



DISTRICT ATTORNEY OF THE COUNTY OF KINGS
MUNICIPAL BUILDING
BROOKLYN 2, N.Y.

EDWARD S. SILVER
CHIEF ASSISTANT

21 December 1951

Dear Burt:

I thought you might like a copy of the
Grand Jury Presentment on the death of Abe (Kid
Twist) Reles.

With kind regards,

Sincerely,

A handwritten signature in dark ink, appearing to be "E. Silver", written over the word "Sincerely,".

Burton B. Turkus, Esq.
11 East 44th Street
New York, N.Y.

County Court

COUNTY OF KINGS

IN THE MATTER

of

The Investigation into the Circumstances Surrounding the Death of Abe Reles on November 12, 1941, at the Half Moon Hotel in Coney Island, Brooklyn, New York.

To:

THE HONORABLE SAMUEL S. LEIBOWITZ

Judge of the County Court, Kings County, Borough of Brooklyn,
State of New York.

From:

DONALD A. LAWSON

Foreman, September 1951 Grand Jury, Kings County, and all the
members thereof as a Body, Brooklyn, New York.

Dated: December 21, 1951.

Introduction

Honorable Sir:

For a decade the circumstances surrounding the death of Abe Reles, on November 12, 1941, at the Half Moon Hotel in Coney Island, have been the subject of much speculation.

Recently, the Kefauver Committee highlighted this occurrence. Limitation of time and other important phases of that Committee's investigation left the Abe Reles death more of a riddle than ever. It was, therefore, most important and necessary that a real effort be made at long last to ascertain all available facts surrounding his death, to the end that the public might know whether Reles was murdered, and, if he was, that the perpetrators be brought to justice.

County Court

KINGS COUNTY

IN THE MATTER

of

THE INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING
THE DEATH OF ABE RELES ON NOVEMBER 12, 1941, AT THE
HALF MOON HOTEL IN CONEY ISLAND, BROOKLYN, NEW YORK.

GRAND JURY PRESENTMENT

MILES F. McDONALD,
District Attorney, Kings County,
Municipal Building,
Borough of Brooklyn,
City of New York.

It is not a healthy condition for a community to be left guessing, wondering and confused about an event that concerns the people deeply. They have a right to know all the ascertainable facts. We are constrained to say that what we have now done should have been done at the time of the occurrence. Had it been, the fanciful speculation that has run rife, and the onerous task of this Grand Jury, would have been obviated.

The Grand Jury, in its inquiry, has exhaustively examined eighty-six witnesses and spent approximately one hundred and ten hours in its sessions. One hundred and twenty-seven exhibits were submitted to us for our consideration.

Our report is based on credible evidence. We cannot indulge in the speculation and fancy that has been rampant for the past ten years. Sensationalism, induced by whatever cause, must be and has been avoided. Wishful thinking is another morsel a Grand Jury's diet does not permit.

District Attorney Miles F. McDonald is to be congratulated for instituting this inquiry. His Chief Assistant District Attorney, Edward S. Silver, who conducted the investigation, and his aides, Assistant District Attorneys J. Kenneth McCabe and Lewis Joseph, carefully and ably performed a notable task.

The People of our County are fortunate in the fact that its Prosecutor's Office is staffed by forthright men of ability, integrity and tireless energy. Again and again we were amazed by what these men could find ten years after the event.

How Abe Reles Died

Abe Reles, then thirty-seven years of age, fell to his death as a consequence of his attempt to escape from his room, Number 623, at the Half Moon Hotel, between three and four o'clock on the morning of November 12, 1941.

He fell to an extension roof five floors below his room. This roof, nineteen feet one-quarter inch wide, ran along the entire east side of the hotel. His body was found nine feet from the building with two sheets partly entwined about him. They were knotted together and a length of wire was tied to one end.

Just beneath the window of Reles' room was a steam radiator. On that morning there was found, fastened to the brass bushing connecting the top of the radiator with the steam valve, a length of wire

which extended from the bushing to the edge of the window-sill. This wire was of the same type as that tied to the end of the bedsheets.

It is most important to note that the piece of wire attached to the end of the bedsheets was, for the purpose of our investigation, scientifically tested by the Federal Bureau of Investigation in its crime laboratory at the request of the present District Attorney. The findings of the F. B. I. showed that the free end of the wire attached to the sheets entwined with Abe Reles' body was unquestionably broken by a tensile stress sufficient to pull it apart. Abe Reles, who was an unusually strong and agile man, weighed between one hundred and sixty and one hundred and seventy pounds. The F. B. I. ascertained that this wire would not support a weight of one hundred and sixty pounds. Its limit of stress was one hundred and thirty pounds.

