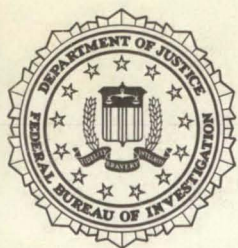


APRIL 1972



FBI

LAW ENFORCEMENT BULLETIN



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

APRIL 1972

VOL. 41 NO. 4



THE COVER — Mobile command post for directing SWAT field operations. See article beginning on page 8.

FBI

LAW ENFORCEMENT BULLETIN

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



MESSAGE FROM THE DIRECTOR . . .

. . . To All Law Enforcement Officials

A SPECIAL KIND OF KILLER haunts many of our communities today. He is the cowardly jackal who murders law enforcement officers. For many of his victims, he will be forever faceless because the fatal assaults are at the officers' backs and they have no opportunity to defend themselves. For others, the murderer's leering face is their last cognizable reality before the deafening explosion of gunfire brings their lives to an end.

Last year, 126 local, county, and State law enforcement officers were murdered. This is 26 more than the number slain in 1970. For the years 1962 through 1971, 722 law enforcement officers were killed by criminals. During the same 10-year period, of the 965 offenders arrested on charges relating to the killings, 73 percent had prior arrests for criminal charges. Firearms were used in 96 percent of these slayings.

The sharp increase in the number of police officers slain from ambush is particularly alarming and foreboding. During the period 1968-71, 49 officers were killed from ambush. There were seven ambush slayings in 1968, three in 1969, 19 in 1970, and 20 in 1971.

The murdering of a police officer from ambush is a shocking, unconscionable act. Beyond this, in many instances it is the ultimate penalty exacted from an officer because of his availability. A foot patrolman hearing the cries or screams of an alleged crime victim responds immediately; officers in a police cruiser race to the scene of a reported crime or disturbance without question—each is an act of duty and human compassion.

But today, all too often it turns out to be a dastardly planned scenario for deranged killers bent on the ambush slaying of peace officers.

Too many people are misled by the revolutionary romanticism babbled by self-styled guerrillas who cry of repression and abuse while plotting to overthrow the Government and undermine society. The law enforcement officer, as the front-line symbol of the orderly process of justice, has become a primary target of assassination. After some police slayings, certain insurgents have gloatingly pronounced their groups were responsible. This indicates the depths of depravity to which men can sink.

Most ambush slayings are not caused by the negligence of the victim officers. However, the increasing frequency of these tragic incidents makes it imperative that each police officer be constantly alert to the planned terrorism directed against him by extremists. No complaint or call for police should be handled as "routine." This fact has been made evident by the number of officers slain while on their regular patrols.

The barbaric murderers must come to know that when law enforcement officers pay the supreme sacrifice, our society will demand a supreme penalty. To allow police killers to go without just punishment would be to encourage the growing assaults against the rule of law and the principles of self-government. Further, the blood of every slain officer is on the hands of those who, by word or deed, condone, encourage, minimize, or excuse the terrorist tactics of extremists.

APRIL 1, 1972

J. Edgar Hoover
JOHN EDGAR HOOVER, *Director*



By
CAPT. DAVID A. HANSEN
Police Department,
Daly City, Calif.

Officer assigned to security views the perimeter of the Daly City Hall complex.



Some Observations on Police Station Security

That the American policeman is under attack is certainly not a revelation. Not only is resisting arrest commonplace, but also the officer finds himself victim to mob action, revenge, snipings, and bombings. While these are occupational hazards, so to speak, they appear to be epidemic in nature. Not only are policemen subject to assaults on the street, but more and more frequently attacks occur in, about, and upon the police station.

A typical comment following, for example, a police station bombing is, "What is safe, when even police stations are bombed?" Figuratively, however, a police station is normally an extremely vulnerable location. A police station in a city is not a police barracks or fortress. It may become a fortress, owing to the problem, but at present it is normally and essentially empty of policemen.

Law enforcement has been doing its best to get more and more policemen out on the street to fight crime. To assist in this program, many departments have appointed more and more clerical personnel to handle station business. This has proved coun-

terproductive in the sense that it has further reduced the protection of the police station itself.

This article is not intended to be a "scare" piece. Nor do we comment on conspiracies or plots. These may or may not be extant. The facts are that police stations are subject to attack, such attacks do occur, and they are frequently successful.

"Successful" Attack

An attack is "successful," unfortunately, when police personnel are killed or injured. It is successful when the physical structure is damaged, records are destroyed, or the business of the plant is interrupted. An attack is also successful when it causes police administration to belatedly react to the problem with typical crisis planning. Strict security is placed on the station and, likely and appropriately, on neighboring stations. As things become quiet and continue so, administration typically orders the officers back to patrol, usually after a few days or in a week or two.

Success of the attack can also be determined by the concern expressed by the street policemen. This becomes more and more noticeable. Specifically, what are the effects of police station attacks upon the line officer?



Chief of Police Roland A. Petrocchi.



A security officer checks the complaint desk at police department headquarters.

There seems to be an intense identification with those officers who have been injured or killed in such attacks. Funeral services are attended by policemen from jurisdictions surrounding, neighboring, or even far away, in addition, of course, to the late officer's comrades from his own department. Peripherally, a result of such attacks is to extend heavy security measures to the funeral home, the church, the cemetery, and the services. Even these are not immune from attack. Policemen talk among themselves. Naturally concerned with the hazards of the occupation, they speak of these. Conversation and repeated conversation, prediction and story, tend to create considerable anxiety among the officers.

Usually, the author prefers to walk to the police station each day. Even

so, it is sometimes necessary to be conveyed to the station by a radio car unit (one-man operation). This is always at the tag end of the midnight watch. The young officer, appropriately and predictably, reports on the happenings of the night which is now coming to a close. Invariably, such reports now start with comments upon police assaulted, stations attacked, and the like. The conversation is heavily larded with thoughts about security and police injuries. Let's face it—this man has just come through another night in which he worked essentially alone.

Point of Honor

We older administrative types, erstwhile "street police," in the past fol-



Patrol cars are checked for bombs.

lowed a code of not summoning assistance on the street unless absolutely necessary. It was a point of honor to handle any matter at hand without such assistance, if possible. To require the presence of assisting officers, and to then find that such assistance was unnecessary, was embarrassing, indeed.

Open to Suggestion

The young officers of today are much more realistic and honest about their precautions. Mostly, they are unembarrassed in the summoning of assistance as a precaution, and they are unencumbered by the above-mentioned, and presently unrealistic, "code."

They are no more "frightened" than we were; their standing as good men and good policemen is not hampered

or diminished by free expression of their concerns. As with young people everywhere, these officers question the old order of things. They ask "why" this or that directive is employed, and they expect and rate answers to their questions. Right now, they are concerned with the safety and security of themselves and their station. And rightly so.

To be sure, some exaggeration results from the free expression of fears and trepidations. Often suggestions made are unworkable. Others are workable; however, most become lost in the bureaucratic apparatus or are halted by the lethargy of the administration.

Specifically, what are the effects of police station attacks upon the administration?

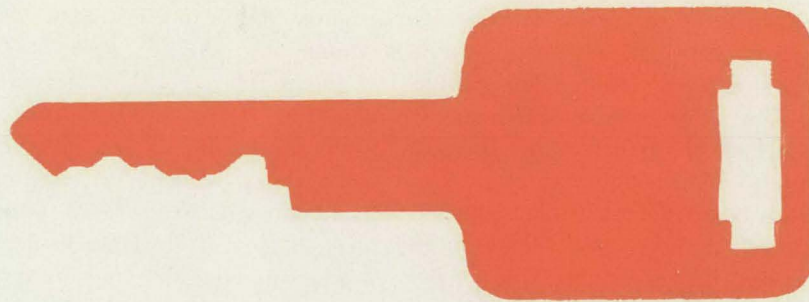
For one thing, the administration is faced with questions from the men.

Why can't this or that security measure be implemented? Management may not always relish questioning from below, though it should try to give answers when possible. Such questioning is here to stay, and answers *must* be given in the interest of both efficiency and morale. This is not to say that management must implement every suggestion; any number of them are bound to be facetious, unworkable, or too costly. Management should not, of course, hesitate to say "no," with a reason for the negative answer.

Efficient Security Methods

In general, law enforcement is still too often a management by crisis. With respect to this subject matter, following an attack, management usu-

(Continued on page 28)



Ignition Key To Crime*

Auto theft is many things. It is a crime born of envy. It is a crime that breeds crime. It is a crime committed to a large extent by irresponsible young people. It is a crime often committed prior to, or in conjunction with, other crimes. It is primarily a crime of opportunity.

Visualize, if you will, almost a million citizens vigorously dialing the telephone or striding purposefully into the nearest law enforcement agency. More than 900,000 shocked and angry Americans did exactly that in 1970. In each case their purpose was identical. Each wished to report the theft of a motor vehicle.

In 1970 alone, 921,400 motor vehicles were reported stolen in the United States. The furious and frustrated owners who reported such thefts were, nevertheless, fortunate. Others—some who sought to render service by picking up hitchhikers—did not live to report the theft of the vehicles. That duty was left to fear-filled families anxiously placing on record the fact that a son, husband, brother or—in some instances—a female relative was missing.

Leads to Other Crimes

As often as it occurs, car theft combined with murder remains a minute portion of the overall problem of auto theft. A crime of opportunity, auto-

mobile theft is a crime which breeds crime. In instance after instance, a key carelessly left in the ignition opens the door to a criminal career for an enormous number of immature youths. It may begin as a lark, a dare or a joyride. It may end, unfortunately, as the first notation on a lengthy record of increasingly serious criminal activity.

I know of no statistics currently maintained on hitchhike murders. I am convinced, however, that the incidence of such crimes is increasing. This conviction stems from observation of cases which cross my desk in connection with the interstate transportation of stolen motor vehicles. It is through FBI jurisdiction in such cases that the monotonously similar outline for death is brought to our attention.

Good judgment yields to the good Samaritan instinct. The driver halts for a hitchhiker. The driver's articles of convenience—his car, his cash, his



By
J. EDGAR HOOVER
Director,
Federal Bureau of Investigation

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credit cards—become articles of envy and, in instance after instance, passports to death. Witness the following:

In February 1971, a 26-year-old resident of New Jersey left home at the wheel of his new automobile en route to Florida for a vacation. His family received a card from him, postmarked in Virginia. Nothing more was heard from him. He did not arrive at his destination. Days later, an abandoned car, located by the California Highway Patrol, proved to be that of the missing man. Its erratic cross-country trail could be traced through the forged use of the missing man's credit cards.

Motivating Factor

The owner of the vehicle had halted late at night during a pouring rain at a service station in Virginia. Three young hitchhikers, two men and a girl, asked for a ride to Florida. The request was granted, with the naive driver inviting into his automobile a young man with an alleged bad-conduct discharge in connection with narcotics and one who was currently absent without leave from a branch of the armed services. The hitchhikers got their ride to Florida. The driver got death.

According to the confession of one man, his hitchhiking companion in the rear of the automobile reached across the front seat with a braided headband and strangled his benefactor at the wheel into a state of helplessness. The car swerved off the road and came to a halt in a swampy area. Then the owner of the vehicle reportedly was brutally kicked, and his head forcibly held beneath the surface until he drowned. The body was concealed under brush a few yards from the mired vehicle.

After the vehicle was towed from the area, the hitchhike killers brazenly reclaimed it in the dead man's name, paid for the tow with their victim's

credit card and began their cross-country tour in the dead man's automobile.

The murder, noted a local newspaper, "... was similar to last August's savage slaying of a sailor, shot and stabbed by three traveling companions on a drug-crazed journey through Central Florida." In this instance, too, obtaining an auto apparently was a major motivating factor for murder.

In a more recent case, local officers in a New England State arrested a man for several violations including operating a vehicle without a license. A check indicated the vehicle was registered to a man who had been missing from his home in one of the Southern States for a long period of time. On the basis of an admission made by the driver and directions furnished by him, a skeleton was located in a rural area of another Southern State in August 1971. Dental charts proved the body to be that of the missing man.

Every variety of criminal—including prison escapees, sex offenders, deserters, narcotic addicts, the mentally ill and the totally amoral—mixes and mingles with an army of naive young people along the streets and at the roadsides of the Nation.

