



# FBI

## *Law Enforcement* BULLETIN



Vol. 33, No. 1

January 1964

*Documented Copy*

Federal Bureau of Investigation  
United States Department of Justice  
J. Edgar Hoover, Director

# FBI

## Law Enforcement

### BULLETIN

JANUARY 1964

Vol. 33, No. 1

*Published by the*

FEDERAL BUREAU  
OF INVESTIGATION,  
UNITED STATES  
DEPARTMENT OF  
JUSTICE

Washington, D.C. 20535

## Contents

### 1 Message from Director J. Edgar Hoover

#### Address:

### 3 Keys to Freedom, by Director J. Edgar Hoover

#### Feature Article:

### 5 A Mobile Command Post for Field Operations, by Howard R. Leary, Commissioner, Philadelphia, Pa., Police Department

#### FBI National Academy:

### 10 72d Session, FBI National Academy Graduates 100 Officers

#### Law Enforcement Administration:

### 14 A New, Modern Code of Criminal Law, by Dr. Charles H. Bowman, Professor of Law, University of Illinois, Urbana, Ill.

#### Nationwide Crimescope:

### 18 Dynamite Used as Threat in Holdup of Bank 19 Youth Used as Pawn in Robbery Racket 19 Narcotics Smuggled in Toothpaste Tube

#### Other Topics:

### 20 Crude Weapons Made for Escape, Attack 32 Wanted by the FBI Armed Robbers Foiled by Well-Planned Stratagem (in- side back cover)

#### Identification:

### Questionable Pattern (back cover)





## MESSAGE FROM THE DIRECTOR

---

TO ALL LAW ENFORCEMENT OFFICIALS

WITH THE ARRIVAL OF EACH NEW YEAR, many Americans pause to reflect on the year past and resolve to channel their efforts to a more meaningful and useful life for their country and fellow men. In connection with any thoughts of self-sacrifice for the betterment of mankind, there is one area of civic responsibility which should not be overlooked. It is the battle of law and order against crime.

Unless we witness a radical change in the behavior patterns of our more than 180 million population, 1964 will bring another sharp rise in crime. Basically, the lone defender between the public and criminal violence is the law enforcement officer. The question on law and order vs. crime which every public-spirited citizen should resolve at the outset of the New Year is, "Am I doing my part?"

Obviously, an alarming number of persons not only are not doing their part but are overtly aligning themselves with violators against law enforcement officers who are discharging their sworn duties in upholding the law. This is over and above the large segment of society which stands by with indifference and apathy.

It is most disheartening to note the increasing abuse and ridicule inflicted on officers throughout the country. For example, during the arrest of three individuals in a Midwest city, an unruly crowd gathered. Before the arresting officers could obtain reinforcements and move the violators from the scene, persons in the mob attacked the police and attempted to free those under arrest. Four officers were injured, and a police car was damaged by thrown bricks. In an eastern city, a gang of howling youths chased a mother into her home, ransacked the dwelling, and demolished most of the household furnishings. When police arrived, the gang, joined by nearly 100 other young thugs, assaulted the officers with bricks and stones. In another metropolitan area, a police executive reported that dur-



## MESSAGE FROM THE DIRECTOR

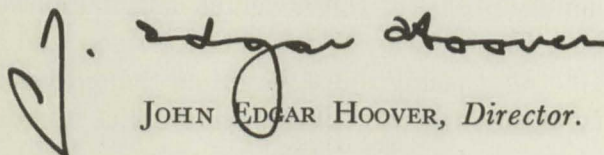
---

ing one 12-month period one of every four officers of the 5,000-man police department was attacked, injured, or "roughed up" while performing his duties.

These contemptible incidents are shocking indictments of a civilized society. They are a disgrace to a privileged people who choose to live under a government of law, but in many instances flout and attack those charged with administering and enforcing the law. A noted columnist, commenting recently on the declining respect for law and order, stated, "We can safely say that the life of an officer of the law is neither easy nor terribly remunerative, and one thing he shouldn't have to put up with is violence at the hands of mobs for the sin of doing his duty."

A refreshing contrast to the despicable misdeeds cited above is the recent action of two college boys who came to the assistance of a police officer being assaulted while attempting to effect an arrest. Their commendable action saved the police officer from serious bodily harm. Also there is encouraging evidence in some localities that authorities are becoming "fed up" with unprovoked assaults on officers. One State recently enacted a law making an aggravated assault on a police officer in the line of duty a felony punishable with a maximum of 5 years' imprisonment and/or a \$2,000 fine. Two judges in one city, alarmed over the increase in number and in severity of attacks on law enforcement officers called for quicker trials and stiffer sentences for those who assault police.

As we enter the New Year, let us resolve as law-abiding citizens to increase our fight and vigilance against the criminals who are a menace to America. Moreover, let us make certain that respect for the law enforcement badge is restored so that officers may discharge their duties without being set upon by vicious mobs of so-called "citizens."

  
JOHN EDGAR HOOVER, *Director.*

JANUARY 1, 1964.



# Keys to Freedom

DIRECTOR J. EDGAR HOOVER

*Remarks made upon receiving the Pro Deo et Juventute (For God and Youth) Medal of the Catholic Youth Organization in New York City on November 16, 1963.*

I ACCEPT THIS AWARD with a deep feeling of humility. I shall treasure it because of my great admiration for the outstanding work being performed by the Catholic Youth Organization. Your efforts on behalf of America's young people have earned the acclaim of all citizens who are concerned with the future of our Nation.

I am doubly honored that the invitation to attend this banquet was personally extended by His Eminence, Francis Cardinal Spellman, a brilliant and dedicated leader and a devoted servant of God.

To His Excellency, Archbishop John J. Krol, Monsignor Frederick J. Stevenson, and all associated with the Catholic Youth Organization and the Youth Department of the National Catholic Welfare Conference who have made this such a pleasant occasion, I express heartfelt appreciation. It has been especially good to see so many friends and to renew old acquaintances.

## Today's Challenge to Youth

To the outstanding young people assembled here tonight, I bring warm greetings. Yours is a generation of great challenge. Through no choice of your own, you have entered the world at a time when deadly forces challenge your right, and the right of every American, to live in freedom under God.

Young people in postwar America have grown up with the disillusioning knowledge that the world is no longer "safe for democracy."

High ideals are the birthright of youth, but the

youth of postwar America must face, also, the chaos which present-day society presents, and bring about order through the realization of those high ideals.

We are at war with communism, in different ways on different fronts around the world. The Communist ideology is born in hate, but our



Director Hoover.



philosophy of life is the practice of love and faith.

Just as freedom is your right, so challenge is your heritage—for freedom, once won, must constantly be defended.

## Fundamental Forces

Today, our country faces the most severe test ever to confront a free people. Here and abroad, mortal enemies of freedom and deniers of God Himself conspire to undermine the fundamental forces which are the lifeline of our country's vitality and greatness—our most formidable weapons, in peace and in war.

What are these forces? They are:

**FAITH**—faith in a Supreme Being: God, the Author of Liberty.

**INDIVIDUALISM**—inherent dignity and worth of every sovereign individual with his personal rights and responsibilities.

**COURAGE**—the courage of a free people firmly dedicated to the noblest cause.

**INTEGRITY**—that quality of trustworthiness which is essential in dealings between men, and between countries.

**DISCIPLINE**—and self-discipline, which are vital in a Nation governed by laws rather than by men.

**VISION**—such as led our founding fathers into the perilous dangers of a hostile wilderness that was to become the proud American Republic in which we live today.

These are America's great bulwarks. They are under savage attack today, just as they were so severely tested nearly 200 years ago at Bunker Hill and at Valley Forge.

Daniel Webster, that brilliant early American statesman, eloquently declared, "God grants liberty only to those who love it, and are always ready to guard and defend it."

Daniel Webster knew the heavy price America had paid for her liberty. And he knew also the disintegrating effect of self-indulgence, neglect of duty, and public lethargy in a Nation of free men.

## America's Enemies

These lethal influences are at work, constantly undermining the sense of personal responsibility and self-discipline so essential to our Nation's welfare. They form a common denominator with the aggressive enemies of our Republic in assaulting the cause of decency and justice across the length and breadth of the land.

Who are these enemies of our Republic? They are the crime syndicates, the narcotics peddlers, the labor racketeers, the unscrupulous businessmen, the corrupt politicians, and all others who blatantly defy the laws of the land.

They are the hatemongers and the false liberals who would subvert our Constitution and undermine our democratic processes in furtherance of their selfish ends.

## The Communist Peril

They are the Communists and other subversive elements who wave false banners of legitimacy and patriotism while relentlessly plotting to destroy our heritage of freedom.

Communism—in all its forms and in all its variations—is the avowed enemy of liberty and of justice and of God. The Communists *fear* free and independent thought. They *fear* truth. They *fear* God even though they deny Him. They *fear* the inherent courage and dignity of man created in His image.

Today, the Communists are engaged in an intensive campaign to control the minds and win the allegiance of American youth. Toward this end, a National Youth Commission has been established within the Communist Party, USA; special publications have been issued; front groups have been organized; and an ambitious speech program has been directed against our colleges and universities.

During the past two years, Communist spokesmen have appeared on nearly 100 campuses from coast to coast. Their purpose: To create confusion, raise questions, and spread doubt among our young people concerning the American way of life.

If their constitutional right to free speech allows them to use the public school forum to promote the secular creed of Marxism-Leninism which *openly and avowedly denies God*, does their constitutional freedom of religion also *prohibit* the rest of us from using the same public school forum to express our faith that God does exist?

It is indeed ironic that Communist Party speakers—whose minds and thoughts and actions are *in no manner free*—should demand the opportunity to parrot the Moscow line to young Americans under the guise of *academic freedom*!

Academic freedom is not an instrument for the perpetuation of conspiratorial ideologies. Nor is

(Continued on page 23)



# *A Mobile Command Post for Field Operations*

**HON. HOWARD R. LEARY**

*Commissioner, Philadelphia, Pa., Police Department*

*The police executive of a major city discusses the use of a mobile command vehicle for on-the-spot supervision and control of field operations.*

MAJOR INCIDENTS requiring large-scale police activity pose special problems to the police administrator. These incidents, including multiple alarm fires, labor disputes, disasters, intensive crime investigations and manhunts, and large civil disobedience demonstrations, to cite a few examples, require major field operations involving many units of the department.

## **Problems Involved**

Often these incidents are large in size, lengthy in duration, and located at a considerable distance from the headquarters building or another facility. Available communications are usually inadequate to meet the need. In many cases, the command structure at the field operation must, of necessity, be dispersed to various locations at the scene. Usually there is no method of communicating between the various locations or an adequate method of coordinating joint activity among the various units. The field commander finds it difficult at times to obtain a complete perspective of the incident because of these shortcomings.

The scope and urgency of the situation, when coupled with inadequate facilities and communications, compound the problem of obtaining timely information necessary for evaluating the situation

and subsequently taking the necessary action. In general, coordination and direction of the total police effort are hampered under these conditions.

Thus we find that while our normal command organization functions efficiently at headquarters on a routine basis, our field command must function at major incidents under very challenging conditions on an emergency basis. Therefore, we must make some provision that will enable us to effectively meet our responsibilities in these field operations with efficiency comparable to that which our regular command organization provides.

## **The Mobile Command Vehicle**

To accomplish this objective, the Philadelphia Police Department developed "Car 800," a mobile command vehicle. It was specifically designed to serve as our command center at large field operations. This vehicle provides adequate communicative tools; serves as the center for operational planning, deployment, and evaluation; and, in general, facilitates the command functions in the field.

This vehicle is a half-ton panel truck, formerly used as a utility truck before its conversion into a command vehicle. The choice of this size vehicle was based on our desire to have a compact unit that could be used on many types of operations. The



selected vehicle provides sufficient room to comfortably house the equipment and personnel needed for its operation. The compactness actually increases its utility because it is more easily and rapidly driven to a location, and the size of the truck lends itself to efficient operation regardless of the size of the incident.

### Functioning of the Vehicle

As soon as a major incident develops, "Car 800," normally headquartered at the police garage, is activated and sent to the scene. The Communications Section of the Department of Public Property, the city agency responsible for installing communications, is promptly notified to send a service crew to the incident location to connect the electrical power lines and arrange for the telephone installation when necessary.

The designated field commander determines the command structure, and immediate evaluation and planning are begun. Manpower and equipment needs are determined and obtained from available sources. As a result of the evaluation and planning, personnel and equipment are deployed as the situation requires, and communicative and intelligence needs are analyzed and established.

### Operational Planning

Sound decisions and proper action are dependent upon knowledge of the situation. The inherent capacities of the mobile command vehicle, "Car 800," facilitate the collection and analysis of information from all portions of the emergency scene. This on-the-scene evaluation—converting raw information into meaningful intelligence—provides the field commander with more complete data upon which to base his decision-making and to issue orders.

Continual operational planning and evaluation are necessary in order to maintain maximum effectiveness. The command vehicle meets the need for an on-the-spot location to carry out this planning very effectively.

To facilitate the recording of the data, two typewriters were installed in the command vehicle, and a supply of departmental forms is carried for report preparation. Chronological activity logs and intelligence reports are prepared as the information is received. In addition, the area of each incident is charted and a large diagram of the scene developed. A clear plastic overlay is



Commissioner Howard R. Leary.

taped over the diagram. Manpower and equipment deployment is then plotted on the overlay. At a glance, the field commander can assay the deployment in any given area. As the situation develops, he is kept constantly informed of the current condition. Through this evaluation and deployment analysis, he can efficiently coordinate and direct the total police effort to meet the situation.

### Equipment

Equipment installed in the truck includes a radio, telephone, two typewriters, shelving, and cabinets. In addition, lighting equipment, investigative aids, special tools, and other items as required are carried in the vehicle.

### Communications

The importance of communications at a field operation cannot be overstressed, because they are necessary for effective direction and coordination. We have equipped our command vehicle with three methods: radio, telephone, and walkie-talkie. They enable the field commander to receive and transmit information more rapidly from or to any source than was previously possible. The ad-



ditional quantity and speed gained enable him to evaluate the situation more quickly and comprehensively.

### Radio and Telephone

The radio system permits use of any of the three regular broadcast channels and an additional special ultrahigh frequency (UHF) which we use for field operations only. This special band insures that the messages associated with the field operation will be broadcast without delay or interruption. In addition, the regular broadcast frequencies are not overtaxed in the amount of message traffic carried. It is a duplex system that permits three-way communications on the network.

