

# **University Columbia and Its Ties to Policing in the 1920s**

Charlie Heus

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## **Columbia University and Harlem:**

In 1896, Columbia University moved from its Midtown campus to its current campus location in Morningside Heights, but Columbia was not the only one relocating to Upper Manhattan at the time. At the start of the twentieth century, in what has come to be known as the Great Migration, Black people fled the American South in search of a better life in northern cities. A significant number of these Black people settled in Harlem, New York City. While Black people moved out of the South in search of prosperity and relief from racist discrimination and oppression, their arrival in Harlem was not completely welcomed by White people already living in the area. Prior to the mass arrival of Black people in New York City, and Harlem specifically, the Black presence in the city was so small that it did not cause concern from White residents. However, as a result of the significant expansion of the Black community in Harlem, for the first time, longtime White residents “articulated residential segregation as a desired goal.”<sup>1</sup> During the first decade of the twentieth century, Black people were banned from White churches, theaters, restaurants, saloons, and hotels across the city. The YMCA created its first Black branch in Central Harlem, and denied Black members access to all other White-only branches.<sup>2</sup>

In keeping with the views of White residents in the area, Columbia University, led by President Nicholas Murray Butler, saw the growth of the Black community in Harlem as a direct threat to the University’s Morningside Heights campus. In 1926, Columbia faculty member Joseph McGoldrick, at the request of President Butler, conducted a study that detailed the growth of the neighboring Black community, wrote a detailed report titled “The Negro in New York

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<sup>1</sup> Brown, Adrienne R., Valerie Smith, and Kim Lane Scheppele. *Race and Real Estate*. Oxford University Press, 2016, page 8.

<sup>2</sup> Osofsky, Gilbert. *Race Riot, 1900: A Study Ethnic Violence*. Journal of Negro Education, 1963, page 16.

City,” and constructed a map to accompany the report<sup>3</sup>. In the report, McGoldrick writes that, at the time, there were about 200,000 Black people living in Manhattan, with nearly 100,000 living in Harlem. According to McGoldrick, such statistics made Harlem “the richest and largest Negro city in the western world.”<sup>4</sup>

Confirming the fears of President Butler, the report warned that while the large majority of the Black community in Harlem was located north of 125<sup>th</sup> street and south of 149<sup>th</sup> street, their settlement was starting to grow south along Morningside Park all the way to the northern end of Central Park at 110<sup>th</sup> street, pointing “to the probable absorption of this whole area.”<sup>5</sup> Between 1920 and 1930, the percentage of Black people living in Morningside Heights, just on the other side of Morningside Park from Columbia’s campus, increased by an astonishing 224.6 percent. Between 1930 and 1940, the Black population in Harlem continued to grow, increasing by 149.6 percent. In both of these decades, the percentage of native and immigrant White people decreased in the neighborhood.<sup>5</sup> While McGoldrick’s suggestion of “absorption” by the Black community is strongly worded, his prediction that the percentage of Black people living in the area would dramatically increase in the years following his report was extremely accurate. In 1920, Black people accounted for just 2.5 percent of the South Harlem neighborhood. By 1940, this figure had jumped to 23.2 percent.<sup>6</sup>

In the letter to Butler accompanying the report, McGoldrick recounted the findings from the study and used the observed growth of the Harlem Black community to justify the expansion of University properties in the neighborhood. It appears that Columbia’s intention was to

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<sup>3</sup> John J. Coss letter to President Butler, memo on “The Negro in New York City,” and map of Harlem. Collection of Columbia University Rare Books and Manuscripts Library. November 30, 1926.

<sup>4</sup> The Negro in New York City.

<sup>5</sup> Demographic Charts on Race in Harlem. Collection of Columbia University Rare Books and Manuscripts Library, August 1947.

<sup>6</sup> Demographic Charts on Race in Harlem.

construct a buffer between the Black community in Harlem and the University through ownership of surrounding real estate. The report reads, “It may be worth our while to consider whether the possibility of still further spread is an increasing reason why we should control all of the property opposite the University holdings on 116<sup>th</sup> street and on Amsterdam Avenue.”<sup>7</sup>

In addition to the desire to further segregate Harlem through real estate expansion, it is important to note that the othering of the Black community in Harlem was also evident in the discriminatory admissions practices of the University at the time. It was not until long after the other Ivy League universities that Columbia finally admitted its first Black student in 1906. In the decades that followed, there were never more than a handful of Black students attending Columbia at one time.<sup>8</sup> Taken together, it is evident that the intention of the University was to isolate the Black community in Harlem from the White Columbia community, further segregate Upper Manhattan, and to ultimately keep Black people at a distance.

