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APRIL 1966



# FBI

## LAW ENFORCEMENT BULLETIN

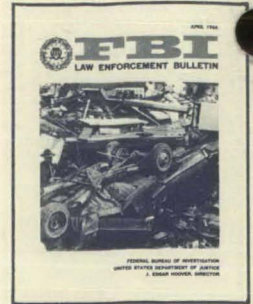


FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
J. EDGAR HOOVER, DIRECTOR



APRIL 1966

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THE COVER—Tornado wreckage. See "Death Out of Darkness" on page 2.

# FBI

LAW ENFORCEMENT BULLETIN

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# MESSAGE FROM THE DIRECTOR

"LOAN SHARKING," the underworld's practice of collecting usurious interest on loans, is one of the most vicious crimes facing our society today.

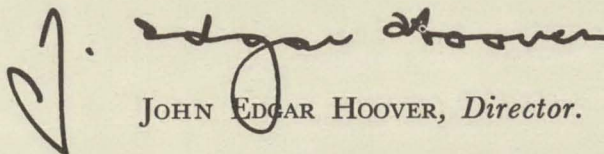
Many Americans who voice concern about mounting crime have little knowledge of this extortionary crime which haunts a growing number of hapless individuals. Usury, with its attendant strong-arm tactics, is a throwback to the crime-ridden prohibition era. It is an action of greedy men who seek power and influence and who have no respect for human rights and decency. Financially, it ranks as one of the most lucrative sources of illegal income available to crime lords today.

Desperation causes most people to borrow money from racketeers at exorbitant rates. But instead of gaining relief, they sink deeper into despair. Faced with unforeseen expenses and declining profits, small businessmen often spread themselves so thin financially they cannot obtain money from legitimate sources. When caught in this predicament, they are vulnerable to loan sharks. Many are unaware of the outrageous interest rates—usually around 20 percent per week—and the dire consequences which may befall them if payments are missed. Others will risk the gamble, hoping to meet the demands and save their businesses. Most fail, and the hoodlums take over.

As in other crimes, loan racket victims are not the only losers. The public pays as well. When the "squeeze" is applied and the musclemen command, "pay or die," the victims frequently turn to robbery, burglary, theft, and looting, trying to extricate themselves. Broken bones, loss of teeth, and torture await those who protest or who remain delinquent in payments. Some are murdered.

Local, State, and Federal authorities are working to stop this vicious racket. However, successful prosecution is not easy. Potential witnesses are afraid to testify. Many victims are lawbreakers themselves and fear exposure. Most transactions are on a cash basis or are covered by devious manipulations which all but eliminate incriminating evidence. Finally, usurious loans in most jurisdictions are misdemeanors. Meantime, blood-stained money is being poured into other illegal operations and into legitimate business, and racketeers are using their wealth and influence to add to their holdings.

A few States are seeking new laws to curb syndicate loan sharks. Recent Federal legislation has opened some additional avenues of prosecution. Loan sharking cannot withstand the persistent efforts of effective law enforcement together with opposition from an indignant public. We must not relent until loan sharking literally becomes a crime that doesn't pay.



JOHN EDGAR HOOVER, *Director.*

APRIL 1, 1966



# Death Out of Darkness

*The Story of Indiana's 1965 Tornado Disaster*



Photograph by Paul Huffman, Elkhart, Ind., Truth.

**ROBERT A. O'NEAL**  
Superintendent, Indiana State  
Police



A year ago, on Palm Sunday, radar observers at the U.S. Weather Bureau in Indianapolis were keeping anxious watch on storm cells bearing down on the Central Midwest.

During the preceding 24 hours, a moisture-laden, warm front had been rolling northeastward from the Gulf States. Its path would soon collide with a fast-moving cold front coming from the west. Nature was gathering its awesome forces for still another unending assault on man.

Thunderstorms began to form along the colliding boundaries of the two gigantic air masses. These conditions were being watched closely by the weather bureau's severe storm forecasting center at Kansas City, where a 24-hour watch is kept on weather conditions that might produce violent

storms, particularly storms that might spawn tornadoes.

When Kansas City obtains data on local storm development, severe weather forecasts are issued for areas covering 20 to 30,000 square miles. Local weather bureaus use this information to issue local forecasts, outlining the counties that might be affected in their areas. Severe weather warnings are issued when the radar shows a typical tornado-type echo or when a funnel is actually observed and reported to the weather bureau.

## *Lull Before the Storm*

On this fateful Palm Sunday, the center at Kansas City issued a severe storm forecast for the area from north-eastern Missouri to northern Indiana.



noon a second forecast was issued for the area from northern Arkansas to southwestern Indiana.

The weather bureau at Indianapolis plotted the general information being received from Kansas City and prepared reports outlining the Indiana counties that might be affected. These first reports were broadcast to citizens in the west central and northern portions of the State.

The tension, as the weathermen watched, plotted, and reported the threatening weather, was in marked contrast to what was taking place outside. It was a balmy, humid Sunday afternoon, the first really warm day of spring. Hoosiers, like all other midwesterners, were outside stretching, relaxing, or taking a Sunday ride. It was the lull before the storm, and the storms were on their way.

At 6:35 p.m. the first reports reached the weather bureaus from the Indiana State Police. Tornadoes were ripping across northern Indiana. It was the beginning of a nightmare that Indiana would never forget.

### *Wake of the Storm*

Immediately after the twisters had passed—leaving behind their trail of death and destruction—State troopers, local police and civil defense units, firemen, and volunteer workers swarmed over the wreckage of what had once been homes, apartments, trailer parks, shops, and stores, searching for the many dead and injured. Every available type of motor vehicle was pressed into ambulance service. Temporary morgues were set up in several locations, even in school gymnasiums.

Soon after the dead and injured were removed, State police established a central command center at general headquarters in Indianapolis. Twenty-four hours a day, for the duration of the emergency, troopers combed growing casualty lists. The cen-



Photo captures the ropelike effect that forms certain tornadoes.



This dramatic closeup look at a tornado was photographed by an Indiana State Police trooper while patrolling along busy U.S. 30, south of Walkerton, Ind., on Palm Sunday. Note the debris being carried along by the funnel.

ter located and supplied emergency equipment and other items needed in the disaster zones. Thousands of telephone calls poured in night and day from around the world. People everywhere were concerned. More and

more information was needed as anxious relatives sought word about the fate of family and friends.

Temporary command posts were set up throughout the stricken areas. Troopers and National Guardsmen es-



tablished radio communications with the outside and provided local authorities with whatever services were needed: food, clothing, manpower for cleanup duty, and additional police and soldiers to bolster round-the-clock patrols of towns and villages hit by the tornadoes.

In the face of Indiana's worst disaster, Gov. Roger D. Branigin ordered mobilization of every State agency able to supply aid and comfort to the storm victims. In the hours, days, and weeks ahead, State police helped coordinate the efforts of the National Guard, civil defense, State highway, department of correction, board of health, and State board of public instruction. Joining the group in working out plans were the Red Cross and the Salvation Army. Representatives of all these agencies met regularly to map out plans of how best they could pool their efforts.

During the predawn hours of Monday, April 12, National Guard and State police pilots readied themselves and their aircraft for a flyover of the tornado paths at the first light of day. In some of the more remote farming regions, it was feared that there would be some victims still awaiting aid, cut off from help by blocked roads and downed telephone lines. In addition the pilots and their observers were able to get a more encompassing assessment of the destruction. It was discovered, however, during the flights that rescuers on the ground had apparently been able to reach all the victims.

### ***Power of a Tornado***

A tornado is nature's most violent storm. Its destructive forces are unequaled. Weather scientists can only guess at the wind velocities that are generated: five maybe six hundred miles per hour—some say even higher. No way has yet been found to measure the screaming, vacuum-like wind powerful enough to level brick build-

ings. Steel towers supporting cross-country high tension lines were reduced to scrap. Rigid, reinforced utility substations were completely destroyed in explosive blasts of wind and unleashed electrical power.

How many tornadoes were there? No one is sure. Perhaps 20—perhaps many more than that. Several of the twisters were so wide—more than a mile wide at the base—that they spawned smaller twisters which leaped out onto destructive paths of their own. One dramatic photograph showed a thunderhead that projected twin twisters to the ground separated by several hundred yards.

The Palm Sunday tornadoes that struck Indiana were of virtually unparallelled force. In the wake of the destruction, it was difficult to understand why the death toll was not higher. How so many were able to escape death and injury will forever remain a puzzle. The eyewitness accounts of freak and nightmarish events proved to be stories stranger than fiction: Tales from motorists caught up in the funnels, who looked out to find themselves flying through the air, looking down at the ground far below, then set back down to earth suffering little or no injury at all. A woman tells of crouching in a ditch and watching as houses, barns, vehicles, and even human beings whirled through the debris-laden sky above her. The small personal treasures of a family—picture albums, documents, and mementos—borne by the tornadic winds were found hundreds of miles away. At each of the field command posts, a multitude of belongings was accumulated. Troopers tagged all of the items and compiled a list with serial numbers and descriptions. Much of the property was returned to the owners.

In an aftermath of shock and stunning disbelief, the living groped through somber funeral rites in the days that followed Palm Sunday. It

was a scene that in many places was unbelievable. Debris littered the cemeteries, and toppled tombstones marked the course of the storm.

The Palm Sunday twisters ripped three general paths across northern and central Indiana. Each of the three series of tornadoes began its destructive rampages approximately 1 hour apart.

### ***Sound and Fury***

Shortly before 6 p.m., in the northern part of the State, the first towering thunderheads lowered their deadly funnels onto the ground in southern La Porte County. Heading on a northeasterly course, the twisters smashed into the communities of Koontz Lake, Lapaz, Lakeville, Wyatt, Dunlap, and Shipshewana, and then crossed the State line into Michigan.

About 7 o'clock, some 90 miles south of the first line, tornadoes dipped down and blasted their way eastward across the central part of the State, striking first at Odell and then at Mulberry, Moran, Middlefork, Russiaville, Alto, Kokomo, Greentown, Swayzee, Marion, Dundee, Lynn Grove, and Berne, and then crossed into Ohio.

The third and last line of tornadoes originated little more than 20 miles southeast of Odell, striking first near Mace, then smashing an eastbound path through Shannondale, Dover, north of Lebanon, Sheridan, and Arcadia. Then the funnels lifted.

In the span of little more than 3 hours, Hoosiers in 17 counties and in scores of towns, villages, and farms had seen the raging blackness bearing down on them. They heard the deafening roar and felt the agonizing pain and helplessness as their homes exploded into worthless debris around them. The sound, the fury, and the death were upon them.

When it was over, 139 persons lay dead. More than a thousand were



A row of some of the hundreds of motor vehicles which were lifted by the tornadoes and carried hundreds of yards before being dashed back onto the ground.



jured. Nearly 2,000 motor vehicles were totally destroyed. The other property damage was too unbelievable to comprehend. The loss would eventually be set at more than \$50 million.

Never before had so many persons lost their lives in any kind of tragedy in Indiana. Never before had there been so many tornadoes in a single day. Never before had there been such widespread destruction.

While the scars of the storms were still fresh on the land, the President came to see for himself what damage had been done, to console the victims, and to offer whatever services of the Federal Government were needed. He was met and welcomed by the Governor. Along on the inspection tour were Indiana's U.S. Senators.

