

**BOX
16
FOLDER
175**

**Police, Dept. of-Police
Brutality**

1910-1913

Police Brutality

INTERNAL REVENUE SERVICE

2D DISTRICT OF NEW YORK

COLLECTOR'S OFFICE

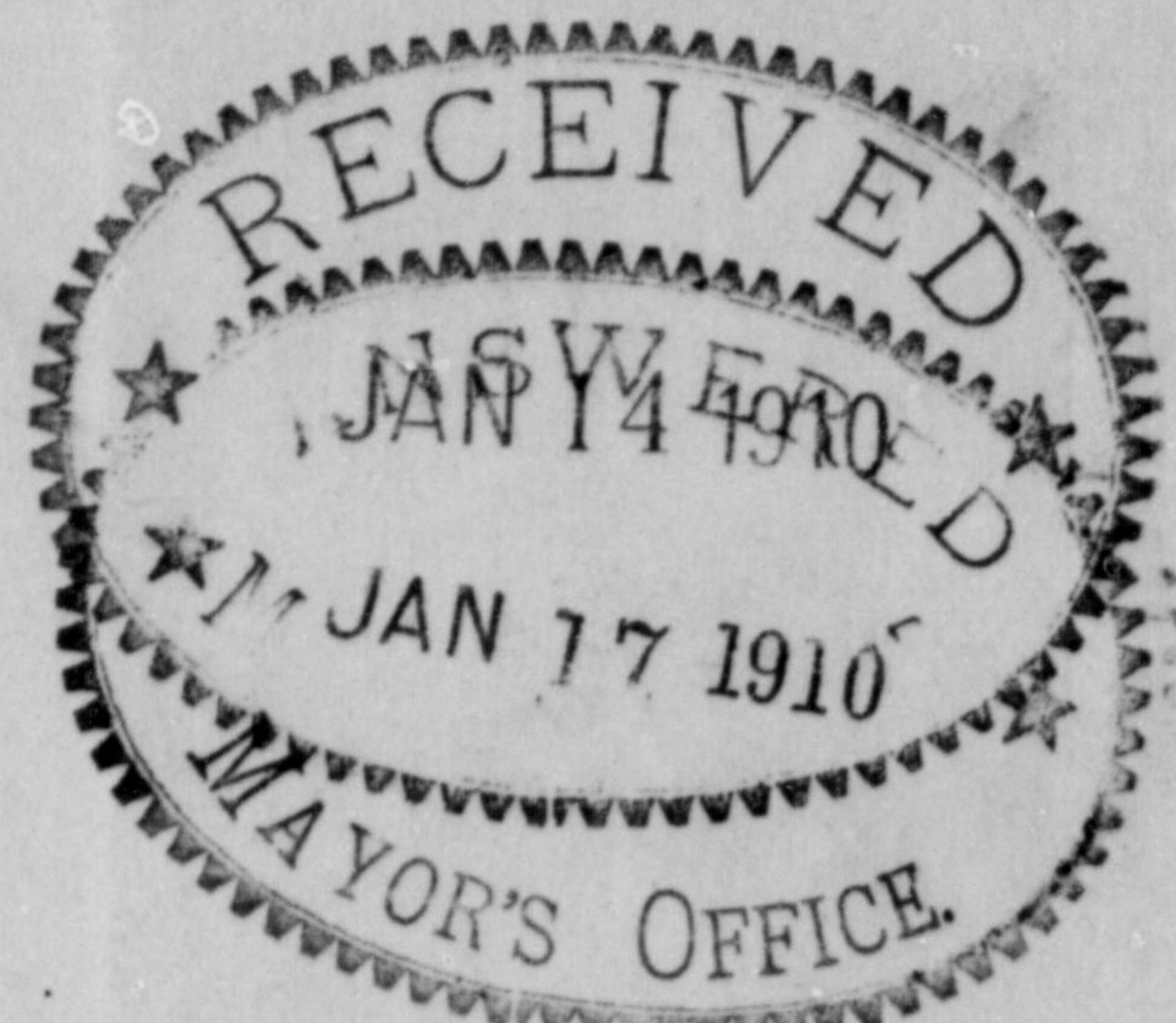
NEW YORK, N. Y.,

January 14, 1910.

