

FBI

Law Enforcement Bulletin

DECEMBER 1974

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DEPART

FIRE

Federal Bureau of Investigation

Clarence M. Kelley, Director

FBI

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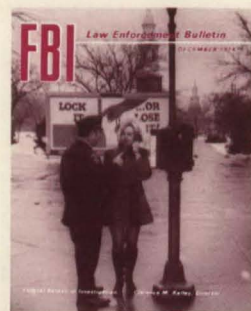
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THE COVER

False fire alarms represent a serious community challenge in terms of public safety, as well as wasted police and fire department personnel. Among efforts being employed to reduce the problem is public education, as shown in the cover photograph picturing a police officer instructing a citizen in use of police-fire callbox. See related article, page 16. Photo courtesy of New Haven, Conn., Police Department.



Message from the Director . . .



RIISING LEVELS OF CRIME are an alarming and complex problem which, as we have seen over many years, does not lend itself readily to quick or easy remedy. There is one area of crime deterrence, however, which I feel strongly has not been given enough attention. That is the effort to reduce the opportunities for crime.

Many crimes could have been prevented by the simple expedient of closing a window, locking a door, leaving a light on, securing valuables, removing a key from a parked car, choosing a busy thoroughfare to walk rather than a dark and desolate, but perhaps shorter, route. There are countless others—all ordinary precautions—that could have been taken easily by citizens in every walk of life and by businesses both large and small.

How many crimes could have been prevented? There is no certain way of knowing, but it may be an awesome total. We do know, for example, that most crimes against property—which represent 90 percent of all Crime Index offenses—are crimes of opportunity. For the most part, they are not deliberately conceived or stealthily planned. Instead, the opportunity to gain by crime presents itself in such an inviting fashion as to outweigh for some persons, for the moment at least, the risk of being caught. Since small crimes, due to unexpected circumstances, frequently swell to grave proportions, or are at least training grounds for larger crimes, their reduction could have far-reaching effects in all categories of lawlessness. It is also far more economical in nearly every instance to prevent

crime rather than to solve it. The savings extend from one end of the criminal justice system to the other.

When applied to specific targets, reducing opportunities for criminal attack—preventive security or target hardening—has had startling results. There are many examples, but I will cite two notable ones.

From 1968 through 1972, actual and attempted aircraft hijackings were committed at a fearsome pace that made them a more than every-other-week occurrence throughout the United States. Following implementation of a preventive security program involving the combined cooperation of the airlines, law enforcement and other government agencies, and the air-traveling public, aircraft hijackings have been reduced to a meager handful of their former number.

One of the most successful preventive security programs grew out of a rash of robberies in the Nation's Capital a few years ago. In 1967, there were more than 300 bus holdups. Even worse, the rate spurted to more than 200 holdups in the first 5 months of 1968. Besides the loss of revenue, the holdups accounted for 12 bus drivers injured and 1 murdered.

The targets of the robberies were the fare boxes carried by each bus driver to make change for boarding passengers. After mid-1968, no change has been made for fares, which must be deposited in a sealed cashbox beyond the control of the driver. Since then, bus holdups in Washington, D.C., have become a rarity.

MESSAGE

Reducing opportunities for crime is the responsibility of everyone. Law enforcement agencies, particularly through their community relations units, should be at the forefront in devising programs to protect persons and property and

encouraging citizens to follow them. With the Christmas season approaching, when most serious crimes are at or near their yearly peak, it is timely that the public and the profession redouble their efforts to reduce the opportunities for crime.

A handwritten signature in cursive script, reading "Clarence M. Kelley". The signature is written in dark ink and is positioned above the printed name and title.

CLARENCE M. KELLEY
Director

DECEMBER 1, 1974

A Comparison of the Wounding Effects of Commercially Available Handgun Ammunition Suitable for Police Use

"... the severity of a wound is directly related to the amount of kinetic energy lost by the bullet in the body."

By

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Selection of a new caliber or type of ammunition is a matter of great importance to both police officers and law enforcement organizations. Ideally, selection should be made only after extensive evaluation of the wounding effects of the available weapons and ammunition. Conducting such tests, however, is impractical for most police departments. It has only been since the military services, in 1962, published the results of their research in wound ballistics that such evaluations have become possible.¹ The same theory and techniques of testing devised by the military can be used with some modification to evaluate the wounding

effects of different calibers and commercially available ammunition for use by police.

The Southwestern Institute of Forensic Sciences at Dallas has a continuing program to evaluate the wounding effectiveness of different calibers and types of ammunition, so as to provide this information for both law enforcement organizations and individual police officers.^{2, 3} This article presents a comparison by the institute of the wounding effects of different calibers and commercially available cartridges used by law enforcement organizations or considered suitable for police use.

Theory

Research in the field of wound ballistics during and after World War II revealed that the severity of a wound is directly related to the amount of kinetic energy lost by the bullet in the body.¹ This means that the greater the loss of kinetic energy, the greater the damage to the tissues, therefore, the more severe the wound. From this it was concluded that the wounding effectiveness of different types and calibers of cartridges could be evaluated and compared by determining the amount of energy lost by each bullet in passing through tissue. This

testing became more workable when subsequent research revealed that for experimental purposes blocks of 20 percent gelatin at 10° C could be substituted for human tissue.¹ At this point, it should be pointed out that it is not the total amount of kinetic energy that a bullet loses in tissue that is of importance; rather, it is the energy delivered to vital organs, i.e., brain, heart, lungs, and liver, that causes incapacitation. In view of this, blocks of gelatin 15 cm in depth are used for testing. Penetration by a bullet beyond 15 cm (approximately 6 inches) is not important, because beyond this depth the bullet would have struck or bypassed the major organs or would have exited from the body.^{2,3} Using the aforementioned research theories and techniques, it is now possible to compare the wounding effect of different calibers and types of cartridges by determining the amount of kinetic energy lost by bullets passing through a gelatin block.

Methods

The tests were conducted at a range of 15 feet from muzzle to gelatin block, using weapons of the type commonly carried by police officers: a Smith & Wesson 9 mm, Model 39 semiautomatic pistol; a Colt .38 Super semiautomatic pistol; a Colt .45, Model 1911 A-1 semiautomatic pistol; a Smith & Wesson .38 Special revolver, Model 15 with a 4-in barrel; a Smith & Wesson .357 Magnum revolver, Model 28 with a 4-in barrel; a Smith & Wesson .41 Magnum revolver, Model 58 with a 4-in barrel; and a Smith & Wesson .44 Magnum revolver, Model 29 with a 4-in barrel. Firings were made through 20 percent gelatin blocks 16 cm in height, 16 cm in width, and 15 cm in depth which were kept at a temperature of 10° C. Gelatin specifically produced for such studies was used.² The velocity of each bullet prior to entering the block, as well as on exiting, was determined,

TABLE I

Kinetic Energy Lost in Gelatin Blocks by Various Brands of 9 mm Parabellum Cartridges

Manufacturer	Bullet weight (grains)	Style ¹	Muzzle velocity ± 1 SD ² (ft/s)	Kinetic energy lost ± 1 SD (ft-lb)
Winchester.....	115	FMJ	1,132 \pm 37	107 \pm 15
Norma.....	116	FMJ	1,165 \pm 36	110 \pm 13
Remington.....	124	FMJ	1,108 \pm 11	110 \pm 22
Smith & Wesson.	100	FMJ	1,219 \pm 18	129 \pm 9
Do.....	115	FMJ	1,175 \pm 36	130 \pm 24
Do.....	115	FMJ-SWC	1,160 \pm 28	176 \pm 27
Winchester ³	100	SP	1,305 \pm 21	274 \pm 60
Smith & Wesson.	115	JHP	1,156 \pm 30	323 \pm 21
Remington.....	115	JHP	1,196 \pm 18	330 \pm 14
Super Vel.....	90	JHP	1,382 \pm 17	377 \pm 15

¹ FMJ—full metal jacket, FMJ-SWC—full metal jacket-semiwadcutter
SP—soft point, JHP—jacketed hollow point.

² SD—standard deviation.

³ "Power point."

TABLE II

Kinetic Energy Lost in Gelatin Blocks by Various Brands of .38 Auto, .38 Super, and .45 Auto Ammunition

Caliber/ manufacturer	Bullet weight (grains)	Style ¹	Muzzle velocity ± 1 SD ² (ft/s)	Kinetic energy lost ± 1 SD (ft-lb)
.38 Auto				
Remington..	130	FMJ	1,034 \pm 14	101 \pm 5
.38 Super				
Winchester..	130	FMJ	1,208 \pm 21	138 \pm 16
Super Vel...	107	JHP	1,281 \pm 20	376 \pm 17
.45 Auto				
Remington..	230	FMJ	812 \pm 8	117 \pm 6
Norma.....	230	JHP	812 \pm 21	170 \pm 18
Amron.....	180	"Hemi"	979 \pm 24	188 \pm 11
Remington..	185	JHP	914 \pm 11	272 \pm 44
Super Vel...	190	JHP	1,053 \pm 17	349 \pm 54

¹ FMJ—full metal jacket, JHP—jacketed hollow point, "Hemi"—hemispherical jacketed soft point.

² SD—standard deviation.

using two chronographs. The kinetic energy was computed, using the formula $KE = WV^2/2g$, with W being the weight of the bullet, V the velocity, and g the gravitational acceleration. Bullets were recovered and weighed to determine any loss of weight in passing through the block, as this would alter the determination of the exit kinetic energy.

Results

9 mm Parabellum (Luger)

The 9 mm is truly an international round, used by more military and police groups throughout the world than any other caliber. Only recently has it begun to gain popularity in the United States, with the introduction of the Smith & Wesson Model 39 and Model 59 semiautomatic pistols. Table I gives the loss of kinetic energy in gelatin blocks by the 9 mm Parabellum cartridges tested. The six full metal jacket (FMJ) loadings tested were equal or superior in wounding effectiveness to the 230 grain (gr) FMJ .45 Automatic loadings (table II) and markedly superior to the traditional 158 gr round nose (RN) .38 Special loadings (table III). This superiority is shown by the greater amounts of kinetic energy lost by the 9 mm bullets in the gelatin blocks. The 9 mm Smith & Wesson full metal jacket, semiwadcutter (FMJ-SWC) loading lost the most kinetic energy of the full metal jacket rounds, equaling some of the .38 Special jacketed soft point and hollow point loadings. The 9 mm Winchester 100 gr "Power Point" jacketed soft point (JSP) showed even better performance, being surpassed in the .38 Special loadings by only three of the hollow point rounds. The 9 mm jacketed hollow point (JHP) loadings make this cartridge superior to most .38 Special loadings and a number of the .357 Magnum soft point and hollow point loadings.

TABLE III

Kinetic Energy Lost in Gelatin Blocks by .38 Special Ammunition

Manufacturer	Bullet weight (grains)	Style ¹	Muzzle velocity ± 1 SD ² (ft/s)	Kinetic energy lost ± 1 SD (ft-lb)
Remington.....	200	RN	664 \pm 10	57 \pm 7
Winchester.....	158	RN	789 \pm 13	72 \pm 5
Remington.....	158	SWC	775 \pm 16	73 \pm 5
Do.....	158	RN	743 \pm 9	77 \pm 18
Federal.....	158	RN	816 \pm 8	79 \pm 3
Winchester.....	200	RN	678 \pm 11	84 \pm 5
Do.....	158	SWC	804 \pm 16	91 \pm 5
Remington.....	158	RN	989 \pm 18	97 \pm 8
Winchester.....	158	SWC	930 \pm 27	136 \pm 11
Western.....	150	MT	972 \pm 26	136 \pm 22
Remington.....	148	WC	749 \pm 17	144 \pm 7
Norma.....	158	JHP	792 \pm 21	146 \pm 29
Speer.....	125	JSP	1,093 \pm 37	159 \pm 32
Smith & Wesson.	158	JHP	909 \pm 19	168 \pm 14
Do.....	110	JHP	1,077 \pm 11	188 \pm 8
Super Vel.....	110	JSP	1,147 \pm 42	195 \pm 21
Remington.....	125	JHP	944 \pm 15	239 \pm 8
Super Vel.....	110	JHP	1,089 \pm 12	259 \pm 11
Winchester.....	158	HP	951 \pm 11	261 \pm 8
Smith & Wesson.	125	JHP	1,189 \pm 37	295 \pm 32
Remington.....	95	JHP	1,216 \pm 15	312 \pm 8
Norma.....	110	JHP	1,334 \pm 47	391 \pm 41

¹ RN—round nose, SWC—semiwadcutter, MT—metal tipped, WC—wadcutter, JHP—jacketed hollow point, JSP—jacketed soft point, HP—hollow point.

