

# ROCHESTER HISTORY

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## **A History of the Police of Rochester, New York**

By BLAKE MCKELVEY

However one views the police force, no other branch of the public service is charged with more onerous tasks or placed more constantly under critical scrutiny. Most civic services, if well performed, elicit praise from the public and gratitude from the recipients; if botched, they arouse only censure and disappointment. The teacher, the fireman, the welfare worker, and the garbage collector are all public benefactors, and if the tax collector lacks a popular role, he at least retains anonymity. Only the policeman is personally called upon to compel us to stop or move along, to abandon some private objective or accompany him to jail. Always somebody is frustrated, perhaps injured. And since the stakes are often high, the officer is sometimes tempted by a bribe, by fear, or by other inducements, either to look the other way or to use excessive force. Both the manner and the degree of his action are personal, as is the resentment felt by those frustrated, and such human conflict nurtures suspicions that only the conscientious and professional officer can withstand.

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Yet if "the policeman's lot is not a happy one," as Sir William Gilbert once aptly put it, all complex communities have found his job indispensable. Generally he has been the first full-time city employee, if we except the judge employed by the state and the teacher employed by the school district. And like these early colleagues, he has had to develop his professional standards over the years and on the job. Possibly he has been content much too long with on-the-job training, but if, like judges, teachers, welfare workers, and others, police candidates are to secure pre-induction preparation, cities will have to pay more adequate salaries and society will have to develop a fuller understanding of the professional character of the job. Perhaps an historical review of the development of the police force in Rochester will contribute modestly to this latter end.

### **Beginnings**

In Rochester as elsewhere the first police officers were night watchmen who volunteered for the job. Responsible citizens formed a citizens' patrol and took turns in a nightly vigil that was chiefly concerned with the fire hazard. The thriving hamlet soon outgrew that limited service; as the village mushroomed into a city, its police functions multiplied and brought repeated reorganizations and reforms.

Two years after its incorporation, Rochesterville appropriated \$80 to employ a regular night watchman for the winter season. An increase in petty crimes was given as the cause, but a desire to fix responsibility for the safety of the town's 1200 inhabitants was a contributing factor. The town meeting made similar appropriations in succeeding years until 1826 when, with its population swollen to 7000, the village engaged two watchmen, one for the east and one for the west side. That service quickly proved insufficient, and, unable to find addi-

tional men willing to devote every night throughout the winter months to a lonely watch, the newly created village trustees voted a year later to increase the force to ten men, each to patrol half the night for \$10 a month. An economy move in 1828 reduced the number to six men at \$8 a month, and the next year, when recession hit the village, its trustees found three men eager to watch from ten until dawn at \$1 a night.

Other demands on the public treasury forced the city, newly chartered in 1834, to content itself for a time with three watchmen. Their responsibilities were expanding and included the lighting of street lamps and the curbing of public nuisances as set forth in the ordinances. The apprehension of criminals was left to the sheriff and his deputies until the Common Council moved the next January to appoint five constables, one for each ward. These men, serving as justices of the peace, were recompensed from the fines they collected for the operation of pool-rooms, bawdy houses, and other proscribed activities, or for selling liquor without a license.

The appointment of a captain of the watch in 1836 marked the first effort to secure administrative unity. His watch books supply the earliest authentic records of police problems in Rochester. Most of the forty names entered in April that year were of drunks found in the streets without money or a home and confined overnight at the watch house in the basement of the court house. Four of these, or one tenth of the total, were women committed for prostitution; one, a boy found deserted in the streets, was listed as a vagrant and given shelter in the watch house for 15 days.

The sheriff shared responsibility for the suppression of major crimes. In 1837 he had one murder and a brutal case of assault and battery to cope with, and the next year, as trials in these cases progressed, a second murder occurred. Unmoved by the failure of deterrence, the Common Council adopted additional

restraints, and the captain of the watch reported 541 commitments in 1841, 111 of them for major offenses. Six years later the number of commitments was up to 653, but major offenses numbered only 78. A further decline the next year gave the captain time to prepare a fuller report in which he supplied an ethnic breakdown. Of the 519 arrested in 1848, 164 were American born, 245 were from Ireland, 26 from England, 19 from Germany, and 33 were Negroes. An argument over the threat of foreign inundation in that peak year of Irish immigration had elicited this data. But while old citizens pondered its implications, a real scourge, Asiatic cholera, approached the city, and the authorities hastily engaged 80 additional night watchmen to help in removing bodies and burying the dead.

Rochester's expanding borders and increasing complexity prompted a reorganization of the watch and an appointment of a paid police chief in 1853. With a population in excess of 40,000, the city paid its first chief, Addy W. Van Slyck, \$900 a year and appropriated \$600 for each of his twenty officers. An economy drive the next year reduced the number to twelve, but failed to hold it there for long.