### **President Butler and Police Commissioner Enright:**

President Butler and Police Commissioner Richard Enright, who served as the Police Commissioner from 1918 through 1925, were close associates. The two men exchanged letters frequently throughout their lives. I was able to study the collection of their letters located at the Columbia University Rare Books and Manuscripts Library. In the collection, there are 15 letters that touch on a variety of topics.

In a letter dated January 19, 1919, Commissioner Enright invited President Butler to attend the Police Lieutenants Association annual dinner. In the letter, Enright asks Butler to give

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<sup>7</sup> The Negro in New York City.

<sup>8</sup> Greenough, Trey. Gilded Pawns and the Guise of Diversity: 20<sup>th</sup> Century Admissions Practices and the Function of Early Black Students at Columbia College. Columbia University and Slavery Seminar, 2021, page 2.

a speech at the event, but first highlights the prominence of previous speakers who included “the President of the United States, the Governors of the State, [and] the Mayors of the City.”<sup>9</sup> By framing the invitation in this way, Enright flatters Butler and asks him for a favor at the same time. In his reply, Butler expressed his gratitude and accepted the offer to speak at the event, but in the end he was unable to attend due to illness. In another letter in November of 1919, Enright wrote, “Permit me to acknowledge receipt of your favor of recent date, in response to my communication, offering to serve as a member of the committee supervising the project of raising the Endowment Fund of \$5,000,000 for a Police Hospital. It is a source of great satisfaction to me to receive your acceptance, as this enterprise needs not only the financial but the moral support of the citizens of this city.”<sup>10</sup> It is unclear whether or not Butler donated to the Endowment Fund mentioned in the letter, but it is clear that Butler offered himself to supervise the procurement of these funds. By volunteering to take on this position, Butler is offering his full “support” to the Police Department headed by Commissioner Enright. Evidently, during the time that Enright was the Commissioner of the Police Department, he and Butler were two prominent political figures in New York City who relied on each other for favors.

The two men formed a powerful partnership that, while mostly professional, also entered the territory of friendship. However, Butler and Enright reached a strong point of disagreement when Enright decided to close the La Salle Street police station, on West 135<sup>th</sup> Street, in December of 1921. Amidst Columbia’s growing fear of the neighboring Black community in Harlem, Butler was extremely concerned for the security and safety of the University and its

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<sup>9</sup> Letter 1 in Collection of Letters Between Nicholas Butler and Richard Enright. Collection of Columbia University Rare Books and Manuscripts Library, 19 January 1919.

<sup>10</sup> Letter 2 in Collection of Letters Between Nicholas Butler and Richard Enright. Collection of Columbia University Rare Books and Manuscripts Library, 28 November 1919.

students. Like Butler, the rest of the predominately White south west portion of Harlem, today known as Morningside Heights, reacted in outrage. Merchants and business owners in the area formally protested the decision of the police Commissioner and demanded that the station be reopened immediately. The group of protesters were led by the Harlem Board of Commerce, a group of White-owned institutions and businesses that were dedicated to the economic advancement of the neighborhood.<sup>11</sup> Columbia University, being a central member in the organization, was heavily involved in the facilitation of the protests and the direct communication with Commissioner Enright.

In the following months that the station remained closed, these merchants and business owners reported increases in burglaries and hold-ups at their stores, which they cited as justification for the necessity of reopening the station. Despite the White communities' ceaseless protests, it was not until Columbia dental student Samuel Hadas was murdered that the closure of the La Salle street station emerged as an issue significant enough to warrant the attention of the media and the police commissioner.<sup>12</sup> The murder took place when three men entered the drug store on the ground floor of the Whittier Hall Dormitory with the intention of robbing the establishment. When the robbers revealed their revolvers, William Carroll, the other clerk working alongside Hadas at the register, grabbed the wrist of one of the men as he raised his gun. Hadas then darted out from behind the counter to confront one of the other men, and was shot through the chest and killed instantly. Students from the Whittier Hall Dormitory swarmed into the street outside the drug store before the police arrived, making the murder an extremely public

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<sup>11</sup> "La Salle Street Station Protest Withdrawn." The New York Herald, 15 March 1922. Accessed via the Library of Congress, page 26.

<sup>12</sup> "La Salle Street Station Protest Withdrawn," page 26.

incident.<sup>13</sup> From this point forward, the protesters centered their appeals for the reopening of the La Salle Street police station around the murder of Samuel Hadas.

