

A Guide to the Microfilm Edition of

Research Collections in American Legal History

General Editor: Kermit Hall

Records of the Wickersham Commission on Law Observance and Enforcement

Part 1: Records of the Committee on Official Lawlessness

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A microfilm project of

UNIVERSITY PUBLICATIONS OF AMERICA

An Imprint of CIS

4520 East-West Highway • Bethesda, MD 20814-3389

Library of Congress Cataloging-in-Publication Data

Records of the Wickersham Commission on Law Observance and Enforcement
[microform].

microfilm reels : 35 mm.

Accompanied by a printed guide, compiled by Robert E. Lester,
entitled: A guide to the microfilm edition of Records of the
Wickersham Commission on Law Observance and Enforcement.

Contents: pt. 1. Records of the Committee on Official Lawlessness.
ISBN 1-55655-631-4

1. Criminal justice, Administration of--United States--
History--20th century. 2. Law enforcement--United States--
History--20th century. 3. Police misconduct--United States--
History--20th century. I. United States. Wickersham Commission.

II. Title: Guide to the microfilm edition of Records of the
Wickersham Commission on Law Observance and Enforcement.

[HV7419]

364.973--dc21

97-32041

CIP

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INTRODUCTION

The production of the 1931 *Report on Lawlessness in Law Enforcement* by the Wickersham Commission is one of the most important events in the history of American policing. It was the first systematic investigation of police misconduct and became a catalyst for reforms involving new forms of accountability for the police.¹

The *Report on Lawlessness in Law Enforcement* was one of the fourteen reports published by the National Commission on Law Observance and Enforcement, known popularly as the Wickersham Commission. The commission conducted the first national study of the administration of justice in the United States and was a precursor to the President's Commission on Law Enforcement and Administration of Justice (1965–1967), popularly known as the President's Crime Commission.²

The material in this collection, involving the original files of the Committee on Lawlessness in Law Enforcement, will be of interest to scholars specializing in a wide variety of subjects, including the history of law enforcement, criminal justice, and criminal procedure, as well as urban history, labor history, American race relations, and the administration of President Herbert Hoover.

The Wickersham Commission

The National Commission on Law Observance and Enforcement was appointed by President Herbert Hoover on May 20, 1929. It completed its work and published fourteen reports in June 1930.³

The commission was chaired by George W. Wickersham, who had served as U.S. attorney general under President William Howard Taft. The other ten members included some of the most prominent individuals in American law and public life. Most notable was Roscoe Pound, dean of Harvard Law School and widely regarded as the leading expert on American criminal justice. Also serving on the commission were Newton D. Baker, a leading urban reformer during the Progressive Era and secretary of war under President Woodrow Wilson, and Frank J. Loesch, a prominent Chicago attorney and leader of the Chicago Crime Commission, who had led the fight to prosecute Al Capone.

The fourteen reports of the Wickersham Commission covered the following subjects: Prohibition; Enforcement of the Prohibition Laws of the United States; Criminal Statistics; Prosecution; Enforcement of the Deportation Laws

of the United States; the Child Offender in the Federal System of Justice and the Federal Courts; Criminal Procedure; Penal Institutions, Probation, and Parole; Crime and the Foreign Born; the Cost of Crime; the Causes of Crime (two volumes); and the Police. A fourteenth report, on the controversial Mooney-Billings case, was submitted to the commission but not officially published. It is presently available in a reprint edition.⁴

Origins of the Wickersham Commission

The Wickersham Commission was the result of three different factors. First, it represented an attempt by President Hoover to find a solution to the vexing problem of Prohibition enforcement, which had deeply divided the country and the Republican Party in particular.⁵

Second, it was an expression of Hoover's technocratic approach to governing. An engineer by training, he had a deep faith in the capacity of a democratic society to master social problems by mobilizing and applying scientific expertise. In this respect, he had more in common with the pre-World War I Progressives than with the postwar conservative Republicans (Presidents Warren G. Harding and Calvin Coolidge) with whom he is generally associated.⁶ Crime had begun to emerge as a national problem in the late 1920s, in part because of the problems associated with Prohibition enforcement and the publicity surrounding gang "wars" in Chicago and other cities.⁷ Hoover believed that a scientific study of crime and the administration of justice would help to solve both a general social problem and a specific political problem for him and his party.

Third, the Wickersham Commission was the logical outgrowth of the crime commission movement that had appeared in the 1920s.⁸ The Cleveland Survey of Criminal Justice, which published its report in 1922, served as the model for the Wickersham Commission.⁹ Codirected by Roscoe Pound (who later served on the Wickersham Commission) and Felix Frankfurter, the Cleveland Survey was unique in two important respects. First, it aspired to be an objective, scientific study of the administration of justice. There had been many investigations of criminal justice in the nineteenth and early twentieth centuries, but they had been essentially partisan efforts to expose existing problems and to identify the corrupt and evil persons who were responsible. The Chicago Crime Commission, established in 1919, functioned as a "watchdog" of local criminal justice issues and did not have the social science aspirations of the Cleveland Survey. Unlike previous efforts, the Cleveland Survey undertook the study of an entire local criminal justice system from the police through local penal institutions. The 1926 Missouri Crime Survey applied this approach to the state level, encompassing county sheriffs and the state prison and parole systems.¹⁰

The Wickersham Commission extended this approach to the national level. In addition to the three major components of the criminal justice system

(police, courts, and corrections), it investigated new areas, such as theoretical criminology, criminal statistics, and the costs of crime.

The Wickersham Commission Reports and Their Impact

With one exception, the reports of the Wickersham Commission had little immediate impact on public policy. That one exception was the *Report on Lawlessness in Law Enforcement*, which is discussed in detail below.

The work of the Wickersham Commission was overtaken by events. By the time the reports were published in 1931, the United States was in the second year of the Great Depression. The president and the Congress were preoccupied with the problem of economic recovery and had little time and energy for the reform of the administration of justice.¹¹ Prohibition, which had prompted President Hoover to create the commission in the first place, was repealed in 1933 despite the fact that the deeply divided commission recommended against this step.¹²

In several important respects, however, the commission's reports did have long-term effects on the understanding of crime and criminal justice. The *Report on Penal Institutions, Probation, and Parole* signaled an important shift in thinking about the treatment of convicted offenders. In the 1920s, there was a powerful public backlash against the optimistic, rehabilitation-oriented reforms of the Progressive Era. The Missouri Crime Survey in particular expressed the widespread public and professional disillusionment with parole and the sense that the criminal justice system was failing to adequately punish criminal offenders.¹³ The *Report on Penal Institutions, Probation, and Parole* gave both probation and parole strong endorsement and marked the revival of an optimistic belief that effective programs for the correctional treatment of offenders could be developed.¹⁴ This new movement slowly gained ground in professional circles over the next few decades and achieved fruition in the 1960s, most notably in the work of the President's Commission on Law Enforcement and Administration of Justice.¹⁵

The *Report on Prosecution* is particularly significant in that it came close to articulating a "systems" approach to the administration of justice.¹⁶ Beginning with the Cleveland Survey, the early crime commissions approached justice agencies as part of an interrelated system but did not have a conceptual framework that would explain the processes and problems they examined. The "systems" paradigm, which now dominates professional thinking about the administration of justice, was developed by the President's Commission on Law Enforcement and Administration of Justice.¹⁷ The *Report on Prosecution* marked a tentative step in the direction of this intellectual development but one that went unfulfilled for over three decades.

The two-volume *Report on the Causes of Crime* marked the coming-of-age of American criminology. The scientific study of crime originated in Europe in the nineteenth century and did not begin to engage American scholars until

just before World War I. The field blossomed in the 1930s, most notably with the work of urban sociologists at the University of Chicago. The Wickersham Commission gave a strong endorsement to the sociological approach to the study of crime, explicitly noting the limitations of psychological and other approaches.¹⁸ The second part of the *Report on the Causes of Crime* was devoted to Clifford R. Shaw and Henry D. McKay's study of "Social Factors in Juvenile Delinquency," which became a highly influential work in the field.¹⁹ Thus, the Wickersham Commission played a major role in shaping the development of the field of criminology in the United States.

The *Report on Criminal Statistics* was the focus of a major controversy over the development of a national system of crime data. The work of the Wickersham Commission coincided with the development of the Uniform Crime Reports (UCR) system under the control of the Bureau of Investigation (later the Federal Bureau of Investigation). Key Wickersham Commission figures, notably Roscoe Pound and Harvard Law Professor Samuel B. Warner, had serious criticisms of the new UCR system.²⁰ Their arguments did not prevail, however, and the UCR system was established and remained essentially unchanged for decades. The *Report on Criminal Statistics*, therefore, should be read in the context of this debate over the development of a national crime data system.