Several dramatic crises brought an expansion of the force to 35 by 1861. The strange disappearance of Emma Moore in January 1855 and the discovery of her body under the ice in the raceway two months later provided the start of a series of sensational crime stories, which the local press for the first time covered in full. Capping the succession of burglaries, homicides, and abortion cases came the trial in 1858 of Ira Stout. Convicted and condemned to hang, Stout wrote a philosophical plea in Byronic style for the abolition of capital punishment. But when, shortly before his execution at the jail that October, Miss Susan B. Anthony, Frederick Douglass, William C. Bloss, and others attempted to hold a meeting at the City Hall in

support of that plea, a rowdy throng broke into the hall and forced adjournment.

The police, unable to maintain order on that and similar occasions in the fifties, were repeatedly reorganized. John C. Nash, mayor in 1861, was perhaps the first executive to retain the full roster of officers appointed by his predecessor. He took another forward step when, after a visit to New York, he ordered all the men to provide themselves with blue uniforms and caps and to wear them at all times when in the public streets. The uncertain times that marked the Civil War maintained a constant pressure on the police. When Mayor Nash's successors restored the practice of political appointments, producing a fairly complete turnover every year or two, a reform element pushed through an amendment creating a police commission to remove the force from politics.

That objective was more easily announced than achieved. The new commission, consisting of the mayor and two men named to four-year terms by the Common Council, soon found itself at odds with that body, which retained control of the purse strings. The commission sought and secured legislative amendment of its charter in 1871 authorizing it to classify the policemen and to fix their salaries; two years later, when the council voted funds for an expansion of the force to 65 men, the commission created the new category of detective and named six to that branch.

The police faced two crises in the early seventies. They performed with credit during a riot that erupted in June 1872 in connection with the prosecution of an assault case, but they were unable or unwilling to eradicate gambling. Several raids of suspected gambling establishments proved futile as the key figures generally escaped in advance. The suspicion grew that a favored operator regularly received tip-offs of impending

raids. Although a grand jury investigation failed to produce any indictments, word leaked out that Police Chief Sherman and John Dresser, a detective, had been closely questioned on the matter. Samuel M. Sherman, who had served as chief for nine years, admitted an error of judgment and promptly resigned; one detective was dismissed, also for poor judgment. Fortunately the department was redeemed a few months later when an officer gave his life in a gun battle with John Clark, a Rochester boy who had become a nationally famous desperado.

Alexander McLean, who succeeded Sherman as police chief, held the position for 12 years. At his recommendation the commission expanded the force to 90 men, created the rank of lieutenant, and named four, one for each of the newly established precincts. He conducted a thorough investigation of charges against three of his officers—an investigation in 1877 that cleared them of any guilt—and won commendation from Mayor Parsons for maintaining a top-notch department. Yet he, too, encountered difficulties in the suppression of gambling, and again one officer lost his life, this time in an effort to apprehend a drunken gambler. The *Democrat and Chronicle*, a staunch advocate of repression, demanded that the police raids on gambling halls and houses of ill fame, which came with great regularity each year a few weeks after the Grand Circuit races at Driving Park, should be staged during the height of the season. In 1884 the raids occurred in June and the editor noted with satisfaction that the gamblers did not receive the customary courtesy.

Joseph P. Cleary, who the next year succeeded McLean as chief, introduced many innovations. After a visit to Chicago to examine its alarm telegraph, he persuaded the commissioners and the council to install one at Rochester. By the middle of 1886, when the thirty signal boxes were in place, the police

alarm system was described as the most efficient in the state. The department also acquired a patrol wagon that year and equipped it with stretchers for emergency cases. Chief Cleary made a determined effort in the late eighties to break up several youth gangs that attracted attention at this time. The old problem of the suppression of gambling received more attention, and again in 1887 an investigation was called for. Apparently the charges were political in character, however, for it was the mayor and not the police chief who was held responsible, and the agitation helped to unseat Cornelius Parsons in 1890 after 14 years at the helm. Chief Cleary carried on under Mayor William Carroll much as in the past, but he did order a complete shift in the precinct assignments in order to prevent favoritism.

Cleary's official title in the early nineties was superintendent of police, and that of the day and night captains was assistant superintendent, while the chief of detectives, John C. Hayden, was popularly called chief of police. The resulting confusion prompted a return to the old system in 1895, which named Cleary police chief and made Hayden assistant chief. That change was significant for it recognized the increased importance of the detective branch in a growing city.

### **Mounting Police Services**

But Rochester's police problems in the mid-nineties were not so closely related to its growth as with the effects of the severe depression that hit in 1893. Cleary's annual report the next January cited 50 burglaries, a record number, and told of innumerable cases of theft of food, clothing, coal, or money by hungry unemployed people; the number of suicides was 22, also a record, while six trusted employees had absconded with their employer's funds. The poor boxes in several churches were rifled, and even the postage drawer at Mt. Hope Cemetery was forced open. Though burdened with an extra load of

the crimes born of human misery, the police were called on to enforce new bans against the sale of liquor on the Sabbath and against the operation of slot machines in saloons and elsewhere. A committee of 100, organized to back these efforts, also sparked a campaign against stall saloons. Although a leading attorney pointed out that the police had no authority to abolish stalls in saloons, the chief announced that he would close all houses where girls under 21 were found without proper chaperonage.