"Thou Shalt Not Steal"

Another factor in auto theft may be the fact that we live in a permissive age. Great numbers of our youth are unaware of the Decalogue—that great imperative of self-discipline and self-rule. When "Thou shalt not steal" is impressed only weakly—or not at all—upon the conscience of the young, the temptation presented by an unlocked door and the key left in the ignition of a gleaming, chrome-trimmed "set of wheels" is enormous and incalculable. It is no exaggeration to say that here we are entering the kindergarten of crime, for persons arrested for auto theft come primarily

from the young age group of our population.

In Uniform Crime Reporting, auto theft is defined as the unlawful stealing or driving away of a motor vehicle, including attempts. The statistics for 1970 reveal that 56 percent of all persons arrested for this crime were under 18 years of age. When persons under 21 are included in the computations, the proportion of arrests rises to 75 percent.

Always the Loser

Think of it! Seventy-five percent of the persons responsible for the theft of 921,400 motor vehicles in 1970 were under 21 years of age.

Many of these thefts will constitute a teenager's first major criminal act. Whatever the motivation in his mind—a lark, a "harmless" joyride, acceptance of a dare, even an attempt to gain status with older or tougher associates—the juvenile knows that what he is doing is illegal. He knows he may be caught.

Under such circumstances, the chances that he will become excited, unpredictable or even irrational are great. In the hands of a youth under such stress, several thousand pounds of metal become a fearful and often lethal weapon—a real danger to the lives of other motorists and pedestrians.

And the outcome of that first major crime?

The perpetrator is always the loser. If he is caught, it means punishment, however lenient, and an ineradicable criminal record. If he is not caught, the ease with which he succeeded in stealing the first automobile tempts him, and he may try again and again, becoming more brazen with each success.

By just such a process the graduate from the kindergarten of automobile theft is tempted to matriculate in the field of even more serious crime.

Indeed, the ignition-key-to-crime route is rapidly becoming well traveled.

This is only one of the reasons that prevention of auto theft is so vital. We in the FBI have sought to promote preventative efforts in every way possible, including the circulation of suggested rules reminding the citizen to avoid the carelessness which aids the car thief. Some simple but important reminders are listed below:

Don't leave your keys in the ignition.

Don't leave your car doors unlocked or windows open.

Don't leave packages, clothing, or articles inside car where they are visible.

Don't leave car unattended on an expressway.

Don't be careless just because your car is fully insured. Thefts increase insurance costs, and thieves use stolen cars to commit more serious crimes.

Do keep a record on your person of your license number and vehicle identification number.

Do notify police immediately if you believe your car has been stolen.

Do report to police any suspicions or information you have concerning car thieves.

Do your duty as a citizen. Help teach young people that joyriding in a stolen car is a serious crime.

Do be car-theft conscious. Avoid mental lapses and habits that make it easier for car thieves to strike.

Usually a nocturnal crime, automobile theft is also, to a large extent, an urban crime. Its enormous cost, nevertheless, is borne by citizens throughout the Nation.

In addition to the actual value of a stolen vehicle, one must consider both increased insurance costs and those which are levied on law enforce-

ment. These latter costs, incurred in handling complaints, investigating charges and processing recovered vehicles, are massive. When all aspects are considered, the ignition-key-to-crime problem undoubtedly costs the American people more than a billion dollars a year.

In 1960, automobiles were stolen at the rate of one every 2 minutes. Today an automobile is stolen every 34 seconds. A high proportion of these thefts are for purposes of transportation. Some vehicles are taken for use during the commission of crimes such as bank robbery. Others are stolen and stripped for parts. Still others are taken for resale.

Professional car theft rings unquestionably account for thousands of vehicles stolen for resale. During 1970, the FBI investigated more than 100 major rings whose activities followed the same basic pattern: theft of a car from one victim, alteration of identifying characteristics and resale to another victim.

NCIC

In terms of volume, auto theft increased 6 percent in 1970 over the prior year. In the decade from 1960 through 1970, the overall increase was 183 percent.

What hope is there that the ignition-key-to-crime syndrome may be curtailed rather than expanded during the next decade?

Optimism is born out of several areas of activity. Among these: Education in ownership responsibility, more effective youth programs, more realistic sentences for auto thieves, particularly auto theft ring members and, of vital importance, advances in law enforcement.

The National Crime Information Center (NCIC) is foremost in this last category. This computerized law enforcement system enables law enforcement agencies throughout the United

States and Canada to enter auto theft record information almost instantaneously and to clear the record promptly when the vehicle is recovered. As of September 1, 1971, there were 3,024,455 active records in the NCIC. Of these, 704,070 were records on vehicles and 222,180 were on license plates.


High Risk of Detection

The acceptance and widespread use of the NCIC by all branches of law enforcement create an immensely high risk of detection for the auto thief. The system virtually eliminates time and distance, both of which once spelled safety to the criminal.

It is not always possible, of course, to enter the record of an auto theft in the NCIC immediately after the theft occurs. Delay in discovery of the theft or lack of factual information may account for some passage of time between the actual theft and the entry of pertinent data in the NCIC.

But sometimes only minutes separate an entry on a stolen car from an inquiry on the same vehicle. For example, the Galesburg, Ill., Police Department entered a stolen car record in the NCIC at 12:11 p.m. on April 4, 1971. Three minutes later an inquiry on that vehicle was entered by the Kansas Highway Patrol at Salina, Kans.

Readers may note the high risk of detection confronting the auto thief in statistics for the month of August 1971. During that period, 84 percent of the daily average of 73,453 NCIC transactions involved either vehicle or wanted persons files.

Despite the terrible record of auto theft being compiled daily, there is room for optimism. With the full cooperation of an alert public and effective use of weapons such as the NCIC, law enforcement can reverse the current trend and, to some degree at least, switch off the ignition key to crime. 

SWAT—

The Los Angeles Police Special Weapons and Tactics Teams



In early 1968 the Los Angeles Police Department formed a 60-man unit comprised of 15 four-man Special Weapons and Tactics (SWAT) teams. The development of SWAT units was the result of department recognition that without special weapons or training, police response to incidents of

By

G. N. BECK*

**Police Department,
Los Angeles, Calif.**



*With 22 years' experience with the Los Angeles Police Department, Mr. Beck is the commanding officer of that Department's Tactical Operations Group. He holds a bachelor's degree and a master's degree in public administration, received at the University of Southern California.

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sniper fire or barricaded suspects is almost universally unsatisfactory. The task of stopping attacks from such sources can best be accomplished with a small group of highly disciplined officers using special weapons and tactics designed to neutralize the opposing firepower source with a judicious application of deadly force in a manner that presents minimal hazards to the lives of residents, passers-by, and police officers in the area.

Team Members

SWAT teams now provide a pool of highly trained personnel to handle those instances where marksmanship or other skills required to cope with guerrilla tactics are particularly crucial. Specifically, SWAT teams are deployed to protect policemen from sniper attack when officers are engaged in controlling a riotous crowd or other situations where the threat of sniper activity exists. SWAT teams also provide high-ground and perimeter security for visiting dignitaries, perform rescue missions when officers or citizens are pinned down by sniper fire, rescue hostages, and deploy at incidents where armed suspects have barricaded themselves.

Officers of the SWAT unit are regularly assigned members of the department. On a day-to-day basis they perform as patrolmen, detectives, or in other police assignments. The unit is activated only for monthly training or when the need for SWAT personnel actually arises. Because the officers of any one of the 15 teams may be activated at any time, each man keeps his SWAT equipment readily accessible in his automobile.

Composed of four members, each SWAT team is a permanent self-sufficient entity that trains together and responds as a unit when a mission is identified and a request is made for one or more SWAT teams. Each team consists of a marksman, an observer,

a scout, and a rear guard. Each member of the team is trained to perform all of the other team assignments.

The marksman is armed with a scoped rifle and has the primary responsibility for antisniper control. His job includes providing long-range and intermediate-range defense for the team and accurate base support fire at all ranges.

The observer is equipped with an AR-15 or Armalite 180 rifle, binoculars, a walkie-talkie, and appropriate maps. He functions as the spotter for the marksman. In addition, he is the radio man for the team and is responsible for providing close- and intermediate-range defense.

The scout is armed with an AR-15 or Armalite 180 rifle. He also carries special tools, such as a manhole hook for entering sewers or a pry bar, needed to gain access to the team's objective. His assignment is to lead the team to its objective by scouting

routes of approach and withdrawal. He also provides close-range defense and security for the team.

The rear guard is equipped with a 12-gauge semiautomatic shotgun and other equipment, such as rappelling and scaling paraphernalia, needed for the team's mission. He is responsible for providing close-range assault firepower against a barricaded suspect or a fortified position. The rear guard also provides close-range defense for the team.

Necessary Requirements

In addition to the special equipment carried by each team member, all SWAT personnel carry flashlights, canteens, gas masks, gas canisters, strobe signal lights, and sidearms in shoulder holsters. For training and most assignments, members wear dark blue two-piece utility uniforms.

A large step-van truck assigned to



Each SWAT team consists of four specially trained officers who serve as marksman, observer, scout, and rear guard.

the unit contains equipment and supplies for logistical support of the SWAT teams. Extra ammunition and weapons, tear gas and gas-projectile guns, forced-entry equipment such as battering rams and pry bars, protective armor, civilian C rations, binoculars, loudspeakers, and medical supplies are stocked in the van. The truck also contains the necessary tools for performing minor repairs on the unit's weapons and other equipment.

The truck has red lights and siren and is large enough to transport two fully equipped teams. Designed to function as a SWAT command post, it has appropriate telephone and radio equipment. Used for directing SWAT field operations, it can be tied in with the department's mobile field command post fleet when a post is activated.

Each member of the SWAT unit has volunteered for the assignment and is

selected on the basis of special skills useful in the unit. Most of the members have had specialized military training in addition to their police department training.

Flexibility

The basic four-man teams provide the unit with a great measure of flexibility. A team is small enough to achieve effective infiltration when necessary, but large enough to accomplish most missions. The balanced firepower possessed by each team enables it to defend itself when under attack. When a single team is not large enough to accomplish a given objective, teams can be combined to form squads or platoons.

Within the department organization, the SWAT unit forms a part of the tactical operations group. This group is composed of the department's

helicopter operations, unusual occurrence control planning, and the 200-man metropolitan division, which is the department's reserve force deployed in high-frequency crime areas, strikes, and riots. The operations section of the metropolitan division administers the SWAT unit. It is this section that activates the unit when the need arises and plans the training for SWAT personnel.

SWAT personnel have received over 1,000 hours of training in a variety of subjects. The history of guerrilla warfare, scouting and patrolling, night operations, camouflage and concealment, combat in built-up areas, ambushes, rappelling, first aid, and chemical agents are some of the subjects and activities covered in this training. In addition, all personnel are required to regularly qualify with the special weapons employed by the unit.

(Continued on page 30)

SWAT uniform and equipment are stored in each officer's vehicle to enable him to quickly respond to an emergency.



The Special Operations Group

*Chicago's answer
to unusual demands for police service.*

"Saturation patrol has proved to be one of the most effective methods of crime prevention. However, because of the cost in manpower, it is normally not used except in those departments using the Special Operations Group concept. It must be remembered that to successfully reduce crime, law enforcement must make the criminal element aware of the probability of apprehension."



By
CAPT. WILLIAM R. MOONEY*
Police Department,
Chicago, Ill.

*Captain Mooney, formerly commander of the Special Operations Group, is now director of the Intelligence Division of the Chicago Police Department.

The Special Operations Group, originally known as the Task Force, of the Chicago Police Department is a select unit operating within the patrol division for the purpose of combating specific street crime problems.

When the Task Force was created in 1956, it had two platoons with approximately 40 officers. Each officer was assigned to a radio-equipped three-wheel motorcycle. The objective of the unit was saturation patrol of certain geographic sections of the city to reduce crime.

In 1961 the Task Force was enlarged and divided into four tactical units assigned to different areas of the city.

Each area was commanded by a lieutenant, and the patrolmen were assigned to a squad directed by a sergeant, with the sergeant and patrolmen having the same days off. The Task Force's method of mobility was changed, with the officers assigned two men to a squad car. Rather than working in one specific area of the city, they were deployed into four. Because of their mobility, however, they could be assembled into one striking force if the need arose. In this manner,

their suppressive purpose was felt and the unit still had complete mobility and availability, as well as true unity of command.