In order to investigate the legitimacy of the protesters' claims that the neighborhood was unsafe without the presence and protection of the La Salle street station, *The New York Tribune* interviewed merchants, shop keepers, and small business owners in the area. It was learned that 2,300 letters of protest had been sent to police Commissioner Enright since the Precinct had closed.<sup>14</sup> An additional 200 letters were sent to Commissioner Enright directly from President Butler (I, unfortunately, was unable to find this collection of letters, which offers an important opportunity for further research and inquiry). In order to better understand Columbia's feelings about safety in the area since the close of the police station, *The New York Tribune* interviewed Dr. C. J. MacFarland, controller of buildings and grounds at Columbia University. MacFarland was asked if he thought Columbia students were being provided with sufficient protection by the police, to which he stated, "The Police Department has given me protection when asked for, and in a very adequate way."<sup>15</sup> The interviewer then mentioned reports from several weeks prior which claimed that a robber had been apprehended while climbing the fire escape of a dormitory. Dr. MacFarland denied this report, which the reporter interpreted as "an effort to discourage the dissemination of reports that might hurt the college."<sup>16</sup>

Following the murder of Samuel Hadas, the Harlem Board of Commerce and the merchants involved in the ongoing protests scheduled a meeting to speak directly with Commissioner Enright. During the meeting, Enright explained to the protesters that the closure

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<sup>13</sup> "La Salle Street Station Protest Withdrawn," page 26.

<sup>14</sup> "Three Taken in Search of Hadas' Slayer." *The New York Tribune*, 11 March 1922. Accessed via the Library of Congress, page 1.

<sup>15</sup> "Three Taken in Search of Hadas' Slayer," page 5.

<sup>16</sup> "Three Taken in Search of Hadas' Slayer," page 5.

of the La Salle Street police station on 125<sup>th</sup> street was part of his plan to remove police stations throughout the city that had “outlived [their] usefulness” and to construct new stations in greater areas of need.<sup>17</sup> Enright claimed that “it would have been economically unsound to have continued” operating the La Salle station house, but asserted that there would be more officers patrolling the area than ever. H. L. Norris, superintendent of buildings for Columbia University, attended the meeting representing President Butler. He reiterated the many requests of Butler, insisting that the Commissioner restore the station immediately.<sup>18</sup>

There is considerable back and forth between the Morningside protesters and Commissioner Enright over the status of crime in New York City at the time. The protesters continuously claimed that they were unsafe and vulnerable to increased crime, while Commissioner Enright argued that crime was at its lowest rate since he took control of the police force.<sup>19</sup> It is unclear who, if anyone, is in the right, as both sides present convincing evidence for their claims. In April of 1922, the La Salle Street station was made operational again.<sup>20</sup> It is unknown how significant of a role Butler played in influencing Enright to make this change, as the Commissioner did not publicly comment on the stations’ reopening.

However, considering the brutal and racially discriminatory policing practices carried out by the New York Police Department under Commissioner Enright, as seen in the following sections of this essay, the close relationship between Butler and Enright is extremely troubling. Over the course of their relationship, the largest quarrel between the two men occurred when Enright decided to reduce the police presence in the Columbia neighborhood. At a time when Black residents in Harlem were being subjected to police brutality at a precinct only a short walk from

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<sup>17</sup> “La Salle Street Station Protest Withdrawn,” page 26.

<sup>18</sup> “La Salle Street Station Protest Withdrawn,” page 26.

<sup>19</sup> “La Salle Street Station Protest Withdrawn,” page 26.

<sup>20</sup> “La Salle Street Station Protest Withdrawn,” page 26.



Columbia's campus, Butler did not only remain silent, but he strongly advocated for increasing the police presence in the area. The relationship between Butler and Enright, when viewed in conjunction with Butler's desire to physically distance Columbia from the Black community in Harlem through University property expansion, and Butler's advocacy for greater policing in the Harlem area, positions Columbia as an institution that was complicit in and culpable for the suffering of Black people in Harlem in the 1920s.

### **Police Brutality Under Commissioner Enright:**

During his time in office, Commissioner Enright instituted a number of "get tough" measures which included the use of dragnets and strong-arm squads, where the police arrested large numbers of people at a time in search of one, or several criminals, in a typically violent manner.<sup>21</sup> During the Prohibition era in New York City, Commissioner Richard Enright ordered a series of mass arrests at a number of well-known speakeasies, arresting as many as one hundred suspects per night."<sup>22</sup> However, "by far the most controversial crime-fighting tactic of the 1920s was what came to be known as 'the third degree,' which was a term for the police torture of suspects intended to elicit a confession."<sup>23</sup> The practice of the third degree by the NYPD was prevalent until the mid-1930s, long after the Enright administration had concluded. Judicial silence on the use of the third degree was partly the result of a change to common rule law that made all confessions, except those that directly resulted from threats, admissible in

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<sup>21</sup> Johnson, Marilyn S. *Street Justice: A History of Police Violence in New York City*. Boston, MA: Beacon, 2004, page 120.