It was also clearly ascertained that the end of this wire was not severed by any tool or broken by bending the wire up and down. It is therefore clear beyond doubt that the wire broke as the result of a weight hanging from it in excess of one hundred and thirty pounds.

Reles died of a fractured dislocation of the fourth and fifth lumbar vertebrae, ruptured liver and spleen and hemoperitoneum (hemorrhage in the abdomen).

When he fell from the window, Reles was not under the influence of alcohol. On the contrary, chemical analysis of his brain showed the presence of only a faint trace of alcohol, insufficient to affect his actions in any way. Chemical analysis showed that there were no drugs or poisons of any kind in any of the vital organs. There were no bullet wounds, stab wounds or any other marks of violence on his body. He had sustained no injuries to his skull, brain or to the coverings of the brain. Nor, at the time of his death, was Abe Reles suffering from the diseases of cancer, paresis, tuberculosis or ulcers.

Much of the speculation that was indulged in concerning Reles' death centered about the theory that Abe Reles was the corroborating witness against one Albert Anastasia in the killing in Brooklyn of one Morris (Moish) Diamond, on May 25, 1939.

This is the murder which former District Attorney O'Dwyer characterized as "the perfect case" which "went out the window with Reles".

Our investigation has disclosed that Abe Reles was not a corroborating witness in that killing. On the contrary, as a matter of law, he was only one of several accomplices. In view of the avail-

ability of the other accomplices, it follows that Reles was not even an essential witness. The prosecution of Anastasia required corroboration and Reles could not have supplied it.

The Setting

Now follows the setting in which the death of Abe Reles occurred, and what the authorities did and what they failed to do, after his body was found on the extension roof.

On November 12, 1941, and for about fourteen months prior thereto, the then District Attorney of Kings County, William O'Dwyer, had established quarters for the safeguarding of material witnesses in the prosecution of various defendants who were part of a group commonly known as Murder, Inc. One of the witnesses so guarded was Abe Reles.

These quarters consisted of the entire east wing of the sixth floor at the Half Moon Hotel in Coney Island, Brooklyn, known as Suite 620. The hotel fronting on the boardwalk faced the ocean and extended from East Twenty-eighth Street on the east side to East Twenty-ninth Street on the west.

The suite was made up of ten rooms. A special door, which was the only entrance to this suite, was constructed across a corridor leading to it. The door had a peep-hole in it, and in addition to a lock, was further secured on the inside by a wooden bar placed into metal brackets secured to the frame of the door.

The suite consisted of a corridor with rooms leading off from it. At the furthest end across the suite, facing the ocean, was one room which was used as a sitting room. One of the rooms on the east side of the suite, with a connecting door to this sitting room as well as a door to the corridor, was room 623 which was occupied by Abe Reles. This room had adjoined to it a private bathroom.

Three shifts of police guards, consisting of about eighteen men, were assigned to guard the prisoners and witnesses. It was the practice, for at least several months prior to November 12, 1941, that each of the shifts be on duty twenty-four hours, from ten A. M. on one day to ten A. M. on the next.

While the guards in suite 620 were members of the Police Department, they had been assigned to the Special Investigation Squad of the District Attorney's office under the command of Captain Bals. They were solely responsible to him. Captain Bals did not report on

his activities to his superiors in the Police Department. Indeed, he took the assignment with the understanding that he would not be required to do so. He was responsible only to District Attorney O'Dwyer.

At the time Reles died there were five police guards in the suite. In addition to Reles, there were three material witnesses under guard. None of the five police guards was placed in command of the detail. Each of them acted as he thought best under the circumstances. No regular routine or procedure was prescribed for the guards to follow in the performance of their duty and the sergeant in general charge of the detail made only brief inspection visits. The guards were not required to make periodic visits to the rooms where Reles and the others stayed or slept. The guarded persons were permitted to keep the doors of their rooms closed when they retired, without a police guard remaining in the room with any of them.

There was no requirement that the police guards should check the persons who occupied rooms on the sixth floor of the Half Moon Hotel outside suite 620, or in any other part of the hotel. Nor in fact did they do so.

The guards concerned themselves in the main with keeping unauthorized outsiders from getting into the suite. Among those permitted access were wives and other relatives of the prisoners, who were allowed to enter and privately visit with the prisoners in their respective rooms without police surveillance.

Mrs. Reles was a frequent visitor. It was a common practice for Mrs. Reles to bring with her a bag containing delicacies or items of clothing that Reles desired. Never did any of the guards, on her coming or going, inspect the bag which she brought with her. On her visits, she was closeted with him in a closed room without any supervision.