The Report on Lawlessness in Law Enforcement Origins

The origins of the *Report on Lawlessness in Law Enforcement* remain somewhat of a mystery.²¹ While police misconduct was undoubtedly a serious problem in 1929 and had been for nearly a century,²² there was no political constituency with any strength at the national level demanding a federal investigation. The principal interest groups and organizations concerned with the problem of police misconduct were small and extremely weak. The American Civil Liberties Union (ACLU) was small, with little political influence, and still operated under the cloud of suspicion that "free speech" was a dangerous radical concept.²³ The National Association for the Advancement of Colored People (NAACP) was also small and lacking in political influence. In 1929, its era of great impact on American law and life lay years in the future.²⁴ Finally, the labor movement was in serious disrepair by the late 1920s, reeling under the impact of a concerted antilabor campaign by the business community.

Consequently, it does not appear that the *Report on Lawlessness in Law Enforcement* was the result of conventional interest group lobbying. Had the commission not undertaken this particular report it is likely that few people would have noticed, much less complained. It is worth pointing out that the crime commissions (i.e., Cleveland, Missouri) were silent on the subject of

policemisconduct. It is entirely possible that the commission undertook this particular investigation out of a conventional sense of "good government."

Adding somewhat to the mystery surrounding the origins of the *Report on Lawlessness in Law Enforcement* is the identity of the three consultants who prepared it: Zechariah Chafee Jr., Walter H. Pollak, and Carl S. Stern. All three were closely identified with civil liberties issues. Chafee's book, *Freedom of Speech* (1920) defined the field of free speech law for a generation and was a severe critique of the Supreme Court's major decisions denying the free speech rights of antiwar dissenters.²⁵ Conservative Harvard alumni had, in fact, attempted to have him fired for his allegedly radical views on free speech.

Walter Pollak, meanwhile, was closely associated with the ACLU, and on behalf of the organization had argued the case of *Gitlow v. New York* before the Supreme Court in 1925.²⁶ Thus, he too must have appeared to many establishment figures as dangerously radical. Carl Stern was an attorney with civil liberties concerns.

It was precisely the civil liberties orientation of the three consultants that shaped the report. They were sensitive to abuses of power by government officials and believed that formal legal controls were both necessary and proper. Thus, they designed a study that was prepared to investigate the worst allegations of police misconduct and give credence to reports of its existence. This view was noticeably out of step with conventional views expressed in other crime commission reports of the period. The Wickersham Commission *Report on Criminal Procedure*, for example, expressed little concern for police abuse of citizens and emphasized the need to free police arrest authority from procedural restraints.²⁷ The 1929 Illinois Crime Survey adopted that view.²⁸ It should also be noted that Chafee, Pollak, and Stern prepared the report on the controversial Mooney-Billings case, which the commission declined to publish.²⁹

The Report and Its Impact

In uncompromising language, the *Report on Lawlessness in Law Enforcement* concluded that "[t]he third degree—that is, the use of physical brutality, or other forms of cruelty, to obtain involuntary confessions or admissions—is widespread."³⁰ Specific tactics included protracted questioning, threats and methods of intimidation, physical brutality, illegal detention, and refusal to allow access of counsel to suspects. The report declared unequivocally that "the third degree is a secret and illegal practice."³¹

The documentation assembled by the consultants and their staff was impressive in several respects. First, there was rich detail from both participants and observers. Second, the survey was national in scope, with detailed evidence from fifteen cities across the country. Only the southeastern region was not represented, an unfortunate omission that undoubtedly left

one pattern of race discrimination unexamined. Third, the consultants considered arguments denying the existence of these abuses and, in light of conflicting evidence, rejected them.

The report had an immediate and direct impact on American policing. Police officials angrily denounced the report and denied its findings. With the exception of the issue of Prohibition, no other commission report received the same degree of public attention. Despite the response of police officials, the report put the problem of police misconduct on the national agenda and pointed policymakers in the direction of reform.³²

One of the curious aspects of the report, however, is the extremely brief and vague discussion of possible remedies. There is no separate section labeled "remedies," and the discussion appears virtually as an afterthought. The report concludes that law cannot really solve the problem of lawlessness and that the solution ultimately depends on the "will of the community." This, in effect, represents a "good government" or "concerned citizen" approach to the problem.

The brevity and vagueness of the suggested remedies may well have been the result of a political compromise. As noted above, the basic thrust of the report was out of step with the dominant thinking on the subject and even the commission's own *Report on Criminal Procedure*. It is likely that the strong indictment of official lawlessness in the body of the report was stronger medicine than the commission had been prepared for and that it was unwilling to propose reforms that, in the context of the period, would have been extremely controversial.

Several events in the years following publication of the report suggest its impact on police reform. First, a new generation of police executives emerged in the 1930s.³³ The leader of this group was O. W. Wilson, protégé of August Vollmer who had been the foremost leader of the police professionalization movement. Far more than the first generation of reformers, Wilson's generation was willing to address the issue of police abuse of citizens, and one of the results was the appearance of the first formal internal affairs units designed to investigate police misconduct and to receive citizen complaints about abuse.³⁴ The publicity surrounding the Wickersham Commission report undoubtedly strengthened the hand of these chiefs in dealing with this problem.

Perhaps even more important, the Supreme Court in the 1930s took the first tentative steps in the direction of imposing constitutional standards on the criminal justice system. The watershed was the 1932 decision in *Powell v. Alabama* (argued not coincidentally by Walter Pollak).³⁵ Although it did not relate to policing, the decision clearly signaled that the Court was prepared to scrutinize criminal justice practices for possible constitutional violations.³⁶ Four years later, the Court overturned the conviction of an African American suspect in Mississippi whose confession had been brutally coerced.³⁷ In the

1960s, the Court emerged as one of the principal instruments of reform with respect to police misconduct.³⁸ The famous decisions of this period had their roots in the work of the Wickersham Commission's *Report on Lawlessness in Law Enforcement*.

The Value of the Report on Lawlessness Files

The materials in this collection of original papers of the committee to investigate lawlessness in law enforcement have great potential value for historians working in a wide variety of fields. As indicated earlier, these fields include the history of the police, criminal justice, and criminal procedure, as well as urban history, labor history, American race relations, and the Hoover administration.

First, the materials offer some insight into the thinking of the consultants. As the previous section suggested, the *Report on Lawlessness in Law Enforcement* represented a very different perspective on police problems from the one that dominated other Wickersham Commission reports and the reports of other crime commissions. The materials here may provide insights into how the consultants defined the problem, designed their investigation, and interpreted the data.

Second, the materials provide rich firsthand descriptions of local police practices. The most valuable materials are the interviews with individuals in different cities. These individuals included current and former police officials, current and former judges, prosecutors and defense attorneys, law professors, and journalists. The interviews contain richly detailed accounts of such practices as "cold storage," the practice of detaining arrested persons incommunicado for days. These materials offer insights not just into local police departments but also into the local criminal courts, the legal profession, and municipal politics.

Third, urban historians researching particular cities investigated by the consultants (e.g., Buffalo, Seattle, and others) may find useful material related to local social and political issues.

Fourth, because so much police lawlessness was directed at the poor, at racial minorities, at labor union activists, and at members of radical political groups, historians with interests in these subjects will find the materials extremely valuable.

Fifth, these materials offer a fresh perspective on the struggle to curb police misconduct. In large part because the great breakthroughs in this struggle eventually occurred in the U.S. Supreme Court (notably the Warren Court decisions in *Mapp v. Ohio* and *Miranda v. Arizona*), historians (including this author) have tended to write the story exclusively in terms of the Court. As a result, the early history of this struggle has vanished from the record. In a similar fashion, the history of freedom of speech has focused on post-1919 developments in the Supreme Court and neglects pre-World War I

developments.³⁹ The materials in this collection (press clippings, citations to court decisions, summaries of relevant state statutes) clearly indicate that the problem of police misconduct was a major issue at the local level prior to the historical breakthroughs in the Supreme Court. They may prove valuable in recapturing the role that issue played in local politics during this earlier period and its relationship to issues of justice, class, and race.

