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## MESSAGE FROM THE DIRECTOR

IS THE AMERICAN EAGLE in danger of becoming "bald"?

In an old fable, a bird meets a fisherman with a can of worms and asks him for one.

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"Sure," says the fisherman. "All I ask in return is one of your feathers."

A feather for a worm seems reasonable to the bird, so the exchange is made. The next day the bird is hungry again. He weighs the inconvenience of searching for food against the expediency of trading with the fisherman and decides in favor of expediency. After a few days, the bird has traded off so many feathers that he cannot fly. He continues to make his daily trip to the fisherman on foot until all of his feathers are gone. At this point, the fisherman picks up the fat, naked bird and cooks him for dinner.

As we enter the New Year, leaving behind a year marked with crime and violence, we might ask ourselves if the American eagle has a full plumage or is he missing feathers because of our expediency in bartering with criminals.

A persuasive argument can be made that the law-abiding citizen's freedoms diminish in direct proportion to the increase of criminal activity in our country. His risk of becoming the victim of a serious crime increased 15 percent in 1967, and a similar rise is indicated for 1968. In many areas, fear forces the citizen to remain off the streets at night, and anxiety makes him suspicious of strangers. Some merchants are intimidated by thugs who walk away with merchandise. More and more businesses are adopting policies not to accommodate the public but to protect their property and thwart criminal assaults on their employees. The list of abuses keeps growing, and society's scope of rights and freedoms keeps shrinking.

Certainly, under the rule of law those who abide by the law should have protection equal to that of those who break the law. Many Americans feel that they do not have equal protection.

As we look to the future, we must bring the matter of crime and the criminal back into balance with the safety and welfare of the public. Concern and pity for the lawbreaker cannot be permitted to deprive the peaceful citizen of his rights and freedoms. Palliative policies and appeasement are producing soaring crime rates and filling our streets with criminals who should be in jail.

In 1969, let us resolve to have fair but vigorous law enforcement, prompt and decisive prosecution, and realistic punishment of criminals. In dealing with crime, expediency is a shortcut to disaster. Let us not trade our freedoms for a can of worms.

JOHN EDGAR HOOVER, Director

JANUARY 1, 1969



By HON. JOHN C. BELL, Jr. Chief Justice, Supreme Court of Pennsylvania, Philadelphia, Pa.

## **Crime and Criminals**

Grime and criminals are alarming America; they have become our No. 1 domestic problem! Criminals, especially in the big cities, are frightening or terrorizing countless people, and the "crime wave" has surged and swelled into a tidal wave.

Over and over again, many of our citizens are asking themselves and others, "What are the reasons for this constantly increasing crime wave, and what can and should we do about it?" The reasons are so numerous, they make the solution especially difficult.

A republican or democratic form of government in a country filled with crime and chaos cannot long exist. Respect for law and order—indeed, respect for any authority, public or private, is rapidly vanishing. Small bands of college students are seizing

campus and college buildings and despoiling them, with no consideration for thousands of their fellow students and without any rhyme or reason except their unexpressed desire to be rulers and kings. For example, the President of Columbia University, which has been subjected to recent outrageous insurrections, astonished nearly everyone by publicly announcing that he intended to ask the courts not to impose any punishment on any rioting Columbia student if he had no prior criminal record. Such a weak stand is bound to encourage disrespect for law and order and for public and private authorities. High school boys are naturally emulating the college boys, with seizures, sit-ins, lie-ins, sleep-ins, and despoliation of school property.

To our further astonishment and and dismay, many college professors, many religious leaders, and many racial leaders have advocated mass . civil disobedience and intentional violation of any and every law which a person dislikes or considers unjust. Moreover, there is a widespread feeling by an aggressive minority of the public that they can commit any and A every kind of illegal action if they have, or pretend to have, a worthy objective and "miscall" all their unlawful actions "civil rights." There is not only public apathy, there is also a dislike or fear of becoming involved in the lawlessness which is sweeping, our country. Many political leaders unwittingly stir up unrest, discontent, and greed by promising every voting group something for nothing, no mat-

ter what the colossal and nevermentioned cost may be.

Another major cause of the widespread discontent and unrestrained lawlessness which is rarely mentioned is the craving for money by the rich, the middle class, the poor, the employed and the unemployed, and by people of all ages. People simply have to stop worshiping money and return to worshiping God.

In many parts of our country, and especially in big cities, murders, rapes, robberies, and burglaries are a daily occurrence. Burnings, lootings, violent assaults, rioting mobs, blockading of streets or buildings, and other illegal actions are almost a weekly occurrence under the misnomer of "civil rights." Lawbreakers and rioters conveniently forget that there is a wide gulf of difference between their illegal actions on the one hand, and, on the other hand, legitimate constitutional dissent and the right of the people peaceably to assemble and to petition the Government for a redress of grievances. Racism has become a dangerous disease which is splitting our country, breeding crime, and sickening men of good will and brotherhood, and no satisfactory solution has been found.

#### **Crime Increases**

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Perhaps what causes our law-abiding citizens the most concern is the fact that all these crimes are increasing by leaps and bounds. Throughout our country, crime in the United States, as measured by the FBI Crime Index, rose 21 percent during the first 6 months of 1968 over the same period in 1967. Violent crimes as a group increased 21 percent-with robbery up 29 percent, murder 17 percent, forcible rape 15 percent, and aggravated assault 14 percent. The voluminous property crimes rose 20 percent as a group. These statistics can probably be better understood and appreciated if we state that a murder is committed in our country every 43 minutes, a rape every 19 minutes, a robbery every  $2\frac{1}{2}$  minutes, and a burglary every 20 seconds. Equally disturbing is the fact that nearly 50 percent of the serious crimes are committed by juveniles under 18 years of age, and juvenile gang warfare is alarming a number of city neighborhoods in every State.

A few minutes thought will make us realize that unless this widespread lawlessness and this terrible crimewave are quickly and greatly curtailed, they will lead our country into an abyss of insurrections, anarchy, and chaos.

It is unpleasant for a judge to criticize a court or another judge, but whenever the safety of law-abiding citizens or the future welfare of our country is jeopardized, it becomes our duty to do so.

Some feel that one of the most important reasons for the increasing lawlessness throughout our country is a dozen or more recent revolutionary decisions by a majority of the Supreme Court of the United States which overrule their prior decisions and unduly favor murderers, rapists, rioters, communists, hold-up men, and other dangerous criminals. See, inter alia, the leading cases of Escobedo v. Illinois, 378 U.S. 478, and Miranda v. Arizona, 384 U.S. 436, and Johnson v. New Jersey, 384 U.S. 719 (right to counsel, and warnings, and confessions); Mapp v. Ohio, 367 U.S. 643 (inadmissibility of evidence illegally seized); Douglas v. California, 372 U.S. 353 (indigent's right to counsel on appeal and retroactivity); White v. Maryland, 373 U.S. 59 (right to counsel at critical stage and is retroactive); Jackson v. Denno, 378 U.S. 368 (voluntariness of a confession and retroactivity); In Re Gault, 387 U.S. 1 (attorney for juveniles); United States v. Wade, 388 U.S. 218, and Gilbert v. California, 388 U.S.

263 (right to counsel at police line-up, which was made prospective only by Stovall v. Denno, 388 U.S. 293); United States v. Robel, 389 U.S. 258 (communists in defense plants); Witherspoon v. Illinois, 391 U.S. 510 (June 3, 1968) (composition of death penalty jury and retroactivity); Mathis v. United States, 391 U.S. 1 (May 6, 1968) (extending Miranda warnings to some civil investigations); Harrison v. United States, 392 U.S. 219 (June 10, 1968). On the other hand, see Terry v. Ohio, 392 U.S. 1 (June 10, 1968), and Sibron & Peters v. United States, 392 U.S. 40 (June 12, 1968) (giving police a limited right to stop and frisk without a warrant).

#### **Procedural Safeguards**

In Miranda v. Arizona, the Court said that "volunteered statements of any kind [whether exculpatory or inculpatory] are not barred by the Fifth Amendment," but thus summarized the law: "Procedural safeguards must be employed to protect the privilege [against self-incrimination and] unless other fully effective means are adopted to notify the person of his right of silence and to assure that the exercise of the right will be scrupulously honored, the following measures are required. He must be warned prior to any questioning that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires. Opportunity to exercise these rights must be afforded to him throughout the interrogation. After such warnings have been given, and such opportunity afforded him, the individual may knowingly and intelligently waive these rights and agree to answer questions

or make a statement. But unless and until such warnings and waiver are demonstrated by the prosecution at trial, no evidence obtained as a result of interrogation can be used against him." In Johnson v. New Jersey, 384 U.S. 719 (1966), the Court stated that *Escobedo* and *Miranda* apply only to those persons whose trials had commenced, respectively, after June 22, 1964, and after June 13, 1966.

