

THE LAST BOY SCOUT: ELIOT NESS' TENURE AS CLEVELAND, OHIO'S PUBLIC SAFETY DIRECTOR

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Abstract

Following the success and subsequent notoriety of Eliot Ness as a Prohibition agent in Chicago, Cleveland Mayor Harold Burton appointed Ness Director of Public Safety in December 1935. During this era, the Cleveland Department of Public Safety, particularly the police division, was considered to be one of the most corrupt in America. Burton, elected on a law-and-order platform, had sworn to rid Cleveland of dishonesty within city government and to stamp out the influence of organized crime. He chose Ness due to the latter's reputation for integrity and innovation. This paper is an examination of Eliot Ness's administration of the Cleveland, Ohio Department of Public Safety with an emphasis on his personal style of management and qualities of leadership.

Introduction

In October of 1931, cartoonist Chester Gould introduced the American public to the square-jawed, fedora-wearing crime fighter, Dick Tracy. Since the Dick Tracy comic strip was launched in the Chicago Tribune, this archetype of the detective-genre has battled villains that have always been easy to associate with crime. According to Gould, "Violence is golden when it used to put down evil" (Cagle, 2001). The methods of Tracy, while draconian and harsh, were effective, at least in newsprint. Yet the character of Tracy was not totally dependent on brawn. A cold logic dictated the detective's moves and Tracy used whatever resources he had available in his ongoing battle against nefarious criminals. From a technological perspective, he was always ahead of his rivals. Tracy, through the benefit of Gould's imagination and pen, employed a portable surveillance camera, a magnetic air car, the atomic light, and the two-way wrist radio (Barrick, 2006).

It was not by chance that Gould created a protagonist who, though faced with hardship and danger, always triumphed. In a 1936 interview, Gould stated, "I have always been disgusted when I read or learn of gangsters and criminals escaping their just dues under the law, and for that reason I invested in Dick Tracy a detective who could either shoot down these public enemies, or put them in jail where they belong" (Barrick, 2006). In the Chicago of Gould's early career, one could easily tire of reading in the press of how criminals not only walked away from their crimes, but did so openly and without fear of reprisal by public officials who were frequently found to be corrupted by the criminals they were expected to apprehend (Bergreen, 1994).

A well-known Chicago Prohibition agent with a reputation for honesty and integrity served as an inspiration for Gould's character. The cartoonist later credited this son of Norwegian immigrants of providing the conceptual template for Dick Tracy. The young man was Eliot Ness (Cagle, 1991). This paper is an examination of the service of Eliot Ness as Cleveland, Ohio's Public Safety Director. This widely over-looked episode in his law enforcement career has been overshadowed by his more well-known earlier service as a Prohibition Agent in Capone-era Chicago. It is my contention that Ness' contributions to professionalizing the Cleveland Police Department and taking steps to reduce corruption among public officials there were more substantive and long-lasting than any long-term effects spent as a federal agent in Illinois. Although Ness' tenure as Public Safety Director did not end well, the steps he took to professionalize policing in Cleveland mirrored national efforts during the 1930s to improve the quality of law enforcement.

EARLY YEARS

Eliot Ness was born on April 19, 1903 to Peter and Emma Ness. The youngest of five children, Ness was considered a "bookish" boy who preferred milder pursuits rather than playing sports with other boys in Kensington, a suburb of Chicago.

Throughout his adolescence, he was noted for his neat appearance and the avoidance of cliques within his school. After graduation from high school, Ness worked briefly at menial factory jobs. However, the repetition of the tasks he performed held little appeal for him. He subsequently enrolled at the University of Chicago (Heimel, 2000). As a college student, Ness excelled at his studies. He was characterized as energetic and single-minded. Team sports held little appeal for Ness. The sport he played in college was tennis, at which he excelled. What he lacked in natural athleticism, he made up for with technique and strategy. He also enjoyed jujitsu for its emphasis on instilling mental discipline (Heimel, 2000). In 1925, Ness graduated in the top-third of his class from the University of Chicago with degrees in business administration and political science (Bergreen, 1994). His first job after graduating was as a credit and insurance investigator. It was during this time he first showed an interest in law enforcement. His brother-in-law, Alexander Jamie, had been appointed chief investigator for the Prohibition Bureau in Chicago. Jamie was also charged with investigating corruption within this agency. Ness routinely spent time with his sister and brother-in-law and quickly became intrigued by the work of federal investigators (Heimel, 2000). This growing interest prompted him to enroll in a criminology course at the University of Chicago taught by August Vollmer (Fisher, 2004; Heimel, 2000).