The police department received an unexpected boon from the depression. Petitions from 26 labor unions, supporting a cry from hundreds of unemployed men for the creation of jobs, prompted the Common Council in January 1894 to shelve a plan for the establishment of police precincts and to concentrate instead on the building of a police headquarters. Constructed of red brick with stone trim, the new building on Exchange Street, across from the county jail, was ready for use in June 1895. It was equipped on the first floor with 23 cells for the overnight detention of arrested males; two of these cells were padded for the safe confinement of persons suffering from delirium tremors or insanity. The chief and his assistants had offices on the second floor, where the police court and the judge's apartment were also located. The police matron, Mrs. Addie De Staebler, first appointed in 1886, had a suite of rooms on the third floor where she supervised the cells and rooms provided for the detention of women and children. A gym and drill room occupied the fourth floor, and shower rooms were later provided in the attic above.

Increased demands for police services forced the addition of 25 officers in 1895, bringing the total up to 175. A new and improved telegraph alarm system was installed, reaching 56 widely dispersed patrol stations. The department now had two patrol wagons and an ambulance which it kept in a barn back



of the headquarters. A small bicycle squad, organized to check speeders in the summer of 1893, also kept its wheels in the barn. Bicycles were supplied to the lieutenants on the night force in 1897 in order to speed them on their rounds. The next year those on the day force were similarly equipped. Much against the wishes of many businessmen, the old practice of shifting the assignments of patrolmen was revived and placed on a 30-day cycle. This controversy developed political overtones as Mayor George Warner, the first Democrat to hold that office in many years, cast the deciding vote on the commission in opposition to a resolution of the council majority, which was Republican.

A three-way scuffle developed the next year when Mayor Warner's party captured the Common Council. In addition to the contest between Republicans and Democrats, the latter suffered a split as Judge Ernst broke with Warner on the question of economy and centered his attack on the Mayor's handling of the police. Chief Cleary retained his post and marshaled his force in an impressive review in one of the public parks each summer, but complaints of inadequate protection in the streets multiplied. Judge Ernst, who discharged many suspects brought before him by the police, alleging inadequate evidence, supported Cleary's request for 50 additional men. When Mayor Warner, eager to achieve a record for economy and satisfied that Rochester, with the lowest crime rate in the state, was orderly, vetoed a council provision for 25 additional policemen, the Republicans and dissident Democrats on that body combined to override the veto.

In the midst of these controversies, police morale deteriorated. A long-drawn-out investigation of the conduct of several officers resulted in the discharge of one patrolman found guilty of drinking in a saloon while on duty and the suspension of another charged with the use of excessive force in making an

arrest. Yet charges of police bribery by slot-machine operators proved insubstantial. All city factions rallied in 1899 to oppose a move by Governor Roosevelt to establish a state constabulary that would take over major police functions throughout the state.

Although they escaped a state take-over, the Rochester police experienced another shake-up that year with the passage of the White Charter law. One of its provisions abolished the police commission and linked the police and fire services in a department of public safety under a single commissioner to be appointed by the mayor. The first commissioner, James G. Cutler, was a vigorous businessman who would later become one of Rochester's ablest mayors. He promptly introduced the long-debated precinct system, and, retaining Cleary as chief, named five captains and five lieutenants, thus doubling the supervisory staff. The new plan also provided for 20 sergeants and 8 detective sergeants.

Yet despite these improvements, a series of revolting crimes in the winter of 1900-01 revived charges of police inefficiency. Even the *New York Journal* ran a story on the crime wave that gripped Rochester. Apparently the situation was not as desperate as the *Journal* represented it, however, for a public safety committee created by the council to investigate the problem both exonerated and berated the police. This "wishy-washy" report, as the Rochester *Herald* characterized it, stirred renewed agitation for a crack-down on saloons and brothels.

The police responded by staging a number of well-publicized raids that achieved a limited success. Prostitutes, gamblers, and other unsavory characters were persuaded to seek greener pastures elsewhere. Yet in spite of these improvements, the corporation council gave a gloomy report of local conditions in support of his plea for larger appropriations for the police. Even an efficient police could hardly have been expected to

deter some of the major crimes of the next few years when two prominent attorneys became involved in separate cases of forgery and two doctors in abortion charges.

Dissatisfaction mounted as the inability of the police to cope with the increasingly complex urban society became apparent. Their inaction, following a minor fracas at a gypsy camp in November, led to violence as the camp leader, endeavoring to expel a gang of youths, accidentally shot and killed one of them. Chagrined by the riotous acts of their own sons, many Rochesterians supported the coroner, who held the shooting to be in self-defense, but they also held the police, who had "looked the other way," partly responsible.

