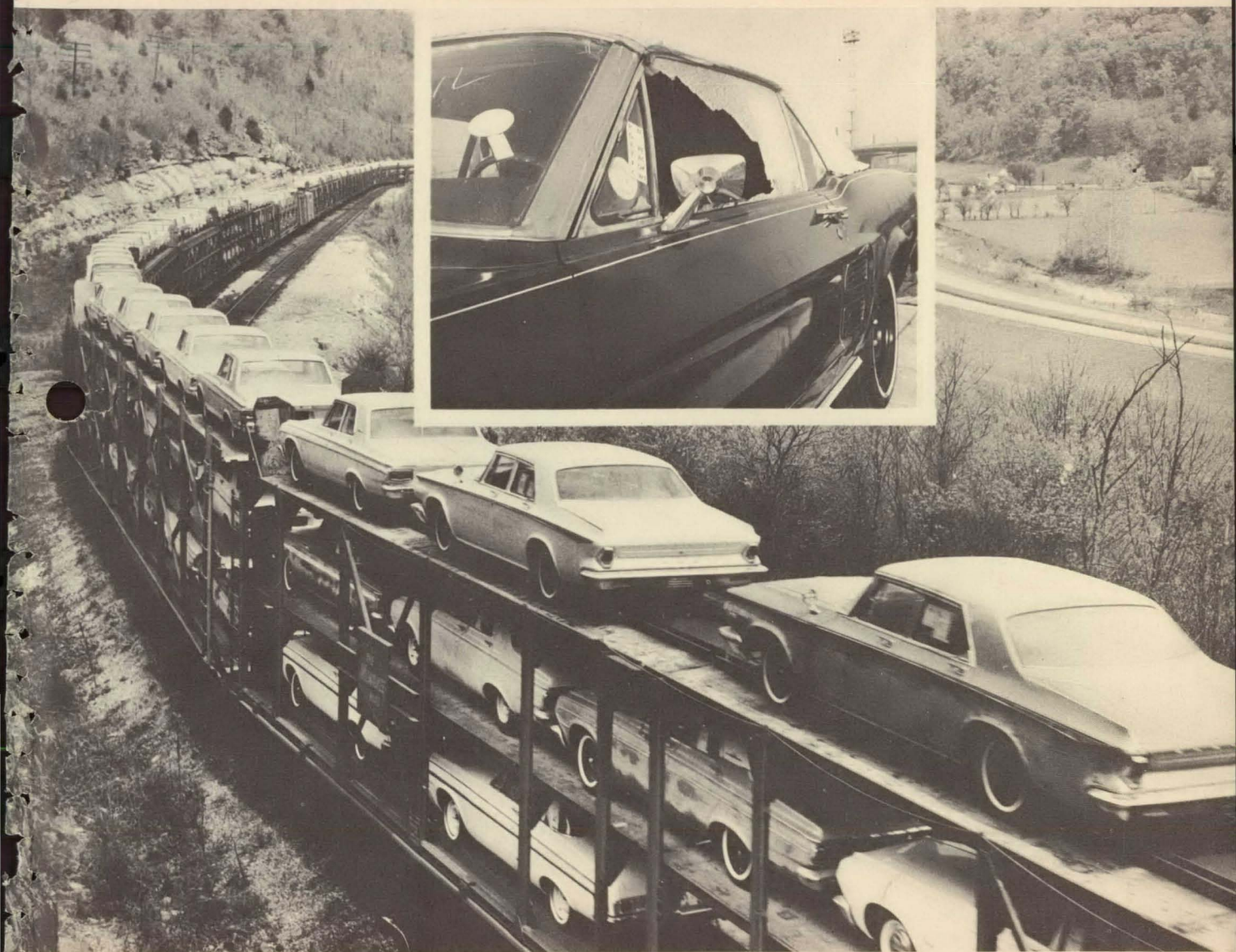


APRIL 1967



# FBI

## LAW ENFORCEMENT BULLETIN

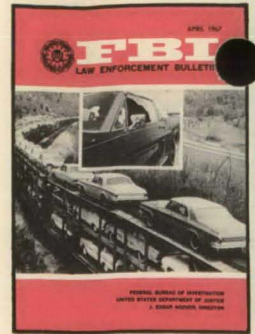


FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
J. EDGAR HOOVER, DIRECTOR



APRIL 1967

VOL. 36, NO. 4



THE COVER—*Vandalism of automobiles shipped by rail. See page 2.*

# FBI

LAW ENFORCEMENT BULLETIN

Published by the  
FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
Washington, D.C. 20535

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# MESSAGE FROM THE DIRECTOR

MORALITY, INTEGRITY, law and order, and other cherished principles of our great heritage are battling for survival in many communities today. They are under constant attack from degrading and corrupting influences which, if not halted, will sweep away every vestige of decency and orderliness remaining in our society.

Certain groups, numerically weak but vociferously strong, appear determined to destroy all acceptable standards of personal conduct and sane behavior patterns. They seem bent on eliminating all ethical practices relating to our established order.

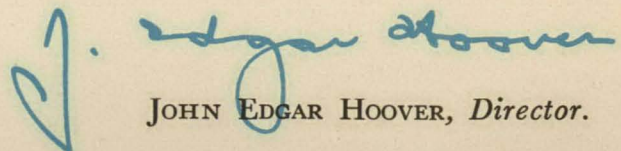
For instance, most citizens would be horrified to think that someday it might be legally permissible for a person to rise in a courtroom and hurl four-letter invectives at the judge without fear of punishment. "This cannot be," we say, "the court is inviolable. It administers justice under the laws by which we live." Law enforcement is an arm of the same laws. It is charged with the responsibility under these laws of taking certain action which ultimately is resolved in court. However, a move is underway demanding that profane verbal abuse directed at police officers be legally recognized as a constitutional right. If it can be argued that such preposterous action is legally permissible at the enforcement level of the law, could it not also be argued that it is permissible at all levels of our legal system?

History proves that the best interests of our Nation lie in a law-abiding, decent, and orderly society. We cannot live with lawlessness, unbridled vulgarity, obscenity, blasphemy, perversion, and public desecration of every sacred and just symbol. We should be alarmed when wide-

spread recognition and monetary awards go to a person who writes a "satirical" piece of trash which maliciously defames the President of our country and insinuates he murdered his predecessor. We should be alarmed when some groups, under the guise of academic freedom and constitutional privilege, flood our college campuses with obscene four-letter-word campaigns and pornographic publications which violate all codes of ethics. And we should be equally alarmed when an enforcement officer making an arrest must fight for his life against assaults from onlookers who scoff and ridicule him for doing his duty.

Why do these conditions exist? Certainly, an overwhelming majority of Americans do not want their families exposed to indecent, immoral, and unlawful practices which plague our communities. But unorganized protesters carry little weight against organized crusaders of filth, immorality, and crime. If this is not the legacy we want to pass on to our youth, then it is high time we took action to improve conditions.

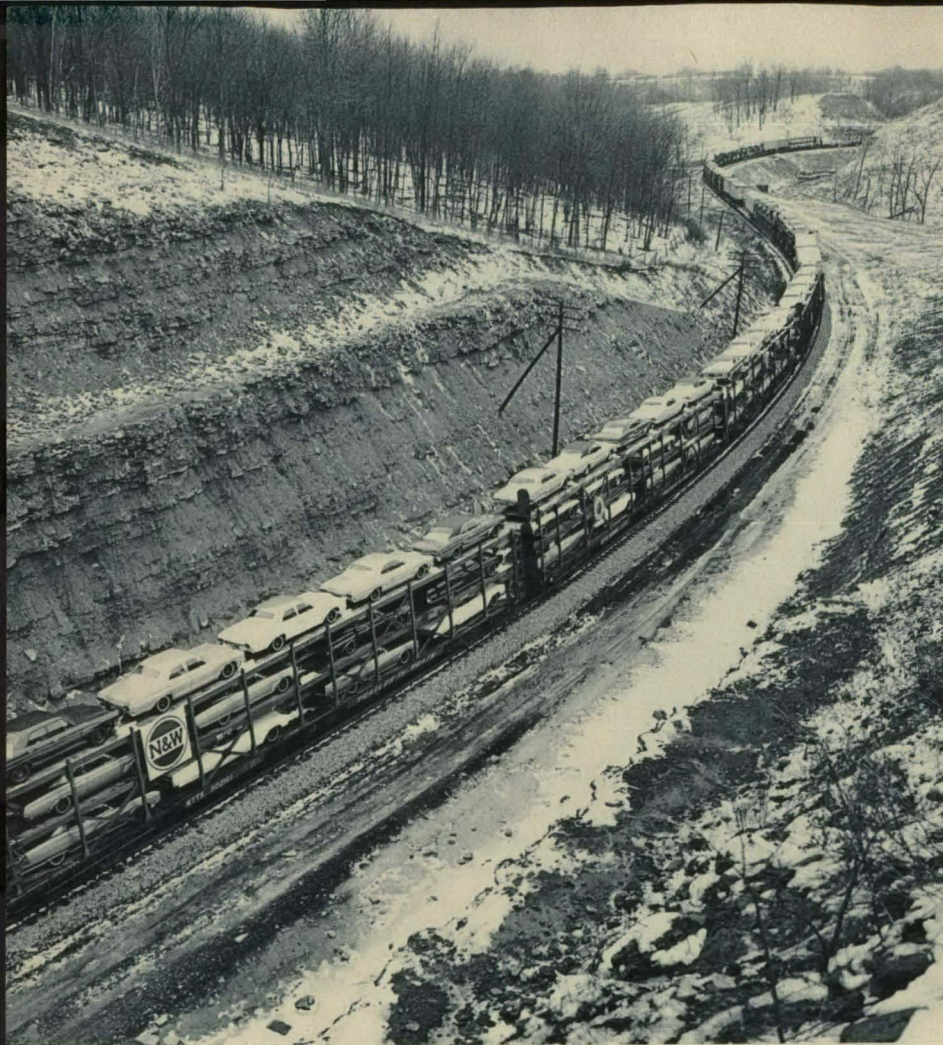
Let us stop persecuting enforcement officers when we should be prosecuting criminals. Let us stop deifying offbeat dolts whose ability is measured only by how deep they can dip their poisonous pens into the pots of blasphemy, filth, and falsehood. Let us stop listening to half-truths and criticisms of time-tested ideals and start telling and selling the true story of democracy as we know it. In short, let us stop being led blindly toward the cavern of self-destruction by bogus Pied Pipers and get on with the perpetuation of the self-evident truths which, with Divine guidance, have served our Nation so well over the years.



JOHN EDGAR HOOVER, *Director.*

APRIL 1, 1967





# VANDALISM

## to Rail Shipments

## of New Autos

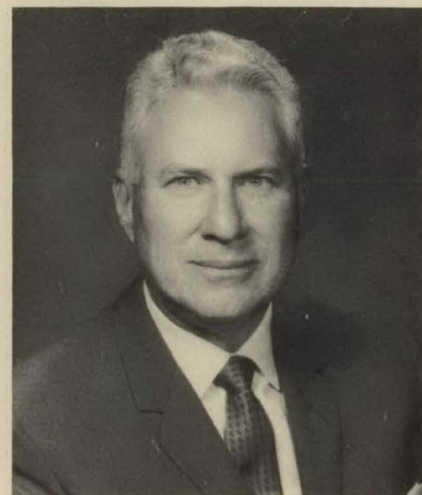
One of the most important businesses that American railroads have today is the movement of new automobiles and trucks from assembly plants to markets all over the United States.

Since 1960, this traffic has increased so rapidly that in 1965 railroads handled approximately 43 percent of the motor industry's total production of 11,137,830 units. The Louisville and Nashville Railroad Co. (L & N) alone handled 470,550, which was more than any other railroad in the Southeast.

Daily, long, and quite often solid, trains of tri- and bi-level rack cars loaded with shiny new automobiles and trucks of all makes, models, and colors can be seen winding through

**FRANK L. GRUBBS**

Director,  
Special Services,  
Louisville and Nashville Railroad  
Co.,  
Louisville, Ky.





the countryside or making their way through metropolitan areas. What an interesting and fascinating sight.