² SD—standard deviation.

.38 Super and .38 Automatic

The .38 Super cartridge should be used in preference to the .38 Automatic in all modern .38 semiautomatic pistols (table II). Both cartridges are loaded with 130 gr FMJ bullets. Both of these .38 auto cartridges are roughly comparable in wounding effectiveness to the 9 mm FMJ-RN bullets, with the .38 Super somewhat superior to the .38 auto cartridge. The Super Vel 107 gr JHP more than doubles the wounding effectiveness of the .38 Super cartridge, making it as effective as the 9 mm hollow point loadings.

.45 Automatic

This has been the official U.S. Army cartridge since 1911, and many myths have arisen concerning its effectiveness. Contrary to these stories, the standard military loading with a 230 gr FMJ bullet is no more effective than the traditional 9 mm FMJ round. Both of these loadings lose about the same kinetic energy in gelatin blocks. The Norma JHP and Amron "Hemi" (a jacketed soft point) are somewhat more effective than the traditional .45 FMJ loading (table II). The Norma JHP does not expand in either gelatin

or the human body. It may cause functioning difficulties in some guns, because of the exposed lead tip. The Amron round may also cause functioning difficulties, because of the short, stubby nature of the bullet with an exposed lead tip. The .45 Super Vel JHP is three times as effective as the FMJ military round. The Super Vel, like the Norma hollow point, does not expand significantly in either gelatin or the body. The increased wounding effectiveness of this round is due to its increased velocity and the blunt nose shape, necessitated by the hollow point at the tip. The Remington 185 gr JHP falls between the Amron and the Super Vel rounds in its wounding effectiveness. The amount of kinetic energy lost by the Super Vel .45 JHP load and that lost by the three 9 mm JHP loadings tested is essentially the same. Thus, the wounding capability of these cartridges is also equal.

.38 Special

The .38 Special is the cartridge most widely used by police in the United States. In the past few years, many law enforcement organizations have expressed dissatisfaction with the wounding effectiveness of this cartridge. Because of this dissatisfaction, many organizations have begun using the new high velocity .38 Special loadings or have shifted to the use of other weapons, such as the .357 or .41 Magnum. The traditional 158 gr round nose (RN) loadings for the .38 Special are relatively ineffective, losing only 72 to 79 ft-lb (foot-pounds) of energy in the gelatin block (table III). One brand of the 200 gr RN is less effective than the 158 gr RN, while another brand is slightly more effective. Winchester offers a 158 gr lead semiwadcutter (SWC) cartridge in either a standard velocity or a high velocity loading. The standard velocity round is apparently a special loading for some police agencies, while the high

velocity round is commercially available and sold to the general public. The high velocity round is significantly superior to the round nose bullets and other semiwadcutter bullets. An unexpected finding, first reported in our previous study, was the excellent performance of the target wadcutter bullet, which lost 144 ft-lb of energy in the gelatin block, making it one of the better of the all lead loadings.²

Two jacketed soft point loadings were evaluated, the Speer 125 gr JSP and the Super Vel 110 gr JSP. The latter one showed better performance, losing a greater amount of kinetic energy in the gelatin block.

The JHP cartridges showed great variation in performance, depending on the brand and bullet weight. As a general rule, the higher the velocity, the better the performance. The Norma 110 gr JHP showed the best performance of all the .38 Special cartridges tested. It was unpleasant to

shoot, however, because of recoil. In a previous study, the Remington 125 gr JHP was the second most effective round.² During the present tests, it dropped from second to sixth place. This was apparently due to the fact that the muzzle velocity was reduced from 1155 ± 24 feet per second (ft/s) to 944 ± 15 ft/s. In addition, the powder appears to have been changed from ball to flake. The Remington 95 gr JHP lost all its energy in the gelatin block. The only nonjacketed hollow point bullet tested was the Winchester 158 gr HP. This round showed excellent performance and was pleasant to shoot.

.357 Magnum

The standard 158 gr lead SWC loading in this round lost 166 ± 19 ft-lb of energy in a gelatin block (table IV). The hollow points, with two exceptions, lost more than 300 ft-lb in the blocks. The most effective round tested was the Remington 125 gr JHP,

TABLE IV

Kinetic Energy Lost in Gelatin Blocks by .357 Magnum Ammunition

Manufacturer	Bullet weight (grains)	Style ¹	Muzzle velocity ± 1 SD ² (ft/s)	Kinetic energy lost ± 1 SD (ft-lb)
Remington.....	158	SWC	$1,191 \pm 19$	166 ± 19
Western.....	158	MT	$1,206 \pm 51$	209 ± 44
Smith & Wesson.	158	JHP	$1,060 \pm 23$	212 ± 15
Do.....	158	JSP	$1,078 \pm 53$	280 ± 50
Do.....	125	JHP	$1,153 \pm 43$	280 ± 47
Remington.....	158	JSP	$1,217 \pm 25$	284 ± 29
Western.....	158	JSP	$1,180 \pm 22$	334 ± 31
Remington.....	158	JHP	$1,170 \pm 25$	369 ± 36
Super Vel.....	110	JHP	$1,296 \pm 74$	371 ± 36
Smith & Wesson.	110	JHP	$1,337 \pm 59$	393 ± 36
Western.....	110	JHP	$1,282 \pm 25$	393 ± 12
Do.....	158	JHP	$1,169 \pm 31$	402 ± 19
Remington.....	125	JHP	$1,331 \pm 27$	423 ± 27

¹ SWC—semiwadcutter, MT—metal tipped, JHP—jacketed hollow point, JSP—jacketed soft point.

² SD—standard deviation.

which lost 423 ± 27 ft-lb of energy. It is of interest that the Smith & Wesson 158 gr JSP outperformed its hollow point version of the same weight and that the Smith & Wesson 125 gr JHP cartridge in .38 Special and .357 Magnum are equal in wounding effectiveness. The hollow and soft loadings for the .357 cartridges as a group are only slightly superior in wounding effectiveness to the 9 mm and .38 Special hollow point cartridges.

.41 Magnum

This round was developed to fill the gap between the .357 and .44 Magnums. Two loads are available, a 210 gr lead SWC and a 210 gr JSP (table V). The semiwadcutter load is inferior in wounding effectiveness to almost all the .357 cartridges, most of the .38 Specials HP's, and all of the 9 mm HP loadings. The jacketed soft point round is superior to all the aforementioned calibers; however, it is unpleasant to shoot, with its heavy recoil.

.44 Magnum

In wounding effectiveness, measured by loss of kinetic energy in gelatin blocks, this is the most effective caliber tested (table V). Unfortunately, the available loadings are extremely unpleasant to shoot, because of the heavy recoil. Based on the high exit velocities and energies from gelatin blocks, this caliber will probably pass through a body, endangering innocent bystanders. Because of excessive recoil, this caliber should be used only by an experienced shooter. The .44 Magnum as presently loaded is essentially a hunting round, rather than a police load.

Some police officers, to avoid the excessive recoil of the .44 Magnum, load their weapon with .44 Special rounds. Our tests revealed, however, that this latter cartridge, factory loaded with a 246 gr bullet, is less effective than almost all .38 Special cartridges.

Conclusion

The cartridges tested for this report are a good representation of currently available commercial handgun ammunition. Choice of a particular caliber or cartridge by an individual or department depends not only on the wounding effectiveness of the particular ammunition or caliber, but also on: the weapon to be used; the average police officer's tolerance to recoil;

"The problem of recoil and muzzle blasts and its effect on officers should be considered when choosing a new caliber or cartridge."

the duties to be performed; whether the new ammunition will endanger innocent bystanders; public relations; and the economic question of a changeover in caliber or ammunition. Our research was concerned principally with the effectiveness of different calibers and brands of ammunition. In our testing, we did collect some additional data and impressions that might influence the choice of a weapon and caliber. An example is the severe recoil of the .41 Magnum and .44 Magnum, which, we feel, make them unsuitable for general police use. In addition, these rounds tend to overpenetrate and thus are capable of injuring innocent bystanders.

In the semiautomatic pistol field, we found that the 9 mm loadings are pleasant to shoot. In view of the wide range and the excellent performances of the 9 mm loadings, as well as the equality in wounding effectiveness with the .45 Automatic, the 9 mm is probably the best available caliber for police use, if a semiautomatic pistol is to be used. In revolvers, the .38 Special is still the best overall caliber.

TABLE V

Kinetic Energy Lost in Gelatin Blocks by Various Brands of .41 Magnum, .44 Special, and .44 Magnum Cartridges

Caliber/ manufacturer	Bullet weight (grains)	Style ¹	Muzzle velocity ± 1 SD ² (ft/s)	Kinetic energy lost ± 1 SD (ft-lb)
.41 Magnum				
Remington...	210	SWC	961 ± 20	188 ± 36
Do.....	210	JSP	$1,259 \pm 35$	500 ± 48
.44 Special				
Remington...	246	RN	660 ± 18	69 ± 5
.44 Magnum				
Remington...	240	JSP	$1,251 \pm 30$	545 ± 60
Super Vel...	180	JHP	$1,442 \pm 43$	565 ± 89
Winchester...	240	JHP	$1,268 \pm 25$	621 ± 39
Remington...	240	SWC	$1,263 \pm 31$	636 ± 45
Do.....	240	JHP	$1,221 \pm 15$	639 ± 38

¹ SWC—semiwadcutter, JSP—jacketed soft point, RN—round nose, JHP—jacketed hollow point.

² SD—standard deviation.

With the new high velocity loadings, this round can now duplicate the performances of many of the .357 cartridges. Some of the high velocity loadings for the .38 *should not* be fired in small and/or alloy frame revolvers due to the extreme pressure developed.

The problem of recoil and muzzle blasts and its effect on officers should be considered when choosing a new caliber or cartridge. Beginning with the .357 Magnum and progressing to the .44 Magnum, there is an increasing tendency towards flinching, produced by the greater recoil in these weapons. Fear of the weapon and/or ammunition used in the magnum cartridge class works to neutralize any added benefits from these rounds. If a police officer fears his gun, he is unable to fire it well and any advantage gained by new high velocity loadings or a larger caliber is lost.

The problem of public relations may come up, especially with the use of hollow point ammunition. Myths have arisen about the terrible wounds caused by hollow point pistol bullets. Such stories are complete nonsense. Pistol bullets, even the new high velocity loadings, are in reality low velocity projectiles. At autopsy, one cannot specifically tell from the extent of the injury if an individual has been shot by a .38 Special 158 gr RN lead bullet travelling at 789 ft/s or a 110 gr Norma HP at 1334 ft/s.

Similar stories concerning mutilating injuries have arisen about the

magnum calibers and the .45 Automatic. These cartridges and calibers again do not cause particularly mutilating injuries. The wounds produced usually cannot be differentiated from those of the traditional 158 gr RN .38 Special bullet.

A final point to be made in discussing our evaluation of different brands of ammunition has to do with changes in manufacturing of ammunition. Many of the ammunition manufacturers will change the type of powder and powder loadings in their cartridges without any notice. Less commonly, they will alter the construction of the bullet loaded in a cartridge. Such changes can alter the ballistic performances of the fired bullets. This was demonstrated in the case of the .38 Special Remington 125 gr JHP cartridge, mentioned previously. Therefore, before adoption of a particular cartridge, it would be best to check with the manufacturer to see if he has made any alteration in the loading for this particular cartridge. Any loading change in which there is a decrease in velocity may cause a significant decrease in performance.

REFERENCES

¹ Beyer, J. C. (editor): "Wound Ballistics." Office of the Surgeon General, Department of the Army; U.S. Government Printing Office, Washington, D.C., 1962.

² DiMaio, V. J. M., J. A. Jones, and C. S. Petty: "Ammunition for Police." A comparison of the wounding effects of commercially available cartridges, J Police Sci and Administration, 1:269-273, 1973.

³ DiMaio, V. J. M., J. A. Jones, W. W. Caruth, L. L. Anderson, and C. S. Petty: "The Effectiveness of Snub-Nose Revolvers and Small Automatic Pistols" (in preparation).