From time to time, Mrs. Reles brought whiskey to her husband. Indeed, the police guards themselves at Reles' request sometimes purchased and brought whiskey into the suite. Some of the guards joined him in drinking it.

In addition to the police guards assigned to duty in the suite, two fixed posts were established at two entrances to the hotel. At each of them, a uniformed patrolman from the local precinct was stationed twenty-four hours a day on eight hour shifts. However, these patrolmen at the fixed posts received no special instructions concerning their duties other than to "keep an eye out" for suspicious characters

loitering around the entrances. These police officers had no contact with the prisoners guarded and with but few exceptions could not even recognize them, or, indeed, recognize the police guards in the suite.

The police, with the design of keeping their prisoners happy and contented and of minimizing the mental hazards of long confinement, were accustomed to take them on escorted outings. On at least ten or twelve occasions during the summer of 1941 they were taken on all-day outings to Heckscher Park in Nassau County, Long Island. The night before they would leave for the outings, the hotel would prepare food to be taken along on these trips. Consequently, many persons outside of the suite knew that the following day there would be an outing.

At the park, the prisoners and their police guards would play baseball and picnic until about 4 or 5 P. M. in the evening. If anyone desired to kill Reles, ample opportunity presented itself on those occasions when he was outside the suite of the Half Moon Hotel, and more particularly when he and the other witnesses were taken on day-long outings. There is no evidence that at any time was an attempt ever made on Reles' life while he was in police custody, either on November 12, 1941, or at any other time.

At about 6:45, on the morning of November 12, 1941, the secretary of the local draft board, who occupied room 123, five floors directly below 623, discovered the body of a man lying outside his window on the extension roof.

He immediately communicated with the management of the hotel. Thereupon the Manager phoned to suite 620 and advised the police guards that one of the prisoners was lying on the extension roof. He and the Assistant Manager also viewed the body from the draft board office.

The guard, thus advised by telephone, began an immediate inspection of the bedrooms. He found that the one occupied by Reles was empty. He looked out of the only window of room 623 and saw the body lying below on the extension roof. He went down to the roof and verified that it was the body of Abe Reles.

Reles was lying on his stomach with the left side of his face in contact with the pebbled surface of the roof. His head was facing toward the boardwalk and his feet were pointed toward Surf Avenue. His body was about nine feet away from the wall of the hotel from which room 623 opened. He was fully clothed: underwear, trousers, socks and shoes, and a sweater under his jacket. There was a cap in

the back pocket of the trousers. Embedded on the left side of his face were numerous pebbles of the same type as those which covered the surface of the roof.

Reles did not die immediately upon falling to the roof according to expert medical opinion. In fact, he lived at least ten minutes after he hit the roof, and possibly for as long as half an hour. We cannot find whether Reles was conscious or unconscious after he hit the roof, nor can we say that he did or did not change his position by crawling or otherwise after he landed.

Lying with the body, and partly entwined with it, were two bed sheets which had been knotted together, with an overall length of eight feet and eleven inches. Tied to one end of the sheets was a four foot piece of insulated fourteen gauge, seven strand, tinned copper wire.

The sole of the left shoe worn by Reles showed considerable scraping from the inner to the outer side. Such marking also appeared on the shoe on the right foot, but only at the toe.

Upon inspection of room 623, which Reles had long occupied as his private room, it was discovered that the window which overlooked the extension roof was wide open and that attached to the radiator immediately beneath this window was a length of wire of the type found attached to the sheets at the body of Reles. This length of wire extended from its point of attachment on the radiator to the end of the sill of the window in room 623.

The bed was in disorder and the bed-sheets were missing from the room. Across the floor, extending from a point beneath the bed to the radiator, but not attached to either of them, was a length of cloth which was later ascertained to have been formed by cutting and tearing a bedspread down the center, and tying an end of one piece to the end of the other. A pair of scissors was found on the dresser.

Wire of the type attached to the sheets on the roof was found in a closet in the sitting room when the premises were inspected by the police of the Homicide Squad on the morning of November 12, 1941. This wire had been brought in by one of the guards. He got it from the hotel engineer for use in connection with radios used in the suite. This wire was not retained as an exhibit by the police.

Investigation of the activities in the suite on the day before Reles' death disclosed that Mrs. Reles arrived there on the evening of November 11, 1941, some time after 7:00 P. M., and that she visited privately with her husband in his room for approximately three hours.

Upon arrival she carried a bag in which she had placed a bottle of whiskey. This she gave to her husband. She left shortly before 11:00 P. M. They parted on very unfriendly terms.

Soon after Mrs. Reles' departure, someone in suite 620 telephoned to the desk of the hotel and asked the night clerk then on duty whether room 523, the one directly below Reles' bedroom, was vacant. He was informed that it was. The room was in fact vacant.