But, let us take a closer look. Since the very inception of this business, railroads have had real problems protecting cars from depredation and damage. In the early stages, there appeared indications of organized efforts to thwart their handling of this traffic. Malicious acts of acid- and paint-throwing and spraying inflicted much damage. As a result, a Federal law was enacted making it unlawful for anyone to willfully destroy or damage property moving in interstate or foreign commerce by railroads or other carriers, or to attempt to commit such an offense. Maximum penalty upon conviction is 10 years' imprisonment or a fine of \$5,000, or both (sec. 1281, title 15, U.S.C.A.).

### **Youthful Vandalism**

Since this law became effective and with the explosive increase in railroad handling, such organized acts have been virtually eliminated. Today, and for the last several years, we have been faced with an entirely different problem—a brand of vandalism which can be defined as carefree destruction of the property of another and devoid of any particular design or purpose. Our typical offender often commits his acts in the company of others similarly engaged but without any particular conspiracy to destroy. He, and sometimes she, is most likely to be between the ages of 6 and 16. The weapon is a rock (or anything that can be thrown), a pellet gun, a rifle, a shotgun, and often a slingshot. The offender is not peculiar to any particular locale but can be found in any city, town, or rural area. The vandal's aim and accuracy often are phenomenal.

Every day, reports come to me recording damage and destruction inflicted by the irresponsible acts of

these youthful vandals. Costly automobiles and trucks are a shameful sight with their windshields and windows broken out and their metal pocked with shot or caved in by a rock or other missile. These acts are costing railroads thousands of dollars in claims.

Not long ago at some point between Marietta and Atlanta, Ga., five rack cars loaded with 65 automobiles were rocked and fired upon, resulting in 12 of the units being damaged, 8 of which had windows and windshields broken. Why did this happen?

As most officers have found out, vandals usually offer no excuse for their conduct. Invariably, when asked, the reply is "I don't know why I did it. I just did."

We did get an explanation in one case involving five youths between the ages of 13 and 16 who apparently had been shooting with some regularity at these movements as they passed through Bay Minette, Ala. One of the offenders, all of whom had used shotguns of various gauges and rifles, when telling of his acts stated, "This

all began when I shot at something else and the bullet ricocheted striking an automobile on a passing railroad car, breaking the glass. We found this to be fun, and since that time we have continued to shoot at the new cars on passing trains."

All had hearings in the local juvenile court. One was sent to the Alabama Industrial School for an undetermined period; another was placed on probation during juvenile life; and the three remaining were turned over to the welfare department for handling.

### **No Respect**

Some say the actions of a juvenile vandal stem from idleness, anxiety feelings, or a sense of frustration, resulting in pent-up energy which is released when an opportunity comes along. This may be true in a sense, for we have found these acts occur more on holidays and weekends, during short periods before and after summer vacation, and for short periods prior to and after school starts in

Window broken by thrown missile.





the fall. There is one thing certain, however: The offender has no respect for the property of others and apparently has not been properly taught in his home. No doubt, such inexcusable acts will continue until our youth are instilled with a sense of responsibility and respect for others.

Actually vandalism is the greatest security problem railroads face today. It is not restricted to multilevel traffic, but hits in many other areas. The L & N has had for several years an average of 500 signal lights broken out by vandals, costing approximately \$15,000 to replace. There are frequent instances of locomotives, cabooses, and passenger cars being shot or thrown at, resulting not only in property damage but also physical injury to passengers and operating personnel.

It would seem natural that the moving train would be the chief attraction, similar to the moving duck or rabbit at an amusement park shooting gallery. This, however, is generally not the case. Experience has shown the idle car to be the most frequent target. In this respect, it is apparently more like a factory building which is not in operation.

Railroads are easily susceptible to this type of offense since their tracks and property are spread out over all types of terrain in both rural and urban areas. This factor makes adequate protection most difficult.

What are the railroads doing to combat the problem? First, it is recognized that every trespasser is a potential vandal. In 1965 our special services personnel arrested 710 trespassers who were responsible for 505 depredations against our property including acts of vandalism and other offenses. More than 395 of those arrested were juveniles.

One of our worst cases of vandalism was committed by eight youths who ran away from home in Covington, Ky., and boarded three of our rack



Mr. C. N. Wiggins, Assistant General Manager, Louisville and Nashville Railroad Co.

cars loaded with utility trucks. Four of the boys were 13 and the other four were 14. While en route from Covington to Louisville, Ky., they broke into twelve units and completely demolished the interior of one. All panel instruments were broken and punched full of holes. Seats, floor-mats, shades, and headlinings were slashed and wires to accessories torn out. Total damage was \$1,118.12. When picked up in Louisville, the youths were in possession of automobile keys, knives, razor blades, and a blunt instrument resembling a black-jack. They were returned to Covington and charged with vandalism. The juvenile court placed each on probation with the condition that payment for damages be made. A little over one-half of the amount was ultimately paid.

One of our problems as far as rockings and shootings are concerned is spotting the place of offense. We endeavor to check each loaded rack car when it is received from a connecting line at an interchange point. The railroad from which cars are received is notified of any vandalism found. Thereafter, we recheck each car as it passes through our various terminals, and by comparison of telephonic and

written reports, we are able to get some idea as to where trouble occurs.

For example, a shipment of cars received from another line at Cincinnati consigned to New Orleans. In addition to checking at Cincinnati, our special services personnel make inspections at Louisville, Nashville, Birmingham, Montgomery, Mobile, and finally at New Orleans. If vandalism is first discovered at Birmingham, indications are that the acts occurred between that point and Nashville. Other railroads follow a similar procedure of checks.

This in itself is not enough. Our train crews are on the alert and often they have been able to pinpoint trouble spots. When in the vicinity of terminals or areas where special services personnel are assigned, they transmit their information directly by radio. Recently at Seabee, Ky., four youths who were shooting at our automobile traffic with slingshots were taken into custody within 5 minutes after a radio message was received from the train crew. The two-way radio has been tremendous help in all phases of our work.

Near Montgomery, Ala., around 1 a.m. this past summer, an engineer reported by radio that his train was being "rocked" by several youths. Our assistant inspector immediately went to the scene. As he approached, a suspicious car took off at a high rate of speed and finally, after a touch-and-go chase, it was stopped. Four of the occupants were charged with breaking out four windows and were found guilty. The judge suspended their fines of \$100 and 15 days in jail each upon payment of \$228.14, representing cost of damage they had done.

Where considerable trouble is experienced at unknown points between terminals, our special services personnel, equipped with two-way radios, ride the trains in an effort to spot offenses and offenders. They keep

(Continued on page 6)





Above, vandalism to a panel truck done by 13- and 14-year-old boys.

Above right, windshield struck by rock.

Right, car hit by shotgun blast which blew out window.

Below, windows in cars on top deck broken out by thrown rocks.





in contact with other special services personnel riding in radio-equipped automobiles on paralleling highways. Offenders have been quickly apprehended with the use of this technique. On other occasions where we have a definite trouble spot, physical surveillances have proved productive.

During the spring of 1966 we were having a great deal of trouble with rockings on the outskirts of Louisville. Surveillances were set up but without success. Finally it was decided we would appeal directly to parent-teacher association groups at nearby schools. Both parents and teachers were shocked to learn of our troubles and both promised their full cooperation. Our troubles were almost eliminated within a short period.

School authorities have been most cooperative and helpful. Last year a one-page circular letter addressed to students and apprising them of dangers of being on railroad property and the problems created by rock-throwing and shooting at trains was prepared. Over 10,000 copies were delivered to schools located in communities served by the L & N. These letters were placed on classroom bulletin boards and in many instances their contents were read and discussed by teachers in classrooms and assemblies. Although it was impossible to accurately measure the results, it was

felt, and our records indicated, there was a decrease in the number of offenses during the ensuing summer vacation. The procedure was so well received by school authorities and students we plan to repeat it again in 1967.

Local authorities have always been most cooperative and have been heavily relied upon. They are kept advised of train schedules and requested to be on the alert when trains pass through their communities. We have had several instances where offenders have been caught in the act of rock-throwing by local authorities.

What happens to the juvenile offender? Quite frankly, there are problems. Juvenile courts and juvenile handling bureaus have been helpful in many instances, but in some localities, particularly the larger ones where caseloads are heavy, there have been occasions when they have shown little disposition to take effective action. On the other hand, enforcement officers have been so regulated and restricted in their handling of juveniles that sometimes there is an understandable tendency to shy away from such offenders.

In cases involving juveniles who cause little or no damage, or where they have given no trouble in the past, we follow the policy of talking to the parents and explaining what has happened and asking for their coopera-

tion. Some, possibly most, are cooperative, but others are indifferent.

Where appreciable damage has been done, restitution or payment for damage is the most effective and surest way of deterring offenders. Sometimes parents will offer to pay for the damage rather than have their children taken into court; and on other occasions, courts will make restitution a condition for probation. Regardless of how it is handled, this appears not only best for the offended party, but at the same time makes it more certain the offender will be disciplined. Parents who pay will take it upon themselves to see that discipline is forthcoming. Our record proves this as we have never had a repeater where reimbursement has been made.

In cases involving habitual offenders, it is necessary that stronger action be taken. We have never permitted restitution to interfere with justice, and we have never dropped prosecution in favor of restitution without the consent and wishes of investigating officers and the court.

Vandalism is a problem which must be watched and controlled. To do so requires the cooperation of our youth, their parents, law enforcement agencies, juvenile workers, and the courts. Intelligent handling and education are a must.

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## A Higher Duty

*"We must keep the balance true for both the decent folks and for those who defy the law.*

*"The plain fact remains that these men, these 'pillars of the community,' have in fact a higher duty than less fortunate members of society, for it is from their example of citizenship that the children of our Republic inevitably will form their opinions of a government of laws. If we cannot win the war for man's minds at that level, we cannot win it at all." Judge Halbert in U.S. v. Greenhead, Inc., 256 F. Supp. 890 (1966).*





# *Stake-Out Teams*

**A big-city  
police department  
uses specialized teams  
to combat  
crime.**

**HON. EDWARD J. BELL**  
Police Commissioner,  
Philadelphia, Pa.



One Thursday afternoon in April 1964, two men with handkerchiefs over their faces approached the counter in a neighborhood office of a local finance company. One man went toward the manager's office. The other, armed with a revolver, went to a counter, announced a holdup, and demanded money. Suddenly, a door in a booth opened and the holdup men were confronted by two officers of a Philadelphia police stake-out team. One officer quickly took the unarmed member of the holdup team into custody. The second holdup man ran behind the counter and leveled his revolver at the second officer. The specially trained officer quickly shot and wounded the thug and then placed him under arrest. This incident was





The well-armed and well-trained stake-out team quickly emerges to apprehend any robbers.

the first "score" for the Philadelphia Police Department's Stake-Out Unit.

Organized in February 1964, with its primary purpose being to develop a unit of police firearms experts to combat crimes of violence, the stake-out unit now has a strength of 100 men.

### Selection

Assignment to this highly specialized and rigorous type of duty is on a voluntary basis. Qualifying factors include basic skill in the use of firearms and aptitude for additional specialized training; mature judgment, patience, and dependability; swift physical reaction in emergency situations; and general police experience. After receiving the recommendation of the volunteer's super-

riors, the training division staff tests him to determine his ability to qualify.

### Training

Following his selection, the volunteer receives 1 week's training at the Philadelphia Police Academy. The following are included in this initial training:

- a. Daily range practice and instruction in the use of the .357 Magnum, 12-gauge shotgun, 30.06 rifle equipped with telescopic sights, Thompson sub-machinegun, tear gas gun, tear gas grenades, and smoke grenades.
- b. Procedures encountered in the prevention of holdups, burglaries, and assaults using role-playing techniques. (Replicas of stores and financial institutions have been built to permit simulation of some stake-out situations).
- c. Review of penal code and the elements of crimes.
- d. Physical training exercise.

Inservice training, after assignment to the field, is provided 1 day per week. The volunteer receives extensive practice with all firearms, practice situations involving holdups, and additional physical training. To share their experience, the personnel are encouraged to discuss problems arising in actual situations. A detective field commander leads these discussions.

