

## Preserving Law and Order

BY CYNTHIA SAUER

Historical case files in Westchester County tell stories from both sides of the criminal justice system: those who enforced the law, and those who broke it.

As fans of the popular “Law and Order” TV shows can attest, there are two parts to the criminal justice system: “the detectives who investigate the crimes, and the district attorneys who prosecute them.” The case files of the Westchester County District Attorney’s office held by the Westchester County Archives not only tell the stories of the police and district attorneys who worked in the county, but also of the criminals themselves—often in their own words.

These case files—almost 1,000 cubic feet of them—date from the late 1890s to the early 1970s. Processing the first 200 cubic feet (cases through the mid-1920s) has been completed, including cataloging each case into a database accessible by archives staff. The database provides several points of access: defendant name, town in which the crime was committed, year of the case, offense committed, and a keyword-searchable comments field. Over 8,600 cases have been catalogued to date.

Included in the case files are a wide variety of documents, such as grand jury minutes (which are closed to researchers), indictments, detectives’ surveillance reports, notes by the arresting officer, files about defendants’ past arrests, and information about which prison or correctional facility the defendant was sent to, often Sing Sing. Sometimes “Bertillon cards” for defendants are included, an early method of criminal identification before the advent of fingerprinting. The system, designed by Frenchman Alphonse Bertillon, recorded fourteen measure-

ments of the body (such as head width and length, and foot and finger lengths), along with hair and eye color and descriptive details of the forehead, nose, and ears. Important for researchers is the inclusion of a side and front photograph of the individual on each card.

The case files can also hold trial notes by the district attorney or an assistant DA, in which arguments were compiled for the case; short biographies of defendants; trial exhibits, including crime scene photographs; court transcripts; and correspondence between the district attorney’s office and counsel for the defendant, judges, the defendant’s family, and the victims.

Some files also include defendants’ personal items, perhaps collected during the investigation or used as evidence during the trial, such as birth or marriage certificates, naturalization papers, photographs, notebooks, and personal letters. Sometimes the files don’t end with the conviction of the defendant; often they contain letters that describe prison conditions or the hardships that imprison-



WESTCHESTER COUNTY ARCHIVES

This crime scene photo is “People’s Exhibit #5” in the 1919 burglary-turned-murder of Elizabeth Niznick, a Yonkers midwife.

**Police Society of Westchester County BUREAU OF IDENTIFICATION**

Name *Thos Allison* Aliases \_\_\_\_\_ Color *W*

Crime *Burg 3* Date of Arrest *2/7/16 Rec'd Co Jail*

Previous Rec. \_\_\_\_\_

**BERTILLON MEASUREMENTS**

Height <i>5-7 1/2</i>	Head Length <i>8-7</i>	L. Foot <i>2-6 1/2</i>	Class <i>M. Olive</i>	Age <i>22</i> Born In _____
Eng. Height <i>5-7 5/8</i>	Head Width <i>5-6</i>	L. Mid. F. <i>1-1 1/8</i>	Periph. Z. _____	Apparent Age _____
Stretch <i>12-0</i>	Cheek Width <i>13-6</i>	L. Litt. F. <i>7-3</i>	Color of left Eye _____	Nativity <i>N.Y. City</i>
Trunk _____	R. Ear <i>6-2</i>	L. Fore A. <i>4-7-9</i>	Pecul. _____	Occupation <i>Cook</i>

Remarks Incident to Measurement \_\_\_\_\_

Left: When Thomas Allison was arrested in 1916, not only were his fingerprints taken, but measurements of his head, cheeks, and ears were also recorded.

Below: In his note to the district attorney, the county sheriff writes that prisoner Allison is "not insane," but has an "indented skull."



