

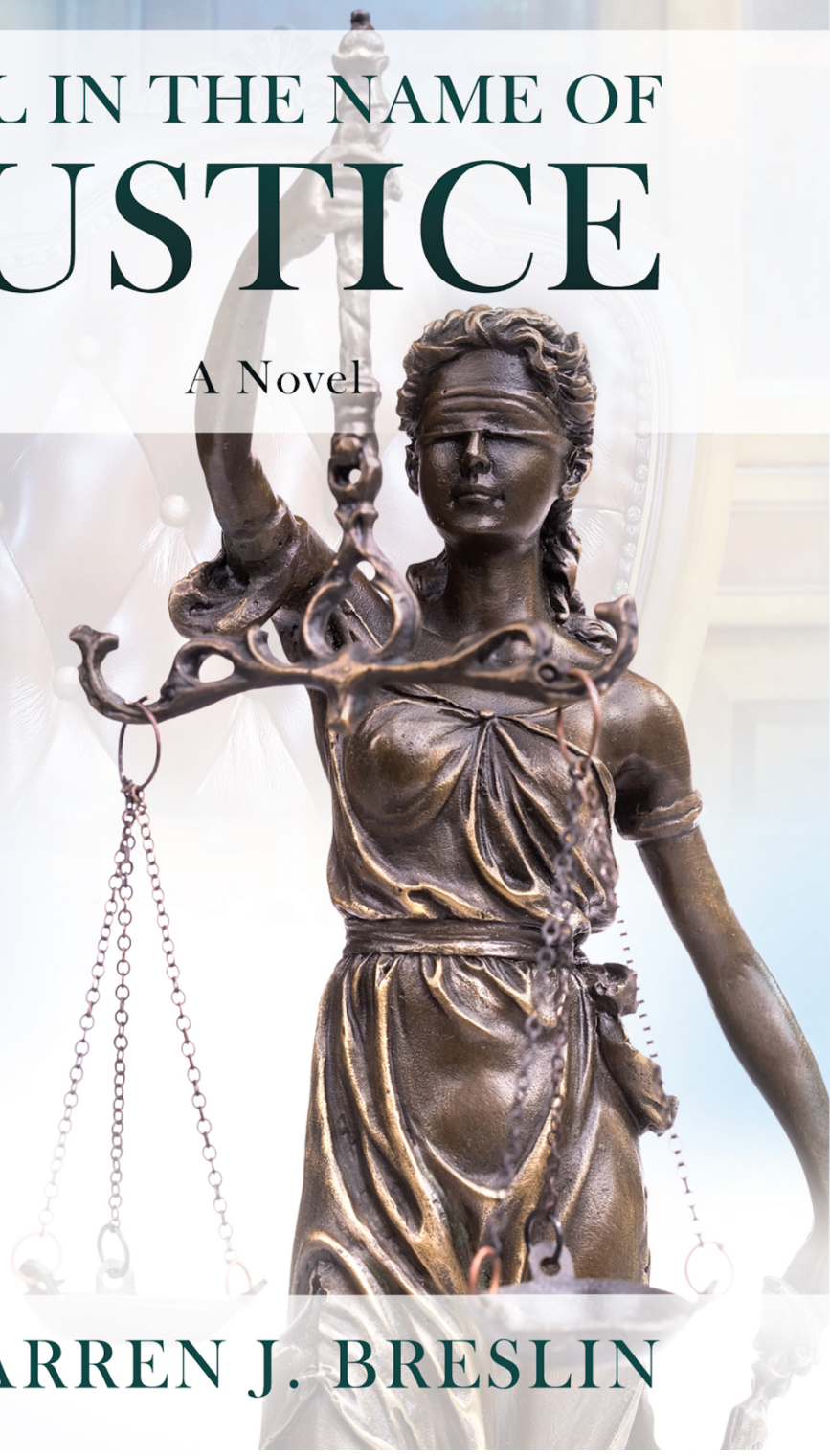
ALL IN THE NAME OF JUSTICE

A Novel

WARREN J. BRESLIN

ALL IN THE NAME OF JUSTICE A NOVEL WARREN J. BRESLIN

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press



A dramatic, thought-provoking novel.

