

COPS ARE ALSO PEOPLE

Fact Feature Series
by Thomas Thursday

5. Tender Toughs

ALTHOUGH police officials of all ranks are as tender and sentimental as other humans, they too often pay dearly for misplaced sympathy. It is normal and just to give your fellows a break in the harsh game of life; you feel that, as John Wesley said many years ago, "There, but for the grace of God, go I!"

The chief objection to giving breaks to criminals, especially major, is that too many of them give you a break right back, with a bullet or a knife. The seasoned cop will take no chances; he has but one life to give and, if he has to give it, he prefers to do so the hard way. The Honor Board in every police headquarters is dotted with gold stars beside the names of cops who gave breaks to maggot-minded murderers.

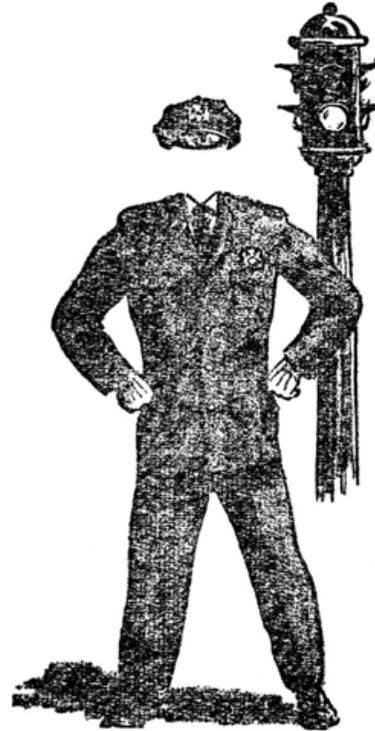
Even judges have discovered, after much experience, that many under-worlders, like leopards, never change their spots—or their bloody ways. Consider the case of one of the great criminal attorneys of the country, Samuel Liebowitz, now a judge in New York City. For more than twenty years, prior to his judgeship, Liebowitz practiced criminal law almost exclusively, during which time he defended nearly 150 birds of all criminal feathers. Early in his legal career he learned never to have too much faith in his clients.

Time was, however, when Liebowitz wore his heart on his sleeve and often felt pangs of pity for some of the toughs. For instance, there was the case of one Tony Tichon, which came to Liebowitz' attention when he became a judge. Tony had had many bouts with the cops and was finally wounded when he tried to escape via running head-on through a plate-glass window. Asked to surrender by the pursuing officers, Tony muttered something that sounded like, "Go to hell," and got winged for his pains.

At his trial, Tony came into the courtroom lying on a stretcher. Most everybody felt sorry for poor Tony; the gunshot had paralyzed him and he could talk only in a whisper. He beckoned with his right

hand for Judge Liebowitz to come down off the bench and bend over him.

"Judge," whispered Tony, "I've been a damned fool. If the kids in my neighborhood could only see me now they would not think I was so smart. They think I am a very tough guy. I ain't. I now know that I was just dumb; I know now that crime don't pay."



Judge Liebowitz was touched. He told Tony that he believed he was sincere and wanted to reform. "I would like to help you," said the judge, "and I want to show you clemency. And I shall do my best to see that you get fine medical care when you go to Sing Sing."

The district attorney was also touched. "I think it would be only fair to grant clemency to Tony," he said.

So Tony Tichon got a break. His sentence was for only two years. He was so grateful, apparently, that tears streamed from his eyes. He was sent to Sing Sing and, while there, a major miracle happened. He became a well man in a short time, and when his term expired he walked out of prison as good as new. One would imagine that Tony would promptly call on Judge Liebowitz, and also

his precinct police station, and tell his benefactors that he was now ready to prove their faith in him. This would have made a pretty hearts-and-flowers story, one that sentimental old ladies and professional do-gooders would have pointed at, and exclaimed, "See! That proves that poor Tony never had a chance when he was a boy. He said he would reform and he has kept his word!"

Right here may we remind you that such men as Abraham Lincoln, Benjamin Franklin, Thomas A. Edison, and a host of others, were likewise poor boys, but none of them turned to crime; instead, they turned to the most potent factor for success on earth—*work*. The standard alibi that poor boys don't have a chance is mostly bunk and baloney. They all have a chance to select one road or the other—Crime Highway or Success Street. This worn-out "poor boy" theory gives cops a pain in the sit-spot. Besides, did you ever hear of a plain cop who was born to wealth?