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Notes

1. Samuel Walker, *Popular Justice: A History of American Criminal Justice*, 2d ed., rev. (New York: Oxford University Press, 1997), 154-157.
2. President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, D.C.: Government Printing Office, 1967).
3. James D. Calder, *The Origins and Development of Federal Crime Control Policy: Herbert Hoover's Initiatives* (Westport: Praeger, 1993), chap. 4.
4. *Wickersham Commission Reports* (Montclair, NJ: Patterson Smith, 1968); Curt Gentry, *Frame-Up: The Incredible Case of Tom Mooney and Warren Billings* (New York: Norton, 1967).
5. Calder, *Origins of Federal Crime Control Policy*.
6. Joan Hoff-Wilson, *Herbert Hoover: Forgotten Progressive* [1975] (Prospect Hts., IL: Waveland Press, 1992).
7. Walker, *Popular Justice*, 157-161.
8. Walker, *Popular Justice*, 152-154. Virgil W. Peterson, *Crime Commissions in the United States* (Chicago: Chicago Crime Commission, 1945).
9. Cleveland Survey of Criminal Justice, *Criminal Justice in Cleveland* (Cleveland: The Cleveland Foundation, 1922).
10. Missouri Association for Criminal Justice, *The Missouri Crime Survey* (New York: Macmillan, 1926).
11. But see Calder, *Origins of Federal Crime Control Policy*.
12. National Commission on Law Observance and Enforcement, *Report on the Enforcement of the Prohibition Laws in the United States* (Washington, D.C.: Government Printing Office, 1931).
13. Missouri Association for Criminal Justice, *Missouri Crime Survey*; Walker, *Popular Justice*, 153-154.
14. National Commission on Law Observance and Enforcement, *Penal Institutions, Probation, and Parole* (Washington, D.C.: Government Printing Office, 1931).
15. President's Commission on Law Enforcement and Administration of Justice, *Challenge of Crime in a Free Society*.
16. Samuel Walker, "Origins of the Contemporary Criminal Justice Paradigm: The American Bar Foundation Survey, 1953-1969," *Justice Quarterly* 9 (March 1992): 47-76.
17. President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Science and Technology* (Washington, D.C.: Government Printing Office, 1967).
18. National Commission on Law Observance and Enforcement, *The Causes of Crime*, vol. 1 (Washington, D.C.: Government Printing Office, 1931).
19. *Ibid.*, vol. 2.
20. National Commission on Law Observance and Enforcement, *Report on Criminal Statistics* (Washington, D.C.: Government Printing Office, 1931); Calder, *Origins and Development of Federal Crime Control Policy*.
21. The most detailed account of the Wickersham Commission does not explore this issue: Calder, *Origins of Federal Crime Control Policy*, chap. 4.

22. Samuel Walker, *A Critical History of Police Reform: The Origins of Professionalism* (Lexington: Lexington Books, 1977); Wilbur R. Miller, *Cops and Bobbies: Police Authority in New York and London, 1830-1870* (Chicago: University of Chicago Press, 1977).
23. Samuel Walker, *In Defense of American Liberties: A History of the ACLU* (New York: Oxford University Press, 1990).
24. Mark V. Tushnet, *Making Civil Rights Law* (New York: Oxford University Press, 1994).
25. Zechariah Chafee, *Freedom of Speech* (Cambridge: Harvard University Press, 1920).
26. Louis H. Pollak, "Advocating Civil Liberties: A Young Lawyer Before the Old Court," *Harvard Civil Rights-Civil Liberties Law Review* 17 (Spring 1982): 1-30; *Gitlow v. New York*, 268 U.S. 652 (1925).
27. National Commission on Law Observance and Enforcement, *Report on Criminal Procedures* (Washington, D.C.: Government Printing Office, 1931).
28. Illinois Association for Criminal Justice, *Illinois Crime Survey [1929]* (Montclair, NJ: Patterson Smith, 1968).
29. Wickersham Commission Reports, *Mooney-Billings Report* (Montclair, NJ: Patterson Smith, 1968).
30. National Commission on Law Observance and Enforcement, *Report on Lawlessness in Law Enforcement* (Washington, D.C.: Government Printing Office, 1931), 4.
31. *Ibid.*, 21.
32. Walker, *Popular Justice*, 155-157.
33. Robert Fogelson, *Big City Police* (Cambridge: Harvard University Press, 1977).
34. President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: The Police* (Washington, D.C.: Government Printing Office, 1967).
35. *Powell v. Alabama*, 287 U.S. 45 (1932).
36. Yale Kamisar, *Police Interrogations and Confessions* (Ann Arbor: University of Michigan Press, 1980), 95-112.
37. Richard C. Cortner, *A "Scottsboro" Case in Mississippi: The Supreme Court and Brown v. Mississippi* (Jackson: University of Mississippi, 1986).
38. Walker, *Popular Justice*.
39. See, especially, David Rabban, *Free Speech in Its Forgotten Years* (New York: Cambridge University Press, 1997).

SCOPE AND CONTENT NOTE

This edition reproduces five of the six series of records of the Committee on Official Lawlessness on deposit at the National Archives. Each of these separate series is clearly indicated in the Reel Index portion of the microfilm guide. The first series, the Subject File of Research Materials, is by far the largest. This spans Reels 1 through 12 of the microfilm. The major subjects documented in the series include arrests, bail, entrapment, evidence, search and seizure, third degree practices, wiretapping, foreign law enforcement, immigration, deportation, labor, lawlessness by police and state police, and lawlessness by officials, including bondsmen, U.S. commissioners, coroners, detectives, Department of Justice and Customs Department agents, federal and state district attorneys, judges, and magistrates. There are also files on state bar associations; Prohibition and Prohibition killings; unfair prosecutions; personal rights; class prejudice against aliens, negroes, and radicals; freedom of motion; freedom of the press; remedies (for official lawlessness); violence and intimidation; police brutality; prosecution reports; and third degree reports.

The subject files contain much of the research data that the committee used in drafting its reports to the full Wickersham Commission. Several of the draft reports themselves are reproduced on Reel 12. The subject files typically contain four kinds of data. *Bibliographies* provide lists and in some cases digests of scholarship, which the committee staff and members compiled. *Newspaper clippings* provide a record of contemporary events concerning the subject. *Interviews* provide transcripts of testimony obtained through conversations with professionals and observers in the criminal justice system from many cities around the United States. *Miscellaneous* files contain primary documents such as reports, rulings, and statutes governing the respective subject. The larger subject files devote separate folders to each type of document; the smaller subject files often combine them or include only one or two kinds of data.

Among the most valuable files are the interviews, which contain candid observations by persons knowledgeable of official lawlessness in the criminal justice system. These interviews were conducted by journalist Ernest Hopkins. An apparently complete set of the interviews appears on Reel 11 beginning at frame 0342. The subject files contain reproductions of those portions of the interviews that pertain to the subject. Many of Hopkins'

findings proved to be controversial and some were vigorously disputed by officials in the localities he investigated. A separate series of the collection, called "Letters Sent," includes correspondence both challenging and defending the integrity of Hopkins' interviews. The Letters Sent series begins on frame 0087 of Reel 15. This series also includes background correspondence on administration of the Wickersham Commission, including recruitment of the staff, methodology of the research, and the wisdom of investigating extensively the Mooney-Billings case, as well as on several of the areas covered by the subject files.

Although there is information in both the Subject File series and the Letters Sent series about the Mooney-Billings prosecution, this famous case is the subject of a separate series beginning on frame 0001 of Reel 13. This series, which covers all of Reel 13 and half of Reel 14, documents extensively the determination of certain commissioners, most notably Zechariah Chafee Jr., to investigate the prosecution, conviction, and denial of criminal appeals of labor radicals Tom Mooney and Warren Billings for the bombing of a pro-British Preparedness Day parade in San Francisco in 1916. The series reveals that a majority of the commission disagreed with the need to conduct a major investigation of this case, and the commission refused to issue the final report on the case as one of its official documents. The report was published privately and contributed to the pardon of Tom Mooney from a California prison. There is extensive correspondence to the commission from Mooney at Folsom Prison.

A fourth series of the collection is State Statutes. This series begins on frame 0492 of Reel 14 and it compiles statutes of states, along with the District of Columbia and the Territory of Hawaii, and the federal code that governed criminal procedures in 1930, including arrest, bail, search and seizure, third degree practices, taking [a suspect] before a magistrate, right to counsel, and wiretapping.

The fifth series in this microfilm collection is a single file of correspondence called the General File. It includes correspondence on several instances of official lawlessness and on criminal appeals based on allegations of official lawlessness.

A sixth series from the original collection, Financial Records, was not filmed for this collection. The series contains vouchers and payments for routine office expenses.

Researchers may also want to consult *Records of the Wickersham Commission on Law Observance and Enforcement, Part 2: Research Reports and General Subject Files*. This companion edition includes the research files for the entire commission.

NOTE ON SOURCES

The records microfilmed for this edition were selected in consultation with Professor Samuel Walker, Department of Criminal Justice, University of Nebraska at Omaha. Each file has been microfilmed in its entirety.

EDITORIAL NOTE

This edition is drawn from National Archives Record Group 10, Records of the National Commission on Law Observance and Enforcement, College Park, Maryland.