<sup>22</sup> *Street Justice*, page 120.

<sup>23</sup> *Street Justice*, page 120.

court. This change to the Code of Criminal Procedure allowed police to abuse defendants without legal repercussions.<sup>24</sup>

Furthermore, under the protection of the law, police were discouraged from using the third degree on everyday citizens, as they believed it was only appropriate to abuse “hardened criminals.”<sup>25</sup> However, the definition of the hardened criminal was subconsciously, or even overtly, racially discriminatory. In response to increases in crime across America that came with Prohibition and the growing public fear of crime, in 1929, President Herbert Hoover created the National Commission on Law Observance and Enforcement, which issued a series of papers offering a “comprehensive survey of topics such as causes of crime, criminal prosecution, policing, and penal institutions.”<sup>26</sup> Paper number eleven, titled *Lawlessness in Law Enforcement*, was a “devastating indictment of police brutality and the third degree” that ranked the NYPD among the nations’ worst offenders.<sup>27</sup> The data from the survey showed that among third degree victims, 36 percent were African American men. This figure far exceeded the percentage of Black men living in New York City, which was just below 5 percent.<sup>28</sup> To further disqualify the statement that the third degree was reserved for “hardened criminals,” the data shows that 45 percent of defendants in third degree cases had no prior criminal record whatsoever.<sup>29</sup> It is important to view the cases of Luther Boddy and Herbert Dent, two Black Harlem residents who suffered extreme police brutality, within the context of this data.

On January 5<sup>th</sup> of 1932, twenty year old Luther Boddy shot and killed active Detectives Sergeant Francis J. Buckley and William A. Miller of the 38<sup>th</sup> Precinct located at West 135<sup>th</sup>

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<sup>24</sup> Street Justice, page 122.

<sup>25</sup> Street Justice, page 123.

<sup>26</sup> Street Justice, page 135.

<sup>27</sup> Street Justice, page 135.

<sup>28</sup> Street Justice, page 135.

<sup>29</sup> Street Justice, page 136.

street. Although the 38<sup>th</sup> Precinct is not mentioned by President Butler or the merchants who protested the closure of the La Salle Street station, during the time that the La Salle station was out of commission, the 38<sup>th</sup> Precinct was the closest operating Precinct to Columbia University.<sup>30</sup> Following the murder of these White detectives, *The Evening World*, a predominately White newspaper, ran an article titled “Negro Convict on Parole Murders Two Detectives; Had Long Crime Record.”<sup>31</sup> Center page, there is a large image of a smiling, White family with the caption “Detective Miller, Killed by Negro, His Wife and Six of His Eight Children.”<sup>32</sup> Throughout the article, the author continuously points to Boddy’s existing criminal records, with the suggestion being that Boddy is the type “hardened criminal” capable of committing the crimes he was accused of. Additionally, the author notes that Boddy is from “the ‘Black and Tan District,’ that part of Harlem inhabited mainly by the Negroes, in which he lived his bad life.”<sup>33</sup> While the language here is more overtly derogatory than the language used by McGoldrick in the “Negro In New York City” report, the implications are the same; that as a Black community, Harlem is inherently dangerous.

Looking at the article in *The Evening World*, which refers to Boddy as “the cop fighter,” it is clear that the newspaper completely lacked sympathy for the defendant.<sup>34</sup> At the time, White newspapers, such as *The Evening World*, were unwilling to print the circumstances that preceded the murder of Detectives Buckley and Miller. Black newspapers were the only media sources interested in covering stories of racially targeted police brutality at the time. *The New York Age*, a Black Harlem based newspaper, showed a keen interest in the trend of police brutality

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<sup>30</sup> “Harlem Demands Old Police Station.” *The New York Herald*, 19 January 1922. Accessed via the Library of Congress, page 3.

<sup>31</sup> “Negro Convict on Parole Murders Two Detectives.” *The Evening World*, 6 January 1922. Accessed via the Library of Congress, page 1.

<sup>32</sup> “Negro Convict on Parole Murders Two Detectives,” page 1.

<sup>33</sup> “Negro Convict on Parole Murders Two Detectives,” page 1.

<sup>34</sup> “Negro Convict on Parole Murders Two Detectives,” page 1.

associated with the 38<sup>th</sup> Precinct. It was here that I found the testimony of Luther Boddy, who suffered many excruciating beating at the hands of police officers at the 38<sup>th</sup> Precinct.

