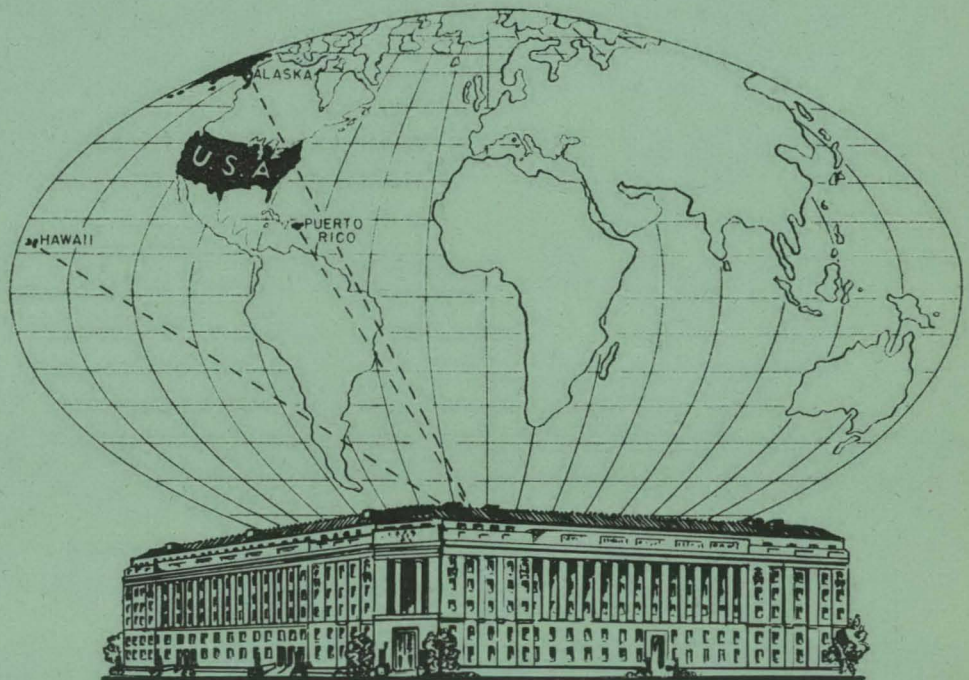


FBI LAW ENFORCEMENT BULLETIN



1946

November

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DEPARTMENT OF JUSTICE BUILDING,
WASHINGTON, D. C.

No. 11

**FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE**
J. Edgar Hoover, Director



Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

November 1, 1946

TO ALL LAW ENFORCEMENT OFFICIALS:

The Uniform Crime Reports Bulletin for the first six months of 1946 reflects the greatest increase in crime since we first began compiling statistics in 1930. But the black record is lighted by one bright ray. There has been a decline in the arrest of boys and girls under eighteen years of age.

During the war more persons aged seventeen were arrested and fingerprinted than any other group. Within the first six months of this year a change has been recorded. The twenty-one-year-old age group now reflects the greatest number of arrests.

These are the grown-up juvenile delinquents of the war years. These are the criminals of today; the potential major criminals of tomorrow.

With the approach of the Thanksgiving season we can be grateful that a decrease in juvenile crime is noted but we cannot be complacent. No one must allow what may be just the beginning of a trend to lull him into thinking the problem of juvenile delinquency is solved. Actually arrests of persons under eighteen years of age were 11% above the number of arrests for this age group during the same period in the last peacetime year, 1941.

The danger for juveniles is by no means over. The high tension of war has let down. Cash and crime, easy money and victims attract the weakling. Youngsters who left school for high paying jobs have failed to learn the value of a dollar. They are forced out of competition by returning veterans and skilled workers. Many resent the sudden cessation of easy money.

Yet, however slowly, wartime abandon is giving way to more normal conditions. Aroused public opinion has crystallized into community attempts to meet the juvenile problem. The results are reflected in the present trend.

We can be grateful for these facts, but we must prepare for the upswing of winter seasonal crimes. Crimes of summer time, murder, rape, felonious assault - crimes against persons - give way to crimes against property. Theft and negligent manslaughter reach their peak in winter.

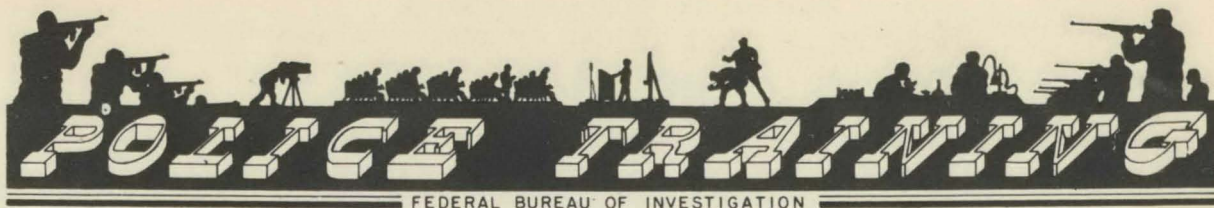
In spite of a few heartening facts, reports from law enforcement agencies all over the United States reveal a 13% increase in crime during the first six months of 1946 over the same period of last year.

Very truly yours,

A handwritten signature in dark ink, reading "J. Edgar Hoover". The signature is stylized, with a large "J" and a long, sweeping underline.

John Edgar Hoover
Director





THIRTY-THIRD SESSION OF THE FBI NATIONAL ACADEMY GRADUATES

Eighty-nine law enforcement officers representing thirty-two states, Alaska, Mexico and Puerto Rico received diplomas at the graduation exercises of the Thirty-third Session of the FBI National Academy in Washington, D. C., on October 4, 1946. Among those graduating were Chief Roberto G. Martinez of the Chihuahua, Mexico, State Police, and Chief Salvador T. Roig of the Puerto Rico Insular Police.

Honorable John W. Snyder, Secretary of the Treasury, and Mr. Arthur H. Sulzberger, President and Publisher of the New York Times,* addressed the graduates. Detective Andrew T. Aylward of the Metropolitan Police Department, St. Louis, Missouri, president of the class, spoke in behalf of its members. Diplomas were presented by the Assistant to the Attorney General, Honorable James P. McGranery.

The exercises marked the graduation of the 1,470th police officer since the National Academy's establishment in 1935. These graduates in turn have organized training schools and courses in their various communities which have made the law enforcement principles taught at the Academy available to more than 100,000 police officers.

The faculty of the FBI National Academy includes outstanding men in the field of law enforcement, Special Agent technicians from the FBI Laboratory, and other specialists in the varied phases of law enforcement and scientific crime detection. During the Thirty-third Session, particular emphasis was placed upon matters relating to postwar crime.

The FBI National Academy maintains three sessions yearly for selected officers from various communities. Graduates of the Academy presently hold positions in all forty-eight states, China, Newfoundland, the Philippines, Alaska, Canada, England, Puerto Rico and the Canal Zone.



DETECTIVE ANDREW T. AYLWARD

*Mr. Sulzberger's address appears on page 21.

**REMARKS OF J. EDGAR HOOVER
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION,
AT THE ANNUAL CONVENTION OF THE AMERICAN LEGION,
SAN FRANCISCO, CALIFORNIA, SEPTEMBER 30, 1946**

The following remarks were delivered by the Director upon his acceptance of the American Legion's Distinguished Service Medal which was presented by Frank Belgrano, Jr., Past National Commander of the organization.

Other recipients of the Medal were former Secretary of State Cordell Hull, Comedian Bob Hope and Major General Lewis Hershey.

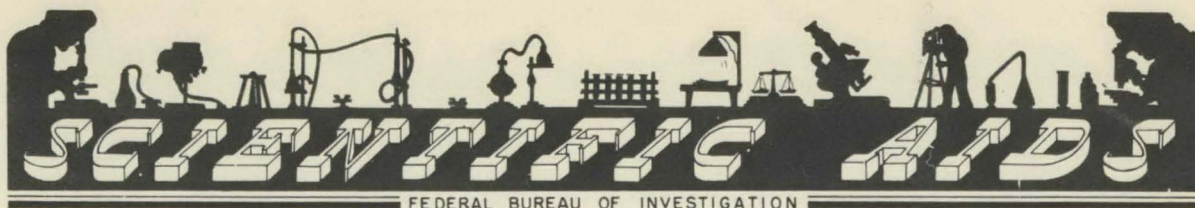
I accept the Distinguished Service Medal of the American Legion on behalf of my associates in the Federal Bureau of Investigation who have made its achievements possible. Bulwarking the men and women of the FBI are the high hopes and expectations of the loyal Americans whom we serve. The American Legion is a great force for good in this nation. It exemplifies the traditions of our country and is living testimony to the Spirit of America. I am happy to be here today to thank you of the American Legion for the great aid and assistance you have rendered the FBI over the years.

