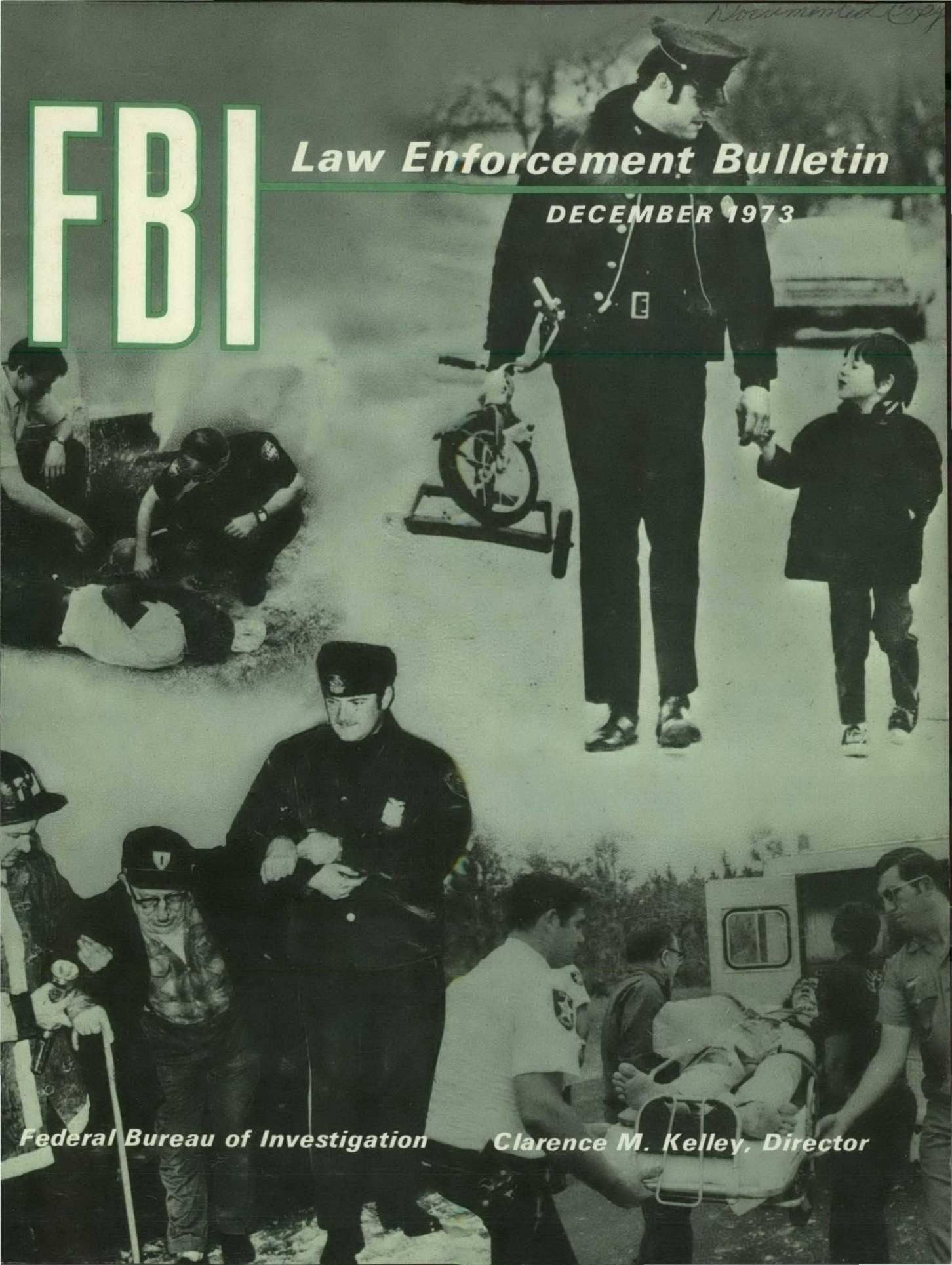


**FBI**

*Law Enforcement Bulletin*

DECEMBER 1973



*Federal Bureau of Investigation*

*Clarence M. Kelley, Director*



# FBI

## Law Enforcement Bulletin

DECEMBER 1973

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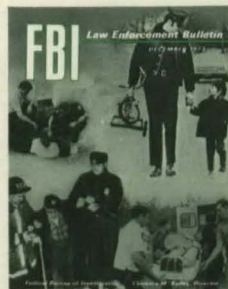
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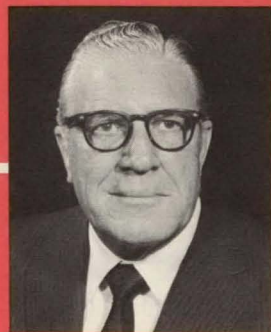
#### THE COVER

Helping people, as this month's composite cover photograph suggests, is a dominant part of a law enforcement officer's day-to-day duties. See Message by Mr. Kelley, opposite page, and related articles beginning on pages 2, 7, and 28. (Top, right-hand cover photo courtesy of UPI, Gary Edwards, photographer; bottom, left-hand photo courtesy of "The Oregonian," Portland, Oreg., Jim Vincent, staff photographer.)





## Message from the Director . . .



THE TIME HAS COME FOR AMERICANS to understand—and appreciate—the humanitarian nature of the law enforcement profession.

Obviously, there is much the police officer does that is distasteful to many. Depriving people of their liberty, even by lawful arrests, is rarely regarded as an endearing human act. The intensity of vigorous and penetrating investigations is likely to offend even those persons interviewed though they have no complicity with crime. The urgency and directness of many law enforcement inquiries necessarily fracture the social amenities some people would like to receive.

Hence, it is not surprising that the actions of law enforcement personnel in their performance of duty often arouse criticism.

But the officer has no alternative—he must carry out his legal duties. He must enforce the laws of the land so that all of us can enjoy the benefits of liberty and justice.

Far too frequently, I regret to say, the human qualities of these men of the law are overlooked . . . or deliberately denied.

In my more than 30 years in the law enforcement profession I have known thousands of officers. They are not cold ogres, inhuman automata, brutal sadists. No, they are human; they

have emotions; they possess a deep and abiding concern in their fellow man.

If citizens could see the officer off duty they would realize that he enjoys his family and children, he is a good neighbor, he faces the sicknesses and tragedies of life like all of us.

Inconsiderate words or deeds by citizens can offset . . . and undercut . . . the countless acts of genuine compassion which these officers perform daily for their communities.

Is there ever an hour in the day when an officer does not risk his life for a fellow citizen?

How many times has he helped the needy, the sick, and those who are accident victims?

How many times has he consoled the broken-hearted . . . shown kindness to the despondent . . . calmed the distraught?

I would very much like for Americans to look upon their police as friends . . . as men and women who are human, compassionate, and understanding.

In our democratic society the officer of the law is not to be feared . . . but respected for his ability, his fairness, and his humaneness.

This is the kind of officer we have today.

  
CLARENCE M. KELLEY  
Director



*"Identifying communication problems that accompany deafness, and understanding how to overcome them, is a basic responsibility of the modern police professional."*

# The Deaf and the Police

By  
**KEVIN J. COLLINS**  
Patrolman,  
Police Department,  
New York, N.Y.

**T**he specialized attention given by police to services required by members of the community who are handicapped by deafness has been very often overlooked. Most police officers simply take for granted that people can hear. It is for this reason that few deaf people understand what is expected of them when they deal with the police. These encounters may become a confrontation between a frightened citizen and a frustrated police officer.

The deaf do not fear police authority. They do fear that they may be denied assistance, be misunderstood, or be mistakenly arrested because of limitations in their ability to communicate. A more acute understanding of the problems of the deaf on the part of police will more properly enable them to deal with and serve this often overlooked minority.



## *The Challenge*

According to a nationwide census completed in 1971 of our deaf population, there are approximately 13.2 million Americans who either are totally deaf or have significant hearing loss in both ears.<sup>1</sup> The largest per-

centage is made up of the elderly and those who work in occupations which subject them to unusual levels of noise. These handicapped people require the same scope of services as others in situations ranging from aid in household accidents to crime incidents and emergency births. The deaf, however, present a special challenge to the skills of the modern police professional. At the scene of an auto accident, in burning buildings, in crowds, in fact in any part of a police officer's daily routine, he must be aware that he must use more than ordinary means in order to communicate with people who cannot communicate in the usual way. Understanding that the person who seemingly ignores orders to move on or step back at a fire scene possibly may be doing so because he is deaf and cannot hear commands, is the first step in developing communication.



*"Since dealing with deaf people calls for certain changes in normal procedure, it is . . . important that the police officer is able to recognize a deaf person."*

Since dealing with deaf people calls for certain changes in normal procedure, it is, therefore, important that the police officer is able to recognize a deaf person. One of the fundamental characteristics of those not able to hear is the fact that they will constantly observe their surroundings in search of any visible indication of what may be happening around them. Because they are cut off from the world of sound, they make every effort to overcome this barrier by looking from person to person searching for as much information as they can obtain. They characteristically look attentively at everyone present trying to read facial expressions and gestures.

Deafness requires alertness and due to this the deaf person frequently seems more aware of what is going on around him than most other people. For this reason, deaf people have often proved to be capable witnesses and better than average motor vehicle operators.

Occasionally a hearing person will pose as a deaf person. It is, therefore, important for the police officer not only to recognize a deaf person but to distinguish between him and a person who is feigning deafness. Unlike the deaf person, a novice feigning deafness will most likely try to act out his handicap by ignoring what is going on around him, staring at the ground or looking away from any action. Such imposters often ignore movement as well as sound because the two so customarily accompany one another that the fraud is fearful of revealing himself by giving attention to either. If a police officer has any doubt about the validity of a person's hearing handicap, a professional interpreter for the deaf should be sought for assistance.

A commonly accepted process, practiced by police officers as well as most others after discovering that a person is deaf (either through observation or by sign from the person such as pointing to his ear and shaking his head to indicate "no"), is to look directly into a deaf person's eyes and slowly ask, "Can you read lips?" If the answer is affirmative, a slow and precisely articulated conversation may be successfully conducted. Unfortunately, very few deaf people are skilled enough at reading lips to permit this method to be used reliably in detailed conversation. In addition, in a situation of stress, too much reliance on lip reading may become impractical.

If a person shrugs or shows an otherwise negative reaction to lip reading, the use of a pen and pad should be the next step. When communicating in this manner, police officers should print clearly and use short, to-the-point questions to obtain information and to give instructions. If a deaf person indicates he cannot read, communication may still be possible with hand signs. If circumstances permit, it may be best to wait until the services of an interpreter can be secured.

### ***Written Communication***

When written communication is used, its possible limitations must be considered. Unfortunately, most deaf people tend to be undereducated. A survey of deaf students' academic achievements in the spring of 1971 supports this conclusion. The test results revealed the average reading level of hearing impaired students 16 years or older to be at the elementary school level.<sup>2</sup>



**Commissioner Donald F. Cawley, Police Department, New York, N.Y.**

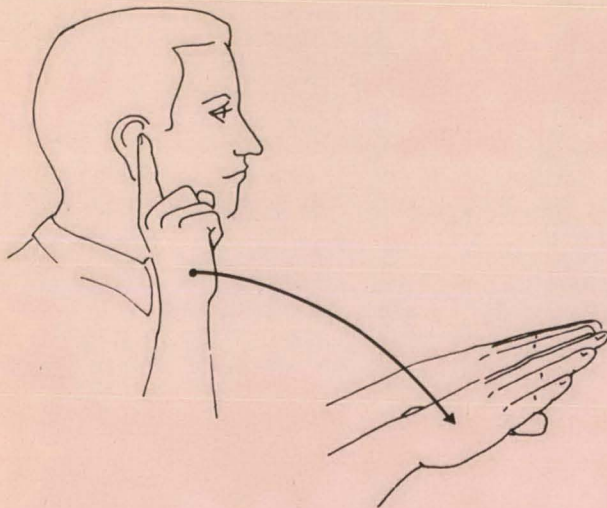
The inference of the study is that the basic reason for this educational failure was the handicap of deafness. Owing to their low educational level, many of the deaf have a limited vocabulary. So, often, writing is not quite as satisfactory a means of communication as is generally assumed.

The deaf may be categorized as high verbal or low verbal. This does not necessarily indicate intelligence or lack of intelligence, but only a difference in mastery of language. The low verbal deaf often have very poor sentence structure. They write as they use sign language, that is, assigning only one meaning to a word. Besides showing poor sentence structure, the low verbal deaf may omit such words as *and*, *the*, *but*, and *if*.

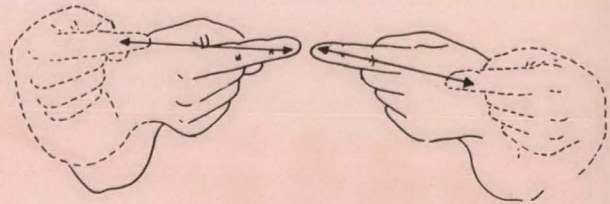
Police officers dealing with deaf people should remember that reading may be difficult for them. Pride may prevent them from making it known that reading is difficult. Patience and understanding on the part of the police officer are essential.