During the trial, former Judge Morris Koenig, who volunteered as Boddy's counsel, attempted to use the police brutality of the officers at the 38<sup>th</sup> Precinct to advocate for a reduced sentence for Boddy. In court, the prosecution, District Attorney Joab Banton, brought in Policemen Jasper Rhodes as a witness, who identified Luther Boddy as the killer of Detectives Buckley and Miller, and also denied all accusations of police brutality at the 38<sup>th</sup> Precinct.<sup>35</sup> Following the testimony, Judge Koenig questioned the validity of Rhodes' outright denial of police brutality, recalling that the Police Commissioner himself had recently denied allegations of police brutality within his department. Koenig claims,

Naturally, the policemen who took the stand here denied that brutality was practiced by the members of the department. What else could they have said? Police Commissioner Enright himself made the statement recently that "There isn't such a thing as police brutality." His subordinates could do no less than support this statement.<sup>36</sup>

Here, Judge Koenig calls attention to Commissioner Enright's earlier denial of police brutality in the NYPD and claims that such denial follows from the top down. Ultimately, either through neglect, indifference, or direct order, Enright, as the leader of the police force, is responsible for the brutalities committed by his subordinates. Judge Koenig then turned his attention to how the brutalities suffered by Boddy might have influenced his actions, arguing that, to the defendant, the 38<sup>th</sup> Precinct was a "torture chamber."<sup>37</sup> Koenig claimed that Boddy acted in revenge, as he

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<sup>35</sup> "First Degree Murder Verdict By Jury In Luther Boddy Trial." The New York Age, 4 February 1922. Accessed via Newspapers.com.

<sup>36</sup> "First Degree Murder Verdict By Jury In Luther Boddy Trial," page 1.

<sup>37</sup> "First Degree Murder Verdict By Jury In Luther Boddy Trial," page 2.

“shot in the horror of that moment, inspired by what had gone before, overwhelmed by a rush of fear and terror which overpowered his capacity to reason.”<sup>38</sup>

Herman Hoffman, one of the lawyers assigned to the defense of Boddy by the state, examined Boddy as he took the stand in his own defense. The defendant vividly recounted the torture that he suffered at the hands Detectives Buckley and Miller and many other officers. In his testimony, Boddy recalls over five different occasions where he was taken to the 38<sup>th</sup> Precinct and tortured in attempts to elicit a confession for a crime alleged against him. Boddy admitted to several small crimes, but none of the larger crimes that prompted the officers of the 38<sup>th</sup> Precinct to beat him in hopes of eliciting a confession. In one instance, Boddy recalls, “I was taken to the rear room of the 38<sup>th</sup> Precinct (West 135<sup>th</sup> street). There were about seven men there. I was in the middle of them. After they had punched me a few times . . . They then took a rubber hose that was nailed to a piece of broom handle and I was beaten.”<sup>39</sup> On a different occasion, Boddy, accused of involvement in a stabbing, reported having been beaten by four officers, “just fists—for about two hours.”<sup>40</sup> He was later found to have no association to the stabbing and released. He also recalled being beaten by a group of nine officers, but this time “it was the captain of detectives himself that hit [him] with the blackjack.”<sup>41</sup> Boddy was never indicted in any of the above cases. Each time, he was severely beaten, and then released.

On June 17, 1922, a mere six months after the arrest of Luther Boddy and the publication of the brutalities that he suffered, Herbert Dent, a Black, 18 year old Harlem resident, was beaten to death while under arrest at the same police station house: the 38<sup>th</sup> Precinct on West 135<sup>th</sup>

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<sup>38</sup> “First Degree Murder Verdict By Jury In Luther Boddy Trial,” page 2.

<sup>39</sup> “First Degree Murder Verdict By Jury In Luther Boddy Trial,” page 2.

<sup>40</sup> “First Degree Murder Verdict By Jury In Luther Boddy Trial,” page 2.

<sup>41</sup> “First Degree Murder Verdict By Jury In Luther Boddy Trial,” page 2.

Street.<sup>42</sup> In response to the news of the murder and the outcries against police brutality that erupted throughout the Harlem community, the police initially claimed that the cause of Dent's death was "acute alcoholism," but the images on the front page of *The New York Age* article titled "Many Cases Indicate Epidemic of Brutality as Practiced By Members of Police Force," which show the young man's disfigured face, tell an entirely different story.<sup>43</sup>

In an attempt to justify the beating of Herbert Dent, White newspapers claimed that the victim was a "hardened criminal," insinuating that he was the type of person deserving of such brutalities. Dent appeared in a cartoon in the *Daily News* that makes it look as though he was the aggressor, and that the police therefore acted in self-defense.<sup>44</sup> The accompanying caption of the cartoon reads, "Herbert Dent, Negro Robber suspect, tried to kill Detective Redding . . . Dent was fatally beaten after a fierce struggle."<sup>45</sup> In response to these unsubstantiated claims by the police and the White media, the Dent family hired physicians to conduct an autopsy. As expected, the examination revealed that the cause of death was a cerebral contusion caused by extreme physical trauma to the head. The Dent family also categorically denied all claims that Dent was a criminal or member of a gang, labeling them as complete slander.<sup>46</sup>