The record of your achievements is now history. Today, there is a greater need than ever before for the American Legion and its stabilizing force. We of the FBI need your help now even more than during the war years if the battle for a safe and secure America is to be won. Our enemies are massing their forces on two main fronts. One is the criminal front. Crime is increasing daily; juvenile delinquency is shocking; lawlessness is rampant. We are nearer to the days of gang control than we were a year after World War I. Add to the forces that account for a serious crime every twenty seconds, day and night, the other encroaching enemy of America and we have a formidable foe. I refer to the growing menace of Communism in the United States.

During the past five years, American Communists have made their deepest inroads upon our national life. In our vaunted tolerance for all peoples the Communist has found our "Achilles' heel." The American Legion represents a force which holds within its power the ability to expose the hypocrisy and ruthlessness of this foreign "ism" which has crept into our national life - an "ism" built and supported by dishonor, deceit, tyranny and a deliberate policy of falsehood.

It is a matter of self-preservation. The veteran who fought for America will be among the first to suffer if the Communists succeed in carrying out their diabolical plots to wreck the American way of life. The "divide and conquer" tactics did not die with Hitler - they are being employed with greater skill today by American Communists with their "boring from within" strategy. Their propaganda, skillfully designed and adroitly executed, has been projected into practically every phase of our national life. The fact that the Communist Party in the United States claims some 100,000 members has lulled many Americans into a feeling of false compla-

(Continued on page 27)

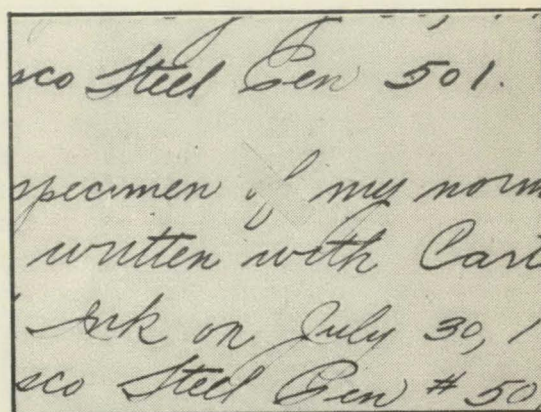


WILL EVIDENCE BE CHANGED DURING LABORATORY EXAMINATION?

Law enforcement officials and prosecuting attorneys submitting evidence to the FBI Laboratory for examination have frequently inquired if it will be changed in appearance after the completed analysis. The appearance of evidence in the court room is important, and no one is more conscious of this fact than the Laboratory examiner who handles it in the Laboratory. He may be called to testify in court concerning his examination and findings and must be able to account for any changes he has made in the evidence. It is, of course, one of his aims to make only those changes which are essential to a thorough examination.

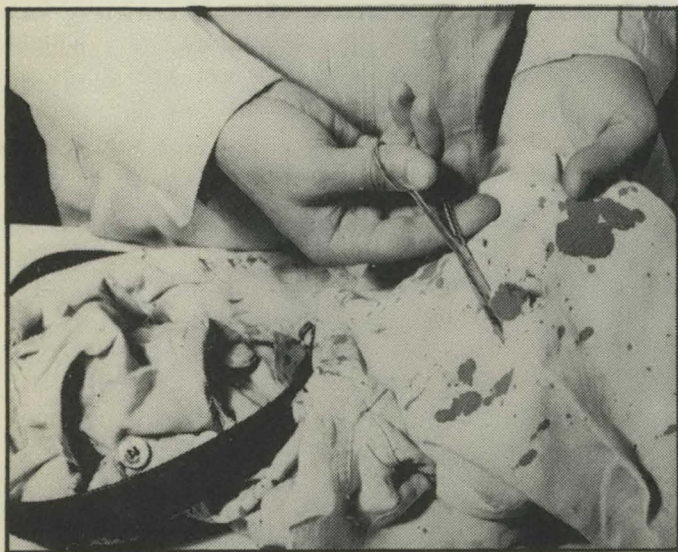
In many instances there is no change in the appearance of evidence during an examination. In some cases, however, a portion of the evidence may be consumed. In others, the appearance of objects may be changed. In still others, the evidence may be entirely consumed.

Bullet, toolmark, handwriting and typewriting comparisons, and most other document examinations illustrate the types of analysis in which the evidence ordinarily undergoes no change. These are side by side comparisons, sometimes microscopic, which do not necessitate changes in the evidence itself. Some document examinations, however, do require that certain alterations be made in the document. This is true of examinations of ink writings for the purpose of determining age. In order that a chemical examination to determine the age of ink writings may be made, it is necessary that small portions be removed for migration tests. In such cases, however, it has been, and will continue to be, the practice of the FBI Laboratory to consult the contributor in connection with document examinations prior to the removal of any portions from the document. This is believed to be a desirable practice in view of the fact that many documents are of considerable intrinsic value and since documents are normally unchanged during examinations. The small portions of paper removed during such an examination are replaced in the document by means of an adhesive, but they will have been changed slightly in color and the ink line will have been bleached out.



PORTION OF DOCUMENT REMOVED FOR
AGE OF INK TESTS

The practice of the Laboratory to consult the contributor before changes are made in a document is generally true of all types of document examinations, with the exception of treatment for latent fingerprints. As a general rule, when the contributor requests that submitted documents be treated for latent fingerprints, it is assumed that he has no objection to the use of silver nitrate, in the event treatment by iodine fumes is not entirely productive. The use of silver nitrate may slightly discolor the document, or remove the lines on ruled paper and cause glued envelopes to come open. In the event documents submitted for latent fingerprint examination should not be chemically treated with silver nitrate, it is assumed that the contributor will so advise the Laboratory when the material is submitted.



PIECE OF CLOTH BEING CUT FROM
GARMENT FOR BLOOD EXAMINATION

There are many ways in which the appearance or composition of evidence may be changed during examination. Soil examinations, for example, require the consumption of a portion of the evidence. The amount of soil which is consumed in the examination will depend largely on the amount submitted, but in all instances the amount utilized must be sufficient for adequate tests. Metallurgical examinations present another illustration. It is necessary to remove a portion of the metal submitted for examination in order to make an analysis. Blood exami-

nations should also be mentioned, as some portion of the bloodstain is consumed during a blood examination. In fact, if a knife contains stains suspected of being blood, it might be necessary to consume most or all of the stain in an effort to be certain that no blood existed. The appearance of the knife will, of course, be changed. In the event blood or other stains are found on clothing, it is necessary to remove a portion of the clothing containing these bloodstains and subject it to chemical tests. The stain is not only consumed, but a portion of the garment itself is also removed.

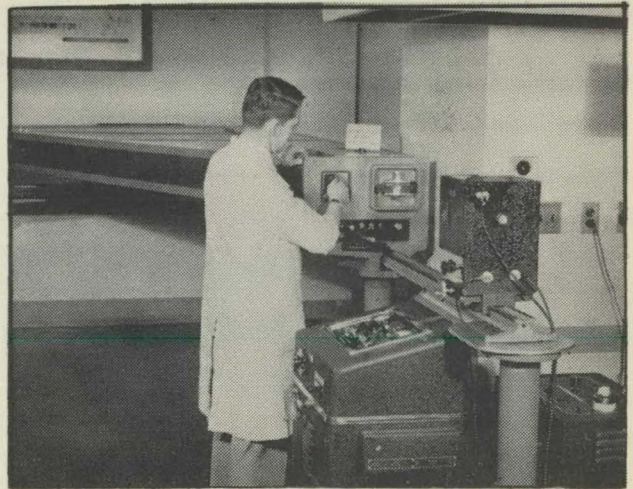
The question of cutting out portions of a garment for the examination of stains caused by body fluids has been the subject of considerable comment from time to time. While under certain unusual circumstances it may be possible to conduct an examination by soaking out the stain without cutting away any portion of the garment, as a general proposition a portion of the garment is cut away inasmuch as the examination conducted gives more reliable results. Then, too, garments submitted under these circumstances generally are not of great value and the need for reliable evidentiary information is paramount. In an examination of this kind, however, in the event a garment is of such value that it should not be injured, the FBI Lab-

oratory should be advised at the time it is submitted for examination.