REEL INDEX

The following is a listing of the folders comprising *Records of the Wickersham Commission on Law Observance and Enforcement, Part 1: Records of the Committee on Official Lawlessness*. The four-digit number on the far left is the frame number at which a particular file folder begins. This is followed by the file title, the total number of pages, and, when appropriate, lists of Major Topics and Principal Correspondents. The abbreviation NCLOE (National Commission on Law Observance and Enforcement) appears often in this guide.

Reel 1

File Folder
Frame No.

RG10, Entry 48, Subject File

- 0001 **Explanatory Notes.** 95pp.
 Major Topics: Bibliographies; arrest; bail abuses; illegal detentions; bribery; entrapment; coerced evidence; identification; illegal evidence; immunity; search and seizure; third degree practices; wiretapping; immigrants and aliens; labor union organization; strikes; police conduct; U.S. Department of Justice; district attorneys; judges and magistrates; racial discrimination in criminal justice; civil liberties; freedom of movement; freedom of press; freedom of speech; Prohibition; unfair prosecution; discrimination against political radicals; police violence.
- 0096 **Employment Applications.** 96pp.
 Major Topic: Recommendations for employment by NCLOE.
 Principal Correspondents: Victor Rappaport; Carl S. Stern; George Howowitz; Dorothy Straus; Mary Van Kleeck.
- 0192 **Expenses.** 49pp.
- 0241 **Arrests—Bail Abuses (Bibliography).** 52pp.
 Major Topics: Material witnesses; bail system in Chicago; Passaic, New Jersey, strike; third degree; pauper defendants; identification; bail system in New York; public defender.
- 0293 **Arrests—Bail Abuses (Statutes).** 129pp.
 Major Topic: Statutes on bail in Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Washington (D.C.), Florida, Georgia, Hawaii [Territory], Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, New York (state), Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, United States, Utah, Vermont, Virginia, Washington (state), West Virginia, Wisconsin, Wyoming.

- 0422 **Arrests—Bail Abuses (Clippings and Miscellaneous).** 30pp.
0452 **Arrests—Illegal Arrests (Bibliography).** 100pp.
0552 **Arrests—Illegal Arrests (Clippings).** 53pp.
0605 **Arrests—Illegal Arrests (Interviews).** 170pp.
Major Topic: Illegal arrests in Philadelphia (Pennsylvania), Chicago (Illinois), Boston (Massachusetts), Newark and Jersey City (New Jersey), Seattle (Washington), Los Angeles (California), El Paso and Dallas (Texas), Denver (Colorado), Cincinnati (Ohio), Detroit (Michigan), Cleveland (Ohio), Buffalo (New York).
- 0775 **Arrests—Illegal Arrests (Miscellaneous).** 79pp.
Major Topics: Material witnesses; tradition of police brutality in New York City, Philadelphia (Pennsylvania), Chicago (Illinois), Boston (Massachusetts), San Francisco and Los Angeles (California), Dallas (Texas), Denver (Colorado), Detroit (Michigan), Cleveland (Ohio), Buffalo (New York).
- 0854 **Arrests—Illegal Arrests (Statutes and Miscellaneous).** 96pp.
Major Topic: Statutes for Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii [Territory], Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, New York (state), Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, United States, Utah, Vermont, Virginia, Washington (state), West Virginia, Wisconsin, Wyoming.

Reel 2

RG10, Entry 48, Subject File cont.

- 0001 **Arrests—Taking before a Magistrate.** 63pp.
Major Topics: Statutes on third degree practices; statutes on taking before a magistrate in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii [Territory], Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, New York (state), Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, United States, Utah, Virginia, West Virginia, Wisconsin, Wyoming.
- 0064 **Bribery.** 29pp.
Major Topics: Bribery in Chicago, Illinois; England; New York (state).
- 0093 **Crank Letters.** 18pp.
0111 **Entrapment (Bibliography and Interviews).** 58pp.
0169 **Entrapment (Clippings, etc).** 41pp.
Major Topics: Entrapment in New York City; Tom Mooney case.
- 0210 **Entrapment—Stool Pigeons.** 57pp.
Major Topics: Stool pigeons in New York and Buffalo, New York; third degree in San Francisco (California) and Seattle (Washington).
- 0267 **Entrapment and Stool Pigeons (Summary).** 72pp.
0339 **Evidence—Identification.** 75pp.
Major Topics: Fingerprinting; public records; police practices.
- 0414 **Evidence—Coercion of Witnesses.** 33pp.
Major Topic: Material witnesses.
- 0447 **Evidence—Illegal Evidence.** 104pp.
Major Topics: Perjury; wiretapping; warrantless searches; search and seizure; coercion of witnesses; confessions.

- 0551 **Evidence—Illegal Evidence (Clippings and Interviews).** 40pp.
Major Topics: Confessions; criminal justice system in Newark, New Jersey.
- 0591 **Evidence—Immunity.** 97pp.
Major Topics: Self-incrimination; third degree; confessions; search and seizure.
- 0688 **Evidence—Immunity (Clippings and Miscellaneous).** 25pp.
Major Topics: Fingerprinting; third degree; confessions; criminal justice system in Jersey City, New Jersey.
- 0713 **Evidence—Searches and Seizures.** 140pp.
Major Topics: Bibliography on search and seizure; wiretapping; New York City; automobile searches; Chicago, Illinois; Prohibition-related searches; illegal evidence; injunctions against searches; police liability.

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RG 10, Entry 48, Subject File cont.

- 0001 **Evidence—Searches and Seizures (Clippings and Miscellaneous).** 74pp.
Major Topics: Suspensions of police officers for illegal raids; illegal arrests; police liability; illegal raids by prohibition agents; “Summary of Department of Justice Agents’ Opinions on Existence of Lawless Practices”; federal bill on illegal searches and seizures.
- 0075 **Evidence—Searches and Seizures (Interviews).** 30pp.
Major Topics: Searches by Immigration Service for illegal seamen; illegal searches and seizures in Buffalo and New York, New York.
- 0105 **Evidence—Searches and Seizures (Statutes).** 88pp.
Major Topics: State constitutional provisions regarding searches and seizures; search and seizure of intoxicating liquor; state statutes governing searches and seizures.
- 0193 **[Evidence—]Searches and Seizures Report.** 36pp.
Major Topics: Los Angeles, California; Buffalo, New York.
- 0229 **Evidence—Third Degree (Bibliography).** 210pp.
Major Topics: Confessions; crime laboratories; scientific techniques; remedies for third degree.
- 0439 **Evidence—Third Degree (Bibliography) cont.** 53pp.
- 0492 **Evidence—Third Degree (Clippings and Questionnaires).** 76pp.
Major Topics: Third degree in Boston (Massachusetts), Chicago (Illinois), Cleveland (Ohio), Denver (Colorado), Los Angeles (California), Helena (Arkansas), New Jersey, New York (state); questionnaire replies from public defenders and legal aid bureaus; Voluntary Defenders Committee of Legal Aid Society of New York City.
- 0568 **Evidence—Third Degree (Analysis of Appeal Brief Work).** 101pp.
Major Topics: Official lawlessness; illegal arrests; brutality; failure to bring accused promptly before a magistrate; illegal detention; wiretapping; illegal searches and seizures; entrapment; bail abuses; perjury; manufactured evidence; unfair prosecutions; analysis of data from California, Illinois, Massachusetts, Nebraska, New Jersey, New York (state), Ohio, and Texas; cases before U.S. Supreme Court and federal circuit courts of appeals.
- 0669 **Evidence—Third Degree (Clippings).** 88pp.
Major Topic: Third degree in New York City, New Jersey, Illinois, Detroit (Michigan), Miami (Florida).

- 0757 **Evidence—Third Degree (Correspondence).** 52pp.
Major Topics: Third degree practices in New York (state), California, Louisiana, Cleveland (Ohio), Los Angeles (California), Texas, Cincinnati (Ohio), New Orleans (Louisiana); lie detectors; crime laboratories; scientific techniques; examination before a magistrate.

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RG 10, Entry 48, Subject File cont.

