

As Chicago was growing exponentially throughout the course of Hermann Schuettler's career, its more refined and sophisticated citizenry in tandem with a burgeoning Prohibition movement were also becoming preoccupied with reforming the city's reputation as a bawdy, brawling and uncouth den of corrupt politics and vice. These late 19th and early 20th century reformers were

making considerable efforts to shut down saloons, gambling and prostitution via state law and municipal ordinances. Getting the laws enacted were easy enough, enforcement was the real problem.

Though the Chicago Police Department was charged with their enforcement, none of these measures proved popular to the majority of its blue collar and immigrant residents. To them it had more to do with "personal liberty" than morality. As much as reformers loathed to admit it, Chicago's increasing collective wealth and emerging status as a world class city was being extracted on the strained and sweaty backs of an ever increasing European immigrant labor force whose partiality for beer and whisky was just a bit of indulgence they felt they owed themselves in return for the six day work weeks their WASP bosses were squeezing out of them.

Of course, Chicago's police officers (especially the Germans and the Irish) also hailed from these very same cultural traditions that saw no sin in a man enjoying his drink, playing a little poker or the horses and that also provided opportunities to socialize, organize and politicize amongst themselves. Thus they were hesitant, if not

reluctant to enforce these laws, especially in their own neighborhoods. It must be understood that many aldermen at this time were saloon keepers who also had their hand in operating gambling dens and prostitution parlors out of them. In their own wards these aldermen cherry picked police captains who would protect their interests and surround themselves with police officers who would do likewise, especially when it provided a means to add "a little something extra" to their low salaries.

Back in the Day! Hermann Schuettler's CPD! Part II



The Chicago Tribune hailed Hermann Schuettler as "Chicago's Greatest Policeman," in its obituary of him in 1918. This article provides a glimpse of Chicago and the Chicago Police Department of Schuettler's time from which he rose from the ranks from as a police officer to eventually commanding as Superintendent.

Although *Saloon closing laws*, as Mark Haller notes in *Historical Roots of Police behavior in Chicago, 1890 to 1925*, were always among the major electoral issues, prospective mayoral candidates shied away from endorsing or actually enforcing them:

From 1873 until the coming of Prohibition, no mayoral candidate stood a chance if he was suspected of favoring enforcement of saloon closing laws. Carter Harrison III, the popular and respected mayor from 1897 to 1905, was clear in his statement of policy: "I don't believe in closing saloons on Sunday. I do believe in lowering the blinds and closing the front doors. . . I don't believe in closing saloons at midnight. . . . Public sentiment is against enforcing them. The man doesn't live who could shut up Chicago saloons.

Since much of Chicago labor included a huge surplus of single men, they also provided an ample market for Chicago's red light areas where prostitution flourished. Haller notes that in regards to prostitution,

The police thought that such activity was inevitable and could not be prevented; hence, the

best policy was to permit red light entertainment districts rather than pursue a policy of enforcement that would drive prostitutes into respectable residential neighborhoods. . . . The police sometimes arrested streetwalkers; periodically, they raided sporting houses that robbed customers or held young girls against their will; and tried to prevent naked girls from leaning out of windows to advertise their charms. But the police seldom bothered well run brothels or interfered with soliciting in bars or second class hotels. In short. . . the police acted to provide a minimal regulation of illegal activity.

Gambling via local bookmakers, poker rooms and policy wheels were also minimally enforced in certain red light districts, because, as Haller indicates,

Police acted in the service of powerful local politicians, some of whom collected substantial funds from entrepreneurs in gambling syndicates. . . . In such wards local political leaders selected the police captain for the precinct chiefly on the basis of his sympathy with local gamblers, and some patrolmen served virtually as employees of local gamblers. . . . to supplement their incomes. Gamblers, despite their political influence, usually made goodwill contributions to the police, (but) toleration of neighborhood gambling and segregated red light districts did not exist because of payoffs to police. Rather, the corrupt relationships institutionalized a policy of tolerance and regulation that the police would have followed anyway.

Cook County's Criminal Court system in Schuettler's time, at least until 1906, also not only reflected the overwhelming political influence in the prosecution of any and all criminal offenses but the self interest the Chicago Police Department itself had in prosecuting the low level offenses that

accounted for the majority of the Department's arrests. "Police Justices," and not elected judges, administered hearings for these kinds of offenses. These police justices were politically appointed and received their salaries in part from the fines they imposed on offenders. The city also received a remittance from these fines. This promoted an immense bounty of arrests which provided a good income for the police magistrates themselves as well as a collection of "taxes" for the city from individuals from

the lower rungs of society who were in no position to pay taxes in any other way. Haller observes,

Before 1906, in police districts adjoining the skid rows and red light areas, the police sometimes made night raids for profit. One hundred or more persons would be rounded up. The bail bondsman charged \$1 to \$5 for a bond and the police justice received a fee of \$1 from the defendant for agreeing to a bond. The money was, of course, shared with the arresting officers.