Stephen D., Editor

A gripping story of street justice, codes of silence, and corruption

Inspired by true events, *ALL IN THE NAME OF JUSTICE* chronicles the gripping and enlightening fictional journey of one man who went from Chicago police officer to prosecutor and criminal defense lawyer, exposing the behind-the-scenes underbelly of street justice, corruption, and the “blue wall” of complicit silence, all things done and pursued in the name of justice.

Authority without accountability provides little justice.

Whether power is seized or given to those who rule, there must be further delegation of authority, with effective checks and balances, to hold authority responsible at all levels of governance. Authority can be corrupting sometimes, but it is necessary to get things done. After all, as we have been told throughout life, albeit sometimes unfair, “That’s how it works.”



About the Author: Warren Breslin was a Chicago police officer, a criminal prosecutor, and now a criminal defense attorney in Chicago. He was an official photographer for the city before entering law enforcement, prosecution, and defense. He holds a bachelor’s degree in Philosophy, a master’s degree in Public Administration, and a Juris Doctor degree in Law.

Theodor Adorno
Philosopher and Author,
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A lifetime of work as a police officer, prosecutor, and criminal defense attorney has inspired me to write this novel.

My fictional lead character reminisces about his life experiences during jury deliberations that will bring a verdict in his latest and perhaps last trial—a trial in defense of a murderous drug dealer, one of many whom he arrested, prosecuted, and defended over the years. The book examines authority—authority of police officers, prosecutors, and courts—and the need for a common-sense, practical approach to oversight that will check authority and assure proper governance. And yes, even private attorneys need to be mindful of their authority and responsibility to vigorously represent their clients and not rush to an expedient resolution of their cases.

Police need to be tough and feared by criminals, but not too tough. Prosecutors need to be fair and compassionate. Courts, prosecutors, and police need to focus on the spirit of laws—a fair application of the laws, application that would be conceded to be fair by all litigants. And all authority figures must avoid any appearance of impropriety. Equally important, there should be no smug tolerance of impropriety among the ranks of authority figures.

Authority must be well placed to work and get things done to serve justice with fairness, to allow pursuit of the ever-elusive democratic dream of "liberty and justice for all."

I hope you like the book. There are plenty of stories out there to fill volumes of sequels. My hope is that there is thoughtful reflection and progress in appointing the most qualified and effective representatives who will serve us all.

Thank you,
Warren J. Breslin

Anticipated Best Seller,

ALL IN THE NAME OF JUSTICE,

By Warren J. Breslin

AVAILABLE DIRECTLY FROM AMAZON OR BARNES & NOBLE, IN HARDBACK, PAPERBACK, KINDLE, & NOOK. PDF also available at outskirtspress.com/allinthenameofjustice.

★★★★★ 5 out of 5 stars.

Great Read; Highly Recommended! Inspirational.

Independent Book Editor review:

"A dramatic, thought-provoking novel."

"Amazing coverage of our system of justice and need for reasonable and constant public oversight. Very subtle encouragement to elect and appoint fair and just leaders and to hold them responsible for just leadership. Well serves to change our current political climate."

— Amazon, Barnes & Noble customer reviews.

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About the Author:

Warren James Breslin is a criminal defense attorney in Chicago. He obtained his Juris Doctor degree at Loyola University after completing a Bachelor of Arts degree in Philosophy and a Master of Science degree in Public Administration at DePaul University. During his years of study, he began his professional journey as a city photographer and then a Chicago police officer before becoming an attorney and Cook County criminal prosecutor. Warren Breslin is honored to be listed in both the Martindale-Hubbell Register of Preeminent Lawyers and the Thompson Reuters directory of Super Lawyers.

While a third-year Loyola University Law School student assigned to the Chicago Police Superintendent's Office, he wrote and internally published numerous General Orders, Special Orders, Department Notices, and Training Bulletins. His duties also included speech writing for the Superintendent. He published an authored article, "Police Intervention in Domestic Confrontations," in the *Journal of Police Science and Administration (Volume 6, Number 3, September 1978)*, a publication of the International Association of Chiefs of Police, Inc., an article that was jointly reviewed for publication by Northwestern University School of Law. His Master's Thesis at DePaul University was accepted in 1975: *A Study in the Organization, Administration, and Management of Municipal Police Departments*.

