EPISODE 2: "Secret Police" TRANSCRIPT [FINAL] w/ Citations

The events discussed in this episode are based on Kyle Miron's research. Their complete findings, including citations, are published on our website: https://campushistory.wisc.edu/the-policy-of-secrecy-parents-administrators-and-spies-investigating-sexual-violence-before-uwpd/#_ftn9"

INTRO

KACIE LUCCHINI BUTCHER: Hey, it's Kacie! If you haven't listened to episode 1, go back and start there. This episode will make a lot more sense. Also, just a heads up, this episode mentions cases of sexual assault.

SIOBHAN RYAN: So, what are we talking about today?

KLB: Well, today we are going on a little trip.

SR: Oooh, where are we going?

KLB: Well, actually we're staying right here, on campus, at UW-Madison. But we are traveling *back in time!*

[Cheesy sound effect]

SR: Hmmm… okay?

KLB: I want you to picture that the year is 1911. William Howard Taft is president. The Titanic is still being built. People are really into ragtime.

SB: Okay, I could get around that.

KLB: Here at UW-Madison, campus is a little bit smaller, but the layout is kind of, sort of, the same. There's Bascom up there on that big hill and the Red Gym. The university has been around for 60 years, and it's coed at this point. That's right. Women are going to class in full-length dresses and these big updos and men are wearing suits with these nice starchy, white collars.

SR: Ok, I'm picturing it. It feels very old-timey.

KLB: Outside of the classroom, they have dances and socials and football games. But don't have too much fun. Because you're a woman here in 1911, so there are rules. You have to worry about early curfews, where you go alone, and most importantly, how you interact with men.

SR: Ok, also old-timey… in a less charming way.

KLB: So, all this is the backdrop for the story we're going to talk about on this episode. A story that takes place here at UW, that starts with an attack…

KYLE MIRON: So on, Saturday, February 11th, 1911, someone broke into a sorority house, with a flashlight and a gun and sexually assaulted the house mother there.

KLB: And this assault sets off a chain of events that is just wild — undercover detectives, sting operations, a whole pattern of break-ins that come to light… But we're not traveling back *just* to tell a true crime story — we're not that kind of podcast. Not yet. No… even though this story takes place back in old-timey 1911, it's worth talking about because so much about it feels relevant to today.

KM: And we know now, too, that like, presence of campus police doesn't really have a measurable impact on the amount of sexual violence that's happening, the amount that's reported … And women students, like, overwhelmingly report similar reasons for not coming forward as these women did in 1911.[1]

SR: From the Rebecca M. Blank Center for Campus History, this is *Reorientation*, a podcast exploring the history of UW–Madison you won't get on your campus welcome tour.

KLB: I'm Kacie Lucchini Butcher.

SR: And I'm Siobhan Ryan.

KLB: This season we're looking at campus police — basically, what's their deal? Where did they come from?

SR: And on this episode, we're gonna help answer that by going back way before there was even a concept of campus police, to see where some very early seeds … about police power and campus safety, and university priorities … were being sown.

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[1] There has been copious research on the relationship between police and sexual assault reporting. For more information on sexual assault reporting statistics on college campuses, visit Campus Sexual Violence: Statistics published by RAINN, https://rainn.org/statistics/campus-sexual-violence. For more information on why there is underreporting on college campuses and the distrust that exists between victims and police, we recommend the following: Eliza Gray, "Why Victims of Rape in College Don't Report to the Police," June 23, 2014, TIME Magazine, https://time.com/2905637/campus-rape-assault-prosecution/, Grace Watkins, "The Crimes of Canmpus Police," October 20, 2020, The Guardian, https://www.chronicle.com/article/the-crimes-of-campus-police, Lauren Young, "We Can Fix the Law Enforcement Landscape Facing—and Failing—Campus Sexual Assault Survivors," March 30, 2018, MS Magazine, https://msmagazine.com/2018/03/30/how-campus-police-are-failing-survivors-and-how-they-can-change-course/.

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KLB: So, actually we lied a little bit. Before we go back to UW circa 1911, we're going back to UW circa summer 2023.

SB: That's when grad student Kyle Miron was doing some research in the university archives.