#### **Dissenting** Opinions

According to dissenting opinions of Justices of the Supreme Court itself (with many of which I agree), none of the above-mentioned cases find any home or support in the language of the Constitution. For example, in Mathis v. United States, supra, Mr. Justice White, joined by Mr. Justice Harlan and Mr. Justice Stewart, aptly expressed my convictions when in his dissenting opinion he said: "I dissented from the Court's decision in Miranda v. Arizona, 384 U.S. 436 (1966), because I thought that the Court had accepted an interpretation of the Fifth Amendment having 'no significant support in the history of the privilege or in the language,' 384 U.S., at 526, and because I disagreed with the Court's 'assessment of the [new] rule's consequences measured against community values,' 384 U.S., at 537. I continue to believe that the decision in Miranda was an extravagant and unwise interpretation of the Fifth Amendment, and I would prefer that Miranda be abandoned. . . . However, even were I to agree that Miranda was correctly decided, I would not join the unexplained extension which the Court gives Miranda in this case. . . . I had not thought that Miranda extended its checklist of warnings to these civil investigations. Certainly the explanation of the need for warnings given in the Miranda opinion does not cover civil investigations. . . ."

In Harrison v. United States, supra, Mr. Justice White, dissenting, said, "the decision has emanated from the Court's fuzzy ideology about confessions, an ideology which is difficult to relate to any provision of the Constitution and which excludes from the trial evidence of the highest relevance and probity." Mr. Justice Black, dissenting, said: "It seems to me that the Court in this case carries the Courtmade doctrine of excluding evidence that is 'fruit of the poisonous tree' to a wholly illogical and completely unreasonable extent. For this and many of the reasons suggested by my Brother White's dissent, I agree that holdings like this make it far more difficult to protect society 'against those who have made it impossible to live today in safety'."

#### Justice Not One-Way Street

A sound argument can be made that these above decisions amount to rewriting the Constitution and are based, not upon guilt or innocence, but upon technicalities. It is apparently too often forgotten that the province of a Congress or a State legislature is to pass laws, while the province of a court is to interpret and not to rewrite the Constitution or the laws in order to achieve what it believes are desirable objectives. Moreover, many courts, justices, and judges, from the highest to the lowest, have apparently forgotten that justice is not a one-way street-one-way for criminals onlybut a two-way street where peaceable citizens should have at least equal rights with criminals.

It seems to me a legitimate question can be raised about Supreme Court decisions which are made retroactive, and thus invalidate the convictions of many criminals even though they may have been in jail for years, and even though they are unquestionably guilty. Such cases, without a doubt, *shackle the police and virtually tie the hands*  of district attorneys and trial judges and appellate court judges. *Realistically* speaking, they eliminate nearly all *voluntary confessions* of clearly guilty criminals, and they require a new hearing or a new trial unless the standards established by the Court in *Miranda* v. *Arizona*, 384 U.S. 436, had been given to a defendant or an accused or a suspect.

Perhaps an equally important factor in this crimewave is the mollycoddling of lawbreakers and dangerous criminals by many trial judges. Probation, or suspended sentences, or other soft and inadequate sentences given lawbreakers and especially habitual and other dangerous criminals, or unwise paroles, or frequent and unjustified continuances, or lengthy delays in the trial of bail cases, enable these criminals to repeatedly commit additional crimes. Crimes by these "repeaters" are so numerous that they are worrying and frightening millions of law-abiding persons and are literally jeopardizing the safety of society. This vast coddling of criminals in this era of rampant crime is almost unbelievable.

#### **Application of Standards**

Furthermore, in the rapidly expanding and still somewhat unsettled field of constitutionally-protected criminal rights-such as the right to have the assistance of counsel at every critical stage; the right not to be compelled > in a criminal case to be a witness against himself; voluntary and involuntary confessions, including "fruits of a poisonous tree"; security from unreasonable searches and seizures, including stop and frisk; and all other requirements of due process of law-State courts must, of course, follow and apply the standards established and the decisions made by the Supreme Court of the United States which are directly in point, but they

(Continued on page 20)

FBI NA Graduates Told—



# = "Make Your = Contribution = to Our Nation"

Chief of Police Thomas J. Cahill, San Francisco, Calif.

his great Nation of ours, whose blessings we enjoy, today serves as a reservoir of liberty to which each generation has made its contribution. You now have a grave responsibility to make your contribution."

This challenge was issued to the members of the 82d Session of the FBI National Academy by Chief of Police Thomas J. Cahill of San Francisco, Calif., President of the International Association of Chiefs of Police, as he addressed the men at their graduation exercises on October 30, 1968, in Washington, D.C.

"When you return to your communities, you are not going back to the performance of routine police work because this is no longer our path," Mr. Cahill said. "We are confronted today with persons in society who would destroy in order to obtain what they feel is theirs. Now nobody is more conscious of the rights of individuals and their right to have their fair share in this affluent society than the members of law enforcement. Yet,

Shown following the graduation exercises of the 82d Session of the FBI National Academy, from left to right, are: Mr. Howard H. Earle, Chief, Administrative Division, Los Angeles County Sheriff's Department, president of the class; Chief of Police Thomas J. Cahill, San Francisco, Calif.; Hon. W. Marvin Watson, Postmaster General of the United States; Mr. Hoover; Hon. Erwin N. Griswold, Solicitor General of the United States; and Dr. W. Harold Snape, Assistant Minister, Capitol Hill Methodist Church.



because we in law enforcement stand as the immediate symbol of the authority with which some of these people are at odds, we bear the brunt of their wrath and their attack."

Chief Cahill pointed out that law enforcement not only has the problems of serious crime and insufficient manpower but also the problems arising from the changes in our social order greater mobility of people, increased viciousness in crime, and rebelling youth.

#### **Promise of America**

Mr. Cahill stated that each National Academy officer "is the promise of an America continuing to grow in the strength of liberty, freedom, justice, and true accomplishment. . . . In view of the caliber of training and the wealth of knowledge that have been imparted to you men by the very capable instructors of the FBI National Academy, it is indeed a real credit to this country to have in the field of law enforcement a man so dedicated to professional training as the Honorable John Edgar Hoover. Over many years he has devoted his time and attention to the security of this Nation. I know of no man who has made a greater contribution to the safety, the security, and the progress of this Nation than John Edgar Hoover. And you members of this graduating class have benefited and obtained an elite education from the organization he has so capably headed for such a long period of time."

Calling on citizens to start a real movement toward solid support of law enforcement in this Nation, he quoted Theodore Roosevelt:

"It is not the critic who counts; not the man who points out how the strong man stumbled, or where the doer of a deed could have done better. The credit belongs to the man who is actually in the arena; whose



After the graduation ceremonies, Chief of Police Rocky Pomerance, Miami Beach, Fla. (left), and Sgt. Bastian D. Kruidenier, Miami Beach Police Department, a member of the class, are shown with Director Hoover.

face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again, because there is no effort without error and shortcoming; who does actually strive to do the deeds; who knows the great enthusiasms, the great devotions, who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who have tasted neither victory nor defeat."

In reference to disorders on college campuses throughout the country, Chief Cahill stated, "Despite everything that we see and hear about what is wrong with America, I have full confidence in the youth of our Nation and in this Nation as a whole. We see many young people who are engaging in activities that are a sad commentary on our enlightened society because they are not taking advantage of the privileges of freedom. They are taking license, and some place along the line this has to stop.

"But I want to say to you that there are also many young people in our American schools today for the purpose of gaining an education that will enable them to succeed in our competitive and complex world. I believe the high ideals of these students will outweigh the disadvantages brought about by those with other ideas, some of whom would destroy our way of life. I am confident that among these young people on the right side and with the right objectives, there is the leadership, there is the dedication, there is the civic-mindedness, and, above all, there is the loyalty that will meet the challenges of our time and make for noble progress in this Nation of ours."

#### Majesty of Law

Mr. Cahill also expressed the hope that the news media will give just a little more recognition to the men who day in and day out risk their lives for the protection of all.

In conclusion Chief Cahill told the officers, "Upon your shoulders rests the majesty of the law and it is your responsibility to carry it 7 feet tall, high above the mist of suspicion, indecision, or inaction. You must forge ahead, elevating the standards of law enforcement day by day and carrying out your own duties with a greater degree of excellence than ever before. And in this way, you too, like the great and the Honorable John Edgar Hoover, will write another glorious chapter on law enforcement in the fascinating book of human achievement."

#### **Moment** of Reflection

Mr. Howard H. Earle, Chief of the Administrative Division, Los Angeles County Sheriff's Department, Los Angeles, Calif., the president of the class, presented a "moment of reflecttion" on behalf of his fellow officers. He said that the 100 lawmen of his class intend to take a major role in raising a voice of sanity in what they consider to be a world gone mad with violence and crime.

"We must strive to make crime a disease of the past, and we work for and dream of the day in our time when this too shall come to pass," Chief Earle stated. Realizing this dream, he said, will require the people of our Nation to give back their support to their peace officers and every law enforcement officer to act and think professionally as never before.

Chief Earle expressed appreciation to Mr. Hoover, the Academy staff, and all who willed upon and imbued his class with a "challenge of changing history and helping restore law and order from chaos."

Hon. Erwin N. Griswold, Solicitor
General of the United States, and Mr. Hoover presented diplomas to the specially selected law enforcement officers
who had just completed the intensive

12-week course of training. Among the graduates were representatives of
 State, county, and city agencies in every section of the United States, as well as the District of Columbia,

the U.S. Army, the U.S. Marine Corps,
the U.S. Park Police, and the White House Police. Also included were
eight foreign officers from Colombia, Malaysia, the Philippines, Singapore,

and Thailand.



Mr. Theodore Diamond, a prominent New York businessman, shown here with Director Hoover, was one of the distinguished guests at the graduation exercises.

Dr. W. Harold Snape, Assistant Minister of the Capitol Hill Methodist Church, Washington, D.C., delivered the invocation and benediction. The U.S. Marine Band, conducted by Capt. Dale Harpham, presented a musical program.