FBI

LAW ENFORCEMENT OFFICERS KILLED

According to information collected through the FBI's Uniform Crime Reporting Program, five law enforcement officers were killed due to criminal action in September 1974.

During the first 9 months of 1974, 95 local, county, State, and Federal law enforcement officers were killed due to criminal action. In the same period in 1973, 101 officers were slain.

Forty-two officers were killed in the Southern States, 26 in the North Central States, 14 in the Western States, 9 in the Northeastern States, and 4 in Puerto Rico. Twenty-eight officers were slain handling disturbance calls, 18 while attempting arrests for crimes other than robbery or burglary, 17 in connection with robbery matters, 11 while investigating suspicious persons, 6 in connection with burglary matters, 5 while making traffic stops, 6 in unprovoked or premeditated ambush-type attacks, and 4 while handling prisoners.

All but two of the officers were killed by firearms. Handguns were used in 65 of the killings.

AGGRAVATED ASSAULT

During calendar year 1973, there were an estimated 416,270 aggravated assaults in the Nation. This is a 7-percent increase, or 27,300 additional offenses over 1972.

EDITOR'S NOTE: Material and articles published in the *FBI Law Enforcement Bulletin* are solely for the information and assistance of law enforcement members. While brand names and companies may be mentioned from time to time, this is done in a strictly objective manner to help present stories in their entirety from authoritative sources. In such instances, publication of the article in the *BULLETIN* should not, under any circumstances, be construed as an endorsement or an approval of any particular product, service, or equipment by the FBI.

A Self-Defense Program for Women

The man reached out, grasped the girl's neck, and began to tighten his hands. With an equally swift movement, the girl grabbed his arms and tossed his 200 pounds over her shoulder.

Patrolman James Jones picked himself up from the mats in the auditorium of a Boston bank. This was routine procedure for him. Patrolman Jones is a member of the Boston Police Department's unique "Stop Rape" team.

Jones explained to the still-gasping audience how Officer Patricia Rehm had flipped him, and demonstrated simplified variations of the self-defense maneuvers that women can use to fight off attackers.

Their demonstration would continue for another 10 minutes. It had been preceded by a 15-minute film on rape prevention, "Lady Beware," and would be followed by a lecture plus a question and answer period.

"Lady Beware" is a 16-mm color film that presents the basic principles of rape prevention. The key word in the film and in the lecture that follows is the word SAFE.

S for *Secure*—security at home in the form of deadbolt locks, good communications with neighbors, security in a car and on the streets.

A for *Avoid*—avoid danger spots like public transportation stops at night, parking garages, and elevators.

be
safe
from
rape



By
DEBORAH GRIFFIN
Informational Services Division
Office of the Commissioner
Police Department
Boston, Mass.

F for Flee—run when possible into brightly lit areas.

E for Engage, the last resort. Remain calm, breathe deeply. Observe anything that might help later in prosecution. If physical action is to be taken for self-defense, it must be an all-out effort.

The film is not a frightening film, but it is thought provoking. This, Sgt. Charles A. Deary of the Boston Police Informational Services Division says, is the desired result of the program. "If two women leave the program, one saying to another, 'We didn't get any final solution, but we can devise our own method,' then the program is a success."

The reasoning behind the self-defense section of the program is that the police cannot decide for a woman if she should use physical force and fight her attacker. That's a decision each woman must make herself. If a woman feels she will be killed if she doesn't fight, she should know some basic self-defense techniques, Boston police believe.

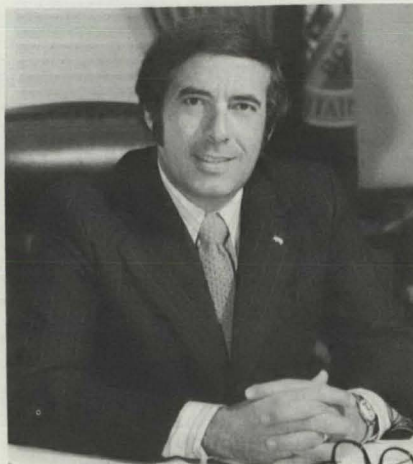
The rape team shows women a few moves that will give a woman time to think, and run—a kick in the instep or groin, a jab to the chin, or a poke in the eyes of an attacker.

"Fear and anger are close," Sergeant Deary reminds the women. "If you can turn fear into anger you might be able to loosen a hold and get away."

While the team members are demonstrating self-defense, they talk to the audience, leading into the question and answer period.

Questions vary with the audience. Recently, in an affluent section of the

"While the team members are demonstrating self-defense, they talk to the audience, leading into the question and answer period."



Commissioner Robert J. di Grazia

city, a lawyer quizzed the team on recent rape legislation. Both participants, Rosemarie Salvo, a civilian employee in the department's Planning and Research Division, and Patrolman Jim Jones, had read up on the rape laws and could respond without hesitation to the lawyer's probes.

A demonstration before a local chapter of an organization for women brought an outburst of questions on the use of women police officers in rape cases. In Boston, if a woman requests that a woman officer interrogate her, she will get one. The whole question of the exclusive use of women in interrogating rape cases is under study by the department's Planning and Research Division.

The most difficult question, but the one that is nearly always asked, is why a woman should report a rape, knowing the traumatic and painful procedure she will have to face.

The answer varies with the member of the Stop Rape team replying. One of the women officers might answer that her embarrassment at being asked personal, intimate questions would be exceeded by her anger at her assailant.

The essence of each officer's reply, however, is that by not reporting the rape, the victim is allowing her attacker to go free, to rape her or another woman again.

The rape teams make a point of

telling their audiences that rape victims must not feel shame. Rape is a crime, and women who have been raped have been victims of a crime.

Most women want to know if they should scream when attacked.

Yes, if you have enough maneuverable space between you and your attacker, Sergeant Deary says; no, if your attacker has a knife to your throat. You might just startle him into using the knife.

Older women often ask what the rape team would advise for women who know they could not use physical means of self-defense.

The answer is to think, then talk. If attacked, your first reaction would be shock, then the adrenalin starts pumping and you will be alert, more so than under ordinary conditions. You will be capable of physical reactions you didn't think possible.

Talk to your attacker, and keep talking. If he has a knife to your throat, tell him to put the knife away. If he does, you have gained control. Not much, but some, and you have calmed yourself to the point that you know what you are doing.

Look for opportunities. Your objective now is to get away from him. Keep calm, keep thinking, keep talking.

Many times the audience wants a character sketch of a rapist. This is impossible, except to point out that studies show that the attacker has observed the victim, not necessarily that the victim has observed the attacker.

Most rapes involve persons of the same race and are concentrated in the lowest income areas. A high percentage of rapists are married.

Since most rapes occur in dark, secluded places, a point in the victim's favor is that she would be attacked in one place, the street, for example, and taken to a more secluded location before anything would happen. There have been cases of women who have convinced their assailants to

“[T]he Stop Rape team does not have all the answers, but we know that if we have reached just one woman, our efforts have been worthwhile.”

come with them into brightly lit areas and then were able to flee.

Many women question the advisability of resisting. Wouldn't it be better to be raped than to be murdered?

Yes, but how can you be sure of what your attacker will do? A rapist is in a highly agitated state. In such a state he could kill as well as rape.

The point most stressed is that each woman must make a plan. This means knowing yourself, your capabilities, physically and emotionally. Are you aggressive or passive by nature? Know the physical setup of your apartment. Trust your instincts. Your “gut feeling” may be your first warning of trouble.

Questions last for as long as the audience can stay. Generally, if it is an average show, the question and answer period will go on for more than an hour, with several members of the audience lingering on afterward to talk to the officers individually, sometimes quietly relating their own experiences with rape or assault.

Boston Police Commissioner Robert J. di Grazia comments that “the Stop Rape team does not have all the answers, but we know that if we have reached just one woman, our efforts have been worthwhile. And the experience has, and will be, mutually profitable and enlightening to the women of Boston and the Boston Police Department.”

®



A Boston police officer shows a “Stop Rape” audience some defensive tactics that might be used against an attacker.



Hawaii's Civil Identification Program

By

ERNEST T. YONAMINE

Director

Bureau of Crime Statistics

and Identification

Department of Attorney General

State of Hawaii

Honolulu, Hawaii

December 7, 1941, marks a momentous day in the histories of the United States and Hawaii. The attack on Pearl Harbor that day brought a need for tight security. A central fingerprint identification system for all civilians, 6 years of age and older, who were then living in the Hawaiian Islands was established as a result.

At the end of the war in 1945, the territorial legislature of Hawaii enacted a voluntary civil identification program based upon its wartime counterpart. This identification program was created as a public service project. By providing rapidly retrievable data on essential identifiers of certain individuals in Hawaii, the program answered many personal and institutional needs. One obvious benefit was the potential it held for improving the crime prevention, detection, and apprehension efforts of law enforcement organizations.

Card Requests

Today, this voluntary civil identification program has been codified in Part III, Chapter 28, Hawaii Revised Statutes, as a responsibility of the State attorney general. The services of the Bureau of Crime Statistics and Identification, the operational arm of the program, are offered to everyone living in Hawaii and anyone visiting the State. Although there are no age limits, a request for an identification (ID) card by a person 15 years of age or younger must be made by the applicant's parent or guardian. As



specified by Section 28-38, Hawaii Revised Statutes, the following data must be collected and filed as a written record: Applicant's name, date and place of birth, address, residence and business telephone numbers, occupation, personal description including identifying marks, citizenship status, fingerprints of both hands.

In order to prevent one from fraudulently obtaining and using a Hawaiian ID card, the bureau requires that each request for an ID card be accompanied by the applicant's birth certificate and social security card. In lieu of a birth certificate, one may present a valid passport, or a U.S. naturalization certificate, or a U.S. alien registration card as a means of verifying the personal data of the applicant. Consideration is also given to U.S. Armed Forces discharge papers, baptismal certificates, or other similarly authenticated certificates of personal data.

If the foregoing requirements can-

not be met, a properly executed affidavit bearing the necessary data may be accepted after weighing the merits of the individual case and the personal needs of the applicant. Testimony by a third party on behalf of an applicant sworn before a notary public may also be considered. However, it should be emphasized that such variations are held to a minimum in order to eliminate fraudulent applications.

Processing

A valid request for an ID card is initially registered chronologically. A preliminary name search of the ID program's name index file with negative results leads to further processing by completing the basic photo-ID format with the required personal data being typed onto a 3¼- by 7½-inch card. This card is then processed and combined with a color photo of the applicant. The finished 2- by 3-inch laminated card contains a photo and signature of the bearer; his name, social security number, and other personal data; date of issue; the authenticating facsimile signatures of the attorney general and the civil identification program's registrar; the bearer's fingerprints; and the name and address of the nearest relative or other person to be notified in case of an emergency.

In conformity with the U.S. Armed Forces ID card and the Hawaii driver's license, the number which appears on each Hawaiian ID card is the same as the bearer's social security

number. This helps to reduce the number of numerical combinations which are currently being utilized to identify a given person.

Program Benefits

Hawaii's civil identification program has acquired a reputation as a strong stimulus for crime deterrence in the area of personal identification fraud with respect to bank transactions and credit sales. Another benefactor of this ID program is the U.S. Passport Office as the ID card presents a valid identification of the traveler. The U.S. Immigration and Naturalization Service has utilized the accumulated ID records to confirm the identities of aliens leaving or returning to Hawaii. The Hawaii State Employees' Retirement System resolves similar problems concerning the identification of recipients who are now living in foreign countries. The ID card can also be used to prevent the fraudulent use of more than one social security number for the purpose of receiving and cashing more than one benefit check by a single person using different names.

Through the assistance of the bureau, the local police have been able to establish the positive identification of a number of the victims of homicides committed in this State. Primarily through a comparison of victims' fingerprints with copies of the sets on file in the State, the identification of victims of drownings and other accidents has also been established.

The individual person is probably the primary beneficiary of Hawaii's ID program. The Hawaiian ID card has been satisfactorily accepted by most of the banks in the State of Hawaii for the purpose of having a check cashed. Merchants are relying increasingly on the civil identification program as the ID cards are utilized for verifying the identification of the individual desiring to purchase goods

or services by check. Individuals traveling overseas are able to utilize the program to verify their identification through their fingerprints in the event that all means of personal identification are lost or stolen. A few individuals have used their ID cards to prove their Hawaii residence as of a certain date. The ID cards have also been helpful to verify the age of an individual—whether it be for social security purposes or to attest to one's majority.

