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# FBI

## *Law Enforcement*

# BULLETIN



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1950

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**Federal Bureau of Investigation**

**United States Department of Justice**

**J. Edgar Hoover, Director**

*Index to Volume 19, 1950 (p. 24)*



# FBI Law Enforcement Bulletin

DECEMBER 1950

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United States Department of Justice  
Federal Bureau of Investigation  
Washington 25, D. C.

December 1, 1950

TO ALL LAW ENFORCEMENT OFFICIALS:

"Every Communist must know that the Party has a historical mission to fulfill....the establishment of the new world, a Soviet America."

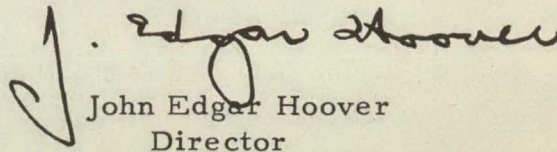
This quoted instruction was circulated by a high ranking Communist, as part of a blueprint for the organization of Communist Party revolutionary activities in the United States. We thus have a clear statement of purpose on the part of those whose efforts are dedicated to the destruction of the American way of life.

Since the objective of the Communist Party in this country is known, we are in a position to evaluate the manner and extent to which it threatens the internal security. It is particularly important that we recognize the national scope of Communist Party plans to replace our democracy with a dictatorship. The goal of Communism is total enslavement, and its program is directed against the nation in its entirety.

The nation-wide character of the Communist menace, and the necessity for meeting it on a national basis, were underscored on July 24, 1950, when the President of the United States repeated earlier designations of the FBI as the agency responsible for correlating matters affecting the national security.

The wisdom of meeting this national problem on a national scale is made more evident with each admission by the Communist Party as to its true aims. In discharging its duties under the Presidential Directive, the FBI will rely in a large measure upon the continued cooperation of other law enforcement agencies whose assistance has been generous and effective on so many occasions.

Very truly yours,

  
John Edgar Hoover  
Director



# FEATURE ARTICLE

## Law Enforcement Methods and Due Process of Law

by ROBERT W. MILLER,<sup>1</sup> *Professor of Law, Syracuse University College of Law*

### Introduction

In a recent series of opinions the Supreme Court of the United States has made a detailed examination of various law-enforcement practices, particularly in the fields of arrest, interrogation, and search and seizure. It is vitally important for each member of the law-enforcement profession to understand the trend of these decisions and their impact on his day-to-day methods of operation.

The purpose of this article is to acquaint State and local officers with some of these decisions and, by setting forth certain basic principles of constitutional law, aid them in better understanding the Federal due-process clause under which the Supreme Court may be the final arbiter in matters heretofore believed to be solely State affairs. A



*Prof. Robert W. Miller.*

<sup>1</sup> Author of *New York State Laws of Extradition and Rendition and Their Practical Application*, 15 *FBI Law Enforcement Bulletin*, Nos. 10, 11, and 12 (1946).

byproduct of this discussion, which will not include decisions solely of interest to Federal officers,<sup>2</sup> will be an explanation of why the need exists for State and local authorities to promptly notify appropriate Federal agencies of discovery of Federal violations and, particularly, of arrests of individuals suspected of being or discovered to be violators of Federal law.

### Some Basic Principles of Constitutional Law

The first 10 amendments to the Constitution of the United States are known as the Bill of Rights. Amendments I-VIII guarantee many rights and constitute a limitation on the power of the Federal Government as distinct from the States. Typical of these is the fourth amendment which provides:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated. . . .

This means that our Federal Government cannot authorize "unreasonable searches and seizures" and any legislation by Congress attempting to do so would be declared unconstitutional by the Supreme Court.

Interpretation of Federal Statutes, Federal rules of criminal procedure and amendments I-VIII by the Supreme Court is binding on Federal law enforcement officers and Federal courts in the Federal administration of criminal justice. No Supreme Court case decided under amendments I-VIII is binding *per se* on State courts.

All States, either by State constitution or State statutes, have similar provisions against "un-

<sup>2</sup> See *Johnson v. United States*, 333 U. S. 10 (1948), *McDonald v. United States*, 335 U. S. 451 (1948), *Trupiano v. United States*, 334 U. S. 699 (1948), *United States v. Di Re*, 332 U. S. 581 (1948), *Lustig v. United States*, 338 U. S. 74, 69 S. Ct. 1372 (1949), and *Garner v. United States*, 174 F. (2d) 499 (1949); cert. denied, 69 S. Ct. 1502 (1949).



reasonable searches and seizures." State courts are free to interpret this legislation as they deem proper in the absence of any claim being made that their holdings violate due process of law as guaranteed, not by the fifth amendment which limits the Federal Government, but by the fourteenth amendment which provides:

... nor shall any State deprive any person of life, liberty, or property, without due process of law.

The fourteenth amendment is a limitation on the power of the States and decisions of the Supreme Court interpreting this amendment are binding on State courts in the administration of criminal justice by the various States.

As an illustration of how these basic principles operate in action, consider the "illegally obtained evidence" problem.

### ***Admissibility of Evidence Obtained by an Unreasonable Search and Seizure***

It is significant that the fourth amendment is silent as to what should be done where evidence obtained contrary to the guarantee is offered at a Federal trial as a basis for conviction of the accused for violation of Federal law. Either of two views is possible; namely, suppress and return the evidence to the accused on timely motion by him, or admit the evidence against him with redress for such violation being civil or criminal action against the violator.

Faced with a choice of these possibilities, in *Weeks v. United States*,<sup>3</sup> the Supreme Court adopted the former view. A United States marshal searched and seized certain letters and envelopes from petitioner's room which were used to convict him on a charge of illegal use of the mails for lottery purposes. The search and seizure were not by consent, incident to arrest or by search warrant and were, therefore, illegal. The conviction was reversed and a Federal rule binding on the Federal Government and its agencies enunciated whereby, upon timely motion, illegally obtained evidence is made inadmissible in Federal trials. The Court stated that the fourth amendment is not directed to individual misconduct of State or local officers but only to Federal officers.

Many States adopted the Federal view in deciding how to interpret their State legislation pro-

hibiting unreasonable searches and seizures.<sup>4</sup> On the other hand, many other States rejected the Federal view and adopted the second possibility—admitting such illegally obtained evidence with civil remedies and criminal penalties being available against the offending officials.<sup>5</sup>

It is at this point that the fourteenth amendment due process clause becomes important. While "due process of law" defies exact definition, it does protect the right of an accused to a fair trial. It has been repeatedly urged that the due process clause of the fourteenth amendment draws all of the Federal Bill of Rights under its protection.<sup>6</sup>

The significance of this split in thinking was illustrated in *Wolf v. People of the State of Colorado*.<sup>7</sup> The petitioner was convicted of a crime in a State court on evidence which had been illegally seized. Colorado had rejected the Federal view of the *Weeks* case. Petitioner claimed a conviction based on such evidence constituted a denial of due process of law guaranteed by the fourteenth amendment. The question for decision was stated to be:

... whether the basic right to protection against arbitrary intrusion by the police demands the exclusion of logically relevant evidence obtained by an unreasonable search and seizure because, in a Federal prosecution for a Federal crime, it would be excluded.<sup>8</sup>

Justice Frankfurter, delivering the opinion of the Supreme Court, stated:

The notion that the "due process of law" guaranteed by the fourteenth amendment is shorthand for the first eight amendments of the Constitution and thereby incorporates them has been rejected by this Court again and again after impressive consideration.<sup>9</sup>

He reasoned that the *Weeks* case was "a matter of judicial implication." Which is to say that it created a Federal rule of evidence to implement the guarantee rather than the fourth amendment itself

<sup>4</sup> Florida, Idaho, Illinois, Indiana, Iowa, Kentucky, Michigan, Mississippi, Missouri, Montana, Oklahoma, South Dakota, Tennessee, Washington, West Virginia, Wisconsin, and Wyoming.

<sup>5</sup> Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Kansas, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Utah, Vermont, Virginia. The view of Rhode Island is uncertain.

<sup>6</sup> See *Adamson v. People of State of California*, 332 U. S. 46 (1947), where rights under fifth amendment were held not to be included within fourteenth amendment.

<sup>7</sup> 338 U. S. 25, 69 S. Ct. 1359 (1949).

<sup>8</sup> *Id.*, 69 S. Ct. at 1362.

<sup>9</sup> *Id.*, 69 S. Ct. at 1360.

<sup>3</sup> 232 U. S. 383 (1914).



requiring exclusion of evidence illegally obtained. The opinion continued:

Granting that in practice the exclusion of evidence may be an effective way of deterring unreasonable searches, it is not for this Court to condemn as falling below the minimal standards assured by the due process clause a State's reliance upon other methods which, if consistently enforced, would be equally effective . . . We hold, therefore, that in a prosecution in a State court for a State crime the fourteenth amendment does not forbid the admission of evidence obtained by an unreasonable search and seizure.<sup>10</sup>

Justice Black concurred on the ground that "the Federal exclusionary rule is not a command of the fourth amendment but is a judicially created rule of evidence which Congress might negate."<sup>11</sup> He reaffirmed his belief, however, that the fourteenth amendment was intended to make the fourth amendment in its entirety applicable to the States. Justices Douglas, Murphy, and Rutledge dissented on the grounds that the evidence admitted was secured in violation of the fourth amendment, that the view that the amendment itself required its exclusion was too well settled to disturb at this late date and that the fourteenth amendment includes all the rights guaranteed by amendments I-VIII. Justice Murphy, speaking of the majority opinion, stated:

Today's decision will do inestimable harm to the cause of fair police methods in our cities and States. Even more important, perhaps, it must have tragic effect upon public respect for our judiciary. For the Court now allows what is indeed shabby business; lawlessness by officers of the law.<sup>12</sup>

### ***The Confession Problem***

During 1930-31, a Nation-wide investigation and study was made by the National Commission on Law Observance and Enforcement. The Wickersham Commission reported in part:

The third degree—the inflicting of pain, physical or mental to extract confessions or statements—is widespread throughout the country . . . physical brutality is extensively practiced. The method most commonly used is protracted questioning (either alone or accompanied by threats and force) . . . prolonged illegal detention is a common practice. . . .<sup>13</sup>

<sup>10</sup> *Id.*, 69 S. Ct. at 1362, 1364.