The evidence is frequently consumed in cases involving submission of body organs to determine the presence of poisons. In the event murder by poisoning is suspected, certain body organs will be submitted for examination to ascertain if any poison exists. An effective toxicological examination to answer this question requires the consumption of all, or nearly all, of the organs involved. Under those circumstances, the examiner presumes that he is authorized to conduct the examination requested and since the consumption of the organs submitted is a necessary part of the examination, no further inquiry is made of the contributing agency.

This is also true of material such as paint particles examined spectrographically. This examination requires the consumption by burning of a representative sample and possibly all of a small quantity of evidence. It is well recognized that in examinations of this kind the consumption of evidence is contemplated.

A question every prosecutor will ask is what effect such laboratory changes will have on the evidentiary value of evidence. While it is not possible to state the reaction of courts in every jurisdiction, generally as long as changes in the evidence can be satisfactorily explained the material will be accepted in evidence. The Laboratory expert in his testimony must state what changes were made in the evidence and that they were a necessary and logical part of his technical examination. In some jurisdictions, because of precedents set in prior cases or the desires of a particular judge or prosecuting attorney, certain objects should not be changed in appearance under any circumstances. Local investigators will be aware of such regulations which might be peculiar to their own jurisdiction and in submitting material to the Laboratory, they should explain the local restrictions. The best possible examination will be conducted accordingly. If it appears absolutely necessary for an adequate examination that the restrictions be lifted, the contributor will be consulted.



A GRATING SPECTROGRAPH BURNS
UP A PARTICLE OF PAINT TO DE-
TERMINE COMPOSITION

In a round-up of draft dodgers in the New York area, FBI Agents were offered the following excuse for failure to report for induction: "I do not think I could eat Army food."



NEW YORK STATE LAWS OF EXTRADITION AND RENDITION AND THEIR PRACTICAL APPLICATION*

By

Professor Robert W. Miller, Syracuse University School of Law
(Continued from October issue)

The Constitution provides for extradition only of fugitives who flee the state after the commission of a crime. The Uniform Act contains a very praiseworthy extension. In the discretion of the Governor, a person who was not in the demanding state at the time the crime was committed, but whose action in this or any other state constituted a crime against the demanding state, may be extradited. His surrender may be conditioned on his being tried only for the offense for which demanded. The essential requirements for the operation of this provision are: (1) that the act for which extradition is sought would be punishable by the laws of this state if the consequences claimed to have resulted in the demanding state had taken effect in this state, and (2) that a similar rendition provision exists in the statutes of the state in which the accused operated or in which he is found, and (3) that the crime be other than criminal libel.

Illustrating the legality of such a proceeding is the case of *State v. Hall*, 115 N.C. 811, 20 S.E. 729 (1894), in which the accused had discharged a deadly missile while in North Carolina which caused the death of the deceased who was then in Tennessee. North Carolina was requisitioned for his return. The opinion states:

"The state may, in the exercise of its reserved sovereign powers, and as an act of comity to a sister state, provide by statute for the surrender, upon requisition, of persons who are indictable for a crime committed through their constructive presence in such sister state, though they have never been corporally within such state and have never fled therefrom to escape arrest and punishment. But, in the absence of such statute, such persons are not subject to extradition by the latter state."

Again, in *Culbertson v. Sweeney*, 44 N.E. 2d (Ohio) 807 (1942), the accused was arrested on a warrant issued by direction of the Governor of Ohio on request of the Governor of New York, for his extradition to New York, where he had been indicted as an accomplice in the crime of abortion. The accused had not been in New York when the crime was committed, and had not fled from New York before or after the event to avoid trial. The Court

*Delivered at the School of Law Enforcement Administration held at Syracuse University under the sponsorship of the New York State Association of Chiefs of Police and the New York State Sheriffs' Association in cooperation with the FBI.

dismissed his petition for habeas corpus.

B. Arrest Before Requisition

The Act provides a method for apprehending and detaining fugitives until their extradition may be accomplished. Arrest may be had either with or without a warrant.

A warrant may be issued on the strength of an oath or affidavit of any credible person to the effect that the accused has committed a crime in another state and has fled from justice, or that he has been convicted of a crime in another state and has escaped from confinement, or has broken the terms of his probation, parole or bail. A certified copy of the sworn charge or complaint and affidavit on which the warrant is issued "shall be attached to the warrant." A warrant shall not issue, however, for a person who was not in the demanding state at the time of the commission of the crime or for one who, though there, did not voluntarily leave such state.

Arrest without a warrant may be made by a private person or peace officer upon reasonable information that the accused has been charged with having committed a felony in another state.

Where arrested prior to requisition, the accused is allowed to make bail unless charged with an offense punishable by death or life imprisonment. He may be held for a period not to exceed ninety days.

Perhaps the usual case is for the accused to waive extradition and voluntarily agree to be returned. If he consents to return to the demanding state, no formalities are necessary. The consent may be oral or written. The careful law enforcement officer will, however, obtain a written waiver to avoid possible charges of kidnapping or false arrest.

If, upon apprehension, the accused refuses to waive extradition, he must then be taken before a justice or judge of a court of record who is charged with (1) informing the accused of his rights to the issuance and service of a warrant of extradition and (2) of his right to apply for a writ of habeas corpus. If the accused, at this time, waives extradition, the consent is executed in writing and the court will order his delivery to the accredited agent of the demanding state. The executed consent is filed in the Governor's office.

If the accused does not consent to removal, the normal processes of extradition must be complied with.

C. Requisition From The Demanding State

Extradition proceedings begin with the filing of an application for the issuance of a requisition. Usually, the prosecuting attorney of the county in which the crime was committed is the proper party to do this, though in certain cases a warden, sheriff, parole board or the Attorney General may do so. This application is made to the Governor of the state in which the crime occurred.

The application, in duplicate and verified by affidavit, will state the name of the accused, the crime, the time, place and circumstances of its commission, the present whereabouts of the accused, the name of the agent nominated to receive the accused, the applicant's opinion that the ends of justice require the accused's arrest and return for trial and that the proceeding is not instituted to enforce a private claim. Accompanying the application must be two certified copies of the indictment, duplicate original warrants for his arrest and duplicate original returns. In addition, the prosecuting attorney may attach "such further affidavits and other

documents in duplicate" as he deems proper. Usually included are certified copies of the statute upon which the charge is based, affidavits from witnesses corroborating the charge and other data such as photographs of the accused with supporting affidavits where identity may be involved.

Where the application papers are in order, properly certified, and the offense is not a trivial one, the requisition issues as a matter of course. The requisition is a written request by the Governor of the demanding state to the Governor of the state of asylum for the return of the accused. Normally, it alleges that the accused was in the demanding state at the time of the commission of the alleged crime. One copy of the application papers, with the indictment, information, affidavit, judgment of conviction or sentence authenticated, accompanies the requisition. The Governor of the demanding state also issues a warrant under the seal of the state to some agent commanding him to receive the accused, if delivered to him, and convey him to the proper officer of the county in which the offense was committed.

D. Presentation Of Requisition To The Governor Of The Asylum State

Upon presentation of the requisition, the Governor of the asylum state may call upon the Attorney General or any prosecuting officer to investigate or assist in investigating the demand and to report back. This investigation, however, may not be directed to the question of the guilt or innocence of the accused. Instead, the inquiry is usually limited to: 1) whether the accused is a fugitive from justice; 2) if he is the person named in the requisition; 3) whether he was charged with a crime under the laws of the demanding state; 4) whether the requisition papers are proper in form.