- 0001 **Evidence—Third Degree (Harvard Law Review Note).** 118pp.
Major Topic: Summary of court decision on third degree practices.
- 0119 **Evidence—Third Degree (Interviews) (1).** 146pp.
Major Topics: Third degree practices in Albany (New York), Boston (Massachusetts), Buffalo (New York), Chicago (Illinois), Cincinnati and Cleveland (Ohio), Dallas (Texas), Denver (Colorado), Detroit (Michigan), El Paso (Texas), Jersey City (New Jersey), Los Angeles (California), Newark (New Jersey), New York City, Philadelphia (Pennsylvania), San Francisco (California), Seattle (Washington); J. Edgar Hoover interview.
- 0265 **Evidence—Third Degree (Interviews) (2).** 163pp.
Major Topics: Third degree practices in Albany (New York), Boston (Massachusetts), Buffalo (New York), Chicago (Illinois), Cincinnati and Cleveland (Ohio), Dallas (Texas), Denver (Colorado), Detroit (Michigan), El Paso (Texas), Jersey City (New Jersey), Los Angeles (California), Newark (New Jersey), New York City, Philadelphia (Pennsylvania), San Francisco (California), Seattle (Washington); J. Edgar Hoover interview.
- 0428 **Evidence—Third Degree (Interviews) (3).** 116pp.
Major Topic: Third degree practices in Philadelphia (Pennsylvania), Chicago (Illinois), Boston (Massachusetts), and Newark (New Jersey).
- 0544 **Evidence—Third Degree (Interviews) (4).** 259pp.
Major Topic: Third degree practices in Seattle (Washington), San Francisco and Los Angeles (California), El Paso and Dallas (Texas), Denver (Colorado), Cincinnati (Ohio), Detroit (Michigan), Cleveland (Ohio), Buffalo, Albany, and New York (New York).
- 0803 **Evidence—Third Degree (Questionnaires of Department of Justice).** 120pp.
Major Topic: Third degree practices in Jacksonville (Florida), southern California, Alabama, Mississippi, Louisiana, Oklahoma, Arkansas, Nebraska, Iowa, Pennsylvania, Delaware, Texas, Oregon, Washington (state), Alaska, Illinois, Missouri, North Dakota, South Dakota, Maryland, Virginia, Washington (D.C.), Arizona, New Mexico, Ohio, Michigan, Colorado, Wyoming, Utah, Dallas (Texas), Cincinnati (Ohio), Chicago (Illinois), Montana, Idaho, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Birmingham (Alabama).
- 0923 **Evidence—Third Degree (Questionnaires regarding Police Brutality).** 153pp.
Major Topic: Police brutality in New Jersey, Massachusetts, Connecticut, Chicago (Illinois), Boston (Massachusetts), Cleveland and Cincinnati (Ohio), Grand Rapids (Michigan), Kansas City (Missouri), Los Angeles (California), Louisville (Kentucky), Minneapolis (Minnesota), Oakland (California), Omaha (Nebraska), Rhode Island, San Diego and San Francisco (California), Washington (D.C.), Winnipeg (Ontario).

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RG 10, Entry 48, Subject File cont.

- 0001 **Evidence—Third Degree (Summary of Department of Justice Agents' Reports).** 132pp.
Major Topic: Department of Justice questionnaire on third degree practices.
- 0133 **Evidence—Third Degree (Summary of State Statutes).** 25pp.
- 0158 **Evidence—Wire Tapping (Bibliography, Interviews).** 47pp.
Major Topics: U.S. Supreme Court ruling in *Olmstead v. United States*; New York Supreme Court ruling in *People v. Hebbard*; third degree practices in New York City; wiretapping in New York City; American Telephone and Telegraph Company position on wiretapping; wiretapping by district attorneys.
- 0205 **Evidence—Wiretapping (Clippings and Statutes).** 76pp.
Major Topics: Federal wiretapping legislation for Prohibition enforcement; private telephone companies' position on wiretapping; New York City police procedures for wiretapping; state wiretapping statutes in Arkansas, California, Colorado, Connecticut, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, New York (state), Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Virginia, Washington (state), Wisconsin, Wyoming.
- 0281 **Wiretapping Material.** 32pp.
Major Topics: Bibliography on wiretapping; notes on *People v. Hebbard*; New York City wiretapping practices; interviews about wiretapping; remedial policies and legislation for wiretapping.
- 0313 **Field Survey (1).** 67pp.
Major Topics: Community surveys on third degree practices; third degree practices in New York (state), Missouri, Pennsylvania, West Virginia, San Francisco (California), North Carolina, South Carolina, Washington (state).
- 0380 **Field Survey (2).** 183pp.
Major Topic: Third degree practices in Washington (state).
- 0563 **Field Survey (Clippings).** 36pp.
Major Topics: Dragnet practices in Los Angeles, California; intimidation of witnesses by criminal gangs in Colorado; official lawlessness by Prohibition agents in Los Angeles, California; illegal confessions in Colorado child murder case; Buffalo, New York, gambling raids; lie detectors.
- 0599 **Foreign Law Enforcement—English Methods (Bibliography).** 158pp.
Major Topics: Scotland Yard police procedures; Canadian police practices and penology; British procedures regarding confessions; third degree practices; British police practices; comparisons between British and American police systems; self-incrimination protections in Britain.
- 0757 **Foreign Law Enforcement—English Methods (Clippings and Interviews).** 30pp.
Major Topics: Housebreaking; fingerprinting.
- 0787 **Foreign Law Enforcement—French Methods (Bibliography).** 81pp.
Major Topics: French criminal procedures; French rules of evidence; third degree in France; legal reform in France; protections against self-incrimination.

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RG 10, Entry 48, Subject File cont.

- 0001 **Foreign Law Enforcement—German Methods.** 29pp.
Major Topics: Third degree in Germany; criminal investigation techniques; privilege against self-incrimination in Germany; German reform of criminal justice system.
- 0030 **Immigration—Deportation.** 18pp.
Major Topics: Political rights of aliens; procedural rights of aliens in exclusion proceedings; 1920 “red scare”; Ku Klux Klan; mob violence against labor organizers.
- 0048 **Immigration—General (Bibliography and Interviews).** 99pp.
Major Topics: Crime statistics; immigrant impressions of American criminal justice system; exclusion for anarchistic or other political beliefs; discrimination against immigrants and aliens in criminal justice system; expulsion of immigrants and aliens.
- 0147 **Immigration—General (Clippings and Miscellaneous).** 9pp.
Major Topic: Due process in deportation proceedings.
- 0156 **Alphabetical Interviews (1).** 242pp.
Major Topics: Criminal justice in Newark and Jersey City, New Jersey; forced confessions; criminal justice in Seattle, Washington; Seattle, Washington, Prohibition squad abuses; vice conditions in Seattle, Washington; police brutality in Seattle, Washington; criminal justice system in San Francisco, California; Tom Mooney case; police brutality in San Francisco, California; criminal justice system in Los Angeles, California; Los Angeles, California, police brutality against Communists; J. Edgar Hoover reorganization of FBI (Federal Bureau of Investigation); criminal justice system in El Paso (Texas), Denver (Colorado), Cincinnati (Ohio), Detroit (Michigan), Cleveland (Ohio), Buffalo (New York).
- 0398 **Alphabetical Interviews (2).** 162pp.
Major Topics: Criminal justice in Buffalo, New York; search warrants; illegal detention; police brutality; third degree practices; criminal justice in Albany, New York; policing and controlled substances; judicial corruption; American Telephone and Telegraph Company position on wiretapping; criminal justice in El Paso and Dallas (Texas), Denver (Colorado), and New York City; organized crime, third degree practices, disrespect for police, qualifications of judges and magistrates, and penal institutions in New York City.
- 0560 **Numerical Interviews.** 27pp.
Major Topics: Criminal justice, third degree practices, illegal detentions, personnel standards for police, district attorneys, Prohibition violations, use of drug addicts as stool pigeons, criminal attorneys, and bail abuses in New York City.
- 0587 **Labor (Bibliography).** 60pp.
Major Topics: Civil liberties violations in bituminous coal fields; civil liberties violations against Colorado coal miners; state police in labor disputes; Pennsylvania state police in steel strike; Pennsylvania state constabulary.
- 0647 **Labor (Clippings).** 32pp.
Major Topics: Gastonia, North Carolina, mill strike; New York City ladies’ garment workers strike; police brutality against strikers and labor union members.
- 0679 **Lawlessness—Lawless Enforcement (Clippings).** 96pp.
Major Topics: Police brutality in Los Angeles, California; third degree practices in Los Angeles, California; police brutality in New York City, Seattle (Washington), Detroit (Michigan), Boston (Massachusetts), Chicago (Illinois).

- 0775 **Lawlessness—Police (Miscellaneous).** 102pp.
Major Topic: Police brutality in Detroit (Michigan), New York City, Newark (New Jersey), Chicago (Illinois), Boston (Massachusetts), Seattle (Washington), San Francisco and Los Angeles (California), Denver (Colorado), Cincinnati (Ohio), Detroit (Michigan), Cleveland (Ohio), Buffalo and Albany (New York).
- 0877 **Lawlessness—Rackets.** 27pp.
Major Topics: Roger N. Baldwin; persecution of African Americans, aliens, and political radicals; white collar rackets, vice, employment agencies, arson, and labor racketeering in New York City; racketeering in building construction industry.