The police seemed even more derelict in failing to check the mounting number of crimes among the Italian laborers who dwelt in crowded work camps on the city's periphery. Since most of these men were young and single and since many were saving "stakes" for a return to Italy, practically all carried knives or guns for self-protection. Outbursts of violence were frequent in such a situation, and the police soon learned that any outside interference was resented.

The public, however, was less willing to acquiesce in the suspension of law and order. Because of the difficulty of identifying even known criminals, the council voted in 1903 to introduce the Bertillon system of measurements to assist the detectives. And the next year, former Commissioner Cutler, now mayor, launched a training program to develop the skills of all police officers. To improve discipline he issued an order banning smoking as well as drinking by the police while on duty. He advocated the construction of precinct houses where a few single patrolmen could reside, ready at all times for sudden calls to duty. A detail of mounted police, organized in 1903, was expanded when it proved efficient in the control of crowds. But again the police failed to meet the demands of

many citizens for the suppression of prostitution and gambling.

A determined band of ladies, supported by several clergymen and other gentlemen, called for action from Mayor Cutler. He answered a charge that the Rochester theaters were open on Sunday nights by pointing out that two were regularly used by Sunday evening religious programs. That statement failed to meet all the charges, but a report by Professor Rauschenbusch, chairman of an investigation sponsored by the state Y. M. C. A., partly vindicated the Mayor by revealing the complexity of the problem.

Rochester, the committee observed, faced a major task of assimilation. With a fourth of its people born abroad and more than half the rest of foreign parentage, conflict between divergent customs and standards was inevitable. And with 29 per cent of the men between 25 and 44 unmarried, as well as 28 per cent of the women of these ages, the need for social adjustment was intensified. The city faced a special obligation to its newest immigrants—Italians, Slavs, and Jews—who were forced by poverty and prejudice to live in congested neighborhoods. Laws against child labor and illicit sexual relations should be enforced, but the city should also provide legitimate outlets for youthful energies to prevent juvenile delinquency. And Rochester, the committee concluded, would have to supply more and better paying jobs to the husbands and fathers of these immigrant families if it hoped to solve rather than suppress the social evils in its midst.

In the course of this forthright discussion of the police problem, Chief Cleary submitted his resignation. He had served 38 years on the force, 20 as chief, and he retired with the respect and gratitude of many citizens. On May 1, 1905, his able assistant, John C. Hayden, head of the detective bureau since 1887, was named to succeed him. Chief Hayden soon announced the formation of a traffic squad to check the mounting toll of

accidents in the streets. He sent his men out on repeated raids of disorderly houses and gambling dens. He named two Italians to the police force, one as an interpreter and one as a patrolman, and these men, with the cooperation of an Italian Protection League, undertook to collect all knives and unlicensed firearms from their fellow countrymen in a successful effort to reduce the number of violent crimes among them.

The policemen were also endeavoring in these years to improve their own lot. A Policemen's Benevolent Association, organized in 1875, had enrolled most of the force and assured each man's widow a burial fund and a modest pension of \$20 a month until she remarried. A police pension fund, established in 1887, had accumulated from annual benefits, billiard and pool-table fees, and the sale of unclaimed property, a sum of \$74,074 by December 1905. Its pensioners, who numbered 42, had received \$15,843 during the year. A patrolman's club formed that December took the name Locust Club the next year, honoring the tree from which the billy clubs had traditionally been made, but the Rochester force had come to depend less on such force than on the skill of its officers. The Locust Club, which held its first annual Policemen's Ball in December 1906, became a symbol of high morale.

A new turn in police developments came late in 1908 after the retirement of Chief Hayden. Instead of promoting one of the captains to the post, Mayor Edgerton drafted the able head of his Department of Charities, Joseph M. Quigley, as police chief. Widely admired for his humanitarian views, Quigley undertook additional reforms. He launched a drive against the sale of obscene postcards and dispatched his officers to disperse the gangs of loiterers on street corners; he ordered the arrest of vagrants found sleeping in boarded-up lofts and other empty nooks of the city; and he ordered 250 copies of "The Detective," a new magazine for the instruction of patrolmen in the

arts and practices of noted criminals. When a comparison of the Rochester force with those of other cities revealed several deficiencies, Quigley recommended and the Common Council authorized the addition of 50 patrolmen, bringing the force up to 292 men that December. Rochester took the lead in installing a newly developed telephone system in 1910, which placed telephone boxes at ten prominent street corners, thus enabling patrolmen to give and receive messages promptly—a system that quickly attracted imitation elsewhere.