The Uniform Act recognizes the right of the asylum state, within the discretion of the Governor, to withhold the extradition of one serving a sentence or against whom a criminal prosecution is pending, until that issue has been finally determined. If the Governor does decide to approve the rendition, the demanding state must, after the disposal of its charges against the accused, return him at its expense to the state of asylum.

E. Possible Hearing Before The Governor Of Asylum State

The Governor of the asylum state is under no obligation to grant the accused a hearing. This is entirely discretionary. If a hearing is granted, it is informal and technical rules of evidence do not apply.

F. Issuance Of Warrant By Governor Of Asylum State

If the Governor of the asylum state decides to honor the requisition, he issues a warrant, bearing the state seal, directing the arrest of the accused and delivery to the authorized agent of the demanding state. When the accused is already in custody, this warrant is usually handed to the authorized agent who serves it upon the sheriff or other officer having control of the accused.

The Supreme Court of the United States has held that it is without power to use any coercive means to compel the Governor to surrender a fugitive, in spite of the Constitutional provision. New York courts have also held that if the Governor refuses such warrants there is no means of compelling its issue.

G. Arrest Under Governor's Warrant In Asylum State

Upon arrest under the warrant issued by the Governor of the asylum state, the accused must be taken before a justice or a judge of a court

of record who is required: 1) to inform him of the demand made for his surrender; 2) the crime with which he is charged; and 3) his right to counsel.

If the accused or his counsel states that he desires to test the legality of the arrest, the court fixes a reasonable time within which an application for a writ of habeas corpus shall be made.

One very important provision to the law enforcement officer provides that "any officer who shall deliver to the agent for extradition of the demanding state a person in his custody under the Governor's warrant (without taking him before a justice or judge of a court of record)...shall be guilty of a felony, and, upon conviction, shall be sentenced to imprisonment in a state prison or penitentiary for the term of one year. Any wilful violation of any provision of this title by any of the above named officers shall be deemed a misdemeanor in office."

H. Habeas Corpus Proceedings

In a habeas corpus proceeding, the courts may consider all questions of law and of fact which are essential to a successful extradition. As in the case of a hearing before the Governor of the asylum state, the sufficiency of the requisition and accompanying documents is closely scrutinized. The usual statement is that the court may consider only whether the accused is substantially charged with a crime against the laws of the demanding state, whether he was there at the time the crime was committed, whether he is a fugitive from justice, and whether he is actually the individual wanted. A review of some of the cases may prove helpful.

In *people ex rel. Higley v. Millspaw*, 281 N.Y. 441, 24 N.E. 2d 117 (1939), the relator was indicted on August 5, 1938, in Baltimore, Maryland, for the crime of deserting his wife in that city on May 16, 1938, and for failure to support and maintain her between the date of the desertion and the date on which the indictment was found. Upon the requisition by the Governor of Maryland, the Governor of New York issued a warrant for relator's arrest and delivery. He was taken into custody two days later by the sheriff of Schoharie County. Habeas corpus proceedings were instituted, the relator claiming that the demand by the Maryland Governor was improper because it did not allege that the relator was in Maryland at the time of the commission of the alleged crime. In declaring the warrant of the Governor of New York void and discharging the relator from custody, the court reviewed the law and the facts and found that the relator had established by conclusive evidence that he was not in Maryland at the time when the crime charged was committed. As regards the weight given to the requisition papers and the Governor's warrant, the opinion states:

"At Special Term the respondent relied on the papers that were before the Governor of New York, together with the return to the writ and warrant, to make out a prima facie case. It then became necessary for the relator to establish by conclusive evidence that he was not in the demanding State when the crime was committed and is not a fugitive from justice..."

In *people ex rel. Pahl v. Hagerty*, 286 N.Y. 645, 36 N.E. 2d 689 (1941), the relator had been convicted in the State of Pennsylvania for burglary and sentenced to a term of imprisonment. He was later released on parole and allowed to return to his home in Buffalo. Thereafter, the Board of Pardons of the State of Pennsylvania issued an order for his arrest for violating the conditions of his parole. The Governor of Pennsylvania issued

a requisition upon the Governor of New York for his extradition. The requisition was honored and a warrant was served on the relator who now claims that he is innocent of the crime (accessory to an abortion) upon which the revocation of his parole was based. At the hearing the woman who brought the abortion charge testified that such charge was false. Held - writ dismissed and relator remanded to custody as the court was without power to determine the guilt or innocence of the accused.

However, in *Commonwealth ex rel. Mattox v. County Superintendent of Prisons, Philadelphia*, 152 Pa. Super. 167, 31 A. 2d 576 (1943), a Negro boy, Mattox, was charged in Georgia with criminal assault upon a white man after a fight in which the first move towards physical violence was made by the latter. The latter had also slapped Mattox's two sisters, who were with Mattox at the time, and hit Mattox with a car jack before the relator drew a knife and inflicted superficial wounds on the white man. No attempt was made to prosecute the white man. Mattox was held for extradition to Georgia on warrant of the Governor of Pennsylvania. He presented strong evidence, inadvertently corroborated by the Georgia authorities, to show that if extradited he would be in grave danger of being lynched or otherwise denied a fair trial. Held - relator released.

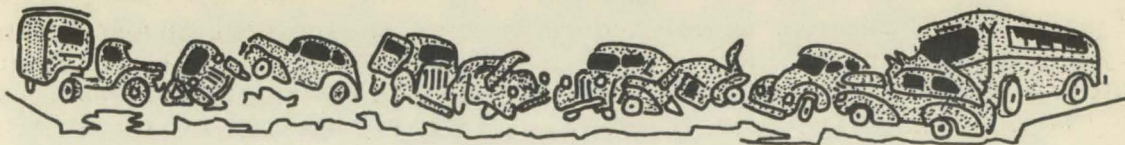
In *People v. Butts*, 14 N.Y.S. 2d 881 (N.Y.-1939), the State of Georgia, by an acting justice of peace of a county, charged a 13-year-old boy with the crime of assault with intent to murder. Under the Georgia Criminal Code the offense was punishable by imprisonment in the penitentiary for a term of two to ten years. The boy was found in the State of New York, whereupon the Governor of Georgia sent a requisition for extradition to the Governor of New York. The boy defendant brought a habeas corpus proceeding in a New York court to obtain release from custody under the extradition warrant. Held - the defendant could not be extradited as a "criminal," because he could be tried solely as a juvenile delinquent under the laws of Georgia.

In *United States ex rel. Darcy v. Sup't. of County Prisons of Philadelphia*, 111 F. 2d 409 (C.C.A. 3rd-1940), the relator was indicted in California in 1935 for perjury in giving false answers when registering as a voter. In September, 1939, he was arrested in Philadelphia and the following month the Governor of California signed the requisition for extradition. In early November the Governor of Pennsylvania signed the warrant for his rendition and on the same day he was taken into custody by the respondents. The following day he petitioned the Federal District Court for a writ of habeas corpus. Among other things, the relator charged that his prosecution in California was pressed to punish him for his political views rather than for the crime averred in the indictment. The District Court dismissed the writ. Held - affirmed. Maris, J., stated in part:

"...This determination (that the relator is a fugitive and is properly charged with a crime in California) may be made by the governor without a hearing, but if the alleged fugitive considers himself aggrieved by the order he may obtain a hearing upon writ of habeas corpus. The writ may be allowed either by a state or a federal court...."

(To be continued in December issue)

ACCIDENT INVESTIGATION



As long as automobiles travel highways there will be accidents. These may be largely eliminated by a sound traffic law enforcement program. But it follows, in turn, that such a program depends largely upon reliable and accurate accident reports. Analysis of reports reveals causes of accidents. When causes are known, remedial action may be taken.

Why investigate an accident? There are three prime objectives. The first is to get a complete picture of everything which contributed to the accident and all information surrounding its occurrence. Second, to determine whether or not any law was broken, and if so, to collect sufficient evidence to properly present the facts of the violation before a court of law. Third, to assist the injured and protect their property.