Vollmer, who was instrumental in professionalizing American policing, promoted the hiring of college-educated personnel. As a college graduate, Ness demonstrated qualities that appealed to the professionalism movement emerging in law enforcement.

As his ideas about the education needed for policing grew more ambitious, Vollmer decided that it was fruitless for the department itself to attempt to provide college-level material that established institutions were better able to teach ... he came to believe that the ideal police officer would be one who had already received academic training before he was recruited and who could be trained in the technical aspects of police work after joining the force (Carte & Carte, 1975, p. 42).

Ness began his federal career in August 1926 when he was hired as a trainee with the U.S. Treasury Department's Chicago office. Ness was soon transferred to the Prohibition Enforcement Unit where he began his career as a Prohibition agent. His initial duties consisted of finding locals who, in violation of the Volstead Act, were operating stills or making home-brew in their residences or places of business. He quickly became adept at ferreting out violators. Yet the work was not without risk. A member of Ness's squad, Frank Basile, a former bootlegger with first-hand knowledge of the process of making and distributing illegal liquor, served as chauffeur for the group. Due to his ability to speak Italian, Basile helped to interpret some of the dialogue the group heard from suspects. On December 11, 1928, Frank Basile's body was discovered in a ditch in Chicago Heights. Upon examination, it was found he had been beaten and shot (Heimel, 2000). This act altered the manner in which Ness and those working with him conducted their duties. In his biography of Al Capone, author Lawrence Bergreen (1994) interviewed a former Capone associate who confirmed the aggressive manner of Ness and other Prohibition agents following the Basile murder:

“One time two truckloads of merchandise were coming in,” recalls Sam Pontarelli, a longtime resident of the Heights and confidant of Al Capone. “Ness and his men stopped the trucks, grabbed the drivers, squeezed their balls, and beat the shit out of them. Hit them with clubs. It looked as though the shipment would not be delivered, but then money changed hands, and the trucks got through.” This behavior convinced the racketeers that Ness “wanted to be a fifty percent partner in the stills and the warehouses” maintained by the organization. “He was on the take,” Pontarelli insists (Bergreen, 1994, p. 347).

Ness had not been corrupted, but used this ploy to insist on meeting Joseph Martino, the boss of bootlegging enterprises in Chicago Heights. Ness was a known Prohibition agent who made no secret of his identity. Meeting with a Prohibition agent who wanted a percentage of an illegal liquor operation was not generally considered unusual, especially in Capone's Chicago. Ness himself doubted the effectiveness of enforcing a policy that went counter to the wishes of so many (Ness & Fraley, 1957). Beyond the difficulty of enforcing the Volstead Act on an unwilling public was the characterization of Prohibition agents. Seen as a tool of federal, state, and local governments, Prohibition Bureau service did not entail passing a civil service examination. Thus, it was routinely filled with political appointees with little or no law enforcement experience (The noble experiment, n.d.). The pay was minimal. In 1920, starting pay for a Prohibition agent was \$1200 annually (The Wickersham Commission Report on Alcohol Prohibition, 1931). Lack of agent training also characterized the bureau. In addition, techniques of agents, such as poisoning industrial alcohol that could be diverted into the hands of bootleggers, met with public disapproval (The noble experiment, n.d.).

From the information gleaned from his meeting with Martino, he obtained warrants for eighteen stills and participated in the raids. This effectively ruined his ability to operate as a corrupt agent (Bergreen, 1994). However, Ness was soon to begin the part of his career that would bring him national attention and to the eventual notice of Mayor Harold Burton of Cleveland, Ohio.

