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MEMORANDUM COVERING CONFERENCE WITH MAX GOLDSCHHEIN AND VINCENT RUSSO,
SPECIAL UNITED STATES ATTORNEYS ON MAY 15, 1950

I appeared at the offices of Goldschein and Russo at their request to submit information requested by them concerning ray contacts with the late Charles Binaggio as a result of the statement given by me to the press following my ouster as a member of the Kansas City Board of Police Commissioners by Governor Smith on May 2, 1950.

Following the election of Governor Smith in November of 1948 and before his taking office on January 10, 1949, I received a telephone call from one John K. (Pat) Noonan, who formerly served with me in the 110th Engineers, 35th Division, in World War I, who stated that he was in conference with the Governor-elect and that my name was discussed as a possible appointee as a member of the Kansas City Board of Election Commissioners. He stated that this was a Republican job which would pay more money than my present police job and would be for a fixed term of four years, and he personally made a suggestion to the Governor that I be considered for this post, as the present police law did not contemplate the naming of any Republicans to said Board. I told him that I preferred to stay on the Police Board, but if the Governor felt I could serve him better on the Election Board, I would abide by his wishes. A few weeks later Mr. Noonan called me again and stated that he had delivered my message to the Governor who stated that I could remain on the Police Board. I later learned that this was the first effort on the part of the Binaggio political group to get me off of the Police Board.

Having been appointed to public office by four Governors, it was my custom to attend the inaugurations of the various Governors, and I did so on January 10, 1949 when Governor Smith was inaugurated, and at that time I ran on to Charles Binaggio at a hotel in Jefferson City, Missouri. He called me aside and stated that he was glad that I elected to remain on the Police Board and that he hoped that I could be on their team, meaning, of course, that I would go along with

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their program with which I was not fully acquainted. I heard nothing further from Binaggio or any of his constituents other than rumors emanating from their Fifteenth Street Club to the effect that the two new Police Commissioners would be J. L. (Tuck) Milligan and Sheridan Farrell, and further rumors that the town would open up as soon as they took office, and that every effort would be made to get a new Chief of Police, and that that political organization would take over the Police Department so that the town would open up.

During the months of February, March and April it was necessary that I go to Jefferson City on different occasions, both on private law business and for the furtherance of certain amendments to the police law which the Board of Police Commissioners was advocating, requiring appearances before various legislative committees. On these trips to Jefferson City, particularly when in contact with members of the Legislature who are politically tied up with Binaggio, the same rumors were heard from time to time.

Finally, on or about May 9, 1949, the Governor did appoint both Milligan and Farrell as members of the Kansas City Board of Police Commissioners, since Paul Hamilton, President of the Board, had tendered his resignation at that time, explaining that his term of office did not expire until July 11, 1949. This, of course, confirmed the many rumors as to whom the Governor would appoint to the Board. It was about this time that efforts were commenced to obtain the help of either Hampton S. Chambers, member of the Board, or myself to join with the two new members in bringing about the desired changes in the Police Department, as the boys were becoming dissatisfied with the long delay in reorganizing the Police Department. This was the general feeling notwithstanding the fact that the Southern County grand jury was in session.

At the first meeting of the Board after both Milligan and Farrell were qualified and took office, and after a pre-Board meeting conference in the office of Mr. Milligan, a post of consultant to the Police Board was created to take care of one Thomas J. Higgins, who previously was on the Police Department as Chief of Detectives, and

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who left the Department under a cloud, being indicted by a federal grand jury for perjury, the

charges later being dismissed by the government. Mr. Milligan insisted that due to the fact that there were many unsolved murders in Kansas City that Higgins by his own record and experience, especially dealing with stool pigeons, would make a valuable man on the Board, and would be in position possibly to solve some of these murders. He was given the rank of Superintendent, and provided with a private office and a sergeant to assist him in this work. This appointment met with approval in most quarters as the Department had been criticized for not solving many spot murders. Mr. Milligan took all the responsibility for naming Higgins, stating that he had discussed him with his brother, Maurice Milligan, who was formerly United States District Attorney, and he had prosecuted Mr. T. J. Pendergast and others. Reluctantly Chambers and I went along on this appointment, but it was not long until we learned that the morale of the Department was being lowered as a result of Higgins' presence in the Department in that capacity.