In 1906, however, reformers succeeded in replacing these police officiated courts with the Municipal Court system, which would service both criminal and civil offenses. It introduced new magistrates into the court system, judges, who were required to be bar trained lawyers. Needless to say, the immediate effect of

the higher legal standards the new Municipal Court judges imposed on the police resulted in drastic reductions in police arrests. It was only a matter of time, however, before local ward politicians found a way to manipulate the Municipal Courts to their advantage. This was in the way they were able to slate prospective judge applicants from an ever available pool of

"Let's go get the SOB!"



attorneys unable to support themselves in private practice and desiring to get on the county government payroll.

Schuettler's CPD was also far more *hands on* when it came to dealing with those an officer's *street smarts* led him to believe were provoking breaches of the public peace on his beat. *Street justice/adjustments* rather than *paper* arrests were far more expedient when considering the practicality of any other means to *prevent the peace from being breached*. A patrolman walked his beat without the instant radio communication as well as the vehicular backup support and transport he could rely on today. Though call boxes had been available since 1880, they were of no practical use when a lone patrolman had to depend on his own quick wits and physical ability to ensure his own safety when dealing with burglars, robbers, drunks, domesticators, vagrants, rowdy punks or whatever other mopes might be ready to challenge his authority. Though not legally sanctioned, Haller notes,

Policemen on patrol, particularly in high crime areas, were often expected to be able to physically dominate their beats and to handle suspicious persons or minor crimes without resort to arrest. . . .

Arrests were difficult to make. A patrolman, unable to summon assistance, had to walk his prisoner as much as a mile to the station house. Drunks might be taken in wheelbarrow. . . .

Haller quotes one Deputy Superintendent in 1906 reflecting, "It was not customary for a policeman to arrest anyone for a small matter then. The

hickory had to be used pretty freely." "Street adjustment" was the preferred method by beat patrolmen to administer "juvenile justice" to rowdy street punks. It served as a more effective deterrent than to process and incarcerate "yoots" where they would come into contact with hardened criminals. Generally, this kind of police "street justice" was widely tolerated, even by the Chicago press, which was far more sympathetic to the police than today.

In Schuettler's time, way before Miranda, limitations on police interrogations, among other subsequent court constraints on police interrogative behavior, the *third degree*, *sweat box*, *rubber hose* or other methods of

physical persuasion were standard operating procedures in order to elicit information or confessions of felony criminal suspects. As Haller notes, "Newspapers often reported such events without comment" and quotes the *Chicago Tribune's* account of one such investigation:

John L. Voss, accused by the police of the murder of his wife and the burning of his home to destroy the evidence of his crime, yesterday admitted to Assistant Chief of Police Schuettler and

Inspector George Shippy that he had purchased a revolver and a box of cartridges some time prior to the crime Sunday morning. The admission, wrung from the prisoner after three days of cross examination, is regarded as important.

Of course, as the Chicago Tribune rationalized, "Every police department in this country has its 'sweaters' or inquisitors, and long



practice has made them adept at the art, if it may so be called.”

It was no secret that the State's Attorneys Office worked hand in hand with these types of interrogations and judges were ok with them as well. Sometimes, however, these overt methods were protested against, especially when as a result of new evidence admissions were thrown out of court and the 'sweated' defendant was exonerated. In one such instance, a CPD official,

however, was heard to complain, "If the decision was allowed to stand, ninety five percent of the work of the police department would be nullified." Another complained: "We are permitted to do less every day. Pretty soon there won't be a police department." Sound familiar!

The "thin blue line" in which police officers were suspected of protecting if not covering up for each other also had its origins in Schuettler's day as Haller describes it:

In the case of police violence, as in other violations of law by policemen, there was little recourse for an aggrieved citizen. Very early, the police developed a group loyalty that required policemen to rally to the defense of an officer in trouble. Top officials of the department told new recruits that if they could not say something good about fellow officers, they should remain silent. In 1906 a recruit showed that he had correctly learned the lesson when he told a reporter: "If I reported some policeman, I would be likely transferred to an outlying station. . . . Witnesses against policemen would be told the wrong date for a hearing so they would not appear. In many cases, other policemen harassed, arrested or even

drove out of town unfriendly witnesses. Already, the police saw themselves as a beleaguered group, dependent upon each other for support, and fiercely loyal to a cop in need.

Political influence in the CPD was also far heavier in Schuettler's day primarily because there was no police union in a town that ranked among the nation's most unionized cities. Police officers had absolutely no recourse, nowhere to turn to, except to their police bosses or their own

political patrons. Furthermore as Haller most importantly indicates:

Most city agencies were as corrupt or as politically manipulated as the police. Hence the orientation of the police was in keeping with the expectations of the officials elected to make policy and did not differ in kind from other municipal departments.

It's obvious to see that in Hermann

Schuettler's time, Chicago police officers had far more discretion in enforcing the law, especially for low level municipal ordinance violations and misdemeanor laws than they have today. Primarily, because it was recognized by the legislators who enacted these laws, the states attorneys who prosecuted these laws and the judges who ruled on them that the intent of these laws was only, in Haller's words, "to provide tools by which local authorities could control those classes of the population that were, or seemed to be, threats to local social order."

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Source: *Historical Roots of Police behavior in Chicago, 1890 to 1925*, Mark H. Haller (Law & Society Review, Vol.10, No.2; Winter, 1976).