THE UNTOUCHABLES

The success of Alphonse Capone in building a financial empire by flouting federal law forbidding the manufacture and sale of liquor troubled newly-elected President Herbert Hoover. Soon after entering office in 1929, Hoover charged Secretary of the Treasury Andrew Mellon with apprehending Capone. Officials of the Treasury Department decided to approach the Capone problem on two fronts. The first would be an investigation led by criminal investigators of the Internal Revenue Service (IRS) to determine if Capone or his lieutenants could be indicted for federal tax evasion. The second strategy was to use a select group of Prohibition agents to shut down Capone's liquor business through frequent and unsuspected raids on "underground" bars, stills, and breweries. The rationale behind the raids was to reduce Capone's income. Without a steady stream of revenue, Capone's ability to buy political and police protection would be stymied (Heimel, 2000). Alexander Jamie, appointed chief investigator of special intelligence for the Prohibition Bureau in Chicago, recommended his brother-in-law, to assume the leadership of this select squad. Upon examination of Ness's credentials, U.S. Attorney George E. Q. Johnson concurred with Jamie's suggestion.

After reviewing the files of Prohibition agents in Chicago, Ness finally settled on eleven men for the Capone squad that he collectively called the "Untouchables." This sobriquet was meant to emphasize that Ness and his men were incorruptible by criminal elements. Considering the media attention the group received, it was a masterful public relations stroke (Bergreen, 1994). The qualifications for inclusion into the Untouchables were excellent marksmanship, physical strength, courage, and single marital status. Certain individuals selected also brought other talents that Ness utilized. Michael King, a disguise artist, was known for his ability to tail a suspect. Paul W. Robsky was a wiretap specialist. Samuel M. Seager was a former death row guard at Sing Sing Prison with a reputation for knowing how to deal with criminals considered especially dangerous. The danger the group faced was not alleged, but real. Ness was targeted by several assassination attempts during this time, as were his deputies (Heimel, 2000).

The Untouchables did make progress in curtailing Capone's efforts to make and distribute alcohol. In the first four months of operations, the beer alone seized by Ness's men was valued at nearly \$350,000. Through Ness's strategy of using wiretaps, he and his agents were able to determine where liquor and beer deliveries were to be made and intercept trucks carrying the illicit beverages. Soon the Untouchables had confiscated 45 Capone organization trucks. Realizing the vehicles would soon be sold at public auction, Ness devised a public display of antagonizing Capone (Bergreen, 1994; Heimel, 2000).

Ness had all 45 trucks washed and waxed. After ordering them to be driven in a convoy, he arranged for police cars to be interspersed between the vehicles to avoid hijacking. The convoy moved at a slow pace along the route Ness selected to the sales site. The trucks crept along Michigan Avenue and passed by the Lexington Hotel where Capone resided. Just prior to the trucks leaving, Ness called Capone and asked that he look out his hotel room window (Bergreen, 1994). In his biography of Ness, Paul Heimel (2000) described the scene in Capone's hotel room:

Capone appeared at an upstairs window with his bodyguards and flew into a violent rage when he realized what was happening. He allegedly lifted two chairs and smashed them over a table screaming, "I'll kill 'im. I'll kill 'im with my own bare hands." Ness, in his memoirs, called the parade "a brilliant psychological counterstroke" (p. 117)

Alphonse Capone was eventually brought to trial by federal authorities and was convicted, but not by Ness's efforts. It was the result of IRS agents who had developed a prosecutable case of federal tax evasion. Ness was promoted to chief investigator of the Chicago Prohibition Bureau after Capone was indicted with considerable media attention attached to his advancement (Heimel, 2000). As the furor surrounding the Capone case subsided, Ness was left with little to do in Chicago. He applied to the Federal Bureau of Investigation. However, he was refused a position because of salary demands and Ness's considerable ties to the press (Federal Bureau of Investigation, 2007).