FBI NATIONAL ACADEMY STUDENTS INVESTIGATE A SIMULATED TRAFFIC ACCIDENT

An accident has occurred. A traffic officer arrives a few moments later. Two things occupy his attention. First, the injured. At the same time he must protect the scene. That is, he must make provision against other vehicles being endangered by the wrecked machines. These two "firsts" should not cause the officer to forget that a principal duty is to obtain a complete report of the cause of the accident. Therefore, he must attempt to preserve the original conditions of the accident so that its causes may be determined. He must not allow himself to be blinded by the results of the accident. These - damages, injuries, fatalities - are obvious. But many accidents occur in which no one is killed or even injured. Under such circumstances there is little reason for permitting change in the original condition of the accident scene until actual causes of the accident have been determined. The reporting officer must ask himself: "Am I reporting obvious results only, or am I also writing into my report facts which brought about the results? Do I report a broken axle and smashed fender, yet fail to state that the left headlight bulb was burned out?"

An accident case often requires more investigative ability than a criminal case. Suppose a bank is held up. There is a definite criminal act. Victims and witnesses cooperate willingly. They are eager to give information. This fact is not generally true in accident investigations. Very often the parties involved refuse to make known the real contributing factors. A man who was driving seventy miles an hour will not readily admit that his excessive rate of speed was in part responsible for the accident. Bystanders who saw the crash, realizing that they may be subpoenaed as witnesses, are often reluctant to give information.

The key to solution of many criminal cases often lies in the *modus operandi*. A burglar may utilize one method time after time in safecracking or in breaking and entering. The same techniques may be used by an automobile theft ring operating over widely different locales. A confidence man may use the same approach repeatedly; the forger the same method of preparing forged documents. Such routine methods of operation often lead to detection. But the type of investigation found to be effective here is not applicable in accident cases. Nearly all accidents differ. Determining the actual causal factors requires not only careful attention to physical conditions but also dexterous skill in conducting interviews.

In almost every accident at least one traffic law is violated. One driver may have ignored an ordinance. Perhaps both are culpable. The difficulty encountered by the investigator is in securing sufficient evidence to prove the violation. He is faced with a double task. He must discover the violation, if such occurred, and obtain sufficient evidence to properly present the facts in court. Evidence proving specific violations - failure to stop for a stop sign, exceeding the speed limit, failure to give the proper signal - is of definite value. The wise investigator avoids a general charge, reckless driving for instance, unless the elements of such a violation actually exist.

Officers of the law are not interested in civil suits; their purpose is to enforce the laws and to present to the courts any evidence of violations. Therefore it would seem better practice for the officer to swear to a complaint than for the injured party to do so. Experience indicates the wisdom of this. Too often when the complaining witness is one of the parties involved in the accident, his primary consideration lies in obtaining a settlement of damages. After settlement is made the complainant generally prefers not to press charges further and the process is dismissed. In such cases the criminal complaint serves only as a collecting medium.

The eye of a critical public is on the officer in charge of an accident investigation. He is the public relations man of his department. In the space of few moments he adds to the public esteem of his department or he destroys it.

The officer who calmly and confidently takes command, dresses wounds in a businesslike manner, delegates tasks to assistants, controls excitable bystanders, provides protection against other traffic difficulties occasioned by the accident hazard itself, and completes his investigation with

thoroughness and impartiality, deserves acclaim. Not only does he inspire confidence in his department. He has won a victory for law enforcement generally.

ACTION IN TRAFFIC EMERGENCIES

Let us trace the course of an accident investigation from the moment the phone rings at headquarters until the close of the case.

The officer accepting the telephone call must secure vital information: the exact location of the accident, whether people are injured, if an ambulance is needed. The name and address of the reporter of the accident are essential. This informant may be an important witness in the case.

An investigator promptly leaves headquarters. It is imperative that he get to the accident scene as quickly as possible. Automobiles in condition to run may be removed and parties involved have time to depart if he delays. In any case, passage of time handicaps a successful investigation.



EQUIPMENT USED BY THE HOUSTON POLICE DEPARTMENT IN ACCIDENT AND GENERAL CRIME INVESTIGATIONS.

However, regardless of the emergency, the driver of the police vehicle must take care that his own and other lives are not needlessly endangered by reckless haste in speeding to the scene of the accident.

The investigator must know first aid - what to do, how to do it, what not to do. Even arrangements whereby an ambulance reports at the scene of

every serious accident do not obviate this necessity. Lives are often saved or lost in the first few minutes after a wreck occurs.

Our investigator cares first for cases of severe bleeding; applies tourniquets and marks the time of application plainly. He looks for symptoms of shock. Aware that fractures are common in motor vehicle accidents, he takes care that a simple fracture is not compounded by careless handling; that a blood vessel is not punctured or a nerve injured. If he suspects that bones are fractured, yet no bleeding is apparent, he may apply traction if ambulance or physician is unavailable. In this case the patient must be transported with extreme care.

If the extent of injuries is undeterminable, the patient is placed in a prone position and is kept warm. Unnecessary handling must be avoided.

Every officer should know the contents of the "American Red Cross First Aid Text Book," and have the training and experience to apply that knowledge.

In many cases the injured are unable to care for personal property or valuables. It is the obligation of the investigating officer to protect such property. If it is necessary to transport material of value to police headquarters, a list of it should be prepared at the time it is obtained. This list should be witnessed by another officer or a reliable witness. This precaution may prevent unjust charges of misappropriation of valuables from being brought against the investigator.

In protecting the accident scene the officer in charge has two duties. He must safeguard other motorists on the highway and persons at the scene of the crime, and he must preserve the original physical conditions of the accident. If two officers are present one should administer first aid; the other protect the scene.

Flags, fuses, flares or other warning devices should be placed at a sufficient distance on either side of the accident scene to provide adequate warning to other motorists, particularly if it is a high-speed highway. If there are hills or grades on either side, flagmen may be needed to warn approaching traffic. This is especially true if the damaged vehicles have blocked the street or highway. Traffic then must be rerouted or delayed until sufficient space for passing has been cleared. This may necessitate securing additional help.

The investigator may have to cope with other hazards. Snow, rain, sleet, ice and darkness add to his difficulties. He may find that the headlights of his vehicle afford the only illumination he can secure. Or he may need to use the lights as warning devices. In either case the machine should be parked in such a manner that it does not itself create an additional hazard.

In order to protect physical evidence in the immediate accident area, the investigator will need to exclude spectators and principals. He may find it profitable to rope off a section of the highway.

INTERVIEWING VICTIMS AND WITNESSES

The investigator has concluded the emergency duties of the first few minutes after his arrival. He is ready to begin interviewing the people involved. Most of them are emotionally upset. Some are confused and unable to give a clear account of what they observed. Interference from spectators complicates the situation. But the investigator clings to the fundamentals of good interviewing.

He conducts each interview separately and as privately as possible. He may utilize one of the cars or the police vehicle for this purpose. This eliminates distracting interferences and enables him to obtain separate complete statements. He is now able to observe each person carefully and to evaluate the reliability of each. He may detect evidence of physical defects, intoxicants or drugs which possibly contributed to the accident. Each driver should be carefully observed so that a correct evaluation of his condition may be obtained.

Conflicting statements often show up when interviews are held separately. The officer who detects these discrepancies will be led to search for physical evidence to discover which is factual. He must also differentiate between facts and opinions.

The officer keeps the purpose of the interview clearly in his mind. He is seeking to collect all facts which have a bearing on the case. He knows that, put together in a jigsaw puzzle manner, they will disclose the underlying causes of the accident.

In order to secure all details of what happened, the investigator must gain the confidence of the person he is interviewing. This is easily achieved if the person interviewed is impressed with the fact that it is the officer's duty to obtain unprejudiced information. Attentive listening, clear and simple questions and no interruptions will build confidence. Errors should not be pointed out. A quiet, courteous, unegotistical attitude will dispel resentment. Above all, the officer must avoid involvement with either principals or witnesses. Nothing can interfere more with his primary objective of fact-finding than embroilment in an argument.



The officer must also beware of having a clever motorist turn the table and "interview" the investigator. The principals in an accident are interested in obtaining a settlement for whatever damages have occurred. Their primary consideration is for the officer to "fix the blame." This is not his responsibility. He should not allow himself to be trapped into making statements or expressing opinions indicating the liability of one or the other or the motorists with respect to the damages. Neither should he make statements regarding his conclusions concerning the violation of traffic laws except to the defendant or defendants upon the conclusion of the investigation.