Prior to the graduation Chief Investigator Mal G. King, Ventura County District Attorney's Office, Ventura, Calif., was presented the John Edgar Hoover Medal for Excellence in the Study of Law Enforcement for achieving the highest scholastic standing in the session. He also served as secretary of the class. Other officers were: Chief Earle, president; Lt. W. A. Tudor, Arkansas State Police, Little Rock, Ark., vice president; and Investigator Gary A. Nelson, Minnesota Bureau of Criminal Apprehension, St. Paul, Minn., treasurer.

Cpl. Roy R. Bergman, Missouri State Highway Patrol, Jefferson City, Mo., won The American Legion FBI National Academy Firearms Proficiency Award. In addition, he fired a perfect score twice on the FBI Practical Pistol Course while attending the Academy. In recognition of this achievement, he received the FBI National Academy Possible Club Medal and Certificate.

#### **Financial** Aid

The 82d Session is the first class to have received training at the FBI National Academy since the passage of the Omnibus Crime Control and Safe Streets Act of 1968, last June. Although there is no charge for the training, the new law provides financial assistance to the men through the payment of transportation costs and living expenses while they are in attendance at the Academy.



Maj. Augusto Mojica, National Police of Colombia, Bogota, Colombia, receives his diploma from Hon. Erwin N. Griswold, Solicitor General of the United States.



Director Hoover presents the FBI National Academy Firearms Proficiency Award, donated by The American Legion, to Cpl. Roy R. Bergman, Missouri State Highway Patrol, Jefferson City, Mo. Corporal Bergman was also presented the FBI National Academy Possible Club Medal and Certificate in recognition of the perfect scores he recorded on the Practical Pistol Course while attending the FBI National Academy.

With the graduation of this class, the list of Academy alumni totals 5,435 men. Of this number, 3,100 are still active in law enforcement, and 860 hold the top executive position in their agencies.

The members of the 82d graduating class of the FBI National Academy are:

- Will I. Adams, Wayne County Sheriff's Department, Goldsboro, N.C.
- John H. Angell, Pennsylvania State Police.
- Edwin G. Anthony, Phoenix, Ariz., Police Department.
- P. Thomas Benton, Criminal Investigation Division, Marine Corps Air Station, Cherry Point, N.C.
- Roy R. Bergman, Missouri State Highway Patrol.
- Walter J. Bernard, Cook County Sheriff's Police Department, Chicago, Ill.
- John J. Brown, Savannah, Ga., Police Department.
- Jack L. Buch, Metropolitan Police Department, Washington, D.C.
- Earl A. Callahan, Sioux Falls, S. Dak., Police Department.
- Floyd G. Clark, Jr., Richmond Police Bureau, Richmond, Va.
- Ralph H. Cline, Kentucky State Police.
- Charles T. Cobb, Boston, Mass., Police Department.
- James R. Colwell, Irving, Tex., Police Department.

- James W. Connole, San Diego, Calif., Police Department.
- John Hardie Cook, Orangeburg, S.C., Police Department.
- Eugene A. Cotton, Clark County Sheriff's Department, Vancouver, Wash.
- John F. Coyne, Illinois State Police.
- George H. Currey, District Attorney General's Office, 10th Judicial District, Nashville, Tenn.
- Edward E. Diekman, Cincinnati Police Division, Cincinnati, Ohio.
- John P. Dow, Multnomah County Sheriff's Office, Portland, Oreg.
- Harry Dowdle, Jr., Columbus, Miss., Police Department.
- Howard H. Earle, Los Angeles County Sheriff's Department, Los Angeles, Calif.
- Charles C. Elmore, Jr., Gastonia, N.C., Police Department.
- Myrle Ensweiler, Gary, Ind., Police Department.
- Aaron W. Farthing, Evansville, Ind., Police Department.
- Joe A. Flanary, Kingsport, Tenn., Police Department.
- Clinton R. Forloine, Napa, Calif., Police Department.
- Theodore J. Freeman, White House Police, Washington, D.C.
- Lowell D. Friesen, Boulder, Colo., Police Department.
- Robert D. Fulk, North Canton, Ohio, Police Department.
- William J. Gonyo, Oshkosh, Wis., Police Department.

- Herbert B. Grisham, Mississippi Highway Safety Patrol.
- Abdullah bin Hanafiah, Royal Malaysia Police, Kuala Lumpur, Malaysia.
- Edward A. Haralson, U.S. Park Police, Washington, D.C.
- Marion B. Harding, Huntsville, Ala., Police Department.
- Robert R. Harper, Sr., Birmingham, Ala., Police Department.
- Sulaiman bin Mohd. Hassan, Royal Malaysia Police, Kuala Lumpur, Malaysia.
- B. Eugene Hawker, Idaho State Department of Law Enforcement.
- Hubert Hill, Republic of Singapore Police, Singapore.
- James L. Horne, Georgia Bureau of Investigation.
- William A. Hornsby, Alabama Department of Public Safety.
- William L. F. Huddy, Kauai County Police Department, Lihue, Kauai, Hawaii.
- Gary Ingram, Reeves County Sheriff's Office, Pecos, Tex.
- Ronnie E. Irvin, Griffin, Ga., Police Department.
- Leslie C. Johnson, Jr., Demopolis, Ala., Police Department.
- Stephen A. Joyce, Bureau of Police, Pittsburgh, Pa.
- Jack C. Kalbfleisch, Birmingham, Mich., Police Department.
- Bruce Daniel Kennedy, Detroit, Mich., Police Department.
- Dana S. Kierstead, U.S. Army.
- Mal G. King, Ventura County District Attorney's Office, Ventura, Calif.
- Harold T. Kleve, Washington County Sheriff's Department, Hillsboro, Oreg.
- B. D. Kruidenier, Miami Beach, Fla., Police Department.
- Robert A. Lacy, Scottsbluff, Nebr., Police Department.
- Wallace B. Laird, St. Tammany Parish Sheriff's Department, Covington, La.
- William F. Lamb, Town of Ossining Police Department, Ossining, N.Y.
- Thomas P. McNamara, Jr., West Springfield, Mass., Police Department.
- J. Austin Merck, Greenville, S.C., Police Department.
- David B. Michel, Fresno, Calif., Police Department.
- George V. Miller, Edison, N.J., Police Department.
- Augusto Mojica, National Police of Colombia, Bogota, Colombia.
- Jack B. Molden, Emporia, Kans., Police \* Department.
- Edward A. Morgenthaler, Clayton, Mo., Police Department.

(Continued on page 21)



Operated by a Police Agent, the department's modern communications desk includes closed-circuit television and a locator board and map of the city.

# Law Enforcement as a Business

By JOHN L. GUSEMAN Director of Police, Victoria, Tex.



January 1969

"Our business is people."

Domeone once said that progress is not possible without change.

We of the Victoria Police Department believe that we made tremendous progress when we reorganized the department on January 1, 1968. To us, it is an entirely new concept of police organization. Military ranks within the department were phased out, and the department was organized on a basis of business management. One reason we did this was to prevent the continued loss of officers to other police departments because of the lack of advancement opportunities and the loss of officers to higher paying jobs in industry and business.

Under the old system, a man would go to work as a probationary patrolman. After 6 months of training and probation, he would advance automatically to the rank of patrolman. He remained a patrolman for a period of years, or until such time as a sergeant vacancy occurred. Then the patrolman would be required to compete with other patrolmen for this particular position.

We believe that the man who does the work out in the field, the so-called patrolman, is the backbone of the police operation and we must retain this man in the department. We can no longer afford to lose his valuable training and experience.

Under our new organization, we have a median classification. This professional classification enables an offi-



The Victoria Police Department is housed in the new Public Safety Building.

cer, after completing basic training, to advance in responsibility and compensation without becoming a supervisor. We feel that a properly trained police officer does most of his work without supervision anyway. Why make it impossible to progress in responsibility and compensation without advancing to a supervisory position?

The long-range aim of our new organization is to provide administrative mechanics through which officers with proven ability and preparation can achieve greater responsibility and increased income. These were not, in all instances, possible under the old system.

This new organization plan was not conceived by the head of the department alone, nor was it instigated or instituted just for the sake of change. After the report of the President's Commission on Law Enforcement and Administration of Justice was released, the staff and I studied it very carefully, analyzed the thoughts and ideas, and found some things we did not agree with and many things that we did agree with. We then started sending the higher ranking officers, the captains and lieutenants, to business management school. The captains, lieutenants, and I completed a short course in business management at the University of Texas. We also completed a course in police administration sponsored by the Texas Department of Public Safety and the Texas Police Association and a comprehensive course in police administration conducted by the FBI here in Victoria.

#### **Conferences Held**

Following this training and research, the captains, lieutenants, and I held many staff conferences. After we discussed the situation and talked to other employees in the department, we devised a tentative plan for reorganization. Our plan was that a new employee would come into the department at a position, at that time unnamed, and, after a period of probation and basic training, would advance one step. In the second step the employee would still be on probation but would have more responsibility. We wanted to see what he could do on his own initiative with minimal supervision. If, after a period of 6 months, the employee had shown considerable self-improvement, and his services were satisfactory for the amount of training and experience he had acquired, he would advance another step and the same evaluation would be made.

