

THE MURDER

The two officers were in a six-cylinder Whippet touring car, with Officer Zientara driving. The officers' regularly assigned wagon was out of service.¹³

The Whippet was a motorcar manufactured in Toledo by the Willys-Overland Company. From 1912 to 1918, Willys-Overland was the second largest manufacturer of automobiles in the United States. The company was one of three selected to produce the Jeep during World War II, with Toledo later becoming the home for this vehicle.

Officer Zientara stopped the police car in the alley behind 2304 Upton, between Milburn Avenue and Cone Street. Officer Zientara walked toward Upton Avenue, apparently to ask neighbors about the reckless auto. At this time, one of the suspects exited the rear door of 2304 Upton and was shocked to see Officer Zientara behind the dwelling. The robber immediately threw up his arms in surrender and Officer Zientara drew his revolver. On the second floor of the home, a second suspect observed that Zientara had the first suspect "on the spot." He fired from the upstairs window, with the bullet striking Officer Zientara almost directly between the eyes. One news report stated that Officer Biskupski heard two shots and saw a rifle barrel protruding from the second-floor window. It also reported that Biskupski saw Zientara fall and later get back up and fall again as he staggered around the corner of the garage.¹⁴

Because of the officers' rapid response to the reckless auto call, it is assumed that the robbers believed they had somehow been found out and followed to the Upton address by the police, who they believed were aware of the Express robbery. It is doubtful, however, that the officers had even observed the safes in the two suspect vehicles at the time shots were fired. In other words, the officers were totally unaware of the crime they had stumbled upon.

Biskupski drew his pistol. Four of the bandits, at least two armed with submachine guns, ran from the house. Goetz, wielding a Thompson, observed Biskupski crouched near the corner of the garage and fired at him, with one round striking the corner of the garage near the officer. Biskupski, realizing he was heavily outnumbered and outgunned, feigned being wounded. Goetz, believing he had hit Biskupski, wrested the officer's semi-automatic pistol from his hand. The five bandits then fled the scene in the officers' Whippet automobile. They were believed to have traveled north on Upton to Tremainsville Road. The sixth robber drove off in the automobile taken from John White in Scott Park.

Biskupski found Officer Zientara lying in the yard unconscious. He was transported to St. Vincent's Hospital where he was pronounced dead at 12:00 noon.¹⁵ Although one report stated that he had been shot in the back of the head,¹⁶ the coroner confirmed that the officer had been shot from the front, with the bullet entering at the inner edge of the right eyebrow and exiting behind the right ear.¹⁷ Although some believed he had been killed by a bullet from a Thompson submachine gun,¹⁸ it would appear best to rely on Biskupski's statement that Zientara had been struck by a rifle round.

Officer John Vincent Biskupski was also present at the scene when another officer was killed. Officer Harry Dowell and Officer Harold Mosbrugger were killed on June 9, 1921 by a deranged man at 611 Walnut Street.

Although the gangsters involved gave different accounts of the shooting, including the description of a running gun battle with police,¹⁹ it is likely that neither Officer Zientara nor Officer Biskupski ever had the opportunity to fire a shot, and were completely surprised by the sudden appearance of the heavily armed gang members. The robbers did not know the officers and Fred Goetz assumed that the officer he thought he had shot (Biskupski) was the officer later reported in the newspapers as having been killed.