Shortly thereafter, I received a call from one Herman Rosenberg, a business man who owns and operates the Midland Lithographing Company of this city, whom I knew years ago as being active in Democratic politics, and as a member of Battery D, 129th Field Artillery, and one of the buddies of our President. In his call he wanted to know if I would have any objection to meeting with Mr. Binaggio; that Mr. Binaggio had some things he wanted to talk to me about. Although I was somewhat reluctant to meet with Mr. Binaggio I felt that it was my duty to do so inasmuch as he was a factional political leader and I was a public servant. I told Rosenberg to name the time and place and I would meet with Binaggio. The following day I did meet Binaggio at Rosenberg's place of business, and Binaggio and I were left alone. One of the first things he said to me was "Bob, we want you on our team." I suggested that I should have been called in for batting practice rather than in the eighth or ninth inning, and asked him why he needed me on the team when I was of the opposite political faith, and that there were three of his political faith who could dominate the policy of the Police Board.

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He stated that he preferred working with me. Before we went much further, I asked him what the program was. He informed me that inasmuch as Governor Smith was the Governor due to the fact that they had provided funds and votes for his election that his group should be entitled to political patronage as well as any favors that might come from the Police Department to his group. He stated that he was responsible for suggesting Higgins; that they could work with Higgins, and that he was a friend of the Italian people, and that he would see to it that no crime was committed by local gangsters, and that they could keep the out of town gangsters away from here, keeping Kansas City clean. He went on further to state that all they wanted to do was to open up two or three spots and keep everything else closed up. In order to do this, he stated that they would have to have a new Chief of Police, a new Chief of Detectives, and would have to have captains heading the various districts who would be favorable to them. He suggested that he name a John Braun as Chief of Police, a former police officer who was let out under a cloud. He stated frankly that this man Braun could be handled and he would see that Chief Johnson would get his old job back as Superintendent of Traffic and Safety Division. I told him that I could not go along with his program at all and that my answer to any of these suggested changes would be no. I told him that I admired his frankness in laying before me the program of his group, I told him that Governor Smith had told all of the Commissioners at a meeting following the appointment of Milligan and Farrell that he wanted all laws enforced and that any policy change or any changes would have to come from Governor Smith. He readily assured me that Governor Smith would approve the suggested changes. I attempted to make it clear to him that I could not subscribe to this program in any manner. He begged me not to say no but to give it further consideration, promising me the naming of all Republican members of the Kansas City Election Board and the naming of Republicans to other bi-partisan boards in the state, in addition to throwing me some lucrative law business. Since this was the first time I heard their program, I told him I would meet with him again, my purpose being to give me time to confide in some of my friends concerning same, which I did.

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A day or so later Binaggio again called me and asked me if I would again meet with him at the same place, and for me to set the time, and asked me who I would want to have present at

this meeting, and I suggested Mr. J. L. Milligan be present. However, I arrived before Mr. Milligan did at the appointed place and time, and suggested to Binaggio that I would much prefer to have him on the Board with me than Milligan, because he was at least telling me the truth about what the program was. When Mr. Milligan arrived, Mr. Binaggio jumped on him, stating "Why don't you tell Bob the whole story? You know we need him and we have to get along with him." To this, Milligan replied that he had no reason not to get along with me, and that he would advise with me on all matters in advance. In the presence of both Milligan and myself Binaggio repeated certain parts of the program, especially the new Chief of Police and other changes in the Department. For several weeks rumors from the Fifteenth Street Club were to the effect that John Braun would be the new Chief of Police and that Bob Cohn was going along with Milligan and Farrell, and that it was only a matter of time until the green light would be given for the boys to open up the previously allocated rackets and territories in which to operate them. The tempo of the pressure increased when it was learned that I would not budge from my previous position, and pressure was then transferred to Hampton S. Chambers, the other Commissioner, by George Clark and Henry McKissick, and later by Binaggio himself.

About this time it was necessary that we go to Jefferson City again in an effort to push our pending legislation, the chief bill being an increase in pay for our police officers. All of the Commissioners made a trip to Jefferson City in behalf of this legislation, and Mr. Milligan immediately upon his arrival at Jefferson City went to the apartment of John K. (Pat) Noonan, who shared same with a Mr. Jones, a recognized gambler. Mr. Milligan stated his purpose was to assure sufficient votes in the Legislature to obtain passage of this bill to increase salaries, and when the bill was finally passed, the Binaggio group took all credit for the successful passage of same. Still not being able to count me as one of their group, Pat Noonan was sicked on

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me and he attempted to give me a pep talk, stating why I should go along. This "confab" took place while in Jefferson City, Mr. Noonan stating that he was a "trouble shooter" for the Governor, and that they were having trouble with the St. Louis Police Board, and that it was his job to straighten things out in St. Louis. I told him that I would not do anything more until such time as I ascertained what the St. Louis Police Board would do.