KM: […] My name is Kyle Miron. I'm a PhD student in U. S. history […]

KLB: Kyle's the one who did all of the research on this story, and they helped talk us through everything that happened for this episode.[2]

SR: So, Kyle is in the archives, doing history grad student stuff for a different project, when they find an envelope…

KM: It's this giant envelope. It was probably two inches thick […] that was not part of the catalog, that was unprocessed, that was just called 1911 Rape Case File, […] and sort of pulled everything out and it's just this stack of paper […]

SR: It turns out it's a bunch of correspondence that the university's business manager had collected back in the spring of 1911. Carbon copies. And what he had collected was mostly…

KM: […] mostly daily reports from private detectives that every day they would write a summary of what they did that day and send it back to their boss in Chicago.

SR: Private detectives.. At UW.. investigating something. And it's not just any private detectives.

KM: […] And then I got to one that had the Pinkerton National Detective Agency header on top and I had this like wait like the Pinkertons who are like railroads and like spy, like, is this the same?

SR : Union busting…

KM: Yeah. Like, is this the same Pinkertons? And then as I, you know, went through more, I was like, wow, yeah, this is the same Pinkertons.

KLB: Just real quick, if you're not familiar — the Pinkertons were *the* preeminent private detective agency in the country at this point. And we're not talking, like, a few private eyes. This is a huge organization. Essentially a private police force for hire, with a reputation for doing the

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[2] You can find the details of this story, including full citations, on our website: https://campushistory.wisc.edu/the-policy-of-secrecy-parents-administrators-and-spies-investigating-sexual-violence-before-uwpd/#_ftn9

dirty work for powerful interests. So it's pretty remarkable for them to be here on the UW campus. And actually their rival agency ends up here too. But we'll get to that in a minute.

SR: So Kyle finds this stack of documents, with these detective reports and letters. Their interest is piqued. And over several weeks, they piece together this story that, as far as we can tell, had never been told before.

KLB: Here's where we head back to 1911 for real, when the story starts with the attack that we mentioned.

KM: [...] Saturday, February 11th, 1911, someone broke into a sorority house, with a flashlight and a gun and sexually assaulted the house mother there.

SR: We're not using the house mother's name, or those of any of the victims in this story. But she's 58. She's a widow. And she lives at the Kappa Kappa Gamma house as the quote unquote adult chaperone for the sorority sisters.

KLB: Remember all those rules and restrictions on women students we mentioned? That's one of them.

SR: So this woman is asleep at the sorority house where she lives, when a man breaks into her room in the middle of the night and rapes her.

KM: And she screamed and freaked out … and then someone else in the house hears and calls the police, and this man runs away.

SR: Madison Police officers respond that night. They come and interview the house mother, and almost immediately they decide they don't believe her.

KM: They think, oh, this is just this 58 year old widow, she's confused. We don't really know what's going on.

SR: Even though there's evidence…

KM: She's examined by a doctor because she's afraid that she got a sexually transmitted disease from this experience. And so she wants to be looked at by a doctor. And the doctor says, okay, we don't see evidence of sexually transmitted disease, but he does confirm that, like, she experienced sexual intercourse, are his words. And even despite this, the police are really skeptical.

SR: So skeptical that they just write it off and refuse to investigate, which was very common for rape cases at the time. And so it very likely could have ended there, and we wouldn't even know about it … But it doesn't. Because the *university* decides it needs to be investigated.

KLB: Now remember, there is no UW-Madison Police Department at this point. Campus security is just a handful of watchmen who make sure the doors are locked. The university is not in the business of solving crimes. But almost immediately after this rape, administrators decide they're going to take the case with the help of the Pinkertons.

SR: And we should say here, this part is still a bit of a mystery.

KLB: We don't know why it's the Pinkertons. It's not a *normal* thing for university administrators to hire a bigtime detective agency like this. And Kyle didn't find any documents saying, 'Here's why we're bringing these guys in.' The record just starts with the agents filing these reports. But mystery aside, the fact that there are private cops… on campus… doing the bidding of administrators is a turning point when it comes to how the university polices itself.

SR: So, these Pinkerton agents arrive on campus to start their own investigation. And almost immediately they get a lead with the help of the victim's son.

KM: ~~S~~o then the next day, her son, who is a professor at the university, comes to them and is, and says, Hey, I think I have a suspect. And he doesn't know that his mom has been sexually assaulted. He, she has just told him, like, some man broke into my room and scared me. And even so, he comes to the Pinkertons and he says, I think I know who this is, that there is this man whose name was Henry Duke. And he had been a student at the university six years earlier and was arrested for getting a girl pregnant. And that there are lots of complaints against him for sexually predatory behavior towards undergrad women.

