

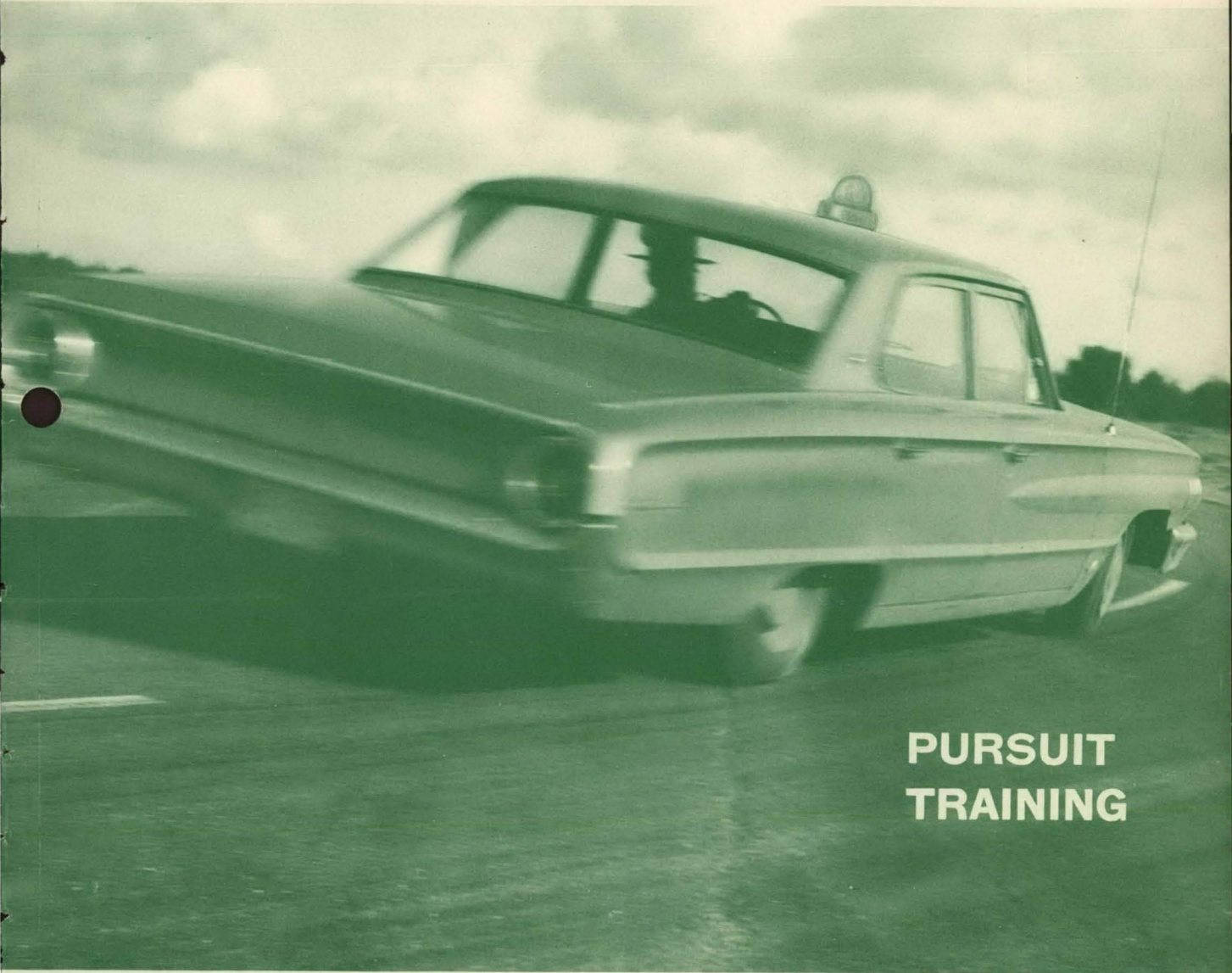
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JUNE 1966



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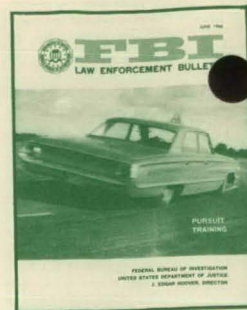
## LAW ENFORCEMENT BULLETIN



**PURSUIT  
TRAINING**

FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
J. EDGAR HOOVER, DIRECTOR

JUNE 1966  
VOL. 35 NO. 6



THE COVER—Pursuit training. Successful pursuit driving at high speed requires skill and training. See "Fast But Safe Driving" beginning on page 2.

# FBI

LAW ENFORCEMENT BULLETIN

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# MESSAGE FROM THE DIRECTOR

LAW ENFORCEMENT TODAY is being degraded, purposely in many instances, by the widespread and indiscriminate use of the term "police brutality."

This practice is called a guilt-by-language process by some individuals. They may be right. For example, the word "juvenile" has been associated with "delinquency" so often and so long that now, when used alone, it has a disagreeable connotation to much of the public.

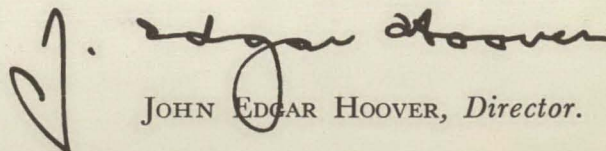
"Police brutality" conjures up visions of hulking men in uniform clubbing and beating innocent people. Rarely, however, does the term fit the circumstances to which it is applied. It is used in wild accounts of enforcement officers' lifting limp demonstrators who block busy thoroughfares, in references to oral commands by policemen who disperse potential troublemakers, in depicting efforts by officers to halt violations of the law, and in describing any number of other sworn duties performed by policemen.

We know there is a calculated and deliberate attempt by some groups to inflame hostility against law enforcement by charging "police brutality" without cause. To a large degree they have succeeded. The term is bandied about in all media of communication without serious consideration as to its true meaning or its harmful effect on a profession which is charged with enforcing the basic rules of civilized living.

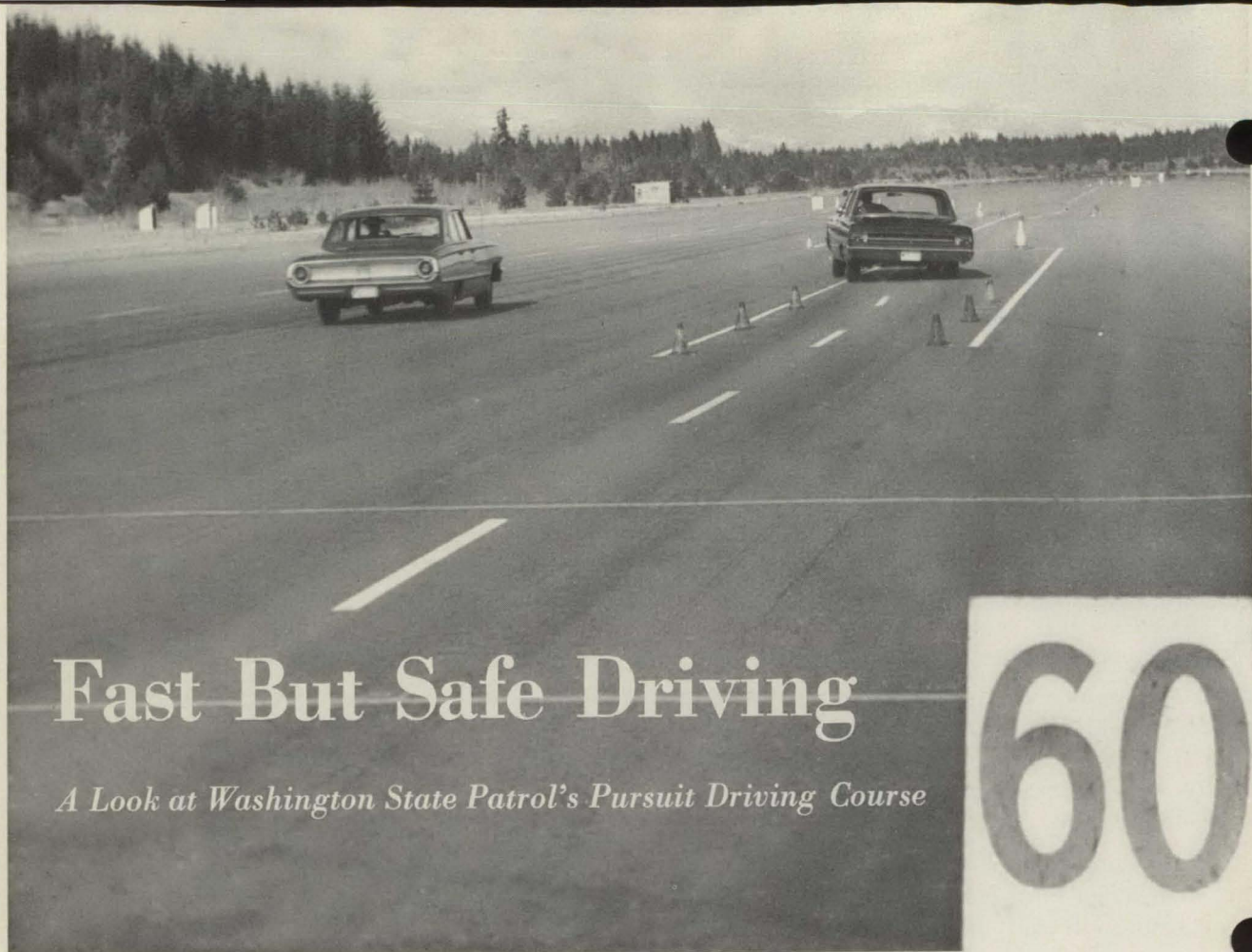
I agree with a growing number of responsible news editors, public officials, and law-abiding citizens that it is high time to get this "pet slogan"

into a better perspective. We do not deny there have been instances of misuse of force by enforcement officers, but such incidents are not as prevalent as the public has been led to believe. A general and accepted principle of the law has been that an officer may use such force as is necessary to make lawful arrests, protect his life, and perform other specific duties. Frequently, however, the choice is not his to make; he HAS to use force or be maimed or killed and have the rights of all the people trampled by those who have no respect for law or due process. Even then, his best efforts often are not enough, as evidenced by the appalling number of officers assaulted and killed each year.

Policemen have the same basic rights as others. There is no reason why they should be singled out for ridicule by invalid blanket accusations. The public, the press, and law enforcement itself should launch a concerted drive to stop the semantic indictment of police. Allegations and incidents should be reported and described in realistic, impartial, and truthful terms. If an officer is assaulted while making an arrest and uses undue force to subdue the person, then call it "undue force." If an officer uses profane language to a citizen, then describe it as profane language. If an officer is thought to be biased or prejudiced in his treatment of groups or individuals, then the complaint should so state. But the constant cry of "police brutality" as a catch phrase, exploited and used as camouflage for illegal conduct, is dead wrong. It is a stigmatization of police by rote.