*Dedicated
to my parents in appreciation of their
motivation and direction in life's choices,*

*And to my wife for her unrelenting
inspiration and contributions.*

*Also, in memory of friends and
fellow police officers
Bruce Garrison & William Marsek.**

**See Author's Dedication Note Following Epilogue for
Death Notice of Bruce Garrison & William Marsek.**



*And dedicated also to the brave people of Ukraine
and so many others who have defended against
inhuman dictators determined to prevent the
survival of democracy and humanity itself.*



Chapter 1

The Last Trial

“**A**ll rise,” announced the bailiff as the jury returned to the courtroom after a brief recess.

The court came to order and the prosecuting district attorney approached the jury to begin his rebuttal closing argument. Jack Keegan sat back, pensively reviewing each juror’s expression during the prosecutor’s remarks. The prosecutor recounted the evidence that was methodically presented during trial to convict Raphael Martinez of three counts of first-degree murder.

Jack Keegan was a prominent criminal defense attorney well known and respected by the most notorious underworld characters in Chicago and Miami, characters whom he had set free from jail time and time again. Raphael Martinez was one of those characters and the



Chapter 2

Recollections during Deliberation

The jury was deliberating for its second day. The jury's room was clean and comfortable, but not loungingly comfortable as might encourage the jury to linger in its deliberations. Chairs were straight-back and unpadded. Dark walnut suited their purpose just fine. No one dared discuss the sanitary reasons for keeping soft cloth surfaces from jurors' derrieres that might spoil fabric-covered seats. A pitcher of ice water was kept fresh on the jury's long table, and a water cooler was perched in the room's corner if preferred. Bailiffs would hover outside the room to be at the jury's beck and call and to take orders for lunch and dinner. Others waited patiently for the jury's verdict.

Jack Keegan was in his office awaiting a call back to court for the verdict while halfheartedly



Chapter 3

Police Days

Jack never heard his father talk about Fred and was not sure how well they knew each other. But that was not unusual. His father was never seen to be close to police “friends” and never talked about anything job related. The “job” was just that—his job—and his family was his world. Nothing was more important.

Jack had to learn the ropes of being a cop while working the job. He listened and learned what he needed to know. Young, aggressive cops were not his mentors. It was the seasoned, aging cops that showed wisdom and justification for all that needed to be done to be an effective cop. There was justification for everything.

It was Jack’s first assignments that had him working alone, in a one-man car with a dashboard radio, rather than the later-to-be-issued



Chapter 4

Perks of “The Job”

As a young police officer, Jack was on top of the world. He was welcomed by every business owner who tried to bestow gifts and discounts on everything from restaurants to vehicles. His money was often refused at bars and restaurants that loved the police. It did not take long for police officers to justify accepting those gratuities. After all, it was reasoned, a police officer’s presence in a business establishment rendered security to the owners and employees. Bars and restaurants, especially, had little fear of becoming crime victims where there was a plentiful police presence.

It was not just one or two police officers who advocated taking “freebies.” The practice was pervasive throughout all police departments and all personnel. And if you did not want the bestowed gift, officers were expected to take it anyway so as not to discourage gifts to other



Chapter 5

Stories from “The Job”

While walking the beat alone on State near Division, Jack approached a limousine driver parked illegally in front of a 5-7-9 Shop. He recognized the license plate HH1340 as registered to Hugh Hefner, who lived down the block in the Playboy Mansion, 1340 N. State Street. While engaging the driver in small talk conversation, out of the store came Barbi Benton, a *Playboy* centerfold beauty and who was Hefner’s main squeeze. The driver scurried to the rear passenger door.

“I’m so sorry, Miss Benton. I didn’t see you coming,” said the driver.

“My fault,” said Jack, apologizing for being the driver’s distraction while locking his eyes with one of the most beautiful women Jack had ever seen.