Either before or after this, I confided these facts to my good friend, Dwight Brantley, former head of the Federal Bureau of Investigation here, and he suggested that I stay in, meet with Binaggio and under no circumstances resign from the Board, as that would be the only way I could find out what was going on; for Chambers and me to stand pat. Later I also confided in several other friends, including Judge Albert A. Ridge, who gave me the same advice.

Shortly thereafter, I received a call from Pat Noonan, stating that he would like to see me; that he had a room at the Hotel Phillips. Although I tried to get out of meeting him, I did agree to do so, and when I got to his suite of rooms (which I later learned was being paid for by Mr. Eddie Spitz who was then Chairman of the "Police Committee" of the Fifteenth Street Club) I found my friend, Pat Noonan, and before many minutes passed, Charlie Binaggio appeared on the scene. It was quite evident to me then that both Noonan and Binaggio had access to certain records of the Police Department, including assignment sheets and lists of personnel. Noonan again claimed that he would get the St. Louis Board of Police Commissioners to open up and that all this was with the apparent knowledge and consent of the Governor, again stating that he was the Governor's trouble shooter. At this time certain important posts of the Department were discussed, namely, the post held by Captain Toebener who was head of the License and Inspection Department; that he should be retired, which would give an opening for another captain whom they wanted to suggest to place in that bureau. They also wanted to remove such officers as Gene Pond, Director of Personnel and Lieutenant Dennison who was head of the Vice Squad. Binaggio contended that inasmuch as his party won the election that they should be entitled to the civilian jobs numbering about 135, and that those jobs, irrespec-

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tive of the technical qualifications, should go to members or friends of the Fifteenth Street Club, notwithstanding that many technical positions are held by persons of his political faith but

not members of his club. I called his attention to the fact that under the Kansas City Police Law these jobs were non-political and that these civilian as well as the law enforcement personnel could not belong to a political club and that there were many old time employees who were holding down technical positions, and for all of these reasons we could not make any changes. Several names were suggested as possible head of the Personnel Bureau, in spite of my objection to their method or intentions. In short, Binaggio wanted persons favorable to him to head up all the important bureaus, stating that he would forget about the Chief of Police for the time being if we could agree on these changes. He as well as Pat Noonan kept repeating that if it would take Governor Smith to get me to approve such changes that they could very easily get him to do so. Of course, under no circumstances would I agree to their suggestions, and Chambers having the same pressure applied to him, took a similar view in holding off the pressure groups working on him. All during these discussions it was most evident that the Binaggio group was behind on its schedule.

No other pressure was exerted on me by Binaggio for a short period of time following this meeting, although numerous attempts were made at Board meetings by both Milligan and Farrell to advocate these changes, including the revision of the qualifications for employment and reinstatement of former officers.

Several weeks went by and I heard nothing further from Binaggio or any of his lieutenants until one evening some time during the latter part of June I received a telephone call at my home from Binaggio who stated he was most anxious to talk with me. I told him there was nothing further for us to talk about and for him to forget about our previous conferences; that I was unable to leave my home and gave several other reasons why I could not meet him. He appeared to be distressed and insisted that he did not live far from me and asked if he could talk with me in his car parked in front of my home. He was so persistent in his desire to talk to me that I told him

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I would again talk with him but that this would be the last time, as it was useless, as I had not changed my mind. Shortly thereafter he drove up in front of my home. It was dark at the time and I got in the front seat with him. He pointed to my home, stating that it was a nice, modest place. I told him that that was my castle; that I had a wonderful wife and three wonderful children living in that home, and that was the main reason why he nor anyone else could do business with me. After discussing general matters for a few moments, he again almost begged me to reconsider ray position. He stated that he was on the spot; that the boys were behind schedule and that there was a lot of pressure put on him to deliver, and he gave the appearance of a much worried and harassed person. I told him that I was sorry but that I had no part in making any promises to anyone; that he would just have to work out his own problems. With that, almost like a flash, he pulled out a roll of bills and tossed them to me. I tossed it back as if the roll was a hot rivet. It was most apparent immediately after he did this that he was sorry. Not a word was spoken following this incident for several seconds, when he asked, "Bob, are you mad at me?" My reply was "No, but I am very much disappointed." He then stated "You cannot blame me for trying", and I replied, "I guess not." He did not appear to be angry at me and left, stating he appreciated the fact that I did give him time to talk to him. I told him that I didn't want him to contact me any more, that it would be useless.