After a period of 18 months of satisfactory service, which included selected training and three minor advancements, the employee would advance to the first position in the "professional corps" of the police department. This position would be the end of changing titles or changing of position names.

We decided that the professional grade should have eight pay levels. The professional police officer, we felt, should be able to advance in pay grade by self-improvement, satisfactory service, and completion of a required number of police training hours plus college semester hours.

One of the problems we faced was selecting proper titles for the new positions created by the reorganization. We were particularly anxious to get away from "military" ranks since we believed that position descriptions similar to those in the business community would be more consistent with our goal.

Many names and titles were brought into the discussion, but most were discarded. Since the beginning officer is on probation for a time, the position was finally named Probationary Emplovee (PE). At the end of a 6-month period of training and satisfactory service, the Probationary Employee advances one step. Since our business is public safety, the second position, or the step just above PE, was named Public Safety Officer (PSO). The Public Safety Officer has some training and experience, but is still actually on probation with much to learn and experience to gain.

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After a period of 18 months' satisfactory service and extensive training, the Pubic Safety Officer advances to the grade of Public Safety Technician (PST). This position too was named with our utmost concern—public safety—in mind. We felt that Public Safety Technician would be the proper title for a police officer who requires little supervision and who is proficient in his work.

Once the officer attains the Public Safety Technician position, he has opportunity for higher salary and more responsibility. PST is the highest position available outside the "management" level; however, a PST may serve as a supervisor when needed.

In the management area of the department, we again borrowed from the business world. We believe that an officer responsible for a division of the department is, in truth, managing the division. Consequently, we selected the title of Division Manager for this position. The assistant to this position is called Assistant Division Manager. These two positions replace the Captain and Lieutenant ranks in our old setup. The Division Managers are also staff officers to the Director, which, of course, is the new position title for Chief of Police.

This method of organization has been in operation for a number of months. Even though we still have separations from the department, under this new plan we have been able to retain those officers who are better trained and more experienced. I think the redeeming factor of the Public Safety Technician position is that there does not have to be a vacancy in a higher position before a man can advance in salary and responsibility. Within our allotted manpower, we may have, by the authority of the city council, any number of Probationary Employees, Public Safety Officers, or Public Safety Technicians without regard to the number of personnel in each position or in each pay grade within each position. In theory, every officer outside of management could hold the position of Public Safety Technician. Consequently, the Probationary Employee knows that he is going to become a Public Safety Officer if he meets all the criteria, and a Public Safety Officer knows that he will advance to the position of Public Safety Technician after he has met the requirements. He also knows that to do this, he does not have to wait for someone to retire, to be promoted, to be demoted, or for the department to increase in size.

#### Advances in Pay

We have devised a point system of measurement to advance the men within grade to increase their income. We believe that 1 year's experience as a police officer teaches a man something that he cannot possibly learn any other way. Consequently, we give 30 points for 1 year of police service. We know that college training is very important, so we give 30 points for 30 semester hours of college. Knowing also that police training is important, we have related police training to semester hours of college work and have given 1 point for 20 classroom hours of police training. Thus, an officer knows in advance how he can accumulate points. He knows that he can accumulate as many points in two semesters of college as he can in one full year of police service. If the man is ambitious and wants to get ahead, he is going to get semester hours. He also knows that for each 20 classroom hours of police training, he can get one point.

#### **Training Initiative**

The classroom training is conducted by our own police academy. We believe training, except for basic and operational training, should be on a voluntary basis rather than compulsory. Consequently, all advanced training is voluntary. If a man wants to advance to a certain position, the training necessary to attain that level is available to him.

In this new system we can hire individuals with 60 college hours directly from the outside and give them a higher salary to start-the same compensation that they would receive if they had been in the police department for a period of 2 years. This does not mean that they would immediately become Public Safety Technicians, nor does it mean that they would not have to serve a probationary period. Applicants with college training start as Probationary Employees, advance to Public Safety Officers, and then to Public Safety Technicians. During this time we pay them to take police training and gain police experience because we believe they have greater potential.

The requirements of law enforcement today, particularly in the technical and legal fields, are most demanding. We go along with the theory

(Continued on page 22)



Pittsburgh Press Photo.

By CAPT. THERESE L. ROCCO Missing Persons Section, Bureau of Police, Pittsburgh, Pa.

Although there is widespread recognition of the importance of women in law enforcement, little is known of the various aspects of the specific duties they perform.

In some cities the policewomen are directly under the command of a male chief, and they are assigned to a juvenile bureau or crime prevention division, charged with preventing delinquency among young people and working with women.

In Pittsburgh the policewoman is primarily responsible for investigating approximately 2,800 missing persons cases reported annually. She also participates in other areas of police work relating to crime prevention and apprehending criminals.

Although the old saying, "Never underestimate the power of a woman," might be applied to a policewoman, there is no evidence that ladies of the law are about to take over; but when it comes to handling a missing persons problem, there is no substitute for a compassionate and intelligent policewoman who knows something of human nature. The missing persons section is a division of the city's detective branch, which comes under the direct supervision of Assistant Superintendent Eugene L. Coon. The staff comprises 20 policewomen who are empowered with the same authority as the 1,600 police officers assigned to the Pittsburgh Police Bureau. They are on call 24 hours a day, 7 days a week, and work with the police wherever and whenever a policewoman is needed.

#### **Duties** Explained

As captain of the policewomen, I have the responsibility of supervising the missing persons section, in addition to supervising the matrons quarters of the department where seven policewomen are detailed. These seven women handle missing persons and other investigative work whenever they are not involved in their normal duties.

The hundreds of cases which are filed in the missing persons section are broken down into many categories: missing and runaway children;



Obtaining correct and pertinent information concern of missing persons cases. Here, Policewoman H citizen while Captain Rocco looks on.

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Some Experiences of the Pittsburgh, Pa

unhappy adults, married or single, who deliberately leave home; senile, mentally disturbed, or retarded people; and those who disappear without any apparent reason.

Many methods and techniques are employed for locating missing people. An evaluation and information form is filled out for each case and teletypes dispatched to all points necessary. Some policewomen are detailed to answer the phones daily, while others



n individual reported missing is vital to the solution lacksmith (center) solicits additional facts from a

Compassion

### ing Persons Section of the ureau of Police

conduct the casework. The policewomen check out the various transportation depots, talk to school authorities, check hospitals, and interview members of the family and all other contacts the missing persons might have had.

Missing children naturally receive the most attention. Every case involving a missing child is received with the ever-present possibility of accident, kidnaping, or murder. Many

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times the missing child may just be visiting in the neighborhood, sleeping in the family automobile, or sulking in the bedroom closet. Sometimes the termination of the case is not a happy one, as in the case of Henry, a 6-yearold boy who left his home on February 27, 1967, never to be seen alive again. His body was recovered from the Allegheny River several days later. It was quite evident that the youngster, who was very much in the habit of playing by the river bank, had met with a fatal accident.

#### Some Tragic Cases

A horrible tragedy involving another child, 4-year-old Maryann, started with a missing persons report and ended with the police discovering her brutally beaten body under the stairwell in the hall of a neighbor's home. Maryann was reported missing after her mother told the district police that her daughter went to the next door roominghouse to play with two children but did not return home. The mother of the two children emphatically denied having any knowledge of Maryann's whereabouts but admitted to police that the child had been there and had gone.

Police scoured the entire neighborhood, with the assistance of a special service squad and auxiliary police. Our policewomen questioned nearly all the small children in the neighborhood. The search lasted for 6 hours, when the police finally found the body in the roominghouse stairwell. The woman at the roominghouse was asked to come to headquarters for questioning, and she gave three different versions of what happened to the little girl, yet fully maintained her innocence of any involvement. She finally admitted that she was responsible for the child's death, had beaten her in a fit of rage, and accidentally scalded her body. She was convicted of manslaughter.

In 1962 the disappearance of a 10year-old girl stirred up one of the most intensive manhunts every conducted in Pittsburgh. Boy Scouts, auxiliary crews, the canine corps, and others joined with hundreds of police officers in the search. Numerous calls from sincerely interested people were checked out by policewomen, who spent many hours in playing games with friends of the missing child, hoping to pick up clues, no matter how slight. These efforts were fruitless.

This case remains a classic in the missing persons files and is still under active investigation. The tangled circumstances surrounding the disappearance of this child leaves us no alternative but to believe that she did meet with foul play. The facts that she came from a broken home and was an overfriendly, sensitive, and lonely child channeled the investigation in all directions. This led the missing persons section to try many theories, none of which were successful. The child has not been located.

#### Runaways

The work of the policewoman directly involves runaways. An investigation of the youngster's background is generally completed on every case. In situations involving missing children, it is important to obtain recent photographs, names of their playmates and associates, and locations of their hangouts, theaters, and other places of amusement.

In most cases involving females, the policewomen may run into complicated situations which require a tremendous amount of investigative and referral work, as in the case of Carol "X".

In March 1964, Carol—a chunky, brown-eyed girl of 14—disappeared, leaving a note that she was unhappy with her home environment. Her stepfather was known to abuse her from time to time and her mother was on the verge of becoming an alcoholic. Three months later we finally traced her to a plush apartment in Pittsburgh where she had been prostituting for three known criminals. These men had been arrested numerous times on morals charges, all involving young girls. Carol was taken into custody and voluntarily submitted a statement which led to the arrest of seven male adults. All seven were tried, found guilty, and sentenced in Allegheny County criminal courts.

