HARVARD COLLEGE
CRIME, JOURNALISM & LAW
SOCIOLOGY 172
Case Study 1925-001
March 2013

Ruth Snyder: Press Access to a Murderess and "The Most Remarkable Exclusive Picture in the History of Criminology"

Part A—Dilemmas

In November of 1925, in the aftermath of a heated argument over whether to send their daughter to boarding school and away from their broken home, a Queens housewife convinced her husband to sign a *blank* application for increased life insurance. The next day, she rang the insurance company to tell them that he had decided to increase his policy from $1,000 to $45,000. What was more, he wanted to place the policy under double indemnity, wherein twice the policy's worth would be paid out in case of accidental death. Accidental death could include many things, from drowning to freak plane crash, and even murder.

Two years later the fighting in the household had only increased, fueled by the jealousies of each spouse. The wife resented the fact that her husband continued to treasure a portrait of his childhood sweetheart, who had died ten years previous, and whom he still referred to as a sort of saintly figure. He resented the fact that, for several years, his wife had spent many nights away from home, without bothering to hide very well what her activities on those nights were. Their young daughter even began to pick up on the themes of these arguments.

Then, on a Sunday morning in March, the police received a call to the house from a neighbor. The husband was lying on the bed, garroted and bludgeoned to death. The wife had been found bound by her feet and ankles. According to the housewife's account, burglars had stolen into the house early that morning. One of them had dealt her a serious blow to the head, which knocked her out for the next five hours. The police did find the place ransacked, but in a way unbefitting the normal modus operandi for professional burglars. The valuables that were allegedly stolen were found stuffed under the mattress. Most telling, the housewife had no signs of the serious blow that supposedly kept her out cold for several hours.[1]

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[1] *See generally* MacKellar, Landis. *The "Double Indemnity" Murder: Ruth Snyder, Judd Gray, and New York's Crime of the Century*. Syracuse, NY: Syracuse University Press, 2006, pp. 65-66; O'Sullivan, Shawn, ed. *New York Exposed: Photographs from the* Daily News. New York: Harry N. Abrams, Inc., 2001, p. 58.

Edgar Hazelton, his Client, and a Voracious Press

On the night of Tuesday, 22 March, 1927, defense attorney Edgar Hazelton faced the full might of the voracious New York City press.[2] Only that same morning he had been contracted by an elderly Queens matron to represent her daughter. The charge was murder, the outlook was grim.

The murder having been committed early Sunday morning, a determined police investigation over the next forty-eight hours had elicited confessions both from his client and her alleged lover, before either of them had engaged legal counsel. According to the District Attorney, "each statement, if accepted into evidence, was sufficient to send the party who made it to the electric chair."[3] He had just gone through the legal procedure of pleading not guilty for his client; though she had confessed, a guilty plea would not be accepted given the charge of first-degree murder. Now he faced the flashbulbs and microphones of New York's top reporters, demanding to interview his client.

He had to admit, it was a juicy story. Ruth Snyder, his client, had confessed to aiding her paramour, H. Judd Gray, in murdering her husband and then attempting to cover it up as a burglary gone awry, while their nine-year-old daughter slept nearby. The nefariousness of the deed, and the extremely poor planning with which it was carried out were sure to make it a smash in the papers. Now he had a choice to make.

Should he allow these seasoned reporters access to his distressed, sleep-deprived client? The case was seemingly so cut and dried that Snyder's fate might just lie in the public's perception of her. If he could manage to portray her as a victim of her husband—the proverbial "battered woman"—as a devoted mother, and as a good Christian, he might garner leniency in sentencing and help her avoid the electric chair. If the plan backfired, the access granted to Snyder might reveal unfortunate facts about her, which, even if they were completely unrelated to the murder case, might still hurt her public image before, during (**image 1**) and after trial. Even innocuous statements could be spun into something much more sinister or humiliating; he had been in and around the New York courts long enough to know that. There was clear precedence for clemency being given to female offenders given massive public outcry, especially if they were mothers and victims of spousal abuse.

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[2] MacKellar, pp. 65-66.
[3] Quoted in id., p. 57.

Image 1 Ruth Snyder on the witness stand (image from O'Sullivan, p. 58).

The New York Daily News *and the "Biggest Photo in the History of Criminology"*

Ten months later, several hours after the successful execution of both Snyder and Gray, *New York Daily News* publisher Joseph Patterson sat with a literal bombshell in front of him. Several weeks previous Patterson and his managing editor at the *News* had concocted a plan to get a picture from inside the death chamber. If all went well, a photojournalist could snap the shot right as Snyder was electrocuted, and the picture would be a sensation. Patterson already had a circulation of one million, but he wanted to improve on that even more.

The problem was that, while public executions still took place in many states (and the last in the US would not take place until ten years later), New York had not conducted public executions since the 1880's. Thus, a select few reporters would be allowed in, and no photographers. To get around this Patterson called up Tom Howard, a Washington-based photographer for the *Chicago Tribune*, the *News*' parent company—that way neither the police, the prison staff, nor the other press would recognize him.

Masquerading as a regular reporter, Howard would slip into the room with a camera attached to his ankle, hidden under newfangled bellbottom pants (**image 2**). At the right moment he would raise his pant leg, press a trigger running from his ankle to his hand, and capture the shot. Howard spent several days prior to the execution practicing the technique in a hotel room. Then, on Thursday, January 12, 1928, Howard carried out the plan and managed to escape the prison with the authorities none the wiser.[4]

[4] MacKellar, pp. 326, 332-3.