Today the organizational structure of the Task Force, or Special Operations Group as it is now known, is flexible and permits changes to meet the needs of the department. The four tactical groups are charged with the responsibility of crime suppression. In addition, there is a special operating section which includes the following units: transit authority police, a detail unit, a canine unit, a helicopter unit, and a marine unit.

Unit Functions

The purpose of the transit authority police unit is to suppress crimes that might occur on the public mass transportation system. The use of uniformed police officers at subway and elevated line stations acts as a crime deterrent. The use of plainclothes officers on subway trains enables the department to apprehend individuals who are involved in the commission of crimes.

The detail section has been formed for the purpose of providing manpower for special details without drawing upon the districts and thereby weakening the basic beat structure. Detail unit personnel are used at places of public amusement, such as hockey, baseball, and football games, exhibitions, and various types of shows. The police responsibility at all these events is outside crowd and traffic control. The only time members of this detail go into a place of public amusement is upon a specific request for police services.

Since 1962, the Special Operations Group has had a canine unit. This unit has approximately 48 dogs, all of which perform a street patrol function. These dogs have been specifically trained and are most effective in searches of buildings where a sus-

pected burglar may be hiding. In addition, some of these dogs have been trained to seek out and recognize the odor of marihuana. Others are used to track escaped criminals, to find lost children, or to assist in cases in which some article of clothing has been left behind and from which a scent may be obtained.

The helicopter unit is composed of two helicopters piloted by sergeants of police. They fly on two watches, that is, on a 16-hour-a-day basis. In addition, they are available on call during nonduty hours. The helicopters are particularly effective as observation posts for command personnel during public marches or demonstrations.

In large railroad yards and trucking terminals, overflights by helicopters help to keep thievery down. The helicopter usage is primarily patrol. The crafts are also used to track wanted cars and persons until an apprehension by ground units can be effected. They also have been used in emergency medical cases.

Chicago has approximately 35 miles of lake frontage, as well as two rivers, the Chicago and the Calumet. Chicago is the Nation's greatest inland seaport, with many ships of foreign registry using it as a port of call. Their cargo must be properly safeguarded. In order to protect ships, warehouses, and pleasure boats which are moored in harbors along the lake front, the Special Operations Group maintains a water patrol or marine unit. This patrol is constantly on the alert for those individuals who would enter boats for the purpose of stealing or damaging them. In addition, this unit is constantly available, under the direction of the department's communications center, to perform any lifesaving or rescue operation in the surrounding waters. Enforcement of water regulations and the control of boating as set forth by State statutes and city ordinances are also the unit's responsibility.

The Special Operations Group is commanded by a deputy chief of the patrol division located in the office of Special Operations Group. Assignments, anticrime or of a service nature, for any unit of the Special Operations Group originate from this section. To properly control the tactical sections and keep them operating in those areas of the city having a serious crime problem, I formulate specific directives for the establishment of a particular action to overcome the problem. One of these special directives is known as a task force mission.

In order for the operations section to formulate a task force mission, three requirements must be met: First, there must be a particular criminal problem within a given geographical area. Second, this particular problem must be linked to a particular individual or groups of individuals. Third, the time element in which this group of individuals is operating must be identified.

Methods to Combat Crime

If these three elements are present, a Special Operations Group mission is formulated. This mission will set forth the geographical area in which Special Operations Group personnel will operate and the time of operations as well as general descriptions of those people responsible for the crime problem. In addition, the mission will set forth the number of persons to be assigned to this particular problem as well as the type of clothing they will wear. If the mission is to deter crime, there would be a uniformed patrol. However, if it is for the express purpose of discovery and apprehension, citizen dress would be ordered.

When a review of crime statistics by the operations section shows that there is a particular area or district with a high number of street crimes, such as robberies on the street, truck-

driver robberies, business robberies, burglaries, rapes, or street muggings, and that these crimes cannot be connected to any particular individual or groups of individuals, the section will assign an operational procedure to the tactical group which will cover the area of the crime problem. This directive will require the tactical unit to concentrate its suppressive efforts within the confines of the identified area of high crime. Different methods may be used to suppress generalized crime of this nature. The methods to be used are normally set forth in the high crime directive.

The Special Operations Group, as a part of the patrol division, answers directly to the chief of this division and performs a uniform function. In most Special Operations Group missions, dress appropriate to the particular occasion is ordered. For instance, if there is a series of robberies of cab or truckdrivers, a member of the unit would be assigned in citizen dress. This dress would be the general apparel that the victims of these crimes normally wear. If there is a rape pattern, it would not be unusual to use policewomen as decoys and provide coverage with officers in citizen dress, the dress of the inhabitants of the area of operation. Likewise, vehicular coverage would be maintained in an unmarked squad car or in the type of vehicle used by the victim of this type of crime.

It is of paramount importance, if we are to successfully combat crimes which take place on the streets, that we place the undercover officer under conditions that will not create suspicion in the mind of a would-be offender that a police officer is present. At the same time, the Special Operations Group seeks to cause possible offenders to fear that the next would-be victim might, indeed, be a police officer.

Often in areas where we have a number of muggings or street rob-



Supt. James B. Conlisk, Jr.

beries, police officers are assigned to act as decoys. This particular decoy operation is known as the tactical undercover function. The procedure is to place on the street a decoy police officer who feigns drunkenness in anticipation that he will become the victim of a robbery. In this operation, the opportunity is presented for a criminal to attack and rob someone. At the same time, the crime scene is controlled by the use of discreet undercover police officers. By this means apprehension is almost guaranteed.

Working Undercover

The tactical undercover function is carried out by the use of a decoy and four to six cover police officers, as well as an officer with an unmarked squad car for transportation purposes. For this operation communication is of the utmost importance for security of the decoy or "pigeon." Consequently, when the operation is put into effect, all personnel involved must have walkie-talkie radios concealed on their person. These radios are used to maintain contact between members of the team. By this method, the "pigeon" is informed by the other team members of the possibility of attack when someone is trailing him and showing

an interest in him. If and when an attack occurs, he is immediately able to communicate this to the other officers. They then can close in on the scene for the apprehension. At the same time the cover car moves in and the person or persons apprehended can be immediately transported from the scene of the arrest to the district station.

In high crime areas Special Operations Group personnel are concentrated within a given area, and a large number of police officers patrolling in marked vehicles are visible. This patrol gives citizens the impression of omnipresence of police. The increased presence of police patrol lessens the opportunity for a would-be offender to commit a criminal act. In the event he does commit a crime, he will more than likely be arrested.

Contact With the Public

Saturation patrol has proved to be one of the most effective methods of crime prevention. However, because of the cost in manpower, it is normally not used except in those departments using the Special Operations Group concept. It must be remembered that to successfully reduce crime, law enforcement must make the criminal element aware of the probability of apprehension.

The likelihood of quick criminal apprehension is enhanced if police units actively engage in street stops. By street stopping or stoppage of vehicles, the Special Operations Group is able to seize those responsible for robberies, burglaries, and other types of crimes. This technique has been our most effective. It is unlikely that the average police officer will actually witness a robbery or burglary take place in his presence. Consequently, the stopping of vehicles in suspect areas and the searching of the same, consistent with existing legal procedures, often discloses not only

a wanted person, but also firearms, proceeds from burglaries, other fruits of a crime, and narcotics.

In street stops, as well as in all contact with the public, proper legal conduct and courtesy are essential. The officer must always keep in mind that if he finds a weapon, proceeds of a burglary, or other contraband, he must be on sound legal ground for this evidence to be admitted into court proceedings. At the same time the officer must realize that in some of his street stops he will be dealing with an average citizen. By the officer's conduct, he will influence that person's opinion of the police. Therefore, a rule that the officer must follow is, be courteous but be careful. If the officer will conduct himself within this rule, and in a professional manner, his safety will be assured, and the citizen will generally accept this type of police action as necessary.

Saturation uniform patrol, undercover functions, stakeouts, and undercover vehicles are some of the methods used by the Special Operations Group tactical units to suppress crime. This suppression of crime is the primary responsibility of the tactical groups. In order to keep them properly informed of the development of crime within their areas and the possible development of a crime pattern, we send radio directives. In a city the size of Chicago the police department uses a number of radio frequencies to control the district beat cars. Consequently, all emergency calls, such as: "A policeman needs help," robberies in progress, burglaries in progress, etc., must be simulcast or put on the air as an all-call flash if the Special Operations Group, as well as the criminal investigators and traffic cars, are to be alerted to a crime which may be taking place in their immediate proximity. When a simulcast call is broadcast, it results in the response of those units other than the beat cars assigned. This saturation of the area

often makes possible the apprehension of those responsible for the crime.

It is important that officers in units responding to a crime scene observe persons and vehicles leaving the general area. This permits them to stop those people acting in a suspicious manner and possibly apprehend those responsible for the crime.

This response by Special Operations Group units not only provides the additional strength and backup to the district beat car or cars, but also, by saturation method of patrol, prevents the spread of a criminal activity.

Availability

Another use for tactical Special Operations Group cars is in a search for lost children. Before Special Operations Group units are assigned, one of the requirements is that the youth division officers make an investigation to ascertain that the child is lost. When this matter is resolved, and the child is in fact lost or has disappeared from his immediate environment, Special Operations Group units may be requested by district command personnel to carry out a specific search mission. Before Special Operations Group personnel are committed to a search for a lost child, a specific area of search must be assigned. By doing this, the Special Operations Group is able to control the use of manpower and the officers know what mission they are to accomplish. This permits us the assurance that manpower is being used to its utmost potential and fulfilling a specific purpose.

The assignment of large numbers of police officers to a Special Operations Group may not be justified solely because they will be available for the suppression of crime. Though this is one of the Special Operations Group's primary purposes, the real value is the availability of police personnel to command officers without affecting the district beat structures.

As indicated, Special Operations Group tactical units operate on two watches, from 10 a.m. to 6 p.m., and from 6 p.m. to 2 a.m. During these two periods of time, approximately 50 Special Operations Group 2-man cars are in service. This means that, when needed, there are approximately 100 police officers available to respond to a specific Special Operations Group problem. These units can be and have been used at large fires, natural disasters, etc.

One of the most important uses of this personnel, however, is their availability for crowd control situations. When Special Operations Group cars are on the street, the officers must carry their helmets. The Special Operations Group tactical officers are trained each spring for riot control functions. They are trained in the use of shotguns, rifles, and carbines as well as gas-launching equipment. When a crowd control situation develops, whether it be at a school, a public assemblage, or on a march or demonstration, Special Operations Group units may be ordered to a motorized patrol within the area in question. In the event actual disturbances take place, they may be ordered on foot and formed into a police company. When they are formed into police units or companies, an assembly area must be designated for parking police vehicles. The assemblage of police vehicles creates a security problem which is solved by directing the canine units to maintain a dog-foot patrol in the parking area. A helicopter unit is ordered into the area to provide aerial observation. This unit has direct communication with ground command which observes and then advises the location of potential problems caused by the crowds. With this information, police command is able to properly direct the movements of police patrols to overcome the problem.

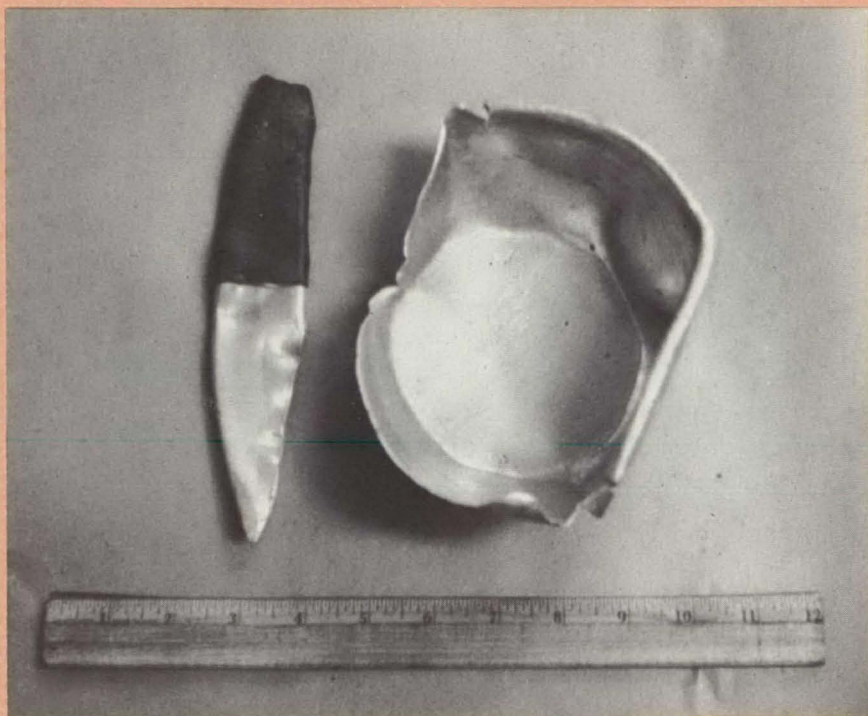
(Continued on page 32)

DANGEROUS WEAPONS REVEALED IN SHAKEDOWN

During a shakedown in a county jail in an eastern State recently, two homemade weapons were recovered from two inmates. The prisoners reportedly planned to use the items to facilitate an escape.