Now, let us see how grateful Tony was for the break he got. First, it was learned that his paralysis was nothing but an act to gain judicial sympathy. He fooled Judge Liebowitz, the district attorney and, in the end, himself. For shortly after his release from prison, he was involved in at least three known robberies and murders. This time he did not appear before Judge Liebowitz. But his attorney must have been good; Tony turned state's evidence, squealed on his brother-in-crime, and walked out of the courtroom a free man.

YOU WOULD think that the case of Tony Tichon would have curdled the sympathy of Liebowitz. It certainly left no love in the hearts of the arresting officers; cops are practical men. If sentiment and sympathy ran rampant in their souls for confirmed criminals, you—Mr. and Mrs. Honest Citizen—would not be able to walk the streets in safety. If you would like to know how many bums and lice are in your hometown, just let your police force suspend operations for a few days.

A young man named Bill Samet was sentenced to twenty years, this time by Judge Abel in Queens County, N.Y. The judge informed Samet that, when he had served his time, he would be tried for another matter still hanging over his head. Samet served his time and the second case came before Judge Liebowitz.

By this time Samet was nearly forty and his hair

was fast graying. As he stood before Liebowitz at the bar, he looked like a clean-cut businessman, with an open face that would deny any criminal tendencies. When he spoke, the judge was astonished at his evident culture and obvious refinement; it seems that Samet had educated himself while in prison and had made himself a first-rate musician and portrait painter.

"As I understand your case," said Judge Liebowitz, "you went to prison at the age of 19 a practical illiterate. Now you appear a refined and cultured man. How do you explain this?"

"Well, Your Honor," replied Samet, "when I reached prison, it wasn't long before I did some serious thinking. I soon found that honesty is not only the best policy, but it is the right one. I now understand that any dope can get a gun and hold up people. I owe a lot to Father Hyland, the prison chaplain; he took an interest in my painting and he had me do the stained glass windows for his new chapel."

At this point, the assistant district attorney said, "Your Honor, I happen to know that everything Samet has said is correct and true. I have consulted Father Hyland and several prison officials, and they all inform me that this man has been a model prisoner and student. Personally, I feel certain that, if given clemency in this present case, he will never commit another crime."

Judge Liebowitz, still wearing his heart on his sleeve, agreed. He then asked Samet numerous questions about his fellow prisoners, and prison life in general, and was very much impressed by Samet's scholarly and soft-voiced answers. The judge was so impressed that he informed the prosecuting attorney—equally impressed with Samet's reformation—that he thought the man would make an excellent prison warden.

"I'd like to dismiss the indictment," said the judge, "if the District Attorney does not object."

"I can assure your honor," said the assistant D.A., "that the District Attorney has no objection to giving this man a chance to become a useful citizen."

Bill Samet was free—free to become a first-rate and honest American or a fourth-rate louse and heel. He most certainly got a break. He could not howl the old, hackneyed cry of most criminals to the effect that he was being hounded by the cops and kangarooed in the courts.

When he was dismissed, Samet walked happily

to his old mother and sister sitting in the front seats of the courtroom and embraced them. They were happy, and Samet discussed the possibility of opening an art shop and also of giving lectures to various groups on the ever-with-us subject, "Crime Does Not Pay." He also gave an interview with numerous newspaper reporters. The interviews appeared in papers all over the land, and thousands commended Judge Liebowitz for his keen discernment in giving poor Bill Samet a break.

So—how did Mr. Bill Samet appreciate the fine break? It would be a keen and unusual pleasure for us to inform you that Brother Samet settled down as a paragon of virtue and general deportment, winding up as one of the great American painters—rivaling Grandma Moses or even James McNeill Whistler. Unfortunately, this is a true tale, taken from official records, and must not be misconstrued as fancy fiction.

For about ten months Bill Samet dropped from public view. If any did recall him, they probably believed that Bill was now wearing a halo, complete with wings, as previously advertised. Surely, any man with a spoonful of brains would take advantage of his opportunity to go straight and become an honored and respected citizen. But not Bill Samet. As all cops beyond the rookie stage know, this country is lousy with Bill Samets—one born every day, and no judge and jury to take them.

We now take you to Tulsa, Oklahoma. The place is a bank, where they usually keep money. A masked bandit, with machine-gun, waves it in the direction of bank employees and demands plenty of quick and unearned cash. As he is leaving, Tulsa police face Samet and his Thompson rapid-firer and beat Bill to the bullets. Wounded, Samet is taken to a doctor. Shortly after, he escapes—but not for long. Within less than two weeks he was captured and, at this moment, Brother Samet—the Man Who Was Too Dumb To Appreciate a Break—is serving a life sentence in the state pen.