### Deployment

Stake-out teams usually operate in pairs. They are assigned to detective field divisions on the basis of need, which is determined by statistical analysis of crimes reported plus the local command's practical knowledge of crime hazards. Utilizing assembled data, the detective commander selects the area of hazard and the specific locations for surveillance. In the case of commercial establishments which might be held up or burglarized, preassignment preparations are necessary. Contact is made with the owner or his designee, and the premises are surveyed to determine the feasibility of a stake-out. Concealment and the reasonable physical comfort of the team are considered. The personal safety of the employees and customers who may be present is of prime importance.

An alert system peculiar to the particular establishment is devised. The stake-out team uses electronic signals or code words to communicate. Employees are instructed to refrain from discussing the stake-out and from requesting stake-out personnel to perform any routine police service. The employees also receive additional instructions relative to what they should do in emergency situations. Prior to their entrance, the personnel assigned sketch and study the physical layout to gain complete familiarization with the stake-out. Team members, in civilian attire, enter the location singly from different directions. A



prearranged code word is exchanged with the person in charge, and the team members proceed directly to the preselected surveillance area. Once concealed, they put on their police uniform shirts and badges and keep their uniform hat in readiness. Consequently, if it becomes necessary for the team to leave their place of concealment to perform a police service or pursue felons, their identification as police officers is readily apparent. Placing the stake-out team inside the building just before the close of business insures a secret overnight burglary surveillance in a commercial establishment.

On December 28, 1966, two officers of the stake-out unit were deployed at the Provident National Bank in Philadelphia when three masked bandits, with revolvers drawn, entered the bank and commanded bank employees, "Don't move!" One of the officers identified himself and yelled for bank employees to get down. Ensuing gunplay resulted in one hold-up man being killed instantly, and the

other two were critically wounded and died a few days later. None of the bank personnel or the police officers were injured.

All of the robbers proved to have extensive criminal backgrounds, two of them being on life parole and the third on parole until December 20, 1994.

Surveillances for residential burglaries and hijacking involve additional problems. Specially equipped vehicles, which are usually nondescript in appearance, permit a residential surveillance operation without attracting undue attention. Personnel assigned to this type of surveillance have communication equipment, permitting them to direct the uniformed patrol officers in making their apprehensions. In this manner the stake-out man does not disclose his operation.

### **Equipment**

Each stake-out team member has the following equipment:

- One .357 Magnum.
- One 12-gage shotgun with ammo.
- One bullet-proof vest with "Police" stenciled in front and rear.
- One pair of handcuffs.
- One uniform shirt and cap.
- One canvas carrying bag.

This equipment is checked as part of the inservice training program.

### **Supervision**

A police lieutenant coordinates the assigning and training of the stake-out unit. Daily supervision is the responsibility of the command staff of the detective division of assignment. In the case of concealed assignments, the supervisor approaches the location on foot, identifies himself in code to those in charge, and goes to the surveillance point, where he checks the alertness and preparedness of the team. Instructions, orders, and guidance may be given at this time. Supervisory visits of this nature are required once weekly. Closer supervision is not necessary because the meticulous selection procedures produce person-

In the event of a robbery employees are taught to follow a prearranged plan when the stake-out team enters the scene.





nel who work diligently without close supervision.

### **Disqualification of Personnel**

Stake-out personnel are disqualified without prejudice and returned to their regular police duties if:

- a. They fail to continue to meet standards during inservice training.
- b. The detective commanding officer or supervisor finds them unfit for this type of assignment.
- c. The individual police officer requests to be returned to regular police duty.

### **Results**

Since its inception, members of the stake-out unit have been successful in

the apprehension and arrest of persons responsible for armed robbery, burglary, larceny, and threats to do bodily harm.

In the pre-Christmas shopping season of 1965, attempts were made to rob three financial institutions in Philadelphia. Stake-out teams were successful in preventing all three and arresting those responsible. The appreciable drop in crimes during a season when robberies are ordinarily numerous indicates that the attendant publicity had a deterrent effect on would-be thieves.

The use of this surveillance technique also resulted in the solution of two bank robberies during the summer of 1966, with the capture of two

men and the recovery of over \$3,000.

In addition to a highly trained surveillance group, the stake-out unit provides the department tremendous firepower in the event that it is needed. Furthermore, its flexibility permits quick mobilization as a plainclothes or uniformed unit, depending on the requirements. The required high degree of self-discipline makes the unit an important support force in case of emergency.

The use of stake-out coverage in commercial establishments has promoted public goodwill and has done much to improve relations between the police department and the law-abiding segment of the community.

## **POWER PAC PACKS PUNCH**

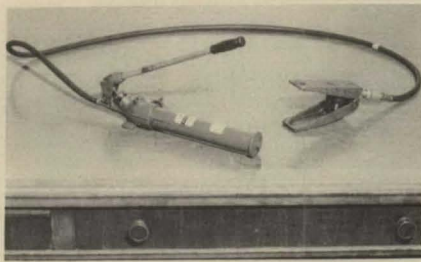
Recently burglars hit three post offices in a midwestern city on the same weekend. During the third burglary the thieves fled the scene but left their tools behind. Included in the tools found at the scene were an 18-inch Stanley "crazy bar," a longer and heavier pinch bar, a sledge hammer, and a power pac.

The power pac consists of a hydraulic cylinder about 15 to 18 inches long, a length of rubber hose, and a clamshell attachment on the end of the hose. By activating the handle on the hydraulic cylinder, the burglar forces the clamshell to open with terrific pressure.

The burglars' method of operation was a series of simple steps designed to force open the safes. First, by striking the upper corner of a safe door, they could tear it away from the hinges to insert the L-shaped crazy bar. After prying the door open far enough with this smaller bar, they

would use the larger bar to force the door open far enough to insert the closed lips of the power pac's clamshell attachment. Then, it was just a simple task of working down the side and across the top and bottom of the door. After popping the rivets and removing the insulation, the burglars were ready to take their pick of the materials inside the safe.

This procedure involves little noise, and the burglars can work at a rapid pace.



Power pac in opened position.

### **LaFIA**

Because of its geographical location, Caddo Parish (County), La., has quite a problem with forgery and worthless check cases. In addition to local bogus-type people, Caddo merchants and businessmen often get hit by both pro and amateur fraud artists from the adjoining States of Texas and Arkansas.

In an effort to remedy this situation, Caddo Parish Sheriff J. Howell Flournoy and his staff contacted sheriffs in five other parishes, and together they formed the Louisiana Forgery Investigators Association (LaFIA). LaFIA provides a warning system to alert the local merchants to possible fraudulent checkpassers and forgers operating in their areas. In connection with regular credit checks with the Shreveport Credit Bureau, the merchants receive information concerning these fraud artists.

Sheriff Flournoy states that this warning system costs nothing and he feels that it would probably work in most large cities.



# A Look at Bank Robbery Statistics



**J. EDGAR HOOVER**  
Director,  
Federal Bureau of Investigation

There is no typical bank robbery or method of solution, just as there is no single person you could point to and say he is a typical bank robber. Few bank robberies are perpetrated in exactly the same manner, and no plan can be devised to meet all situations. A survey conducted by the FBI of some 2,220 bank robberies which occurred during fiscal years 1965 and 1966 does provide law enforcement and bank officials with pertinent information which will assist them in planning a program to help prevent future bank robberies.

The automatic data processing survey showed that more than half of the robberies occurred in branch offices located in the fringe downtown or suburban areas, and the majority of the robbers, 1,382, were Caucasian males, 569 were Negroes, 181 were of mixed nationalities and two were Orientals. All of them made entry into the banking institutions mostly between the hours of 10 a.m. and 2 p.m., usually selecting the busiest days, Friday being the most popular.

## *Planning the Operation*

In preparing for the robbery of the banking institutions, 323 bandits cased the bank from the outside, and 130 were former employees, depositors, or impersonators. Other bandits cased the bank from the inside, used the telephone as a ruse, or followed a messenger.

In 69 instances hostages were taken or attempts made to take hostages in or near the bank before, during, or after the robbery. In 21 cases the bank robbers kidnaped or made attempts to kidnap or hold employees or relatives at home until payment was made.

One lone figure, always working by himself and in the same manner, executed four robberies to which he later admitted his guilt. His method of operation was to enter the bank and ask to see the manager. Stating that his business was very confidential, he was usually taken to a conference room where he displayed his revolver and demanded that a cashier's check

be prepared—and cashed—for him in the amount of \$10,000. On the pretext then, after this transaction, of taking the manager out for a cup of coffee, both would enter the manager's personal car and drive away. The bank official would be dropped along the way to return on foot, while the bandit continued on his way, abandoning the appropriated vehicle at a point where, presumably, he could continue in his own vehicle.

In the fourth such robbery this bandit committed, an alarm was given, and police appeared at one door as he was making his exit through another. Pursued by police, he opened fire which was returned by the officers. He fell wounded in the leg, dropping the loot he had picked up in the bank. At the hospital he admitted his guilt in the other three robberies.

In executing their robberies, by far the largest majority—some 1,413—of the offenders made entry through the front door, 178 through a rear door, 91 through a side door, and four through the roof.



Once inside the bank, the direct approach was made by 1,033 bandits who walked up to the employee, announced the holdup, and made their demands for money. Another 399 made their demands after asking for change, coin wrappers, or information about opening a new account. Also included in this group were those who posed as customers or potential customers. Only four made demands for money over the telephone, four impersonated someone else, and one entered on the pretext of seeking employment.

In making their approach to the employees, 227 bandits directed the employees not to sound any alarms or push any buttons. Also, in making their demands, and to add emphasis to their words, some 487 placed a money receptacle, gun, or other item on the counter. Notes demanding money were used in 628 cases, more than half of which (439) were hand-printed, 150 were handwritten, 34 typed, and five were of newsprint or some other type of printing.

### **Money Receptacle**

When the money was obtained, most of the bandits placed it in some form of receptacle such as a bag, envelope, box, briefcase, or wallet. Others put the money inside their clothing or carried it in their hands.

One individual utilized the unique approach of finding some destitute male and talking him into robbing a bank a couple of States away. He never entered the bank himself but acted as the getaway car driver.

Immediately after the robbery he would put his accomplice in the car trunk and drive back to the original starting point. He would give the man a share of the loot, then depart never to see him again. This individual admitted robbing a total of 20 banks.

During the process of the robberies in the survey, bandits held witnesses

at bay on 167 occasions while accomplices took the bank money, 112 vaulted counters, 328 entered tellers' areas, and 343 avoided leaving fingerprints. Someone was shot in 15 instances, and a few times efforts were made to damage or remove surveillance cameras.

### **Weapons**

Most offenders used weapons of some kind while performing the robberies. Guns of every variety—pistols, revolvers, shotguns, rifles, machineguns—were used in most instances; knives, razors, or some form of cutting object in six; blackjack or blunt object in four; explosive of some kind in 24 cases; and acid or tear gas in two. A toy gun or simulated gun was used 91 times. The weapons were carried in view 1,027 times and concealed from view in 395 cases. Threats to use weapon exhibited occurred 1,152 times.

One would-be bandit carrying a butcher knife approached a part-time employee and demanded money. The employee escaped by locking himself in the teller's cage. The robber then left the bank and stood outside, threatening to kill himself.

Police responding to an alarm managed to take the knife away from him and took him away for psychiatric examination.

### **Action Against Witnesses**

During the performance of the robberies, witnesses were forced to take a position of some kind or forced to enter some other area of the bank. Suffering these indignities, 229 were directed to lie on the floor; 265 were forced to sit, kneel, face the wall, or remain still; 69 were warned not to look at the robber; and 300 were forced into such areas as the basement, vault, or backroom of the bank. Twenty-seven were struck with a gun,

a fist, or kicked, and 51 were handcuffed, bound, or gagged.