Witnesses may be reluctant to give their observations because they realize they may be required to appear in court. The investigator must exercise tact and diplomacy to find a person who knows what happened and is willing to tell what he saw. From the moment of his arrival, the officer should be watching for such witnesses. A simple statement of "Please tell me what you saw of this accident," may start the prospective witness on a discussion of his observations.

Scrutiny of persons present at an accident scene or of those just leaving as the officers arrive may give a clue to good witnesses. Occupants of either car should be considered as witnesses but their statements must be evaluated in the light of their position with respect to either motorist involved.

In serious accidents and those likely to result in court action, signed statements from drivers and witnesses are advisable. These, preferably, should be written by the person from whom the statement is obtained. If the officer writes it, it should be in the words of the witness. On the whole the best procedure is for the officer to obtain an oral statement of the witness' story first; then reduce it to writing. It may then be read to the witness. If he agrees that it is correct, he should need little urging to sign it. However, witnesses should not be antagonized if they decline to give a written statement.

No investigation can be considered complete until injured victims have been interviewed. As soon as conditions permit, the investigator should interview those whose physical injuries precluded questioning at the scene of the accident. Facts thus obtained should be submitted in a supplementary report.

At the conclusion of the interviews, the investigator examines and evaluates all physical conditions surrounding the accident scene. This includes vehicles which must be inspected for defective parts which might have contributed to the accident. He checks the roadway, signs, signals, markings and other traffic control devices. He questions himself: Was the surface of the roadway a contributing factor in this accident? Were the signs, signals or markings in satisfactory operating condition? Could they readily be seen by the drivers? Are there any view obstructions such as buildings, shrubbery or trees which might have contributed to the accident? Answers to these questions are of particular importance to police and engineers responsible for eliminating hazardous conditions.

While the condition of a vehicle is usually not what it was prior to an accident, the investigating officer should know the condition of the safety features after the accident has occurred. He should inspect brakes, headlights, horn and other details. If a case is contested in court, the investigator must be fully acquainted with every detail which bears upon the accident.

When the investigative procedure is concluded, violations which may have occurred should be apparent. Appropriate action, determined by local practices and policies, should be instituted against the violator.

Before he leaves the scene of the accident the investigating officer should be sure that damaged vehicles are removed or that adequate warning signals are properly placed.

RECORDS AND REPORTS

No investigation is complete until all reports and records are prepared. Three common means are available for recording results of investigations: notes, sketches, and photographs. In many cases the notes taken in a notebook at the scene and later transcribed on the accident report form may be the only records necessary. In other cases, sketches, drawings or photographs will be essential to complete the records.

Some departments require that officers complete the standard accident report form at the accident scene. This eliminates the possibility that items of importance listed on the report will be overlooked. It is quicker than writing detailed notes as specific conditions may be indicated by check marks. Officers who prefer to make notes to be transcribed to the report form, should familiarize themselves with the report form or have a sample form for reference so that nothing is omitted. Complete notes or the completed form should always be made at the scene. This insures correct reporting and the inclusion of all items of importance.

Sketches and drawings may be valuable in recording measurements, positions of vehicles, location of hazards, point of impact, skidding distances and other facts. It may be advisable to prepare a large and more detailed sketch than that required on the standard report. Simple drawings might be useful in recording facts otherwise not easily described. These are often invaluable to the officer when facts are presented before a judge or jury. They are additional indications of a thorough investigation.

No method of recording actual conditions is as complete and detailed as that of photography. A good clear picture, supported by the testimony of the investigating officer, may answer many questions. The investigator should ask himself what useful purpose each photograph will serve before he takes the picture. He should then plan it so that the conditions he desires to record are best revealed. It is better to have a few too many pictures than to find need for more when it is impossible to secure them.

The subject matter of each picture should be determined by its use. One good picture of the entire accident scene serves to orient observers and locate objects with respect to permanent markers. Others may give details. Skid marks, point of impact, position of vehicles, view obstructions, traffic control devices, or damaged vehicles should be photographed when they are of value to the case.

If complete notes are maintained during the investigation, and additional notes recorded concerning the photographs, no difficulty should be experienced in introducing photographs in evidence. Notes should contain names of individuals present when the photographs were made, the type of camera used; the shutter speed, the diaphragm opening and the kind of film used. Indicate the time of day, amount of light (sunny or cloudy) or whether a flash bulb was used. Negatives should be marked for later identification.

The police department whose officers are alert and well-trained in accident investigation will find that not only is its traffic law enforcement program more successful, but also that it has earned the respect and confidence of the general public.

ADVANCED PROJECT TRAINING IN WISCONSIN

Over twelve hundred full-time law enforcement officers attended regularly scheduled classes in the thirteen-week training course sponsored early this year by the Wisconsin Chiefs of Police Association in cooperation with the FBI.

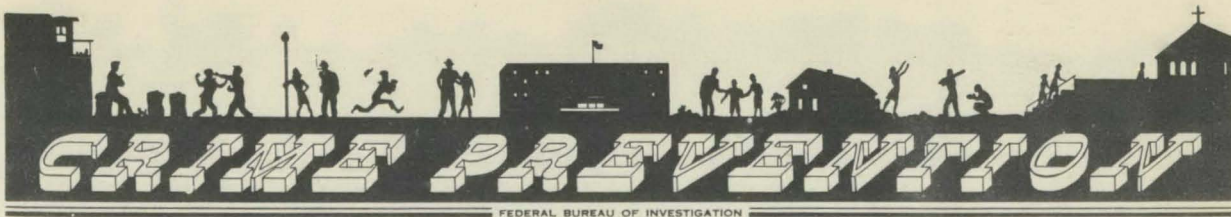
The Schools were held in twenty cities within four regional divisions.

Basis of the course was a burglary - a project which occupied the officers' attention from the time it was committed until it was solved.

In addition to the project-type training, advanced police subjects were discussed. Inspector Hubert E. Dax of the Milwaukee Police Department, a graduate of the FBI National Academy and Director of the Milwaukee Police Department Training School, lectured on the "Laws of Arrest, Search, and Seizure," and over twenty-five other courses on basic police subjects were included in the curriculum.



SHERIFF GORDON TAGGART OF RHINELANDER, WIS., ASSISTED BY PATROLMAN RALPH DEEDE, RHINELANDER PD, DUSTS STORE WINDOW FOR LATENT FINGER-PRINTS



THE NORTH CASTLE JUNIOR POLICE, ARMONK VILLAGE, NEW YORK

By Chief John C. Hergenhan
North Castle, New York, Police Department

Late one evening the normal peace and quiet of Armonk Village,* New York, was jolted by a noisy demonstration. Defense workers objected to the interruption to their sleep. The cause.....nine boisterous teen-age boys with nothing better to do with their spare time and surplus energy.

We invited the youths to Police Headquarters to quietly discuss the problem. The root of the trouble, we learned, was the fact that the boys had no place to go and nothing to do in the evenings. The problem paralleled that of numerous other communities throughout the United States and a serious juvenile delinquency threat was imminent.

As a solution, we suggested the organization of a Junior Police club for boys in an effort to bring them closer to law enforcement. A committee was immediately chosen from the nine troublemakers to canvass the town for prospective members between the ages of fourteen and eighteen. The first meeting in August, 1943, was attended by thirty-five enthusiastic boys. They adopted the name of the "North Castle Junior Police" and elected officers. It was resolved that the Junior Police would function for the benefit of all members and would strive to promote good fellowship, interest in civic affairs and social activities, and to create a better understanding and relationship between youth and law enforcement.

Lieutenant W. G. Hendricks, a graduate of the FBI National Academy, was greatly interested and I instructed him to work closely with this group and to serve as Director. A back room in Police Headquarters was temporarily appropriated as a meeting place. Later, a summer club house was donated to the group, and the boys take pride in maintaining it themselves.

In true adult fashion, the boys elect their Chief, a Captain, and two Lieutenants. The group is divided into four platoons with a Lieutenant and two Sergeants at the head of each. Local citizens interested in the welfare of the organization serve as a board of advisors.