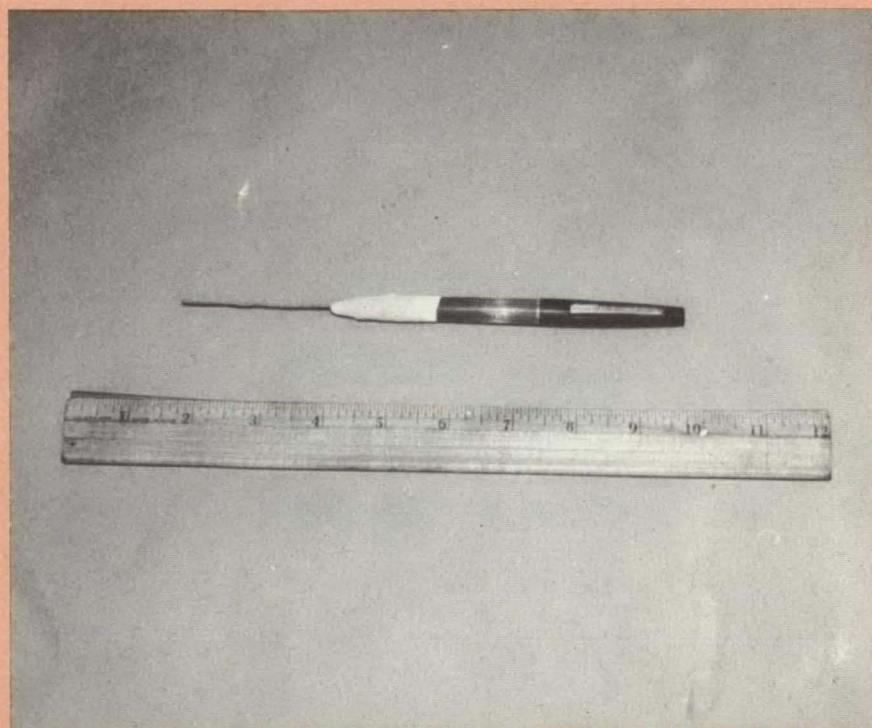
One of the weapons was a dagger which had been made from a metal cereal bowl. The blade had been torn from the bowl, and the cloth for the handle had been taken from a book-binding.

The other weapon was a pick-type instrument. The handle portion had been fashioned from a felt-tip pen, and the point or pick from a paper clip. Adhesive tape held the point and handle together. One of the inmates had obtained the tape while being treated at a local hospital for slashing his wrists. Bandages had been placed on his arm with the tape. Also, he had acquired the paper clip at the treatment room of the hospital. The pen was an item permitted to be used by the inmates instead of regular ball-point pens.



A dagger made from a metal cereal bowl and cloth bookbinding.

Pick-type weapon fashioned from a felt-tip pen, paper clip, and adhesive tape.





The project includes a signalized railroad crossing, and several hundred feet of roadway are designed to teach children from rural areas pedestrian safety on highways.

“Friendly Town”

By

WILLIAM BREY

Chief of Police,
Danville, Ill.

During the fall of 1969 the members of the Danville Police Department, after reviewing accident statistics for a number of years, determined that the normal accident prevention programs used within the city were not reaching the persons who were increasingly becoming involved in motor vehicle collisions.

The pedestrian accident rate involving children aged 4 through 9 was increasing at an alarming rate, and it

was evident that our programs were reaching into the elementary school too late to prevent many of the tragedies which were occurring on the streets in our community. To effectively combat this problem, we would obviously have to take a fresh approach to educate our preschool and elementary school children in the basic principles of traffic safety.

Members of the police department staff and interested city officials, after





Fully operative traffic signals and marked crosswalks give the child experience in realistic traffic situations which could not be safely duplicated for teaching purposes on a busy city street.

reviewing programs which had been conducted in other cities the size of Danville, decided that the best approach to the problem would be an offstreet facility. There police officers and other persons interested in traffic safety could instruct young people in a controlled situation having all the elements necessary to create an effective learning process. Offstreet projects had been constructed in other cities throughout the country, but, since each community has its own peculiar traffic problems, we decided that our program would be designed for the particular problem in Danville.

Members of the city council and the mayor pledged their support to the program and, in addition, placed ap-

proximately $1\frac{1}{2}$ acres in a city public park at the disposal of the police department for construction of the project. Since the time involved in the program would be extensive, the Vermilion County Civil Defense Director, Mr. Earl Winland, volunteered his services as project coordinator and was appointed as such by the City Council of Danville. Initial planning began in 1970, and the rough sketches and draft of the street complex in the program were given to a local architect who volunteered his time to develop the initial plan into a final draft. At this time it became apparent from contacts with various groups in the community that some support other than public contributions would be

needed if the program was to become operational within the near future.

The coordinator and members of the police department staff presented a program on the planned construction of the project to the county board of supervisors and members of the city council and obtained approval to submit a request for funds through the State to the National Highway Safety Bureau.

The project application was submitted and approved by Federal and State authorities, and \$32,000 was allotted in Federal matching funds for the construction of the project.

In the meantime, to stimulate public support, members of the police department and other interested per-

sons appeared at every possible public gathering and civic club to explain the concept of traffic safety education for elementary school children. A scale model of the project was constructed by an interested citizen to help illustrate the program.

The name Friendly Town was applied to the project at this time to express the idea that it is designed not only to stimulate awareness of traffic safety, but also to make young people realize that the policemen involved in the project are their friends and persons to be respected in the community.

Classroom and Field Study

In spring 1970 the project received final approval from Federal authorities, and construction of the street complex and sidewalks was begun in March 1970. After many delays and problems, construction of the first building, a full-size classroom, was completed in September 1970. The first class, grade school students from an elementary school in Danville, began on October 19.

To teach the program, we assigned an officer from the department to supervise activities of Friendly Town on a full-time basis. Other officers are assigned on a part-time basis. The local school system contributed classroom equipment, including desks, chairs, and audiovisual aids. The classroom is fully equipped for that phase of the instruction.

Both the county and city school systems cooperated in the development of the lesson plans for the project, and every class that visits it during the school year is accompanied by its teacher. The students begin their instruction in the air-conditioned facility, and the emphasis during the classroom instruction is on identification of traffic safety signs, use of crosswalks, and obedience to traffic signals. The local telephone company

installed a closed-circuit telephone system for use in instruction on reporting an emergency. A valuable teaching aid, this system permits students and instructors to simulate emergency situations.

Setting an age limit was an obvious necessity, for accepting the thousands of students throughout the county who might want to attend would be impossible. Therefore, the age group of 4 through 9 years was selected by experienced persons in the school system who felt that this is the group exposed to the most hazards in traffic safety and with the least knowledge of the subject.

After the students have completed their classroom instruction of approximately 1 hour, they move into the field operation, where each group of students is closely supervised by a trained police officer. Fully operative signals and marked crosswalks give the children experience in realistic traffic situations, and while one half of the class is being instructed in pedestrian safety, the other half is instructed in motor vehicle safety. Eleven small electric vehicles used in the training were contributed by interested businessmen or citizens in the community. Officers explain to the drivers the meaning of traffic control signs and road markings and the importance of obeying all these regulations. Particular emphasis is placed on seatbelts, and each child is required to use his seatbelt when in a Friendly Town vehicle.

The instructors also emphasize that the same laws apply to both the driver of a motor vehicle and the rider of a bicycle. In this way we correlate the child's thinking so he understands that, with the exception of the driver's license law, all motor vehicle operators and bicycle riders are subject to the same regulations and have the same problems traveling through traffic on city streets or on rural highways.

During the field instruction, the drivers and pedestrians are rotated to

give each child instruction in both vehicular and pedestrian safety. At the completion of the field instruction, the children return to the classroom for a short critique and review of what they have learned in the field and also a brief review of the classroom instruction. Classes are conducted from approximately April 1 through the middle of November, depending largely on weather conditions. During the summer months, a 4-day, 8-hour session is conducted, with children attending either 2 hours in the morning or 2 hours in the afternoon. It is, of course, the belief of the department that the 8-hour session is far superior to the short field trip instruction of 2 hours given during the school year. However, an expansion of time for safety instruction is difficult because the schools have their time planned, to a large degree, for other academic programs during the school year.

Facilities

The project, as it was finally constructed, encompasses approximately 64,000 square feet and has 1,800 feet of paved roadway as well as 1,200 feet of sidewalk and curb. The remaining 600 feet of roadway has no sidewalk or curb and is used to instruct children from rural areas the safe way to walk along a highway, which they often do in going to and from school. The traffic signs used throughout the project are all full size and conform to the State traffic code. The two signalized intersections have full-size traffic lights contributed by the city of Danville. These lights are fully operative and controlled by automatic timing devices. In addition, an operating railroad crossing with flashing red signals and bell was installed to, again, teach pedestrians as well as drivers their obligation at a railroad crossing.

The project presently has, in addition to the full-size classroom, six other buildings which were constructed by



Friendly Town students, elementary school children in Vermilion County, learn pedestrian and vehicle safety under the close supervision of Danville police officers who have volunteered their off-duty time to teach in the project. As of fall 1971, approximately 2,500 children had attended the training.



interested organizations, including the Danville Police and Fire Departments, the Vermilion County Civil Defense Agency, and private businessmen who contributed their time, effort, and funds to make Friendly Town a complete city. The buildings are generally used as storage facilities for either the vehicles or other equipment necessary for the maintenance of the project; an exception is the police department building, which is being developed into a museum and display on police activities and general information regarding the Danville Police Department. The last building constructed in the project was completed during June 1971 and is unusual in two respects. First, it is a nondenominational chapel, and although it is only approximately 12 by 16 feet in size, it actually seats approximately 18 adults and is furnished in the interior as any other church or chapel would be. The second unusual aspect of this

building is the fact that it was constructed almost entirely with funds from only two persons. The mayor of Danville and his wife, Mr. and Mrs. Rolland Craig, dedicated this chapel to the memory of their parents and financed the construction so that our Friendly Town would be complete in all respects, including a religious structure.

Additional Facilities

We do not anticipate at this time that additional buildings will be constructed on the project site because our instructors must have adequate space to supervise the young people taking field instruction. All buildings have been placed in such a way that vision is not obstructed.

In reviewing the program as we have outlined it in this article, it is, of course, impossible to give credit to the literally hundreds of people who

gave so much of their valuable time to make the project a reality, and it is difficult to enumerate the many aspects of the program which we believe have made Friendly Town a success in our city. However, the most gratifying part of the program has been the outstanding assistance received from Federal, State, county, and local officials in the development of the program and the time and funds contributed by the many businessmen and private citizens to make it successful.

In addition, many of our officers within the department have contributed literally hundreds of hours to assist in the instruction in the program and to provide the necessary maintenance to keep the vehicles and buildings in operable condition.