<sup>11</sup> *Id.*, 69 S. Ct. at 1367.

<sup>12</sup> *Id.*, 69 S. Ct. at 1371.

<sup>13</sup> National Committee on Law Observance and Enforcement, Report No. 11, *Lawlessness in Law Enforcement* (1931) at 153.

It would, indeed, be surprising if the judiciary were to condone such practices. Certainly grave warnings to the law enforcement officer were contained in this report and it would be logical to assume that the guarantee of a fair trial by the due process clause of the fourteenth amendment might be the basis for Supreme Court intervention in matters formerly believed to be solely State affairs.

Confessions induced by force, threats, or promises of immunity have long been held inadmissible against the confessor in both State and Federal courts as being either involuntary or untrustworthy. However, the question whether a confession is so tainted by coercive conduct as to be inadmissible ordinarily presents an issue of fact. In many States the trial court, after hearing the claims on both sides, will either admit or exclude the confession. If it admits it, the jury will be told to disregard the confession if they find it was not voluntarily made. The Court having properly charged the law as it relates to confessions, only a question of fact remains for jury decision. It was not until 1936 that a State confession case reached the Supreme Court under the due process clause of the fourteenth amendment.

### ***State Confession Cases on Appeal to the Supreme Court***

In *Brown v. Mississippi*,<sup>14</sup> three individuals were tried for murder in a State court. The sole evidence against them were their confessions. A deputy sheriff, with other persons, took one of the accused to the scene of the crime. Upon his denial of guilt, he was twice hanged from a tree, then tied and beaten. A few days later he was whipped by two deputies until he confessed. The other two, stripped and laid over chairs, were beaten with a leather strap with buckles, being informed such would continue until they confessed in a manner satisfactory to the officers. The record was undisputed as to these facts and the State supreme court affirmed the convictions, partly on procedural grounds. The Supreme Court reversed on the ground such convictions were "void for want of the essential elements of due process" in that the confessions were coerced and were the sole evidence upon which the convictions were based. The Supreme Court, thus presented with undisputed acts of brutality in ob-

<sup>14</sup> 297 U. S. 278 (1936).



taining a confession, was provided the opportunity, under the fourteenth amendment, of establishing minimum fair trial standards obligatory upon the States. The process of testing police methods and practices against such standards was now indicated.

Four years later came *Chambers v. Florida*.<sup>15</sup> Two trial juries had found the confessions of four persons convicted of murder were not coerced, the evidence being in conflict as to physical mistreatment. The Supreme Court was now squarely presented with the question as to whether the finding of the jury on this issue was final and conclusive. In reversing the convictions, it was held that the Supreme Court would make an independent determination of this issue "by review of the facts upon which that issue necessarily turns." Searching the record for undisputed facts, it found (1) dragnet arrests on suspicion without warrant of about 40 suspects; (2) 1 week's detention in jail without counsel or friends, and (3) lengthy interrogation by relays of officers—and held "the undisputed facts showed that compulsion was applied."

In 1941, in *Lisenba v. California*,<sup>16</sup> the petitioner, though having little formal education, was intelligent and experienced in business. He was charged with conspiring with another to murder his wife, the plan being to make it look accidental and defraud the insurance company. The wife was drowned in a fishpond after being bitten by rattlesnakes several times without fatal results. Arrested on April 19, a Sunday, accused was "repeatedly and persistently questioned at intervals" until Tuesday morning without arraignment as required by State law, and was once slapped by an officer—but no confession resulted. Eleven days later, after the conspirator confessed, accused was interrogated during the afternoon by the district attorney and thereafter until midnight by officers. After a midnight meal at a public cafe, the district attorney was called and a confession was made. The jury found the confession was voluntary. The Supreme Court affirmed the conviction, the confession, in the light of the jury verdict, not being tainted by the prior illegal conduct of the officers.

In *Ashcraft v. Tennessee*,<sup>17</sup> decided in 1944, the defendant had been taken one afternoon to the

morgue where he identified as his wife the body of a woman who had been beaten to death. After several hours questioning at the jail he was released, never having been arrested. The accused was a well-to-do man. Nine days later at 7 p. m. on a Saturday, he was arrested and subjected to a steady barrage of questions for 28 hours when he confessed that he knew who killed his wife—naming an individual named Ware. Ware, being arrested, promptly confessed and named Ashcraft as the person who had hired him to do the killing. Ashcraft, after being grilled for another 8 hours, admitted his guilt but refused to sign a statement. The oral confession was admitted against him and he was convicted. The Supreme Court reversed on the ground that the holding of Ashcraft incommunicado, without sleep or rest, for 36 hours of interrogation was "inherently coercive" and a conviction based upon such evidence was in violation of the due process clause.

*Lyons v. Oklahoma*,<sup>18</sup> decided a month later, involved an individual convicted of killing a tenant-farmer, his wife and child and burning of the house to conceal his crime. After an eight-hour session with about a dozen officers he confessed during the early morning hours. Bones of the victims contained in a pan were placed in his lap and mistreatment was not denied. He was then taken to the scene and from there to the penitentiary where he had previously served time. Interrogated by the penitentiary officers and without claim of mistreatment by them, he signed a second acknowledgment of guilt just 12 hours after his first confession. At the trial, the second confession was introduced and the jury found it to have been voluntary. The Supreme Court affirmed the conviction.

*Malinski v. New York*,<sup>19</sup> decided in 1945, involved the killing of a police officer engaged in guarding a custodian of money who was robbed while en route to a bank. The police were advised that Malinski had told of participating in the hold-up to which there were no eyewitnesses. Arrested early one morning while en route to work, he was taken to a hotel, stripped and kept naked until 11 a. m., when he was partially clothed and allowed to talk to a former associate brought from the penitentiary. Shortly thereafter he con-

(Continued on page 12)

<sup>15</sup> 309 U. S. 227 (1940).

<sup>16</sup> 314 U. S. 219 (1941).

<sup>17</sup> 322 U. S. 143 (1944).

<sup>18</sup> 322 U. S. 596 (1944).

<sup>19</sup> 324 U. S. 401 (1945).





## FEATURE ARTICLE

*The November 1950, issue of the FBI Law Enforcement Bulletin carried the article Police Fatalities Throw Light on Patrol Methods, by Robert H. Kirkwood and Bruce Smith. The following article is presented to afford readers an opportunity to consider other views concerning the same subject matter.*

### Introduction

Police presence in an area is a definite deterrent to law violations. No one will deny that. Under the one-man system, greater coverage will be provided but unless the area assigned to each is small, he will not be in position to give the support to officers in adjacent districts which the advocates of the one-man car system claim. Past experiences in Dallas, Tex., indicate that with one man to the car, no district should embrace more than 1 square mile.

### Two-man System Favored

After extensive study of the advantages and disadvantages of one-man and two-man scout cars through experience and studies of results in other cities, it was also concluded that the practical answer to efficient over-all police coverage in St. Louis, Mo., is the two-man scout car system. It is not felt that the St. Louis or Dallas situations are exceptions but are characteristic of the average American city.

### Survey

A survey recently made by Harold H. Moore, a member of the Police and Fire Commission, of Highland Park, Mich., analyzed 88 replies received from 104 cities polled on 1- and 2-man police cars. While 48 cities—55 percent of the answering cities—used some sort of 1-man cars, 35 of these 48 cities preferred or recommended the use of 2-man cars. In cities over 500,000 population, 1-man cars are not generally used.

## Assignment of Personnel to Police Cars

by JEREMIAH O'CONNELL, *Chief of Police, St. Louis, Mo.,* and CARL HANSSON, *Chief of Police, Dallas, Tex.*

### One-Man Police Cars

Let us take a look at some of the arguments in favor of one-man police cars:

1. Greater coverage.
2. Faster response to calls for police service.
3. Better distribution of manpower.
4. Greater deterrence to violations of the law.
5. Safer for the officer because he will be more cautious.
6. More efficient individual performance.
7. Economically sound.

There is little ground for argument that greater deterrence to law violations is achieved by spreading the manpower over a wider area through the use of one-man cars, but in reaching any general conclusion, it is believed that equally important is the consideration which must be given to the safety of the police officer and his ability to effectively handle any law enforcement situation which might arise. It is felt that the one-man car system unnecessarily jeopardizes the police officer and detracts from his ability to act effectively in emergency situations. Those who advocate the one-man car system say that special training in approach techniques reduces the hazard to a minimum, but can training entirely satisfy all situations?

### Examples

A two-man patrol car in Dallas, after checking the speed of a Cadillac, pulled it up to the curb. After stopping the car, the officers recognized two of the occupants as local thugs. The third man was unknown to them. There was no "pickup" on the car or the men. The officers ordered the men out of the car and the order was obeyed. The unknown man, however, ran, pulled a gun and fired at the officers. One of the officers returned the fire effectively.

In another incident, a solo motorcycle officer stopped a speeding car. After dismounting he



approached the driver, on the driver's side of the car, and found himself looking into the muzzle of a revolver. The car was occupied by two men wanted for bank robbery in Oklahoma. No "wanted" had been put on the car or on the occupants. The officer was kidnaped, his revolver and handcuffs thrown into a ditch several miles from Dallas.

### ***Patrol and Scout Cars Distinguished***

What training can be given to help officers in such instances? Calling the dispatcher and giving the location, license number, and description of a law violator will not save the life of the officer. It may help in the apprehension of the criminal, but that is small consolation to the widow or the department. Proponents of the one-man car system say that such incidents are rare and that these situations are to be expected in police work. But they are not infrequent and are too soon forgotten.<sup>1</sup>

Most basic police service in large American cities is provided by a two-man car, which is dispatched by radio to an incident. This car is what we call a "two-man scout car." In addition, a car may be used to patrol a beat or residential area requiring a minimum of police service and replaces one or more foot police officers. We call this type of car a "one-man beat patrol car." In all cases, it should be made clear whether the one-man scout car, the two-man scout car, the one-man beat patrol or the two-man beat patrol is being discussed.