Chapter 6

The Drug Wars

It was thought by most to be a mistake that Jack took a requested next assignment to the Narcotics Unit of the Vice Control Division, where he hoped to make a big difference in fighting crime. He expected to and did get a lot of “action.” Family and friends thought Jack was “oobatz,” but he tackled the job. He also started law school, where he studied the general curriculum but concentrated his attention on criminal law.

Keegan and others in the class asked his criminal law professor who specialized in criminal defense in his private law practice,

“How could you defend scumbags for a living? Is it personally rewarding to allow so many to go back on the streets?”

“You are learning to be attorneys,” the professor answered. “Remember that when you serve your clients you are serving social propriety and order.



Chapter 7

Cultivating Informants

Keegan began cultivating drug users and dealers to get the top guys in charge. Raphael Martinez would become one of those cultivated dealers.

Raphael was a low-level dealer when Jack first met him. He had been arrested several times before and did his time without giving up others in his trade. It was his silence that would allow him to move up in the drug-dealing hierarchy. But Jack was smooth in cultivating him to be a snitch. His drug-enforcement unit gave Jack a lot of tools.

It was chilly but not too cold when Raphael was observed huddling in a hallway outside what was suspected to be a drug house. Jack and his team broke up a suspected transaction between Raphael and a drug purchaser.



Chapter 8

Working with the DEA

It was hot—not just uncomfortably hot, unbearable. Nights in Mexico can be humid, but this night Elijah and Maria could almost see steam rising from their bodies. They'd just finished making passionate love. Neither of them could catch a breath of air as they gasped with their hearts racing. Their excitement was heightened by their fear of being caught. Guillermo Echevarria was down the hall in his home office doing some bookkeeping.

They whispered their plans for the week that would include being together but with Echevarria close by. There would be major movement in their product supply chain. Details were sparse but obtainable. Maria made her move.



Chapter 9

Taking on Cartels

At the direction of the U.S. Department of Defense, a team was assembled to infiltrate cartels—a team of mostly DEA agents, Hispanic informants, and a few local narcotics cops who were close to cultivated informants. Jack Keegan was one of the locals responsible for Raphael Martinez, Ruben Castro, Manuel Lopez, and Elrod Moses. But Keegan’s main contribution to the group was Elijah Rico, who brought Maria Vasquez to the table. Without Keegan bringing Rico, there would be no mission.

The DEA agents who set up the mission and provided Keegan with valuable cartel operational insight were mostly Hispanic, unlike Keegan and a few others who were not ethnically suited to infiltrate cartel operations, if necessary. The point DEA agent in charge of the mission was Ariana De Leon.



Chapter 10

Becoming a Lawyer

Being a police officer was the best part of Jack's life education. It was real. It was how things worked. But he left the job to settle down and utilize his newly earned law degree. He got a job with a big bond drafting and litigation law firm, but he did not stay long. Civil law practice was not his style. He wanted to settle into a criminal law practice.

During Keegan's short stay at his very first job as a new civil lawyer, Jack got a call from an old friend who was facing criminal felony charges for snorting cocaine while sitting in his car. His friend did not at first see the uniformed police officer approach to notice him inhaling the substance from a spoon. Jack took the case, pro bono, to help his old friend.

Before the preliminary hearing's initial court date, Jack had subpoenaed and received the



Chapter 11

Justice from the Hip

There was a very fine judge, Robert Johnson, who Jack Keegan knew quite well who was caught up in the ongoing federal sting operation. It was learned that the government fabricated a misdemeanor retail theft case that was placed before that judge for adjudication. An undercover government lawyer posing as a defense attorney representing an agent posing as a first-offender defendant (one having no prior arrest) appeared before Judge Robert Johnson. The bogus defense attorney appeared before Judge Johnson and requested a conference with the judge for a proposed case disposition. Keegan was in the courtroom when the case was called.

“Sheet 1, Line 22, People v. Rachel Eisenberg,” the clerk announced, calling the defendant to stand before the court.