Hon. William J. Gaynor,

Mayor of the City of New York,

New York, N. Y.



My dear Mr. Mayor:

For myself, and the members of my race, I want to thank you from the bottom of my heart for your strong stand against police clubbing. Too little attention has been paid in the past to this form of violence, doubtless because the victims of it are never the rich and influential, but ^{are} always, or almost always, the poor and friendless, who are usually afraid to make charges against police officers. My own people, the Negroes, the poor Jews and the Italians have been the greatest sufferers, and I am delighted to know that we now have a Mayor in the City Hall, who feels that no man can be so powerful as to be above the law, and none can be so weak as to be beneath it. Our police system is, on the whole, very good, but there never was a system good enough to be permitted to run by itself without Executive supervision. The best systems, and even the best men, need watching.

I am afraid that the average policeman wholly misconceives his true relation to the citizen, and out of this misconception has grown the clubbing habit. It is even reported that prisoners have been taken from cells in the station houses in this city and clubbed. Whether or not this is true, I am not prepared to state. I only know that it was currently reported and generally believed to be true only a few years ago.

No.

OFFICE OF COLLECTOR OF INTERNAL REVENUE

2D DISTRICT OF NEW YORK

NEW YORK, N. Y.

....., **19**.....

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Collector

SUBJECT:

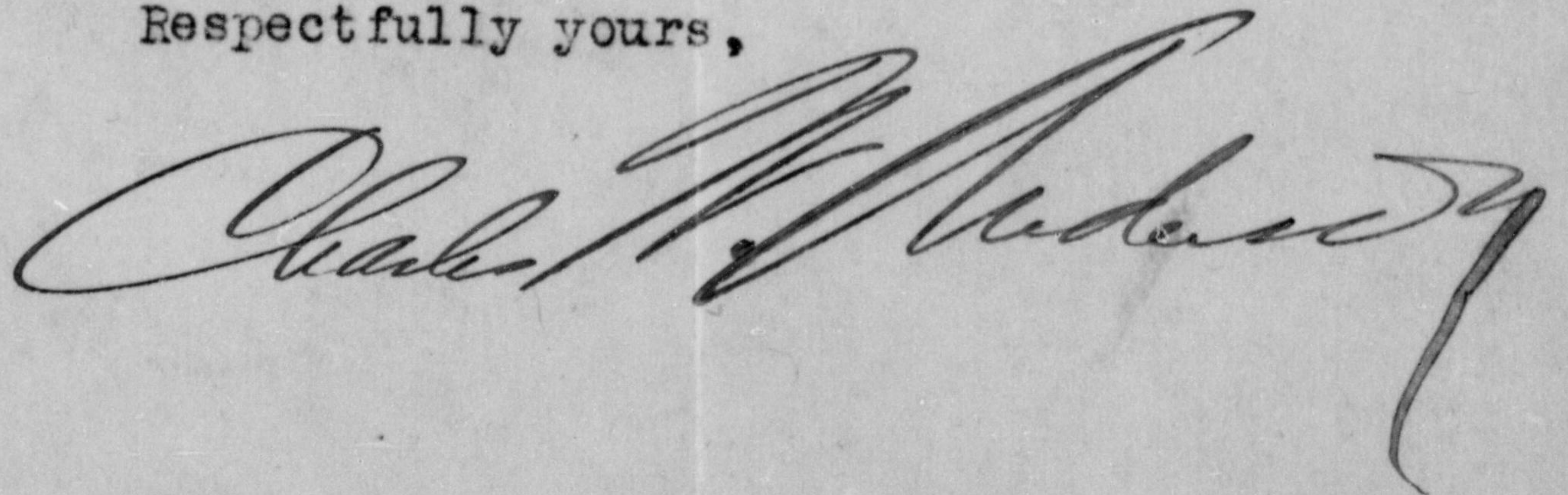
No. of Inclosures

Officers of Internal Revenue must fill out the indorsement and brief on the back of each letter to the Department.

Of course I do not mean to say that all, or even a majority of our policemen, are clubbers. Far from it. Most of them are alright and those who are not, have been permitted to become "petty tyrants" through the indifference of high officials, and of the public generally. Police violence, like all other forms of violence, can only be overcome by watchfulness and resistance. I am using the term "resistance" in no physical sense, for resistance does not necessarily mean fight. It far more frequently means the display of that spirit which satisfies the oppressor that oppression is not safe or wise.