### ***Some Factors Involved***

In some cities, such as St. Louis, we believe that the beat patrol car duty and the scout car duty are radically different and require different thinking. Here both one-man and two-man beat patrol cars are used. There is no objection to giving a man with a large beat, a large undeveloped area, or an inactive area a car to help him do his work. But, these are in addition to regular scout cars. Any discussion, therefore, centers around the use of the one-man scout car versus the two-man scout car. Whether a city can effectively and safely use the

one-man scout car instead of the two-man scout car in certain areas seems to hinge on several factors:

1. *Crowded population and housing.*—It must be recognized that these are the areas in which the criminal is made and in which most crime occurs. These areas must be policed accordingly. For the safety and protection of the officers and for efficiency in performing police duty, these areas require two-man scout cars.

2. *Crime in areas.*—Large American police departments know the areas within their cities where serious crimes are most prevalent. These areas do not necessarily coincide with areas of traffic congestion or other areas where police have been concentrated. Thus, two-man cars may be necessary.

3. *Police service not involving crime.*—In law enforcement, general service is given which is by nature neither criminal nor traffic. We are thinking in terms of prowlers, dog-bite cases, persons who are violent, drunks, fights, and other matters of that type. For practical purposes, the calculation as to whether a one-man or two-man car will be dispatched on such an incident, must be made by a radio dispatcher—who is seldom in possession of the necessary facts at the time of dispatch. The greatest mistake police can make is to underestimate the gravity of a situation. It is interesting that when fire-fighting equipment is dispatched, in the majority of cases, the maximum amount of apparatus is sent—usually more than the situation warrants. One of the most useless statistical exercises for a police department is the calculation of the number of cases in which it could have used a one-man car when the tabulation is based on an analysis made after the incident when the department is in full possession of all the facts.

4. *Area covered by car.*—Continued analysis of the factors affecting the need for police service makes it possible for a department to change the size of the scout car patrol area. Often a department fails to realize that too small a scout car patrol area may result in the uneconomical use of manpower. The answer could be a more efficient and effective patrol by a two-man car over a larger area.

5. *Concentration and demand for police service.*—Generally afternoon and evening hours are the busiest for a large police department. After midnight and until the morning rush, the scene is relatively quiet. Ironically, in most cities where one-man scout cars are in use, they are not used on

<sup>1</sup> In the article by Messrs. Kirkwood and Smith, cit. supra, it was stated: "For all 45 of the reporting States, the number of assaults and deaths in State police service for the 10-year period, 1939-48, based on the current distribution of patrol cars, is only 1.96 per 1,000 single patrol units and 3.22 per 1,000 dual or multiple patrol units."



the midnight to 4 a. m. watch. Clearly this has little reference to the volume of police work being done at the time.

6. *Traffic control and accident problems.*—In traffic control and accidents such factors as the investigation of the accident, caring for the injured, directing traffic at the scene, and ambulance and assistance facilities provided must be considered. It should be noted that accident investigation procedures generally recommend two-man crews exclusively for these services. In fact, when a study was made of the traffic problems in St. Louis, the number of cars recommended for this duty alone was almost half of the total number of two-man cars in the police department. Studies in St. Louis have shown that the two-man scout cars have ample time to make these accident reports and at the present time are performing that function as part of their regular duties. The introduction of one-man scout cars would raise a question of economy if two-man accident investigation cars also had to be provided to handle the work.

7. *Control of police personnel.*—Each police department, of course, has its own particular system for control of uniform personnel. In St. Louis, with few exceptions, the second man in each two-man scout car is the precinct sergeant. If a sergeant is to have first-hand knowledge of what is happening in all parts of his precinct, he must be in a car. Unless he is the second man in the car, you would necessarily have to provide another car. It certainly would not be economical to have a one-man scout car called to an accident and have the precinct sergeant in a second car also respond to the call.

8. *Hostility of residents.*—Police often perform duties which are unpopular with certain segments of the community. When these conditions prevail—whether temporary or permanent—the police department must be prepared and whether one or two men will be in the scout car will naturally come into the discussion.

### ***Other Considerations***

When contemplated plans are put into effect, St. Louis will have 11 precincts in residential areas. These precincts, about 25 percent of the total number of precincts, cover slightly more than 50 percent of the area of St. Louis. They average a little more than 3 square miles each. In much of this

area, 2-man scout car coverage will be the only police coverage.

In Dallas, all district cars are manned by two men after dark. The one-man cars are used only in areas where the crime rate is low. A one-man car system was attempted in Dallas in 1944. The city at that time comprised 44 square miles. Both traffic and criminal arrests fell off materially. When the two-man car system was reestablished, these arrests increased. The one-man plan has a better chance of succeeding in a city where the rate of serious or violent crime is low and sufficient personnel is available to permit small beats. It has been said that more efficient individual performance is obtained by one man to the car because, having no one to talk to, he will devote more time to observing what is going on about him. Driving an automobile, however, is a full-time job and we preach that to civilian drivers.

Several public administration agencies have favored one man in a police car because of economy. Other arguments have suggested that one man could do the work of two with no less efficiency and the danger to one man riding alone is no greater. The training being equal, however, two properly supervised officers will accomplish twice as much work as one by himself.

### ***Conclusion***

It might be said that a police officer finds it difficult to discuss the problem of one-man versus two-man cars without adopting a narrow police point of view. A police official, however, is prone to reach a conclusion on the basis of experience gained in his particular department, the administration of which is his personal responsibility.

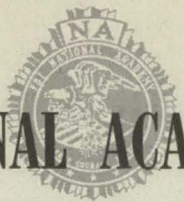
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## ***Notice***

In connection with the submission of fingerprint arrest records to the Identification Division of the Federal Bureau of Investigation, it is requested when it is known to the contributor that the subject is an employee of the United States Government, that fact be recorded on the back of the fingerprint card. This entry should be made at the bottom of the space reserved for the photograph and should set forth the name of the department or agency and the position occupied.



# FBI NATIONAL ACADEMY



## **Forty-fifth Class Graduates From FBI Academy**

Graduation exercises for the forty-fifth session of the FBI National Academy were held in the Departmental Auditorium, Washington, D. C., on September 29, 1950. Fifty-six local law-enforcement officers received diplomas. These men had completed 12 weeks of intensive training in the latest phases of crime detection work at FBI Headquarters in Washington, D. C., and Quantico, Va.

The principal addresses were delivered by Rear Adm. Sidney W. Souers, special consultant to President Truman, and Mr. Fulton Oursler, senior editor of Reader's Digest. Diplomas were awarded by Assistant Attorney General A. Devitt Vanech of the United States Department of Justice. Robert Ernest Goodwin, captain of detectives of the Raleigh, N. C., Police Department, president of the class, also addressed the gathering. The forty-fifth session commemorated the fifteenth anniversary of the academy, which was founded in 1935.

### ***Address of Admiral Souers***

Admiral Souers, after commenting upon the establishment of the FBI Academy, stated:

\* \* \* the Academy—like the FBI itself—has made a major contribution to the security and welfare of the United States. The wisdom and foresight displayed in founding this school were amply proved by our magnificent security record during World War II. Thanks largely to the FBI and its National Academy there was not a single major act of enemy inspired sabotage, and crime was held down to a remarkably low level during that entire period.

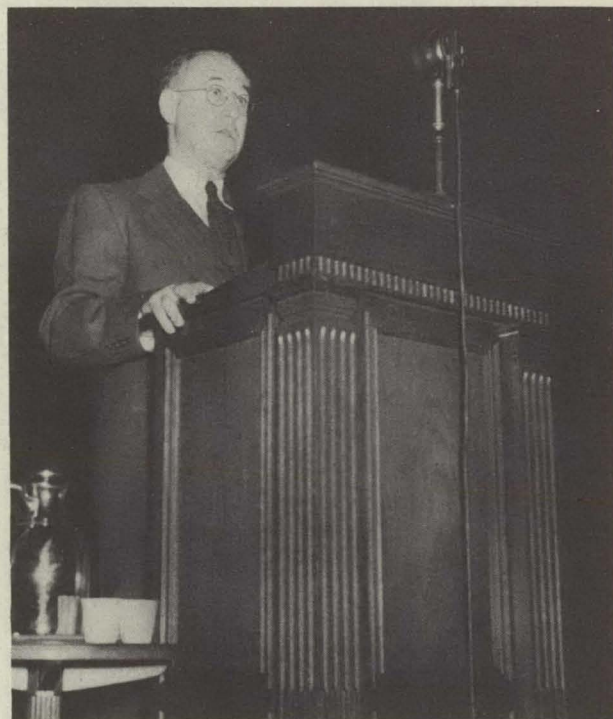
Now we are again in a period of grave international tension, for Communist imperialism endangers the peace of the world and threatens our existence as a free Nation. The fears and suspicions brought on by Soviet aggression will last for many years and, as public servants, we are acutely concerned over the dangers of espionage and subversion, engendered by that foreign-inspired aggression.

Accordingly, you and your fellow law-enforcement officers face a new period when your contributions will be of major importance in protecting our country. You gentlemen who are graduating are indeed to be congratulated in preparing yourselves for the difficult times ahead.

As President Truman recently stated, "We face most acutely the threat of the Communist movement, international in scope, directed from a central source, and committed to the overthrow of democratic institutions throughout the world." While Mr. Hoover, the FBI, and others concerned with national security fully recognize the gravity of the menace confronting us, I would like to emphasize this morning some aspects of this menace which warrant special attention at this time.

The false, materialistic, and godless ideology known as communism advocates and strives to effect a series of violent revolutions, designed to overthrow all non-Communist governments. Its successes to date are well known to all, particularly are they well known to the distressed and suffering peoples of Latvia, Lithuania, Estonia, Poland, Albania, Roumania, Hungary, Bulgaria, Czechoslovakia, and Eastern Germany—all of whom have been enslaved by the proponents of this inhuman philosophy.

Just as this enslavement process was facilitated in those countries by Kremlin-directed agents of international communism, so also are Communist agents working in our midst today to bring about similar conditions in the United States.



***Rear Admiral Sidney W. Souers, Special Consultant to the President.***



## ***The Threat of Communism***

Admiral Souers continued to discuss the threat of communism in these words:

\* \* \* It is fortunate that the American people are fully aroused to the sinister evils of communism, but we must watch our step in how we deal with it. The wave of anticommunism which is sweeping the country is not an unmixed blessing. It contains the seeds of danger. Unrestrained and indiscriminate anticommunist activity can be just as dangerous to American institutions as Communist activity itself.