Throughout the land, court records and parole documents are top-heavy with cases a la Tony Tichon and Bill Samet. And your average cop does not like too much clemency. His reasoning is basically sound. He knows that when criminals strike—either first offenders or those on parole, he, the policeman, is in the line of fire. In short, the cop is first in the danger zone when he apprehends the under-worlders. By the time the bum gets before a judge and jury, the criminal is safe and unarmed.

Note the difference?

LAST TO SHOOT, FIRST TO DIE

CHIEF OF Police Frank Brantley is dead. He didn't die naturally of fire and in the line of official duty. Chief Brantley was executive head of the Homestead, Florida, police department; Homestead is a small city just south of Miami, where this is written.

Brantley was only 34 years old and just beginning to bud and bloom as an honest and efficient police officer. Of course, he had a wife and children, as most cops have. But neither the life of Brantley or the wife and children held any interest for a young man named Carroll. It seems that Carroll had one outstanding characteristic; he liked to drink. And when he drank he usually got very mad at something or somebody.

Recently, Carroll and a friend went into a bar in Homestead and had a few snifters. In the same bar were a number of Puerto Ricans. They kept talking in their native language and, occasionally, one of them looked at Carroll. Believing that the men were talking about him, Carroll walked over to the group and voiced his disapproval. The men merely laughed. This enraged Carroll who, from past records, seems easily enraged.

First cursing the group, Carroll took his friend outside and said, "Let's go to my house; I'll fix them s.o.b.'s!"

At the Carroll home they had a few more drinks, then he went to a locker and got out his .45 revolver. "Come on," said Carroll; "let's go back and show them sons that they can't laugh at us!"

Entering the bar, they found the same group talking. Carroll walked up to the one he fancied was doing the most talking about him and started calling him profane names. The Puerto Rican resented the implications, especially those concerning his mother, and invited Carroll outside to settle it. As soon as they left the bar, a revolver-report was heard. The men rushed out and found their companion on the ground, shot by Carroll.

Carroll and his companion jumped into their own car and raced away. Police headquarters was notified, and soon Chief Brantley and brother officers appeared on the scene. Several hours of search failed to find Carroll. Then, late that same night, Chief Brantley got a tip that Carroll and his pal were hiding out in an old warehouse.

Approaching the warehouse with lights out, the chief and his men began to surround the place.

Hearing a noise, Chief Brantley yelled, "Come out, Carroll, with your hands up. Nobody is going to hurt you; I'm Chief Brantley."

For reply, several shots streak-flamed through the air. Two hit Chief Brantley and he dropped to the ground, with both hands clutching his chest.

A moment later, a male form rushed out of the darkness, with hands up, hollering, "Don't shoot me! Please don't shoot. I surrender. I didn't fire any shots. Carroll fired them!"

It was Carroll's friend.

"Where's Carroll?" asked one of the officers.

"He ran into the swamp back there; he's drunk and crazy!"

An all-night search failed to locate the gun-goofy Carroll, but the following afternoon he walked into headquarters and surrendered. He said he couldn't remember what happened. "I was drinking and must have got mad," he stated. His voice was matter-of-fact, like someone saying, "I went to the ball game last night and had a swell time."

When informed of the death of Chief Brantley, Carroll pursed his lips, whistled, then uttered one word, "Gosh."

NOW, HERE'S the point we'd like to make: It is a fact, corroborated by fellow officers, that

Chief Brantley saw the form of Carroll and could have saved his own life by shooting first. However, it is almost a national police rule that no officer shoots a suspected criminal until the criminal shoots—or tries to shoot—first. In many respects this is a good and sensible rule, but it is all in favor of criminals. That 36 police officers were killed in 1950, while obeying this rule, attests the fact.

On rare occasions an innocent man is shot, when an officer fires first. Last year, for example, Detective Jimmy King, of the Miami police department, winged a man who was unfortunate enough to be in the right spot at the wrong time. It happened this way:

Several doors from police headquarters, on Flagler street, is a small, two-story bank and loan company. Directly adjacent is the Roberts hotel, seven stories high. One Saturday night several guests looked out of their room windows and were somewhat amazed to note two men working on the

skylight of the bank. Promptly, they phoned the desk clerk, and the clerk came up to one of the rooms and took a quick glance at the roof of the bank.

"It looks funny to me," said the clerk, and forthwith phoned the police.

