administrations. Describing his proposal to rid the city of vice establishments and criminal activity, Dever emphasized preventative measures as well as punitive approaches to crime control, suggesting that the city's many houses of prostitution and other vice establishments be converted into schools to provide a wholesome environment for Chicago children. Dever drew particular attention to problems in the second ward, a predominantly African American district

[27] "Traction Aldermen Try to Force Mayor Out of City Council," *Chicago Examiner,* January 16, 1906, Volume 2: Career to 1923, Dever Scrapbooks; "Saloons Are Fighting Over Dever," *Chicago Journal*, March 31, 1906, Volume 1: Career to 1923, Dever Scrapbooks.

[28] Bukowski, "William Dever and Prohibition," 109.

[29] Municipal transit ownership had been a contentious issue in Chicago and Illinois politics since the late nineteenth century. The Illinois General Assembly had chartered three traction companies in the mid-nineteenth century, with three separate charters, making it difficult for the city to enforce any broad improvements on the uncoordinated and deteriorating rail system. Furthermore, in 1865, the state legislature extended the traction companies' 20-year charters to 99 years, making it increasingly difficult for the City Council to gain control of the street railways. Many aldermen also enjoyed monetary and political benefits from the franchise that controlled Chicago's transit system. In 1905, Democratic mayoral candidate Edward F. Dunne's aggressive stance on the municipal transit ownership issue largely won him the Democratic nomination and swept him into office later that year. William E. Dever was Dunne's council floor leader at the time and managed to pass a municipal ownership ordinance in the City Council in 1906, but the ordinance failed to win full approval of Chicago voters in a city referendum four months later. Dever continued this struggle for municipal control of the traction lines into the 1920s, but his efforts were similarly frustrated and it was not until after World War II that the city saw the establishment of the Chicago Transit Authority to coordinate public transit. "Municipal Ownership Wins; Gray Wolves Turn the Trick; Breach of Faith is Charged," *Chicago Record-Herald*, January 19, 1906, Volume 2: Career to 1923, Dever Scrapbooks; "Chicago Votes to Own But Not Run Car Lines," *New York Times*, April 4, 1906; John D. Buenker, "Edward F. Dunne: The Limits of Municipal Reform," in *The Mayors: The Chicago Political Tradition*, eds. Paul M. Green and Melvin G. Holli (Carbondale: Southern Illinois University Press, 1987), 41-43; Richard Allen Morton, *Justice and Humanity: Edward F. Dunne, Illinois Progressive* (Carbondale: Southern Illinois University Press, 1997), 9-19; Schmidt, *"The Mayor Who Cleaned Up Chicago,"* 122-129.

where the Chicago Commission on Race Relations had found a particularly high concentration of vice resorts and police encouragement of the vice trades a few years earlier.[30]

Since the early years of the Great Migration, the city's Democratic and Republican parties had competed to win the votes of Chicago's growing black electorate.[31] Black precinct leaders in the first, second, and third wards worked to register black Southern migrants soon after they arrived in Chicago; migrant politics tended to remain closely attached to the Republican party following their experiences with the racial politics of the South.[32] When the Republican William Hale Thompson was first elected mayor in 1915, he had faced a divided Republican party in the primary. Thompson actively cultivated black votes with promises of patronage and political protection in order to defeat the other Republican candidates in the city's primary.[33] While his ostentatious political style may have been crucial to winning a number of those supporters, Thompson also made good on his promises to deliver black jobs in the form of political appointments, installing former county commissioner Edward Wright as assistant corporation counsel and Reverend Archibald Carey as an investigator in the city's law department and a delegate to the Illinois Constitutional Convention in 1920.[34] It was also during Thompson's first terms as mayor that black precinct leaders took over the Republican machine in

[30] The Chicago Commission on Race Relations defined vice resorts as houses of prostitution, saloons, billiard halls, gambling places, and cabarets. Chicago Commission on Race Relations, "Environment of the South Side Negro, No. 3, Resorts," *The Negro in Chicago.*
[31] Cayton and Drake, *Black Metropolis,* 109.
[32] Gosnell, *Negro Politicians,* 137-140; Cayton and Drake, *Black Metropolis,* 349.
[33] Cayton and Drake, *Black Metropolis,* 347.
[34] Thompson's patronage of Carey drew on a decades-long relationship between black institutions and the Republican politico; Carey's support had been integral to Thompson's election as alderman of the second ward in 1900. Carey continued to stump for Thompson and sponsor Thompson appearances at some of the city's leading black congregations (Quinn Chapel AME Church, Bethel AME Church, and Olivet Baptist Church). Cayton and Drake, *Black Metropolis,* 348; Dickerson, *African American Preachers and Politics,* 43.

the second and third wards, laying the groundwork for the election of black aldermen and judges.[35]

Dever's 1923 mayoral campaign specifically targeted this crucial segment of Thompson supporters by drawing attention to the role of police officials in directing vice establishments into the predominantly black districts and acknowledging the active role of the state in making the geography of vice synonymous with black urban space.[36] He enticed black voters by promising to rid black neighborhoods of police-protected vice establishments that had moved to the second ward after the closing of Chicago's downtown vice districts in the second decade of the twentieth century.[37] "Houses of ill fame, dens of infamy and open prostitution flourish there in the faces of citizens of that district," Dever lamented during a campaign appearance, "It is a terrible thing to contemplate—to realize that these obnoxious conditions represent the payments of great sums of protections and hush money."[38] In keeping with his vows of crime prevention, Dever promised that the establishment of schools in the second ward would be paired with the elimination of vice from the district, asserting that the city's black population was equally entitled to quality schools and fair policing in their neighborhoods.[39] This sort of political rhetoric played upon the discourse of respectability that suffused black political life in early-twentieth-century Chicago, as black elites often premised their demands for fair law enforcement upon respectable black lawfulness and morally upstanding behavior.

Other efforts by Dever to win black votes in 1923 invoked the decades of racial discrimination that black Chicagoans had faced in the city, as he suggested that a Republican win

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[35] Cayton and Drake, *Black Metropolis,* 350; Gosnell, *Negro Politicians,* 17-20.
[36] Chicago Commission on Race Relations, *The Negro in Chicago,* 343-344.
[37] See chapter 1 for a discussion of the political and economic motivations for the closing of Chicago's downtown vice districts in the second decade of the twentieth century and the subsequent redirection of vice establishment to South Side black neighborhoods.
[38] "Judge Dever Announces Mayoralty Platform," *Chicago Journal,* January 26, 1923, Volume 10: Mayoralty Campaign 1923, Dever Scrapbooks.
[39] Ibid.

might only worsen racial tensions. A Democratic pamphlet entitled, "Reasons Why Colored Citizens of Chicago Should Vote for Dever for Mayor" drew attention to the fact that the anti-labor and anti-immigrant *Chicago Tribune* had endorsed the Republican candidate and suggested, "a vote for Lueder is a vote for the Negro-hating *Tribune*."[40] The pamphlet included even more sensational claims about the high stakes of black support for Dever, indicating, "It is not certain if Lueder is elected that he will not appoint some one of his K.K.K friends as chief of police."[41] There were no other records indicating any connections between Lueder and the Ku Klux Klan, but the KKK had enjoyed a recent resurgence in other Northern industrial centers such as Detroit, making the threat of a mayor who was sympathetic to the Klan a credible threat to black and Catholic voters in Chicago.[42]

Dever won the 1923 election by a margin of 105,319 votes over Lueder, winning a plurality victory over the Republican and Socialist candidates.[43] A close examination of the election returns revealed that the Democratic Party's delicate strategy of appealing to reform elements, European ethnics, and black voters had won the day. Dever managed to gain the endorsement of many of the city's reformed-minded Progressives, including Graham Taylor, Mary McDowell, Charles E. Merriam, Harold Ickes, and Colonel A. A. Sprague.[44] He also maintained strong support among several ethnic enclaves; while many recent immigrants usually voted Democratic in Chicago, Dever showed an especially high rate of return among Poles,

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[40] "Reasons Why Colored Citizens of Chicago Should Vote for Dever," 1923, Volume 15: Mayoralty Campaign 1923, Dever Scrapbooks.
[41] Ibid.
[42] The KKK had been growing in nearby Michigan since 1921 and in a 1924 special mayoral election, the Detroit KKK's candidate Charles Bowles won a plurality of votes but eventually lost the election due to a technicality in a vote recount. Kevin Boyle, *Arc of Justice: A Sage of Race, Civil Rights, and Murder in the Jazz Age* (New York: Holt and Company, 2004), 141-143.
[43] *The Chicago Daily News Almanac and Year-Book* (Chicago: Chicago Daily News Company, 1924), 727.
[44] Mary E. McDowell, "Independent Women's Committee for Dever," 1923, Volume 15: Mayoralty Campaign 1923, Dever Scrapbooks; Charles E. Merriam, "Why We Want Dever for Mayor," 1923, Volume 15: Mayoralty Campaign 1923, Dever Scrapbooks; Graham Taylor, "Chicago and What Dever Stands For," 1923, Volume 15: Mayoralty Campaign 1923, Dever Scrapbooks; Schmidt, *"The Mayor Who Cleaned Up Chicago,"* 69.

Italians, and Czechoslovakians in 1923, three of the largest immigrant populations in Chicago by 1920.[45] The most dramatic electoral shift occurred among black voters, who supported Dever at a rate of 53 percent, a dramatic increase from the 1919 election when black voters had supported the Democratic candidate at a rate of only 22 percent.[46]

TABLE 4.1: DEMOCRATIC MAYORAL VOTE (PERCENTAGE OF ETHNIC VOTING BLOC SUPPORTING DEMOCRATIC CANDIDATE), 1923[47]

YEAR	CZECHO-SLOVAKIAN	POLISH	LITHUANIAN	ITALIAN	GERMAN	SWEDISH	BLACK
1919	73	55	76	61	51	35	22
1923	76	76	82	80	45	42	53
1927	59	54	57	42	37	38	7

In light of the historical black loyalty to the Republican Party in Chicago and the close allegiance between Thompson and black voters, the mayoral election of 1923 represented a significant deviation from the political norm.[48] The charismatic Thompson may have encouraged black voters to support Dever in an act of political retribution against his Republican rivals, but it was all the more likely that Dever's promises of fair law enforcement and the end of discriminatory policing drew black votes to the Democratic candidate.[49] Pollsters also discovered that the Democratic machine had done significant organizing among black women in the ward, employing many of them as precinct captains.[50] Black women were especially vulnerable to threats to their respectability, as police regularly targeted women for solicitation arrests and

[45] John M. Allswang, *A House for All Peoples: Ethnic Politics in Chicago, 1890-1936* (Lexington: University of Kentucky Press, 1971), 42; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 273-274.
[46] Allswang, *A House for All Peoples,* 42.
[47] Ibid.
[48] Chicago lawyer Edward E. Wilson noted in 1907 that despite small numbers of black Democratic votes, the majority of black Chicagoans tended to vote Republican, largely due to the tradition of black Republican support in the decades following the Civil War and the continuing control of the Democratic Party by Southern states in the early twentieth century. Edward E. Wilson, "The Chicago Negro in Politics," *The Voice of the Negro* (March 1929), 103.
[49] Cayton and Drake, *Black Metropolis*, 347.
[50] "Dever Quietly Enlists Many Colored Voters," *Chicago Daily Tribune*, March 12, 1923.

assumed that any black woman in public might be employed in the vice trades. The number of black voters shifted in Dever's favor by Election Day, as he won 66.9 percent of the votes cast in the black second ward while the Democratic candidate in 1919 had won only 15.4 percent of the total votes cast in that ward.[51] Dever's victory in the second ward indicated a remarkable shift in municipal racial politics in 1923, as the ward contained almost 40 percent of the city's black population in the early 1920s.[52] Dever also won majorities in the first, third, fourteenth, twenty-eighth, and thirty-second aldermanic wards, which each had a significant number of black voters, although none had proportions of black voters as high as the second ward.[53] In terms of raw numbers, these votes did not comprise the whole of Dever's electoral victory but did represent approximately 30,000 votes, about a third of his margin of victory.[54] While the mayor may have been able to win without those votes, they represented an unusual shift in the city's electoral politics, especially among black voters.[55]

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[51] *The Chicago Daily News Almanac and Year-Book* (Chicago: Chicago Daily News Company, 1920), 847; *The Chicago Daily News Almanac and Year-Book* (Chicago: Chicago Daily News Company, 1924), 736.

[52] The boundaries between aldermanic wards and census wards were not identical, but the boundaries of both the second aldermanic and second census wards were comparable. The second census ward extended two blocks further west to Stewart Avenue, while the western boundary of the second aldermanic ward in 1923 ended at Wentworth Avenue. Consequently, the precise population total for the second census ward cannot be assumed to be the same as that of the second aldermanic ward, but the relative demographic proportions of these districts were comparable. In 1920, the second census Ward contained 47,647 of the total 109,458 black residents of Chicago. The population of the census ward itself was nearly 70 percent black. U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 274.

[53] Like the second aldermanic ward, the boundaries of these wards did not align identically with their corresponding census wards, but their boundaries were relatively similar. The first and third aldermanic wards had nearly the same boundaries as the first and third census wards, the fourteenth aldermanic ward aligned with the thirtieth census ward, and the twenty-eight and thirty-second aldermanic wards corresponded to the fourteenth census ward. *The Chicago Daily News Almanac and Year-Book* (Chicago: Chicago Daily News Company, 1924), 724, 736-737, 894.

[54] University of Chicago political scientist Harold Gosnell estimated that in 1920, about 72 percent of eligible black voters had registered in Chicago, an estimate based on his assessment of registered eligible voters in the second ward. Based on that estimate, it can be assumed that there were approximately 59,000 registered black voters in 1923, fifty-three percent of whom cast their ballot for the Democratic candidate that year. Note, however, that these numbers are estimates based on the percentage of registered voters in 1920, three years before the mayoral election. Gosnell, *Negro Politicians,* 17.

[55] In the years to come, the mayoral election of 1923 would prove to be an anomaly among black Chicago voters, as black voters in the city continued to cast the majority of their ballots for Republican candidates into the 1940s. This electoral trend may have been attributable to the patronage and machine politics that characterized city governance; since many city jobs were linked to Republican machines, voters may have been particularly reticent to abandon the

CIVIC REFORM, VICE POLICING, AND THE COLOR LINE

Upon assuming office, Dever began to make good on his promises to clean up the city, promises that he had made to a wide swath of voters including those on the black South Side. His election initiated a period of criminal justice reform that represented the intersection of two urban reform traditions—the legalistic agenda of the Chicago Crime Commission and the moral reform agenda of groups including the Juvenile Protection Association, the Vice Commission of Chicago, and the Committee of Fifteen. Entering its fifth year of anti-crime activism, the Crime Commission continued to advocate criminal justice rationalization, touting its role as "watchdog" of Chicago and claiming credit for having fostered a new spirit of lawfulness in the city by "trying through cooperation with the proper officials to remove hindrances to the advancement of criminal justice."[56] Leaders of the Crime Commission frequently critiqued the inefficiency of the criminal justice system, lamenting the lack of coordination among law enforcement institutions and delays in criminal investigations and prosecutions.[57]

Drawing on this discourse of urban rationalization, the first change that Dever made to the governing of Chicago was to name a new chief of police. Captain Morgan A. Collins took up the office with a directive from the new mayor to root out patrolmen with connections to the city's criminal syndicates.[58] He issued an order to all Chicago Police Department captains in April of 1923, instructing them to dismiss any inferior officers with known connections to bootleggers and to resign from the department if they themselves had any connections to the

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party. Social institutions such as churches also had long ties to the Republican Party dating back to the nineteenth century. Helgeson, *Crucibles of Black Empowerment,* 41.

[56] "Report of the Operating Director," *Bulletin of the Chicago Crime Commission*, February 8, 1923, p. 10, MRC.

[57] Ibid, 6; "Report of the President," *Bulletin of the Chicago Crime Commission,* January 31, 1921, p. 4, MRC.

[58] "Chicago's New Police Chief," *Chicago Examiner*, April 14, 1923, Volume 17: Mayoralty Campaign 1923, Dever Scrapbooks; "Bootleg Police Warned; Shut Up Gambling," *Chicago Daily Tribune*, April 18, 1923, Volume 17: Mayoralty Campaign 1923, Dever Scrapbooks.

bootlegging industry.[59] Considering the scope of bootlegging and the long history of police vice protection in Chicago, it seems unlikely that such a passive reform attempt would have been successful in ridding the department of its criminal connections, although news reports in the months following Collins's announcement indicated that the city's Civil Service Commission did dismiss a number of patrolmen from the force.[60] These cases also generated good press for the newly appointed police chief and demonstrated to the city's anti-crime activists that the new mayor sympathized with their cause. As Collins told a gathering of police captains and department heads, "I am fully cognizant of everything that has gone on…I know what rings have been formed, where the different wheels were turned, and where the roads traveled by these wheels lead to. The day of the bootlegger in the police department is over."[61]

In addition to the influence of the Chicago Crime Commission on the new mayor's law enforcement reform agenda, he also assumed office in the midst of ongoing efforts by Progressive reform organizations to eradicate vice from the city, efforts that exemplified the social reform tradition in Chicago. These efforts were led by the Juvenile Protection Association (JPA), which had conducted its own investigation of vice in the city over the previous three years. In 1920, leaders of the JPA had solicited the help of the American Social Hygiene Association, a national organization of public health officials concerned with the control of venereal disease.[62] Investigators from the Social Hygiene Association spent several weeks in Chicago, observing

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[59] "Bootleg Police Warned," *Chicago Daily Tribune*, April 18, 1923, Volume 20: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.
[60] "Grafting Police Can't Come Back," *Chicago Post,* August 2, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks; "Mayor Strikes to Smash Beer Link to Politics," *Chicago Daily Tribune*, September 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks; "Dever Edict to "Mop Up" Force is Enforced," *Chicago Journal*, September 13, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.
[61] "Chief Collins Clamps Lid on Vice and Crime," *Chicago Journal*, April 18, 1923, Volume 17: Mayoralty Campaign 1923, Dever Scrapbooks.
[62] Jesse F. Binford, "Taxi-Dance Halls," December 1933, Series IV, Box 1, Folder 148: American Social Hygiene Association, Inc.—Vice in Chicago Roadhouses and Taxi-Dance Halls reprints; Mary 1930-December 1933, JPA Records.

conditions there and ultimately concluding that several areas of the city were entirely lacking in law enforcement and had become overrun with houses of prostitution and saloons selling illegal liquor. Investigators found conditions to be particularly poor in African American neighborhoods, reporting that "The South Side is a hot bed of vice; houses of prostitution are operating, not exactly wide open, but practically so."[63] The investigator's reference to the practically "wide open" nature of vice establishments on the South Side acknowledged the role of police in protecting those enterprises, as the idiom "wide open" denoted state protection of illicit enterprises.

Investigatory records of the JPA further confirmed the active role of law enforcement officers in protecting vice establishments and revealed the role of police administrators and city officials in decriminalizing the vice trade in Chicago. In late 1922, one of the JPA's officers spent several weeks interviewing proprietors of some of the city's vice establishments, some of whom described the system of graft that allowed their illegal enterprises to stay in business. One of the proprietors of the second ward Columbia Hotel told a JPA investigator that establishments like his couldn't exist without extensive police protection, and when asked to whom he made graft payments, he offered, "Everybody gets it in this town; the captain of the district gets the big slice. These schamisers (policemen on the beat) get a little now and then. Everybody's got their hand out."[64] Other vice proprietors described the hierarchy of graft payments in more detail, as anyone from patrolmen to district captains received their share of payments to protect illegal

[63] *Conditions in Chicago*, November 29, 1922, Series III, Box 1, Folder 94: Commercialized Prostitution in Chicago, Illinois 1922-1923—reports on go-betweens, houses of prostitution, law enforcement and police; November 1922-December 1923, JPA Records.
[64] "Law Enforcement and Police," November 29, 1922, Series III, Box 1, Folder 94: Commercialized Prostitution in Chicago, Illinois 1922-1923—reports on go-betweens, houses of prostitution, law enforcement and police; November 1922-December 1923, JPA Records.

activities.[65] Some of the vice proprietors even implicated individual city officials, as Tommy O'Connor told a JPA investigator, "Why the dough that they dish out goes all the way up. The Captain of the precinct, the alderman of the ward, and even people in the state's attorney's office gets a slice. There is a fellow by the name of Hoyne who takes care of all the syndicate's business in the State's Attorney's office."[66] This report was particularly damning, as it explicitly implicated none other that State's Attorney MacClay Hoyne in the system of graft, suggesting that corruption reached far beyond the level of street patrolmen.

In light of law enforcement failures to respond to these investigations in the first years of the 1920s, JPA President Jessie Binford filed a petition to the Criminal Court of Cook County in March of 1923, describing the vice conditions that had been discovered by the organization, including the fact that many houses of prostitution enjoyed protection by officers of the law.[67] Binford described in detail the number of houses of prostitution that the JPA had discovered and the forms of soliciting that were openly practiced throughout the city. She concluded that these conditions demonstrated that Chicago had been "thoroughly disarmed of its only adequate means of eradicating such conditions and of halting such violations, namely, the performance of their duty by the officers of the law in enforcing the law."[68] Binford implored the court to direct the city's Grand Jury to conduct its own investigation of vice conditions, appealing to judicial institutions of criminal justice since the city's police force seemed determined to encourage prostitution within city limits. Chief Justice Michael L. McKinley acceded to Binford's request,

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[65] "Law Enforcement and Police," December 2, 1922, Series III, Box 1, Folder 94: Commercialized Prostitution in Chicago, Illinois 1922-1923—reports on go-betweens, houses of prostitution, law enforcement and police; November 1922-December 1923, JPA Records.
[66] "Law Enforcement and Police," December 3, 1922, Series III, Box 1, Folder 94: Commercialized Prostitution in Chicago, Illinois 1922-1923—reports on go-betweens, houses of prostitution, law enforcement and police; November 1922-December 1923, JPA Records.
[67] Jesse Binford Petition to the Criminal Court of Cook County, January 1923, Series III, Box 1, Folder 92: Commercialized Prostitution in Chicago, Illinois 1922-1932—personal file of Jessie Binford; December 1922-December 1923, JPA Records.
[68] Ibid.

directing the Grand Jury to conduct a special inquest into vice and prostitution in early 1923.[69] Observers waited anxiously for the results of the Grand Jury's probe, which came just a few months later; the jury issued no indictments and concluded that "the charges of violation of law by officials whose duty it is to deal with these matters are not substantiated by the evidence."[70]

The rejection of Binford's findings by the Grand Jury demonstrated how tensions among reformers in Chicago had become manifest in criminal justice institutions as well, and especially how the agenda of the crime commission movement had infiltrated the city's criminal justice system. Members of the Crime Commission drew stark contrasts between their work and that of women-led organizations like the Juvenile Protection Association, often disparaging the work of JPA members for extending undue sympathy to lawbreakers. Likewise, the Grand Jury accused the reformers of the JPA of demoralizing the police rather than investigating the city's vice proprietors themselves, admonishing Binford and her cohort "The constant heckling of police officers without actual evidence of wrong doing upon their part surely is not the constructive and proper way to encourage law enforcement."[71] Grand Jurors found that most vice establishments cited by the JPA had actually been raided at least once in the preceding months, concluding that police were in fact pursuing all avenues to vice eradication in the city. The failure of the Cook County Grand Jury to level any indictments with regards to police protection of vice in Chicago incensed urban reformers and jurists alike, who accused the jury of deliberately ignoring

[69] "Grand Jury Begins Sweeping Vice Quiz," *Chicago Daily News*, January 8, 1923, Series III, Box 1, Folder 109: Vice Investigation in Chicago, Illinois 1922-1923—newspaper clippings; January 1922-October 1929, JPA Records.
[70] "McKinley Rejects Jury Report Whitewashing Police on Vice," *Chicago Journal*, March 2, 1923, Series III, Box 1, Folder 109: Vice Investigation in Chicago, Illinois 1922-1923—newspaper clippings; January 1922-October 1929, JPA Records.
[71] "Grand Jury's Report Clearing Fair Name of Chicago," *Chicago American*, March 2, 1923, Series III, Box 8, Folder 109: Vice Investigation in Chicago, Illinois 1922-1923—newspaper clippings; January 1922-October 1929, JPA Records.

evidence of official graft.[72] Their conclusions had overlooked evidence gathered by the JPA that raids were occasionally visited upon vice establishments in order to deter suspicion while graft payments continued to exchange hands.[73]

It was in the context of this increased scrutiny of urban vice and pointed criticism of the institutions of criminal justice that Dever initiated the first concerted crime control campaign of his administration—a sweep of the city's cabarets and saloons.[74] Although saloons spotted the city's landscape, police focused their attention on establishments that served racially integrated clientele; in May of 1923, headlines proclaimed the closing of six of the city's so-called "black and tan" cafes. These establishments were so named due to the fact that they solicited both black and white patrons, serving as integrated spaces of entertainment in a city that was already highly racially segregated and becoming increasingly so as the Great Migration continued. Dever marshaled the power of the regulatory state to insure that those cafes would not reopen again soon, revoking their retail beverage licenses after hearing from Police Superintendent Collins that the targeted establishments were "very rotten."[75] In addition to drawing on the work of anti-vice reformers, Dever's campaign also tapped into a strain of black law and order politics. In May 1923, in the midst of the black and tan drive, Dever appeared before an audience of 300,000 congregation members and 70 clergy members at the Bethel A.M.E. Church, one of the oldest

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[72] "McKinley Rejects Jury Report Whitewashing Police on Vice," *Chicago Journal*, March 2, 1923, Series III, Box 1, Folder 109: Vice Investigation in Chicago, Illinois 1922-1923—newspaper clippings; January 1922-October 1929, JPA Records; Jessie F. Binford, "The Juvenile Protection Association on Crime and Vice," *Chicago Daily Tribune*, March 20, 1923, Series III, Box 1, Folder 109: Vice Investigation in Chicago, Illinois 1922-1923—newspaper clippings; January 1922-October 1929, JPA Records.

[73] "Law Enforcement and Police," December 2, 1922, Series III, Box 1, Folder 94: Commercialized Prostitution in Chicago, Illinois 1922-1923—reports on go-betweens, houses of prostitution, law enforcement and police; November 1922-December 1923, JPA Records.

[74] "McKinley Rejects Jury Report Whitewashing Police on Vice," *Chicago Journal*, March 2, 1923, Series III, Box 1, Folder 109: Vice Investigation in Chicago, Illinois 1922-1923—newspaper clippings; January 1922-October 1929, JPA Records; "Chief Orders Army of Police to Throttle Vice," *Chicago Daily Tribune*, March 6, 1923, Series III, Box 1, Folder 109: Vice Investigation in Chicago, Illinois 1922-1923—newspaper clippings; January 1922-October 1929, JPA Records.

[75] "6 'Black and Tan' Cabarets Closed," *Chicago Post*, May 8, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks.

African American churches in the city.[76] Dever announced that the following day his police department would shutter Al Tearney's, a notorious South Side cabaret that had often been the site of violence as well as voyeuristic white patronage over the previous several decades. He promised the congregants in attendance, "I have closed every black and tan place on the south side with the exception of one…that one is to be closed tomorrow."[77] His promise met with a roar of applause, signifying the intersection between the mayor's law and order politics and the politics of respectability championed by many black elites and institutions such as black churches and racial improvement organizations.

However, this anti-crime campaign did not serve solely as an appeasement to anti-vice reformers and black elites but also as a part of an ongoing racial policing project in service of constructing and defending the color line. Reports concerning the drive against black and tan cafes suggested that the primary offenses committed in these saloons were not violations of municipal regulations or federal Prohibition, especially considering the fact that the city was home to many liquor-selling establishments that operated with the full knowledge of the police. Instead, it was the interracial socialization and suggestions of interracial sexuality that drew the augmented scrutiny of police, as patrolmen reported to the chief "the dancing between negro and white men and women was so rotten that it could not have been called dancing."[78] Indeed, the specter of interracial sexuality and socialization also wove throughout the investigations of anti-vice reformers, whose anti-vice campaigns had presaged that of the city. The JPA's petition to

[76] Bethel AME was one of the oldest African American churches in Chicago, having been established as a mission of the older Quinn Chapel in 1862. Bethel AME often hosted public gatherings and society events, serving as a social center for black Chicago. Best, *Passionately Human, No Less Divine,* 119.
[77] "Mayor to Close Al Tearney Cafe," *Chicago Daily Tribune*, May 17, 1923.
[78] "6 'Black and Tan' Cabarets Closed," *Chicago Post*, May 8, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks.

the Criminal Court of Chicago specifically named the "intermingling of races" as a problem in need of urgent state intervention.[79]

The crime control campaign against Chicago black and tan cafes overlapped with the police targeting of black urban space; all of the cafes that were shut down in May 1923 were located in Chicago's black second ward, most of them along east 35th Street in the entertainment district of Bronzeville.[80] In the early 1920s, black and tan cafes had become increasingly popular among entertainment-seeking Chicagoans, particularly among elite and working class white patrons who ventured into the black second ward seeking illicit amusement.[81] These cafes offered a range of attractions to those seeking Chicago's nightlife, including interracial dancing and prostitution along with illegal liquor supplied by the city's criminal syndicates. In this respect, black and tans were similar to the saloons and dance halls that had been protected by police for decades, but their promise of interracial socialization gave them a particular draw for so-called "slummers" seeking to experience the illicit thrill of interracial entertainment, socialization, and sexuality.[82]

In a city that was rife with illegal bootlegging and prostitution, it was safe to assume that police would find such conduct in many establishments throughout Chicago, as the JPA had over

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[79] Jesse Binford Petition to the Criminal Court of Cook County, January 1923, Series III, Box 1, Folder 92: Commercialized Prostitution in Chicago, Illinois 1922-1932—personal file of Jessie Binford; December 1922-December 1923, JPA Records.

[80] In May 1923, police closed and seized the beverage licenses of Entertainer's (209 E. 35th Street), Radio Inn (3856 Vincennes Avenue), Paradise Gardens (235 E. 35th Street), Sunset Cafe (315 E. 35th Street), Lincoln Gardens (459 E. 35th Street), Flume Cafe (3440 S. State Street), and Dreamland Cafe (3520 S. State Street). "6 'Black and Tan' Cabarets Closed," *Chicago Post*, May 8, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks; "6 Black and Tan Cafes Divested of Licenses," *Chicago Daily Tribune*, May 8, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks.

[81] Diamond, *Mean Streets,* 45; Heap, *Slumming,* 189-191.

[82] Cultural historians have written extensively about the black and tan cafe phenomenon in early-twentieth-century American cities, suggesting that those spaces of racial crossing and interracial socialization worked to forge new definitions of modern sexuality and racial difference in the context of the modern metropolis. Black and tans provided spaces in which white patrons could indulge in interracial contact and sexuality, all while preserving the status of their own respectable white sexuality by eventually leaving those establishments. Blair, *I've Got To Make My Livin'*; Diamond, *Mean Streets*; Heap, *Slumming*; Kevin Mumford, *Interzones: Black/White Sex Districts in Chicago and New York in the Early Twentieth Century* (New York: Columbia University Press, 1997).

the course of its investigation in the early 1920s. What made black and tan cafes a particular concern for city leaders and reformers alike was the threat that they posed to the inchoate urban color line, especially the gendered violations of that racial divide as black men intermingled with white women at black and tan cafes. Descriptions of the objectionable conduct found in the shuttered cafes consistently drew attention to the crossing of the color line and the intermingling of black and white sexuality in those spaces. The mayor railed against the supposedly debauched behavior that was reported to occur in black and tans, citing reports from the police department's vice squad, "Lewd dancing, drunken revels in which women became so intoxicated that they were unable to get off the floor to which they had fallen, and soul kisses between colored men and white women."[83] Although white men and black women often socialized in city brothels, this other variety of gendered crossings of the color line and the supposed violations of white womanhood that might occur at black and tan cafes made those establishments particular objects for Chicago's white reformers and law enforcement officers.[84] Police targeting of black and tan cafes continued throughout the summer of 1923, as officers made sweeping arrests at the South Side Vincennes Hotel and Labelle Hotel, leaving the premises with "a select company of attractive white girls and their colored companions and white libertines with their gay, senseless colored women."[85] Although the Vincennes and the LaBelle had been heralded as refined institutions upon their opening, their appeal to interracial couples made the two establishments targets for police during the campaign against black and tans.

The mayor's drive against black and tan cafes and reformers' anti-vice campaigns of the 1920s intersected with black crime control politics in complex ways, at times consistent with

[83] "6 Black and Tan Cafes Divested of Licenses," *Chicago Daily Tribune*, May 8, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks.
[84] "Black and Tan Cafes Closed," *Chicago Journal*, May 8, 1923, Volume 18: Mayoralty Campaign, 1923, Dever Scrapbooks.
[85] "Famous Chicago Hostelries Raided In "Vice War"," *Pittsburgh Courier*, September 1, 1923.

demands of some elite and middle-class black Chicagoans that police clean up black neighborhoods but also in tension with critiques of racially discriminatory policing. The Vice Commission of Chicago and the Chicago Commission on Race Relations had demonstrated the active role of law enforcement officers in encouraging vice establishments to relocate to black neighborhoods as downtown red light districts closed in the early twentieth century.[86] Indeed, many black leaders drew attention to the proliferation of vice establishments in the South Side Black Belt over the first few decades of the twentieth century, castigating those whom they saw as an invasive criminal element and demanding that police shut down vice establishments. A *Chicago Defender* editorial in 1923 insisted "Crime is crime and vice is vice," condemning law enforcement officials who ignored illegal activity on the South Side and calling on city officials to enact equal enforcement of the law, as "It is the duty of the authorities to wage war upon vice in any form regardless of circumstances or conditions."[87] Here the *Defender* criticized the closure of black and tan cafes as actually too narrow a response to vice in black neighborhoods. Instead, it insisted that more thorough policing of the black South Side was necessary to protect black respectability and guarantee black safety.

The mayor's pursuit of the campaign against black and tans, however, demonstrated how both underpolicing and overpolicing could pose a threat to black respectability and equality in Chicago, as the undue focus on shuttering saloons in black neighborhoods also resulted in the disproportionate criminalization of black Chicagoans themselves. Some black journalists drew critical attention to the racial disparity of the campaign, framing this policing drive in the broader

[86] This was a process that some of the city's black leaders predicted with the shift toward the total suppression of vice and the closure of the city's downtown vice districts in 1912. The *Chicago Defender* anticipated that after the suppression of vice downtown "the bulk of [vice] will be found here and there in respectable neighborhoods on the south side." Reverend Roberts of the Bethel A.M.E. Church similarly warned "The incoming of the undesirables from any neighborhood is a menace to every respectable family." "The Vice Crusade in Chicago: The Negro's Part," *Chicago Defender*, October 12, 1912; "Rev. Roberts Flays Vice Crusade," *Chicago Defender*, October 19, 1912.
[87] "Vice is Vice," *Chicago Defender,* January 27, 1923.

context of racial discrimination in the city. A few years earlier, the racially militant *Chicago Whip* editorialized that scrutiny of black and tans amounted to no more than an assault on the city's few racially integrated spaces, observing, "This continual tirade is made because these agencies object to SOCIAL EQUALITY even though it be in a cabaret. The attack is not made on CABARETS, but on BLACK AND TAN CABARETS."[88] Although it occasionally expressed support for the mayor's campaign, the middle-class *Chicago Defender* also drew attention to the negative impact that the attention to interracial establishments had on racial equality in the city, suggesting that the JPA had "cloaked its real purpose under a clamor for the suppression of city-wide vice."[89] This sort of critical wavering on behalf of the typically middle-class *Defender* demonstrated the dilemma that a crime control campaign such as this one posed for black respectability politics in Chicago. It was both underpolicing and overpolicing that could compromise black respectability, as undue scrutiny of black neighborhoods was also attributable and contributed to racial prejudice.

A final tension within black law and order politics arose in the context of the black and tan campaign, as some black business owners insisted that the crime drive represented an assault on black-owned capital. In May 1923, William Bottoms, the proprietor of the Dreamland Cafe, wrote a letter to Mayor Dever protesting the closing of his establishment. The Dreamland was one of few black-owned cafes in the city, and Bottoms asserted that police had only shuttered his business because they assumed that he catered to integrated clientele, when in reality "hardly five percent whites comes to my place."[90] Although he operated a cafe that many who had attended the rally at the Bethel A.M.E. Church would have found objectionable, Bottoms

[88] "Black and Tans," *Chicago Whip,* April 24, 1920.
[89] "Reformers Play Up Race Issue in Vice Probe," *Chicago Defender*, January 20, 1923.
[90] Letter from William Bottoms to William E. Dever, May 11, 1923, Box 3, Folder 24: Dever, William E.—Mayoralty Papers; Police Department, 1919-1923, Dever Papers.

appealed to notions of moral upstanding in defending his establishment, telling the mayor that his intention had always been "to live within the law."[91] Beyond what Bottoms saw as the unfair closure of his establishment, he highlighted the economic harm that the police action inflicted on black Chicago, "I have been closed since Tuesday and everyday means a terrible loss not only to me but to some forty-five employees."[92] Most of the vice establishments on Chicago's South Side were owned by white criminal syndicates or white proprietors; aside from the Dreamland, all the other cafes closed by police in May of that year were owned by whites. As one of the few black-owned cabarets in the city, the Dreamland represented one way for black Chicagoans to retain the capital generated in their own neighborhoods, and police closure of establishments with black owners thus served as an attempt to erect racial boundaries around capital accumulation.

Most of the black and tans closed by police during the mayor's first anti-crime drive eventually secured judicial injunctions that allowed them to reopen, but the targeting of integrated spaces of entertainment continued throughout the 1920s, as reports of police raids on black and tans appeared repeatedly among newspaper headlines.[93] Despite the only temporary erasure of black and tan cafes from the urban landscape, the targeting of those establishments in ongoing anti-crime drives signified that interracial socialization and sexuality posed a particular threat to the city's moral reformers and city leaders, making the policing of the color line a central site of contestation over law enforcement.

[91] Letter from William Bottoms to William E. Dever, Box 3, Folder 24: Dever, William E.—Mayoralty Papers; Police Department, 1919-1923, Dever Papers.
[92] Ibid.
[93] "Dive Raids Conducted in Chicago," *Los Angeles Times*, December 27, 1926; "Black Bottom Dancing Cause of Police Raids on Chicago Cabarets," *Pittsburgh Courier*, January 1, 1927.

POLICING AND CONSTRUCTING THE COLOR LINE

In June of 1923, the Chicago branch of the National Association for the Advancement of Colored People (NAACP) received an alarming letter. The writer, Roy Turner, an African American Syracuse native who had recently visited Chicago, lamented, "Hardly a week goes by I do not read in your papers of some colored person in Chicago being beat by white officers simply because they think a Race person is with the white race."[94] Turner drew attention to a pattern of arrests and assaults that had captured the attention of the black press in Chicago and around the country—Chicago police repeatedly stopped interracial couples or those whom they assumed to be interracial and accosted them for what seemed to be no apparent reason. Turner observed that traversing the city with a member another race violated no law "And as long as they have a right to and are behaving them selves why can't they be protected."[95] In his estimation, a respectable couple that observed the norms of proper decorum deserved no undue scrutiny from the Chicago police.

Even in its brevity, Turner's letter outlined an agenda for the Chicago branch of the NAACP and an agenda for racial justice in the sphere of law enforcement more broadly. He wrote confidently, "I trust there will be nothing left undone to show them they cannot take the law in their own hands. I know you will have the Chicago Branch take it up and with other good help see them punished."[96] Turner identified one of the critical problems with law enforcement in Chicago and in other urban centers around the country—despite city leaders' appeals to criminal justice reform and the integrity of the rule of law, police officers continued to

[94] Turner's occupation is not indicated by his letter, but he was of a high enough social status that a visit he paid to Chicago a few years earlier merited coverage in the *Chicago Defender*'s society pages. "Turners Entertained," *Chicago Defender*, June 25, 1921; Letter from Turner to NAACP, July 22, 1923, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[95] Letter from Roy Turner to NAACP, July 22, 1923, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[96] Ibid.

discriminate against black city residents. Turner addressed his letter to the national offices of the NAACP, perhaps indicating the national significance that he assumed the issue deserved. NAACP assistant national secretary Walter White forwarded the letter on to Chicago branch executive secretary Morris Lewis, who assured White that the Chicago branch had a keen eye on the situation but lamented that the branch had little legal recourse against the department, as "There is no law or official sanction for such action on the part of the police."[97] Presumably Lewis meant that police rulebooks contained no specific prohibition against harassing interracial couples, since cases that escalated to violence did merit investigations. Lewis described one such inquiry in 1923, telling White that he had "attended inquest over one victim of this outrage, the defendant admitting that he might not have interfered had he known both parties were colored."[98] Lewis's letter contained few other details about this incident, although even this brief description of the inquest into a police officer's encounter with a black couple indicated that race was indeed the crucial factor in the arrest, as the officer readily admitted that he would not have stopped the couple had he known that they both identified as black.[99]

Police arrests of perceived interracial couples or police failure to intervene in the white harassment of interracial couples joined patterns of popular racial violence that had proliferated in Chicago over the course of the early twentieth century. Two years before Turner penned his letter to the NAACP, the *Chicago Defender* recounted two incidents in the city's downtown district in which white men had attacked two different African American men whom they suspected to be socializing with white women. These attacks targeted the same gendered violation of the color line that would guide Dever's campaign against black and tan cafes in 1923.

[97] Letter from Morris Lewis to Walter White, July 30, 1923, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[98] Ibid.
[99] Ibid.

Although there was some debate regarding the women's racial identity in these 1921 attacks, the *Defender* asserted, "There seems to be a concerted effort upon the part of a class of nondescript and law-breaking whites to forcibly and unlawfully prevent the appearance of men of the Race in public places with women who might pass."[100] Their white assailants had attacked the two couples, beaten them, and spat on them; following the incident "There was no recourse to law."[101] In these instances, police allowed the violent policing of the color line by white Chicagoans, decriminalizing violent assaults on interracial couples through their inaction. Writers at the *Defender* implored law enforcement officials to investigate this pattern of violent attacks, predicting another citywide race riot if similar assaults continued. But within a few years, as Turner's letter indicated, law enforcement officers themselves also began to actively participate in the policing of interracial sociality.