Fingerprint Searches

During the past 27 years, the civil identification program, through the use of fingerprint searches, has resulted in the positive identification of 347 persons who were victims of homicides, traffic accidents, drownings, plane crashes, suicides, tidal waves, and numerous other mishaps, where identification would otherwise have been much more difficult.

On two occasions, the civil identification program was used to identify the victims of amnesia. In another case, the bureau was able to assist a young female in proving her American citizenship in order to return to Hawaii from the Philippines. The American consulate sent a set of her fingerprints to the bureau; a fingerprint search proved that she was indeed an American citizen and resident of Hawaii.

Another identification problem involved attempts to identify a badly decomposed female body. Due to the condition of the corpse, only one discernible impression, the right thumbprint, was taken from the victim. After an exhaustive search of over 500,000 prints, a positive identification of the victim was finally made.

This program was tested again on April 1, 1946, when a devastating tidal wave struck Hawaii, bringing destruction and death. While many of the victims were identified by rela-



Hon. George Pai
Attorney General, State of Hawaii

tives and friends, a few had virtually all identifiable marks destroyed. However, the bureau was able to make positive identification from their fingerprints.

Other interesting cases involved the use of either stolen or falsified birth certificates in order to obtain a Hawaiian ID card. Although there have been several motives for such action, an individual in one particular case tried to prove his U.S. citizenship for the purpose of securing a sensitive government job.

Conclusion

Today, over 800,000 sets of fingerprints are filed under the Henry system. A similar number of personal data sheets and name index cards are also on file and are used for the purpose of cross-reference.

Although the bureau can only point to 347 cases where it has played an active role in identifying an individual, there are countless situations where the Hawaiian ID card has been helpful in identifying the holder of the card. The value of this identification program cannot be accurately measured; however, it is clearly reflected by the approximately 20,000 annual applicants who voluntarily apply for the ID cards.

Knowledge, Courage, Integrity— A Must for Today's Officer

The graduation ceremonies of the 98th Session of the FBI National Academy held on September 12, 1974, at Quantico, Va., had a most complimentary New York flavor to it. Insp. William M. Burke of the New York City Police Department was the class spokesman, and the main address was delivered by New York City Police Commissioner Michael J. Codd, a graduate himself of the 69th Session.

Inspector Burke, addressing his fellow 246 graduates, their families, friends, and associates, commented on the spirit and comradeship of the law enforcement profession. The class spokesman stated that "woven through the fabric of this Nation is a strong, thin, blue thread" which represents the police profession. Inspector Burke pointed out that the principles of freedom and justice are upheld and maintained by the law enforcement community standing together. He asked that all Americans join in "to eliminate from society those who seek to subvert the national peace."

Commenting on the common philosophy of the 98th Session, Inspector Burke concluded, "We return to our departments . . . with a sense of mission and with a strengthened dedication to share our spirit and knowledge with our fellow officers."

FBI Director Clarence M. Kelley next introduced the featured speaker, Commissioner Codd, whose speech theme was "Knowledge, Courage, Integrity," the motto of the FBI National Academy. The New York City Police Department head stated that an effective police officer must not only have these attributes, but also be able to put them into practice. Because the service provided is essential to a stable society, he noted, "police officers have even a higher duty than other civil servants."

Commissioner Codd acknowledged, "Many of our citizens . . . have lost faith in the ability or in the willingness of established institutions to meet their basic needs." Therefore, he stressed that the police officer today

must perform his duties in a professional matter. He stated that the modern-day police officer not only must obtain knowledge to sharpen his skills, but he must share it with his subordinates. The Commissioner, commenting on courage and integrity, observed all officers must have intellectual and moral courage as well as physical courage and must comply with a rigorous moral code.

He emphasized, "knowledge, courage, and integrity are inseparable from the proper delivery of police service, and the proper delivery of police service is essential for gaining, regaining, or maintaining public confidence and support."

Following Commissioner Codd's remarks, Director Kelley introduced Lt. Col. William R. Bracke, Cincinnati, Ohio, Police Department, president of the FBI National Academy Associates, who was sitting in the audience.

Insp. James V. Cotter of the FBI Training Division then presented the



FBI Director Clarence M. Kelley is pictured at the conclusion of the graduation ceremonies with the class counselors. Shown, left to right, are: Special Agent Richard Witkowsky, New York, N.Y., Office; Special Agent Eugene E. Hatfield, Jr., Dallas, Tex., Office; Special Agent William H. Snell, Los Angeles, Calif., Office; Mr. Kelley; Special Agent Louis J. Ghecas, Baltimore, Md., Office; Special Agent Livio A. Beccaccio, Washington Field Office; and Insp. James V. Cotter, FBI National Academy.



Shown with Mr. Kelley are the elected section leaders of the graduating class. From left to right, they are: Mr. Edward Michael Noon, San Bernardino County Sheriff's Office, San Bernardino, Calif.; Mr. Russell J. Knowles, University of Illinois Police Department, Urbana, Ill.; Mr. Kelley; Insp. William Michael Burke, New York City Police Department, New York, N.Y.; Mr. Richard Lawrence Dungy, Detroit, Mich., Police Department; and Mr. Michael G. Shanahan, University of Washington Police Department, Seattle, Wash.



New York City Police Commissioner Michael J. Codd delivers the principal address.

graduating class to Mr. Kelley who awarded each member a diploma.

The program was concluded with the benediction delivered by Comdr. A. W. Riggs, Chaplain Corps, U.S. Navy, who also gave the invocation at the outset of the ceremonies, and the playing of the National Anthem by the U.S. Marine Corps Band, commanded by M. Sgt. George Tideman, Jr.

With the graduation of the 98th Session, the total number of graduates now is 8,420. Of these, 1,052 occupy top executive positions in their departments and agencies, a tribute to professional law enforcement training.

FALSE FIRE ALARMS—

A Program for Prevention

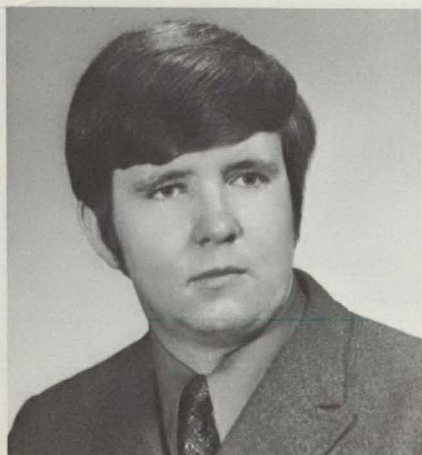
False fire alarms are annoying, expensive, and dangerous.

Each year, police and fire departments throughout the United States wrestle with the problem of responding to an estimated 1 million incidents of malicious false fire alarms.¹ Observations of a number of communities throughout the country indicate that the proportion of malicious false fire alarms averages approximately 5 percent² of the total number of alarms received. Cities and towns, both large and small, have recently cited false alarm statistics that range from less than 3 percent to more than 70 percent.

Last year, the city of Portland's ratio of false fire alarms nearly tripled that of the suggested national average, accounting for 14.9 percent of all fire alarms. According to preliminary statistics available for 1974, there appears to be little hope for a reduction in this excessive rate of false alarms unless a new and consolidated effort at prevention is undertaken within the immediate future.

By way of a simplified definition, a fire alarm is classified as false if police and fire apparatus respond and find neither evidence of a fire in the neighborhood nor the identity of the person who initiated the call for assistance.





By

OFFICER JOHN S. BRENNAN

**Training Specialist
Police Department
Portland, Maine**

Portland Police Chief William B. McClaran and Fire Chief Joseph R. Cremo recognized the fact that the problem of false fire alarms was a threat to public safety that could not be taken for granted or treated lightly. Unless action was taken within the not too distant future, the high number of incidents of this malicious practice would soon cause "the law of averages" to claim its toll. Traditionally, police and fire officials have warned the community that false fire alarms are dangerous for a number of reasons, not the least of which include:

- Danger to police and fire personnel responding at "emergency" speeds to a malicious report of fire.
- Danger to innocent persons who cross paths with the emergency vehicles responding to calls.
- Unnecessary deployment of men and equipment to an area that may be far removed from

the scene of an actual fire or related emergency situation.

While these remain as the principal disadvantages of reporting false fire alarms, Chief McClaran felt that an additional disadvantage would soon rise to the surface, if it had not already, and that was the use of false fire alarms, as a diversionary tactic to lure the police away from a commercial district or structure in order that a theft might more safely be committed.

Before a community can effectively establish methods for coping with the problem of false fire alarms, some consideration must be given to the types of people who make them. To date, the principal types most actively engaged in malicious incidents of false fire alarms have been identified as young people of school age, persons under the influence of intoxicants, and persons suffering from mental illness.

Except in the case of children, little can be done to stop false alarms by education alone. No single method of attacking the problem promises to be totally effective. There is hope, however, of curbing the increasing rate of false alarms if a number of accepted procedures and practices are combined into a dedicated program that promises to be particularly appropriate to a community's situation.

"... a fire alarm is classified as false if police and fire apparatus respond and find neither evidence of a fire in the neighborhood nor the identity of the person who initiated the call for assistance."

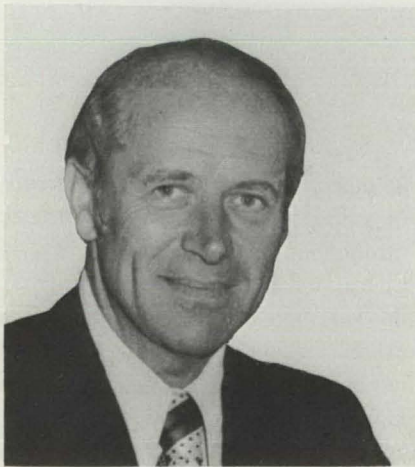
Following a detailed examination of more than 20 programs currently in use by police and fire departments throughout the country, Chief McClaran and Chief Cremo are studying the adoption of a "Thirty-Point Program" that has been tailored to combat the problem of false fire alarms. Many of the suggestions contained within this program have experienced both success and failure in a number of cities and towns. Consequently, it must be assumed that a successful and well-developed program of prevention designed for Oakland, Calif., may not automatically be transferable to local conditions and situations found in New York City. Each suggestion must be individually tested and evaluated by local public safety officials prior to its final adoption and incorporation.

What is important to note, however, is the fact that any one of the suggestions taken alone would produce only minimal results at best, but when combined with the additional workable components of the overall program, chances of success are greatly enhanced.

Portland's "Thirty-Point Program," aimed at curbing incidents of malicious false fire alarms, is presented here in rather brief detail and without specific consideration as to individual priority.

Posting Notices. As simplistic as this suggestion appears to be, several cities report considerable success with the use of a small decalomania transfer in two colors with the legend, "Think—A False Alarm May Cost a Life." Suggested alternative legends might refer to local or State penalties for sounding a false alarm.

Cameras and Closed-Circuit Television. The development of



Chief William B. McClaran

this suggestion produces dramatic results in that law enforcement agencies receive an actual picture of a suspect in the act of pulling a false alarm box lever. Preliminary research with respect to this topic reveals that costs may not necessarily be exorbitant. Systems using low light level situations, infrared techniques, and image intensification have already been developed to deal with this problem. Whatever equipment is used, the triggering mechanism is activated only when an alarm is sounded by pulling the lever of a fire alarm box.

Indelible Powder. The use of indelible powder or ink applied to the lever of a fire alarm box leaves an identifying mark on the hands of all who sound the alarm, including those who do so falsely.

Siren or Howler. The use of a siren or howler attached directly to a street box within a "target area" (where numerous false alarms have emanated previously) has proven to be successful in many communities. The resulting blast resounds so loudly that it attracts the attention of witnesses nearby and discourages pranksters from sounding an alarm.

Lighting. Often, alarm boxes are found to be poorly lighted. Authorities recommend they be situated in a brightly lit area if not attached directly to a street light pole. This, of course, would serve as some deterrent to those persons intent on surreptitiously sounding a false alarm.

Judicial and Prosecutive Support. Police and fire officials should schedule a meeting with both prosecutors and judges to, first, highlight the problem and, second, solicit their vigorous support of a new campaign to reduce false alarms.