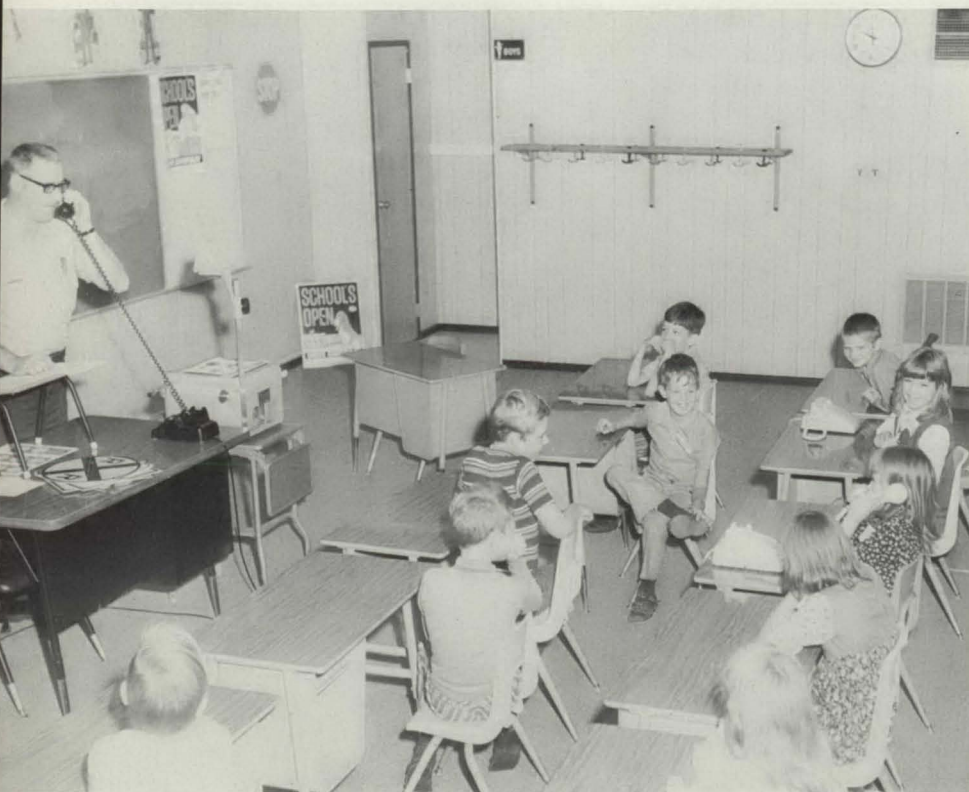
Public Relations

Although Friendly Town was conceived basically as a pedestrian and safety education center, it has become one of the most effective police-community relations devices that I have seen in my career as a police officer. The young children who attend the program in their formative years are exposed to police officers who are engaged in the most positive type of approach—that of helping and assisting young people to be better citizens and, we hope, ultimately safe pedestrians as well as safe drivers.

These young children who will someday be the leaders of our community are certainly exposed to a different view of the police officer in the city of Danville. The program is, of course, dedicated to these young children and hopefully is helping them to solve some of the problems that they have in traffic and in other areas of safety. In a plaque which has been placed on the front of our classroom building, a simple quotation from the Bible expresses our hope for the future: "And a little child shall lead them." Isaiah 11: 6.

(FBI)

Using a "closed-circuit system," all students learn how to use a telephone to report an emergency.





Civil Authority To Arrest Military Deserters

By

INSP. CHARLES A. DONELAN

Federal Bureau of Investigation,
Washington, D.C.

PART I

I. Introduction

In classroom discussions on the law of arrest, the following question is frequently asked by law enforcement officers: "What is the source of our authority to apprehend deserters from the Armed Forces of the United States?" The question is understandable for obvious and significant differences mark the apprehension of a deserter, i.e., a serviceman who absents himself from his place of duty without authority and with the inten-

tion of not returning,¹ from arrests made in the usual case. For example, no familiar formal warrant of arrest exists at the time of a deserter-apprehension, and after arrest no duty to bring the alleged deserter forthwith before a committing magistrate is imposed. The merit of the inquiry is also evidenced by the fact that the Supreme Court of the United States ruled in 1885 in the case of *Kurtz v. Moffitt* that civil officers had no authority to arrest an army deserter under then-existing law; the decision hinged on the principle that desertion has always

been, in our jurisprudence, exclusively a military offense punishable by court-martial only, with no counterpart in the ordinary law of crimes.² Indeed, it was not until Congress enacted legislation in the wake of this famous decision that the power to arrest deserters was first conferred upon civil officers.³ The limited purpose of this article is to answer the foregoing question by tracing the movements of the law in this important police action area.

II. Short Account of Desertion in Legal History

The opinion of the Supreme Court in the *Kurtz* case and the resultant statutory grant of arrest power cannot be properly understood without initially giving a short account of the development of the offense of desertion in England inasmuch as the military law of the latter country constituted the original framework upon which our own was built.⁴ The military law is a branch of jurisprudence as ancient as the origin of armies. It is concerned with the organization and government of the military services and the administration of justice therein. It is designed to promote order, discipline, and efficiency in the armed forces whose primary function is to fight wars, or to be ready to fight them when the occasion arises.

In early England the law governing the royal armies was embodied in articles of war decreed by the king before his forces moved to battle or during the course of hostilities. For example, the Articles of War of Richard II, drafted in 1385 when he gathered an army for defense against an invasion from France, set out various rules of conduct for his troops, including the following provision with respect to desertion:

"Every man shall well and duly perform his watch in the army, and . . . shall remain the full

limited term . . . on pain of having his head cut off."

The medieval articles of war authorized military personnel to arrest offenders; and power to try them was vested in the king's court of chivalry, the jurisdiction of which was eventually inherited, in part, by modern courts-martial, which date back to the 17th century. The articles proceeded from the king without the sanction of Parliament, but in the course of time the scope of royal authority in military matters was narrowed by Parliament by means of legislation. In this connection, three parliamentary statutes are of special interest:

1. The first statute,^{4a} enacted on the eve of the modern era as a remedy against desertion by men who had contracted to serve as soldiers of the king, provided:

"Every man so mustering and receiving the King's wages which departeth from his captain within his term . . . shall be punished as a felon; and . . . the justices of peace shall have power to inquire thereof, and to hear and determine the same."

Thus, this old statute made desertion a violation of the ordinary criminal law—a felonious crime with jurisdiction over offenders resting in the civil courts. Since it was a felony, it was punishable by death, by forfeiture of the felon's goods to the Crown, and by forfeiture of the felon's lands to the Crown for a year and a day before they escheated to his feudal lord. Under the statute specific authority was given mayors, bailiffs, and other ministers of the king at ports of entry to arrest and detain for the justices of the peace all soldiers who deserted during campaigns abroad. As to soldiers deserting at home in England, it would appear that regular peace officers or private persons had like power, for at common law both were

authorized to arrest felons or those reasonably suspected of being felons. This statute, and others based upon it, became obsolete by the time the turbulent 17th century came to a close.

2. The second statute⁵ of interest is the original Mutiny Act of 1689, which was passed by Parliament at a time of national danger for the regulation of the English Army. Its purpose was to punish officers and soldiers, who mutinied, stirred up sedition, or deserted, in a manner more speedy and exemplary than "the usual forms of Law will allow." The statute declared:

"Every person who . . . shall desert Their Majestyes Service in the Army, shall suffer death or such other punishment as by a Court Martiall shall be inflicted."

The main significance of this historic statute is that it made the offense of desertion punishable by the sentence of a court-martial in time of peace as well as in time of war. With its passage, the English military law began to assume a permanent form. Although it was enacted for an emergency period of 6 months, it was re-enacted by Parliament thereafter on an almost annual basis for two centuries and altered, of course, as the years went by, whenever deemed necessary for the better government of the British Army. The mutiny acts did not supersede but supplemented the articles of war, and the courts-martial had jurisdiction to try military offenses condemned by both.

The early mutiny acts provided that all offenders against the military law could be apprehended by the civil authorities as well as the military. The later acts omitted this provision with respect to military offenders in general, but the power of civil officers to apprehend army deserters was retained. Although the constable of the place where a person reasonably suspected of being a deserter was found

had authority to apprehend him, he could not turn the deserter over to the military authorities directly but was first required to bring him before a justice of the peace for examination. If it appeared by confession, the testimony of one or more witnesses, or the justice's own knowledge that the arrested person was an enlisted soldier, the justice was authorized to commit him to custody and give notice thereof to the "secretary at war." Military officers and soldiers had authority to arrest deserters under the provisions of these laws, but they could exercise it only when constables were not available. Authority was also given the justices of the peace to issue warrants for payment of rewards for the arrest of deserters, payable out of the land taxes of the parish where they were apprehended.

3. The third statute⁶ of note is one enacted in the mid-17th century for the regulation of the Royal Navy. This law established Naval Articles, provided for the punishment of offenders by naval courts-martial, and commanded that "[a]ll captains, officers, and seamen, shall do their endeavors to detect, apprehend, and bring to punishment" those violating the articles. With respect to desertion, the statute declared:

"All sea-captains, officers or mariners, that shall desert the services or their employment in the ships, or shall run away, or entice others so to do, shall be punished with death."

At the time of the American Revolution, the British Army was regulated by the provisions of the current Mutiny Act and the Articles of War; and the British Navy by the Naval Articles.

The American military law was originally embodied in Articles of War drafted in June 1775 by the Second Continental Congress for the government of the Continental Army.

These articles were derived from the provisions of the British Articles of War and the English Mutiny Act then in force. Rules for the regulation of the early American Navy likewise were copied in important features from contemporary British naval law. The original Articles of War were supplemented in November 1775; but in September 1776 new articles, also modeled on the British form, were adopted. The latter contained the following provision on desertion:

"All officers and soldiers, who having received pay, or having been duly inlisted in the service of the United States, shall be convicted of having deserted the same, shall suffer death, or such other punishment as by a court-martial shall be inflicted."

During the Revolutionary War, rewards in the amounts of \$5 and \$10 were offered for the apprehension of deserters from the Continental Army. Prior to the adoption of the Constitution of the United States, the Congress of the Confederation passed a resolve on May 31, 1786, providing that when the commanding officer of any of the forces of the United States received reports of desertion among his troops, he was to cause a search to be made for the deserters. Responsibility for the search was entrusted to commissioned or noncommissioned officers. If the search proved ineffective, the officer in charge of the unit to which the deserters belonged was to insert in the nearest gazette or newspaper an advertisement describing the wanted men, and offer a reward not to exceed \$10 for each deserter apprehended and "secured in any of the gaols of the neighboring States." The offering of rewards for the apprehension of military deserters has been continued since those early times in our history.

With the adoption of the Constitution, Congress was authorized to create

the military law of the United States by virtue of the constitutional provisions empowering Congress to raise and support armies, to provide and maintain a navy, and to make rules for the government and regulation of the land and naval forces. The Supreme Law also conferred upon the President the power of Commander-in-Chief of the Army and Navy and imposed upon him the duty to take care that the laws be faithfully executed, thus authorizing him to make regulations and issue orders for the Armed Forces.

The First Congress exercised its military rulemaking authority by passing the Act of September 29, 1789,⁷ expressly recognizing the Articles of War of 1776 and making them applicable to the then-existing Army of the United States. These articles copied in practically identical language the provisions of the British Articles authorizing military personnel to arrest military offenders. No legislation corresponding to the English Mutiny Acts was passed by Congress.

Within a relatively short time, Congress passed a law prescribing Naval Articles for the regulation of the Navy of the United States.⁸ The statute made various offenses punishable by naval courts-martial including desertion. The article on desertion ordained:

"If any person in the navy shall desert, or shall entice others to desert, he shall suffer death, or such other punishment as a court-martial shall adjudge."

The early Articles of War adopted by the First Congress were superseded by new articles in 1806 which continued in effect for nearly 70 years with necessary amendments, including one in 1830 providing that the death penalty could not be imposed for desertion in time of peace.⁹ These articles were in force throughout the Civil War era.

Early in the course of the Civil War, President Lincoln issued an order authorizing designated civil officials to act as "special provost marshals" in arresting soldiers absent from their commands. The order, dated July 31, 1862, read as follows:

"The United States marshals in the respective districts, the mayor and chief of police of any town or city, the sheriffs of the respective counties in each State, all postmasters and justices of the peace, are authorized to act as special provost marshals to arrest any officer or private soldier, fit for duty, who may be found absent from his command without just cause, and convey him to the nearest military post or depot. The transportation, reasonable expenses of this duty, and five dollars, will be paid for each officer or private so arrested and delivered."