#### Why Do They Run Away?

When runaways from other cities are picked up, they are always questioned by policewomen before they are turned over to juvenile authorities. The stories they tell often sound reasonable. They say they are of age to be on their own, or they have parental consent, etc. Generally, the policewoman learns that they are away from home or an institution without permission. The policewoman must be careful not to arouse suspicion until their stories can be checked.

One June 16, 1967, Mary Elizabeth

"X", while in the company of a known criminal, was taken into police custody. Anyone might have believed her when she said she was 22, but not the trained policewoman. After being questioned, she admitted her actual age, 12, and that she was a runaway from a State institution in Michigan.

The main reason so many youngsters run away stems from the inability of the parents to provide the attention, love, and discipline children require. In Mary Elizabeth's case, she was lonely—her parents placed her in an institution and never even bothered to visit her. This 12-year-old was later turned over to the Juvenile Court in Allegheny County and subsequently returned to Michigan.

Very few parents are able to cope with the anxieties and frustrations they must endure for that period of time when their children are away from home. In a state of panic they call the missing persons section several times a day. Other parents insist that information is being withheld from them or that more can be done on the case. On the other hand, so-called irresponsible mothers and fathers,

Policewoman Helen Long (left) handles a telephonic inquiry while Policewoman Margaret Jak types a report on a missing person.





Supt. James W. Slusser.

afraid of what the neighbors might think, wait days or weeks before they file a missing persons report. Others demand that their child's photograph be shown on television, but they fail to realize that the schoolday photograph of the youngster may no longer resemble the scruffy girl or the longhaired, bearded boy of the present.

Surprising as it may seem, parents usually are the ones who know the least about their children. They will make such remarks as: "I can't understand why my Jane does not want to live at home." "This is not at all like Mary!" or "I know my child better than that!" Children generally have very little to say about their parents, but what they do say is most likely to be said in a derogatory manner.

#### **Also Unite Families**

Subjects over 18 years of age are considered adults and, of course, pose an entirely different problem. Many times we find 19- and 20-year-olds living 3,000 miles away from Pittsburgh. These people are working and happy—they just want to be lost.

We will admit that one of the biggest dividends of our section is to unite people. Sometimes both sides need a third party to bring about a reconciliation.

Husbands and wives leave home for

a variety of reasons, and we make every effort to locate them, particularly if there are small children involved. When we do locate these people, we must be very confidential and remember at all times that we are dealing with people's lives. We cannot force a woman to return to an abusive husband, nor can we tell him where she is.

In July 1963 a young man whose wife walked out on him came in to file a missing persons report. He demanded that we tell him where she was living. In the interim she contacted us and asked that we not reveal her whereabouts, as she had a dreadful fear of him. She maintained he was unusually cruel to her and had threatened her life on numerous occasions. The woman remained with relatives out of the State while the husband persistently demanded that we locate her. Six months later the young woman returned to Pittsburgh and took up residence with her father. The irate husband subsequently learned of this and shot and killed them both before committing suicide.

#### **Missing Husbands**

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Most husbands leave under unusual circumstances, as in the case of Carl "X", who headed his car toward the river Sasilaw in the State of Oregon on December 5, 1965. The car careened down the slope into the river, where it hung on the edge, to be found a day or so later with the doors open. The occupant was presumed to have drowned, and his wife and children accepted the findings of the authorities. A widespread search for him over 13 months did not disclose a trace, until January 1967, when the supposedly "drowned" man was picked up by the Pittsburgh Police and charged with vagrancy. He was turned over to the missing persons section, where positive identification was made. The policewomen then checked





with Oregon authorities, and at this point Carl told the policewomen he was happy to stop running and wanted very much to end the mystery surrounding his "death." Ironical as it may seem, he not only played dead, but he also took another wife under an alias. He was charged with desertion. abandonment, and nonsupport, as well as with bigamy. He was extradited to Oregon to answer to these charges.

Married persons who skip home can be found almost anywhere, yet some are never located. This, of course, depends on how well they conceal their identity and whereabouts. Seven years after a person is reported missing and all efforts to locate him have been unsuccessful, the case can be brought to court and he may be declared legally dead. Policewomen who conduct these investigations are, as a matter of record, subpoenaed to appear in court with their files.

The senile wanderers, amnesia victims, and mentally disturbed are the responsibility of the policewomen, and when handling these cases, they must use as much tact as possible. These people are generally returned to institutions or to their families.

Margaret "X" was unable to remember her identity as a result of amnesia. She came to the attention of policewomen in August 1962. She was a well-dressed, elderly woman who walked up to the Travelers Aid desk at the downtown Pittsburgh bus terminal and asked the clerk on duty, "Who am I?"

#### **Puzzling** Amnesia Case

This turned out to be one of the most complicated amnesia cases. Frequently these cases are cleared up in a matter of hours, but this one took almost a month. The missing persons section began an intensive investigation, check of files, hotels, airlines, abandoned luggage, etc. She was detained at a psychiatric hospital while her case was being handled. Though the woman could not remember anything about herself, the missing persons section established that she was possibly a nurse from Chicago.

Publicity and clippings were sent to Chicago. Her landlady recognized her photograph and contacted us. The am-

<sup>(</sup>Continued on page 24)

"More than 400 witnesses in all the deaths from 1947 through 1966 were located and re-interviewed. . . . Of these witnesses over 130 testified before the grand jury. Following a monthlong hearing, the grand jury returned a three-count murder indictment."

## Proof of Murder by Insulin– A Medico-Legal First

By PETER J. PITCHESS Sheriff of Los Angeles County, Los Angeles, Calif.



Juring 1967 the Los Angeles County Sheriff's Department initiated investigation of six murders committed by injections of an overdose of insulin. The last of these murders, which had been committed over a 20-year period, occurred in October 1966. On March 15, 1968, this investigation was brought to a successful conclusion when William Dale Archerd was convicted of three counts of first degree murder. The investigation was not only one of the most extensive in the history of our department, but it marked the first time in the history of law enforcement in the United States that a suspect was convicted of murder by insulin overdose. The only other case of this type to be successfully prosecuted was in England in 1958.

William Dale Archerd, also known as James Lynn Arden, a 55-year-old hospital attendant, salesman, and lover, first gained his knowledge of insulin while working as an attendant at Camarillo State Hospital in California. At this mental institution which utilized insulin shock in the treatment of schizophrenics, all attendants were required to participate in a program of instruction in the usage and effects of insulin. During his course of instruction Archerd learned that insulin is a natural body hormone and at that time (1941) could not be identified or traced in the blood and tissues of the human body. It was later learned that Archerd, using his knowledge of insulin, made the statement that death by insulin could be the "perfect" murder.

Archerd was first suspected in July 1956, when he reported a robbery in his home by two men who were armed with hypodermic syringes. These "suspects" allegedly injected Archerd and his fourth wife Zella in the buttocks after binding them and taking several hundred dollars from their home. When the police arrived at the scene, Mrs. Archerd had two puncture wounds in her buttocks, but the police could find no such marks on Archerd. The next evening Mrs. Archerd died after having been in a coma for approximately 12 hours. At the time of her death, she had four needle marks in her buttocks.

During the course of his investigation, Sgt. Harry Andre of the Los Angeles County Sheriff's Department,

Homicide Bureau, found a half used bottle of NPH U-80 insulin in a field next to the Archerd residence and a 20-gage hypodermic needle in a bathroom drawer. He also found that the Archerds had recently been married and that Mrs. Archerd had sold some property and deposited the receipts in a joint checking account with Archerd. Andre also learned that Archerd had written two checks on the account and had deposited \$5,000 in his personal account.

#### **Insulin Overdose?**

Sergeant Andre reported his findings regarding the insulin to the Los Angeles County Coroner's Office. Chief Toxicologist R. J. Abernathy ran all the tests known to him at that time and could find no poisons or other substances that could substantiate Zella Archerd's cause of death. Although an overdose of insulin was strongly suspected by the homicide detectives, there were no known tests which would indicate excessive insulin in the blood or tissues of a deceased person. Zella Archerd's death was officially attributed to bronchial pneumonia due to coma of undetermined origin. Since death by criminal means could not be established, no criminal complaint could be filed at that time.

The next death connected to Archerd came to the attention of Sergeant Andre in 1958 when Archerd's fifth wife Juanita died in Las Vegas, Nev., allegedly from an overdose of barbiturates 2 days after they were married. Since this death occurred outside Los Angeles County, Sergeant Andre had no jurisdiction in the matter; however, he did inform the Clark County Sheriff's Department in Nevada of his suspicions.

Attention was again called to Archerd in March 1960, when Frank Stewart, the ex-husband of Gladys Arden, Archerd's wife at that time, died in Southern Nevada Memorial Hospital in Las Vegas. Stewart and Archerd, then using the alias of Arden, had flown to Las Vegas allegedly on a combined business and pleasure trip. Stewart had taken out a \$62,000 flight insurance policy, making Gladys Arden beneficiary, and another policy in the amount of \$18,000 naming Jenny May Archerd (Archerd's mother) as beneficiary. Stewart allegedly slipped on a banana peel in the restroom at McCarron Field in Las Vegas and struck his head. He died the following day in a Las Vegas hospital after having been visited by Archerd. Again the suspicions of our department were called to the attention of the Nevada authorities. However, they were unable to establish any criminal agency which contributed to Stewart's death.