OHIO

Ness eventually relocated with the Prohibition Bureau to Cincinnati, Ohio, where he worked to enforce federal liquor laws in the Appalachian region. In August 1934, he was appointed investigator-in-charge of the Alcohol Tax Unit for northern Ohio, where he was described as a “tireless worker, liked and respected by his men, and a stern disciplinarian when laxity by subordinates handicaps his investigations” (Heimel, 2000, p. 145). The efforts by the Alcohol Tax Unit did reap significant results. One Cleveland distilling operation operating on the premises of a paint company, capable of distilling over 2,000 gallons of illegal liquor daily, was destroyed by Ness’s agents. As in Chicago, Ness also encountered corrupt law enforcement officers reaping the illicit rewards of bootleg liquor. A federal officer, working undercover, purchased a case of whisky from a Summit County, Ohio sheriff’s deputy. When arrested, the deputy confessed to his collusion and informed agents about the activities of Sheriff Ray Potts of Summit County. Bootlegging, liquor smuggling, and bribery were common activities of Potts and his men. Potts and his deputies would stop bootleggers coming in to the Akron area from Steubenville, Ohio, and demand payoffs before being allowed to proceed. The Potts case resulted in 33 men being indicted by a grand jury.

Ness’s activities did not go unnoticed. Crime reporters in Cleveland were admirers of the young agent, along with public officials and businessmen whose paths had crossed Ness’s. It was this growing local reputation, along with the widely publicized work he did in Chicago that brought him to the attention of newly elected Mayor Harold Burton (Cleveland elects new mayor, 1935). Harold H. Burton, a Republican lawyer who had built a successful practice in Cleveland, had fought a difficult campaign in which he emerged as a reform candidate. Burton, who would go on to a distinguished career in the U.S. Senate and as an associate Supreme Court justice, had vowed to rid Cleveland of corruption in city government and reduce crime. In order to accomplish this, Burton would have to select a public safety director whose reputation was above suspicion. The public safety director would act as executive officer of the police department and all associated agencies. Ness was not from the Cleveland area. The fact that he was an outsider appealed to Burton, who sought a director who had no ties to the Cleveland political establishment. Burton also took into consideration that Ness turned down bribes and exposed those who did. On December 11, 1935, Burton called Ness to his office for an interview. After an hour-long meeting, Ness agreed to accept the position (Heimel, 2000). “He chose Eliot Ness as his safety director, and together, with the help of the Cleveland Press, they streamlined the city for swift, smooth law enforcement” (Burton, 1945).

PUBLIC SAFETY DIRECTOR HOUSECLEANING

Ness had inherited a police department that was rife with corruption. In a 1936 speech before the Cleveland Advertising Club, Ness stated:

In any city where corruption continues, it follows that some officials are playing ball with the underworld ... The dishonest public servant hiding behind a badge or political office is more detestable than any street criminal or mob boss. If town officials are committed to a program of protection of the lawmakers, police work becomes exceedingly difficult, and the officer on the beat, being discouraged from his duty, decides it is best to see as little crime as possible (Heimel, 2000, p. 158).

During his first week, Ness dismissed two officers for drinking on the job and being absent from duty.

After being asked to reconsider his position, Ness said:

I’m not going to stand for this sort of thing in my department. It’s this simple. Either we have a decent, law-abiding community, or we don’t. Either we have decent, law-abiding policemen to show us the way, or we don’t. These men have a past record of prior offenses. They don’t fit (Bardsley, n.d.).

In order to break up cells of corruption within police districts, Ness transferred 122 officers. He then demoted officers who were considered corrupt and began promoting those whose reputations were held to be above reproach. Ness also reorganized the detective bureau which in the past had been filled with political favorites. The new public safety director was beginning to insist on personnel in positions who demonstrated both competency and integrity (Bardsley, n.d.). In late December 1935, Ness began meeting with police captains individually. He warned them they would be held personally accountable for any misconduct by officers under their command. Serious infractions would result in suspensions for both officers involved and their captains (Heimel, 2000). Drawing upon his Chicago experience, Ness selected a small group of younger officers with college education to serve as a special investigative unit. This unit, known as the “Secret Six,” operated in relative secrecy. The only city government officials who knew of their existence were Ness and Mayor Burton.