Review of State Statutes and City Ordinances. Police officials, fire officials, judges, and prosecutors should study applicable State statutes and city ordinances in light of arrest trends found for false alarm offenses. Consideration should also be given to insuring that penalties fit the seriousness of the offense.

Use of Spot Maps. A spot map, or box history card file, depicting every incident and locality of a false alarm, should be maintained in both police and fire departments headquarters. Larger cities now utilize computerized systems for monthly printouts of such information.

Police and Fire Department Representatives at Court Hearings. The police and fire department should have representatives at all court hearings of offenders to encourage the application of a sentence that might deter incidents of future false alarms.

Multimedia Public Relations Campaign. Local newspapers and radio and television stations should be approached to lend their support to a campaign to reduce the high number of false alarms. Radio and television personalities who are popular with

the younger segment of a community should, particularly, be asked for their assistance.

School Programs. A police officer and a firefighter should conduct a special school program aimed at reducing false alarms. The instruction of children regarding the purpose and operation of the fire alarm system helps greatly to reduce the number of such alarms. Regular instruction gives the children a chance to actually operate a demonstration alarm box, taking away any novelty the action may have. It is an important deterrent. When planning the program, invite the participation of the school faculty.

During summer and vacation periods, this program should be given in parks, housing projects, and neighborhoods most affected by false alarms.

Stakeout at Critical Periods. With the use of the spot maps or computer printouts, stakeouts should be set up within target areas at those times when a rash of incidents is prevalent. Off-duty firefighters or reserve officers, as well as policemen, might be assigned to this time-consuming and manpower-burning task.

Distribution of False Fire Alarm Brochures. Local fire prevention bureaus should develop and utilize brochures or letters of appeal, cosigned by both the police chief and fire chief, in alerting the citizens to the magnitude of the problem in their community and warning them of the possible tragic consequences that often accompany the sounding of a false alarm. These letters or brochures, that may be printed in more than one language depending on the ethnic character of the neighborhood, should in-

struct the people concerning what to look for when witnessing a false alarm, i.e., complete physical description of the perpetrator, direction of escape, license number on suspect vehicles, etc.

Letters and brochures should be distributed first to residents living in neighborhoods where street boxes are being misused.

Relocation of Selected Boxes. Boxes repeatedly used in sounding false alarms should be relocated to areas which would not encourage the offense, that is, in brightly lit areas just off pedestrian walkways and gathering places. An attempt should also be made to keep them in the open and away from mailboxes or newsstands in order to avoid confusion. Placement should be in plain view of pedestrians, motorists, and residents alike.

Use of Break Glass Stations on Alarm Boxes. In some cases, the actual requirement of breaking a glass-type door prior to pulling the lever on an alarm box serves as a psychological deterrent.

Cooperation Between the Police Department, Fire Department, and Local Telephone Company. When faced with an increase in telephone false alarms, police and fire officials should work closely with the local telephone company security personnel. Together they should research the legal right to use tracebacks on private telephones and consider the installation of "hold" buttons which can "lock in" a call until the source is traced. Dispatchers and operators, recognizing a voice from previous false alarm reports, can quickly apply the lock, notify the appropriate phone company personnel, and trace the call to a certain private line. At this juncture, a criminal investigation is initiated.



Instruction concerning the purpose and operation of the fire alarm system helps reduce the number of false alarms.

Reward for Information About False Alarms. A number of cities offer a monetary reward for information leading to the arrest and conviction of an adult or the apprehension of a juvenile responsible for a false alarm. In most cases, conviction is not necessary in the case of juvenile offenders. The identity of reward recipients is kept confidential.

Verification of Telephone Alarms. In those cases where a fire dispatcher believes the party telephoning an alarm sounds suspicious or there is cause to believe the alarm is false, he should attempt to independently confirm the emergency by tele-

phoning someone at or in the nearby vicinity of the reported fire. He might also ask the party the number he is calling from and then, by using a different line, dial that number while still holding the party on the line. If the number rings (indicating, of course, that it is not in use), the party is told this and asked if he is trying to turn in a false alarm. If the party hangs up, response to the alarm may be guided by this additional element of suspicion as to its authenticity.

Fire dispatchers should also be trained to use a rapid interrogation process designed to establish

authenticity on all suspicious calls.

Emergency Telephone Reporting Systems. The most significant innovation in the prevention of false fire alarm incidents has been the development of various emergency telephone reporting systems. Many communities facing a serious situation with respect to false alarms report reduction statistics of 50 percent and more following the installation of telephone alarm boxes. The principal reason for the success of the voice-type system is that a potential false alarmist might be deterred when he realizes the anonymity associated with the conventional alarm is to some degree compromised when he has to talk directly to a fire dispatcher. Further, the caller might suspect his voice is being recorded. Through skilled, rapid questioning the dispatcher can determine if there is a real emergency and, if so, what equipment should be dispatched. There is ample evidence to suggest that the use of telephone alarm systems creates a reluctance to turn in a false report.

Maintain a File of Known False Alarm Suspects. Such a file, if carefully maintained by the police and fire departments, provides invaluable information for purposes of followup investigations.

Removal of Boxes. This is a most difficult decision to make because of the fact that many sections where false alarms originate are the very areas where fire department service is needed most. In many instances, these are congested urban areas.

Prior to actually removing the box, the fire department might place a sign above it indicating that continued false alarms from

this box will result in its removal. Literature should also be distributed throughout the neighborhood warning citizens of the pending action.

If alarms from this box continue to be false, and a dangerously high false alarm history has been established, the box should be removed and other fire protection safeguards devised for the area.

Faced with this final decision, public safety officials have successfully defended before courts, city councils, and the public at large the removal of fire alarm boxes.

False Alarm Investigators. Larger cities facing critical problems with false alarms should consider assigning full-time investigators to follow up on information available from recordings of false fire alarm calls, spot maps, computer printouts, suspect card files, stakeouts, etc. Smaller cities and towns might assign personnel to similar tasks on a part-time basis.

Use of Specialized Voice Recording Tapes. The use of this procedure by police and fire departments involves taking the recorded tape of a false alarm caller and playing it, if feasible, to residents or other occupants at the location where the fire was reportedly in progress. This has sometimes resulted in the identification of the caller by persons familiar with his voice as a person harboring some animosity to persons at the site of the reported fire or a prankster at one of these locations.

If successful in the identification, a warrant is obtained against the suspect. The tapes have been admissible in a number of courts because they are, along with notes made at the time of

a false alarm call, the "official" fire department record.

Position Fire Boxes to Face the Street. Alarm boxes should be positioned in a manner that would expose the user to the greatest possibility of identification should he make a false alarm.

Limited Response of Equipment. In an effort to deglamorize the arrival of firefighting equipment, a number of cities have rigged small trucks with high pressure pumps, 250-gallon tanks of water, and fog nozzles. Manned by a lieutenant and two firefighters, the trucks respond alone to alarms from certain boxes having a high incidence of false alarms. For the prankster who expects shrieking sirens and a million dollars worth of apparatus, these small trucks have little appeal. They do, however, offer an important first strike and rescue advantage should one among several repeated alarms prove to be a legitimate call for help.

Silent Runs by Equipment. When responding to what is suspected to be a false alarm, fire department units should, where it is safe to do so, shut off all warning lights and sirens three blocks from the box location. Many officials believe this is a significant step in the reduction of false alarms.

Parental Instruction of Children. As with other crimes and social problems, prevention is not the singular responsibility of the police department, the fire department, or the schools. Crime prevention also depends on parental concern and instruction.

Display of a Serious Attitude at the Scene of Box Alarms. Firefighters and police officers who

arrive at the scene of a false alarm should search the area diligently and with a professional attitude, soliciting the identification of the perpetrators and leaving the positive impression that serious efforts are being made to solve the false alarm problem.

Be Prepared to Testify to the Facts. In order to gain a conviction in false alarm cases, it is necessary that appropriate members from the police and fire departments be prepared to testify to the following facts:

- a. That the alarm was transmitted (box number, time, and date received).
- b. That response to the alarm was made (number of units that responded).
- c. That a diligent search was conducted at the scene for a fire.
- d. That there was no fire.
- e. That if neither police nor fire officials actually witnessed the alarm being transmitted, but the accused, after being advised of his rights, signed

a confession, then the officials to whom the confession was made must be prepared to sign a false fire alarm complaint. They should also be prepared to sign corroborating affidavits as to the facts within their knowledge, i.e., that an alarm of fire was transmitted, that the defendant was present at the scene when they arrived, or any other information that might support the complaint of a police officer, fire official, or civilian in the transmission of the false alarm.

In addition, appropriate members of the police and fire departments should be prepared to offer the following in order to impress the court with the gravity of the offense:

- The percent of false alarm responses to boxes in the district in question.
- The number of false alarms per month.

- Problem events in the area attributed to false alarms (loss of life, accidents, injury).
- That other witnesses are present and willing to cooperate with the prosecution of the case in question.

Evacuation of Buildings. Cities experiencing a high incidence of false alarms in school or college dormitories report considerable success at prevention by complete evacuation of the building. Safety officials check from room to room to see that everyone has left the building before any students are allowed to reenter. The inconvenience caused by a sudden evacuation of the dormitory and the interruption of individual schedules may result in positive peer pressure being directed toward the elimination of false alarms.

Chief McClaran and Chief Cremo recognize that their proposed "Thirty-Point Program" does not encompass every conceivable method of attacking and preventing malicious incidents of false fire alarms. Both men are continually researching new and innovative methods of prevention that promise to be successful.

If a police officer, firefighter, or citizen were killed in the next few days due to a false alarm, city officials and the public alike would demand that a special campaign be conducted to prevent future incidents. Public safety officials in Portland, Maine, are determined to act before someone is hurt or a life is lost to a false alarm.

FOOTNOTES

¹ Author's estimate based on survey of 51 American cities.

² Institute for Training in Municipal Administration, *Municipal Fire Administration*, Washington, D.C.: International City Management Association, 1968, p. 192.

³ New York City Fire Department, All Units Circular #136 (revised), Mar. 4, 1974, Subject: *False Alarm Policy*, paragraph 3.



Police Chief McClaran and Fire Chief Cremo review map depicting locations of false alarms.





Director Kelley welcomes lab directors in the Great Hall of the Department of Justice Building, Washington, D.C., after which the symposium convened at the FBI Academy, Quantico, Va.

LAB DIRECTORS MEET

FBI Director Clarence M. Kelley welcomed 166 crime laboratory directors representing virtually all crime laboratories in the United States, Canada, Puerto Rico, and the Virgin Islands to the Second Annual National Symposium on Crime Laboratory Development held September 23-27, 1974, at the FBI Academy, Quantico, Va.

One of the main accomplishments of the symposium was the formation of the American Society of Crime Laboratory Directors (ASCLD). The Society's objectives are to promote and establish a basis for upgrading the professionalism of crime laboratories and to increase cooperation between local, State, and Federal crime laboratories throughout the United States. Participants adopted a constitution establishing a 15-member board of directors.

Board members elected as society chairman Dr. Briggs J. White, Assistant Director of the FBI's Laboratory; co-chairman, Richard H. Fox, Director, Regional Criminalistics Laboratory for Greater Kansas City, Mo.; secretary, A. Atley Peterson, Assistant Director, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C.; and treasurer, Dr. Larry B. Howard, Director, Georgia State Crime Laboratory, Atlanta, Ga.

Panel discussions were held concerning ways of improving services of local crime laboratories through better education, legislation, communication, management, and organization of the ASCLD.

Since the first symposium in December 1973, the FBI Laboratory and Training Divisions responded to requests of crime laboratory directors and established a vigorous and responsive forensic science training program at the FBI Academy covering management, crime scene techniques, specialized photography, gambling technology, general criminalistics, document examinations, and a conference on polymers.

The FBI Laboratory is now expanding its forensic science research program and also publishing the Crime Laboratory Digest aimed at improving communication and exchange of information between crime laboratories. The Digest contains news of ongoing and completed research in the forensic sciences, methodology, notices of technical meetings, and other items of interest to crime laboratory personnel.

Mr. Kelley lauded the efforts of the directors in creating a new spirit of cooperation between crime laboratories and their plans to better serve both the immediate and long-range needs of local, State, and Federal law enforcement.