The problem we have with communism is not a new problem. The issue which communism presents to us as public servants is an old one—as old as the United States itself. The issue is simply this: How, in times of stress and danger, do we maintain the order and security we want without sacrificing personal liberty?

\* \* \* In our determination to keep communism under control, we must never forget that extreme action on an indiscriminate basis may be as dangerous to our liberties as anything the Communists themselves could ever do in this country. We have no place in our country for vigilante activities.

As a matter of fact, American Communists would like nothing better than a wholesale outbreak of vigilante activities so that they might capitalize on the ensuing confusion. Should such an outbreak occur, I am sure that it would serve only to make martyrs of the Communists. They would take advantage of vigilantism by initiating a campaign of vituperation against all law enforcement.

I would not for a moment underestimate the seriousness of the Communist menace. I know from personal and long experience in dealing with Communist agents how clever and dangerous they can be. But, I am convinced that we are already meeting the challenge of communism in a sober and sensible way. I am convinced that we can control the problem. I am convinced also that there is no need for the American people to give way to another wave of hysteria like those which have swept our country in the past.

My confidence is based on the soundness of the policies which the Nation is now following in dealing with communism.

### ***Meeting the Communist Menace***

We are attacking the Communist menace in three ways.

First, we are building up the strength of the free world. The greatest danger of communism comes from abroad. We hope the Communists will not start a Third World War, but the invasion of the Republic of Korea demonstrates that Communist leaders are willing to use open warfare as well as internal subversion to extend their tyrannical control over other countries. Because of that danger, we are doubling the size of our Army, Navy, and Air Force, and we are more than doubling our military aid to other free nations. We are building this military strength to convince the Communist leaders that they cannot afford to start another Korean episode.

Our second method of attacking communism is to con-

tinue improving our own democracy. We already have the richest, most productive economy the world has ever known, and we enjoy the world's highest standard of living. Americans own 85 percent of the world's automobiles. As a Nation, we have more and better food than any other country. We have more schools and more hospitals. We have complete freedom of speech and of religious worship. But it would be foolish to pretend that we are perfect. Some poverty, slums, and misery still exist. These conditions aid the growth of communism, for Communist leaders make glittering promises to the underprivileged, who have no way of knowing that these promises are entirely false.

The best way to curb communism in the United States is to wipe out these conditions upon which it thrives by continuing to improve the health, welfare, and education of our underprivileged. If we maintain this progress in improving our democracy, communism will never have any appeal to the American people.

Our third method of attacking communism is by working, through our intelligence and law enforcement agencies, against those engaged in subversive activities. We must work calmly, without hysteria, and with the aid of a patriotic and fully informed public \* \* \*.

### ***Obligations of Law Enforcement***

He concluded his address by stressing the sacred obligations of the law enforcement officer:

As public servants, we are determined to protect our internal security. But in that determination we must never forget that the purpose of that security is to allow us to enjoy personal liberty.

As law-enforcement officers, you have especially great responsibilities in this regard. You must be vigilant in enforcing the laws which protect our citizens in the exercise of their constitutional rights.

All of us who are public servants must do our best to prevent mob violence, and we must cherish and guard zealously the right of all Americans to vote, to speak freely, to worship freely, and to be tried fairly.

As public officials it is our duty to protect the innocent as much as it is to catch the guilty. Justice, and fair play for the weak, or for the victims of prejudice or suspicion, are as important to our democracy as prompt punishment for the guilty.

The public interest—which all of us are sworn to uphold—is not just the interest of our Nation, our State, or our community. It is first and foremost the interest of individual citizens.

It is this concern for the rights and the welfare of each American that distinguishes our democracy from Communist and other totalitarian states. It is this concern for the individual, as well as for our security, which must guide all law-enforcement officers in the United States. And it is this devotion to the rights of our citizens that will insure the ultimate triumph of democracy over communism.

As J. Edgar Hoover has said so well: "Law enforcement in America is inextricably linked with the democratic tradition which has given birth, guidance, and validity to the institutions of this Nation. Previous attacks on



western society have been turned back. The challenge of communism, too, can and will be mastered, and in a democratic manner."

### *Address of Mr. Fulton Oursler*

Mr. Fulton Oursler, in his remarks, emphasized that even in the short period of time which the graduating class had spent in the FBI National Academy, " \* \* \* hope has darkened over the world and danger has come closer." Mr. Oursler then continued:

In such a fearsome time as this, you are fortunate that here in the National Police Academy you have learned more than judo, fingerprinting, marksmanship, and laboratory analysis. Over this unique school, over every department of the Federal Bureau of Investigation, there lies a heartening and steadying influence—the spirit of a leader whose vision rises beyond technology to reach the soul of his work, inspiring confidence and courage, hope, and faith in the very midst of universal confusion—the spirit of your director, Mr. J. Edgar Hoover. You could not study here and fail to be touched by that constructive spirit; by its unshakable trust in the coming victory of the ideals of freedom and faith in today's struggle for men's minds.

Nothing that you have been taught here of mental and physical skills is as valuable as that spirit. May it never be lost.

### *The Dangers We Face*

The world to which you return after your brief retreat is threatened today by a triple danger. All that we believe in, all that makes life worth living for God-fearing, freedom-loving people, is threatened by this menace. There is the enemy outside our frontiers that would enslave our country, there is the traitorous enemy inside our own citizenship that collaborates with the outside foe, and finally there is the third enemy more deadly than either of the others, the enemy that is within ourselves.

But against this three-ply danger there is a three-ply faith by which we can find the truth, and through that faith the truth shall make us free—because truth, above all, beareth away the victory.

The universal foreboding of coming catastrophe has been well stated in an article in *Harper's Magazine*, from which I would like to quote these few words:

"It is a gloomy moment in history. Never has the future seemed so incalculable. In France, the political caldron seethes and bubbles with uncertainty. Russia hangs as usual, like a cloud, dark and silent, upon the horizon. \* \* \* All the energies, resources, and influences of the British Empire are sorely tried, and are yet to be tried most sorely, in coping with the vast and deadly disturbed relations in China.

"It is a solemn moment, and no man can feel an indifference in the issue of events.

"Of our own troubles no man can see the end. They are, fortunately, as yet mainly commercial. If we are



*Mr. Fulton Oursler, Senior Editor of Reader's Digest.*

only to lose money, and by painful poverty to be taught wisdom—the wisdom of honor, of faith, of sympathy, and of charity—no man need seriously to despair.

"And yet the very haste to be rich which is the occasion of this widespread calamity, has also tended to destroy the moral forces with which we are to resist and subdue the calamity."

Now those words summarize fairly well the world picture of today. But those words were not written today or yesterday, not last week nor last year. What I have just read you first appeared in *Harper's Weekly*, close on to a hundred years ago. It was published in the year 1857!

In this coincidence we may take some hope. At least, ours is not the first time that men have feared the worst.

Moreover, we have also had our second danger with us in the past. Our history of noble patriotism is speckled too often with treason. Human nature, fallen as it is, turns up its rascals in the most sacred causes. Among the 12 around the Master there was one faithless scoundrel. Judas always turns up. Today his descendants are loose among us, sowing the seeds of discord and division, bigotry, and hate; working for our foreign enemies, stealing our military and industrial secrets, planning sabotage, ready, if they ever could, to deliver us into the hands of invading armies. They compose our second enemy.

\* \* \* But the third danger remains. And we have had that danger with us ever since the gates shut us out of Eden.

### *The Third Danger*

About this third danger the people of the United States, through the Congress, the President, the Supreme Court, can do nothing. Here government is helpless. Only we as



individuals can defeat this enemy—for it is we ourselves who are our worst enemies. We cannot delude ourselves by blaming the present state of the world on communism—for that simply isn't so. Instead, we can blame ourselves for communism. For communism is not one thing; it is two things.

It is first of all a system of philosophy, and that system I reject as the very incarnation of evil. But communism is also a criticism of conditions as we have allowed them to exist. It batters on the misery of peoples—and who permitted that misery? All of us. If Christians had been truly Christian in the last 200 years, if we had lived up to what we say we believed in, there would have been no human waste to catch fire from the torch of Karl Marx.

## ***The Need of Mankind***

He concluded his speech in the following words:

\* \* \* The greatest need of our time, overriding all others, is a return to a sense of moral responsibility, the moral accountability of the individual soul. We are all prodigal sons, and already we are on our way to the pigsty to eat the husks of our folly. Our only hope is to rise and return to our Father.

There is our triple faith—our faith in our God, our country and ourselves. This land of the free is free, not merely because of brave men who fought to make it free. Our inalienable rights are divine in origin, as our ancestors made poignantly clear. They came from our Creator; He endowed us with those inalienable rights and has blessed us as we made good use of them. This Nation was founded with a sense of divine protection and in a climate of prayer. As long as we look to the Father of Lights for guidance, there will be a lamp unto our feet and we shall never lose our way in the dark. That is our first, great permanent faith.

Our second faith is in this country, in its vision of free and prosperous and generous people, blessing the world and never oppressing anyone. Nearer and nearer to that great goal we have moved continuously since we began. Today we are the last champion of free peoples, as we face evil itself, up in arms and marching. We shall not flinch from the battle and we shall not taste defeat. That is the second great phase of our faith.

And for the third, we turn to ourselves. We are children of Eden, prone to do wrong, but our nature is redeemable. We mortals are of the stuff that saints can be made of, as well as sinners; martyrs as well as tyrants, patriots, or traitors, sons of light as well as darkness. We are capable of heroic sacrifice, of self-mastery, of service utter, and dedicated. Each man can give that service wherever he stands, wherever his work is.

Yours is a most special opportunity. For you move closer than most to evil—to all forms of corruption and graft, murder, and treason. But you are on the side of law and order and they are the expressions of the divine law and order. You are on the right side, on God's side. I wish you success in your tasks, which may often be trying and dangerous; I pray that you will so live your life that you will serve your God, your country, and yourselves and let your light shine before men.