Even the President, who has been witness to many natural and man-made disasters, was unprepared for what he saw. He was appalled by the sight of total and complete devastation. Later, after he had returned to the airport at South Bend, rescue workers discovered the body of a young victim beneath the rubble where only hours before the Chief Executive had passed close by.

### *A Town Dies*

Although the death and injury toll were higher at other places in the tornado zones, the community of Rus-siaville suffered a special tragedy. Here, nature tried to kill a town.

The devastating twisters touched every part of the community. The business district, the familiar small-town shops and stores, and even the fire department were completely destroyed. Every home and every building was hit. Most were destroyed, and many were smashed beyond repair. Only a handful of homes escaped with minor damages. The stately trees that had shaded the quiet homes and sidewalks for generation upon generation were stripped and uprooted.

The State department of correction brought inmates from the State prisons to help clean up the debris. The prisoners were sympathetic to the plight of the townspeople and worked hard to do all they could. And the people appreciated their help. Coatesville, a similar-sized community in west central Indiana, had been destroyed by a Good Friday tornado in 1948 and was rebuilt. That was the

same task facing the citizens of Rus-siaville. Many have succeeded, and more will. For some it was too late.

### *Helping Hands*

Although sightseers were discouraged, the lure of seeing firsthand one of the Midwest's worst disasters proved too strong to resist. Main highways were jammed with long lines of traffic, but the delays proved only temporary; to the everlasting credit of those who came to look, they left behind thousands of dollars in donations. The moneys are being used to replace a variety of human needs, from window panes to firetrucks.

The Hoosier State is world renowned for its hospitality, and Hoosiers for their friendly welcome to friends and strangers alike. The misery brought by the storms was virtually engulfed by the aid from citizen to citizen. Homes were opened to the homeless, and food was given to the hungry. This massive helping hand dominated many official efforts of assistance. It eased the burden that would normally have

(Continued on page 14)



# Modern Data Processing

- MAGNIFY
- DETAIL
- PLAN



**COL. GREGORY O. HATHAWAY**  
Superintendent, Arizona Highway  
Patrol





**W**ITHOUT INVESTING in a large, expensive mass storage computer, would you like to:

1. Be able to file alphabetically 1,000 traffic contacts daily in a file of 1½ million records, be always current, and be able to purge the file at 2,000 cards a minute using only four clerks?
2. Be able to purge and update a stolen car file of 20,000 items at a rate of 500 to 700 items a day in 30 minutes using one person?
3. Save 100 quarts of oil a day in a fleet of 400 vehicles by simple analysis of current cost accounting reports?

These are but a few examples of what the Arizona Highway Patrol routinely accomplishes through the use of modern data-processing facilities.

The goal of the Arizona Highway Patrol is to reduce traffic accidents to a minimum. Every effort is directed to this single purpose in the most effective ways possible. The use of modern data-processing procedures provides a foundation for the determination of this direction.

### *Signs of Growth*

Since 1955 the Arizona Highway Patrol has been engaged in mechanization of accounting and statistical record-keeping methods. An early start in data processing while the Patrol was relatively small (only 140 employees then) was deemed advisable if a large clerical staff was to be avoided in future growth activities. Today the Patrol employs 455 persons, only 27 of whom are accounting and data-processing personnel, including supervisors. This staff is probably small when compared with police agencies of similar size using conventional records methods.

As evidence of flexibility and growth, the Patrol has one of the most

integrated data-processing complexes. Although the Patrol started with only one keypunch and a sorter in 1955, International Business Machines presently supplies us with three 24 Key-punches, one 26 Printing Punch, two 56 Verifiers, one 84 Sorter, one 88 Collator, and one 557 Interpreter. We also have a UNIVAC 1004 Card Processor with Card Read Punch. Two VI-C Magnetic Tape Servos are also in use. A proposed addition is a UNIVAC 1001 Card Controller. The Friden Co. provides a tape punch-reader to facilitate data transmission via a statewide private Teletype system furnished by the Mountain States Telephone & Telegraph Co.

Programing and forms design are underway to utilize a Friden Computer with paper tape output as direct input to the UNIVAC 1004, bypassing all keypunch and key verification in our purchasing and budget management operation. This program will go into effect early in 1966.

All personnel and equipment are housed in a \$50,000 facility completed early in 1963. Specifically designed for coordination of activities, the building contains a 700-square-foot equipment room with access flooring, an equipment maintenance shop, a forms' storeroom, a 500-square-foot soundproofed keypunch room, a general accounting office, and several offices for supervisors.

### *Types of Records*

Accounting records include standard activities such as payroll, budget, vehicle cost control, general operating cost control, and warehouse issue and inventory. These are supplemented by special activities, such as personnel attendance records and examination data for the Merit System Council.

Police records involve statistical applications with large card volumes. Standard monthly reports include a distribution of each officer's time into

various enforcement and nonenforcement categories, a traffic ticket control system based on the Arizona Uniform Traffic Ticket now appearing in tab-card sets, type-of-violation and punishment analysis coupled with cause-of-accident analysis, traffic accident time-location records, a general statistical report of all accident factors, the Arizona Uniform Traffic Accident Report, and a warrant service control system for drivers who fail to appear in court.

Each report is designed to facilitate utilization by supervisors who are charged with the responsibility of achieving maximum efficiency from personnel and expensive equipment located in every area of the State.

### *Accident Reports*

Continued research and development of machine records procedures are conducted in order to provide current information to the administrative and field enforcement supervisors that will increase the values received from maintaining a records section. Statistical summaries and analyses that are produced aid administrative and field supervisors in the area of policy-making, budgeting, planning, and, most important, in directing the activities of enforcement personnel in an effective accident prevention program.

Accident reports and supplements are numbered and placed in reusable file jackets with the same identifying number. Each jacket is color coded to indicate the year of occurrence. The jackets are filed numerically. A name card is made for each driver, registered owner of the vehicles involved, and injured persons. The name cards are filed alphabetically and provide the means of identifying the accident report with the persons involved.

The accident reports are kept on file for 5 years and then destroyed.



These reports are microfilmed within a year of their occurrence and the records maintained elsewhere for security purposes. Microfilms are permissible as evidence for court purposes and are available for reference.

Because of the interest in the information contained in the accident reports, the Records Section provides Xerographic service to the public. Persons involved in the accident, relatives, insurance adjusters, lawyers, and other interested persons or agencies may obtain these reproduced reports for a small copying fee payable to the Arizona Highway Patrol.

One full-time employee processes all incoming accident reports, does all filing, and handles all contacts with claims agents and interested public. This person also processes for filing about 6,000 accident reports yearly, takes care of accident photo negatives and processing of orders for all photograph reproductions, processes all orders from the public for reproduction on a 2400 Xerox, and handles other Xerographic requests from within the department.

Several years ago, to facilitate the rapid evaluation of accident reports, a precoded accident report form was developed. This form has undergone some slight revision from time to time but by and large is the same form designed in 1959. It has been adopted by the Arizona Highway Department as the standard report form for all Arizona police agencies.

A keypunch operator is able to punch statistical cards directly from these forms with a minimum of decision making. For one set of reports, however, a code clerk does prepare a coded card for punching.

### ***Arrest Records***

Arrests records and other incident reports are numbered and filed in jackets with the same identifying number. A name card is made of the person arrested and provides a



Clerk removes accident report folder from file which contains 12,000 records.

cross index to the arrest record. When the name appears again on other reports, the information is recorded on the first name card and the various reports covering this person are packaged together into one jacket. Use of this system groups together the information pertaining to any one individual who has become involved in arrests, accidents, and other incidents involving Patrol personnel.

### ***Written Contacts***

Each officer is accountable for the citations assigned to him. Each citation book has bound-in receipt cards that are completed and mailed to the Records Section before the first ticket is issued. An IBM card is created for each ticket in the book. When a citation is issued, a copy of this citation is forwarded to Records immediately. The details of the arrest are punched into the matching control card. The

control card is then placed in a file pending receipt of court disposition information, which will also be punched into a card. The court disposition card is machine matched to the control card file so that the new details can be reproduced onto the control cards. Control cards are filed by number, creating a cross index to the Soundex file. Later the original ticket is placed into the keypunch and the Soundex code is punched into it along with the current year code. These Soundex cards are then ready for machine interfiling in the master file. The date code is used for machine purging later.

The ability to handle traffic tickets in this easy fashion is due to the development of a tab card size citation. The idea of the tab card citation was arrived at by cooperation with other police agencies and the Arizona Supreme Court Administrator. Form and content are now prescribed as



standard in the Arizona Traffic Ticket and Complaint.

### Soundex Code System

Written contacts (citations, warnings, and repair orders) are filed by driver or violator name using the Soundex-code system. This is the same system used by the Drivers' License Division in filing drivers' records. The Soundex-code system is the giving of a numerical code to the name of a person. When filing the pieces of material, it tends to group together persons with similar spelling or sounding names. This provides easy access for locating written material on a particular individual and for the expansion of the files. The accumulation of written contacts provides the means for bringing to our attention persons who are habitual violators. It also aids in searching

for names of persons who are missing or wanted.

Most investigators recognize the value of a huge file of all traffic contacts. The system we have developed allows us to update the files daily. Traffic contacts arriving from the far corners of the State are in the records mailroom within 5 days of issue. Processing and filing are only a matter of hours from this point. Inquiries on a person or ticket can be accommodated very rapidly, once the ticket arrives at Central Records.