These pressures, together with the pressure of Police Board action from time to time played on my nerves to the point where I could not sleep or eat and I had made up my mind to resign. I confided these incidents to several of ray friends who insisted that I not resign that Chambers and I should work together and keep the Binaggio group from obtaining control of the Police Department. Chambers readily agreed to stay with me on these propositions and we kept in touch with each other on these various pressure group activities.

Most of this time pressure was being applied on Hampton Chambers, he being threatened with removal from office or that the Governor would not reappoint him when his term expired. I learned later that Colonel Chambers also received telephone threats but he stood his ground.

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I discussed with Chambers the advisability of my contacting the Governor and giving him a picture of what was taking place. At that time I felt that the Governor was not advised of what was going on, giving him the benefit of every doubt, thinking he appointed Milligan and Farrell to placate the political group but was keeping Chambers and myself on the job to stop any radical changes in the Police Department and prevent the opening of the city to organized vice and gambling.

Being of the opposite political faith to that of the Governor, on my next trip to Jefferson City on some law business, I took time out to confer with Colonel Dave Harrison, Superintendent of the State Highway Patrol, who is a personal friend of Governor Smith and who hails from Richmond, Missouri, and in my opinion an honest and efficient public official. My purpose was to feel Colonel Harrison out as to whether the Governor would resent my conferring with him and giving him the information concerning the ambitions and plans of the Binaggio group. While he did not want to let the Governor know that I had talked with him, he stated that he had known Governor Smith for a good many years and he felt that he (Governor Smith) would more than appreciate my conferring with him and telling him the truth about what was happening and what might happen. Being fortified by this advice, from Colonel Harrison and after discussing the situation with Hampton Chambers as well as several other friend, I made an appointment to see the Governor.

On July 6, 1949, I met with the Governor, said meeting being understood by both of us to be most confidential and secret, and in a two hour conference, I told him the whole story, including how they were using his name as being in sympathy with and approving their program. He sat there in wonderment, stating that he knew they were using this propoganda in the political campaign but that there was no truth or basis for his condonation. He did not seem to remember Pat Noonan's whereabouts and definitely denied that Noonan was a trouble shooter for him. I told him that in my opinion Mr. Milligan, a life

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long friend of his from Richmond, Missouri, was selling him down the river. At no time did the Governor attempt to defend Milligan. Without going into the details of my report to him, I will say that he appeared to be most friendly and cordial and most appreciative of my visit with him. I offered to advise with him at any time, and suggested that he could verify my statements to him by contacting certain of his friends here in Kansas City. There is no question but what he had all the facts before him following my visit and conference with him on that date, and we agreed that this meeting would be most confidential and we would forget about it. I left the Governor's office feeling much relieved in that he again reiterated that he wanted all the laws enforced and no favoritism shown to anybody. I reported the results of my conference to Colonel Chambers upon my return to Kansas City, as well as to Chief Johnson who in my opinion is a most able and honest official, as well as to Chief Prank Collins, head of the Detective Bureau, likewise an honest and efficient official.

Rumors still persisted from the Fifteenth Street area that the boys would have to wait until Colonel Chambers' term had expired. They figured it would be in July, 1950 instead of October, 1950, and resigning themselves to the fact that they would try to get as many of their group in key spots as possible, including a few reinstatements of old officers who had become affiliated with that group. Rumors also persisted that a good many of our police officers, in order to gain favor, became tied up with that group, headed by Milligan and Farrell who actually became members of the Fifteenth Street Club in violation of the police law. Naturally the morale of the department was lowered but notwithstanding this fact, the record of the department was good.

Apparently the pressure was transferred from outside, as far as Chambers and I were concerned, to pressure from within, spearheaded by Milligan, and I again became worried and confided in Elmo Hunter, Lyman Field and Leo Schwartz, all honorary Colonels on the Governor's staff, suggesting that they apprise the Governor of what was happening.

It was quite evident that the Binaggio forces had wormed their way into the department by reason of the fact that some of the

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bureau heads whom we figured were loyal to the Chief and to Chambers and me began playing with the other crowd, and as a result, many concessions had to be made to work out the best solution possible if we were to stay on the Job and prevent the entire Police Department from falling into the hands of the Binaggio group.

An example of this (there were several) was the vice squad appointed in November or December of 1949, headed by Sergeant Clarence Kenney. This squad was totally dominated and influenced by Eddie Spitz through his connivance with Mr. Milligan. A new vice squad was appointed on March 1, 1950 with the same influence being apparent.

This, I believe, fully covers the context of my oral conference with Mr. Max Goldschein and Mr. Vincent Russo.

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