The harassment of interracial couples by police patrolmen transformed the department's previous anti-crime campaign from a focus on integrated entertainment establishments into a focus on the conduct of individual Chicago citizens. Regardless of whether patrolmen had received official directives to arrest interracial couples, the Chicago Police Department sanctioned their conduct by failing to reprimand the offending officers. In May 1924, Mr. And Mrs. Thornton Parson were enjoying an afternoon at the lakeshore when a police officer approached the couple. Curious about Mrs. Parson's fair complexion, the officer inquired if the couple was legally married and further harangued the couple with questions. The officer followed the couple as they walked home, drawing a crowd of both black and white onlookers; some claimed they heard threats muttered by members of the crowd.[102] The officer left without arresting either member of the couple. When Mrs. Parsons called the Stanton Avenue police

[100] "Hoodlums Insult Man with Fair Companion," *Chicago Defender,* June 25, 1921.
[101] Ibid.
[102] "Cop Needs Talk on Politeness," *Chicago Defender*, May 31, 1924.

station to report this harassment, the presiding sergeant apologized to her for the officer's abusive conduct. But while the sergeant's apology indicated that police leadership recognized the discriminatory nature of the officer's conduct, there was no indication that this recognition was accompanied by any discipline for the offending officer.

The extant records of the Chicago branch of the NAACP contain few other references to similar cases, despite indications that the problem was widespread and deserved urgent attention. This relative archival silence may be attributed to the fact that in the early 1920s, the Chicago branch of the NAACP was ill equipped to address the growing problem of racially discriminatory policing.[103] The branch was languishing, despite being headquartered in a city with a rapidly growing black population that faced discriminatory treatment in housing, public accommodations, schools, and law enforcement.[104] Ultimately, leaders of the Chicago branch attempted to address these instances of discriminatory policing through the model of interracial committee organizing, similar to the tactics undertaken by black leaders seeking fair policing during the 1919 Race Riot. Chicago NAACP executive secretary Morris Lewis referred the problem to the Committee on Race Relations of the Chicago Church Federation, an interdenominational association of Protestant congregations formed in 1907 with the goals of strengthening religious associational life, encouraging urban reform, and improving of race relations.[105] In the midst of the 1919 Race Riot, Church Federation leaders had issued a set of resolutions that recognized the structural barriers to housing and employment equality that most Southern migrants faced upon their arrival in Chicago, indicating that the conflict that gripped

[103] See chapter 1 for a discussion of the establishment of racial justice and improvement organizations including the Chicago branch of the NAACP and the Chicago Urban League.
[104] Annual Report of the Executive Secretary, Chicago Branch, National Association for the Advancement of Colored People, December 31, 1923, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[105] "Church Federation of Greater Chicago Records; Finding Aid—Background," Church Federation of Greater Chicago Records, 1908-1974, Chicago History Museum [hereinafter Church Federation Records].

the city could be attributed to decades of structural racial discrimination.[106] The Federation's Committee on Race Relations consisted of leaders of the city's settlement house movement as well as social improvement organizations, including settlement leader Mary McDowell and Chicago Urban League officers T. Arnold Hill and George C. Hall.[107]

The Church Federation's Committee on Race Relation brought the issue of interracial couple harassment before Mayor Dever and Police Superintendent Collins in 1923, informing the city executives about this pattern of unjust arrests and harassment. Unfortunately, neither the records of the Church Federation of Greater Chicago nor the records of William E. Dever contain any reference to this meeting or the presentation made by the Committee to the mayor. Existing references to the Committee's work simply indicated that the meeting with Dever was indeed successful, as "The result after their presentation of this injustice of this police abuse [was] that these indiscriminating arrests were stopped."[108] Further news accounts, however, belied the conclusion that this meeting among the mayor, the police superintendent, and this set of middle-class black leaders was sufficient to end the pattern of violent police harassment that interracial couples and black Chicagoans faced.

Police harassment of interracial couples continued in the months and years following Turner's letter to the NAACP and the appearance of the Church Federation's Committee on Race Relations before Mayor Dever, revealing the diverse range of spaces where police exercised their

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[106] "Chicago Church Federation and the Race Riots," *Inter-Church Bulletin*, 1919, Box 139, Folder 1: The Negro Problem, 1919-20, Church Federation Records.

[107] The archives of the Church Federation of Greater Chicago contain limited records from the interwar decades and very few records of the Committee on Race Relations. There are no records relating to the work of the Committee on issues of policing, although the records of the Chicago branch of the NAACP and the Chicago Urban League both refer to the work of this Committee on this issue. From the Church Federation Records, it appears that most of the work of the Committee on Race Relations contributed to Race Relations Sundays in which black and white clergy members would exchange duties for the day and preach to one another's congregations. "Committee on Race Relations," Undated, Box 139, Folder 2: Race Relations Sunday, 1923, Church Federation Records.

[108] "Annual Report of the Executive Secretary, Chicago Branch, National Association for the Advancement of Colored People," December 31, 1923, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.

authority to defend the color line. In an incident from late 1923, police stopped William Gray in City Hall as he escorted Violette LaRue, a white woman, from the Morals Court. Gray was arrested and charged with disorderly conduct simply based on his association with this white woman in the public building.[109] Gray informed his attorney that he had heard a number of officers of the Morals Court declare that they planned to see him arrested after he had the audacity to leave the courtroom with a white woman. When Gray's case came before the Municipal Court, witnesses attested that they had seen Gray leave the courtroom with LaRue but failed to indicate any evidence of disorderly conduct. Witnesses did note the racial identity of the woman in question—a detail that the presiding judge disregarded as irrelevant.[110] The judge dismissed the case, citing the fact that the city had failed to present evidence that Gray had engaged in any disorderly conduct. Gray's ordeal demonstrated the broad investment of law enforcement officers in policing the color line, as he faced harassment from police patrolmen as well as other officers of the court who expressed their desire to see him arrested and charged simply for the offense of appearing in public with a white woman.

Most accounts of police harassment focused attention on couples that appeared together in public, but some African Americans also faced undue scrutiny from police in private spaces, as law enforcement officers extended their defense of the color line into domestic spaces as well. A report from July of 1923 recounted an incident that occurred on the city's South Side when police entered the home of John and Ethel Stokes without a warrant "and without any cause whatever save to humiliate Mrs. Stokes after discovering she was white and the lawful wife of a man who was not."[111] A group of four policemen had accosted Mrs. Stokes after seeing her bid farewell to a black acquaintance, demanding that she answer their questions about her own racial

[109] "Held By Police Because He was With White Girl," *Chicago Defender*, December 8, 1923.
[110] Ibid.
[111] "Rowdy Officers Again Humiliate Married Couple," *Chicago Defender*, July 28, 1923.

identity. Angry, the officers took Mrs. Stokes to the 18th Street police station before escorting her home, where she produced her marriage license in an attempt to curtail the taunts of the officers. When John Stokes arrived home moments later, the officers arrested him without cause and forced him to post bond to secure his release.[112] A report from October 1924 described an incident in which police arrested all the occupants in the home of a black worker on the city's South Side after seeing that the family was entertaining two white friends.[113] In a letter to the *Defender* after the original news item was published, John Ferguson wondered, " Has it come to pass in Chicago that Negroes are liable to arrest solely on account of having white friends and visitors?"[114] Echoing critiques of police conduct over the previous several years, Ferguson referred to the ubiquity of such arrests and harassment, "Chicago policemen have been carrying on a region of terror during the past year by molesting, insulting, assaulting and arresting Negro and white couples and Negro and fair complexioned Negro couples."[115] Ferguson also speculated that patrolmen had received directives to defend the color line from department administrators and powerful businessmen who had encouraged officers to harass interracial couples in order to foment racial animus. Such speculation, founded or not, underscored the role of police and law enforcement in the construction of racial hierarchy in the city, as they acted as the front line in the defense of white supremacy.

Over the course of the 1920s, law enforcement discrimination transformed from an official campaign against racially integrated establishments, to the harassment of interracial couples, to the large-scale violent policing of the black South Side, as in the Christmas raids of 1926. Dragnet raids of black neighborhoods represented both the escalation of discriminatory

[112] "Rowdy Officers Again Humiliate Married Couple," *Chicago Defender*, July 28, 1923.
[113] "About Mixing," *Chicago Defender*, November 15, 1924.
[114] Ibid.
[115] Ibid.

policing as well as the intersection of racial conflict with the localized law and order politics that had developed in Chicago over the course of the 1920s. Analyses of arrest patterns in Chicago over this period showed an increase in violent crime and property crime arrests from 1919 to 1927, a period roughly coterminous with Dever's law and order administration and calls for stricter crime control.[116] This upward trend in arrests was demonstrated both in the raw numbers of arrests as well as in the proportion of Chicagoans arrested, accounting for the city's population increase over this period.[117] According to arrest data, it appeared that police did indeed heed Dever's warnings about strict law enforcement, responding by increasing the number of city residents arrested.

These general trends in arrest totals and rates, however, failed to capture the impact that intensified policing practices had on city neighborhoods; accounts from the mid-1920s suggested that this increase in arrests was accompanied by violent and discriminatory policing in African American neighborhoods. Despite the mayor's and Police Superintendent's vows the clean up the police, graft still infested the department, and black residents found themselves the target of graft schemes between patrolmen and bondsmen. An account from 1924 described an arrangement between city bondsmen and police officers, in which bondsmen provided patrolmen commissions for making arrests. The *Pittsburgh Courier* described this scheme, refuting the idea that crime was any more rampant in black neighborhoods, as "The gangs centering around Dean O'Banion, Tommy O'Connor, Big Tim Murphy, Gener Gary, the Torrios, and O'Donnell made their habitants in other sections of the city."[118] Here the black daily pointed out the obvious irony of police raids and mass arrests in black neighborhoods—although it had been white ethnic gang

[116] Harry Willbach, "The Trend of Crime in Chicago," *Journal of the American Institute of Criminal Law and Criminology*, 31 (1940-1941): 722.
[117] Ibid, 725.
[118] "Chicago Police Launch Many Raids in 'Black Belt' for Graft; Prey on Women," *Pittsburgh Courier,* December 13, 1924.

violence that had touched off Dever's law and order campaign, black Chicagoans endured discriminatory policing and prolonged scrutiny as a result.

Along with general targeting of black neighborhoods for graft payments, the *Courier* also described police penchant to target black women and arrest them for soliciting. It described the arrest of Irene Matthews, who was detained by two police officers after she refused the advances of a white man on the street; the officers had been waiting nearby to arrest Matthews after the man made lewd comments to her. According to the report, this strategy of arresting black women for soliciting was common in African American neighborhoods and may have contributed to the high rates of black women arrested for prostitution and soliciting. But it was also part of the tension between respectability and crime control, complicated by increased police surveillance of black neighborhoods following Dever's directives to clean up urban crime. While many black women and particularly black women migrants did find work in the city's brothels, the targeting of black women for soliciting arrests threatened to obscure distinctions between respectable black womanhood and criminality.[119]

Threats to respectability came alongside threats to black safety, as some police raids of the black South Side turned violent. A *Defender* editorial in 1925 cited the frequent record of police brutality in the city and suggested that police violence was tied to assumptions about innate black criminality "These minions of the law who go a step farther and take on the airs of a bully and a thug should be made to realize that every individual who unfortunately comes in their path is not a criminal or a lawbreaker and is entitled to a fair and impartial hearing."[120] The *Defender* walked a fine line in its critique of police methods, conceding that guilty parties might be subjected to police violence "But what are we to think of the torture of the most fiendish kind

[119] Blair, *I've Got To Make My Livin',* 107-108.
[120] "Contemptible Police Methods," *Chicago Defender*, April 11, 1925.

inflicted upon innocent—though suspected—persons behind prison doors in the hope of wringing a confession of guilt from the victim?"[121] Here the boundaries of respectability came into clear tension with critiques of police violence, as the editorial staff of the *Defender* hedged its critique of police discrimination in order to distance itself from clear violators of the law.

Some explanations of racially discriminatory police raids and violence suggested that law and order politics themselves had played a causal role in the targeting of black Chicagoans for arrest. A report from May 1925 described the hearing of a black man who appeared in the city's Municipal Court for charges of robbery. The man struggled to stand before the judge during his hearing, as he had been "so severely maltreated by the police upon his arrest that he was still suffering from a broken jaw."[122] The presiding judge dismissed the case, chastising the police officers who had meted out such violent treatment to the accused man. Recounting the incident, the *Defender* reiterated the judge's critique and added "For years Chicago law enforcers, from the highest office down, have conducted themselves as they chose in regard to certain of Chicago's citizens. Whenever there is a "crime wave" someone gives orders to "clean up the city," and every available policeman is rushed to the South Side."[123] It was this same connection between law and order politics and dragnet policing that some critics used to explain the police raids on the black South Side in December 1926, the raids that had netted hundreds of arrests following police failure to apprehend two suspected black murderers. These linkages between crime drives and discriminatory policing of black urban space proposed a causal connection between Dever's law and order politics and police harassment, demonstrating that municipal crime control policy could become a racial project as police targeted black neighborhoods.

[121] "Contemptible Police Methods," *Chicago Defender*, April 11, 1925.
[122] "Chicago 'Cleans Up,'" *Chicago Defender*, May 23, 1925.
[123] Ibid.

CHICAGO'S BEER WARS

The police dispatcher at Chicago's Thirteenth District station received a call late at night on September 7, 1923. There had been a shooting at a soft-drink parlor on South Lincoln Street in an establishment nestled among the industrial warehouses of the Back of the Yards neighborhood. When police arrived at the scene, they found bullet holes littering the walls of the shop along with a group of frightened patrons hiding behind the bar. Twenty minutes later, the station received another urgent call, this time from the offices of a Southwest Side doctor who had attempted to treat a gunshot victim who had been brought to his office earlier that evening.[124] The dead man—Jerry O'Connor—was an associate of Walter O'Donnell, a member of a Back of the Yards family that was engaged in a violent struggle with Al Capone's bootlegging syndicate for a piece of the city's thriving market for illegal alcohol.[125] The O'Donnell brothers had challenged the Capone syndicate for customers over the previous several months, sending representatives to Chicago saloons to inquire about their source of beer. If the proprietors sourced their alcohol from Capone or another syndicate, members of the O'Donnell group displayed the guns hanging from their belts or fired a few shots, and soon enough most of those saloons began to buy their liquor from the Back of the Yards gang.[126]

Earlier in the evening on September 7th, Walter O'Donnell and a group of his associates had visited a saloon just a few miles north of the establishment on Lincoln Street. They had called on the proprietor, Jacob Geis, several times before, and each time Geis had assured them that he was happy receiving his alcohol from the Capone syndicate. But that night the O'Donnell gang decided to make their case more strongly, dragging Geis over the bar and beating him

[124] Memo from Thomas Wolfe to Morgan A. Collins, September 10, 1923, Box 4, Folder 30: Dever, William E. – Mayoralty Papers, Police Department (Internal Operations, etc.), 1923-1924, Dever Papers.
[125] Statement of Walter O'Donnell, September 11, 1923, Box 4, Folder 30: Dever, William E. –Mayoralty Papers, Police Department (Internal Operations, etc.), 1923-1924, Dever Papers.
[126] Fred D. Pasley, *Al Capone: The Biography of a Self-Made Man* (New York: Ives Washburn Publisher, 1931), 31.

senseless after he refused yet again to change his liquor supplier. Following the fracas at Geis's saloon, the O'Donnell gang retreated to the establishment on Lincoln Street, but it was not long before Capone enforcers found them there. Just after 10:30 pm, three men burst into the saloon with shotguns and revolvers raised and began to fire at the patrons inside. Most of the surprised members of the O'Donnell gang managed to rush up the stairs or duck behind the bar when the shots started, but as their assailants retreated, O'Donnell associate Jerry O'Connor stormed after them. Those left inside the saloon heard a handful of shots fired outside. When they ventured into the street moments later, they found O'Connor prone on the ground, struck by a bullet to the torso.[127] The men rushed O'Connor to a nearby doctor's office but it was to no avail, as the physician quickly pronounced the man dead and brought him to a Southwest Side morgue.[128]

The events of September 7th flew in the face of Dever's promises to restore order to the notoriously corrupt and violence-ridden city. Police investigated the role of the O'Donnell brothers in Jerry O'Connor's murder, but released Walter, Stephen, and Thomas O'Donnell after Jacob Geis failed to identify them as his assailants on the night of the incident.[129] Dever had promised his supporters that he was no supporter of Prohibition, implying that he would allow the alcohol trade to continue after his election. But the violent confrontation between the O'Donnell and Capone syndicates demonstrated that the mayor's promises of urban order could not be secured without more stringent policing of the federal ban on alcohol, which had fostered an extensive violent black market in the city. Dever revised his stance on Prohibition in the days following the O'Connor murder. At a press conference days after the shooting, Dever announced

[127] Extant sources do not specify the location of O'Connor's injury, but since the gunshot provide fatal it is reasonable to assume that the bullet struck him in the torso or upper body where it would have caused sufficient bleeding to cause death within an hour. Statement of Walter O'Donnell, September 11, 1923, Box 4, Folder 30: Dever, William E. –Mayoralty Papers, Police Department (Internal Operations, etc.), 1923-1924, Dever Papers.
[128] Memo from Thomas Wolfe to Morgan A. Collins, September 10, 1923, Box 4, Folder 30: Dever, William E. – Mayoralty Papers, Police Department (Internal Operations, etc.), 1923-1924, Dever Papers.
[129] "Mayor Strikes to Smash Beer Link," *Chicago Daily Tribune*, September 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.

that his administration would drive beer from the city—a policy directive that would come to be known as the Beer Wars.[130]

Dever deployed a discourse of strict law and order as he warned bootleggers and police alike of the city's new policy of suppressing the sale of all alcohol, promising, "We are going to uphold the law and permit no violations."[131] Police Superintendent Collins similarly promised to fire any officer who was found to have connections to beer running syndicates, echoing his promises months earlier to clean the department of its criminal connections.[132] Collins promised that the police would proceed to root out the sale of beer at its source—the illegal breweries that spotted the city. Even as he vowed to crack down on the city's illegal alcohol trade, however, Dever attempted to walk a fine line between endorsing a strict rule of law while also expressing no sympathy for the ideology of temperance, a delicate political balance that the mayor needed to maintain considering the coalition of reformers and ethnic voters who had sent him to city hall. He told his constituents "I would not have the people of Chicago believe that I am a prohibitionist…I should like indeed, if the law would permit, that the people might have the privilege of buying good wholesome beer at a moderate price, but that is impossible at this time."[133] Here Dever's rhetoric echoed that of the Chicago Crime Commission in his insistence that strict crime control was the only way to protect the integrity of the rule of law in the city.

The rise of Prohibition-related violence in Chicago drew out tensions between local and federal law enforcement regarding the responsibility and capacity for controlling crime and urban violence. Dever's public statements after the O'Connor murder offered a critique of

[130] "O'Donnell Shooting Rouses Mayor," *Chicago American*, September 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.
[131] "Beer Running in Chicago Must Be Stopped—Mayor," *Chicago Post*, September 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.
[132] "I'll Fire Any Beer Grafter, Mayor Says," *Chicago News*, September 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.
[133] "Statement by Mayor William E. Dever," September 12, 1923, Box 4, Folder 30: Dever, William E. –Mayoralty Papers, Police Department (Internal Operations, etc.), 1923-1924, Dever Papers.

federal law enforcement during a period that had seen the significant expansion of federal criminal law. Seemingly apologetic for his insistence on strict Prohibition enforcement, Dever conceded that shutting down the beer trade in Chicago would be difficult and cumbersome, but also that "Everybody knows that the proper and best method to stop this business is within the control of the federal government and courts…The failure to do so, however, is no reason why we should fail to do our duty."[134] Dever's remarks reflected problems with Prohibition enforcement as it had been delegated to the federal Bureau of Prohibition; the agency was so woefully underfunded and corrupted that it often fell to local law enforcement agencies to enforce the national ban on alcohol.[135] Dever implied that federal courts and law enforcement agencies could curtail bootlegging by increasing their own surveillance apparatus and by issuing injunctions to close establishments that dealt in illegal alcohol, but that they had failed to do so in any comprehensive way.

Despite the gap in federal state capacity to enforce the ban on alcohol, the ratification of Prohibition resulted in the significant augmentation of law enforcement discretion, thereby further empowering local and federal policing agencies to surveil and detain those whom they suspected of violating the law. Just a month before the O'Connor murder, Chicago's Corporation Counsel Francis Busch advised the mayor that as per Illinois legal precedent, police did not need a warrant to conduct a search or make an arrest for a suspected Prohibition violation. Dever had asked Busch to work with Police Superintendent Collins during the early months of his administration in order to improve the efficiency of prosecutions for those who violated state and federal Prohibition laws. In response, Busch advised that Chicago police could search an establishment or make an arrest without a warrant so long as they claimed to have smelled the

[134] "Statement by Mayor William E. Dever," September 12, 1923, Box 4, Folder 30: Dever, William E. –Mayoralty Papers, Police Department (Internal Operations, etc.), 1923-1924, Dever Papers.
[135] Lerner, *Dry Manhattan,* 64-65; McGirr, *The War on Alcohol,* 208.

scent of alcohol on the premises.[136] While the Supreme Court of Illinois and the United States Supreme Court had previously ruled that evidence found in warrantless searches of private residences was inadmissible in court, federal courts had made an exception to that rule when alcohol was sold in a public place and suspected by law enforcement officials by sight or smell.[137]

Busch's directive expanded the legal foundation for Chicago Police Department arrests for Prohibition violations, demonstrating the role of the federal ban on alcohol in augmenting local police power to conduct searches and make arrests in this decade. Local news outlets made light of Busch's opinion, jesting that the department's new slogan could be "Your Nose Knows," but adding on a more serious note that the opinion indicated that the department had gained more authority than ever before.[138] Discussing the Corporation Counsel's opinion, Police Superintendent Collins promised that "This gives us greater leeway and we intend to use it…the taxpayers are entitled to concerted action from all their servants and I want to call upon all law enforcement agencies to pull together to put the booze joints out of business."[139] Ultimately then, by September of 1923, both a legal and policy framework had been laid for increased police surveillance and expanded local state power to enforce the ban on alcohol and exert authority over Chicago citizens.

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[136] Letter from Francis X. Busch to William E. Dever, August 13, 1923, Box 3, Folder 24: Dever, William E.—Mayoralty Papers; Police Department, 1919-1923, Dever Papers.
[137] Busch cited the Supreme Court of Illinois' decision in *Illinois v. Brocamp* (1923, 307 ILL 448) and the United States Supreme Court decision in *Berry v. United States* (1921, 275 Fed 680) in his explanation of evidence exclusion and cited *O'Connor v. United States* (1922, 281 Fed 396) and *United States v. Borkowski* (1920, 268 Fed 408) as precedent for warrantless searches in cases when police could smell evidence of violations of Prohibition statutes. Letter from Francis X. Busch to William E. Dever, August 13, 1923, Box 3, Folder 24: Dever, William E.—Mayoralty Papers; Police Department, 1919-1923, Dever Papers
[138] "Cops With Good Noses Need No Rum Warrants," *Chicago Examiner*, August 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.
[139] "Busch Upholds Raids Without Search Warrants," *Chicago Daily Tribune*, August 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.

In the early years of Prohibition, Chicago had become nationally notorious for its obstinate saloon culture and violent criminal syndicates that kept the city wet; the Beer Wars flew in the face of the city's long history as a wide open town. Within days of the mayor's announcement, police seized truckloads of beer as they entered the city and arrested hundreds in connection with the bootlegging trade.[140] Police Superintendent Collins issued a special order to commanding officers directing them to deploy two patrolmen to watch each suspected brewery in the city and to seize any beer manufactured there. Collins further directed that patrolmen be detailed to watch highways leading into the city in order to prevent any beer shipments from suburban breweries.[141] The mayor also deployed the authority of the regulatory state to enforce the ban on alcohol, as he had done during the campaign against black and tan cafes earlier that year. Dever promised to revoke the licenses of any breweries found to be manufacturing "real beer" as opposed to the less alcoholic "near beer" permitted by the National Prohibition Act.[142]

State law also provided authority for Dever's anti-crime campaign. In 1919, the Illinois General Assembly had passed the Illinois Search and Seizure Act, which provided municipal police officers with the authority to enforce the National Prohibition Act and prescribed minimum fines and jail time for first and subsequent violations of the law.[143] The number of arrests, charges, and convictions under the Search and Seizure Act increased gradually over the

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[140] "City Seizes Five Truckloads Beer," *Chicago Post*, September 13, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks; "Cops Seize Beer Runners at Edge of City," September 15, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks; "38 More Drink Shops Closed," *Chicago Examiner,* September 23, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks; "600 Arrested as Drive Hits All Over City," *Chicago Daily Tribune*, September 23, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks; "827 Arrested in City's Greatest Drive on Booze," *Chicago Daily Tribune*, September 24, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.

[141] "Dever Edict to Mop Up is Enforce," *Chicago Journal*, September 13, 1923.

[142] Along with revoking the licenses of breweries, the mayor also revoked the licenses of saloons found to be serving hard liquor as opposed to soft drinks for which the licenses had been issued. "Dever to Take Licenses from Brewers Who Flout Law," *Chicago Examiner*, September 15, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks; "Mayor Calls in Permits of Parlors," *Chicago American*, September 21, 1923.

[143] *Criminal Law and Statutory Penalties of Illinois: A Compilation of the Statutes and Decisions as to Crimes and Offenses, in the State of Illinois* (Chicago: T.H. Flood & Company, 1920), 666-684.

first few years of the 1920s, but the number of arrests and charges under the act grew dramatically after the initiation of the Beer Wars. This anti-crime campaign resulted in hundreds of arrests over a period of a few months; total arrests for Prohibition violations in 1923 were more than two and a half times the total for the previous year.[144] The number of charges for violations of Prohibition in Chicago Criminal and Municipal Courts more than tripled between 1922 and 1925; that number fell after 1925, but continued to remain higher than it had been at the beginning of the decade.[145] The Beer Wars also encouraged some of the city's well-known criminal gangs, including the Capone syndicate, to relocate to nearby Cicero, outside the city limits. Although the Capone gang continued to manufacture illegal alcohol and exert influence over the city's illicit economy, it did so from outside the city's jurisdiction.

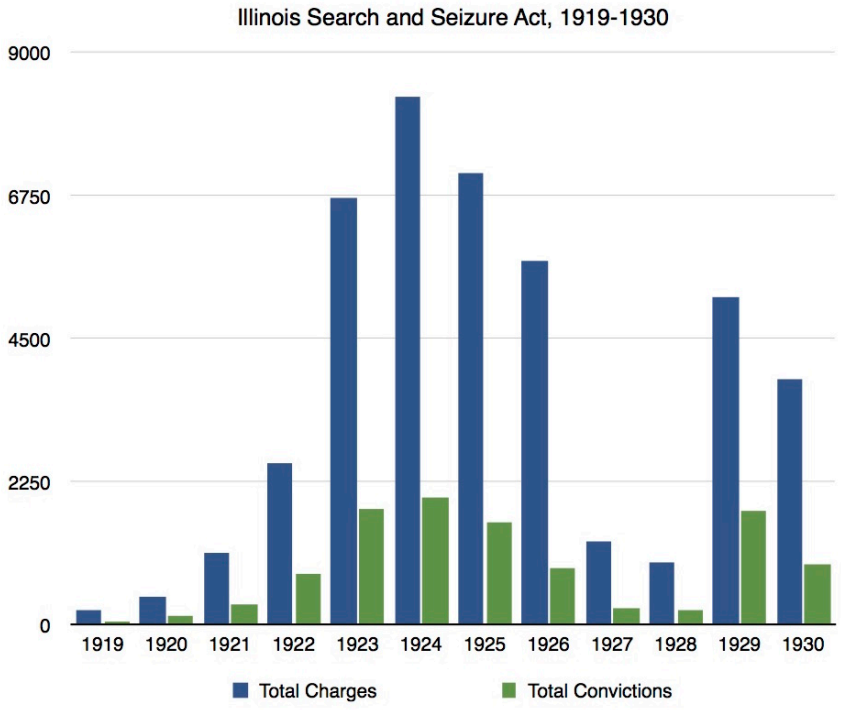

FIGURE 4.1: ILLINOIS SEARCH AND SEIZURE ACT CHARGES AND CONVICTIONS, 1919-1930[146]

[144] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1921-1922); Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1923).
[145] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).
[146] Ibid.

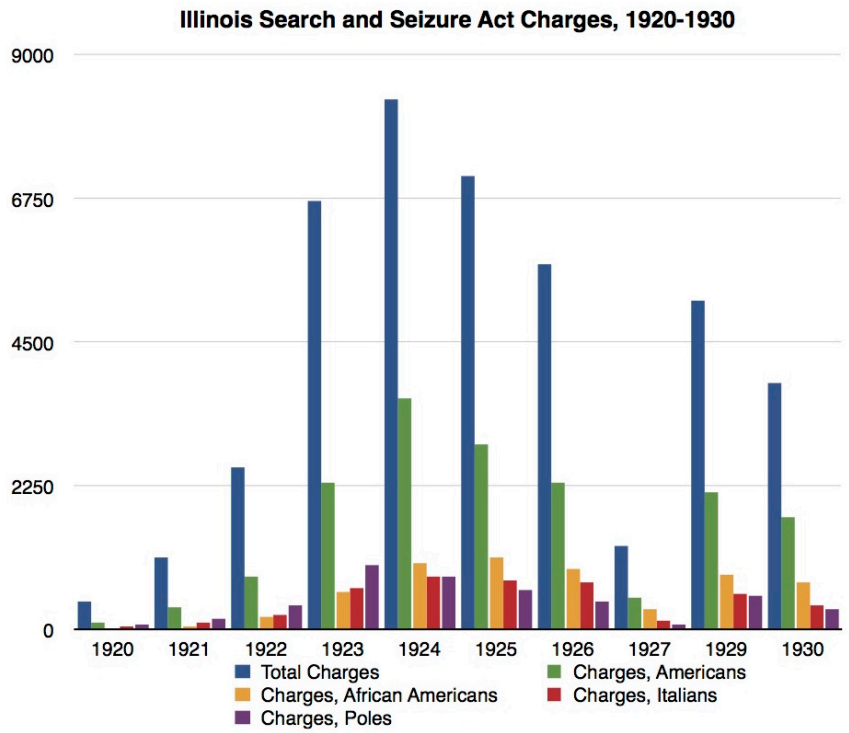

FIGURE 4.2: ILLINOIS SEARCH AND SEIZURE ACT CHARGES BY RACE AND ETHNICITY, 1920-1930[147]

Ethnic immigrant communities and crime syndicates like Capone's certainly represented a primary focus of Prohibition enforcement among many city leaders and reformers across the country who had supported the passage of the Eighteenth Amendment in 1919.[148] The targeting of ethnic immigrants and the nativism that guided the passage and enforcement of Prohibition has led some to conclude that race played little to no role in the ban on alcohol in American cities. In his study of Prohibition-era New York City, for instance, Michael Lerner concludes that race did not significantly impact Prohibition enforcement, an argument that he bases on the relatively low number of Harlem saloons and speakeasies that were raided and closed during the federal ban on alcohol.[149] A close examination of arrest and indictment patterns for violations of

[147] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).
[148] McGirr, *The War on Alcohol,* 13-14.
[149] Lerner, *Dry Manhattan,* 223-224.

the Illinois Search and Seizure Act over the course of the 1920s, however, reveals a different pattern and suggests that race did play a meaningful role in the enforcement of Prohibition in Chicago, especially among local law enforcement officers charged with actually making those arrests.

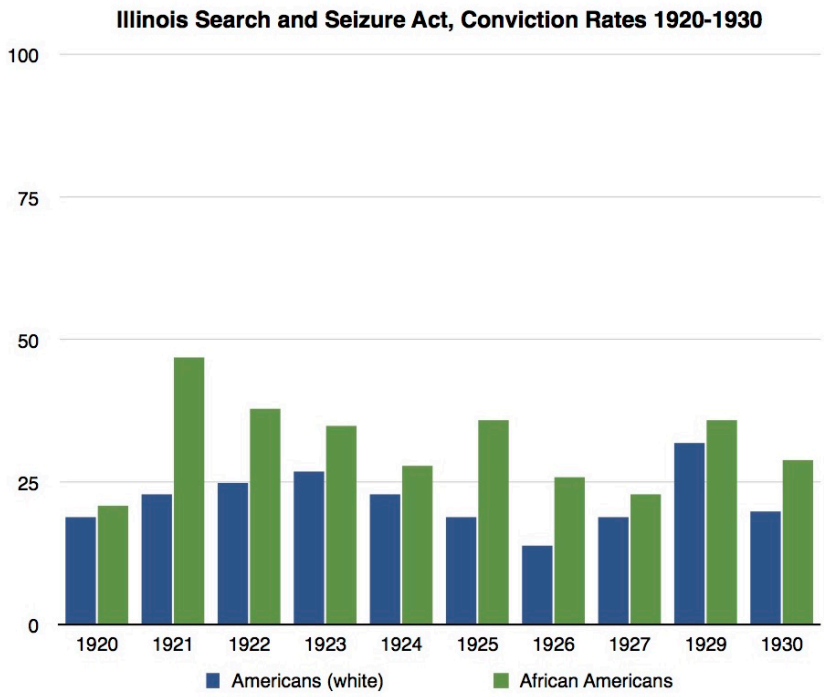

FIGURE 4.3: ILLINOIS SEARCH AND SEIZURE ACT CONVICTION RATES, 1920-1930[150]

Among those with the discretionary power to make arrests and level indictments—city police officers and the Illinois State's Attorney among them—black Chicagoans represented an increasingly significant target for Prohibition enforcement over the course of the 1920s. While whites and European immigrants served as the largest group of arrests and charges for Prohibition violations in Illinois in terms of sheer numbers, the number of black Chicagoans arrested for Search and Seizure Act violations increased by a factor of more than 30 between

[150] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).

1920 and 1923, and nearly doubled again by 1924.[151] Similarly to patterns of black overrepresentation in the number of total arrests by the CPD, black city residents were also consistently overrepresented among Prohibition-related arrests.[152] African Americans comprised four percent of the city's population according to the 1920 census, but comprised 8.9 percent of those charged with Prohibition violations in 1923, and 16.9 percent of those charged under the Act in 1926. The conviction rate for black defendants charged with Prohibition violations was also consistently higher than it was that among other groups. While the conviction rate for white Chicagoans under the Search and Seizure Act during the 1920s hovered around 25 percent, the conviction rate for blacks vacillated between 28 percent and 36 percent.[153] These figures suggest not only that race did play a role in the enforcement of Prohibition in Chicago, but also that blacks became increasingly targeted over time in comparison to other groups. Prohibition enforcement, therefore, represented another site at which local officers of the state could enact their conceptions of racial hierarchy through law enforcement, processes that would continue and draw critique in the years to come.

Policing Politics in the Mayoral Election of 1927

By 1927, what had become common and repeated police defenses of the color line took on political dimensions as the next mayoral election approached. Just as he had in 1923, William Hale Thompson gave Chicago's voters a surprise that year. Although the former mayor had announced his retirement from public life a mere four years earlier, he declared his candidacy for

[151] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1920); Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1923); Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1924).
[152] See chapter 1 for a discussion of patterns of black overrepresentation among total arrests in Chicago since the beginning of the twentieth century.
[153] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, various years).

mayor again in January 1927, handedly winning the Republican primary in February of that year.[154] As they had in the mayoral elections of 1915 and 1919, black voters demonstrated forceful support for Thompson in the primary.[155] Soon after, aldermen of the predominantly black second and third wards protested police raids that they claimed had been visited upon their districts as retribution for black voters' support of the candidate who would be Mayor Dever's most significant opponent in the general election in April. Second ward Alderman Louis B. Anderson appeared before the City Council's Police Committee in March, describing so-called "cossack methods" that had been deployed by police in black neighborhoods "in which colored citizens were being robbed of their constitutional liberties, picked up off the streets and out of their homes to be lodged and kept in jail without the opportunity of communicating with friends, counsel or bondsmen."[156] Just as they had done during raids of the black South Side over the preceding several years, "Police forcibly entered private homes and business places without warrants and in some cases assaulted inoffensive citizens," in the weeks leading up to that spring's mayoral election.[157]

Recurring police raids of the black South Side over the course of the 1920s revealed a range of motivations for racially targeted policing, from municipal policy directives, to the surveillance of the color line, to politically-motivated raids like those that followed the 1927 mayoral primary. The police raids that followed the primary election caused controversy in the Chicago City Council as well as in the Illinois General Assembly, as Senator A.H. Roberts and Representative George T. Kersey also lodged complaints in Springfield regarding the political motivations behind the raids and "Accused Mayor Dever of tearing down the constitutional

[154] Bukowski, "William Dever and Prohibition," 115.
[155] *The Chicago Daily News Almanac and Year-Book* (Chicago: Chicago Daily News Company, 1927).
[156] "1000 Arrested in Windy City," *New York Amsterdam News*, March 16, 1927.
[157] "Black Belt Raids are Storm Center," *Chicago Daily Tribune,* March 10, 1927.

rights of liberty loving citizens, calling the actions of the police unjustifiable reprisals for the loss of political power to the Thompson forces."[158] The man who had courted black voters four years earlier with promises of equal protection of the law and vice eradication had become a symbol of the discriminatory punitive power of the state. Dever and Police Superintendent Collins defended the actions of patrolmen on the black South Side, claiming that crime and revelry had flourished in the second and third wards following Thompson's primary victory and that the police crackdown was merely a necessary response to disorderly conduct. Dever further defended police actions by citing the fact that the second and third wards had long been a source of illegal activity in the city, a claim that glossed over decades of police encouragement of vice establishments to relocate to this area of the city.

William Hale Thompson claimed victory on April 5, 1927, reclaiming the office that he had vacated four years earlier by a margin of over 80,000 votes in an election with one of the highest turnouts in the city's history.[159] Although black voters had voted in significant numbers for the Democratic Party candidate in the previous election, the vast majority returned their allegiance to Thompson in 1927. Polls in the week before the election suggested that over 80 percent of black voters favored the Republican candidate, projecting nearly 50,000 black votes in his favor.[160] Black votes made up a crucial portion of Thompson's margin of victory. Even during his absence from office, Thompson had continued to enjoy significant support on the black South Side, and his victory in 1927 could be seen as an expression of the populist politics that he had cultivated during his first two terms in office.[161] But Dever's loss also represented the

[158] "Black Belt Raids are Storm Center," *Chicago Daily Tribune,* March 10, 1927.
[159] Nearly one million of the city's 1,143,000 registered voters visited the polls in the 1927 mayoral election. *The Chicago Daily News Almanac and Year-Book* (Chicago: Chicago Daily News Company, 1928), 762; "Thompson Elected Mayor of Chicago by About 70,000," *Washington Post,* April 6, 1927.
[160] "Big Bill Holds 81% of Negroes' Ballots in Poll," *Chicago Daily Tribune*, March 23, 1927.
[161] Gosnell, *Negro Politicians,* 46.

rejection of the Democratic mayor's policies by several constituencies who had swept him into office in 1923—European ethnic voters and black voters. Aside from his loss of black support following years of violent and racially discriminatory policing, Dever also drew fewer votes in 1927 compared to 1923 among Czechoslovakian, Polish, Lithuanian, Italian, and German voters.[162] While the mayor had tried to walk a delicate line between law and order and Prohibitionism, he lost support among a wide range of voting constituencies who saw their neighborhoods targeted by the mayor's crime drives over the previous four years.

Although black voters repudiated the patterns of racist policing that they endured during Dever's crime drives, the election of Thompson in 1927 hardly spelled an end to discriminatory policing in the city; the new mayor made no promises to reform the Police Department and accounts of violent police harassment continued into the later years of the 1920s. Appeals to respectability and negotiations with city leaders failed to institute any kind of wholesale change in patterns of policing in the city, as officers continued to enact violence in black neighborhoods and to reinforce the association between blackness and criminality. The continuing role of police in defending and constructing urban racial hierarchy ultimately demonstrated that new protest and reform strategies would be necessary in order to check police violence and assert black rights in the industrial city.

[162] Allswang, *A House for All Peoples,* 42.

CHAPTER 5

CRIME AND THE FOREIGN BORN: DEPORTATION DRIVES IN THE DEPRESSION YEARS

It was the evening of February 22, 1926, and Guiseppe Mangogna had just settled down to dinner with his wife and infant son in their home on the Near North side of Chicago.[1] Giuseppe had immigrated to Chicago from Italy in 1920 and found work as a carpenter; he was among the nearly 60,000 other Italian immigrants who had come to reside in Chicago over the previous several decades.[2] Perhaps he anticipated a relaxing evening at home with his family and his visiting brother after a long day of work, or looked forward to recounting an incident that had occurred in the workshop that day. But those plans were disrupted suddenly when six police officers burst through the front door of the Mangogna home, guns drawn. They seized Giuseppe and his brother Joseph, taking both men to the Chicago Police Department detective bureau, where they held the two brothers for six days. While the officers did have an arrest warrant for Joseph Mangogna, they apprehended Giuseppe without a warrant.[3] Unlike his brother, Joseph Mangogna was an American citizen and had served in the United States military. The arresting

[1] When Giuseppe Mangogna filled out his petition for naturalization in 1940, he listed his address as 400 W. Elm St, a house located northwest of the downtown business district. Mangogna filed his petition in 1941, and it is possible that he lived in a different neighborhood when he was arrested in 1926. By the 1940s, many Italians in Chicago had moved north and west from the West Side neighborhoods where many had settled in the first two decades of the twentieth century. "POLICE RAID MAFIA; GET 121: SWEEP HAUNTS OF GANGSTERS; U. S. HOLDS 21 Begin Deportation Hearings Today. Seize Aliens in Deportation Drive," *Chicago Daily Tribune*, February 23, 1926; Giuseppi Mangogna, "Petition for Naturalization," June 16, 1941, Illinois, Petitions for Naturalization, 1906-1991, Records of the District Courts of the United States, 1685-2009, RG 21, National Archives at Chicago [hereinafter RG 21]; Cohen, *Making a New Deal,* 30-31.