## **Law Enforcement Methods**

*(Continued from page 5)*

fessed. He was kept at the hotel for three more days and then taken to the police station where a second confession was obtained. The second confession was received at the trial on conflicting evidence as to mistreatment. However, witnesses did describe the making and general purport of the first confession and the prosecutor in summation admitted it was procured through fear. The Supreme Court reversed the conviction as being based, in part, on a coerced confession.

In *Haley v. Ohio*,<sup>20</sup> decided in 1948, defendant, a 15-year-old youngster, was convicted of murder as the alleged lookout for two older boys who robbed a store, and killed the owner. Arrested at midnight, he was questioned by relays of one or two officers for 5 hours before he confessed. The evidence was conflicting as to his having been beaten. He was not advised of right to counsel and was held incommunicado for 3 days after confessing, despite attempts of his mother and an attorney to see him. He was then arraigned. At the trial his confession was admitted by the trial judge who charged the jury to disregard it if they found it was not made of his free will. The Supreme Court reversed the conviction, the opinion stating:

The age of petitioner, the hours when he was grilled, the duration of his quizzing, the fact that he had no friend or counsel to advise him, the callous attitude of the police towards his rights combine to convince us that this was a confession wrung from a child by means which the law should not sanction. Neither man nor child can be allowed to stand condemned by methods which flout constitutional requirements of due process of law . . .<sup>21</sup>

It will be perceived from this chain of cases, beginning with undisputed brutality and ending with more refined and subtle methods, that the Supreme Court is now the arbiter as to what type of practices resulting in confessions will prevent their use against the accused under the fourteenth amendment. Especially significant is the delayed-arraignment factor. A discussion of this problem now will possibly contribute to a better understanding of three 1949 State confession decisions of the Supreme Court which will be mentioned later.

*(This article will be continued in a subsequent issue.)*

<sup>20</sup> 332 U. S. 596 (1948).  
<sup>21</sup> *Id.* at 600.



# SCIENTIFIC AIDS

## **Introduction**

The suggestions that follow are designed to serve as an outline for the investigator whose duties require the investigation of cases involving firearms and related evidence. It is hoped by condensing many of the techniques used in the laboratory into simple and concise language that this article may serve as both a guide and ready reference in those cases where firearms and firearms evidence are involved.

In discussing a topic as broad as the one at hand, the subjects will be briefed and generalized in many ways. However, the suggestions set forth here may serve as guides in all cases, provided the investigator first knows what can be accomplished by trained personnel and, second, with that knowledge he performs his duties in such a way that he can benefit by the laboratory studies performed upon the evidence specimens gathered at the crime scene.

In many cases guns are found at the scene of the crime and, at that time, cannot be connected with any particular individual. Fingerprint examinations may develop logical suspects.

## **Suggestions**

Many suggestions have been advanced concerning the proper method of handling firearms which will later be processed for latent fingerprints. If the gun is loaded or there is a question concerning its condition, cartridges may be removed from auto-loading pistols, as well as revolvers, by careful handling, remembering that fingerprints are only developed on smooth surfaces. Hence, a gun may be handled by its wooden grips or any of the knurled or serrated surfaces without interfering with future fingerprint examinations.

Identifiable prints have been developed on clips and the cartridges therein, and these objects should be protected by cellophane immediately upon recovery if a fingerprint examination is contemplated. Bear in mind that if a gun is unavoidably handled prior to examination, elimination

## **Handling Firearms Evidence at the Scene of a Crime**

prints should be secured from those who handled the gun and submitted to the technician for his use during his examination.

For best results, objects for fingerprint examination should not be sprayed with any material. Experience indicates that this material may interfere with the future development and photographing of latent impressions.

Obviously, a gun recovered at the scene should be examined for caliber and make, as well as any peculiarities or marks that may assist in the future investigation. Many times a scratch or an obscure mark on the weapon, when described to a person being interviewed, may lead to the owner of the gun.

Obliterated serial numbers need be no more than a temporary handicap to the investigator for through skillful laboratory techniques restoration is often possible. Ownership of the weapon may be traced once a complete description of the gun and the serial number are known.

Mechanical operating condition, functional studies, trigger pull, cartridge substitution, and similar problems concerning the firearm may be related directly to the circumstances of the case through proper evaluation, and such items should not be overlooked.

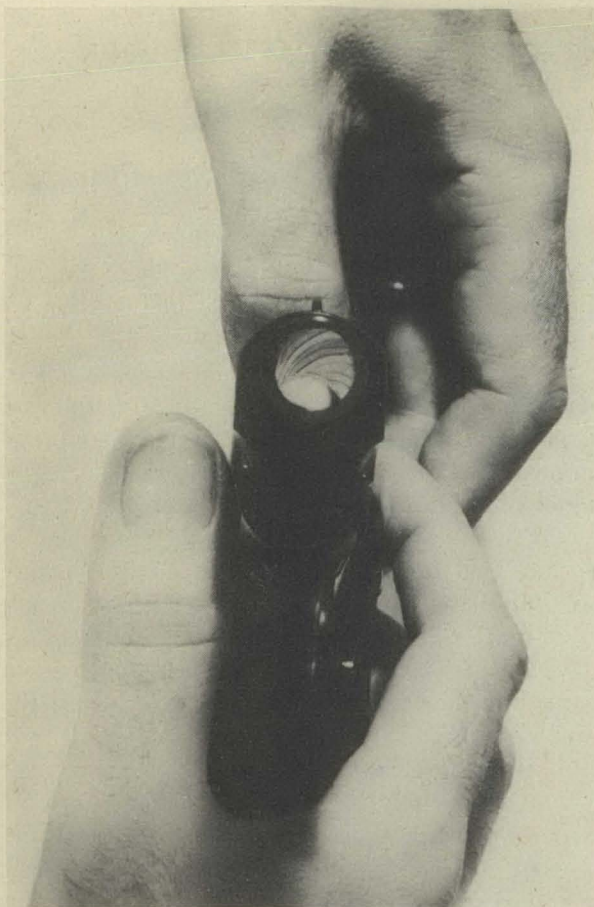
Broken parts of grips, broken fore-ends, or other small parts found at the scene may be identified with a particular make of firearm and, at a later date, associated with the gun involved by matching the broken pieces.

## **Identification**

One of the most publicized laboratory procedures is that of firearms identification. These studies consist of microscopic comparisons of marks on test specimens, bullets, and cartridge cases fired in the recovered weapon with specimens found at the scene or recovered from the body of the victim. Little more need be said concerning these studies.

Cartridge cases found at the scene will, in many instances, give some indication of the type of gun involved. Marks sufficiently distinctive in nature





**Muzzle-end view of gun barrel showing Colt-type rifling.**

to identify a particular make of gun are not always present, and occasionally when present, may correspond closely to those of several other makes of weapons. Consequently, a definite determination of a particular make of gun involved is not always possible from an examination of the cartridge cases.

Further, the cartridge type and manufacturer indicated on some cartridge cases by head-stamp markings may be of assistance in questioning suspects and should be noted.

Cartridge cases are seldom found at the scene when other than auto-loading weapons are involved. Hence, here again we have a suggestion of the type of gun involved by the presence or absence of cartridge cases at the scene.

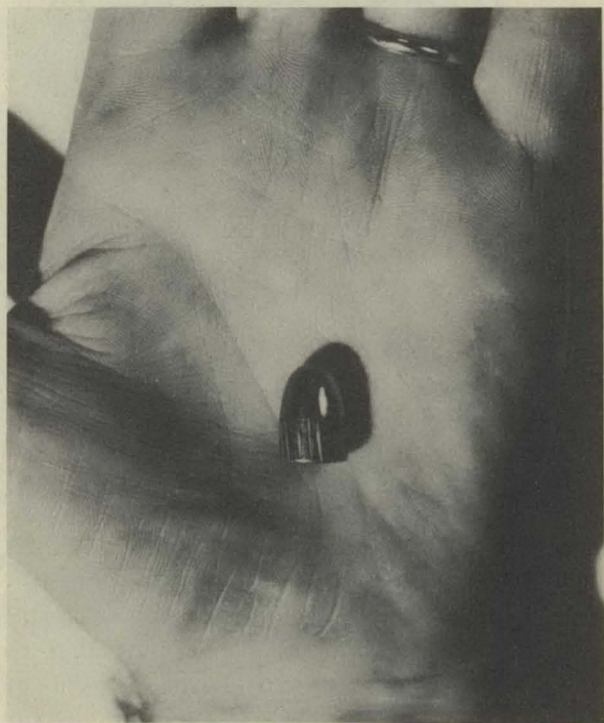
Preliminary examination of the bullet will indicate caliber and general rifling characteristics of the weapon. This latter information may assist materially in the evaluation and elimination of possible weapons. For instance, the rifling in the barrel of each gun may be broken down into two basic parts; the *lands*, which are the raised sec-

tions; and the *grooves*, which are the areas between the lands. Rifling has two components which are readily distinguishable; first, the number of lands and grooves (usually four or more) and second, the direction of twist (right or left, also referred to as clockwise and counterclockwise).

The bore of a weapon may be readily examined by placing the thumbnail or a piece of white paper near the mouth of the chamber, and viewing the bore from the muzzle end. The upper surface of the bore should be examined to determine the direction of twist. A little practice with the weapon unloaded will indicate the proper technique to be employed in this determination. As a guide for your experiment, all modern .38 caliber Colt weapons are rifled with six lands and grooves, left twist. All modern .38 caliber Smith and Wesson revolvers are rifled with five lands and grooves, right twist.

To determine the direction of twist from a bullet, place the specimen in the left palm, base of bullet near the heel of the hand. If the groove on the bullet tends to point to the little finger, this specimen was fired from a weapon with rifling, right twist. Conversely, if the twist is left, the groove will tend to point toward the thumb side of the hand.

To determine the number of lands and grooves



**Method of determining direction of twist of rifling.**



in the barrel of the weapon involved, the rifling marks on the surface of the bullet must now be counted. It must be remembered that the groove on the bullet was produced by the land, or the raised part of the rifling in the barrel. Supplied with these general rifling characteristics obtained from the bullet, the investigator may eliminate weapons which do not conform to these specifications and could not have fired the bullet in question.