I wish there could be some sort of medal of honor conferred on the policemen who make the greatest number of arrests each year without the use of the club, for I can conceive of no higher test of good service than the conduct of an officer who loathes the prisoner in his custody, and yet abstains from violent treatment because the law makes it his duty to protect the prisoner and present him before the proper legal tribunal for trial. Such a man is a real hero, and his self-control constitutes one of those victories of peace which we all hold to be not less renowned than those of war. But I did ^{not} intend to sermonize when I began this letter, but only to thank you most heartily for your splendid stand against a form of violence which is only inflicted on the poor and defenseless.

Respectfully yours,

A handwritten signature in cursive script, appearing to read "Charles R. Anderson". The signature is written in dark ink and is positioned below the typed name "Charles R. Anderson".

CITY OF NEW YORK)
COUNTY OF NEW YORK) SS

Mc.

JOHN McDONOUGH being duly sworn deposes and says that he is 19 years of age and resides with his mother at 335 West 17th Street, Borough of Manhattan, City of New York; that he has been in poor health for some time past; that on the afternoon of Wednesday, March 13, 1912, at about 4 o'clock he was standing at the northwest corner of 17th Street and 9th Avenue when a police officer whose shield was No. 8672, and whom deponent believes to be Patrolman Ruben J. Weltsch, came along and told deponent to move on; deponent immediately walked away from the corner as directed, but had only taken a few steps when the officer called him back, and upon his coming back the said officer, without saying anything more, struck him several blows, felling him to the sidewalk; that while lying on the sidewalk the officer hit deponent again, and finally pulled him up by the coat collar, placed him against an iron railing and again struck deponent with clenched fist. Deponent says that he made no resistance to the officer. As the result of the blows deponent's head was cut and his face bruised and swollen. Deponent further says that the said officer then arrested him and took him to the West 20th Street station house, there making a charge of disorderly conduct against him. Deponent was arraigned in the Night Court on the evening of Wednesday, March 13th, 1912, and upon telling his story he was discharged by Magistrate Breen, who was sitting there. Deponent further says that the assault was unprovoked and his arrest unwarranted.

Sworn to before me this)
14th day of March, 1912)

Walter Hurley, residing at 200 Munda Avenue, Jersey City, N. J., being duly sworn says that on the morning of Sunday last, July 7th, at 4 o'clock, after leaving a house party which he had been attending in the neighborhood he stood on the corner of 37th Street and 8th Avenue, Manhattan, talking with a friend named Charles Miller, when a police officer, whose name or number deponent does not know, came along and said to deponent, "Where do you live?" Deponent answered "I live in Jersey City", and without saying anything further the said officer struck deponent a blow across the forehead with his club, severely cutting him and discoloring his face. Deponent was knocked to the sidewalk. Upon getting up he went to a neighboring drug store. About 30 minutes later, after having his head bandaged, he returned to the corner of 8th Avenue and 37th Street for the purpose of getting the names of witnesses who could testify that the assault upon him was without provocation. While getting the names of such witnesses the officer came along again and seeing a small crowd of about 15 or 20 people gathered about deponent he arrested deponent. On the way to the station house deponent asked the officer why he was being arrested, and without making any answer the officer struck deponent another blow with his club across the forehead where he had been previously hit and upon which a bandage had been placed. Upon arriving at the station house an ambulance was called by the desk lieutenant, and the ambulance doctor had to put several stitches in deponent's forehead where he had been struck. Magistrate House, before whom deponent was arraigned in the West 54th Street court on a charge of inciting a riot, asked the officer if he had struck deponent. The officer denied striking him and said deponent must have got

his injuries in a fight. Deponent was fined \$3, which he paid. Deponent's friend, Charles Miller, hereinbefore referred to, who lives at 508 West 47th Street, was also clubbed by the officer, but not so severely, and deponent refers to him as a witness, as well as to R. Johnson, residing at 232 West 61st Street, Thomas Costigan, 508 Hudson Street, and A. Kelly, 209 West 26th Street, Manhattan, all of whom saw the assault upon him. Deponent says he was not intoxicated at the time, and that the officer struck him without cause. He has never been arrested heretofore. For six years past up to a few months ago he was an enlisted man in the regular army, and upon obtaining his discharge he worked for a time for the Adams Express Company. He left that company about a month ago and since then has been unemployed.