[2] According to the 1920 census, the foreign-born Italian population of Chicago was 59, 215, with more than 14,000 of those residents having immigrated to the city over the previous ten years. U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 482; U.S. Bureau of the Census, *States Census of Population* (Washington, DC: US Government Printing Office, 1920), 273-274.

[3] Interview with George J. Spatuzza, December 21, 1926, p. 8-9, Box 2, Folder 24: Deportation Drive—Interviews, December 1926-January 1927, IPL Records.

officers alleged that Joseph's physical description did not align with the description on his citizenship papers; how the officers would have known that and why it should have affected his detention was unclear.

Although Chicago arrest bonds were typically set between $500 and $1,000, Giuseppe Mangogna faced a $5,000 bond to secure his release from the detective bureau holding cell. George Spatuzza, a lawyer with the Italian American lawyers' Justinian Society of Chicago, agreed to represent the two brothers. Although he was able to reduce the bond by half, the family still struggled to raise the money required to secure the release of Giuseppe and Joseph. The family turned to friends in their Near North Side neighborhood to help pay the bond, drawing on the resources of their immigrant community in order to set free the detained brothers. Eventually, Spatuzza delivered a huge sack of five and ten dollar bills to the Police Department detective bureau, securing the release of the two brothers who had been held there with crowds of other arrested men for nearly a week, and where they had been reportedly treated as "a bunch of hogs."[4] Spatuzza described the abject conditions of the city jail where the men had been held, "At the police station and jail they were crammed together, had to stand terribly long hours, crowded, pressing, and pushing each other."[5]

Giuseppe and Joseph Mangogna were among the hundreds of Chicagoans arrested in February and March of 1926, in one of the city's so-called deportation drives.[6] During the drive, police descended on immigrant neighborhoods, indiscriminately arresting residents whom they suspected of being recent arrivals to the city. Police delivered the arrested to district stations,

[4] Interview with George J. Spatuzza, December 21, 1926, p. 10, Box 2, Folder 24: Deportation Drive—Interviews, December 1926-January 1927, IPL Records.
[5] Ibid, 9.
[6] Contemporary news sources termed these raids "deportation drives," a label later adopted by Chicago's Immigrants' Protective League. "U. S. Attorney Olson Attacks Deportation Drive of Chicago," *Chicago Daily Tribune*, March 15, 1926.

where they interrogated the detained about their immigration status and criminal connections. Prosecutors sometimes charged those arrested with minor violations but usually released them after a few days in police custody. Although local police officers and federal officials claimed that the raids were necessary in order to root out immigrants who had entered the country illegally, only a minuscule number of those arrested in raids like those of February 1926 were deported after having been found to have violated federal immigration statutes.[7] The small number of Chicagoans deported following mass arrests and raids of immigrant neighborhoods contradicted the idea that this policing practice was a necessary and effective mode of enforcing immigration law and restriction and suggested instead that these raids were a mode of targeting immigrant communities. In fact, the deportation drives represented the intersection of local and national crime control politics in the interwar decades; they occurred in the midst of nation-wide xenophobia and federal restrictionist immigration policies as well as local demands for stricter law enforcement in the context of Prohibition.

During the last years of Prohibition and the early years of the Great Depression, Chicagoans experienced a series of periodic deportation drives characterized by mass arrests of first and second-generation immigrants, primarily in neighborhoods on the city's West and Southwest sides. Although law enforcement officials usually rationalized these mass arrests as necessary to enforce the country's immigration laws, police rarely investigated immigration violations before the raids, instead detaining hundreds of city residents on sight for other minor offenses, usually without obtaining any arrest warrants. Despite the relatively small number of immigration law violators found through these drives, Chicago police and their federal collaborators continued to pursue deportation drives into the 1930s. The deportation drives were

[7] Reports indicated that fewer than ten people were deported from Chicago in the spring of 1926, following at least 700 arrests. "The Deportation Drive of the Winter and Spring of 1926," 1926, Box 2, Folder 24: Deportation Drive—Interviews, December 1926-January 1927, IPL Records.

caused by an intersecting set of factors—motivated by local political culture and national policy developments. The first drives occurred in the context of national immigration restriction and the rise of nativist politics, as new federal regulations severely curtailed immigration on the mid-1920s and federal agencies encouraged anti-immigration campaigns. In Chicago, those national policies built on local animus towards new immigrants, particularly Italians, Mexicans, and Greeks. As the drives continued into the early 1930s, Mexicans increasingly became the target of arrests, reflecting national efforts to repatriate Mexicans in the context of national economic crisis.[8]

While the deportation drives occurred in the context of these national immigration policy developments, they were also motivated and shaped by local politics and political culture, especially as police attempted to demonstrate their own law enforcement authority in the face of continuing criticisms of police corruption and laxity during Prohibition. Mayor William Dever's Beer Wars had drawn critical attention to the role of criminal syndicates in the city's illegal alcohol trade, syndicates associated primarily with Chicago's Italian immigrant community. As some critics of police observed at the time, the mass arrests associated with the deportation drives served to deflect attention from law enforcement's own inability or unwillingness to control criminal syndicalism. Massive indiscriminate arrests obscured the Police Department's corruption and connections with the very criminal syndicates that Dever's Beer Wars had been designed to detect. By the early 1930s, the Chicago Crime Commission had also renewed its efforts to encourage strict law enforcement in Chicago, as it issued its first "public enemies" list in April of 1930.[9] The list named 28 known lawbreakers in Chicago and served as a public rallying cry for stricter policing. Just months later, a deportation drive netted hundreds of

[8] Francisco E. Balderrama and Raymond Rodríguez, *Decade of Betrayal: Mexican Repatriation in the 1930s* (Albuquerque: University of New Mexico Press, 1995), 98-99; Ngai, *Impossible Subjects,* 135.
[9] "Lists 18 Gangsters as Public Enemies," *New York Times*, April 24, 1930.

immigrant arrests. It also incited suspicions among some city executives and immigrant advocates that police had actually colluded with law breakers and received payments in exchange for releasing many of those who had been arrested, giving the appearance of strict law enforcement though the exploitation of police graft.

These local and national political factors resulted in deportation drives that worked within the larger complex of racialized policing in Chicago and resulted in policing strategies similar to those undertaken in African American neighborhoods during those same years, as police often performed warrantless arrest drives in black neighborhoods as well. The similarities among raids in black neighborhoods and deportation drives in immigrant colonies emphasized how the strategy of mass arrests served to discipline multiple racial others, as police exercised the power of the state to detain black Chicagoans without any evidence of wrongdoing and did the same to certain immigrant groups. The shifting focus of deportation drives in interwar Chicago also demonstrated how indiscriminate arrests worked as a coercive state tool to surveil and control multiple urban immigrant communities and attested to the shifting racial boundaries of criminalization in these decades. While Italians represented a foremost urban crime problem in the minds of city executives and law enforcement officers in the early and mid-1920s, the perception of that problem had shifted to other immigrant communities of color by the first years of the 1930s, following the curtailment of European immigration, the end of federal Prohibition, and the national movement for Mexican repatriation. The earliest of the deportation drives in 1926 targeted Italian neighborhoods but also included arrests among Mexicans and Greeks. Police continued to arrest Italians in raids through the 1920s, but shifted their focus to Mexicans and Chinese in the early years of the 1930s. These changes reflected national restrictionist immigration politics as well as local neighborhood relations, as police curtailed Italian arrests

due to their connections with Italian criminal syndicates and instead targeted Mexicans and Chinese who were subjected to interethnic neighborhood violence in those same decades. Ultimately then, police raids and mass arrests in multiple neighborhoods and communities in the interwar decades served to reinforce a racial hierarchy in which non-whiteness in multiple forms was associated with criminality and other violations of federal regulations.

IMMIGRATION TO CHICAGO

From the end of the nineteenth century through the first three decades of the twentieth century, Chicago saw an influx of immigration as the city's foreign-born population climbed to over 800,000 city residents by 1930.[10] In 1890, 41 percent of Chicagoans had been born outside the United States; by 1910 that proportion had fallen to 35.7 percent, and by 1920 it had fallen to 29.8 percent, but still comprised nearly a third of city residents.[11] These proportions understated the scope of immigrant communities in Chicago, however, as they failed to account for second-generation immigrants, who also lived in immigrant neighborhoods in the city. The total number of foreign-born Chicagoans in 1910 was 781,217, but the number of Chicago residents with at least one first generation immigrant parent numbered an additional 912,701, making the total number of first and second-generation immigrants in Chicago more than three quarters of the total population of the city.[12] By 1920, the total number of first and second-generation immigrants in Chicago had climbed to nearly two million, accounting for over 70 percent of city

[10] Chicago was home to over thirty different ethnic immigrant groups by the interwar decades; among the most populous groups by 1930 were Poles (149,622), Germans (111,366), Russians (78,462), Italians (73,960), and Swedes (65,735). U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 642-644.
[11] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1890), 454; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 512; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261.
[12] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 504.

residents.[13] This immigrant population joined the growing community of African American Southern migrants in Chicago, meaning that vast majorities of the city's population in the years after WWI were newcomers looking for jobs in the city's growing industrial sector and attempting to find housing in the crowded neighborhoods on the city's West and South Sides.

[13] U.S. Bureau of the Census, *United States Census of the United States,* (Washington, DC: US Government Printing Office, 1920), 261.

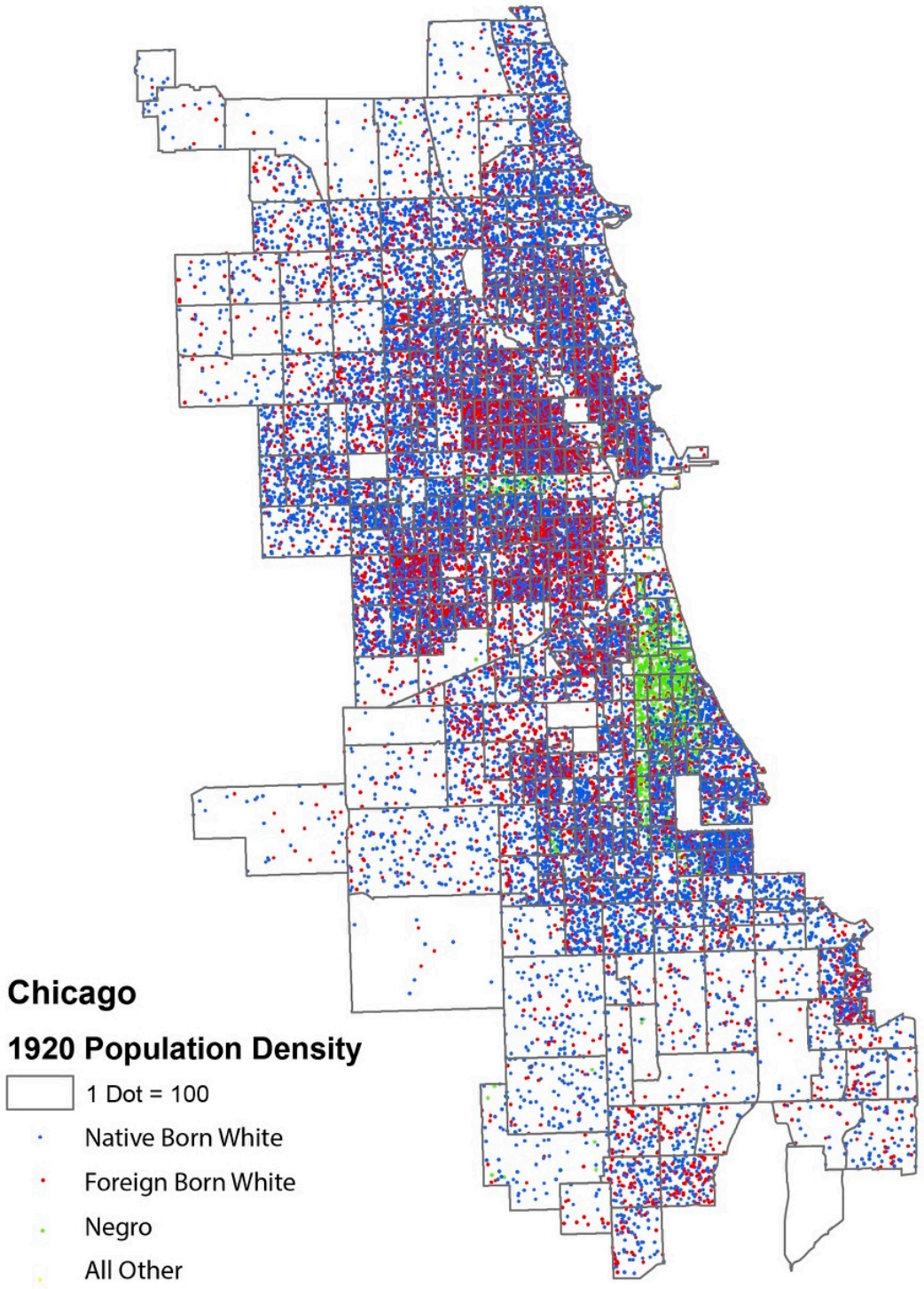

FIGURE 5.1: CHICAGO POPULATION DENSITY, 1920[14]

[14] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0* (Minneapolis, MN: University of Minnesota, 2011).

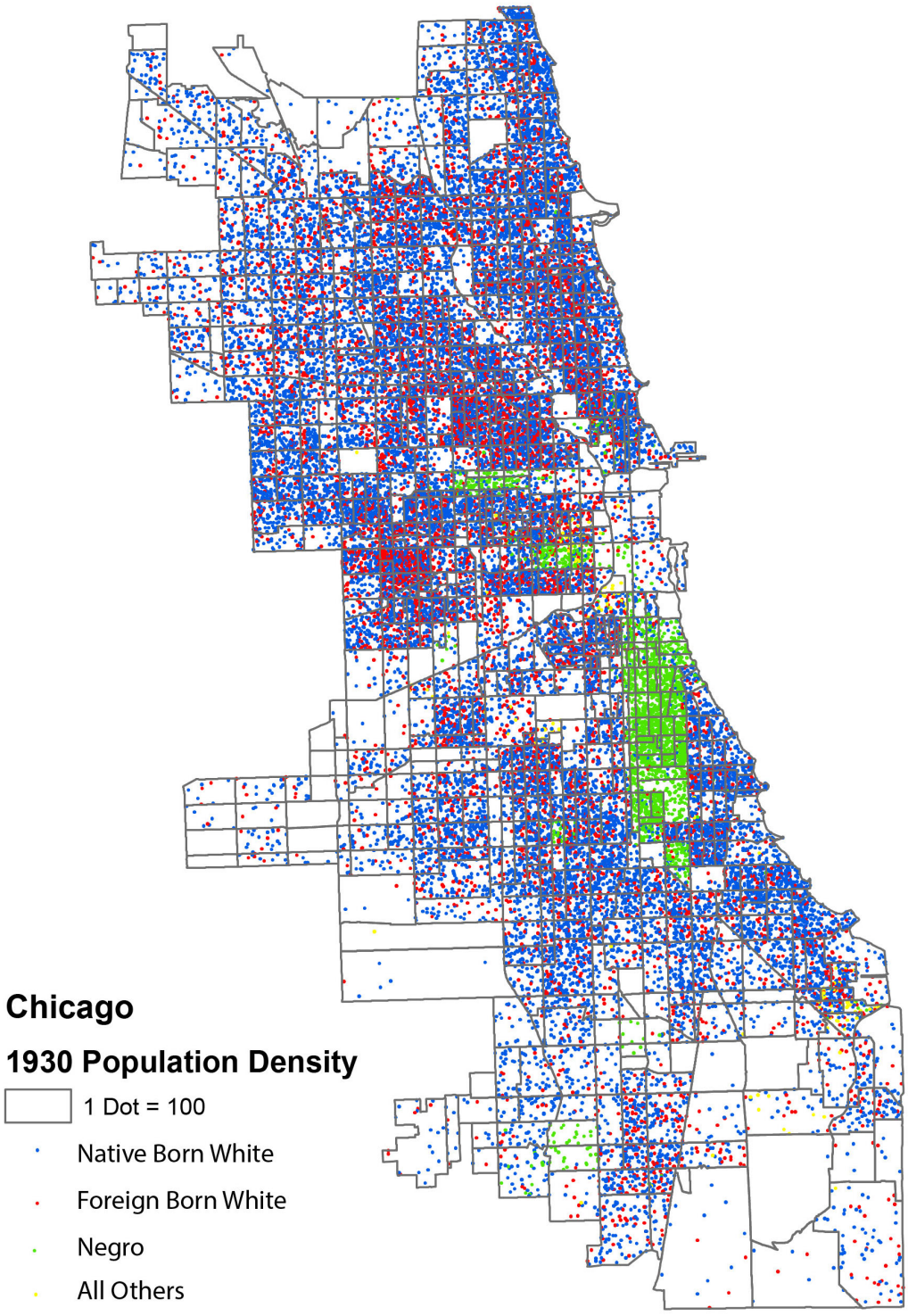

FIGURE 5.2: CHICAGO POPULATION DENSITY, 1930[15]

[15] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0* (Minneapolis, MN: University of Minnesota, 2011).

Surges in immigration to Chicago since the late nineteenth century in conjunction with black Southern migration after World War I resulted in a metropolis that was rapidly transforming into a diverse multiracial city in the span of just a few decades. Before WWI, the groups that accounted for the largest proportions of first-generation immigrants to Chicago were central and eastern Europeans; Russians, Germans, and Austrians comprised more than 50 percent of foreign-born city residents in 1910, while Hungarians, Irish, and Italians—the next three largest groups of first-generation immigrants—comprised nearly 18 percent.[16] Among second-generation immigrants, Irish made up a much higher proportion, reflecting an older wave of Irish immigration to Chicago in the nineteenth century.[17] By 1920, the largest groups of first-generation immigrants had shifted slightly, as Poles joined Russians and Germans among the largest proportions of foreign-born Chicagoans, with Irish, Italians, and Swedes comprising the next three largest groups.[18] Most of those first-generation immigrants, especially those who found work in the city's mass production industry, lived in neighborhoods west of the downtown business district, on the Southwest and South sides, and on the far Southeast side.[19]

Mexicans were absent among these census totals until 1930; the United States Census counted Mexicans as a separate category for the first time in 1930, although the 1920 census did provide an estimate of the number of Mexicans in Chicago. Census enumerators estimated that 1,141 Mexicans lived Chicago in 1920; by 1930 that number had grown to nearly 20,000, increasing by a factor of seventeen in just a decade and comprising approximately one percent of

[16] U.S. Bureau of the Census, *United States Census of the United States,* (Washington, DC: US Government Printing Office, 1910), 482.
[17] Ibid, 482; Michael F. Function, "Irish Chicago: Church, Homeland, Politics and Class—The Shaping of an Ethnic Group, 1870-1900," in *Ethnic Chicago: A Multicultural Portrait*, ed. Melvin G. Holli and Peter d'A. Jones (Grand Rapids: William B. Eerdmans Publishing Company, 1995), 57-58.
[18] U.S. Bureau of the Census, *United States Census of the United States,* (Washington, DC: US Government Printing Office, 1920), 273-274.
[19] These neighborhoods were respectively close to Chicago's garment industries, packinghouses, and steelworks. Cohen, *Making a New Deal,* 17-21.

the city's population.[20] These numbers likely underestimated the number of Mexicans in Chicago and in other areas of the United States, however, as census enumerators were instructed to classify as Mexican "all persons born in Mexico, or having parents born in Mexico, who are not definitely white, Negro, Indian, Chinese, or Japanese."[21] These instructions left significant discretion to census enumerators to categorize Mexican persons under a different racial category and excluded Mexicans beyond second-generation immigrants. However, since Mexican immigration to Chicago had a relatively recent history in the 1920s and 1930s, the estimates of the Mexican population there may have been more accurate than the estimates in the Southwest borderlands, where Mexican communities were much older.[22] Like their African American counterparts who had migrated from the American South, early-twentieth-century Mexican immigrants came to Chicago along rail lines that stretched south, many taking jobs for railroad companies that eventually brought them to the Midwest. By the interwar decades, others came to Chicago after working seasonal agricultural jobs in surrounding states.[23]

This influx of immigrants to Chicago over the course of just a few decades prompted the city's Progressive social reformers to establish organizations to aid in immigrant settlement and adjustment to life in the city. Jane Addams opened Hull House in 1889, a settlement house located on the city's Near West Side, a neighborhood that was home to a diverse range of newly

[20] U.S. Bureau of the Census, *United States Census of the United States,* (Washington, DC: US Government Printing Office, 1920), 261; U.S. Bureau of the Census, *Abstract of the Fifteenth Census of the United States* (Washington, DC: US Government Printing Office, 1933), 98.
[21] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 263.
[22] Taylor, *Mexican Labor in the United States,* 26-27.
[23] In her study of Mexican Chicago before WWII, Gabriela Arredondo emphasizes the fact that many Mexicans found themselves in Chicago after taking a circuitous route from their country of origin as chain migration and kinship networks gradually brought many Mexicans to Chicago in the 1910s and 1920s. Arredondo, *Mexican Chicago,* 25.

arrived immigrants.[24] Hull House provided educational opportunities and social gatherings for residents of the Near West Side neighborhood, as well as classes on literature, art, and domestic activities. The residents of Hull House—a group of predominantly white women reformers and social workers who volunteered to live at the house and provide services to its neighbors—also conducted extensive research in the surrounding area, providing analyses of urban problems and conditions including immigrant adjustment, child labor, welfare and charity work, and industrial unionism.[25] Hull House served as a model for other settlement houses founded in the city in the late nineteenth and early twentieth centuries, including Graham Taylor's Chicago Commons and the Northwestern University Settlement House, which provided educational and social services to newly arrived immigrants and working class city residents.[26] Through the proliferation of settlement houses like these, aid to new immigrants and other working class Chicagoans became locally institutionalized by private philanthropic organizations.

Settlement houses provided services and education to immigrants in their respective local neighborhoods, but by the first decade of the twentieth century, some Chicago reformers concluded that the work of immigrant adjustment would be more efficiently achieved by a centralized organization that could provide assistance in housing and employment to all who arrived in the city. Grace Abbott, a University-of-Chicago-trained social worker and resident of Hull House, left the settlement house in 1908 to help establish the League for the Protection of Immigrants, later called the Immigrants' Protective League (IPL). Jane Addams praised the work of the new organization in its first annual report in 1910 and recommended that the centralized

[24] In 1895, the residents of Hull House produced a series of maps representing the racial and national composition of its Near West Side neighborhood. The maps catalogued a wide range of ethnic and racial groups living within a few blocks of one another—they included Irish, German, Dutch, Russian, Polish, Italian, Swiss, French, Bohemian, Chinese, and African American households. *Hull-House Maps and Papers: A Presentation of Nationalities and Wages in a Congested District of Chicago* (New York: T.Y. Crowell & Company, 1895).
[25] The 1895 Hull House publication *Hull House Maps and Papers* included essays on these topics written by residents including Florence Kelley, Ellen Gates Starr, and Jane Addams. Ibid.
[26] John P. Gavit, "A Story of Chicago Commons," *Chicago Commons* (1899), 5-11.

bureau "is able not only to take care of the exceptional cases much more effectively than a settlement could do…but that new needs and possibilities are constantly discovered through this opportunity to treat as a whole the Chicago immigrant situation."[27] In its first few years of work, the IPL advocated for the reestablishment of a federal immigration bureau in the city and worked with local officials to prioritize the needs of new immigrant communities.[28] Volunteers and employees of the League also visited the homes of newly arrived immigrant women and young men, collaborated with employment agencies to secure immigrant jobs, gathered information regarding immigrant exploitation by employers and other offices, and worked to prevent the entry of immigrant women into prostitution.[29] This wide range of advocacy work meant that the League addressed the immediate needs of newly arrived immigrants to Chicago and attempted to affect institutional and policy changes to make adjustment an easier process.

This attention to immigrant adjustment among Progressive reformers brought into relief the similarities and differences between the experiences of foreign-born Chicagoans and African Americans. The Immigrants' Protective League provided similar services for immigrants as the Chicago Urban League did for the city's growing African American population. In fact, there was overlap in leadership and funding support between the two organizations; both drew on a similar pool of Progressively minded elites for fundraising contributions and exhibited a reform ideology of socialized uplift services. In his introduction to the first annual report of the Chicago Urban League in 1917, CUL president Robert Park drew parallels between the work of the two organizations, beginning his remarks "The problem with the Negro in Chicago is, on the whole, one with the problem of the immigrant. Work and wages, health and housing, the difficulties of

[27] "League for the Protection of Immigrants, Annual Report," 1909-1910, Box 4-SII, Folder 59a: Annual Reports I—1909-1916, IPL Records
[28] Ibid, 11-12.
[29] Ibid.

adjustment of an essentially rural population to the conditions of a city environment, and to modern life—these are the matters of most immediate concern to him and to us."[30] Park acknowledged that there were notable differences between the immigrant and African American experiences in Chicago, however; the latter enjoyed legal citizenship while many immigrants were still unnaturalized, and African Americans were generally not the targets of wartime xenophobia. He continued by contrasting the experiences of immigrants and African Americans in Chicago with respect to racial and ethnic hierarchy. Park lamented that black city residents suffered due to a racial prejudice from which their immigrant counterparts were exempted. He conceded, "A certain amount of prejudice against the "ignorant foreigner" no doubt exists. But it does not assume, as it tends to do in the case of the Negro, the fixed and permanent form of caste."[31]

This perceived difference between ethnicity and race reflected historical processes of immigrant adjustment in Chicago, where some immigrant communities had become upwardly mobile over time and eventually became integrated in municipal institutions of power. However, strict contrasts between these axes of difference glossed over historically contingent forms of social hierarchy faced by both immigrants and African Americans in Chicago, especially as they both encountered local power brokers such as police. As president of the Chicago Urban League, Park oversaw the work of placing thousands of newly arrived black Southern migrants in jobs and housing in Chicago, where many industrial employers refused to hire black workers and where housing options were so delimited as to restrict most black city residents to the narrow South Side Black Belt. He spoke from experience, then, in describing the structural barriers that black Southern migrants faced upon their arrival in the Northern city. But in contrasting the

[30] "First Annual Report of the Chicago League on Urban Conditions Among Negroes," October 1917, p. 3, Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-1, CUL Records.
[31] Ibid.

experiences of African Americans to those of immigrant Chicagoans, Park also assumed a fairly linear process of improvement and adjustment among newly arrived immigrants. In Park's analysis, new immigrants may have faced discrimination or exclusion but would eventually progress into the ranks of unqualified whiteness with the passage of time and the accumulation of subsequent generations. The actual experiences of immigrant Chicagoans, however, especially across ethnic and spatial boundaries, belied the idea of a linear progression of wholesale immigrant incorporation and adjustment. Instead, certain immigrants to Chicago were regularly subjected to undue police scrutiny, indiscriminate arrests, and disproportionate criminalization just as many African Americans had been since the beginning of the first Great Migration. These incidents of police discrimination—such as the 1920s deportation drives—suggested that the decriminalization of immigrant Chicagoans was hardly the linear process that Park assumed, but was instead an uneven one that depended on the local politics of crime control.

The patterns of police discrimination and warrantless arrest that many immigrants faced in Chicago reflected the intersection of local crime control politics with national xenophobia, restrictionist immigration policies, and anti-immigrant sentiments fostered by years of federal Prohibition.[32] Post-WWI xenophobia and anti-radicalism had merged with a resurgence of scientific racialist thinking to produce a national political climate of hostility toward immigration that fostered restrictionist federal legislation that strictly limited the number of new arrivals to the country. Congress had first legislated immigration quotas in 1921, as nativist sympathizers such as the American Legion, the American Federation of Labor, and the American Protective Association warned that waves of impoverished people would soon flock to the United States as they fled from war-torn Europe.[33] Advocates of racialism bolstered these political objections to

[32] McGirr, *The War on Alcohol,* 33-34.
[33] Ngai, *Impossible Subjects,* 19-20.

immigration with tomes lamenting the influx of "new immigrants" to the shores of the United States, positing a hierarchy of immigrants that placed Nordic peoples at the top and Mediterranean and other Southern European people at the bottom. These academics and intellectuals suggested that new immigrants represented a degraded race, using supposedly scientific evidence regarding physical characteristics, social customs, and hereditary traits. In so doing, they provided a supposedly empirical foundation for restrictionist legislation that targeted Southern European immigrants for some of the most severe limitations.[34]

While some nativists supported absolute bans on immigration, Congress eventually passed an emergency measure in 1921 that limited immigration to 355,000 people per year and set limits on European-origin immigration at three percent of the number of foreign-born United States residents counted in the 1910 Census.[35] Congress revised this measure in 1924, when it passed the Johnson-Reed bill, which limited immigration to 155,000 people per year and mandated the establishment of national origins quotas based on the national origins of the entire United States population as measured by the 1920 census.[36] Following the passage of the act, the Departments of Commerce, Labor, and State convened a Quota Board led by statistician Joseph A. Hill to determine the formulation of national origin quotas prescribed in the bill. His formulation for immigration quotas guaranteed that southern and eastern European immigration would be significantly restricted; the formula provided that only 16 percent of new immigrants would come from southern and eastern Europe, while 84 percent would come from northern and

[34] Among the most influential advocates of racialism and Nordic supremacy was zoologist Madison Grant, author of *The Passing of the Great Race,* in which he argued that race was the most important determinant of human history and that the purity of the white race must be preserved. Grant was joined in his racialist thinking by other academics including sociologist Henry Pratt Fairchild and paleontologist Henry Fairfield Osborn, among others. Guglielmo, *White on Arrival,* 60-61.

[35] *An Act to Limit the Immigration of Aliens into the United States*, Public Law 5*, US Statutes at Large*, 42 (1921), 5-7.

[36] *An Act to Limit the Immigration of Aliens into the United States, and For Other Purposes*, Public Law 139, *US Statutes at Large*, 43 (1924), 153-169.

western Europe.[37] While the bill used the language of "national origins" to determine immigration quotas, it excluded immigrants from the Western hemisphere, immigrants ineligible for citizenship, and descendants of slaves or Native Americans from the determination of quotas. The Quota Board mapped these provisions onto the racial categories of the 1920 census, using only those counted in the "white" racial category to determine the distribution of national origins quotas.[38] This intersection of national origins categories with racial markers effectively limited the political and legal boundaries of the nation to white, European-origin peoples, with a preference for those from northern and western European climes.[39]

Chicago's Deportation Drives

By the middle of the 1920s, national anti-immigration politics and the passage of the Immigration Act of 1924 had produced a context in which local crime control politics in Chicago were ripe to turn attention to the problem of immigrant crime and particularly to target new immigrant populations for arrest. The city's interwar deportation drives, however, were not singularly motivated by anti-immigrant politics, but came about due to locally contingent developments in crime control politics, particularly Mayor William Dever's law and order administration and the city-wide Beer Wars, accusations of official corruption by criminal justice reformers, and ongoing bootlegging and violent crime associated with newly arrived immigrants.[40] Mayor Dever had initiated the city's Beer Wars just a year before the passage of the Immigration Act and that attempt to drive all alcohol from the city prompted accusations

[37] This formulation was introduced by Senator David Reed and restrictionist John Trevor and heavily influenced by the work of Madison Grant, the author of the 1924 tract *The Passing of the Great Race*. Ngai, *Impossible Subjects,* 22.
[38] Ibid, 26.
[39] Ibid.
[40] See chapter 4 for a discussion of the political circumstances surrounding the 1923 Beer Wars.

among anti-crime reformers and some city executives that the source of bootlegging and associated violent crime was newly arrived immigrants. Others, however, turned attention to the police themselves suggesting that patrolmen and police leaders fostered the alcohol trade in order to reap financial rewards.[41] Such criticisms prompted dramatic demonstrations of Chicago police capacity and encouraged massive raids in immigrant neighborhoods, much like those that occurred in African American neighborhoods in the same years.

The immigrant incrimination associated with Chicago's localized Beer Wars predicted and precipitated nation-wide efforts to deport immigrants who had entered the country illegally in the following years. In February of 1924, the *Chicago Daily Tribune* reported that the federal Secretary of Labor had completed preparations for a "drive to round up and deport the gangs of alien gunmen which are terrorizing Chicago."[42] It was the editor of the notoriously anti-immigrant and anti-labor *Tribune* who had brought the situation in Chicago to the attention of federal officials, demonstrating how local political rivalries could inflect federal law enforcement efforts as the editors beckoned immigration officials to Chicago. Officials at the Department of Labor promised that they would root out those "aliens whose lawlessness has intimidated an entire community," framing the targeting of immigrants for deportation as a law enforcement imperative to protect the safety of Chicago residents.[43] Secretary of Labor Davis concluded that the only way to curtail this assumed wave of immigrant criminality would be to expand state surveillance, opining that "We never shall be able to put an end to the smuggling of criminals

[41] "Statement by Mayor William E. Dever," September 12, 1923, Box 4, Folder 30: Dever, William E. –Mayoralty Papers, Police Department (Internal Operations, etc.), 1923-1924, Dever Papers.
[42] "OFFICIALS WADE INTO HUGE TASK OF DEPORTATION: Deluge of Cases and Drought of Funds," *Chicago Daily Tribune*, February 17, 1926.
[43] Arthur Sears Henning, "Deport Chicago Gangs—US: Halt Sicilian Gunmen, Washington Demands," *Chicago Daily Tribune*, February 12, 1926.

and other undesirable aliens into this country until the registration of aliens is required."[44] He assumed such a system would aid the Department of Labor in identifying those who might break criminal laws; his idea echoed earlier proposals from the Chicago Crime Commission, that all Chicagoans who had been found guilty of committing a crime be registered in a statewide database. Here the Department of Labor and Secretary Davis made the same assumption that anti-crime businessmen in Chicago had made for years—that the accumulation of knowledge about crime would ultimately lead to robust crime control.

This federal attention to the crime conditions in Chicago came on the heels of sensational headlines that declared an age of "gun terrorism" in the city, announcements that were common in the context of the Beer Wars and the violent gang confrontations that had triggered that anti-crime campaign. The *Tribune* claimed that some city residents had recently refused to sit on the juries of the murder trials of two Sicilian men for fear that they would be in danger if they voted to convict. Describing the supposed crisis of jury service, the *Tribune* claimed, "Almost 1,000 murders in Chicago in the last twenty years are blamed by police on Sicilians," using a passive construction that tellingly concealed whether police had reasonable suspicion that violent crimes were actually disproportionately committed by Italian-origin Chicagoans.[45] Deputy Police Chief John Stege complained that his department had been trying to eliminate the supposedly criminal immigrant element from the city, but that many who had been arrested were able to post bond before the Chicago Police received a deportation warrant from the federal immigration office as it often took several weeks to receive action from federal officials.[46] Stege's lamentation about the bureaucratic lag between local and federal law enforcement implied that intra-state

[44] Chicago Crime Commission, *Bulletin of the Chicago Crime Commission,* February 8, 1923, p. 56, MRC; Arthur Sears Henning, "Deport Chicago Gangs—US: Halt Sicilian Gunmen, Washington Demands," *Chicago Daily Tribune*, February 12, 1926.
[45] "City Asks End of 20 Years of Gun Terrorism Here," *Chicago Daily Tribune*, February 12, 1926.
[46] Ibid.

collaboration would be necessary in order to address the assumed problem of immigrant criminality.

These claims about the outsized criminality of immigrants in Chicago served to obscure the role of local police officers themselves in the criminal syndicates that operated the city's bootlegging market. Deputy Police Chief's Stege comments about immigrant connections to crime absolved the many police who had relationships with city gangs and offered protection to houses of prostitution or saloons that trafficked in illegal alcohol. When Mayor Dever announced the initiation of the Beer Wars campaign in 1923, he also announced that he would direct police administrators to root out police corruption and graft, joining the problems of illegal alcohol and violence with the problem of police corruption.[47] Stege's comments about immigrant crime in the days before the initiation of the city's first deportation drives in 1926, however, erased the problems of police corruption and graft from the anti-crime agenda of city executives, shifting the focus of anti-crime efforts entirely onto immigrant communities themselves. In the first days of mass arrests of immigrants in February 1926, local labor organizer Joseph Miller suggested as much, telling a group of Italian Chicagoans that the arrests were "fostered by race hatred," rather than a sincere effort to eradicate crime. He further implicated city officials in local organized crime, claiming that the only reason gangs had proliferated in the city was because "certain politicians, judges, county and state officials demand that they vote 15 to 100 times for them for office…Then those men get a gun out and use it. When they get caught they demand that the politicians take care of them and square it, which is usually done."[48] According to Miller's

[47] "Mayor, Collins Open War on Police Graft," *Chicago Journal,* September 12, 1923, Volume 22: During office, Chicago newspapers, 1923-1927, Dever Scrapbooks.
[48] "SIX U. S. EXPERTS TO HELP DEPORT GANGSTERS HERE: Stege Urges Italians to Back Up Campaign," *Chicago Daily Tribune*, February 15, 1926.

remarks, immigrant crime—particularly organized crime—that did exist in Chicago was not the product of any kind of innate proclivity to criminality, but had been fostered by local city leaders.

The *Tribune*'s warnings about the dangers of immigrant criminals and the promises by Department of Labor officials that federal enforcement would turn its attention to Chicago ushered in weeks of mass arrests by Chicago police officers in February and March of 1926. The *Tribune* trumpeted these waves of arrests as a triumphant show of state strength; reporting on the first night of raids, it described a "concerted hunt for deportable aliens" that resulted in 121 arrests in one evening.[49] Two nights later, the *Tribune* reported that the "raiding squads" had again visited predominantly Italian West Side neighborhoods, netting an additional 90 arrests.[50] Deputy Police Chief Stege assumed responsibility for managing the raids and described the initial arrests as highly satisfactory to the department's crime control efforts. He explained, "It's not that we are getting so many of the real bad ones, but that we are finding out that there is a general exodus of Sicilian gunmen from Chicago. If our men can't find them, it's a good sign they have jumped town."[51] Although his statement was cloaked in optimism, Stege's remarks indicated that the raids had actually failed to apprehend many associates of crime syndicates, whom police and federal officials had named as the targets of the anti-crime drive during the preceding weeks. Instead, they netted hundreds of immigrants with no ties to organized crime. Stege's tone belied any irony, as he declared that the mass arrests of Chicagoans without connections to criminal syndicates actually indicated the success of the police in driving crime from the city.

Those first nights of mass arrests targeted Italian neighborhoods on the city's West side and particularly new Italian immigration from Sicily. Reports on the raids in the *Chicago*

[49] "Police Raid Mafia; Get 121," *Chicago Daily Tribune,* February 23, 1926.
[50] "Little Sicily Deserted; Jail 90 More," *Chicago Daily Tribune*, February 25, 1926.
[51] Ibid.

Tribune repeatedly reminded readers that the police sought "Sicilian gunmen" who had supposedly been smuggled into the country by criminal syndicates. In his study of Italian immigration to Chicago, Thomas Guglielmo notes that this targeting of Sicilians marked recent—"new"—immigration from Italy as the greatest crime problem in the city and contributed to more generalized conclusions about the innate criminality of Italians.[52] The police targeting of Italian neighborhoods also reflected the agenda of Dever's Beer Wars; the violent confrontation between the Southwest side O'Bannion gang and Al Capone's Italian syndicate in September of 1923 had focused police attention on ethnic gangs and associated violent crime.[53] In its report on the mass arrests of February and March of 1926, the Immigrants' Protective League noted that police initiated the drive after "an upheaval in the criminal stratum" during which "A series of gang murders took place which shocked the community and apparently baffled the police."[54] This escalation of gang violence brought to mind the events that had triggered the Beer Wars in 1923, and the IPL's description of the circumstances surrounding the first deportation drive indicated that similar concerns about ethnic gang violence circulated in public discourse at the time.

Events of the ensuing weeks demonstrated that local law enforcement efforts were not singularly focused on Italians as a source of crime and supposed illegal immigration to Chicago, however. As federal pressure to crack down on immigration restrictions and criminal syndicalism continued, police expanded mass arrests to other neighborhoods on the Southwest side, in areas of the city that were home to Mexican immigrants. During the first week of March, police arrested 97 Mexicans, whom they had "rounded up in lodging houses, poolrooms, and

[52] Guglielmo, *White on Arrival,* 76-81.
[53] See chapter 4 for a discussion of the law and order politics of the Dever administration and the effects of the Beer Wars on indiscriminate arrests and dragnet policing in Chicago.
[54] "Chicago's Deportation Drive of 1926," p. 1, 1926, Box4-SII, Folder 54a: Deportation Drives, February 1926-December 1931, IPL Records.

cafes in South Ashland Avenue."[55] According to one report, police took arrested Mexicans to the Chicago Police bureau of identification, examined their criminal records, and allowed federal immigration officials to question them about their residency status. These events indicated how the deportation drive resulted in the surveillance of Chicagoans by multiple state agencies and at multiple scales, as Italians and then Mexicans were subjected to scrutiny first by local law enforcement officers and then by federal officials.

Dragnet arrests of Mexicans had been commonplace since the expansion of Mexican Chicago after the First World War. During the 1920s and 1930s, residents of Mexican neighborhoods cited numerous incidents of indiscriminate arrests following a report or suspicion that a Mexican immigrant had committed a crime, similarly to the indiscriminate arrests that occurred among African American neighborhoods in that same decade.[56] Beyond patrolmen prejudices or assumptions that Mexicans were predisposed to crime, disproportionate arrests of Mexicans in the interwar decades also reflected the ethnic political landscape of Chicago's Southwest side, where the growing Mexican community had repeatedly clashed with their Irish and Polish neighbors, many of whom were employed by the Police Department.[57] Sociologists and settlement workers noted ongoing violent conflicts among these ethnic colonies in the interwar years, especially as Polish or Irish gangs targeted Mexican men in incidents of street violence.[58] That interethnic tension and violence translated in criminalization throughout the 1920s and especially in 1926 in the context of the first deportation drive. By the first week of March, many of the Italian Chicagoans who had been subject to arrest in the first weeks of the

[55] "Alien Roundup Nets 97 From New Group," *Chicago Daily Tribune*, March 2, 1926, Box 2, Folder 22a, IPL Records
[56] Paul Livingstone Warnshuis, "Crime and Criminal Justice Among the Mexicans of Chicago," in *The Mexican Immigrant and the Problem of Criminal Justice*, ed. Paul S. Taylor, et. al., (Washington, DC, 1931), 283; Arredondo, *Mexican Chicago,* 66.
[57] Arredondo, *Mexican Chicago,* 65; Diamond, *Mean Streets,* 61-63.
[58] Diamond, *Mean Streets,* 63.

drive had fled to surrounding suburbs in order to escape the jurisdiction of the Chicago Police Department.[59] Under continuing pressure to demonstrate law enforcement proficiency and to enforce federal immigration restrictions, patrolmen directed their attention to Mexican neighborhoods instead, in order to continue the deportation drive.