As conditions warrant, radio-equipped vehicles are deployed at various positions in the field operation, and both relay information and receive instructions from the command vehicle. The radio room at headquarters also participates in the network, insuring speed when information must be relayed to other units of the department or addi-

tional manpower or equipment must be obtained from other sources.

The use of a telephone has particular value when it is necessary to communicate directly with other officials and agencies outside of the department, especially if speed and accuracy are mandatory, factors which must at times be sacrificed when information is relayed. Since a telephone line, of course, must be installed at every new location, its use is limited to major incidents.

### Walkie-Talkie

Another communicative tool utilized is the portable walkie-talkie. This has proved extremely valuable when observation would be advantageous from elevated positions such as rooftops or areas inaccessible to the radio-equipped vehicle. Again, the central station for this method of communication is located at the command vehicle.

In addition to the equipment, a remodeling of the vehicle and the installation of complex electrical systems were done before this transition from a utility truck to a command vehicle was completed.



Mobile command vehicle, "Car 800."



The remodeling of the interior involved the installation of fiberglass insulation on the walls, floor, and ceiling. These areas were panelled with plywood and then painted. A typewriter shelf, chairs, forms holder, and various cabinets for the other equipment were provided. Overhead lighting and interior convenience outlets on the side panels were installed as well as a rubber-tile floor for durability and ease of maintenance.

The comfort of the occupants was also kept in mind. To provide comfort to and reduce the fatigue of personnel who must work inside the vehicle for any length of time, regular typewriter chairs are used rather than benches or stools. In addition to the insulation, an exhaust fan, all-weather type, was installed in the ceiling for cooling purposes, and an electric, flush-type heater was mounted on a side panel.

### Electrical Power Source

Weather-proof convenience outlets were also installed on the exterior panels of the truck. With this arrangement, outdoor lighting apparatus and other emergency equipment can be easily connected to the 110-volt circuit of the vehicle.

Thus the vehicle is equipped to function at any time of the day and in any type of weather.

Because of the amount of additional equipment in the vehicle, consideration had to be given to

insuring adequate electrical power for its proper functioning. Two separate and independent power sources were developed and the vehicle chassis was then wired to function with either system.

The first system consists of tapping a nearby public power source, usually a utility pole carrying a 220-volt line. This 220-volt line is then brought into the main circuit-breaker terminal box installed in the vehicle where it is divided into two 110-volt lines, each having the protection of a separate circuit breaker. Most appliance equipment, convenience outlets, lighting circuits, and exhaust fans are factory regulated for 110-volt performance. This system has facilitated their use in the mobile command vehicle. In addition, the UHF radio system, normally regulated for 12-volt battery operation, can be operated on this system (110-volt) by the use of a "tapering-charge" battery charger connected to the circuit terminal box in the vehicle. This innovation allows the radio to be operated without requiring the power of the truck engine, thereby reducing mechanical damage to the engine if it were to operate for a long period of time at idle speed.

The circuit-breaker terminal box can also be converted rather easily, on the scene, to operate on a 110-volt feed line, rather than 220 volts, if that is the only power source available.

### Second System

The second electrical system was developed in the event that there should be no public power source available for use or if it is impractical to tap one in the area. This system develops power from the electrical system of the vehicle using two 70 amp/hour automobile batteries, wired in parallel and powered by a 100-amp alternator. The radio circuit (12 volts) operates directly off this system, and a 110-volt circuit is provided by using a 600-watt inverter connected to the battery circuit and wired into the 110-volt circuit-breaker terminal. This electrical system requires the truck engine to be operating to provide the electric power.

### Practical Value of Unit

We have developed our command vehicle in accordance with our needs. This basic idea can be adopted by any department. The size of the vehicle and the amount of equipment to be carried will depend upon local needs and financial capabilities.

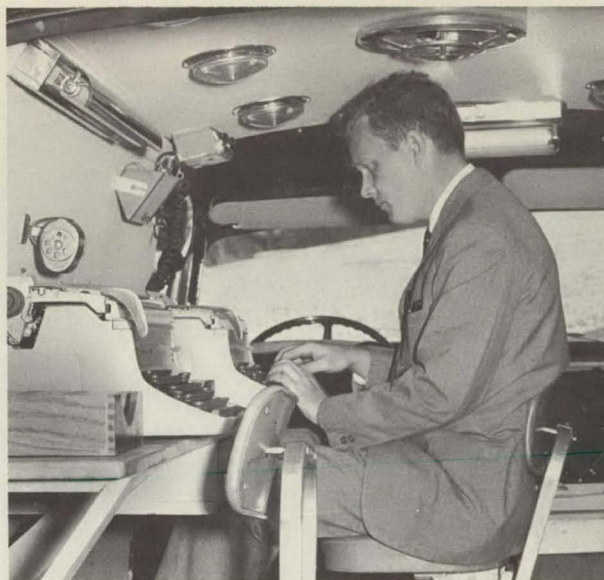


Interior of converted panel truck.



The command vehicle has fulfilled its role well and has proved effective when used in our field operations. It has become the nerve center of our field operations and, in a sense, has brought more order and design to our operations. The field organization is well established, with the command vehicle as the field headquarters. The responsibility for each function at a scene is now clearly defined and placed, insuring better performance. Because it coordinates the many needs of a large operation, it has enhanced the teamwork aspect so vital in any large undertaking.

In essence, it provides a focal point at an emergency scene at which command personnel and city officials can be briefed on the existing situation; in which pertinent data can be recorded, reports prepared, and operational planning carried out; and through which effective command control and direction can be exercised.



Sgt. James Herron types report at one of two typewriters in vehicle.

## CRIMINAL TUTORING SERVICE AND GUN RENTAL FOR PRICE

A crippled ex-convict, described as the manager of a gun rental service, not only rented guns, but was willing to provide tutoring service to customers desirous of improvement in the art of armed robbery. His fees were said to run as high as 50 percent of the "take" from any activity in which the rented gun was used.

This man depended on welfare for existence, but the rental money helped him keep "body and soul together"—and his spirits buoyed with the necessary doses of narcotics.

He was arrested as a result of the shooting of a 49-year-old man by three 15-year-old robbers who had rented a .38 caliber revolver from him. The victim—shot between the eyes—was a clothes presser by day and was on his way home from another job he had taken to earn enough money to keep his son in college when he was assaulted by the 15-year-olds.

The three juveniles admitted 18 robberies, paying the crippled ex-convict an average of \$40 a job for the rental of the gun.

The man was held without bail for a hearing, charged with illegal possession, conspiracy to commit robbery, and impairing the morals of a minor. The three boys were charged with juvenile delinquency.

*New York Criminel, BuFi # 63-4296-34-957*  
January 1964

## POLICE PUT AN END TO BURGLARY RING ACTIVITY

A gang of burglars operating in a small community on the east coast was arrested recently and charged with committing more than a score of burglaries. The arrests also solved seven cases of arson when the burglars set fire to the homes they robbed to cover the thefts.

The ring—consisting of 11 men, women, and boys—worked in the early evening hours, usually between 6 and 9 when the occupants were out for the evening. They worked brazenly in the open, frequently carrying their loot for several blocks through a housing development. One home was ransacked four times.

The loot taken over a 3-month period was valued at approximately \$10,000 and included television sets, radios, lamps, living-room furniture, kitchen sets, and odds and ends. Before Christmas last year they stole some one thousand wrapped Christmas gifts, which they later admitted dumping into garbage cans, and smashed a liquor store window, taking six bottles of liquor.

A 30-year-old ex-convict working with a 13-year-old boy admitted burglarizing nine homes in one neighborhood and setting fires that gutted seven of the houses.

Most of the boys involved in the burglary ring activities were school drop-outs and unemployed.

*New York Criminel, BuFi # 63-4296-34*  
Dated 1-15-63





Lt. Lloyd George Sealy, since promoted to Capt., New York City Police Department, receives his diploma at the graduation exercises from Asst. Atty. Gen. Ramsey Clark as Mr. Hoover looks on.

## *72d Session, FBI National Academy Graduates 100 Officers*

GRADUATION EXERCISES for the 72d Session of the FBI National Academy were held on Wednesday, November 6, 1963, in the Departmental Auditorium, Washington, D.C. The 100 law enforcement officers in the class represented 37 States, the District of Columbia, Puerto Rico, the White House Police, the Park Police, the U.S. Department of State, and the U.S. Army. Eighteen foreign officers, the largest number of foreign officers ever to attend any session of the FBI National Academy, represented 13 different countries—Bolivia, Chile, Cyprus, Ecuador, Iran, Malaysia, Mexico, Pakistan, Panama, the Philippines, South Vietnam, Thailand, and Tunisia.

Hon. Daniel F. Foley, National Commander of The American Legion, and Hon. John W. McCormack, Speaker of the House of Representatives, delivered the principal addresses. A distinguished guest introduced by Mr. Hoover was His

Excellency, Mahmoud Foroughi, the Ambassador from Iran to the United States. Two members of the class were from Iran.

Dr. Edward L. R. Elson, of the National Presbyterian Church, Washington, D.C., gave the invocation and the benediction for the exercises which also featured a musical program by the U.S. Marine Band, conducted by Capt. James King.

Mr. Robert E. Frusher, of the Oklahoma Highway Patrol and president of the graduating class, spoke on behalf of his fellow officers. He expressed their gratitude for the privilege of attending the Academy and stated, "We have learned much, but the most important lesson taught us is that we must continue to study and to work to advance ourselves and our profession. We return home knowing that the knowledge obtained here will enable us to better use our hands, our heads, and our hearts, and to teach others to do the same so



that we all may become artists in our profession." He also expressed his gratitude to those left behind whose love and faith in the officers made it possible for them to attend and complete the course.

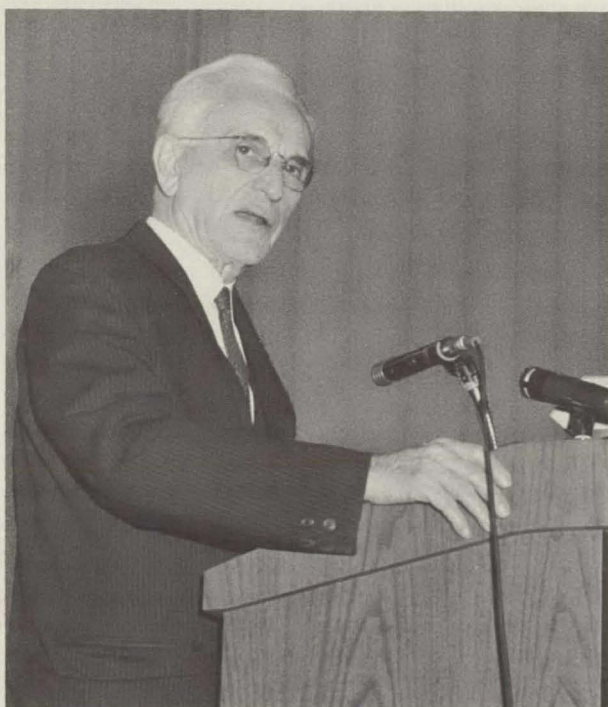
This class brings the total number of FBI National Academy graduates to 4,454. Diplomas were presented by Asst. Atty. Gen. Ramsey Clark and FBI Director J. Edgar Hoover. A list of the class members will be found at the end of this article.

Prior to the graduation exercises, Lt. Carroll E. Cook, Maryland State Police, was awarded the John Edgar Hoover Medal for Excellence in the Study of Law Enforcement, a distinction awarded to the member of the class achieving the highest scholastic standing.

The American Legion National Academy Firearms Proficiency Award was presented to Chief Stanton D. Knutson, of the Williston, N. Dak., Police Department, on November 4, 1963. The purpose of the award is to promote competitive interest among FBI National Academy trainees participating in firearms courses scheduled during their session at the Academy.

The address of Commander Foley follows:

It is with great pride and pleasure that I come before you on this occasion which I know is a most significant



Hon. John W. McCormack.

event in the lives of you officers who are graduating from this 72d Session of the FBI National Academy.

While none can foretell the total impact that these past 12 weeks of intensive training may have upon your lives and careers, it is safe to assume that each of you will have benefited substantially from the training you have received here.

I am confident also, that your respective departments, your fellow officers, and your communities will reap abundant rewards for your having been here. There is no other place in America where you may acquire the professional skills taught here, and I'm sure there is no place where you will find a staff of more experienced and expert instructors in the various phases of law enforcement.

You may take justifiable pride in the fact you were selected to attend this Academy for you were selected on the recommendation of your superiors, and with the endorsement of Director J. Edgar Hoover under whose leadership this Academy was conceived and developed to its present high state of efficiency.

Naturally, the training in law enforcement work will be the greatest single asset you will carry with you from the FBI Academy. There are, however, certain intangibles associated with this experience that will serve you well in the years ahead.

Important among these intangibles is the comradeship established as you worked and studied with men from 37 States and 13 foreign countries—men whose chosen profession and ultimate objectives are the same as yours.

You have cultivated friendships and developed an understanding of personalities and backgrounds entirely different from those which you encounter in your daily work at home. Your associations here have provided you with an understanding and appreciation of problems peculiar to certain areas, and the realization that many problems are universal. I would urge you to maintain the friendships and understanding which you have developed here, for they are priceless. It was precisely this type of relationship, developed during wartime military service to our Nation, which led to the founding of The American Legion.

Another, and equally important intangible is the esprit de corps which you must feel. None can be closely associated with the FBI without being inspired by the spirit of this organization. Mr. Hoover's personal dedication to law and order has been instilled in every member of the FBI, and, as a result, this great organization has been lifted above the norm and into the realm of excellence.

No organization can hope to achieve greatness without members with spirit who take pride in their group, its work and its objectives. Thankfully, the some two and three-quarter million members of The American Legion are imbued with this same spirit and pride in the work which they seek to accomplish.

The American Legion is comprised of men and women from all walks of life, of widely diversified backgrounds and interests. They have a common goal, however. Each is dedicated to keeping this great Nation strong and free.

All Legionnaires are personally aware of the rigors of wartime service. Many of our members carry visible reminders of the armed conflicts which America has been forced to fight. Yet, those of us who remain share a





Hon. Daniel F. Foley.

common and sacred trust to perpetuate the high cause of freedom which so many fought and died to preserve.