At the time of the call, the only detective in the bureau was Jimmy King. He rushed downstairs and into the building, just this side of the bank. Getting to the roof he was just about to look over the parapet to the bank, when fire engines—housed next door to police headquarters—came roaring out, with sirens screaming. Hearing the sirens, the two men on the roof left the skylight they were working on and rushed to the front to see what was going on.

It was while they were running that the head of Detective King rose above the parapet, took in the scene, and naturally assumed that two bank burglars were trying to escape.

"Hold your hands up high!" shouted Jimmy, then gave the customary identification, "I'm a police officer!"

One of the men stopped running and his right hand went to his hip pocket. Now, if you were in King's place, what would *you* think? You would think that the man was going for his gun and that it would be up to you to beat him to the draw. So, King fired first—not to kill, but to wound sufficiently to render the man helpless.

The bullet hit the man in the hand. He yelled and then turned toward King and said, "What the hell is the big idea?"

"What are you men doing here?" demanded King.

"Repairing a leak in the skylight," one replied.

It was the truth. However, had the bank notified the police department that two men would be at work on their skylight, everything would have been all right. Meantime, King was justified in shooting, although the victim failed to appreciate King's marksmanship.

ROUGH STUFF FOR TOUGH STUFF

REGARDLESS of talk and scuttlebutt to the contrary, the day of the old "bang 'em and bust 'em" Third Degree is over. Unquestionably, a lot of the official rough stuff was cruel, and hurt the feelings of some nice burglars and even rapists. The public or taxpayers, reading colored, and

greatly exaggerated, stories in bright yellow newspapers, would howl and hoot all cops and refer to them as Cossacks.

The chief duty of a police department is to apprehend criminals. More, they must also present bona fide evidence, with which the district attorney can nail the crimster to the cross of conviction. The modern cop always tries to get his evidence the easy, kindly, gentle way; he asks questions and expects right answers. However, you would be amazed at the number of guilty guys and dolls who think all cops are quaint, and who can lie so often that they actually begin to think they are telling the truth.

Official words do not intimidate such fine fowl. They have practically made a career out of giving the wrong answers to the right questions. Naturally, when an official knows, *positively*, that the guy is guilty, he becomes somewhat bored with marathon-questioning and begins to get down to first principles. What, then, are first principles? Simply this: Brute force fears only superior brute force.

You will shudder perhaps, and say that rough stuff never should be used on criminals. Well, consider this, and it is only one of many, many similar cases:

A six-year old girl was raped by a neighbor. He crept through the window of the room where she was sleeping alone at 2 A.M. Two days after the outrage, the little child pointed out the neighbor as the guilty one. He denied it. His record was checked and it was found that he had been arrested three times for child-molestation in the past. He played the old game of sitting beside an unaccompanied child in a dark movie theatre.

The officials of the juvenile bureau questioned the man very patiently for a day and a half. He not only continued to claim his innocence, but threatened to sue the city for false arrest. Finally, one of the officers, himself the father of two small daughters, lost his patience and gave the punk a few right hand wallops to his fat belly. The change was sudden and electric.

The louse dropped to the floor, and begged,

“Okay. Okay! Don’t hit me. I admit I did it!” Proving his national color was a deep yellow.

Now, do you think this uncouth and harsh police procedure was proper or would you prefer to have the semi-moron and pervert go free and, who knows, rape *your* daughter?

Although it is not for publication, there are times when a little closed-door chastisement is essential in order to bring forth testimony that will prove the positive guilt of certain non-cooperative baddies. Although the modern police official is all for scientific interrogation, such methods can go just so far—and then more emphatic systems must be used. If this did not occur, please believe that the murder of free criminals would be added to in large, crime-laden hordes.

There is the story of the new police chief of a small town who had gone off to college and took several courses in criminal psychology. When he returned to his hometown, he began to use his newly-acquired knowledge. After suspects were apprehended by his staff members, he would ask that they be brought before him for interrogation.

One afternoon a burly fellow was brought in, accused of stealing two expensive diamond rings out of a hotel room, where the man worked as a porter. The chief questioned the mugg in the latest scientific mode for more than an hour.

“I swear to God, Chief,” said the guy for the ‘steenth time, “I never took them rings!”

At that moment a detective sergeant, who knew naught of scientific interrogation, lost his temper and whanged the fellow on the chin with a hard left hook. From the floor, where he had been dropped, the innocent lad shook the clouds and little birdies out of his head, then said, “All right, boys! You got me right. You sure got me!”

With that he took off his right shoe and removed the two stolen rings. From then on the chief lost some faith in his scientific interrogation.

All seasoned cops know this:

If you treat ‘em tender, they will treat you tough. And vice versa.