JOHN EDGAR HOOVER, *Director.*



# Fast But Safe Driving

*A Look at Washington State Patrol's Pursuit Driving Course*

# 60

**WILL E. BACHOFNER**  
Chief,  
Washington State Patrol



One of the finest police driving ranges in the entire country is located approximately 2 miles north of Shelton, Wash. It is the Washington State Patrol Pursuit Driving Course—one which has helped to make the troopers of the Evergreen State expert drivers in every sense of the word.

Situated on an airport adjacent to the State patrol academy, the pursuit course stands ready to challenge all comers. Although built primarily for the troopers, several other police agencies have taken advantage of the training offered and have sent some of their officers through the course.

Inservice training for Washington State troopers is conducted on an annual basis when they report to the academy for other refresher courses. The seasoned troopers are checked out

on their driving habits and have an opportunity to brush up on techniques and skills learned during the basic training.

Cadet troopers, of course, spend considerably more time on the course. As beginners they receive 40 hours of behind-the-wheel instruction and practice, starting slowly the first few days and gradually working up to higher speeds compatible with and necessary to the needs of the modern-day trooper. In addition, the cadets receive 7 hours of concentrated classroom instruction, where they are given all the basic rules of safe and legal driving as well as various aspects of vehicle maintenance. On the eve of their graduation from the academy, they attend a 2-hour classroom review of the entire course. Strong empha-

sis is given to the emotional and objective aspects of driving, along with their responsibilities as troopers representing the department. They are figuratively brainwashed into doing their job in the best possible manner.

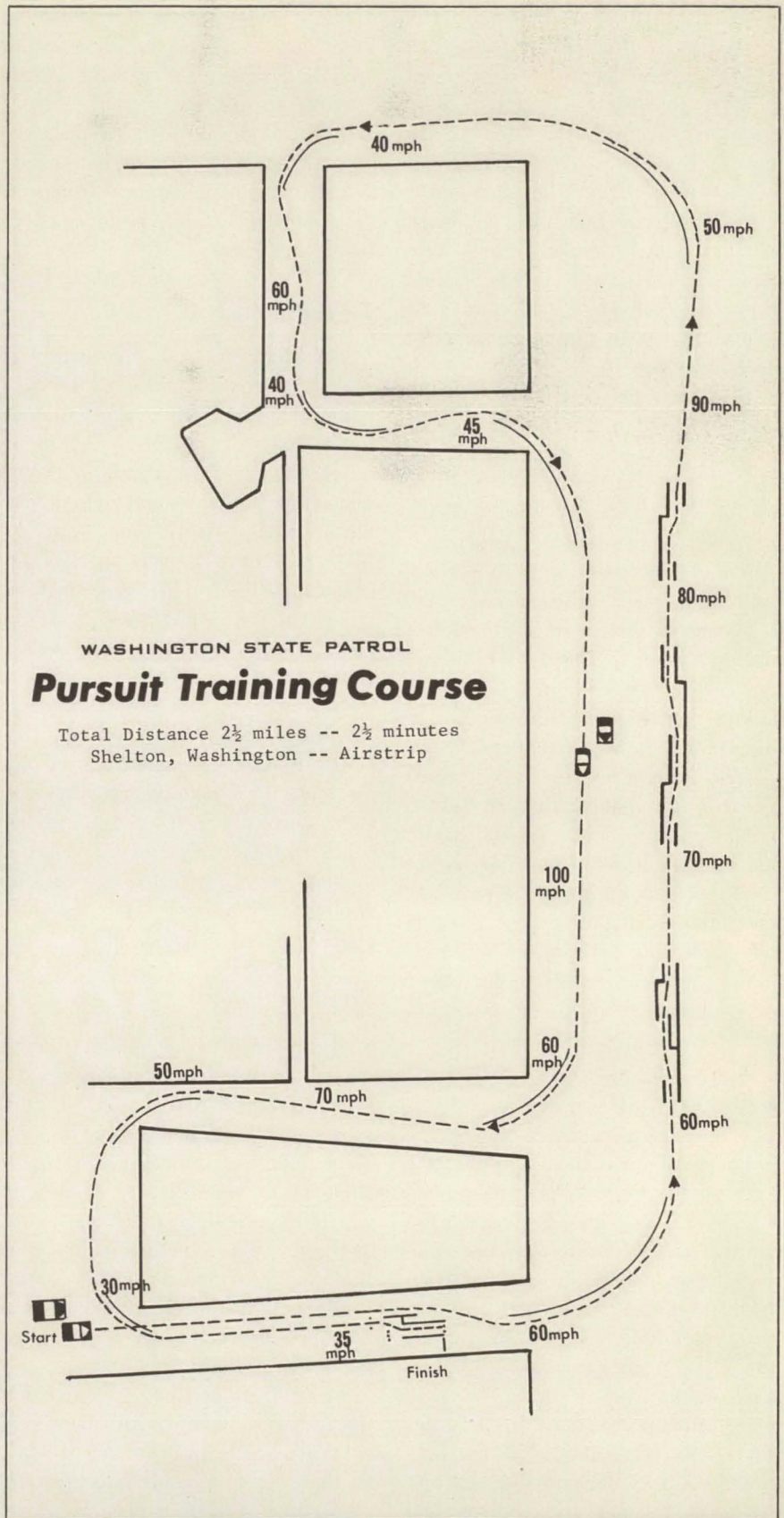
During the 10-week course of instruction, each cadet is sent into the field for a period of 3 weeks. During that time he is paired with a veteran trooper especially selected to work with him. Here the trooper-coach instructs, guides, and watches over the cadet in an effort to make him into a top-flight enforcement officer who will reflect credit and honor on the organization and the State. Careful attention is given to the driving ability of the hopeful cadet—his judgment, maturity, and the overall manner in which he handles his automobile. If he fails to favorably impress his coach, he may be washed out of the class.

### The Course

The actual pursuit course is a 2½-mile layout at the Shelton Airport. Special arrangements have been made with the airport officials and the Federal Aviation Agency for use of the airport. On those days when the course is to be used, arrangements are made with airport officials so that the proper authorities will be aware that this specific runway will be closed to air traffic. Another available runway easily handles all of the planes using the field.

For the information of pilots who may be flying over, two large canvas crosses—about 30 feet in length—are placed at each end of the closed runway. The arrangement has been a friendly one with the pilots in the area. Often they will taxi up and watch the speeding pursuit vehicles as they race along the course, negotiating sharp curves and making intricate maneuvers.

It takes about 20 minutes to set up



the course. A small-sized van truck is used to haul the rubber cones (the kind used by highway department crews), portable speed and warning signs, etc. from the academy to the track. Following a chart, a group of volunteers from the cadet class place the cones and signs at designated points. Markers are also painted on the road surface, so that the cones and signs will always be placed in exactly the same spot for each day's run.

Originally designed by Lt. George Amans, a veteran of some 29 years of service with the department, the course is truly a challenge to the best of drivers. It consists of sharp hairpin turns, long sweeping curves, sudden and emergency evasive maneuvers, all at speeds which could be bewildering to untrained and unskilled drivers. Actual speeds throughout the course range from a low of 30 m.p.h. to a high of 100 m.p.h. In the 100-m.p.h. area, troopers are required to drive between two cones so situated as to allow the car only 6 inches on each side. At 100 m.p.h. the distance between the cones seems to shrink. If the driver is not right on course, he has little time or room to correct his approach. However, if the cones are struck, no damage is done because they are made of rubber.

### ***Rough Curve***

It should be pointed out that the slow speed of 30 m.p.h. mentioned before should not be taken too lightly. It is one of the most difficult turns on the course—a hairpin-type curve that tests the ability of both car and driver. A few drivers can make it after considerable practice—none make it at first. If a driver attempts to take this particular curve too fast—above 30 m.p.h.—chances are the car will slide out into the dirt and off the course. But

again, no damage is done—escape areas are arranged at all possible trouble points. The ground is leveled off so that the “out-of-control” vehicle can go into the dirt and grass without danger to car or driver. It is not uncommon for new drivers to “lose control” at this point and end up off the course.

### ***Trying Maneuver***

Considered to be the most interesting and practical, as well as difficult, is the final maneuver of the course at the end of the run. At a speed of 35 m.p.h. the troopers enter into a pseudo-emergency situation where a car ahead has supposedly stopped directly in their path. In order to miss the stalled car, the troopers must make a violent swerve to the right without the use of brakes, then take a recovery action to the left and ultimately stop on the shoulder of the road. Of course, the entire maneuver is set up with cones to simulate the stalled vehicle. To make it more difficult, after the cadets have driven it a few times, the coach spreads a layer of sand on the driving surface, causing the cars to slide out of control if not handled properly.

### ***Additional Tests***

There are three somewhat similar maneuvers which tax the abilities of even the most adept drivers. At speeds of 60, 70, and 80 m.p.h., consecutively, the troopers come upon simulated emergency conditions which require them to change lanes at these speeds without touching the brakes. Still they must stay in the confines of the cones and lines—not touching any—in order to complete the action properly.

All troopers are taught to look for the escape route when an emergency situation arises, rather than “freeze” on the brakes and slide into the very object they wish to miss. This one

action alone, if all citizens were able to successfully practice it, would eliminate thousands of accidents on our highways.

While the speeds traveled throughout the pursuit course are high, emphasis is not placed on speed—but rather on caution. Over the years it has been found that this specialized training is a most important part of the trooper's success as a driver, but it is not the entire answer. On-the-job training and experience still play a big role in the development of a truly expert driver.

### ***Improvements Made***

Lt. Riley Bryant, training officer of the Washington State Patrol, along with Lt. Robert J. Ranney, pursuit driving instructor, and Sgt. Warren Maynard, member of the training staff, recently made a few changes in the actual running of the course. In three different areas speeds have been increased in order to bring out certain problems and challenges to troopers. In these particular areas the drivers were experiencing a minimum of difficulty. The instructors felt that if there were no challenge, little experience could be gained by the drivers. Those who drove the course before the changes now find no part of it a cinch—their entire concentration and ability are needed at all times.

Maj. Eldon J. Parke, director of personnel and training, has given full go-ahead to Lieutenant Bryant and the instructors to keep the course up to date. They are free to make any changes deemed necessary to benefit the troopers and cadets and to improve their driving ability.

### ***Running the Course***

The pursuit course, if run at speeds posted, takes 2½ minutes from start to finish. During those 2½ minutes even the most veteran drivers have



**Top**—Cadet troopers travel around course at greatly reduced speed to build confidence.

**Right**—High speed around curve causes blurred effect.

**Lower right**—Driving instructor, Lt. R. J. Ranney, demonstrates spinout which occurs when driver attempts final maneuver of course at too fast a speed.

**Low**—Instructor paces cadet around 40-m.p.h. curve. Cadet car, ahead, fails to straddle dotted line, thus losing 10 points.



their abilities thoroughly tested. All drivers, of course, cannot complete the course within the allotted time.

Scoring is done on a time basis. Lieutenant Ranney made hundreds of trips around the course, attempting to follow the speed signs as closely as possible. These test runs showed an average time of exactly 2 minutes and 30 seconds. Thus, each driver is expected to come as close as he can to the posted time when he runs the course for score.