In one such case a lone bandit approached the counter and pulled from his jacket a bag and a .38-caliber pistol. He ordered the manager to put the money in the bag as he set the barrel of his gun on the counter. While the manager faced away from the counter, the bandit climbed over it and ordered the three other employees to lie on the floor. He forced the manager to open the safe, then made him lie on the floor too. He tied all victims with wire that he cut from telephones and business machines in the office. Two detectives, who appeared in response to an ADT alarm tripped by the manager, were also disarmed and bound. The bandit then left the building with the guns of the two officers and \$236 in loot.

### **Accomplices**

Most of the offenders worked alone; however, 541 worked with one male accomplice, 236 with two, 111 with three, and 14 with four or more. On the other hand, 51 bandits worked with one female accomplice, nine with two female accomplices, and three with three. Eighteen of these females were Caucasian; 10 were Negro.

It is interesting to note that in 1965, 14 bandits worked with one female accomplice, but in 1966 the figure jumped to 37.

Two men and their girl friends, all of them university students, although assiduously attending their classes, managed to carry on their respective roles in three bank robberies which netted them a total of \$59,441.

In the first robbery the two men took the leading roles and robbed a bank of \$15,303. Some 6 weeks later one of the men (the leader of the group) and the girl friend of the other man entered the bank while the second man acted as outside guard. This coup brought \$15,991. In the



# NATIONWIDE CRIMESCOPE

## RIFLE WITH STORAGE CELLS FOR PARTS

third robbery only the leader of the group and his girl friend participated in the robbery which brought them \$28,147. The other couple—now husband and wife—and a third man who had become involved, demanded a share of the loot from this holdup, allegedly pistol-whipped the leader when he refused, and took from him approximately \$3,400.

The victim of the beating reported the incident to the county sheriff, and all were arrested. The leader of the gang was sentenced to 16 years, the other man to 11 years, and the women to 4 years each for their participation in the robberies. The third man was not tried in Federal court.

In another bank robbery in which \$1,326 was taken, a man and a woman were also involved and given prison sentences. The woman, a 26-year-old unemployed waitress, was given 10 years. Her 42-year-old male companion got a 5-year sentence for conspiracy.

The woman had pleaded through years that she be placed on probation so that she could return to her home and her two children. The request was denied. A bullet she had fired during the robbery had struck the center of the bank counter and ricocheted into a brick wall a few feet away. At her trial the judge stated that it was "only by the grace of God that she was not in the courtroom for murder or attempted murder."

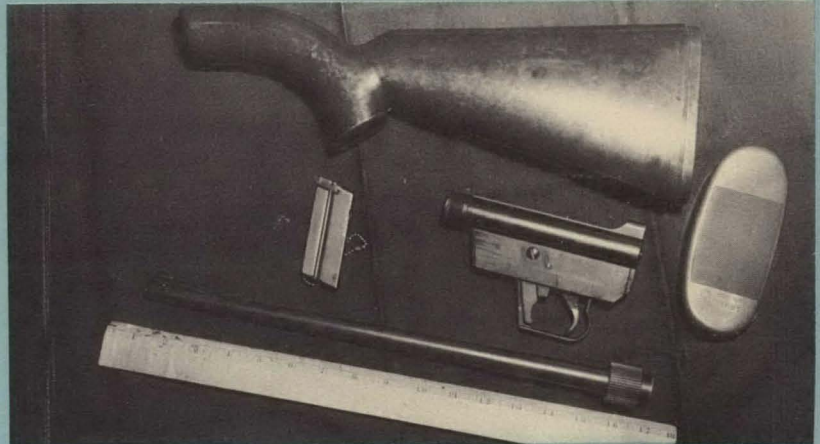
### Disguises Used

The survey showed that disguises of some kind were used in most cases, generally favoring clear or sun glasses, with beard or mustache (actual or false) next in favor. Other items of disguise included Halloween, masquerade, silk stocking, or ski-type masks; tape, gauze, or cloth over the face; cape, hood, shawl, or scarf held over the face or head; and wigs.

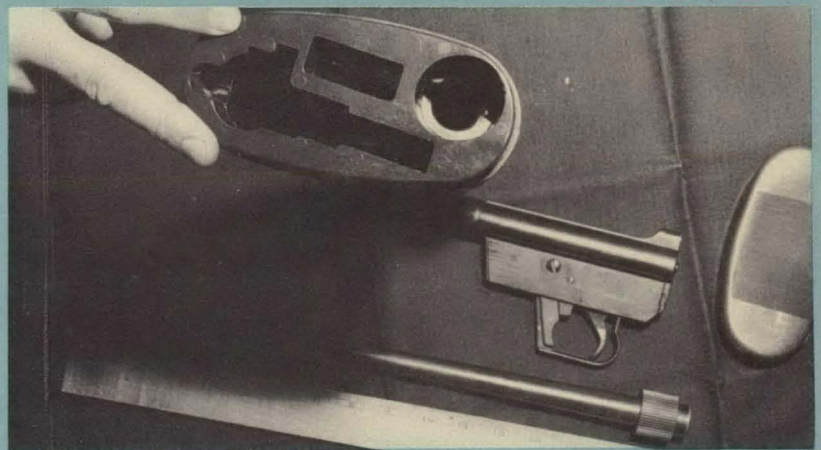
(Continued on page 26)

An unusual semiautomatic .22-caliber rifle has been noted by police in a Midwest city. Its 16-inch barrel, cartridge clip, and receiver group can all be disassembled and stored in its 18-inch stock. A rubber pad fits tightly over the end of the stock and secures the parts in their compart-

ments. An attached screw built into the foregrip secures the receiver section to the stock, and the barrel screws onto the receiver. The disassembled weapon can be easily concealed for carrying on the person, and it can be assembled and put into action in a matter of seconds.



Component parts of the rifle.



End of stock showing compartment for storage of parts.





**CAPT. FRED J. WICKAM**

Director,  
Wyoming Highway Patrol,  
Cheyenne, Wyo.

To some extent, every State is faced with the problem of vandalism to its highway signs and markers. Such needless damage of highway signs results in the loss of tax dollars, danger to passersby, and both inconvenience and hazard to motorists relying on the signs to find their way safely through the State.

In my State of Wyoming, the total damage to all highway structures, including signs, amounted to approximately \$7,000 in a year's time.

This problem may be attacked both from the construction and maintenance angle and from the enforcement angle. Even in a State having a much denser population than Wyoming, policing the signs is admittedly next to impossible. Using automatic devices may be a step in the right direction. For example, a camera with its shutter set to make an exposure on impact can be mounted within the sign to deter a possible vandal. However, the fact remains that our Nation's traffic signs stand unprotected from and vulnerable to the vandal's weapon.

Sign design offers another way of minimizing the vandal problem, but as we shall see, it has serious limitations.

Vandals can do many things to a highway sign. They can destroy it with explosives, riddle it with bullets, or remove letters from it by hand. They can also disfigure the sign with paint and obscene words, or they can remove it completely.

In Wyoming signs are made of two different construction materials: aluminum, for the smaller ones (measuring about 4 by 5 feet or less) and plywood for the larger. The accompanying photograph of an aluminum stop sign shows the effects of a blast of nitroglycerin. Of course, neither aluminum nor plywood signs can withstand this sort of damage, but notice the pattern of the blast. While plywood would have been blown to splinters, the aluminum is severely bent. The same thing happens, on a miniature scale, when a bullet hits a sign. A bullet goes straight through a plywood sign and leaves a small hole, but it causes bends in the aluminum.

The highway department repairmen can use adhesive patches of reflectorized material to repair the plywood signs, but when an aluminum one is hit, they must use a more extensive straightening operation.

In Wyoming, where vandalism is not a significant problem, a sign is

Vanda



Closeup shows the effects of nitroglycerin on an aluminum stop sign.





# ism of Highway Traffic Signs



um sign. Back view of sign, below, shows the



chosen on the basis of its resistance to normal circumstances, rather than its ability to withstand extraordinary abuse.

## ***"Bulletproof" Signs***

The highway department has also experimented with "bulletproof" signs, consisting of metallic letters fastened on a diamond wire mesh in turn fastened to a frame. Except for a direct hit on a letter, a bullet would almost invariably go on through the large spaces between the wires and leave the sign unharmed.

In a field test the Wyoming Highway Department erected such signs outside its headquarters in Cheyenne and left them to weather the rather chilly and windy Wyoming winter. The signs themselves stood up well, but the idea was rejected because highway department experimenters felt the small savings in vandal damage would not compensate for the great loss in reflection and visibility.

Research into bulletproof signs has been discontinued by the highway department, but some outdoor advertising companies have used the wire mesh idea in making signs for restaurants and motels.

## ***"Tamperproof" Signs***

In the past vandals would pull the letters off the highway signs. The highway department solved this prob-

lem, however, by using signs whose letters locked into place. These signs, used by many highway departments across the country, greatly reduce the chance of losing letters.

But, even with this type of sign, a vandal set on defacing or destroying it has little difficulty. Paint, bullets, explosives, all will do the job.

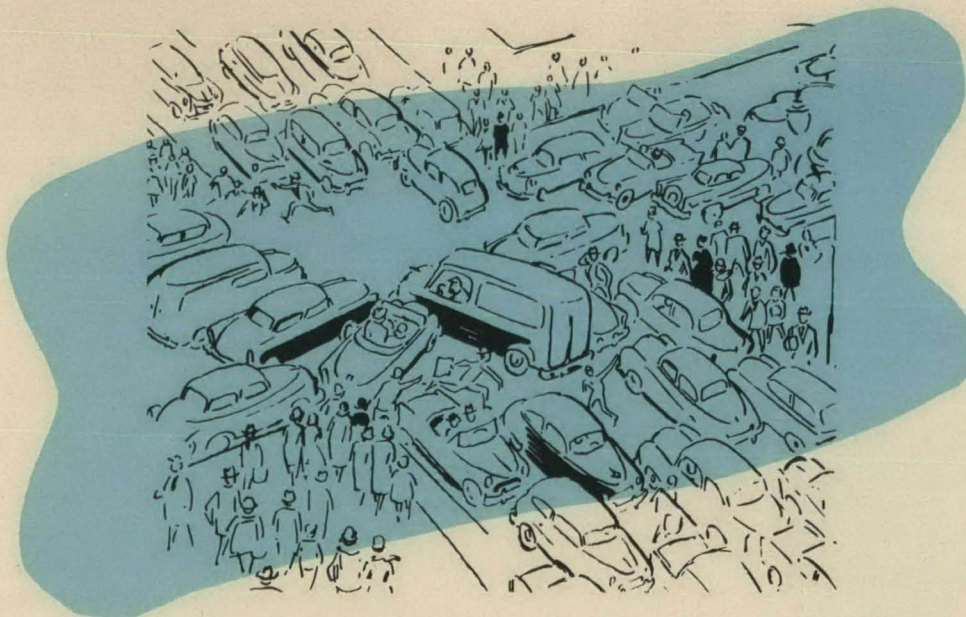
The Wyoming Highway Patrol, however, has noticed a trend in vandalism. It increases in the fall. Whether this rise can be directly related to the start of hunting season cannot be ascertained, but there definitely is a natural increase in the sale of ammunition at that time.

More people are evidently target practicing, plinking at cans, and getting ready to shoot that antelope, deer, or elk. I should point, out, however, that shooting at highway signs violates one of the cardinal rules of good gunmanship: the rule prohibiting shooting at water or flat surfaces. Taking potshots at highway signs endangers not only the innocent bystander, but also the vandal and any accomplices as well.

Therefore, we do not accuse the serious hunter who uses his weapon in a wise manner. But what challenge or self-satisfaction can possibly be attained by shooting a simple roadside sign?

This question the vandal must answer for himself. After a brief moment of thought and evaluation, I think he can only conclude that he has no reasonable answer.





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# Drugs and Our Automotive Age\*

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## Drugs and Driving

High on the list of highway killers and traffic safety violators is the drunken driver. But alcohol is no longer the only cause of "intoxication."

The Food and Drug Administration is concerned over the increasing threat to highway safety from drivers "under the influence" of drugs. The drugs involved range from true narcotics to stimulants, tranquilizers, sleeping pills, and even some cold remedies (e.g., antihistamines). Some are widely used in such common ailments as nervousness, overweight, high blood pressure, and hay fever. Because of these common uses, many people do not realize the effects drugs may have on driving ability. They may innocently contribute to the danger on the streets and highways.