The boys have drawn up a set of rules and regulations governing the maintenance of the club house and the conduct of members, both at the meetings and in everyday life. Violators of the rules are dealt with by a criminal court composed of the boys themselves. A judge is elected each year, and on each occasion of an infraction of the rules, a jury is picked to try the offender. The maximum penalty imposed upon the guilty party is twenty-five cents. Occasionally boys are invited by the local judge to be present while court is in session.

*A semi-rural community, population approximately 1,600

The organization is largely self-supporting, with a few supplementary contributions from citizens of the community. Dues are set at five cents a week. An annual dinner is financed with the proceeds from a dance which the boys sponsor each year.

Programs that arouse and retain the youths' enthusiasm are arranged for the weekly meetings. The boys have been favored by speakers from the FBI, Armed Forces, Conservation Department, and business and professional fields. A motion picture sound projector was donated by a resident and numerous educational films have been obtained. The popularity of these meetings is attested to by the fact that throughout the club's existence attendance has averaged ninety-five per cent of membership.



1st ANNUAL DINNER, NORTH CASTLE JUNIOR POLICE

Credentials of the members include a shield inscribed with the name, "North Castle Junior Police," and an identification card showing the individual's description and one fingerprint. Scarcely a drive or campaign of any kind is put across in Armonk Village without the eager assistance of this group.

Today, when a complaint of youthful disorderliness arises, a discussion is held at the next meeting regarding the offender, who remains anonymous. This method has proved far more effective than bringing the delinquent into juvenile court. Although Armonk Village has never experienced an aggravated delinquency problem, it is even a rarity today to find a broken street light or any similar evidence of youngsters' pranks. Throughout our work with youth, we have kept foremost in mind the principle that the youth problem cannot be solved unless there is a close working relationship between law enforcement, youth, school, churches, and parents.

ADDRESS OF ARTHUR HAYS SULZBERGER
GRADUATION EXERCISES, 33rd SESSION, FBI NATIONAL ACADEMY

As an impassioned reader of detective stories, I welcomed the Director's invitation to talk to you today, and it was only after I had started to outline what I would say that doubt assailed me as to the wisdom of my acceptance. First and foremost, did I have anything to contribute and, secondly, why was I asked?

Only recently I had come across a question which the Cincinnati Advertisers Club had devised as part of an aptitude test for copywriters. It read as follows:

"Coleridge was a drug addict. Poe was an alcoholic. Wilde was a homosexual. Marlowe was killed by a man whom he was treacherously attempting to stab. Pope took money to keep a woman's name out of a satire, then wrote the piece so she could be recognized anyway. Do you still want to be a writer -- and, if so, why?"

This catalog of journalistic candidates for the fingerprint morgue surely suggests that the Director may have desired to show this graduating class a speaker representative of the citizens they must apprehend rather than of those with whom they will cooperate. You will have to decide that part of my question.

In spite of the list of doubtful characters just enumerated, the press is on your side in an effort to enforce the law. I hope it is as colleagues and not as culprits that the graduates of this school will be meeting newsmen. If I can contribute in any degree to the closer cooperation between you who enforce the law and we who report its violations and the efforts made to enforce it, I shall have answered the other part of my question.

As colleagues in an effort to maintain internal security in this country, the press and the police face a tremendously difficult job. We have on our hands now a crime problem that seems to be following the course of the last post-war period. There has been an enormous increase in major crime, as you well know. Only recently Director Hoover announced that the first six months of this year showed a 13 per cent increase in major crimes over the same period in 1945. This is the highest semi-annual increase since national figures on crime were first compiled in 1930. Graduates of this class are undoubtedly familiar with these figures, as well as with the fact that 1945 was 12.4 per cent over 1944.

If the experience after the first World War is any guide, this is only the beginning. We had no official crime statistics in the ten years after World War I, but crime figures were gathered from local police by The Travelers Insurance Company of Hartford, Connecticut. Their reports, which were incorporated in the studies published by the Wickersham Commission in 1931, indicated a staggering increase in crime in the decade following the first war. Their statisticians estimated that from 1920 to 1929 disregard



ARTHUR HAYS SULZBERGER

of the law increased 150 per cent, while the population gained but 20 per cent. In forty-six municipalities for which comparative figures were available, law violations from 1920 to 1929 increased from 739,000 offenses to 1,842,000 offenses, or a gain of 161 per cent. These figures suggest that, if history repeats itself, the rise in crime started during the last two years will continue for a decade. It is an ominous and dismal prospect.

Nor is it made less dismal by closer scrutiny of the kinds of crime and the ages of the criminals. It is particularly alarming to note that in the first half of 1946, 35 per cent of all arrests involved persons less than 25 years of age. Those under 21 accounted for 33.7 per cent of all crimes against property. More than half of these crimes were committed by persons under 25. Age 21 predominated among the male groups and age 22 among the female.

These crimes committed by our young people reflect upon all the institutions that have to do with child rearing and child training. But please make no mistake about it -- I am not one who decries the younger generation. I remember all too clearly when an uncle of mine, many years ago, held forth on that subject and, having stood as much as I could, I interrupted with "Who is this younger generation you are talking about? It's your flesh and blood -- reared in the environment that you created, and if you don't like it the best course you can follow is to do something or be silent."

It is not as a sociologist or a criminologist that I appear here today, but I have tried to satisfy my own mind as to some of the causes for the upsurge in the number of crimes committed by youths. The explanation is not easy to find. Broadly I suppose it reasonable to conclude that in war-time the decline in normal restraints on individual behavior provokes the most serious anti-social results in those who have had the least exposure to normal restraints. In other words, the mature adult carries into a war period some inhibitions, restraints and guides of conduct accumulated in pre-war years. Teen-agers, on the other hand, have not the same reservoir of moral development on which to draw and, therefore, exhibit a more violent response to the pressures of weakened morality which bear upon all of us when the energy of the nation is devoted to its external defense.

Nor does the moral climate of society change the moment war ends, and people for years after a war continue to exhibit the consequences of its adverse influence upon morals, and continue to respond to a deteriorated moral environment.

Certainly the statistics we have been discussing suggest this explanation, and you law-enforcement officers have to deal with the consequences of society's moral lapses. The basic remedies lie in hands other than yours. Law-enforcement officers must be concerned mainly with protecting society against anti-social persons. You are not free to concentrate on the job of preventing the development of anti-social behavior in persons who turn to crime.

Law enforcement, however, is in itself a kind of crime prevention. Those who no longer respond to the dictates of convention or the morals of society may still be held in check by fear of apprehension and punishment. True, this is the last line of defense, but this last line is stronger now than it was twenty years ago. Law-enforcement agencies are immeasurably more efficient. There is a stronger assurance of punishment than existed then, and few there are who would deny that this is in no small

part due to the efforts of those directing the work of the Federal Bureau of Investigation.

Comforting as this may be, there is not much assurance in the fact that so much of our security against crime is being left to this last line of our defense. The school, the home, the church, the amusements -- the whole social environment that constitutes the first lines of defense needs to be examined and strengthened. This whole system has not, and is not producing enough youth of teen-age equal in moral character to the temptations that society now puts into their way.

The inadequacy of the processes of upbringing and training has been reflected in the difficulties of our troops abroad. I have seen our occupation forces in Germany. On a trip made in July I visited a great many of the establishments of the American Military Government. I was shocked by our niggardly post-war policy. What I saw persuaded me that it is the height of folly to take young men of eighteen and nineteen and send them out on the roads of Germany as constabulary, with rifles in their hands, to interpret democracy to the German people. These boys have not learned the true meaning of it themselves. Moreover, they are sent abroad in such small numbers, due to the stupidity of our Congress and ourselves and not of our War Department, that it is impossible to hold them in barracks for any considerable period to give them the strength of discipline or properly indoctrinate them before they meet with corruption of every kind. They are exposed to bribery, to moral corrosion and to infection by venereal disease; and I would hold that their previous training, in and out of the Army, has not prepared them to resist temptations or avoid these dangers of an occupation army.

The late General E. C. Betts, at one time Judge Advocate General in the European theatre, had some interesting things to say relative to the behavior of the young men now overseas. He said that misconduct grew out of the fact that soldiers were "in a strange country where no one knew them. They lost their sense of identity, and they had a normal letdown and relaxed." "This sense of identity," the General emphasized, "is very important. If one is among friends, or people one knows, and wants their respect, one hesitates before doing anything shameful."