#### Another Death

Seventeen months later Andre, who had been promoted to lieutenant, read an article in a local newspaper regarding the death of Bernie Kirk Archerd, a 15-year-old nephew of William Dale Archerd. His death was allegedly the result of a hit-and-run auto-pedestrian traffic accident. Lieutenant Andre contacted Sgt. Harold White of our homicide bureau who had been assigned to investigate all traffic deaths occurring within the thirty cities which contract for law enforcement from the Los Angeles County Sheriff's Department, and they both agreed that there was a good possibility that Archerd had killed again.

In their investigation Sergeant White and Sgt. Walter Thornton learned from an attending physician that he first thought Bernie had suffered a head injury in the accident; however, he was amazed to find no red blood cells in the spinal fluid and no cranial bleeding when a craniotomy was performed. A doctor reviewed Bernie's hospital record with White and Thornton and pointed out that Bernie had been brought to Long Beach Memorial Hospital by his uncle, William Dale Archerd, late in the afternoon of August 21, 1961. Bernie complained of a sore hip, tenderness of scalp, and the dilation of one eye. All these injuries, according to the doctor, were compatible with the injuries normally received in an autopedestrian accident. The doctor further pointed out that the nurse's notes on the hospital chart indicated, "uncle visiting through the day." One such entry was made on the records at 6 p.m. on August 23, 1961. That same night Bernie became comatose, and doctors performed cranial surgery to relieve the pressure; however, Bernie did not respond and died on September 2, without regaining consciousness. Investigating officers told the doctor of their suspicions, and he told them that in his opinion there was a 50-50 chance that the death resulted from an overdose of insulin. The doctor based his opinion on the results of several spinal sugar tests which he had performed on the victim.

#### **Evidence** Presented

With this information, homicide investigators presented their case to the district attorney's office in an effort to obtain a criminal complaint against Archerd. The investigators, with Deputy District Attorney Joe Carr, had a conference with Dr. Theodore Curphey, then Chief Medical Examiner-Coroner for Los Angeles County, and Chief Toxicologist Abernathy in an effort to determine whether a criminal agency could be established. It was learned that no method of extracting insulin from tissue or blood was known. It was also learned at that time that a successful prosecution had taken place in England; however, the techniques used to isolate the insulin were unavailable to Mr. Abernathy. It was later proved that even if Mr. Abernathy had known these techniques, he would have been unable to discover insulin in the tissue of blood since Bernie had lived 9 days after the injection and therefore the insulin would have dissipated due to the large amount of glucose he received intravenously.

#### **Defraud Uncovered**

During the investigation of the death of Bernie Archerd, investigators discovered that Archerd and Stewart conspired to defraud the insurance company by faking the slip and fall in Las Vegas. Stewart was not aware that the policy only paid in case of his death or dismemberment. This fact, as well as information about another alleged auto-pedestrian hit-and-run accident, this time with Archerd as the victim, was learned from a girl friend who helped stage the accident. As a result of this alleged accident, Archerd filed a workman's compensation claim since his "injury" was suffered while he was actively engaged in his regular employment. He also filed a fifty thousand dollar bodily injury lawsuit against the owner of the car. These suits, as well as the Stewart lawsuit, were dismissed with prejudice as a result of White's and Thornton's investigation.

Another interesting point was that Stewart, Bernie, and Archerd all had dilated left pupils on their admission to the hospital following their "accidents." This gave each "victim" symptoms of a head injury and was brought about simply by dropping atropine in their eyes. Even with this additional information, there was still not enough evidence to prove a criminal agency as the cause of death of either of the previous victims. Thus, Archerd had once again committed the "perfect" murder.

Archerd again came to the attention of Sergeant White in November 1966, when his seventh wife, Mary Arden, died allegedly as a result of head injuries suffered in a traffic accident. Mary and Archerd were married in the early part of 1965 and lived together until she became bankrupt. Archerd moved out and again began living with his sixth wife, Gladys Arden. Mary was deeply in love with Archerd and tried desperately to locate him to tell him of her injuries. When he was finally contacted, Archerd went to her home to "console" her. Two days later Mary was admitted to a local hospital in a comatose condition and died the next day without regaining consciousness. Her cause of death was listed as drug overdosage versus cerebral embolus with hypoglycemia.

Mary's death triggered another investigation of Archerd as a murderer. White, now a lieutenant, was assigned to investigate her death, as well as those mentioned previously, on a fulltime basis. White, Captain Etzel, and Inspector Irving of the sheriff's department conferred with the district attorney's office and asked for a deputy district attorney to work full time in order to resolve the matter. At this time, Mr. Raymond J. Daniels, Jr., was assigned to the case because of his medical background and his keen legal mind. At the same time, Detective Marty Deiro was assigned to work with White and Daniels. This trio worked night and day researching insulin, hypoglycemia, and related subjects and at the same time looked for medical experts to assist them in proving the causes of death clinically, since the remains of the victims had long since been disposed of.

The first break in the case came when investigators were referred to Dr. Edward Arquilla, professor of pathology at the UCLA Medical Center. Dr. Arquilla is recognized as one of the most outstanding experts on insulin in this country and one of three persons who could do a radioimmunological assay on human blood. He agreed to assist in the investigation. Dr. Arguilla's examination of brain slides of victims Bernie Archerd and Mary Arden determined that Bernie's brain damage was caused by massive doses of long-acting insulin administered 8 to 10 days prior to his death. (Note: Archerd visited "through the day" on August 23, 1961, and Bernie died September 2, 1961.) He also stated that in his opinion Mary Arden's death was caused by the same type dosage administered several hours prior to her admission to the hospital and possibly another dose while she was in the hospital.

#### Search for Witnesses

At this stage of the investigation, Detective Deiro was assigned the task of locating and identifying witnesses in the death of a William Edward Jones, who died in a Fontana, Calif., hospital in 1947. Indications were that he also was killed by an overdose of insulin at the hands of William Dale Archerd. This information was furnished by Archerd's third wife, whom he had divorced the day before he married Zella.

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Deiro learned that Jones had been arrested for molesting a babysitter and that Jones and Archerd conspired to fake a traffic accident in order to get Jones admitted to the hospital while Archerd got the babysitter's family out of town. They thought that if there were no complaining witnesses, the criminal charges against Jones would be dropped. According to Archerd's third wife, Archerd had administered insulin to Jones so that he would have the symptoms of the accident. Jones did not know that the dosage would be fatal, but Archerd, who had already collected \$10 thousand from the Jones family to square things with the babysitter's family, saw the possibility of even more money if Jones died.

#### **Hundreds** Interviewed

Now the problem was to prove the cause of death of Jones, Zella, Juanita, Stewart, Bernie, and Mary by other than pathological means. At this time the investigators decided to present the case in its entirety to the grand jury, allege three counts of murder in Los Angeles County and three similar acts in other jurisdictions, and try to prove the causes of death clinically.

More than 400 witnesses in all the deaths from 1947 through 1966 were located and re-interviewed. Among these witnesses were family doctors, attending physicians, nurses, autopsy surgeons, toxicologists, experts in the field of insulin shock treatments, experts in the treatment of diabetes, and an expert in insulin research, as well as relatives, insurance company representatives, and bank officials. Of these witnesses over 130 testified before the Los Angeles County grand jury. Following a month-long hearing, the grand jury returned a three-count murder indictment on July 27, 1967, and Archerd was immediately arrested.

Following his arraignment, he was ordered to stand trial in Department 25 of the Los Angeles Superior Court before the Honorable Adolph Alexander. Archerd waived his right to trial by jury and the court's trial commenced on December 4, 1967. After
36 trial days, Archerd was found guilty of three counts of first degree murder and was subsequently sentenced to die in the gas chamber at San Quentin State Prison on each count.

During the trial one of the most important experts to testify was Dr. Grace F. Thomas, a well-known psychiatrist and expert in insulin shock therapy, who was in charge of the insulin shock ward at the time Archerd was employed at the Camarillo State Hospital. Dr. Thomas was given copies of all the hospital records of the victims and, after thorough examination, was able to say that each victim showed symptoms of having been administered insulin in massive doses. Another co-worker of Archerd at the Camarillo State Hospital testified that Archerd had actually injected her and others with insulin in small doses so that they would know first hand the symptoms of insulin shock in its early stages.

Dr. Robert Tranquada, professor of internal medicine at the University of Southern California School of Medicine, was also enlisted as an expert by the investigators because of his knowledge of diabetes and other problems related to the endocrine system. Dr. Tranquada also reviewed all the hospital records of the victims and personally interviewed many relatives and close friends of each victim to establish their prior medical history.

#### **Research Begins**

On the day the superior court trial started, Dr. Arquilla, of the UCLA School of Medicine, was furnished a "hold" jar containing brain, liver, heart, and lung tissues of Mary Arden. The doctor started a research project with the intent of extracting and measuring the insulin content of the tissues. Mary Arden's brain tissue was submitted to a procedure whereby insulin was extracted and measured by radioimmunoassay and also biologically by injection into alloxan diabetic mice. A similar assay was performed with brain tissue from a patient roughly the same age as Mary Arden. The extracted fluid from both brain tissues was concentrated, and seven mice were injected with the

extract from Mary Arden's brain and six mice were injected with the extract from the control brain. The average blood sugar depression of the mice injected with the extract from Mary Arden's brain was more than twice that of the mice injected with the extract from the control brain (145 mg. percent to 71 mg. percent). The mice in both cases had been made diabetic and their blood sugar ranged between 500 and 600 mgs. percent.