One further suggestion to bear in mind concerning hand gun bullet specimens is that jacketed or metal cased bullets usually, but not always, indicate the use of an auto-loading weapon, whereas lead bullets suggest the use of some other type of gun.

### ***Necessary Precautions***

In many cases examined each year, there is a definite indication of the lack of appreciation on the part of the autopsy surgeon of the possibility of real assistance to the investigator from an examination of bullet specimens removed from the bodies of murder victims. Many bullets are needlessly cut, their surfaces badly mutilated by the scalpel and the forceps, as well as other instruments used during the removal process. The doctor or coroner should take all the necessary precautions to protect the bullet surface. A suggestion at the proper time by the observing officer in this connection may mean the difference, later, between an identification and the inability to determine whether or not the bullet was fired from the weapon taken from the suspect.

### ***Paraffin Test***

Much has been written concerning the value of the paraffin test for powder residues. The value of this test can very well be described in one word, "unreliable." The test is ordinarily conducted upon the subject, or victim, by coating the hand or hands with warm paraffin, making a cast. This cast is then removed and the inside surfaces are treated with a prepared chemical solution. A positive reaction is said to have been obtained when a deep blue or purplish coloration results from the test.

The test has a basis of fact in that the chemical reaction involved is well known to the chemist, and is used as a standard test for nitrates. Nitrates are present in powder residues; however, they are

not confined to this source, being present in fertilizer, urine, perspiration, cigarette ash, and many other common substances. Consequently, a positive reaction may or may not indicate that a suspect or victim had recently fired a gun.

Controlled tests conducted in the laboratory indicate that nearly as many positive reactions were obtained from individuals who had not recently fired guns as from those who had. These results indicate that the test may have some value from the investigative standpoint, but it should not be considered a reliable indication as to whether a suspect or victim had or had not fired a gun.

### ***Powder Pattern***

The subject of powder patterns and powder pattern tests was thoroughly covered in the July and August issues of the FBI LAW ENFORCEMENT BULLETIN during 1949; however, the subject will be briefly reviewed here to refresh the memory.

Powder particles, powder residues, as well as smudging, burning, searing, and singeing, may be found in the area surrounding the entrance hole of the bullet in the clothing of the victim. If smudging, searing, or singeing is present, it is usually an indication that the shot was fired at a distance of less than 1 foot. Powder particles and powder residues may be found by a combination of microscopic and chemical examinations at distances up to 3 feet. These distances are average and some deviation may be expected, using a particular weapon and ammunition.

The presence of powder particles or residues may indicate a definite distance the gun was held from the body of the victim at the time of discharge. However, the absence of residues does not necessarily indicate that the gun was fired at some greater distance.

The absence of residues may be occasioned by the fact that this material became dislodged from the clothing through handling, was washed away by blood, or in some other manner became displaced prior to laboratory examination and hence, no reaction was obtained.

When an examination for powder residues is suggested by the circumstances of the case, every effort should be made to protect the clothing to be examined. Obviously, the less handling the garments receive prior to examination in the laboratory, the better becomes the possibility for accurate laboratory findings.

A desirable procedure is to carefully remove the



clothing from the body of the victim as soon as possible. Place a large sheet of clean paper over the bullet hole or holes, and fold the garment over the paper. Each article of clothing should be individually wrapped in this manner.

### ***Flesh Wounds***

Very little can be determined from an examination of flesh removed from the area surrounding the wound. From time to time requests for this type of examination are received in the laboratory but due to the limited area available, as well as other factors which affect the condition of this fleshy material, the results of such an examination are usually disappointing.

These areas can best be examined at the time of the autopsy. The condition of the tissue beneath the surface of the skin, in the area immediately surrounding the wound, will often indicate whether or not the muzzle of the weapon was held in contact with the skin. Many times unburned powder, or wadding in the case of shotguns, will be found inside the body, indicating a shot fired at close range.

In connection with wounds produced by a shotgun, a rule of thumb concerning pattern size is sometimes helpful. At close range, the spread of the shot charge will approximate 1 inch per

yard. Obviously, circumstances may alter this measurement.

### ***Ultimate Goal***

In all cases the investigator should bear in mind the ultimate goal in this type of case, that of detection and successful prosecution of the guilty. All steps taken during the investigation must point to that end. Each step should fit into the pattern of the case as a whole. One of the principal devices which fits the physical evidence to the case, is the proper identification and preservation of each specimen collected during the investigation. From the standpoint of the items mentioned in this article, each should be properly described in that indispensable tool of the investigator, his notebook. Such information as how, what, when, and where, are essential in describing physical evidence. Identifying marks, sufficiently distinctive in nature to permit ready identification in the future, should be placed on each item and the marks used should be recorded in the investigator's notes.

Usually the caliber, make, and serial number of the weapon is sufficient to identify a gun. Bullets and cartridge cases should be marked by scratching a symbol or an initial inside the mouth of a cartridge case, and on the base of a bullet. Clothing is readily marked by using ink in some easily located area. All items of evidence should be wrapped individually, then placed in a box. This box should be sealed. A copy of the letter setting forth the requests for examinations should be securely affixed to this box. This package should then be carefully wrapped with a second covering bearing the shipping information.

### ***Conclusion***

Your letter of request should be sufficiently comprehensive to give the laboratory examiner a complete picture of just what you desire the laboratory examination to develop. Include all data which you may have that might possibly bear on the examinations requested. This letter should also include the name of the subject, if known, the name of the victim, the offense, and the place and date of the crime. You may rest assured that your efforts at the crime scene will be reflected in all the steps that follow during the investigation and prosecution of your case.



*Cartridge case and bullet marked for identification.*



# IDENTIFICATION

## Introduction

In testifying to fingerprint identifications, the expert often prepares charts to visually aid the court and jury in understanding the nature of his testimony. Many times it is undoubtedly difficult for the layman to perceive, from an oral explanation alone, the full import of an expert's testimony due to its technical nature. Consequently, some graphic presentation of the facts presented is amply justified. The preparation of the charts is the sole responsibility of the expert using them. As a matter of interest to law-enforcement personnel engaged in fingerprint work, a brief explanation of the preparation of such charts follows, along with suggestions and remarks based on long experience in these matters.

## Necessary Equipment

To do the work conveniently it will be necessary to have available, in addition to the ordinary photographic developing and printing materials, a projection enlarger which will enlarge preferably to at least 10 diameters. In the projection method of enlargement, the image is printed directly from the original negative, and the preparation of an enlarged negative is unnecessary.

Aside from the photographic equipment, the needed materials are a roll of scotch photographic tape 1 inch wide to outline the areas of the negatives of the fingerprints to be used, some stiff cardboard approximately one thirty-second inch thick on which to mount the prepared charts, a tube of rubber cement, and a bottle of translucent ink, other than black or white.

A light-box on which to view the negatives while blocking and a lettering set to draw the lines and numbers uniformly on the charts are conveniences but not essential. A light-box is basically a frosted pane of glass with a light beneath it to produce soft, even, nonglaring illumination. If no light-box is available, a clear window may be utilized in blocking the negatives.

If the expert finds it necessary to have an outside

## Fingerprint Charts Aid Court Testimony

source prepare his photographs, he should retain personal control of the evidence during the operation.

## The Photographic Enlargement

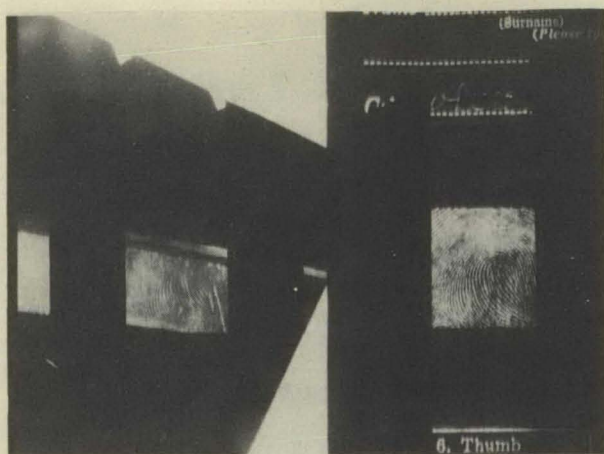
The original latent print and inked print with which it is identical should be photographed actual size. This procedure eliminates guesswork in enlarging both to the same degree. Whatever areas of the two prints are deemed requisite to illustrate the identification are then outlined (blocked) on the negatives with the masking tape, so that only those areas will show in the subsequent enlargements. Generally, if the legible area of the latent print is small, it is well to show the complete print. If the area is large, however, as in a palm print, the pertinent area which will not make the chart too bulky or unwieldy may be selected.

In blocking, the negative is affixed to the window-pane or light-box by means of strips of photographic tape across the corners, with the side to be blocked, up. This prevents constant shifting of the negative while it is being prepared. The latent print should be blocked first. Corners of the blocked areas should be square. Care should be exercised to have as nearly as possible the same ridge formations shown and the ridge formations in the same upright or horizontal positions. This may be facilitated by fixing a negative bearing ruled squares between the negative being blocked and the glass to which it is attached.



*Blocking out negatives using a clear window glass in place of a light-box.*





*A photograph of negatives showing "blocked-out" areas of latent and inked prints.*

If the latent print was developed or photographed as a light print on a dark background, a reverse-color negative should be prepared and blocked in order that both prints may appear as black ridges on light backgrounds. This is done by placing the original negative adjacent to a new sheet of film and exposing it. The resultant negative contains the same image as the original except that the color of the image has been reversed.

If the negative is a photograph of an opaque lift, the print appears in reverse position; that is, as a mirror image, and the negative will accordingly have to be blocked from the dull or emulsion side in order for it to appear in a position comparable to that of the inked print.

Failure to present the prints in question in the same color and position may possibly confuse the observer and nullify the purpose for which the chart is made. The degree of enlargement is not important in itself, so long as the ridges of the latent print are readily distinguishable by the eye. Ten diameters have been found adequate, although any enlargement from 5 to 30 will serve. It should be remembered, however, that small enlargements are difficult to see a few feet away and that large ones lose some of the contrast between ridges and background. A white border of at least 1½ inches or a width equal to about one-third the enlarged area should be left for charting purposes.

## **Charting**

Any chart prepared must be technically correct; that is, the corresponding ridge characteristics in the two prints must be similarly numbered and indicated.