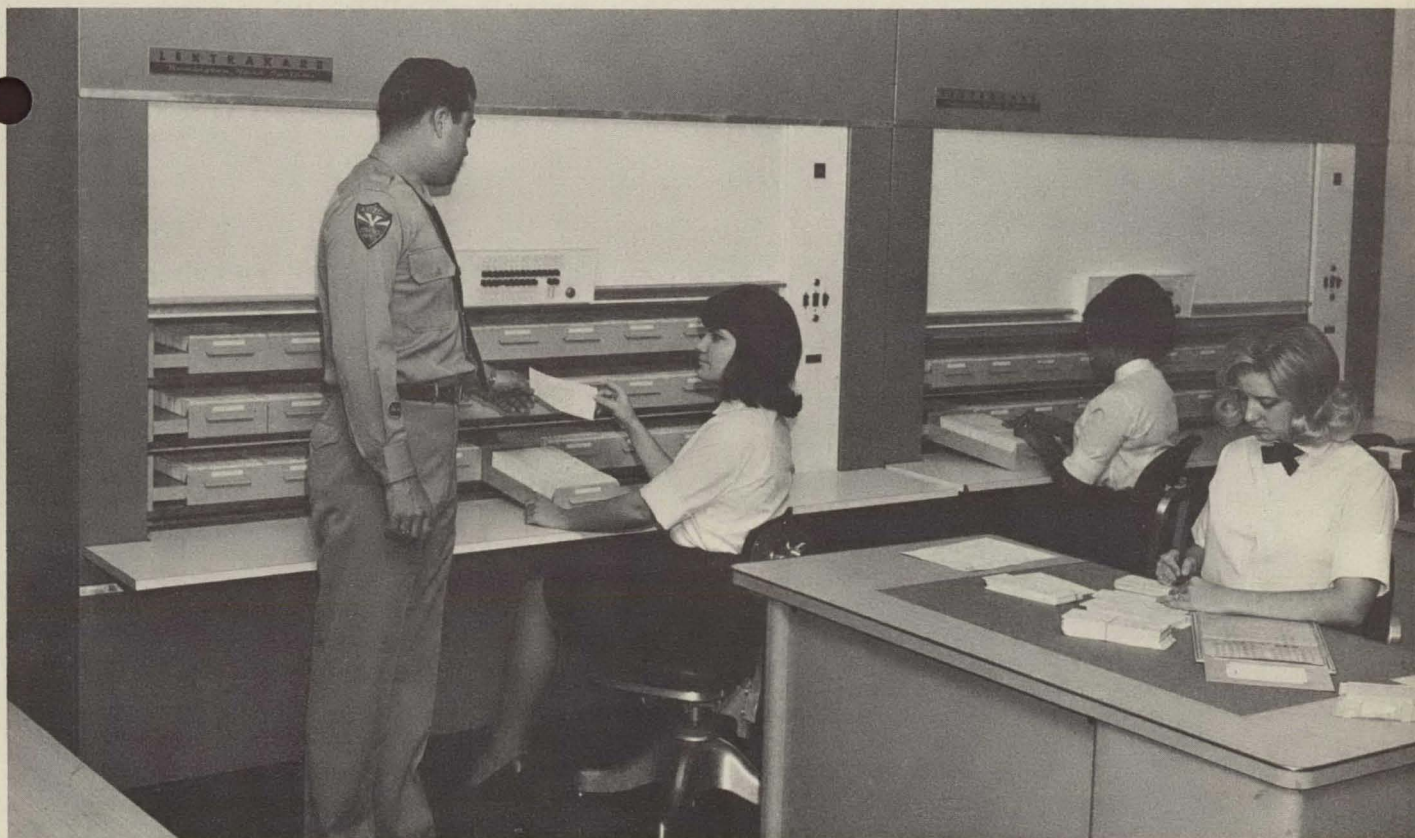
Our file is available to all other law enforcement agencies for assistance in their investigations. For example, if a burglary suspect has an alibi about his actions or whereabouts at a given time, a search of the Soundex file might reveal he was stopped near the crime scene and issued a repair order for a taillight out, etc. Another possibility might be a suspect claiming he

could not have committed a crime at a certain time or location because he was stopped and warned for some infraction—the hope being that the officer might recall an incident involving him and a minor traffic infraction but not be certain about time elements. Our file could affect his alibi.

The Soundex code in use by the Arizona Highway Patrol is comprised of six numerals and one alpha character.

Arizona Highway Patrol (AHP) officers issue 10,000 to 12,000 arrest citations each month and about 20,000 warning and repair order forms. The task of sorting more than 30,000 cards into alphabetical order and filing them by hand each month would require a huge battery of file clerks. Purging this type of file would be next to impossible. Perhaps the expense of such an operation could not even be justi-

*(Continued on page 20)*



Records officer is handed a traffic ticket from the Soundex file as clerk codes accident description cards. The Lektrakard files shown have a capacity for 336,000 cards each.



# SEARCH of the PERSON



MAGNA CHARTA

Courtesy the National Archives.

*This is the concluding article in a series discussing the Federal law on "search of the person."*

## VI. Searches at International Borders

Searches of the person at an international border are unique. They may be made by an authorized border official in the exercise of his discretion and on suspicion alone. No search warrant, consent, or arrest to which the search is incidental is needed. If the official has *reason to suspect* that the person coming in is carrying a thing prohibited for any reason or in any manner,

he has power to order and carry out a search of the person. Border searches are of "the broadest possible character." *Landau v. U.S.*, 82 F. 2d 285 (1963), *cert. denied* 298 U.S. 665; *Cervantes v. U.S.*, 263 F. 2d 800 (1959); *Witt v. U.S.*, 287 F. 2d 389 (1961), *cert. denied* 366 U.S. 950; *Bible v. U.S.*, 314 F. 2d 106 (1963), *cert. denied* 375 U.S. 862; *U.S. v. Beckley*, 335 F. 2d 86 (1964).

The broad and extraordinary power to search the person at an international border is based on the paramount necessity of national self-protection. The need for such searches, and the distinction between such searches and those made *inside*

the Nation by the vast majority of law enforcement officers, was clearly stated by the Supreme Court in *Carroll v. U.S.*, 267 U.S. 132, 153-154 (1925), as follows:

"Having thus established that contraband goods concealed and illegally transported in an automobile or other vehicle may be searched for without a warrant, we come now to consider under what circumstances such search may be made. It would be intolerable and unreasonable if a prohibition agent were authorized to stop every automobile on the chance of finding liquor, and thus subject all persons lawfully using the highways to the inconvenience and indignity of such a search. Travelers may be so stopped in crossing an international boundary, because of national self-protection reasonably requiring one entering the



country to identify himself as entitled to come in, and his belongings as effects which may be lawfully brought in. But those lawfully within the country, entitled to use the public highways, have a right to free passage without interruption or search unless there is known to a competent official authorized to search, probable cause for believing that their vehicles are carrying contraband or illegal merchandise."

The border rule and the distinction between those searches and interior searches were stated more recently in *Cervantes v. U.S.*, 263 F. 2d 800 (1959), where the court said:

"An authorized federal border official may, upon unsupported suspicion, stop and search persons and their vehicles entering this country. 19 U.S.C.A. 482. *Carroll v. U.S.* . . . But after entry has been completed, a search and seizure can be made only on a showing of probable cause. *Landau v. U.S.*, 82 F. 2d 285, 286; *U.S. v. Yee Ngee How*, 105 F. Supp. 517, 523."

The broad power of border search has been officially permitted by the law and exercised by border officers since the beginning of the Nation. *A Report on Search and Seizure at the Border*, American Criminal Law Quarterly, August 1963.

A question logically arising from the distinction between the broad power of search on the border and the more restricted power of search inside the border is that of where the border begins and ends. More specifically, how long must it be in time since the person crossed the border, or how far inside the border must he be to place him in the category of persons already inside the Nation rather than among those who are actually or constructively still in the process of crossing the border? It is obvious that the power of border search is not confined to that precise moment when the person to be searched is in the physical act of crossing through the imaginary line which separates one country from another.

The practical definition of "border" is illustrated in *Murgia v. U.S.*, 285 F. 2d 14 (1960), cert. denied 366 U.S.

977. Customs officers, having information that Murgia was bringing narcotics in from Mexico, followed him for four blocks after he crossed the border and saw him enter a car containing three other persons. The officers followed the car through the border town on the American side and out on the highway. About a mile or

degree on the facts peculiar to the case under consideration. In *Plazola v. U.S.*, 291 F. 2d 56 (1961), customs officers, having no specific reason to believe that defendant was violating the law or had violated the law that day, followed the defendant's car and stopped it some 50 to 60 miles inside the border. In reversing the con-

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***"The courts must be realistic in their consideration and determination of such matters. Long experience with the police of this State and the city of Wilmington convince me that we judges must not be frightened with stories that our police are 'witches' or 'evil spirits,' out to do all kinds of evil things in carrying out their work. When officers on night patrol observe persons or automobilists in questionable situations or acting in a suspicious manner, it is only realistic to recognize that they are usually imbued only with a desire to do their jobs, which is to afford protection and security to the community. I have never known of an instance where our police stop 'innocent' pedestrians and motorists and put them through rigorous questions and searches. I am sure there are many citizens in this State who have reason to be grateful for what our police have done, since these persons have received aid and comfort from our police officers on night patrol when faced with fearful situations."***—Judge Lynch, Superior Court of Delaware, in *State v. Moore*, 187 A. 2d 807 (1963).

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a mile and one-half outside the town, the officers sounded the siren and then saw a hand go out the window of the suspect car and throw an object away. In upholding the search and arrest made immediately thereafter, and the use in evidence of the articles retrieved, the court said:

"No customs search can be made precisely at the border. All must be made somewhere north of the border between Mexico and the United States. . . . Viewing this as a border search, which we do find it was up to the time of ascertaining what was in the discarded package, the stopping of the vehicle for the border search of Murgia was proper and in accordance with statutory law."

Once the person to be searched is well inside the United States, the right of border search tends to be gradually extinguished, and its existence or nonexistence depends to a greater

viction, the court of appeals held that the search of the vehicle made at the stopping point was not a border search and, since it was not, probable cause was required and that element was not present. In *Contreras v. U.S.*, 291 F. 2d 63 (1961), the court held that a search 72 miles north of the border was not a border search. In *Cervantes v. U.S.*, 263 F. 2d 800 (1959), where over a month had elapsed since the officers had received their last information from their informant, there was no evidence that the defendant had crossed the border on the day he was stopped, and his car was stopped 70 miles north of the border, the search of the defendant and his car was not a border search.

On the basis of different facts, however, a search of a vehicle within 21½ hours after a border crossing and at





Courtesy the National Archives.

a point 67 miles north of the border was upheld in *Jones v. U.S.*, 326 F. 2d 124 (1963), *cert. denied* 377 U.S. 956. Almost immediately after the vehicle had crossed the border, officers received information indicating a narcotics smuggling violation by someone in that car. An officer tried to overtake the vehicle in his own car but failed. Radio was then used to alert checkpoints farther along the road and at one of these the vehicle was stopped. Two of the appellate judges upheld search of the car on the basis of probable cause. The third judge, concurring in the affirmation of conviction, said that the search could be upheld as a border search on the basis of the reasoning in the *Murgia* decision, *supra*. See also *Ramirez v. U.S.*, 263 F. 2d 385 (1959), where a search 75 miles north of the border was upheld.

The broad definition of "border" illustrated by the *Murgia* decision has also been applied to ocean borders. In *U.S. v. Yee Ngee How*, 105 F. Supp. 517 (1952), the defendant, a crewman on an American vessel, came off the ship and was approached and searched by customs officers at some point between the gangway of the ship and the pier gates which opened to the public streets of San Francisco. Opium was found. Defendant con-

tended that the search was unreasonable for two reasons pertinent here. First, the search, having been made on the pier, occurred after he had crossed the border and was inside the country. Second, since both he and his possessions had been searched by customs aboard ship the previous day, and he had then been allowed to go into the city, the power of the officers to search him had ended. But the court upheld the search on both points. As to the first, the court said the border, for search purposes, is "located somewhere between the ship which has arrived from a foreign country and the streets of the city where it is located . . . [It] is the point where customs officials elect to search persons or goods coming from the ship before they are allowed to pass out into the public streets of the city." On the second point the court held that each time the person who has come off the ship goes back from the city to the ship, he has recrossed the border, and when he next comes off the ship, he has crossed the border again and he may be searched again.

The border was extended even farther in *Mansfield v. U.S.*, 308 F. 2d 221 (1962). As the defendant, a crewman off a ship in port, went out the port gate leading to the public street, a port security guard thought

he saw a white object partly concealed in the folds of a coat being carried by the defendant. The guard told defendant to step aside and wait while he checked other sailors. Examining the coat a few moments later, the guard could not find the white object. As the guard released the defendant, he saw the latter pass in front of the gatehouse, stoop momentarily and pass out of view, and then straighten up and walk to a bar about 75 feet outside the port area. A customs officer who was called found defendant getting into a taxi outside the bar and noted that defendant was trying to push the coat under the seat. The officer stopped the cab, retrieved the coat, and found marihuana. His search was upheld as a border search.

For examples of lawful searches of the interior of the human body made at border crossings, see "Search Incidental to Arrest," subtopic "Things in Body Cavities."