The Registry of Interpreters for the Deaf (R.I.D.), an organization which was established to professionalize in-



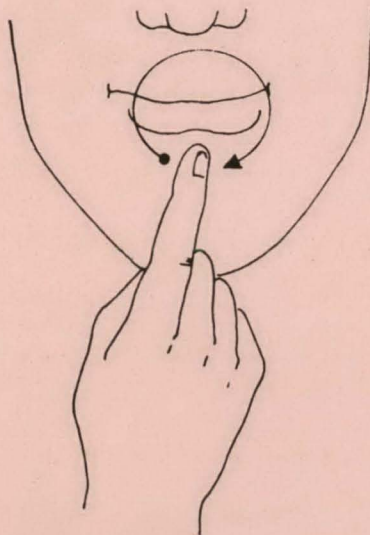


**ARE YOU DEAF?**

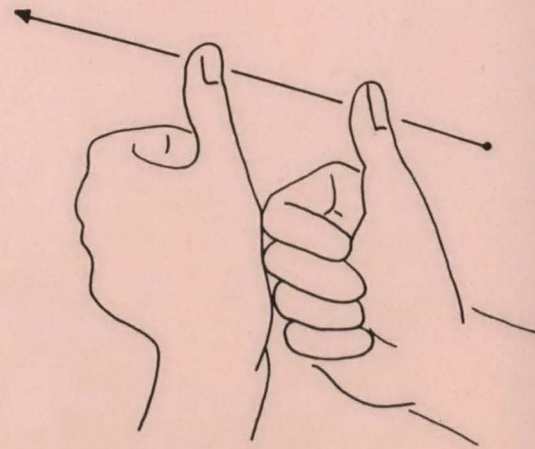


**ARE YOU IN PAIN?**

There is no universally agreed upon set of hand signals by which all deaf people communicate. There are, however, four basic hand signal messages, which are taught to New York City police officers and which could be adapted by other law enforcement agencies. These have proven successful.



**WHO ARE YOU?**



**FOLLOW ME**



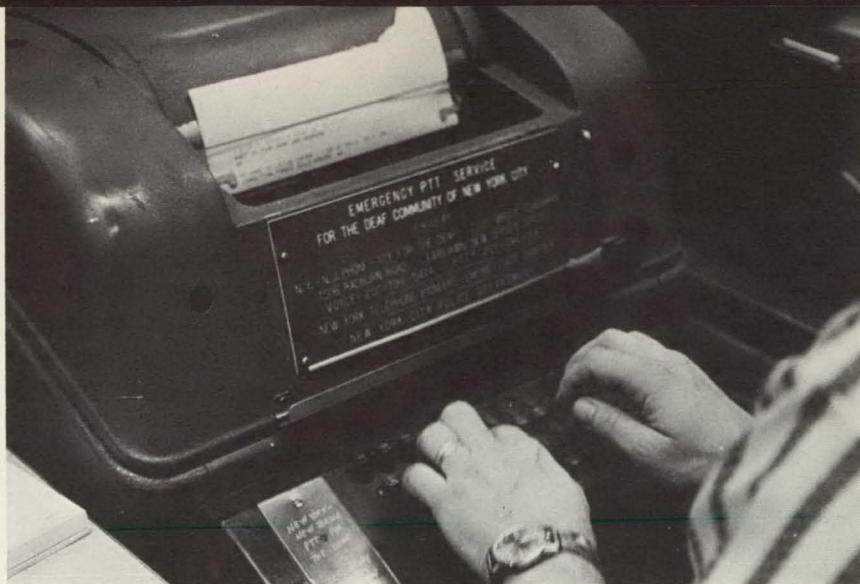
interpreting for deaf people and which has some 1,200 members among its 43 local chapters, stands ready to assist law enforcement agencies throughout the country with necessary interpreting services. R.I.D. publishes a national listing of its members, which is made available to requesting agencies. Their interpreters, who can "speak" deaf language, use signs and finger-spelling that can be understood and responded to by those unable to hear or speak. The address is P.O. Box 1339, Washington, D.C. 20013.

Many of our deaf citizens have been unfairly judged, and grossly misunderstood when they have been without interpreters to assist them. They are sometimes committed to mental hospitals because their handicap is mistaken for a psychotic condition or mental deficiency. Nearly all deaf people can speak, but because they cannot hear their own voices, their speech is not always like that of a hearing person. Many deaf people will not use their voices in public because they are aware of these unusual sound characteristics. A few are fortunate enough to have good speech, but none have normal speech.

### ***Special Network***

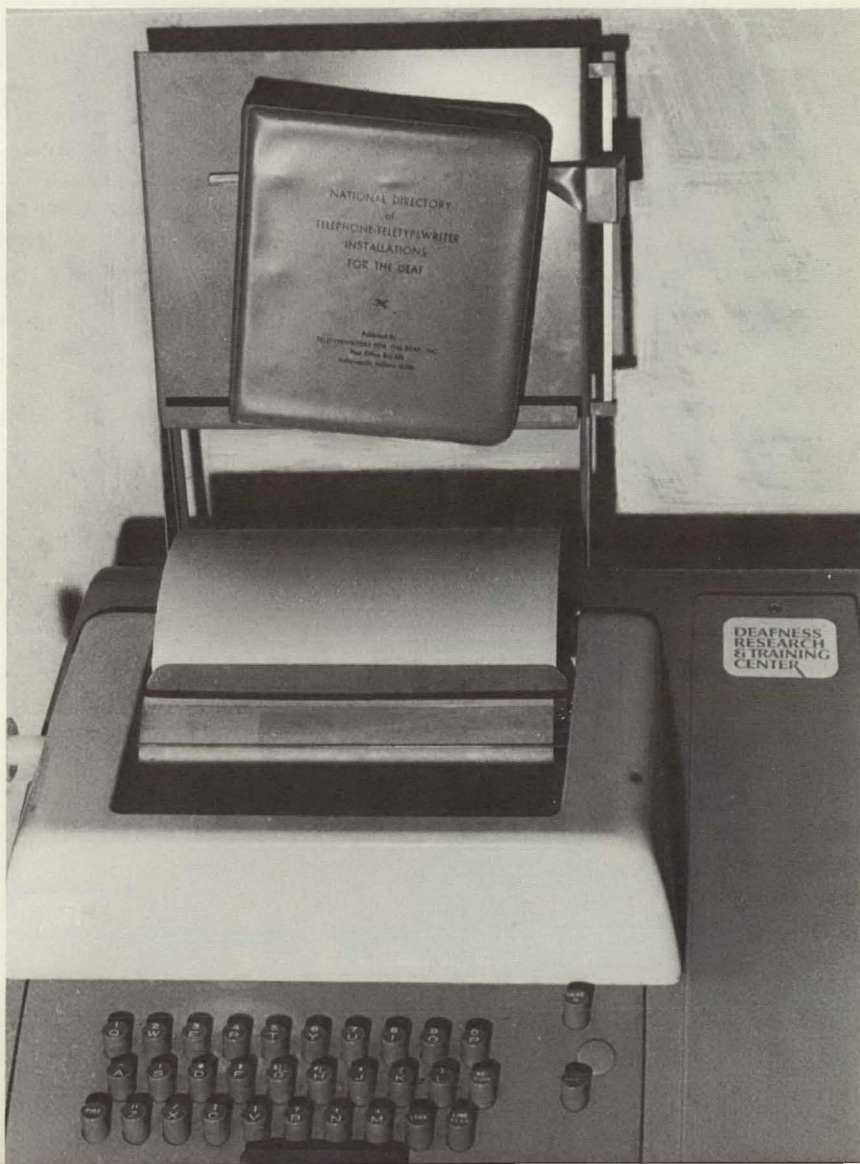
Through the assistance of various private organizations, the New York City Police Department's Emergency Telephone and Teletypewriter System (PTTS) has been part of a special communications network since December of 1972. The system effectively enables deaf people who live in New York City and parts of New Jersey to request emergency police service, and receive assuring response.

The system utilizes used teletype machines that have been refurbished and donated to those that need them by the New York Telephone Co. After learning a few simple rules of usage, PTTS members can call for and receive police assistance in the same



Emergency teletype machine at police headquarters.

A member's machine is ready to send and receive messages.







A member's phone in a cradle is ready to activate the teletype machine for transmission.

short period of time as anyone calling on a conventional telephone.

To contact the police, a member merely places the handset of his telephone into an electronic cradle and dials the special number designated for emergency calls from the deaf. A special coupler is activated which permits two-way transmission of messages between the teletypewriters over

***"The [New York City Police Department's Emergency Telephone and Teletypewriter System] . . . effectively enables deaf people who live in New York City and parts of New Jersey to request emergency police service. . . ."***

ordinary telephone lines. When the call reaches the Communications Division, a light flashes on the face of a special phone alerting an operator that an emergency call is coming from a deaf person. The operator places the special handset on his wall cradle and receives the message.

Typically, a message is transmitted as follows:

Member  
(to C.D.)----- "I need assistance"  
C.D. (to  
member)----- "G.A." (Go ahead)  
Member----- "I wish to report a break-  
in of my apartment"  
(G.A.)  
C.D.----- "Please give name and  
address" (G.A.)  
Member----- "Bill Jones, 655 E. 5th St.,  
Brooklyn, N.Y., Apt. 12"  
(G.A.)  
C.D.----- "A car will be sent"  
(G.A.)  
Member----- "Thank you, and repeat-  
ing my address 655 E. 5th  
St., Apt. 12 in Brooklyn"  
(G.A.)

C.D.----- "A car will be sent right  
away" (End of message)

The PTTS system is an important step toward bringing the deaf community and the police who service it a little closer. Identifying communication problems that accompany deafness, and understanding how to overcome them, is a basic responsibility of the modern police professional. The New York City Police Department is actively meeting and facing these problems in a continuing effort to provide the best of service to all New Yorkers.

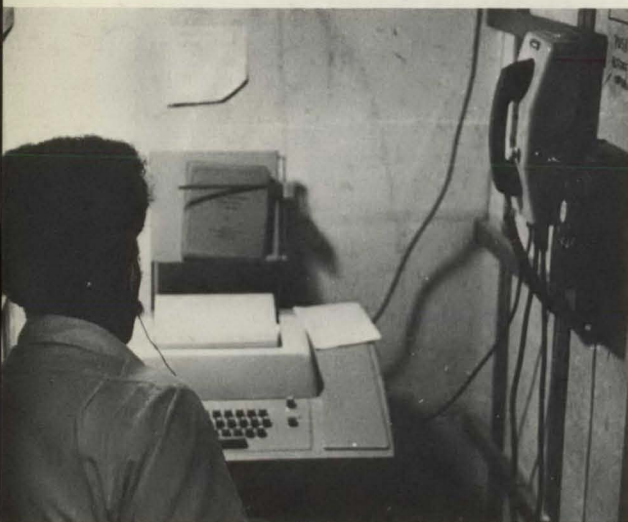
#### FOOTNOTES

<sup>1</sup> Schein, Jerome D. and Delk, Marcus, "How Many Deaf People?" Rehabilitation Record, Rehabilitation Services Administration, U.S. Department of Health, Education, and Welfare, vol. 14, No. 4, July and August 1973, p. 37.

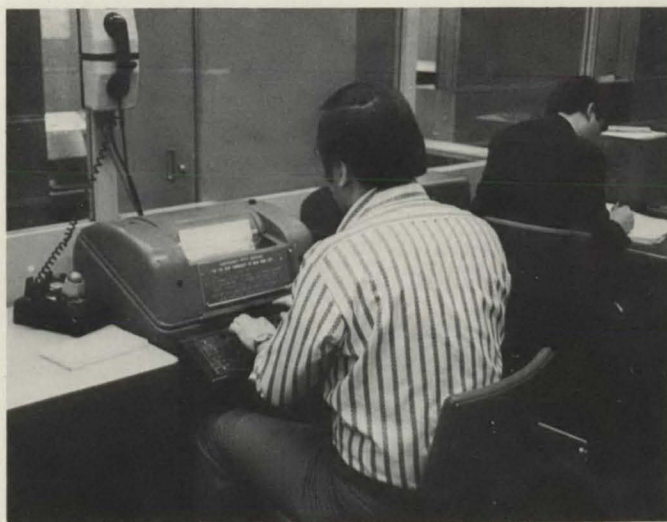
<sup>2</sup> DiFrancesca, Sal, "Academic Achievement Test Results of a National Testing Program for Hearing Impaired Students, United States: Spring 1971," Annual Survey of Hearing Impaired Children and Youth, Office of Demographic Studies, Gallaudet College, Washington, D.C., ser. D, No. 9, August 1972.

(FBI)

A system member transmits his message to headquarters.



A special civilian operator takes a message.