Ness had asked Burton for financial support for these officers. Burton arranged for a special fund financially backed by local businessmen. As the Secret Six continued to operate, Ness identified other young officers he asked to serve in similar capacities. Ness expected dishonest officers not to cooperate. However, he was frustrated by the unwillingness of honest policemen to inform on their comrades. By finding young officers who had not been corrupted or inculcated into a police subculture that promoted a misguided sense of loyalty to fellow officers, Ness was able to develop a sound investigative unit (Bardsley, n.d.) Ness tried to keep his promise to rid the police department of corruption at all levels. Captain Louis J. Cadek was found to have underworld connections that had proven to be financially lucrative. Cadek, a Cleveland police veteran of 31 years service, was found to have been involved with bribery and criminal conspiracy for at least 15 years prior to Ness's investigation of him. A telling piece of circumstantial evidence emerged when an examination of Cadek's bank records revealed the sum in his savings account was \$150,000. Cadek's annual salary at the time was \$3,500. The captain had also received two Cadillacs from local businessmen with known underworld connections. In return for immunity, operators of local gambling houses and bars testified that, during Prohibition, Cadek had extorted money from them in return for police protection. Cadek was convicted but was able to successfully obtain a reduced sentence by informing on other officers (Heimel, 2000).

PERSONNEL SELECTION

The meticulous selection and training of personnel was a hallmark of the movement to professionalize American police (Carte & Carte, 1975; Douthit, 1975; Walker, 1998). As a former student of August Vollmer at the University of Chicago, Ness was aware of the necessity of careful hiring practices and a progressive training curriculum. As public safety director, Ness had considerable power. However, the widespread firing of officers he considered incompetent was not practical. In order to train police officers in current police practices, Ness instituted the first Cleveland Police Academy that other departments soon emulated. He also upgraded the requirements for civil service examinations. For those candidates who passed the civil service examination, a series of oral boards was required. During this stage the candidate was assessed on appearance, ability to communicate, and attitude. What had particularly surprised Ness was to find no officer on the Cleveland police department had been subject to a background investigation. He soon implemented a thorough screening process, including fingerprinting, that each applicant would have to successfully negotiate (Bardsley, n.d.).

ON THE STREET

Ness had made it plain to Burton that he could not adequately manage public safety affairs unless he could routinely observe his officers on the beat. Thus Ness started a practice of riding along with officers and participating in arrests. This began the first night Ness assumed his new duties. During dinner with his wife and another couple, Ness was informed that officers were responding to a burglary near the restaurant. Apologizing to those at the table, he went directly to the scene. Although the two perpetrators had escaped, Ness decided to accept an offer to ride in a patrol car through a high-crime district openly populated with prostitutes and other forms of vice. When he asked why these officers did not investigate, he was informed of the precinct policy of not making arrests in vice cases without the express approval of their captain (Heimel, 2000). In the 1930s, law enforcement in Cuyahoga County was particularly fractionalized. Cleveland police had jurisdiction in the city of Cleveland. However, in the suburbs the Cuyahoga County Sheriff's office provided police services. Under the tenure of Sheriff John Sulzmann, who campaigned using the nickname "Honest John," gambling and vice crime flourished. The largest gambling establishment between New York and Chicago, The Harvard Club, operated openly with no interference from city law enforcement.

In 1934, Cuyahoga County prosecutor Thomas Cullitan amassed enough evidence to convict owners of the club, only to have the trial judge give them a sentence of fifteen days. Sheriff Sulzmann, apparently mindful of the needs of his new jail inmates, refurbished the cells for their brief stay with as many amenities as possible. Cullitan, tired of working with local law enforcement, decided to raid the two largest gambling clubs, The Harvard Club and The Thomas Club. On January 10, 1936, he and a group of private detectives he had arranged to be sworn in as special constables began their raids. The detectives were split into two groups: one, led by Cullitan; and one to raid The Harvard Club. The Thomas Club raid was quickly successful and after the participants had been taken into custody Cullitan joined the others outside The Harvard Club. The assault on The Harvard Club was not going according to plan. After initially announcing to the doorkeeper of their intentions to enter the club and of their warrants to arrest the operators, they were refused entry. Chief Constable McGrath, who Cullitan had charged with leading The Harvard Club operation, decided to wait for assistance from Cullitan. There were approximately 1,000 people inside the establishment and McGrath wanted to avoid bloodshed.