*Today we have more than 91 million registered vehicles, operated by more than 98 million licensed drivers. We have at least one car per family, and every one of these automobiles travels, on the average, 10,000 miles per year. More than 6 of every 10 employed Americans are transported to work in an automobile, and the auto takes us on 85 percent of all our vacation trips.*

*Without doubt, the motor vehicle has made an immeasurable contribution to our civilization.*

*But we've paid the toll of misery, suffering, and death.*

*More than a million American lives have been sacrificed on the streets and highways since the advent of the Automotive Age—and the end is not in sight. Each year we add another 49,000 or more killed and more than 2,000,000 injured. At the present rate, one of every two Americans will suffer death or injury on the highway during his life span.*

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\*This article was prepared by the Food and Drug Administration, U.S. Department of Health, Education, and Welfare, which granted permission for it to be reprinted in the FBI Law Enforcement Bulletin.



And, because some dangerous drugs can be obtained without prescription, despite legal requirements to the contrary, some people use them for their "side effects" or for reasons other than their intended medical purposes. One example is the use of stimulant drugs to keep awake while driving.

Controlled use of drugs by a person under his doctor's care brings with it safeguards that avoid danger. Uncontrolled use of the drugs discussed here is a danger to the health and welfare of the user and the safety of others.

### ***Amphetamines***

Amphetamine drugs have many nicknames, some innocent sounding—"bennies," "pep pills," "thrill pills," "copilots"—which conceal the seriousness of uncontrolled use.

The amphetamines are useful in treating certain illnesses when used under medical supervision. Carelessly used, they can be very harmful to the health of the user, and make it unsafe to operate a motor vehicle.

Legally, amphetamines can be sold only in drugstores and then only upon a doctor's prescription. This is for the protection of the user. Anyone who uses "bootleg" channels to avoid the prescription requirement not only contributes to a violation of the law, but also runs the risk of being "hooked" to habitual use, with all the degradation and misery that follow.

Common beliefs about amphetamines are: "They are no more harmful than a cup of coffee"; and "you can drive without sleep and never miss it." Both are false and both are dangerous.

### ***Bennies Can Kill***

Amphetamines may increase alertness and efficiency for a short time; but this effect may be followed by headache, dizziness, agitation, irrita-

bility, decreased ability to concentrate, and marked fatigue.

The most important fact for drivers to consider is that excessive, unsupervised use interferes with the body's normal protective symptoms of drowsiness and fatigue. The feeling of exhaustion is short-circuited, causing a driver to use up reserves of body energy until a total and sudden collapse may occur. But before collapse there may be a period of decreasing driving ability and alertness, even though the driver thinks he is driving very well.

Another often-reported effect is that of seeing things in the road that are not really there—mirages or hallucinations similar to the delirium tremens of the alcoholic. Such "visions" may cause the driver to swerve into oncoming vehicles or off the road. Bennies can kill.

Truckdrivers and many others who constantly use the highways are victimized by unscrupulous and illegal dealers in amphetamine drugs for the enormous profits involved. Such drug bootleggers promote the false belief that bennies are helpful to drivers. They place personal profits above human life.

Rest is the only safe remedy for fatigue. Reliance on stimulant drugs can result in anything from a badly overworked heart to sudden death.

### ***Barbiturates and Other Sedatives***

Barbiturates are very useful medicines to calm nervousness and produce sleep in persons with medical problems. However, they are habit forming and by law may be sold only upon prescription. Uncontrolled use can lead to addiction more serious in some respects than true narcotic addiction. Barbiturates are often "pushed" by underworld peddlers promoting experimentation, knowing it may lead to habitual use, addic-

tion to true narcotics, and another "hooked" customer.

Barbiturates also often follow excessive use of amphetamine drugs, in an effort to slow down and get off the "jag." Amphetamine-barbiturate use may thus become a vicious cycle causing serious emotional and physical damage.

### ***Excessive Use***

The excessive use of barbiturates produces symptoms similar in some respects to alcoholic intoxication. The person affected becomes drowsy and confused. He cannot coordinate his muscular action when he walks or stands and sometimes reaches the point of collapse. He may experience tremor of his hands, lips, and tongue, and he has difficulty in thinking or talking clearly. A person so affected is obviously unfit to drive.

But even the occasional user of barbiturates will become drowsy and less alert. Effects vary greatly in different individuals. Even if the dose is small and the time under the medication is short, the person should make sure he knows how the drug will affect him before driving. Follow your doctor's advice in the use of these potent drugs. It is up to the doctor, of course, to give the necessary instructions where the drug is not identified to the patient.

### ***Tranquilizers***

This descriptive term is applied to a group of preparations that are, generally speaking, muscle relaxants affecting some reflexes to relieve mental apprehension. While some of them are also used to reduce high blood pressure, their effect is largely on attitude and outlook.

However, in normal or larger doses, or with other drugs or alcohol, tranquilizers may result in sedation to the



point of dizziness or drowsiness. Obviously, these preparations may also pose a danger to the driver and should be taken only under adequate medical supervision, with the doctor knowing that driving is contemplated.

### **Antihistamines**

These drugs are used for relief of nasal congestion due to colds, to combat allergies, and for other purposes. Some may be purchased without prescription; others are too dangerous for use without medical supervision.

These drugs may also cause side effects such as inattention, confusion, and drowsiness. In fact, some of them are available for use as an aid to sleep. If the drug produces such results in a particular individual, then that individual should not drive or operate machinery. Observe label directions carefully, or follow your doctor's advice about driving.

### **Narcotics**

Since the true narcotics are used primarily by doctors for seriously ill, usually hospitalized patients, these patients are not likely to be driving at all. In the unusual situation where narcotic medication is indicated and the doctor permits driving, he will undoubtedly advise necessary precautions.

However, a narcotics addict, or a person "experimenting" with the wares of the dope peddler, is a real threat to highway safety. These drugs affect judgment, produce drowsiness, interfere with concentration, impair vision, and release inhibitions against reckless driving and other improper behavior.

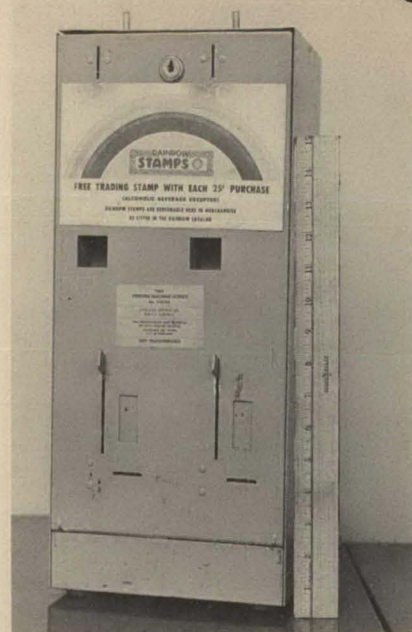
### **Drugs Plus Alcohol**

Everyone knows the dangers of driving while under the influence of alcohol. Not so many know how the drugs discussed above threaten driving safety. But still fewer know that the combined effects of these drugs and alcohol may be exceedingly dangerous.

The combined results may be much more dangerous to health and to highway safety than the effects of either the alcohol or the drugs alone. The scientific term for the reaction effect is "synergism."

Drugs that produce no unusual symptoms in most people may cause abnormal reactions in some individuals, making it unsafe for those persons to drive. This is true regardless of whether the drug is self-administered or taken at the direction of a physician. No one should drive when taking drugs unless he is certain they will not impair his driving ability.

## **TRADING STAMP SCHEME**



Police in a northwestern city seized some machines which were purported to be stamp machines, but were actually gambling devices. When a quarter is dropped into the machine, the player receives a trading stamp—supposedly redeemable in merchandise listed in a catalog. However, investigation by police disclosed that payoffs were being made in cash.

## **PETTY THIEVERY**

Thieves have devised another method to make coin machines a profitable source of petty cash for themselves. They stuff a piece of paper in the slot where change is made for a quarter. A customer slipping a quarter in the machine for a soft drink gets the drink but no change. Later the thieves come around, remove the piece of paper, and take the accumulated change.

## **MARKED MONEY**

To avoid carrying the usual slips, a numbers operator used a different method of recording the numbers plays accepted by him. Arresting officers determined that he was recording the plays on the borders of \$1 and \$5 bills in his possession. In one pocket they found \$95, and numbers plays written on the borders of the bills totaled exactly that amount.

## **DRIER DWELLER ALL WET**

A 71-year-old man was arrested and charged with vagrancy after he was found sleeping in a clothes drier in a public launderette in a Canadian city. In his defense the man stated he had been sleeping in the drier for weeks, that it was his home, and that the police had no right to arrest him in his home. The judge ruled that a public launderette is not a home and gave the man a 7-day jail sentence to think about finding another abode.



*This is the second of a series of articles discussing the Federal law on search of motor vehicles.*

# Search of Motor Vehicles

## **B. Limitations on the Use of a Warrant**

Ideally, all searches for evidence of crime should be conducted under the authority of a warrant, but, as the introductory remarks indicate, it is often impractical to do so where a car is in a mobile condition and can be quickly moved to an unknown location. As a result, the courts have long permitted vehicle searches to be made on probable cause alone. *Carroll v. U.S.*, 267 U.S. 132 (1925). While this constitutional exemption goes far to meet enforcement needs created by the use of automobiles in criminal endeavors, additional problems remain concerning the seizure of physical evidence located within the vehicle itself.

It is particularly difficult, for example, to obtain such evidentiary items as blood samples, hair or clothing fibers, dust particles, or other trace specimens which may have been left in the car by a criminal suspect or his victim. Assuming the applicability of the mere evidence rule to such property and, further, the absence of consent or abandonment,

tangible articles of this type cannot be seized regardless of the search authority under which an officer is proceeding. The problem is especially acute in those situations where the police must obtain a warrant before entering a vehicle. For aside from "mere evidence" limitations, it often is not possible for the officer to meet the constitutional requirements that he describe the type of object sought with particularity and establish sufficient probable cause to believe that such items are located within the vehicle.

In addition, in many jurisdictions there are statutory limitations which may prevent the issuance of a warrant in these circumstances. As mentioned in the preceding section, the legislative authority to search for and seize physical evidence by warrant is sometimes set out in explicit terms, specifically designating the kinds of items which may be seized. Few, if any, statutes of this nature include in their listing such items as blood specimens or hair fibers. Nor is the problem alleviated where the statute is worded more broadly to encompass the fruits, instrumentalities, or contraband of

crime, for it is unlikely that such articles would fall within any of these categories. To be sure, some States allow the seizure of all physical evidence related to the offense, but, as indicated earlier, the constitutional status of these laws has not been fully resolved. See Note, Evidentiary Searches; The Rule and the Reason, 54 Geo. L.J. 593 (1966). While this issue is not unique to automobile searches, the problems are exacerbated somewhat by the frequency and regularity with which motor vehicles are stolen or employed as an instrumentality of crime.

Consider the facts of a particularly offensive crime that occurred in Westport, Conn., several years ago. A gardener returned to the home of his former employer in the early morning hours and, upon gaining entry, repeatedly attacked a mother and her young daughter. Toward the end of the morning, the defendant attempted to strangle both women with a clothesline. The mother died but the girl managed to survive. After discovering that efforts to kill the daughter had been unsuccessful, he tied the girl securely with rope and carried her to



his automobile. The assailant drove for several hours during which time he again attacked his victim. Eventually, the girl was able to untie her bonds and escape to a nearby residence. A warrant was issued, and several days later the suspect was arrested by FBI Agents in Soperton, Ga. Connecticut authorities inspected the car in Georgia without a warrant 2 days after the arrest and submitted certain materials taken from the vehicle to their State laboratory for examination. The vehicle was later returned to Connecticut, where it was again examined by members of the Westport Police Department. At the trial for first-degree murder, testimony was admitted over the defendant's objection concerning the finding of significant quantities of human hair and blood samples on the rear seat and door of the car. On appeal from the conviction, the Supreme Court of Errors of Connecticut reversed and remanded for a new trial, ruling that in the absence of consent the warrantless search of the automobile was illegal. *State v. Miller*, 152 Conn. 343, 206 A. 2d 835 (1965); see also, *Thurlow v. State*, 406 P. 2d 918 (Nev. 1965).