When a small group of veterans of The American Expeditionary Force met in Paris, France, in 1919, to form what is now The American Legion, they immediately defined the principles and purposes for which this great organization would stand through the years, and which included:

1. The creation of a fraternity based on a firm comradeship born of wartime service, and dedicated to the cause of equal treatment for all veterans, particularly the disabled, their widows, and orphans.
2. A system of national defense for America, including a program of universal military training which would keep this Nation strong and serve as a deterrent to future would-be aggressors.
3. The promotion of patriotism and the combating of materialistic and totalitarian ideologies which recognize neither the honor nor the dignity of man.

Justice for the disabled was, is, and shall always be a major goal of The American Legion. The achievements of the Legion in this area of concern are a matter of record and of history, but the effort continues.

From The American Legion's concern for the children of disabled and deceased veterans was born The American Legion child welfare program, which long since has expanded its scope of activity so that it now operates under the slogan of "A Square Deal for Every Child." Since 1925, The American Legion and its affiliated organizations have contributed more than \$185 million to this cause, ranging from direct financial assistance to the children of needy veterans to major contributions for research into crippling diseases and vexing problems affecting America's youth.

The success of this program through the years may be traced to an alertness to changing concepts of child care and guidance dictated by rapidly changing social conditions. New areas of concern for our child welfare program include support for more rigid Federal and State controls over the illicit drug traffic which is a growing menace to our young people. We also seek laws that would require reporting to the proper authorities of cases of physical abuse of children by adults, similar to laws now requiring the reporting of gunshot wounds.

The American Legion's intense interest in national security is a natural area of concern for our organization. We have asked, and we continue to ask, that our Nation maintain defensive forces, both in men and material, superior to those of any potential enemy. We ask that these forces be maintained in the hope that they need never be employed. We of the Legion believe that preparedness is the key to the maintenance of freedom, and we believe that our best defense is a military potential unmatched throughout the world, and strongly backed by the patriotic and moral resources of a freedom-loving citizenry.

We believe our Nation should always be prepared to speak from a position of strength to those who understand no other language. The validity of our position has been painfully proved. After World War I our Nation's military strength was dissipated. We were gravely unprepared to defend ourselves as was shown so forcefully at the time of the attack upon Pearl Harbor.

Again in Korea America's citizen soldiers responded, and acquitted themselves nobly—but were we really ready? America finally adopted a form of universal military training—a program long advocated by The American Legion—and that program was strengthened with the enactment in 1955 of the National Security Training law. We shall continue to speak up on behalf of adequate and modern weapons and well-trained men as a deterrent to aggression.

However, the greatest military machine in the world cannot prevail if America is permitted to decay from within. Crime and delinquency have an adverse influence upon our communities, and must be eliminated. Furthermore, there are powerful influences at work in America today intent upon destroying our moral strength and our dedication to the principles of freedom. I speak of the Communist Party, USA, and its various front groups.

The American Legion is, and always has been, a determined foe of communism. While the struggle with communism has cost many lives in Korea, in Vietnam, and in other troubled areas of the world, the struggle here at home has been bloodless but no less treacherous.

Members of the Communist Party, USA, have used every conceivable trick and device in the effort to influence Americans toward their viewpoint, and strive constantly to dull Americans' sense of appreciation for the freedoms they enjoy and to weaken their will to fight to preserve them.

Almost daily we read or hear of Communist efforts to infiltrate our Government and steal our defense secrets. The Communists are bent on imposing their will upon us, and we must be as dedicated in our efforts to resist the encroachments of communism as they are to foster their false ideologies.



If our freedoms fall, that of the remainder of the free world will fall with us, for this Nation is the last major barrier to the Red goal of world conquest.

It is our contention, and again history has proved the accuracy of our stand, that the course of extremism, either to the right or to the left, is the course of failure. To follow such a course has brought about the downfall of many men, of many governments, yes, even of entire civilizations.

It is the view of The American Legion that a strong program of positive Americanism, strengthening our basic belief in our principles and ideals, is the best answer to atheistic communism. Through Legion-sponsored Americanism programs, more than three quarters of a million American youngsters each year are exposed to activities designed to give them a greater appreciation of our form of government and our way of life.

Our Boys State and Boys Nation programs teach better citizenship to more than 27,000 boys each year. More than 122,000 youngsters each year learn the elements of citizenship and self-sufficiency through Legion-sponsored Boy Scout units. Some 355,000 high school students annually learn the meaning of our Constitution and Bill of Rights through preparation for the Legion's National High School Oratorical Contest, and a quarter of a million youngsters learn the rules of the game of life while playing American Legion baseball each year.

Through these programs we hope to help our young people grow to responsible adult citizenship—to develop strong minds in sound bodies, and to stem the tide of

delinquency which produces all too many potential criminals.

The scope of organized crime in these United States has been made alarmingly clear to Americans in recent weeks, and Mr. Hoover has wisely warned that law enforcement cannot achieve total victory over the elements of lawlessness without the "cooperation and assistance of the honest citizens of each community, individually and collectively."

Through resolutions adopted by our Miami Beach National Convention in September, The American Legion has pledged its support and that of its members to assist the law enforcement agencies of the land whenever and wherever they can be of help.

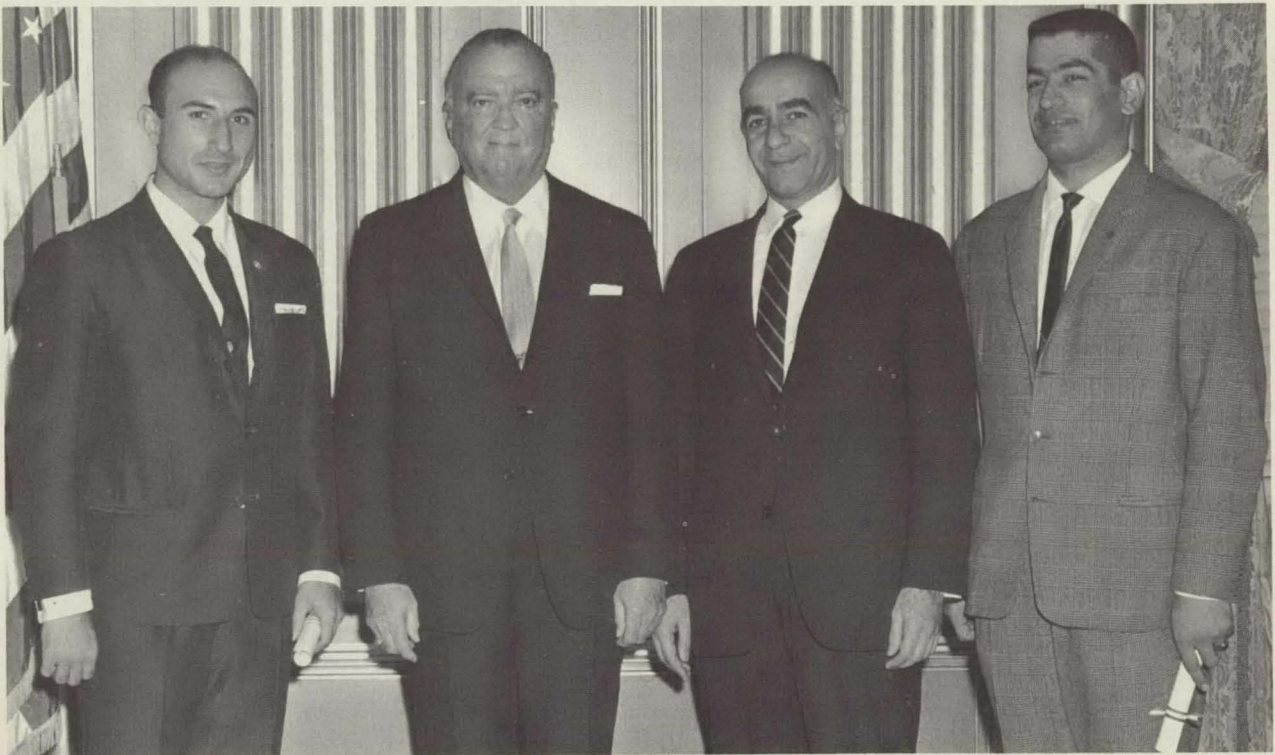
Basically, I believe the American people to be patriotic, law-abiding citizens. Yet, as sometimes happens in our zeal to protect our homes and families from the elements of lawlessness, there is ever the tendency to take the law into our own hands.

This is not the type of help I mean when I invite you to call upon Legionnaires to assist you.

When I say use them, I mean in the capacity that you would seek the assistance of any good citizen who can be of help to you in your work. The American Legion is not, and does not propose to become an investigative body. This is the work of the trained, professional officer, which is as it should be, and as The American Legion views it.

I have mentioned the fact that The American Legion

*(Continued on page 26)*



Foreign members of the class from Tehran, Iran, are shown with Mr. Hoover and their Ambassador following the exercises. They are, from left to right: Capt. Manocher Rafi Kiyani, General Police Administration of Iran; Director J. Edgar Hoover; His Excellency, Mahmoud Foroughi, the Ambassador of Iran; and Lt. Feraidoon Madani, General Police Administration of Iran.



# *A New, Modern Code of Criminal Law*

**DR. CHARLES H. BOWMAN\***

*Professor of Law, University of Illinois, Urbana, Ill.*

*This article, written in two parts, explains the action taken by the State of Illinois to revise and update its Code of Criminal Law. Part I of the article appears in this issue.*

THE PAST DECADE has seen an unprecedented shift of attention by the public and courts to the area of criminal law and its enforcement. The scene in radio and television shows has shifted from the "soap opera" family situation to the courtroom conflicts of "Perry Mason" and the "Defenders"; and the dockets of State and Federal reviewing

courts have become dominated by criminal cases involving the rights of defendants, the activities of law enforcement officials, and the interpretation of State and Federal laws dealing with crime and the administration of justice.

Operating under this public and judicial spotlight has caused law enforcement officers some concern at times, but it has also served to their ultimate advantage by revealing to the public an archaic and cumbersome system of laws and procedures adapted to a pioneer society of a hundred years ago, and which is almost impossible to enforce in a modern society of metropolitan centers and highly mobile population. It has dramatized, as nothing else could, the imperative need for realistic, modern laws, administered by the coordinated efforts of competent law enforcement officers, prosecutors, and judges.

## **Functions Must Be Improved**

In an effort to meet this challenge, the Illinois Legislature has, during the past 10 years: (1) Completely revised and updated its criminal laws into a concise, modern Code of Criminal Law and Code of Criminal Procedure; (2) established by

---

\*Charles H. Bowman is professor of criminal law and criminal procedure in the College of Law, University of Illinois. He is a member of the University Police Training Institute Curricula Committee, and for 5 years was legal adviser to the Illinois Juvenile Officers Association. He has been a member of the joint committee to revise the Illinois Criminal Code since its inception in 1954, working full time on the project in the summers of 1960 and 1962, drafting many of the code's provisions and writing most of the commentary explaining its various sections. He was chairman of the drafting subcommittee and was spokesman for the joint committee in presenting and guiding through the legislature the Illinois Criminal Code of 1961 and the Illinois Code of Criminal Procedure of 1963. During 1961-63 he was chairman of the Criminal Law Section of the Illinois State Bar Association. Professor Bowman received his bachelor of laws degree from Cumberland University, and the bachelor of science and doctor of laws from the University of Illinois. He is active in the U.S. Naval Reserve, with the rank of captain.

REPRINTED



law at the University of Illinois a police training institute for recruit and inservice training of state, county, and municipal law enforcement officers which includes a 16-week certificate program at the Chicago branch of the university and more than 40 two-day conferences and institutes around the State on laws and police procedures for handling juveniles (the Police Training Institute Alumni Association is a very active organization in the State with a periodic newsletter for keeping officers up to date with current court decisions and laws affecting everyday operations); (3) organized an active juvenile officers association, composed of an ever-increasing number of juvenile officers designated and specializing as such within their departments; (4) organized a State council of juvenile court judges for the continuous study and improvement of procedures for handling juveniles; and (5) completely modernized and integrated its entire court system through a constitutional amendment.

The effectuation of these changes has not been easy, due to the traditional inertia and resistance to change inherent in most people. It took 9 years to redraft and codify our criminal laws and laws of criminal procedure. But it has been done through the dedication and efforts of a few key individuals who recognized the need and refused to believe that it could not be done. Other States are moving in a similar direction. Since the codification and updating of the criminal laws and procedures is probably the most difficult and laborious step, I have been asked to describe the process by which we accomplished it, and some of the more significant changes, in the hope that it might be of some assistance and interest to law enforcement officers in other States.

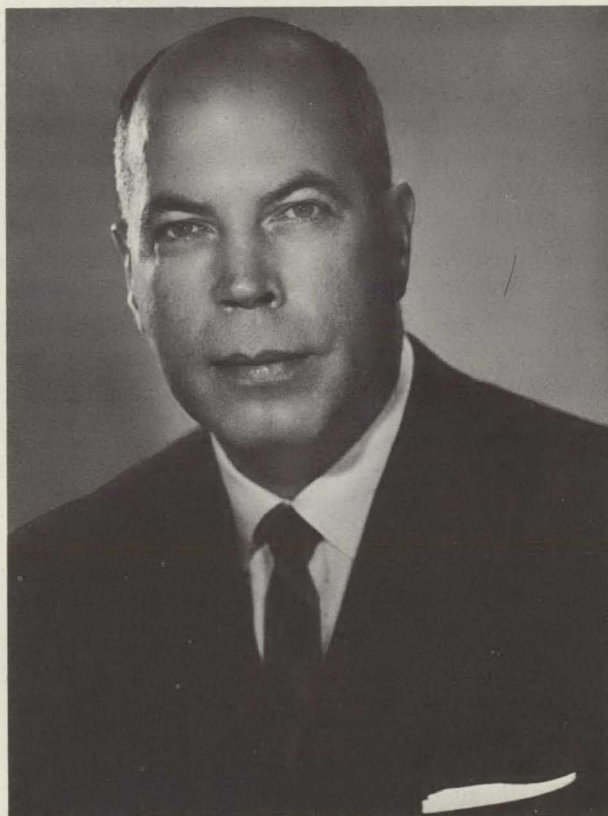
### Common Law System

As was true in practically all States of this country, Illinois criminal laws and procedures were based on the medieval English common law system of hue and cry, self-help, and private prosecutions. Many of our laws were in the identical language of the Illinois laws of 1827 which Judge Samuel D. Lockwood said he obtained primarily from the laws of New York of 1802 and the laws of Georgia of 1798. There were some 74 sections dealing with various aspects of theft. The minimum penalty for stealing a horse was 3 years while that for stealing an expensive automobile was only 1. The last major revision of our criminal laws

and procedures had been made in 1874, 2 years before Custer's last stand at the Battle of the Little Big Horn. It was, indeed, time for a change, even though the legislative halls in 1961 and 1963 continued to hear the plaintive pleas of some defense attorneys that, "The present laws have served us well for over a hundred years, why change them now?" The statement itself persuaded the legislators that the time for change had come. The Criminal Code of 1961 was adopted with only one dissenting vote in the legislature, and the Code of Criminal Procedure of 1963 was adopted with only four.