The expansion of the 1926 deportation drive demonstrated the role of local police in constructing and enforcing a racial hierarchy that marked non-whiteness as criminal and deserving of disproportionate state surveillance. The shift to Mexican neighborhoods and the significant number of Mexicans arrested during the drive demonstrated that this crime control campaign was not singularly an expression of anti-Italian sentiment or only an attempt to quash Italian criminal syndicates like the Capone outfit or the Genna brothers gang. While early reports on the drive did indicated that it began with a focus on Italian neighborhoods, the expansion of the drive demonstrated that it ultimately functioned as a more generalized targeting of new immigrants to Chicago. One federal agent suggested that it was the Chicago police themselves—the local law enforcement state—that encouraged this change in the focus of the drive. As he told officers of the Immigrants' Protective League "I was not ready for this work. I had my men out quietly matching different suspects and places, gathering evidence," implying that the dragnet arrest tactics and indiscriminate policing was the result of collaboration with the Chicago Police Department.[60] These raids and hundreds of arrests in a single night also mirrored the tactics that Chicago police had deployed in African American neighborhoods since the growth of black

[59] "Raiders Find Old Haunts of Gunmen Dark," *Chicago Daily Tribune*, February 25, 1926, Box 2, Folder 22b: Deportation Drive--Clippings 1926, IPL Records; "Aliens Find a Haven in Cicero with Capone," *Chicago Daily Tribune*, February 26, 1926, Box 2, Folder 22b: Deportation Drive--Clippings 1926, IPL Records; "Alien Roundup Nets 97 From New Group," *Chicago Daily Tribune*, March 2, 1926, Box 2, Folder 22a, IPL Records.
[60] "Chicago's Deportation Drive of 1926," p. 4, 1926, Box4-SII, Folder 54a: Deportation Drives, February 1926-December 1931, IPL Records.

Chicago during the Great Migration, as they periodically invaded black neighborhoods supposedly in search of one or two criminal offenders.

Although police and federal officials had declared the raids a necessary crime control measure to root out those who had violated immigration regulations, annual data from the Chicago Police Department eventually showed that the drive had actually discovered only a small number of persons eligible for deportation. In its annual report for 1926, the department compiled data on the disposition of cases that it had submitted to federal officials, revealing that only ten cases investigated by the Chicago Police Department had resulted in deportation for violation of the Immigration Act, a minuscule number compared to the over 200 people who had been arrested over the course of the month of raids.[61] Additionally, the total number of charges leveled against Italians according to Police Department data did not rise appreciably between 1925 and 1926, implying that police lacked standing to charge most of the many Italians arrested during the deportation drive. Arrests that did not result in charges were not captured by this data, which obscured the excess arrests, most of which occurred without warrants.

By mid-March 1926, the drive to arrest and deport immigrants from Chicago ended nearly as abruptly as it had begun, with few precise reasons given for the curtailment of the raids. Nearly a month after the drive had begun, Deputy Police Chief John Stege continued to lead bands of patrolmen into immigrant neighborhoods, but the arrests dwindled. Stege told reporters that only four men with criminal records were arrested during a sweep of nearly thirty locations on March 20, speculating "that most of the gangsters have left Chicago for Cicero."[62] Even though police apparently found few to arrest in these final nights of the drive, descriptions of the

[61] Chicago Police Department, *Annual Report* (Chicago: Chicago Police Department, 1926), 16.
[62] "POLICE SWEEP WEST SIDE IN NEW ALIEN RAIDS: Sicilian Haunts Visited; Fifteen Are Arrested," *Chicago Daily Tribune,* March 21, 1926.

raids attested to the violent policing they occasioned, as "raiders carried tear bombs and in two of the places the crowds were cowed by these."[63]

IMMIGRANT POLITICS AND CRITIQUE IN THE INTERWAR YEARS

Although the number of immigrant arrests declined by the end of March 1926, the deportation drive drew increasing criticism from state officials as well as city residents. Despite the fact that Chicago Police had received the support of the federal Department of Labor, there was not a consensus among federal officials that the local drive to arrest immigrants was an effective means of crime control. In the waning weeks of arrests, Edwin A. Olson, the United States District Attorney for Illinois's northern district, condemned the drive, declaring it "nothing but a smoke screen to shield those chargeable with the enforcement of the laws."[64] Notably, Olson did not argue that this anti-crime drive unfairly targeted immigrant Chicagoans for nativistic or xenophobic reasons, but simply that it was an ineffective crime control measure. Rather than being unjust or discriminatory, he opined that the drive was simply, "Hopelessly ineffective…born in excitement and designed to cover up shortcomings in local law enforcement."[65] Here Olson echoed critiques that had emerged among members of the Chicago Crime Commission, claiming that the biggest problem with local law enforcement was a lack of efficiency, calling instead for swift punishment in order to deter crime. While these critiques gestured to the inefficacy of mass arrests as a crime control measure, they elided the discriminatory dimensions of arrest drives that targeted immigrant neighborhoods, and the racial and social hierarchies that undergirded them.

[63] "POLICE SWEEP WEST SIDE IN NEW ALIEN RAIDS: Sicilian Haunts Visited; Fifteen Are Arrested," *Chicago Daily Tribune,* March 21, 1926.
[64] "U. S. Attorney Olson Attacks Deportation Drive of Chicago," *Chicago Daily Tribune*, March 15, 1926.
[65] Ibid.

Other critiques of the raids questioned the efficacy of the strategy as a crime control measure while also drawing attention to the discriminatory nature of the drive. During the first week of arrests, while police targeted Italian neighborhoods, the *Forward*, a local Jewish paper, heaped blame for the drive at the feet of the publishers of the *Chicago Daily Tribune*, which had earned a reputation as ardently anti-immigrant and anti-labor. The *Forward* accused the *Tribune* of being "a bitter enemy of all the foreign-born in America," and further suggested that the paper had invoked the specter of crime and gangsterism in order to pursue its own agenda of "deport[ing] those coming from the southern part of Italy and from Sicily."[66] According to the *Forward*, those reports had resulted in "a dangerous and poisonous campaign of race discrimination against a nationality."[67] The *Forward* did not claim that the crime problem had been invented as a convenient excuse to round up suspected criminal immigrants, but rather that the focus on a few national groups was misplaced and contributed to the false association between foreignness and criminality. Like Olson, the *Forward* concluded that the drive was simply bad crime control policy, as "It is silly to try to convince anyone that by deporting a few hundred gangsters we shall eradicate the plague of gangsterism in America."[68] Here the *Forward* dramatically overstated the outcome of the drive even as it critiqued the strategy, as Police Department records showed that only a handful were deported, rather than the hundreds that the local paper predicted.

Other coverage of the 1926 Chicago deportation drive explicitly connected the raids to the nativist politics that had animated calls for immigration restrictions and national origin quotas in the early 1920s. The Lithuanian communist newspaper *Vilnis* published a series of editorials in February and March of 1926, alerting its readership to the threat of anti-immigrant

[66] "Deporting Italian Gangsters," *Forward*, February 18, 1926, Chicago Foreign Language Press Survey.
[67] Ibid.
[68] Ibid.

legislation in Congress. In addition to the 1924 Johnson-Reed Act, the paper warned that other bills threatened to impose limitations on immigrants living in the United States "and keep them under constant surveillance as if they were criminals out of jail on parole."[69] *Vilnis* called for organization and protest to combat these kinds of measures, which it posited as the political motivation that underlay the mass arrests that had been visited upon Italian and Mexican neighborhoods. It also suggested that the drives were designed not only to attack immigrants but also to target working-class immigrants who comprised the bulk of the city's industrial workforce. It warned that additional legislation that would facilitate the process of deportation would ultimately have the effect of weakening immigrant-populated labor unions, turning federal immigration regulation into a strikebreaking mechanism.[70]

The deportation drive also drew the attention of the Immigrants' Protective League, which conducted an investigation of the raids in the months after the mass arrests had stopped. Agents from the IPL interviewed residents of the targeted neighborhoods and spoke to lawyers who had helped those who had been arrested. In its final report, the IPL explained that the inquiry was necessary "to set forth the facts concerning an episode which achieved spectacular publicity, aroused a wave of unwholesome and dangerous anti-alien sentiment and resulted in the oppression of law-abiding foreign-born residents of this community, rather than in the detection of the serious crimes from which the community needed protection."[71] This conclusion echoed several of the critiques that had been lodged during the weeks of raids in February and March—namely, that the drive was ineffective crime control policy and that it had the ancillary effect of fomenting anti-immigrant sentiments in Chicago. Reports that had appeared in the pages of the

[69] "Combat Anti-Alien Legislation," *Vilnis*, February 26, 1926, Chicago Foreign Language Press Survey.
[70] "Aliens Are in Great Danger," *Vilnis*, March 9, 1926, Chicago Foreign Language Press Survey.
[71] "Chicago's Deportation Drive of 1926," 1926, p. 3, Box4-SII, Folder 54a: Deportation Drives, February 1926-December 1931, IPL Records.

Tribune and some of the other major dailies during the weeks of raids had highlighted the arrests of suspected or known associates of some of the city's most notorious criminal syndicates, such as Al Capone's outfit and the Genna brothers gang. Investigations of the raids by the Immigrants' Protective League, however, indicated that the arrests were hardly so targeted, but rather indiscriminately meted out among the city's Italian, Greek, and Mexican neighborhoods. Few news items during the raids themselves had noted the arrests of Greeks during the deportation drive, but the IPL discovered the targeting of Greeks through its interviews in immigrant neighborhoods. The disclosure that Greeks had also been a target for arrests and possible deportations further suggested that the raids had not simply been an anti-Italian effort, but rather represented a broader attempt to root out new immigrants.

Investigators for the Immigrants' Protective League sought to discover how many Chicagoans had been affected by the 1926 deportation drive but struggled to navigate the bureaucratic opacity that obscured the total number of persons arrested. Investigators noted that rumors had circulated "that the Chicago Police Department had 'swept up' seven hundred suspects," although news reports had placed the total closer to 200.[72] Initial estimates of the number of Mexicans arrested had been fewer than 20, but a survey of the Spanish-language weekly newspaper *Mexico* revealed that 97 Mexicans had actually been detained in the raids, second only to the number of Italians arrested.[73] According to that paper, police had received an order to arrest "those men who seem to be out of work most of the time…with the idea of cleaning up the society from those kind of men who may be responsible for the frequent crimes

[72] "Clues for the Discovering of Individuals Affected," 1926, Box 2, Folder 24: Deportation Drive—Interviews, December 1926-January 1927, IPL Records.
[73] Ibid; "Notes on Interview with Mexican Newspaper Editor," 1926, Box 2, Folder 24: Deportation Drive—Interviews, December 1926-January 1927, IPL Records.

committed in this city."[74] Such a directive was unconfirmed by police sources, but the suggestion that police targeted working-class Mexicans demonstrated an assumed conflation among poverty, non-whiteness, and criminality, resulting in the arrest of nearly 100 Mexican city residents.

Other evidence gathered over the course of the IPL investigation indicated that policing and police violence was an integral component to the construction of a racial hierarchy in Chicago that did not operate along a black/white binary, but one that criminalized non-whiteness more generally. When IPL investigators interviewed members of the Sociedad Mexicana Protectora del Cantiro, one man recounted a story about the type of mistreatment that Mexicans typically endured from Chicago police officers. He told the investigators the story of an elderly Mexican man who had been walking along Halstead Street when he was attacked by a group of young Italian men. The men beat him, leaving him prone in the street. The Mexican man struggled to his feet and searched for a police officer to whom he could report the attack. But when he found a patrolman "The police officer took the man to the nearest alley and once there, he clubbed his head and finished the job which the Italians had begun."[75] Not only was this Mexican man subjected to white racial violence, but also to state violence and police discrimination. Rather than arrest the group who attacked the unassuming man, the officer endorsed the violent attack through non-intervention and the subjected the man to further brutality. The anecdote also echoed stories that black Chicagoans had recounted for years, particularly during the days of the 1919 Race Riot, as police often stood idly by during incidents of white racial violence, refused to arrest white Chicagoans who had attacked black neighbors, or participated in racial violence themselves.

[74] "Notes on Interview with Mexican Newspaper Editor," 1926, Box 2, Folder 24: Deportation Drive—Interviews, December 1926-January 1927, IPL Records.
[75] "Interview with Mr. Rafael Trujo," December 23, 1926, Box 2, Folder 24: Deportation Drive—Interviews, December 1926-January 1927, IPL Records.

Ultimately, the Immigrants' Protective League concluded that the most egregious consequences of the drive were the many Constitutional violations that it engendered and the reinforcement of the idea that all immigrants to Chicago were prone to criminality. According to the IPL, Chicago Police had obtained few if any warrants in pursuit of the drive; the hundreds of detainments over a few weeks were the results of massive warrantless arrests and "wholesale dragnet arrests do not wait upon the issue of legal warrants."[76] According to one arrested man, "Only those who had no political pull were kept in jail…those who paid $50.00 or more were not arrested."[77] Although reports on the drive in the *Chicago Tribune* had promised that the police sought those with connections to organized crime, this interview suggested that the close ties between many police and criminal syndicates meant that it was actually those without connections to organized crime who represented the primary targets for arrest. Investigators for the IPL argued that it was the arrest of those persons that represented the greatest problem, "The fact that defenseless persons not guilty of crime and not found illegally in this country were deprived of liberty for days or weeks—stands out as a very disquieting feature of this episode."[78] These "defenseless persons" would have included people like Giuseppe Mangogna, the Italian man whom police had snatched from his own home on the evening of February 22nd. Without any connections to the criminal gangs that were supposedly the target of the raids, Mangogna had struggled to raise the steep bond levied against him, turning to his neighbors to raise the funds and demonstrating the potential of crime drives to sap resources from immigrant communities.

By the time the Immigrants' Protective League had compiled its report, a refrain had emerged among those who criticized the deportation drive—it was bad crime control policy.

[76] "Chicago's Deportation Drive of 1926," 1926, p. 6, Box4-SII, Folder 54a: Deportation Drives, February 1926-December 1931, IPL Records.
[77] Ibid.
[78] Ibid, 9.

Some, such as the United States Attorney Edward Olson, suggested that rather than the actual curtailment of crime, the object of the drive had been the public demonstration of law enforcement authority and capacity. Others, including the editors of some of the city's foreign language newspapers and members of the Immigrants' Protective League, pointed to the fact that most of the people arrested in the drive actually had no connections to crime at all, nor had they violated federal immigration regulations. These critics concluded that they drive simply resulted in marking Chicago's foreign-born population as criminal without cause to do so and generally failed to root out members of criminal syndicates or gangs who had been involved in urban violence during the Prohibition years. Ultimately, then, a range of actors had produced similar critiques; those who prioritized state power and law enforcement efficiency and those who sympathized with Chicago's immigrant communities concluded that the drives had failed to achieve the goal of crime control.

Deportation Drives in the Depression Years

The 1926 deportation drive represented one of the most dramatic episodes of the discriminatory policing of immigrants in Chicago during the interwar decades, and the practice continued to occur periodically if less extensively over the coming years. In December of 1926, the *Chicago Herald Examiner* revealed that a new plan was underway "to weed out 'undesirable' aliens in the Chicago crime belt," an effort recently announced by the chief investigator of the federal naturalization bureau.[79] While the deportation drive of February had elicited news reports that celebrated the productive collaboration between federal and local law enforcement officials in rooting out supposedly criminal immigrants, reports in December instead indicated tensions among those same state actors. On December 15th, United States Commissioner of Immigration

[79] "Alien Drive is Started Here," *Chicago Herald Examiner,* December 3, 1926, Box 2, Folder 22a, IPL Records.

Harry E. Hull announced that the Chicago office was seriously understaffed "because of the lack of a sufficient appropriation by Congress."[80] Another headline that same day put a finer point on the issue—declaring "Crime Aided by Penurious Uncle Sam," and claiming that despite the hundreds of arrests just a few months earlier "Practically all the most dangerous gangsters escaped the government's dragnet," contradicting reports from February that the deportation drive had been a rousing success.[81]

While the mass arrests of February 1926 had elicited critiques that the strategy was bad crime control policy, the idea that strict law and order and robust policing were the best deterrents to illegal activity still circulated in public discourse. Despite charges that the strategy of mass arrests had not succeeded in curtailing crime due to inadequate state resources, the strategy continued to muster support among city residents who espoused a strict law and order politics, such members of the Chicago Crime Commission and those who had supported Dever's election in 1923. In a letter to the *Los Angeles Times* in June of 1927, one former resident of Chicago declared his decision to leave the city for good, as he doubted the state was strong enough "to overcome the defiance and law breaking of the politically controlled foreign element."[82] He asserted, "Deportation is the only cure," arguing that only strict immigration control and punitive crime control measures could succeed in reducing crime in the city, echoing the claims that had appeared in the pages of the *Chicago Daily Tribune* the previous few year.

Declarations of police and immigration officials' plans to enforce immigration restrictions strictly continued to appear in the pages of Chicago's major dailies in the late 1920s, particularly in the notoriously anti-immigrant *Chicago Daily Tribune*, demonstrating the

[80] "Immigration Office is Speeding Plan to Rid City of Alien Menace," *Chicago Herald Examiner,* December 15, 1926, Box 2, Folder 22a, IPL Records.
[81] "Crime Aided by Penurious Uncle Sam," *Chicago Daily Tribune*, December 15, 1926, Box 2, Folder 22a, IPL Records.
[82] "LETTERS TO The Times: Los Angeles and Chicago," *Los Angeles Times*, June 23, 1927.

continuing salience of the nativist politics that had provided for the passage of restrictionist legislation in the early 1920s. A political cartoon—"Give 'Em the Boot!"—that appeared in the pages of the *Tribune* in September 1928 indicated that the editors of the paper continued to view Sicilians and the foreign-born as the most significant crime problems in the city. The cartoon depicted a group of menacing figures toting guns, one labeled a "Sicilian gangster" and another an "Alien gangster," who threatened the diminutive "US Citizen" at the center of the panel. The figure of the citizen wielded "US Deportation of Undesirable Aliens" in the form of the titular boot, poised to expel the immigrant "gangsters" who loomed behind him.[83] A cartoon published by the *Chicago Daily News* a few days later relayed a similar sentiment; it depicted a formidable figured labeled "American Immigration Authorities" toting a group of "Undesirable Aliens" away from US shores while a jovial "US Citizen" looked on. The darkened faces of the deported looked distressed as they clutched guns and bombs while the figurative immigration official carted them away.[84] Like the letter that had appeared in the pages of the *Los Angeles Times* a year earlier, these illustrations in the city's popular press indicated the continuing salience of nativist sentiments that had encouraged the passage of restrictionist immigration legislation in the early 1920s and the targeting of immigrant Chicagoans for arrest later in the decade.

[83] "Give 'Em The Boot!," *Chicago Daily Tribune*, September 10, 1928, Box 2, Folder 22a, IPL Records.
[84] "A Much-Desired Kidnapping," *Chicago Daily News,* September 14, 1928, Box 2, Folder 22a, IPL Records.

FIGURE 5.3: "GIVE 'EM THE BOOT!," 1928[85]

[85] "Give 'Em The Boot!," *Chicago Daily Tribune*, September 10, 1928, Box 2, Folder 22a, IPL Records.

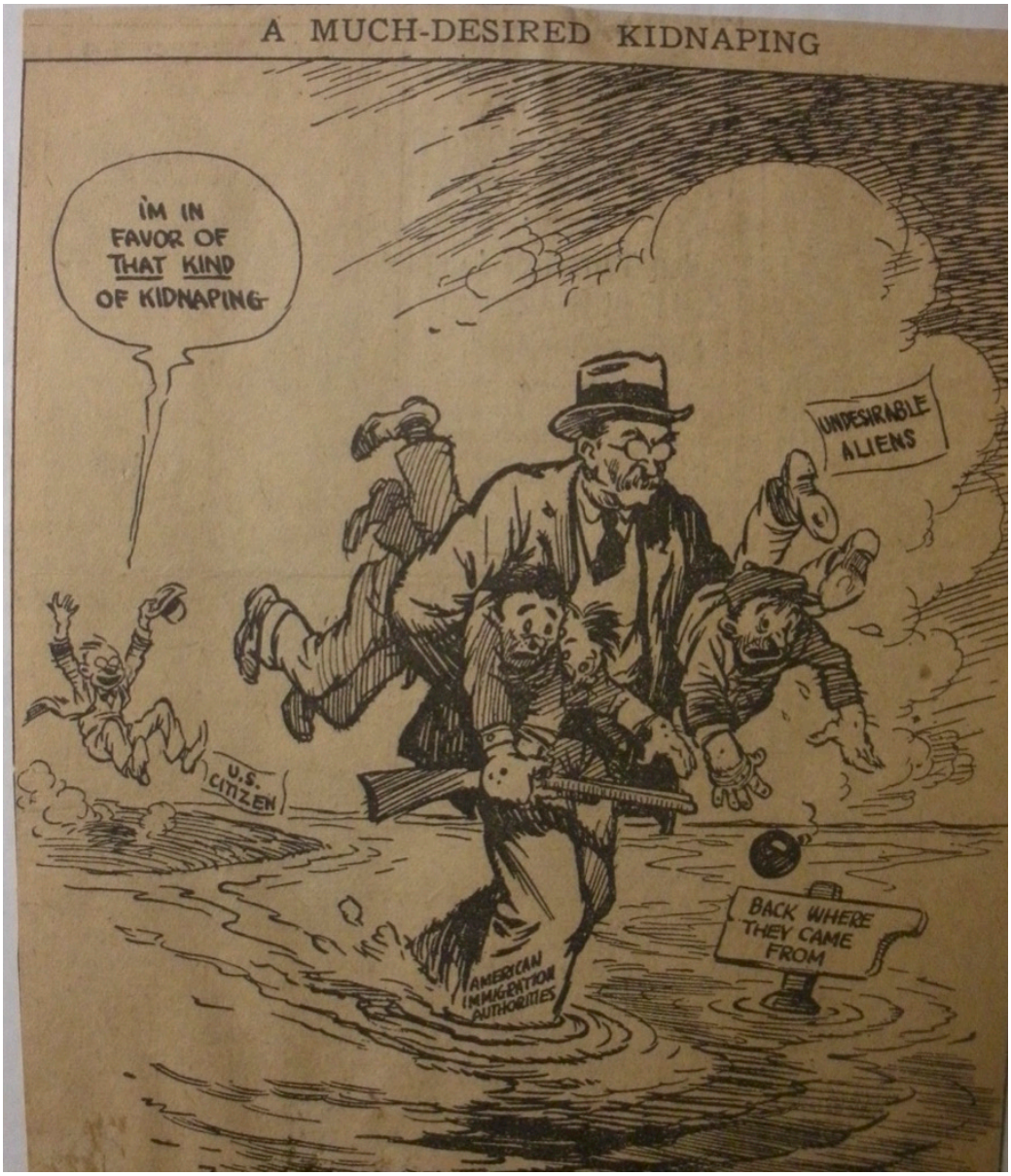

FIGURE 5.4: "A MUCH DESIRED KIDNAPING," 1928[86]

Although the 1926 drive had resulted in only a limited number of actual deportations, state officials augmented their capacity to deport in the years to follow, as announcements of wholesale deportations populated Chicago headlines in the late 1920s. In October of 1929, 45 immigrant Chicagoans joined a group of more than 200 immigrants from Western cities bound

[86] "A Much-Desired Kidnaping," *Chicago Daily News,* September 14, 1928, Box 2, Folder 22a, IPL Records.

for Eastern seaports where they were to be deported.[87] According to the report, the group included not only those who had been arrested on the city streets, but also some found in the state's prisons, "Among those who left from Chicago were a number of convicts who sentences had been commuted to permit the federal government to send them out of the country."[88] This detail indicated that by the end of the 1920s, state surveillance of immigrant Chicagoans had expanded in spatial and institutional scope, beyond the neighborhoods and homes where immigrants had been scooped up in 1926 and into state institutions that held immigrants who had already been charged or convicted of a criminal offense, compounding their punishment to include deportation.

Deportation drives and mass arrests continued into the early years of the 1930s, as headlines continued to announce renewed police efforts to rid the city of criminal connections through the targeting of immigrants for deportation. These raids occurred in the waning years of Prohibition and after the law and order Mayor William Dever had left office. Pressure for strict crime control continued to populate contemporary news and popular discourse, however, as the Chicago Crime Commission issued its first list of "public enemies" in April of 1930, including "twenty-eight of Chicago's most prominent, well-known, and notorious gangsters," a list that was headed by Alphonse Capone and George Moran.[89] Frank Loesch, President of the Chicago Crime Commission and a member of the federal National Commission on Law Observance and Enforcement, claimed that the list was intended as both a mechanism to root out law breaking

[87] "Deport 250 in Armed Train," *Chicago Daily Tribune*, October 20, 1929, Box 2, Folder 22a, IPL Records.
[88] Ibid.
[89] "Lists 18 Gangsters as Public Enemies," *New York Times*, April 24, 1930; Letter from Meyne to McGoorty, June 4, 1931, Box 6, Folder 11: Chicago Crime Commission, 1925-1931, Julius Rosenwald Papers 1905-1963, University of Chicago Special Collections [hereinafter Rosenwald Papers]. The Chicago Crime Commission's "public enemies" list found wide purchase among law enforcement officials in the 1930s, as federal law enforcement agents took up the concept of the "public enemy" in order to rally support for their own war on crime. The CCC's list eventually served as the basis for the Federal Bureau of Investigation's "Ten Most wanted Fugitives List." Bill Barnhart, "Public Enemies: Chicago Origins of Personalized Anticrime Campaigns," *Journal of Illinois History*, Vol. 4, No. 4 (2001): 270; Potter, *War on Crime,* 105.

and as a way to pressure law enforcement to maintain rigorous enforcement. Describing the purpose of the list, Loesch explained, "[The list is] to keep the light bulb of publicity on Chicago's most prominent and notorious gangsters to the end that they may be under constant observation by law enforcing authorities."[90] He offered suggestions regarding how law enforcement officials could best eradicate those criminals from the city "Vigilant watchfulness and arrests; court action; deportation of criminal aliens…raids on gambling houses, night clubs, dog tracks, etc., in which they are interested or which they frequent."[91] Chicago Police Commissioner William Russell assured Loesch and the Crime Commission that the department would pursue the individuals on the list, even promising to create a "hoodlum squad" dedicated to finding and arresting those included.[92] In addition to drawing widespread public attention to criminal syndicalism in Chicago, the "public enemies" list also revived the Crime Commission, which had suffered financial losses during the first years of the Depression, and served as a turning point in that organization's agenda, as it moved from a private watchdog organization into a public-facing anti-crime advocacy organization.[93]

Just two months after the Crime Commission had issued its "public enemies" list, eliciting renewed public pressure for strict law enforcement and the elimination of criminal syndicates in Chicago, police pursued another deportation drive. In June of 1930, Immigrants' Protective League investigators interviewed a police sergeant who informed them that 400 people had been arrested over the course of the previous few days, in order for immigration inspectors to question them. As they had in 1926, police continued to use warrantless dragnet

[90] "LIST 28 AS "PUBLIC ENEMIES": CRIME BOARD ASKS EXILE OF GANG LEADERS Police Plan Action to Oust Hoodlums," *Chicago Daily Tribune*, April 24, 1930.
[91] "Lists 18 Gangsters as Public Enemies," *New York Times*, April 24, 1930.
[92] "LIST 28 AS "PUBLIC ENEMIES": CRIME BOARD ASKS EXILE OF GANG LEADERS Police Plan Action to Oust Hoodlums," *Chicago Daily Tribune*, April 24, 1930.
[93] Ernest Burgess, et al, "Survey of the Chicago Crime Commission, 1950, p. 20-22 and 51-54, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers.

raids to target the city's immigrant neighborhoods, repeating the wholesale Constitutional violations they had perpetrated during the first deportation drive. According to the sergeant, police had rounded up hundreds of people in the drive, and those who had a previous criminal record were charged for disorderly conduct. Among the 400 people who were arrested in the drive, only five were charged for carrying pistols, indicating that only a very small proportion of the people arrested were found to warrant more serious charges.[94]

Anecdotal evidence from the 1930 raids echoed the stories that the Immigrants' Protective League had gathered in 1926, indicating the continuing use of warrantless arrests and police invasion of the homes and private spaces of the city's immigrant communities. Vincent Accardo had lived in Chicago for 17 years by 1930, although he had never completed his naturalization process due to a lack of money. His wife told IPL investigators that police had seized Accardo from the storefront that abutted the few small rooms that he and his family shared "just as if they were hawks and he was a little chicken," an analogy that vividly evoked the power differential between police and the hundreds of city residents that they plucked from homes and street corners during the repeated raids of the interwar years.[95] As it had in 1926, the Immigrants' Protective League concluded that "The whole affair was but a smoke screen to make it seem that the police was [sic] on the job of suppressing the criminal gangs," arguing that the raid represented an effort to mollify public demands for strict law enforcement, embodied by the Crime Commission's "public enemies" list.[96] Once again, federal officials deported very few immigrants as a result of the raids, indicating that claims that the arrests were necessary to root out illegal immigration to the city were unfounded or false. Additionally, IPL investigators

[94] "Chicago Deportation Drive," June 27, 1930, Box4-SII, Folder 54a: Deportation Drives, February 1926-December 1931, IPL Records.
[95] Ibid.
[96] Ibid.

concluded that the raids actually had rounded up a number of "gangsters" and provided for their questioning by federal immigration authorities, but that "In light of later developments the police department one might suspect that it was pre-arranged with the gangsters themselves."[97] This finding suggested not only that Chicago police had engaged in the raids to shroud their own deficiencies in effective crime control, but also that the arrests were the result of collusion between law enforcement and criminal syndicates, designed to give the appearance of strict law enforcement through exploitation of police graft and corruption.

After five years of the periodic mass arrests of immigrants, deportation drives by Chicago's Police Department and collaborating federal officials dwindled in the early years of the 1930s; the city saw the last of its major deportation drives in the fall of 1931. The Immigrants' Protective League noted that federal agents had arrived in Chicago in the fall of that year, ostensibly as part of a "nation-wide campaign to stop the smuggling of aliens," which IPL officials suspected stemmed from "spectacular reports as to its prevalence, [which] greatly exaggerate the facts."[98] This deportation drive marked an important shift in this technique of law enforcement, however, and demonstrated how national political developments and policy changes could intersect with local policing to motivate changes in the racial boundaries of criminalization. Unlike the raids of the previous several years, police and federal officials shifted their focus away from the Italians who had for so long represented the center of nativist ire in Chicago. Instead, the majority of the arrests and surveillance in this last large-scale deportation drive occurred almost exclusively among the city's Chinese and Mexican neighborhoods.

[97] "Chicago Deportation Drive," June 27, 1930, Box4-SII, Folder 54a: Deportation Drives, February 1926-December 1931, IPL Records.
[98] "Memorandum on the United States Deportation Drive of October, November 1931 in Chicago," December 12, 1931, Box 2, Folder 21: Deportation—Criminals, 1921-October 1933, IPL Records.

The 1931 deportation drive came just two years after the beginning of the national Mexican repatriation movement, a Depression-era campaign to expel Mexicans and Mexican Americans from the United States in order to alleviate problems of unemployment and welfare costs during the national economic downturn.[99] Depression-era nativism fueled demands for the deportation of Mexicans, and public and private agencies cooperated with Mexican consulates to send both immigrants and American citizens south to Mexico, particularly between 1929 and 1932.[100] Estimates of the number of Mexican immigrants and Mexican Americans repatriated during the early 1930s varied, especially due to the unreliability of Census data regarding Mexicans in that period, but examinations of Department of Labor records have shown that at least 400,000 Mexican and Mexican Americans were repatriated, deported, or voluntarily left the United States during the early 1930s, representing approximately one third of the Mexican population in the country at the time.[101] A disproportionate number of those repatriated came from Midwestern states, reflecting pressure from organized labor and business owners to rid the region of assumedly indigent Mexicans.[102] Chinese immigrants had faced hostility in Chicago since the late nineteenth century, and efforts to restrict Chinese neighborhoods in the interwar years resembled patterns of anti-Chinese discrimination in West Coast cities in those years as well.[103]

As had been in the case in the deportation drives of the previous few years, hundreds found themselves swept off the streets in a matter of weeks. The first raid occurred in the city's Chinatown, a small neighborhood at the intersection of Cermak Road and Wentworth Avenue

[99] Balderrama and Rodríguez, *Decade of Betrayal,* 98-99.
[100] Neil Betten and Raymond Mohl, "From Discrimination to Repatriation: Mexican Life in Gary Indiana during the Great Depression," *Pacific Historical Review*, Vol. 42, No. 3 (August1973), 377.
[101] Ngai, *Impossible Subjects,* 135.
[102] Paul S. Taylor, "Mexican Labor in the United States: Migration Statistics," *University of California Publications in Economics*, Vol. 12 (1934), 48.
[103] Huping Ling, *Chinese Chicago: Race, Transnational Migration, and Community Since 1870* (Stanford: Stanford University Press, 2012), 49-51; Shah, *Contagious Divides,* 227-229.

that abutted the South Side Black Belt.[104] Reports that 1,000 Chinese people had been smuggled into the city circulated among the major daily newspapers during the weeks prior, and police seized nearly 500 city residents in the first raid. A few days later, on October 26th, police focused their efforts on the South Side Mexican neighborhood, rounded up more than 100 men "from the streets and the pool-rooms," and brought them to the South Chicago police station where they were "for several hours, questioned by the Immigration officials."[105] Despite the fact that hundreds had been arrested over the course of just a few days, "only 3 were held overnight at the station, to be turned over to the Immigration Inspectors the next morning."[106] These initial raids were followed with arrests in Mexican neighborhoods near the Stockyards district as well as periodic stops near the downtown business district "where foreign-born have been believed to be employed in the kitchens."[107]

A week after the first waves of arrests, federal agents and Chicago Police continued their arrests in the city's Chinatown. Reporting on the raids during the first week of November, the *Chicago Daily Tribune* depicted a scene of chaos, claiming, "Terror was spread in Chinatown yesterday," as forty immigration officials and police officers "invaded the district around 22nd street and Wentworth Avenue."[108] The report indicated the fear incited by the raid; the law enforcement officers arrived in the neighborhood that afternoon, but "Before they were out of their cars Chinese were running as if their lives were at stake…They scrambled onto street cars,

[104] Ling, *Chinese Chicago,* 53.
[105] "Memorandum on the United States Deportation Drive of October, November 1931 in Chicago," December 12, 1931, Box 2, Folder 21: Deportation—Criminals, 1921-October 1933, IPL Records.
[106] Ibid.
[107] Ibid.
[108] "RAID CHINATOWN AND JAIL 42: Hunt Aliens Smuggled to U. S. by Ring Raid Chinatown in Hunt for Aliens Smuggled Into United States-- RAID CHINATOWN AND SEIZE 42 IN DRIVE ON ALIENS Neighborhood in Furor as Squads Arrive," *Chicago Daily Tribune*, November 2, 1931.

into taxicabs, and up narrow stairways that led to secret exits in the rear."[109] An image of the raids depicted a group of local and federal officials ushering Chinese men into police wagons as a crowd looked on; among the group of onlookers were two young African American men, who turned away as police forced their Chinese neighbors into the patrol wagon. The image, published in the *Tribune* the day after the raid, served to illustrate the several state agencies that had arrived to police the neighborhood as well as the spectacular nature of the raids, as city residents could watch as their neighbors were arrested and whisked away to the police station.[110]

[TRIBUNE Photo.]

FEDERAL IMMIGRATION OFFICIALS AND THE POLICE RAID CHINATOWN

Loading some of the Chinese who were seized in drive against smuggling of aliens into the country into patrol wagon at Clark street and Archer avenue.

FIGURE 5.5: "FEDERAL IMMIGRATION OFFICIALS AND POLICE RAID CHINATOWN," 1931[111]

[109] "RAID CHINATOWN AND JAIL 42: Hunt Aliens Smuggled to U. S. by Ring Raid Chinatown in Hunt for Aliens Smuggled Into United States-- RAID CHINATOWN AND SEIZE 42 IN DRIVE ON ALIENS Neighborhood in Furor as Squads Arrive," *Chicago Daily Tribune*, November 2, 1931.
[110] "Federal Immigration Officials and the Police Raid Chinatown," *Chicago Daily Tribune*, November 2, 1931, Box 2, Folder 22a, IPL Records.
[111] "RAID CHINATOWN AND JAIL 42," *Chicago Daily Tribune*, November 2, 1931.

Much of the contemporary news coverage of the raids suggested that the arrests were necessary to root out immigration violations and "alien smuggling" that had supposedly become rampant in the early years of the 1930s. Records of the Immigrants' Protective League admitted that some who had entered the country illegally were questioned and eventually deported, but also noted that the raid had resulted in the unwarranted arrest of many who had not violated any immigration regulations. Consequently, the framing of the campaign as a deportation drive masked the significant number of people arrested who had entered the country under entirely legal circumstances, and worked to mark all Mexicans and Chinese living in Chicago as illicit or criminal. As it had done in 1926, the IPL made efforts in 1931 to discover the number of persons affected by the drive and to determine the outcome of their arrests. An internal document compiled in the weeks after the drive listed "People Arrested in the Deportation 'Drive'" and included the names, addresses, and nationalities of men detained in the campaign.[112] Reports on the drive indicated that hundreds had been arrested; this document only listed a tiny fraction of those detained, but its sample gave some sense of the people targeted for arrest. All the men listed were of Mexican origin and residents of the city's Southwest Side. The list noted those who had made legal entry into the United States and the disposition of their cases. Most of those who had entered legally were listed as "released after questioning"; despite the fact that these men had adhered to immigration regulations, they still found themselves subjected to state scrutiny, solely due to the association of Mexicans with illegal immigration and criminality.

As many critics had done in 1926, the Immigrants' Protective League ended its assessment of the 1931 deportation drive with the conclusion that the campaign was bad crime control policy and a waste of state resources. Investigators for the IPL insisted, "Raids are a

[112] "People Arrested in the Deportation 'Drive'," October 1931, Box4-SII, Folder 54a: Deportation Drives, February 1926-December 1931, IPL Records.

costly use of public funds and a futile method of detection…They have been condemned in the Government's own Report, by the President's Commission on Law Enforcement and Observance."[113] Here the IPL referred to investigations conducted by the National Commission on Law Observance and Enforcement (NCLOE), the federally sanctioned commission charged with investigating the state of lawfulness and law enforcement in the United States in 1929.[114] Among its many reports published in 1931, the NCLOE issued a volume entitled *Crime and the Foreign Born*. Dr. Edith Abbott, the sister of Immigrants' Protective League founder Grace Abbott and a fellow University-of-Chicago-trained social worker, directed the NCLOE's inquiry into the relationship between crime and immigration, indicating the link between local immigration advocacy in Chicago and this national investigation of crime and law enforcement.[115] A study of criminal statistics from thirty-four cities conducted by Alida C. Bowler, a research associate from the University of Chicago, led Abbott to the conclusion "That in proportion to their respective numbers the foreign born commit considerably fewer crimes than the native born," and "That in crimes for gain (including robbery, in which there is also personal violence or the threat of violence) the native white greatly exceeded the foreign born."[116] Bowler's analysis drew on police data gathered from 34 cities with populations of more than 100,000, but the majority of the cities from which she gathered her data reported only charges and convictions, and failed to report all arrests and detainments by local police departments. In the end, the report of the NCLOE and Bowler's analysis of criminal statistics

[113] "Memorandum on the United States Deportation Drive of October, November 1931 in Chicago," December 12, 1931, Box 2, Folder 21: Deportation—Criminals, 1921-October 1933, IPL Records.
[114] Chapter 6 provides a discussion of the NCLOE's work on police violence and its investigatory methods.
[115] National Commission on Law Observance and Enforcement, *Report on Crime and the Foreign Born* (Washington, DC: US Government Printing Office, 1931), 3.
[116] Ibid, 195.

suggested that the foreign born were not predisposed to crime, but they failed to capture all the ways that many were still subjected to undue police scrutiny.

