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WALTER L. SMALL, M. D.  
PROFESSIONAL BUILDING  
KANSAS CITY, MO.

August 17, 1940

The Board of Pardons and Paroles  
Washington, District of Columbia

55996-L

Re: Otto P. Higgins  
applicant for parole

Gentlemen:

I possess no illusory conceptions or sentimental compulsions, concerning the import of Otto P. Higgins' inexcusable, voluntarily confessed violation of public right.

Otto P. Higgins has had his Day In Court. It was then and there, thoroughly penitent, lashed by agonizing remorse, and without evasion, he promptly confessed his guilt. By judicial decree, he was, with obvious justification, sentenced to serve a specified duration of time in a Federal Penetentiary.

I have been reliably informed that Otto P. Higgins has filed or caused to be filed a petition for parole, with the Board of Pardons and Paroles. It is relevant to that petition that I have taken the liberty to address you.

I am making no fatuous attempt to elicit your compassion for an innate or potential criminal, neither am I making a maudlin plea for your favorable consideration of Otto P. Higgins' request for a conditional release from imprisonment, except to the extent that his cause is meritorious and the evidence adequate.

I am, however, respectfully, sincerely, and I hope without unwarranted presumption, submitting for your consideration, your appraisal and your comparative evaluation, several of the more dominant facts and conditions, of which I have a certain knowledge, pertaining

particularly to some of the humanitarian aspects of the Otto P. Higgins' case.

- (1) His mother, who resides in Kansas City, is 84 years of age. That elderly, lovable Christian lady, whose maternal regard for her son is a synthesis of profound respect and abundant affection, yearns incessantly for a speedy restitution of her son's personal attention which, necessarily, was abruptly interrupted, several months ago.

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- (2) His wife, to whom he was married 29 years ago, he loves with a devotion akin to reverence. Mrs. Otto P. Higgins, who amply qualifies as a most gracious, intellectual and cultured lady, adores her husband with a constancy and a fervency that can coexist only with complete confidence and unqualified respect. Mrs. Higgins has labored continuously and resolutely, since Otto P. Higgins' incarceration, to maintain intact, until her husband again can "take-over", the business of managing and publishing his small but enterprising, suburban newspaper; The Inter-City News.
- (3) He is the father of two charming daughters, whose respect and affectionate regard for their father is convincingly obvious; both are congenially married. The elder daughter, who is 27 years of age, is a graduate of the State University of Kansas. She is a justifiably proud mother of two captivating children; the one, a daughter; the other, a son. The younger daughter, who is 25 years of age, was persuaded, while she was yet a student, at the University of Kansas, to accept a marital status, in lieu of a diploma. That younger daughter is now a beloved wife, who is ardently devoted to her own household which comprises two winsome daughters, an interesting son and a worthy husband.
- (4) He is the father of a son, recently deceased. That son, who possessed a superior mental aptitude, consistently manifested a rational appreciation and complete approval of moral soundness as well as honesty of purpose. That son died, just prior to his completion of his Junior Year, at the Kansas City University School of Law. Otto P. Higgins had provided his son with preliminary, advantageous, educational opportunities and cultural privileges, that he might be adequately prepared to comprehend the many intricacies of the science and philosophy of law, and that he might acquire an intimate knowledge of the propriety of speech and conduct, as well as a complete familiarity with the conventions of modern society, namely: one year at Washington University of Topeka, Kansas; three years at the University of Missouri and one year at the University of Notre Dame.

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If this communication has, thus far, merited your perusal of my several assertions of fact, I may then reasonably anticipate your further indulgence, to an extent that you may "follow-through" a very brief, drastically epitomized, biographical sketch of the petitioner.

Otto P. Higgins is now 50 years of age. He is a graduate of the Kansas City, Kansas High School. Upon completion of his high school course, he entered the State University of Kansas, where he remained but one year. During that single year of collegiate activities, his scholastic attainments received favorable mention, and his capacity for leadership was recognized and rewarded by his election, by popular acclaim, to the captaincy of the Freshman foot-ball team.

Due to discouraging, financial restrictions, he deferred but he did not, at that time, abandon his intention to reenter the University of Kansas. In his characteristic, aggressive but ever genial manner, he set-out in earnest to find remunerative employment.

He sought and promptly received appointment to the reportorial staff of the Kansas City Star, in 1910. During the immediately following, twelve, consecutive years, he earned and retained his affiliation with that metropolitan newspaper. During that entire time, the petitioner was never stigmatized, even by remote suspicion of dishonesty, disloyalty, incompetency, immoral conduct or dereliction of duty. During those twelve years, while Otto P. Higgins was an accredited, respected and trusted member of the public press, his assignments sequentially and rapidly became more consequential. I shall mention only a few of the later and more important of the petitioner's journalistic commissions which were bestowed upon him during, and immediately following the former World War.

He was delegated, by the Kansas City Star, to function as that publication's resident, military correspondent, at Lawton, Oklahoma, during the training of the 35th Division; also, he was the Kansas City Star's resident, military correspondent, at Camp Funston, Kansas, during the training of the 89th Division. Probably the most notable recognition of Otto P. Higgins' dependability and his journalistic proficiency was evidenced by his appointment, during the former World War, by the Kansas City Star, as that newspaper's over-seas war correspondent, with his headquarters in Paris, and later with his

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headquarters in Coblenz, with the Army of Occupation. That assignment required fifteen months for its abundantly successful accomplishment. It is a significant fact which is specifically identified with the petitioner's war correspondence service, that he is the possessor of a special, military citation, for meritorious over-seas service, and for his display of unusual bravery. That commendatory citation bears the signature of General John J. Pershing.

Otto P. Higgins is a graduate of the Kansas City School of Law; a thoroughly reputable institution, which was later united by absorption with the University of Kansas City. For the thirteen years, just preceding April 15, 1935, the petitioner engaged earnestly, successfully and ethically in the practice of law, in Kansas City. I have been dependably and repeatedly assured that he merited and held the respect and confidence of his contemporary practitioners of law, as well as the approval of the magistrates of the courts in which he practiced.

The history of Otto P. Higgins' major activities, beginning April 15, 1935; the date when he nominally became the Director of Police of Kansas City, Missouri, until the present time, is of authoritative record which is readily available. I shall, therefore, not attempt to discuss, in this communication, that inauspicious historical interlude.

I am not impertinently suggesting condonation for whatever unlawful acts that Otto P. Higgins may have committed. I am not audaciously requesting the exercise of clemency in your consideration and disposition of the petitioner's plea; neither am I presumptuously commenting, relative to the possible existence of extenuating circumstances.

If the intended operation of the penal code contemplates, not only the infliction of lawfully determined punishment, but also the inculcation of reformatory incentives; the encouragement and stimulation of existent, worthy motivations; the providing of timely, rehabilitation privileges, if opportunely available; the mitigation of imposed punitive decrees in compensation for exemplary deportment and a considerate regard for uninterrupted, commendable, past performance records, I shall have accomplished, through your courtesy and by this expedient, the full purpose of my intent.

Most respectfully,  
Walter L. Small, M. D.

WLS :LMS