It is felt that the speeds of the course, as now set up, are a fair maximum for an expert driver. Troopers are trained not to exceed the posted speeds. To come in at the end of the course in less than the allotted time means points lost for the driver. It may indicate he was driving too fast—perhaps approaching the point of recklessness. The same is true for the slow driver. He loses a given number of points for each second over the proper time. There is, however, a 5-second leeway to allow for

the difference in accelerating characteristics of the various pursuit vehicles. Ten vehicles are used solely for this work. They are patrol cruisers in good running order, but with a lot of mileage on them, and they will be sold when no longer suitable for the driving course.

### **Other Penalties**

Timing is not the only method of scoring. Starting with a possible 100 points, an errant driver can easily use up many precious points in a hurry. As noted, the entire course has strategically placed rubber cones, and the troopers must attempt to maneuver their vehicles through and around them without making contact. For each one touched, a deduction of 10 points is made. There is also a dotted line around the entire course—as on many highways—only in this case the vehicle must straddle it. The dotted line was painted on the course after many drivers experienced trouble finding their way through the various

maneuvers. If at any time a tire touches this line, another 10 points is lost. On curves there is a solid line merely to help guide the trooper; but again if a tire touches it at any point, he loses another 10 points. Thus, in addition to maintaining correct speed, the trooper must be concerned with not touching any cones or lines. He can lose points in a hurry if he becomes careless.

### **Slides and Spinouts**

But that is not all. If a driver actually loses control of his vehicle during an official run around the course (spins out or slides off the course into the dirt or grass), he loses all of the entire 100 points. In other words, he gets a zero grade for that run. Many newer drivers have this happen on more than one occasion while learning. There is one other scoring penalty. If, for example, a driver applies the brakes too hard and causes two or more wheels to skid, he loses 35 points. These last two errors (losing control and skidding) are considered to be serious breaches of proper technique by the instructors. If such a thing happened on the highway, it could result in a serious accident—the very thing which the pursuit course is designed to help prevent.

### **Lesson Learned**

One important thing has been learned while driving Washington's pursuit course—the chances of a car's tipping over on a flat, smooth surface are practically nil, regardless of the kind of maneuver attempted. Vehicles have gone into skids and spinouts at speeds in excess of 80 m.p.h. with no indication whatsoever that the vehicle tended to roll over. Many spinouts at high speeds have been done on purpose in order to study the "rolling" effect of the car; however, the car re-



Visitors are always welcome at the pursuit course. Here Lt. R. J. Ranney discusses the course with driving instructor from Shelton High School.

*(Continued on page 20)*





HON. WALTER J. FOUNT  
Associate Justice,  
District Court of Appeal,  
Los Angeles, Calif.

## A Search for Truth or for Error?

\*We are today, in my opinion, in a complete state of confusion as to what the law is with reference to investigating and prosecuting criminal cases.

Until the present class of appellate justices graduated and took over, there was, in the legal world, a doctrine or rule known as "stare decisis." Those words translated mean to *adhere to precedent*, and not to unsettle things which have been satisfactorily settled for many, many years. In other words, it is a *rule of common sense* that rules of conduct should be settled to the end that society, the people of the community, including police officers, would know what to do in the future in a given type of case. No one argues that any rule which is absurd, ridiculous, or unjust on its face ought to be continued in effect—yet, we should give due consideration to the judgments of those persons who

have gone before us and successfully conducted the affairs of this country for 150 years. One of the reasons we have grown great, and have the country we have, is because of what those people of substance did and said.

And in speaking of the founders, they did not provide any statement, inference, or otherwise, to the effect that an appellate court shall be a super legislature and entitled to enact into law that which the people *do not* want, or to legislate judicially into the law that which the people, sooner or later, will not accept.

As one Justice of the Supreme Court of the United States stated some years ago, with reference to this matter: "The viewpoint in question indicates an *intolerance* for what those who have composed this court in the past *conscientiously* and *deliberately concluded*, and involves an assumption that knowledge and wisdom resides in us which was denied to our predecessors.

"The reason for my concern is that the instant decision overruling that announced (some years ago) tends to bring adjudications of this tribunal into the same class as a restricted railroad ticket, good for this day and train only." (*Smith v. Allwright*, 321 U.S. 649, 669.)

Law to be obeyed or enforced must necessarily be known by all who have to do with it—the members of a community, the law enforcement agencies and the judges, and others engaged in the administration of justice. *Law to be known must be fixed, and substantially or reasonably constant.*

In other words, the rule of "stare decisis" gave balance, stability, and symmetry to our law and to society. It took out the capricious element in the administering of justice. It kept the scales of justice even and steady and not liable to wavering with every new judge's opinion—that matters would be disposed of, not in accordance with the whim or caprice of any individual judge, but according to

\*This presentation was made by Justice Fourn before the North Area Police Association, Los Angeles, Calif., on November 3, 1965.

established, known laws and customs of the country. In other words, judges ought to expound the law as it is and not take upon themselves the responsibility of pronouncing new law.

We have witnessed, literally, in the last few years a veritable tearing up by the roots of the fundamentals, the old cornerstones of the administration of justice—and, strange as it may seem, in many, if not in most, of the cases of recent date where this has been done, the courts have stated in part, and given as one reason for their opinions, *that the police must be taught a lesson.*

All of this, in my opinion, has led to a breakdown in law and order—respect for the courts in many areas has diminished—vicious and violent criminals run rampant and many are turned loose to prey again on innocent victims.

### **Justice Cardozo**

It was Justice Cardozo who said in a case: A judge “should draw his inspiration from *consecrated principles*; he is not to yield to *spasmodic sentiment*, to *vague* and *unregulated benevolence*, but must exercise a discretion tempered by tradition, methodized by analogy, disciplined by system and subordinated to the *primordial necessity of order* in the social life.” And continuing: “Logic and history, custom and utility, and the *accepted standards of right conduct* are the forces which singly or in combination shape the progress of the law. Which of these forces shall dominate in any case must depend largely on the *comparative importance of the social interests that will be thereby promoted or impaired.*”

Disrespect for precedent tends to make our Government into *one of men*, instead of *one of laws*. In other words (as we presently operate), the law turns into what one Supreme Court Justice of the United States de-

cides that it is, if he can get four, or one-half, of the remaining members of the court to go along with him. Or in our State of California the law is what one justice states it is, if he can get three of the remaining members of the court to agree with him.

I am certain that the American people want a written constitution as we had for the first 150 years of this country's existence—they want no part of a constitution which is made up, altered, modified, and changed from case to case, term to term, or year to year to suit the personal or ideological whims of an everchanging majority of any Supreme Court. I am confident that the thinking of the great majority of decent people in this country is that they do not want the Constitution amended by judicial fiat from day to day and that they are not favorably impressed with much of the judicial legislation.

In other words, it is my opinion that the power of the appellate court to interpret is not synonymous with the power to amend. The power to interpret the Constitution is the power to ascertain its meaning. The power to amend the Constitution is the power to change its meaning.

You may wonder what all of that has to do with police and the appellate courts. The suppression of evidence and the exclusionary doctrine are the legitimate offspring of this tendency to ignore the “*stare decisis*” doctrine.

For a moment, let me call to your attention another activity which is taking place in our midst, on our campuses, in our parks, public buildings, and streets. We see many publicly paid professors refusing, or at least neglecting, to take the lead in becoming dynamic forces in the struggle to establish and maintain law and order. To the contrary we see them pursuing the course of aiding and abetting every forlorn cause which comes to the sick mind of some be-

wildered beatnik. Seemingly, they have no thought that lawlessness is no imaginary enemy.

Defiance of the law receives encouragement from many publicly paid employees. Disrespect for law and order has for all intents and purposes taken on an aura of respectability in many areas. Civil disobedience seemingly now travels under the guise of academic freedom in many of our public institutions. Many segments of our society are thoroughly imbued with the belief that it is wholly fitting and proper to violate any law with which they disagree. That attitude or state of mind is the stuff out of which come anarchy, insurrection, riots, looting, and general disorder.

What has all of that to do with appellate courts? It is my belief that (whether intentionally or not) the opinions of many courts with reference to racial disorders and civil disobedience have indirectly, at least, put a stamp of approval upon such conduct.

Citizens must ultimately choose between lawlessness and regulated order. I know that presently there is the widespread attitude of, “Oh, well I don't want to get involved”—and, as a consequence, many crimes go unpunished—but that attitude will ultimately lead to destruction. Crimes are increasing at least 5 to 6 times faster than our population.

### **The Question**

Can anyone honestly and conscientiously say that the decisions of appellate courts of recent years have not played a major role in creating the situation or conditions under which we now live?

Every person charged with crime and particularly the recidivist, as of this date, knows that the scales are balanced in his favor. Justices and judges under the ultramodern rules seemingly many times make a search

for error rather than for truth. In fact, no one can legitimately argue that a trial in California is a genuine search for the truth—the whole truth and nothing but the truth. Seemingly, a trial becomes a game between the State on the one hand and the defendant on the other. The judge is for practical purposes an umpire, there to see to it that each side observes the rules of the game (the latter of which are handed down to him from above from day to day). The judge or jury simply assists in determining a part of the truth from the evidence which the parties can or choose to present. Society cannot afford such games.

### Practical Men

The Founding Fathers of the Constitution—George Washington, Benjamin Franklin, James Madison, and others—were not visionaries toying with speculations and theories, but were practical men, dealing with the facts of political life. Does anyone believe that they thought they were placing a provision in the Constitution or any amendment thereto which would free such patently guilty men as Massiah, Escobedo, Mallory, Terry, Lopez, Dorado, Morris, and dozens and dozens of others? Don't you believe it!

They wanted a written constitution—all to the end that there would be "equal justice under law," and not justice according to the personal notions of the temporary occupants of the appellate courts.

It was not so long ago that Justice Jackson in *Brown v. Allen* said in a concurring opinion: "Rightly or wrongly, the belief is widely held by the practicing profession that this Court no longer respects impersonal rules of law but is guided in these matters by personal impressions which from time to time may be shared by a majority of the justices.

Whatever has been intended, this Court also has generated an impression in much of the judiciary that regard for precedents and authorities is obsolete, that words no longer mean what they have always meant to the profession, that the law knows no fixed principles—I know of no way we can have equal justice under law except we have some law."

The suppression doctrine appears again in a most recent case, decided in the closing days of the last term of the Supreme Court, *Estes v. State of Texas*, 85 Sup. Ct. R. 1628, 1636, where the court had under consideration the matter of televising trials. The defendant was charged with swindling, the trial was televised against the defendant's request, he was convicted, the Supreme Court reversed, saying that he was deprived of his right under the 14th amendment to due process of law. So far there is nothing unusual about the case—keep in mind, however, that there was no problem with reference to identification. However, in the opinion is some wording which is frightening for it gives a clue as to what may be next in the list of procedures which are to be outlawed. The court said, "Finally, we cannot ignore the impact of courtroom television on the defendant. Its presence is a form of mental—if not physical—harassment, resembling a police lineup or the third degree." The court then goes on to talk about the "inevitable closeups of his gestures and expressions"—which "might well transgress his personal sensibilities, his dignity, and his ability to concentrate. . . ."