Several ways of pointing out the similar ridge formations have been observed, but the one which appears soundest is also simplest and consists of merely marking the characteristics with lines and numbers.

All of the ridge characteristics in the prints need not be charted. Twelve characteristics are generally ample to illustrate an identification.

All fingerprint identifications are made by noting that two impressions have ridge characteristics of similar shapes which occupy the same relative positions in the patterns.

Methods involving superimposition of the prints are not recommended because such a procedure is possible only in a very few instances, due to the distortion of ridges in most prints through pressure and twisting. Such a procedure is not necessarily a test of identity.

Likewise, presenting charts with the shapes of the characteristics drawn in the margin is not recommended. Individual ridge characteristics may vary slightly in actual shape or physical position due to twisting, pressure, incomplete inking, condition of latent print when developed, powder adhering to background, etc. Identifications are based on a number of characteristics viewed in a unit relationship and not on the microscopic appearances of single characteristics.

Since the enlarged photographs appear in black and white, an ink other than black or white should be used to line the chart. Such an ink should be preferably translucent so that it will be possible to see the ridges which it traverses. A translucent carmine drawing ink serves well. In placing the lines on the chart they should be arranged so that they do not cross or touch.

The chart will present a clearer, neater, and more pleasing appearance if it is numbered clockwise and the numbers are evenly spaced. It is not necessary, however, to place the numbers evenly around the photograph.

Ordinarily, the numbers are placed on three sides and the type of print (latent or ink) noted at the bottom. In any case, however, the manner of numbering should be subordinate to an explanation of the characteristics in an orderly sequence, and, if the situation warrants it, all of the points may be illustrated on a single side of the photograph.

A single line should be drawn from each characteristic to a numbered point on the margin. Care should be taken to draw the line exactly to the



characteristic point, not short of it, beyond it, or obscuring it. Erasures should be avoided. If the ink runs or blots, it is sometimes possible to remove it with a cloth dampened in denatured alcohol, without damaging the photograph.

If the enlargement is great, that is, 25 or 30 diameters, it might be well to draw a small circle around each characteristic and then draw the line from the circle to the number, since the ridge will be much thicker than the illustrating line. All lines and numbers should be checked for absolute

accuracy. The expert should also study the enlargements for apparent discrepancies in the prints, which he might be called upon to explain.

### Mounting

The charted enlargements are readily mounted on stiff cardboard with rubber cement. After cementing the photograph to the cardboard, it should be placed under a heavy, flat object which will cover the entire surface until dry to prevent warping and wrinkling. After drying, trim the two enlargements to the same square size with heavy scissors, a penknife, or scalpel and fasten them together, book-fashion, with strips of photographic tape as used in blocking the negatives. Of course, if charts are large, 20 to 36 inches square, mounting is unnecessary and they will have to be supported in the courtroom with thumbtacks or metal rings.

Some courts do not permit numbering or marking of the photographs and the enlargements alone in these cases will have to suffice. Local laws and rules of evidence should be followed.

### Wet Print Lifted

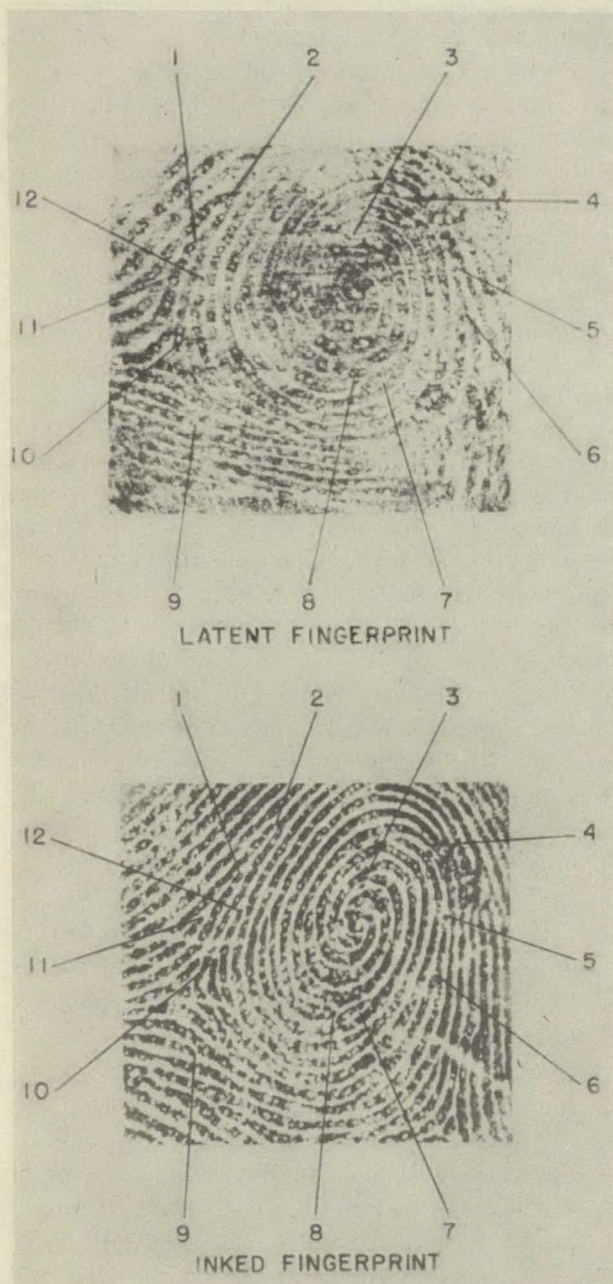
In the early morning of December 18, 1949, a figure stealthily approached the rear door of a restaurant in Santa Monica, Calif.

Quietly the burglar began his work. Utilizing a brace and bit, the man began drilling. Within a half-hour period he had drilled approximately 35 small holes in a 4½- by 4-inch square in the door. He punched out the loose piece of wood, reached in and unlocked the door, and ransacked the restaurant of approximately \$520 in cash and liquor.

The burglary was discovered in the morning. Santa Monica detectives arrived at the scene shortly thereafter. After a preliminary examination, Police Technician Howard Greene was called. An estimated 8 hours had ensued since the burglary was committed.

From a puddle of water caused by an all-night rain, Greene recovered the piece of wood which had been punched from the door. The officer returned to the laboratory, dried the wood thoroughly, and after considerable effort was able to bring out a partial latent fingerprint.

In the meantime a number of suspects had been fingerprinted for elimination purposes. Technician Greene made comparisons and found that the latent fingerprint was identical with that of the right index fingerprint of one of the suspects.



Completed charts showing points of identification.





# POLICE TRAINING

## ***Police Training in Westchester County, N. Y.***

*by JOHN E. HOY, Undersheriff, Westchester  
County, White Plains, N. Y.*

### ***Introduction***

Westchester County, N. Y., a suburban county which borders on the city of New York, is unique in that it has within its confines an active sheriff's office, the Westchester County Parkway Police Department, and 38 other police departments in cities, towns, and villages of varying sizes. The population of the county is approximately three-quarters of a million. This, together with the fact that the county is located directly north of New York City, does not lessen the problems of the law-enforcement officers. There is considerable criminal activity in the area. A serious traffic problem also exists. It follows that if the situation is to be controlled, there must of necessity be complete and close cooperation among the police of the county. Only unity of purpose and harmony of action could be effective.

Police training in the State of New York is carried out under the New York State long range police-training program which is sponsored by the FBI, the New York State Association of Chiefs of Police and the New York State Sheriffs Association. With the realization that police training is an important factor not only in preparing the police to deal effectively with the many problems constantly confronting them, but is also an excellent means of bringing the officers of the various departments together, a county-wide police-training system was set up in 1946 to supplement and implement the New York State long-range police-training program. The 39 police chiefs and the sheriff's office of Westchester County have cooperated under this program in planning and arranging the schools and in providing classroom space. Approximately 600 police officers attended the first basic police training school which was held in Westchester County for a period of 16 weeks from March 12, 1946, to June 25, 1946.

### ***Results***

This school was highly successful and was well received by the many police officers who were in

attendance. It was realized at the time, however, that smaller schools would undoubtedly be more successful inasmuch as the officers attending would feel more free to enter into open discussion regarding the various subjects offered. A series of county-wide police schools have been held since that time on the same basis. The FBI, the 39 police chiefs of Westchester County, and the sheriff's office have cooperated in planning and holding all of these schools. Instruction for these schools has been supplied by FBI police instructors and firearms experts, FBI National Academy graduates, Westchester County district attorney's office, and by experienced local law-enforcement officers.

Since 1946, monthly meetings have been held by the police chiefs of the county at which time many mutual problems, as well as plans for future police training, are discussed. The schools which have been held on a county-wide basis include identification schools, police photography schools, police recruit schools, major case schools, and recently a firearms training school. Most of these schools are of a specialized nature and are attended by one or several men from each department in the county. The specialized schools usually run for five consecutive days. Any police officers who have a particular interest in identification matters, photography, or firearms training, have become specialists in their own departments. Departmental police schools have also been held to provide general police instruction and training for the individual police departments in Westchester County.

### ***Firearms Training School***

The most recent school held in Westchester County was a firearms training school held from May 1 to May 5, 1950, at Camp Smith, Peekskill, N. Y. The instructors were furnished by the FBI and each man attending the school furnished his own



.38-caliber revolver and at least 400 rounds of .38 ammunition. The course consisted of instruction in range safety rules, revolver, including the practical pistol course, Thompson submachine gun, shotgun, gas gun, and lectures on nomenclature of the various weapons fired during the school. Approximately 40 officers from the various departments in Westchester County attended this school. The course was designed to qualify them as instructors for their own departments. Some of the departments which heretofore had no firearms training requirements have since set up their own firearms training program.



**Firearms training.** Left to right: Chief C. Leslie Romaine, New Castle Police Department, Chappaqua, N. Y.; Chief Earl Hawk, Yorktown Police Department, Yorktown Heights, N. Y.; Lt. W. G. Hendricks, North Castle Police Department, Armonk Village, N. Y.; Undersheriff John E. Hoy, Westchester County Sheriff's Office, White Plains, N. Y.