## VII. Search by Military or Administrative Regulation

Some searches of the person are made of persons entering or leaving military bases or prisons and penitentiaries, as where a person entering a prison is required to first surrender any weapon which he may possess.



Aside from the Uniform Code of Military Justice as it applies to service personnel, which is not discussed here (but see last paragraph under this heading), there is little Federal law in point. See the earlier discussion as to searches of civilians in "Search by Implied Consent." Note also that in *U.S. v. Crowley*, *supra*, the court said "... the detention and search of a person seeking to pass a military picket under circumstances of suspicion have always been considered allowable. No doubt one entering a prison or penitentiary may similarly be searched without a warrant."

Inspection of an inmate's personal papers by prison custodial officers as a routine security measure is not an unreasonable search, *Hatschner v. U.S.*, 305 F. 2d 371 (1962), at least where the information obtained in the search is used for custodial purposes only. See also *Stroud v. Swope*, 187 F. 2d 850 (1951), *cert. denied* 324 U.S. 829; *McCloskey v. Maryland*, 337 F. 2d 72 (1964).

Searches of military personnel, their effects, and their living quarters on Government reservations may be made by other military personnel on authority of a commanding officer having jurisdiction at that place. No search warrant, consent, or arrest to which the search is incidental is needed, but there should be a finding of probable cause by the officer ordering the search. Evidence found in a search made lawfully by military authorities may be introduced in a criminal trial held in Federal district court. *Grewe v. France*, 75 F. Supp. 433 (1948); *U.S. v. Grisby*, 335 F. 2d 652 (1964). Presumably, it may also be introduced in State court.

### VIII. Searches of Deceased Persons

At least one Federal court has considered the question of search of the body of a deceased person and held

that it does not violate Federal constitutional law. In the case decided, a sample of blood was taken during an autopsy performed on the body of a man killed in an automobile accident. The blood was found to contain alcohol and this evidence was introduced in a civil suit. The court upheld the admissibility of the evidence, stating that under both State and Federal constitutional provisions, the right to be free from unreasonable search is a personal right and it does not survive the death of the person so searched. Relatives of the deceased were held to have no legal basis for objecting to the search and use in evidence of the material seized. *Ravellette v. Smith*, 300 F. 2d 854 (1962).

### IX. Return of Property Seized

Once the prisoner is safely in the cell, or about to be released on bond, the officers are confronted with the question of which items of property

reasonably. But mere failure of the officer to return purely personal items, unconnected with the offense, at the time of the search does not make the search and seizure unreasonable. *Evans v. U.S.*, 325 F. 2d 596 (1963).

Despite the general intent of the law favoring return of things seized, property taken from the person of one lawfully arrested may be retained by the officers if (a) it is needed as evidence at the trial, or (b) it should be kept from the prisoner for reasons of custodial safety, or (c) it is subject to some prior legal claim, or (d) it was illegally possessed by the prisoner. Justification (a), above, ceases to exist, of course, once the court has decided that the property was obtained by unreasonable search and seizure. Material so obtained may not be used as evidence against the person whose rights in the property were violated. *Mapp v. Ohio*, 367 U.S. 643 (1961). Justification (b) ceases to exist once the prisoner

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**"Law enforcement, however, in defeating the criminal, must maintain inviolate the historic liberties of the individual."—  
J. Edgar Hoover, Director, FBI, Iowa Law Review, Winter, 1952.**

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taken in a search of his person must be returned to him, if any.

A part of the answer for *Federal officers* is found in rule 41(e), *Federal Rules of Criminal Procedure*, which provides that in Federal cases property obtained by a search and seizure which the court determines to have been unreasonable "shall be restored unless otherwise subject to detention." While this rule is confined to only one type of situation, it is in accord with the broad policy of the law that officers may not arbitrarily withhold the property of any prisoner—it must be returned to him unless there is some specific legal reason for keeping it, no matter whether seized reasonably or un-

reasonably. But mere failure of the officer to return purely personal items, unconnected with the offense, at the time of the search does not make the search and seizure unreasonable.

It may be that not all of the four justifications enumerated above for retaining property seized from a person lawfully arrested and searched will be recognized by all State courts. Some State courts have held that unless the money or other property found on the prisoner appears to be connected with the crime and needed as evidence, the officer has no right to seize it, and if he does take it, he must return it to the prisoner. 5 Am. Jur. 2d 760. Assuming that the prisoner is not released on bond or otherwise, and does not designate a personal representative to receive re-

(Continued on page 22)



## TORNADO DISASTER

(Continued from page 5)

been placed on police, Red Cross, and Salvation Army personnel. It became a powerful demonstration that, in time of need, Hoosiers take care of their own.

Tremendous effort was extended by all of Indiana's power and communications industries. Armies of electric, gas, water, and telephone workmen and women descended on the disaster areas and pitched into a successful round-the-clock battle to restore vital public services. Any supplies that were lacking were sent immediately by like industries in other States.

### Aftermath

In the aftermath of the disaster, Hoosier citizens began asking of themselves and each other—what happened? Why did it happen here? A searching examination of the known and the unknown began. It is still going on. Killer tornadoes have struck Indiana before, but time is a healer of unpleasant memories. It had been 17 years since 20 persons were killed by twisters that struck west central Indiana. True, there had been other tornadoes since then, but the death toll was slight in comparison, and the destruction confined to smaller areas.

Was there enough warning given? Will it, in fact, ever be possible to give enough warning? Weather experts pointed out that a high percentage of tornadoes cannot even be detected before they are spawned. Who, then, will be responsible for alerting every man, woman, and child that they may be standing in the path of destruction from out of the skies?

These are the questions that are being asked, and Hoosier citizens are trying to find answers. Indiana has painfully discovered that it is, indeed,







The Palm Sunday twisters—20 or more—ripped three general paths across northern and central Indiana leaving death, destruction, and grief behind. One hundred thirty-nine persons were killed in the State.



a part of the Middle West's infamous "Tornado Alley." All over the State, in communities both large and small, responsible citizens are meeting, working, and planning together to devise more adequate tornado warning systems and to update and improve present reporting procedures. Instrumental in this planning is the Indiana Broadcaster's Association—the men and women representing the State's radio and television industry. It is this media to which most people will look and listen for storm information that will save their lives. During the tornado disaster of Palm Sunday, countless numbers of people were able to protect themselves after being warned by radio and television bulletins that the twisters were approaching.

Other agencies working to devise a uniform disaster warning program include officials of the U.S. Weather Bureau, civil defense, and State, county, and local police departments.

### *What To Do*

Knowing what to do when a tornado is approaching may mean the difference between life or death:

1. If time permits, go to a tornado cellar, if one is available.
2. If you're in open country, move at right angles to the tornado's path. Tornadoes usually move at about 25 to 45 miles per hour. If there is no time to escape, lie flat in the nearest depression, such as a ditch or ravine.
3. In a city or town seek inside shelter in a strongly reinforced building. Stay away from windows. In homes the corner of the basement toward the tornado usually offers greatest safety. In houses without basements take cover under heavy furniture against inside walls. Doors and windows on the sides of the house away from the tornado may be opened to help reduce damage to the building.
4. In schools stay away from windows and stay out of auditoriums and gymnasiums with large roofs.
5. In factories, when a warning has been sounded, a lookout should be posted to



keep everyone advised of the tornado's approach. Plans should be made to move workers to sections of the plant offering the most protection.

Keep calm. People have been killed by running outside into the storm. Keep tuned to radio or television. The public will be advised of the latest information. The weather bureau should not be called except to report the sighting of a tornado. Calls will only tie up lines needed to receive vital information about the tornado's progress.

The memory of what happened in Indiana must serve as a reminder for the future. Beginning at the top, from the level of the Federal Government, the U.S. Weather Bureau is working hard to improve the science of weather forecasting. Constant research is underway. More needs to be done—and is being done—to improve reporting methods and to install the most modern radar and other weather equipment to detect and track killer storms.

### ***Where Burden Lies***

But the responsibility goes right down the line. Indiana's cities, towns, and villages need to work out tornado warning programs on a community level. Toward this end the Governor has pledged the cooperation and assistance of the State government. State police, civil defense, National Guard, and State highway facilities are in or near every Hoosier community and able to offer emergency communications, shelter, and other vital services.

The brunt of the responsibility falls on the individual citizen. How many persons heard the tornado warnings and failed to protect themselves—and were then killed? No one will ever know for sure. Some, it is known, gave their lives trying to warn others.

Farmers and other persons living in the countryside obviously cannot benefit from any group warning plan.

Thousands upon thousands of farm animals were killed, injured, or scattered around the countryside. Here, workers load a stray hog for return to the owner.



More than 30 persons died in this trailer court near Elkhart, Ind.

They must rely on radio and television reports and be their own lookout for approaching tornadoes.

Out of the confusion and uncertainty that marked the afternoon of Palm Sunday, none, perhaps, was more pronounced than that of the several different weather bureaus attempting to alert Hoosiers to the storm conditions. The weather bureau has, for a long time, used the two terms "forecast" and "warning." On that day, few, if any, people knew the meaning or the difference between the two terms. In the planning that is now going on to avoid death and injury in tornadoes yet to be born, the two terms will still be used. It is vitally important that everyone know

exactly what they mean.

"Forecast" is a term that is applied when weather conditions are such that severe storms are predicted, with the possibility of tornadoes. "Warning" is applied when a tornado has actually been seen and reported.

In the tornado disaster zones, evidence still remains today of the violence and horror that took place that afternoon. The scars will be there for a long time. The memories will remain even longer. The tornadoes will come again; for man, since time began, has been at the mercy of the elements. Unable to control them, he must protect himself from them.

This was Palm Sunday, Indiana. 1965.



# Character Investigation of Police Candidates



**CAPT. JOHN A. McALLISTER\***

**New York City Police Department**

The representative of government with whom most people come into contact is the local police officer. To them he is a reflection of the character, not only of the local community but also, to a considerable extent, of both the State and Federal governments as well.

Although not an elected official, the police officer is identified with the administration of government. His honesty, fairness, and dedication tend to establish and maintain a good reputation for the community. On the other hand, his dishonesty, harshness, and indifference may tar an administra-

tion with the brush of corruption, oppression, or civic disinterest. Thus, it is most important that the selection of police officers be both painstaking and prudent in the area of character investigation.

The standards of intelligence, education, agility, and endurance are readily established and administered through proven testing techniques, but the determination of good character and reputation is infinitely more complex. In any police department a character investigation in depth is not only complex but also expensive in terms of time, manpower, and money. Yet, the cost is mitigated by the systematic elimination of a number of police applicants with backgrounds of narcotic use, criminal

activity, questionable national loyalty, mental instability, poor employment record, etc.

In New York City the standards for appointment as a police officer are established by the department of personnel, which also conducts the mental, physical, and medical testing of candidates and, to a limited extent, the character investigation. However, the primary character investigation is delegated to the police department. Here, the work is performed by the police academy investigation unit. The unit is assigned exclusively to personnel investigations, not only of police officer candidates, but also of any applicant for employment with the police department in any capacity.

## ***Investigation Unit***

The investigation unit is composed of a captain in charge, an administrative section, and seven investigative sections. Each of the latter is staffed with a lieutenant supervisor and a number of sergeant investigators. The administrative section has a complement of patrolmen and patrolmen trainees who are supervised by two lieutenants, one of whom is in charge of personnel, records, supplies, etc. and the other in charge of investigative procedure and coordination.