It would seem that the court puts a "police lineup" in the same category as a "third degree" which has long since, and properly so, been outlawed. I predict that in the not too distant future the court will declare "lineups" out of bounds, and down the drain will go another very important inves-

tigative tool of law enforcement.

You know and I know that there is nothing about a "lineup" which is in any sense comparable to a third degree, but that, in my opinion, is what the court, in effect, has decreed.

If a simple police lineup is in the mind of a court comparable to and in the same category with the "third degree," I suggest that perhaps the day is not too far distant when someone may do more than hint that the taking of fingerprints is degrading and brings the suspect by his own act into disrepute and tends to convict him of a crime—and, therefore, the fingerprints should not be used against a suspect.

There is a school of thought in the judiciary which looks upon any confession with horror, the philosophy being that the use of a confession goes contrary to the privilege against self-incrimination. In other words, since a man cannot be compelled to testify against himself at a trial, where he has adequate judicial safeguards and the assistance of counsel, he should not be incriminated by his words made prior to trial, even though the words are spoken freely and voluntarily in every sense of the word.

### Bar All Admissions?

You think that it is farfetched—listen to what Justice White, one of the dissenters in *Escobedo* said: "The decision is thus another major step in the direction of the goal which the court seemingly has in mind—to bar from evidence all admissions obtained from an individual suspected of crime whether involuntarily made or not."

I like the comment made by Justice Learned Hand some 40 years ago when he said: "Under our criminal procedure the accused has every advantage. . . . Our procedure has always been haunted by the ghost of the innocent man convicted. It is an unreal dream. What we need to fear is the archaic formalism and the watery sentiment

that obstruct, delay, and defeat the prosecution of crime."

It is my opinion that as the courts put into effect more and more suppressive or exclusionary rules, the crime rate goes up and up. There is more than just mere coincidence to that—there is a direct relation between the two. If that be the fact, then the appellate courts are in part responsible for some of the criminality we are confronted with on a day-to-day basis.

As the Wall Street Journal put it: "The confusion arises *when sympathy for the unfortunate* merges into favoritism for the criminal. The line can get very fine."

The courts however, I think unfortunately, seem to have lost sight of the fact that a criminal prosecution is brought for the purpose of convicting the guilty. Necessarily, that includes the protection of the innocent. But in no event should an appellate court procedure be turned into a search for error to the end that the obviously and many times self-confessed, guilty criminal be turned loose into society to murder or rob again.

We have through *Escobedo*, *Mapp*, *Massiah*, *Dorado*, and other cases created a veritable paradise for the criminal—for, in effect, the police are handcuffed and a thorough, complete, and comprehensive investigation and interrogation of suspects is next to impossible. *I ask, what safeguards are there in any of those cases which are designed exclusively to protect the innocent?* Realism dictates that the rules announced, whether so intended or not, in fact protect the guilty.

It would appear to me that the justices of many appellate courts are misgaging the effect of suppression of evidence as a deterrent. What is a deterrent? It is something which deters. To deter means to turn aside or discourage through fear—to prevent from action by fear of consequences.

As I view it, there is no particularly undesirable consequence to a policeman as such, when a court refuses to receive into evidence unequivocal, positive evidence of guilt of a suspect. In what respect is the policeman badly hurt? It is the community and society that are damaged and badly so.

This is a strange paradox—many who most ardently advance the proposition that fear of prison is no deterrent to a criminal to the commission of crime are the very ones who so strongly urge that there is a deterrent effect on the policeman in the suppression-of-evidence rule.

I respectfully submit that when the decent people of a community or of this Nation become convinced that the safety of their families and themselves is in jeopardy, because law enforcement officials have been prevented by technicalities from convicting the guilty gangster, thereby permitting him to roam the streets, there will develop a bitter feeling with reference to law enforcement which will be most unhealthful and dangerous.

The Supreme Court repeatedly speaks of the right of privacy of the suspect—and that such right is implicit in the concept of ordered liberty; that the exclusionary rule—the doctrine of suppression—as an ingredient of that right is enforceable against the States under the due process provision of the 14th amendment.

The right to privacy surely means a legal or lawful use of that right. The Constitution, it seems to me, does not guarantee the unlawful use of any right, whether it be the right of privacy, the right of free speech, or the right to do anything else. You cannot shout fire in a theater and start a panic. You cannot claim a constitutional right to enter into a contract to steal. How then can it be legitimately claimed that the Constitution secures the right of privacy for the purposes of committing a crime which is the

net result of many of the search and seizure cases? Criminals—narcotics peddlers, rapists, and murderers—seldom operate in the open for all to see. They take advantage of the unlawful use of the right of privacy.

Why castigate a police officer because he discovers criminal evidence without a search warrant in the course of his job? Why be embittered with a policeman who has been smart enough to pierce the unlawful privacy of the criminal and catch him in his nefarious activity?

The Supreme Court of the United States itself once upon a time stated: "The Constitution of the United States *is not intended as a facility for crime*. It is intended to prevent oppression; and its letter and spirit are satisfied if, where a criminal purpose is executed, the criminal purpose be punished." (*Brown v. Elliott*, 225 U.S. 399.)

In other words, the Constitution was never designed as a shield for criminals.

I close with this observation—cannot and will not have unbridled individual liberties and at the same time have a safe and stable society. Individual liberties and rights cannot and do not exist in a vacuum. We have to have a decent and reasonably safe place in which to live and work—otherwise, there is no place within which to exercise our individual rights such as the right of privacy. In other words, to have "rights" without reasonable safety and security of life, limb, and property is meaningless.

As I recently concluded a dissenting opinion: "How refreshing it would seem, and how greatly enhanced the respect for the administration of justice, if appellate courts would not roam at will in the limitless area of personal beliefs and philosophy, but would make their decrees under the plain language of the Constitution."

# INVESTIGATORS' AIDS

## Bait for a Cat Burglar

A "cat" burglar in action over 5 years on the west coast plied his trade by cutting screens, jimmying windows, picking locks, and using any other means he found suitable to his form of operation. He appeared to have an uncanny ability for selecting likely and lucrative targets. An accomplice, driving him to the scene of his operations, leaving the area, and returning to pick him up after a telephone call, accounted for the absence of a car on or near the premises during the operation.

A likely suspect was eventually identified and, through him, his accomplice. But police had yet to catch them in operation.

An undercover officer, flashing a diamond ring and a huge bankroll,

appeared in a bar frequented by the accomplice. They soon became friends, and one day the accomplice suggested they go on a sightseeing trip over the border. The undercover man agreed, but before starting out, they stopped at his luxurious apartment. While there, the burglar's accomplice suggested that his friend leave his ring and bankroll home as it was unwise to take them along on their trip across the border.

After their departure, four police officers stationed themselves in the apartment to await developments.

On the way over the border, the accomplice found it necessary to excuse himself to make a telephone call. A few hours later the officers in the apartment heard the slash of a knife

on a back window screen. A figure, clad all in dark clothes and sneakers, slid into the room and went directly to the bureau where the money and ring had been stored.

The officers closed in on the burglar who did not give up easily, meeting the officers with slashing knife. But the odds were against him and he was soon overpowered. Aside from the bayonet-type knife, officers found on the man a supply of marijuana, a screwdriver, and a roll of friction tape, which he used to reduce the noise of falling glass when it became necessary to break a window for entry.

The cat burglar, credited with some 350 counts of burglary in the past 5 years, was sentenced to serve from 2 to 25 years in State prison.

*San Diego crimdel dated 10/8/65, Bufile # 63-4296-46.*

## BEWARE

In an effort to reduce the rising number of vehicles stolen in an eastern city, auto license branches are cooperating with city officials by offering advice to car owners. Included in the envelope with 1966 auto license plates was a card that cautions the car owner as follows:

1. Lock ignition and remove keys.
2. Lock windows and doors, and don't leave behind auto registration or other credentials in car as a thief might misuse.
3. Don't pick up hitchhikers.
4. Keep doors locked when driving. Don't lower a window when stopped by an unidentified person.

5. Be suspicious of car bargains. Check vehicle identification number against title number when considering purchase.

## DUPED DANCER

A group of young thieves, more interested in robbery than romance, would organize dance parties and invite at least one young lady of substantial means. While the girl was whirled around the dance floor, one of the thieves would take a key from her purse and have a duplicate made. At a later date the duplicate key would be used to enter and burglarize her apartment.

## A WET WHIM

A southern city was plagued by a wave of auto thefts. Although the stolen vehicles were used only for local transportation and soon abandoned, simple "joyriding" was not an adequate diagnosis, since in no instance had the keys been left in the car.

An arrested subject admitted these violations and boasted of the ease with which he had baffled the authorities. Armed with a squirt gun, he selected vehicles with pushbutton starters. A shot of water, which acted as a conductor, into the ignition and the simultaneous pushing of the starter button were all that was needed for an impromptu jaunt.

*Naples crimdel, 1/5/66,  
June 1966  
Bufile # 63-4296-21.*

*Rome crimdel, 10/7/65,  
Bufile # 63-4296-233.*

*Jackson crimdel, 4/27/65,  
Bufile # 63-4296-54.*



Courtesy of Durham, N.C., Herald-Sun.

New headquarters building of the Durham, N.C., Police Department.

ONE OF THE MOST MEMORABLE milestones in the history of law enforcement in Durham, N.C., was reached in recent weeks when city police occupied a new \$700,000 headquarters building.

For a period spanning almost 50 years, the police department was quartered in the basement of the Durham County Courthouse. These quarters, provided in 1916 for about 20 officers, housed a 125-man police force and 7 civilian workers. The facilities were long since outdated and lacking in adequate space and accommodations. So, approximately 3 years ago, city officials gave the green light for construction of a new headquarters building, one that would accommodate 25 years of projected

growth by the city and its police department.

The present 125-man force is expected to increase to at least 150 officers within the next 10 years, while the city's population, now approximately 95,000, is estimated to climb another 25 or 30 thousand within the same period.

Architects, along with the chief of police, were instructed to devise a plan for the new building for presentation to the city council, a structure which would be both modern and functional. The respective division heads, including the detective, training, identification, traffic, records, and uniform patrol divisions, were requested to specify their needs. Then, police officials visited other cities and

towns which had recently constructed new police facilities, drawing ideas from their observations in planning for the new building. After many months of serious study and preparation, the final plans were approved, the contract let, and construction commenced.

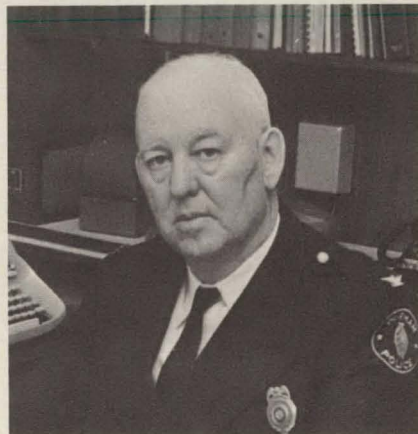
The new headquarters was completed in the early fall of 1965, but late arrival of new furniture and equipment caused a slight delay in occupancy. However, in mid-November 1965, police bade farewell to quarters they had known for a half century and took up residency in their new home.