Chapter 12

Gypsies: A Class of Their Own

Probably the most interesting group of clients a criminal defense attorney may be lucky enough to acquire is the group of various clans or tribes called “Roma.” They even speak their own Romani language among themselves. We call them Gypsies if they are descendants of India or Travelers if they descended from England or Ireland. Whatever you may label them, they are a group unique and contrary to our civilized customs and traditions. They are thieves and don’t deny it. They are even proud of it.

Gypsies traveled Europe from India as far back as the Middle Ages. They were called Gypsies because they were then thought to be Egyptians. Other names and labels put on them all referred to their main characteristic—that they were all itinerant wanderers and soothsayers.



Chapter 13

Joining the “Big Boys”

Although Jack Keegan’s Chicago clientele brought the bread and butter to Jack’s law practice, the big fees were earned in Miami through his former drug-dealing informants and other contacts he acquired during his years in the Chicago Police Department. They trusted Jack to be straight with them and do his best to win their cases. Sometimes they needed guarantees that Keegan knew he could never provide.

It was a different practice of criminal defense law in Miami. The usual one-man criminal law firms in Chicago were big five-to-thirty lawyers strong in Miami. Jack met with some attorneys there after admission to the Florida Bar and sitting in on court proceedings throughout the city to get a feel for the protocols. Jack found that no significant drug cases landed in state courts. They were all in federal courts. In fact,



Chapter 14

Working the Case

The Elrod Moses case was assigned to the courtroom of Judge Angus Baldwin—the same courtroom where Raphael Martinez’s case landed. It would be a different result this time, Keegan thought.

Keegan met with Gatlin Driscoll, the AUSA assigned to prosecute Elrod Moses. Driscoll was yet another young prosecutor determined to prove himself to his peers. He was vigorous in all his assignments, a no-deal kind of guy.

“Mr. Driscoll,” said Jack, starting his introduction, “Jack Keegan, attorney for Elrod Moses. How are you today?”

“Very good, Mr. Keegan. I was just looking over the Moses file and find that we have a solid case here. What can I do for you?”



Chapter 15

Working with Clients

Elrod Moses was called back to Jack's office. Jack directed Moses to answer only the questions he would ask of him.

"Sit down, my friend. We need to talk," Jack directed Moses.

"I am not asking you to tell me anything about business operations, but I need you to give me details about only activities that occurred before and during your arrest and only persons present at those times and all conversations relating to the deals. What happened following your arrest is not my concern, nor should it be yours right now. Okay?"

Elrod Moses began:

"One of our street workers, Emiliano Pena, brought a buyer to me in a deal that went down mid-June in Little Havana.



Chapter 16

Investigating the Case

Jack Keegan had to call in favors from prior occupational contacts to gather more information about the agents and the associates of Elrod Moses. He no longer had access to needed information but knew who did. Keegan dug deeper into the activities of his client and of his client's associates—and of agents Ford Wilson and Angel Gonzales. And who is Cruz?

Keegan had to reach back to Agent Ariana De Leon who had been, since his last conversation with her, promoted to Special Agent in Charge of the Miami Field Division, and who had already denied Jack information in an ongoing investigation of the agents. She was the best he knew to get the answers he needed. He called to meet up with her again.

“Ariana, I realize your position here, but I need your help. I think you may also use my



Chapter 17

Leaving Miami

Jack Keegan was tired of the dangers of getting so close to cartels' business. He liked the fees but missed the comparative simplicity of representing clients in Chicago. Street gangs were not as sophisticated and were more predictable in Chicago. Criminal defense attorneys in Chicago did not as often have to look over their shoulders as they did in Miami. The drug possessions and distributions were much smaller and did not usually arouse the attention of cartels.

It was more comfortable in Chicago. Cases were won and lost on the merits. The evidence and arguments prevailed more than “under-the-table, unethical tactics” that were so pervasive in Miami.

Keegan wondered why the feds didn't move into Miami after homing in on Chicago to fight



Chapter 18

Being with Family

After his R & R at home with his family, Jack went to his downtown office to dust things off and get things moving again. He didn't realize when he left Chicago that Miami cases would take up so much of his time. Jack, Jr., asked to join him to get a feel for the practice of law that he was about to undertake with his soon-to-be-earned sheepskin under his belt. Jack was not crazy about Junior entering his criminal defense practice, though. He did not think he had the fortitude and maturity to handle it. But he agreed to show Junior the ropes. He was twenty-five and near ready to apply his new professional learning.