On March 3, 1863, Congress enacted a statute for enrolling, calling out, and organizing the national forces.¹⁰ For convenience in carrying out these aims of the law and for the arrest of deserters and spies, the President was authorized to divide the country into districts and to appoint a provost marshal, with the rank of cavalry captain, for each district. The district provost marshals were made subject to the orders and direction of a provost marshal general, with the rank of cavalry colonel, at Washington, D.C. After the latter furnished the district provost marshals the names and addresses of Army deserters, they had the duty to arrest the deserters wherever they were found and to send them to the nearest military commander or post. Under the statute, if a person was drafted but failed to report for duty without furnishing a substitute or paying a sum, not to exceed \$300, set by the Secretary of War for the procurement of a substitute, he was deemed a deserter and was like-

wise to be arrested by the district provost marshal and sent to the nearest military post for court-martial.

The foregoing statute also authorized the President to issue an order and proclamation with respect to deserters. Pursuant thereto, President Lincoln, as Commander-in-Chief of the Army and Navy, issued an order on March 10, 1863, commanding all soldiers absent without leave to return to duty. Those who reported before April 1, 1863, were to be restored to their regiments without any punishment except forfeiture of pay and allowances during their absence, but those who did not return were to be arrested as deserters and punished in accordance with the law. In his proclamation, the President declared that evil disposed and disloyal persons had enticed and procured soldiers to desert, thus weakening the strength of the Army, prolonging the war, and cruelly exposing faithful soldiers to increased hardships and danger. The President called upon all patriotic and faithful citizens to oppose and resist these dangerous and treasonable crimes and aid in restoring to their regiments all soldiers absent without leave.

Following the Civil War, Congress promulgated the Articles of War of 1874, which were codified, along with the articles of government for the Navy, in the Revised Statutes of the United States. The 1874 Articles were also long lived. At intervals they underwent substantial change, e.g., in 1916, 1920, and 1948, and eventually were applied to the Air Force.

In the aftermath of World War II, an important study was launched to restate the American military law and reform and modernize court-martial procedures. This project culminated in the enactment by Congress of the Uniform Code of Military Justice. This code unified, consolidated, and revised the articles of war governing the Army and Air Force, the articles

of government for the Navy, and the disciplinary laws of the Coast Guard.

The Uniform Code of Military Justice first went into effect in 1951 and is now found in a chapter of Title 10 of the United States Code on the "Armed Forces."¹¹ The code is applicable to all members of all the Armed Forces in time of peace and war in all places in the world, and covers both the substantive and procedural law governing military justice and its administration. It establishes the U.S. Court of Military Appeals, composed of three civilian judges, to assure uniform interpretation of the military law.

The code includes a subchapter entitled "Punitive Articles" superseding preexisting disciplinary laws.¹² Approximately 50 offenses are defined and made punishable by court-martial under these articles. They range in nature from offenses of a purely military type, such as conduct unbecoming an officer and a gentleman, to offenses which would constitute grave felonies under the ordinary criminal law if committed by civilians, e.g., service-connected murder. A general article provides for violations not specifically mentioned in the code; namely, all disorders and neglects prejudicing good order and discipline in the forces, all conduct bringing discredit upon the forces, and noncapital crimes and offenses.

Today desertion is defined and made punishable by court-martial under Article 85 of the Uniform Code of Military Justice.¹³ This article reads:

"(a) Any member of the armed forces who—

(1) without authority goes or remains absent from his unit, organization, or place of duty with intent to remain away therefrom permanently;

(2) quits his unit, organization, or place of duty with intent to avoid hazardous duty or to shirk important service; or

(3) without being regularly separated from one of the armed forces enlists or accepts an appointment in the same

or another one of the armed forces without fully disclosing the fact that he has not been regularly separated, or enters any foreign armed service except when authorized by the United States;

is guilty of desertion.

"(b) Any commissioned officer of the armed forces who, after tender of his resignation and before notice of its acceptance, quits his post or proper duties without leave and with intent to remain away therefrom permanently is guilty of desertion.

"(c) Any person found guilty of desertion or attempt to desert shall be punished, if the offense is committed in time of war, by death or such other punishment as a court-martial may direct, but if the desertion or attempt to desert occurs at any other time, by such punishment, other than death, as a court-martial may direct."

A serviceman found guilty of desertion by court-martial is subject under the code to the punishment of dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor not to exceed 3 years if he is apprehended, or 2 years if the desertion is otherwise terminated. If he deserts with intent to avoid hazardous duty or to shirk important service, confinement can be for 5 years. A declaration of war automatically lifts these limits, permitting a wartime deserter to be sentenced to death or any lesser penalty.¹⁴

(Continued Next Month)

FOOTNOTES

¹ For full definition of the offense of desertion, see Article 85, Uniform Code of Military Justice, 10 U.S.C. 885, *infra*.

² 115 U.S. 487 (1885).

³ Act of June 16, 1890, 26 Stat. 157; Act of October 1, 1890, 26 Stat. 648. This power is now found in Article 8, Uniform Code of Military Justice, 10 U.S.C. 808, *infra*.

⁴ See W. Winthrop, *Military Law and Precedents* (2d ed. 1920 Reprint); A. Tytler, *Essay on Military Law* (3d ed. 1814); 1 W. Blackstone, *Commentaries on the Laws of England*, 324-325.

⁵ 18 Hen. VI, c. 19 (1439).

⁶ 1 Will. & Mar., c. 5 (1689).

⁷ 13 Chas. II, c. 9 (1661).

⁸ 1 Stat. 96.

⁹ Act of April 23, 1800, 2 Stat. 45.

¹⁰ Act of May 29, 1830, 4 Stat. 418.

¹¹ Act of March 3, 1863, 12 Stat. 731.

¹² Chapter 47, 10 U.S.C. 801-940.

¹³ Subchapter X, Articles 77-134, 10 U.S.C. 877-934.

¹⁴ 10 U.S.C. 885.

¹⁵ U.S.C. 856.

Radio Communications Department Serves Law Enforcement in North Dakota

By

ALDRED G. BROSE
Director,
North Dakota Radio
Communications
Department,
Bismarck, N. Dak.



Located in an underground facility in Bismarck, the North Dakota Radio Communications Department provides service to local, county, State, and Federal law enforcement through a statewide radio and teletype system and the FBI National Crime Information Center (NCIC) system. Since North Dakota is a rural State with sparse population, the de-

partment was established as a centralized dispatch center whereby any law enforcement officer can receive assistance and information on a 24-hour, 7-day-a-week basis.

In 1967 a new emergency operating center was planned for the State Radio Communications Department and the North Dakota Civil Defense Headquarters. This center was funded and built at the National Guard Headquarters in Bismarck. Completed in June 1968, the center is completely underground and has one outside entrance and an emergency escape hatch.

The entrance is continuously monitored by a closed-circuit television camera controlled from the master position by the dispatcher, who also controls an electric door lock. Anyone wishing to enter must first obtain the dispatcher's permission.

With its own power plant, water supply, kitchen facilities, and sleeping quarters, the center is completely self-sustaining during any type of emergency. It is large enough to house all the department's staff and their families. Should a disaster occur, the staffs of both departments and their families would be relocated in the center. The families of the staff members would be assigned various tasks to assist in maintaining and operating the facility.

After the move to the new center in June 1968, the communications de-

partment, using telpak circuits, set up the centralized dispatch center whereby all State-owned radio stations are operated by State employees.

The two-frequency statewide radio system is shared by all local, county, State, and Federal law enforcement officers. The 12 major city police agencies have a separate system; however, they are tied into the statewide system. Through this system, all agencies can communicate with each other as well as with all mobile units. The communications department owns and operates 16 stations, and each sheriff's office has a station on the system. Eight of the 12 major police departments use the State-owned equipment. At present, the system serves 750 mobile units including those of rural community police departments, county sheriffs and deputies, the State Highway Patrol, State Game and Fish Department, State Truck Regulatory Department, State Parole Office, State Crime Bureau, and other law enforcement agencies and officers. All officers can communicate directly with their local agency or with the State Communications Center.

The State Radio Communications Department provides the following services: motor vehicle registration data on all types of vehicles, driver's license suspension and revocation information, NCIC checks and entries, all-point bulletin broadcasts, and acci-



Dispatchers operate two of four radio consoles and one of the two NCIC terminals (between the consoles) at the communications center.

dent assistance and reporting. The department also operates the National Law Enforcement Teletype System and the State Law Enforcement Teletype System.

The communications department dispatchers provide the above services and assistance to all officers in the mobile units. An officer requesting any of the foregoing information need only call the nearest State station in his area. If an officer requests an NCIC check on a vehicle or subject, the dispatcher can enter the request in the NCIC terminal at his dispatch console and provide a reply in 10 to 15 seconds. All officers on the State system can receive the same response for NCIC checks, motor vehicle registrations, or any other information merely by calling the nearest State station. There are times, however, when a response to an officer's request may be delayed because of a large number of requests. Base stations requiring information can obtain such either by teletype or by using the Civil Defense National Warning System (NAWAS). Ten of the 12 major police depart-

ments are State warning points with the State Communications Center as the principal State warning point. The NAWAS is used on a day-to-day basis by law enforcement. A police depart-

ment requesting an NCIC check on a moving vehicle uses this system to obtain an immediate reply rather than send a teletype message. If a police agency has time and the request is not an emergency, the request is forwarded by teletype to the State center.

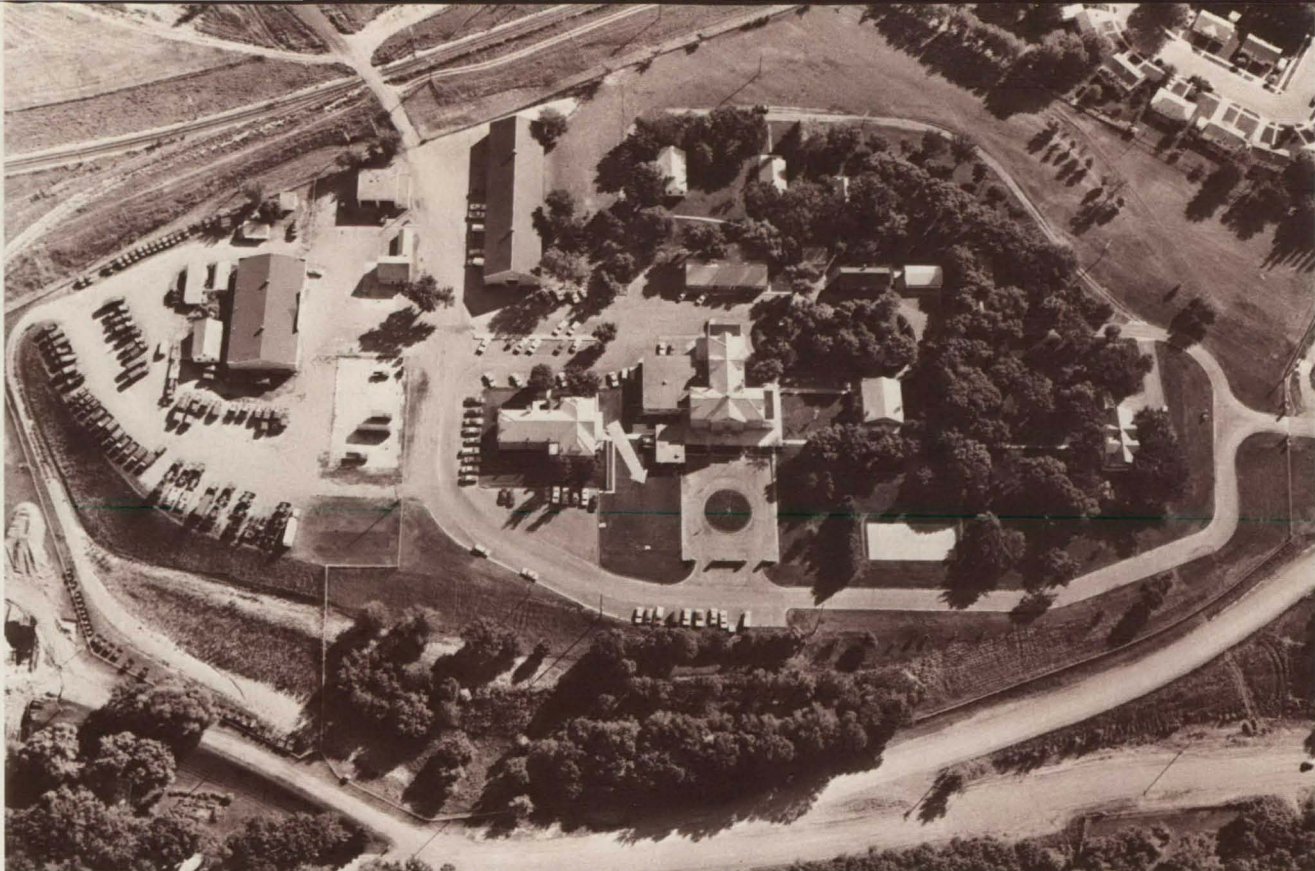
Information on all stolen vehicles and wanted subjects is forwarded to the communications center. The center assigns an all-points bulletin number to such items and broadcasts the information statewide by radio and by teletype. All active bulletins within the past 24 hours are rebroadcast at 10 a.m. and 8 p.m. each day. Bulletins on stolen vehicles are automatically entered in NCIC. Wanted subjects, stolen articles, and weapons are entered upon request by the authority.