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RG 10, Entry 48, Subject File cont.

- 0001 **Lawlessness—State Police and Other Police (Interviews).** 286pp.
Major Topics: Police lawlessness and third degree practices in Albany and New York, New York; judicial corruption in New York City; police lawlessness and third degree practices in Philadelphia (Pennsylvania), Chicago (Illinois), Boston (Massachusetts), Newark (New Jersey), Seattle (Washington), San Francisco and Los Angeles (California), Denver (Colorado), Cincinnati (Ohio), Detroit (Michigan), Cleveland (Ohio), Buffalo (New York).
- 0287 **Lawlessness—State Police (Bibliography).** 531pp.
Major Topics: Police lawlessness and third degree practices in New City; criminal gangs; criminality among African Americans; false arrests of picketers in Patterson, New Jersey, silk workers strike; freedom of speech; New York City police lawlessness against Communists and striking workers; illegal police raids in Philadelphia, Pennsylvania; state police brutality in Pennsylvania; brutality of coal and iron police in Pennsylvania; state police lawlessness against Colorado miners; state police lawlessness against Pennsylvania coal miners; police powers in Britain; police practices in Chicago, Illinois; New York State Crime Commission; third degree practices; police brutality nationwide; congressional committee on police brutality; Michael Fiaschetti.
- 0818 **Lawlessness—State Police.** 19pp.
Major Topics: Police brutality against Communists; illegal arrests.
- 0837 **Official Lawlessness.** 69pp.
Major Topic: Appellate court rulings on third degree practices.
- 0906 **Individuals.** 41pp.
Major Topics: Lists of persons interviewed by NCLOE; newspaper clippings on illegal arrests, illegal detentions, entrapment, illegal searches and seizures, third degree practices, labor movement, judicial lawlessness, personal rights of Chinese and radicals, police violence.

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RG 10, Entry 48, Subject File cont.

- 0001 **Miscellaneous General.** 91pp.
Major Topics: Police practices in Seattle, Washington; police drugging defendants before questioning.
- 0092 **Coast Guard and Customs.** 9pp.
Major Topics: Police brutality by Customs Department Border Patrol; federal police organizations.

- 0101 **Officials—Bondsmen and U.S. Commissioners.** 14pp.
Major Topics: Court clerks in New York City; public defenders; bondsmen “steering” clients to lawyers; illegal practices by U.S. commissioners.
- 0115 **Officers—Coroners, etc.** 21pp.
Major Topics: Protections against self-incrimination; state sedition laws; police lawlessness against radicals; warrantless arrest; unfair prosecution; police lawlessness.
- 0136 **Officials—Department of Justice (Bibliography and Clippings).** 63pp.
Major Topics: Illegal practices by U.S. Department of Justice; official lawlessness; federal police; official lawlessness against radicals; Workers Defense Union; foreign-born Communists.
- 0199 **Officials—Detectives and Secret Agents (Interviews and Correspondence).** 33pp.
Major Topic: Police practices and third degree in San Francisco (California), Cleveland (Ohio), New York City, Los Angeles (California).
- 0232 **Officials—Detectives and Secret Agents (Bibliography).** 40pp.
Major Topics: Detectives in England; third degree practices; private police in Pennsylvania; police practices in Cleveland, Ohio; Cleveland Foundation Survey of Criminal Justice.
- 0272 **Officials—Detectives and Secret Agents (Newspaper Clippings).** 8pp.
Major Topics: Entrapment; third degree practices.
- 0280 **Officials—Federal District Attorneys (Bibliography and Interviews).** 31pp.
Major Topics: Illegal seizure of controlled substance; U.S. district attorneys’ interviews; bondsmen “steering” clients to attorneys; searches; arrests.
- 0311 **Officials—General.** 24pp.
Major Topics: Third degree practices in Cleveland, Ohio; impoundment of motor vehicles; search and seizure of controlled substances; official lawlessness; evidence; entrapment.
- 0335 **Officials—Judges and Magistrates (Bibliography and Correspondence).** 52pp.
Major Topics: Criminal appeals; criminal justice in Germany; police lawlessness; evidence; protection against self-incrimination.
- 0387 **Officials—Judges and Magistrates (Clippings and Miscellaneous).** 77pp.
Major Topics: Judicial incompetence; criminal justice in Philadelphia (Pennsylvania), Boston (Massachusetts), Newark and Jersey City (New Jersey), Los Angeles (California), Detroit (Michigan), Cleveland (Ohio), Buffalo and New York (New York).
- 0464 **Officials—Marshalls and Narcotic Squad.** 13pp.
Major Topic: Entrapment.
- 0477 **Officials—State Bar Associations.** 87pp.
Major Topic: State and local bar associations’ investigations into criminal justice systems.
- 0564 **Officials—State District Attorneys (Newspaper Clippings and Bibliography).** 101pp.
Major Topics: Criminal justice in Detroit, Michigan; grand juries; entrapment; public defender; Philadelphia, Pennsylvania; Illinois Crime Survey; political influence in administration of criminal justice; third degree practices; unfair prosecution; Boston, Massachusetts; Detroit, Michigan.
- 0665 **Post Office Department.** 13pp.
Major Topics: Mail fraud; mail thefts; wiretapping.
- 0678 **Prohibition (Bibliography).** 62pp.
Major Topics: Entrapment; search and seizure; evidence; police lawlessness; warrantless arrest; constitutional rights.

- 0740 **Prohibition (Clippings).** 85pp.
Major Topics: Official lawlessness by Prohibition agents; Prohibition enforcement in Detroit, Michigan; search and seizure; personnel standards for federal Prohibition agents.
- 0825 **Prohibition (Correspondence, Interviews, and Miscellaneous).** 97pp.
Major Topics: List of federal Prohibition and narcotic enforcement officers killed in line of duty; Chicago Citizen's Committee for the Prevention and Punishment of Crime; criminal justice in Chicago (Illinois), Seattle (Washington), El Paso (Texas), Denver (Colorado); American Telephone and Telegraph Company policies on wiretapping; training and personnel standards for federal Prohibition agents; official lawlessness; illegal arrests, searches and seizures by Federal Prohibition Service.

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RG 10, Entry 48, Subject File cont.

- 0001 **Prohibition—Killings (Miscellaneous) (1).** 77pp.
Major Topics: Killings by and of Prohibition agents; persons killed or wounded by Coast Guard; list of Coast Guard men killed or wounded; persons killed by customs officers; customs officers killed since Prohibition.
- 0078 **Prohibition—Killings (Miscellaneous) (2).** 43pp.
Major Topic: List of persons killed or fatally injured by officers of the Bureau of Prohibition.
- 0121 **Prohibition—Killings (Clippings and Correspondence).** 20pp.
Major Topic: Killings by Prohibition agents.
- 0141 **Unfair Prosecution in Courts (Bibliography).** 79pp.
Major Topics: Criminal appeals; voluntary defenders; statistics on crime by African Americans; foreign born and crime; public defenders; U.S. Industrial Relations Commission; prosecution of strikers; unlawful arrest; prosecution regard for truth; improper comments to jury; political influence on prosecutions; appeals to race prejudice.
- 0220 **Unfair Prosecution in Courts (Clippings and Miscellaneous).** 57pp.
Major Topics: Unfair prosecutions in California; Mooney-Billings case; unfair prosecutions in New York (state); reduced sentences; right to counsel; Charles Stielow case in New York (state); unfair prosecutions in New Jersey; racism in unfair prosecutions; public defenders.
- 0277 **Unfair Prosecution in Courts (Correspondence and Interviews).** 22pp.
Major Topics: Unfair prosecutions in Massachusetts; third degree practices in Massachusetts; unfair prosecution in San Francisco (California) and Colorado.
- 0299 **Press Bureaus (Clippings, etc.).** 51pp.
Major Topics: President Hoover's recommendations regarding reform of law and Prohibition enforcement; "Preliminary Report on Observance and Enforcement of Prohibition" by NCLOE; defective criminal statistics; official lawlessness; popular and professional esteem for Wickersham Commission.
- 0350 **Personal Rights—Class Prejudice, Aliens.** 37pp.
Major Topics: Deportations; aliens' right to counsel; exclusion of aliens for political beliefs; search and seizure.
- 0387 **Personal Rights—Class Prejudice, Negroes.** 68pp.
Major Topics: African American crime statistics; appeals to race prejudice in trials; third degree practices in New York City; racial bias in Dallas (Texas), Cincinnati and Cleveland (Ohio) criminal justice systems; NCLOE questionnaire on "Lawless Enforcement of Law Against Negroes."