Built of concrete and steel and completely air conditioned, the new building is located in downtown Dur-

# MODERN FACILITIES FOR GROWTH AND EFFICIENCY

**WILLIAM W. PLEASANTS**

Chief of Police,  
Durham, N.C.



At the opening ceremonies Mayor Wense Grabarek snips the ribbon as Chief Pleasants and Insp. James V. Cotter of the FBI watch.



ham adjacent to the city's relatively new No. 1 fire station, to which it bears a strong structural resemblance.

We have attempted to make the new facilities as convenient for the general public as possible, at the same time keeping in mind the convenience of members of the police department. The layout is arranged so that much-needed space lacking in the old building is provided, permitting the department to operate with a much higher degree of efficiency. The structure consists of four floors, including a subbasement, a basement, and two upper floors. For the public's convenience, offices are accessible from the lobby in the desk officer's area and the central records division on the first floor. The detective bu-



Clerical staff and Capt. R. T. Cannada.



Department's cooperative communications.

reau complex is on the first floor, adjacent to the records section and the identification bureau. First floor facilities also include four detention cells and five interrogation rooms.

Located on the second floor are offices of the chief and assistant chief—complete with walnut paneling and private restrooms—a training captain's office, and a conference room. In conjunction with the department's training program, a li-

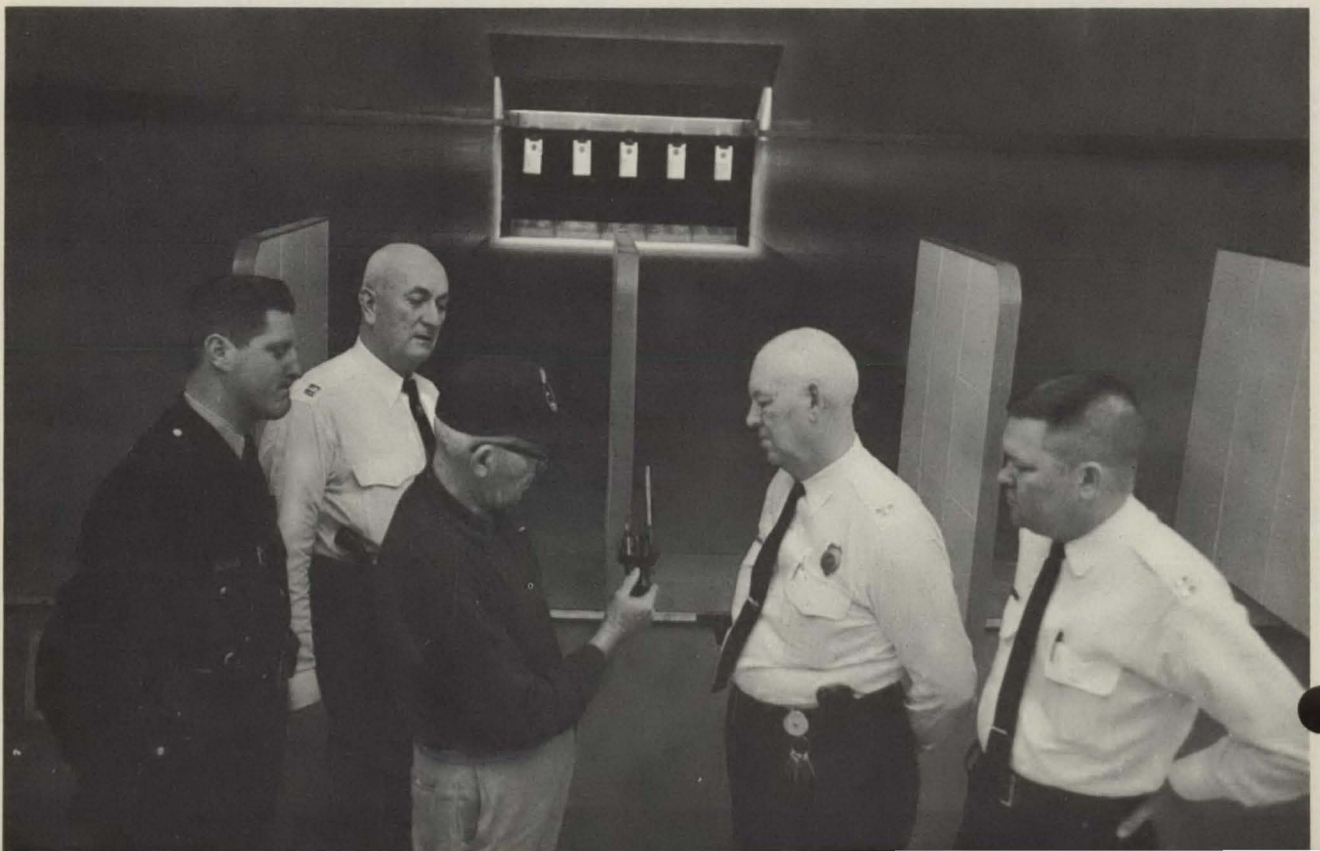
brary is provided where officers can go for reading and studying. If an officer so chooses, he can check out police volumes for study at home. Of special appeal to many patrolmen is the building's gymnasium area, including a basketball court, where volleyball facilities and various weight-lifting devices are available. Defensive tactics classes also are held in the gymnasium, and a complete physical fitness program is to be

inaugurated soon.

In the basement of the police building is an enclosed parking area designed to accommodate 41 police vehicles. Officers can drive into the basement and park when coming to the station on police business.

The combined communications center for police, fire, and civil defense operations is located in the subbasement. Police and fire personnel are assigned to the communications ce

On the pistol range, from left to right: Patrolman R. F. Ware, Capt. M. T. Yates, Capt. C. G. Rosemond, Chief Pleasants, and Captain Cannada.





ter on a 24-hour basis. It is equipped so that personnel on duty can assist each other in handling telephone calls and radio communications to and from officers in the field.

Under the new telephone system, a small telephone-type box enables the operator to answer and transfer calls much more quickly and efficiently than before. Following installation of telephone callboxes now on order, the use of conventional pull fire alarm boxes will enable citizens to report both fires and crimes directly to the communications center.

Offices of all civil defense personnel

are located in the center. The center has a protective factor of 100 against radioactive fallout. It will accommodate 82 people in case of emergency, adequate for all city and county governmental officials should it become necessary to go underground as a result of a natural or manmade disaster. The center also has a 2-week food supply, an infirmary, and sleeping quarters.

Also included in the basement is a 25-yard pistol range with five firing points and automatically controlled targets, where officers practice regularly. The new station has a modern

intercom system which reaches all points of the building.

In January, open house and dedication ceremonies were conducted at the new facility, and hundreds of visitors, including city and county officials and many out-of-town guests, toured the quarters. One featured speaker at the ceremonies hailed the structure as a challenge to the police department members, the courts, and the people of Durham County. At last a long-awaited dream had come true. The realization will long live in the hearts and minds of Durham citizens and police personnel.

## NATIONAL FRAUDULENT CHECK FILE

The FBI Laboratory's National Fraudulent Check File serves as a valuable tool in scientific law enforcement in tracking down the professional checkpasser who moves rapidly from one community to another. During 1965 the Laboratory received for examination 37,988 fraudulent checks with an indicated face value of over \$7 million. Through the National Fraudulent Check File, Laboratory experts were able to associate 22,229, or 60 percent, of such checks with previously received worthless checks, and in addition, approximately 20 percent were identified with signatures on fingerprint cards.

*FD Lab*

## SPECIAL DELIVERY

During the investigation of a nationwide gang of "cat" burglars, it was learned they used a unique means to avoid being caught with loot in their possession. They took along pre-addressed containers in which jewelry and money were quickly inserted, sealed, and dropped in the nearest mailbox.

*Troit criminds, 1/18/66*  
June 1966  
*Suppl # 63 - 4296 - 15.*

## DECEIT FAILS

A 40-year-old prison inmate, serving a life sentence in the Washington State Penitentiary on three counts of first degree murder, made an ingenious but common attempt to escape confinement. He constructed a life-size dummy of broomsticks and coat-hangers and draped prison clothing over it to simulate the human form. The clothing and hangers were padded with newspapers and rags to fill them out. Shoes were provided to complete the outfit. Newspapers molded into pulp and shaped to form the head were covered with masking tape and smoothed over with flesh-colored compound. Hair cuttings were glued to simulate an almost normal hairline. The dummy was then posed in the cell as if drinking from a cup.

In the dim light of the prison corridor, the fictitious form was amazingly lifelike at a distance of several feet.

A cell block officer making a close check was struck by the odd-looking figure and, upon investigation, discovered the deception.

The prisoner was found hiding in the commissary in the prison's industrial area, awaiting an opportune time to make a break.



(Photograph by Union Bulletin, Walla Walla, Wash.)

Life-size dummy found in prison cell.

*Seattle criminds, 7/30/65*  
*8/13/65* *Suppl #*  
*63 - 4296 - 50 -*  
*ser. 932*

# The NBI—

## *A Liberian Law Enforcement Agency*



**PATRICK MINIKON**

**Director,  
National Bureau of Investigation  
(NBI),  
Monrovia, Liberia**

In the incipency of law enforcement in Liberia, a small country on the west coast of Africa, all problems in this field were entrusted to men of the Liberian Frontier Force and the National Police Force. This manner of maintaining peace and order in the country remained the only effective means of combating criminal elements until the latter half of the 1950's when the rise of crime in Liberia indicated the need for a more professional police force.

At this time the government deemed it necessary to reinforce the law enforcement agencies by introducing plainclothesmen into its system. To make this possible, legislation was passed and the National Bureau of Investigation (NBI) was born on September 20, 1958. Below are ex-

cerpts of the legislative enactment which went into the creation of the National Bureau of Investigation:

Section 182. *Organization.*—The NBI shall consist of: the Investigation Section, the Records and Identification Section, the Interpol Clearing Center, and the Executive Security Section. It shall have such subsections and technical services as are necessary to carry out its functions effectively. It shall have its office in the capital city and such field offices throughout the Republic and the government which do not

Section 183. *Investigation Section.*—It shall be the function of the Investigation Section to investigate all crimes against the Republic and the government which do not normally fall within the jurisdiction of the National Police Force.

Section 184. *Records and Identification Section.* It shall be the function of the Records and Identification Section to keep accurate and current records on all known criminals within the Republic and to devise

a central fingerprint identification system to include all fingerprint classifications available. Such information shall be made available to all internal security agencies of the Republic upon request. It shall also be the function of this service to compile and publish an annual crime statistics report.

### *Establishment*

The National Bureau of Investigation was initially established as the Bureau of Special Services. It was headed by two policemen from the United States, Mr. A. Wilson Edwards as director and Mr. Walter A. Upshur as assistant director. These men came to Liberia for the purpose of establishing the first security agency in the Republic upon the request of the Liberian Government.