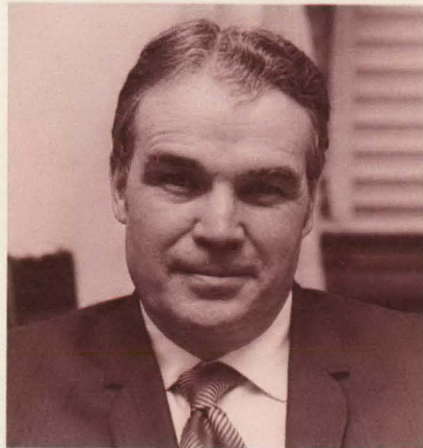




THE THREE "C's"

# LEADERSHIP FOR LAWMEN

By  
**DR. JOHN T. BONNER, JR.**  
Vice President,  
The Ohio State University,  
Columbus, Ohio



All of us enjoy good westerns. From the pulp magazines we devoured as youngsters, through the early motion pictures of Tom Mix, Ken Maynard, and Hoot Gibson, down to the most modern television programs, we Americans have been entertained with stories of the Old West. Even President Eisenhower read himself to sleep each night with stacks of cowboy stories.

There is something dependable about westerns. For one thing you can depend upon the law enforcement officer being an accepted leader of his community. Whether sheriff, marshal, or ranger, the man behind the badge is respected by the "good guys" and feared by the villains. He is a genuine leader.

*There are three major attributes of successful leadership—competence, courage, and compassion.*



Unfortunately, many law enforcement officers of today do not exert the leadership of the oldtime western lawmen. Part of the problem stems from the erosion of respect for authority which is a malady of our society. Another part of the problem, however, is the abdication of leadership responsibility on the part of many law enforcement officers. It is understandable that with derision by the young and apathy by much of the public, guardians of the law are reluctant to seek increased publicity. Society demands leaders, however, and if law enforcement officers fail to perform leadership roles, the vacuum will be filled with leaders of less desirable backgrounds and intentions. The twin challenges of crime and change in our society can only be met if officers of the law take a more aggressive role in community leadership.

How can one become a successful leader? In my opinion, there are three major attributes of successful leadership—all beginning with the letter "C." First, the leader must be competent.

### **Competence**

A recent 5-year study of 825 corporate managers by the director of research of our College of Administrative Science disclosed that "Performance was the factor most mentioned as affecting promotion."<sup>1</sup> Performance, the end product of competence, was mentioned in more than 86 percent of the cases and was far ahead of such other factors as personality, kinship, race, religion, age, seniority, education, and experience. This study confirms an even more extensive research effort headed by Samuel A. Stouffer during World War II. Stouffer concluded that the difference between units with high morale and units with low morale was primarily the soldier's belief that his commanding officer "knew his stuff."<sup>2</sup>

Vice Adm. James Calvert, USN

(Ret.), former Superintendent of the U.S. Naval Academy, gave a splendid example of the charisma of competence as he recalled one of his former submarine skippers. Calvert reminisced:

"Dykens had been our captain since the ship had been built and had made both our first two war patrols with us. He had our complete confidence. A 1927 graduate of the Naval Academy, he had spent most of the intervening years in submarines and had commanded one of the old S-boat submarines in Hawaii before the war. He had a well-deserved reputation as a torpedo sharpshooter. Slender, dark, intent, with a voice that sounded like command, he was a real professional. . . ."<sup>3</sup>

Competence, however, embraces much more than exceptional ability in the techniques of a particular profession. Competence applies to moral qualities as well. Bart Starr, who quarterbacked the Green Bay Packers to five national football league championships and two world championships, talked about his former coach, the late Vince Lombardi, noting that "He stands for the things I like to think I stand for. They're considered corny in the society in which we live today, because I think there's no longer enough emphasis on loyalty and respect and pride. He stands for self-sacrifice and dedication and religion, and those are values that don't get much attention anymore. But I'll never forget them. He made sure of that."<sup>4</sup>

If the law enforcement officer is to return to his former position of community leadership, he must demonstrate both his technical and moral competence to members of his community. It is not enough for the officer to show his professionalism and integrity as his job brings him into con-

tact with citizens. He must also let his abilities shine through as he participates in community activities, such as scouting, PTA, service clubs, church groups, etc.

A leader must not only be competent in the physical and moral requirements of his profession, he must also renew his competence through various forms of continuing education. Charles Kettering, the inventor of the automobile self-starter, spray-on paint, and other important discoveries which launched the automobile industry, said it best when he grunted: "Just the minute you get satisfied with what you got, the concrete has begun to set in your head."

Maintaining competence is a lifelong process. Consider Oliver Wendell Holmes. Author of the authoritative book on common law at age 40, he served successively as professor at Harvard, chief justice of the Massachusetts Supreme Court, and revered Justice of the Supreme Court of the United States. When he retired he was in his 90's. One day he received a surprise visit from President Franklin Roosevelt who found him reading Plato. When asked, "Why Plato?" Mr. Holmes replied, "To improve my mind, Mr. President."<sup>5</sup>

Many leaders seek to improve their minds and maintain their competence through continuing education programs offered at colleges and universities. At Ohio State, for example, we sponsor more than 650 continuing education programs, which enroll more than 73,000 adults per year. These participants are not going to let the concrete set in their heads. Many educational institutions throughout the Nation would be delighted to offer special programs for law enforcement officers in cosponsorship with the FBI, police departments, State highway patrols, sheriff's departments, etc. Or, the same institutions would be equally happy to notify law enforcement departments of existing courses in lead-



*“. . . there is no group of professionals who have [as have law enforcement officers] so exemplified valorous conduct in the continuing climate of physical danger. There are, however, other types of courage.”*

ership so that peace officers could enroll individually.

## Courage

It may sound paradoxical to tell law enforcement officers of the need for courage. Certainly in the day-by-day performance of their duties, there is no group of professionals who have so exemplified valorous conduct in the continuing climate of physical danger. There are, however, other types of courage. There is the courage of the leader who is willing to stare failure in the eyeball and, even upon failing, continue to try. This is the type of courage needed by law enforcement officers if they are to regain leadership positions in their communities.

History records a plethora of examples of the courage to overcome failure. Every occupation or profession provides notable examples. Take the field of business. The Macy Department Store of New York, despite its annual sales of over \$1 billion, is a monument to persistence after failure because R. H. Macy failed three times as a merchant before he finally succeeded. Or consider Charles Goodyear whose economic condition was so desperate he had to sell his wife's clothes and pawn his children's schoolbooks before he succeeded in the rubber industry. His company, founded after such adversity, has assets of nearly \$31½ billion and ranks among the top U.S. corporations.

Sports also have their heroes who had the courage to keep trying after failing. Who, do you suppose, is among the alltime major league leaders in strikeouts? Babe Ruth, of course! Yet we forget his impressive

record of failures and remember only that he still holds the record for home runs in a 154-game season.

Picture a young man with his legs so badly burned that the medics predicted he would never walk. But he did walk . . . and run. He persisted through the pain and the bleeding, running longer and longer to strengthen his legs, until he ran right on to the pages of sports history as one of America's most notable milers, a man who set two world records . . . Glenn Cunningham.

Let us look at the courage of men of letters. Consider a young author halfway through his first book. In the depths of despair, he snatched up the manuscript and threw it on a dump. But he had the courage to continue trying, retrieved the manuscript, and dried out the soggy mess in his oven. When finished, the book sold 3 million copies and gave the literary world A. J. Cronin. As a trustee of the American Playwrights Theatre, I have enjoyed attending board meetings with many Pulitzer Prize winners as well as other notables. I soon discovered that many of these distinguished playwrights had one thing in common . . . failure.

Each confessed to me that he had written plays which were rejected by every producer on Broadway, yet each had the courage to try again and eventually to achieve success. A famous playwright once described the reaction to one of his plays as not only negative but utterly hostile. Different derogatory adjectives were used in the rejections which followed one right after another. Enough to turn a man off? Enough discouragement to stop trying? Not for a man with cour-

age! That play, "Street Scene," was finally accepted, ran 601 performances on Broadway, won the Pulitzer Prize, became a successful movie, and, 16 years after it was first written, ran 148 performances as a musical.

Entertainment personalities add to the list of those who failed but had the courage to persist. Fred Astaire, who dazzled a generation in the movies and became a star for the next generation through television, kept the results of his first screen test on his mantel. The framed memo said, in effect, "Balding actor. Can't sing. Can dance a little." Fred Astaire, instead of yielding to adversity, had the courage to continue trying. His persistence earned him nine "Emmy" awards for achievement in television, and as a result of his 34 movies, a special motion picture academy "Oscar" for "raising the standards of all musicals." From Enrico Caruso to Red Buttons, the entertainment industry provides us myriad examples of failures who had the courage to keep trying.

## Compassion

In addition to competence and courage, the leader must possess compassion. This quality must apply both to those who work for and with the leader. Compassion implies a genuine interest in others to the extent that the well-being of other people is put before the leader's own personal safety, advancement, or comfort. George C. Marshall, five star general, Secretary of Defense, Secretary of State, and Nobel Laureate for Peace, exuded compassion. "Once he discovered that an issue of blankets to Fort Benning had bogged down in paperwork. He called in the officer responsible. 'Get those blankets and stoves and every other damn thing that's needed out tonight,' he ordered. 'Not tomorrow—tonight! We are go-

(Continued on page 15)



Selected to represent one of the five training sections, Sgt. John M. Russi, Florida Highway Patrol, Tallahassee, Fla., is presented a plaque in recognition of his services by Director Kelley.



The members of the 94th Session of the FBI National Academy graduated on September 13, 1973, in ceremonies held at the FBI training facilities, Quantico, Va.

The 247 graduates represented all 50 States, Puerto Rico, and the District of Columbia, as well as Canada, Indonesia, Liberia, Mexico, Norway, the Philippines, Sweden, and Thailand.

The ceremonies were called to order by Assistant Director Thomas J. Jenkins, head of the FBI Training Division. Mr. Jenkins introduced Comdr. John W. McElroy, Chaplain Corps, U.S. Navy, who delivered the invocation.

Speaking on behalf of the members of the 94th Session, the class president, Lt. Salvatore DePaola, California Highway Patrol, declared, "Over the past 12 weeks, we have . . . dedicated ourselves to meet the responsibility of absorbing information and knowledge to enhance the goals and purposes of our departments. We feel we have achieved our goals because of the caliber of the staff at the Academy and their dedication to the motto of the National Academy—knowledge, courage and integrity."

DePaola asserted that "The motto of the Academy . . . is more than three words; it might well be the foundation of professionalism in law enforcement." He noted that "Education and training can and do improve



---

*"Education and training can and do improve the man, his attitude and his performance. . . . Given the tools and the know-how, we in law enforcement can accomplish any assignment."*

---



Lt. Salvatore DePaola.

the man, his attitude and his performance. . . . Given the tools and the know-how, we in law enforcement can accomplish any assignment."

The class president specifically thanked the administrators and other fellow officers who made it possible for him and his colleagues to attend the National Academy and praised the FBI staff for their "outstanding cooperative efforts."

Lieutenant DePaola reminded his classmates that "The FBI National Academy and our departments have made an investment in us to make this country a safe and lawful place for our families and fellow citizens." "The members of this 94th Session respond to this commitment with a pledge that we will strive to be worthy of the trust placed in us as graduates and to forever do honor to the proud heritage of the FBI National Academy," he concluded.

Following Lieutenant DePaola's remarks, Mr. Jenkins introduced Mr. Clarence M. Kelley, Director of the Federal Bureau of Investigation, who

was attending his first National Academy graduation as head of the FBI.

Before addressing the graduates, Mr. Kelley introduced Deputy Chief Charles D. Grant, Norfolk, Va., Police Division, who is National President of the FBI National Academy Associates and who was in the audience. Additionally, he recognized as a group 29 other National Academy graduates who were also present.

Mr. Kelley opened his remarks by congratulating the graduates and saluting the 12 officers from other nations who attended the 94th Session.

The FBI Director reminded the officers that they "should feel proud of the honor" of being National Academy graduates. Mr. Kelley observed that "being a member of the National Academy means warm, intimate, abiding friendships with the men and women who have shared the same experiences here at this Academy." He asserted, "In the National Academy friendships have no geographical, national, or departmental lines. They are yours to cherish and share."

According to Mr. Kelley, "National Academy graduates always seem to find a new competence, a new zeal, a new strength to overcome the obstacles ahead" and it's this "ability to go the second mile that so often makes the

vital difference between success and failure. . . ."

Mr. Kelley emphasized to the graduates that they were "now a part of the FBI family" and that "we want to work closely with you . . . to help you as much as we can and to benefit from your abilities and knowledge."

The new FBI chief pledged "to do everything possible in the future to maintain the present high standards of the National Academy and the FBI. The late J. Edgar Hoover left a great heritage and. . . . We want to deepen and expand his concept of excellence."

Mr. Kelley pointed out to his colleagues that "The future prestige of the National Academy rests not exclusively with the FBI . . . but largely with you, the graduate." He commented that "The maintenance of the highest standards of professional conduct in the National Academy must serve as an example for all law enforcement."

The FBI Director noted that "Great demands are today being made on law enforcement people" and he stated that "If we are to be effective and attuned to the times, we must constantly be learning and adapting in a constructive way."