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SWORN to before me this
9th day of July, 1912.

.....

STATE OF NEW YORK,
CITY AND COUNTY OF NEW YORK) SS

JOHN CASTALDO, being duly sworn, says: I am 22 years of age and reside with my wife at 329 East 115th Street, Borough of Manhattan. On the evening of Sunday last, April 20th, about 11.30 o'clock, I was returning to my home with a male companion (Anthony Negro), after having attended a performance at the Alhambra Theatre on 126th St. and 7th Avenue. We walked across 125th Street to Second Avenue and then turned south on that thoroughfare. Between 122nd and 123rd Streets a group of young men crossed the avenue ahead of us singing and yelling. We continued walking for a short distance and then noticed a policeman standing across the street behind a pillar of the elevated railroad. This officer began to run toward Negro and myself, apparently under the impression that we belonged to the group of young men who had crossed the avenue just above. When we saw him do this we started to run and went through 122nd street with the officer following us and rapping on the sidewalk with his club. Near First Avenue we were stopped by two other police officers who had heard the signals of the one following us and they detained us until he came up. The two policemen who had hold of us asked him what was the matter. He replied, "Nothing is the matter. I just want to get a couple of raps at these wops." He then struck me on the body, legs and arms a number of times with his club, badly bruising me and cutting my arms so that I have since been unable to go to work. While he was doing this my friend Negro managed to slip away. The officer did not ask me to make any explanation and did not give me a chance to do so. He laughed while he was striking me. After being struck six or seven times I managed to edge away out of the reach of his club, and then ran home. I had committed no offence.

The reason I ran away from the officer was that I got very much excited when I saw him coming after me and wanted to keep out of trouble if possible. The name and number of this officer I do not know, but I believe I could identify him if given an opportunity.

John Castaldo

SWORN to before me this
22nd day of April, 1913.

J. J. Casey
Com. of District 51
[Signature]

January 13, 1910.

Sir :

Oscar E. Gregory called on me today to complain of patrolman Devon who clubbed him in Broadway, Brooklyn, Monday night. The sight of this young man is shocking. It is impossible to look at him without rising indignation that any citizen should be subjected to such brutal treatment by a policeman. His face and eyes are so contused and blackened that he is scarcely recognizable, and his head and mouth cut. This young man was with his wife when the thing happened, and seems to have done nothing but remonstrate with the officer for assaulting another. He has worked for four years for Mr. Robert Gair who vouches to me for his good character. Let me say to you that these police outrages have to cease. They have been growing more common for years, and I regret to say have gone on with scarcely a rebuke. It is time that they be stopped, and that the police be fully informed that to commit a battery on a citizen, or make a false or unnecessary arrest, or unlawfully enter a house, is a far graver offense than to let a criminal escape. Please let Devon be brought to trial before your trial deputy

Police
Brutality

January 13, 1910.

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in the shortest time possible and summarily dismissed if found guilty. Nothing short of dismissal will suffice in such cases. I am also calling the attention of the District Attorney of Kings County to his case.

Yours truly,

W. A. Gaynor
M a y o r.

William F. Baker,
Police Commissioner.

March 1, 1910. m

Sir:

Mounted policeman Copeland, heretofore accused of committing a battery on a driver named Ruth, came to me yesterday and said that he regretted having denied in the first instance committing the battery, and that he wanted to tell me the entire truth in the matter, as he deemed it his duty as an officer to do so. Thereupon he freely stated to me that he did commit the battery in the heat of the moment, and immediately thereafter exceedingly regretted that he had done so. I told him to make the same statement on his trial and he said he would do so. I think under the circumstances that leniency should be shown him, and that he should not be dismissed from the force. He appears to me to be an intelligent and good officer. Let this leniency not serve as a precedent. The members of the force now know that the Mayor proposes to put an end to these unlawful batteries, and those who

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continue to commit them will be dismissed. You have a splendid body of men under you, and I want them to know that I have every confidence in them and desire only to do them justice. On the other hand I expect them all to be frank and truthful with the Mayor and with you, and of all things to never try to shield the men on the force who are doing wrong. For their own honor they ought to help us rid the force of such men.