### Process of Codification

In the spring of 1954 the Illinois Supreme Court and the Governor separately requested the Illinois State and the Chicago Bar Associations to appoint a joint committee to study and revise the criminal laws of the State. The joint committee to revise the Illinois Criminal Code was appointed May 25, 1954. The first 2 years were devoted to studying the laws of other States and working out a modus



Professor Charles H. Bowman.



operandi. In 1956 the committee was reorganized with 21 judges, prosecutors, defense counsel, and law professors from Chicago and downstate. A drafting subcommittee was appointed to do the preliminary research and drafting for submission to the full committee.

## **Substantive Law**

We tackled the substantive law of crimes first, saving the procedural part, which is much more difficult and emotional, as a second step. In the fall of 1960 the substantive code was completed and published, with committee comments on each section, by West Publishing Co. of St. Paul, Minn. It was approved in principle by the governing boards of the Illinois State and Chicago Bar Associations. After numerous 1- and 2-day meetings with prosecutors, defense counsel, and public groups, some minor revisions were made, and it was introduced in both houses of the legislature simultaneously. I was appointed as spokesman for the joint committee to explain and guide it through the legislature. This was accomplished successfully with only 12 amendments, and the Governor signed it into law on July 28, 1961. It became effective January 1, 1962.

## **Drafting the Code**

Immediately after approval of the substantive code by the Governor, the joint committee turned its attention and efforts to the second part of its task, drafting the Code of Criminal Procedure. Because of the previous work, discussions, and research notes retained while working on the substantive code, this did not take as long, although we did increase the intensity of our work and meetings. The Code of Criminal Procedure was completed in the late fall of 1962, published with committee comments as before, presented to the governing boards of the two associations and to other interested groups, and then introduced simultaneously in both the house and the senate of the legislature. Again, as chairman of the drafting subcommittee, I was designated as spokesman for the joint committee. After a much rougher session in the legislative subcommittee and on the floor of each house, both bills were adopted in identical form, with only 18 minor amendments, and both were forwarded to the Governor for his choice as to signature. The Governor signed the bill submitted by the house on August 14, 1963.

It becomes effective January 1, 1964. The other bill, of course, was vetoed.

To replace some 800 separate, disconnected, and overlapping sections in the old law, the Criminal Code of 1961 was compressed into 33 substantive articles of 197 sections, organized under the main headings of "General Provisions," "Principles of Criminal Liability," and "Specific Offenses." Under these headings the subject matter was dealt with in chronological, systematic order in concise, modern language instead of the archaic jargon of medieval England which no policeman or citizen of today could understand—and very few lawyers and judges—without reading hundreds of court decisions interpreting it.

## **Sections Reduced**

The Code of Criminal Procedure compressed some 300 sections of the old law into 25 articles with 167 sections, arranged under the main headings of "General Provisions," "Apprehension and Investigation," "Proceedings After Arrest," "Proceedings to Commence Prosecution," "Proceedings Prior to Trial," "Proceedings at Trial," "Proceedings After Trial," and "Miscellaneous" (which includes parole, infamous crimes, and construction and effective date).

While sentencing and judgment are probably classified more properly as procedural instead of substantive, we felt that they should be included in the substantive code so as to implement more effectively the policy and philosophy of the committee in regard to penalties for specific crimes. Under the old law the jury in Illinois fixed the punishment in all misdemeanors and the five felonies of treason, murder, voluntary manslaughter, rape, and kidnapping. Such sentences had to be for definite terms. The court fixed the punishment in all felonies except the five mentioned above, and such sentences had to be for indeterminate terms, that is, with a minimum and maximum rather than for a fixed number of years. Of course, the court did the sentencing in all trials without a jury.

## **Sentencing Power**

We took all sentencing power away from the jury and provided that the court should conduct a presentence hearing in aggravation and mitigation in all cases. We abolished all life sentences and provided that any sentence not exceeding 1 year should be for a definite term and t



the county jail only, whereas any sentence exceeding 1 year had to be for an indeterminate (minimum and maximum) term, and to the penitentiary. In capital cases (Illinois has three: treason, murder, and kidnaping for ransom) we provided that in trials without a jury the court might fix death or imprisonment. In jury trials in capital cases, the court might fix death only if the jury recommended it, but had the discretionary power to fix imprisonment even though the jury recommended death.

Taking the sentencing power away from the jury caused considerable opposition by defense attorneys, and they caused an amendment to retain it to be offered on the floor of the house, but we defeated the amendment 100 to 43. It was not offered in the senate. Actually, the jury had no sentencing power at common law; it was an innovation after the Civil War in this country, and only a few States (about 12) ever adopted it.

### Mental State

Traditionally, a crime is said to include an act and the necessary intent. In recent decades of the 20th century, there has been an increasing number of absolute liability crimes on the books (sometimes called public welfare crimes), where criminal liability is absolute without regard to intent or mental state. Traffic offenses, possession of narcotics, and violations of the pure food and drug laws are probably the most common examples. We reduced the absolute liability offenses to a minimum, but reduced the approximately 165 words describing mental state in criminal activity (such as intentionally, knowingly, maliciously, deliberately, wantonly, with malice aforethought, etc.) to only four—intentionally, knowingly, recklessly, and negligently. All crimes throughout the code used only one of those four words which we defined specifically as to the meaning of each of them.

### Criminal Responsibility

We increased the age of criminal responsibility from 10 to 13. Hereafter, any child under 13 accused of a violation of the law must be taken before the family court on a delinquency or dependency petition. At common law, infants (from birth to age 7) were deemed incompetent to form a criminal intent and, therefore, incapable of committing a crime. From infancy (age 7) to puberty (fixed arbitrarily at age 14), (The

Mosaic law fixed it at 12 for females and 13 for males; while the Justinian Code fixed it at 12 for females and 14 for males.) there was a presumption of incapacity, but the presumption could be rebutted by proof of knowing right from wrong. During adolescence (14 and over) and adulthood (21 and over; 20 under the Mosaic law), everyone was presumed capable of forming the necessary intent to commit crime. Illinois had raised by statute the end of infancy from 7 to 10 years; we raised it further to 13, which, while arbitrary, is around the age of puberty for most males and some delayed females.

### Insanity

Ever since the ecclesiastical idea of free will and moral responsibility for individual conduct entered the criminal law, the courts and medical profession have had trouble with the defense of insanity and criminal responsibility for crime. Originally it was no defense and the only relief was a pardon. Then it was thought that if a person was as crazy as a "wild beast," he should not be held responsible.

About the turn of the 18th century, around 1800–1811, the "right and wrong" test began to be applied, and this was solidified as "the test" in 1843 after a lunatic by the name of M'Naghten had killed the secretary (Drummond), thinking he was the boss, Sir Robert Peel, who by the way was the founder and organizer of the first municipal police force in London, around 1825–29. (Peel's Principles for an efficient police department may still be seen, framed, in the offices of many police chiefs all over the world.)

Later in this country, many States, including Illinois, added the "irresistible impulse" test to the "right and wrong" test of M'Naghten's case. The right and wrong test has been subjected to much criticism, although all States, excepting New Hampshire perhaps, have adopted it. In 1954 the District of Columbia abandoned it for the *Durham* rule which was rejected in Illinois and all other State jurisdictions. The American Law Institute formulated a new test in the Model Penal Code, based, not upon *knowing* right from wrong, but on an *appreciation* of the criminality of his conduct. We adopted that definition of insanity, which seems to be more manageable in modern psychiatric terminology and the present state of medical knowledge than the old "knowl-

(Continued on page 31)



# NATIONWIDE CRIMESCOPE

## Dynamite Used as Threat in Holdup of Bank

A MAN CARRYING an attaché case entered a west coast bank one afternoon and proceeded to the bank manager's office. Verbally, as well as in a five-page letter, he demanded \$29,890. To show that he meant business, he displayed a .22 caliber, snub-nosed revolver and the attaché case which he stated contained dynamite. The manager looked inside the case and saw the dynamite.

At first he refused to give the man the money but, threatened with the gun and the detonating of the dynamite, he said he could give him only \$20,000. The robber agreed, but demanded a cashier's check for the additional \$9,890 and a roll of quarters. This was also given to the man and he left the bank.

Following the robbery, he chartered a plane to a city in a neighboring State. He was arrested by FBI agents when he left the plane and approached the airport terminal. He was seized so quickly that he was unable to make any countermove. The briefcase was taken from his grasp and removed to a safe place for examination.

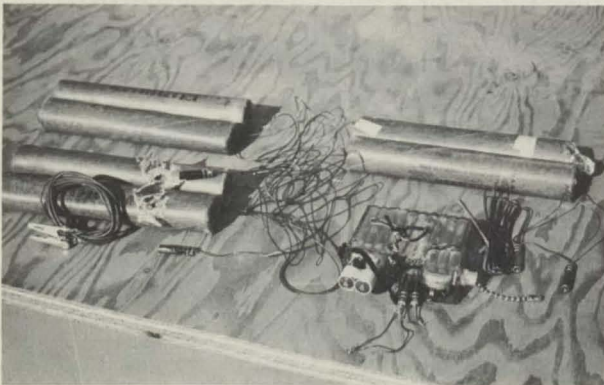
The case was wired with copper wiring attached to a small plastic cigarette case containing batteries. Two small wires running from two small copper disks affixed near the top of the briefcase were connected to the plastic cigarette case inside. An explosives expert was called in to deactivate

the blasting mechanism. His observation, following the cutting of the two wires, was that the briefcase could very easily have been detonated and resulted in a terrific explosion killing everyone within range of the subject.

The man also carried a battery in his pocket with a wire which could be hooked to another wire in his glove. This formed a connection to two metal points on the index and middle fingers of the glove. Thus, by merely touching his gloved hand to the copper disks affixed on the briefcase, power could be sent into the detonating device, setting it off. The plastic case containing two 6-volt batteries was also wired to a pull-chain device attached by a copper wire to two electrical blasting caps, with loose dynamite packed in and around them. Also in the case were two sticks of dynamite to which blasting caps and copper wire were attached and four other sticks roughly wrapped in a small white cloth. All were in working order.

Recovered from the man's briefcase was \$19,480 in currency wrapped in bank wrappers. On his person were \$177.54 in currency, the cashier's check, and a loaded revolver.

The man pleaded guilty to the bank robbery in U.S. district court. On March 5, 1963, he was sentenced to 25 years' imprisonment.



Cigarette case wired to pull-chain device and attached to blasting caps.



Two small wires ran from the two copper disks affixed near the top of the case to the cigarette case inside.



## Youth Used as Pawn in Robbery Racket

A YOUNG MAN looking for employment through an employment service in a southern State was sent by the service to a hotel for an interview with a man supposedly representing an advertising agency. He found no one registered at the hotel under the name he had been given.

Two days later, he was sent by the same employment service to a motel for an interview with the advertising agency he had contacted before and again found no one registered by the name he had been given. However, as he was leaving the desk, he was approached by a person who claimed to represent the man he was looking for.

After a short interview concerning his employment, the young man was given an envelope and told that, as a test of his reliability, he was to deliver the envelope to Mrs. Shaw (fictitious), a teller at the bank. He was told to return with the money which would be given to him to a drug-store located in a nearby shopping center.

The young man delivered the envelope without reading the contents and received \$1,500 from the teller. He took the package to the designated location and, after a lengthy wait, received a telephone call instructing him to proceed to another location. He was eventually contacted by his prospective "employer" and delivered the money to him. He was then instructed to go to a nearby restaurant and wait. After another lengthy wait, he returned to his home only to learn that he had been involved in a bank robbery.

The contents of the envelope he delivered to Mrs. Shaw read, "Mrs. Shaw, do not talk. Your mother (her name mentioned) is being held at gunpoint. If you want to see her alive again, put one pack each of \$10- and \$20-bills in the large envelope or \$1,500. Do not give a signal 'till 5 minutes after I leave. Put this back in the large envelope."

*Jacksonville Crimdel, BuFi # 63-4296-63,  
dated 7-2-63*

## LITTERBUGS OR THIEVES?

Evidence such as accumulated food containers and littered and untidy condition of a car should arouse suspicion as to the legality of ownership of the car.

*Texas Police Journal, Oct., 1960  
January 1964*

## Narcotics Smuggled in Toothpaste Tube

AN ATTEMPT was made recently to smuggle a medicine dropper and approximately 30 packets of heroin to an inmate in a county jail in the East. The contraband articles were concealed in a tube of toothpaste.

A guard at the jail became suspicious of the toothpaste tube when it was handed to him by a young boy who was paid to deliver it to the jail. The tube felt as though it had just been removed from a long period of refrigeration.

A portion of the toothpaste had been removed from the tube, and the medicine dropper and heroin inserted. Apparently the tube was then placed in a refrigerator—possibly to keep firm the remaining toothpaste.

The guard had not been able to feel any objects in the tube but was suspicious of it because of its unusual coldness.



Packets of heroin and medicine dropper removed from  
Baltimore Crimdel toothpaste tube.

*BuFi # 63-4296-3, dated 9-3-63*

## NEW GIMMICK TRIED TO OBTAIN DRUGS

Narcotic addicts in a West Coast city have initiated a new racket in their efforts to obtain money to supply their needs for drugs. They obtain a mailing address and join one of the many book clubs from which they order the most expensive books. Upon receipt of the books, they sell them at reduced rates to various unknown bookstores in the city and neighboring suburbs. They then desert their temporary abode about the time the bills are due to arrive—and leave no forwarding address.