- 0455 **Personal Rights—Class Prejudice, Radicals (Bibliography).** 72pp.
Major Topics: Freedom of speech; deportation of aliens; police brutality against radicals in New York (state), Pennsylvania, and California; anti-red flag laws; discrimination against radicals in public schools; unfair prosecution of Industrial Workers of the World members in Centralia, Washington; judicial rulings on freedom of speech; “Report on Illegal Practices of the U.S. Department of Justice”; raids upon radical meeting places and business offices; right of assembly.
- 0527 **Personal Rights—Class Prejudice, Radicals (Clippings).** 91pp.
Major Topics: False arrests; police brutality; Communist and police riots in New York City; raids on radical meeting places and business offices; judicial abuse of Communists in New York (state).
- 0618 **Personal Rights—Class Prejudice, Radicals (Interviews and Miscellaneous).** 79pp.
Major Topics: Criminal justice and police misconduct in Boston (Massachusetts), Los Angeles (California), Detroit (Michigan), Pennsylvania; red flag prosecutions in California.
- 0697 **Personal Rights—Freedom of Motion.** 64pp.
Major Topics: Reversal of conviction of Roger N. Baldwin for illegal assembly in New Jersey silk strike; denial of civil liberty in Pennsylvania, West Virginia, Ohio, and Colorado coal fields; bans and disruptions of assemblies.

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RG 10, Entry 48, Subject File cont.

- 0001 **Personal Rights—Freedom of the Press.** 33pp.
Major Topics: Antipamphlet laws; prior restraints on publications.
- 0034 **Personal Rights—Freedom of Speech (Bibliography).** 89pp.
Major Topic: Digests of books and articles on freedom of speech.
- 0123 **Remedies Suggested (Bibliography).** 218pp.
Major Topics: Material witnesses; public defenders; methods of scientific crime detection as infringement of personal rights; confessions; wiretapping; searches and seizures; criminal underworld; third degree practices; illegal evidence; due process rights of aliens; state police; private police; Cleveland Foundation Survey of Criminal Justice; Crime Commission of New York (state); criminal prosecution in England.
- 0341 **Remedies Suggested (Clippings and Miscellaneous).** 63pp.
Major Topics: Proposed federal infringements on personal rights of Communists (Fish bill); dragnets in Los Angeles, California; judicial corruption in New York (state); personnel qualifications for federal Prohibition agents; compensation of judges; police training; American Bar Association resolutions on criminal justice reform; criminal justice and penal conditions in Philadelphia, Pennsylvania; prolonged illegal detention as an alternative to the third degree; criminal justice in Boston, Massachusetts; press exposure as a check on third degree practices; police liability as a check on third degree; criminal justice in Los Angeles, California; public oversight committee as a check on third degree practices; criminal justice in Cincinnati, Ohio; legal, administrative, and legislative remedies for third degree practices.
- 0404 **Remedies Suggested (Interviews).** 152pp.
Major Topics: Legal, administrative, and legislative remedies for third degree practices; criminal justice in Philadelphia (Pennsylvania), Chicago (Illinois), Boston (Massachusetts), Newark (New Jersey), Los Angeles (California), El Paso (Texas), Cincinnati (Ohio), Detroit (Michigan), Cleveland (Ohio), Albany and New York (New York).

- 0556 **Steered Business.** 23pp.
Major Topics: Private police in Pennsylvania; fee-splitting among bondsmen, criminal attorneys, and judges.
- 0579 **Violence and Intimidation.** 50pp.
Major Topics: Police killings during arrest; murders by private police in Pennsylvania coal fields; police killings in Chicago (Illinois), Buffalo and New York (New York), Miami (Florida), El Paso and Dallas (Texas).
- 0629 **Violence and Intimidation (Bibliography).** 102pp.
Major Topics: Police brutality in New York (state), Pennsylvania coal fields, Passaic (New Jersey), Los Angeles (California), Jersey City (New Jersey), Colorado coal fields, Virginia, Chicago (Illinois); automobile searches; illegal evidence; remedies for third degree practices; police violence in labor disputes.
- 0731 **Violence and Intimidation (Clippings).** 93pp.
Major Topics: Police brutality and third degree practices; personnel qualifications for police.
- 0824 **Violence and Intimidation (Interviews).** 110pp.
Major Topics: Police violence in Chicago (Illinois), Boston (Massachusetts), Newark (New Jersey), Seattle (Washington), San Francisco and Los Angeles (California), El Paso and Dallas (Texas), Cincinnati (Ohio), Buffalo, Albany, Brooklyn, and New York (New York); interviews with August Vollmer, George Vanderveer, Michael Fiaschetti, Ferdinand Pecora, William Dean Embree, Hubert Delany, Roger N. Baldwin; violence practiced by federal officers in narcotic cases.

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RG 10, Entry 48, Subject File cont.

- 0001 **Violence and Intimidation (Miscellaneous).** 48pp.
Major Topics: Police brutality in New York City, Seattle (Washington), San Francisco (California), Cincinnati (Ohio), Detroit (Michigan), Buffalo (New York), New Orleans (Louisiana); lynching in San Francisco, California.
- 0049 **Vagrancy and Roundups.** 40pp.
Major Topics: Police roundups in New York (state); vagrancy laws applied to African Americans; police brutality in Chicago, Illinois; criminal gangs in New York City and Chicago, Illinois; criminal justice in Detroit, Michigan.
- 0089 **Austin Westbury (Arrest, Trial, and Conviction).** 116pp.
Major Topics: Criminal justice in Georgia; forced confession.
- 0205 **Criminal Procedures, Report on.** 31pp.
Major Topics: Petty prosecutions; procedural protections for accused; bail; jury trial; presumption of innocence; privilege against self-incrimination; habeas corpus; criminal appeals; criminal pleas; evidence; trial conduct.
- 0236 **Criminal Statistics, Report on.** 106pp.
- 0342 **Hopkins, Ernest (1).** 125pp.
Major Topic: Criminal justice in Philadelphia (Pennsylvania), Chicago (Illinois), Boston (Massachusetts), and Newark (New Jersey).
- 0467 **Hopkins, Ernest (2).** 135pp.
Major Topics: Third degree practices; criminal justice in Philadelphia (Pennsylvania), Chicago (Illinois), Boston (Massachusetts), and Newark (New Jersey).
- 0602 **Hopkins, Ernest (3).** 97pp.
Major Topic: Criminal justice in Newark and Jersey City (New Jersey), Seattle (Washington), San Francisco and Los Angeles (California), and El Paso (Texas).

- 0699 **Hopkins, Ernest (4).** 181pp.
Major Topics: Criminal justice in El Paso and Dallas (Texas), Denver (Colorado), Cincinnati (Ohio), Detroit (Michigan), Cleveland (Ohio), Buffalo and Albany (New York); Mooney-Billings case.

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RG 10, Entry 48, Subject File cont.

- 0001 **Illegal Arrests Report.** 28pp.
0029 **Illegal Detention Report.** 123pp.
0152 **Magistrates' Courts Inquiry—New York.** 130pp.
Major Topics: Judicial corruption; steering attorneys' business; deprivation of counsel; entrapment; bail abuses; bribery; illegal arrests; immunity; perjured testimony; search and seizure; third degree practices; police brutality; unfair prosecution; organized crime; detectives; bondsmen; steered business; vagrancy and roundups; New York City Women's Court.
- 0282 **Police Brutality and Lawlessness, Killings.** 71pp.
Major Topics: Causes of police brutality; negative consequences of police brutality; benefits of police brutality; police brutality in American cities.
- 0353 **Prosecution, Report on.** 175pp.
Major Topics: Prosecutors; public defenders; grand juries; "Criminal Justice Surveys Analysis" by Alfred Bettman; statistical analysis of criminal cases; "Bibliography of Prosecution" by Julian Leavitt.
- 0528 **Unfair Prosecution—Summary.** 53pp.
Major Topics: Deprivation of counsel; right to counsel; inducement of false testimony; criminal appeals; appeals to racial, national, and religious prejudice; discrimination against African Americans in southern states' criminal justice systems; statistics on criminal appeals alleging unfair prosecution; protection of refusal to testify; prosecutors; trial judges.
- 0581 **Manuscript of Chapter V ("Remedies" of Commission Report).** 119pp.
Major Topics: Custody of arrested suspects; grand juries; bar association reforms; public and voluntary defenders; objective scientific methods of investigation; prompt arraignments; right to counsel; witness cooperation; privilege against self-incrimination; police and judicial corruption.
- 0700 **Third-degree Report (Correspondence and Drafts) (1).** 93pp.
Major Topics: Remedies for third degree practices; third degree practices in Cleveland, Ohio, disputed by Cleveland, Ohio, investigating committee; Coletto killing case in Cleveland, Ohio.
Principal Correspondents: American Civil Liberties Union; Dorothy Kenyon; Felix Frankfurter; Walter H. Pollak; Ernest Hopkins; Zechariah Chafee Jr.; Carl S. Stern; Newton D. Baker.
- 0793 **Third-degree Report (Correspondence and Drafts) (2).** 64pp.
Major Topics: Dispute over third degree practices in Cleveland, Ohio; "Methods of Combatting the Third Degree" by American Civil Liberties Union.
Principal Correspondents: Zechariah Chafee Jr.; Newton D. Baker.