#### **Conclusions Reached**

Dr. Arquilla concluded that by biological assay and by radioimmunoassay the tissue from Mary Arden contained markedly elevated insulin levels compared to the tissue selected as a control tissue. These findings, along with the well-documented low blood sugar and low spinal sugar of Mary Arden, could only be explained by massive dose of exogenous insulin administered the night she went into a coma and perhaps a subsequent dose of insulin while in the hospital.

Until just before Dr. Arquilla testified at the trial, neither Mr. Daniels nor Lieutenant White knew the results of Dr. Arguilla's research. Even until Dr. Arquilla took the witness stand, Daniels and White did not know that the doctor was going to testify to his finding since there had been no precedent for such a finding. Up until this point the entire Archerd case seemed to be strictly a circumstantial one; however, with the testimony of Dr. Arquilla, a criminal agency had finally been established as the cause of death in at least one of the six previously enumerated murders. For the first time in medical history, an overdose of insulin was measured both immunologically and biologically from an extraction from brain tissue, and for the first time in medical or legal history, a murder was proven by this technique.

#### CRIME PROBLEM

#### (Continued from page 4)

should protect the public by not extending these decisions by implication or by applying them to a different set of facts.

The net result is that the land of law and order, the land of which all of us have been so proud, and which in our hearts we still love, has become a land of unrest, of lawlessness, violence, and disorder—a land of turmoil, of rioting, confusion, and Babel; and you who remember your Genesis remember what happened to Babel!

What are the solutions? All the changes and reforms which are important or necessary, including social and economic reforms, cannot be effected immediately, but many of them can. I make the following recommendations:

• Poverty is one of the major causes of the crimewave. Poverty never can be eliminated, but it can be substantially reduced, thereby producing a decrease in crime. This can be accomplished by eliminating unsound and costly fiscal policies, from the very top to the bottom, which have been unproductive year after year.

• We need and must have more policemen, more probation officers, and more judges! We can get better judges if the President and every governor will appoint as judges, and the people will elect (if State law permits), men *primarily* for their judicial and legal ability, and secondarily for their belief in and willingness to protect law-abiding citizens from criminals.

• Some decisions of the Supreme Court have caused an *avalanche of post-conviction petitions* to be filed by criminals, which are swamping our already over-burdened courts, and are creating a backlog which is unfair to civil litigants seeking justice, and are causing such a logjam in criminal cases as to make it exceptionally difficult for other accused criminals to obtain a speedy public trial. There must be a finality to the conviction and sentencing of guilty criminals. Guilty criminals who are now entitled to repeat ad nauseam their petitions and pleas for a new trial or for an absolute discharge should be limited, by statute or by rule of court, to one direct appeal and to one, and only one, post-conviction appeal.

• We must never cease to press for the overruling or modification of court decisions which favor the criminal at the expense of the lawabiding public, or at least their limitation to prospective effect only. Briefs and petitions before the Supreme Court should cite the most recent and relevant statistics showing the effect of these decisions on law enforcement.

• Don't muzzle the press! The first amendment provides, as we all know, that freedom of the press must not be abridged. This is of tremendous importance to our country, even though it is not absolute and unlimited. *New York Times Co.* v. *Sullivan*, 376 U.S. 254.

Newspapers and other news media must make a greater effort to report the news with integrity, accuracy and fairness. It is not an exaggeration to say that newspapers and news media are vital and indispensable for the protection of the public against crime and criminals. No matter what wellintentioned or unrealistic people may say, the surest way, if not the only way, it is possible for law-abiding citizens to be alerted and to adequately protect themselves against criminals is to be informed of a crime as soon as it happens, together with all relevant details about when and where and how the crime occurred, and the pertinent data about the suspected criminal or criminals. Well-meaning persons who believe that this press coverage, with its protective shield for the public, will prevent a fair trial are mistaken for two reasons: first, a

defendant has a large number of peremptory challenges of a jury and also unlimited challenges for cause; and, second, if the press publicity so prejudices a defendant that a fair trial for the accused cannot be held in the community where the crime occurred, the courts possess—and whenever necessary exercise—the right to transfer the trial of such a case to another county or another location.

• Most pressing, and I believe most important of all, every violator of any and every law must be speedily tried and, if found guilty, appropriately punished! Mollycoddling, lenient judges and other well-meaning visionaries blandly and blindly overlook the realistic fact that the avalanche of crime which is inundating our country can be substantially reduced only by swift, certain, and commensurate punishment. Commensurate punishment means, today, a punishment or sentence which will be a powerful deterrent to prospective and repeating criminals. These soft-hearted judges forget that punishment is imposed on a convicted criminal: first, for the protection of the public; secondly, and especially during a crimewave, as a deterrent to future crimes; and thirdly, for purposes of rehabilitation. If a prospective criminal knows that he may get probation or a suspended sentence or a short sentence for any crime he commits, what is he likely to do? Every citizen, except mollycoddling judges and unrealistic visionaries, knows the answer.

I cannot refrain from expressing my admiration for our wonderful FBI, which I know is shared by a vast majority of the people of our country. I know of no group or organization or department of our Federal, State, or local government which is held in such high esteem and which has done so much to aid and protect law-abiding citizens from criminals under the magnificent leadership of its Director, J. Edgar Hoover.

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#### NA GRADUATION

(Continued from page 8)

- Edward J. Mullen, Perth Amboy, N.J., Police Department.
- James M. Murphy, Norwood, Mass., Police Department.
- Gary A. Nelson, Minnesota Bureau of Criminal Apprehension.
- James Richard Newsom, Port Arthur, Tex., Police Department.
- James Adam Oliver, East Norriton Township Police Department, Norristown, Pa. John A. Patrikus, Portsmouth, N.H., Police
- Department.
- Kovid Phupanich, Thai National Police, Bangkok, Thailand.
- Earl M. Reynolds, National Bureau of Investigation, Manila, Philippines.
- William F. Roche, Jr., New Haven, Conn., Police Department.
- Nieves Joseph Rodriguez, Waco, Tex., Po lice Department.
- Whitney O. Rosaaen, San Leandro, Calif., Police Department.
- Charles V. Ryan, Oklahoma State Bureau of Investigation.
- Thomas James Ryan, Silver City, N. Mex., Police Department.
- Charles Robert Sanders, Centralia, Ill., Police Department.
- Pramoat Sangmitr, Thai National Police, Bangkok, Thailand.
- James A. Schreiner, Burlington, Iowa, Police Department.
- Larry Dean Scott, Ogden, Utah, Police Department.
- Robert E. Sheehan, Chicago, Ill., Police Department.
- Neal G. Shields, Shreveport, La., Police Department.
- Seymour Silver, New York, N.Y., Police Department.
- Glenn C. Simmons, Clark County Sheriff's Department, Las Vegas, Nev.
- Walter E. Simpson, Little Rock, Ark., Police Department.

Michael Skotzko, U.S. Army.

- Harold D. Smith, Federal Bureau of Investigation.
- William E. Squyars, Duval County Patrol, Jacksonville, Fla.
- George W. Stephan, Federal Bureau of Investigation.
- George A. Strong, Federal Bureau of Investigation.
- Marion R. Taylor, North Olmsted, Ohio, Police Department.
- Santiago Ybañez Toledo, National Bureau of Investigation, Manila, Philippines.
- Douglas L. True, Frankfort, Ky., Police Department.



Director Hoover presented the John Edgar Hoover Medal for Excellence in the Study of Law Enforcement to Chief Investigator Mal G. King, Ventura County District Attorney's Office, Ventura, Calif., prior to the graduation exercises. The class officers of the 82d Session received plaques bearing the seal of the FBI National Academy on that occasion. Shown at the time of the presentation are, from left to right: Mr. Howard H. Earle, Chief Administrative Division, Los Angeles County Sheriff's Department, president; Mr. King, who is also class secretary; Mr. Hoover; Investigator Gary A. Nelson, Minnesota Bureau of Criminal Apprehension, St. Paul, Minn., treasurer; Lt. W. A. Tudor, Arkansas State Police, Little Rock, Ark., vice president; and Assistant Director Joseph J. Casper, FBI Training Division.

W. A. Tudor, Arkansas State Police.

- Miles Curry Turner, Jr., Tampa, Fla., Police Department.
- Harry E. Vandevort, Prescott, Ariz., Police Department.
- Ashley Vick, Anne Arundel County Police, Millersville, Md.
- John K. White, Hawaii County Police Department, Hilo, Hawaii.
- Kermit E. White, Longview, Wash., Police Department.

- Herbert T. Williams, Newport News, Va., Police Department.
- Richard T. Wilson, Billings, Mont., Police Department.
- Richard R. Wolfe, Fairbanks, Alaska, Police Department.
- Lynn S. Wood, Stanislaus County Sheriff's Department, Modesto, Calif.
- Ronald James Woodward, Vermont State Police.

#### VISION OBSCURED

Merchants in a southern State are experiencing difficulty in maintaining their security systems. Camera devices which have proven very effective in identifying burglars in the past are being sabotaged. In the latest attack the thieves eliminate the pictures by spraying black paint on the camera lens. This also damages the cameras.

As a countermeasure, proprietors are considering installing cameras in the ceilings, and efforts are being made to conceal the devices behind air conditioning grillwork or other camouflage. They consider the technique too valuable to abandon.