*SAN FRANCISCO Crimdel, BuFi # 63-4296-47-853*



## *Crude Weapons Made for Escape, Attack*

ESCAPE is the primary objective of many prison inmates. Driven by the intense desire for freedom, they resort to any plausible—and sometimes implausible—tactic or scheme to effect their break. Usually, this involves detailed and elaborate plans to be implemented by crude devices or weapons made from material within the prison walls. Accordingly, prison officials face a continuing battle of matching wits with plotting criminals.

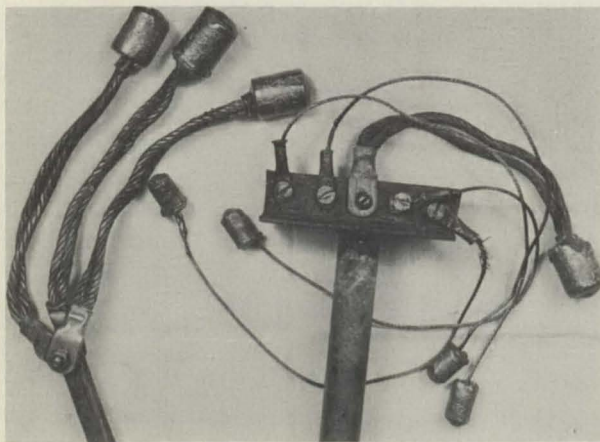
Keys are a popular item among escape artists and are made from various articles. Occasionally, some are used successfully. However, most of the time, the plot is discovered before it is implemented. One key was made from a coat hanger, another from a spoon handle. Another key, made from a toothbrush issued to the inmates of an institution for the insane, enabled an inmate to make his escape from the ward where he was confined. Toothbrushes issued to the inmates thereafter were of a much smaller size which did not lend themselves so readily to the carving of keys.

One key discovered by a sheriff in a county jail had been carved on the end of a mop handle.

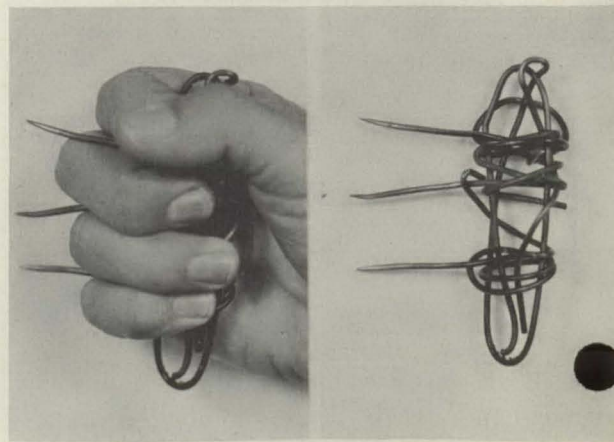
Two juveniles, in an effort to escape from a county jail in the West, attempted to file through a hasp on a padlock which locked the metal mesh screen in the window of the cell. Their tool was a large tablespoon made into a rough saw with 14 grooves in it. A search of the cell resulted in the discovery of another spoon with seven such grooves hidden in a hole in the ceiling. The partially severed hasp had been filled with soap to prevent discovery. Even if the young prisoners had been successful in sawing through the hasp, they still would have had to file through one more hasp to open the screen and then through the steel bars of the window.

A prisoner being held in a Midwest city on a charge of jail break from another area had plans for a second bid for freedom, but his scheme was detected before it could be brought to fruition.

To "help pass away the time," he had been given



Cat-o'-nine-tails used as weapons.



Three-pronged weapon made from a wire coat hanger.



a couple of magazines to read and some tobacco in sacks to smoke. He soaked the magazines in water and rolled them up very tightly. To hold them in this rolled position, he secured the empty tobacco sacks over the ends of the magazines and left the article hidden in his cell to dry.

After the magazines had dried and hardened, the prisoner made his play. He complained of being cold and said he wanted to be moved to another section of the jail.

The officer in charge became suspicious since it was the month of August and far from being cold in the jail. Knowing the prisoner's record for jail break, he searched his cell and found the improvised cudgel.

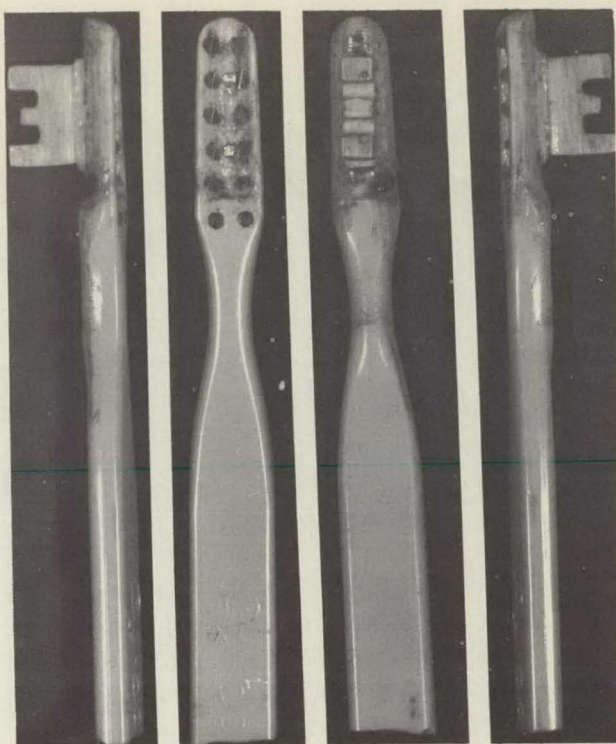
The prisoner, however, got his wish to be moved—from his "cold" cell to solitary confinement. He was later found guilty of the charge for which he was confined.

### Improvised Weapons

Not all weapons and gadgets devised behind prison walls are designed for escape. Some are made to attack other inmates or guards. In a Southwest prison, officials confiscated a destructive, vicious three-pronged weapon devised from a simple wire coat hanger. The points had been sharpened by scraping them against the concrete floor. Grasped in the closed fist, it could be used as a very dangerous weapon. Another formidable object, a cat-o'-nine-tails, was made from an iron bar, a cable, and lead slugs. Over a period of time, two variations of this weapon turned up in the prison.

Weapons made by and found in the possession of imprisoned malefactors run the gamut from the most elaborate to the most primitive. One of the primitive type was found hidden in the mattress of a cell for juveniles in a city jail in the South. The weapon, made from a bedspring, resembled an icepick and had a  $5\frac{3}{4}$ -inch spike with an overall length of 9 inches. The handle was made of mattress stuffing, with toilet paper wrapped over the stuffing and tied with shoelaces. The tip of the weapon had been rubbed or honed on the concrete floor to produce a well-sharpened point.

Another had been improvised from materials available to a prisoner who worked in the prison mattress shop. It was made from a 24-inch length of  $\frac{1}{2}$ -inch copper tubing, with a portion of the lip of the tubing bent outward at one end to form a hook. The projectile to be ejected from the tub-



Key made from a toothbrush handle.

ing was a 10-inch mattress needle from which the top of the eye had been broken to form a notch to hold a rubberband. Using the principle of the bow and arrow to operate the weapon, a rubberband is affixed to the hook on the front end of the tubing. The point of the needle is inserted in the opposite end and the rubberband in the broken eye of the needle. The needle is then projected through the tubing by stretching the rubberband and releasing the needle.

Although harmless in appearance, the weapon reportedly is capable of projecting the needle through a 1-inch piece of hard wood.

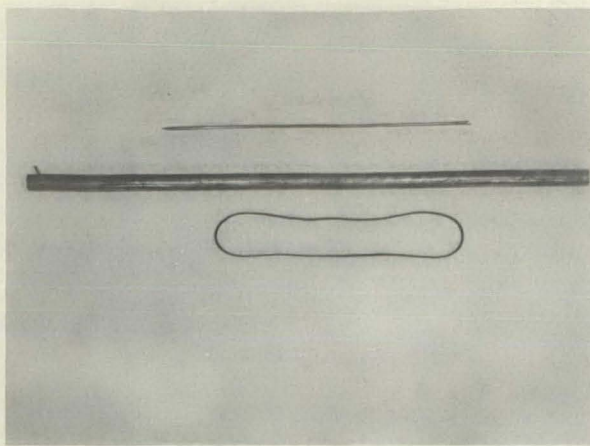
### Inmates Attacked by Others

An inmate of a Federal correctional institution attacked his dormitory bunkmate when an altercation arose over one shaking his blanket over the bed of the other. A serious stab wound near the heart was inflicted.

The instrument used by the attacker was fashioned from one of the tines of a pitchfork broken off and smuggled into the institution after an outside work detail assignment.

The pitchfork tine had been sharpened to a





Rubber band, tubing, and mattress needle used to form a projectile-type weapon.



Pitchfork tine weapon made by inmate shown with shoes bearing slits to conceal it.

fine point and the blunt end wrapped in a piece of cloth for a handle. Each of his shoes which were alternated in concealing the tool had cuts in the leather above the heel portion to permit prompt removal of the deadly instrument.

In a State reformatory in the South, one prisoner was killed by another through the use of a weapon designed from a pair of scissors stolen from a first-aid kit. The bolt holding the two blades of the scissors together was removed and one of the blades hand wrapped with adhesive tape. The point had been sharpened to make a deadly weapon.

In a search of the dormitories in this southern reformatory, a wheelbarrow load of iron pipes and other weapons was found secreted in beds and

other furniture in the institution and carried out.

The weapons had been hidden by the prisoners on the angle iron which constitutes part of the frame of metal beds in reformatory dormitories. A very fine wire or piece of thread was used to hold the weapons in place underneath the angle iron.

Another weapon had been fashioned from the handle of a dipper taken from the kitchen of the reformatory and sharpened to the point where it was as sharp as a knife.

Since the extent to which prisoners will go to fabricate weapons is limited only by their own imagination, careful and frequent inspections are necessary to locate and remove all such arms and equipment.

## RAZOR BLADE USED TO OPEN HANDCUFFS

Criminals have found various ways of opening handcuffs, thus proving that handcuffs do not guarantee absolute security but are merely restraining devices.

Given a razor blade, one known bank robber demonstrated how he could open any handcuffs. By breaking the razor blade into a strip narrow enough to fit into the aperture that receives the notched arm, he slipped it between the teeth and the ratchet, giving the teeth a smooth surface on which to slide. The ratchet could not catch, and the notched arm was pulled out and opened.

*Chicago Crimdel, dated 6-26-62*

22

*BuFi # 63-4296-9*

## FINGERPRINTING VIEWED IN PROPER PERSPECTIVE

All residents over 9 years of age and visitors staying a month or more in the town of Baybay, Leyte, in the Philippines, are required by an ordinance passed in January 1963 to be fingerprinted.

Pointing out that it is a mistake to think of fingerprinting only as a requirement for criminals, the director of the National Bureau of Identification said the ordinance would not only expose criminals but would facilitate identification many useful ways.

Failure to comply brings a penalty of 2 days in jail or a fine not to exceed 5 pesos (\$1.25).

*Legat Manila, BuFi # 63-4296-239*  
*dated 2-14-63* FBI Law Enforcement Bulletin



## KEYS TO FREEDOM

(Continued from page 4)

it an agent of self-destruction—a freedom to destroy freedom. As a free-flowing channel of truth and knowledge, academic freedom is not obligated to carry along the silted tributaries of lies and distortions of known Communists.

### Communist Targets

The Communists look upon students as potential sympathizers, supporters, and contributors to the Party's cause. Nor are they unmindful of the rich opportunity for infiltration presented by unwary racial and nationality groups.

This is especially true of the intense civil rights movement within the United States—for America's 20 million Negroes and the countless other citizens who share their objectives in the current struggle are a priority target for Communist propaganda and exploitation. Every organization engaged in this struggle must constantly remain alert to this vital fact, for, once under Communist domination, all freedoms and rights are lost.

The Communists are eager to capitalize upon all areas of misunderstanding and unrest. Their cause is the cause of Soviet Russia, for the Communist Party, USA, is an inseparable part of the sinister international conspiracy which is financed and directed by the Kremlin. No amount of lies and duplicity can conceal this carefully documented fact.

Today, the godless Communist conspiracy controls more than one third of the earth's people and a fourth of her land surface. In Europe, in Asia, and here in our own Western Hemisphere, we witness the stark tragedy of souls, chained to the yoke of communism, clamoring to be free again.

The Khrushchevs, the Castros, and the Mao Tse-tungs are faced with an eternal dilemma: The human spirit in bondage—no matter how heavy the chains—struggles relentlessly to break free. Witness the Hungarian Revolution; the boatloads of Marxist victims who continue to pour out of Cuba; the Poznan Riots in Poland; the heroic dashes of subjugated people through the Iron and Bamboo Curtains.

Make no mistake about the Communists in this country! Whether they are members of Soviet-bloc diplomatic establishments in New York and Washington—or whether they are fanatical adherents of the Communist Party, USA—all represent the same ideology of treachery, deceit, and subversion.

From the immunity which they enjoy as foreign diplomats on American soil, Soviet and satellite officials continue to carry out espionage assignments against the United States. That some American citizens, including concealed adherents to the Communist Party, have knowingly and willingly assisted these Iron Curtain intelligence networks is a criminal disgrace and a blight not only upon our Nation, but upon the entire free world. And it is equally disgraceful that well-meaning but uninformed citizens have permitted themselves to be duped by sympathy campaigns on behalf of Julius and Ethel Rosenberg, Morton Sobell, and other traitors.

Nowhere is the hope for peace more sincere than in the hearts of all true Americans. But in our quest for peace, we must never lose sight of the well-documented fact that every Red leader from Marx and Engels through Khrushchev, Mao, and the American Communist spokesman Gus Hall is dedicated to an ideology which upholds world conquest as its ultimate goal.

The Communists have never deviated from this objective. Despite the high-pressure campaign they have mounted behind Khrushchev's phrase of "peaceful co-existence," the Communists know that this is simply a propaganda slogan—one devised to further their own ends by stirring the hopes and emotions of those who seek an end to the turmoil, fear, and sorrow that world communism itself created.

### False Face of Communism

Actions continue to speak louder than words, and certainly the Communists have shown no indication of a sincere quest for peace.