The same year that saw the last of Chicago's massive deportation drives and the publication of the NCLOE's *Crime and the Foreign Born* also saw the election of the city's first immigrant mayor. On April 6, 1931, Anton Cermak captured 58 percent of the popular vote to become mayor of Chicago, defeating the incumbent William Hale Thompson and beginning eight (ongoing) decades of Democratic control of the city executive's office. Cermak, a Czech immigrant who had previously served as a member of the Illinois House of Representatives, a Chicago city alderman, and the president of the Cook County Board of Commissioners, managed to capture the Democratic nomination despite early challenges from Irish candidates who had previous controlled the local Democratic machine.[117] In an election that was rife with xenophobic attacks hurled at Cermak from his Republican opponent, the former alderman found himself elected as the first foreign-born mayor of Chicago after rallying votes from several ethnic voting blocs.[118] Compared to the 1927 election, Cermak saw increases in voting percentages among a number of ethnic groups—Czechoslovakians, Poles, Lithuanians, Yugoslavians, Germans, Swedes, and Jews.[119] African American voters maintained significant support for Thompson, as they had during his previous elections in 1915, 1921, and 1927. In the weeks before the 1931 election, wards with black populations over 75 percent polled 83 percent

[117] Cermak contended with challenges from M.L. Igor, Clayton F. Smith, and Herman C. Bunsen, but eventually stood for the Democratic primary unopposed. Alex Gottfried, *Boss Cermak of Chicago: A Study of Political Leadership* (Seattle: University of Washington Press, 1962), 200-203.
[118] Cermak received endorsements from prominent leaders of these ethnic groups, including an endorsement from Julius Rosenwald. Ibid, 214.
[119] All of these groups cast at least a majority of their votes for Cermak, some in much higher margins. Allswang, *A House for All Peoples,* 42.

for Thompson, reflecting the decades of patronage politics Thompson had deployed to court black votes through jobs and political protection.[120]

The multiple instances of dragnet policing and mass arrests that occurred in Chicago over the course of the 1920s demonstrated the role of local law enforcement in defending the color line and constructing racial hierarchy, even as the city's racial and ethnic demographics shifted over the course of the interwar decades. It was during Cermak's first year in office that the last of the deportation drives occurred in Chicago, when hundreds of Mexicans and Chinese were arrested en masse, detained, and questioned by immigration officials. The support Cermak had received from European ethnic voting blocs in April of 1931 may have encouraged the foreign-born mayor and his administration to redirect the efforts of the Police Department away from the groups that had swept him into office. Mexicans, Chinese, and other immigrants from East Asia, however, were ineligible for citizenship and thus did not represent a potential source of political capital for the local political machines. These final deportation drives also served as a local expression of the national movement for Mexican repatriation. Like the multiple deportation drives that had occurred in Chicago since the mid-1920s, it was both motivated and shaped by national immigration politics as well as local political culture, demonstrating the consequences of the intersection of national and local crime control politics.

[120] Gosnell, *Negro Politicians,* 61-62.

CHAPTER 6

LAWLESSNESS IN LAW ENFORCEMENT: POLICE VIOLENCE AND THE CHICAGO NAACP CAMPAIGN AGAINST BRUTALITY

It was the middle of July 1933 and James Warren was seeking some relief from the punishing summer heat. A resident of Chicago's West Side, Warren had walked to the South Water Street Market to purchase ice from a local vendor.[1] As he approached the shops at the bustling market, a group of white men from a nearby immigrant neighborhood stopped him. They shouted at Warren, telling him that the ice was not intended for sale to black men, and proceeded to attack him. Warren attempted to fend off his adversaries, despite the fact that he faced a crowd of forty or more. As Warren deflected the blows, Officer C. A. Galler walked by, observing the vicious attack. Instead of stopping the melee, however, Officer Galler joined in, striking Warren with the butt of his pistol and breaking the man's eardrum in the process.[2] While Warren had perhaps hoped that the officer would halt the beating and arrest the men who had assailed him in the middle of the street, instead the officer subjected him to further violence. The patrolman's actions stood as an egregious example of police brutality. His participation in the attack on Warren also functioned as an endorsement of white racial violence—violence that

[1] The South Water Street Market had been located close to the city's central business district until 1925 when it was displaced in order to modernize Chicago's downtown with a multilevel thoroughfare. The market moved south, to Racine and Fourteenth Streets, although it retained its original name. Harold M. Mayer and Richard C. Wade, *Chicago: Growth of a Metropolis* (Chicago: University of Chicago Press, 1969), 124 and 311.
[2] "Press Case for Punishment of Brutal West Side Cop," *Chicago Defender*, August 12, 1933.

African Americans had often suffered at the hands of white gangs in that corner of the city over the previous three decades.[3]

Rather than report the incident to the police district station, Warren approached the Chicago branch of the National Association for the Advancement of Colored People, describing to branch officers the violence he had suffered as well as the failure of the police officer to come to his aid. Warren may have chosen to go to the branch rather than report the assault to police officials for a number of reasons. While the Chicago branch of the NAACP had struggled to retain key organizers and gain membership during its first two decades of operation, by the 1930s the branch had expanded its institutional capacity and actively pursued sanctions against racial discrimination in Chicago.[4] The branch had conducted a series of membership drives in the late 1920s and early 1930s, and Warren was likely familiar with the work of the organization and may have seen it as a potential path to retribution for the brutality he had suffered at the hands of the officer. Warren also may have been reticent to report the incident to the Chicago Police Department, assuming that police administrators would ignore the report or fail to discipline the offending officer.

The Chicago NAACP received a number of similar complaints in the years before the attack on Warren, and in light of the regularity of white racial violence and police brutality against African Americans, the branch announced that "The time had come for a wide investigation of some of the police methods used by police which rough tactics seemed to be reserved for colored citizens alone."[5] The Legal Redress Committee of the Chicago NAACP promised that a lawsuit would be pursued against the officer who had beaten Warren, whom they

[3] Diamond, *Mean Streets,* 32-33.
[4] The Chicago branch of the NAACP was among the first local affiliates of the organization, beginning as a vigilance committee in 1910. Reed, *The Chicago NAACP,* 32.
[5] "Chicago Branch Fights Brutal Beating of Citizens Who Are Colored by Policemen," July 8, 1933, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP.*

hoped to try before the city's Civil Service Commission. In addition to vowing to pursue action on James Warren's behalf, branch leaders also announced that they would investigate the problem of police violence more broadly, to the end that "all who have been guilty of such behavior be driven from the police force."[6] Warren's experience with the Chicago Police Department served as a catalyst to action by the Chicago branch of the NAACP, but the resolution of his case remains unclear, as few records of the complaint were preserved in the extant legal archive or the records of the NAACP. It is possible that the Civil Service Commission chose to discharge the offending officer along with the 82 other civil employees that dismissed that year, but it was more likely that Officer Galler remained on the force despite his record of brutality.[7]

During the 1930s, the Chicago branch of the NAACP pursued a consistent if limited campaign against police violence, seeking financial damages for victims of police brutality and the dismissal of violent cops from the Chicago Police Department. Legal efforts to end police violence and remove brutal cops from the force proved to be a mobilizing and politicizing issue for the branch, which had struggled to gain membership and legitimacy among black Chicagoans during its first two decades of operation. In response to a series of violent encounters between black Chicagoans and police in the early 1930s, the branch established its Legal Redress Committee (LRC), a group of black and white lawyers who would represent and support cases brought against brutal police, as well as many of the branch's other landmark anti-discrimination cases. Legal Redress Committee lawyers would go on to sponsor notable cases including *Hansberry v. Lee* in 1940, but it was agitation around consistent police brutality and violence

[6] "Chicago Branch Fights Brutal Beating of Citizens Who Are Colored by Policemen," July 8, 1933, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[7] *Thirty-Ninth Annual Report, Civil Service Commission, City of Chicago—Year 1933* (Chicago: City of Chicago, 1933), 9.

that prompted the institutionalization of the branch's legalistic response to racial discrimination in Chicago. This campaign joined with several other organizational responses to police brutality in this decade, as the national officers of the American Civil Liberties Union also lobbied for investigations of state violence and drafted model statutes to institute protections for the arrested.[8]

When NAACP officials insisted in 1931 that they would pursue action against police use of "rough tactics [that] seemed to be reserved for colored citizens alone," they drew racial boundaries around their critique of state violence and their legal campaign to end police brutality. Branch leaders may have deployed this language as a rhetorical technique to gain support for the campaign, signaling to the national NAACP offices that police brutality in the urban North was a critical issue to which the organization should devote its resources during a period in which the national officers were almost exclusively focused on the violation of black civil rights in the South. They may have also used this racial critique to marshal support for the branch among Chicago's African American population, acknowledging the frequent abuse that black city residents endured at the hands of police. But according to decades of news reports and investigations, branch leaders' assumption that police brutality was "reserved for colored citizens alone" dramatically understated the extent of state violence in the city. Police violence and use of the third degree, a colloquial term for violence deployed in the course of arrest or interrogation, was so common among Chicago police officers in the early twentieth century that many acknowledged it as a matter of course. The Chicago branch's decision to respond to cases of unnecessary police violence by forming a dedicated committee of lawyers and undertaking a legalistic critique worked to frame police brutality singularly as a racialized civil rights violation,

[8] Samuel Walker, *In Defense of American Liberties: A History of the ACLU* (Carbondale: Southern Illinois University Press, 1990), 87-88.

despite the fact that police violence in the city was so widespread as to be tantamount to department policy when police made arrests or interrogated suspects.

The Chicago NAACP's 1930s campaign against police violence was further limited in scope through its gendered and class boundaries, in addition to the racial boundaries of the branch's critique. Almost all of the victims of police violence represented by the branch—and certainly all of those who gained significant publicity—were middle-class black men. This careful selection of plaintiffs adhered to the class and conduct standards of the politics of respectability, which had shaped middle-class black law and order politics since the early years of the Great Migration. This strain of law enforcement politics had found expression among race leaders in the early-twentieth-century, in venues such as African American churches and in the pages of the *Chicago Defender*. The underlying premise of black law and order politics maintained that since most middle-class and refined black Chicago residents were law abiding, they therefore deserved equal law enforcement. This political rhetoric therefore excluded those who broke the law but still experienced illegal state violence or the violation of their civil liberties.

NAACP lawyers and their clients only very rarely succeeded in seeing an officer removed from the force, and any financial damages that they did secure were usually a small fraction of the amount originally sought. Illinois' Civil Service law governed the employment and dismissal of municipal officers. As a result, complaints against offending police officers were heard before the Civil Service Commission, a bureaucratic body with close ties to the Chicago Police Department. The reticence of Chicago's Civil Service Commission to dismiss police for brutality complaints or for the criminal courts to indict police for illegal violence also functioned to decriminalize white racial violence. All the cases supported by the NAACP during

the 1930s were against white police officers who had brutalized African Americans, and only a very few resulted in instances of police discipline. The failure of state oversight of illegal police violence worked to endorse that violence, paralleling the decriminalization of white racial violence that had occurred along the color line since the early twentieth century, especially during the Race Riot of 1919. In the context of the bombing of black homes in the years leading up to the riot and the violence of the riot itself, the failure of police to recognize illegal white racial violence or arrest perpetrators of racial attacks marked that violence as outside the boundaries of criminal sanctions. The unusually high burden of proof faced by those who lodged complaints against violent police mirrored those earlier instances. These repeated failures to discipline brutal police not only decriminalized individual violent cops, but also preserved the structural violence embedded in law enforcement in Chicago.

Despite its structural and legal limitations, the Chicago NAACP's 1930s campaign against police violence represented a concerted effort to reign in one of the worst excesses of police discretion—violence and brutality. The hurdles that the branch met with in its campaign signified just how entrenched the discretionary use of violence was in the practices of urban policing. The campaign also worked to institutionalize a legalistic response to racial discrimination and police violations of black civil rights, one that would be echoed by branches around the country and by the national offices of the organization in the decades to come.[9] The causal role of police violence in the formation of the Legal Redress Committee indicated the gravity of the issue facing new Southern migrants as well as Old Settlers, and demonstrated the

[9] "Sue Police for $60,000 After Alleged Attack (Atlantic City)," *Chicago Defender*, February 13, 1932; "Urge Mayor to Probe Alleged Cop Brutality (New York)," *Chicago Defender*, October 12, 1935; "Couple Demands $30,000 in Suit (Pittsburgh)," *Pittsburgh Courier*, May 14, 1938; "Man's Arrest Ruled Illegal (Baltimore)," *Baltimore Afro-American*, February 15, 1941; "Vet to Sue Los Angeles for Police Brutality (Los Angeles)," *Atlanta Daily World*, July 19, 1947; "Brothers Win Brutality Case (New York)," *New York Amsterdam News*, March 19, 1949.

critical role of state violence in the politicization of black Chicagoans across the political spectrum. The campaign also illuminated the many state-erected hurdles to police discipline and the structures that entrenched violence among law enforcement institutions. Ultimately then, the story of black critique of state violence in interwar Chicago is one of limited success but lasting impact in what it revealed about the relationship between state violence and black politicization, the foundations of civil rights lawyering, and the political and structural challenges to ending police brutality.

State Violence and Protest Politics in Interwar Chicago

Police brutality, violence, and official misconduct had deep histories in Chicago, and many of the city's residents had regularly experienced and criticized state violence since the professionalization of the Chicago Police Department in the late nineteenth century.[10] Although police brutality would eventually come to be one of the foci of the NAACP by the 1930s—and is nearly synonymous with racialized violence today—accounts from turn-of-the-century Chicago suggested that state violence and police misconduct were not singularly racialized problems, but were suffered by and contested by Chicagoans across racial, class, and ethnic divides. This wide scope of state violence indicated the active role that law enforcement officers played in reinforcing multiple intersecting social hierarchies along racial, class, and ethnic boundaries. Indeed, this was the city that had been home to the Haymarket affair in 1886, the bombing that killed seven policemen and four workers, following the police murders of several striking workers at the McCormick Machine Company the previous day.[11] The incident was one prominent example of long-standing tensions between police and labor organizers in the city, as

[10] Mitrani, *The Rise of the Chicago Police Department*.
[11] Carl Smith, *Urban Disorder and the Shape of Belief: The Great Chicago Fire, the Haymarket Bomb, and the Model Town of Pullman* (Chicago: University of Chicago Press, 1995), 120-122.

police regularly threatened striking workers and aided business owners in dispersing organizing campaigns and gatherings of union members from the late nineteenth century through the interwar decades.[12]

Early-twentieth-century historical actors used a range of terms to refer to violent mistreatment by police officers; among the terms that populated accounts of police abuse were lawlessness, cruelty, brutality, and the third degree. There was considerable slippage among these labels, as police critics and observers tended to use them interchangeably to refer to illegal or unnecessary roughness by police officers. One exception to that general vagueness was the term "third degree," which referred to police deployment of illegal violence over the course of an interrogation in order to obtain information about a crime.[13] The term had been used since the mid-nineteenth century to refer to illegal interrogation practices but became commonplace in the 1920s, as public calls for crime control heightened during Prohibition and many police resorted to extreme violence to secure information about crime.[14] Although the third degree had a relatively narrow technical definition, it was occasionally used to refer to police violence that occurred over the course of an arrest, not only violence during the process of interrogation.[15] "Police lawlessness" was sometimes used as an alternative to the third degree, and criminologists who studied police systems often used those terms interchangeably.[16] "Police brutality" and "police cruelty" were used most often in popular news accounts of police violence, in African American, ethnic immigrant, and white-owned newspapers, with little to differentiate the terms

[12] Mitrani, *The Rise of the Chicago Police Department,* 70.
[13] The colloquialism "the third degree" derived from investigatory terminology; at the turn of the twentieth century, police referred to arrest of a suspect as the first degree, confinement as the second degree, and interrogation as the third degree. Perhaps due to the prevalence of violent tactics employed in police interrogations, the third degree became associated with coercive interrogation. National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement* (Washington, DC: US Government Printing Office, 1931), 19-20.
[14] Ernest J. Hopkins, *Our Lawless Police: A Study of the Unlawful Enforcement of the Law* (New York: The Viking Press, 1931), 189-204; Johnson, *Street Justice,* 122-125.
[15] Hopkins, *Our Lawless Police,* 190.
[16] Ibid, 5; National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement*.

or specify the range of police actions to which they referred.[17] It was not until after WWII that "police brutality" came to dominate the discourse of police violence and to refer predominantly to racialized police violence.

These slippages among historical terminology produce challenges for clarifying the analytic language of police violence. This chapter draws on Marilynn Johnson's historical examination of police violence in New York to differentiate analytic terminology. Police brutality is used to mean the illegal use of force by the police, while police violence is used more broadly to identify all police use of deadly force, which may or may not be justifiable under the law. Police misconduct is used to characterize a range of police malfeasance, such as warrantless searches, illegal arrests, corruption and graft, non-intervention, as well as brutality.[18] Historical actors and sources did not always make these differentiations, but the analytical language used here will utilize those distinctions in order to clarify how and when officers of the state used violence, as well as the legal boundaries of that violence.

Conflicts between labor and Chicago police in the late nineteenth and early twentieth centuries often took the form of dramatic mass action policing, as officers intervened in labor demonstrations, signaling their allegiance to business interests and owners of capital. Members of the city's immigrant and working class communities—themselves the sources of most police patrolmen—were also regularly subjected to police violence, although this violence often

[17] Among popular reports of police violence, there was little distinction among the terms brutal police, police brutality, or police cruelty. For examples that described "brutal police," see "Chicago N.A.A.C.P. Legal Group Files Charges Against Two Police: SAY COPS BRUTALLY BEAT MAN," *Pittsburgh Courier,* January 16, 1932; "Brutal Chicago Cop Dropped from Force," *Chicago Defender*, April 1, 1933; "Brutal Police," *Chicago Defender*, July 23, 1938. For examples that referred to "police brutality," see "Chicagoans Aroused to Action by S. Side Police Brutality: BEAT WOMEN AND GO INTO HOMES; NAACP TAKES A HAND IN CASE," *Chicago Defender*, December 2, 1931; "To Curb Police Brutality," *Baltimore Afro-American*, December 5, 1931; "Urge Mayor to Probe Alleged Cop Brutality," *Chicago Defender*, October 12, 1935; "Sues 9 White Chicago Cops For Brutality," *Atlanta Daily World*, August 25, 1936. For examples that refer to "police cruelty," see "Charge Chicago Police With Cruelty," *Atlanta Daily World*, July 22, 1935; "NINE WHITE CHICAGO COPS SUED FOR CRUELTY: N.A.A.C.P. PUSHES MOST SHOCKING CASE OF ABUSE' ... Alleged to Have Fractured Jaw of Already Wounded Man," *Pittsburgh Courier*, August 22, 1936.

[18] Johnson, *Street Justice,* 10.

happened in private spaces and street encounters, rather than in mass actions. Occasionally, these cases elicited attention from the city's newspapers and municipal leaders, although more often they were simply part of typical police practice. Chicagoans observed such a case in February 1913, when second generation German Chicagoan and stockyards telegrapher Fred Haas was arrested by an officer from the Twenty-Second Street police station. Patrolman Peter R. Bronson mistook Haas for a murder suspect and brought him to the station for questioning. Upon his arrival, Bronson delivered Haas to a so-called "torture chamber" and subjected him to an extended, violent interrogation. According to witnesses, at least half a dozen officers in the station house must have heard Haas' cries, but none intervened to stop the brutal treatment.[19] Haas was charged with carrying a concealed weapon, but upon the discovery that he was not the sought after murder suspect, he was released from police custody.

Haas's injuries were so severe that he could not return to his job for two days. The extent of his injuries also gave him pause in filing a complaint, likely fearing retribution from the offending officers. It was ultimately another arrested man—William Kirk, a real estate dealer who had been stopped for driving with malfunctioning taillights—who delivered a detailed report to Police Superintendent John McWeeny. Kirk described a disturbing scene, in which he had watched two officers take Haas into their lieutenant's office and then had heard a series of screams emanate from the room for several minutes. After a few moments, a superior officer interrupted the commotion, but instead of reprimanding the brutal officers, he instructed them "Take that man to a cell if you want to do any beating."[20] The superior officer's instructions indicated his endorsement of the violent treatment Haas had received and suggested that similar conduct occurred regularly in the Twenty-Second Street police station. Kirk's detailed report

[19] "Alderman Fights Police Tortures," *Chicago Daily Tribune*, February 2, 1913.
[20] "Accuses Police of 'Third Degree,' Victim Innocent," *Chicago Daily Tribune*, January 30, 1913.

came to the attention of Alderman Charles M. Thomson of the Twenty-Fifth Ward, a West Side ward populated predominantly by first and second-generation immigrants.[21] Thomson promised to launch an investigation of police violence and discipline; he introduced a resolution to Chicago's City Council on February 6th, directing the Civil Service Commission to conduct an investigation of the incident.[22] Members of the Council refused to grant unanimous consent for the investigation, however, and the motion was referred to the Committee on Schools, Fire, Police and Civil Service; it did not appear in the records of the City Council again.[23] Thomson's promise to investigate Haas's case disappeared into bureaucratic obscurity, an example of the periodic promises of municipal leaders to investigate police misconduct with few results.[24]

Fred Haas's experience and the brutal treatment he suffered at the hands of police were hardly exceptional for members of Chicago's European ethnic and foreign-born communities. A survey of nearly 700 foreign-born men in Illinois state penitentiaries in 1930 indicated that police brutality was a common experience among that group of incarcerated men. According to their own accounts, some of these men had been arrested under curious circumstances "which seem[ed] to indicate that the police seem to be anxious to arrest upon the slightest suspicion."[25] European ethnic men also commonly experienced violence in their daily encounters with the police; when language barriers prevented police from obtaining information they desired "They

[21] According to the 1910 census, first and second-generation immigrants composed nearly 66 percent of the population of the West Side twenty-fifth ward. U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 514.
[22] "Haas Puts Police in Perilous Pose," *Chicago Daily Tribune*, February 3, 1913.
[23] *Proceedings of the City Council of the City of Chicago* (Chicago: February 6, 1913), 3679.
[24] Marilynn Johnson notes a similar pattern of periodic promises for police reform in her study of police brutality in New York City. Johnson, *Street Justice,* 5.
[25] Jacob Horak, "Criminal Justice and the Foreign Born: Preliminary Report, Summary of the Study of Foreign Born Prisoners in the Illinois State Penitentiaries," May 1, 1930, p. 14, Box 2, Folder 21: Deportation—Criminals, 1921-October 1933, IPL Records.

as a rule use[d] the third degree and often beat the man into unconsciousness."[26] Some such beatings proved to be so vicious, that many incarcerated men "a long time after they have been committed to the penitentiary, will show marks on their body left from the beating."[27] These accounts were obtained from interviews with the incarcerated men themselves, rather than from police or prison records, and interviewers conceded that the stories could have been exaggerated or altered. But regardless of the verifiability of the claims, they revealed that the predominant impression of law enforcement officers among these foreign-born men was one of mistrust and anticipation of violence.

Complaints of police violence and misconduct also proliferated among the city's African American population, especially as black Chicago grew over the course of the Great Migration. A stream of letters to the *Chicago Defender*'s "Legal Helps" column in the early years of the Great Migration signaled the regularity with which new migrants and Old Settlers met with mistreatment at the hands of police. Letter writers often requested information regarding the boundaries of police conduct and the possibilities for restitution if one had been mistreated by police officers. These letters inquired about possibilities of restitution for illegal detention in police stations, police refusals to allow detained persons to consult their lawyers, warrantless arrests, and physical brutality.[28] *Defender* journalists advised letter writers that they enjoyed equal rights of habeas corpus and counsel, and that violations of those rights may be actionable under the state's Civil Rights Act of 1885. The regularity of questions regarding police

[26] Jacob Horak, "Criminal Justice and the Foreign Born: Preliminary Report, Summary of the Study of Foreign Born Prisoners in the Illinois State Penitentiaries," May 1, 1930, p. 14, Box 2, Folder 21: Deportation—Criminals, 1921-October 1933, IPL Records.
[27] Ibid.
[28] See chapter 1 for a discussion of the *Defender*'s "Legal Helps" column and its role in articulating critiques of policing and law enforcement in the early years of the Great Migration. "Defender's Legal Helps," *Chicago Defender*, August 15, 1914; "Defender's Legal Helps," *Chicago Defender*, November 7, 1914; "Defender's LegaL Helps," *Chicago Defender*, November 14, 1914; "Defender's Legal Helps," *Chicago Defender*, July 31, 1915; "Defender's Legal Helps," *Chicago Defender*, September 11, 1915.

misconduct received by the *Defender* suggested, however, that despite legal assurances of African Americans' equal rights, the city's black residents routinely experienced mistreatment and violence at the hands of police.

Regular disparate policing and state violence targeted at African Americans and working-class city residents prompted varying responses among the city's racial advocacy organizations. Chicago became a stronghold of protest politics during the 1920s, as organizations across the political spectrum advocated for social and economic equality. During that decades, the Chicago Urban League and the local branch of the NAACP were joined by new organizations on the political left that advocated for African American rights and equality. The Brotherhood of Sleeping Car Porters (BSCP) and later the National Negro Congress (NNC) engaged in interracial labor organizing in order to advocate for both racial and economic justice in the city. Taking on the powerful Chicago-based Pullman Company, the BSCP recruited A. Philip Randolph to lead the organization in 1925 and built its membership and national influence through annual labor conferences hosted in Chicago.[29] The BSCP met with resistance from a number of other contingents within black Chicago; there was friction between the nascent union and the Chicago Urban League, due to the close relationship between the CUL and the Pullman Company.[30] Many of the city's influential clergy also resisted BSCP organization; Reverend Archibald J. Carey of the AME Quinn Chapel criticized the confrontational organizing strategy of the BSCP, instead advocating a conciliatory relationship between black Chicago and the city's white power brokers.[31] By the mid-1930s, many of the city's black liberal organizations including the NAACP and the Wabash Avenue YMCA had formed the Chicago Council of

[29] Letter from Webster to A. Philip Randolph, January 4, 1928, Correspondence, 1925-1969, Records of the Brotherhood of Sleeping Car Porters, Series A, Holdings of the Chicago Historical Society, Part 1: Records of the BSCP, 1925-1969.
[30] Bates, *Pullman Porters and the Rise of Protest Politics,* 43.
[31] Ibid, 48.

Negro Organizations, a coalition that did not include the BSCP or the NNC and did not include economic equality on its agenda.[32] Along with this range of liberal and leftist black organizing, the Communist Party also attempted to make inroads in the city during the interwar decades. Building on the interest generated by its defense of the Scottsboro boys, the Communist Party established neighborhood Unemployed Councils in Chicago, leading demands for adequate economic relief in the early 1930s.

Despite the tensions among this range of racial advocacy organizations, state violence and the discriminatory policing of African Americans in Chicago occasionally encouraged collaboration among those advocating for black rights and equality. In the early years of the Depression, many black Chicagoans suffered forced evictions for failure to pay rent as the city faced rates of unemployment nearing 30 percent.[33] Groups organized by the Unemployed Councils resisted evictions by restoring furniture that had been removed by landlords and demonstrating as police removed tenants from their homes.[34] In August 1931, one such incident turned violent when police confronted a crowd that had gathered to protest the eviction of a seventy-year-old black woman on South Dearborn Street.[35] A crowd estimated at nearly 1,000 people gathered and promised to restore the woman's property to her residence.[36] As the crowd voiced its protestations, a group of three patrolmen from the Wabash Avenue police station arrived at the scene. The patrolmen fired their revolvers toward the crowd, killing three black

[32] Bates, *Pullman Porters and the Rise of Protest Politics,* 125.
[33] Rates of unemployment among black Chicagoans were significantly higher than those among the general population; by the end of 1932, black unemployment vacillated between 40 and 50 percent. Mexican unemployment was significantly higher; by 1932, the number of Mexicans employed by US Steel in Chicago had fallen by 85 percent. Cohen, *Making a New Deal,* 241-242.
[34] Cayton and Drake, *Black Metropolis,* 87.
[35] The precise location of the eviction was South Dearborn between Fiftieth and Fifty-First Streets. Chicago Civil Liberties Committee, "Report of Investigation of the Killings of Abe Gray, Thomas Paige, and John O'Neal," November 25, 1931, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP.*
[36] This crowd estimate was according to police reports, but the investigation by the Civil Liberties Committee did not provide an estimate of the crowd size. "Fatal Chicago Riot Laid to Red Agents," *New York Evening Post*, August 4, 1931, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP.*

men—Abe Gray, Thomas Paige, and John O'Neal—and injuring others.[37] The officers later claimed that they had been overwhelmed and attacked by the crowd, although reports conflicted as to who had initiated the violence.

The aftermath of the eviction incident revealed the tensions in protest strategies among the city's several racial justice advocacy organizations in the interwar years. The Chicago branch of the NAACP collaborated with the Chicago Civil Liberties League to conduct a thorough investigation of the eviction before presenting evidence of their findings at a Coroner's inquest hearing.[38] The investigation contradicted many of the facts that had been reported in the popular press, finding little evidence that members of the crowd had been armed or had attacked the patrolmen unprovoked. Despite the recommendation of NAACP and Civil Liberties League officers that the responsible patrolmen be indicted, the Coroner's Jury found no reliable witnesses able to identity the policemen who had fired the shots and ruled that Gray, Paige, and O'Neal had been killed by persons unknown.[39] Although members of the Communist Party had been included in the process of investigation, local party leaders chose not to partake in the Coroner's inquest, choosing instead to protest this incident of police violence through a mass demonstration. The bodies of Gray, Paige, and O'Neal were laid in repose at a fraternal club on the black South Side; a group of party members kept guard over the bodies while thousands of Chicagoans visited to pay their respects. A week later, the internment procession transformed from a funerary march into a protest demonstration, as thousands took to the streets to mourn and express their criticism of the police response to the eviction incident.[40] Following the

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[37] Chicago Civil Liberties Committee, "Report of Investigation of the Killings of Abe Gray, Thomas Paige, and John O'Neal," November 25, 1931, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[38] Letter from Theophilus M. Mann to NAACP Press Service, December 5, 1931, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[39] This despite the fact that many popular news accounts included the names of the accused patrolmen. Ibid.
[40] "Crowd Orderly at Funeral of Slain Rioters," *Chicago Daily Tribune*, August 9, 1931; Cayton and Drake, *Black Metropolis,* 87.

demonstration, police bailiffs ordered a temporary suspension of South Side evictions and police involvement, but the three officers who had killed Gray, Paige, and O'Neal received no penalties.

Illinois law and bureaucratic procedure provided some mechanism for addressing police brutality and misconduct, but the opacity of the process and the total state discretion over it erected significant barriers for citizens who wished to see police officers disciplined or dismissed from the force. According to Illinois's 1885 Civil Service Act, the mayor of every city in the state was responsible for appointing a three-member commission to oversee civil employment.[41] The law charged local Civil Service Commissions with the administration of civil service exams, which tested applicants' practical knowledge of the department to which they applied, including the Police Department. The Civil Service Commission had the authority to dismiss or remove civil officers for any disciplinary infractions after the offending officer had an opportunity to be heard in his own defense. Accordingly, in order for a police officer to be removed from the force for misconduct or illegal violence, protocol dictated that the complaint should be lodged with the Civil Service Commission, which would investigate the incident, hold a hearing, and issue a final decision. However, the law did not specify procedural rules for those hearings or indicate the appropriate burden of proof for the removal of a civil officer.[42] The text of the law simply indicated that once written charges had been lodged against a civil officer "Such charges shall be investigated by or before said civil service commission, or by or before some officer or board appointed by said commission to conduct such investigation."[43] It provided each city's Civil Service Commission with considerable discretion in investigating cases of misconduct; in

[41] Offices excluded from oversight by the Civil Service Commission included elected officials, city department heads, members of the city's law department, and school superintendents and teachers. *Thirty-Ninth Annual Report, Civil Service Commission, City of Chicago—Year 1933* (Chicago: City of Chicago, 1933), 23.
[42] Ibid.
[43] Ibid.

Chicago, a Trial Board heard evidence regarding charges of misconduct and then advised the Commission as to further action.[44]

The near-absolute discretion that the state maintained over police discipline protected officers from much of the protest politics and critiques that had emerged among Chicago residents over the previous three decades. The structure of the Civil Service Act and the bureaucratic process that it provided for established a number of hurdles to civilian oversight over the police force and the removal of officers who had used undue force or other forms of discrimination. While brutal police officers could have been liable for civil damages or faced criminal charges, in order to remove an officer from the Chicago Police Department accusers needed to lodge their complaints to the Civil Service Commission. The law did not prevent police administrators from suspending officers for a time, but it limited that suspension to thirty days unless a complaint was lodged with the Civil Service Commission itself. The mayor, who also appointed the Superintendent of Police, appointed the three-member Commission; accordingly, members of the Civil Service Commission were closely tied to city administrators and the Police Department. Ultimately then, Illinois law constructed a bureaucratic system in which police oversight was closely tied to leadership of the Police Department and the city itself.

Despite its close ties to the mayor's office and police leadership, the Civil Service Commission was not unwilling to dismiss Chicago police officers on charges of misconduct, but police violence was not usually a priority for disciplinary actions. Rather, charges that drew frequent attention from the Commission were more typically intoxication, lewd conduct, or connections to gambling or graft. Sometimes these charges prompted wholesale investigations; in 1912, the Commission examined the department's connections to gambling and criminal

[44] *Thirty-Ninth Annual Report, Civil Service Commission, City of Chicago—Year 1933* (Chicago: City of Chicago, 1933), 9.

syndicates. The investigation uncovered police participation in and protection of gambling rings, and police complicity in prostitution and the illegal sale of liquor. However, the Civil Service Commission dismissed only one officer as a result.[45] Attention to these issues of discipline, corruption, and efficiency mirrored the priorities of the Chicago Crime Commission, which had emphasized improving police efficiency and rooting out police corruption since its formation in 1919. Outside of special investigations like that in 1912, the Commission did occasionally dismiss police officers, usually for charges of conduct unbecoming an officer or violations of department procedures.[46] In September of 1933, the Civil Service Commission dismissed three police officers for conduct unbecoming an officer; all three had been intoxicated while on duty, and one had been found in a compromising position with a woman while he was meant to be on patrol.[47] One of those men—Edward J. Wroblewski—had previously been dismissed for the same charges and later reinstated by a court order, demonstrating the significant hurdles to permanently ejecting an ineffective officer from the force.

NATIONALIZING CRITIQUES OF POLICE VIOLENCE

The bureaucratic opacity and limitations of civil service reviews prompted periodic efforts to augment civilian oversight of police and law enforcement in Chicago and throughout the country. Locally, the Chicago Crime Commission's observation and recommendations for improving law enforcement operation prompted some administrative and organizational changes

[45] H.M Campbell, et. al., "Chicago Police Report of the Chicago Civil Service Commission," *Journal of the American Institute of Criminal Law and Criminology* 3 (1912-1913): 63-72.
[46] "Oust Colleran From the Force," *Chicago Daily Tribune*, November 21, 1901; "Oust Lieut. Walsh; Establish Guilt in Police Inquiry," *Chicago Daily Tribune*, October 5, 1911; "Policemen Face Suspension for 'Slush' Activity," *Chicago Daily Tribune*, November 21, 1915; "Try Policeman for Fifth Time for Breach of Rules," *Chicago Daily Tribune*, May 15, 1930; "Four Policemen Dismissed, One for 'Gossiping,'" *Chicago Daily Tribune*, July 23, 1931.
[47] "3 Policemen Are Ousted by Civil Service Board," *Chicago Daily Tribune*, September 15, 1933.

among the Chicago Police Department.[48] Elsewhere, criminal justice reformers suggested that civilian review boards could effectively monitor police misconduct; members of the Los Angeles Bar Association established a Committee on Constitutional Rights in 1928 in order to establish such review, but the group lacked any official power.[49] Civilian review boards failed to gain much support or institutionalization until after World War II, but in the interwar decades, investigatory commissions that examined policing practices continued to proliferate.[50] Such commissions resembled Progressive investigatory groups, which gathered data on urban problems and other social phenomena, acting largely as information gathering organizations. Those efforts to examine law enforcement practices came to national attention by the end of the 1920s with the establishment of the National Commission on Law Observance and Enforcement (NCLOE).

President Herbert Hoover convened the NCLOE in May 1929; the eleven-member group was commonly known as the Wickersham Commission, so-named for its chairman, former attorney general George Wickersham.[51] Hoover tasked the group with an investigation of the condition of law enforcement and the causes of crime in the United States, following growing criticisms of rampant lawlessness in the country and blatant disregard for the federal ban on alcohol.[52] He populated the commission with many of the country's top jurists as well as prominent social reformers; Wickersham chaired the group, which comprised former Secretary of War Newton D. Baker, federal judges William S. Kenyon, Paul J. McCormick, and William I.

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[48] See chapter 3 for a discussion of the work of the Chicago Crime Commission and the influence of anti-crime activism on policing in Chicago.
[49] Samuel Walker, *Police Accountability: The Role of Citizen Oversight* (Belmont, CA: Wadsworth Thompson Learning, 2001), 20.
[50] For an example of such an investigatory review in Chicago, see Citizens' Police Committee, *Chicago Police Problems* (Chicago: University of Chicago Press, 1931).
[51] "Hoover Names Members of Crime Commission," *Los Angeles Times,* May 21, 1929.
[52] National Commission on Law Observance and Enforcement, *Report on the Enforcement of the Prohibition Laws of the United States* (Washington, DC: US Government Printing Office, 1931), iii-iv.

Grubb, Washington state Chief Justice Kenneth Mackintosh, Harvard Law School Dean Roscoe Pound, Radcliffe President Ada Comstock, and criminal justice reformers Henry W. Anderson, Monte M. Lemann, Frank J. Loesch.[53] Loesch's appointment represented a connection between the national-looking Wickersham Commission and the localized crime commission movement that had begun in Chicago ten years earlier. Loesch was a Chicago lawyer and one of the founding members of the Chicago Crime Commission; he had been elected president of the organization in 1928.[54] The Wickersham Commission and the Chicago Crime Commission demonstrated several key differences—one was a federally sanctioned organization tasked with making national crime policy recommendations, while the other was a private, local watchdog group that sought to improve the efficiency of urban law enforcement. But the federal institutionalization of the crime commission model with the establishment of the NCLOE indicated the legitimacy that the work of groups like the Chicago Crime Commission had gained over the course of the 1920s.

After a year and a half of inquiry, the NCLOE issued a document entitled "Proposals to Improve Enforcement of Criminal Law in the United States," and followed those proposals with a series of exhaustive reports detailing its various investigations, again following on the Progressive model of comprehensive social inquiry.[55] Among the most damning publications issued by the NCLOE was its' *Report on Lawlessness in Law Enforcement,* a volume that examined police use of the third degree, which the NCLOE defined as "the employment of methods which inflict suffering, physical or mental, upon a person, in order to obtain from that

[53] National Commission on Law Observance and Enforcement, *Report on the Enforcement of the Prohibition Laws of the United States,* iii.
[54] Ernst W. Burgess, et al, "Survey of the Chicago Crime Commission," 1950, p. 21, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers.
[55] National Commission on Law Observance and Enforcement, "Proposals to Improve Enforcement of Criminal Laws of the United States," (Washington, DC: US Government Printing Office, 1931).

person information about a crime."[56] This definition limited the NCLOE's examination of police violence to that which occurred in the process of interrogation or arrest, excluding violence that may have occurred in other police-civilian interactions or other forms of police misconduct that were not physically violent. This narrow investigation may have been due to the NCLOE's reliance on legal evidence in its investigation. The authors of the *Report on Lawlessness in Law Enforcement* deemed published judicial decisions to be the most reliable sources of evidence regarding the existence of the third degree, a methodology that may have been due to the legal training of the most of the investigators and members of the NCLOE. Testimony or other evidence regarding the third degree usually appeared in legal decisions in relation to an interrogation or confession, as judges determined whether or not that confession or information could be included in the case.

The investigation and conclusions of the National Commission on Law Observance and Enforcement demonstrated that violence was deeply embedded in American law enforcement, tantamount to official police department policy in many cities, despite legal prohibitions against it. These findings confirmed the claims of many Chicagoans over the first few decades of the twentieth century, who had indicated the widespread and nearly ubiquitous use of force by the Chicago Police Department. The NCLOE concluded that the use of the third degree was common throughout the country both in urban and rural settings, carried out predominantly by police officers and detectives but also occasionally by prosecutors. The third degree could refer to a number of practices, including but not limited to protracted questioning, physical or verbal intimidation, physical brutality, illegal detention, and holding the accused incommunicado or unable to communicate with family, friends, or counsel.[57]

[56] National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement*, 19-20.
[57] Ibid.

Reflecting on their findings on police violence in Chicago, the authors of the *Report on Lawlessness in Law Enforcement* concluded "A consideration of the evidence and of the reported cases leaves no doubt that…the third degree is thoroughly at home in Chicago."[58] Indeed, the research materials and summaries written by NCLOE investigators depicted a city in which state violence was not only tolerated but also deployed as a primary method through which to exercise state power and maintain racial, ethnic, and economic hierarchy. NCLOE investigators conducted interviews in fifteen cities across the country, cities that the commission had identified as representative of national law enforcement practices.[59] Chicago was among the sites chosen, where investigators interviewed attorneys, members of the press, and current and former police officials. Upon the conclusion of their inquiry, lead investigator Ernest Hopkins summarized his findings "The third degree is a prevailing practice in Chicago…it was the exception when a suspect was not third degreed."[60] Furthermore, he emphasized that the use of violence was not limited to a few officers but was "generally practiced."[61] Along with violent and illegal police conduct that occurred over the course of interrogation or investigation, members of the commission also concluded that "The arrests themselves are, to begin with, frequently without any legal basis, as in the case of a recent drive in which 2,000 men were arrested and later released."[62] The NCLOE's criticism of these indiscriminate arrests echoed critiques that had been voiced by observers over the course of the 1920s, as police frequently conducted sweeps of black neighborhoods and immigrant communities, often arresting hundreds of people over the

[58] National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement*, 125.
[59] Ibid, 24.
[60] "Summary of Chicago," February 7, 1931, p. 1, Folder: Arrests—Illegal Arrests (Interviews), Reel 1, Records of the Committee on Official Lawlessness, Records of the National Commission on Law Observance and Enforcement, RG 10 (microfilm edition) [hereinafter RG 10].
[61] Ibid.
[62] Ibid.

course of one or two evenings, such as the raids that had occurred among black neighborhoods in the middle of that decade or the massive arrests of immigrants during deportation drives.[63]

The NCLOE gathered detailed evidence about a range of violence visited upon arrested persons in Chicago; police frequently went far beyond roughing up suspects in the streets, deploying dangerous violent methods in police headquarters and elsewhere throughout the city. Former federal detective Alexander Jamie claimed to have inside knowledge of police practices and described violence he had witnessed during his time with the Bureau of Prohibition. Jamie had left the Bureau in 1930 to become lead investigator for Chicago's Citizens' Committee for the Prevention and Punishment of Crime, the so-called Secret Six businessmen who had organized that year to collect evidence regarding the existence of organized crime in Chicago.[64] Jamie's work for the Bureau and the Secret Six provided him with opportunities to witness the inner workings of the Chicago Police Department over the course of the preceding decade, and as he told Hopkins, "It was the exceptional thing when a suspect was not subjected to physical violence" by arresting officers (emphasis original).[65] Jamie described the brutality inflicted by Chicago police in detail, telling Hopkins that common practices included "the application of the rubber hose to the back or across the pit of the stomach; kicks in the shins, or beating with a club across the shins; and, very frequently, blows struck with the telephone book on the side of the victim's head."[66] Jamie's gruesome detail illuminated the forms of violence that many Chicagoans faced when arrested or brought to a district police station; Chicago police had innovated a range of technologies of violence that extended far beyond street roughing.