2. Stop and Detention for Identification

This is the second installment of a three-part article. Part I appeared in the November issue of the BULLETIN.

Investigative Detention

By

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Stops for the purpose of identifying an individual are of two breeds. One is the situation in which an arrest warrant has been issued and an officer sees a person whose physical appearance resembles the person named in the warrant. The other usually arises soon after the commission of a crime. Police are informed that a crime has occurred and soon thereafter a general, nonspecific description of the criminal, whose name is seldom known at this time, is furnished, usually over the police radio network. An officer then observes a person who meets that description.

In either case, the officer knows a crime has been committed, which sets this species of stop apart from the stop to investigate suspicious circumstances, and the question for him to resolve is whether or not the person he observes is the perpetrator.

Should he have enough facts to constitute probable cause to believe the man he sees is the right man, of course, he may arrest. But here the officer is simply not sure. This could be the man, but then it may not be. The authority to stop provides the opportunity to resolve the ambiguous situation without forcing the police to decide between arresting or not arresting.

Justifying a stop for identification requires employing the same prin-

"Justifying a stop for identification requires employing the same principles one employs to justify a stop to investigate suspicious circumstances."

ciples one employs to justify a stop to investigate suspicious circumstances. The officer must relate to the judge the facts which led him reasonably to suspect the man he stopped was the man named in the warrant or the man for whom the lookout was broadcast.

In *United States v. Fallis*, 414 F. 2d 772 (9th Cir. 1969), an officer

- (1) heard over his police vehicle radio a robber described as wearing a white gaucho shirt-sweater,
- (2) saw a man in a car putting on a shirt over a white gaucho shirt, and
- (3) followed the man noting he met other features of the description.

It was reasonable to stop the man.

In *Chubbs v. City of New York*, 324 F. Supp. 1183 (E.D. N.Y. 1971), the officer

- (1) obtained a full description of the accused from the victim,
- (2) saw the defendant on the street, and
- (3) concluded the defendant looked like the person described by the victim.

It was reasonable to stop the man.

When called upon to justify his action, the officer should furnish the court the description and/or photograph of the wanted person he possessed at the time of the stop, a description and/or photograph of the person he stopped, and should be able to describe those features common to both which led him to conclude it was reasonable to make a stop.

Among other facts which the officer should consider and relate to the court

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.

are the time and distance between the crime and place of the stop, *Bailey v. United States*, 389 F. 2d 305 (D.C. Cir. 1967); the direction of travel, as where the person is traveling away from the crime scene; specific acts of furtive conduct; and information obtained from third persons while attempting to locate the person named in a warrant, as for example, where a person has identified a photograph of the wanted man as being a person recently seen in the neighborhood.

The Supreme Court has yet to decide how intense an effort may be made to resolve the question of identity. In *Wainwright v. City of New Orleans*, 392 U.S. 598 (1968), a warrant was outstanding for the crime of murder. The wanted person was known to have a tattoo on his arm. Police officers saw a man whose physical appearance resembled the murderer and stopped him. He would not remove his jacket and display his arm voluntarily. The Court did not decide whether it was reasonable for the officers forcibly to remove his jacket.

It would seem that a strong argument could be made that such a forcible intrusion is reasonable where it can be shown that the police, acting in good faith, have tried every other rea-

sonable method (such as interviewing, making a request to display fingerprints for comparison) to resolve the matter; have been unable to eliminate the suspect by so doing; have asked the suspect to display his arm and explained the reason for the request; and have had the request for cooperation refused; and only necessary force was employed.

3. Stop and Detention of Witness

It would seem reasonable to allow the police to stop and detain a person whom an officer reasonably believes is a witness to a crime so that his identity and the information he possesses can be requested of him. The A.L.I., Model Code, Section 110.2, recommends such authority.

Obviously in some situations the officer will not know whether the person he observes is a suspect, a witness, or neither.

If the stop of a witness is unreasonable, any evidence discovered is inadmissible against him. In *United States v. Ward*, 488 F. 2d 162 (9th Cir. 1973), law enforcement officers stopped Ward, a motorist they wanted to question about other persons. The officers had had other opportunities to question Ward, they knew where he worked and where he lived, and there was no emergency. Since stopping Ward was illegal, the evidence discovered as a result of the stop was inadmissible against him.

C. Problem Areas of Stop and Detention Authority

Given a situation in which the authority to stop and detain is present, the officer faces additional legal problems. The questions presented outnumber the answers, but there are some

"If the stop of a witness is unreasonable, any evidence discovered is inadmissible against him."

answers, some hints, and some suggestions which bear consideration.

1. Site of Stop and Detention

a. On the Street

Most assuredly, the stop and detention can be made on the street, as in *Terry*, and it makes no difference whether the citizen is a pedestrian, again as in *Terry*, or a motorist, as in *United States v. Fallis*, 414 F. 2d 772 (9th Cir. 1969).

While the great preponderance of factual situations which give rise to a stop will occur on the street, the principle of *Terry* extends to a private place when the officer is lawfully present.

"It would be well to remember that the underlying purpose of the stop and detention authority is to provide the officer with the opportunity to resolve a situation with a minimum of intrusion into the freedom of citizens."

"If an officer has heard a shot and a scream coming from a private house, he should not only be allowed to enter the house but to detain and question the persons there." A.L.I., Model Code, p. 124.

In *United States v. Rosenberg*, 458 F. 2d 1183 (5th Cir. 1972), an officer was told that a firearm had been discharged in a particular hotel room, and the occupant of that room was identified to the officer by a hotel employee while the occupant was seated in the hotel restaurant. The stop and frisk of the defendant in the restaurant were lawful.

The court in *United States v. Peep*, 490 F. 2d 903 (8th Cir. 1974), sustained a frisk of a suspect who arrived on the premises being searched by authority of a search warrant, where the circumstances suggested a threat of harm to the officers. See Part IV, *infra*.

b. At the Police Station

Once a person is stopped lawfully can he be transported to the police station and detained there? The Supreme Court has never answered the question. See *Morales v. New York*, 396 U.S. 102 (1969).

The problem is a serious one for two reasons. In the first place, it is a much more serious intrusion into a person's freedom to be swept away to the station house more than to be detained on the street. Secondly, should a court later determine that the stop plus the moving to the station and the detention there constituted an arrest, the prosecution must meet the probable

cause standard and not the lesser requirement of reasonable suspicion.

In *United States v. Thomas*, 250 F. Supp. 771 (1966), *aff.* 396 F. 2d 310 (2d Cir. 1968), officers stopped two men on the public street and detained them at their office while awaiting the arrival of a person who agreed to come to the office in an effort to identify the cartons which were being carried by the suspects at the time they were stopped, but the suspects in this case agreed to accompany the officer to the station.

It would be well to remember that the underlying purpose of the stop and detention authority is to provide the officer with the opportunity to resolve a situation with a minimum of intrusion into the freedom of citizens. Therefore, the added intrusion of moving a detained person should be avoided unless there is a good reason for doing so.

Such a reason existed in *United States ex rel. Spero v. McKendrick*, 409 F. 2d 181 (2d Cir. 1969), where officers stopped two subjects and then moved them to precinct headquarters one half a block away after a gathering crowd blocked traffic. If the precinct building had been a greater distance from the site of the stop, the proper procedure would have been to move the suspects the minimum distance necessary to allow traffic flow to resume.

In *United States v. Rosenberg*, 458 F. 2d 1183 (5th Cir. 1972), the officer confronted the suspect in a hotel restaurant, conducted a quick frisk on the scene, and then moved the suspect to a nearby office where a more thorough frisk was conducted.

Moving a suspect a short distance to afford better lighting, or to permit the officer to use the radio in his vehicle would seem also to be valid reasons.

2. Duration of Detention

How long may the officer detain a suspect? In the absence of a statutorily prescribed period of time, the answer must be a reasonable time. Fifteen or twenty minutes would seem to be a good rule of thumb. Where necessary this period could be extended slightly, as where a person has been stopped at a late hour while carrying a package near shipping facilities, the citizen has no plausible explanation of his possession of the package, and a representative of the shipper is summoned to the scene to determine if he can identify the package. It would seem reasonable to detain the person long enough to allow the arrival of the possible theft victim. See *United States v. Thomas*, 250 F. Supp. 771 (1966), *aff.* 396 F. 2d 310 (2d Cir. 1968).

3. Detention by Force

How much force can be used to stop and detain a suspect? There is no stat-

utory or reported case authority for allowing the use of deadly force to make a stop; such an extreme measure has no place in a situation in which the officer has no more than reasonable suspicion to believe the suspect is involved in criminal activity.

It can be said that the officer may employ all reasonable force necessary to effect the stop and enforce a period of brief detention, but deadly force should not be used except for self-defense. (Of course, the minimum amount of force necessary to do anything—stop, arrest, or search—is the degree of force which should be used.)

This does not mean that an officer cannot defend himself when, in the course of attempting to make a stop, he is assaulted and placed in fear of death or bodily injury. The traditional rules of law of arrest and/or self-defense (and not stop and frisk) would apply in such a case. See *Bell v. United States*, 280 F. 2d 717 (D.C. Cir. 1960).

4. Application of *Miranda* Rule

Does the *Miranda* rule apply during a stop and detention?

Recall *Miranda v. Arizona*, 384 U.S. 436 (1966), requires a warning of rights be given and a waiver of those rights be obtained prior to police interrogation of a person "in custody or otherwise deprived of his freedom of action in any significant way." Yet, said the Court in its famous opinion, "General on the scene investigation is not affected by our holding." Thus the question is whether a stop and detention is such a significant deprivation of freedom as to trigger *Miranda*.

The answer to the question of what is "custody" within the meaning of *Miranda* has not been resolved. The Supreme Court has considered it twice. In one case, the suspect was in

jail on one charge and being interviewed about an offense unrelated to the crime for which he was incarcerated. He was said to be in "custody." *Mathis v. United States*, 391 U.S. 1 (1968).

In the other case, several officers surrounded a subject in his bed and asked him questions. He was not free to go at the time as one of the officers testified a decision to arrest the subject had been made prior to entering the room. The subject was said to be in "custody" for *Miranda* purposes when the questions were asked. *Orozco v. Texas*, 394 U.S. 324 (1969).

Other courts have considered the problem of ascertaining when "custody" was present. The results are not consistent, and unfortunately there is no answer to the question. As the reporters for the American Law Institute put it, "Neither the variety in the scattered decisions of state and lower federal courts, nor the Supreme Court's decision to *Orozco* . . . permit a resolution of this issue on the basis of authority." A.L.I., Model Code, p. 126.

Some courts hold warnings should be given whenever probable cause to arrest comes into existence, *Windsor v. United States*, 389 F. 2d 530 (5th Cir. 1968), but compare *Hoffa v. United States*, 385 U.S. 293 (1966); other courts hold warnings should be given when the officer determines the suspect is no longer free to go, *United States v. Gibson*, 392 F. 2d 373 (4th Cir. 1968); while still others hold warnings should be given at the instant the suspect feels he is no longer free to go, *United States v. Davis*, 259 F. Supp. 496 (D. Mass. 1966); *United States v. Scully*, 415 F. 2d 680 (2d Cir. 1969).

None of these solutions, or their relatives, are without obvious defects. *United States v. Hall*, 421 F. 2d 540 (2d Cir. 1969), provides an excellent discussion of the problem and fashions an objective test to determine the

degree of coerciveness present during the interview. Under this test, all facts relating to the interview are considered including the amount of evidence against the suspect known to the officer for "[t]he more cause for believing the suspect committed the crime, the greater the tendency to bear down in interrogation and to create the kind of atmosphere of significant restraint that triggers *Miranda*, and *vice versa*." 421 F. 2d 540 at 545.

It has been suggested that *Miranda* should not apply to questioning during a stop and detention at all because the underlying concern of the Court in *Miranda* was the pressure of coercion inherent in police interrogations at the station house, and, the argument runs, this factor is not present on the street. Furthermore, it is not clear that the right of counsel, (which must be explained in a *Miranda* setting) applies at all during a stop since "formal proceedings" have not yet been instituted. See *Kirby v. Illinois*, 406 U.S. 682 (1972).