The takeover of Cuba and effort to convert it into an island fortress against democracy; the ever-constant infiltration of Red fascists into countries of Central and South America to create a Sovietized Latin America; the increase of espionage activities by Soviet and satellite agents in our country, particularly those who strive to penetrate our Government processes from the protection afforded them by diplomatic assignments in New York and Washington; the frantic efforts of the Communist Party, USA, to subvert our youth; and the intense drive of the Communists operating from concealed positions to wrest control of the movement for Negro rights—does all this indicate a real and sincere desire to live in "peaceful coexistence"?

In recent years, the Communists have demonstrated an attitude of open defiance and contempt for our laws—an attitude which is fortified by their repeated ability to invoke loopholes, technicalities, and delays in the law to thwart justice. One former judge found cause to warn last summer not only of "inexcusable" delays in the courts, but also of what he considered to be a "trend of decisions in the last 10 years . . . favorable to extreme left-wingers, Communists, and subversives in general."

### No-Man's Land in the Law

Another student of court rulings in the internal security field was prompted to observe, "Unfortunately, subversive activities are well on the way to becoming a no-man's land in the law."



In 1957, a Federal judge in the Nation's Capital assailed what he considered to be "an unfortunate trend of judicial decisions . . . which strain and stretch to give the guilty, not the same, but vastly more protection than the law-abiding citizen." There has been no reversal of this alarming trend—a trend which is felt in our steadily rising national crime problem.

Justice in a free nation means protection for society as a whole, rather than leniency for the individual to the detriment of society.

Since 1957, when the Federal judge issued his warning, crime has increased nearly 40 percent! Its victims continue to mount at a relentless rate. Four serious crimes are committed every minute; there is a crime of violence every three minutes; and property crimes—robberies, burglaries, larcenies, and automobile thefts—occur within seconds.

### Indulgent Attitude

Americans, in growing numbers, are developing a dangerously indulgent attitude toward crime, filth, and corruption. No one can deny that motion pictures are deliberately and defiantly pursuing an increasingly bold courtship with obscenity. No one can deny the role of the television industry in bringing lurid portrayals of violence and sadism into the living rooms—and even the nurseries—of our homes. No one can deny that sensual trash is moving closer and closer to the children's books on the shelves of our newsstands and magazine stores.

Our youth do not need weakness; they need strength! They do not need indulgence; they need the guidance and the discipline which can best be provided by a decent home.

Above all, they need the benefit of religion—in church, at home, and in the atmosphere of our classrooms.

Despite the dedicated efforts of church and civic leaders, and others who have a sincere interest in the proper development of our young people, the failures continue to mount. Each year, persons under 18 years of age are involved in nearly two-thirds of the arrests for automobile thefts, and approximately one half of the burglary and larceny arrests. The newspapers of our major cities recount incidents of senseless murders, violent assaults, and brutal beatings inflicted upon innocent victims by arrogant gangs of teenagers and young adults.

### Unwarranted Leniency

Courts are influenced too much by the age—rather than the record—of the young hoodlum who stands before the bar of justice.

The bleeding hearts, some actually sworn to administer the law either as judges or social workers, are so concerned for young criminals and terrorists that they are indifferent to the rights of law-abiding members of society.

We have mollicoddled young criminals, lightly tapped hardened offenders on the wrists, and released some unreformed and unrepentant hoodlums to prey anew on society.

The time is long overdue for us to adopt a more realistic attitude toward this critical problem. We have tried the

charitable approach toward young hoodlums and it has failed.

We are paying dearly for these failures. They represent a tragic waste of America's most valuable resource—the moral, mental, and physical health of her young citizens.

The crime problem costs the American people some \$22 billion a year—nine times the amount contributed to our churches! For every \$1 spent on educating our children, \$1.11 goes to crime!

### Doctrine of Hostility

Nowhere in recent months have our people faced a more explosive condition of shame and violence than among the hatemongers, the moral degenerates, the lunatic fringe, and the other irrational fanatics who preach a doctrine of hostility toward their fellow man. This rabble has sown the dragons' teeth of malice and intimidation; and from the ground has sprung a series of hate-driven riots, bombings, and desecrations.

The voices of temperance, logic, and decency must speak out more effectively and make their influence felt. No problem is so acute, no crisis so severe, that terrorism can be tolerated in a society of free men. Hate, terror, and lawlessness are not the American way of accomplishing any objective that is truly worthwhile. In meeting the tense crises which confront the United States in this nuclear age, we must look to God for guidance and inspiration.

This country has never run from its enemies. Challenge, not compromise—bravery, not cowardice—are integral parts of our heritage. Since that critical hour in 1777 when General Washington ordered his Revolutionary Army to "Put none but Americans on guard to-night," has been the tradition of our proud Nation to rise to its greatest heights in the face of adversity.

There are important lessons to be learned in the pages of American history. From Faneuil Hall to Cape Canaveral, our greatest patriots have been men and women of deep religious conviction: Men like Thomas Jefferson, the principal author of our Declaration of Independence, who told his fellow colonists, "The God who gave us life, gave us liberty at the same time."

In the eyes of a later-day hero, "Freedom, devotion to God and country are not things of the past. They will never become old-fashioned." These words were spoken by Astronaut John H. Glenn.

### Keys to Freedom

America remains free because men of faith, men of individualism, men of courage, men of integrity, men of discipline, and men of vision have patrolled her most vital outposts for 187 years.

These strong qualities—Faith, Individualism, Courage, Integrity, Discipline and Vision—are the keys to freedom.

When the United States has lost its youthful outlook, it will have lost its vitality and its capacity for progress. That is why I charge the young people assembled here tonight to preserve the pioneer spirit which has been the soul of America since her birth.

Meet every new challenge with confidence and determi-



nation. As you look to the future, do not lose sight of the important lessons of the past. History, all too often, repeats itself. The freedoms you enjoy today will be lost, as they have been destroyed at other times and in other nations, through neglect and abuse.

Do not hesitate to speak out and bring public pressure to bear upon negative influences within your communities. We must never become so accustomed to filth or so intimidated by the advocates of so-called "worldly reality" that we fail to revolt against corruption and decay.

May you always protect America's heritage of freedom. May you, with God's holy guidance, preserve and strengthen that priceless heritage for the generations yet to come.

As His Eminence, Francis Cardinal Spellman, observed so profoundly nearly a decade ago, "We have no right to expect to keep our freedoms, if we ourselves do not faithfully and thankfully protect the soil and soul of America from those who have abandoned God, and for God's Commandments have substituted their own code of inhumanity, greed, and violence."

Let us protect and defend the real meaning of America. This is the debt we owe to the brave legions of the past who laid down their lives to safeguard the great truths which guide our destiny today.

### THE PITFALLS OF PROGRESS

Banking institutions have been adopting the latest type of automation by having their customers' checking account numbers preprinted on the face of personalized checks. The number, printed with a magnetic ink, causes a special machine to separate the expended checks and record the withdrawal to the proper account. Carrying the automation one step further, personalized deposit slips have also been prepared containing the customers' account numbers also in magnetic ink. Thus, the machine is able to separate the deposit slips and record the deposit to the appropriate account.

One unscrupulous individual, seizing upon this opportunity to build himself a sizable amount of money, opened a new checking account. Upon receipt of his personalized deposit slips, he spread them through the bank in the appropriate slots containing the regular deposit slips. Unsuspecting depositors, in their routine business transactions at the bank, unwittingly filled out the preprinted forms thinking they were regular counter forms. Within a few days, the enterprising depositor checked his account and found it held some \$60,000 which he quickly withdrew and then conveniently disappeared.

*Nationwide Criminal Activities for May 4, 1962  
January 1964*

*2nd FBI Notes for June, 1962*

## Ill-Founded Complaints Receive Novel Treatment

CHIEF CHARLES McLAUGHLIN of the Rye, N.Y., Police Department, weary of receiving ill-founded complaints concerning inadequate traffic protection for the city's schoolchildren and of issuing reports on traffic safety which were ignored by the complainants, decided to do something to place the situation in its proper perspective.

Acting on the premise that many motorists and pedestrians act as if all traffic regulations, speed limits, and safety guides are made for everyone else but themselves, Chief McLaughlin took motion pictures of parents violating or ignoring safety and traffic regulations at the city's schools.

Among the scenes taken was one of a Rye mother allowing her children to leave and enter the side of her car facing oncoming traffic, other mothers pushing baby strollers out into traffic, and schoolchildren paying no attention whatsoever to or completely ignoring or disobeying safety signs posted especially for them.

The films are to be shown in the schools and will be available for display before civic groups.

Chief McLaughlin hopes this technique will go a long way toward solving the local safety problem and bringing closer to those responsible the obvious truth that safety regulations are intended for everyone.

*Memo from SAC, N.Y., dated 2-14-63, on  
Police Techniques*

### FOR WHOM THE HORN BLOWS

Police in an eastern city responding to a burglary report in the early morning hours approached a drugstore being looted by two men.

As the officers moved in, one burglar fled through the front door; the other escaped through a rear door. The first thief was arrested on the spot and his automobile was located nearby.

One of the officers removed his hat and blouse, entered the car, and began to drive slowly about the area, blowing short beeps on the car horn. As he was passing a wooded area, the second burglar ran from the shadows and, without looking at the driver, jumped into the car, stating, "Let's get out of here." The officer "got him out" to the county jail.

*Baltimore Crimdel, BuFi 363-4296-3  
Serial #721*



## FBI NATIONAL ACADEMY

(Continued from page 13)

believes extremism to be undesirable, yet in the very field in which you men labor there appear to be extremes of opinion as to how we may best cope with the problems of lawlessness.

These range from the apparent trend in some communities to be oversympathetic to the cause of the criminal, to the opinion expressed in some circles that the FBI should be converted into a national police force, or that a new agency be created as a national police force.

Again, may I say to you that I believe it would be a mistake to go overboard in either direction. As a practicing attorney, I believe the punishment should fit the crime, and that justice should be administered fairly and impartially.

I believe that justice should be administered with logic and with reason, and taking note of the alarming increase in major crimes committed by youngsters under the age of 18, I believe there is a pressing need for more effective programs of rehabilitation of youngsters who have gone astray.

To be sure, there are the incorrigibles among the younger criminal element. On the other hand, there are those who made a mistake and who, with proper guidance,

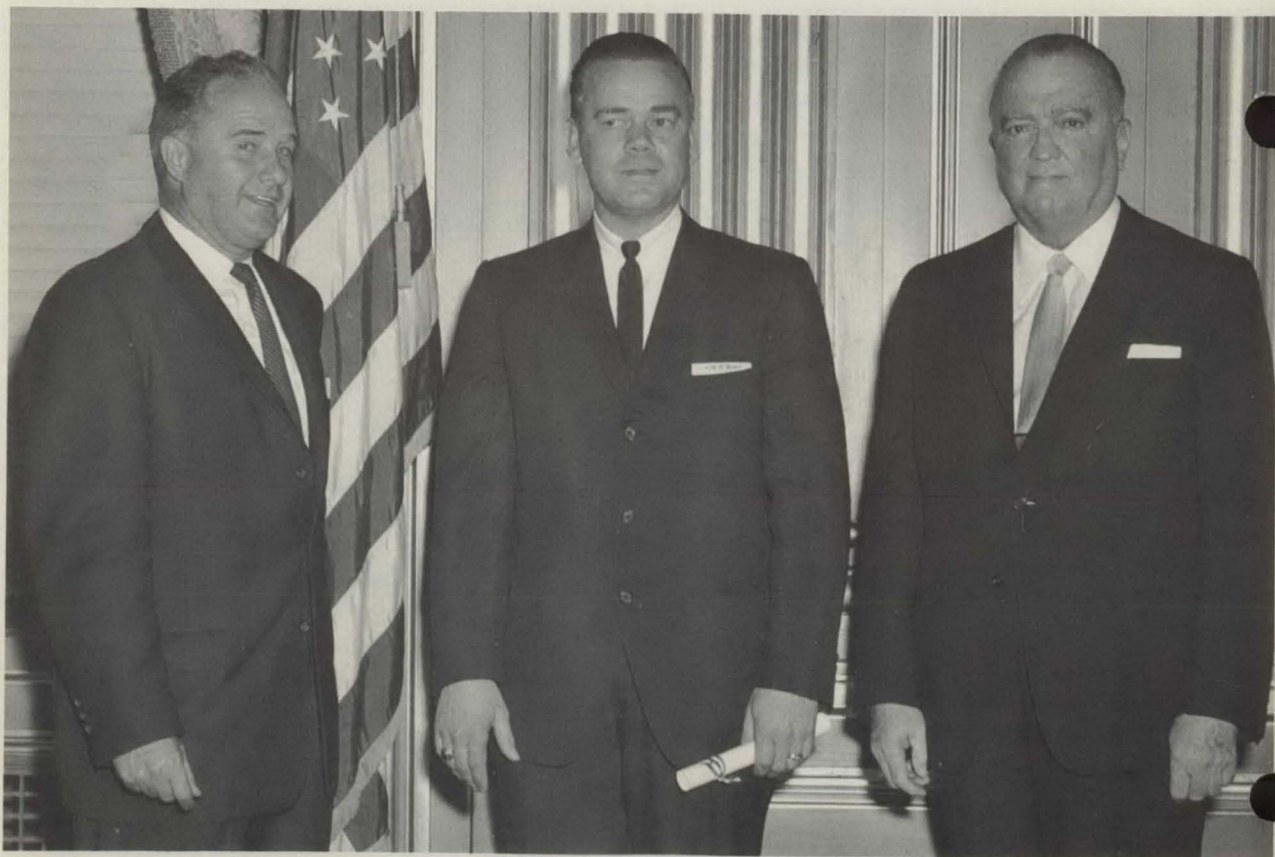
could become useful members of society. I do not propose to excuse a criminal act because of the age of the offender. I do say that every effort should be made to save that which is salvageable.

As a citizen, I concur with Director Hoover's view that a national police force is neither necessary nor desirable. I believe that such an agency could conceivably constitute a dangerous encroachment by the Federal Government.

The responsibility for proper law enforcement is primarily that of local agencies and of local citizens, and there the responsibility should remain. The FBI certainly has proved its capabilities for enforcing those Federal laws which fall within its jurisdiction, and the cooperative effort they provide to local and State enforcement agencies leads me to believe we already have the machinery to do the job.

You men of this graduating class from the FBI National Academy have a rare opportunity and significant challenge facing you as you return to your respective departments across this land and in foreign countries. Yours is the opportunity to help raise the standards of performance of your fellow officers by imparting to them the knowledge you have gained here. Yours is the challenge of insuring that law and order shall prevail in your respective communities.