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[63] See chapters 4 and 5 for a discussion of indiscriminate arrests in African American and immigrant neighborhoods in the interwar decades.

[64] This group of vigilante businessmen collected evidence about organized crime and eventually helped to convict Al Capone of tax fraud. There was some overlap between these men and the Chicago Crime Commission, but they were not the same group. Loesch was supposedly part of the Secret Six, and was a member of the NCLOE. Douglas Perry, *Eliot Ness: The Rise and Fall of an American Hero* (New York: Penguin Books, 2014), 51.

[65] "Interview with Jamie," February 5, 1931, p. 1, Folder: Violence and Intimidation (Interviews), Reel 10, RG10.

[66] Ibid.

Other interviews conducted by NCLOE investigators corroborated Jamie's account, and some offered even more extreme examples of the third degree. A newspaperman who chose to remain anonymous confirmed officers' regular use of the rubber hose, police clubs, and the Chicago phonebook to brutalize suspects. He also described one incident "In which a young chap had been suspended out of a window, head downward, by handcuffs or manacles attached to his ankles."[67] While most evidence of the third degree gathered by the NCLOE described police violence as a relatively private, secretive practice, this account was particularly striking for the public display of police brutality it entailed, implying that the offending officers harbored little fear of discipline for their offense. The image of a man brutalized and suspended in the air might also have conjured reminders of a lynching, especially considering the ubiquity of lynching images in early-twentieth-century visual culture.[68] Among the most extreme examples of police violence and misconduct uncovered by NCLOE investigators was the kidnapping and interrogation of Leo Brothers, an associate of Al Capone, after Brothers was arrested for the murder of *Chicago Tribune* reporter Alfred Lingle in 1930.[69] Police arrested Brothers after Lingle was shot at the Illinois Central Train Depot, but instead of taking him to police headquarters, they brought Brothers to the downtown Congress Hotel. He was held there for four days without food, shackled in the bathroom of a hotel room while officers interrogated him. Police kept Brothers at the Congress Hotel for another week before taking him to a second hotel

[67] "Interview with Newspaperman," February 2, 1931, p. 2, Folder: Arrests—Illegal Arrests (Interviews), Reel 1, RG 10.
[68] Amy Louise Wood, *Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940* (Chapel Hill: University of North Carolina Press, 2009).
[69] Most agreed, then and since, that Brothers had been sacrificed by the Capone outfit and that Lingle had actually been killed by a different gang hitman. While some claimed that Lingle had been targeted for his reporting, others suggested that he had actually been involved in racketeering with the Capone syndicate. Pasley, *Al Capone,* 267.

where the brutal interrogation continued. Finally, police took Brothers to police headquarters, but only after he had been held incommunicado for twenty-one days.[70]

The evidence gathered by the NCLOE suggested that police violence worked to maintain social and political hierarchy, operating within an economy of violence in which state brutality was indiscriminately meted out to the masses and in which only those with political or economic power could manage to evade such treatment. For instance, Detective Alexander Jamie told investigators that police subjected nearly every arrested person to the third degree, although exceptions included "Men who had political influence, connection with influential gangs, or who were either graft-sources or linked to graft-sources."[71] Connections to organized crime were among the only sure guarantees that a suspect would not be victim to police violence, as Jamie suggested that officers had become increasingly afraid of gang reprisals over the course of the 1920s. He told investigators that he had heard several police speak about their fear of gang reprisals "There had been instances in which, after brutality had been used, the friends or "gang" of the victim had found out what policemen or detectives were responsible, and had watched for a good chance, then beaten the policemen up as an act of revenge."[72] Jamie concluded that this fear of reprisal was the only factor that had any significant impact on reducing the use of the third degree, indicating that officers rarely had to be concerned about official repercussions for the use of violence "The police were in no particular fear of discipline, for brutality, as charges were seldom brought and hardly ever made to 'stick.'"[73] Similarly, the anonymous newspaperman told investigators that he regretted "that the brutality was confined to the unimportant cases and that police hands were tied as to the gangsters and racketeers of influence,"

[70] "Interview with Robert E. Cantrell, Sr.," February 4, 1931, p. 2-3, Folder: Arrests—Illegal Arrests (Interviews), Reel 1, RG 10.
[71] "Interview with Jamie," February 5, 1931, p. 2, Folder: Violence and Intimidation (Interviews), Reel 10, RG 10.
[72] Ibid.
[73] Ibid, 3.

confirming that connections to the illicit economy in Chicago was one of the only ways to avoid police violence.[74]

Other evidence collected by the NCLOE suggested that the prevalence of police violence in Chicago was also motivated by the law and order politics that had proliferated among city leaders since the passage of federal Prohibition at the start of the 1920s. The same anonymous newspaperman who had indicated the immunity of so-called gangsters from police violence told NCLOE investigator Ernest Hopkins that the third degree persisted in Chicago because "Nothing was done about it, because the whole emphasis in Chicago was upon more severe law enforcement rather than the reverse, and the police weren't criticized for going too far, but rather for not going far enough."[75] The newspaperman's comments reflected the anti-crime discourse of groups like the Chicago Crime Commission and the Secret Six, groups comprised of businessmen who advocated improved law enforcement efficiency but gave little attention to police violations of individual rights or use of violence. The newspaperman confirmed that anti-crime businessmen's attempts to reform the Chicago Police Department and other law enforcement agencies had focused on inefficiency and corruption, "He told of the various investigations made into the Chicago Police department, but thought that the investigators were trying to get graft evidence exclusively, paying little or no attention to police brutality, illegal arrest, illegal detention, or any other such <u>enforcement</u> practices (emphasis original)."[76] This interview identified a tension that had permeated Chicago's criminal justice reform efforts over the previous ten years: despite numerous attempts to rationalize the city's law enforcement

[74] "Interview with Newspaperman," February 2, 1931, p. 3, Folder: Arrests—Illegal Arrests (Interviews), Reel 1, RG 10.
[75] Ibid, 1.
[76] Ibid.

apparatus, few influential reformers had given attention to the rampant violence and illegal arrests that many Chicagoans endured.

While these interviews suggested that political power or criminal connections were among the few ways to avoid police violence in Chicago, most informants remained vague regarding the victims of police violence. Many interviewees asserted that the use of the third degree was so widespread that police subjected nearly every arrested person to some form of police brutality. Roger Baldwin, executive director of the American Civil Liberties Union, however, was one of few people who did provide more detail about the targets of police violence. He told lead investigator Ernest Hopkins "Government lawlessness is for the most part directed against certain minorities, who it is intended to keep subordinate."[77] He specified, "Negroes are by far the most common victims, aliens next and third radicals, political and economic."[78] Baldwin's comments tracked with NCLOE members' analysis of the legal evidence they had gathered, which demonstrated that police use of the third degree crossed racial, ethnic, and class lines, although in some locales "these practices are particularly used against Negroes."[79] Baldwin's assertion that African Americans, immigrants, and political radicals were common targets for violence also resonated with decades of accounts of police brutality and discrimination in Chicago, as the city had seen police target labor organizing as well as black and immigrant neighborhoods for mass arrests and raids since the early twentieth century.

Conspicuously missing from most of the evidence gathered by the NCLOE were explanations for the reasons that police violence and the third degree were so ubiquitous in Chicago and in other cities throughout the country, perhaps indicating the degree to which state

[77] "Conference between Roger Baldwin, C.S.S., and C.S.E.E.," November 21, 1929, p. 1, Folder: Arrests—Illegal Arrests (Interviews), Reel 1, RG 10.
[78] Ibid.
[79] National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement*, 158-159.

violence had simply become common sensical among urban policing. But Baldwin was among few interviewees who offered an explanation as to why police violence was so common—he suggested that police used violence to reinforce racial and socioeconomic hierarchy. He asserted that police often abandoned their duties in favor of protecting the powerful and wealthy "Policemen…go about armed, using force and weapons unrestrainedly, and busying themselves in political and economic matters…their attitude often expressly voiced is that their sole purpose is to protect property and not to protect individual rights."[80] Here Baldwin clarified his earlier comments regarding police efforts to keep certain groups subordinate to others, indicating that the hierarchy police sought to enforce was at least partially based on class and the power of capital, along with the boundaries of race and ethnicity. While Baldwin did not specifically cite evidence from Chicago, his comments were consistent with the Chicago Police Department's frequent intervention into labor disputes and their repeated brutality of African Americans. Others confirmed Baldwin's generalizations with regard to Chicago specifically; criminal attorney Joseph B. Lofton told Hopkins "The use of the third degree in Chicago was notorious, especially in cases where the suspect had no money or influence."[81]

Police Violence and Civil Rights

The National Commission on Law Observance and Enforcement published its findings in 1931, issuing a series of reports authored by its many committees.[82] The reports communicated a

[80] "Conference between Roger Baldwin, C.S.S., and C.S.E.E.," November 21, 1929, p. 3, Folder: Arrests—Illegal Arrests (Interviews), Reel 1, RG 10.
[81] "Interview with Lofton," February 3, 1931, Folder: Vagrancy and Roundups, Reel 11, RG 10.
[82] Between January and July of 1931, the National Commission on Law Observance and Enforcement published fourteen reports detailing their findings. Those reports were: *Report on the Enforcement of the Prohibition Laws of the United States* (Washington, DC: US Government Printing Office, 1931); *Report on Criminal Statistics* (Washington, DC: US Government Printing Office, 1931); *Report on Prosecution* (Washington, DC: US Government Printing Office, 1931); *Report on the Enforcement of the Deportation Laws of the United States* (Washington, DC: US Government Printing Office, 1931); *Progress Report on the Study of the Federal Courts*

series of conflicting conclusions; although the eleven members of the group agreed that reform and improvement of law enforcement were necessary, they failed to arrive at a unified set of recommendations for policy change.[83] Despite their imposing length, the reports of the NCLOE were widely read and generated considerable public outcry, particularly the *Report on Lawlessness in Law Enforcement*, which included a wealth of detail regarding the violent practices of American police. Undoubtedly, municipal officials, jurists, and social reformers in Chicago would have been familiar with the report and its conclusions and presumably found the report to resonate with their own experiences in the city. Officers of the Chicago branch of the NAACP likely would have read the report as well, perhaps remembering the extent of police violence uncovered by the NCLOE when James Warren arrived at the branch offices in July 1933, seeking aid in his attempts to obtain restitution from the Chicago Police Department following the brutal beating he had received in the city streets just a few days before.

Police brutality proved to be a mobilizing issue for the Chicago branch of the NAACP in the 1930s, which had struggled to maintain its member base and financial liquidity during its first two decades of existence. By the early 1930s, the branch had expanded its organizational capacity, forming its Legal Redress Committee in 1931 in response to a series of cases of police

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(Washington, DC: US Government Printing Office, 1931); *Report on the Child Offender in the Federal System of Justice* (Washington, DC: US Government Printing Office, 1931); *Report on Criminal Procedure* (Washington, DC: US Government Printing Office, 1931); *Report on Penal Institutions, Probation, and Parole* (Washington, DC: US Government Printing Office, 1931); *Report on Crime and the Foreign Born* (Washington, DC: US Government Printing Office, 1931); *Report on the Cost of Crime* (Washington, DC: US Government Printing Office, 1931); *Report on Lawlessness in Law Enforcement* (Washington, DC: US Government Printing Office, 1931); *Report on Police* (Washington, DC: US Government Printing Office, 1931); *Report on the Causes of Crime, Volume I* (Washington, DC: US Government Printing Office, 1931); *Report on the Causes of Crime, Volume II* (Washington, DC: US Government Printing Office, 1931).

[83] Officially, the NCLOE rejected the repeal of the Eighteenth Amendment, but privately some members wavered on this recommendation hoping to see modifications of state liquor controls or a national referendum to gauge public opinion of current liquor regulation. Some members recommended unequivocal enforcement of the Eighteenth Amendment in its current form while others suggested changing the amendment to allow Congress regulatory power over alcohol, including the discretion to allow its sale and manufacture. These internal divisions over the future of the Eighteenth Amendment largely mirrored national political ambivalence about federal Prohibition, which would end two years later with the ratification of the Twenty-First Amendment. "Hoover Transmits 12 Varying Reports," *Washington Post*, January 21, 1931.

violence and misconduct. Police had attacked a number of black women in late 1931, beating Eleanor Brimm so severely that the woman nearly lost her eyesight, and striking Mae Jones over the head after entering her home without a warrant.[84] Along with these two brazen incidents of police brutality, a number of black drivers also found themselves subjected to warrantless car searches "the owners subjected to abusive language and in some cases to arrest."[85] Critics argued that these indiscriminate car searches unfairly subjected middle-class black Chicagoans to undue police scrutiny; in one instance, police seized prominent physician Dr. S.W. Smith from his vehicle and carted him to the nearest police district station, much to the doctor's protestation. President of the Chicago NAACP Dr. Herbert A. Turner announced in December of 1931 that the Legal Redress Committee would aid the victims in these cases and encouraged other city residents to seek the aid of the NAACP in their own cases of police misconduct, announcing, "We urge all citizens who are thus victimized by the police to report their cases to our office and we will cooperate in every way with them to see that justice is done."[86]

The formation of the Legal Redress Committee in 1931 institutionalized a legalistic strategy of civil rights activism at the Chicago branch of the NAACP; the branch and the LRC pursued thousands of racial discrimination complaints over the course of the 1930s.[87] In instances of discrimination judged to be minor by branch officers, the branch president would often personally contact the offending institution or individual, imploring them to reconsider their actions.[88] In more egregious instances of discrimination or violence, the Legal Redress Committee pursued legal action under the Illinois Civil Rights Act of 1885.[89] Introduced by John

[84] "Chicagoans Aroused to action by S. Side Police Brutality," *Atlanta World*, December 2, 1931.
[85] Ibid.
[86] Ibid.
[87] Reed, *The Chicago NAACP,* 97.
[88] Letter from Daisy Lampkin to NAACP Executive Staff, December 21, 1939, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[89] *Annotated Statutes of the State of Illinois in force January 1, 1885* (Illinois: Callaghan, 1892), 344-345.

W. E. Thomas, the state's first African American legislator, the Civil Rights Act provided that all Illinois citizens were entitled to full and equal enjoyment of enumerated rights and specified that all persons would have full and equal enjoyment of public accommodations in the state.[90] Furthermore, it stipulated that persons found to have violated the provisions of the law would be subject to pay civil damages not less than $25 and not to exceed $500. The law also allowed for criminal penalties in the case of misdemeanors, prescribing a fine not to exceed $500, a year in jail, or both.[91] A number of neighboring states had passed similar civil rights legislation in the decades following the ratification of the Fourteenth Amendment, but Illinois's Civil Rights Act prescribed some of the highest damages and penalties for violations of the law.

Many of the notable cases supported by the Legal Redress Committee after its formation in the 1930s concerned the integration of public accommodations and residential housing.[92] The integrated committee comprised sixteen lawyers—all men—drawn from the leadership of the state's civic and legal institutions.[93] Attorney Earl B. Dickerson led the group, which included former Illinois State Legislator William E. King, president of the Chicago Urban League Eldridge Pierce, and former Cook County Bar Association president Herman E. Moore.[94] The members of the Legal Redress Committee received no financial compensation for their work, limiting potential membership to those with considerable personal wealth who could afford to work on behalf of the branch while drawing no salary. The administrative structure of the committee and its composition drew on the model of the interracial social reform committees

[90] *Annotated Statutes of the State of Illinois in force January 1, 1885* (Illinois: Callaghan, 1892), 344.
[91] Ibid, 344-345.
[92] Reed, *The Chicago NAACP,* 100.
[93] *NAACP Chicago Branch Annual Report of the Executive Secretary,* December 31, 1932, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[94] Other members of the fledgling committee included president of the Chicago Civil Liberties League Arthur Fischer, NAACP National Legal Committee member Edward H. Morris, and criminal lawyer Wendell E. Green. "Chicago NAACP Legal Group Files Charges Against 2 Police," January 8, 1932, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.

that had populated Chicago over the previous two decades, such as the Vice Commission of Chicago, the Chicago Commission on Race Relations, and the Chicago Urban League. Accordingly, interracial committees were a familiar organizing institution in the social landscape of early-twentieth-century Chicago, which the Chicago branch of the NAACP deployed to pursue its legal agenda in the 1930s.

The Chicago branch's legal campaigns were commensurate with the national NAACP's pursuit of racial justice and social change through legal means, but the branch diverged from the national offices in its precise objectives and strategy. National officers had identified the courts as a critical site for advancing NAACP goals by the 1920s, and they sought to support cases that would help to establish a body of legal precedents to support racial equality and the protection of civil rights.[95] The national organization's litigation strategy was further refined by the early 1930s, when the NAACP hired former US Attorney Nathan Margold to direct the funding it had received from the American Fund for Public Service. In the spring of 1930, Margold produced a report that outlined a legal agenda for the NAACP, recommending a program of litigation that would challenge segregation in transportation, housing, and—primarily—education.[96] Charles Hamilton Houston assumed leadership of the NAACP's legal offices in 1935, using the Margold report to guide the legal advocacy of the organization.

Although the NAACP had established branches in many Northern and Western cities over the course of the Great Migration, the organizational focus of the national office was primarily Southern-looking during the interwar decades. James Weldon Johnson assumed the position of field secretary in 1916, with the goals of growing the organization's black

[95] National Association for the Advancement of Colored People, *Fifteenth Annual Report of the National Association for the Advancement of Colored People* (January 1925), 7.
[96] Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement* (New York: The New Press), 157.

membership and expanding the number of branch offices in the South; by 1919, the organization had established a branch in nearly every Southern state.[97] After being appointed executive secretary of the organization in 1920, Johnson maintained NAACP attention on the South, especially with the organization's sustained anti-lynching campaign and pursuit of federal anti-lynching legislation, which Walter White continued to focus on after assuming the office of executive secretary in 1931. The organization had been hesitant to pursue federal judicial intervention in state criminal procedure, considering the historical reluctance of federal courts to violate the boundaries of federalism and intervene in state criminal trials.[98] Criminal procedure cases that the national NAACP did support during the interwar years all concerned egregious cases of procedural violations and injustices, all in Southern states. NAACP lawyers provided legal counsel and financial support in *Moore v. Dempsey* (1923) and *Brown v. Mississippi* (1936), in which the Supreme Court respectively ruled that mob-dominated trials and confessions obtained through torture violated the Due Process Clause of the Fourteenth Amendment.[99] White had also attempted to involve the NAACP in the defense of the Scottsboro boys in 1931, although the NAACP did not have a branch in Alabama in the early 1930s and the defendants instead chose the aid of the American Communist Party's International Labor Defense.[100] In the two Scottsboro cases that reached the Supreme Court, *Powell v. Alabama* (1932) and *Norris v. Alabama* (1935), the justices respectively reversed the convictions of the defendants due to the denial of counsel and racial discrimination in jury selection.[101] In each of these cases, the justices created new law, locating new rights in the Due Process clause of the Fourteenth Amendment.[102]

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[97] Sullivan, *Lift Every Voice,* 77.
[98] Michael Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (Oxford: Oxford University Press, 2006), 120.
[99] Moore, et al. v. Dempsey, 261 US 86 (1923); Brown, et al. v. Mississippi, 297 US 278 (1936).
[100] Sullivan, *Lift Every Voice,* 147.
[101] Powell v. Alabama, 287 US 45 (1932); Norris v. Alabama, 294 US 587 (1935).
[102] Klarman, *From Jim Crow to Civil Rights,* 120.

Although the Supreme Court proved willing to intervene in criminal procedure in these cases during the 1920s and 1930s, the cases the court accepted and those that the national NAACP represented remained limited to Southern states. This choice may have reflected an inattention to the discrimination and violence faced by African Americans who had migrated to the North and West, as well as the assumptions of NAACP lawyers that the court would be most likely to accept and rule on particularly outrageous cases of injustice in which the facts of the case clearly contradicted state courts' rulings. This incremental and measured legal strategy received criticism from some on the political left, who saw litigation as an insufficient method of achieving social change. Ralph Bunche and Roger Baldwin of the American Civil Liberties Union suggested that direct action and interracial labor organizing would ultimately be more effective to protect African American rights.[103] Houston himself acknowledged the limits of court decisions to enact wider social change, writing in a memo in 1934 that one of the goals of the NAACP's litigation program should be "to arouse and strengthen the will of local communities to demand and fight for their rights."[104] In general, branch offices tended to be more aggressive in their agendas and legal advocacy, a trend that was no exception in Chicago. When A.C. MacNeal became president of the Chicago branch in 1933, he invigorated the branch's legal arm and took on some of the paternalistic patrons of black Chicago, such as Julius

[103] Klarman, *From Jim Crow to Civil Rights,* 164.
[104] Charles Houston, "Memorandum," October 26, 1934, Part 3: The Campaign for Educational Equality, Series A: Legal Department and Central Office Records, 1913-1940, *Papers of the NAACP.*

Rosenwald.[105] MacNeal had come of age as one of the editors of the pro-labor *Chicago Whip,* and brought his experience with economic advocacy with him to the branch.[106]

In contrast to the constitutional legal strategy of the national offices, the Chicago branch of the NAACP functioned more like a legal aid office, providing legal assistance to Chicagoans who brought complaints of racial discrimination and pursuing nearing 8,000 cases during MacNeal's tenure as president during the 1930s. Unfortunately, the branch and the Legal Redress Committee preserved only scant records from their first three decades of work; the extant records provide the general contours of the activities of the branch and the committee, but lack much detail regarding their internal workings.[107] The records that did survive, however, indicate that the Legal Redress Committee chose to employ a material strategy in combatting racial discrimination and state violence. Rather than pursue cases on legal principle in order to establish a body of legal precedent, LRC lawyers sought to maximize individual damages for their clients in order to increase the financial burden of racism and discourage future discrimination. This strategy was apparent in cases ranging from segregated public accommodations, to employment discrimination, to state violence. For instance, in the pursuit of sanctions against the Field Artillery Armory for excluding black patrons, two LRC lawyers promised to seek civil action against officers who had discriminated against black guests, promising that "The attitude of the Chicago Branch and its President is that every form of action under the law must be taken to make those who discriminate against colored people in Illinois

[105] MacNeal's advocacy of a strike of Sears, Roebuck, & Co caused friction between the branch and the national offices not long after he assumed the branch presidency in 1933. MacNeal claimed that Sears had discriminated against black women in Chicago when they attempted to patronize the establishment and he tried to launch a national boycott of the retailer. This was not long after Walter White had appealed to William Rosenwald, one of the founders of the company, for funding. Bates, *Pullman Porters and the Rise of Protest Politics* 119; Reed, *The Chicago NAACP,* 92.

[106] Spear, *Black Chicago,* 198.

[107] Accounts differ regarding the relative lack of branch records from this period; some claim that the branch records were destroyed in the middle of the twentieth century, while other suggest that the branch simply failed to maintain many records from this period. Spear, *Black Chicago,* 237; Tuttle, *Race Riot,* 274.

feel that it is both unwise and costly."[108] In cases regarding segregated train cars, restaurants, and theaters during that same year, the LRC sought individual damages on behalf of a number of clients and was successful in every case.[109] This legal strategy occasioned criticism from some national NAACP officers, who suggested that LRC lawyers sought to maximize individual damages in civil rights cases in order to augment their own personal wealth. Midwest regional field secretary Daisy E. Lampkin denied any such accusations in 1939, telling officers of the national office that LRC lawyers were generous with their time and legal advice, answering legal questions that came into the branch office even if the matter did not concern civil rights or racial discrimination.[110]

The Chicago NAACP Campaign Against Police Violence

The Chicago NAACP Legal Redress Committee's campaign against state violence was consistent with its broader legal strategy, as the group pursued individual restitution and maximum legal damages in cases of police brutality. The LRC faced considerable political and bureaucratic hurdles in its efforts to remove violent police, facing reticent witnesses as well as reluctance among city officials to dismiss police officers who had brutalized Chicago citizens. Ultimately, this campaign yielded a few circumscribed victories and helped the branch refine its legalistic response to racial discrimination. But the narrow critique of state violence leveled by

[108] "Col. Haffner of 124th Likely to be Removed for Discrimination as Legislative Committee Makes Adverse Report," July 5, 1933, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[109] "Legislature Demands Courtney Hold Grand Jury Investigation of World's Fir Because of Discrimination, July 5, 1933, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*; "Sue Illinois Central R.R. and Pullman Car Company for $20,000 on Account of Jim Crow Tactics," July 5, 1933, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*; "Restaurant Refuses to Serve Colored Social Workers,: July 8, 1933, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*; "Chicago NAACP Fights Theater Jim Crow Attempt," July 8, 1933, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[110] Lampkin's letter indicated that such allegations came from NAACP field secretary Fred Morrow, former editor of *Opportunity* magazine and future advisor to President Dwight D. Eisenhower. Letter from Daisy Lampkin to NAACP Executive Staff, December 21, 1939, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.

these individual cases failed to fully grapple with the broad scope of state violence and the deeply embedded violent culture fostered by the Chicago police, a culture that had been uncovered and duly documented by the work of the National Commission on Law Observance and Enforcement.

The cases of police brutality pursued by the Legal Redress Committee adhered to the boundaries of black law and order politics, a strain of middle-class black respectability politics that had emerged among race leaders and other black elites over the course of the Great Migration. Black law and order politics found expression in the pages of the *Chicago Defender* as well as among black leaders who sought to reduce crime and violence among black neighborhoods in Chicago since the early twentieth century. In their formulations, black rights to fair and equal law enforcement were premised on black adherence to the law, a critical component of moral respectability. For instance, in critiques of police failure to stop white racial violence and the ongoing attacks on black homes in the early twentieth century, *Defender* editors frequently cited the law-abiding record of those victims of violence, suggesting that lawfulness should therefore translate to equal protection. This logic however, became especially strained with regard to state violence, as it was difficult to fathom how even those who violated the law were not deserving of protection from illegal violence.

The LRC's selection of cases demonstrated their adherence to respectable black law and order politics; nearly all of the cases of police brutality pursued by the branch were brought by middle-class black men, who had not committed a crime preceding their brutalization. Although it had been police attacks on a series of black women that precipitated NAACP attention to the issue of state violence in the early 1930s, all of the cases that the branch publicly championed were those of men, indicating that respectable black law and order politics entailed a gendered

boundary as well as those of class and status. Despite the differences between LRC legal strategy and that of the national offices of the NAACP, the careful selection of respectable plaintiffs whose records and characters could not be assailed represented a point of continuity between those two scales of the racial justice organization.

Just weeks after the formation of the Legal Redress Committee in December 1931, the branch received news of the brutal beating of South Side merchant Ernest T. Draine. Draine owned a bakery and delicatessen in the Bronzeville neighborhood of the city's South Side, the center of the influx of African American migration to Chicago. Draine had protested when a patron tried to remove the outdoor awning of a neighboring shop on the afternoon of December 15th. An hour later, the man returned, along with the company of two policemen. Still protesting the removal of the awning, Draine turned to walk into his own store. At that moment, Office John Rasmussen struck Draine over the head with the butt of his pistol, leaving a deep cut on his forehead. Reportedly, Rasmussen turned to his partner and quipped, "Shoot him, we'll show these damn 'niggers' on the South side something trying to be so smart, we'll kill half a dozen of them."[111] Officer Herbert Barrick followed Draine into the building and kicked him, leaving the injured man prone on the floor. After Draine's wife and employees tended to his wounds, the officers escorted him to a nearby police station, where he was charged with two counts of disorderly conduct, resisting arrest, and using obscene language on a public street.[112]

A week later, Draine appeared before Judge Francis Borelli at the Forty-Eighth Street station police court, where the judge dismissed all four charges. During his hearing, Draine stood before the judge with the gash on his head clearly visible, indicating the injuries he had received

[111] "Brutal Chicago Cop Dropped From Force," *Chicago Defender*, April 1, 1933.
[112] Letter from Theophilus M. Mann to NAACP Press Service, December 30, 1931, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.

at the hands of the two officers who looked on from across the courtroom.[113] The judge noted the contradictory witness statements and lack of evidence, but rather than dismiss the case quickly, he offered an extended commentary on the actions of the police officers and the violence they had inflicted. He berated the officers for their assumedly false testimony that Draine had been intoxicated when they encountered him at his shop, reprimanding the officers for providing accounts "[So] inconsistent with what we know."[114] He went on, "This assault by the officers with a revolver was entirely unwarranted and unnecessary," and invoked previous statements of the city's mayor "Hon. A.J. Cermak has on a number of occasions given utterances in which he has denounced and objected to the unnecessary use of weapons by the police. And this is one case, in my judgement [sic], where it was entirely unnecessary to use a gun on this man."[115] Emphasizing his own disapproval of police misconduct and referring to previous statements of the mayor, Judge Borelli indicated conflicts among state offices and agencies over the issue of police violence, suggesting that the prevalence of police brutality in the city posed a political problem for its leaders.

[113] "Police Victim Explains Attack," *Chicago Defender*, December 26, 1931.
[114] Letter from Theophilus M. Mann to NAACP Press Service, December 30, 1931, Part 12: Selected Branch Files, Series C: The Midwest, Reel 1, *Papers of the NAACP*.
[115] "Judge Scorches Police for Brutal Attack on Merchant," *Chicago Defender*, December 26, 1931.

POLICE VICTIM EXPLAINS ATTACK—In the above picture Ernest T. Draine (center) is shown telling Judge Francis Borrelli how Officer Herbert Barrick (looking over Draine's right shoulder and indicated by cross) kicked him twice, and how Officer John Rasmussen (indicated by the other cross) slugged him over the head with the butt of his revolver without provocation. At the extreme right of the picture is Attorney Wendell E. Green, who defended Draine; next to him is Attorney Earl B. Dickerson of the N. A. A. C. P., and to the left and in front of Officer Rasmussen is Attorney Herman E. Moore, president of Cook County Bar association. Attorneys Dickerson and Moore and several other lawyers took part in the case in the interest of the defense.

FIGURE 6.1: "POLICE VICTIM EXPLAINS ATTACK," 1931[116]

Draine had been accompanied to the Forty-Eight Street station by a bevy of lawyers—he was represented by Legal Redress Committee member Wendell E. Greene, who was assisted by LRC chairman Earl B. Dickerson and six additional attorneys.[117] While this legal team may have been outsized for a routine misdemeanor hearing, the Legal Redress Committee also pursued charges against the offending police officers. Just a few weeks later, LRC lawyers filed charges against the two officers with the Chicago Civil Service Commission in accordance with the provisions of the Illinois Civil Service Act.[118] The Chicago Civil Service Commission heard the

[116] "Judge Scorches Police for Brutal Attack on Merchant," *Chicago Defender*, December 26, 1931.
[117] Ibid.
[118] "Chicago NAACP Legal Group Files Charges Against 2 Police," January 8, 1932, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.

complaints against Rasmussen and Barrick a few months later. Despite numerous eyewitness accounts of the unnecessary violence meted out by the two patrolmen, the Commission failed to eject the men from the police force and they remained on active duty. Draine's case had marshaled considerable support among black Chicagoans and generated a spectacle when Draine appeared with his NAACP-sponsored legal team at his own hearing, but the municipal bureaucracy responsible for overseeing police conduct and discipline failed to accede to the charges that had been leveled by one of the city's most prominent racial justice organizations.

Nearly a year and a half after the initial attack, one of the offending officers in the Draine case was finally dismissed from the Chicago Police Department. Despite the evidence of brutality that had been leveled against Herbert Barrick in 1932, it was his operation of an illegal dance hall that merited his ejection from the force a year later.[119] The *Chicago Defender* heralded Barrick's dismissal from the CPD as a triumph of justice, speculating that the former patrolman "may yet have occasion to think back over his attitude and to regret his record of brutality."[120] While the *Defender* was correct that the Civil Service Commission had eliminated one brutal cop, the other offending officer in the Draine case remained on active duty, having not been found guilty of having connections to the illicit economy. The *Defender*'s celebration that justice had been served in the Draine case came with a considerable degree of irony, since it failed to acknowledge that the case demonstrated the way to remove a brutal cop was to find some other objectionable offense he had committed.

The Legal Redress Committee continued to pursue cases against brutal police in the years following the Draine case, often encountering the insular and self-protecting culture of police in their attempt to secure restitution for victims of violence. In 1934, the branch announced its

[119] "Brutal Chicago Cop Dropped From Force," *Chicago Defender*, April 1, 1933.
[120] Ibid.

support of David Campbell, an employee of the Binga State Bank, in his case against Office Charles Pickert of the Hyde Park police station. Campbell had been riding the Stony Island street car when Pickert approached him; the officer shouted insults at Campbell and attempted to assault the unsuspecting passenger. According to witnesses, Pickert was intoxicated, despite the fact that he was on active patrol duty. Campbell managed to disarm Pickert and brought the officer to the Hyde Park Police Station, where he turned Pickert over to the presiding sergeant. Campbell reported the incident to the Chicago branch of the NAACP and asked the Legal Redress Committee to aid him in bringing Pickert to trial before the Civil Service Commission. LRC lawyers agreed, with the promise from Campbell that he would appear at the hearing and "vigorously prosecute his charges against Pickert."[121]

Before the hearing was set to begin, Pickert's fellow officers sought out Campbell and attempted to quash the charges in order to protect one of their own. A number of patrolmen contacted Campbell, telling him to "lay off" the case. Pickert himself approached Campbell and attempted to bribe him with $50 if he would abandon the charges. Pickert also contacted NAACP branch president A.C. MacNeal, admitted that he had been intoxicated and had tried to assault Campbell, but asked MacNeal to drop the case considering that Pickert had a wife and three children to support. The officer also marshaled support from Campbell's employers at the Binga State Bank, who appealed to MacNeal as well. But the branch president refused to drop the case, citing it as a critical step in the branch's ongoing campaign to end police lawlessness targeted against the city's black residents.[122]

The Civil Service Commission held a hearing on the charges against Officer Pickert on July 11, 1934. But when the witnesses assembled, only NAACP President MacNeal was there to

[121] "Brutal Cop Suspended but Victim Refuses to Testify at Civil Service Trial," July 16, 1934, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[122] Ibid.

make the case against the offending officer. Campbell failed to arrive, despite the fact that he had asked the NAACP to pursue the case in the first place; perhaps the threats and bribes had persuaded the man to abandon the charges. MacNeal related the details of the incident that Campbell had told him, as well as the confession that Pickert had offered him and other witnesses in the NAACP offices. The Civil Service Commission heard testimony from another witnesses as well; Captain Hogan of the Hyde Park police station testified that Pickert had indeed been intoxicated while on patrol and was unfit for duty. This charge prompted the Civil Service Commission to suspend Pickert and ultimately to dismiss him from the Chicago Police Department.[123] On its face, the case was a victory for the NAACP; Pickert was expelled from the Police Department and the branch won the dismissal of a brutal cop. But the case remained consistent with previous Civil Service Commission refusals to dismiss officers on charges of brutality alone. Indeed, the cases like those of David Campbell, Ernest Draine, and James Warren confirmed the findings of NCLOE investigators, who had discovered that police violence and the third degree essentially amounted to department policy and that officials concerned themselves primarily with department efficiency rather than illegal violence.

Despite the limitations of these early cases, the Legal Redress Committee continued to pursue its campaign against police lawlessness throughout the 1930s. During the same month that David Campbell was accosted on the Stony Island street car, nineteen-year-old James Troutman was arrested by a cadre of police officers from the Wabash Avenue police station, who accused of him of involvement in the murder of Patrolman John Officer. Troutman was not tried for the murder but was charged with robbery and sentenced to one year to life in the Joliet State Prison.[124] Troutman died six days after he was sent to Joliet; the prison physician indicated that

[123] "Cop Who Assaulted Citizen Thrown Off Force," *Chicago Defender*, August 25, 1934.
[124] "Ask Murder Charge Against Cops Who Broke Boy's Neck," *Chicago Defender,* August 4, 1934.

the man suffered from a dislocated vertebra when he arrived. Troutman had been held at the Cook County Jail before being transferred to Joliet, where the jail physician had also examined him. His report noted that Troutman suffered from kidney problems and a dislocated cervical vertebra, which the jail physician concluded were likely the "result of unmerciful beating by the police officers, all white."[125] The prison physician concluded that Troutman died due to hypostatic pneumonia and nephritis caused by his kidney damage and back injuries.[126] These reports suggested that Troutman was a fatality of the third degree—his death the result of a brutal beating meted out in an attempt to extract information from the arrested man. Although he had clearly required medical attention, police instead sent Troutman to the state prison where he succumbed to his injuries.

Nearly a year after James Troutman's death, his wife Willa Mae Troutman filed a suit against the officers who had brutalized her husband, seeking $10,000 in damages. Troutman's case represented one of the only examples in which the LRC supported a case against brutal police on behalf of a victim's estate, indicating that even though such a strategy was limited, it could also offer a path to restitution after a police murder. The suit named nine officers from the Wabash Avenue police station, accusing the men of "willful assault" resulting in Troutman's death.[127] NAACP officers had aided Mrs. Troutman in her investigation of her husband's death, uncovering the physicians' documents that revealed Troutman's dire condition upon arriving at Joliet. The jail and prison physicians cooperated with the investigation by the NAACP, and their records showed conclusively that Troutman had received his fatal injuries before being brought

[125] "Says Police Killed Husband Chicago Woman Sues Nine Officers for $10,000," May 31, 1935, Part 12: Selected Branch Files, Series C: The Midwest, *Papers of the NAACP*.
[126] "Begin Probe of West Side Police Brutality," *Chicago Defender*, August 4, 1934.
[127] The patrolmen named in the lawsuit were Thomas Brennan, Joseph McCaffery, Robert Galbraith, Harold Colander, James Dorrigan, Clinton Towne, James Woulfe, Patrick Kelleher, and Thomas Norton. "Policemen are Sued for James Troutman's Death," *Chicago Defender*, June 1, 1935.

to the Cook County Jail. The police records at the Wabash Avenue station contained no evidence of Troutman's interrogation, but a witness confirmed that he had seen the patrolmen begin to beat Troutman on the street during his arrest and again at the Wabash Avenue station, leading the NAACP and Willa Mae Troutman to conclude that the group of arresting officers was indeed responsible for his death.[128] Traces of Mrs. Troutman's case disappeared from the legal and NAACP archive after their initial filings, suggesting that the plaintiff likely failed in her efforts to secure damages from the offending officers.

By the mid-1930s, the Chicago NAACP's campaign to end police violence had seen only limited success and little evidence that the Legal Redress Committee's strategy of eliminating brutal cops through individual legal challenges could surmount the bureaucratic hurdles to ending state violence or penetrate the insular culture of the department that had fostered the widespread use of the third degree. James Troutman had encountered state violence in his every interaction with the criminal justice state—on the city streets, while he was held at the district station, and as he waited in Cook County Jail. Witnesses attested to the extent of brutality inflicted on him and physicians' reports documented his injuries. The failure of the lawsuit filed on behalf of his estate indicated both the unusually high burden of proof faced by critics of Chicago police as well as the limitations of this individualized legal strategy, which failed to fully grappled with the broad scope of state violence and the deeply embedded violent department culture fostered by the Chicago police. Despite the limitations of this legalistic strategy, NAACP lawyers likely continued to pursue these cases because they were consonant with the broader legal strategy of the branch and because some cases demonstrated that success was possible, albeit limited and protracted. The last few years of the 1930s saw such an instance, when the Legal Redress Committee agreed to support the case of Orrie Branch.

[128] "Widow Sues Police for Mate's Death," *Atlanta Daily World*, June 7, 1935.

In March of 1936, Branch was strolling down Wabash Avenue near Forty-Fourth Street when two unfamiliar men approached him. They demanded that Branch surrender his wallet and any other valuables on his person. Just then, in the midst of the robbery, two officers from the Wabash Avenue police station drove past. Officers John Dawe and Michael O'Connor halted their vehicle and attempted to stop the robbery in process. As the officers exited their patrol car, the two assailants aimed their revolvers at the police and fired; in the ensuing gunfight, Officer Dawe was shot in the abdomen and Branch was struck in the leg.[129] Branch managed to reach the 48th Street police station once the conflict had subsided and reported the incident to the officers there before being escorted to Provident Hospital for treatment.[130]

Soon after, however, a group of police officers arrived at Branch's hospital room and arrested the injured man. They escorted him to Bridewell Hospital where Dawe was being treated and brought Branch to the injured officer's bedside. The arresting officers asked Dawe if Branch was one of the men who had shot him earlier that day. Dawe affirmed that he was, despite the fact that Branch had actually been the victim of the robbery in which Dawe and his partner had attempted to intervene. Upon hearing this false information, the group of officers attacked Branch, breaking his jaw in two places before escorting him to the Wabash Avenue police station where he was charged with breach of the peace.[131] It may have been this blatant attack in a hospital room—outside the cover of police station interrogation rooms—that caused NAACP branch president A.C. MacNeal to call Branch's case "one of the most shocking exhibits of police brutality ever brought to the attention of the [NAACP]."[132]

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[129] "Tribune Police Hero Is Shot in Holdup Battle," *Chicago Daily Tribune*, March 11, 1936.
[130] "Nine White Chicago Cops Sued For Cruelty," *Pittsburgh Courier*, August 22, 1936.
[131] The charges brought against Branch for disturbing the peace were later dismissed. "Sues 9 White Chicago Cops for Brutality," *Atlanta Daily World*, August 25, 1936.
[132] "Nine White Chicago Cops Sued For Cruelty," *Pittsburgh Courier*, August 22, 1936.