Perhaps as workable rule as may be found in the present state of the law was expressed in *People v. Manis*, 74 Cal. Rptr. 423 (1969): "We conclude that persons temporarily detained for brief questioning by police officers who lack probable cause to make an arrest or bring an accusation need not be warned about incrimination and their right to counsel, until such time as the point of arrest or accusation has been reached or the questioning has ceased to be brief and casual and becomes sustained and coercive."

A closely related issue is the significance an officer can attach to a refusal to answer his questions; that is, can the officer consider as an element of probable cause to arrest the fact that the person he has stopped refuses to answer his questions? The answer seems to be that he can do so if his questions are of the type to which an innocent person would respond, as for example, such questions as: "What is

your name?" "What are you doing here?" "Where did you obtain the television you are carrying?" *Marshall v. United States*, 436 F. 2d 155 (D.C. Cir. 1970), petition for rehearing denied 1971; *United States v. DeLarosa*, 450 F. 2d 1057 (3d Cir. 1971), cert. denied; *Baskin v. United States*, 405 U.S. 827 (1972).

5. Eyewitness Identification Procedures

A crime has been committed and a general description of the criminal is broadcast. Soon thereafter an officer sees a person meeting this general description (as perhaps many persons will). He stops the man. Can the suspect be displayed immediately to an eyewitness of the crime?

The need to ascertain quickly whether or not the suspect is in fact the perpetrator is of great importance. From the police perspective the continuation or immediate termination of the search for the guilty person will often depend on the response of the eyewitness. This is not a matter of mere convenience. Data shows the crime likely will go unsolved if the perpetrator is not apprehended quickly while he is still in the vicinity. President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: The Police*, p. 58 (1967). Should the person who has been stopped be innocent, the quicker he is released, the better.

The problem arises out of the interplay, if any, between *Terry* and those cases applying the fifth and fourteenth amendments due process standards and the sixth amendment right to counsel guarantee, to eyewitness identification procedures. *United States v. Wade*, 388 U.S. 218 (1967), *Gilbert v. California*, 388 U.S. 263 (1967), and *Kirby v. Illinois*, 406 U.S. 682 (1972). *Wade* and *Gilbert* involved the viewing by eyewitnesses of subjects under indictment.

Do they apply to the prearrest situation?

The Supreme Court's goal in these so-called "lineup" cases was to insure the reliability of an eyewitness identification by requiring a showing that the lineup was a fair and nonsuggestive procedure—hence the due process issue—and to provide an observer who would be in a position to notice suggestiveness—thus the right of the accused to be represented by counsel at the lineup proceedings.

It is not clear that the right to counsel attaches at an eyewitness viewing of a person stopped and detained but

a full-scale lineup with an attorney can be arranged. And it is the reliability of the identification which was the goal of the court. *Russell v. United States*, 408 F. 2d 1280 (D.C. Cir. 1969). It must also be the goal of the police. Obviously if the eyewitness identifies the wrong person, not only is an innocent man arrested, but the guilty man is still free.

Despite the inherent suggestiveness of the display of one suspect to the eyewitness, steps can be taken to lessen this suggestiveness. Asking the witness "Is this the man?" and not "This is the man, isn't it?" is a simple exam-

"Since the least possible intrusion into the freedom of the person stopped is the goal, it may be preferable, whenever possible, to bring the witness to the scene of the stop rather than return the suspect to the eyewitness."

not under arrest. *Kirby* seems to be good authority for the proposition that there is no such right for the opinion holds the right to counsel does not arise until the institution of "formal proceedings," whatever the final definition of "formal proceedings" may be. Should the right attach during a stop and detention, the practice of displaying a person stopped on the street to an eyewitness to a recently committed offense will end, for as Justice White noted in his dissent in *Escobedo v. Illinois*, 378 U.S. 478 (1964), police cars are not equipped with lawyers.

The concern for fundamental fairness does apply to the stop situation, and the police should take every reasonable step to insure the confrontation between the suspect and the eyewitness is accomplished as fairly as possible with a minimum of suggestiveness. Admittedly, showing one person to the eyewitness is suggestive, but since it is done shortly after the crime while the witness' memory of the criminal is fresh, the end result is probably more reliable than waiting until

ple. Or the officer can alter the circumstances in which the viewing takes place. For example, in *Agius v. United States*, 413 F. 2d 915 (5th Cir. 1969), a suspected bank robber was transported to the bank by law enforcement officers. Agius was seated in an automobile with several officers, he was permitted to sit wherever he desired in the car, and he exchanged some articles of clothing with the officers. After all these arrangements were completed, the witness was asked to step outside of the bank and look at several men seated in a car parked in the bank's parking lot.

Since the least possible intrusion into the freedom of the person stopped is the goal, it may be preferable, whenever possible, to bring the witness to the scene of the stop rather than return the suspect to the eyewitness. The concern that the stop, coupled with moving the suspect, might be held to constitute an arrest, discussed previously, would be lessened by such a practice.

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FBI National Academy Ceremonies, June 1974, vol. 43, No. 6, p. 23.

Knowledge, Courage, Integrity—A Must for Today's Officer, December 1974, vol. 43, No. 12, p. 14.

National Academy Officers Graduate, March 1974, vol. 43, No. 3, p. 26.

IDENTIFICATION

Golden Anniversary of FBI Identification Division, by Fletcher D. Thompson, Assistant Director, Identification Division, Federal Bureau of Investigation, Washington, D.C., July 1974, vol. 43, No. 7, p. 3.

Hawaii's Civil Identification Program, by Ernest T. Yonamine, Director, Bureau of Crime Statistics and Identification, Department of Attorney General, State of Hawaii, Honolulu, Hawaii, December 1974, vol. 43, No. 12, p. 12.

Putting the "Indian Sign" on Burglars, by Det. Thomas M. Brawley, Coconino County Sheriff's Department, Flagstaff, Ariz., August 1974, vol. 43, No. 8, p. 10.

INVESTIGATORS' AIDS

Locating Buried Bodies, by Masataka Imaizumi, Director, Criminal Investigation Division, Metropolitan Police Department, Tokyo, Japan, August 1974, vol. 43, No. 8, p. 2.

LEGAL PROBLEMS

The Battered Policeman: A Law Enforcement Officers Sues for Assault and Battery, by Robert C. Blunt, Special Agent, Federal Bureau of Investigation, Washington, D.C., September 1974, vol. 43, No. 9, p. 26.

The Challenge of Crime and the Courts: Keep the Faith, by Hon. J. Clifford Wallace, Judge, U.S. Court of Appeals, Ninth Circuit, San Diego, Calif., April 1974, vol. 43, No. 4, p. 27.

House Trailer—Vehicle or House? by Charles W. Cooke, Special Agent, Federal Bureau of Investigation, Washington, D.C., April 1974, vol. 43, No. 4, p. 23.

An Increase in Interest, Part I, by Insp. Charles A. Donelan, Federal Bureau of Investigation, Washington, D.C., May

1974, vol. 43, No. 5, p. 22; Part II, June 1974, vol. 43, No. 6, p. 19; Conclusion, July 1974, vol. 43, No. 7, p. 27.

Investigative Detention, Part I, by John Dennis Miller, Special Agent, Federal Bureau of Investigation, Washington, D.C., November 1974, vol. 43, No. 11, p. 10; Part II, December 1974, vol. 43, No. 12, p. 23.

A Law Enforcement Officer Sues for Defamation, by Robert C. Blunt, Special Agent, Federal Bureau of Investigation, Washington, D.C., February 1974, vol. 43, No. 2, p. 18.

The Protective Sweep, by Donald J. McLaughlin, Special Agent, Federal Bureau of Investigation, Washington, D.C., August 1974, vol. 43, No. 8, p. 25.

Search of Persons for Weapons at Airports, by Paul G. Donahue, Special Agent, Federal Bureau of Investigation, Washington, D.C., March 1974, vol. 43, No. 3, p. 8.

Some Aspects of the Effects of Inmate Suits on Correctional Systems, by William D. Leeke, Director, South Carolina Department of Corrections, Columbia, S.C., July 1974, vol. 43, No. 7, p. 10.

Testing Affidavit Credibility, by Paul G. Donahue, Special Agent, Federal Bureau of Investigation, Washington, D.C., October 1974, vol. 43, No. 10, p. 26.

Warrantless Entry to Arrest, Part I, by J. Paul Boutwell, Special Agent, Federal Bureau of Investigation, Washington, D.C., December 1973, vol. 42, No. 12, p. 22; Conclusion, January 1974, vol. 43, No. 1, p. 21.

NARCOTICS

Drug Trafficking Takes to the Air, by Lt. J. B. Sosa, Air Detail, Narcotic Division, New Mexico State Police, Albuquerque, N. Mex., February 1974, vol. 43, No. 2, p. 2.

Drug Undercover Operations, by Kater W. Williams, Chief of Police, Dothan, Ala., November 1974, vol. 43, No. 11, p. 29.

POLICE-COMMUNITY RELATIONS

Be Safe From Rape, by Deborah Griffin, Informational Services Division, Office of the Commissioner, Police Department, Boston, Mass., December 1974, vol. 43, No. 12, p. 9.

Bicycle Theft—A Serious Crime, by Lt. Robert H. Frailing, Patrol Division, Police Department, Appleton, Wis., June 1974, vol. 43, No. 6, p. 7.

The Challenge of Police-Community Relations Training, Part I, by Insp. Harry D.

Caldwell, Police Department, Houston, Tex., August 1974, vol. 43, No. 8, p. 22; Conclusion, September 1974, vol. 43, No. 9, p. 22.

Community Liaison Patrol, by Officer William Van Cleve, Police Department, Huntington Beach, Calif., June 1974, vol. 43, No. 6, p. 26.

Determining Police Effectiveness, by James M. Rochford, Superintendent, Police Department, Chicago, Ill., October 1974, vol. 43, No. 10, p. 16.

Exploring Law Enforcement, by Peter J. Pitchess, Sheriff, Los Angeles County Sheriff's Department, Los Angeles, Calif., June 1974, vol. 43, No. 6, p. 14.

Four Program Models in Delinquency Prevention, by Col. James Peter Damos, Chief of Police, University City, Mo., and Walter Barry, Director, St. Louis County Juvenile Court, Police-Court-Community Project to Reduce Juvenile Delinquency, St. Louis, Mo., January 1974, vol. 43, No. 1, p. 26.

Hundred Clubs Nationwide, by Ordway P. Burden, Chairman, Hundred Clubs Informational Council, New York, N.Y., September 1974, vol. 43, No. 9, p. 8.

Law and Justice Awareness Program, by Sgt. Harry J. Chinn, Police Department, Honolulu, Hawaii, February 1974, vol. 43, No. 2, p. 26.

National Neighborhood Watch Program, January 1974, vol. 43, No. 1, p. 31.

Police Cadet Corps, by William R. Cauthen, Chief of Police, Columbia, S.C., February 1974, vol. 43, No. 2, p. 22.

Police Inspection and Complaint Reception Procedures, by Joseph L. Smith, Assistant Chief of Police, Salt Lake City, Utah, February 1974, vol. 43, No. 2, p. 12.

Police Response to Family Disputes, by Sgt. Edwin J. Donovan and Det. John F. Sullivan, Family Crisis Intervention Unit, Police Department, New York, N.Y., September 1974, vol. 43, No. 9, p. 3.

Policing a Famous Landmark, by Capt. Joseph E. DeMarco, Niagara Frontier State Park Police Department, Niagara Falls, N.Y., September 1974, vol. 43, No. 9, p. 16.

A Professor's "Street Lessons," by Dr. George L. Kirkham, Assistant Professor, School of Criminology, Florida State University, Tallahassee, Fla., March 1974, vol. 43, No. 3, p. 14.

Snowmobiling Within the Law, by Col. Edward W. Corcoran, Commissioner, Department of Public Safety, Montpelier, Vt., March 1974, vol. 43, No. 3, p. 3.

Training for the Future, March 1974, vol. 43, No. 3, p. 23.

University of California Police Program, by John C. Barber, Chief, University Police, Santa Cruz, Calif., November 1974, vol. 43, No. 11, p. 18.

POLICE KILLINGS

Hundred Clubs Nationwide, by Ordway P. Burden, Chairman, Hundred Clubs Informational Council, New York, N.Y., September 1974, vol. 43, No. 9, p. 8.

Police Killings in 1973—A Record Year, April 1974, vol. 43, No. 4, p. 13.