SR: And what's more, the son was part of the university disciplinary process that got Duke expelled over the pregnancy incident.

KM: And he tells the Pinkertons, Hey, I think this guy attacked my mother as retaliation against me. And so then the Pinkertons run with looking into this guy.

SR: And it turns out that this guy, Henry Duke, is not hard to find. In the years since getting expelled, he's been making a living teaching public speaking. He rents an office on State Street a few blocks from campus. And he's kinda always hanging around.

KLB: So, the detectives start tailing Duke, trying to catch him in the act of breaking in somewhere or doing something creepy. And meanwhile, they're asking around about him. Talking to people who know him… or who've had run-ins with him.

KM: And they have a lot of women who are willing to talk to them in private and saying, Yes, he was predatory to me. Yes, he sexually assaulted me. He has a reputation for these things.

SR: One woman who knows Duke tells agents QUOTE “all he kept his office for is to get young girls up there so he could seduce them.” But even though the agents are collecting these allegations against Duke from several different women…

KM: None of them are willing to talk in public about it, because they're really concerned for their own reputations. A lot of them are married and are saying like, this would, you know, I would be ruined if this sort of story got out.

SR: And none of this, unfortunately, is that surprising. Because as much as victim blaming and failure to protect women are huge problems in the legal system today… It’s *way* worse in 1911.

KLB: If these women came forward publicly, their full names and addresses would likely be published in newspapers, opening themselves up to public shame. If they testified in court, they could expect to have their own respectability and virtue put on trial right alongside their attacker.

KM: Yeah, absolutely. The personal stakes are huge that like this could have ruined their marriages. This could have caused their families to turn against them and the professional stakes, they could have lost jobs, they could have lost school opportunities, are really high for them as well. That the, that the fact that they were even willing to talk to these agents in private is even surprising.

KLB: The sorority house mother, the victim of the attack, says she QUOTE “would rather be killed than to testify in court to anything of that nature.”

SR: Without any victims who are willing to accuse Duke on the record, the Pinkertons are left trying to catch him committing a new crime. They follow him for a couple weeks but come up empty-handed. And finally they try this last-ditch sting where they invite Duke to a meeting under some pretense so that the house mother can clandestinely get a look at his face and I-D him. But Duke just doesn’t show up.

SR: So, administrators and the Pinkertons kinda just throw up their hands and say ‘there’s nothing else we can do here. We tried.’ The agents head back to Chicago. And things are quiet for about a month.

KM: So then there's about a month of sort of nothing in this file. But then again in the middle of April someone with a gun breaks into another [...] a different sorority house [...] and has two of the sorority sisters dance for him at gunpoint and then leaves.

SR: Someone who matches the description of the house mother’s attacker.

SR: Understandably, these girls are freaked out. And when one of them tells her father – who's a really rich, well-connected businessman – he's freaked out too. Right away he starts demanding that the university do something.

KM: [...] The father is furious and he's writing letters to the university president, to the governor of Wisconsin, to the business manager saying like, what is happening here? Like, this is a disaster. And [...]

SR : Can I jump in here and just ask at this moment, does he know about the previous investigation and the previous break in?

KM: He does not. He finds out a few, I think, days later and writes more letters. And the letters get even more heated when he finds out about this other event on campus.

SR: Initially, university administrators are reluctant to start the investigation back up. So the father basically forces their hand. He pays out of his own pocket to hire the William J. Burns Detective Agency – the big rivals of the Pinkertons. And he threatens to go to the newspapers about the whole thing.

KLB: The university really doesn't want this to be made public because it could make them look really, really bad. Like they're not protecting students on campus from predators. You might notice this becomes a theme as you listen to the rest of the season. So they decide to bring back Pinkerton agents as well. And here's where things really start to get really wild…

KM: [...] So he brings in people from the William J. Burns Detective Agency and the university brings back some Pinkertons and now there are these rival private detectives on campus looking into this event and...

KLB: I'm just picturing them on Langdon Street like Wild West style, like the Pinkertons on one end and Burns Agency on the other and they're having a showdown and spoiler alert, neither of them win or solve the case.