**DESCRIPTIVE**

Incl. <i>Rest</i>	Profile <i>Concave</i>	Ridge <i>Low</i>	R. Ear <i>Closed</i>	Beard _____
Height <i>5-7 1/2</i>	Base <i>W</i>	Root <i>M</i>	R. Eye <i>Slp. Ash</i>	Hair <i>Black + Cur</i>
Width <i>12</i>	Length _____	Projection _____	Teeth <i>Reg</i>	Complexion <i>Br</i>
Pecul. _____	Pecul. _____	Chin <i>Der</i>	Build <i>M.</i>	Weight <i>152</i>

Measured at Police Headquarters \_\_\_\_\_ Date \_\_\_\_\_ 10

Prisoner's Signature \_\_\_\_\_

Remarks \_\_\_\_\_

Right index finger to be impressed IMMEDIATELY after Signature is written

WESTCHESTER COUNTY ARCHIVES

ment cause to the family, or that ask for leniency or commutation of the sentence. In one such petition, a young man (not yet twenty-one) in jail for perjury describes how his trouble was "the result of having fallen into bad company" after moving to New York City: "In the circle in which I drifted one had to be a sport and money was necessary." He was "...young and inexperienced. My weakness and my bravado, the false ideas of what constitutes a real man, were played upon by a hardened criminal...I have learned a bitter lesson. I want an opportunity to live down my disgrace. I want to make amends to my parents, to Society, and I throw myself upon your mercy to give me that opportunity."

Similarly, the mother of a boy accused of unlawful entry

hand-wrote a note to the district attorney asking for parole for her son, noting that it was his first offense and "he never was out nights and has always went to Sunday School and to Church and has never Drunked or run around with bad Boys." In response, the district attorney reassured her that he tended not to look harshly upon such cases.

Sometimes the letters go beyond the scope of the cases themselves and reflect the times in which they were written. A 1919 appeal for clemency for a drunk driver who killed two pedestrians not only notes how the accident haunted the driver (it turned his hair gray), but adds that the appeal, signed by many of the driver's former neighbors, could have included "many, many more signatures...but I excluded a certain lot of men

which I thought best owing to nationality. I did not want anyone on the petition who is not a 100% American." A 1910 letter complaining about the activities of a teacher charged with neglecting her duties states that the "trouble first Come by the Italian boys Stealing pencils from my Children And when my boy took them from them there was a row the Italian then threatened to stab my boy and my Girl."

The attitude of county residents toward Westchester's large Italian population is reflected in many of the case files. The Italian "Black Hand" is mentioned in several of them, and some files include the original extortion letters.

JOHN H. HILL *284* Warden  
**Westchester County Jail**  
 ULRICH WIESENDANGER, Sheriff  
 VISITING DAY  
 Every Wednesday afternoon from 1:30 to 3:00 o'clock. Children Not Admitted  
 GIORNO DI VISITA  
 Ogni Sabato dalle ore 1:30 pm. alle 3:00 pm. non e permesso entrare ragazzi  
 From \_\_\_\_\_ Deteruto \_\_\_\_\_  
 Tier No. \_\_\_\_\_ Call No. \_\_\_\_\_ Piana No. \_\_\_\_\_ Cella No. \_\_\_\_\_  
 White Plains, N. Y., Feb. 25, 1916

*Am. Jud. E. Wells*  
*Dist. Attorney*  
*County of Westchester N.Y.*

*Dear Sir:*  
*On Feb. 25<sup>th</sup>, I received Hon. Joseph Allison, and Mr. John Rappaport, N.Y. Representative, said for County, and they said that their conviction has repaired their insanity, and that expatriation was made to prove or disprove this condition.*  
*This boy is not insane, but he has an "indented skull" following a bad compound fracture received by him in 1912. This skull depression is on right side, and is in ridge about 2" x 7/8" oval in shape and full 1/2" or one-half inch in depth. This depression is more than sufficient to account for his*

It also appears that Italians made up a large proportion of the Westchester County Jail's population, since visiting hours were printed on jail letterhead in both English and Italian at one point in 1916.

These case files not only provide information about individual defendants and crimes. They also offer a perspective on the criminal justice system in the early twentieth century, insights into societal conditions of the time, and the impact of historical events on Westchester County and New York State. ■

WESTCHESTER COUNTY ARCHIVES