## ***Investigative Process***

The investigative process is initiated by a team of sergeants and patrolmen at the scene of the department of personnel's physical testing of candidates who have passed the mental and medical examinations. As the candidates are qualified physically, the team obtains their fingerprints for search by the Federal Bureau of Investigation, the New York State Department of Correction, and by the New York City Bureau of Criminal Identification. At the same time, the candidates are furnished a 12-page questionnaire to

*\*Captain McAllister is the officer in charge of the Police Academy Investigation Unit of the New York City Police Department.*



be completed and returned within 10 days.

The questionnaire inquires in detail into virtually every facet of the candidate's life from birth to the present. It covers place and date of birth, residences, any arrest or summons record, civil court record, affiliation with any organization, medical history, attendance at schools, employment record, marital status, military history, debts, etc. The questionnaire, which bears the warning that in New York City falsification of any statement contained therein is an offense punishable by fine and/or imprisonment, is sworn to and signed before a notary public and submitted with bust-type photographs of the applicant. The completed questionnaire is the base of the investigation, and the photographs are used as additional identification in neighborhood checks.

The investigation unit's administrative section receives the questionnaire and distributes it to the investigative section according to geographical area of residence. The lieutenant supervisor then assigns the case to a sergeant investigator who examines the questionnaire for content, particularly noting deficiencies, inconsistencies, and, in general, those areas where special emphasis may be required.

Written requests for any information on file pertaining to the candidate and his immediate family are sent by the sergeant to the various service bureaus of the police department. Records requested by mail include a search by the State department of mental hygiene and the motor vehicle department of those States where the candidate has been or may have been licensed or has registered a vehicle. Mail requests are also made to schools attended, former employers, Selective Service, Armed Forces regarding service, medical, and disciplinary records, other police departments in connection with former resi-

dences, arrests, etc. and whatever the peculiarities of the case necessitate.

### **Field Interviews**

Personal visits are made by the investigator to the neighborhood where the candidate has resided during the past 5 years. Neighbors, merchants, tavern owners, and others are contacted for information concerning his habits, sobriety, associates, integrity, and general reputation. His home is visited in order to verify bona fide residence, to ascertain the attitude of his wife and/or family toward his appointment, and to determine if the candidate has a well-adjusted home-life. The visit also affords the opportunity to observe the candidate's manner of living and whether it appears to be within his means.

Next, the investigator personally contacts former employers and, in particular, former immediate supervisors. If the candidate has had many employers, a reasonable number are contacted. It is important to ascertain from former employers information relative to the candidate's work attitudes and performance. Poor work performance in civilian employment is likely to carry over into police performance. Further field investigations are made, based on correspondence initiated upon the receipt of the questionnaire, where there is a need indicated by replies to written inquiries or, indeed, the lack of a reply.

### **References**

References by the candidate are not requested on the premise that he would be unlikely to furnish any who would be unfavorable in their comment. In addition, to prevent jeopardizing the candidate's current employment, verification of such is made indirectly during the investigation and in person immediately prior to

the candidate's appointment to the police department.

Armed with a sizable dossier of the candidate's life, the investigator then notifies the candidate to report for an interview. The notification, in addition to including the date, place, and time, also includes a list of documents the candidate is to bring to the interview. The documents serve to corroborate the facts stated in the questionnaire and include licenses, birth and marriage certificates, diploma, military papers, etc. Prior to the arrival of the candidate for the interview, the investigator reviews the case for discrepancies between the facts listed on the questionnaire and those developed by correspondence or field checks, major problems requiring clarification, and additional written statements required.

During the interview the investigator questions the candidate in depth and examines the documents produced. The investigator must see that the candidate accounts for all periods of time to preclude hidden hospitalizations, withheld unsatisfactory employments, possible unlawful activity, etc. A mimeographed worksheet covering every point to be reported is used by the investigator, whereby it is necessary to fill in only pertinent information in blanks provided for that purpose. Its use is twofold in that it keeps note-taking to a minimum and prevents the overlooking of essential information.

The investigator also observes the candidate's appearance, demeanor, and manner of response. The investigator must be alert to attempts at evasion or subterfuge and to hesitations in answering questions. Such manifestations of concealment must be pursued by skillful and persistent interrogation.

New information obtained as a result of the interview may necessitate further correspondence, field investigation, or reinterview of the candidate



at a later date. However, when all phases of the investigation are complete, the sergeant investigator prepares his final report embodying all the pertinent information developed. In it he evaluates the various facts and recommends the approval or disapproval of the candidate's appointment on the basis of character. The investigator's lieutenant supervisor reviews the report and all enclosures for investigative thoroughness and endorses thereon his opinion of the candidate with the further option of recommending a hearing in borderline cases.

### Reviews of Report

The report and all enclosures are delivered to the department of personnel where they are microfilmed, reviewed, and returned to the administrative section of the investigation unit. There, a synopsis of the report, the report itself, and all enclosures are bound into a booklet. The booklet is then reviewed by the administrative lieutenant, initialed, and submitted to the captain in charge for his review, recommendation, and signature. The commanding officers of both the police academy and the personnel bureau of the police department, in turn, receive, review, and endorse the report with their recommendations.

Concurrently, the department of personnel rules on the eligibility of the candidate according to law and the rules and regulations of the New York City Civil Service Commission, and, if found satisfactory, the candidate is certified for appointment. Final action is taken by the police commissioner in appointing or refusing appointment of the candidate by exercising his legal option of selecting one out of three candidates in eligible list order.

About a week prior to appointment, the successful candidates are exam-

ined medically by a board of police surgeons who approve or reject them. Those who are rejected are afforded the opportunity of being reexamined by a joint board of police department and department of personnel physicians, whose recommendation is final. Those who are accepted have their character investigation brought up to date by a team of sergeant investigators who check out personally the candidate's current employment as well as any changes since completion of the investigation.

The series of reviews of the character investigation report serves to prevent an injustice to the candidate as well as a possible disservice to the community. The candidate is protected also, in the instance where a hearing is held, by the opportunity to explain any deficiencies revealed in his character investigation to a board of civil service commissioners and/or a board of police department superior officers presided over by a deputy police commissioner. The civil service board recommends to the chairman of the Civil Service Commission whether or not the candidate should be certified for appointment under law. The police department board recommends to the police commissioner the approval or disapproval of the candidate.

The New York City Police Academy Investigation Unit conducts approximately six thousand character investigations each year, and only an average of 40 percent of those investigated pass. The percentage of failures is large, but the need for police officers of good character is greater.

Character investigation succeeds or fails with the degree of skill, persistence, determination, and human understanding manifested by the investigator. He makes the investigation and by his thoroughness assures the community of the best possible type of police officer.

## NEW LEGISLATION IN CONNECTICUT

Several pieces of legislation enacted by the 1965 General Assembly of the State of Connecticut became effective by statutory date on October 1, 1965. Among those enacted were the outlawing of professional boxing in the State and several changes in the field of law enforcement. Pool sellers and policy players became subject to stiffer penalties including mandatory jail sentences for second offenses. Resisting an officer of the law is being met with sterner penalties with the fine going up from \$100 to \$250 maximum and a jail term which stretches from 3 to 6 months. The penalty for bribery in games, contests, or sports is raised from a maximum of \$10,000 to \$15,000. The prison term maximum of 10 years remains unchanged.

The controversial question of firearms and their possession also got some legislative attention. Prospective purchasers of revolvers or pistols now have to undergo a 1-week waiting period and a police check before the handguns are delivered.

*New Haven Herald, 10/5/65,  
#63-4296-32*

### CAPPED SPEECH

Stickup men have been able to avoid facial identification while perpetrating robberies through the use of masks and makeup, or by remaining in the dark. In order to avoid voice identification when giving orders during a robbery, some are placing metal bottle caps between their teeth in the belief that their speech is thus altered beyond recognition.

*WDO Herald, 7/26/65, #63-4296-53*

### ACCIDENT SCENE ARREST

Many State laws do not permit an arrest at a traffic accident scene except in very limited circumstances.

*Report of President's Comm. 19 for  
Traffic Safety, 9-9-64, p. 16*



## DATA PROCESSING

(Continued from page 9)

fied. We do this with our data-processing system with 555 man-hours per month or the equivalent of 3.2 clerks.

The Arizona Highway Patrol Records Section has four people working in the file room coding all traffic contacts. Only two of these four clerks work full time on the Soundex system, while the other two spend one-third to one-half of their time on coding. The Soundex code is punched into the cards by all keypunch operators in the data reduction center on a demand basis. In other words, it is just another punching job that consumes a maximum of 65 keypunch hours per month.

The next step in the process is to sort the cards into Soundex order. The 084 IBM Sorter used here sorts 2,000 cards per minute. Soundex requires 13 sorts. Sorting uses about 3.25 machine hours per month to sort *all* written enforcement contacts into order for filing. Add to this figure 1 or 1½ hours for extra time needed in handling the cards, and there is still less than 6 hours per month used on sorting.

The next step is to merge these cards into the main file. The IBM 088 Collator interfiles at the rate of 650 new entries per minute. Under perfect conditions the 30,000 monthly enforcement contacts can be filed in proper sequence in a little under 1 machine hour. Add 2 or 3 hours for operation, decision making, etc., and all the cards are filed in less than 4 hours per month.

Coding the names takes_	480 hrs. per month
Key punching takes_	65 hrs. per month
Sorting takes_	6 hrs. per month
Merging into file takes_	4 hrs. per month

Total time spent monthly	
on Soundex File_	555 man-hours

Programing is now underway to place all the citation control files on magnetic tape. The advantages of



Programmer Bruce Williams instructs tab operator in the use of paper tape with the UNIVAC 1004.

this are reduced storage space requirements and greater speed in machine handling.

### Improved Procedure

A recent development allows incoming paper Teletype tapes on west coast stolen motor vehicles to be processed by the 1004 Computer. Previously, the west coast stolen car Teletype tape was used in a Friden Flex-O-Writer to create 3 by 5 file cards. This operation took 1 to 3 hours, depending on interruptions, etc. The paper tape reader of the 1004 now scans 400 punch characters per second, converts the information into 200 punch cards per minute, and prints out a continuous file at 625 lines per minute. The punch card representing a stolen or wanted item is handled by a sorter, collated at high speeds, and builds and maintains a current stolen and wanted file. Information retrieval is done by hand, giving random access to all records in this system. Using the manual

system, three communication equipment operators formerly spent at least 2 hours daily on file maintenance. This manpower cost \$405 per month.

Using the 1004, the maximum time involved to process the paper tape, print out a current "hot sheet," and purge cancellations takes 30 minutes. Chance for errors in filing, etc. is minimized. More importantly, three employees can be utilized for other duties.

A side advantage of this system is that a lengthy Teletype broadcast tape can be processed through the 1004 tape reader for high speed printout on offset masters which can produce copies of the broadcast for mass distribution.

### Budget Reports

The Patrol business office receives a very complete set of budget management reports from the Records Section.

The computer makes possible rapid and accurate fiscal control reports.





View of computer room showing 088 Collator in left foreground and the UNIVAC 6C Magnetic Tape Transport which is coupled under the floor to the UNIVAC 1004 Processor in the right foreground.

Because of this facility, department heads are able to receive weekly budget reports on their operations.

Payroll checks are issued by the State auditor. All other payroll preparation is done for the business office by the data-processing facilities of the Records Section.