"Your graduation from this Academy should be viewed as only a step toward greater professional competence in the years ahead," and you should "be willing to share the knowledge which you have gained here," commented Mr. Kelley.

The FBI head pointed out to his fellow officers the importance of cooperation and asserted that "We must cooperate as closely as possible with other law enforcement agencies. Co-

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*"[Mr. Kelley] . . . pledged 'to do everything possible in the future to maintain the present high standards of the National Academy and the FBI.'"*

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operation . . . is the master key to success."

Mr. Kelley emphasized to the graduates that the training they received has given them the tools to be competent officers and stressed that it is the quality of the officer that really counts if the law enforcement profession is to be responsive to the needs of society.

"We are proud of you. I want you to be proud of us. Together we have work to do for America," concluded the FBI Director.

Mr. Kelley then presented to a representative of each of the five training sections of the 94th Session a diploma as a symbolic award for the other members of his section. The five worthy graduates who were chosen

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*"We must cooperate as closely as possible with other law enforcement agencies. Cooperation . . . is the master key to success," asserted Mr. Kelley.*

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for this honor were: Lt. Salvatore DePaola, California Highway Patrol, Sacramento, Calif.; Sgt. John M. Russi, Florida Highway Patrol, Tallahassee, Fla.; Insp. William A. Smith, Ontario Provincial Police, Toronto, Ontario, Canada; Capt. B. E. Sander-son, Los Angeles Police Department, Los Angeles, Calif.; and Sgt. Edgar

M. Lawley, Jefferson County Sheriff's Department, Birmingham, Ala.

After the presentation of diplomas, Mr. Jenkins recognized several members of the University of Virginia staff who were in attendance and asked the audience to join him in an expression of appreciation for their interest and efforts on behalf of the National Academy program.

Mr. Jenkins then paid tribute to the U.S. Marine Corps Band, conducted by M. Gy. Sgt. Peter Tramontana, which has contributed greatly to National Academy graduations over the years.

The graduation program was concluded with Chaplain McElroy delivering the benediction and with the playing of the National Anthem. ®

**Shown following graduation exercises, from left to right, are: Assistant FBI Director Thomas J. Jenkins; Chaplain John W. McElroy; FBI Director Clarence M. Kelley; Lt. Salvatore DePaola; Insp. Edward L. Campbell, Jr., FBI Training Division; and Insp. James V. Cotter, FBI Training Division.**







New York City townhouse (left) destroyed in March 1970 by explosions which also claimed lives of extremists apparently using the residence as a bomb factory.

# NATIONAL BOMB DATA CENTER

**O**n August 27, 1973, a small bomb concealed in a letter exploded in the British Embassy at Washington, D.C. The secretary who opened the letter lost her left hand and suffered severe injuries to her right hand as a result of the explosion.



*The center has helped to combat  
increasing bombings in the  
United States.*

Following FBI Laboratory examination of the evidence in this crime, the National Bomb Data Center (NBDC) immediately prepared and issued a bulletin which was sent to thousands of participating law enforcement agencies in the NBDC program. This bulletin provided technical details concerning the explosive device and its triggering mechanism in the event suspect packages were encountered elsewhere by law enforcement personnel. This is an example of the NBDC in action.

Over the past several years, the NBDC has answered a growing need for data to help combat the increasing number of bombings throughout the United States by extremists of various types. Because of their illegal and clandestine nature, most explosive and incendiary devices are homemade. There is, as a result, a wide variety of designs and techniques used in making concealed bomb devices. The use of the "letter bomb," particularly, has stirred great concern among law enforcement agencies. They need information and training in order to cope with this bombing problem, especially in the areas of bomb recognition, procedures, guidelines, and investigation.

Because of this need, in July 1970, the Law Enforcement Assistance Administration (LEAA) funded the development of the NBDC, and the program was initially operated by the International Association of Chiefs of Police (IACP) from July 1970 to June 1972. As the bombings intensified and became nationwide in scope, it was felt that the NBDC program should be coordinated by the Department of Justice. So in July 1972, LEAA requested that the FBI take

over the operation of the program in cooperation with the Picatinny Arsenal, Dover, N.J.

The functions and objectives of the NBDC are basically to provide law enforcement agencies up-to-date statistical and technical information and training regarding bomb-related matters. By publishing and making available general, special, and technical bulletins and by conducting bombing schools, the program is alerting and educating its participating agencies.

Technical assistance to the NBDC is provided by Picatinny Arsenal, which functions under an interagency agreement with the FBI. General information bulletins and technical bulletins are prepared and printed at Picatinny Arsenal and mailed to NBDC participants. The general information bulletins set forth unrestricted information regarding bombings which have occurred throughout the country. The technical bulletins contain restricted technical data, and are prepared for bombing investigators and other officers who are directly concerned with, or are responsible for, bombing problems within their jurisdictions.

The mailing list of participants in the NBDC is maintained by the FBI in Washington, D.C. In order for a law enforcement agency to be a participant, the head of the agency must agree to maintain publications in a secure manner, disseminate them to appropriate personnel only, and participate by sending incident reports of any bombings and other bomb-related data to the NBDC at Picatinny Arsenal, Dover, N.J. 07801. An agency must have a "need-to-know" if it desires information of a technical

nature relative to improvised explosive devices. For those agencies which do not need the technical information but desire only the general unrestricted information, the general information bulletins are more appropriate.

In the event a law enforcement agency is not a participant in the NBDC and desires to be so, the head of the agency should contact the nearest FBI field office and request that his agency be placed on the NBDC mailing list. General information bulletins and technical information bulletins are mailed to the agency by position title, rather than to an individual by name. This eliminates the necessity of constantly changing the mailing list when officers are promoted, transferred, or leave the department. It is the responsibility of the head of a participating agency to circulate the publications among appropriate personnel in his department. If he desires that the publications be mailed to his bomb squad or other appropriate unit, rather than to his office, he may request the local FBI office to have his mailing label changed to the desired designation.

For those agencies which have trained bomb technicians who are currently assigned to the bomb squad, the NBDC publishes a special technical bulletin which includes detailed technical information. In order for a bomb technician to be placed on the mailing list for special technical bulletins, the head of the agency must furnish the technician's name, information regarding the source of his training, and a written certification that he is considered competent to disarm improvised explosive devices and



is currently assigned such responsibilities.

On a 6-month basis, a bomb summary is prepared by the Uniform Crime Reporting Section of the FBI which sets out statistical data as to numbers of bombings, geographical locations, motivations, etc.

Bombing Investigators' Schools are conducted by the FBI in various localities in order to assist law enforcement agencies in handling bombing investigations. These schools are not designed for bomb technicians. Training for bomb technicians is provided at the Hazardous Devices Course, Redstone Arsenal, Huntsville, Ala. That course is funded by the LEAA and is conducted by the U.S. Army.

The problem of improvised explosive devices, to both law enforcement and the general public, as well as the inherent danger of injury and destruction by such devices, must not be underestimated. It is imperative that all agencies cooperate in solving this problem by keeping appropriate authorities informed. The NBDC program relies on contributions from participating agencies and is committed to providing pertinent data to local law enforcement agencies as soon as it is available.

The program is only as good as the information provided by participants. Through cooperation, awareness, and understanding, it is hoped that tragedies like the one at the British Embassy can be avoided in the future.

## APPARENT MOTIVE

The desire to cause malicious destruction was the apparent motive for the largest number of bombing incidents, 348, during the first 6 months of 1973. Personal animosity was second with 324.

Bomb Summary,  
January-June 1973

## FREQUENCY OF BOMBING INCIDENTS

Seventy-three percent of all bombings occurred between 6:01 p.m. and 6 a.m. during the first 6 months of 1973. Three hundred ninety-eight incidents occurred between 6:01 p.m. and midnight, and 283 occurred between 12:01 and 6 a.m.

Tuesday had the highest frequency of bombing incidents with 157, while Sunday had the lowest with 110 during the same period.

## CITIES HIT BY BOMBINGS

Over 39 percent of all bombing matters occurred in cities of over 250,000 population during the first 6 months of 1973. California led the Nation in number of incidents with 271 or 29 percent of the total. The Western Region experienced 381 or 41 percent of the 928 bombing incidents.

## LEADERSHIP

(Continued from page 9)

ing to take care of the troops first, last and all the time.'"<sup>6</sup>

Compassion also assumes that the interest in others goes beyond even family ties. An earlier Virginia general, Robert E. Lee, epitomized this aspect of compassion in the treatment of his own son, Rob. During one campaign, "Just before the army left, Rob came to his father's tent. He was barefoot, and dangling from his hands were the remnants of a pair of boots.

**"... law enforcement officers . . . must exhibit positive leadership in . . . [their] own communities."**

'I only wanted to ask, sir, if I might draw a new pair, as I can't march in these,' he explained. 'Have the men in your company received permission to draw shoes yet?' 'No, sir; I believe not yet.' 'Then go back to your battery, my boy, and wait till they have.'"<sup>7</sup>

If law enforcement officers are ever to regain the image of respect they portrayed in our stories of the Old West, you must exhibit positive leadership in your own communities. You must master the three "C's" of successful leadership. Demonstrate your competence in your profession and continually renew your competence through continuing education. Have the courage to face setbacks yet repeatedly try to win back the community leadership role that was once yours. Show compassion for those who work with you in the community as well as those who work for you in your profession.

While the Old West will never return, perhaps the law officer may return to his former pinnacle of respect.

## FOOTNOTES

<sup>1</sup> Reed M. Powell, *Race, Religion, and the Promotion of the American Executive* (College of Administrative Science, The Ohio State University, 1969), p. 37.

<sup>2</sup> Samuel H. Hays and William N. Thomas, ed., *Taking Command: The Art and Science of Military Leadership* (Harrisburg, Pa.: Stackpole Books, 1967), p. 34.

<sup>3</sup> James Calvert, *The Naval Profession* (Rev. ed.: New York: McGraw-Hill Book Co., 1971), pp. 191-2.

<sup>4</sup> Jerry Kramer, ed., *Lombardi: Winning is the Only Thing* (New York: World Publishing Co.: Dist., 1970), p. 92.

<sup>5</sup> C. William Fisher, *Don't Park Here!* (New York: Abingdon Press, 1962), p. 60.

<sup>6</sup> Marshall S. Carter, "Unforgettable George C. Marshall," *Reader's Digest*, July 1972, p. 74.

<sup>7</sup> Margaret Sanborn, *Robert E. Lee: The Complete Man [1861-1870]* (Philadelphia, Pa.: J. B. Lippincott Co., 1967), p. 76.

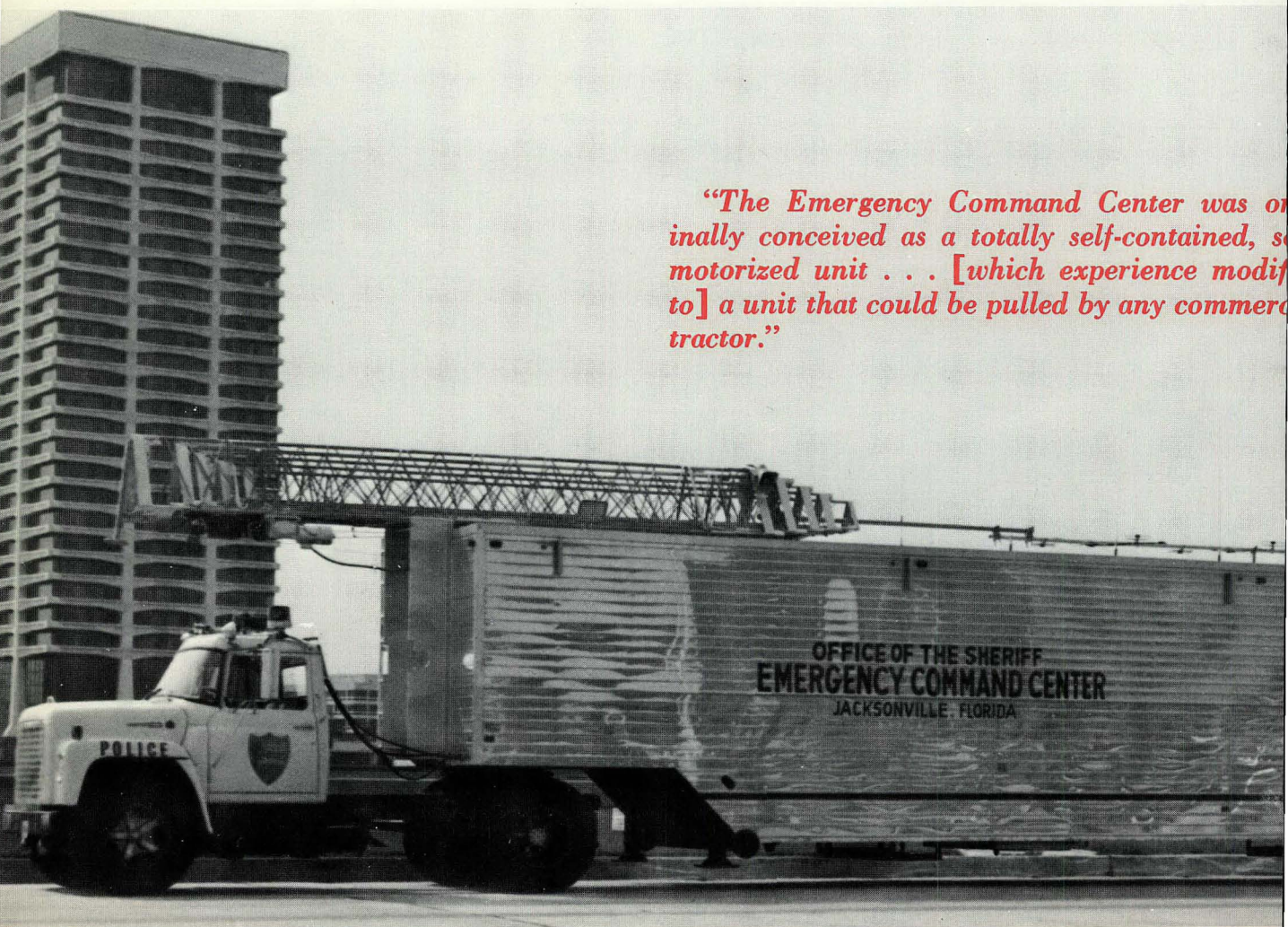
Bomb Summary,  
December 1973 UCR, Jan-June,  
1973



Fail-Safe Communications—

# MOBILE EMERGENCY COMMAND CENTER

*"The Emergency Command Center was originally conceived as a totally self-contained, self-motorized unit . . . [which experience modified to] a unit that could be pulled by any commercial tractor."*







**DALE G. CARSON**  
Sheriff



By  
and **MILLARD P. RICHARDSON**  
Chief  
Police Services Division  
Office of the Sheriff  
Jacksonville, Fla.