Very truly yours,

1

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Very truly yours,

M. J. Raynor
Mayor.

William F. Baker, Esq.,
Police Commissioner.

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April 20, 1910.m

Sir:

I enclose to you the affidavit of John Smith and also that of his brother Edward Smith, to the effect that patrolman John McKeever committed a battery on him. He has exhibited himself to me here and I cannot conceive of any excuse whatever for a man being beaten in the cruel manner which his wounds show that he was beaten. His eye and face are blackened, the bridge of his nose is fractured and there is a great gash in the side of his head. Let the patrolman be suspended and put on trial forthwith.

I am also enclosing to you the affidavit of Albert Wuthe that he was brought to the station house at Astoria, under arrest on February 21st at 1 o'clock and instead of being taken to the nearest magistrate that day was locked up and not taken to a magistrate until 9 o'clock the next morning. This is contrary to express law. A person brought in has a right to be brought to the nearest magistrate that same day and as promptly as possible. The captain and sergeant not only did this but denied him the right to communicate with his wife or father by telephone, or to send them any message whatever. Let charges be prepared against both of them and let them be put on trial. Such things must cease in the Police Department.

Very truly yours,

M. J. May

Mayor.

W. H. Baker, Esq.,

Police Commissioner.

July 19, 1910.m

Dear Judge Kempner:

I thank you very much for your letter of July 18th. I am sure that you will do away with the disorderly condition of the Magistrates' Courts in your district. Do not hesitate to make complaint against them. I see that Tighe yesterday or the day before dismissed a complaint against a policeman for a battery. The evidence was ample to hold him for trial; and in addition to that the policeman ran away and concealed himself for three weeks after committing the battery. Does Judge Tighe think that he is a trial court? Does he realize that he is only a magistrate, with the duty of holding for trial where a probable case is presented to him? The evidence in this case was ample to hold him, but he seems to have gone on and tried the case. Will you be so good as to get the evidence in this case and send it to me. Such things should not be passed over.

Very truly yours,

Hayden
Hon. Otto Kempner,
Chief City Magistrate.

Oct. 25, 1910. k

S i r :

I beg to enclose to you a complaint of a man who claims that he was beaten by a policeman. I have made it the rule to look into all such cases, as I have several times found that even though the injured person was fined in court, he was beaten without excuse. I hope therefore this case will be carefully investigated. Allow me to warn you that the reports of Inspectors and Captains are not safe in such cases very often.

Very truly yours,

W. J. May

Mayor.

James C. Cropsey, Esq.,
Police Commissioner.

11-2-0

June 25, 1913. d

S i r:

I enclose to you a letter from the captain of a baseball team to the effect that the police have driven them off of the diamond in St. Mary's Park where they have been in the habit of playing for a long time. Please have this investigated. But I do not want any more false reports sent such as Schmittberger sent with regard to the Prospect Park matter. What did he mean by such a report? Did he want to cover up the whole matter? Either that or he did not investigate it at all. His report led me to think, also, that the boys refused to give their names and addresses. The blotter at the police station shows that they gave their names and addresses, and the lieutenant or captain in charge should therefore have telephoned to the precinct in which they lived, and had notice given to their parents. I feel dreadfully discouraged to have such a thing happen as that mess over in Prospect Park. Two small boys came in today in the uniform of the Western Union Telegraph Company. They were put in a cell and kept there over night. In fact they did not have a ball with them at all, as I am perfectly satisfied. The policeman who arrested them is named McMahon. Please have him put on trial for falsely accusing the boys, whose names are Max Markewitz, 36 Stanton Street, and Max Kaufman, 639 East 9th Street, care of Samuel Sterenman. They say they had picked up a rubber ball of a little girl and tossed it back to her. Only one of them did it, and yet both of them were arrested and both were brow-beaten by the magistrate into admitting that they played ball. The little fellow who had not touched the ball at all refused to do so, and was then held in \$500 bail and taken back to the station house. He was there advised that the easiest way was to go back and say yes to the magistrate so he would be fined and let go. He was fined \$10. He earns \$5 a week.

Very truly yours,

R. Waldo, Esq.,
Police Commissioner.

[Signature]
Mayor.