### Vehicle Cost Report

Vehicle cost reports are prepared by bringing together details of the life of every vehicle in our fleet, from the yard sweeper to the twin-engined aircraft.

A description card on the vehicle is created as soon as it is purchased. The description card includes cost, life expectancy, allotted cost per mile/hour, etc.

A history up-date card is created each month showing miles/hours operated this month, miles allotted to date, miles traveled to date, percentage of life used, percentage of miles

used, current value, sales price when sold. Depreciation costs are computed when vehicle is sold.

As credit card invoices and vouchers from various garages arrive at headquarters for payment, they are sent to Records for keypunching and processing. Vehicle identification numbers on each voucher make it simple to feed cost information into the file on each vehicle to determine whether vehicles and/or operators are functioning properly. Even though vehicle breakdowns may be covered by factory warranty, they are forwarded to the Records Section on vehicle work orders so that component defects can be detected quickly even though the Patrol fleet is spread throughout the 5,000 miles of State and Federal highway systems. By watching this report, supervisors can reassign vehicles that are aging too rapidly or too slowly. Our current policy is to retire vehicles at 60,000 miles or 24 months. Ideally, they reach these points at the same time.

Recently, an analysis of the vehicle cost accounting report showed that a certain type of car was using a quart of oil a day. These vehicles were current year models with low-to-moderate mileage accumulations. Investigation showed that these cars were pumping out the top quart and, if allowed to run 1 quart low, no additional oil was needed. Savings of \$45 a day resulted immediately.

The vehicle cost analysis printout is made available to the commander of field operations. The fleet supervisor and all district commanders get copies of reports of vehicles under their supervision on the 20th of the following month.

Our total budget for data-processing machine rental for 1965 was \$54,400. Costs of renting data-processing equipment have gradually increased from the first early days of our old castoff machines. However, \$3,100 a month for our small computer is still modest when you consider it certainly does many times the amount of work that eight \$400-a-month account or statistical clerks could do.

### VISITORS TO FBI INCREASE

The number of persons taking conducted tours of the FBI again passed well over the half-million mark during 1965 when 622,144 visitors were shown through Bureau headquarters. This was an increase of 15,632 over the number taking tours in 1964.

Because of the great popularity of the tours, particularly during the peak spring and summer months, and the limited facilities available to accommodate large groups, additional tour requests involving some 35,000 people had to be declined.

Tours of FBI headquarters are offered daily between the hours of 9:15 a.m. and 4:15 p.m., excluding Saturdays, Sundays, and holidays, and last approximately 1 hour.

*Wick to DeLoach memo, 1-10-66,  
re: Corr. and Tours, Public Relations.*



## SEARCH

(Continued from page 13)

turn of the property, decisions like those mentioned above would ignore the custodial problems involved in returning the property to the prisoner. He could use money, for example, as an instrument of attempted escape, and his possession of it could make him the object of assault or larceny by other prisoners. It would seem the better rule to allow the officers to keep the money even though it has no connection with the crime, make an appropriate inventory and record, and then return it to the prisoner when he is released. The Federal rule appears to allow this procedure.

### A. Evidence at Trial

Evidence needed by the prosecution at trial may be retained no matter whether the prisoner remains in jail or is released. It long has been the Federal rule that anything found on the person may be taken, retained, and used as evidence, so far as relevant. *U.S. v. Kirschenblatt*, 16 F. 2d 202 (1926); *Landau v. U.S. Attorney*, 82 F. 2d 285 (1936), *cert. denied* 298 U.S. 665; *Abel v. U.S.*, 362 U.S. 217 (1960). The officer's principal problem here is in distinguishing the relevant from the irrelevant. His opinion may differ from that subsequently expressed by the prosecutor. Or, an item appearing today to be innocuous may prove, through subsequent investigation, to be critical to the case. See *Baskerville v. U.S.*, 227 F. 2d 454 (1955).

Although there are few Federal decisions in point, the rule appears to be that the officer may retain both those items which *obviously* are evidence in the case and those which *reasonably appear* to be of evidentiary value. The officer is not held to absolute certainty. This standard has been followed in several cases. In *U.S. v.*

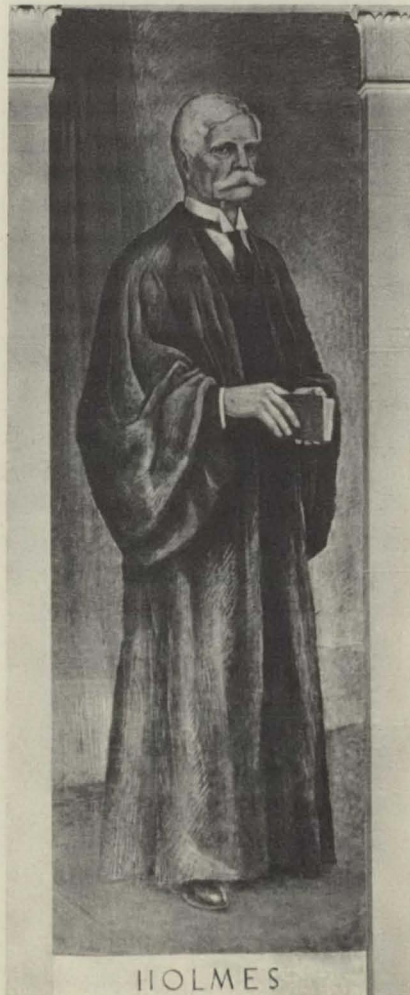
*Pardo-Bolland*, 229 F. Supp. 473 (1964), the defendant brought a pretrial motion for return of property and suppression of evidence. It was shown that some of the items seized clearly had no connection with the crime, and the court directed that these be returned. As to others, however, the defendant could not positively prove that they were not instrumentalities of the crime and the prosecution could not positively prove that they were. On these items the court ruled for the prosecution, stating that the Government was not held to positive proof on a pretrial motion and that since these items "are clearly capable of being used as instruments" of the crime, the Government could retain them and bring on additional

proof, if any, at the trial.

In *Baskerville v. U.S.*, *supra*, officers took and retained property found on the person, including a card of no value apparent at the time. Two weeks later an officer reexamined the property and found the card valuable as evidence. Use of the card as evidence was upheld. In *Robinson v. U.S.*, 283 F. 2d 508 (1960), *cert. denied* 364 U.S. 919, the arresting officers took the clothing being worn by the burglars at the time of arrest, not knowing for sure whether it had evidentiary value or not, and sent it to the FBI laboratory where it was found to contain paint chips and debris from the scene of the burglary. Retention of the clothing and its use as evidence were upheld. As the court indicated in *Pardo-Bolland*, *supra*, the officers should seize and retain anything which, in their experienced judgment, knowledge of the circumstances, and good faith, is reasonably capable of being designed, intended, or used as an instrument of the crime, or which is fruit or contraband thereof. *also Evans v. U.S.*, 325 F. 2d 596 (1963).

### B. Custodial Safety

Custodial reasons for keeping property from a prisoner are a justification too obvious to require citation of authority. The law does not require return of property capable of being used to effect an escape, or used by the prisoner to harm himself or another. The "custodial duties which devolve upon police authorities," *Charles v. U.S.*, 278 F. 2d 386 (1960), *cert. denied* 364 U.S. 831, require police protection of the prisoner, his property, and those around him. These custodial duties alone require retention of many kinds of property. "Had the defendant been permitted to retain possession of the funds, the money might have been stolen by a fellow prisoner or, conceivably, used for improper purposes." *U.S. v.*



Courtesy the National Archives.





*Thomas*, 178 F. Supp. 466 (1959), reversed for other reasons as *Simpson v. Thomas*, 271 F. 2d 450 (1959). It would appear, however, that if the prisoner properly designates a personal representative to receive return of property which the officers have no right to retain other than for custodial

This rule has been held to apply to even that property which the officers obtain by unreasonable search and seizure.

In *Field v. U.S.*, 263 F. 2d 758 (1959), *cert. denied* 360 U.S. 918, the alleged "banker" in a gambling operation was arrested and a search

while the unreasonable search and seizure forbade use of the money against the "banker" in a criminal trial, it did not insulate the money from a lawful claim against it. The same result apparently would be had in the case of a diamond ring or other valuable property taken by arresting officers from a person found to be owing back taxes to the Government, either Federal or State. See also *Simpson v. Thomas*, 271 F. 2d 450 (1959); *Carlo v. U.S.*, 286 F. 2d 841 (1961), *cert. denied* 366 U.S. 944; and *Parts Mfg. Co. v. Lynch*, 129 F. 2d 841 (1942), *cert. denied* 317 U.S. 674, where Federal officers seized certain stolen auto parts from the alleged thief by unreasonable search and seizure and were ordered by the court to return the property. Prior to the return, however, the officers gave the true owner a list of the parts seized. When the parts were actually returned to the alleged thief, a deputy sheriff appeared, served a writ of replevin for the same parts, and took them into custody for the true owner. The courts upheld this action.

*"The life of the law has not been logic; it has been experience. The felt necessities of the time, the prevalent moral and political theories, institutions of public policy, avowed or unconscious, even the prejudices which judges share with their fellow men, have had a good deal to do with the syllogism in determining the rules by which men should be governed."*—Mr. Justice Holmes of the Supreme Court of the United States in *The Common Law and Collected Legal Papers*.

#### D. Illegal Possession

Property illegally possessed by the arrested person need not be returned to him no matter whether the search and seizure by which it was obtained was reasonable or unreasonable. Having no property right in the thing, the prisoner or defendant is not entitled to the return of it. *U.S. v. Jeffers*, 342 U.S. 48 (1951); *Trupiano v. U.S.*, 334 U.S. 699 (1948).

The usual kind of property possessed illegally is contraband, such as narcotics and moonshine whisky. There are many types of contraband, however. Some are named in title 49, U.S. Code, section 781.

Contraband also includes any property intended for use, or used, in violating the internal revenue laws of the United States. Section 7302 of

purposes, the property must be turned over to that representative if a proper receipt is tendered.

#### C. Prior Claim

Assertion by a third party of a prior claim to property taken from the prisoner is another justification for retention of the property. The officer is not required to settle the dispute or assume the judicial function of determining which party is the true owner.

of his person yielded \$10,000 in cash. The court found the arrest was one without warrant or probable cause, making the incidental search of the person unreasonable, and ordered the money returned. Prior to actual return, however, the Federal Government, acting through the Internal Revenue Service, filed a claim against the money for back taxes, showing that the "banker" owed the Government a much larger sum. The courts upheld the Government, stating that



title 26, U.S. Code, provides that "It shall be unlawful to have or possess any property intended for use in violating the provisions of the internal revenue laws . . . or which has been so used, and no property rights shall exist in such property." This definition of contraband is broad, considering the wide range of articles which can be, and are, used to violate the revenue laws concerning narcotics, whisky, gambling transactions, etc. All such property is subject to forfeiture to the Federal Government. *U.S. v. Bosch*, 209 F. Supp. 15 (1962). Money lawfully seized at the time of arrest of a person convicted of engaging in wagering transactions without paying the special tax has been held to be contraband and forfeitable. *U.S. v. Grossman*, 315 F. 2d 94 (1963). See also *Conti v. Morgenthau*, 232 F. Supp. 1004 (1964).