With the support of NAACP Legal Redress Committee, Branch brought a lawsuit against nine of the officers who had brutalized him or had been complicit in the attack. Branch sued the officers, all white, for a total of $25,000 in damages.[133] Nearly two years passed before Branch's case was decided in the Superior Court of Cook County, due to court delays and police investigations into the incident. But in June of 1938, the jury found one of the nine officers liable for damages and ordered Officer James Woulfe to pay $1,200 or face six months in prison.[134] Although the award was only a small fraction of the damages that Branch had sought when filing the lawsuit, the *Chicago Defender* celebrated the decision as a victory, especially considering that Branch's NAACP-funded counsel had "succeeded in upsetting an organized defense by a batter of lawyers from the Corporation Counsel's office and sympathizing testimonies of 8 policemen."[135]

Details of the Branch case mirrored the challenges that had faced LRC lawyers and their clients in police brutality cases over the previous several years, indicating that it was not only bureaucratic reticence but also active police deception and prosecutorial disinterest that had made it so difficult for plaintiffs to secure damages and see brutal police dismissed from the force. *Defender* reporters lauded the work of attorneys Sidney A. Jones and William H. Temple, noting that their victory "registered against numerous police subterfuges utilized in such cases."[136] Here the reporters may have been remembering the case of David Campbell, who had been bribed and intimidated to prevent him from offering testimony in his own case against a Chicago police officer. But even though Branch's lawyers had successfully surmounted the

[133] The officers Branch sued included those who had beaten him in Bridewell Hospital, as well as those who had falsely asserted that he had been one of Dawe's assailants earlier in the day. The officers facing the lawsuit were John Dawe, Peter Keeley, Michael Kelly, James Woulfe, Peter Mayer, Patrick Kelliker, Thomas Bellos, Frank M. Butcher, and Harold E. Colander. "Sues 9 White Chicago Cops for Brutality," *Atlanta Daily World*, August 25, 1936.
[134] "$1,200 Suit Awarded to Police Victim," *Chicago Defender*, June 25, 1938.
[135] Ibid.
[136] Ibid.

numerous testimonies in support of the offending officer, Branch had to wait nearly another year to receive his damages while Woulfe appealed the decision. In May of 1939, the Appellate Court of Illinois affirmed the decision of the Superior Court, finding that Branch had indeed shown that a preponderance of evidence indicated that he had been mistreated by Woulfe.[137] Only then—more than three years after the brutal police beating that he had endured—did Branch receive $1,200 in damages. The decision published by the Appellate Court included no indication regarding Woulfe's employment with the Chicago Police Department; it is possible that the Civil Service Commission found the judgment against him to be reason enough for dismissal, but also fully possible that he and the other eight officers against whom Branch had pressed charges had returned to their patrols years earlier.

A TOUGH CASE, BUT THEY PUT IT OVER

Orrie Branch, victim of police assault, and Attys. Sidney A. Jones, George Blakey and William Temple (left to right) after the Illinois Appellate court on Monday rendered an opinion upholding a decision by a lower court which granted Branch a $1,200 award in his damage suit against a policeman. Detective Sergeant James Woulfe, of Fifth district, the defendant, was ordered to pay Branch that amount for a fractured jaw the plaintiff sustained when struck by Woulfe in 1936 while being questioned in connection with a hold-up.—Photo by Gushiniere.

FIGURE 6.2: "A TOUGH CASE BUT THEY PUT IT OVER," 1939[138]

[137] Branch v. Woulfe, 300 Ill. App. 472 (1939).
[138] "A Tough Case, but They Put It Over," *Chicago Defender*, June 3, 1939.

The Chicago NAACP campaign against police brutality revealed both the limited legal vision of early organizational responses to police violence as well as the structural and political hurdles that the local branch faced. Efforts to secure financial damages from brutal cops in Illinois Superior Court were occasionally successful, but this legal strategy ultimately limited critiques to the actions of individual officers and failed to address the problem of ubiquitous and structurally embedded police violence faced by many Chicagoans. By the end of the 1930s, even a successful case in the Chicago NAACP's campaign was a relatively circumscribed one. Although Branch had indeed secured financial damages from one of the officers who brutalized him in 1936, it took the courts over three years to resolve the case and they ultimately awarded Branch only a fraction of the damages he had originally sought. Most plaintiffs that sought NAACP support in cases of police brutality or misconduct were stymied by the bureaucracy of the Civil Service Commission or failed to secure damages in Illinois Superior Court. Others were intimidated into silence or obstructed by lying or obfuscating police officers. Even in the face of these limitations, the Chicago branch and other local branches continued to pursue this strategy of individual legal challenges to police violence, drawing on the legal resources and institutions that the branch had established earlier that decade.[139]

The narrowing of the branch's legal critique of police brutality as a racialized civil rights issue also limited the possibility of intersectional critiques of state violence that reached across the boundaries of race, gender, and class. For instance, in 1933, the same year that James Warren pursued his case against brutal police and just a year after Ernest Draine had suffered his attack, police clashed with black women in the streets of Chicago on a massive scale. In June of 1933, over 1,500 women walked out of six B. Sopkin & Sons apron factories on Chicago's South Side,

[139] "WPA Worker to Sue White Chi Policeman," *Baltimore Afro-American*, March 14, 1936; "'Police Beat Us' Charge of Accused Pair," *Chicago Defender*, June 25, 1938;

protesting "inhuman working conditions and starvation wages."[140] The crowds of black and white women picketed the factories peacefully, but after less than an hour of demonstrations, Mr. Sopkin made a call to the police. A dozen or more police arrived at the scene of one of the pickets and "mauled and slugged and cracked the heads of the women."[141] The pickets continued, despite myriad injuries among the striking women and warrantless arrests among the protestors. In early July, A.L. Foster of the Chicago Urban League called a conference among employers and striking workers, in the hopes of reaching a settlement.[142] After two weeks of protests and ongoing negotiations, the women reached an agreement with the firm, which limited weekly hours, provided for wage increases, and prohibited discrimination for political or racial motivations.[143] Although this dramatic incident of police violence occurred simultaneously to the branch's campaign against brutality, it failed to adhere to the legal strategy or the political boundaries of the campaign, as it represented an attack on working class women who had mounted a labor protest. While some of Chicago's middle-class uplift organizations including the Urban League participated in the resolution of the strike, the boundaries of the NAACP anti-brutality campaign failed to accommodate the incident.

The boundaries of the NAACP legal campaign against state violence continued to exclude examples of massive police brutality, particularly against labor, as the 1930s concluded. In one of the most spectacular displays of police violence during that decade, a group of Chicago police officers fired into a crowd of striking steel workers on May 30, 1937, killing ten protestors

[140] "Police Brutally Beat Girls Who Strike Against Garment Shop Starvation Wages: Wage-Starved Girls Beaten by Police in Shop Strike," *Chicago Defender*, July 1, 1933.
[141] Thyra J. Edwards, "Who is Disinterested?" *The Crisis* (June 1935), 173.
[142] "Police Brutally Beat Girls Who Strike Against Garment Shop Starvation Wages: Wage-Starved Girls Beaten by Police in Shop Strike," *Chicago Defender*, July 1, 1933.
[143] "SOPKINS YIELDS TO DEMANDS IN WAGE DISPUTE: Girls Return to Work After Being Idle for Two Weeks," *Chicago Defender*, July 15, 1933.

and injuring nearly ninety others.[144] Workers had attempted to establish a picket line at Republic Steel on the city's Southwest Side, after the manufacturer refused to sign the union contract that had been agreed to by US Steel. The Steel Workers Organizing Committee called for a strike in response, and at the end of May a group of hundreds marched toward Republic Steel, halted by a group of Chicago police. A Congressional inquiry into the incident later found that police accounts of mob violence had been manufactured and that the police aggression had been entirely unwarranted. Despite these findings, the Chicago coroner's jury concluded that the officers had acted in self-defense, ruling the killings of the strikers justifiable homicides.[145]

As had the Sopkin factory strike, the police massacre at Republic Steel fell outside the boundaries of the Chicago NAACP's legal strategy against police violence—it was an attack directed at organized labor, rather than at individual black Chicagoans who had made up the whole of NAACP supported plaintiffs in the 1930s. Almost all of the plaintiffs represented by the NAACP had also been middle-class respectable men who owned businesses on the South Side Black Belt or who worked in professional positions rather than industrial jobs. But the findings of the Coroner's Jury and its failure to indict the officers who were guilty of killing ten people during the strike demonstrated the same bureaucratic hurdles and state opacity that had stymied NAACP efforts to discipline brutal police since the beginning of the 1930s. It also indicated the ongoing role of law enforcement institutions in reifying social hierarchies of class as well as those of race. While the campaign of the Chicago NAACP had worked to frame the problem of police brutality as a racialized problem that violated black civil rights and had instituted a legalistic critique of state violence, there was little evidence by the end of the decade that this campaign or the protest strategies of other groups across the political spectrum had

[144] Michael Dennis, *The Memorial Day Massacre and the Movement for Industrial Democracy* (New York: Palgrave MacMillan, 2010), 161-162.
[145] Ibid, 217.

made many inroads at all into curtailing the violent institutional culture of urban law enforcement in the city.

CHAPTER 7

WAR, MIGRATION, AND THE LAW ENFORCEMENT LANDSCAPE OF MID-CENTURY CHICAGO

On the afternoon of May 15, 1943, a group of young African American boys gathered at the intersection of 113th Street and the Pennsylvania railroad tracks on Chicago's South Side to enjoy the spring day. The group watched as passenger trains sped by and passed the time by tossing stones in the direction of the advancing rail cars. What might have seemed like a harmless youthful dalliance to some apparently appeared more sinister to other neighbors in the area, as a number reported the boys to the Morgan Park Police Station. Those who reported the boys may have been further motivated by circulating predictions of a wartime wave of juvenile delinquency, prompted by disruptions to family life and gaps in social services.[1] When Policeman Patrick Rynne arrived at the scene, the boys became irritated and hurled stones in his direction, likely disgruntled at the patrolman's surveillance of what had started as a jovial afternoon prank. After a few stones struck him in the head, Officer Rynne became angry, trained his service revolver on the boys, and fired. A bullet struck sixteen-year-old Elmo Vassar, killing him.[2]

The incident echoed myriad cases of police violence that had occurred throughout the interwar decades—police officers subjected African Americans and Chicagoans writ large to violence even in the most quotidian of interactions. The NAACP's interwar campaign against

[1] Walter T. Reckless, "The Impact of War on Crime, Delinquency, and Prostitution," *American Journal of Sociology*, Vol. 48, No. 3 (November 1942): 383-384; James Gilbert, *America's Reaction to the Juvenile Delinquent in the 1950s* (New York: Oxford University Press, 1986), 25.
[2] "Defer Inquest Over Boy Killed by Policeman," *Chicago Daily Tribune*, May 15, 1943.

police brutality had done little to curtail the regular police violence that black Chicagoans endured, even if the campaign had fomented a growing political consciousness and new methods of critique. It may have been that anti-police brutality campaign or the mere shock that a teenage boy had been killed by an officer for the minor offense of throwing a few errant stones that transformed Elmo Vassar's murder into a rallying point for black Chicago during the war years. More than one hundred fifty black observers attended the initial coroner's inquest into the incident, eager to see the city official find the officer at fault for the killing. Vassar's father testified at the inquest that he had no knowledge of any events preceding his son's death that should have precipitated his killing by a Chicago police officer, challenging any suggestions that Elmo Vassar's delinquency or past violations had elicited the murder.[3] In contrast, Rynne's supervisor at the Morgan Park station claimed that the officer was "perfectly justified" in his use of violence.[4]

Hundreds of black Chicagoans continued to attend the coroner's inquest hearings into late May; three hundred African Americans observed the next inquest hearing on May 25th, where Louis McCamey, an African American sailor, testified that he had witnessed the shooting from the window of his nearby home and saw Rynne fire two shots at Vassar as the teenager ran away from the scene. McCamey asserted that it was only then that Vassar had hurled a rock in the officer's direction.[5] The lawyer for the Vassar family, William Temple, demanded that Officer Rynne be arrested, but Deputy Chief Coroner James Whalen insisted that there was no evidence to warrant the arrest, despite McCamey's direct testimony. The Chicago Police Department suspended Rynne and his partner, pending further investigation in the following months.[6] Two

[3] "Defer Inquest Over Boy Killed by Policeman," *Chicago Daily Tribune*, May 15, 1943.
[4] "Policeman Kills Youth Who Hit Him with Rocks," *Chicago Daily Tribune*, May 14, 1943.
[5] "Inquest on Boy Police Killed Put Off to June," *Chicago Daily Tribune*, May 26, 1943.
[6] "Two Policemen Are Suspended in Death of Boy," *Chicago Daily Tribune*, May 16, 1943.

months later, in August of 1943, Officer Rynne and his partner Officer Charles J. Schwertfeger were dismissed from the Chicago Police Department by the Chicago Civil Service Commission, having been found guilty of conduct unbecoming of police officers. Notably, the Commission did not find the officers guilty of "unlawful use of a police weapon," nor were criminal charges ever filed against the two men. Rather, it was their poor conduct and the negative impression that it provided of the Chicago Police Department that justified the dismissals. Only one member of the Civil Service Commission refused to confirm the majority opinion; African American member James B. Cashin announced that he planned to file a dissenting opinion, protesting the failure of the Commission to find the officers guilty of the greater charges.

Some may have seen the dismissal of Rynne and Schwertfeger as a measure of improvement in the discipline of Chicago police officers during the war years. Rather than being hamstrung by bureaucratic procedure, the Chicago Civil Service Commission adjudicated this case in a matter of months, and the officers were indeed dismissed from the force. But the incident itself demonstrated the persistence of police violence directed against African Americans—in this case, African American youths—and the ongoing decriminalization of police violence, as the officers faced no criminal sanctions for the killing of Elmo Vassar. Furthermore, the Irish and German heritage of the offending officers was likely not lost on the hundreds of black observers who came to watch the coroner's inquest that summer as they saw two members of the city's immigrant communities excused for the murder of a young black man. Here the state endorsed white violence against black bodies, which African Americans on the city's South and West Sides had experienced in their clashes with white neighborhood associations, ethnic gangs, and police officers over the previous three decades.[7] Vassar's murder, then, exemplified the ability of certain immigrant communities to become integrated into state institutions, the

[7] Diamond, *Mean Streets,* 55-57.

persistent role of the state in endorsing white racial violence, and the pathologizing of the city's growing African American population in the war years and beyond.

As had become commonplace in the first four decades of the twentieth century, Chicago saw similar patterns of racially discriminatory policing and white racial violence in the war years and beyond. Police brutality, warrantless arrests, and police raids continued, despite organized protests by organizations such as the National Association for the Advancement of Colored People and the Chicago Civil Liberties Committee.[8] As the black population of the city increased during the years of the second Great Migration, white Chicagoans and neighborhood associations once again targeted black homeowners and renters who sought to move outside the narrow confines of the black South Side, much as white homeowners' associations had violently targeted black homes in the years of the first Great Migration. And again, those violent attacks saw little if any police intervention or criminalization, as the violent enforcement of the urban color line proceeded with the implicit approval of the state.[9] This state endorsement of white racial violence was joined by ongoing police brutality, as African Americans and political radicals continued to contest that form of state violence.

The history of urban development and racial change in post-World Was II Chicago is by now a familiar one. Massive black migration dramatically altered the racial composition of the city. White city leaders, realtors, and city residents met this racial change with an array of technologies of white supremacy and racial exclusion, including restrictive covenants, racially discriminatory lending and home finance, segregated schools and workplaces, and white racial

[8] Chicago Civil Liberties Committee, *Pursuit of Freedom: A History of Civil Liberty in Illinois, 1787-1942* (Chicago: Civil Liberties Committee, 1942), 142-153.
[9] "27 Bombings Hit Chicago Negro Homes: Local Police Flayed For Failure To Act In Reign Of Terror," *Chicago Defender*, July 6, 1946.

violence.[10] Similarly to the years following the First World War, city leaders anticipated a post-war crime wave, particularly among the city's growing African American population. In particular, city executives and social reformers bemoaned increases of juvenile delinquency and designed policing strategies and other intervention programs to prevent delinquency. Immigrant populations also shifted in the post-war years, as nearly two decades of restrictionist legislation significantly curtailed European immigration, while the Mexican population of Chicago continued to grow. This reduction of European immigration along with the repeal of federal Prohibition resulted in an urban crime control landscape in which city leaders emphasized black crime and delinquency as foremost crime problems, as opposed to the problem of immigrant criminal syndicalism. Law enforcement institutions themselves became increasingly opaque in the post-WWII years as well, despite decades of attempted reform by criminal justice advocates and anti-crime activists.

Placing these changes in the context of early-twentieth-century crime control politics and racialized law enforcement practices demonstrates that the post-WWII years did not represent a radical break in urban development but rather the further entrenchment of policing practices and forms of racial violence that had taken hold in Chicago since the turn of the twentieth century. Foregrounding the politics of crime control in the story of post-war Chicago demonstrates the central role that law enforcement and attempts to impose lawfulness played in the imposition of urban order and defense of the color line, as the city became increasingly racially diverse through the middle of the twentieth century. Law enforcement and police discretion provided the state

[10] For representative literature on the history of racial exclusion in post-WWII Chicago see Diamond, *Mean Streets*; Cayton and Drake, *Black Metropolis*; Fernández, *Brown in the Windy City*; Helgeson, *Crucibles of Black Empowerment*; Hirsch, *Making the Second Ghetto*; D. Bradford Hunt, *Blueprint for Disaster: The Unraveling of Chicago Public Housing* (Chicago: University of Chicago Press, 2009); McGreevy, *Parish Boundaries*; Satter, *Family Properties*; Amanda Seligman, *Block by Block: Neighborhoods and Public Policy on Chicago's West Side* (Chicago: University of Chicago Press, 2005).

with a critical set of tools to enforce social hierarchy and reify the post-war urban color line. Policing therefore served as a critical state technology of racial formation as well as one of the primary sites at which reformers continued to attempt to control the problems of discretion, including state violence, racial discrimination, and inequitable policing throughout the city.

Chicago at Mid-Century

Changing labor needs, wartime mobilization and demobilization, and federal policy changes all altered the racial composition of Chicago, as African American migration increased dramatically during the war years, the number of Mexican and Puerto Rican immigrants rose, and European immigration significantly decreased. The result was a city that became increasingly racially diverse as well as racially segregated, as early-twentieth-century racial boundaries became further entrenched through housing policy, exclusionary real estate practices, and urban violence. Chicago's African American population had continued to grow over the course of the interwar decades, but that rate of growth increased rapidly with the start of WWII and the beginning of the massive wave of black migration that would come to be known as the second Great Migration. By 1940, the city's black population had grown to 277,731 and comprised 8.2 percent of the total population, amounting to more than double the black population of the city in 1920 and six times Chicago's black population in 1910.[11] The number of black Chicagoans and particularly black Southern migrants continued to grow apace over the course of the 1940s; by 1950, the black population of the city had grown to 586,655 and

[11] In 1910, black Chicagoans numbered 44,103 and comprised two percent of the total population. By 1920, that number had risen to 109,458 and four percent, and by 1930 it has risen again to 233,903 and 6.9 percent. U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1910), 512; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1940), 640.

comprised 10.7 percent of the total population.[12] During their comprehensive study of black Chicago in 1945, sociologists Horace Cayton and St. Clair Drake found that eighty percent of black Chicago residents had been born in Southern states, meaning that the vast majority of the city's black population was new to the landscape and politics of Chicago.[13] This massive proportion of Southern-born African Americans reflected national patterns of black urban migration in the post-war years; by the 1940s, two out of every three black Southern migrants lived in a major Northern urban center.[14]

[12] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1950), 207.
[13] Cayton and Drake, *Black Metropolis,* 99.
[14] Eight metropolitan areas were home to two-thirds of black Southern migrants by the 1940s: New York—Newark, Philadelphia—Camden, Chicago—Gary, Detroit, Cleveland, St. Louis, Los Angeles—Long Beach, and San Francisco—Oakland. Gregory, *The Southern Diaspora,* 117.

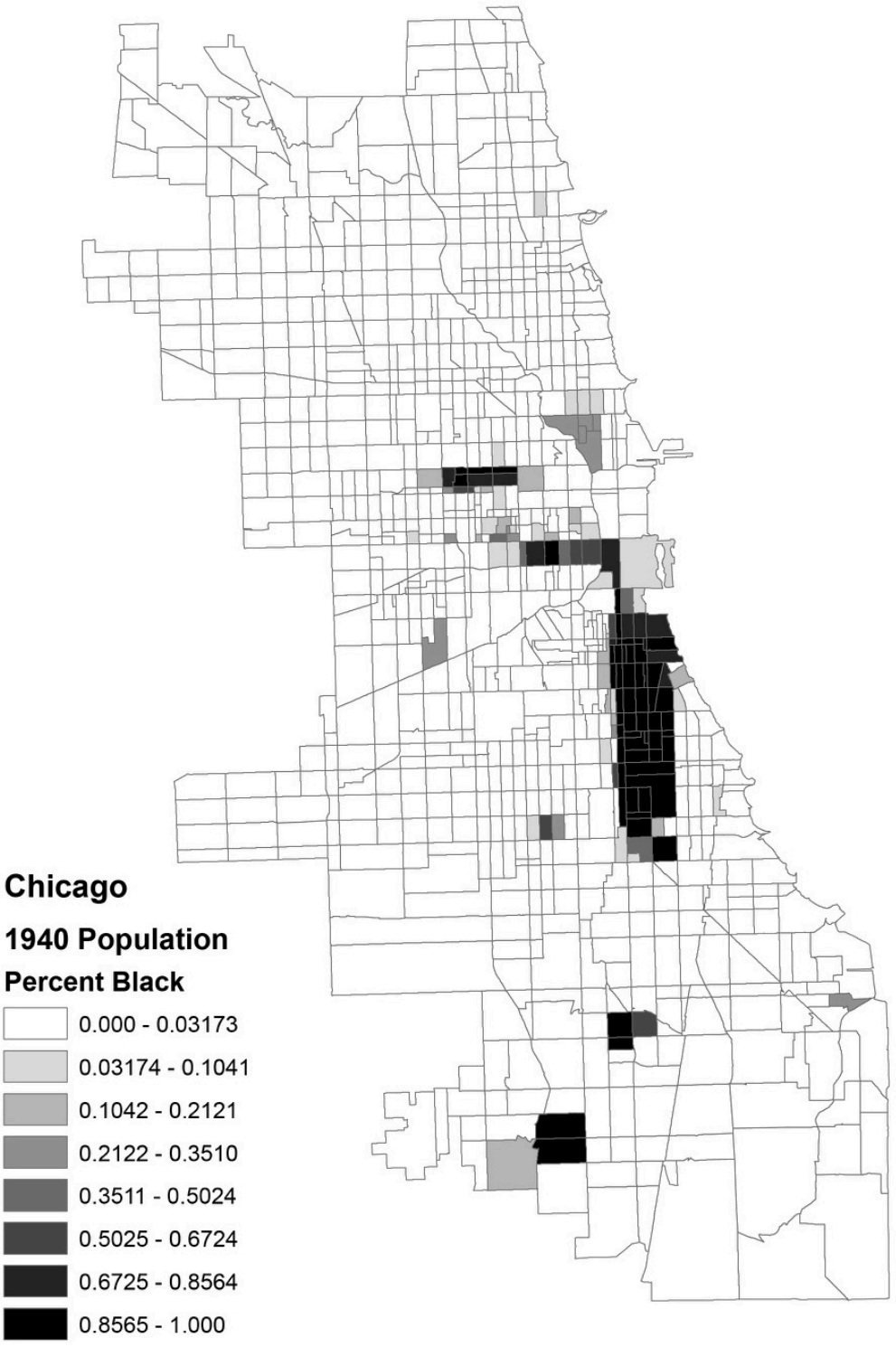

FIGURE 7.1: CHICAGO BLACK POPULATION DENSITY, 1940[15]

[15] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0* (Minneapolis, MN: University of Minnesota, 2011).

Despite the rapid growth of the city's black population, most African American Chicagoans remained confined to the narrow South Side Black Belt, despite serious problems of overcrowding and housing shortages for black residents.[16] As a result of that racialized real estate market, along with white hostility, federal urban development policy, and public housing programs, the city's African American population became concentrated and isolated during the middle decades of the twentieth century.[17] At the beginning of the twentieth century, two thirds of the city's black population lived in neighborhoods that were less than 50 percent African American. By the early 1920s, however, that number had shifted significantly, as 87 percent of black Chicagoans came to live in predominantly African American neighborhoods, a proportion that grew to over 90 percent a decade later.[18] Although the boundaries of the South Side Black Belt grew in those years to accommodate massive waves of black migrants—especially as some white Chicagoans left the city for the surrounding suburbs—these post war-processes of residential segregation and housing restriction reified urban racial boundaries that had been first established during the early decades of the twentieth century.[19]

While African American migration produced one of the most visible changes to the racial landscape of mid-century Chicago, new immigration patterns and policies also produced changes to the ethnic immigrant composition of the city. By 1940, decades of nativist politics and immigration restriction resulted in the decline of the foreign-born population of Chicago, as that demographic numbered below 700,000 and fell below 20 percent of the total city population.[20] The proportion of foreign-born Chicago residents had dropped steeply since the beginning of the

[16] Hirsch, *Making the Second Ghetto,* 18.
[17] Ibid, 9-10.
[18] Cayton and Drake defined a "predominantly Negro neighborhood" as one in which African Americans comprised more than fifty percent of the residents. Cayton and Drake, *Black Metropolis,* 174-176.
[19] Hirsch, *Making the Second Ghetto,* 4-15.
[20] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1940), 640.

twentieth century, when foreign-born whites represented nearly 35 percent of the city population.[21] That proportion had remained relatively high through the interwar decades; in 1930, first-generation immigrants still represented 25 percent of Chicago's population.[22] But by 1950, the proportion of first-generation immigrants in Chicago would drop even further; although the total number of foreign-born whites remained close to 700,000 people, that group only represented 12.8 percent of the city's population by mid-century.[23] In the span of just a few decades, the decline of the proportion and gross total of first-generation European immigrants represented a dramatic shift in the demographic composition of the city, and it was even more striking in comparison to the growth of the city's African American population over the course of the interwar decades and the years after World War II.

Several factors helped account for the precipitous decline in the number of first-generation immigrants in Chicago over the first half of the twentieth century. Federal immigration restrictions and national origins quotas had severely limited immigration from European nations since the passage of the Johnson-Reed Act in 1924 and the 1940 census totals reflected the consequences of that federal ban on new immigration from European countries. Among the European immigrant groups with the largest representations in Chicago, the total number of first-generation Germans, Poles, and Russians had each declined by between 20,000 and 30,000 people over the previous 20 years.[24] Notably, however, changes to census categories by the 1940s had also artificially lowered the number of foreign-born residents of Chicago. In

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[21] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1900), 613.
[22] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609.
[23] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1950), 207.
[24]U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 273-274; U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1940), 642.

1930, the Department of Commerce counted Mexican residents of the United States in their own separate census category rather than count those persons in the categories of white or foreign-born white. The decline in the number of foreign-born whites in Chicago predicted an ongoing decline in the number of white residents of the city more broadly over the coming decades, as many white Chicagoans left the city limits for the suburbs, encouraged by racially structured federal home finance. Between 1940 and 1960, the white population of Chicago declined by more than 400,000 and declined by an additional 1.3 million by 1980.[25]

[25] Campbell Gibson and Kay Jung, "Historical Census Statistics on Population Totals by Race, 1790 to 1990, and by Hispanic Origin, 1970 to 1990, for Large Cities and Other Urban Places in the United States," Working Paper No. 76 (Washington DC: US Census Bureau, February 2005). [Table 14]

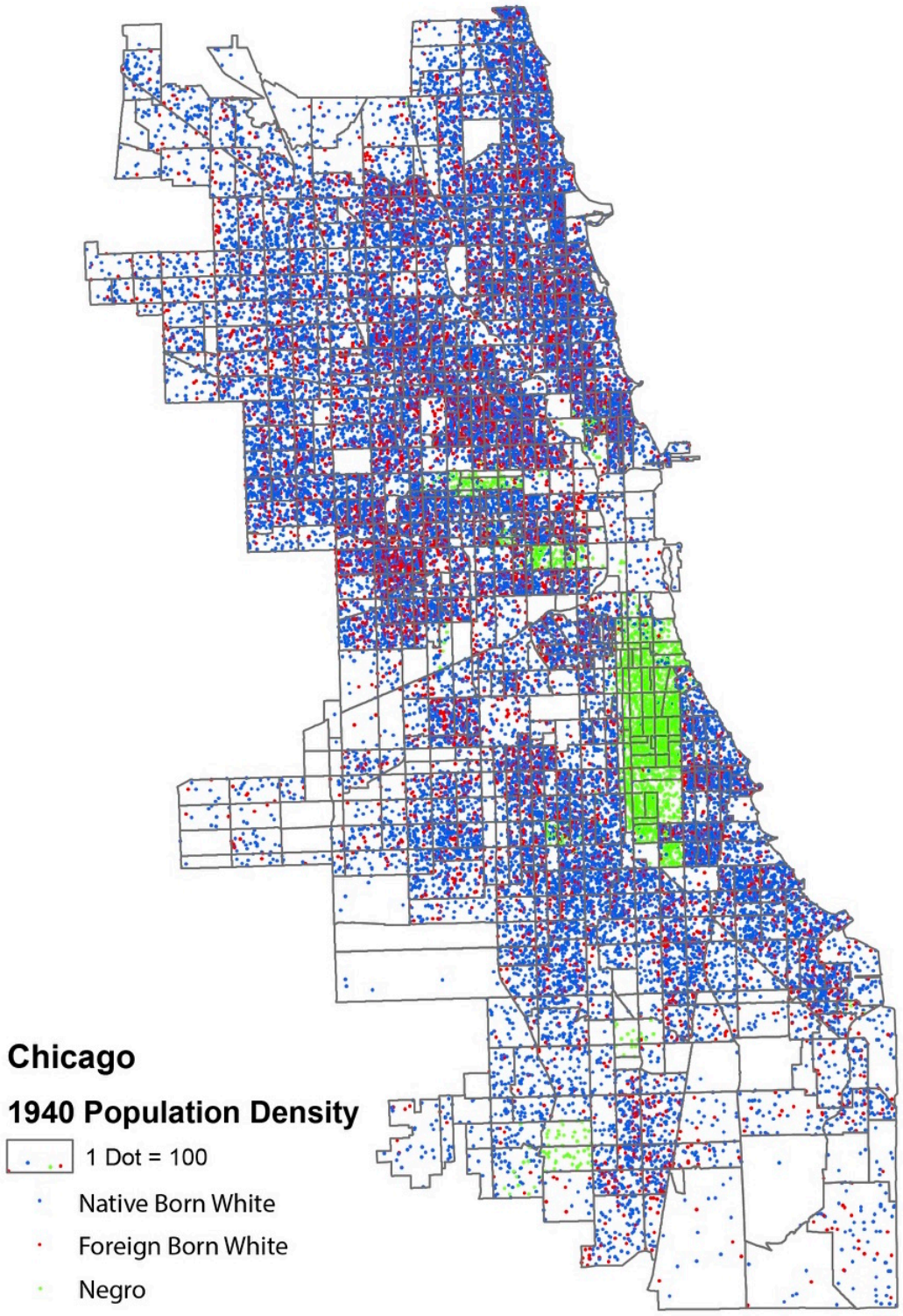

FIGURE 7.2: CHICAGO POPULATION DENSITY, 1940[26]

[26] Minnesota Population Center, *National Historical Geographic Information System: Version 2.0* (Minneapolis, MN: University of Minnesota, 2011).

The most significant increase in the population of Chicago in the second half of the twentieth century came through the continuing growth of its African American population, which grew by more than 200,000 between 1940 and 1950 and eventually increased to nearly 1.2 million by 1980.[27] The massive growth of the city's African American population, however, did not totally account for the corresponding loss of white residents of the city, as the Chicago's total population only declined slightly in the interwar decades and post-war years. This seeming contradiction in population change could be accounted for, as historian Lilia Fernandez has explained, by Mexicans, Mexican Americans, and Puerto Ricans who were "buried within census data."[28] Until 1980, the federal census did not classify Latino/as as a separate category and most were counted in the category of "white" or "foreign-born white." The 1980 census added a category that allowed individuals to indicate if they were of "Spanish origin," a term that is more commonly referred to as "Hispanic" or "Latino/a."[29] As a result, the 1980 census showed that Chicago had over 400,000 Latino/a residents, comprising 14 percent of the city's population.[30]

Although the federal census did not officially count people of "Spanish origin" until 1980, some data collected for Chicago in the interwar decades already indicated a significant number of people of Mexican origin. Census takers provided estimates of the number of Mexican people in Chicago in 1920, counting just 1,141 people of Mexican origin.[31] A decade later, that estimate

[27] The 1980 federal census counted nearly 1.2 million African Americans in Chicago, accounting for nearly 40 percent of the total city population. Campbell Gibson and Kay Jung, "Historical Census Statistics on Population Totals by Race, 1790 to 1990, and by Hispanic Origin, 1970 to 1990, for Large Cities and Other Urban Places in the United States," Working Paper No. 76 (Washington DC: US Census Bureau, February 2005).
[28] Fernandez, *Brown in the Windy City,* 4.
[29] Ibid, 6.
[30] Gibson and Jung, "Historical Census Statistics on Population Totals by Race, 1790 to 1990."
[31] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1920), 261.

had grown significantly, numbering close to 20,000 people of Mexican origin.[32] These early statistics provide challenges to interpretation, as census takers failed to indicate whether those they counted had been born in the United States or had been born in Mexico, therefore confusing the categories of first and second-generation Mexican immigrants.[33] And although the 1930 estimate had shown an increase in the Mexican population of Chicago by a factor of seventeen, some interwar contemporaries speculated that the figure was likely too low, as many Mexican immigrants might have been reticent to answer to the questions of census takers for fear of deportation or arrest. By the end of the 1930s, however, census records indicated that even that artificially low number had fallen to less than half of the total number of Mexicans residents of Chicago compared to the total at the beginning of the decade.[34] Economic crisis, repatriations, and deportations drove that decrease in the Mexican population of Chicago by the 1940s, after which census inconsistencies obscured the number of Mexicans in the city until changes to the federal census questions in 1980.[35]

All of this conflicting and opaque census data makes it difficult to fully quantify the number of Mexicans or Latino/as in Chicago by mid-century, but archival sources from the records of the Illinois Division of the American Civil Liberties Union suggest that this was indeed a population that had grown through the war years and continued to be a target of police discrimination, as Mexicans and other immigrant groups had been during the deportation drives of the 1930s. In 1951, the Chicago Division of the American Civil Liberties Union began to distribute a new pamphlet to visitors who arrived at their local offices. The title of the pamphlet

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[32] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1930), 609.
[33] Vicki L. Ruiz, *From Out of the Shadows: Mexican Women in Twentieth-Century America* (New York: Oxford University Press), 162.
[34] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1940), 640.
[35] Arredondo, *Mexican Chicago,* 29.

was simply stated—"Your Rights When Arrested"—and excerpted sections from a report written by the Illinois State Bar Association's Committee on Civil Rights, a professional organization of lawyers and jurists with an interest in civil liberties. The ACLU national office in New York City distributed a similar pamphlet in these years entitled "If You Are Arrested."[36]

The circulation of these pamphlets by both the national organization and this local office of the ACLU indicated the emergence of the rights of the arrested as a critical issue among the nation's foremost civil liberties protection organization by the middle of the twentieth century. Scrawled on the front of a copy of the pamphlet from the Chicago office was a hasty note—"Translation to Spanish"—a reminder to Illinois ACLU staff that the office required a new version of the pamphlet that could be read by the city's growing Spanish-speaking population. The brief memo served as an indication of the changing demographics of the city as well as shifts in the populations and communities served by organizations like the American Civil Liberties Union. An organization that originated to protect the rights of political radicals and dissidents, officers of the Illinois ACLU recognized that their future work would also depend on their ability to protect the rights of the city's growing Latino/a population. Furthermore, the note that "Your Rights When Arrested" should be translated into Spanish also suggested that Latino/a Chicagoans suffered police discrimination and violence at least as frequently as English-speaking Chicagoans and would benefit from the aid of the civil liberties advocacy organization as it attempted to protect city residents from the excesses of police authority.

[36] "If You Are Arrested," Undated, Series I: Administration, Subseries I: Administration and Finance, Box 35, Folder 7: Your Rights When Arrested (in Spanish), American Civil Liberties Union, Illinois Division Records 1920-1982, University of Chicago Special Collections Research Center.

BLACK CHICAGO IN THE WAR YEARS

Mid-century changes to the racial composition of Chicago resulted to corresponding changes to black life and politics. The spatial concentration of black Chicago over the course of the first four decades of the twentieth century obscured to some degree black class stratification and political differences across the boundaries of class and status that had taken hold in the years of the first Great Migration. The economic crises of the interwar years and the exclusion of many black Chicagoans from jobs that provided a living wage hampered widespread economic mobility and capital accumulation among the black South Side.[37] Some black elites, however, did achieve a measure of economic mobility through financial institutions or by catering to the captive African American market on the black South Side through businesses such as retail, undertaking, and personal grooming.[38] Other black Chicago residents achieved upward mobility and middle-class status through occupations such as civil service positions, other municipal employment, or industrial labor and service work.[39] Even so, Drake and Cayton noted in *Black Metropolis* that only a few were able to amass significant generational capital, and the vast majority of businesses in the Black Belt remained in control of white business owners.[40] According to their analysis, the economic strictures imposed on black Chicago by white industrialists, union officials, and property owners produced conditions in which the only reliable way to accumulate black capital was through the illicit economy of numbers running and policy games.[41] Rumors had circulated in the Prohibition years that criminal syndicates tempted black Chicagoans away from the liquor trades by giving them control of policy—a game of chance

[37] Helgeson, *Crucibles of Black Empowerment,* 162-163.
[38] Cayton and Drake, *Black Metropolis,* 456-468.
[39] Horace Cayton and St. Clair Drake, "Bronzeville," *Holiday*, May 1947, Box 2, Folder 13: Manuscripts; Cayton, Horace and St. Clair Drake, "Bronzeville," Holiday, May 1947, Horace R. Cayton Papers, 1866-2007, Vivian G. Harsh Research Collection, Carter G. Woodson Regional Library [hereinafter Cayton Papers].
[40] Cayton and Drake, *Black Metropolis,* 450-451.
[41] Ibid, 470.

akin to lottery.[42] The game proved so profitable that several policy game owners were able to convey their earnings into legitimate businesses; some alleged that Binga State Bank owner Jesse Binga had made his initial fortunes through just that avenue.[43]

The war years saw the broader expansion of employment opportunities for black Chicago, however, as war industries and federally funded projects expanded the city's work opportunities in the years after 1940. By 1945, the proportion of black workers in Chicago had exceeded the proportion of black city residents, as increasing numbers of African Americans moved into the workforce and especially into the industrial sector.[44] Black workers tended to remain in the lowest paid jobs, though, and after the conclusion of the war, black unemployment rose and was accompanied by reduced job quality for most black industrial workers.[45] While post-war black unemployment did not reach its interwar numbers, the effects of urban segregation continued to shape black Chicago life, as most of the city's African American residents continued to occupy dilapidated and crowded housing on the black South Side. It was among these neighborhoods that sociologists not only found rampant unemployment but also high rates of delinquency.[46] South Side black neighborhoods also maintained their reputations as the primary locations of Chicago's vice trades, which elicited objections particularly among black women who sometimes found themselves confused with vice workers and solicited in the city streets.[47]

The conditions of wartime and post-WWII black neighborhoods resurrected critiques of police discretion among black intellectuals and race leaders, who drew attention to the fact that police routinely failed to equally enforce the law on the black South Side. This pattern of

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[42] Cayton and Drake, *Black Metropolis,* 485.
[43] Horace R. Cayton, "Negro in Illinois: The Game Policy," October 1, 1940, Box 35: Chicago—47th Street, Folder 13: Business Enterprises—Illegitimate; "The Game Policy," by Horace Cayton, IWP Papers; Cayton and Drake, *Black Metropolis,* 485.
[44] Helgeson, *Crucibles of Black Empowerment,* 81.
[45] Ibid, 109.
[46] Cayton and Drake, *Black Metropolis,* 589.
[47] Ibid, 595.

neglectful policing brought to mind the processes that had resulted in the concentration of vice and other illicit enterprises in black neighborhoods during the first two decades of the twentieth century. In 1940, *Chicago Defender* editors warned about a "wave of lawlessness" that had infiltrated the black South Side and demanded, "increased police measures to restrain young hoodlums."[48] They went on to acknowledge that high rates of delinquency and crime had their roots in economic deprivation, as unemployment and low wages encouraged law breaking and immoral activity among the city's black youth. The solution, according to the *Defender*, lay in a law enforcement collaboration with social services: "Any movement to eradicate crime which is not coupled with a movement to eradicate such things as unemployment because of racial discrimination…is like trying to dam up a river with sticks."[49] Later that same year, *Defender* journalist David Ward Howe observed the same problems with police discretion among black neighborhoods, vividly describing "an increase in armed robbery and bands of young hoodlums roam[ing] the streets insulting and attacking women with little fear of arrest."[50] Howe also drew connections between the South Side crime rate and unemployment, compounded by housing shortages and real estate exploitation, and noted the work of the Chicago Urban League to ameliorate the conditions of delinquency, as it sought "the cooperation of law enforcing officials in eliminating the abuses conducive to delinquency."[51]

The appeals for fair law enforcement that appeared in the pages of the *Chicago Defender* and the programs of the Chicago Urban League represented a law enforcement critique that was distinctly different from the black law and order politics that had circulated among respectable race leaders in the early twentieth century. Instead of insisting that black lawfulness earned black

[48] "Juvenile Delinquency," *Chicago Defender*, March 9, 1940.
[49] Ibid.
[50] David Ward Howe, "Bad Housing, Unemployment Breeds Young Criminals in Chicago," *Chicago Defender*, May 18, 1940.
[51] Ibid.

equal rights, these leaders acknowledged black law breaking and delinquency but contextualized it within the economic shifts of post-war Chicago. These appeals to fair policing were made on the premise that the state had a responsibility to address the wide range of social ills that afflicted black Chicago. And as the *Defender* noted in 1940, that state responsibility would have to be holistic, since "We do not feel that any social condition will be permanently corrected by building bigger and better jails."[52]

The rapid growth of the city's African American population in the years following WWII had precipitated a corresponding growth and expansion of racial advocacy organizations such as the Chicago Urban League and the Chicago chapter of the NAACP. The CUL's annual report at the close of 1942 noted that more than 24,000 black city residents had registered with the organization that year, seeking aid in finding employment and housing, an increase of more than 15,000 more people seeking aid from the CUL since 1939.[53] In January 1944, Chicago Urban League president A. L. Foster announced that the organization had recently enjoyed "its greatest growth and expansion, and rendered its most effective service since it was organized in 1916."[54] That year's annual report lamented that the previous year had proven to be a challenging one for African Americans around the country. Urban unrest in cities including Detroit and New York, continuing exclusion of African Americans from labor unions, attacks on black men in military uniform, the expansion of residential segregation, the failure of federal anti-lynching legislation—all "combined to form an ugly national picture."[55] Officers of the CUL admitted that their city had its own share of racial conflict and discrimination, noting the continuing housing

[52] "Juvenile Delinquency," *Chicago Defender*, March 9, 1940.
[53] "Annual Report of the Executive Secretary of the Chicago Urban League for the Period Ending December 31, 1942," December 31, 1942, p. 1, Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-15, CUL Records.
[54] "Chicago Urban League 1946," Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-17, CUL Records.
[55] Ibid.

shortage and use of restrictive covenants, inadequate schools in black neighborhoods, and the fact that "police have not used consistent good judgement [sic] in handling explosive situations."[56] Despite this litany of problems facing black Chicagoans in the early 1940s, the CUL concluded that it had made major strides in improving the working and living conditions of the city's growing black population, and that "the spirit of racial goodwill has seemed to improve and to conquer to some extent the fascist forces."[57]

The desegregation of employment had been one of the foremost priorities of the CUL since its founding in 1916, and the majority of cases addressed by the CUL in the early 1940s concerned black migrants seeking industrial employment. But by that decade the CUL also had a new agenda—the amelioration of juvenile delinquency. This campaign was consonant with the politics of respectability that had dominated the organization's first two decades of work. The CUL's focus on delinquency resonated with the idea that individual comportment reflected on the condition of the race as a whole and as a result had to be improved and refined to meet middle-class standards of behavior. However, the CUL's acknowledgment of the economic and social roots of delinquency and other law breaking did distinguish its post-war rhetoric from early-twentieth-century calls for fair law enforcement that were premised on black respectability. By the post-war years, this political commitment had translated into programs such as neighborhood improvement meetings and collaborations with the city Health Department and the Chicago Police Department.[58] These programmatic attempts to curtail delinquency were paired with efforts to shift the public perception of black Chicagoans through a vigorous public

[56] "Chicago Urban League 1946," Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-17, CUL Records.
[57] Ibid.
[58] "Annual Report of the Executive Secretary of the Chicago Urban League for the Period Ending December 31, 1942," December 31, 1942, p. 1, Series I: Administrative Files, Box 1: Annual Reports 1917-1954, Folder 1-15, CUL Records.

relations campaign that sought to counter ideas of black inferiority that had woven through the city's public discourse since the early twentieth century.