KM: Yeah, I mean, it's like not that far off from what happened that they're like all surveilling different people, and so they're like hanging around on Langdon like pretending to like lean against buildings and like watch people go into bars and wait until they leave.

KLB: Hello fellow young people.

SR : I'm sure they were extremely inconspicuous. I'm sure they blended in perfectly.

KM: Yeah, they'll do things like, in their reports they talk about going up to suspects and being like, Hey guys, do you know if there are any like, you know, attractive young women we can go talk to? Yeah,

KLB: Hey brother, where do I find a nice young lady around here? They're like, umm, whatever dude, who's this weirdo?

KM: Yeah, but also the Burns Agency hires a woman private detective to come in to try to lure Duke. So she walks around wearing semi-provocative outfits. [...] And she is walking around and the male agent is going up to the, to Duke and being like, Wow, she's sure pretty, isn't she? Like, should we follow her? [...] To try to entice Duke...

SR: As you probably guessed, these *investigative techniques* do not yield much solid evidence against Duke or any other suspects. But it turns out that these private cops … who are on campus ostensibly to protect female students … are very good at investigating female students.

KLB: Just a few days after the Burns and Pinkerton agents come back to campus, there's a third break in – this time at a boarding house just off campus. A girl wakes up to find a man in her room, but she screams and wakes up the rest of the house before he can do anything.

SR: When a Burns agent and a university night watchman show up, the girl is adamant that she wants the whole thing kept private… which, as we said, makes sense. But the detective decides it means she must be complicit somehow.

KM: And the night watchman and the agent decide, oh, probably this was her boyfriend who broke in and she didn't recognize him in the dark. She doesn't pull her blinds down when she changes. Like, she's not a good girl, like, this is clearly her fault, or she's making it up or this is just evidence somehow of her impropriety.

SR: So the Burns agents come up with a plan – and we're not making this up – to have a female Burns agent move into the boarding house posing as a student to befriend this girl and get dirt on her.

KM: And it seems like they really do become friends. Like they talk about, sitting and talking about boys together, and sewing together, and they go shopping for books together, and she tells her about her friends. And that they're buddies. And then when this student is not there, this agent is going through her stuff, is reading her mail, is sending copies of her mail back to the Burns Detective Agency, and is talking about how this woman is so much less respectable than the friends that she's met. That this woman is having money problems, that, clearly this woman is part of the problem. That the break in couldn't have happened how she said it did, or if it did, it was her fault in some way.

KLB: This ridiculous undercover operation that this student was subjected to is an extreme example. But the documents show all sorts of instances of women being scrutinized during the investigation.

KM: Over the course of this, you get lots of insight into the way that there, backsplash of them being there, is investigating all these other women. Like the night watchman or the Burns agents or the Pinkerton agents will talk about being out on their patrols and seeing women coming home late. And then giving the names of those women to the university. Or seeing women, you know, with boys, out in public, and then giving the names of those women to the university to be disciplined. Yeah, there's this sort of, all this collateral surveillance of women that's happening in an investigation that's ostensibly there to protect women.

KLB: In a lot of ways, this is really the lasting impact of this whole affair of the university dabbling with law enforcement on campus — the taking hold of this notion that, in order to be kept safe, students — especially women students — need to have their behavior monitored and policed and punished.

SR: Because, as for Henry Duke and the Pinkertons and Burns agents … nothing happens. Duke is never charged with any crimes. The break-ins are never solved. The semester ends and the detectives leave.

KLB: And the wealthy father? He cajoles the governor and the university president into allocating money to beef up the campus security and hire more watchmen… Watchmen who now regularly go on patrol busting coeds for breaking curfew and walking with men after dark.

SR: So, what happens after university administrators and campus watchmen get this first taste of actively policing the university community? When they start making it *someone's job* to monitor student behavior? (And faculty and staff behavior, for that matter.) That's next time on *Reorientation*.

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KLB: You can find a full teaching guide for this episode on our website at campus history dot wisc dot E-D-U. That includes a link to Kyle's article about the 1911 case with a lot more info than we could've fit in this episode.

SR: *Reorientation* is written by me, Siobhan Ryan, Kacie Lucchini Butcher and John K. Wilson. He also produced and edited this episode.

SR: Additional help from Amaya Boman, Taylor Bailey and Dan Berman.

SR: You can subscribe for more episodes wherever you get your podcasts.