Looking around his Chicago office, Jack realized that he needed more room, especially if he were to take on an associate. He was impressed with the criminal defense law firms of Miami, like Zimmerman's, that



Chapter 19

Burden of Proof

Discovery materials were exchanged in the Juan Pablo Jiménez case and a future date was set for a jury trial. A bench trial was ready to proceed in the case of DeShawn Robinson and was rushed to trial before other defendants or witnesses would be discovered or come forward to add incriminating evidence against Robinson. Jack filed a “speedy trial” demand with the court.

The bench trial began. The state prosecutor, Lloyd Phillips, gave his opening statement to the judge as to the evidence that would be presented to convict DeShawn Robinson of murder. In a most unusual manner, Jack Keegan waived his opening remarks to allow the case to proceed immediately. Keegan was ready to hold the prosecution to his burden to prove the state’s case beyond a reasonable doubt. A more unpredictable jury trial was not



Chapter 20

Catching Up with an Old Friend

It was late afternoon one day when a retired old friend from Keegan's years as a Chicago police officer called to invite him out for a drink and to reminisce about old times. His name was Sal Amato. It was good to hear from a friend of simpler times. They met at Jack's home in Chicago. Jack's family was still in Vail, or wherever Elizabeth thought it to be safe for her family.

"What's going on with you and your family, Sal?" Jack asked with the answer not expected.

"We renewed our vows of marriage last November, Jack. We are doing well, and our kids are grown and on their own," Sal answered.

"And what of your 'gumad'?" Jack asked. "How is she doing?"



Chapter 21

Fearing the Cartels and Teaching the Family Practice

Jack had to know what happened to Santiago De la Cruz. Why would Moses confess to having the drugs and money if Cruz was able to slip away from the bust? He wanted to know but would not dare ask if Martinez paid Moses and Lopez a visit and took the money and product. If Martinez did, then the money would already be laundered, and the product would have been distributed. If he didn't find anything, Moses and Lopez would have stashed everything somewhere else, or otherwise Moses lied, and Cruz really took everything with him. Maybe Martinez never took care of loose ends, and Moses took off with Lopez and the stash, and they are still on the run. The cartels would surely catch up with them.



Chapter 22

Back to Miami to Clean Up Loose Ends

Jack comforted himself that things were back to good, with all loose ends tied up with his Miami clientele. He still wondered about the whereabouts or fate of Santiago De la Cruz, but he tried to put that issue out of his mind. Then Raphael Martinez called again. Fear for the worst returned.

“When we last talked, Jack, you warned me to keep quiet about everything. I know you don’t want to hear anything that could put you in the middle of something, but I must tell you that nothing happened between me and Elrod. I paid him a visit to clear up our problem, but nobody and nothing were there—no Moses, no Lopez, no product, and no cash. Sorry I didn’t let you know, but I didn’t think you wanted to know.”

Fear consumed Jack. Things were still



Chapter 23

A New Mission in Mexico

Raphael entered the Reyes territory in Michoacán. He was greeted as a rock star by the fellow soldiers transplanted from Mendez territory following the latest shakeup in cartel land. They were unaware that Martinez was working for both the Mendez and now the Reyes cartels, and certainly not aware of his new DEA mission. They greeted him by the same name they use for all their compatriots. When speaking English, all greetings were preceded with “Bro.” In Spanish it was “Hermano.”

“Hermano! Que Pasa, Ei?” Raphael was greeted by the crew. “All good, bro. Et tu?” Ei answered.

“I’m looking to drum up some new business. a new distribution route. Who should I



Chapter 24

A Safe Homecoming

Jack and his family were relieved to be safely back together. Business was doing well with Jack, Jr., at the helm, although he was still learning his way as an intern. Amanda started law school and pestered her father and brother with all kinds of law student questions. Elizabeth was being her best, as she always was, as a loving wife and mother. All was good.