Chief Quigley rejoiced to announce a sharp reduction in the number of arrests. He attributed this turn to the more vigorous enforcement of the law, which had prompted criminals to give Rochester a wide berth. Only in the case of traffic arrests did an opposite trend hold, but the Chief hoped that drivers, too, would learn to practice caution. Convinced of the merits of a stern enforcement of the laws, and spurred by a nation-wide crusade against vice, Chief Quigley determined in the spring of 1912 to apply the same technique to gambling and prostitution. First he called in all known operators of such houses and warned them to leave town. Several promptly complied and, when the police raided a few that remained open, others hastily took their departure. By July the Chief was able to claim that both vices had been eliminated in Rochester. Evidence of his success appeared as complaints of an invasion by these establishments came that summer from Charlotte, Gates, and other near-by towns.

The Rochester police intensified their efforts in October to prevent a return of the disorderly elements. Nellie Holmes, Martha Mundt, and others who attempted to reopen old establishments received stiff fines and their inmates had to pay \$25 each to escape a night in jail. A ban against stalls and ladies' sitting rooms in saloons and an order that all windows be kept clean and uncurtained to facilitate inspection helped to block

the growth of clandestine houses of assignation. Another ordinance directing the police to supervise dance halls and other amusement centers prompted the appointment in October 1913 of Rochester's first policewoman, Miss Nellie L. McElroy, the tenth in the nation. Unfortunately, the more thoroughly the police investigated, the more they uncovered, and this year brought to light the existence of an active drug market, which required the application of still more determined restraints.

Chief Quigley continued to maintain Rochester's claim to the title of cleanest city, but he faced increasing difficulties in another department. As the number of automobiles owned in the city increased, the traffic squad had to be equipped with motorcycles in 1913, displacing the bicycles. An appointment of eleven additional traffic officers the next year helped to check speeders. But reckless drivers abounded, some contributing to a mounting accident ratio, others creating a new problem in the parks where the police now had to suppress clandestine petting parties.

Chief Quigley maintained a vigilant enforcement of moral restraints. He preferred to prevent crimes rather than punish criminals, and he believed that social laxity nurtured crime. But he could not agree with the many advocates of a rigid closing of all places of amusement on the Sabbath. This issue stirred heated arguments throughout these years as the needs of residents in crowded districts for recreational outlets increased. One by one the bans against the playing of baseball on Sunday, the opening of poolrooms, motion picture houses, and other commercial amusements on that day were dropped, much to the chief's relief. He rejoiced in 1915 when his pastor, the Rev. William R. Taylor of Brick Church, came out in favor of an open and joyous Sabbath.

The changing character of the police was symbolized in 1915

by a reduction in the size of their billy clubs. A new aid to identification had been adopted in 1909, when fingerprints were first recorded locally, supplementing the Bertillon measurements. This device assisted the police in identifying some members of the far-ranging Black Hand society, which appeared at Rochester in 1913. Chief Quigley urged the adoption in 1919 of standardized procedures for the registration and identification of automobiles as the best means to check car thefts. Another of his improvements, adopted in 1920, was the traffic ticket, which relieved the police officer of the duty of accompanying each offender to court. The erection of the first traffic lights at busy downtown corners two years later marked a further advance.

But the Chief's oft-repeated boast that Rochester was free from organized crime invited a challenge. The *Herald*, local spokesman for the disenchanted, uncovered evidence in 1919 of a theft of lumber by two policemen in uniform and reported charges by two youths that a drunken policeman had bullied them at a dance hall. Although the *Herald* stood alone in these charges, Mayor Edgerton directed Quigley to conduct an investigation. Despite warnings of a whitewash from the embattled editor, the investigation failed to undercover evidence against any of the police officers mentioned, though two other patrolmen were suspended for other cases of drunkenness at this time. Eight years later two officers were arrested as members of a gang caught in a daring act of burglary.

In spite of these and other outbursts of criticism, Chief Quigley maintained an effective and forward-looking force. He assumed an impartial stand in labor disputes and often appeared at labor rallies, as he did at ethnic picnics and other large gatherings, as a symbol of law and order and of his confidence in the crowd's respect for it. Yet he could not, in his last years, meet the new challenges brought by the unwonted task



of enforcing prohibition. Frustration over that trying responsibility may have contributed to the series of heart attacks in 1927 that finally brought his 19 years of service as chief to an end in September.

### **The City Manager Era**

Unsatisfied with earlier advances, the City Manager administration, inaugurated in January 1928, hastened to introduce new reforms. The new police chief, Andrew J. Kavanaugh, promptly announced plans for the organization of a modern bureau of criminal identification, which was formally launched two years later. A vigorous crack-down on the use of slot machines and a determined drive against the sale of opium attracted keen press interest. The installation of radio equipment in patrol cars in 1931 and a reorganization that year of the detective bureau, placing it directly under Chief Kavanaugh with provision for two lieutenants, seven sergeants, and twenty plainclothesmen, brought increased centralization and efficiency.