After being briefed on the situation by McGrath, Cullitan requested support from the Cleveland police. He was not refused outright, but was told he would have to wait until jurisdictional issues could be resolved. The Cuyahoga County Sheriff refused to assist. Cullitan then contacted Eliot Ness. After getting approval from Mayor Burton, Ness went to the central police station as men were coming off duty and requested assistance. He informed the men they would be working as private citizens, as they had no jurisdictional authority. Twenty-nine officers volunteered for this duty. Upon arrival at The Harvard Club, Ness went to the front door and announced he and his men were entering with arrest warrants. Although no shots were fired, fighting did break out. Ness was forced to tackle one of the operators who attempted to flee the scene. After the suspects were apprehended, Ness noticed a limousine service advertisement that gave the routes and times for pickup to The Harvard Club. One of those stops was Cleveland city hall (Bardsley, n.d.).

THE MEDIA

One of Eliot Ness's strengths as an administrator was his working relationship with the local media. During his time with the northern Ohio Alcohol Tax Unit, he routinely met with crime reporters for drinks and conversation. Their impressions of Ness were favorable and these impressions found their way into the reporter's columns. Ness was always willing to grant interviews, and reporters were frequently invited to ride with him and his officers when raiding gambling clubs and illegal liquor operations. Before leaving for the raid on The Harvard Club, Ness called local reporters to inform them of the raid. They were on hand to witness Ness and Cullitan shaking hands and congratulating each other (Bardsley, n.d.). It was Clayton Fritchey, a columnist with the Cleveland Press, who initially informed Ness about the activities of Captain Louis Cadek. Mayor Burton, who supported Ness's desire to spend time on the street, recognized the importance of positive media coverage of local policing, especially at budget time. Ness, who has been described as soft-spoken, reaped the rewards of this media attention. However, as the recognizable head of public safety in Cleveland, positive attention directed towards him also benefited the general image of Cleveland city government.

OPERATIONS

Ness streamlined police operations by reducing the number of police precincts. Upon entering office, Ness found that the 19 police precincts were largely fragmented and often worked independently of each other. Operational and jurisdictional disputes were frequent. Ness reorganized the department into six police districts. He took officers off beat patrol and assigned them to squad cars. Squad cars at the time were equipped with one-way radios where officers could receive communications, but could not transmit. Ness arranged for cars to be equipped with two-way radios to improve communications from the field to the station. Traffic control was improved as well. During the Great Lakes Exposition of 1936, Ness equipped police cars with public address systems in order to direct traffic. This was touted as the "Voice of Safety." Traffic officers were instructed to interact with motorists and pedestrians in a calm, non-threatening manner. Emergency response vehicles were painted red, white, and blue to be easily identified, and police cars were painted white to distinguish them from the darker colors of automobiles popular during that time. These efforts helped the city of Cleveland earn the 1939 Safest City Award given by the National Safety Council. Prior to Ness's arrival in Cleveland, the city had one of the nation's worst safety records (Cleveland Police Historical Society, 2005; Heimel, 2000).

THE TORSO MURDERS

The majority of works written about Ness's tenure as public safety director address his involvement in the still-unsolved string of murders that occurred in Cleveland from 1935 to 1938. The "Butcher of Kingsbury Run" or the "Torso Murderer" claimed 13 victims who came from working-class backgrounds. The *modus operandi* included beheading and mutilation. The majority of male victims were castrated and some of the bodies were chemically treated. It was also noted the dismemberment of the bodies was made with surgical precision. Although Ness and the police department investigated the crime according to the police standards of the day, the term "serial killer" had not emerged as a descriptor of the type of crime they were confronting. Criminal profiling was in its infancy and depended more on "hunches" than a considered, psychological assessment of the perpetrator. As the investigation grew, the chief investigator for the Torso Murders case, Peter Merylo, began dressing as a vagrant and frequenting train yards and shelters for transients hoping to attract the attention of the killer. This tactic proved fruitless (Nickel, 1989). In the face of public pressure and negative media coverage, Ness organized a raid on a section of Cleveland known as "Shantytown." Populated with people considered to be on the fringes of society, Shantytown was a likely spot for the killer to select victims. In an interview to the Cleveland Plain Dealer, Ness stated, "This man seems to specialize in the sort of people nobody is likely to miss" (Heimel, 2000, p. 196).