**I**n 1928, when the Detroit Police Department went on the air with headquarters-mobile-unit broadcasting, American law enforcement broke into the field of modern communications. Other departments throughout the Nation were quick to realize the crime deterrent value of instantaneous voice communications between field officers and headquarters and adopted the system.

In the years since Detroit installed that first receiver in a single patrol car, radio has become universally accepted as a means of police communications and a major factor in the war against crime. The vital role now played by radio in the law enforcement field has unfortunately turned this valuable tool into a double-edged sword.

## Considerations

Any loss of communications capability could at the very least handicap operations and, carried to the extreme, possibly paralyze the entire police function. Police administrators have taken these possibilities into consideration, making their communications systems as fail-safe as possible. Standby transmitters, auxiliary generators, and power supplies, even complete emergency broadcast systems, are all standard measures now taken to insure against communications breakdown.

When the Jacksonville Sheriff's Office in Jacksonville-Duval County, Fla., decided to upgrade its communications system, it was decided to go beyond the usual limited emergency broadcast systems commonly in use and create a totally mobile Emergency Command Center. Jacksonville, like most growing urban areas, has experienced its share of civil disturbances and natural disasters. Each of these instances has stressed the need for communication capabilities. In order to meet this need, it was decided that the city of Jacksonville would build a mobile Emergency Command Center. In October 1968, the two former governments of Jacksonville-Duval County were merged into one government, reorganized and consolidated. This provided the medium for the merger and general upgrading of police forces and the extension and improvement of services and protection in suburban areas in terms of crime deterrence.

Chief Millard P. Richardson, Commanding Officer of the Jacksonville Sheriff's Office Police Services Division, recalls the go-ahead for the project was given in late 1970, and he immediately launched a study of emergency communication command centers then in use throughout the Nation. More than 200 separate units were analyzed before the design for



the new mobile emergency communications command center was finalized.

### ***Goals and Specifications***

It was decided, after a review of this survey and the department's own experiences in connection with civil disturbances and natural disasters, that the proposed Emergency Command Center had to meet the following basic goals:

1. Provide the Office of the Sheriff with a mobile Emergency Command Vehicle as complete and as sound as engineering would permit;
2. To be completely self-sustaining for a period of up to 72 hours;
3. Provide the capability for coordination of all public safety activities in the 840 square miles of the Jacksonville-Duval County area;
4. Provide operation of 2-watt UHF portable radios in an 8-mile radius.

Each idea proposed for inclusion in the Emergency Command Center was matched against these broad goals and either passed or failed. Those concepts which survived this test then passed on to the next plateau of development.

The Emergency Command Center was originally conceived as a totally self-contained, self-motorized unit, a concept which was modified during the intermediate stages of planning to be a unit that could be pulled by any commercial tractor. This reevaluation came as a result of an explosion and fire at a chemical plant in Woodbine, Ga., in February 1971, which claimed 30 lives.

In reply to a request for assistance from Georgia authorities, Jacksonville dispatched all available police and fire rescue units to the site of the explosion, some 60 miles to the north of Jacksonville. While enroute to the scene, one of the rescue vehicles experienced engine trouble and could not reach the disaster site.

It was decided that the Emergency Command Center would not fall victim to the same fate. When finalized, the plans called for a specially designed and constructed trailer, approximately 8 by 40 feet, that could be towed by a commercial tractor. The unit is divided into four compartments, the Communications Equipment Room, the General Operations Area, the Command Staff Conference Area, and the Auxiliary Generator and Equipment Area.

### ***Funding and Use***

A \$50,000 grant was obtained from the Law Enforcement Assistance Administration (LEAA) and the specifications put out for bids. Bids were advertised three times before criteria could be met within the financial limitations. A final low bid of \$35,870 was submitted by a local firm in Jacksonville, and construction started on the new Emergency Command Center in late 1971.

The specifications called for the city of Jacksonville to install the electronics while the van was being built. This required considerable coordination on the part of both parties, and one radio technician constantly monitored the construction. When necessary, in order not to hold up the prime contractor, additional technicians were called in to accelerate the electronic installations.

Even before the Emergency Command Center was completed, it was pressed into service. Its baptism of fire came during demonstrations in Gainesville, Fla. In May 1972, officials in that university city 75 miles southwest of Jacksonville put out a call for assistance when campus demonstrations spilled into the city streets. More than 300 arrests were made before order was restored during a 9-day period.

The Emergency Command Center was committed to support Jacksonville patrol and helicopter units assigned to Gainesville during the disturbances. Chief Richardson says, "The Gainesville demonstrations provided us with a shakedown cruise that not only reinforced our operational concepts, but also brought to light some rather minor mechanical problems."

One of the major operational requirements of the Emergency Command Center during the Gainesville disturbances was that the unit remain in constant radio contact with the Sheriff's Office Communications Center in Jacksonville. This was accomplished on a VHF frequency using a directional antenna. This direct radio link provided staff officers remaining in Jacksonville with a means of making command decisions based upon up-to-the-minute information as the situation developed 75 miles away.

The Gainesville demonstrations also tested the design requirements that the Emergency Command Center be totally self-sustaining. For a major portion of the 9 days the unit was deployed in the field, the four-man crew ate, slept, and worked in the command center. Again, only minor problems were detected, and these were quickly corrected once it returned to Jacksonville.

***"Even before the Emergency Command Center was completed, it was pressed into service."***



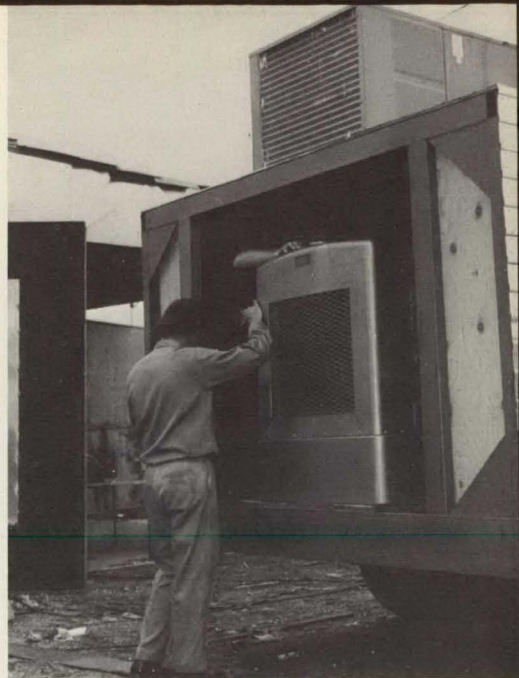
*"The main radio console has the capacity to simultaneously broadcast on up to eight radio channels in any combination of frequencies. . . . [and] can monitor up to six additional radio networks, in addition to the networks being used for transmission."*

## Equipment

The completely self-contained unit has heating and air-conditioning, with onboard power furnished by a 30,000-watt, 220/110-volt single-phase generator. This generator can operate for 72 continuous hours from fuel stored aboard. The 165-gallon gasoline tank is balanced by a similar water tank that furnishes water for the unit's galley and toilet facilities. The center can also be operated on shore power or provide 10,000 watts of emergency power to shore units if necessary.

The heart of the Emergency Command Center, the Communications Equipment Room, contains: two UHF, 4-channel, 250-watt, base stations; eight VHF, 4-channel, 80-watt, base stations; two VHF, 330-watt, power amplifiers; one low band, 70-watt, base station on the Florida National Guard Command Channel; two, 12-channel, mobile UHF radios; combiners and duplexers; assorted test equipment; and an antenna patch matrix.

This equipment is remotely controlled at any of five radio/telephone



The completely self-contained command center has a generator unit (shown) which can operate for 72 continuous hours from fuel stored aboard.

The main radio console can simultaneously broadcast on up to eight radio channels and monitor up to six additional radio networks.





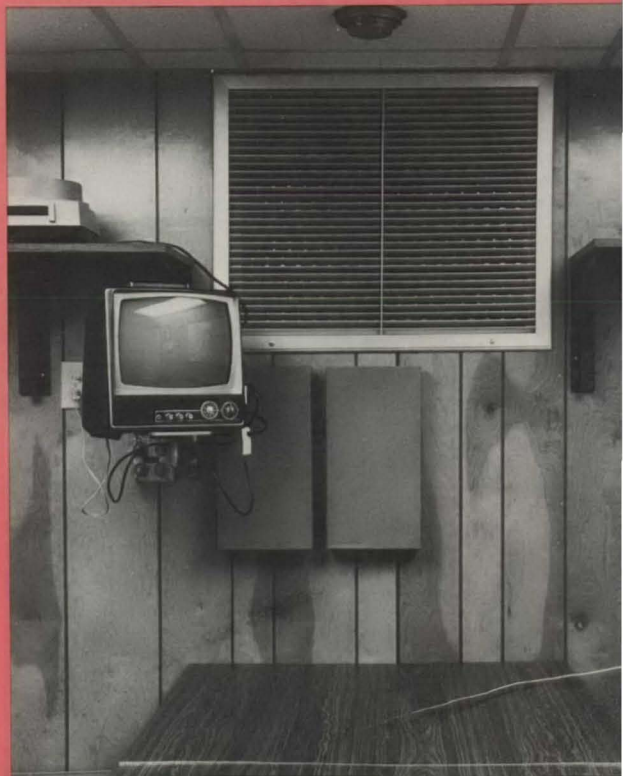


The mobile Emergency Command Center under construction.

A 10-channel recorder is used to provide a permanent record of both radio and telephone conversations.



The Command Staff Conference Area contains a television set and slide projection system, as well as the same radio and telephone capabilities as the other operating areas.





operating positions. The main radio console has the capacity to simultaneously broadcast on up to eight radio channels in any combination of frequencies. The main console also can monitor up to six additional radio networks, in addition to the networks being used for transmission. A voice privacy unit provides up to 7,000 discrete codes to insure that conversations between the Emergency Command Center and the Sheriff's Communications Center are secure from unauthorized ears. With this capability, the Emergency Command Center commander can take advantage of the telephone patch system in the communications center and can talk to any telephone anywhere and not worry about being monitored. Other radio equipment located at the auxiliary operating positions includes: a 27 MHz citizens' band, 23-channel radio; an aircraft transceiver for air search and rescue on 121.5 and 123.1 MHz; and a marine FM VHF radio for water rescue operations.

To radiate these signals, a minimum of 15 antennas is used along with a crank-up tower that folds down on the top of the van. With the tower in the vertical position, the top antenna is over 43 feet above ground, when raised it exceeds 107 feet. Provisions are also included to side mount eight additional antennas for special uses. To provide a permanent record of both radio and telephone conversations, a 10-channel recorder has been installed.

The general operation area contains the galley which includes a microwave oven, water cooler, electric stove, refrigerator, sink, water heater, and storage cabinets. The lavatory, consisting of chemical toilet, sink with hot and cold water, medicine cabinet, first aid kit, electric shaving outlets, and storage cabinets, is located forward of the galley.

The Command Staff Conference

*The command center has speakers mounted on a tower which can be used as a public address system.*

Area houses the same radio and telephone capabilities as the other operating positions plus a television set, a video tape system, a chalkboard, and a slide projection system which contains slides of maps, aeronautical charts, topographical charts and aerial photographs of Jacksonville and the northeast Florida area. Included also are provisions to convert the seats and backs into a bed approximately 92 by 72 inches.