Checked Through NCIC

All motor vehicles licensed in North Dakota are checked in NCIC. Each week the motor vehicle department forwards a list of vehicles licensed during that period giving the vehicle



In a view of the teletype machines at the radio communications department, the charts to the right of the clock depict the various teletype networks. In the background at the left is one of two NCIC terminals, and in the right foreground is the microfilm viewer for the State Motor Vehicle Department records on file at the center.



The North Dakota Radio Communications Department is located (arrow) in an underground facility at Fraine Barracks, Bismarck, headquarters for the North Dakota National Guard.

identification number (VIN), license, and title. The VINs are checked in NCIC.

The communications department assists law enforcement in the operation of the Signal 100 statewide roadblock system. Each county sheriff's office has established strategic local roadblocks within its jurisdiction. Should an emergency arise, such as an armed robbery, murder, or burglary, whereby a description of a subject or vehicle can be obtained, a Signal 100 is called. During such an alert, the investigating officer notifies the local sheriff's office which then requests a Signal 100 for the area affected. The communications department is notified and in turn contacts all county sheriffs in the area by telephone. The sheriffs in turn contact the officers assigned to each roadblock in their county. During the dissemination of Signal 100, the officer investigating

the incident informs the communications department of all available information concerning the suspect or vehicle for broadcast to all units in the affected area. During such situations the communications department alerts additional staff to report for duty to assist where needed. All information is rebroadcast every few minutes to keep all officers informed of the progress made and additional details. During the Signal 100, the communications department, operating from a centralized dispatch point, can assist in any area of the State.

Center of Operation

The North Dakota Communications Department is the point of entry for the National Law Enforcement Teletype System. All inbound and outbound traffic is edited before forwarding. The department also serv-

ices the State Law Enforcement Teletype System which has terminals in every county sheriff's office, seven of the 12 major police departments, highway patrol district offices, highway patrol headquarters, motor vehicle department, safety responsibility division, crime bureau, and State Communications Center. At present, there are 78 terminals. All terminals operate at 60 w.p.m., using Model 28 KSR.

In addition to the State and national systems, the department has a terminal on the State Highway Department Teletype System. Through this system a daily report concerning road conditions throughout the State is received. This information is forwarded to all State points by teletype and radio during adverse weather conditions.

All severe weather information is disseminated by the teletype and radio

system to all affected areas within the State. Such reports and warnings are received from the U.S. Weather Service in Bismarck by direct telephone. All severe weather and road condition reports are coordinated with the State Highway Department and Civil Defense Office.

The communications department services all calls received via the highway emergency assistance telephone, a system of incoming WATS lines whereby any motorist may call toll free for assistance, such as a tow truck or ambulance, or to report an accident or any emergency on a North Dakota highway. The dispatchers will determine and send the service needed. They have a complete listing of all emergency services and their phone numbers for every city in North Dakota. All cities are listed in alphabetical order with information such as police phone, fire phone, ambulance, hospital, wrecker service, sheriff's office, and highway patrol officer given.

Statistics

Through this system a motorist need only call the operator and ask for highway emergency assistance, or he may dial the number direct. The service is listed in every phone book and on every North Dakota driver's license. In addition, a small sticker listing the service and phone number is included in every vehicle registration folder when a vehicle is licensed in the State. This system has proven very helpful, especially to vacationing travelers who need emergency assistance or wish to report an accident.

The North Dakota Radio System also services ambulances called out by law enforcement for accidents. Ambulances are equipped with two-way radios on the State system. When the ambulance leaves the scene of an accident, the driver calls the State station advising the number of injuries

and to what hospital he is en route. State communications then notifies the hospital to alert the emergency room of the arrival of the ambulance and of the accident victims.

The communications department employs 11 radio and teletype operators, one secretary, one maintenance technician, and the director.

The teletype system costs approximately \$7,000 a month with 50 percent local and 50 percent State funds. The radio telpak control lines cost approximately \$1,300 a month. The teletype and radio circuits are paid for by a special fund which is not a part of the communications department. The communications department operates on approximately \$170,000 annually for all salaries, maintenance, equipment, replacement, equipment rental, and office space.

Traffic totals for 1971 are as follows:

611,358	radio transmissions.
43,508	motor vehicle registration requests.
71,521	teletype messages.
5,801	driver's license record checks.
170,400	NCIC transactions.
171	NCIC valid hits.
2,039	accident reports serviced.
112,253	phone calls.
11,720	highway emergency assistance calls.

FBI

POLICE STATION SECURITY

(Continued from page 4)

ally makes pronouncements and edicts: The criminals will be captured. Security, be it armed guards and/or closed-circuit television cameras, will be mounted at the station(s). Doors will be locked and windows bricked over. Then, after a period of quiet, the guards are back on patrol, the cam-

eras are found to be too costly, and somehow the windows are not bricked over. Perhaps, just perhaps, a wire fence is erected around the station perimeter.

The crisis situations can cause conflict between management and employees with faults at both levels. The officers become increasingly disenfranchised when the police administration and the city do not implement more and better security measures. The administration becomes increasingly caustic when the men fail or refuse to utilize those security measures that exist.

Management is slow to place bulletproof screens in front of a complaint desk; but the man assigned to the desk will leave it unattended, or for comfort will place his revolver in the desk drawer.

Management may not place closed-circuit television cameras to cover the building perimeter; but the officers, during rollcall and inspection, may leave open the squadroom door, thus subjecting themselves to more easily implemented sniping or bombing attacks.

Management perhaps will not accede to officers' requests for the two-man car over the one-man car; yet the same officers will drive that car through an intersection at 60 miles an hour when responding to the scene of a problem.

It all seems so incongruous. Management and worker are dedicated to the same things, in this case the safety of the building and of the personnel. Strangely, in some instances the pursuit of this dedication seems to bring management and personnel into conflict and collision.

We seem to go to extremes at both ends of the scale. In one case, recently, a police station which fields six radio cars on the midnight watch had four units on station security and only two on the street to protect the public. At a nearby station at the same time,

"busy" workers ignored a buzzer activated by someone entering the building.

Police stations are public buildings, to which the public must have access. To turn the station into a barricaded, buttressed, sandbagged fortress is to deny the access. Yet, so long as the access is "free," where we have desk workers with backs to windows with clear glass, with all workers "blind" inside the building without outside guards or surveillance, the police building remains a prime and helpless target.

Security needs to be implemented and maintained. It cannot continue to be an on-again off-again affair; it must be neither hot nor cold, overdone nor underdone. Security must be realistic and efficient, while allowing for normal business and visitations, vis-a-vis the citizenry and the police station.

What works best for you is what is best for you. What works best for me is what is best for me. Therefore, this article proposes no cure-all solution. It does propose some basic considerations.

We must train and supervise all personnel to use consistently all security tools which they have. We should occasionally test that security.


At the same time we must be open to suggestions from personnel. We have to be able to say "no" to those which are unrealistic. We must also be prepared to insist upon additional funds from the local entity to implement acceptable and additional security measures.

Outside security can be handled by closed-circuit television and/or by patrolling policemen. Wire fences and nighttime illumination add to such security. Parked automobiles, both official and personal, are prime targets for bombs and should figure in these plans.

Door buzzers and windows which are bricked over or otherwise shielded from the outside are essential. Outside speakers, through which communication can be had between visitor and inside personnel, are helpful. In each case the inside man should demand verbal identification from the visitor, even if he be a fellow policeman, prior to allowing entry.

Checkpoints, through which the visitor must pass, are becoming more essential. Again, how this is accomplished is a detail. The checkpoints can be manned by officers, viewers, metal detectors, or any combination of any number of methods. Thus, we

do not restrict access of the public to the building, but we do channel it, in the interest of station security.

Station security is not an administration problem alone. Neither is it a problem of the street policeman alone, to be handled in so-called "routine" fashion. It is the responsibility of each employee, from the clerk typist to the chief of police, from the police cadet to the platoon lieutenant. The problems and responsibilities pertaining to this kind of security must be consistently and continuously reevaluated and, perhaps, modified. 

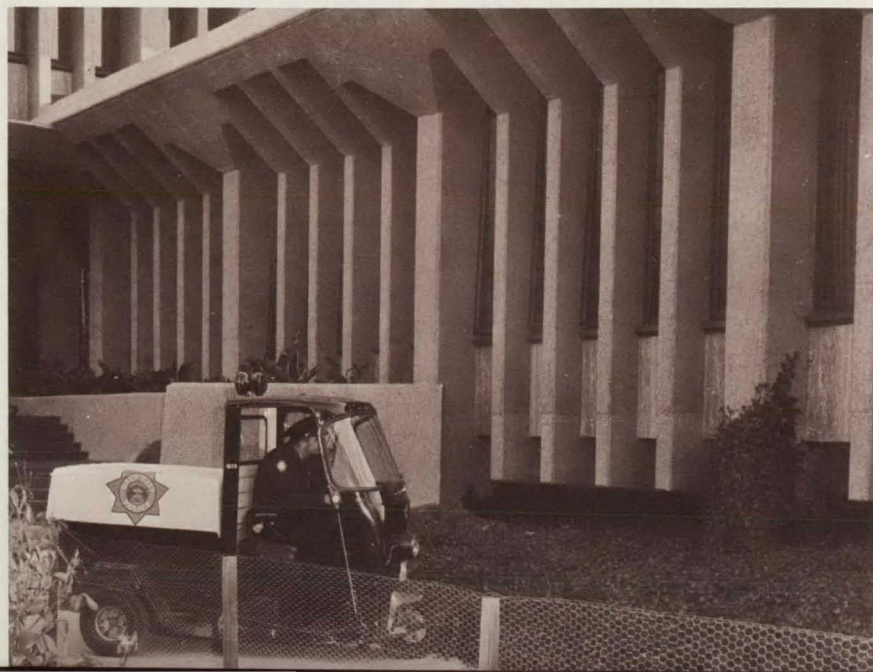
LAW ENFORCEMENT CONFERENCES

"Attacks on Law Enforcement—Related Urban Crimes" will be the subject of the 1972 FBI-sponsored law enforcement conferences to be held throughout the country in April and May. The sessions will alert law enforcement officers and inform them of matters concerning attacks on police, incendiary and bombing attacks, robbery, theft of firearms and explosives, and related topics.

Panel discussions by FBI police instructors and Federal, State, and local law enforcement representatives knowledgeable in the subject matter will be featured at the conferences. The programs will cover recognizing tactics and theories of the urban terrorist, sniper and ambush attacks against law enforcement, and nationwide trends of extremist groups.

Full-time, duly constituted law enforcement personnel, prosecutors, and members of the judiciary will be invited to the conferences, which will be conducted in closed sessions.

A parking control officer is assigned to check outside the building and grounds when security officer is unavailable.



SWAT

(Continued from page 10)

Training is conducted at various locations, and each training site is selected on the basis of the type of training planned for the day. Classes are conducted by individuals selected for their expertise in the subject being presented. In the past the entire unit has traveled to nearby military bases for 3-day training sessions taught by military instructors.

Since formation of the unit, SWAT teams have been activated on more than 100 occasions. SWAT personnel have provided security for visiting dignitaries, including the President and Vice President. For these details officers wear regulation police uniforms and are primarily deployed in high-ground and perimeter positions.