Rochester was selected in 1931 by the National Commission on Law Observance and Enforcement for a trial study to determine the feasibility of a broader study of all cities. After an intensive examination of the records, the Wickersham Commission, as it was called, found that the total cost of criminal justice in Rochester, including its share of county and state outlays, came to \$1,385,799 a year, or \$4.22 per person and 7.07 per cent of his taxes. Offenses known to the police numbered 2,867, or 73.7 per 100,000. Two years later, after the Wickersham Commission had completed its studies of many other cities, the Chamber of Commerce found that Rochester was fifth highest in cost per resident among the eleven cities in its population rank. Yet the Chamber was apparently less concerned by the cost than over the question whether enough was being done to guard against the outbreaks expected when the

repeal of prohibition released its racketeers for wider depredation on the community. Many applauded when Henry T. Copenhagen, the new chief installed by the Democrats in 1934, announced a fresh reorganization of the department.

Some problems proved more subject than others to efficiency techniques. A simple announcement of a "non-fixit" traffic ticket brought prompt improvement in traffic and parking conditions. On the other hand a renewed campaign against gambling, which started out with a drive to eliminate pinball and iron-claw vending machines, had the effect of promoting lotteries, bingo and other numbers' games and brought prosperity to road houses beyond the city limits. A police shake-up in 1937, following a Republican victory at the polls, forced the resignation of one police inspector accused of political activity. Troubled by continued juvenile outbreaks, the department created a midnight patrol the next December in an effort to check such disorders. The city rejoiced in the spring of 1941 to record a sharp decline in four main categories of crime, and the state association of police chiefs recognized Copenhagen's abilities when it elected him president the next year, but a *Times-Union* reporter uncovered the existence a month later of a number of secluded gambling retreats and houses of ill fame.

Despite the introduction of several new reforms, Chief Copenhagen's last years were turbulent ones. With the full backing of Safety Commissioner Thomas C. Woods, he announced a reorganization of the detective bureau in 1946 that brought all plainclothesmen from the seven precinct stations back under one management at the central headquarters. The next year he reassigned all the remaining officers, increased the number of inspectors to four, and placed them on a 24-hour rotation system. He assigned seven policemen to a new youth bureau created that year and placed them under Sergeant

Henry Jensen, a police officer who had sponsored and directed a Scout Troop for the past ten years. All members of the new bureau enrolled in a special class at the University of Rochester to study anti-social behavior. As further evidence of its concern for the proper approach to social problems, the department named Charles Price as its first Negro policeman the next January. Convinced that the precinct stations were outmoded by the successful development of two-way communication with its patrol cars, the department closed and sold its stations late in 1948, but its failure to drive out all horserooms and to eradicate gambling sparked an inter-departmental hassle that brought its management into the arena of politics.

Sensational developments in the regulation of gambling commenced in February 1948 and prompted several investigations during the next five years. The first issue arose when the proprietor of a small diner in the Third Ward, who had paid a public-works foreman and ward heeler, Charles Avery, an alleged \$2000 for the "protection" of his illegal slot machines, became suspicious and disclosed his action to the police. Avery maintained that he had turned all the payments over to a police captain, who denied any knowledge of the case. When brought to trial, Avery secured an acquittal from a second jury (after the first one failed to reach a decision), and nothing further was heard of the extortion charge.

The trouble did not end there, however, for it was shortly after the trial that Clayton J. Faulkner, spokesman for the policemen who were currently pressing for a wage increase, remarked that a salary boost would produce more effective police action against gambling. Stung by the implication that his officers know of gambling violators without acting, Chief of Police Copenhagen challenged Faulkner to prove his point. The young patrolman, supported by a fellow rookie, Thomas

J. Van Auken, Jr., took up the challenge and soon brought in a number of pinball machines found in operation within the proscribed distances from public schools. Convinced that they meant business, Copehagen transferred the two men to the detective squad where they worked with Inspector T. Herbert Killip in suppressing a lottery racket and conducted a series of 28 raids in five days.

In spite of their diligence, the "blitz cops," as they were called in the press, were often frustrated as the operators of suspected horserooms learned of their raids in advance. Believing that the only effective control was to shut off all wire services to such places, Faulkner appealed to the telephone and telegraph companies for cooperation. Chief Copehagen, indignant at the assumption of his authority, publicly reprimanded his zealous subordinate, while a ministerial committee and other admirers came to the latter's defense. Mounting suspicion of some form of police complicity prompted a grand jury investigation, which failed, however, to produce a bill of action. Disillusioned by the lack of support, Faulkner and Van Auken resigned in December, and much to everybody's surprise Thomas C. Woods, commissioner of safety, followed suit, citing reasons of health.

Public interest quickened when David B. Brady, named to succeed Woods in April 1949, promptly asked for the resignations of Copenhagen and two top assistants. He jumped T. Herbert Killip, a former inspector, to chief of police, and together they renewed the attack on illegal gambling. Killip submitted a list of thirteen horserooms to the telephone company in July, requesting a discontinuation of their service. The "lid was on" and many gamblers reportedly fled the city as the police maintained a vigilant attitude that fall and winter. And when the Commissioner, embarrassed by publicity over some minor repairs made by police officers at his home, resigned in

October 1950, Killip continued the policy of suppression; moreover, Kenneth C. Townson, named commissioner a month later by City Manager Cartwright, backed him up.