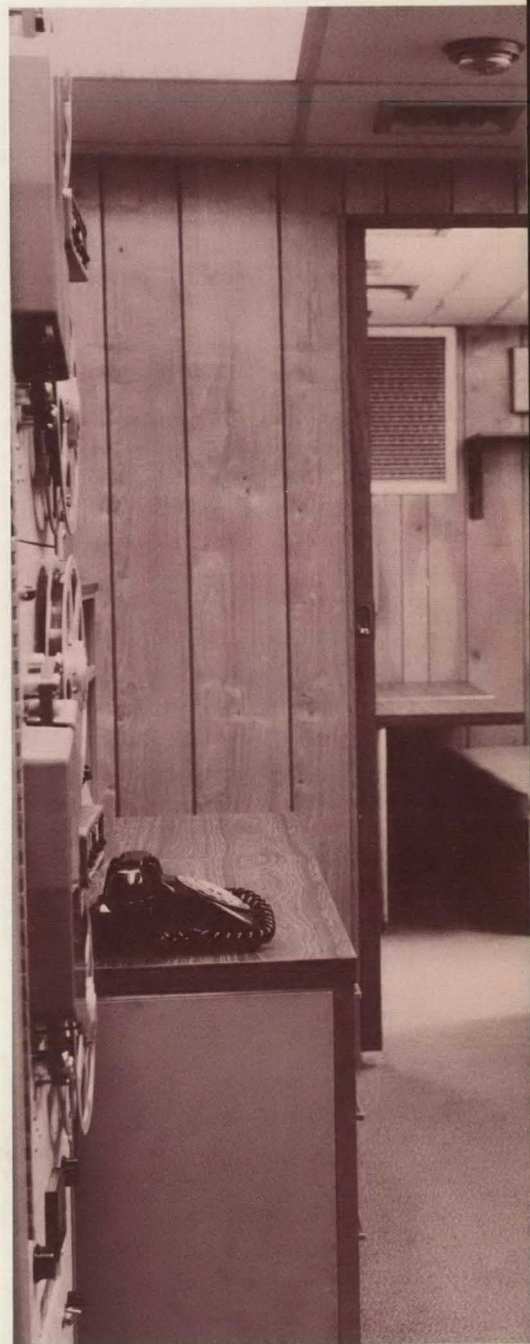
Additional features of the Emergency Command Center include an electronic siren with the speakers located on the tower. This provides any radio receiver audio to be broadcast over the public address system, thus keeping personnel outside the van up to date on occurrences. Portable radio battery charging capabilities are provided for hand-held transceivers. Located at the top four corners of the van are 500-watt high intensity quartz floodlights. Included throughout the trailer is a 12-volt auxiliary light system to back up the 110-volt fluorescent lights. The interior walls are covered with prefinished plywood paneling, and the floor is turquoise carpeting.

### Summary

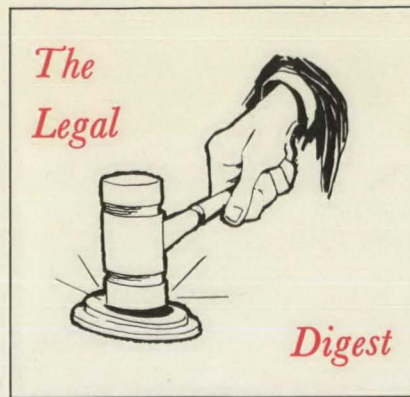
I want to thank the many departments from all across this great Nation of ours who so kindly submitted their plans, photographs, and ideas to us for mobile communications vehicles. These kind responses have greatly assisted us in planning and building a mobile Emergency Command Center that will satisfy our emergency needs for years to come.



A view through the Communications Equipment Room to the Command Staff Conference Area.







# Warrantless Entry to Arrest

By  
J. PAUL BOUTWELL  
Special Agent  
Federal Bureau of Investigation  
Washington, D.C.

*"While the [Supreme] Court did not decide the issue, they gave clear indication that a warrantless entry to arrest, absent exigent circumstances, may be a violation of the fourth amendment."*

## PART I

**I**s the fourth amendment violated by a warrantless police entry into premises to make a felony arrest when there is no need for immediate action and ample opportunity exists to obtain a warrant? The precise question, rarely litigated, was recently faced by the Supreme Court of Florida in *State v. Perez*.<sup>1</sup>

The facts in the case are not complex. Police officers had accumulated a sufficient quantity of information to lead them reasonably to believe that Perez was receiving and concealing stolen property, a felony. The facts which constituted the officers' belief were known to them for 2 or 3 days prior to the arrest. Several police officers went to the suspect's home one

evening, shortly after midnight. They had neither an arrest warrant nor a search warrant. The officers knocked on the door and identified themselves.

**Law enforcement officers of other than Federal jurisdiction who are interested in any legal issue discussed in this article should consult their legal advisor. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law, or are not permitted at all.**

When Perez came to the door, he was immediately arrested. The officers were invited into the house, and Perez turned on the lights in the living room and dining room. While one officer read Perez his constitutional rights, other officers, standing nearby, observed and then seized lottery tickets from the dining room table. The possession of the lottery tickets became the basis of a second charge. At trial the State admitted the fact that the officers had had ample time to obtain an arrest warrant. There was no indication that Perez was about to flee nor any other fact suggesting the necessity for immediate action. The trial court held, however, that it was sufficient that the officers had probable cause



to arrest the defendant without a warrant and since the arrest was lawful the lottery tickets were admissible into evidence. Perez was acquitted of receiving and concealing stolen property but was convicted of possession of lottery tickets. He appealed.

The Second District Court of Appeals of Florida credited the trial court's finding of probable cause and noted the officers' statutory authority to arrest without a warrant. Their attention focused on other facts, namely, that arresting officers had ample time to get a warrant, and that officers were not faced with any exigent circumstances. On this view of the facts the district court of appeals saw the case as presenting a constitutional issue, namely whether the warrantless nighttime entry, absent a need for immediate action, violated the reasonableness test of the fourth amendment.

Acknowledging that the Supreme Court of the United States had never decided the issue, the appeals court nevertheless held the warrantless entry to be unreasonable, and thus a violation of the fourth amendment. "We simply cannot accept the blanket assertion that probable cause to arrest a person for felony justifies intrusion into his home during the nighttime two or three days after probable cause arose . . . and in the absence of any single fact showing need for action before the facts could be submitted to a magistrate. If the Fourth Amendment means anything, it must protect citizens against the sort of intrusion shown here."<sup>2</sup> The case was remanded with directions to discharge Perez.

The Supreme Court of Florida granted review on the basis that the holding was in direct conflict with their decision in *Falcon v. State*.<sup>3</sup> It was in that case that the Florida Supreme Court held that the Florida statutes lay down the only requirement for a valid arrest without war-

rant. The rationale of the opinion was that the absence of an arrest warrant does not invalidate an arrest based on reasonable grounds to believe that a felony has been committed even though there may have been sufficient time to have obtained an arrest warrant.

Applying that principle to the facts in the *Perez* case, the court pointed out that a Florida police officer has statutory authority to enter premises to arrest for a felony without a warrant, provided the officer reasonably believes the person to be arrested is located inside the premises and provided he announces his authority and purpose before entering.<sup>4</sup> The statute "does not say that the arrest thereby authorized cannot be made in the arrested person's home in the nighttime without a warrant if the officer had opportunity to obtain a warrant." *Perez, supra*. To follow the lower court's opinion would mean qualifying the language of the statute to exclude arrests in dwelling houses in the nighttime, absent a showing of necessity. No such exception was set out in the statute.

As to whether the fourth amendment's standard of reasonableness would require such a qualification has thus far been an issue the Supreme Court of the United States has found unnecessary to decide. Although recognizing dictum in Supreme Court cases that might apply such a qualification, the Florida Supreme Court held that they would not extend those cases beyond their actual holding. The decision of the appeals court was set aside with instructions to reinstate the judgment of conviction.

The conflict brought out in these two opinions reflects the disagreement over the extent to which the fourth amendment requires the police officer to seek prior judicial sanction for his action. This source of conflict has been evident in the Supreme Court of the United States for many years.

For example, in *Coolidge v. New Hampshire*,<sup>5</sup> the Court wrote: "Much the most important part of the conflict that has been so notable in this Court's attempts over a hundred years to develop a coherent body of Fourth Amendment law has been caused by disagreement over the importance of requiring law enforcement officers to secure warrants." On the one hand there is the argument that the fourth amendment is violated whenever the police might reasonably have obtained a warrant but failed to do so and the argument on the other hand that the test is one of reasonableness under the facts of a particular case; i.e., if the officer's conduct was reasonable it afforded ample safeguard for the rights in question.

The conflict in the Court with regard to warrantless entry to arrest came to the fore in *Chimel v. California*,<sup>6</sup> when Mr. Justice White contended in his dissenting opinion that a warrantless entry for the purpose of arrest on probable cause is legitimate and reasonable no matter what the circumstances. The conflict appeared again in *Coolidge*, and it was there that Mr. Justice Stewart wrote ". . . if it has been generally assumed that the Fourth Amendment is not violated by warrantless entry of a man's house for purpose of arrest, it might be wise to reexamine the assumption," and ". . . the notion that the warrantless entry of a man's house in order to arrest on probable cause is *per se* legitimate is in fundamental conflict with the basic principle of Fourth Amendment law. . . ."

While the Court did not decide the issue, they gave clear indication that a warrantless entry to arrest, absent exigent circumstances, may be a violation of the fourth amendment. The Court referred with approval to *Dorman v. United States*,<sup>7</sup> an *en banc* decision of the U.S. Court of Appeals, District of Columbia Circuit. In that case the court accepted as reasonable



a warrantless entry into a dwelling house late at night because the arresting officers were faced with circumstances that justified their immediate action. The court stated, however, that absent such exigent circumstances the fourth amendment would require the officers to get a warrant before entry could be made.

Whether the Supreme Court of the United States will ultimately adopt this holding as the correct application of fourth amendment law no one can say. The significance of the question to law enforcement officers, however, is obvious. This article will attempt to focus on the warrantless arrest entry and discuss the background and development of the law on this point. Basic to this discussion will be a consideration of the question whether the fourth amendment's standard of reasonableness, as currently interpreted, requires State courts to inquire into the police officers' opportunity to obtain a warrant. Will the time that the arrest takes place—daytime versus nighttime—affect the question of reasonableness? Cases will be reviewed to illustrate what facts qualify as "exigent circumstances."

## **The Arrest Entry**

### **Fourth Amendment**

The fourth amendment proclaims: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."<sup>8</sup>

### **Background**

From the earliest days, the common law recognized that law officers had authority to break the door of a

dwelling to arrest for a felony.<sup>9</sup> The common law authorities differ, however, on the circumstances which limit this authority. Hawkins says, "where one lies under a probable Suspicion only, and is not indicted, it seems the better Opinion at this Day, that no one can justify the Breaking open Doors in Order to apprehend him."<sup>10</sup> Coke appears to have been of the same view, and to have thought the breaking of a house was limited to cases in which a writ, now our warrant, had issued.<sup>11</sup> Hale, on the other hand, says that "a man that arrests upon suspicion of felony, may break open doors, if the party refuses upon demand to open them. . . ."<sup>12</sup>

Whatever the requirements were at common law which justified an arrest entry, the great majority of jurisdictions, in this country, either by statutory authority or by court decision, authorize police entry without warrant as long as there is authority to arrest. As one writer expressed it, "It is well established in the law that a peace officer may make a forcible entry to search any premises for the purpose of arresting one accused of felony, provided he has reasonable grounds to believe the wanted person is on such premises, even in the absence of a warrant . . . this right to make forcible entry is coextensive with his authority to make the arrest."<sup>13</sup>

A good illustration of the rule regarding arrest entry is the case *Monette v. Toney*,<sup>14</sup> a 1919 decision of the Supreme Court of Mississippi. Mrs. Toney sued the chief of police, Monette, for an alleged unlawful search of her house. She was awarded a judgment against the chief, and he appealed. At the time of the search, the chief had in his possession an arrest warrant for one Gus Nelson. Reliable information was received that Nelson was then at the home of his aunt, Mrs. Toney. Upon receiving this information, Chief Monette, accompanied by two officers, went to the

home of Mrs. Toney. After informing her of the purpose of their visit, they searched the house and grounds for Nelson. Monette did not have a search warrant for Mrs. Toney's home, and there was no indication that she consented to the search. The jury awarded a judgment to her on the theory that her constitutional rights had been violated since the chief searched her house without first having secured a search warrant. The Supreme Court of Mississippi reversed the case and held the entry and search of the premises to have been reasonable. The court said:

In order to make the arrest of a person charged with crime, an officer has authority to enter and search any dwelling house, when he acts upon probable cause and reasonable belief that the party whom he seeks to arrest is then in such dwelling house.