#### POLICE REORGANIZATION

#### (Continued from page 11)

that a good educational background, other things being equal, enables a police officer to better serve his community.

The question is asked of our department, "What happens to the individuals already in the department who cannot compete with the new appointees who have 2 or 3 years of college or a college degree?" Our entrance standards are very high and we have very few people in the department who did not meet these standards on entering. These persons have been in the department for 15 years or more, and we have been able to assign them to positions compatible with their education and training. These men are still valuable to our department because their experience cannot be replaced, and we have no intention of phasing them out.

#### **Position** for Women

We have established still another position within the department that is open to persons who meet all our standards, except possibly that of education, age, or physical condition. In this group are certain key female employees of the department who are unable to function as full-time Public Safety Technicians. The position has been designated Police Agent. There are five salary steps in the Police Agent position, and the fifth is immediately below that of a Probationary Employee.

The Police Agents work primarily in civilian clothes. Most of the female Police Agents are assigned to work within the station house, such as interviewing females, matron duty, typing, clerical work, radio dispatching, and assisting in the identification section.

We do not anticipate that all our female employees will become Police Agents. Police Agents must take the same classroom instruction as other police officers, as well as defensive tactics and firearms training, be able to pass all examinations satisfactorily, and be available for outside work when necessary. A number of our female employees have already had the basic training phase.

New insignia to designate the various positions within the department are still under consideration. At present the Probationary Employee's uniform consists of khaki trousers and shirt, and his badge and cap piece have the wording, "Police-Victoria, Texas." The Public Safety Officer wears the regular blue uniform with sidearm and the same badge as the Probationary Employee. The Public Safety Technician wears the same uniform and a two-tone badge with the wording, "Technician-Victoria Police." The Assistant Division Manager and the Division Manager wear the same blue uniform and badge as they did under the old system.

Currently, we are surveying and evaluating our reorganization. We have found that the public as a whole, especially those of the business community, are all for the new system. They understand we are in a business and our business is people. We are better able to relate to them and they are better able to relate to them and they are better able to understand our problems. We believe that public acceptance of our reorganization will mean renewed interest and support of our department and its responsibilities.

Our department is not covered by police civil service. We operate under a merit system. New employees are brought into the department after the completion of a very complicated and extensive application. The applicant is also submitted to a rigorous and thorough background investigation, and a physical examination. After he enters the department, his compensation and responsibility are increased as he proves himself.

The department is operated in a very flexible manner as opposed to military rigidity. All changes of policy are thoroughly discussed in staff meetings and any alternatives are considered. The department is not operated by majority vote, but the Director of Police receives and considers the combined ideas of his staff and then makes his decision based on the proposals brought out in the staff meetings. There is no way for the Director of Police to transfer his responsibility to the staff; consequently, he must make the final decision.

After working under our reorgani-, zation for the past year, we are of the opinion that it is a workable structure and that we wish to continue the plan with modifications as they are needed.

## POLICE RADIO

It has been reported that militant leaders in some areas have been instructing members on ways to interfere with police radio networks. They suggest that some kind of wedge, such as a pin, toothpick, or matchstick, be placed in the recessed area of the transmitter button on the police car radio so that the transmitter mechanism will be "on," or operative, on a continuing basis.

It is well known that transmitters which are "on" at the same time may " mutually interfere with each other, and thus the radio communication of several cars could be disrupted or materially affected. The militants reportedly recommend this action when there is a great deal of confusion at a scene, when suspects are placed in a police car, or at any opportune time, depending on the circumstances, when the police officer's attention is diverted sufficiently to permit tampering with the radio equipment.



The cap head on the raised end of this pipe bomb, one of 13 recovered by Toronto Police, is missing and appears to have been blown out by the explosion.

## **Canadian Bombings**

On the morning of September 24, 1968, a series of bombings occurred at 13 homes in Toronto, Ontario, Canada. Investigation by the Metropolitan Toronto Police (MTP) has disclosed that unknown persons planted explosive devices near the residences of present or former executives of two firms engaged in producing materiel used by the United States in the Vietnam conflict.

Each bomb comprised a piece of galvanized pipe, 2 inches in diameter by 6 inches in length, threaded and

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capped at both ends with a galvanized cast metal screw; two legs formed by a piece of wire coathanger attached to the pipe by shiny, perforated plumber's strapping fastened together with a 2-inch stove bolt; and black friction tape wrapped around the pipe and over the upper part of the wire legs for added rigidity. The explosive used in the bombs, according to the Toronto Police, was ammonium nitrate possibly ignited by sulphuric acid and potassium chlorate. The caps contained no openings for a fuse

or detonator, and the force of the explosion either blew out the end of the cap or split the pipe.

Toronto police have also ascertained that the group responsible for the bombings had a local machine shop make up 50 pieces of pipe like those recovered. The police are concerned about the other 37 devices.

MTP officials have requested that anyone having information concerning the type of bomb depicted communicate directly with the Criminal Investigation Branch, Metropolitan Toronto Police, 590 Jarvis Street, Toronto 5, Ontario, Canada.

#### THE CUSTOMER WAS WRONG

The use of a fraudulent scheme to obtain merchandise through the mail was detected by an employee in the ladies' handbag and shoe department of a large store in a southern city. A customer with a long-established credit rating called in an order for the purchase of a handbag and matching shoes and asked that these be sent as a gift to a general delivery address. When the salesgirl had difficulty filling the order within the price range specified, she called the home of the person placing the order and asked for authority to substitute more expensive merchandise. Upon receiving the call, the person allegedly placing the gift order informed the employee that she had not made such an order. Of course, the employee realized there was an improper transaction.

Through the use of a dummy package and with the cooperation of postal inspectors, the subject was located. She was a former employee of the store who had been discharged as unsatisfactory. She was arrested by postal inspectors on a charge of fraudulently obtaining merchandise through the mail.

## WANTED BY THE FBI



LESTER EDWARD BROWNING, JR., also known as: Les E. Browning, Les Edmund Browning, Jr.

#### Interstate Flight-Murder

Lester Edward Browning, Jr., is currently being sought by the FBI for unlawful interstate flight to avoid prosecution for murder. Browning allegedly shot to death a male associate of his ex-wife at her residence in Santa Ana, Calif., on July 3, 1965.

After the shooting, Browning reportedly fled the State to avoid apprehension. A Federal warrant for his arrest was issued on July 8, 1965, at Santa Ana.

#### Description

Age	36, born Sept. 30,
	1932, Los Angeles,
	Calif.
Height	6 feet 2 inches.
Weight	190 pounds.
Build	Medium.
Hair	Brown (may have
	crewcut).

Eyes	Gray, reportedly
	blind in right eye.
Complexion	Medium.
Race	White.
Nationality	American.
Occupations	Advertising sales-
	man, part-time mu- sician (bass violin and tuba).
Remarks	Reported to be an avid outdoorsman; allegedly uses in- toxicants to excess.
FBI No	296,714 F.

Fingerprint classification:

20	L	5	U	4	Ref:	5	5	5	5	5	5	5
	0	2	Rt			1	3	4	9	10	11	12

#### Caution

In view of the crime for which Browning is sought and an allegation that he has suicidal tendencies, he should be considered armed and dangerous.

#### Notify the FBI

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

#### **MISSING PERSONS**

(Continued from page 15) nesia victim was a traveling nurse who often took extended trips with her patients; therefore, she was not reported missing in Chicago. Margaret was transferred to a State hospital in Illinois. She has since recovered and resumed her occupation.

Life in the missing persons section can sometimes be hectic, but it is not all grim. The policewomen sometimes may receive a call from a frantic person reporting a dog missing, or a young man who would like us to locate an attractive young blonde he met several years ago at a ballpark.

We work very closely with the Travelers Aid Society, Domestic Relations Court, social workers in hospitals, and many other agencies throughout Allegheny County. The largest part of our work involves juveniles, and we spend most of our time receiving and processing reports of runaways and conducting investigations to locate them.

Perhaps the policewoman's lot would be an easier one if parents would give their children the love and care they deserve. It is my earnest opinion that there would be far fewer incidents of delinquency and maladjustment among our young people if parents would devote more time and attention to their offspring.

#### FOR CHANGE OF ADDRESS

#### Complete this form and return to:

#### DIRECTOR

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-. FEDERAL BUREAU OF INVESTIGATION WASHINGTON, D.C. 20535

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

#### **FBI NA Associates Honor Historian**



Mr. Troy Coleman, Special Agent in Charge of the Springfield, Ill., FBI Office (left), is shown presenting an FBI National Academy seal plaque to Mr. William H. Morris, Operating Director of the Governor's Committee on Criminal Justice for the State of Illinois, and formerly Superintendent of the Illinois State Highway Police, as Hon. Ross V. Randolph, Director, Illinois Department of Public Safety, looks on. The honor was in commemoration of Mr. Morris' recent appointment as National Historian of the FBI National Academy Associates.

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

OFFICIAL BUSINESS

RETURN AFTER 5 DAYS

POSTAGE AND FEES PAID FEDERAL BUREAU OF INVESTIGATION

MR. FRANK DE MARTINO 198 WOODSIDE AVENUE NEWARK, N.J. 07104

### **INTERESTING PATTERN**



The pattern presented above is interesting because of the unusual ridge formation found at the center of the impression. This pattern is classified as a loop with 17 ridge counts.