At 1:00AM on August 19, 1938, he led police into Shantytown and took approximately 60 people into custody. The place was then torched by local firemen. Ness's rationale for this was to reduce the opportunity the killer had to choose his victims. Yet this tactic was met with unfavorable coverage by the local media with which Ness had enjoyed a trouble-free relationship thus far in his career as public safety director:

Press reactions ran a gamut from neutral to hostile. Through Ness maintained it was his concern for the welfare of Kingsbury Run's transients that motivated his actions, the Press chastised him. "But the Commercial Hill dwellers are not thanking Mr. Ness for his concern about their remaining unidentified if their heads should be chopped off," the paper insisted on August 18. "Nor do they thank him for burning down the village" (Badal, 2001, p. 148).

There were suspects in the Torso case that emerged, some stronger than others. Ness was convinced that a local physician, Dr. Francis X. Sweeney, was the culprit. However, no evidence could be directly linked between Sweeney and the crimes (Nickel, 1989). For the remainder of Ness's service as public safety director, the relationship between him and the media soured. His early tenure in Cleveland was the last recognizable success he would have in his professional life. In the documentary The Fourteenth Victim – Eliot Ness and the Torso Murders, the inability of Ness to capture the killer was shown to have clouded his reputation and hastened the end of his law enforcement service in Cleveland (Stone, 2006).

TWILIGHT

On March 5, 1942, Eliot Ness and his wife joined friends at the Hollenden Hotel in downtown Cleveland for an evening that included drinking and dancing. At approximately 4:30AM, Ness and his wife left the hotel to head home. The roads were icy and, as Ness turned a curve, his car slid sideways into the path of an oncoming vehicle. Ness reported that after he had checked on his wife who had been slightly injured, he then looked to the other driver, Robert Sims. After determining Sims was capable of driving, Ness suggested he follow them to a local hospital. Sims denied Ness's account of the story, and told police who interviewed him in the hospital that the driver of the other car failed to identify himself. However, he was able to get Ness's license plate. The next day, two police officers arrived at Ness's home to investigate. He confirmed he had been in an accident, but asked the officers to downplay his involvement. Not knowing how to respond to such a request, they contacted their Captain. This further added to Ness's misfortune, as their Captain was under a departmental investigation ordered by Ness. The Captain quickly informed the press of the accident.

The press stories regarding the incident implied Ness had been responsible for a hit-and-run accident and had also been intoxicated. Three days after the accident, Ness held a press conference where he acknowledged he had been drinking, but he also stated alcohol did not contribute to the mishap. He also admitted asking the officers to downplay his involvement because of his desire to avoid negative publicity. "I have never regretted anything more in my life. It was a very unfortunate thing all the way through" (Heimel, 2000, p. 231). Ness's political patron Harold Burton was no longer mayor. Burton left office in 1940 to run a successful campaign for the U.S. Senate. During the afternoon of April 29, 1942, Mayor Frank Lausche met with Ness. No transcript exists of their meeting. The following morning Ness tendered his resignation as public safety director.

CONCLUSION

Ness's contributions to the city of Cleveland were notable. The reputation of the police department and city government improved because of his efforts to reduce corruption. Traffic safety improved dramatically, as did efficiency in police operations. His policies to improve personnel selection and training, influenced by a national effort to professionalize policing, led to a police department staffed with more competent officers. His service, though, was not without problems. The substantial attention he and the Cleveland Police Department received by their apparent inability to apprehend the Torso Murderer overshadowed the positive changes Ness instituted early in his service as public safety director. His involvement in the Sims accident could only be described as a major mistake in judgment. Yet the influence of any person should be addressed in its entirety. Ness, through his early professional examples, set a standard for Cleveland police that had not been seen until he took the oath of office.

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