

HOUSE No. 103

The Commonwealth of Massachusetts

CITY OF BOSTON, POLICE DEPARTMENT,
OFFICE OF THE COMMISSIONER, December 6, 1927.

To the General Court of the Commonwealth of Massachusetts.

In compliance with section 33 of chapter 30 of the General Laws, as amended by section 43 of chapter 363 of the Acts of 1923, I have the honor to submit herewith such parts of the annual report of the police Commissioner for the City of Boston for 1927 (Pub. Doc. No. 49) as contain recommendations for legislative action, with accompanying bills.

Yours respectfully,

HERBERT A. WILSON;
Police Commissioner for the City of Boston.

RECOMMENDATIONS.

1. DISORDERLY CONDUCT.

Well-known pickpockets apprehended while acting in a suspicious manner when brought into court take advantage of the construction given by some courts to the present vagabond law (section 68 of chapter 272 of the General Laws), and because of the failure of the prosecuting officer to prove a certain preliminary requisite interpolated into the law, are released to mingle again in crowds with larcenous intent. According to section 68, a person known to be a pickpocket, thief or burglar, if acting in a suspicious manner around any steamboat landing, railroad depot, place of amusement, etc., shall be deemed to be a vagabond. The police after arresting a pickpocket under such circumstances, in the central court of this city must prove that he is a well-known thief, that he was acting suspiciously and that he has a *recent* conviction for the offence. In courts where this preliminary requisite of requiring proof of a recent conviction has not been interpolated into the law, summary justice can be dealt to this type of miscreant. This serious loophole in the law, however, can be remedied by the enactment of legislation based on the law now in the penal code of the State of New York, known as the "jostling law." Unfortunately, however, the provision of the New York law which gives *final* jurisdiction to the lower court magistrate cannot be enacted into the laws of the Commonwealth, inasmuch as such a provision of law would violate the provisions of the State Constitution.

2. EXTORTION.

Blackmailing innocent and wealthy individuals should be summarily dealt with when the blackmailers are apprehended. Unfortunately, chapter 265, section 25, of the General Laws, relating to this type of crime, punishes the perpetrator when he threatens injury to the person or prop-

erty of another, but there is no remedy when an attempt is made to terrorize by means of a threat of death or injury to a child or other relative of the person to whom the communication is addressed. Common sense demands that this condition should not exist, and I am proposing legislation to take care of this omission.

3. AUTOMOBILES LEASED UPON A MILEAGE BASIS.

Statutory enactment defining the duties of owners of garages in keeping proper records of cars entering and leaving the premises was recently passed, and while proprietors of the new industry of leasing cars to be driven personally by the lessee are not unfriendly to the police, and would not deliberately conceal important information which should be reported, yet inasmuch as there is no legal obligation upon them to record the names or license numbers of operators of cars leased by them, from experience, investigating officers have been unable to obtain important evidence because of this failure to keep proper records where clues have been obtained that one of these cars was involved in serious crime. Legislation to remedy this defect I am proposing, realizing the necessary growth which this particular line of industry is bound to have.

4. POLICE OFFICERS KILLED IN THE PERFORMANCE OF THEIR DUTY.

During my incumbency in office since 1922, a number of police officers of this department have been killed in the performance of duty. To pay to the dependents of police officers the sum of \$2,000 yearly until either the remarriage of the widow or the attainment of majority of the children would not place an undue burden upon a city or town. In all decency, monetary considerations should not be regarded, as this annuity should be paid as a testimonial of the citizens of a city or town to the heroic action of the dead officer. Public or private subscriptions for the benefit of families of slain police officers are unnecessary and often ill timed. Employees of private corporations, under the

workman compensation law, are protected by indemnity insurance paid for by employers. It is self-evident that a city or town should have some equitable form of insurance for dependent families of slain police officers, especially in cases where the slain officer leaves a large family.