At the time of my attendance at the FBI National Academy in 1963, I was inspector of the NBI. Following the completion of the training, I progressed to the position of assistant director and subsequently was named director in February 1964.

The bureau was first housed in a small building on the corner of Guley and Front Streets, where it remained until August of 1962 when it was transferred to a larger building on New Port Street. In February 1964 the NBI office was moved into a larger building in the same vicinity, which afforded it better working space.

### *Jurisdiction*

The bureau is composed of personnel who have been well drilled in crime detection and investigation with abilities and capabilities developed above the average police officer. The agents of this bureau are specifically trained to do a special job and have jurisdiction over the following criminal categories:

1. Homicide.
2. Counterfeiting.
3. Forgery.
4. Extortion.

5. Kidnaping.
6. Narcotics.
7. Fugitives from the law.
8. Bank robbery.
9. Postal violations.
10. Revenue offenses.
11. Smuggling.
12. Many other cases that might be given to it by the President or the Attorney General.

### **Recruitment**

Whenever the bureau needs employees, notices to that effect are placed in the local press and broadcast on the radio. Requirements for admission are based on academic qualifications, results of a competitive examination, a searching background investigation, and a thorough physical examination. The applications are processed by the personnel in charge. The academic requirement for admission is a high school diploma or its equivalent. When a candidate has satisfactorily met these requirements, he is accepted and placed under training for at least 4 months. Upon successfully completing this course of instruction, he is assigned and placed on probation for 12 additional months and, thereafter, promoted according to his performance.

### **Reorganization**

The name Bureau of Special Services was changed to National Bureau of Investigation in January 1962, after a survey was conducted by Mr. William A. Cantrell, of Public Safety, U.S. Agency for International Development (USAID), and recommendation for the change made to the president, which he approved. Presidential security responsibility was taken away from the NBI in January of 1964; however, the NBI cooperates with all security operations performed by the Special Security Services, the agency created for the protection of the President of Liberia, as the stabil-

ity of a country depends largely on its ruler and his personal security is foremost in achieving this end.

### **Changes**

The NBI has made many changes during the last few years. As the pressure of work increased, there arose the need for additional personnel. This gave rise to the creation of new positions and retraining of the personnel.

Unlike the former Bureau of Special Services, the NBI has a director, a deputy director, and an assistant director. The director is the policy-maker of the bureau. His policies are enforced by the deputy director and the assistant director. In addition to enforcing the policies of the bureau, these men have assigned to them various areas of the bureau's operations which they are charged to supervise directly.

Next in rank to the leading officers is the inspector, who is directly responsible to the director. As the title suggests, the inspector is responsible for the inspections of the bureau's operational units and its field offices. His observations and recommendations are forwarded to the director for action. Other duties of the inspector include:

1. Conducting background investigations of applicants, recruits, and employees.
2. Investigation of all internal complaints as well as complaints from outsiders against members of the agency.

### **Structure of the NBI**

Presently the NBI has 125 men. Sixteen of these are civilians employed as clerks, mechanics, dispatchers, budget officers, public relations officer, and messengers. It is composed of six divisions headed by divisional

heads known as special agents in charge. These divisions are:

1. General Investigative Division.
2. Administrative Services Division.
3. Technical Services Division.
4. Training Division.
5. Records and Identification Division.
6. Criminal Laboratory Division.
7. Field Research Unit.

Some of the divisions are supplemented by various sections and units headed by commanders.

Attached to the general investigative division is a criminal intelligence unit known as Field Liaison Unit (FLU).

### **Functions of the Division**

The basic functions of the general investigative division are to investigate and process all violations within the jurisdiction of the NBI. These, of course, include the criminal categories mentioned above.

#### **Administrative Services**

The administrative services division controls the clerical staff, messengers, janitors, the supply office, and all other matters relating to the clerical phase of our operations. It also receives all daily reports from the special agents in charge for submission to the director.

#### **Technical Services**

The technical services division is responsible for the maintenance of the bureau's headquarters. It is also responsible for purchasing all equipment and materials for the use of the bureau. All technical matters are handled by this division.

#### **Training Division**

The training division organizes the training programs for the recruits and agents of the bureau. It is also responsible for in-service and specialized training programs.

#### **Records and Identification**

This division is responsible for the maintenance and safekeeping of our records and

all other important documents. It is here that indexes on names, etc. are kept, and it is through this division that the bureau usually identifies criminals.

### ***Criminal Laboratory***

The criminal laboratory is concerned with scientific crime investigations. It serves as an aid to investigations in the collection, examination, preservation, and preparation of evidence.

### ***Field Research Unit***

This unit handles security intelligence and investigations and information relative to aliens, immigrants, and others in similar categories.

### ***Police Training***

As police training is new in our country and the teaching of police science has not yet reached its highest stage, law enforcement agencies in Liberia organize their own local training programs, which are conducted at the National Police Academy.

The NBI, becoming aware of the necessity to have qualified and efficient personnel in an agency such as this, decided to give its training program priority. Training, at the inception of the bureau, commenced only when the bureau needed new members and, therefore, it remained on a small scale. Since it was noted that there were additional phases of training needed and a sound inservice training was desirable, the training division was established in January 1964. Through this division we have been able to give all of our recruits basic training and our agents inservice and specialized training.

The training course which qualifies a recruit for our work is conducted 8 hours daily for a 5-day week and continues for 12 to 14 weeks. In this course of instruction the recruits are exposed to material in the fields of legal procedures, human relations, special and general investigative techniques, self-defense tactics, handling



Mr. Minikon lecturing to a class of new recruits.

and use of firearms, responsibilities of the agency, etc. and a basic course in general and protective security.

### ***Foreign Training***

The NBI can now boast that it is no longer limited to local training. Through Public Safety, USAID, employees of the bureau have been privileged to obtain training in top-ranking American institutions, such as the FBI National Academy, the Treasury Law Enforcement School, New York Narcotics Bureau, International Police Academy, etc. Those who qualify for foreign training specialize in subjects such as administration and organization, training, handling of bombs and explosives, criminal investigation and intelligence, identification, questioned document examination, firearms examination, etc. Some of the agents who participated in foreign training are now the leaders of the bureau, while others are

servicing in technical and operational capacities.

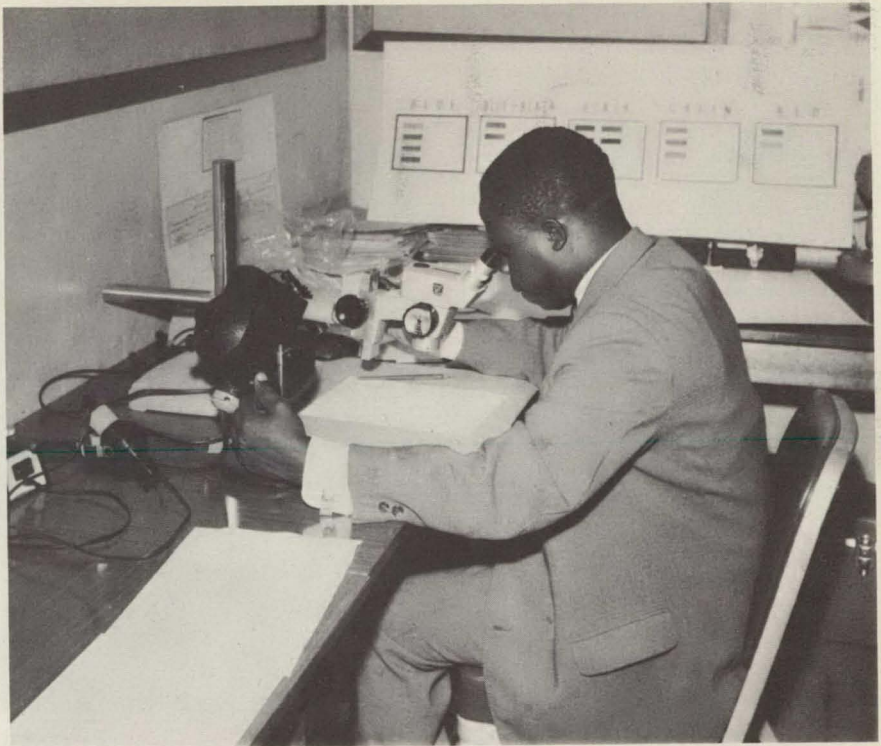
During the period January 1, 1964, to the present, there have been many achievements in the operational as well as the administrative areas of the bureau which have caused us to term this period the "period of progress." To give credit to this period, it should be mentioned that more of our men have received foreign training than ever before. In fact, there were only two men who had received foreign training prior to my administration. As a result of having trained personnel available today, the NBI has been able to uncover some of the most spectacular crimes in the criminal history of Liberia.

### ***Summary of a 1963 Case***

Following my return from the FBI National Academy, the Bank of Monrovia reported a grand larceny case to the NBI on September 26, 1963.

The bank representative stated that a crate, labeled Number 3 and containing \$70,000, was missing from among a shipment including two other crates while in transit between Monrovia and Buchanan. The manager of the Buchanan branch reported that a Number 3 crate received had been substituted for the original and, when opened, contained boxes of absorbent cotton pads instead of the \$70,000.

Investigation was initiated by NBI, and after a period of 6 days, a box with a serial number identical to the serial number of the boxes found in the substituted crate Number 3 was found in the room of one Charles Nimenibo, an employee of Liberian National Airlines assigned to the James Spriggs Payne Airfield. Nimenibo, a Nigerian national, born September 29, 1939, was arrested. He confessed the crime and revealed that the crate containing boxes of absorbent cotton pads was a counterfeit crate he had made and packed 2 weeks before the three crates were to be delivered to the airfield and flown to Buchanan. He had exchanged the counterfeit crate for crate Number 3, which had been secretly marked for him by a colleague employed at the Bank of Monrovia.



Portion of the scientific crime laboratory of the NBI.

This bureau maintains six field offices located in Harper City, Maryland County; Sanniquellie, Nimba County; Buchanan, Grand Bassa County; Greenville, Sinoe County; Robertsfield, Marshall Territory; and Voinjama, Loffa County. Soon we expect to increase the field offices to 12.

This has been an attempt to give you basic information about the NBI. We realize that the more we are informed about each other's operations, the greater is our desire for a closer relationship. It is, therefore, hoped that this information will be of interest to you and help pave the way for a much closer association.

### Prosecution

On October 4, 1963, Charles Nimenibo was charged with grand larceny and turned over to the department of justice for prosecution. Nimenibo was convicted in May 1965. Of the stolen money, \$58,845 was recovered by the NBI.

Since February 1964 the NBI has established a training division, a records and identification division, a criminal intelligence unit, a public relations office, a museum, and a criminal laboratory. All of these units have contributed considerably to the successful handling of our work in the criminal investigation field.

### CATTLE THEFT

Cattle thieves operating between midnight and daybreak in a southern State go to a pasture and shoot the cattle they want. They then clip the wire fencing and load the slain animals on a truck with an electric winch. In this way, the thieves are not as likely to attract attention as would be the case if they were to load live cattle on the truck. The beeves are then apparently cut up for meat and sold locally.