Contraband is defined in *Black's Law Dictionary* as anything that is "against law or treaty; prohibited." As once stated by the Supreme Court, the exact definition of contraband has long vexed the jurists and the text writers. *The Peterhoff*, 72 U.S. 28, 58 (1866). Federal and State courts have held contraband to include the following things which might be found in a search of the person:

## REPRINTS

***Reprints of the complete series of articles on "Search of the Person" will be available in limited quantities free of charge in the near future. Requests for copies should be directed to the Director, Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C., 20535.***

stolen property, moonshine whisky, animal skins taken contrary to game laws, narcotics, a firearm transported in interstate commerce in violation of the Federal Firearms Act, articles unlawfully brought inside a penitentiary, property possessed in violation of an obscenity statute. See "Contraband" in *Words and Phrases*. Also, see gambling instruments which, by their very nature, are incapable of use for any lawful purpose, instrumentalities used in the unlawful taking of fish and game, and unfit food offered for sale contrary to law. 47 Am. Jur. 530, 531.

Officers should not destroy contraband seized during a search of the person, or otherwise dispose of it, without first consulting the law of their jurisdiction. In some jurisdictions it is provided by statute that

contraband may be destroyed only on court order after conviction of a person possessing it. If the property is believed to be contraband as to the arrested person because it was stolen, it should be held until conflicting claims of ownership have been decided by the courts in a civil action. 47 Am. Jur. 530, 531. "If it appears that money in the possession of a marshal had been stolen, no good reason appears why the law should require its return to the thief upon his discharge from custody." *Simpson v. Thomas*, 271 F. 2d 450 (1959).

When return of property is required, the courts apparently have the power to force the return. It has been held that where Federal officers have obtained property by unreasonable search and seizure, the U.S. Attorney can be ordered by the court to obtain possession of the property and return it to the claimant. *Weinberg v. U.S.*, 126 F. 2d 1004 (1942).

When the officers fail to surrender property to the return of which the arrested person is entitled, his proper legal action after trial is one of replevin, or claim under a libel action. *Bartlett v. U.S.*, 317 F. 2d 71 (1963). Federal defendants may bring a motion before trial under rule 41(e), *Federal Rules of Criminal Procedure*.

## Accent the Positive

***We suggest that the officer who has read this series once might profit by reading it again, this time paying special attention to what he can do under the law in making a search of the person. The law of search sometimes is stated almost exclusively in negative terms, leaving the impression of more handicaps to law enforcement than actually exist. The fourth amendment allows all searches that are reasonable under the circumstances. Reading the law from this vantage point—a positive approach—will reveal that if the officer observes certain basic precautions, such as making a legal and bona fide arrest, his power to search the person is broad.***



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... "YOU COPS WON'T MAKE IT OUT OF HERE ALIVE!" More than 35 persons mauled the four officers, shouting, "KILL THEM . . . PUNCH THEM . . . GRAB THEIR GUNS!" It took 15 more policemen to break up the taproom brawl. . . . —Excerpts from an east coast city news item.

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# Police Officers Killed in the Line of Duty

When he arrived home from work at 11:15 p.m., his wife was out. When she returned at 2 a.m., he had become very upset and an argument took place. He fired three shots at his wife with a .25-caliber automatic, wounding her with all three. She ran from the house and called police. On arrival the squad cars met a belligerent husband who ordered the police from the premises and barricaded himself in the house. Returning to the front door and finding the officers still standing on the front walk, the irate husband fired a blast through a glass storm door with a single-shot .12-gauge shotgun. The result—one officer dead and several others injured by shattered glass. The offender was sentenced to life imprisonment.

Since 1960, 54 law enforcement officers have been murdered answering disturbance calls, such as family quarrels, man with a gun, and others of a similar nature.

The thug entered the liquor store and, after striking the proprietor in the face with his pistol, fled with almost \$1,000 from the cash register. A uniformed patrolman working an extra duty shift nearby heard the own-

shouts of "robbery" and chased

the fleeing gunman. As the felon approached the getaway car with an accomplice at the wheel, he turned and fired point-blank at the pursuing officer who fell to the pavement with fatal bullet wounds in the chest and abdomen. The gunman was sentenced to death, his accomplice to life imprisonment.

During the 6-year\* period 1960–65, there were 55 law enforcement officers murdered by robbers.

People who knew him said he was a quiet little man. He was of foreign extraction and never talked much to others but was frequently heard muttering to himself in his native tongue. The officer on foot patrol was chatting with the corner news vendor. Suddenly and without warning the officer was viciously attacked from behind, and in the struggle which ensued, his weapon was pulled from its holster by the attacker who then fired one shot. The officer collapsed on the sidewalk mortally wounded. In explanation the quiet little man said, "The uniform bugged me," and he didn't like the way the officer looked at him. He was sent to a mental hospital.

In the past 6 years 16 law enforce-

ment officers have lost their lives in unprovoked attacks by mentally deranged or berserk persons.

The prisoner was AWOL from the Air Force and had been arrested by local police. The deputy sheriff was called to transport the prisoner to the county jail—but he never made it. He was shot to death by his 19-year-old prisoner who used a .25-caliber automatic pistol concealed in a home-made holster in the lining of his coat sleeve. The record showed the AWOL killer had been subjected to disciplinary action in the Air Force on several occasions for carrying a concealed weapon. He was sentenced to life imprisonment for murdering the deputy sheriff.

Since 1960, 82 police and sheriffs have been killed while making arrests and transporting prisoners.

## No Typical Case

These are just a few of the cases which resulted in the murders of 271 law enforcement officers during the years 1960–65.\* They cannot be classified as typical because there is no typical case. Each incident generates its own peculiar circumstances and ramifications. There is no doubt that in each instance where a police officer was murdered, he was acting in the best traditions of law enforcement and displayed outstanding bravery and devotion to duty. It can also be said, however, that there are lessons to be

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\*1965 figures incomplete at the time of publication.



learned from a review of the facts surrounding these murders.

The vast majority of these deaths did not result from carelessness or negligence on the part of the victim. There were some deaths, it is true, which might have been prevented had the victim officer exercised more caution and discretion in handling the situation. This is particularly noticeable in some of the incidents involving the making of apprehensions and the transportation of prisoners. Although no study has been made as to the training received by the officers who were slain, it is quite apparent that more and better training in arrest techniques and controlling prisoners is essential for all police. Further, training in these techniques must not be a "one-shot" matter but rather a continuing process with constant reminders which will overcome carelessness resulting from the normally so-called routine nature of these police functions.

### ***Cannot Become Routine***

Nor must the officer who makes a stop for a traffic violation be permitted to let this activity become routine. In one case, for example, an officer in a marked police car was chasing a speeder. After successfully bringing the speeding driver to a stop, the officer, with gun in hand, ordered the driver from the car. Following a search of the driver, the officer holstered his weapon and removed the keys from the violator's car. This angered the driver who pushed the officer, forcing him off balance, grabbed the officer's gun from its holster, and fired the fatal shot. Subsequent investigation determined the speeder had engaged in a family quarrel immediately preceding this murder, and it can be assumed he was emotionally disturbed at the time he was stopped for speeding by the officer. Other police deaths have re-

sulted when officers stopped drivers for what appeared to be routine traffic violations. Investigations conducted later resulted in finding that the occupants of the cars were fleeing the scene of recently completed burglaries and robberies, a fact not known to the officers. These were desperate men, and they used ultimate force in an attempt to make good their escape. Although law enforcement officers make thousands of stops for traffic violations during the course of a single day, the lesson to be learned is that these normal police functions should never be permitted to become routine.

### ***To Save a Life***

An analysis of reports of police murders leads to the conclusion that the reiteration of a few simple facts could hopefully be instrumental in saving the life of a law enforcement officer. These are the facts:

1. Disturbance-type complaints are sources of potential serious danger. Evaluate circumstances carefully on arrival and use extreme caution when it appears necessary.
2. Making an arrest is always a risky assignment. Don't take chances with any individual, no matter how docile or cooperative he may appear.
3. Prisoners should never be transported without first being carefully searched for concealed weapons and without being properly restrained or guarded.
4. Approach suspicious persons and automobiles expecting the worst. Be prepared to take adequate defensive action if trouble should start.
5. Keep in mind that the traffic violator you stop, especially the one who takes evasive action, may be fleeing a more serious crime and may be willing to take desperate steps to escape apprehension. Use adequate precautionary measures.
6. Call for help in situations where need for assistance is indicated and then wait for your fellow officers to reach the scene when possible. This is not being "chicken" but is merely using good sense and sound judgment.
7. Remember, burglars caught in the act can usually see you before you see them.

Act accordingly when checking out the complaints.

8. Robbers are armed 57 percent of the time. Keep this in mind when chasing or apprehending these criminals.
9. Above all, take advantage of every type of training offered to you. There may be a time when your life depends upon what you have been taught.

### ***Lack of Respect***

Any individual who attacks a law enforcement officer has to be characterized as vicious, whether or not the attack results in the officer's death. Any attack on an officer is an absolute disregard of and disrespect for constituted authority and reflects positive action taken by the attacker against such authority. Altogether too heavy a proportion of the police killings have resulted from strictly coldblooded action by the killers.

Further evidences of general lack of public respect for authority are shown by the number of law enforcement officers injured in the line of duty. Figures supplied by local and State law enforcement agencies for 1964 disclose 10 out of every 100 officers were assaulted during that year and more than 4 out of every 100 thus attacked suffered some form of personal injury.

### ***Image of a Killer***

Let us turn our attention to the killers to see what kind of people they are as a group. During the 5-year period 1960-64, 294 individuals were directly involved in 225 police murders. All but one of the actual killers were males, although females have been arrested as participants in a number of cases. The ages of the killers ranged from a boy of 14 to a man of 61. As might be expected, most of the persons arrested were relatively young, the median average age being 27. Forty-three persons were under 21 years of age when arrested as a result of their participation in the s-



ing of a police officer and 98, or 39 percent, were under 25 years of age. In addition, six felons under 25 were killed by police when they offered forcible resistance to arrest at the time of or immediately following the police murder.

In total, 249 individuals were placed under arrest as participants, while an additional 33 were killed by police, 10 committed suicide, 1 died a natural death, and 1 drowned before being taken into custody.

### Dispositions Made

Since cases involving these killers usually extend over a considerable period of time, an examination of the court dispositions is limited. In this survey dispositions were obtained following completion of prosecutive action in the court of original jurisdiction and no attempt was made to follow the cases on appeal. Dispositions have been obtained in the cases of all persons involved during the years 1960-63 with the exception of three individuals who were arrested during the latter year. Of the 180 defendants whose cases were tried, 170 were disposed of by courts with the results shown in the following table:

	Death Penalty	Imprisonment		Acquittals or Dismissals	Other Convictions
		Life	Less than life		
1960.....	9	14	2		1
1961.....	8	12	15	1	
1962.....	5	19	13	9	
1963.....	12	32	17		1
Total.....	34	77	47	10	2

The remaining 10 individuals were admitted to mental hospitals or institutions. At this time 5 of the 34 offenders sentenced to death have paid the supreme penalty, 2 in California and 1 each in Ohio, Virginia, and

Texas. It is entirely possible and, indeed, probable that a number of the lower court dispositions will be challenged on appeal.