In the ensuing investigation into the death of Herbert Dent, Herman Hoffman, who was one of the attorneys defending Luther Boddy, volunteered to represent the family of Herbert Dent. Upon taking over the representation of the Dent family, Hoffman contacted Assistant District Attorney John R. Hennis, who was leading the preliminary investigation into the death of

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<sup>42</sup> "Additional Developments in the Matter of Police Brutality Indicate Need of Change." *The New York Age*, 22 July 1922. Accessed via Newspapers.com, page 1.

<sup>43</sup> "Banton Tries to Shift Burden in Matter of Dent Investigation." *The New York Age*, 30 September 1922. Accessed via Newspapers.com, page 1.

<sup>44</sup> "Many Cases Indicate Epidemic of Brutality as Practiced by Member of Police Force." *The New York Age*, 15 July 1922. Accessed via Newspapers.com, page 1.

<sup>45</sup> "Irish Entrench For Battle." *The Daily News*, 28 June 1922. Accessed via the Library of Congress, page 2.

<sup>46</sup> "Many Cases Indicate," page 1.

Dent. Without the consultation of Hoffman, Hennis declared that the beating of Dent was justified. He cited the police report which stated that Dent's death was the result of acute alcoholism. Enraged at this verdict and the glaring neglect to consider the evidence that resulted from the autopsy arranged by the Dent family, Hoffman reached out to District Attorney Joab Banton.<sup>47</sup> Hoffman and Banton exchanged a series of letters, which were printed in various articles of *The New York Age*, where Hoffman asked why witnesses from the police station were never called to testify. Hoffman claimed that a "strong effort [had] been made to conceal and withhold the names of such persons" and said that he had found a witness who was willing to testify.<sup>48</sup> In response to this letter, Banton asked that Hoffman provide him with the name of the witness, but Hoffman insisted that he would only produce the witness in front of a Grand Jury in open court as there was no useful purpose in having the witness "exposed to the danger of intimidation by the police in advance of such hearing."<sup>49</sup> In an article in *The New York Age* on November 11, 1922, titled "Eyewitness Tells Story of Beating Herbert Dent," the editors write that "it must be understood that at no time did the District Attorney or any other official think it would be possible for Hoffman to produce an eyewitness" because the police officers present during the beating "studiously avoided any reference to the fact that two outsiders were present during the occurrence, and that one of these outsiders was alleged to have taken an active part in the beating of Dent."<sup>50</sup>

In response to the discovery of the eyewitness, Banton decided to have Hoffman and Assistant District Attorney Hennis convene in a private meeting, where Hoffman brought the witness to offer testimony. After the hearing, Hennis announced that the testimony of the witness

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<sup>47</sup> "Banton Tries to Shift Burden," page 1.

<sup>48</sup> "Banton Tries to Shift Burden," page 1.

<sup>49</sup> "Banton Tries to Shift Burden," page 1.

<sup>50</sup> "Banton Tries to Shift Burden," page 1.

would be given to Banton, who would then take the time needed to establish the full facts of the case. After two months without hearing anything, Hoffman followed up with Banton in a letter. In his reply, Banton informed Hoffman that, consistent with the earlier judgement of Hennis, it was also his judgement that the Dent case was “not a case of homicide.”<sup>51</sup> Further, he suggested that “If this conclusion should be unsatisfactory, you might care to bring the matter before Homicide Court.”<sup>52</sup> It is unclear to what extent Hoffman was able to progress in Homicide Court, but it is known that the officers responsible were never fired or convicted of any criminal charges.<sup>53</sup> Ultimately, the Dent family and wider Black community was denied any justice.

After Banton ruled on the Dent case, Hoffman conducted an interview with the witness and gave it to *The New York Age* to print. The witness, Secret Service Officer F. Buckley, was driving in the neighborhood with his partner Officer Flynn, who wanted to stop by the 38<sup>th</sup> Precinct to say hello to some of his friends working at the station. According to his testimony, when they reached the station, they picked up Detectives McGrath, Shields, and Gorman from the 38<sup>th</sup> Precinct and went for a drive, stopping at some bars, and then returned to the police station. Upon their return, F. Buckley and the others entered the station, and he saw a “colored man,” Herbert Dent, sitting at a table in a room where he was being interviewed by an officer.<sup>54</sup> F. Buckley asked Detective Gorman what Dent was accused of, and Gorman told him that he was associated with another Black man who was believed to have shot a policeman. This sort of association by race offers an individual example that supports the statistical overrepresentation of Black men in third degree victims. F. Buckley continued, and claimed that he told Detective

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<sup>51</sup> “Banton Tries to Shift Burden,” page 2.