On behalf of The American Legion I wish you Godspeed in the vital mission you are about to assume.



Shown after the graduation exercises, from left to right, are: Hon. Roy A. Taylor, Congressman of North Carolina; Sgt. Pritchard C. Smith, Jr., North Carolina State Highway Patrol, Raleigh, N.C.; and FBI Director J. Edgar Hoover.



Following is the address given by Mr. McCormack:

There are few institutions whose names are indelibly associated with the integrity, the strength, and the devotion of one man. The Federal Bureau of Investigation is certainly one of these; and the man, Director J. Edgar Hoover, is entirely worthy of the honor. To praise J. Edgar Hoover and the FBI is to heap more icing on an already elaborately decorated cake. For praise and approval have been their steady diet since the beginning of their fruitful association. The mere presence of the men of this class before me presupposes on their part a more intense appreciation than the average admiring citizen can have of this successful combination of man and institution. For we can honestly and truthfully assume that you would not be here today, had you not been impelled by some measure of the determination and dedication which personifies the FBI and its leader. You could not have completed this arduous course without gaining a greater respect for what this organization has accomplished.

A tradition of service is the foundation of the FBI. Only through constant reexamination of its purposes and steady reevaluation of its methods has the agency with which I am honored in being present today, been able to maintain the high standards and the high level of achievement which its Director has set for it.

In many minds, the process of association links tradition with antiquated methods retained for their picturesque quality; it denotes efficiency sacrificed for sentiment. But when I speak of the FBI's tradition, I think of it in terms of freshness and innovation. The FBI has created a quality of police technique in America can be found nowhere else in the world. This is just cause for pride. The FBI has served as a model for other police systems. Through the use of science, technology, and research, it has helped to revolutionize the field of law enforcement.

But in spite of all these accomplishments, varied and complete though they may seem, there has been no letup in the pursuit of duty. And one of the most responsible duties of the Agents of the Bureau, and it will be yours—in fact, it has been and will be yours—has been to uncover and destroy manifestations of Communist conspiracy in the United States. I well remember the dedication of J. Edgar Hoover to the eradication of this menace as far back as 1934, nearly 30 years ago, when I was chairman of a special committee of the House of Representatives that investigated communism, nazism, fascism, and bigotry. At that time the impact of these evil movements was little understood and appreciated in America, and in some quarters communism was deliberately depreciated and belittled. The special committee of which I was chairman was deeply indebted to J. Edgar Hoover and the FBI for the valuable assistance they gave in connection with our investigation. That investigation took place in the depths of a depression, and during the rise of Hitler. Yet, in addition to organized Communist activity, bigotry in one form or another existed in the various parts of our country, and a Nazi as well as an American Fascist movement was in existence. Time has revealed that the fears and discoveries of the special committee of which I was chairman were not erroneous.

For example, we found that communism was an international conspiracy at that time. We were laughed at and scoffed at. There were few who could see. The human mind is so incapable of looking too far ahead, no matter how endowed some of us might be by God. For example, we recommended what is known as the Smith Act; as a matter of fact, I introduced the bill, had it adopted on the floor of the House as an amendment to another bill.

We recommended the Foreign Agents Registration Act, which I introduced and which is the McCormack Act, and other legislation to combat communism and other subversive activities. For example, in those years in peacetime the Communists could go into a military camp or a naval installation and distribute their Communist propaganda and, as men were leaving their work, actually contact them upon military and naval installations in our country. Mr. Hoover well remembers that. My committee recommended the bill giving the power to the various secretaries of the services, our armed services, by regulation to control that. I remember well the editorial opposition of many of the powerful newspapers of the country to the legislation of that kind. The one man who spoke out at that time in support of our investigation and our findings was J. Edgar Hoover, Director of the FBI.

It was my pleasure to meet Mr. Hoover for the first time in the early part of 1929, shortly after I was first elected to the Congress, taking my oath in December 1928. The favorable impression made upon me by Mr. Hoover at that time was deep and profound, and through the years there has developed between us a strong feeling of respect and friendship. I value his friendship very much, not only J. Edgar Hoover, the dedicated man with nobility of character, but J. Edgar Hoover, one of the great Americans of all time.

It is one of the principal tasks of the FBI to scrutinize the activities of the Communist Party in the United States, and well it is. As Mr. Hoover stated before a House Committee earlier this year, "We must have broad and penetrative coverage so that we may be aware of the plans and tactics of this subversive organization."

How often throughout the years has the FBI under the leadership of J. Edgar Hoover, after months and years of investigating the hidden Communist and other un-American conspiracies against our country, penetrated their cloak of hidden subversion, detected, and exposed them for the protection of our Government and of our people. It was only a few days ago that another Communist spy ring, after years of investigation, was exposed to the American people by the arrest of some of those involved, and this is the fifth such spy ring that the FBI has exposed in 1963 alone.

There is another area which has been of public interest recently where the FBI has accomplished striking results. We are all aware of the recent Senate hearings on organized crime. The testimony about the inner workings of Cosa Nostra, the intricacy of its organization, have no doubt been appalling to experienced law enforcement officers such as you. I would venture to say that the close secrecy surrounding these organized criminal enterprises is almost in the same category as the machinations of a subversive organization.



I certainly do not have to inform this audience that gambling is the source of funds for a large criminal enterprise. As a result of three pieces of antigambling legislation passed in the last Congress, the FBI's effectiveness and that of the Department of Justice have been augmented in this field. With the cooperation of all levels of law enforcement agencies, well over 5,000 cases had been opened as a result of these statutes alone as of the beginning of this year.

Of all these things—the relentless pursuit of communism and organized crime, as well as other forms of illicit activity—the public is well informed. Its intricate fascinating investigative techniques, its ability to solve a crime providing the slimmest of clues, have made the FBI an integral part of American folklore. It has been some years since radio was replaced by television as the Nation's leading entertainment media, but all of you must remember "The FBI In Peace and War," with its stern martial theme. Millions of Americans, young and old, waited avidly for each weekly episode. And of all the sights and tourist attractions in a city which is filled with things to see and admire, the FBI tour is always the favorite.

Fewer citizens are actively aware, however, of the multitude of services which are offered every police force in the country by the FBI, and with graduates of the Academy from foreign countries extending beyond the confines of the continental United States. Of all these services, this very Academy is perhaps the ultimate symbol. Here, you have all been trained in the latest scientific techniques; you are learning the newest developments in police science; you will return to your homes better equipped to handle the far-reaching and complicated duty of law enforcement.

But might I say at this moment, having been a lawyer since 1913, and very active in the practice of law and trial work before I was elected to Congress, and missing it very much as I do, that I think the position of a law enforcement officer, whether it's Federal, State or local, is one of the most important and responsible positions that anyone could occupy. In the first instance, he is the judge. He is the one who is the first judge, as only years of experience can develop that state of mind where he can differentiate and form the right decision as the first judge before going into court. I am thankful that when I was a kid selling papers without a license some of the police officers let me get away with it without bringing me into court, or I would have had a record. There is a differentiation—a grave responsibility, and the public admires and respects you. As National Commander Foley made reference in his remarks, like him, I sometimes in recent years have entertained the thought that the rights of the great mass of our law-abiding people have become somewhat obscure.

The great scholar and man of letters, Dr. Samuel Johnson, once said that, "Knowledge is more than equivalent to force." I think this is probably the best and most concise way to describe the programs of the FBI. The emphasis here is on police science, not police power. Because of the emphasis placed on the importance of scientific technique by the FBI and its Director, the extensive fingerprint files of this Bureau are available for the assistance of police all over the country. In addition,

the FBI's Laboratory conducts scientific examinations, keeps record files pertaining to such varied things as automobile paint, tire treads, shoe prints, and typewriting standards—all without charge to any agency.

It is a comfort to know that such an institution and such a man as its leader exist in this day of wavering idealism and shifting objectives. There are those who seem not to be able to distinguish between friend and enemy, between right and wrong.

J. Edgar Hoover has served as Director of this institution for almost 40 years now. His character and beliefs permeate the Federal Bureau of Investigation. There are many ways in which his strong moral influence, his character, the loyalty he inspires, are reflected. The turnover rate is remarkably small—three-tenths of one percent. The impeccable honesty of either Mr. Hoover or of his Agents has never been questioned. And I might say that former Agents of the FBI occupy high positions in Federal, State, and local governments. For example, the present police commissioner of the city of Boston is a former Agent of the Federal Bureau of Investigation. And perhaps the most noteworthy in a city which revolves around politics, J. Edgar Hoover has never allowed political considerations to affect the organization to which he has dedicated his life and his energies. He is admired and respected by persons of all political allegiances. Mr. Hoover and the FBI provide one of the few points of unanimity of opinion in the Nation's Capital which notoriously thrives on political differences, and I might also ad-lib and add rumors.

After today, on your graduation from the FBI National Academy, I know that all of you will return to your homes with more than expanded knowledge and new techniques. You will return with a greater sense of security and confidence in an organization which has done much as any other to uphold the ideals for which America stands, an institution which as much as any other is dedicated to keeping America strong and free.

Members of the graduating class, I extend to you my hearty congratulations and through you to your loved ones. You have completed three months of arduous work which you have carried out because of your deep interest. You go back to your local communities fortified and strengthened with greater knowledge to transmit to your brother officers in the various Federal and local police forces. Responsibility of maintaining internal order rests upon the law enforcement agencies of our country. Whether Federal, State, or local, a law enforcement agent, no matter what his title might be—police officer, lieutenant, sergeant, member of a police force, or anything else—has a grave responsibility. The FBI Academy has played a very important part in strengthening the enforcement agencies of our country. I extend again to each and every one of you my hearty congratulations.

The members of the graduating class of the 72d Session of the FBI National Academy are:

Robert G. Abare, Burlington, Vt., Police Department  
Bobby J. Almond, Bossier City, La., Police Department  
William D. Anderson, Essex County Prosecutor's Office,  
Newark, N.J.

Alejandro E. Arauz V., National Guard of Panama, Republic of Panama.



Marion F. Barnett, Twin Falls, Idaho, Police Department.

Henry J. Baumhauer, West Palm Beach, Fla., Police Department.

Herbert W. Bean, Jr., New Hampshire State Police.

John C. Beitz, Township of Piscataway Police Department, New Market, N.J.

Robert A. Bermingham, Federal Bureau of Investigation.

Bruce L. Bishop, Wisconsin State Patrol.

Claudio Enrique Blamey Pizarro, Carabineros de Chile, Santiago, Chile.

John Allen Boynton, Skagit County Sheriff's Office, Mount Vernon, Wash.

William E. Branch, Orlando, Fla., Police Department.

Joseph M. Brophy, Philadelphia, Pa., Police Department.

William Eugene Buckmeyer, Mesquite, Tex., Police Department.

Walter Edwin Cagle, National City, Calif., Police Department.

James F. Calhoon, Alaska State Police.

George H. Cannell, San Jose, Calif., Police Department.

Eugene Charles Carlile, Evansville, Ind., Police Department.

Golden Robert Carter, Jr., Valdosta, Ga., Police Department.

Freeman W. Coats, Saginaw, Mich., Police Department.

Harold L. Compton, Green Bay, Wis., Police Department.

A. Verner Conover, U.S. Park Police, Washington, D.C.

Carroll E. Cook, Maryland State Police.

Marion Lee Cooley, Jr., Kansas City, Mo., Police Department.

Ezra L. Dagley, Shelbyville, Ind., Police Department.

William W. Davis, Virginia Beach, Va., Police Department.

Wayne C. Dodd, Department of Police, Springfield, Oreg.  
Duong Dinh Doi, National Police of Vietnam, Saigon, South Vietnam.

Herman F. Drummond, Jr., Federal Bureau of Investigation.

Andrew Ray Earl, Clarksville, Tenn., Police Department.

William L. Foster, Arizona Highway Patrol.

Loren G. Fote, Kern County Sheriff's Department, Bakersfield, Calif.

Robert E. Frusher, Oklahoma Highway Patrol.

Willard Henry Gardner, Highland Park, Tex., Police Department.

Slaheddine Ghodbane, National Guard, Tunis, Tunisia.

Aubrey L. Goldman, Grand Haven, Mich., Police Department.

Alberto Gomez Cillasenor, Judicial Police of the Federal District and Territories, Mexico, D.F., Mexico.

Carl V. Goodin, Cincinnati, Ohio, Police Department.

Floyd B. Hannon, Jr., Wichita, Kans., Police Department.

Richard Martin Hannon, New Haven, Conn., Police Department.

Norman D. Hayward, Salt Lake County Sheriff's Office, Salt Lake City, Utah.

Milton D. Hooper, St. Petersburg, Fla., Police Department.



Director Hoover presents the John Edgar Hoover Medal for Excellence in the Study of Law Enforcement to Lt. Carroll E. Cook, Maryland State Police, Pikesville, Md., November 4, 1963. The class officers for the 72d Session received plaques bearing the Seal of the FBI National Academy at the same time. They are, from left to right: Lt. Robert E. Frusher, Oklahoma Highway Patrol, Oklahoma City, Okla., class president; Lt. Cook; Mr. Hoover; Chief of Police Ezra L. Dagley, Shelbyville, Ind., vice president; and Sgt. Carl V. Goodin, Cincinnati, Ohio, secretary-treasurer.





Chief of Police, Stanton D. Knutson, Williston, N. Dak., receives from Director J. Edgar Hoover The American Legion National Academy Firearms Proficiency Award.

Herbert F. Hopkins, Fort Worth, Tex., Police Department.

Muhammad Nurul Huda, East Pakistan Police, Dacca, East Pakistan.

Newell S. Irwin, Jr., Federal Bureau of Investigation.

David W. Jessup, Seattle, Wash., Police Department.

Antonio Remigio de Jesus, National Bureau of Investigation, Republic of the Philippines.

Antonio M. Jocom, Jr., National Bureau of Investigation, Republic of the Philippines.

Bernard J. Kalnoske, Annapolis, Md., Police Department.

Niyom Kanchanawatn, Thai National Police, Bangkok, Thailand.

Richard J. Kikkert, Bergen County Prosecutor's Office, Hackensack, N.J.

William F. King, Nassau County Police Department, Mineola, N.Y.

Stanton Duane Knutson, Williston, N. Dak., Police Department.

Ronald Nicholas Kulikowsky, New York State Police.