The obligation of the police to examine this vehicle for bloodstains, hair fibers, or other physical evidences which could establish either the guilt or innocence of the defendant in this case is undisputed. Yet as the court indicated, the officers could enter the automobile in this situation only with the consent of the defendant or the authority of a lawful search warrant. But reliance on consent is a poor alternative, for the Federal courts have long been hesitant to accept a waiver of rights by an arrestee, particularly one who denies his guilt in the matter. *Weed v. U.S.*, 340 F. 2d 827 (1965); *Judd v. U.S.*, 190 F. 2d 649 (1951). Similarly, the courts have found it equally difficult to infer consent in cases where it must have been obvious

to the defendant that the officers would discover the incriminating evidence in the place to be searched. *Higgins v. U.S.*, 209 F. 2d 819 (1954); *U.S. v. Wallace*, 160 F. Supp. 859 (1958).

All things considered, the most appropriate procedure in this type of situation would be to obtain a search warrant, but, as stated, both statutory and constitutional limitations make it improbable that a court would issue a warrant for items which do not fall within the prescriptions of the enabling statute or which are not classifiable as fruits, instrumentalities, or contraband of the crime. Even if traditional concepts regarding the proper objects of search were to be broadened, can it be said with any assurance that the officers would have sufficient information to convince a magistrate that there is probable cause to believe that bloodstains or hair fibers are located in the vehicle? And would it not be even more difficult to specify with particularity or definiteness the precise articles sought by the warrant? To be both candid and practical, one must admit that any examination conducted under these circumstances would be of a general exploratory nature, a type of search long prohibited by the courts as violative of the fourth amendment.

A similar problem arises in cases involving the recovery of stolen automobiles. At least one Federal appellate court has stated that in the absence of consent, any examination of the motor vehicle number of an impounded automobile must be conducted under the authority of a warrant. *Simpson v. U.S.*, 346 F. 2d 291 (1965). Avoiding for the moment the question of whether a warrant may properly issue where no seizure of any kind is contemplated [see *e.g.* dissent by Holtzoff, J., *District of Columbia v. Little*, 178 F. 2d 13, 24 (1949)], it is again doubtful that a vehicle number may properly be characterized as "seizable." Further, how can such a

vehicle lawfully be inspected for fingerprints or other physical evidence relating to the crime short of establishing the identity of the owner through independent investigation and obtaining his consent for the examination?

The problems encountered in securing items of an evidential nature are perhaps minimized somewhat where a lawful entry can be effected into the vehicle either under a warrant for specific property listed in the enabling statute, during a proper search under the Carroll rule, or as incident to the defendant's arrest. Undoubtedly, the owner has fourth amendment rights over the interior of his car and any articles therein that he legally possesses, but it is questionable whether he has any property right, or privacy right, over the fibers from a victim's clothing or in blood and hair samples that may have fallen from a victim's body. Furthermore, it might well be argued that since these items are not "personal effects" as that term is usually interpreted under the fourth amendment, the defendant could have no lawful objection to their seizure even if it should be established that such items in fact came from his own person.

But this theory provides only a partial answer at best, for the scope and intensity of a search made in connection with an arrest or under authority of a warrant are limited by the nature of the item sought. One looking for a gun, for example, cannot take dust sweepings from the floor area. Thus unless the object sought is itself of similar size and character, it would be difficult to support the type of close examination ordinarily needed to detect fibers and other evidentiary materials within the vehicle. In few cases would the police be justified in employing cleaning apparatus or other scientific techniques required for the detection of these materials.

As an alternative theory, it has been



suggested that the victim's blood, clothing, and hair fibers may be considered "fruits" of the crime, or stolen property, since they clearly were taken from the victim by force and violence. See Brief for United States, p. 4, f.n. 12, *Fuller v. U.S.*, F. 2d (C.A.D.C., 1966). In that event, it would be possible to search for and seize these items under a warrant, provided the standards of particularity and probable cause could be satisfied. But in the absence of any Federal decisions on point, the propriety of using either of these procedures to obtain evidentiary materials remains a matter of conjecture.

It would seem that the decisional law has not given appropriate weight to the consideration that when a vehicle falls within the category of fruit, instrumentality, or contraband of crime, it is subject to immediate seizure in precisely the same manner as any other property which is so classified under the criminal law. In the *Miller* case, *supra*, the automobile had been used to convey the defendant to and from the murder residence, to transport his rape victim from her home, and to facilitate both the commission of the crime and his subsequent escape to another State. Thus the car was an integral part of the scheme of murder, rape, and kidnapping, and was properly classifiable as a means by which these offenses were committed. As such, the vehicle should have been subject to seizure in its entirety as an instrumentality of crime. It did not differ in this regard from shoes worn by a bank robber during the commission of the crime or, indeed, from a weapon used to carry out the offense. *U.S. v. Guido*, 251 F. 2d 1 (1958). See Brief for United States, p. 4, *Harris v. U.S.*, F. 2d (C.A.D.C. 1966).

Once an article is lawfully seized, moreover, no further trespass is involved by its close examination at lei-

(Continued on next page)

# INVESTIGATORS' AIDS

## DITCHDIGGER DECLINES LOW PAY OF POLICE

Recently, a police chief in a northern city was seeking applicants for his department. In his search for qualified personnel, the chief came across an individual who was then employed digging ditches. The man had 13 years' experience on different police departments, and the chief interviewed him as a good prospect.

The worker admitted that he would like to work for the chief, but in order to do so, he would have to take an almost \$1,500 cut from his yearly salary as a ditchdigger. As a result, he declined the opportunity to apply for a position as a patrolman and resumed his shoveling.

## HANDS OR FINGERS FOR IDENTIFICATION

Hands or fingers of unknown deceased persons being forwarded to the FBI for processing by our fingerprint experts should be sent by air express and marked for the attention of the Identification Division, 2d and D Streets, S.W., Washington, D.C. 20537. Contributors of such material should insure that the packages are marked "perishable," with instructions for immediate delivery. Packages ordinarily will be delivered by the transportation agency the same day as received, including weekends.

## INITIALS PREVENT LOSS

Determined to keep the new set of hubcaps he bought last spring after someone had stolen his old ones, a man in a midwestern city asked the local police just how he might prevent such a recurrence. They suggested that he scratch his initials inside the hubcaps so they could be identified if stolen.

Recently the victim pointed to the initials "JW" scratched on the inside of four hubcaps presented as evidence in a trial. Testimony from a neighbor who saw four young men steal the hubcaps completed the case. The four young men had been arrested about 10 minutes after the theft and were subsequently found guilty of larceny. Their victim recovered his hubcaps, thanks to the identifying initials.

## FBI TRAINING

During 1966 the FBI provided assistance at 5,478 police training schools across the Nation. This was an increase of 97 over the previous year—a new high for any 12-month period. FBI instructors totaled 45,383 hours of instruction during that time to the 163,302 officers who were in attendance at the schools.

Law enforcement conferences sponsored by the FBI were held during September, October, and November, 1966, on the topic of "The Law Enforcement Image." There were 245 conferences held during those 3 months with a total attendance of 20,165, representing 6,132 law enforcement agencies.



sure either at the station house or in the police laboratory. Surely, the weapon taken from a bank robber incident to his arrest, or otherwise lawfully discovered by the police, could be subjected to a ballistics test for comparison with the slug or cartridge found at the scene of the crime. Preliminary to the examination, the chamber of the weapon would be opened and the serial number noted. If the gun had been used to strike the victim, additional scientific tests would be made for the presence of blood or skin samples or traces of hair fibers. Each of these procedures, well established in the law, ought to be equally applicable where the instrumentality or object of the crime is a vehicle. Yet with the exception of those cases where an automobile has been confiscated for forfeiture purposes, few decisions have adopted this general approach.

One recent case which applied the instrumentality theory in support of a vehicle search is *Johnson v. State*, 238 Md. 528, 209 A. 3d 765 (1965). There the victim informed local officers that as she alighted from her automobile in a parking lot, she had been kidnaped by four men and taken to a nearby farm area where she was beaten and raped. She described the vehicle her assailants had used as a light-colored Cadillac bearing Maryland license plates and an AAA decal on the rear. Shortly thereafter, sheriff's deputies, who had been alerted to watch for the vehicle, saw an automobile fitting that description travel through a stop sign. The vehicle was halted and the three occupants were immediately arrested and handcuffed. After they were placed in the patrol car, one of the deputies examined their vehicle. Although he found a revolver under the right front seat and observed in the trunk a white coat and black purse, which were later identified as the property of the vic-

tim, the officer did not remove any of these articles at that time.

The appellants were taken to the station and their vehicle was towed to a police parking lot. A fourth assailant was subsequently apprehended. Approximately 2½ hours after the arrest, the deputies reexamined the automobile and found another pistol under the driver's seat. Still later that morning the coat and purse were removed from the trunk. It was not until several days following the arrest that sweepings and dust samples were taken from the car. The items obtained in each of these searches were admitted in evidence at the trial, and the appellants were convicted of rape and kidnaping.

On review, the Maryland Court of Appeals ruled the revolver found under the right front seat of the car immediately following the arrest was obtained through a lawful search conducted incident to arrest and therefore was properly received in evidence. The appellants contended that the coat, purse, and second gun, found several hours later, were inadmissible since the search and seizure by which they were obtained were too far removed in time from the arrest to be incident thereto. The court of appeals rejected this argument and distinguished the instant case from *Preston v. United States*, *supra*, by commenting that here

[t]he automobile . . . had been used as an instrument in the perpetration of the alleged crime; [the victim] stated that she had been raped in the back seat. The coat and purse had been seen in the trunk of the car at the time of arrest and could legally have been seized at that time. Where there has been a valid arrest, property found in connection with the arrest which tends to establish the commission of the crime charged may be held by the officers for evidence. If the arrest is lawful, the seizure is lawful, if the property is of evidentiary nature . . . . *The automobile itself could have been offered in evidence at the trial.* Having lawfully seized it, the police had the

right to examine it after the seizure for evidence in connection with the crime. (*Italic supplied.*) *Id.* at 770.

See also, *Trotter v. Stephens*, 241 F. Supp. 33 (1965), *aff'd*, *Harris v. Stephens*, 361 F. 2d 888 (1966), upholding the search of an automobile 2 hours after arrest where the vehicle had been used in the commission of a rape.

In *Johnson* the court upheld the seizure of the automobile as having lawfully been made incident to the arrest of the occupants. This rationale could well be extended to say that independent of the arrests, the officers had reasonable cause to believe the car had been used as a means of committing the offense of rape or kidnaping and could therefore seize and search the vehicle. Thus, had the automobile been located at a point beyond the scope of the incidental search rule, it would seem that the seizure would nevertheless have been appropriate.

This doctrine is but a slight extension of the statutory authority which has been granted by Federal and State laws with regard to the seizure of conveyances used to transport contraband materials. See, *One 1958 Plymouth Sedan v. Com. of Pennsylvania*, 380 U.S. 693 (1965); *One 1961 Lincoln Continental Sedan v. U.S.*, 390 F. 2d 467 (1966); *U.S. v. Francolino*, 367 F. 2d 1013 (1966); *U.S. v. Ziak*, 360 F. 2d 850 (1966); *Drummond v. U.S.*, 350 F. 2d 983 (1965); *Burge v. U.S.*, 342 F. 2d 408, *cert. denied* 382 U.S. 829 (1965); *Sirmarco v. U.S.*, 315 F. 2d 699, *cert. denied* 374 U.S. 807 (1963). In point of fact, the rule permitting a search of mobile vehicles as an exception to the constitutional warrant requirement, to be discussed in this series, grounds on the realization that "[a]n automobile . . . was an almost indispensable instrumentality in large-scale violation of the National Prohibition Act, and the car itself therefore was treated some-



what as an offender and became contraband." (Italic supplied.) *U.S. v. DiRe*, 332 U.S. 588, 586 (1948). The power of Congress to brand goods as contraband and declare them or vehicles transporting them to be subject to forfeiture has consistently been sustained by the courts with respect to the carriage of illicit liquor, narcotics, and counterfeit money. *U.S. v. Francolino*, *supra*, 367 F. 2d at 1022. The theory underlying this legislation is that the owner has lost any rightful claim to the property by employing it for unlawful purposes and upon such use title forfeits to the Government.