It was the regular custom, followed on the evening in question, that sandwiches, cold cuts, milk and coffee be delivered to the suite. After eating, the occupants of the suite began to retire for the night.

The night was cold and windy. The temperature during the hours of 3:00 A. M. and 7:00 A. M. on the morning of November 12, 1941, was between thirty-four and thirty-five degrees and the wind velocity ranged between twenty and thirty miles per hour.

Shortly before 3:00 A. M., one of the police guards, while making coffee for himself, saw Reles, who had not yet retired, walking in the corridor of the suite. The guard offered him a cup of coffee. Reles declined the offer and went into his room. This was the last time that Abe Reles was seen alive by anyone in the suite.

Upon the retirement of the prisoners, the police guards also settled down for the night. Three of them went to bed. The other two who were in different and separate rooms, made themselves comfortable in chairs on which they dozed during most of the night. The quiet thus established was not broken until about 7:00 A. M. when the management of the hotel telephoned to advise them that one of the prisoners was no longer in the suite.

Room 523, directly below room 623, was found to be locked. The latch on the window was pulled over about one-quarter inch and had to be moved before the window could be opened. A half-screen on the outside of the window was raised to within six inches from the top of the upper half of the window. This was not its usual position. On the stone window-sill of room 523, scratches were observed, as were marks of scraping on the paint of the window frame.

The distance between the window-sill of room 623 and the sill of room 523 was ten feet and one-quarter inch, and the distance from the window-sill of room 523 to the extension roof, to which Reles fell, was forty-two feet three and one-quarter inch.

At 7:20 A. M., the telegraph bureau of the Police Department was notified that an unidentified man had jumped or fallen from the Half Moon Hotel.

An ambulance from the Coney Island Hospital left for the hotel at 7:23 A. M. Acting Captain Frank C. Bals arrived at the scene at about 7:25 A. M. Between then and about 9:20 A. M., many other ranking police officers came to the hotel. Except for the Captain then in charge of the Homicide Squad, their visits were merely routine and they took no part in investigating the occurrence.

At about 7:30 A. M., the body was viewed by a doctor then attached to the Coney Island Hospital. He pronounced Reles dead on arrival. At about 9:30 A. M., the body was viewed by an Assistant Medical Examiner, now deceased.

At about 10:30 A. M., the body was removed from the Half Moon Hotel and placed in a vault at the Kings County Morgue. An autopsy was performed that very morning by the Assistant Medical Examiner. The brain, liver, kidneys and the stomach and its contents were removed from the body and delivered to the chemical laboratory of the Chief Medical Examiner. There a chemical analysis of them was made under the supervision of the laboratory chief, Dr. Alexander O. Gettler.

At about 9:30 A. M., an Assistant District Attorney came to the hotel. He took statements from the five police guards who had been on duty during the night, from the three witnesses under guard, from Acting Captain Bals, and from a sergeant who was generally in charge of the men assigned to the duty of guarding the prisoners.

Subsequently, a statement was also taken from a police guard who had escorted Mrs. Reles to and from the Half Moon Hotel on the night of November 11, 1941. He was one of the guards attached to a detail guarding Mrs. Reles and her children at their home.

The investigation of the event which was conducted at the Half Moon Hotel was concluded at about twelve noon, on November 12, 1941.

During the course of such investigation on November 12, 1941, and thereafter, no inquiry was made of any employees of the hotel or any of the tenants who were in the hotel during the course of the night and morning. It should also be stated that some of the physical evidence, such as Reles' shoes and clothes, was not retained. Those exhibits which were kept were not submitted for laboratory tests.

We deplore the lack of proper investigation and the loose manner in which this important occurrence was investigated by the responsible agencies concerned.

Conclusion

The Grand Jury has reached the following conclusions:

That Abe Reles met his death while trying to escape, by means of a knotted sheet which was attached to a wire, which wire was in turn attached to the radiator in his room. He fell to his death, while suspended from or supporting himself on this sheet, when the wire parted as a result of the strain of his weight on it.

We find that Reles did not meet with foul play and that he did not die by suicide.

It would be sheer speculation to attempt to discern his motive for wanting to escape.

Respectfully submitted,

Grand Jury for the September 1951
Term, of the County Court of
Kings County.

DONALD A. LAWSON,
Foreman.

JOSEPH L. BLACK,
Acting Foreman.

LOUIS M. FROHMAN,
Secretary.

ARTHUR I. BAUER
MRS. LEE BRANDMARK
CARLYLE L. DETJEN
MRS. LUELLA P. DEVINE
WALTER J. DONOHUE
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MATTHEW N. EDWARDS
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