<sup>52</sup> “Banton Tries to Shift Burden,” page 2.

<sup>53</sup> “Banton Tries to Shift Burden,” page 2.

<sup>54</sup> “Eyewitness Tells Story of Beating Herbert Dent to Death.” *The New York Age*, 11 November 1922. Accessed via Newspapers.com, page 2.



Gorman that Dent seemed innocent to him, to which Gorman said, “he was in good hands and they would find out whether he was or not.”<sup>55</sup>

Over the course of the next hour, according to *The New York Age*, Buckley watched as the Detectives beat the teenager. Dent screamed so loudly that the chauffeur, who was waiting outside in the car outside the station decided walk inside to make sure that everything was alright. When the chauffeur entered the station, Flynn ordered him “to go outside and stay out.”<sup>56</sup> After breaking a blackjack while beating the helpless prisoner, Detective McGrath picked up a nightstick and continuously struck Dent in the head. A police sergeant in full uniform entered the room and warned Detective McGrath that he would get a complaint against him if he did not get the citizens out of the room. Here, the sergeant showed concern about the exposure of the police brutality taking place at the station, but had no objection the brutality itself. Soon after this warning, the officers looked down at Dent and realized that he was completely motionless. Upon this realization “Detective Gorman ran out to Flynn’s car to get a bottle of whiskey that was in one of the pockets of the door. When he came back to the room, [F. Buckley] was crying, and McGrath suggested that he give [him] a drink to straighten [him] out.”<sup>57</sup> The officers then “took the bottle and tried to force some whiskey down the colored man’s throat by holding his jaws open.” In the panic that ensued, the officers called an ambulance and McGrath told Buckley and Flynn to leave. As they drove away, Flynn told Buckley, “Well, that’s one n\*\*\*\*r less.”<sup>58</sup>

In addition to F. Buckley having witnessed Dent’s fatal beating, residents living in the apartments across the street from the station told reporters from *The New York Age* that it was common for them to hear the “sounds of severe beatings administered to prisoners at this station

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<sup>55</sup> “Eyewitness Tells Story,” page 2.

<sup>56</sup> “Eyewitness Tells Story,” page 2.

<sup>57</sup> “Eyewitness Tells Story,” page 2.

<sup>58</sup> “Eyewitness Tells Story,” page 2.

house.”<sup>59</sup> On the night of Dent’s murder at the 38<sup>th</sup> Precinct, a woman living across the street was awakened by the screams and cries for help coming from the station house. She called the station house to report what she was hearing and was told to consider the possibility that the man screaming “was getting what he deserved.”<sup>60</sup>

In light of this testimony and the regularity with which Buckley spoke about police brutality occurring in the 38<sup>th</sup> Precinct, advocates against police brutality in the Harlem community suggested that there had likely been many other cases of police brutality where “no publicity was given.”<sup>61</sup> Looking at the data from the National Commission on Law Observance and Enforcement, it is clear that this suggestion was accurate. While the police brutalities committed against Luther Boddy and Herbert Dent were the cases that drew the most public attention and scrutiny during the Enright era, the data shows that the third degree was widely used in the 1920s.<sup>62</sup> In *The Third Degree: A Detailed and Appalling Expose of Police Brutality*, by longtime police reporter with the *New York American*, author Emanuel Lavine writes that “the third degree is much more than merely an occasional or a secondary weapon in the hands of the police; it is actually the main reliance of the police in obtaining information from stubborn prisoners. In its use the law is candidly, cheerfully and consistently violated by those who are sworn—and paid—to uphold it.”<sup>63</sup>

In order to gain a better understanding of how the Black community in Harlem felt about police brutality, *The New York Age* interviewed prominent figures in the community. Reverend J. W. Brown said that the tragedy of the “late Herbert Dent, should stir the heart and warm the

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<sup>59</sup> “Additional Developments,” page 1.

<sup>60</sup> “Additional Developments,” page 1.

<sup>61</sup> “Police Brutality is Subject of Criticism.” *The New York Age*, 6 July 1922. Accessed via Newspapers.com, page 5.

<sup>62</sup> *Street Justice*, page 136.

<sup>63</sup> *Street Justice*, page 132.

blood of every lover of humanity, regardless of his race, creed, or color. This man beating and man killing has gone on long enough.”<sup>64</sup> He continued, drawing attention to the hypocrisy of authority figures like Police Commissioner Enright, who instruct citizens on how to “administer justice and keep order in the world.”<sup>65</sup> He directed Enright to “have his own heart cleaned and his own hands washed of the crimes which have caused the shedding of innocent blood and the death of many helpless men and women” before instructing others.<sup>66</sup> Considering the brutalities suffered by Boddy and Dent, and the data showing the disproportionate use of the third degree against Black people, it is clear that the NYPD, under the command of Enright, utilized racist and violent policing practices against Black residents in New York City in the 1920s.