Nevertheless, despite persistent efforts, the problem continued and, indeed, took a new turn in 1951 with the growing popularity of bingo. When, in response to widespread pressure, the police moved to close commercial bingo halls in April, Democratic Councilmen Corris and Edenhofer protested against the attention given these establishments while the more nefarious horserooms remained in operation. Several bingo halls, abandoning their admission charges, endeavored to operate by renting chairs; after a minor court decision upheld that dodge, the police tolerated the practice for a time, but pressed their attack on other lotteries. In December they raided and closed the Genesee Distributing Service, which supplied information to horserooms over leased wires. Finally in February 1952, when County Judge Daniel J. O'Mara reversed the permissive decision on chair-rental bingo, Killip and Sheriff Skinner closed all such establishments throughout the county.

Public Safety Commissioner Brady, formerly principal of a technical high school, was keenly interested in upgrading the police department. He went to Washington in September 1949 to attend the graduation ceremonies at the F. B. I.'s National Academy, at which Captain Jensen of Rochester was one of 55 graduates, and he seized the opportunity to confer with J. Edgar Hoover on the feasibility of developing a police academy in Rochester. Commissioner Townson, his successor, had the honor of opening the new academy in June 1951, but Brady prepared the groundwork and took the lead in organizing a bureau for the rehabilitation of alcoholics. With Chief Killip, he pressed a campaign to equip all patrol cars with two-way FM units to maintain direct contact with a new radio tower erected for the police on Cobbs Hill.

Townson, a retired major general with a distinguished war record, brought new efficiency to the public safety department. The police reports encompassed many activities—the arson service, the identification service, the communications service, the accident prevention bureau, the youth bureau, the bureau for the rehabilitation of alcoholics, the police training academy, the policewomen, and several more. An appalling increase in sex crimes throughout the nation had its repercussions in Rochester where the number of police arrests in this field climbed sharply. The Rochester police received special commendation from the F. B. I. for cooperation in an attack on the drug traffic, and won top awards repeatedly from the National Safety Council for exemplary performances in that field. On the retirement of Chief Killip in 1953, Townson appointed as his successor William A. Winfield, head of the detective bureau and an experienced officer who had once attended an F. B. I. school.

In his turn Chief Winfield introduced several reforms. First came an announcement of the establishment of a public relations division charged with the promotion of safety education and other matters. He cooperated with Townson in transforming the police academy into a Fire and Police Academy, which opened in new quarters in October 1954. He increased the number of policewomen and appointed one to the rank of sergeant in 1956. He maintained and perhaps improved the city's reputation for a vigorous prosecution of major crimes. As a result the city in 1955 enjoyed the lowest insurance rates among comparable cities on such matters as safe burglary, robbery, and house burglary. Nevertheless, like most of his predecessors, Winfield failed to satisfy renewed demands for the eradication of gambling.

That difficulty came to light because of a feud between Detective Lieutenant Charles Hogan and Chief Inspector

Albert O. Daniels. In testimony before a State Commission of Investigation, Daniels declared that there were 50 to 80 gambling places in Rochester that the vice squad, headed by Lieutenant Hogan, refused to molest. When Hogan responded with denials and countercharges, Commissioner Townson and Chief Winfield launched an investigation of their own and soon procured resignations from both men. Townson, well beyond the retirement age, passed his job along in August 1960 to James F. Butler, a young lawyer from Rochester who had made his reputation as an F. B. I. agent. Butler and Winfield increased the number of dogs in the city's canine division, first introduced in January 1960, tightened its regulation of commercialized vice, horserooms, and bingo halls, and again reorganized the detective division, abolishing several specialized squads to achieve centralized direction. But a political upheaval soon brought the Butler administration to an end.

Shortly after the Democrats won control of the City Council in November 1961 they replaced Public Safety Commissioner Butler by Donald J. Corbett and Chief Winslow by William M. Lombard. Brought to Rochester from the State Police Bureau of Criminal Investigation, Lombard had a reputation for efficient, some called it "tough," law enforcement, administered without fear or favor. He promptly reassigned 23 detectives to patrol duty, 14 as plainclothesmen and the rest in uniform. He suspended one patrolman found guilty of associating with criminals and stressed the need for discipline and for skill in the use of firearms. He devised a roadblock system designed to seal off all possible exits on the first report of a major crime within the city. He established a violent-crime squad, a technical services division, and added a night detail to the youth squad. And with Deputy Chief Jensen he placed increased emphasis on police training and directed all members of the force to upgrade the performance of their duties by enrolling

for a 40-hour in-training course at the Fire and Police Academy.