Seventy-seven persons were sentenced to life imprisonment while 47 received prison terms of less than life. The median average term of these 47 was 20 years, ranging from 6 months to 99 years (using the minimum term for indeterminate sentences). In the cases of the 10 persons who were acquitted or against whom charges were dismissed, 6 were accomplices in three killings where several individuals were arrested. In each of these three cases, at least one of the participants was convicted. The two remaining convictions resulted in one probationary sentence and one sentence committing the offender to the custody of the State youth authority until he becomes 21 years of age.

It is significant to note that during the 5-year period 1960-64, 83 of the 225 officers who lost their lives were killed by men on parole from some prior conviction. These included 6 officers killed by criminals on parole from a previous murder conviction, 32 killed by paroled robbers, 15 by paroled burglars, and 11 by parolees

previously convicted on an aggravated assault offense.

For those who may be interested, additional information relating to this topic may be found in the FBI Uniform Crime Reports.

## THE HORSE'S MOUTH

Tracing and identifying a stolen horse is no mean feat. But the manner in which one horse, a four-gaited showhorse, was marked facilitated the search somewhat.

Officers were able to trace the horse by reviewing the records of all livestock auctions in the State and finding transactions on one horse which matched the description of the stolen animal.

The owner, instead of branding his \$7,000 horse in the usual manner, had identified it with a tattoo concealed on the inside of the upper lip.

The thief, unaware of the value of the horse, sold the animal for \$65. The horse was subsequently resold several times through various auctions in two States and was ultimately sold to a packing company in still another State where it was slaughtered.

Investigators located the remains of the horse a day after it was slaughtered.

The thief was convicted and sentenced to a 5-year term in prison.

*Jackson Crimdel, 7-12-65,  
# 63-4296-54*

### SLIGHT CORRECTION

A 20-year-old youth, the subject of an Interstate Transportation of Stolen Motor Vehicle violation, was interviewed by an FBI Agent following his arrest.

The Agent was aware that the current offense was by no means the youth's first. It was a matter of record that at the age of 14 he had been arrested for the theft of 53 cars. In the course of the present interview, the youth was asked about his activities at the age of 14. With a touch of pride the youth agreed that the interviewing Agent was aware of his past activities, but he wished to make a slight correction—the number of cars stolen was 56, not 53!

*Anchorage Crimdel, 7/2/65,  
# 63-4296-22*



## Do You Know This Woman?

Two unknown persons using aliases of Patricia and Charles Bennet—along with a host of other names—are traveling throughout the United States operating a fraudulent check scheme resulting in thousands of dollars in losses to merchants.

This elusive pair of thieves moves into a town and establishes what appears to be a legitimate business enterprise, usually an "accounting service." They then open business checking accounts in local banks with cash deposits ranging from \$100 to \$1,000. They rent office space and furniture in a respectable office building and contract with a local reputable telephone answering service to handle any calls received.

### Business Front

One or two weeks are spent setting up the business front. Printed checks are obtained—personalized for the business—from the bank where the account has been established. A quantity of these checks are made out as if they were payroll checks, representing a weekend payroll, all in the woman's name. The checks are usually printed on a form on which normal payroll deductions are itemized, giving them more of an air of authenticity.

The woman member of the duo obtains a State driver's license, during the period the business front is being set up, and also makes a quantity of "will call" purchases from various business establishments, promising payment on her next payday. She then returns on the following weekend to cash the checks, resulting in losses to the merchants of from \$5,000 to \$10,000. Both of them then disappear from the scene.



Unknown female wanted in check fraud scheme.

Thus far, the two unknown subjects have been known to operate in San Leandro, Calif., Portland, Oreg., Cincinnati, Ohio, Kansas City, Mo., Phoenix, Ariz., Oklahoma City, Okla., and Memphis, Tenn., as well as in Denver, Colo.

Warrants are presently known to be outstanding for the two at Cincinnati, Phoenix, and Denver.

### Descriptive Data

The woman is described as white, lists date of birth as June 10, 1926; 5 feet 4½ inches tall; 128–135 pounds; attractive appearance; black hair; brown eyes; heavy makeup; sometimes wears red or blond wig; usually well dressed; and indicates on driver's license application that she wears contact lenses.

The man is described as white; late 30's to 45 years of age; 5 feet 8 inches to 5 feet 10 inches tall; 155–175 pounds; medium to stocky build; medium complexion; dark brown hair; wears black horn-rimmed glasses; well dressed, usually wearing dark-colored business suits.

Besides using the name Patricia Bennet, the woman also goes by the following aliases: Geraldine E. Benson, Marilyn Ann Benson, Donna Maxine Graham, Marilyn Ann Hart, Alma Jordan, Geraldine E. Sanders, and Catherine Sanford.

Charles Bennet has used the following aliases: James A. Benson, Edward Graham, Charles A. Henderson, Charles Andrew Jordon, Charles V. Jordan, Charles Meyers, James A. Sanders, and John Sanford.

Anyone having information which might assist in the identification of the two individuals engaged in this interstate check fraud scheme are requested to immediately notify the Denver, Colo., Police Department, 13th and Champa Streets, Denver, attention: Detective Charles L. Dunahue, check detail. *Denver let, 2-10-65 re: Checks, Charles Andrew Jordon, Donna M. Graham, Possible UFAP. Traducen check*

### A ROSY RUSE

A gang of some 20 swindlers in a foreign country obtained thousands of dollars from dotting parents by a simple ruse. Operating individually, they would visit the parents of young children, extolling the beauty of the child and telling the parents that for a few dollars, more or less, the child would be successful in a beauty contest about to be held. The parents were also influenced by promises of resulting publicity, television commercials, and possible money offers.

Tempted by these rosy offers, the mothers would permit their offspring to be photographed "without charge." Several days later, the photographer would reappear and have the unsuspecting parents sign a contract which obligated them to pay for the photographs and, in addition, subscriptions to children's magazines.

Each family encountered in this manner was swindled out of \$100 to \$200 until the police caught up with the swindlers.

*Rome crumdel, 6/10/65,*

**FBI Law Enforcement Bulletin**

U. S. GOVERNMENT PRINTING OFFICE: 1966 O - 207-954

#63-4296-233



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## Federal Law Now Covers Assassination of President

On August 28, 1965, the President signed Public Law 89-141 which prohibits the assassination, kidnaping, or assault, and attempts, or conspiracy, to assassinate or kidnap the President of the United States; the President-elect; the Vice President, or if there is no Vice President, the officer next in the order of succession to the office of the President; the Vice President-elect; or any individual who is acting as President under the Constitution and laws of the United States.

Whoever is convicted of first degree murder of any individual so designated shall receive the maximum penalty of death or minimum penalty of life imprisonment (upon recommendation of the jury).

Whoever kidnaps any individual so designated shall be punished by imprisonment for a term of years or for life, or by death or imprisonment for a term of years or for life, if death results to that individual.

And whoever assaults any such individual shall be fined not more than \$10,000 or imprisoned not more than years, or both.

Attempts, or conspiracy, to kill or kidnap will be punishable by imprisonment for a term of years or for life. If death should result from a conspiracy to kill or kidnap, those persons conspiring will be punished by death or imprisonment for a term of years or for life.

Under the new law the Federal Bureau of Investigation will investigate any actual assault, killing, or kidnaping of those individuals designated in the statute. In addition, the FBI is responsible under the law to investigate, under certain conditions, violations over which the Secret Service had previously exercised its jurisdiction.

Specifically, the FBI will investigate conspiracies to kill or kidnap any of the individuals designated in this statute provided two or more persons are involved and there is an agreement between coconspirators as well as the presence of some overt act, such as obtaining the means, for the execution of such conspiracy.

An actual attempt to kill or kidnap would likewise be investigated by the

FBI even on the part of an individual acting alone when there was activity to indicate an effort by the individual to consummate the attempt.

*Dir's let. to all SAC's + Legats, 1/14/66, re  
Legis. providing penalties for assaulting  
President or kidnaping the Pres. or VP,  
Title 18*

### RADIO THIEF SQUELCHED

Upon receiving a complaint from the proprietor of a local store that a walkie-talkie set was missing, an alert police officer borrowed a similar set from the store. That night, the police officer switched on the set and soon found a companion set in use. The unknown broadcaster asked the officer's location to which the officer replied that he was at a location some 50 miles distant. The unknown individual skeptically stated that he believed the set only had a range of about 3 miles. The officer then asked him for his name and address so that he might send him his "ham" card to verify the contact. These were obligingly furnished, and the officer immediately went to the given address and found a 14-year-old boy operating the stolen walkie-talkie.

*Boston Human Interest  
Story, 12/8/65*



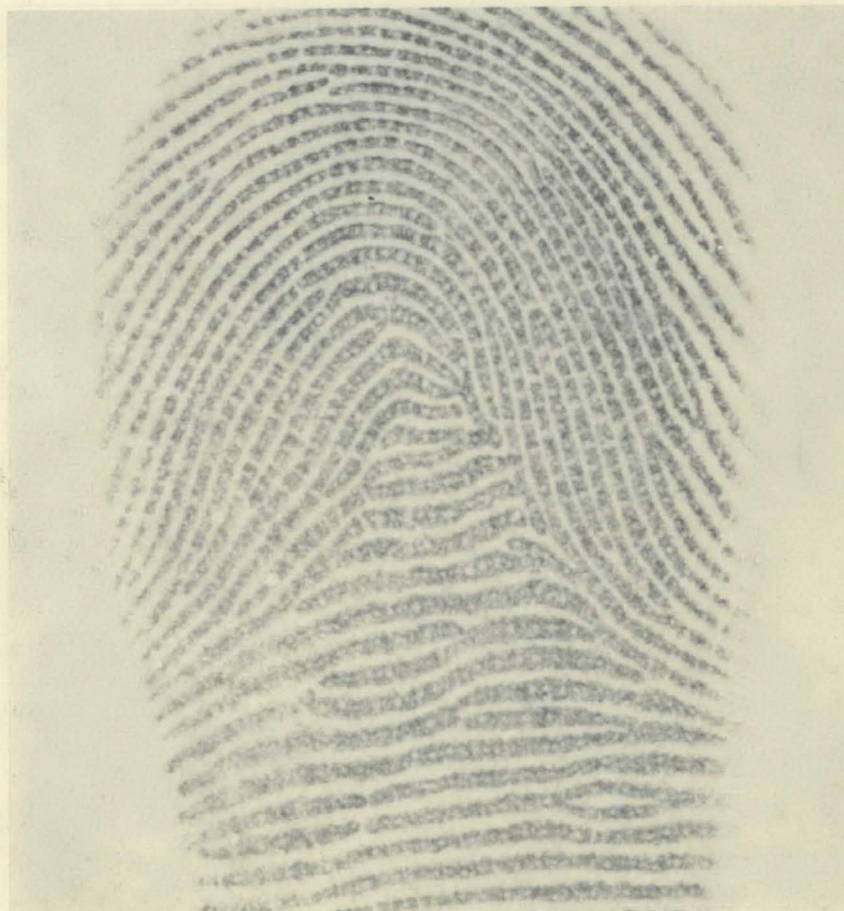
UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535

POSTAGE AND FEES PAID  
FEDERAL BUREAU OF INVESTIGATION

OFFICIAL BUSINESS  
RETURN AFTER 5 DAYS

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## UNUSUAL PATTERN



This unusual pattern is classified as a tented arch by reason of the angles formed by the junction of the ridges at the right center of the impression. Inasmuch as improper inking or pressure might cause these angles to appear as bifurcations, this pattern is referenced to a plain arch.