John L. Laurent, Beauregard Parish Sheriff's Office, DeRidder, La.

William Roy Little, Jr., U.S. Department of State, Office of Security, Washington, D.C.

John C. McEntire, Atlanta, Ga., Police Department.

Theodore B. MacLeod, Belmont, Mass., Police Department.

Feraidoon Madani, General Police Administration of Iran, Tehran, Iran.

Ernest G. Margelot, Jr., New Britain, Conn., Police Department.

Philip E. Matthews, Division of Police, Louisville, Ky.

Victor E. Maul, Elmhurst, Ill., Police Department.

Nicolas Michael Mezos, Cyprus Police, Nicosia, Cyprus.

Donald Arthur Nelson, Minneapolis, Minn., Police Department.

Dave L. Pearson, Illinois State Highway Police.

Galo M. Plasencia, National Police of Ecuador, Quito, Ecuador.

Raymond S. Pyles, Metropolitan Police Department, Washington, D.C.

Manocher Rafi Kiyan, General Police Administration of Iran, Tehran, Iran.

Sahibzada Raoof Ali, West Pakistan Police, Lahore, West Pakistan.

James Francis Reagan, Cambridge, Mass., Police Department.

Martin John Riordan, White House Police, Washington, D.C.

Miguel A. Rivera, Police of Puerto Rico, San Juan, P.R.

Samuel L. Rogers, Concord, Calif., Police Department.

S. Marshall Roser, Jr., Levittown Township, N.J., Police Department.

Nicholas D. Rudziak, Military Police Corps, U.S. Army.

Robert S. Sawyer, Beaumont, Tex., Police Department.

A. Rodman Scott, Washington Court House, Ohio, Police Department.

Lloyd George Sealy, New York City Police Department.

Lowell E. Sellmeyer, Lincoln, Nebr., Police Department.

Howard Charles Shook, Middletown Township Police Department, Levittown, Pa.

Delton R. Shultz, Division of Motor Patrol, Pierre, S. Dak.

U. Santokh Singh, Royal Malaysia Police, Kuala Lumpur, Malaysia.

Claud Thomas Smith, Los Angeles County Sheriff's Department, Los Angeles, Calif.

Frederico Smith Ibarra, Carabineros de Chile, Santiago, Chile.

Pritchard C. Smith, Jr., North Carolina State Highway Patrol.

William Carter Smith, Kentucky State Police.

Thomas J. Stanton, Bureau of Police, Erie, Pa.

Ralph E. Steinmeyer, Tulsa, Okla., Police Department.

Van Sukavachana, Thai National Police, Bangkok, Thailand.

Edward Clifton Swann, Memphis, Tenn., Police Department.

Marion A. Talbert, San Antonio, Tex., Police Department.

Rodolfo Tapia Pacheco, Bolivian Police, La Paz, Bolivia.

Roy Madison Terry, Virginia State Police.

William Davis Thomas, Rock Hill, S.C., Police Department.

Louis R. Torres Santiago, Police of Puerto Rico, San Juan, P.R.

Felimon Torrez, New Mexico State Attorney General's Office, Santa Fe, N. Mex.

George V. Wale, Lockport, N.Y., Police Department.

Raynor Weizenecker, Putnam County Sheriff's Office, Carmel, N.Y.

John A. Wessely, Upland, Calif., Police Department.

A. G. Wheeler, Savannah, Ga., Police Department.

Theodore Wilburn, Jr., Portsmouth, Ohio, Police Department.

Fred L. Zinn, Webster Groves, Mo., Police Department.



## CODE OF CRIMINAL LAW

(Continued from page 17)

edge" of right from wrong. To the jury, it has a connotation of "moral" right and wrong rather than legal or criminal activity under the law. We retained the "irresistible impulse" test but in different terminology.

### Use of Force

Our traditional and pioneer ideas of self-help and "hue and cry," when practically all criminal offenses, even the most minor, were capital, have implanted themselves so thoroughly in our society that it is seldom one stops to realize that they are no longer necessary or applicable. The right of a citizen to resist "an unlawful arrest" is nonsensical when the law of arrest is so complicated and complex that the Supreme Court of the United States split almost down the middle (as in the *John Patrick Henry* case) on what constitutes a "legal arrest." We abolished the right to use force in resisting an illegal arrest. The officer thinks it is legal, the citizen thinks it is illegal, even the U.S. Supreme Court cannot agree. Somebody is bound to get hurt. We decided to leave the citizen to his civil remedy for false arrest if it is in fact such.

### Right of Self-Defense

We retained the traditional right of self-defense; the right of officers to use all force reasonably necessary to effect an arrest; and the right to use all force reasonably necessary to protect property. However, we restricted the right to use deadly force to protect property to those cases where there is some threat of force or the imminent use of force toward persons. We expressed it as "to prevent a forcible felony."

For instance, the committee viewed with grave concern the theory of proprietors or property owners indiscriminately shooting to kill fleeing thieves or housebreakers when such deadly force is not needed for personal safety. The committee felt it was a philosophy which could easily be misinterpreted by young people, permitting them to kill or kill another youngster who takes their personal belongings.

Consistent with this policy, we changed the law in Illinois in regard to use of deadly force by

police officers. Traditionally, because practically all crimes were felonies and punishable by death, anyone could use deadly force against and kill a fleeing felon, but not a fleeing misdemeanor, which was practically meaningless because there were so few. We restricted the use of deadly force to the prevention of forcible felonies involving the use or threat of imminent use of force, fleeing forcible felons, and anyone, including fleeing misdemeanants, who was endangering the lives of others. The latter is to cover the very common high-speed chase situation in which the pursuing officer or some innocent third party winds up dead. There is no real reason why even speeding traffic violators should so endanger the lives of others, and the new code permits the use of deadly force against them.

### Conspiracy

Conspiracy is the agreement of two or more persons to commit an offense. At common law, and formerly in Illinois, nothing further than the agreement was required. The Federal law, and many State jurisdictions, required an overt act in furtherance of the agreement. We adopted that requirement. In addition, we provided that one coconspirator could be convicted even though others had been acquitted, not tried, or not apprehended. We further provided that the defendant could not be convicted of both the conspiracy and the principal offense. This was to avoid, realistically, too great a punishment for one single course of conduct.

### Attempts To Commit Crime

Traditionally, attempts have been very difficult to prove and often misunderstood because they involve something more than preparation and something less than the commission of the principal offense itself. Attempts have always required a specific intent to commit the principal offense. This has led to additional crimes called "assaults with intent" to kill, to rape, etc. This created a further inconsistency in law in that a true assault involves no touching of the person of another; if there is touching, it is a battery. In Illinois, as in most States, the law in this area was confused and inconsistent, which led to more acquittals than convictions. We abolished all "assault with intent" offenses and made them "attempted murder,"

(Continued on page 32)



## WANTED BY THE FBI

**DENVER EMERSON MAYFIELD, also known as:  
Daniel Rayfield.**

### **Unlawful Interstate Flight To Avoid Prosecution—Rape**

DENVER EMERSON MAYFIELD, charged with raping his own child, is currently the object of a nationwide FBI manhunt. A Federal warrant was issued at Aberdeen, Miss., on February 20, 1961, charging Mayfield with unlawful interstate flight to avoid prosecution for rape.

### **The Crime**

On December 16, 1960, while awaiting the action of the grand jury, this vicious sex criminal escaped from the Tishomingo County Jail, Iuka, Miss. On January 6, 1961, he was indicted in the circuit court, Tishomingo County, Miss., on a charge of rape of his 8-year-old daughter. Since his escape, he has reportedly been seen in both Alabama and Illinois.

### **The Criminal**

Mayfield is reportedly a heavy drinker of intoxicants, and once, during a drinking orgy, he allegedly beat his infant child so badly that the child needed hospitalization. He has previously been convicted for drunkenness and for driving while intoxicated. He has been employed as an auto mechanic, bricklayer's helper, and machinist.

### **Description**

Age----- 33, born January 10, 1930, Toone, Tenn.  
Height----- 5 feet 5 inches.  
Weight----- 140 pounds.  
Build----- Medium.  
Hair----- Dark brown.  
Eyes----- Hazel.  
Complexion----- Medium.  
Race----- White.  
Nationality----- American.  
Occupations----- Auto mechanic, bricklayer's helper, machinist.  
Scars and marks... Tattoo: heart and arrow upper left arm.



**Denver Emerson Mayfield.**

Remarks----- Reportedly a heavy drinker of alcoholic beverages.  
FBI number----- 620,343 D  
Fingerprint classification----- 7 1 tTa 13 Ref: A T A  
1 Tr A A T

### **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 local telephone directories.

## **CODE OF CRIMINAL LAW**

*(Continued from page 31)*

"attempted rape," etc. We defined attempt as the intent to commit a specific offense plus a "substantial step" towards its commission.

In separate sections, we restored the traditional crime of "assault" as an act putting another in reasonable apprehension of receiving a battery; "aggravated assault" if committed with a deadly weapon or while masked; and "battery" and "aggravated battery" in which an unlawful touching or bodily harm occurs. We also added a new offense of "reckless conduct" to cover the same type of nonvehicular conduct as is covered by most "reckless driving" statutes. There is really no good reason why reckless driving of a motor vehicle should be an offense while reckless conduct which endangers others without the instrumentality of a motor vehicle is not. We made it an offense.



## FOR CHANGE OF ADDRESS

Complete this form and return to:

DIRECTOR

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

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

### Armed Robbers Foiled by Well-Planned Stratagem

THE MANAGER of a large supermarket in the South became suspicious of a woman who entered the store and asked a cashier the name of the owner of the store, his telephone number, and address. He observed the woman entering a late model blue car after she left the store.

Later the same day, the manager of the supermarket received a long-distance telephone call from a man purporting to be a Government meat inspector who wanted to inspect the meat in his store. Upon being advised that the store would close at 8 p.m., the voice on the phone told the manager he was sending two of his best inspectors to inspect the meat and asked the manager to wait for them in the event they should be a little late in arriving.

His suspicions fully aroused, the manager alerted the sheriff who, in turn, secured the services of local police officers—one to go into the store with him and the others to stand guard outside the store.

The sheriff donned a white jacket similar to those worn by the supermarket employees and busied himself near the front of the store. Shortly after 8 o'clock two men appeared at the door of the supermarket. The sheriff admitted them into the store and asked them for their credentials when they identified themselves as meat inspectors. Pulling a pistol from a coat pocket, one of the men stated, "This is my credentials."

Careful not to reveal his true identity, the sheriff cooperated fully with the two men. He cringed in fake fear and excitement when ordered to the rear of the store to open the safe.

One of the men accompanied the sheriff to the office to get the contents from the safe. Just as they reached the door of the office, the sheriff whirled around, and, utilizing disarming methods he had learned at the FBI National Academy, quickly disarmed the man without giving him a chance to fire a single shot. The other officer sprang from his hiding place to cover the second individual with his shotgun, thus bringing both gunmen under control.

It was later learned that both men—and the woman who had made inquiries earlier in the day—had extensive criminal records. The blue, late model car they were driving was one of several they had stolen.

*FBI NA Associates Newsletter, Jan. 16, 1963*

### FEES IN PERPETUITY IF MO CONTINUED

An ex-convict caught inside a business place after closing hours told police that he was trying to raise money to pay legal fees in another burglary case. "I needed the money to pay my lawyer for the other job I pulled," the 31-year-old man explained.

*Phoenix Crimdel dated 6-29-63*

*BuFi #63-4296-38*



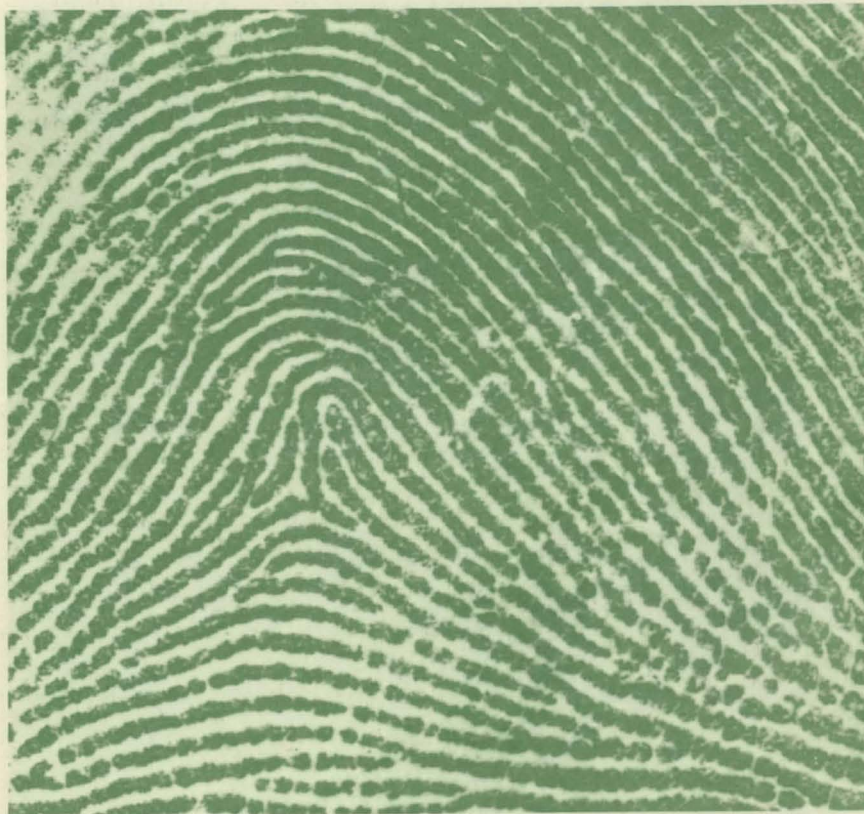
UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535

POSTAGE AND FEES PAID  
FEDERAL BUREAU OF INVESTIGATION

OFFICIAL BUSINESS

RETURN AFTER 5 DAYS

## QUESTIONABLE PATTERN



The classification of this pattern involves the location of the delta. As it actually appears in this reproduction, the delta would be located on the left slope of the looping ridge and, therefore, a ridge count cannot be obtained. The pattern would, therefore, be classified as a tented arch. The possibility exists, however, that the ridge to the left could be construed as an ending ridge rather than the lower type line and under these circumstances, the delta would be located on the end of this ridge providing a ridge count of 1. This pattern, therefore, would be referenced to a loop.