*Jackson Crumdel, 9/28/65,  
Bufile #63-4296-54.*

### VICTIM OF OWN PLOT

In a foreign movie a gang of burglars was shown breaking into a bank vault by smashing a hole in the wall from the adjoining room. Later, police report that real burglars did the same thing in a film company's office—making off with approximately \$64,000 in loot from the company's vault. Ironically, the film company owner proved to be the producer and director of the film portraying the burglary break-in.

*Romer Crumdel, 10/28/65,  
Bufile #63-4296-233. 19*

## PURSUIT DRIVING

(Continued from page 6)

mains fairly level on the roadway during such maneuvers. If the car were to strike a solid object or loose gravel, then, of course, the story might be different.

Most drivers upon first observing the high speeds at which the vehicles are driven around the course express fear that the cars will roll or wreck. After a short time of instruction and practice, they soon leave such worries behind.

### Course Worthwhile

Is the pursuit course a success, and is it worthwhile? A resounding "yes" can be given to both of these questions. Departmental accidents have been steadily decreasing, and the troopers themselves have gained a sense of security and ability which they did not have prior to the specialized training.

In today's high-powered cars, it is not uncommon for troopers to apprehend drivers in excess of 100 m.p.h. Of course, such extreme speeds present a danger to everyone concerned, but our troopers do have the advantage of having been trained at these speeds. The average driver has had little or no experience in high-speed driving.

Further, we much prefer that the new officers make their first high-speed runs under the controlled conditions of the pursuit course, rather than out on the highway. If they should make a mistake and get into trouble at those excessive speeds on the pursuit course, there is little danger to car or driver. On the highway the story would be quite different.

When cadet troopers are assigned to the academy, no assumption is made as to their driving ability. Nothing is left to chance in the training of these individuals. If they



Training Officer Riley Bryant (left) and Driving Instructor R. J. Ranney confer after a test run around a curve.

are already fairly good drivers, so much the better. If they lack experience, they are given extra time and training. In one case it was learned that a cadet had been driving only 2 weeks prior to entering the academy. He had gone into military service right out of high school and had practically no driving experience during that time. However, with the specialized training he received, he graduated among the top members of his class.

Cadets can be "washed out" if it is determined that they cannot make

the grade. If they do not become expert drivers, then there is no room for them in the Washington State Patrol.

Driving an automobile is one of the main functions our troopers perform during their tour of duty. Most of the time they are in full view of the public. It is felt that they must set good examples and that they must drive safely at all times, regardless of what the conditions or circumstances may be. In fact, they must be able to outdrive the other fellow. That is a vital part of their job.

## RACKETEERING

As a result of FBI investigations, some 80 persons were convicted during 1965 under interstate gambling and racketeering laws. Also as a result of FBI activity, numerous plush gambling casinos and houses of prostitution were eliminated.

*Press release, 1/6/66, p. 3.*

## A QUIET BURGLARY

Burglars in a southern city recently found an ideal spot in which to beat open a drug store's safe. They hauled it to a room reserved for testing hearing aids—conveniently sound-proofed—and worked on it with a hammer for over an hour undetected.

*Louisville criminal, 11/9/*  
FBI Law Enforcement Bulletin

*Bufile # 63-4296-27.*

# Prison Visiting Procedure Streamlined

The three prisons comprising the Philadelphia system, under the supervision of Supt. Edward J. Hendrick, like most institutions, are confronted with the problem of overcrowding, with resultant stresses and strains on the staff and on the various facilities—including the visiting sections.

Until recently visiting was allowed on a weekly basis to unsentenced inmates and on a biweekly basis to sentenced inmates, with no restrictions as to the days of the week on which visits might be made. As a result, a large volume of visitors came on Saturdays and Sundays to two institutions and on Mondays and Tuesdays to the third institution, and only a few visitors came on the other days. On the days of heavy visitor traffic, it was almost impossible to handle the volume of visitors, and much time was required to process them through the visiting office, particularly because of the problems of identifying them. They also had to spend up to a half hour in the waiting room and then might have only 10 minutes for the actual visit in a room filled with noise and confusion. This entire arrangement was unsatisfactory from everyone's point of view.

## *Changes*

In order to remedy the situation, several changes were made. To control the total number of visitors, unsentenced inmates are now allowed two authorized visitors, with each permitted one visit per week. Sentenced inmates are permitted four authorized visitors, with each visitor permitted one visit every 2 weeks. Changes in authorized visitors can be

requested by the inmate by application to the counseling division.

The warden has the right to refuse visiting privileges to persons whose reputation, conduct, or influence on the inmate may be considered prejudicial to the security or good order of the institution, but in the absence of sound reason for denial, the inmate's preference as to authorized visitors is honored.

## *Schedule*

To equalize, insofar as possible, the visiting load and facilitate the handling of visitors, the following schedule has been established:

**Mondays**—inmates with last names beginning with A, B, and C.

**Tuesdays**—inmates with last names beginning with D, E, F, G, and H.

**Wednesdays**—inmates with last names beginning with I, J, K, L, and M.

**Thursdays**—inmates with last names beginning with N, O, P, Q, R, and S.

**Fridays**—inmates with last names beginning with T through Z.

To take care of special situations, the warden is authorized to permit special visiting on Saturdays and Sundays, or to make other changes in the established schedule for visitors. This usually happens in the cases of inmates who by virtue of work assignments (farm and other outside details) cannot conveniently be brought in from work on the regularly established visiting day. It may also occur in situations where the visitor must work on the scheduled visiting day of the week. In general, special visit-

ing periods are permitted for hardship cases if adherence to the regular schedule might mean that an inmate would have few visitors.

## *Identifying Visitors*

In order to improve the method of identification of visitors, an automatic photograph machine was installed in the lobby of each institution. For 25 cents it will produce four views of a subject. Every authorized visitor must present to the officer in charge of visits one photograph which is affixed to a visitor's card kept in the file in the visiting office to provide ready identification of that person on all subsequent visits. As a further check, the visitor must also sign the visitor's card on his or her first visit. Each visitor's card has room for a total of four photographs and space in which to record the date of visit for each authorized visitor.

Visitors are not required to use the photograph machine in the institution if they can present an otherwise acceptable photograph. Each inmate at time of admission is supplied with a pamphlet explaining the visiting regulations, including requirements for photographs; this pamphlet may be mailed home by the inmate with the first letter sent out.

Results have been excellent. At first the limiting of visits for any one inmate to one specific day of the week resulted in some resistance because of visitors working on that day, etc. In all such apparent hardship cases, the visitor is asked to write a letter to the warden setting forth reasons and giving proof as to why he or she cannot

visit on that particular day of the week. These letters are evaluated on an individual basis by the counseling division, and a written reply is sent to the person from the warden's office, either approving or denying the request. Surprisingly, there have been relatively few such requests for special visiting privileges.

The use of the photograph machine has created no problem whatsoever;

*Incoming, 1/24/66, from Edward J. Hendrick,  
Supt. of Prisons, Phila., Pa.*

visitors accept it as a matter of course, and it has greatly simplified their identification.

The use of the procedure for visits on the days of the week depending on the first letter of the inmate's last name has equalized the load in the visiting room with the result that better control is possible, the time spent in the waiting room has been cut down, and visitors can have more time for visits

in a relaxed, quiet atmosphere. The use of photographs has resulted in more accurate identification and speedier processing of the visitors through the visiting office.

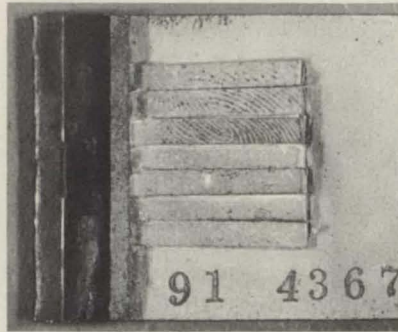
Maj. Fred Krueger, training officer of the Philadelphia prisons, states that the inmates, the visitors, and the institutions have all benefited from this stabilization in the visiting program.

## A RARE FIND

The latent fingerprint section of the FBI Identification Division recently developed a unique latent print submitted as evidence in the case of a bank robbery. A matchbook removed from one of three getaway cars used by the bandits yielded the unusual print.

Developed chemically, the legible ridge detail from the same fingerprint pattern appears across and on each of three paper matches. Continuity of the pattern was possible because of the proximity of the matches to each other. The latent fingerprint covers

an area only three-eighths of an inch wide, yet is complete and entirely legible.



Matches yield complete fingerprint pattern.

## FILMED EVIDENCE

The Colorado Supreme Court recently ruled that motion pictures taken by police officers of alleged drunken drivers are admissible in court.

The court held that sound motion picture film which is relevant and which depicts the demeanor and condition of a defendant charged with driving under the influence of either alcohol or drugs, taken at the time of the arrest or soon thereafter, is admissible in evidence. The court also ruled that even though the film shows the defendant's refusing to take sobriety and coordination tests, the film is admissible when it is offered to establish the defendant's demeanor, conduct, and appearance—and to show why sobriety coordination tests were not given by the police.

*Denver Crim. Div., 1/14/66, Bufile # 63-4296-13*

*Sanley to Trotter memo, 12/23/65, re: "Onkenon Subjects (4), Bank of Lake of the Ozarks, Lake Ozark, Mo., 12-1-65 Bank Robbery."*

## NEW PAY PHONES

The public in some areas will soon witness a major change in pay phone security and design. The new instrument, having only one slot instead of the usual three, will also feature a reinforced case, an armor-encased cord, and an absence of the familiar gong when coins are deposited. The new phones are much more rugged than the older type and will be much easier to maintain.

The change will take place in an effort to reduce vandalism and allow quicker and better service to the customer.

*Denver Crim. Div., 2/28/66,  
22 Bufile # 63-4296-13*

## NO PROBLEM

Police recently raided a \$7,000-a-day lottery bank in an east coast city. The bank was located in a lavishly decorated apartment equipped with a unique door-locking device consisting of a telephone-type dialing system. The door could be opened only by dialing the proper number.

This intricate mechanism, however, proved to be no great obstacle to the raiding party which possessed a search warrant. Receiving no response to their knock, they forced the device and carried out the raid as scheduled.

*Newark Crim. Div., 1/18/66,  
Bufile # 63-4296-31*

## CLEAN BREAK

Police in a Midwest city were temporarily baffled as to how burglars were forcing open the doors of homes and businesses but leaving little sign of damage. An attempted burglary of a hardware store provided the clue. The thieves were using a hydraulic jack to force the door jamb away from the door, thus disengaging the lock.

*Springfield Crim. Div., 2/1/66,  
FBI Law Enforcement Bulletin  
Bufile # 63-4296-52*



# Try, Try Again

In a recent latent fingerprint case handled by the identification bureau of the New Britain, Conn., Police Department, identification was effected in a manner reminiscent of those frequently portrayed on television by a fictional detective. The TV detective seems to have a knack for accomplishing what is highly improbable in a routine, matter-of-fact manner, while those persons actually engaged in the field of identification year in and year out rarely, if ever, seem to get the breaks for surmounting such odds. This case proved to be the exception.