Eager to achieve the best possible police service, Chief Lombard, backed by City Manager Porter Homer, invited the International Association of Chiefs of Police to undertake a survey of the department and to recommend possible improvements. While awaiting that report, Lombard responded to a question from Desmond Stone of the *Times-Union* by declaring that "Never was the confidence and support of the public more necessary to the police than at present." Yet the tenor of Stone's eight articles suggested that seldom had such support been more half-hearted and ineffective. The apathy if not hostility was directed not so much at the Rochester force as at policemen in general. It sprang from a popular cynicism concerning police restraints typified by the attitude of the "good citizen" who, with a heavy foot on the gas pedal, keeps a wary eye on the mirror for a traffic cop. It hung like a wet blanket around the shoulders of the police force, smothering the department's efforts to build morale.

It was in the midst of this situation, characteristic of many urban police departments, that a new crisis developed. Rapid changes in the ethnic character of Rochester's population had brought an increase of over 200 per cent in the number of its Negro residents during the 1950's. The desire of these many newcomers for adequate homes, better jobs, and other opportunities created a mounting resentment against the discriminatory restraints that had long confined most Negroes to limited districts in the Third and Seventh wards. Frequent outbreaks of violence had prompted the previous administration to assign two or three men to each patrol in these areas and to dispatch officers accompanied by trained dogs on trouble calls there. Protests against the latter practice gave warning of trouble ahead, but the police were no more prepared than citizens generally to realize that the widespread and deeply moving



social revolution that was buffeting cities as far away as Little Rock and Birmingham could have its impact on Rochester, too.

A series of loosely related incidents shattered the community's apathy. The trouble started when Rufus Fairwell, a 28-year-old Negro, suffered two fractured vertebrae in a struggle with two policemen who attempted to arrest him as he closed the service station at which he was employed on August 23, 1962. Alleging that Fairwell had refused to identify himself and then had resisted arrest, the officers had taken him forcibly to headquarters, where, as Fairwell claimed, he was further beaten and maltreated. Popular indignation mounted when the grand jury cleared both Fairwell and the two policemen of assault charges. A united action committee representing various portions of the Negro community and such mixed groups as the NAACP, the Human Relations Commission, and the Federation of Churches appealed for an investigation by the U. S. Justice Department and raised a Rufus Fairwell fund to finance the case.

While this situation was under review, a second case developed on January 6 when the police, called to investigate the presence of firearms at a Black Muslim gathering, became engaged in a scuffle with several Negroes who refused to permit them to interrupt a religious meeting. The police brought charges of riot and third-degree assault against those who resisted arrest, but Malcolm X, a national leader of the sect, used the incident to advantage in gaining publicity for his cause, which challenged other leaders of the local Negro community. The crisis deepened when, three weeks later, A. C. White, a Negro charged with drunken driving, resisted arrest and suffered a fractured arm among other injuries that took him to the hospital. Amid a rising clamor, Chief Lombard suspended the four policemen involved in the arrest of White, pending further investigation; two weeks later, after reading the report,

Lombard reinstated the men with full pay. That action brought vigorous protests from many directions and drew out hundreds of excited citizens, white and black, for turbulent mass meetings.

It was at this point that a small group, calling itself the Integrated Non-Violence Committee, secured a pledge from City Manager Homer that an impartial committee of citizens would be permitted to review the findings of the White investigation. When a hitch developed because of the absence from the city of Chief Lombard, supporters of the Non-Violence Committee maintained an all day, all night sit-in vigil at police headquarters. The Committee chose five of its members to study the documents made available by the City Manager and to confer with him and other officials directly involved. Although full agreement was not reached on the interpretation of the evidence, City Manager Homer, recognizing the value of enlisting citizen participation in official efforts to assure fair and equal justice, proposed that the matter be referred to a citizens review board which he would undertake to appoint. The Committee, which sought an immediate prosecution of the policemen involved, had its position undermined when A. C. White preferred charges against the three officers, thus deferring further discussion of the facts of the case for court review.

Determined to benefit from the long hours of discussion and the many columns of newsprint devoted to the Fairwell and White cases, Homer and Lombard proceeded to implement the suggested reforms. Chief Lombard selected 40 ranking officers of his force to attend a demonstration course that March at the Police Academy, organized and instructed by the State Commission on Human Rights. In face of a continuing debate, the Democratic majority on the City Council passed an ordinance directing the City Manager to appoint a Police Advisory Board,

similar to the pioneer body of that sort in Philadelphia. And on May 23, Homer released the names of the 9-man board, which promptly elected Joseph A. Gioia, chairman.

Although A. C. White later withdrew his charges, court proceedings continued on the Fairwell and Black Muslim cases. Yet the city's prompt action in creating an Advisory Board brought a welcome relaxation of tension. It demonstrated that once again the police department, despite some misgivings within its ranks, was ready to meet the complex problems of an expanding city and to do so in a democratic fashion by calling on the best talents available within or to the community for specific functions. The multiple tasks of preserving order and administering justice would not be easy, would perhaps become more difficult, but at least the police department had risen to the challenge and was preparing to fulfill its function as a responsible professional force. Whether the city would adequately support that effort, both morally and economically, remained to be seen.