### **Commissioner Enright on Allegations of Police Brutality:**

Despite the incontestable evidence of police brutality in the cases of Luther Boddy and Herbert Dent, Commissioner Enright unequivocally denied allegations of police brutality by the Harlem community. When questioned on his departments’ employment of the third degree, Commissioner Enright insisted that “there is no brutality or third degree methods in the Police Department.”<sup>67</sup> Further, Commissioner Enright went on to demand that publishers stop printing stories related to police brutality and the third degree, claiming that such stories gave “men like Boddy . . . excuses for their actions.”<sup>68</sup> Here, Commissioner Enright is returning to the all too familiar claim that “men like Boddy,” meaning criminals, are not deserving of the same standard

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<sup>64</sup> “Additional Developments,” page 2.

<sup>65</sup> “Additional Developments,” page 2.

<sup>66</sup> “Additional Developments,” page 2.

<sup>67</sup> “No Third Degree, Says Enright.” The New York Times, 21 January 1922. Accessed via the Library of Congress, page 6.

<sup>68</sup> No Third Degree, Says Enright,” page 6.

of protection under the law that non-criminals are. He therefore deems the testimony of Boddy, due to his status as a criminal, completely irrelevant and unsubstantiated.

On April 29<sup>th</sup> of 1924, Police Commissioner Enright visited Havemeyer Hall on Columbia University's campus at the invitation of the Democratic Club to speak on the status of policing, crime, and safety in New York City. In response of the allegations of police brutality associated with his Police Department, Enright remarked, there is "no branch of the government that is so little understood as the Police Department of New York City."<sup>69</sup> He went on to state that due to the maintained improvement in crime achieved over the past few years, "New York City [has become] morally the cleanest city in the world."<sup>70</sup> He finished his speech by hailing the policemen in his Police Department as "soldiers of peace."<sup>71</sup> During his time as Police Commissioner, Enright's upcoming speeches were frequently advertised in the Columbia Daily Spectator encouraging students and faculty to attend. The frequent appearance of these advertisements suggests that Enright was admired and idolized by people at the University. These advertisements, and the fact that Commissioner Enright felt comfortable enough to make these statements on Columbia University campus amidst the ongoing criticism he was receiving from the Black community in Harlem for the brutalities committed by his Police Department, positions Columbia as an ally, rather than an opponent, to Commissioner Enright and the NYPD in their violence against Black people in Harlem.

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<sup>69</sup> "Scores Criticism of New York Police." The Columbia Spectator[New York City], 30 April 1924. Accessed via the Columbia Spectator Archives, page 1.

<sup>70</sup> "Scores Criticism," page 1.

<sup>71</sup> "Scores Criticism," page 1.

## **Conclusions:**

Given President Butler's, and thereby Columbia's, advocacy for greater policing in the Harlem area, and the University's support given to Richard Enright and his policies, Columbia was complicit in the police brutality perpetrated by the NYPD in the 1920s. At the very least, Columbia is culpable for its silence during a time of violent discrimination committed against Black Harlem residents who were marginalized from the university and society. While the violence committed against Luther Boddy and Herbert Dent by the NYPD took place 100 years ago, racially targeted police brutality remains a prevalent issue in American society. Even though Derek Chauvin was convicted for the murder of George Floyd, the circumstances of Floyd's death bear a striking and extremely troubling resemblance to the cases of Boddy and Dent. The fact that Floyd was a victim of police brutality an entire century after the brutalities were committed against Boddy and Dent serves as a grim reminder of the limited social change that has been achieved in this nation. In the years since the cases of Luther Boddy and Herbert Dent, Columbia University, like many colleges across the country, has promoted itself as an engine of progressive social change. During the height of the Black Lives Matter Movement in 2020, which centered in part around the police murder of George Floyd, Columbia was a vocal advocate against racist police brutality in America. While such advocacy is important, it is also important to remember that Columbia remained silent and allied itself with the perpetrators of police brutality a century earlier. If Columbia is ever to legitimately assume the role as a driver of social progress in America, it must first, in the words of Reverend J. W. Brown "have [its] own heart cleaned and [its] own hands washed" of its past wrongs.<sup>72</sup> Only after Columbia

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<sup>72</sup> "Additional Developments," page 2.

reconciles with, acknowledges, and owns its past wrongs can it begin to function as the engine of social change that it currently claims to be.

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