SWAT personnel have been deployed to protect officers engaged in crowd control during campus disorders, rock festival disruptions, and other civil disturbances. Teams have frequently been called to incidents involving officers being fired upon by barricaded suspects. In each of these instances, SWAT personnel have successfully prevented these suspects from injuring additional victims or escaping.

Marksmen from the SWAT unit have also successfully rescued wounded officers and hostages. They have been particularly helpful in assisting regular officers investigating armed strongholds. When necessary, SWAT personnel effect forcible entries and apprehend suspects at these locations. SWAT members have also served search warrants at heavily armed and fortified headquarters of a militant organization.

While the performance of the unit has been quite satisfactory, improvements and refinements in tactics, equipment, and organization are constantly being developed. Two changes in the present organization are cur-

rently being considered to improve the effectiveness of the unit. The first is to expand the team size to include a fifth position of team leader. The leader will be responsible for deployment of the team and the ultimate accomplishment of the team goal. The team leader will also handle communications for the team and thus, free the observer from this responsibility. The team leader will be armed with a sidearm, and a shoulder weapon will be optional equipment.

Conclusion

A second change being considered is designed to improve the unit's ability to respond to emergencies. This will be accomplished by training a 40-man metropolitan division platoon in SWAT tactics and merging it

with the present SWAT complement. Since metropolitan division personnel are deployed 24 hours a day, this will provide constant SWAT coverage city-wide at all times. Because the metropolitan division SWAT platoon will be under the full-time supervision of tactical operations group personnel, closer supervision and more intensive SWAT training than is now possible can be provided for the platoon.

The unit has proven to be a definite asset to the department by providing a pool of highly trained and disciplined marksmen to assist officers in the field as the need arises. At the same time, they are a reserve, able to respond in the event of a civil disturbance to provide the field commander a versatile resource to use in restoring control to an area that is under attack.

A large step-van truck contains telephone and radio equipment for use in mobile field command post operations.



FBI Processing of Non-Federal Applicant Fingerprints Reinstated

Previously all fingerprint contributors were advised of the memorandum opinion of U.S. District Judge Gerhard A. Gesell in *Menard v. Mitchell* which prohibited the FBI from disseminating identification records outside the Federal Government for employment, licensing, and related purposes (FBI Law Enforcement Bulletin, October 1971). As a result of that decision, processing of all non-Federal applicant fingerprints was stopped.

Recently the FBI received the authority to again process non-Federal applicant fingerprints. Section 902 of Public Law 92-184, enacted by the Congress and approved by the President, includes authorization for the use of FBI funds during fiscal year 1972 to process certain non-Federal applicant fingerprints. This legislation permits the exchange of identification records with federally chartered or insured banking institutions and, if authorized by State statute and approved by the Attorney General of the United States, with officials of State and local governments for purposes of employment and licensing.

Banking institutions may continue to submit prints directly to the FBI as in the past. The Attorney General of the United States has executed an order delegating authority under this legislation to


the Director of the FBI and has approved the following requirements for the processing of non-Federal fingerprints from State and local governmental agencies submitted for applicant and licensing purposes:

1. A State statute must provide for fingerprinting as a requisite for the type of applicant position involved or for the type of license to be issued. Local and county ordinances, unless specifically based on applicable State statutes, do not satisfy this requirement. (This requirement does not apply to arrest or investigative fingerprinting and fingerprinting of employees of law enforcement agencies or correctional institutions since such fingerprinting serves a direct law enforcement purpose.)

2. All applicant and licensee fingerprints must first be checked through the appropriate State identification bureau or, if no such bureau exists, through a central agency designated for such purpose within the State.

The Attorney General of each State is being separately requested to issue instructions to appropriate State agencies and other governmental bodies throughout his State to the effect that applicant and licensee prints submitted to the FBI must meet both of the above requirements and, in addition, instruct that all

non-Federal applicant prints be handled through the State identification bureau or agency designated. The State bureau or agency handling the fingerprint card should forward only those prints on which no disqualifying record or substantive information is found. Disqualifying information identified with the applicant or licensee print at the State or local level, of course, obviates forwarding the prints for a national check. The cards forwarded by the State bureau will be processed and results furnished to the employing agency or regulatory body shown on the fingerprint card as the contributor. These procedures will permit the FBI to receive all such prints from a single contributor for each State and will enable controls to be established which will be compatible with computerized criminal information systems. The State bureau or central agency forwarding the prints must insure they are within the categories covered by State law. Strict compliance with these requirements is necessary for efficient and orderly processing of non-Federal applicant cards under the guidelines established by the Attorney General.

Non-Federal applicant fingerprints may be submitted at any time the foregoing procedures are established. 

WANTED BY THE FBI



JAMES CLIFTON CHERRY, JR., also known as: James Butch Cherry, "Butch" Cherry.

Interstate Flight—Murder

James Clifton Cherry, Jr., is being sought by the FBI for unlawful interstate flight to avoid prosecution for murder.

On December 17, 1970, a Federal warrant was issued in Atlantic City, N.J., charging Cherry with interstate flight to avoid prosecution for the alleged shotgun slaying of an Atlantic City police officer on September 30, 1970. Cherry's alleged accomplice in the murder is currently in custody, but Cherry remains at large.

Cherry, a reputed member of the Black Panther Party, is allegedly armed with a .25 caliber automatic pistol and has reportedly stated that he will not be taken alive. He should be considered dangerous.

Description

Age----- 24, born June 16, 1947, Atlantic City, N.J.
Height----- 5 feet 11 inches.
Weight----- 160 pounds.
Build----- Medium.

Hair----- Black.
Eyes----- Brown.
Complexion-- Medium.
Race----- Negro.
Nationality-- American.
Scars and marks. Small scar right side of forehead.
Occupations-- Kitchen worker, stock clerk, theater manager.
Remarks---- Hair reportedly modified Afro style, usually wears blue tinted sunglasses.
FBI No----- 428, 672 H.
Fingerprint classification. 20 O 28 W I O M 20
L 28 W O O I

Notify the FBI

Any person having information which might assist in locating this fugitive is requested to notify immediately 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.

SPECIAL OPERATIONS

(Continued from page 14)

Whenever the Special Operations Group is ordered to assemble as a unit, it responds with the cars which have been used on patrol. The sergeants, the tactical lieutenants, the street captain, and all Special Operations Group officers report to a designated assembly area. Upon the assembly of the Special Operations Group tactical units into one cohesive semi-military organization, the deputy chief of patrol responds and takes direct command. The success of the operation is heightened because of the squad team concept and the understanding by all personnel of the unity of orders from the commander, through the captains, lieutenants, and sergeants to the patrolmen.

Communication is established among all units by a standard procedure which requires that the area lieutenants, upon responding to an assembly area, will bring with them walkie-talkie radios. These radios are distributed to sergeants and higher ranking personnel and are operated over a separate Special Operations Group frequency. In this manner the police command on the scene is able to directly control all assembled units of the Special Operations Group and move them wherever necessary to control a given situation.

In most crowd control situations, when an actual disturbance takes place, the best means to curtail it is by moving in sufficient police personnel and effecting arrests.

The ability of the Special Operations Group to assemble into a combined unit gives command the capability of controlling a situation until additional police personnel arrive. This availability of manpower to respond as a unit and the suppressive nature of tactical patrol are the true measures of the value of a Special Operations Group.

FOR CHANGE OF ADDRESS ONLY

(Not an order form)

Complete this form and return to:

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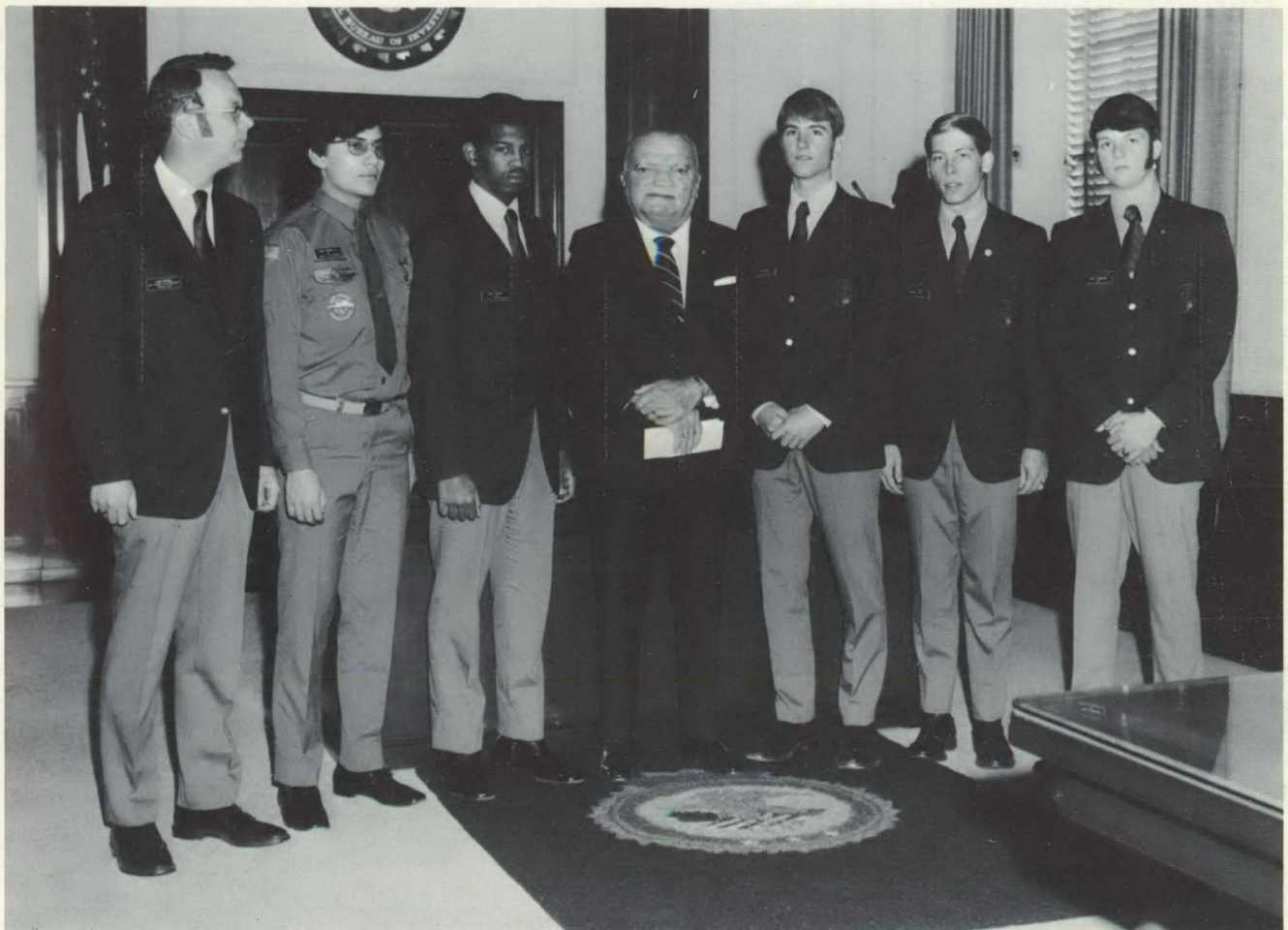
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(State)

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Visitors to FBI



During a recent visit to FBI Headquarters, members of the Boy Scouts of America, accompanied by Mr. David J. Boshea, Assistant Director, Camping and Conservation Service, Boy Scouts of America, New Brunswick, N.J., were greeted by Director J. Edgar Hoover. Shown in Mr. Hoover's office are (left to right): Mr. Boshea; Mr. Frank Ramirez, Jr., Pueblo, Colo.; Mr. Eric Hillary, Dallas, Tex.; Mr. Hoover; Mr. David Barrus, Provo, Utah; Mr. Kenneth L. Beale, Jr., Jarrettsville, Pa.; and Mr. Edwin R. Yarbrough, Chillicothe, Ohio.

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

OFFICIAL BUSINESS

RETURN AFTER 5 DAYS



POSTAGE AND FEES PAID
FEDERAL BUREAU OF INVESTIGATION

INTERESTING PATTERN



The unusual pattern presented here is classified as an accidental-type whorl. The tracing, determined by tracing from the extreme left delta to the extreme right delta, is outer.