The war years saw upheavals in a number of urban centers across the country; in June of 1943, reports reached Chicago that nearby Detroit had erupted into a three-day racial conflict, eventually quelled by the arrival of federal officers. The Detroit riot had been touched off by fights among black and white youths in the city's Belle Isle recreation area and compounded by rumors regarding supposed violence perpetrated against white and black women in the days leading up to the conflict on Belle Isle.[59] Over the course of three days, 34 people were killed, 25 of whom where African Americans and 17 of whom were killed by police.[60] More than 75 percent of the 600 people injured were black, and 85 percent of those arrested over the course of the conflict were black, suggesting both the targeting of black Detroiters by their white neighbors as well as a focus on black Detroiters as the perpetrators of violence and other illegal activity by law enforcement officers.[61]

Reports of the riot in Detroit appeared in newspapers around the country, eliciting concern among some Chicago community leaders that mere discussions of the problems in this other Midwestern urban center would provoke rioting in their own city.[62] Indeed, the patterns of violence in Detroit in 1943 echoed the violence that had spread through Chicago in August of 1919. The conflict began in a recreational park and involved black and white youths vying for resources in one of the city's premier leisure spaces. The propagation of the violence also relied on the dissemination of rumors, was met with a profoundly racialized response from law enforcement, and eventually prompted a military response from the state or federal government

[59] Dominic J. Capeci and Martha Wilkerson, "The Detroit Rioters of 1943: A Reinterpretation," *Michigan Historical Review* (Vol. 16, No. 1), 52-53.
[60] Harvard Sitkoff, "The Detroit Race Riot of 1943," *Michigan History*, Vol. 53, No. 3 (Fall 1969), 194-195.
[61] Ibid, 202-203.
[62] Diamond, *Mean Streets,* 124-125.

in order to put down the ongoing violence. The Chicago Race Riot of 1919 had occurred just a generation earlier, and those who remembered the conflict likely feared that similar episodes around the country would incite rioting in Chicago again.

It was perhaps simply coincidence or luck that Chicago did not see a similar large-scale racial conflict during the war years as it had at the end of WWI. In the years and months before the eruption of violence in Detroit, local news outlets repeatedly reported instances of police brutality, recalling the entrenched patterns of police violence that had prompted protest among the Chicago NAACP and the Chicago Civil Liberties Committee in the interwar decades and had been extensively documented by the National Commission on Law Observance and Enforcement. A *Chicago Defender* report in March of 1942 indicated how very routinized police violence had become, as nearly all instances of African American public conduct seemed to elicit a brutal police response. That month Anthony Williams suffered a brutal beating by Officer Earl Wilson after he refused the advances of a woman at a South Side tavern. Officer Wilson immediately approached Williams after he'd dismissed the woman who'd approached him; when Williams informed the officer that no altercation had occurred, Wilson struck Williams and threw him to the ground. When other patrons exclaimed, Wilson threatened them with his service revolver and continued to brutalize Williams, striking his eye and severely damaging his sight. Following the beating, Wilson arrested Williams and brought him to the 48th Street station, where he was charged with disorderly conduct.[63] Anthony Williams's brutal treatment demonstrated the kinds of daily violent encounters that black Chicagoans continued to endure into the 1940s. Others garnered far more notoriety and elicited protest among the city's growing black neighborhoods—such as the killing of Elmo Vassar in 1943—making it all the more surprising that the city did

[63] "Beaten By Cops, Charges Brutality," *Chicago Defender*, March 21, 1942.

not see massive racial conflict or rioting on the scale of other cities such as Detroit or Los Angeles.

Racial Violence in the War Years

On August 23, 1946, South Side Chicagoans bore witness to a horrific sight. A black man's lifeless body swung in the air, suspended from the tracks of the elevated train. Neighbors and witnesses rushed to notify news outlets and the Chicago Police Department of the gruesome incident—there had been a lynching in Chicago. Days later, a report in the *Chicago Defender* noted—with relief—that the investigation of the death revealed that the man had actually taken his own life after a domestic dispute in which he had beaten and killed his wife. Enoc P. Waters, writing for the *Defender*, observed that beyond the obvious tragedy of the case, it also served as an important indicator of the state of race relations and the threat of white racial violence in wartime Chicago. Waters noted that the multiple reports of lynching that South Siders had made to the Police indicated that the idea of a black man being lynched in Chicago was hardly out of the realm of possibility. He continued, "It is obvious that their thinking was conditioned by the contagion of anti-Negro violence that has been raging through the nation since V-J day," referencing patterns of violence against African American soldiers that had occurred in cities across the country in the preceding months.[64] Although the true circumstances of the man's death brought some reassurance that it had not resulted from a lynching, the assumptions of many South Siders that decades of white racial violence had culminated in this violent expression of white supremacy indicated the tenor of race relations in Chicago during the war years.

Coverage of this incident in the *Chicago Defender* placed decades of white racial violence in Chicago into the same framework as Southern lynching and other forms of anti-black

[64] Enoch P. Waters, "Ignorance Rivals Brutality in Lynchers," *Chicago Defender*, August 24, 1946.

violence throughout the nation, offering a critique of spectacular racial violence as a purely Southern phenomenon. Writing about the Southside black man's death in 1946, Waters argued that recent waves of racial violence could be attributed to "a new assertiveness among Negroes" that was not regionally delimited; rather "These disgraceful exhibitions are Southern growing pains, and to the extent that they occur elsewhere, the growing pains of the nation."[65] He went on to cite examples of racial violence in Chicago as well as in other urban centers around the country as indications of the nation-wide resurgence of white supremacy in response to black gains during the war years "The Chicago house bombings, the Gary, New York and Philadelphia high school strikes, the Freeport killings, the disgraceful California home burning and double murder are all phases of resistance to the gradual but persistent forward surge of Negroes toward a status long denied them."[66] According to this analysis, the sight of a man's possibly lynched body made tragic sense to black Chicagoans who had endured decades of white racial violence.

Waters's reference to "the Chicago house bombings" called to mind a form of spectacular racial violence that had occurred repeatedly during the war years—another series of home bombings targeting black residents, which echoed the bombings of the 1910s that had directly preceded the 1919 Chicago Race Riot.[67] In the years before and after the 1919 riot, black homeowners and renters who moved outside the narrow confines of the South Side Black Belt endured attacks on their homes at the hands of white neighbors and neighborhood associations, who used violence to enforce the residential color line as the city's black population grew during the years of the first Great Migration. These violent attacks elicited little if any response from police and law enforcement; black Chicagoans and white property owners who rented to them reported nearly 60 bombing attacks in the 1910s, but only two perpetrators were arrested in those

[65] Enoch P. Waters, "Ignorance Rivals Brutality in Lynchers," *Chicago Defender*, August 24, 1946.
[66] Ibid.
[67] See chapter 1 for a discussion of white racial violence in the 1910s and the law enforcement response.

cases and none convicted. The second Great Migration during and after the Second World War prompted a similar pattern of white racial violence, especially as soldiers returned from war and black Chicagoans moved into West Side neighborhoods. In October 1944, recently returned soldier John Titus found a stink bomb in the hallway of his newly purchased home on the Southwest Side, along with smears of orange paint on his porch and tar on his front steps. The *Defender* reported that the vandalism to Titus's home "climaxed a series of attacks by white hoodlums in an attempt to intimidate Negro tenants."[68] Not only had the Titus home been defaced, but the broker who sold the family their new home had received a threatening letter "composed of headlines clipped from newspaper stories of the recent bombing of School Superintendent Johnson's home."[69]

Reports of bombings—but few reports of arrests—littered Chicago's daily news in the coming years. An image of blasted windows accompanied the July 1945 headline "Home Blasted by Hoodlums," showing the destroyed house of Henry L. Vandetta on the far South Side.[70] Just six months later, assailants flung two Molotov cocktails into an apartment building on the West Side, after a white man warned African American tenants Sherman Hemphill and Anna Johnson "Colored people are not wanted in this neighborhood."[71] The two families accosted in that firebombing of February 1946 had received threats from an anonymous group of white neighbors the week prior, who warned the new tenants "not to call the cops, 'or it'll be twice as hard for you.'"[72] Disregarding the threat, Johnson had alerted the Blue Island Avenue police station to the threats she had received; officers there stationed a patrolman outside the apartment building. However, this police presence did nothing to stop the bombing attack; the patrolman was indeed

[68] Robert Lucas, "Hurl Stench Bomb Into Home of Ex-Soldier," *Chicago Defender*, October 21, 1944.
[69] Ibid.
[70] "Home Blasted by Hoodlums," *Chicago Defender*, July 28, 1945.
[71] " 'Molotov Cocktail' Hurled in Flat To Oust Negro Tenant," *Chicago Defender*, February 2, 1946.
[72] "Windy City Police Hunt Bombers of Negro Homes," *Pittsburgh Courier,* February 9, 1946.

on duty when the bombs were thrown. This peculiar detail could have indicated that the police response to Mrs. Johnson's report of violent threats was simply inadequate—that one patrolman was an insufficient surveillance to stop a crowd of bombers—or that the police were indeed complicit in the bombing itself, standing by idly as the white crowd hurled flaming bombs into the building.

Police ignorance of the ongoing problem of white racial violence against black homes in the war years was difficult if not impossible to believe, considering the public threats made by some white Chicagoans who anticipated new black neighbors during the war years. Just a week after the bombing of Hemphill's and Johnson's apartment building, the *Chicago Defender* published an exposé of the white neighborhood organization that had coordinated the attack. A group of white landlords had formed the White Independent Citizens' Committee in the preceding months and collaborated with the Oakland-Kenwood Property Owners' Association, which had previously been found to have played a role in home bombings. Alton D. Baird, a leader of the Citizens' Committee, decried his Jewish neighbors for choosing to sell or rent property to African Americans and criticized the administration of Mayor Edward J. Kelly for his positions on racial equality and civil rights. Baird explicitly endorsed white racial violence and lamented continuing violations of the city's color line "We—er—they bombed and burned the niggers on Michigan Boulevard and they bombed 'em and burned 'em on Grand and now the niggers are there anyway."[73] The thought of Kelly being reelected nearly brought tears to Baird's eyes as he acknowledged, "He'll probably get in again. The machine, you know."[74] Baird's candidness and his willingness to be publicly associated with these threats of violence stood in contrast to the racial bombing campaign of the second decade of the twentieth century, in which

[73] Ernest Lilienstein, "Landlords Plot Reign of Terror," *Chicago Defender*, February 16, 1946.
[74] Ibid.

perpetrators remained largely anonymous. It also showcased the lack of fear that Baird and his cohort harbored about law enforcement reprisals for their ongoing violent campaign.

By July of 1946, local news outlets had reported at least 27 home bombings over the previous years, but a failure of Chicago police to apprehend any suspects in the violent attacks.[75] That month, a delegation of representatives from ten civic and labor organizations paid a visit to Police Commissioner John C. Prendergast to protest the lack of police response to the ongoing bombing of black homes and to object to recent rumors of a law enforcement plot to conceal the circumstances surrounding the bombing of the home of Mrs. Grace Hardy on the South Side.[76] The delegation included representatives from a wide range of labor unions, community groups, and racial improvement organizations, demonstrating broad investment in the improvement of equal policing and the curtailment of white racial violence. Weeks earlier, the Chicago branch of the NAACP had hosted a meeting of those representatives at the Chicago City Club to discuss the ongoing attacks on black homes. Michael Mann, secretary of the CIO Chicago Industrial Council, promised the support of labor to black city residents who suffered racial attacks, telling the group "This matter has been brought to the police, and if no action is taken by the police to protect citizens, the CIO will raise plenty of hell."[77] Chicago NAACP President Henry W. McGee reiterated the urgency of Mann's remarks, insisting that this "reign of terror" had to come to an immediate end.[78]

Predictably, Prendergast denied the allegations of a police cover-up and informed the delegation "every effort would be made to apprehend and punish the criminals responsible for

[75] By the end of 1946, at least thirty-five bombing attacks against African American Chicagoans had been observed. Mayor's Commission on Human Relations, "Human Relations in Chicago," 1946, p. 62, Series I: Administrative Files, Box 264, Folder 2647: Human Relations—Mayor's Commission on HR, Annual Reports, 1946, CUL Records.
[76] "27 Bombings Hit Chicago Negro Homes," *Chicago Defender*, July 6, 1946.
[77] Ibid.
[78] Ibid.

the arson bombing."[79] Members of the delegation urged preventative action as well, suggesting that the Commissioner report incidents of racial conflict or violence to the Mayor's Commission on Human Relations, the municipal body that had been formed three years earlier to examine and address racial tension in the city.[80] They further reminded the Commissioner that in seven recent incidents of home bombings "None of the criminals [had] been apprehended or punished."[81] In some instances of violent threats during the war years, the Chicago Police Department had deployed officers to guard black homes, as they had done when John Titus received a threatening letter at his home in 1944 and when Anna Johnson's apartment building was threatened in 1946. The delegation that visited Prendergast in July of 1946, however, indicated to the Commissioner that in many cases the officers assign to protect black Chicagoans actually sympathized with the attackers and allowed white violence to occur uninterrupted. Henry Vandetta, whose bombed home had appeared in the pages of the *Defender* a year earlier, told the black daily that officers assigned to protect his home had advised him simply to sell the house and leave the predominantly white neighborhood into which he had moved. Failing to do so, Vandetta's home was bombed. In this instance, not only had the police failed to protect the safety and property of Vandetta and his family, but they had also deployed their authority as officers of the state to endorse the violent defense of the color line, as they actively encouraged him to abandon his new home and return to the predominantly black neighborhoods of the South Side.

By the end of the year, the total number of violent bombings or arson attacks on black homes had risen to 35, in addition to 19 assaults of African Americans by white assailants in the

[79] "27 Bombings Hit Chicago Negro Homes," *Chicago Defender*, July 6, 1946.
[80] Between 1943 and 1945, this group was named the Mayor's Commission on Race Relations. Mayor's Commission on Human Relations, "Human Relations in Chicago," 1946, p. 7, Series I: Administrative Files, Box 264, Folder 2647: Human Relations—Mayor's Commission on HR, Annual Reports, 1946, CUL Records.
[81] "27 Bombings Hit Chicago Negro Homes," *Chicago Defender*, July 6, 1946.

city streets.[82] The Mayor's Commission on Human Relations monitored those incidents throughout the year and encouraged Police Department officials to detail additional patrolmen to transitional neighborhoods on the South Side. Despite dedicated police details in neighborhoods that had seen bombings over the previous several years, however, neither arrests nor apprehensions were made.[83] Similarly to the spectacle of law enforcement authority that police had demonstrated in the Beer War raids and the deportation drives of the 1920s, these patrols and details served as a performance of police surveillance but failed to actually improve black safety or guarantee equal law enforcement. Much like the patrolmen occasionally stationed outside black homes in hopes of preventing violence—usually ineffectively—these patrols served to insulate racially discriminatory police discretion from critique, especially as the interracial Mayor's Commission on Human Relations endorsed the patrols as an adequate measure to address ongoing wartime violence.[84]

POLICING WARTIME CHICAGO

The failure of the Chicago Police Department to address the ongoing problem of white racial violence targeted against black homes in the WWII years and beyond stood in direct contrast with the department's aggressive policing of so-called "hoodlums and vagrants" at the urging of the anti-crime activists of the Chicago Crime Commission. In late June of 1946, Crime Commission Operating Director Virgil W. Peterson issued the group's annual crime report and "made a rather blanket indictment against the police department for its laxity against law

[82] Mayor's Commission on Human Relations, "Human Relations in Chicago," 1946, p. 62, Series I: Administrative Files, Box 264, Folder 2647: Human Relations—Mayor's Commission on HR, Annual Reports, 1946, CUL Records.
[83] Ibid, 63-67.
[84] "Chicago's Battle on Racism," *Chicago Defender*, March 30, 1946.

violators in the South side area."[85] The report claimed that at least 25 percent of Chicago's violent crimes occurred among the black South Side, which was home to just 10 percent of the total city population.[86] Peterson particularly faulted police work in the Wabash Avenue district, where he found that significant proportions of the city's violent crimes had occurred during the previous calendar year and criticized "the prevalence of policy, the influence of politicians and the leniency of Municipal Court judges at Wabash in treating serious offenses rather lightly," and "described police work as "totally unsatisfactory.""[87] The police captain of the Wabash Avenue district station refuted the CCC's findings, and claimed that his officers had indeed performed exemplary police work in that district, having investigated and solved all of the homicides and nearly all of the attacks on women in that area of the city in the six months preceding the publication of the CCC report. Despite the captain's protestations against Peterson's conclusions, Police Commissioner Prendergast responded to the report by sending twelve of his own specially trained detectives to the South Side district "with strict orders to "clean up the district.""[88] As a result "three squads of four men each had jailed 50 hoodlums" within a matter of days after the publication of the report.[89]

The political pressure exerted by the Chicago Crime Commission evidently elicited a much more urgent response on behalf of local law enforcement. While the delegation of civic and labor organizations that had paid a visit to Commissioner Prendergast that same month had received assurances that the campaign of racial violence would be addressed, little actual police response occurred. Political pressure from the Chicago Crime Commission was a familiar theme

[85] "Chicago Police Begin Cleanup: 50 Hoodlums Jailed By Three Squads," *Chicago Defender*, July 6, 1946.
[86] Joseph D. Bibb, "Vice Bound: Crime Commission Brands Black Belt as City's Worst District," *Pittsburgh Courier,* July 13, 1946.
[87] "Chicago Police Begin Cleanup: 50 Hoodlums Jailed By Three Squads," *Chicago Defender*, July 6, 1946.
[88] Ibid.
[89] Ibid.

to the Chicago Police Department by the mid-twentieth century, as the anti-crime advocacy group had leveled similar critiques of law enforcement efficiency and manpower in the post-WWI years, resulting in the significant growth of law enforcement capacity in the 1920s. The wave of arrests in July 1946 also echoed the response of the Police Department to the Prohibition-era law and order campaign of Democratic Mayor William A. Dever, as officers made raids in immigrant and African American neighborhoods following calls for strict law enforcement in the context of the federal ban on alcohol. The CCC's annual report of 1946 was in keeping with these earlier anti-crime campaigns, in its demands for immediate arrests and strict law enforcement, and consistent with the Commission's strategy since the early 1930s of exerting public pressure on the Police Department in pursuit of law and order.[90]

Peterson's report reflected decades of discretionary policing that had directed vice establishments and criminal syndicates into South Side black neighborhoods, the same discretionary processes that the Vice Commission of Chicago and the Chicago Commission on Race Relations had identified in their investigations of urban conditions in the first two decades of the twentieth century. The Crime Commission, however, described the problem of South Side crime as one caused by "hoodlums and vagrants," rather than identifying the active role that police discretion itself had played in shaping the geography of crime in post-war Chicago. Contemporary observers identified this oversight, drawing particular attention to the inattention that Peterson and his fellow Crime Commissioners had paid to the role of racial segregation in the encouragement of crime in the city. Writing to the *Chicago Defender* in the weeks after the publication of the Crime Commission annual report, Chicago resident J. Hamilton Johnson drew attention to what he called the "iron ring" that restricted most of black Chicago residents to the

[90] "CHICAGO GANGSTERS DECLARED BEATEN: Crime Commission, Pointing to Disposal of 28 Listed "Public Enemies"," *New York Times*, December 21, 1931.

South Side Black Belt.[91] Hamilton faulted discriminatory laws and real estate practices for Chicago's profound racial segregation, particularly the use of restrictive covenants. Nevertheless, while acknowledging the role of racial segregation in fostering law breaking among black neighborhoods, Hamilton invoked the claims of black law and order politics that had been commonplace in the years of the first Great Migration. Referring to himself and his neighbors, Hamilton wrote, "We who live in this iron ring know that for some time we have been making some progress in eliminating such evils…we should give our wholehearted support to the captains in this section."[92]

Other appraisals of the state of crime among black Chicago in the post-war years echoed popular assumptions of black criminality and particularly Southern migrant criminality that had circulated among city leaders and the popular press in the years following the first Great Migration. Assessing the conditions of black Chicago in light of the Crime Commission report, black Chicago lawyer and former editor of the militant *Chicago Whip* Joseph Bibb noted the lackluster response among black Chicagoans to the report of rampant crime. Bibb registered no protests or condemnations of the South Side conditions, and lamented, "Some have even had the nerve and audacity to deny the charges…no vigilantes have assembled, no marches in, no plans have been put into action."[93] Bibb acknowledged the role of racial segregation in the conditions of the black South side, while also drawing attention to the role of Southern black migration in fostering law breaking "Undoubtedly overcrowding has stifled culture. It is admitted that newcomers from the badlands of the South have intensified viciousness."[94] Ultimately these

[91] J. Hamilton Johnson, "What The People Say: Connects Crime Rate With Restrictive Covenants," *Chicago Defender*, July 27, 1946.
[92] Ibid.
[93] Joseph D. Bibb, "Vice Bound: Crime Commission Brands Black Belt as City's Worst District," *Pittsburgh Courier,* July 13, 1946.
[94] Ibid.

condemnations of the crime conditions on the city's South Side resulted in calls for renewed leadership among black Chicago and reform efforts that could adequately address the concentration of illicit activity in black neighborhoods.

The reformist landscape of Chicago in the post-war years continued to be populated by organizations with historical roots in Progressivism, including the Chicago Crime Commission and the Juvenile Protection Association. Through the interwar decades and into the WWII years, the Chicago Crime Commission continued to perform its law enforcement watchdog role, maintaining its comprehensive database of records on criminal activity and the disposition of criminal cases in Chicago, carrying this Progressive reliance on knowledge accumulation into the post-war years.[95] The national reach of the crime commission movement significantly diminished during the 1930s, as most municipal crime commissions disbanded or ceased to function during that decade, and only four new groups formed between the 1920s and the Second World War.[96] According to the University of Chicago sociologist Ernest Burgess, two interwar shifts accounted for the diminishing number of crime commissions throughout the United States—the financial crisis of the Great Depression and the repeal of Prohibition.[97] Most crime commissions comprised businessmen and other owners of capital, who both staffed and funded the organizations; many of those businessmen anti-crime activists found themselves with less expendable capital during the Depression and the war years, and crime commission funding diminished as a result. Just as importantly, Burgess noted, was the repeal of Prohibition and the reduced sense that organized crime and bootlegging represented the criminal threat that they had in the years following the First World War. While the legalization of alcohol hardly eliminated

[95] Ernest Burgess, et al, "Survey of the Chicago Crime Commission," 1950, p. 174, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers.
[96] Ibid, 13.
[97] Ibid.

organized crime, it did result in a diminished sense of urgency surrounding the question of bootlegging and criminal gang activity, which had often served as the impetus for the formation and work of municipal crime commissions around the country.[98]

The Chicago Crime Commission survived the interwar decades along with only three other municipal crime commissions—the Cleveland Crime Commission, the Baltimore Crime Commission, and the Criminal Justice Association of Washington, DC.[99] Since its founding in 1919, the Crime Commission had maintained its attention to the improvement of criminal justice agencies, particularly with regard to the efficiency of criminal trials and other judicial procedures. The Prohibition-era agenda of the Chicago Crime Commission had largely focused on the problem of criminal syndicalism and law enforcement involvement with organized crime in Chicago, a problem often racially coded as white ethnic due to the associations between immigrant communities and organized crime. The CCC had retreated slightly from its militant anti-crime position during the 1930s, in contrast to the advocacy of strict crime deterrence that had characterized the organization's early years. Attorney Frank J. Loesch assumed leadership of the organization in 1928, during which the CCC abandoned some of its earlier insistence on the necessity of criminal punishment but maintained strict advocacy of the improvement of criminal justice.[100]

The wartime and post-war activity of the CCC shifted yet again, as the organization refashioned itself as an information clearinghouse, seeking to conduct scientific studies of crime in order to aid public officials in the reduction of crime, and redefining its role as "a non-partisan

[98] Ernest Burgess, et al, "Survey of the Chicago Crime Commission," 1950, p. 13, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers.
[99] The Chicago Crime Commission continues to operate today, once of few crime commissions to continue to exist throughout the twentieth century. Its contemporary work resembles the work of the early CCC; the group focuses on education and community partnerships in pursuit of crime prevention. Ibid, 14.
[100] Ibid, 21.

scientific agency of citizens inquiries for the promotion of the efficiency and activity of all officers and departments of the State of Illinois, County of Cook, City of Chicago, charged with the duties of suppressing, preventing, and punishing crime."[101] In the post-war years, the Crime Commission variously turned its attention to the problems of police corruption, the improvement of police administration systems, and police technology.[102] The organization also demonstrated the growing influence of University-of-Chicago-training criminologists and sociologists, as it conducted repeated surveys of crime in the city, publishing volumes including *Gambling, Should it be Legalized?* and *Why Honest People Steal*.[103] These changes in the work of the Crime Commission, particularly its internal focus on the improvement of police systems, resulted in the gradual retreat of the CCC from the problem of organized crime that had been primarily associated with ethnic immigrant communities since the early twentieth century.

The Juvenile Protection Association, often contrasted with the Crime Commission during the interwar decades due to the organizations' differing interpretations of crime causation, also survived into the post-war years, continuing to advocate for improvements to the juvenile justice system. The post-war JPA joined the Chicago Urban League in its goal of reducing juvenile delinquency in Chicago, participating in a citywide conference in 1943 on the prevention of juvenile delinquency and focusing its programmatic attention on preventative services to ensure that Chicago youths would not fall under law enforcement supervision.[104] The JPA had begun as an advocate of juvenile justice and its post-war focus on juvenile delinquency remained consistent with that organizational priority. However, the post-war attention juvenile delinquency,

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[101] Quoted in Ernest Burgess, et al, "Survey of the Chicago Crime Commission," 1950, p. 22, Series V: Burgess' Writings, Sub-series I: Parole and Crime, Box 193, Folder 6: Survey of the Chicago Crime Commission, Burgess Papers.
[102] Ibid, 183-184.
[103] Ibid, 162.
[104] "Delinquency Prevention Conference," May 7, 1943, Series I, Box 1, Folder 11: Juvenile Delinquency and the Community—Reports; January 1940-May 1943, JPA Records.

along with the preventative programs of the Chicago Urban League, served to reduce the visibility of vice and prostitution from the agenda of these urban reformers. Vice had been among the foremost problems that animated programs of urban reform in the early twentieth century, as multiple municipal commissions and agencies focused their work on eliminating vice establishments.[105] After the publication of the Vice Commission of Chicago's report, *The Social Evil in Chicago*, the private Committee of Fifteen had assumed primary responsibility for cataloguing and reporting vice establishments in Chicago.[106] That organization had ceased its work by the post-war years, however, as the reformist landscape became increasingly dominated by the Juvenile Protection Association's focus on juvenile delinquency and the Crime Commission's attention to police systems.

Despite decades of scrutiny from anti-crime advocates and police reformers, the Chicago Police Department had seen some administrative improvements, but few changes to the oversight of police discretion by middle of the twentieth century. In fact, the Chicago Police Department became increasingly opaque with the establishment of the so-called Red Squad or the Subversive Unit in the early 1930s, a classified surveillance unit that gathered information on suspected radicals, Communists, and civil rights activists.[107] The Red Squad grew out of Police Department surveillance of organized labor in the years following the Haymarket bombing in 1886; over the following 70 years the Squad assembled records on over 100,000 Chicagoans and over 14,000 organizations.[108] The economic crisis of the Great Depression had ignited labor organizing and

[105] Vice Commission of Chicago, *The Social Evil in Chicago.*
[106] Linehan, "Vicious Circle," 253-254.
[107] "Chicago Police Department, Red Squad Selected Records Finding Aid," p. 2, Chicago Police Department Red Squad Selected Records, ca. 1930s-1986, Chicago History Museum [hereinafter Red Squad Records].
[108] The Red Squad records consist of individual cards that recorded the activities and whereabouts of individuals and organizations under the surveillance of the Chicago Police Department, arranged alphabetically. This organizational structure makes it challenging to track the comprehensive operations of the Squad over time, but sampled data indicates that the Squad devoted attention to labor unionists and radicals in its early years, eventually expanding its surveillance to civil rights activists by the mid-twentieth century. Red Squad Records.

radicalism throughout the United States, and by the middle of the 1930s red squads throughout the country had turned their attention to suspected communists.[109] The earliest extant Chicago Police Department Red Squad records tracked the activities of suspected communists, many of them associated with local labor unions. In the post-WWII years, the Chicago Red Squad turned its attention to civil rights organizations and movements for racial equality. Even during its early years, however, members of the squad had taken note of some Chicagoans who had "protest[ed] indiscriminate stopping of Negroes for questioning by police," and others who had signed a petition "protesting ill treatment of Negroes by CTA and CPD."[110] In some ways, the Red Squad represented the culmination of demands for more stringent law enforcement and surveillance in Chicago, but it did so through an entirely opaque and furtive policing institution.

The institutionalization of the Chicago Police Department Red Squad occurred nearly simultaneously to ongoing efforts to improve police systems and efficiency, urged by the Chicago Crime Commission as well as criminologists interested in the study of municipal law enforcement and management. In January 1929, Police Commissioner William F. Russell had addressed an urgent letter to a number of prominent criminologists and local anti-crime activists. In it, he described the state of the department and implored scholars and businessmen—including Chicago Crime Commission President Frank J. Loesch—to turn their critical eyes to the operation of law enforcement in Chicago. Russell's letter echoed the appeals of Chicago anti-crime activists who had deplored the inefficiency of the Department since the early twentieth century. He wrote, "Several serious problems confront the Chicago Police Department," and went on to cite problems with the staffing and personnel of the department, its system of

[109] Donner, *Protectors of Privilege,* 44.
[110] "Admin, Hilda Diamond, 1946," Red Squad Records; "Balanoff, Betty, 1949," Red Squad Records.

recording keeping, and housing for Chicago's police officers.[111] Russell's letter emphasized the need of the Department to expand—similarly to the arguments that had circulated among the Chicago Crime Commission and the Chicago City Council a decade earlier. He noted that a "scientific study" of the Department and its needs would best provide for "its proper expansion."[112] He ended his letter by appealing to the duties of law enforcement "The department is keenly aware of the great responsibility which by law rests upon it to protect from harm the lives, liberty and property…of three million citizens in their homes and their livelihoods. To meet successfully this formidable responsibility the department must have adequate support and resources."[113] These appeals for adequate resources echoed the arguments that the Chicago Crime Commission had made less than ten years earlier in support of the Police Department patrolmen increase, recommending that in order to adequately control crime, the department needed adequate resources.

Russell's appeals resulted in the formation of the Chicago Citizens' Police Committee, an advisory organization dedicated to improving police systems and administration in the city. It was staffed by criminologists from the University of Chicago and Northwestern University, as well as some of the same anti-crime activists who populated the Chicago Crime Commission. The Committee, a temporary commission in the same model of Progressive organizations such as the Vice Commission of Chicago, conducted a review of the Chicago Police Department starting in 1929. The Committee contracted criminologist Bruce Smith to conduct the review, an expert in American policing from the National Institute of Public Administration.[114] After a year of study, the Committee published its findings as *Chicago Police Problems*, a volume that reviewed

[111] "Statement Concerning Police Study," Undated, p. 1, Box 1, Folder 9: Reports, Records of the Citizens' Police Committee, 1928-1933, Northwestern University, University Archives [hereinafter CPC Records].
[112] Ibid, 2.
[113] Ibid.
[114] Citizens' Police Committee, *Chicago Police Problems* (Chicago: University of Chicago Press, 1931), ix.

Chicago Police Department structure, management, record keeping, and personnel, with corresponding recommendations for improvement. Notably, despite decades of critique from anti-crime activists and other urban reformers, the Committee did not investigate the issue of police corruption, instead suggesting that its investigation into the problems with police administration and investigation tactics provided sufficient explanation of the department's shortcomings without a study of corruption.[115] *Chicago Police Problems* demonstrated how police reform remained narrowly focused on questions of Department structure, man-power, and efficiency in the interwar decades and leading into the post-war years, despite decades of evidence regarding the Chicago Police Department's systematic use of violence and discrimination.

Calls for administrative reform and increased surveillance capacity over the course of the twentieth century had also had little effect on the social composition of the Chicago Police Department by the post-war years, as it remained an almost entirely white organization. In early 1946, the Chicago City Council authorized the hiring of an additional 1,000 temporary patrolmen, raising the total number of police employed by the department to nearly 7,000. The temporary addition of these patrolmen accounted for the depleted ranks of the Police Department due to World War II. Of that nearly 7,000 officers, however, only 226 were African American, accounting for just three percent of the total Chicago Police force.[116] By the beginning of that decade, the African American population of Chicago had comprised 8.2 percent of the total population of the city, meaning that the proportion of black police officers fell far below the

[115] Citizens' Police Committee, *Chicago Police Problems* (Chicago: University of Chicago Press, 1931), x.
[116] Mayor's Commission on Human Relations, "Human Relations in Chicago," 1946, p. 74, Series I: Administrative Files, Box 264, Folder 2647: Human Relations—Mayor's Commission on HR, Annual Reports, 1946, CUL Records.

proportion of black residents of Chicago.[117] In addition to the underrepresentation of black officers on the police force, those who were employed by the Department were deployed almost exclusively in black neighborhoods and not allowed to supervise white officers.[118] Despite slight increases in the number of African American police officers in post-war Chicago, the consistently low proportion of black patrolmen compared to the total proportion of black Chicago residents meant that the diversifying city continued to be policed by a predominantly white law enforcement agency, which defended and reinforced the structures of racial segregation that had taken root in Chicago over the previous four decades.

[117] U.S. Bureau of the Census, *United States Census of Population* (Washington, DC: US Government Printing Office, 1940), 640.
[118] Gosnell, *Negro Politicians,* 254-258; Mayor's Commission on Human Relations, "Human Relations in Chicago," 1946, p. 74-75, Series I: Administrative Files, Box 264, Folder 2647: Human Relations—Mayor's Commission on HR, Annual Reports, 1946, CUL Records.

CONCLUSION

In January of 2017, the United States Department of Justice Civil Rights Division and the United States Attorney's Office for the Northern District of Illinois issued their joint investigation of the Chicago Police Department.[1] Initiated after the police murder of Laquan McDonald on October 20, 2014—and in the midst of the ongoing national movement for black lives—the investigation probed the CPD's use of force, record of officer misconduct, imposition of discipline, and racial, ethnic, and other disparities in accountability.[2] At the center of the investigation were questions of community-police trust, particularly among the city's West and South Sides, which had borne the brunt of the surges of gun violence over the previous several years. The Department of Justice's investigation of the Chicago Police Department joined similar recent investigations of municipal police departments across the country, such as the DOJ's investigation of the Ferguson Police Department following the murder of Michael Brown.[3]

In the months following the McDonald murder, the City of Chicago had pursued of number of measures to curtail police violence and increase officer supervision, including the establishment of the mayor's Police Accountability Task Force and a pilot program for officer

[1] United States Department of Justice Civil Rights Division and United States Attorney's Office Northern District of Illinois, "Investigation of the Chicago Police Department," (January 13, 2017): 1.
[2] For recent scholarly assessments of the movement for black lives, see Jordan T. Camp and Christina Heatherton, eds., *Policing the Planet: Why the Policing Crisis Led to Black Lives Matter* (London: Verson, 2016); Maya Schenwar, et al, eds., *Who Do You Serve, Who Do You Protect? Police Violence and Resistance in the United States* (Chicago: Haymarket Books: 2016); Keeanga-Yamahtta Taylor, *From #BlackLivesMatter to Black Liberation* (Chicago: Haymarket Books, 2016).
[3] United States Department of Justice Civil Rights Division, "Investigation of the Ferguson Police Department," (March 4, 2015).

body cameras.[4] Despite these attempts at reform, the Department of Justice found "that CPD officers engage in a pattern or practice of using force, including deadly force, that is unreasonable," and a pattern of force that was in violation of the United States Constitution.[5] The problems discovered by the Department of Justice echoed some that early-twentieth-century reformers and city executives had faced—inadequate mechanisms of police discipline and oversight, undue surveillance of certain neighborhoods and lack of surveillance in others, poor and incomplete police record keeping, connections to criminal gangs, and uncontrollable police violence. In addition to this litany of problems, the investigation found racial discrimination to be endemic in the department, as "[The] CPD's pattern or practice of unreasonable force and systemic deficiencies fall heaviest on the predominantly black and Latino neighborhoods on the South and West Sides of Chicago, which are also experiencing higher crime."[6] This tension — between police discrimination and failures of crime control measures—was precisely one that early-twentieth-century African Americans and Latino/as had faced in Chicago as they simultaneously demanded equal law enforcement and critiqued the illegal state violence that pervaded their neighborhoods.

The Department of Justice made a long list of recommendations for the improvement of policing in Chicago, echoing the many recommendations for reform offered by organizations like the Vice Commission of Chicago, the Chicago Commission on Race Relations, and the Citizen's Police Committee. These recommendations treated the many problems identified in the investigation, as the DOJ suggested that the Chicago Police Department implement policies for the de-escalation of force and reduction of violent citizen-police encounters, establish an

[4] United States Department of Justice Civil Rights Division and United States Attorney's Office Northern District of Illinois, "Investigation of the Chicago Police Department," 3.
[5] Ibid, 5.
[6] Ibid, 15.

impartial police oversight body, retrain officer and provide better guidance on the legal parameters of policing, create of transparent data collection services, revise the police promotion systems to ensure that qualified officers assumed leadership positions, and the reinvigorate community policing.[7] These recommendations focused entirely on improvements the Department itself, leaving aside questions about urban inequality, racial segregation, and urban violence that many of the city's early-twentieth-century reformers had foregrounded.

"The Politics of Crime Control" provides deep historical context for the findings of the Department of Justice and yields explanatory value for the intransigent problems of police violence, police accountability, and community mistrust that the investigation discovered in Chicago. The broad investment in the politics of crime control among a variety of historical actors in the early twentieth century demonstrated that the primary goal of law enforcement was the imposition of urban order and defense of the urban color line, often at the expense of the rule of law, equality, or safety. The findings of the Department of Justice also indicated the historical continuity of several elements of the early-twentieth-century coercive state, particularly the coercive state's toleration of certain types of urban disorder—state violence and law breaking in certain neighborhoods—and its attempts to discipline some communities through illegal often violent means. The city has undergone many massive changes in the decades that separated those two historical moments, however, as decades of deindustrialization, capital flight, and new waves of immigration have transformed in the urban landscape of Chicago in the second half of the twentieth century. The enduring problems of policing, however, indicate how deeply issues of police discretion and state power are embedded in the very governance of the city itself, shaped by immediate political circumstances but ultimately entwined in the organization and

[7] United States Department of Justice Civil Rights Division and United States Attorney's Office Northern District of Illinois, "Investigation of the Chicago Police Department," 150-161.

structures of urban life. The parallels and similarities between the problems of the early-twentieth-century city and that of today indicate that in order to implement meaningful change to urban policing, reformers must grapple with the long history of discretionary, violent, and discriminatory policing and particularly the structures and processes that have insulated those forms of policing from critique and change over the city's long history.

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