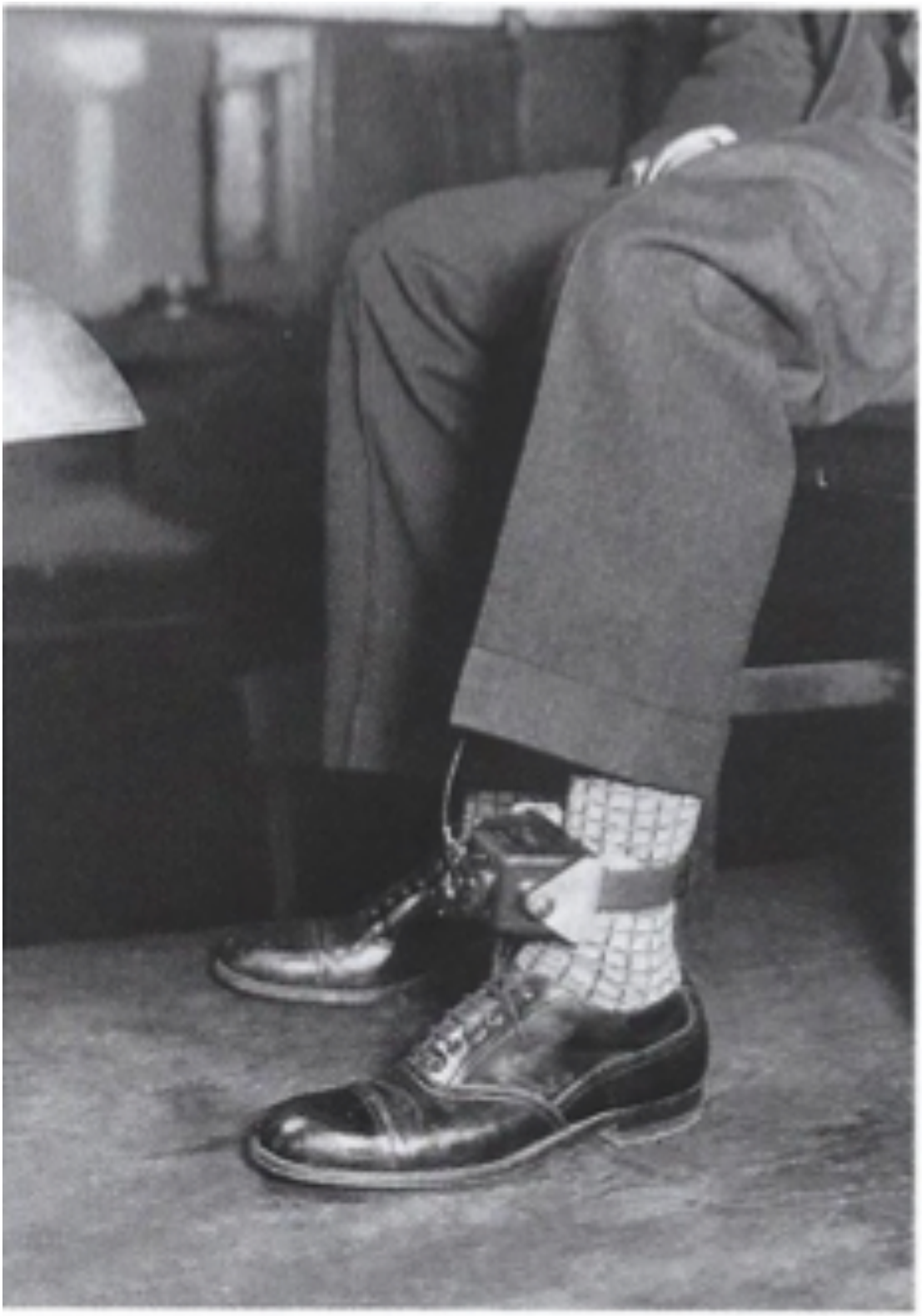

Image 2 The clandestine camera on the leg of photographer Tom Howard (image from O'Sullivan, p. 59).

Now, after all those weeks of planning, the crucial photo sat on Patterson's desk. By no means was it a masterwork of photographic prowess. The edited image was somewhat blurry, having been cut down from the negative, which included the legs of two of the witnesses beside the writhing body of Ruth in the chair (**image 3**).[5]

Image 3 The negative of Howard's famous photograph, showing several of the witnesses present and the gurney on which Snyder's body was removed (image from O'Sullivan, p. 59).

Nevertheless, the photo had real power. To publish it would mean seizing the most exclusive of all exclusives; it would surely be the *pièce de résistance* of the *News'* coverage of the case. He had qualms with the image, of course. While the *News* was no stranger to images of death—it often carried images of dead bodies at the crime scene, and even once or twice photographs of suicidal cases in the act of jumping to their deaths—it had never published, or even *had*, an image like this: the moment of death itself.[6] In addition, the fact that Ruth was a woman, and a mother at that, complicated things even further. There was the possibility that the paper would be subject to legal troubles for flaunting the prison's rules.

[5] O'Sullivan, p. 59.
[6] O'Sullivan, pp. 94, 159, passim.

Howard was on his way to an assignment outside the country, in case legal challenges became reality, but it would certainly not be desirable for the *News* to add a government agency to the list of litigants against it. Was it conscionable to publish a photograph of her mother's death, which Lorraine Snyder might someday see? Would there be a backlash to the photo? If so, would it be warranted? Was this image simply a step too far?