Jack reminisced so lovingly about his wife, Elizabeth. She was always there for Jack, through the not bad, but less than good times. But the good times were great. Elizabeth was a challenge to Jack when first dating so many years ago. She was a social butterfly with a circle of friends that protected her from leaving the group for love or money. He was happy to break through her circle to capture her heart, as she did his.



Chapter 25

The Jury Returns a Verdict

Keegan remembered everything that made him who he was—the “good, bad, and ugly” as was once said in a classic Hollywood movie. His life reflected the reality of life, the way things were and the choices that must be made to live it. Jack had his joys and regrets that most remember in their lives, but things were mostly good.

Jack was called back to the courtroom for the reading of the verdict that was reportedly reached by the jury in his latest case with Raphael. His longtime client was already there in custody waiting for Jack’s arrival back to court for the jury’s decision.

“All rise,” the bailiff exclaimed as the jury returned to the court following four long days of lengthy deliberation in the case of *People v.*



Epilogue

Jack Keegan was tired of the daily grind these latest years. He was not as enthused to tackle cases as he was before his last case defending Raphael Martinez. He could not reach deep within himself to defend Raphael's killer. His relationship with El and the gruesomeness of his death and his poor companion was stressing his sensibilities to prevent a wholehearted defense. He passed the torch to his son to keep the flame burning bright for justice. Jack and Elizabeth retired to their Colorado ranch and embraced nature at its finest.

Amanda graduated from law school and joined her brother at the firm. Ambrose visited his parents at the ranch more frequently than his siblings, being that they were hard at work fighting cases that came their way. Ambrose's fight for social equities was more sporadic and unorganized, giving him time to cultivate his

Theodor Adorno
Philosopher and author,
The Authoritarian Personality

Frankfurt, Germany, 1903–1969

“The phrase, ‘the world wants to be deceived,’ has become truer than had ever been intended. People are not only, as the saying goes, falling for the swindle; if it guarantees them even the most fleeting gratification, they desire a deception which is nonetheless transparent to them. They force their eyes shut and voice approval, in a kind of self-loathing, for what is meted out to them, knowing fully the purpose for which it is manufactured. Without admitting it they sense that their lives would be completely intolerable as soon as they no longer clung to satisfactions which are none at all.”

– Adorno, *Culture Industry Reconsidered*

Aristocles “Plato”
Student of Socrates and
Teacher of Aristotle,
The Republic

Athens, Greece, 428–347 BC

“Until philosophers are kings, or the kings and princes of the world have the spirit and power of philosophy, and a political greatness and wisdom meet in one, and those commoner natures who pursue either to the exclusion of the other are compelled to stand aside, cities will never rest from their evils—no, nor the human race, as I believe—and then only will this our State have a possibility of life and behold the light of day.”

– Plato, *Republic, Book V, Just Society*

***Author's Dedication Note:**

Patrolman Bruce Norman Garrison / Star #14775



Patrolman William Charles Marsek / Star #14086

KILLED IN LINE OF DUTY

1974 ARTICLE REPRINT  CHICAGO POLICE
MEMORIAL FOUNDATION

Patrolman Bruce Norman Garrison, Star #14775, aged 28 years, was a 3-year, 8-month, 12-day veteran of the Chicago Police Department, assigned to the Bureau of Operational Services – Patrol Division: Unit 056 – Area 6 Special Operations Group.

Patrolman William Charles Marsek, Star #14086, aged 28 years, was a 4-year, 11-month, 24-day veteran of the Chicago Police Department, assigned to the Bureau of Operational Services – Patrol Division: Unit 056 – Area 6 Special Operations Group.

On February 27, 1974, at 8:15 p.m., Patrolmen Bruce Norman Garrison and William Charles Marsek were working the third watch on beat 6653. They were participating in a manhunt for Jacob Paul Cohen, alias Paul Robson, age 30, of 5317 North Wayne, who was wanted for an earlier escape after he was arrested for murder. They observed Cohen emerge from Raven's Pub located at 1818 West Foster Avenue. Cohen walked to his car and then after seeing the officers reentered the tavern. As



**Warren J. Breslin
Chicago Police Officer –
The Early Days**



Thanks to our troops
for keeping America safe.
We will always remember
your sacrifice for us.