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RG 10, Entry 50, Mooney-Billings Case

- 0001 [Mooney-Billings Case (Clippings).] 18pp.
Major Topics: Wickersham Commission report on Mooney-Billings case; unfair prosecution; illegal arrest; illegal detention; appeals to prejudice; unfair grand jury proceeding; flawed evidence.
- 0019 [Mooney-Billings Case (Correspondence, Pollak-Stern) (1).] 94pp.
Major Topics: Violation of due proces; evidence; Wickersham Commission; "Scottsboro" case; publication of Wickersham Commission report.
Principal Correspondents: John F. Finerty; Walter H. Pollak; Anne Mooney; Stephen S. Wise; Matt I. Sullivan; Tom Mooney; Zechariah Chafee Jr.; Malcolm Cowley; Thomas Halleran; Ernest Hopkins; Roger N. Baldwin; Frank P. Walsh.
- 0113 [Mooney-Billings Case (Correspondence, Pollak-Stern) (2).] 96pp.
Major Topics: Federal appeal; Wickersham Commission efforts to engage Association of the Bar of the City of New York in problem of official lawlessness; dispute by local officials of official lawlessness charges by Wickersham Commission; "Report on Lawlessness in Law Enforcement, Comment" by John Barker Waite.
Principal Correspondents: Felix Frankfurter; Louis Ludlow; Frank P. Walsh; Walter H. Pollak; Arthur Suffern; Edward P. Costigan; Zechariah Chafee Jr.; Carl S. Stern; Roger N. Baldwin.
- 0209 [Mooney-Billings Case (Correspondence, Pollak-Stern) (3).] 109pp.
Major Topics: Dispute by local officials of Wickersham Commission charges of official lawlessness; corruption of criminal justice in San Francisco, California; Michael Fiaschetti complaint of mischaracterization by Wickersham Commission.
Principal Correspondents: Roger N. Baldwin; Newton D. Baker; Carl S. Stern; Walter H. Pollak; Zechariah Chafee Jr.; William S. Kenyon; George W. Wickersham; Michael Fiaschetti; Saul Richard Gamer; Theodore J. Roche; Kenneth Mackintosh.
- 0318 [Mooney-Billings Case (Correspondence, Pollak-Stern) (4).] 124pp.
Major Topics: Corruption and police brutality in San Francisco, California; dispute by local officials of Wickersham Commission charges of official lawlessness; refusal of Wickersham Commission to publish report on case.
Principal Correspondents: Theodore J. Roche; Saul R. Gamer; Roger N. Baldwin; Zechariah Chafee Jr.; Walter H. Pollak; William S. Kenyon; Karl N. Lewellyn; Tom Mooney; Harry E. Barnes; Gardner Jackson; Carl S. Stern; Thomas Halleran; Felix Frankfurter; George W. Wickersham; Bruce Bliven; Alfred Knopf.
- 0442 [Mooney-Billings Case (Data).] 76pp.
Major Topics: Michael Fiaschetti complaint; unlawful detention; police lawlessness; Ernest Hopkins' defense of reports.
Principal Correspondents: Ernest Hopkins; Carl S. Stern; Theodore J. Roche; Thomas Halleran.
- 0518 [Mooney-Billings (Drafts) (1).] 106pp.
- 0624 [Mooney-Billings (Drafts) (2).] 92pp.
- 0716 [Mooney-Billings (Drafts) (3).] 77pp.

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RG 10, Entry 50, Mooney-Billings Case cont.

- 0001 [Tentative Final Draft on Mooney-Billings Case.] 261pp.
Major Topics: Unfair prosecution; identification methods; physical evidence; illegal detention; deprivation of counsel; grand jury prejudice; prejudicial press influence; appeals to prejudice.

- 0262 [Opinion of the Justices—Billings Pardon Rehearing.] 59pp.
0321 [Mooney-Billings—Proposed Outline of Book.] 6pp.
0327 [Petition for Leave to File Petition for Writ of Habeas Corpus—*Thomas J. Mooney v. James B. Holohan.*] 46pp.
0373 [Mooney-Billings Notes.] 86pp.
Major Topics: Billings case memorandum on first advisory opinion of Supreme Court of California; unfair prosecution report; third degree report.
0459 [Mooney-Billings Photostats.] 33pp.
Major Topics: Wickersham Commission resolution against investigation of Mooney case; use of the Mooney case in Wickersham Commission reports.
Principal Correspondents: William S. Kenyon; George W. Wickersham; Carl S. Stern.

RG 10, Entry 49, State Statutes

- 0492 [Statutes (complete originals by states A–H).] 115 pp.
Major Topic: Statutes on arrest, bail, search and seizure, third degree, taking before a magistrate, right to counsel, third degree practices, and wiretapping in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Washington (D.C.), Florida, Georgia, and Hawaii [Territory].
0607 [Statutes (complete originals by states I–M).] 143pp.
Major Topic: Statutes on arrest, bail, search and seizure, third degree, taking before a magistrate, right to counsel, third degree practices, and wiretapping in Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, and Montana.
0750 [Statutes (complete originals by states N–P).] 114pp.
Major Topic: Statutes on arrest, bail, search and seizure, third degree, taking before a magistrate, right to counsel, third degree practices, and wiretapping in Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York (state), North Carolina, North Dakota, Ohio, Oklahoma, Oregon, and Pennsylvania.
0864 [Statutes (complete originals by states R–W).] 97pp.
Major Topic: Statutes on arrest, bail, search and seizure, third degree, taking before a magistrate, right to counsel, third degree practices, and wiretapping in Rhode Island, South Carolina, South Dakota, Tennessee, Texas, United States (federal code), Utah, Vermont, Virginia, Washington (state), West Virginia, Wisconsin, and Wyoming.

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RG 10, Entry 46, General File

- 0001 **General File (Commission on Official Lawlessness).** 86pp.
Major Topics: Warrantless searches; Mooney-Billings case; Guido Serio deportation case; criminal appeals alleging official lawlessness in Illinois; private police in the coal and iron industries in Pittsburgh, Pennsylvania; John B. Waite; unreasonable search and seizure; wiretapping.
Principal Correspondents: Clair Wilcox; Zechariah Chafee Jr.; Frank P. Walsh; Saul R. Gamer; William C. Wines; Carl S. Stern.

RG 10, Entry 47, Letters Sent and Related Index, 1929–1931

- 0087 **Letters Sent (1) (Index).** 27pp.
0114 **Letters Sent (2).** 140pp.
Major Topics: Recruitment of NCLOE staff; planning for investigation of official lawlessness; collection of information on official lawlessness.

- Principal Correspondents:* Walter H. Pollak; Carl S. Stern.
- 0254 **Letters Sent (3).** 170pp.
Major Topics: Collection of information on official lawlessness; preparation for interviews on official lawlessness.
Principal Correspondents: Carl S. Stern; Saul R. Gamer.
- 0424 **Letters Sent (4).** 210pp.
Major Topics: Collection of information on official lawlessness; possible dismissal of Zechariah Chafee Jr. from NCLOE; hiring of Ernest Hopkins to conduct NCLOE interviews; biographical information on Ernest Hopkins; salaries of members of Committee on Official Lawlessness; special scrutiny of Mooney-Billings case; budget of Committee on Official Lawlessness; Committee on Official Lawlessness meeting with J. Edgar Hoover.
Principal Correspondents: Carl S. Stern; Saul R. Gamer; Ernest Hopkins.
- 0634 **Letters Sent (5).** 145pp.
Major Topics: Collection of information on official lawlessness; questionnaire for FBI agents; biography of Ernest Hopkins; significance of Mooney-Billings case; unfair prosecutions; Committee on Official Lawlessness budget and expenses; third degree practices.
Principal Correspondents: Saul R. Gamer; Carl S. Stern.
- 0779 **Letters Sent (6).** 167pp.
Major Topics: Bar association questionnaire; confidentiality of Hopkins interviews; third degree practices; unfair prosecutions; collection of information on official lawlessness; criminal appeals concerning third degree practices; report on Mooney-Billings case; unlawful searches and seizures.
Principal Correspondents: Saul R. Gamer; Carl S. Stern; Walter H. Pollak.

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