Most of the specialized training schools held in Westchester County have been held at the Westchester County Center and other county buildings. Sheriff Fred W. Ruscoe of Westchester County has been the host at many of these schools and as undersheriff I have been acting as a coordinator and liaison officer between the sheriff's office and the 39 police chiefs of Westchester County. Part of my duties consists of helping to plan the curricula of the various schools, furnishing the chiefs the details on scheduled schools, maintaining attendance records, and distributing diplomas to officers who have completed the various courses.

### Conclusion

I feel that unified action on the part of the sheriff's office and the chiefs of police of Westchester

County has done much to make the New York State long range police training program a success in Westchester County. It has also served the purpose of bringing the police officers of the county closer together in a review of mutual problems and an interchange of ideas. Since the inception of this program approximately 1,100 police officers have benefited by the instruction given in the various police training schools held in Westchester County.

## Case-type Course

This case began when the "Yankton Realty Co." was "burglarized." The criminals blew the door off the company safe and absconded with the contents.

The investigation of the "crime" was conducted by officers attending the FBI School sponsored by the Yankton Police Department, Yankton, S. Dak.

On receipt of a complaint that a burglary had occurred, Officer Bill Johnson, together with several others of the department, was assigned to conduct an investigation.

Officer Johnson gave specific assignments to his fellow officers. Certain men were assigned to locate and lift latent fingerprints, to develop and photograph latents, to construct a detailed chart of the crime scene, locate footprints and tire prints at the entrance, make plaster casts of such prints, etc.

A thorough search of the crime scene revealed fibers, toolmarks, hairs, safe insulation, latent fingerprints, and other evidence. Examination of the latent fingerprints disclosed that they were identical with those of Joseph Jones, a well-known safecracker. The arrest of Jones led to the arrest of an accomplice, one Elmer Doakes. A search of Jones' residence and Doakes' automobile produced additional evidence which led to the conviction of the two "criminals."

The entire class attending the school was divided into groups of four or five in such a manner that each group was afforded training in moulage, locating, and lifting latent fingerprints, charting, etc.

The officers in attendance expressed the opinion that the case-type of training was educational and most desirable.



## Amarillo Trains Officers

Chief of Police A. S. "Sid" Harper, Amarillo, Tex., opened a 5-day training school for all members of his department and for officers in neighboring towns and counties on May 15, 1950. The school was organized in cooperation with the Dallas office of the FBI, and special agents served as instructors. Approximately 120 officers attended the school which was held in two 2-hour sessions daily. The course was of the case type.

In the opening session, FBI instructors organized the students into an operating police department. A number of the officers were chosen to serve as desk sergeants, detectives, and technicians. The school was then turned over to the students. Throughout the remaining four sessions the instructors played the parts of persons connected, in some manner or other, with a recent burglary.

The fictional burglary case used in the school was based on an actual police case. The crime scene was set up with clues and bits of evidence left at the site. The parts played by the various witnesses, complainants, suspects, and meddling passers-by followed very closely the actual facts of the real case. None of the students had information on the manner in which the case was supposed to "break" or who the burglar was.

The garrulous proprietor of a small grocery store (a part played by an instructor) rushed in to report that his place of business had been burglarized. His attitude was such that he was suspected of burglarizing his own store. Subsequent investigation proved him to be innocent and



*Patrolmen S. J. Montgomery (left) and Glen R. Daniel, Amarillo Police Department, conduct a crime scene search during burglary problem.*

led to other suspects. During the closing minutes of the fourth day of the school the officers worked out the clue which led to the arrest of the true culprit.

The fifth day was given over to the "trial" in which instructors acted as judge, prosecuting attorney, and defense counsel. Student officers who had participated in solving the case were subpoenaed as State's witnesses and put on the stand to testify to the facts they had developed and the evidence which they had recovered.

In closing the school, Chief Harper presented each student with a certificate of attendance. The chief, who attended all sessions, remarked that not only did the students enjoy attendance at the school, but they also had handled just about every kind of police problem possible—from interviewing witnesses and making arrests and searches, to testifying in court.

## Christmas Eve "Case"

When, on the afternoon of Christmas Eve 1949, Chief of Police Robert Reilly, Norristown, Pa., placed a "case" in the hands of Detectives William Miller and William Bradley, the two men promptly went to work. It was not long before the matter was settled to the satisfaction of all concerned.

Chief Reilly had learned of a family whose Christmas schedule did not look particularly hopeful. The father had been without work for 2 weeks as the result of a winter lay-off. A 7-year-old child was ill. An 8-year-old boy and a 16-year-old girl were going hungry so that their mother, who was pregnant, and their sick brother might eat. Rent on the house was due shortly and there was no money to pay it. The family was ineligible for State relief assistance.

The officers took the case to the merchants via telephone just before closing time. The result was in the Christmas tradition. Three patrol cars collected food, a Christmas turkey, clothing, toys, a Christmas tree, wreaths, holly, 100 gallons of oil for the furnace and a job for the unemployed man after Christmas.

Similar "cases" varying only in particulars are constantly being "solved" by law enforcement agencies. Such unheralded warm-hearted action is repeated again and again throughout the country.



## WANTED BY FBI

**Glen Roy Wright, with aliases J. R. Dare, Jack Dare, Jack Hudson, Roy Hudson, Glen LeRoy Wright**

***Unlawful Flight to Avoid Prosecution (Robbery)***



***Glen Roy Wright.***

Glen Roy Wright, former associate and partner in crime of Harry Campbell, Alvin Karpis, the Barkers, and other gangland characters, was received at the Oklahoma State Penitentiary on April 6, 1934, to begin serving a life sentence for robbery with firearms. On September 14, 1948, the notorious criminal made his escape from prison.

### ***Dangerous Criminal***

For years Wright has been considered one of the most dangerous criminals in the Southwest. On two different occasions he has been implicated in gun fights with arresting law-enforcement officials. He was wounded in the course of his apprehension in Kansas when he attempted to murder arresting officers with a sawed-off shotgun. He subsequently was wounded in a gun battle with police officers in Arkansas at which time a companion, who was wanted for the murder of a police officer, was killed.

Wright has been convicted on charges of burglary, robbery, and robbery with firearms.

On January 22, 1949, the fugitive held up and robbed a resident of Tulsa, Okla., and his wife, of \$1,600 in cash and a diamond ring valued at \$1,200. Following the robbery he fled to Arkansas. A State warrant was issued for his arrest at Tulsa on January 31, 1949.

In view of Wright's flight, local authorities requested the FBI to enter the case. Accordingly, on February 8, 1949, a Federal complaint was filed before the United States Commissioner at Tulsa, Okla., charging this subject with violating title 18, U. S. Code, section 1073, in that he fled from the State of Oklahoma to avoid prosecution for the crime of robbery.

### ***Is Armed***

Wright is armed. On several occasions he has proved that he does not submit to arrest without resorting to the use of gunfire. The subject is considered extremely dangerous and every precaution should be exercised in any attempt to apprehend him. Glen Roy Wright is described as follows:

Age	51.
Born	March 16, 1899, Malvern, Ark. (not verified).
Height	5 feet 8½ inches.
Weight	130 pounds.
Build	Slender.
Hair	Gray.
Eyes	Blue (also reported to be gray).
Complexion	Fair.
Race	White.
Nationality	American.
Occupations	Laborer, plumber, steamfitter, tool dresser, and welder.
Scars and marks	Gunshot wound on outer left forearm 5 inches above wrist, cut scar on left side of chin, cut scar on cheek near left eye.
FBI No.	79217.
Fingerprint classification	18 M 1 U 000 10 L 3 W 000

Any person having information which may assist in locating Glen Roy Wright is requested to immediately notify the Director of the Federal Bureau of Investigation, United States Department of Justice, Washington, D. C., or the Special Agent in Charge of the Division of the Federal Bureau of Investigation nearest his city.

## NOTICE

**Beginning with the current issue of the *FBI Law Enforcement Bulletin*, each copy will henceforth be made available with holes punched along the bound edge, suitable for filing in binders of the standard loose leaf type.**

**This procedure is being adopted for the benefit and assistance of those readers who wish to maintain a file of back issues of the *Bulletin* for reference purposes.**



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Church Safety Patrol Program Reduces Accidents, by Lt. F. Clark Sanford, Traffic Division, Salt Lake City, Utah, Police Department, *Sept. 1950, Vol. 19, No. 9, p. 23.*  
 Handling of Traffic Records at Oak Ridge, by C. T. Vettel, Chief of Police, Oak Ridge, Tenn., *July 1950, Vol. 19, No. 7, p. 8.*  
 Indianapolis Speedway Traffic Control, by Arthur M. Thurston, Superintendent, Indiana State Police, *Feb. 1950, Vol. 19, No. 2, p. 8.*  
 Radar Methods of Speed Control, Carl R. Finegan, Sheriff, Lorain County, Ohio, *Feb. 1950, Vol. 19, No. 2, p. 11.*  
 Safety Begins at Home, by Col. Charles W. Woodson, Jr., Superintendent, Virginia State Police, *Mar. 1950, Vol. 19, No. 3, p. 18.*  
 Traffic Engineering for Small Cities, by Wilbur S. Smith, Associate Director, Bureau of Highway Traffic, Yale University, *Jan. 1950, Vol. 19, No. 1, p. 2.*  
 Traffic Safety in San Diego, *Apr. 1950, Vol. 19, No. 4, p. 15.*





In the Identification Division of the FBI this pattern is classified as a loop with sixteen ridge counts.

When there is a ridge running between the type lines toward the core, the delta is placed

on the end of that ridge which is nearest to the core. The innermost recurve has an appendage between the shoulders. If it is not attached at a right angle and does not spoil the recurve.

-PROPERTY-  
OREGON STATE POLICE  
BUREAU OF IDENTIFICATION  
SALEM, OREGON  
-PLEASE RETURN-

U. S. GOVERNMENT PRINTING OFFICE

Alias \_\_\_\_\_  
Age \_\_\_\_\_ Ht. \_\_\_\_\_ Wt. \_\_\_\_\_ Comp. \_\_\_\_\_  
Eyes \_\_\_\_\_ Hair \_\_\_\_\_ Build \_\_\_\_\_  
Occup. \_\_\_\_\_ Nativity \_\_\_\_\_  
Record \_\_\_\_\_

F. P. C.