It involved the breaking and entering of a local supermarket. Arriving at the scene, Lt. Armond Zenga and Sgt. Ernest Margelot of the New Britain identification division, both graduates of the FBI National Academy, learned that \$1,350 had been taken from a metal filing cabinet located near the front window of the store. The cabinet had been forced open with a meat cleaver. Entrance to the store had been gained through a rear door. This was a glass door with a metal frame. The glass in the door had been broken by holding a large piece of corrugated cardboard against it and striking it with a cast iron pipe. The large pieces of glass were then pulled out of the channel of the metal frame to facilitate entrance and placed on the ground beside the doorway.

## Fingerprints Sought

Processing of the filing cabinet, meat cleaver, etc. did not produce any usable latent prints. The six pieces of glass from the door were taken to the identification bureau for process-

ing. Numerous latents were developed, but many were disregarded, as they could belong to customers or employees using the entrance. Only those latents along the edges, where each piece of glass would logically have been gripped to pull it from the channel of the doorframe, were considered.

A long list of suspects was provided by members of the detective division. The known prints of the suspects were taken from file and compared with the latents, with negative results. The search was then extended to include comparison with the prints of all persons recently arrested by the department for a similar offense. This also proved fruitless.

## Latents Lifted

Sgt. Margelot then decided to attempt to determine from the position of the latents on the pieces of glass their relative position to each other, the type of pattern, etc., and by which hand and finger they had been made. It was his intent to then search all possible primary classifications in the department's file. Finger slippage, superimposures, etc. complicated matters.

Upon completing the task of lifting the latents, Sgt. Margelot had what he assumed were the patterns of six fingers:

|                          |                         |
|--------------------------|-------------------------|
| Right thumb, ulnar loop  | Left middle, ulnar loop |
| Right index, whorl       | Left ring, whorl        |
| Right middle, ulnar loop | Left little, ulnar loop |

However, in some instances pattern interpretation was questionable and it was further assumed that:

1. He was working with the prints of the culprit and had properly disregarded those impressions left by customers and employees.
2. If more than one person were involved, the latents had been left by only one person as the other would be the lookout.
3. That the culprit had at some time been fingerprinted by the department.

## Culprits Found

If all of his assumptions were correct, the 16 possible primary classifications of the file could be searched and an identification made. Such a search would require weeks, as it would have to be performed only as other duties would permit. Considering this time element, Sgt. Margelot made further assumptions. He assigned those fingers for which he lacked latents the same pattern type as the corresponding finger of the opposite hand. This gave him a primary of  $\frac{25}{4}$ .

Going to the file, he pulled all the cards of that primary. You can imagine his surprise when an identification was made as he examined the sixth card. The individual had been fingerprinted 2 years previously for carrying a pistol without a permit.

The followup investigation and interrogations were headed by Det. Capt. Thomas Ormsby, also a graduate of the FBI National Academy. The individual identified by fingerprints and his accomplice entered a plea of guilty in superior court to breaking and entering.

# Is This Bank Robber Someone You Know?



On December 18, 1964, at approximately 6:40 p.m., a lone white male entered the Southern Maryland Bank and Trust Company, at 3731 Branch Avenue, Hillcrest Heights, Md. Walking directly to the window of a female teller, he tipped his hat with his right hand. At the same time, he reached into the right inner breast pocket of his sports jacket with his left hand, pulled out a gun, and, holding it just above counter level, pointed it at the teller. The gun was later described as a hand weapon, believed to be a .38- or .45-caliber automatic.

The bandit then snapped, "This is it; give me the money." As the startled teller stared in disbelief, he advised her to "Smile." Seeing another bank employee approaching the area, the robber motioned with the weapon for the teller to hurry and warned, "I'm going to use it." He was hastily given the money from the cash drawer—some \$2,240—which he put in his right overcoat pocket with his right hand, still holding the

gun in his left hand. He stepped quickly out of the bank and his method of getaway was unobserved.

The robber was described as follows:

Height..... 5 feet, 9 or 10 inches.  
 Weight..... 150 to 170 pounds, possibly heavier.  
 Race..... White.  
 Age..... 28 to 30 years.  
 Hair..... Medium brown.  
 Eyes..... Hazel or gray.  
 Complexion..... Fair (neither tan nor ruddy).  
 Facial features..... Clean shaven; teeth very white and even; eyebrows trim and neat. Wearing 1/4-inch square of white adhesive tape below the left cheekbone.  
 General appearance... Immaculate; clean shirt; clean hands, trim and neat fingernails, no callouses.  
 Characteristics..... Believed to be left-handed.

Attire..... Black felt hat, fuzzy texture; jet black wool topcoat; dark brown and white pattern sports coat; no gloves; white shirt; tan or brown tie; shoes and trousers unobserved.

This unknown subject should be considered armed and dangerous.

The artist's conception of the bank robber, prepared by the Exhibits Section of the FBI, has been considered an excellent likeness.

Anyone having any information or knowledge believed to refer to this individual please notify the Director of the Federal Bureau of Investigation, 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 telephone directories.

*The Rocky Mountain News  
Denver, Colo., 4-20-66, P. 1*  
**COOPERATION PAYS OFF**

The unidentified woman whose picture appeared in the article entitled "Do You Know This Woman?" in the April 1966 issue of the Bulletin and her male companion were apprehended as a result of that publicity. They were arrested on April 15 in Savannah, Ga., by the Chatham County Police and the Savannah Police Department. The couple was wanted on charges of operating a fraudulent check scheme throughout the country. Arresting officers recognized them as the two individuals described in the Bulletin article. The woman's photograph and the modus operandi of the couple were the key factors leading to their exposure. The couple—identified as Charles and Jessie Henderson—claimed to be from Chicago but refused to admit their true identities or otherwise discuss their activities.

24 *Baltimore let, 4/6/66 re: Unsub: So. Md. Bank & Trust Co., 12/18/64 BR.*

## FOR CHANGE OF ADDRESS

Complete this form and return to:

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

\_\_\_\_\_  
(Name) (Title)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City) (State) (Zip Code)

## Program for Convicted Drunken Drivers

Convicted drunken drivers in Salt Lake City, Utah, in a program recently announced, will be interviewed by the Utah Alcohol Foundation to determine if they have a continuing alcohol problem. Should the foundation determine that an offender has an alcohol problem, he will be provided with a list of physicians and psychiatrists qualified to give proper treatment. Under the supervision of the Utah State Board of Adult Probation and Parole, which will assist with the

program, the offender will have 30 days in which to initiate a treatment program as an alternative to being jailed. He will be supervised by this probation group through a period of 6 months' probation imposed by the court to insure that treatment is undertaken.

The plan will necessitate amending the past sentencing policy of the court. This change will involve providing a 6 months' jail sentence and a \$175 fine in all drunken driving offenses. The

jail sentence will be suspended upon payment of the fine and compliance with terms of probation for a 6 months' period of medical care. Should the foundation determine at the time an offender is referred to it that he has no continuing alcohol problem, the case will be disposed of at that time.

The Salt Lake City Police Department has indicated its full cooperation with the courts in this program.

*Salt Lake City criminal, 10/29/65, Bufile # 63-4296-44.*

### LETHAL BLANKS

A weapon recently confiscated in substantial numbers in an eastern city is causing considerable concern to police.

It is an eight-shot, foreign-made starter revolver, capable of shooting American .22-caliber short blank ammunition or European crimp-type ammunition. The barrel of the revolver, normally lead filled, can be bored so that it will fire live ammunition. A

*Limore criminal, 10/13/65, Bufile # 63-4296-3-823.*

slug fired from the weapon will penetrate a 3/4-inch board at a distance of 6 feet.

### FUGITIVES

The Identification Division of the FBI identified some 23,000 fugitives from justice during 1965, an all-time record.

*year-End Press Release, 1/6/66, p. 11.*

### A CLEAN GETAWAY

An unknown burglar entered the apartment of a young woman during her absence and took a television set, a pair of glasses, and about 15 sweaters, for a total value of approximately \$450.

The victim, in reporting the burglary to police, advised that, in addition, the burglar drank two cans of beer and took a bath before leaving the apartment.

*Salt Lake City criminal, 11/12/65, Bufile # 63-4296-44.*

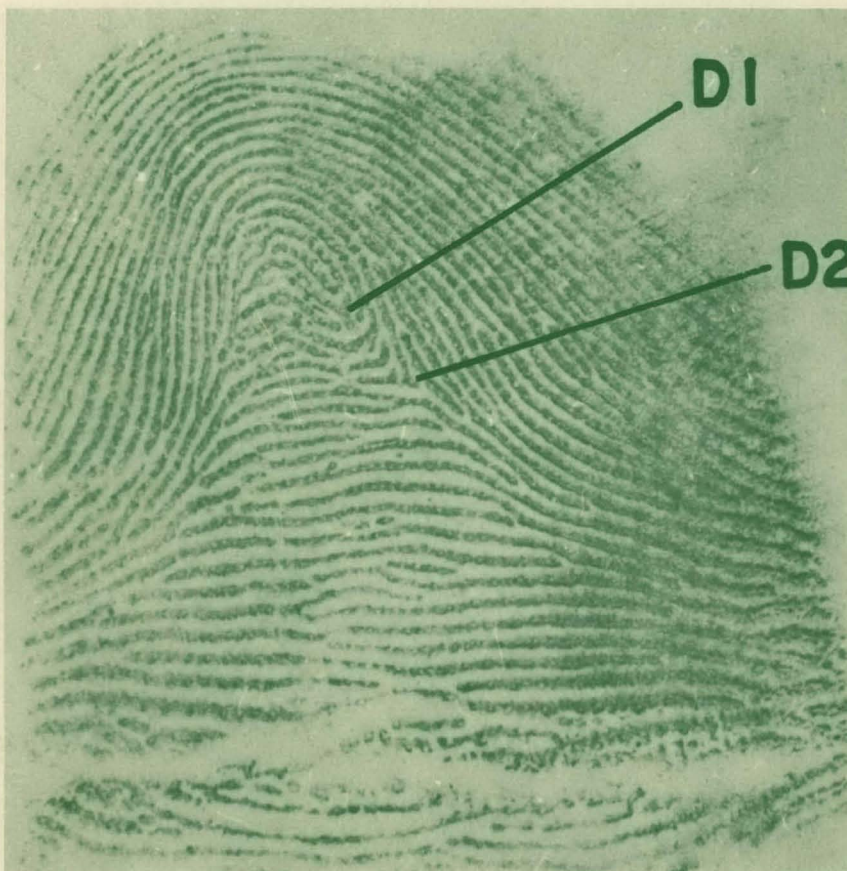
UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535

POSTAGE AND FEES PAID  
FEDERAL BUREAU OF INVESTIGATION

OFFICIAL BUSINESS  
RETURN AFTER 5 DAYS

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## INTERESTING PATTERN



The unusual and interesting pattern presented here is classified as a central pocket loop type of whorl with a meeting tracing. The deltas are found at D-1 and D-2. Because of the unusual appearance of this pattern and the questionable nature of the delta D-1, this pattern is referenced to an ulnar loop with five ridge counts.