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*The instrumentality seizure theory was argued by the Government in Harris v. U.S., F. 2d (C.A.D.C.) (decided Nov. 9, 1965), but was rejected by a three-man panel of the U.S. Court of Appeals for the District of Columbia Circuit. On rehearing en banc, the Court vacated the earlier disposition and ordered conviction by the trial court affirmed on other grounds, F. 2d (C.A.D.C.) (decided Dec. 9, 1966). In so holding, a 7 to 2 majority pointedly avoided making any determination of this "large and important" issue since it did not think "this case, at least in the posture it reaches us, presents us with such far-ranging alternatives."*

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It would seem, therefore, that a strong argument could also be made for a similar forfeiture of the vehicle where it is used in the perpetration of more aggravated offenses, such as murder and robbery. Although there is little statutory precedent for legislation of this type, at least one State recently adopted such a law. At the urging of the Chicago Crime Commission, the Illinois Legislature passed a bill in 1965 which provides for the forfeiture of "any vessel, vehicle, or aircraft" used in the commission of the offenses of murder, aggravated kidnaping, armed robbery, burglary, possession of burglary tools, arson, possession of explosives, gambling, or certain narcotics violations. Ill. Rev. Stat. ch. 38, sec. 36-1 (1965); see, LaFave, Search and Seizure: "The Course of

True Law . . . Has Not . . . Run Smooth," 1966 U. Ill. L.F. 255, 378. Although no case law by which to measure the judicial response to this law is available at this writing, the constitutionality of the statute appears to be on strong footing.

By the same reasoning, it follows that an automobile may likewise be seized and searched when the officers have cause to believe that it is stolen. In one of its earliest pronouncements on fourth amendment matters, the Supreme Court stated that "[t]he seizure of stolen goods is authorized by the common law . . ." on the theory

that "the owner from whom they were stolen is entitled to their possession. . . ." *Boyd v. U.S.*, 116 U.S. 616, 623, 624 (1886); Brief for United States, p. 39, *Preston v. U.S.*, 376 U.S. 364 (1964). Again, the seizure could be effected without any accompanying arrest so long as the officer had the requisite cause to believe the automobile was stolen property. Although there is no case law on this precise point as yet, several States have adopted legislation specifically empowering the police to seize an automobile when they have reasonable cause to believe that the vehicle is not in the rightful possession of the owner. See, e.g., Wyo. Stat. sec. 31-322; Utah Code sec. 41-1-115; N.Y. Vehicle and Traffic Law sec. 4243; Colo. Rev. Stat. 13-2-17. And once having lawfully ac-

quired the automobile, whether as a fruit, instrumentality, or contraband of crime, "there appears no good reason why officers may not inventory the contents . . . without having to obtain a warrant to search what they already lawfully possess." *U.S. v. Haith*, 297 F. 2d 65, 68, *cert. denied* 369 U.S. 804 (1962); *U.S. v. Ziak*, 360 F. 2d 850, 852 (1966).

It has not been intended to suggest that the warrant requirement should be dispensed with merely to facilitate the collection of physical evidence. Nor is it proposed that motor vehicles be further exempted from the firmly settled rules of search and seizure. On the contrary, to the extent that the police have long had the authority to seize the fruits, instrumentalities, and contraband of crime, this theory introduces no new or novel idea into the law. The point here is simply that it is inappropriate to equate the sanctity of the automobile, which is but a form of personality, to that traditionally accorded the private dwelling. It is well established that these are separate and distinct areas of fourth amendment interests which traditionally have been governed by different standards of reasonableness. As the Supreme Court recently stated:

Common sense dictates, of course, that questions involving searches of motorcars or other things readily moved cannot be treated as identical to questions arising out of searches of fixed structures like houses. For this reason, what may be unreasonable search of a house may be reasonable in the case of a motorcar. *Preston v. U.S.*, *supra*, 376 U.S. at 366-67.

Moreover, this distinction is not based solely on the practicability of securing a warrant. It pertains "also to the purpose and extent of the interference with liberty represented by the arrest or search." *U.S. v. Baxter*, 361 F. 2d 116, 119 (1966). In this regard, it can fairly be said that a search of the trunk of one's car is a far less onerous intrusion than a police



entry into the living quarters of his home. Perhaps because of this difference, the courts have sometimes sustained auto searches in fact situations which would not have supported a warrant for the search of a dwelling. See *Brinegar v. U.S.*, 338 U.S. 160 (1949). It would seem therefore that while treatment of the vehicle as a seizable item of personal property renders it more amenable to a warrantless search and opens the way for a complete and uninhibited examination for evidences of crime, this approach is generally consistent with established principles of the fourth amendment.

In summary, it is clear that many items of physical evidence having important probative value lie beyond the reach of the formal warrant. While this situation is not peculiar to the search of vehicles, the frequency with which the automobile is put to use in criminal activities and the fact that it may be employed for this purpose in a manner unlike that of fixed structures make it most important that physical properties within the vehicle itself be obtainable through the normal procedures of the law. Repudiation of the mere evidence rule, widely viewed as lacking sound basis in logic or law, would help to alleviate this problem. *Traynor, Mapp v. Ohio at Large in the Fifty States*, 1962 Duke L.J. 319, 331; LaFave, Search and Seizure: "The Course of True Law . . . Has Not . . . Run Smooth," 1966 U. Ill. L.F. 255, 258. But as the earlier discussion indicated, additional difficulties would remain with respect to describing the items sought with sufficient particularity and to establishing cause to believe that such items are located within the interior of the car.

There are, to be sure, dangers in any proposal that encourages the seizure and search of private property by methods which bypass the warrant procedures contemplated by the fourth amendment. Perhaps other more de-

sirable methods of accommodation can be devised to meet this obvious enforcement need. It might be practicable, for example, to allow an immediate seizure of the vehicle in necessitous circumstances, to be followed at the earliest opportunity by a warrant, not to search for further evidences of crime, but rather, to provide judicial sanction for formal seizure and perhaps forfeiture of the vehicle to the government. In this manner, full and unlimited examination could then be made without artificial distinctions as to whether the article sought is, to paraphrase Justice Traynor, the bow, the arrow, or only the quiver. *Traynor, supra*, at p. 331.

There should be some constitution-

ally permissible way of obtaining any and all evidence which might identify the offender or establish guilt sufficient to support a conviction. Society is as much entitled to the blood-soaked garment, the dust samples, fibers, prints, and other residual matter located within the car as it is to the gun used to murder the victim. At a time when the courts are deemphasizing the use of confessions and admonishing the police to rely on scientific analysis in their pursuit of the guilty, it becomes most imperative that such investigation not be foreclosed by anachronistic or ill-developed rules of law. *Colliher v. U.S.*, 362 F. 2d 594, 601 (1966).

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*It should be cautioned that the proposed methods of seizure and search set out in the above discussion are offered here solely as suggested solutions to the present problems which beset enforcement officers in this aspect of the law. In the absence of any court decision or other local precedent, these procedures should be discussed with the office of the prosecuting attorney before use.*

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(To be continued in May)

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## LOSSES FROM BANK NIGHT DEPOSITORIES INVESTIGATED BY FBI

The FBI has investigative jurisdiction over losses from night depositories of member banks of the Federal Reserve System, banks insured by Federal Deposit Insurance Corporation, banks organized under the laws of the United States, Federal credit unions, Federal savings and loan associations, and institutions insured by Federal Savings and Loan Insurance Corporation. In investigating losses of this type, the FBI must make an analysis of facts surrounding a disappearance of funds early in the investigation to enable concentration on either an employee

of the victim institution or an outsider. If an employee took the funds, his act could constitute a violation of the Federal Reserve Act; and if an outsider was responsible for the loss, his deed could be a violation of the Bank Larceny Statute.

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### IT'S ILLEGAL

A city ordinance in Grand Rapids, Mich., makes it illegal to use vile, profane, or obscene language to a police officer.



# *Disposition Data*

## *Needed for*

## *Complete Arrest Record*

The science of fingerprint identification has been one of the most important factors in the progress and growth of effective law enforcement. This infallible means of personal identification has proved to be a valuable aid to the public at all levels of our complex and changing society. One reason is that while other personal characteristics change, fingerprints do not. They are permanent and dependable.

For law enforcement, identification by fingerprints is a tremendous asset in locating fugitives who might otherwise escape arrest and continue their criminal pursuits indefinitely. But because almost indiscernible imprints are often left behind, thousands of lawbreakers each year are made to face the consequences of their crimes. Since the role of fingerprint identification is so significant to the success of law enforcement and crime prevention, it behooves all enforcement agencies to follow through and complete all phases of the identification process.

The FBI receives thousands of arrest and incarceration fingerprint cards each day. The FBI Identification Division is a vast reservoir of fingerprint records made possible through willing and intelligent cooperation of law enforcement agencies

and other organizations having an interest in the science of fingerprints. Since this effective and organized system is of extreme importance to all law enforcement, it is essential that all fingerprint cards submitted ultimately supply the final disposition of each offense for which an individual is arrested. This assures that when official inquiry concerning an individual is received, a full record can be supplied.

Of course, final dispositions are not always immediately known. The fingerprint card should, however, be submitted promptly rather than held pending final disposition. The full value of the record is lost, of course, unless the case is properly followed and the disposition submitted when it is resolved. "Disposition Sheets" (No. R-84) can be obtained from the FBI on request. Subsequently, when the final outcome of the arrest is known, these disposition sheets can be completed and forwarded to the FBI so that the files will have complete information.

Many arrest dispositions submitted are not final. These include "held for grand jury," "released on bond," and "pending." Other dispositions, such as "District Court appeal," and "issuance of a bench warrant," while technically final as far as the contributor may be concerned, do not complete the

record. The FBI considers these to be interim prosecutive steps and does not post them. Some further action obviously must be taken in these instances before the case may be considered finally closed.

Additional problems concerning arrest dispositions are illegibility, use of colloquial terms not understood in other areas, use of numerical code citations, and incomplete data. With regard to incomplete dispositions, the main oversight is "period of incarceration." This, of course, is very pertinent to any identification record. It is realized that in some States the period of incarceration is not fixed by the court. In such instances, dispositions submitted should show the sentence as "indeterminate."

Arresting agencies in the same area are also encouraged to work together to insure that only one set of fingerprints for each arrest or incarceration is forwarded for search by the FBI Identification Division. This can be done by stamping the reverse side of each fingerprint submission with a notation to send a copy of the results of the search to interested agencies, thus eliminating duplicate or multiple fingerprint submissions for the same arrest or incarceration.

Not only does the fingerprinting system identify the criminal, but the FBI's civil file, which contains almost three times as many fingerprint cards as the criminal file, has been instrumental in reuniting families with loved ones who have long been missing, in establishing the identity of amnesia victims, and in positively identifying victims of major disasters.

Fingerprint identification qualifies as one of the most effective means of fighting crime. Its positive services to our society are well known. Let us not forget, however, that the full benefits from arrest records can be realized only when there is complete cooperation and assistance from all law enforcement agencies.



## BANK ROBBERIES

(Continued from page 13)

In one case, a gunman wearing a blond wig, a red skirt, black hose, and a woman's coat, entered a savings and loan association and robbed it of \$1,156. The teller whom he approached later told police this person silently opened a purse, displayed a pistol inside, and shoved a note demanding money across the counter. After giving him the money in her cash drawer, the teller called for help as he reached the door.

While searching the area for the fugitive, police were informed that a woman had run into an all-men's roominghouse. Police found the culprit in the roominghouse, dressed in men's clothing, but still wearing the long black hose beneath his trousers. The stolen money and a pistol were found under the mattress in his room.