Such officer, in seeking to arrest one charged with crime, whose arrest he is legally authorized to make, may enter and search the dwelling house of the accused, or the dwelling house of any other person when acting in good faith upon reasonable belief that the accused is in the house, and this is true whether the owner or possessor dwelling in the house consents to such search or not; and when search by an officer is made in a reasonably necessary manner under these circumstances for the purpose only of apprehending the person whose arrest he seeks, the officer violates no right or law and is not liable for damages, and is not required to have a search warrant under our statute. The constitutional provision against unreasonable seizure and search never intended that the execution of criminal process in the apprehension of persons convicted or



charged with crime should be thereby delayed or hindered. Such reasonable search in the due enforcement of the criminal laws of the land is not an invasion of the personal security of the citizen.

Petty officers who commit acts in excess of their lawful authority are amenable to the law in such cases, but the arrest of harbored criminals is not to be hindered under the claim of personal security against unreasonable search.

### ***Standard of Reasonableness***

The Supreme Court of the United States in *Ker v. California*,<sup>15</sup> acknowledged that whether an arrest made by a State officer for a State crime is lawful is a matter that must be decided by the State court in accordance with State law. In this regard, the Court said, "The states are not precluded from developing workable rules governing arrest, searches and seizures to meet 'the practical demands of effective criminal investigation and law enforcement' in the states, provided those rules do not violate the constitutional proscription of unreasonable searches and seizures. . . ."

The State courts, therefore, measure the arrest and entry not only against State statutory requirements, but also against the standard of reasonableness laid down by the fourth amendment to the U.S. Constitution. ". . . (W)here necessary to the determination of constitutional rights, the court will make an independent examination of the facts, the findings, and the record so that it can determine for itself whether in the decision as to

reasonableness the fundamental, i.e., constitutional—criteria established by this Court have been respected." *Ker, supra*.

### **Opportunity to Obtain Warrant**

It has been widely held that the absence of an arrest warrant does not invalidate an otherwise lawful arrest, even though there may have been sufficient time to obtain one.<sup>16</sup>

The history of the warrant requirement reflects a significant difference in emphasis between the law of search and seizure and the law of arrest. With the exception of "exigent circumstances," the Supreme Court has strictly required issuance of a search warrant. On the other hand, there is comparatively little discussion regarding the necessity of securing an arrest warrant. If anything, there has been wide acceptance of the traditional and almost universal practice of arrest without a warrant if the officer has probable cause to believe the person to be arrested has committed a felony. While the Court has often expressed a preference for an arrest warrant, the Supreme Court has never held an arrest without a warrant unlawful on the grounds that there was time to obtain one. In *Trupiano v. United States*,<sup>17</sup> where for 3 weeks revenue officers had been in possession of knowledge sufficient to secure either an arrest or search warrant yet had obtained neither, the Court said, "The absence of a warrant of arrest even though there was sufficient time to obtain one, does not destroy the validity of an arrest. . . ." As to search warrants, however, the Court said, "It is a cardinal rule that, in seizing goods and articles, law enforcement agents must secure and use search

warrants whenever reasonably practicable."

In *People v. Eddington*,<sup>18</sup> Michigan police officers developed probable cause to believe that one Eddington was guilty of robbery. The police felt there was a connection between the robbery and an unsolved murder of an elderly couple. The killer, in gaining entry to the house, had broken a window, and a heel print was found on a piece of glass. Inside the house another heel print was found near the bathtub where one of the bodies was discovered.

In discussing the matter with the prosecutor, it was decided that Eddington should be arrested for robbery only. No arrest warrant was obtained. Police officers went to his home and were told by a female resident, known to the officers as Eddington's girlfriend, that he was not at home. Not relying on this representation, the officers entered and began their search for Eddington. One officer saw a pair of black shoes in a closet. He picked up the shoes and examined them. He thought the heel appeared similar to that print found in the murdered victims' bathroom. He also observed what appeared to be tiny particles of glass on the shoes. He put them back down. Since Eddington was not at home, the officers departed. They then obtained an arrest warrant and at the same time a search warrant for the shoes. The officers returned and took possession of the shoes. Eddington was later arrested and charged with murder. He was convicted and he appealed to the Michigan Court of Appeals. Eddington argued that notwithstanding reasonable grounds to believe a felony had been committed and that he had committed it, the police entry to ar-

***"The Supreme Court of the United States in Ker v. California, acknowledged that whether an arrest made by a State officer for a State crime is lawful is a matter that must be decided by the State court in accordance with State law."***



*"It has been generally recognized that an arrest may be made anywhere and the fact that it is made in a private place rather than in a public place does not make it any less lawful."*

rest without warrant was unreasonable and unlawful because the officers had no justifiable excuse for their failure to obtain a warrant. The court stated that the fourth amendment standard of reasonableness regarding searches was not applicable to the same degree as the standard regarding arrests. The court noted its agreement with "... the numerous courts holding an arrest without a warrant is not unlawful even though the police have adequate opportunity to obtain an arrest warrant prior to the arrest." The court went on to hold that the discovery of the shoes was not the result of a general search for evidence, but rather the shoes were seen during the course of the search for Eddington. "Lifting the shoes and examining their heels involved no more than a legitimate and restrained investigative conduct undertaken on the basis of ample factual justification."

With respect to a court's inquiry into the difficult question of whether an officer had opportunity to obtain a warrant, Mr. Justice White made this significant observation in his dissenting opinion in *Chimel*, "It must very often be the case that by the time probable cause to arrest a man is accumulated, the man is aware of police interest in him or for good reasons is on the verge of flight. Moreover, it will likely be very difficult to determine the probability of his flight. Given this situation, it may be best in all cases simply to allow the arrest if there is probable cause especially since that issue can be determined very shortly after the arrest."

#### The Place of Arrest

It has been generally recognized that an arrest may be made anywhere and the fact that it is made in a private

place rather than in a public place does not make it any less lawful.<sup>19</sup>

#### On the Street

When an arrest is made on the street, no inquiry is usually made as to whether the officer had an opportunity to obtain a warrant even though it may appear that such an opportunity existed. Lower courts have affirmatively held that an arrest may be made without a warrant even though abundant opportunity existed for its issuance. In one Federal case where the agent made an arrest on the street without a warrant, the court said: "If an arresting officer has reasonable grounds to believe that a person has violated the narcotic laws, he may defer the arrest for a day, a week, two weeks, or perhaps longer."<sup>20</sup>

Where the fourth amendment issue has been considered, it has been held that when the arrest takes place on the street or in a public place, the only constitutional requirement is that there be probable cause to arrest.<sup>21</sup> There is no additional requirement of recourse to a warrant. "We find no case holding that a warrantless arrest in a public place for a felony, supported by probable cause, offends the standard of validity prescribed by the Fourth Amendment. The standard is reasonableness."<sup>22</sup>

In *United States v. Bazinet*,<sup>23</sup> police officers were sent by a superior officer to arrest one Knox on sight for illegal dynamite trafficking. The police had no warrant and never applied for one. Police had a "stakeout" at Knox's grandmother's house. They observed Knox exit a van (driven by Bazinet), enter his grandmother's house, and return carrying a bag. As soon as the van left the house, it was stopped, and the occupants were ar-

rested. In a search incidental to the arrest, the officers found incriminating evidence in the bag. Defendants appealed their conviction to the Eighth Circuit Court of Appeals on the argument that the police had ample opportunity to obtain an arrest warrant and failure to obtain one violated their constitutional rights, notwithstanding the fact that the officers had probable cause for the arrest.

The court denied that a warrantless arrest on the street violated the fourth amendment in the absence of any exigency excusing the securing of a warrant. The court pointed out that a distinction has traditionally been drawn between warrantless arrests, searches, and seizures occurring within an individual's dwelling place, and those occurring in a public place. "... (T)he law of this Circuit continues to be that an arrest in a public place based on probable cause and a subsequent search incident thereto is not an unreasonable search and seizure in violation of the Fourth Amendment. An arrest warrant is not required even though there may be time to obtain one when the ensuing arrest is based upon probable cause. The test is one of probable cause for the arrest." *Bazinet, supra*.

#### In Private Premises

Distinguished from the arrest in a public place, the arrest in private premises creates tension between the need to give wide discretion to the arresting officer in deciding the best time and place for an arrest and the recognition of one's right of privacy and security in one's home. The Supreme Court of the United States gave notice that a constitutional issue might be involved in a warrantless entry to arrest in *Jones v. United*



*States*.<sup>24</sup> Justice Harlan noted in the majority opinion that "whether the forceful nighttime entry into a dwelling to arrest a person reasonably believed within, upon probable cause that he had committed a felony, under circumstances where no reason appears why an arrest warrant could not have been sought" raised a "grave constitutional question."

In *United States ex rel Wright v. Woods*,<sup>25</sup> police officers obtained a search warrant for the second floor of a particular apartment building based on information that a gambling operation was occurring there nightly around 10 p.m. The officers arrived at 9:30 p.m. One officer on the scene identified several persons whom he had previously arrested for gambling violations. Everyone he observed, however, entered an apartment on the first floor. Standing on an elevated railway track, the officer could see through a rear window. He also heard adding machines and statements indicating that a gambling operation was then in progress. The police knocked and announced their purpose. After the person answering told them to "get lost," police forced entry. Arrests were made and evidence seized. The defendant was convicted for gambling, a misdemeanor, and conviction was affirmed by the Illinois Supreme Court. The case was appealed to the U.S. Court of Appeals, Seventh Circuit, on a writ of habeas corpus. The question presented by the defendant's petition was whether under the fourth amendment and the fourteenth amendment, the police may forcibly enter an apartment to arrest without warrant for a gambling offense. Defendant claimed that the Constitution conditions entry into a private build-

ing to arrest for a nonviolent misdemeanor, upon the possession of a valid warrant. The court found no such constitutional constriction upon the States. In fact, the court said, "The Constitution has never . . . been read absolutely to require an arrest warrant as a precondition to entry into private buildings, regardless of the attendant circumstances. States have not been held under a constitutional compulsion to justify warrantless searches in accordance with subtle distinctions between violent and nonviolent crimes." Moreover, the court pointed out that a warrantless entry would seem to be constitutionally permissible whenever the police make a proper announcement.

A contrary position was expressed in *Accarino v. United States*,<sup>26</sup> a U.S. Court of Appeals decision of the District of Columbia.

In that case police officers, after announcing their identity, forced entry to arrest without a warrant one suspected of a gambling violation. Entry was about 1:30 in the afternoon. Evidence found on the suspect at the time of arrest was used at the time of trial, and he was convicted. On appeal he contended the arrest was unlawful since the police could not legally break open the door to his dwelling place unless they first obtained an arrest warrant. The court of appeals supported this contention and said, "A man in his own home has a right of privacy which he does not have when on the public street. That additional right imposes additional requirements upon the power of arrest.

"Unless the necessities of the moment require that the officer break down a door, he cannot do so with-

out a warrant; and if in reasonable contemplation there is opportunity to get a warrant, . . . the outer door to a dwelling cannot be broken to make an arrest without a warrant. The right to break open a door to make an arrest without a warrant requires something more than the right to arrest. If nothing additional were required, a man's right of privacy in his home could be no more than his rights on the street; and the right to arrest without warrant would be the same as the right to arrest with a warrant. The law is otherwise." *Accarino v. United States*.

#### FOOTNOTES

<sup>1</sup> 277 So. 2d 778 (1973).

<sup>2</sup> 267 So. 2d 33 (Fla. App. 1972).

<sup>3</sup> 226 So. 399 (1969).

<sup>4</sup> Fla. Stat. Ann. Sec. 901.17 (eff. 1/1/71).

<sup>5</sup> 403 U.S. 443 (1971).

<sup>6</sup> 395 U.S. 752 (1969).

<sup>7</sup> 435 F. 2d 385 (D.C. Cir. 1970).

<sup>8</sup> U.S. Const. Amend. IV.

<sup>9</sup> *Miller v. United States*, 357 U.S. 301 (1958), discusses comprehensively the development of the law on this point. See also the exhaustive article, Wilgus, "Arrest Without a Warrant," 22 Mich. L. Rev. 541 (1924).

<sup>10</sup> 2 Hawkins, Pleas of the Crown, Sec. 7 (1762). See also Foster, Crown Law, 321 (2d ed. 1776).

<sup>11</sup> Coke, 4th Institute, 177.

<sup>12</sup> 1 Hale, Pleas of the Crown, 583 (1736).

<sup>13</sup> Fisher, "Laws of Arrest" (1967), pp. 272-273. See also Perkins, "Cases and Materials on Criminal Law and Procedure," pp. 718-719, n. 6.

<sup>14</sup> 81 So. 593 (1919).

<sup>15</sup> 374 U.S. 23 (1963).

<sup>16</sup> *United States v. Miles*, 468 F. 2d 482 (3rd Cir. 1972); *United States v. Wixom, et al.*, 460 F. 2d 206 (8th Cir. 1972); *Odum v. United States*, 403 F. 2d 45 (5th Cir. 1968); *Lee v. United States*, 363 F. 2d 469 (8th Cir.), cert. denied, 385 U.S. 947 (1966); *Abramson v. United States*, 326 F. 2d 565 (5th Cir. 1964), cert. denied, 377 U.S. 957 (1964); *Reis v. State*, 248 So. 2d 666 (Fla. App. 1971).