POLICE MANAGEMENT

Determining Police Effectiveness, by James M. Rochford, Superintendent, Police Department, Chicago, Ill., October 1974, vol. 43, No. 10, p. 16.

Emergency Auxiliary Units, by Ralph Lamb, Sheriff, Las Vegas Metropolitan Police Department, Las Vegas, Nev., May 1974, vol. 43, No. 5, p. 11.

Management Information: Law Enforcement's Forgotten Need, by N. Robert Conover, Regional Inspector, Office of Inspection, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C., November 1974, vol. 43, No. 11, p. 3.

Physical Fitness Ideal, by Sgt. Leo Thalassites, Director, Hialeah Police Academy, Hialeah, Fla., January 1974, vol. 43, No. 1, p. 11.

Police Inspection and Complaint Reception Procedures, by Joseph L. Smith, Assistant Chief of Police, Salt Lake City, Utah, February 1974, vol. 43, No. 2, p. 12.

The Police Role in the Severe Weather Alert Plan, by Gerald W. Garner, Agent, Department of Public Safety, Lakewood, Colo., April 1974, vol. 43, No. 4, p. 3.

University of California Police Program, by John C. Barber, Chief, University Police, Santa Cruz, Calif., November 1974, vol. 43, No. 11, p. 18.

POLICE ORGANIZATION

Exploring Law Enforcement, by Peter J. Pitchess, Sheriff, Los Angeles County Sheriff's Department, Los Angeles, Calif., June 1974, vol. 43, No. 6, p. 14.

Female Officers in the Department, by Bernard L. Garmire, Chief of Police, Miami, Fla., June 1974, vol. 43, No. 6, p. 11.

Law and Justice Awareness Program, by Sgt. Harry J. Chinn, Police Department, Honolulu, Hawaii, February 1974, vol. 43, No. 2, p. 26.

Police Cadet Corps, by William R. Cauthen, Chief of Police, Columbia, S.C., February 1974, vol. 43, No. 2, p. 22.

Police Response to Disasters, by Lt. Col. Richard A. King, Fairfax County Police Department, Fairfax, Va., May 1974, vol. 43, No. 5, p. 26.

Policing a Famous Landmark, by Capt. Joseph E. DeMarco, Niagara Frontier State Park Police Department, Niagara Falls, N.Y., September 1974, vol. 43, No. 9, p. 16.

Rape—The Ultimate Invasion of Privacy, by Louis C. Cottell, Chief of Detectives, Police Department, New York, N.Y., May 1974, vol. 43, No. 5, p. 2.

POLICE UNITS

Airborne Assistance for Railroad Crime, by William F. Reynolds, Superintendent, Reading Company Police Department, Philadelphia, Pa., August 1974, vol. 43, No. 8, p. 16.

Community Liaison Patrol, by Officer William Van Cleve, Police Department, Huntington Beach, Calif., June 1974, vol. 43, No. 6, p. 26.

Emergency Auxiliary Units, by Ralph Lamb, Sheriff, Las Vegas Metropolitan Police Department, Las Vegas, Nev., May 1974, vol. 43, No. 5, p. 11.

Police Response to Family Disputes, by Sgt. Edwin J. Donovan and Det. John F. Sullivan, Family Crisis Intervention Unit, Police Department, New York, N.Y., September 1974, vol. 43, No. 9, p. 3.

Rape—The Ultimate Invasion of Privacy, by Louis C. Cottell, Chief of Detectives, Police Department, New York, N.Y., May 1974, vol. 43, No. 5, p. 2.

University of California Police Program, by John C. Barber, Chief, University Police, Santa Cruz, Calif., November 1974, vol. 43, No. 11, p. 18.

SCIENTIFIC AIDS

The AEC Radiological Assistance Program, by Wayne L. Smalley, Assistant for Emergency Preparedness, U.S. Atomic Energy Commission, Oak Ridge, Tenn., October 1974, vol. 43, No. 10, p. 3.

Bones Can Fool People, by Dr. J. Lawrence Angel, Division of Physical Anthropology, National Museum of Natural History, Smithsonian Institution, Washington, D.C., January 1974, vol. 43, No. 1, p. 16.

The Maine Way to Dear Poacher Sleuthing, by David C. O'Meara, Associate Professor of Animal Biology, Department of Animal & Veterinary Sciences, Uni-

versity of Maine, Orono, Maine, November 1974, vol. 43, No. 11, p. 26.

Safe Insulation and Its Value in Crime Detection, November 1974, vol. 43, No. 11, p. 23.

TECHNIQUES

The AEC Radiological Assistance Program, by Wayne L. Smalley, Assistant for Emergency Preparedness, U.S. Atomic Energy Commission, Oak Ridge, Tenn., October 1974, vol. 43, No. 10, p. 3.

Driver Performance Study, by Hon. Walter Pudinski, Commissioner, California Highway Patrol, Sacramento, Calif., January 1974, vol. 43, No. 1, p. 3.

Hostage Negotiations, by Lt. John A. Culley, Office of the Chief of Detectives, Police Department, New York, N.Y., October 1974, vol. 43, No. 10, p. 10.

Police Response to Family Disputes, by Sgt. Edwin J. Donovan and Det. John F. Sullivan, Family Crisis Intervention Unit, Police Department, New York, N.Y., September 1974, vol. 43, No. 9, p. 3.

The Police Role in the Severe Weather Alert Plan, by Gerald W. Garner, Agent, Department of Public Safety, Lakewood, Colo., April 1974, vol. 43, No. 4, p. 3.

Snowmobiling Within the Law, by Col. Edward W. Corcoran, Commissioner, Department of Public Safety, Montpelier, Vt., March 1974, vol. 43, No. 3, p. 3.

TRAFFIC

Driver Performance Study, by Hon. Walter Pudinski, Commissioner, California Highway Patrol, Sacramento, Calif., January 1974, vol. 43, No. 1, p. 3.

TRAINING

The Challenge of Police-Community Relations Training, Part I, by Insp. Harry D. Caldwell, Police Department, Houston, Tex., August 1974, vol. 43, No. 8, p. 22; Conclusion, September 1974, vol. 43, No. 9, p. 22.

Crisis Intervention Training, by Robert T. Flint, Ph. D., Assistant Professor, Student Counseling Bureau, University of Minnesota, Minneapolis, Minn., August 1974, vol. 43, No. 8, p. 6.

Exploring Law Enforcement, by Peter J. Pitchess, Sheriff, Los Angeles County Sheriff's Department, Los Angeles, Calif., June 1974, vol. 43, No. 6, p. 14.

Physical Fitness Ideal, by Sgt. Leo Thalassites, Director, Hialeah Police Academy, Hialeah, Fla., January 1974, vol. 43, No. 1, p. 11.

Police Cadet Corps, by William R. Cauthen, Chief of Police, Columbia, S.C., February 1974, vol. 43, No. 2, p. 22.

Police Response to Family Disputes, by Sgt. Edwin J. Donovan and Det. John F. Sullivan, Family Crisis Intervention Unit, Police Department, New York, N.Y., September 1974, vol. 43, No. 9, p. 3.

Sanitarium Comes to Life—With Law Enforcement Training, by Harold S. Potter, Executive Director, Vermont Law Enforcement Training Council, Montpelier, Vt., May 1974, vol. 43, No. 5, p. 14.

Security Training: The Airport Operator's Responsibility, by Anthony N. Potter, Jr., Principal Consultant, Landrum & Brown Division, Booz, Allen & Hamilton, Inc., Cincinnati, Ohio, August 1974, vol. 43, No. 8, p. 13.

Training for the Future, March 1974, vol. 43, No. 3, p. 23.

ASSAULTS ON FBI AGENTS

During the period January through June 1974, 60 FBI Agents were assaulted, as compared with 88 during the same period in 1973, 53 in 1972, and 47 in 1971.

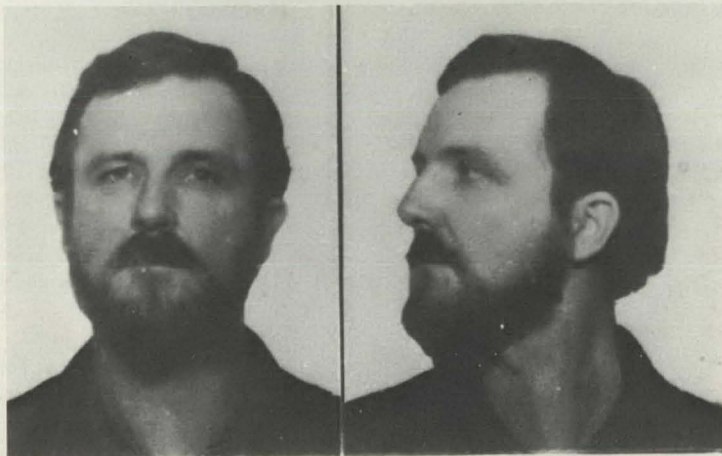
Twenty-three Agents were assaulted through the use of personal weapons such as hands, fists, and feet; 16 by firearms; 8 by motor vehicles; 2 by knives; and 2 by blunt instruments. Nine Agents were victims of threats, and three were wounded in gunfights.

BURGLARY

An estimated total of 2,540,900 burglaries occurred during 1973. The increase in the number of offenses from 1972 to 1973 was 188,100.

Viewed monthly, the highest volume of burglary occurred in December of 1973.

WANTED BY THE FBI



Left index fingerprint.

BERNARD JOSEPH MORA, also known as Albert Joseph Baken, Jay Chrisnell, Andrew S. Leonard, Jay Lillis, Mike Lillis, Barney Mora, Joseph Bernard Mora, Charles Pennington

Interstate Flight—Murder

The Crime

Bernard Joseph Mora is being sought by the FBI for unlawful flight to avoid prosecution for murder.

On or about August 23, 1971, Mora allegedly murdered a female hitchhiker whom he picked up on a trip from San Francisco to Sacramento, Calif.

A Federal warrant for his arrest was issued on March 24, 1972, at San Francisco.

Description

Age----- 39, born May 5, 1935, San Francisco, Calif.
Height----- 5 feet 7 inches to 5 feet 8 inches.
Weight----- 145 to 155 pounds.
Build----- Medium.
Hair----- Brown.
Eyes----- Blue.
Complexion--- Medium.
Race----- White.
Nationality--- American.

Occupations--- Dental technician, locksmith, salesman.

Scars and marks----- Scar on left shoulder where tattoo was removed, scar on left forearm, scar on left leg (shin bone), and scar on right foot. He has tattoos of a wreath of roses surrounding name "ROSE" on upper left arm, "KARI" upper right arm, dragon left forearm, black panther right forearm, framed picture of Virgin Mary covering entire back, mouse with "AGNES" on right leg.

Remarks----- Reportedly walks with slight limp in right leg.

Social Security

No. ----- 551-44-5777.

FBI No. ----- 967, 870 A.

Fingerprint classification:

14	O	29	W	MOM	14
I	20	W	OOI		

Caution

Mora has been convicted of robbery, unauthorized opening of mail, burglary, auto theft, parole violation, forcible rape, and escape. He should be considered an escape risk and very 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.

FOR CHANGE OF ADDRESS ONLY

(Not an Order Form)

Complete this form and return to:

DIRECTOR

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

NAME

TITLE

ADDRESS

CITY

STATE

ZIP CODE

"GRAB BAG" CAPER

An innovation in the standard shoplifting procedure has recently been discovered in use in Detroit, Mich. Successful implementors of the scheme enter a large department store (particularly one that is busy) and purchase a rather valuable item that is not too large, usually clothing. The item is then taken out of the store and subsequently resold; however, the seller retains the bag and receipt from the store. A return visit is then made to the store where an identical item is stolen. Using the receipt from the original purchase, the shoplifted item is returned in the department store bag and a refund is obtained.

If not already aware of this type of scheme, various agencies nationwide should consider alerting their personnel and logical retail establishments to the potential for such criminal activity.

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

OFFICIAL BUSINESS

ADDRESS CORRECTION REQUESTED



POSTAGE AND FEES PAID
FEDERAL BUREAU OF INVESTIGATION

JUS-432

THIRD CLASS

693-18



QUESTIONABLE PATTERN

This pattern has the general appearance of a loop; however, a close examination discloses the lack of a sufficient recurve. In the Identification Division of the FBI, this impression is classified as a tented arch. A reference search would be conducted in the loop group.