Females have tried their hand at disguising themselves too. One with black shoe polish on her face, under which there appeared to be exceptionally deep burn scars, entered the bank and approached one of the tellers. She placed a small portfolio on the counter and a note demanding money. She also pulled what appeared to be a revolver halfway out of her handbag to show she meant business.

After the teller had done her bidding, the woman walked unhurriedly through the door, up a flight of stairs to a parking lot, and was last seen running through the lot.

Witnesses stated the woman appeared to be Caucasian in spite of the black polish on her face.

### *Getaway Procedures*

As in making entry, most used the front door to make their exit. Getaway cars were used in 1,020 instances, 586 bandits walked away, and four used bicycles or motorbikes. Hostages were forced to drive the getaway

vehicle in eight cases; drivers were commandeered in 20. Most of the cars were stolen from parking lots, used car lots, or garages, and 118 off the street. In 206 cases the bandits used their own vehicles. The stolen vehicles were abandoned less than a mile from the bank 249 times and more than a mile from the bank 126 times.

### *General Appearance*

The majority of the bandits in this survey were between the ages of 26 and 36 and were of medium or slender build. Only two weighed less than a hundred pounds. Two were blind, two had white hair, and nine were toothless. Among them, too, were four with leg amputations, 11 with missing fingers, and nine with crippled leg, foot, or arm. Most wore casual clothes; 20 wore uniforms.

One elderly individual of 68 years also was among the offenders. He held up a bank, obtained \$3,637, then made his escape on foot. He was followed by a bank customer who saw him enter a taxicab. Police were told which direction the taxi had taken

and arrested him shortly thereafter fully armed and with all the bank money still in his possession. It was determined that the man had a previous bank robbery background as well as a long criminal record.

One of the youngest bank robbers was a youth who apparently attempted to prove to his buddies that he was not "chicken." His fellow students—for all six of them were seniors at a local high school—later admitted they had not thought he would actually go through with the robbery, that he would just withdraw money from a savings account and pretend he had robbed the bank.

The money the youth had stolen and the clothes he had worn during the robbery were recovered near the bank.

The computer and automatic data processing equipment have come of age in law enforcement. Results from surveys such as this will soon be commonplace in all serious criminal categories. The information collected, when analyzed and studied, will be of great help in crime prevention and crime solution. Thus, scientific crime detection continues to play a vital role in effective law enforcement.

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## COIN COLLECTOR'S MO

A burglar specializing in coin thefts used a very successful method in selecting his victims. He acquired a book from a coin dealer which listed, by city, all of the better known coin collectors. When he arrived in a new town, he would place telephone calls at night to the homes of each coin collector in this book. Those who did not answer were presumed to be not at home, and he immediately gave each residence a fast "case job" and burglarized it.

He generally stayed long enough in each town to victimize most of the coin collectors on the list.

## POLICE SCHOLARSHIPS

The Exchange Club of Towson, Md., annually provides full scholarships for two Baltimore County policemen to attend the associate degree program in law enforcement at Essex Community College in Essex, Md.

The scholarships will go to personnel displaying the motivation and performance necessary to be of the greatest potential in the police department.

To be eligible, a policeman must have a high school diploma or its equivalent and be an active member of the department past the probationary period.





Kim Denise Taylor of the Spaulding School was the winner at the third grade level. She is shown with Sgt. E. E. McNeal; Officer Dale Roberson; her teacher, Mrs. Alberta Hill; Mrs. Annie B. Sherman, crossing guard supervisor; and her mother, Mrs. Mary Taylor.

## Child Safety Promoted Through FBI Poster

The FBI Child Molester Poster was the basis for a child safety education program promoted by the Birmingham, Ala., Police Department, in cooperation with the Exchange Club of Greater Birmingham.

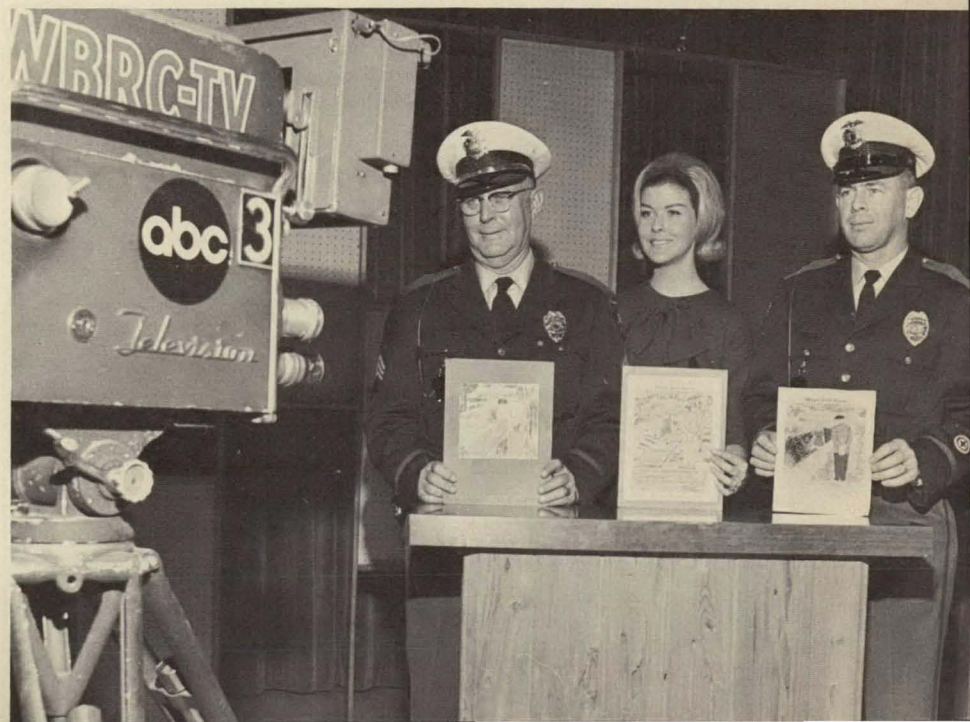
The program was conducted by classroom teachers of the first, second, and third grades of all city grade schools. The poster was explained to the children, and the rules listed were emphasized. The children could color or fill in the poster in any manner they desired.

Each classroom teacher selected the best poster from her grade, basing her selection on creativeness, color scheme, and honest effort. The winning posters were then submitted to the art department of the Birmingham Board of Education for the selection of the final winners from each grade level. The winners were awarded a \$25 U.S. Savings Bond provided by the Exchange Club of Greater Birmingham.

As a result of the publicity given this program by the manager of promotions, WBRC-TV of Birmingham, and Miss Pat Gray, local TV star, cities throughout Alabama and other

States have requested information concerning the program. Some 90,000 FBI Child Molester Posters have been sent to schools throughout the Southeast for distribution.

Miss Pat Gray, WBRC-TV Channel 6, Birmingham; Sgt. E. E. McNeal; and Officer Dale T. Roberson are shown with the winning child molester posters.





# WANTED BY THE FBI



**HAROLD FRANKLIN LANDWEHR, also known as: Harold Franklin Varderlandwehr, "Dick."**

## *Interstate Flight—Robbery with a Deadly Weapon*

THE FBI is currently seeking Harold Franklin Landwehr for unlawful flight to avoid confinement after conviction for robbery with a deadly weapon.

### **The Crime**

On May 28, 1957, Landwehr was convicted in Talbot County, Md., for the crime of robbery with a deadly weapon and was sentenced to 15 years in the Maryland State Penitentiary. In that vicious crime he robbed the owner of a country store and filling station at gunpoint. During the course of the robbery, Landwehr shot his victim twice in the head. After serving 4 years of his 15-year sentence, he was paroled from prison on July 31, 1961.

On February 25, 1965, at Grayling, Mich., Landwehr absconded and broke parole after serving a 20-day

sentence there for larceny. A Federal warrant for his arrest was issued on May 24, 1965, at Baltimore, Md.

### **Description**

Age.....	35, born Sept. 22, 1931, Smithville, Md.
Height.....	6 feet to 6 feet 1 inch.
Weight.....	135 to 150 pounds.
Build.....	Slender.
Hair.....	Dark brown.
Eyes.....	Brown.
Complexion.....	Medium.
Race.....	White.
Nationality.....	American.
Occupations.....	Clerk, construction worker, factory worker, farm labor- er, insurance agent, kitchen helper, salesman, sign painter, truck- driver, and X-ray darkroom tech- nician.
Scars and marks....	Moles on left side of

face, scar on right  
wrist, small scar on  
left ankle.

FBI No..... 602, 274 C.  
Fingerprint..... 2 O 9 T II 4  
classification:..... L 17 T OI

### **Caution**

Since he has been convicted for a robbery in which he shot the victim twice in the head, Landwehr should be considered very dangerous.

### **Notify the FBI**

Any person having information which might assist in locating this fugitive is requested to immediately notify the Director of the Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C., 20535, or the Special Agent in Charge of the nearest FBI field office, the telephone number of which appears on the first page of most local directories.

## **BUREAU OF CUSTOMS**

The investigation of smuggling and customs violations is within the jurisdiction of the Bureau of Customs.

### **CORRESPONDENCE BOOKLET**

The FBI has a booklet entitled "Correspondence with the FBI" which is available to local, State, and Federal law enforcement agencies. Its purpose is to suggest methods of implementing cooperation through effective correspondence with forms and letters.

Interested agencies may obtain copies free of charge on a limited basis by writing to the Director, Federal Bureau of Investigation, Washington, D.C. 20535.



## FOR CHANGE OF ADDRESS

Complete this form and return to:

DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535

_____ (Name)		_____ (Title)
_____ (Address)		
_____ (City)	_____ (State)	_____ (Zip Code)

### A CRIME—NOT AN ACCIDENT

An officer of the State police in a southwestern State has established quite a record for locating stolen cars. He has found about 200 so far in his career.

Perhaps his success lies in his ability to detect the car thieves, as illustrated in the following incidents:

After stopping a car on a secondary highway where there was little traffic, the officer had started to ask for identifying papers when another car pulled up and stopped at the rear of the other. The excited driver of the second car told the officer about an accident that had just occurred down the road.

Being skeptical of the accident story, the officer took the keys from both cars and invited the drivers to go with him to the alleged nearby accident. There proved to be no accident, but further investigation disclosed that one of the cars he had stopped had been stolen. Thus, the ruse attempted by the second driver failed.

Somewhat later, this officer started to check out another car which had rolled off a busy thoroughfare. An-

other car stopped beside the officer, and this driver also told of an accident a mile or so back on the highway. The alert officer noted that traffic was passing by as if nothing had happened. However, just to make sure, he waved down a passing truck and asked the driver about the alleged accident. When the truckdriver informed him that there was no accident, the smiling officer proceeded to thoroughly check out both cars and learned that one of them had been stolen.

### GRAIN THIEVES

Jewels and furs may be the objects of some crooks, but thieves in a southern State chose freight cars loaded with grain as the objects of their attention.

They drilled holes in the bottom of the railroad car and let the grain pour out into sacks. When the sacks were filled, they were placed on a truck nearby.

When the thieves had obtained as much grain as they could carry, they placed bottle caps into the holes to stop the flow until their return on another occasion.

### TESTIMONY OF LATENT PRINT EXAMINERS

The Latent Fingerprint Section of the FBI's Identification Division conducts examinations of evidence for latent impressions for local law enforcement agencies and will provide expert trial testimony where needed. There is no charge for this service. In order to handle the ever-increasing volume of trial commitments, the FBI requests that all prosecuting attorneys be alert to the necessity of (1) notifying the FBI in ample time to allow for preparation of exhibits and the making of necessary travel arrangements, (2) avoiding requests for the premature appearance of examiners, (3) releasing our experts as soon as possible, and (4) promptly advising of any cancellation or change in trial date.

Due to increasing demands for testimony by FBI fingerprint experts, requests for appearances of examiners at preliminary or other pretrial hearings should be avoided and, where possible, the Latent Fingerprint Section report should be used. If the report, however, will not satisfy the local legal requirements or needs, the FBI will make available an examiner to testify in person.



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

## INTERESTING PATTERN



The unusually large and interesting pattern reproduced above is classified as an accidental whorl. This impression contains four deltas and its tracing, which is determined by using the two outermost deltas, is meeting.