<sup>17</sup> 334 U.S. 699 (1948). *Trupiano* was overruled by *Rabinowitz v. United States*, 339 U.S. 56 (1950), which was itself overruled by *Chimel v. California*, 395 U.S. 752 (1969).

<sup>18</sup> 178 N.W. 2d 686 (1970). Reversed and remanded by the Supreme Court of Michigan on other grounds, 198 N.W. 2d 297 (1972).

<sup>19</sup> *Monroe v. Pape*, 221 F. Supp. 635 (1963). See also 6 C.J.S. Arrest Sec. 12.

<sup>20</sup> *Dailey v. United States*, 261 F. 2d 870 (5th Cir. 1958), cert. denied, 359 U.S. 969 (1959).

<sup>21</sup> *Ford and Kimble v. United States*, 353 F. 2d 927 (D.C. Cir. 1965).

<sup>22</sup> *Ibid.* See also 6 C.J.S. Arrest Sec. 5, n. 35.5.

<sup>23</sup> 462 F. 2d 982 (8th Cir. 1972).

<sup>24</sup> 357 U.S. 493 (1958).

<sup>25</sup> 432 F. 2d 1143 (7th Cir. 1970), cert. denied, 401 U.S. 966 (1971).

<sup>26</sup> 179 F. 2d 456 (D.C. Cir. 1949).

(Continued Next Month)

*" . . . the arrest in private premises creates tension between the need to give wide discretion to the arresting officer in deciding the best time and place for an arrest and the recognition of one's right of privacy and security in one's home."*



# HELPING THE ELDERLY

With the opening of a high-rise apartment complex for elderly and handicapped residents in downtown Louisville, Ky., the hopes of these citizens reached a new high. Here were low rental, clean, well-constructed apartments where they would be among persons their own age or those with similar problems. Here they could have a social life and enjoy the comforts of modern apartment living.

It didn't take long for thieves to see the opportunity for "easy pickings" at this location. The monthly subsistence checks for many of the residents arrived on the same date each month, and they depended on nearby banks or stores to cash their checks. While returning home after cashing the checks, however, they were frequent victims of purse snatchers and strong-arm robbers. Of course, the senior and handicapped citizens were no match for the young, speedy bandits. In a matter of seconds their monthly incomes were gone, forcing many of them to do without some of the necessities of life.

Additional police officers were assigned to this area, but the quickness of the crime and the plentiful places of refuge available in the neighborhood stymied vigorous efforts to stop the robberies.

The commander of that district approached me as president of the Louisville Police Officers' Association to see if I would talk to some of the community's bankers and see if it would be possible to set up check-cashing facilities at the apartments. Due to Federal banking regulations pertaining to security, we were disappointed to learn that such a service could not be arranged at the apartment complex by financial institutions.

As a result, the board of directors of the Louisville Police Officers' Association agreed that as a public service the association would set up a check-cashing program at the apartment complex, using its bank funds to cash the checks at no charge for infirm and elderly residents.

Once each month an off-duty police officer gets a check from our treas-



By

**LT. COL. LOUIS G. SCHWEIZER, JR.**

**Louisville Division of Police,  
Louisville, Ky.**

urer, and he and other officers go to the bank and pick up the necessary cash. Then they go to the apartment complex and set up a cashier. The social security and old-age assistance checks, which are deposited back into the association account by our treasurer, are then cashed for residents only.

By doing this, we eliminate the greatest opportunities for the thieves to successfully commit their crimes. Not only has the program saved many monthly incomes, but it also has prevented many injuries victims had suffered at the hands of young and ruthless hoodlums.

This police service has resulted in giving the aged, infirm, and handicapped freedom from fear in their neighborhood, as well as money to pay their rent and to enjoy the other necessities of life. We have had no complaints from any of these senior citizens. On the contrary, we have been overwhelmed with praise and thanks from them for our assistance.

Check-cashing  
service is  
available once  
each month.





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Mobile Emergency Command Center, by Dale G. Carson, Sheriff, and Millard P. Richardson, Chief, Police Services Division, Office of the Sheriff, Jacksonville, Fla., December 1973, vol. 42, No. 12, p. 16.

The Personal Patrol Car Program, by Roland B. Sweitzer, Chief of Police, and Sgt. Giacomo San Felice, Prince George's County Police Department, Forestville, Md., September 1973, vol. 42, No. 9, p. 16.

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The Danger From Within: Organization Stagnation, by Dr. Charles N. Kaufman, Professor of Management, School of Business, University of South Dakota, Ver-

million, S. Dak., February 1973, vol. 42, No. 2, p. 3.

Does Your Department Have a Media Relations Program?—Why Not?, by Robert D. Gordon, General Manager, WCPO-TV, Cincinnati, Ohio, August 1973, vol. 42, No. 8, p. 18.

The Police Agent, by Capt. William A. Allen, Commander, Operations Division, Arlington County Police Department, Arlington, Va., October 1973, vol. 42, No. 10, p. 2.

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A Judge's Views on Law Enforcement Education and Training, by Hon. E. Gardner Brownlee, Judge, 4th Judicial District Court, Missoula, Mont., September 1973, vol. 42, No. 9, p. 8.

A New Approach to Inservice Training, by Ms. Joyce M. Siemon, Staff Writer, and Maj. Charles C. Black, Chief, Central Services Division, both of the Dade County Public Safety Department, Miami, Fla., November 1973, vol. 42, No. 11, p. 11.

On Target: Police-Community Cooperation Builds Range, by Jerry L. Friend, Captain of Detectives, Galesburg Police Department, Galesburg, Ill., January 1973, vol. 42, No. 1, p. 25.

A Revolution in Police Training, by Robert Clark Stone, Executive Director, Kentucky Law Enforcement Council, Richmond, Ky., July 1973, vol. 42, No. 7, p. 8.

## POLICE UNITS

Crime Reduction: A Community Approach, by Col. Carl V. Goodin, Chief of Police, Cincinnati, Ohio, November 1973, vol. 42, No. 11, p. 20.

A Major Case Squad for Metropolitan Areas, by Clarence M. Kelley, former Chief of Police, Kansas City, Mo., May 1973, vol. 42, No. 5, p. 22.

Mobile Emergency Command Center, by Dale G. Carson, Sheriff, and Millard P. Richardson, Chief, Police Services Division, Office of the Sheriff, Jacksonville, Fla., December 1973, vol. 42, No. 12, p. 16.

One Department's Confrontation Strategy, by Herman J. Thomas, Acting Chief of Police, Madison, Wis., January 1973, vol. 42, No. 1, p. 2.

The Student Safety Patrol, by Yehoshua Caspi, Superintendent, Special Branch, Israel National Police Headquarters, Jerusalem, Israel, and Yaacov Gur, Chief, Traffic Safety Patrol, Ministry of Transport, Tel Aviv, Israel, May 1973, vol. 42, No. 5, p. 18.

## ROYAL CANADIAN MOUNTED POLICE

Serving Canada for 100 Years, by William L. Higgitt, Commissioner, Royal Canadian Mounted Police, Ottawa, Ontario, Canada, September 1973, vol. 42, No. 9, p. 2.

## SCIENTIFIC AIDS

Law Enforcement and the Forensic Pathologist, by J. T. Francisco, M.D., Chief Medical Examiner, State of Tennessee, Memphis, Tenn., February 1973, vol. 42, No. 2, p. 7.

The Law Enforcement Officer and the Determination of the Time of Death, by Irvin M. Sopher, D.D.S., M.D., Assistant Medical Examiner, Office of the Chief Medical Examiner, State of Maryland, Baltimore, Md. 21201, October 1973, vol. 42, No. 10, p. 10.

The State of Development of the FBI's Automatic Fingerprint Identification System, Part I, June 1973, vol. 42, No. 6, p. 8.; Conclusion, July 1973, vol. 42, No. 7, p. 14.

## TECHNIQUES

Crime Reduction: A Community Approach, by Col. Carl V. Goodin, Chief of Police, Cincinnati, Ohio, November 1973, vol. 42, No. 11, p. 20.

Hood River County Rescue Groups, by Rupert L. Gillmouthe, former Sheriff, Hood River County, Hood River, Oreg., November 1973, vol. 42, No. 11, p. 28.

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Total Confinement of Clandestine Device Explosions, by B. T. Rogers and R. W. Taylor, Los Alamos Scientific Laboratory of the University of California, Los Alamos, N. Mex., August 1973, vol. 42, No. 8, p. 2.

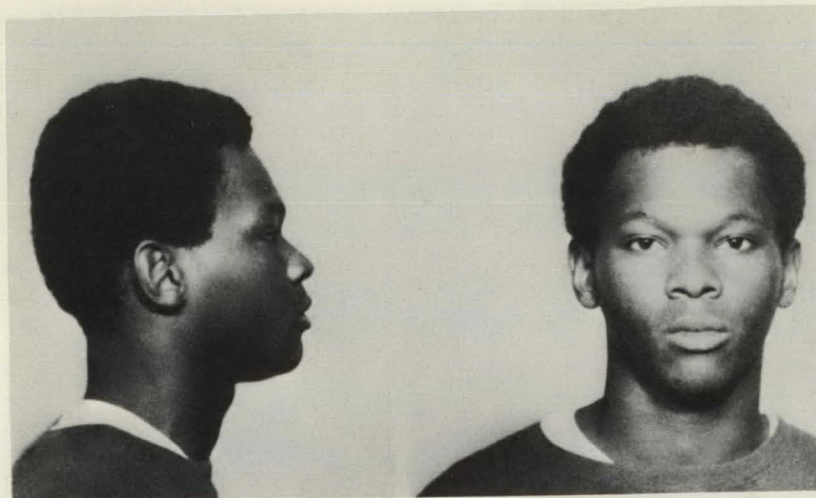
## TRAFFIC

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The Student Safety Patrol, by Yehoshua Caspi, Superintendent, Special Branch, Israel National Police Headquarters, Jerusalem, Israel, and Yaacov Gur, Chief, Traffic Safety Patrol, Ministry of Transport, Tel Aviv, Israel, May 1973, vol. 42, No. 5, p. 18.



# WANTED BY THE FBI



JOSEPH ANDREW REEDER, JR., also known as "Joe"

## Bond Default

Joseph Andrew Reeder, Jr., is being sought by the FBI for bond default. A Federal warrant for his arrest was issued on May 22, 1969, at Washington, D.C.

Reeder and an accomplice were arrested on June 13, 1968, and charged with the robbery of the Friendship House Community Federal Credit Union of Washington, D.C. Reeder was released on bond but failed to appear as scheduled in court on February 10, 1969.

## Description

Age----- 25, born October 15, 1948,  
Washington, D.C.  
Height----- 5 feet 7 inches to 5 feet 8  
inches.  
Weight----- 145 pounds.

Build----- Medium.  
Hair----- Black.  
Eyes----- Brown.  
Complexion.. Medium.  
Race----- Negro.  
Nationality-- American.  
Occupations- Laborer, porter.  
Scars and  
marks----- Scar on left knee.  
FBI No.----- 481,005 G.



Right index fingerprint.

Fingerprint  
classifi-  
cation-----

13 O 29 W IOO 19  
I 28 W IOI

Ref: 29  
32

## Caution

Reeder may be armed and should be considered dangerous.

## Notify the FBI

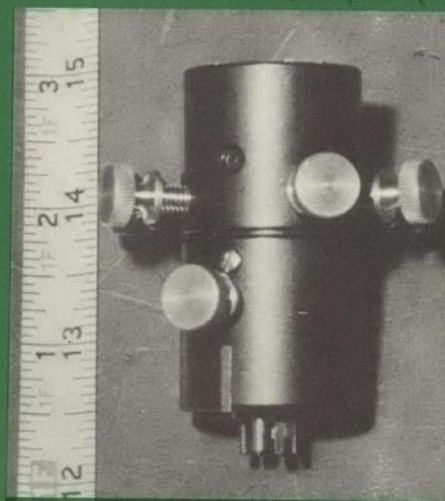
Any person having information which might assist in locating this fugitive is requested to notify immediately the Director of the Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C. 20535, or the Special Agent in Charge of the nearest FBI field office, the telephone number of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



# TUBULAR LOCK PICK

Over the years, a number of tools have been developed to pick tubular locks which are common, for example, in coin-operated machines. One of the more recent tools developed is pictured on this page. This type of pick is commercially available in designs ranging in price from a few dollars to more than \$100. It is a potential burglary tool.

Operation of the tool is relatively simple. After centering it over the lock, the pins in the pick's core are pushed down one at a time until each is perfectly seated against those of the lock. When all pins are locked into position with the thumbscrews on the outside of the pick, the tool can open the lock when a slight turning tension is applied.



Side view of tubular lock pick.



End view of tubular lock pick.

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## INTERESTING PATTERN

The pattern at left is interesting as it consists of a loop over a double loop whorl. It contains three deltas and is classified as an accidental whorl with an outer tracing.