This is of particular interest to me because the press has an important role in maintaining a "sense of identity"; and the problems of the Army differ chiefly in degree from those in civilian life. It is a difficult thing to maintain this "sense of identity" even in a peacetime urban community. Yet without it each individual enjoys an anonymity that removes him from some normal pressures which induce conformity to the customs, morals and rules of society. In a primitive state, or even in a present-day small community, word of mouth suffices to give to the whole group a knowledge of each individual's behavior, and to bring down upon him censure for anti-social acts as well as praise for contributions to the public good. In a modern urban society, agencies of information -- media that disseminate news about individuals -- take the place of mouth-to-ear communication. They are indispensable to the making and enforcing of the rules of custom and convention. Without them, persons who violate these rules, or even the law, do not feel the universal reproach of society -- which is more feared by many law offenders than any of the penalties which the law itself inflicts.

The young man who has many attachments to communal groups of good moral purpose has many pressures inclining him toward good conduct. The natural instinct to avoid condemnation helps him to conform to good standards, and where his associations are good he knows that deviation will bring upon him the censure or disrespect of those whose good opinion he covets. "Birds of a feather flock together" is an old saw, and still true.

These associations have all been cut off from boys overseas. And, to a certain extent, they do not exist as they once did for boys in a modern urban community. The old-fashioned "good influences" of home, school, church, club and society, so potent in earlier rural America, have not persisted in our mobile society of today with the same force they once had, and we have not given sufficient thought to substitutes for these historic agencies that motivated men toward good social behavior. Modern life, in spite of many tendencies toward communal functions, has a coincidental tendency toward the isolation of the individual in terms of social ties. When the individual of today, who lacks the stamina to resist temptation, is thus isolated he does not feel the pull of environment that saved from danger many young men of earlier generations. This is not to say that, in the long run, there is any real substitute for the inner qualities that cause men to respect the law and serve society; but none of us is self-made or self-sustained. Our reliance is upon the society about us to a greater degree than we realize; and, in this sense, the failure of an individual becomes a failure of society.

It is discouraging to find our failures of this sort following the first World War repeated after the second World War; but it is also somewhat encouraging to recall that, after all, we did survive the "crime wave" of the Twenties.

Some notion of just how serious the crime situation was at that time may be gained from a comment made at a New Jersey crime conference by Attorney General McCran, who declared that "no citizen ought to go out on a dark road at night unarmed." We have not quite reached that stage in this post-war period.

And then, as now, there were some people who thought the newspapers were greatly to blame. The Greeks had a custom of killing the messengers who brought them news of a lost battle. Americans seem to have inherited from the Greeks this inclination to murder the bearer of bad tidings.

Among those who blamed the newspapers for crime in 1920 was Richard E. Enright, Police Commissioner of New York City. In November of that year he declared:

"During the year the local press of this city took occasion to publish almost daily scare headlines and exaggerated stories of crime and lawlessness -- which served only to advertise the business of the criminal and to attract criminals from far and near who believed because of the newspaper stories that they could operate with impunity.

"Many young men without previous criminal records stated under oath that they were induced to commit crimes because the newspapers had led them to believe they could do so in this city with little or no fear of arrest and the consequences."

Many others back in those days appealed to the newspapers to

play down crime, to say less about it, and avoid calling attention to the moral laxity that had overtaken the country. I remember a committee representing a leading women's organization that called on me to urge that The New York Times stop printing crime news. My reply was that we were an adult community entitled to know what was going on about us, and that there was no hope for salvation unless, knowing, we then rose up on our hind legs and did something about it.

The Commissioner and the committee of women and others who tried to keep crime out of the paper just did not understand the effect of the press upon law enforcement. They made a mistake that Director Hoover did NOT make when he mobilized the FBI against crime and criminals.

Crime and criminals cannot flourish long in the full light of publicity. I am convinced that news is a major law enforcement weapon. I hope those of you who have attended these courses look upon it as such. It has a profound general influence for good upon society by providing the social cement of common knowledge, without which the unit of a modern community could not be preserved. It also has a specific influence upon the immediate tasks of law enforcement.

Crime news, in my opinion, is an important deterrent to crime because either directly or inferentially, it carries the warning that crime does not pay. If there is any foundation in psychology for our assumption that repetition is effective, surely the press stories of arrests, conviction, sentence and execution appearing day after day must make some impression on the minds of the criminally inclined.

Moreover, crime news aids in the apprehension of those who have committed offenses. It permits the widest dissemination of personal descriptions. It exposes the criminal to an army of volunteer intelligence sources, and forces the criminal to slow his movements if he is escaping.

Crime news puts the public on guard against the perpetrator of crime, or against the perpetration of like offenses by other criminals.

Crime news provides a penalty for many offenders more feared than the penalties of the law. Those who would laugh off fines or even short imprisonment, if they could pay the one or serve the other in obscurity, fear the penalties of public reproach. A short experience in dealing with those who try to keep their names out of crime news would persuade any press critic of the powerful influence of this deterrent upon many people. The confirmed criminal, the hardened law-breaker, may be indifferent to this penalty, but thousands of persons, who might otherwise proceed from minor to major crime, are influenced by it and avoid the repetition of offenses that had led to painful publicity.

Crime news has one other function upon which I have not yet touched. It is the responsibility of the press to keep the processes of justice under constant public scrutiny. Full news coverage of agencies of justice provides assurance against discriminatory practice, or corruption in office, both on the part of enforcement officials and of the courts. It is a protection for the good official. It is an assurance against abuses of authority by bad officials.

Let me acknowledge that the police are not without their legitimate complaints against newspapers, some of which play up crime news and the salacious aspects of it with no thought except increased circulation. Only recently a well-known columnist, obviously pressed for copy, filled his

space with an assortment of crime episodes he might well have culled from FBI files. I need not remind you, however, of the human interest in such stories. A good, juicy murder is exciting reading -- why deny it? A rough check indicates that 25 per cent of all fiction published in book form last year was made up of detective stories. And so-called "surveys of readership" conducted during the war indicated that men, only slightly less than women, favored a local crime story over reports of air and land battles. That is undoubtedly the reason why overzealous reporters and editors may sometimes complicate the problems of enforcing the law.

Earlier in this talk, I quoted, with at least implied criticism, some remarks of the man who was the Police Commissioner in New York in 1920. It is only fair to quote another statement of his that greatly reflects to his credit. At the Governor Edwards Conference in New Jersey, in December 1920, Commissioner Enright made an interesting proposal. He suggested that there be established at Washington a Federal crime bureau to gather and disseminate fingerprints, records and other facts concerning criminals.

When this proposal was first advanced by Commissioner Enright and others, many earnest, liberal people opposed it. They continued to oppose it during the early years of the Federal Bureau of Investigation. They had in mind the great dangers of the police state, which events subsequent to 1920 have caused us to fear more than ever. They could not know then that the men who would organize the Federal Bureau of Investigation would be men having a profound belief, rather, in the doctrine of the state's police. The FBI never has raised any question about its position as the servant of the state -- never has aspired to or exerted the authority of the master of the state. Its principles are now so thoroughly established, its policies so widely understood and well inaugurated that fear of a police state no longer hampers the FBI. That it has won the war for public opinion at the same time it has won the war against criminals is a double tribute to the FBI and to its Director.

The FBI has been interested in making state and local police so efficient that they can cope with the crimes within their jurisdiction with a minimum of Federal assistance. The attitude is one that recommends itself to other agencies of the Federal Government. It contemplates a diffusion of responsibility, a dispersal of personnel, a sound division of authority and a democratic distribution of power to the points closest in contact with the people. The FBI has accomplished by leadership as much as it has achieved by law. An agency initially feared as a development hostile to democracy has, happily enough, proved itself the servant of democratic ideas and ideals. It has been effective and efficient in the enforcement of Federal law and equally successful in making more efficient the local enforcement of the law. Civil rights have been made more secure by its operations and nowhere have been rendered uncertain by its work.

A woman from one of the backward sections of our country was having the advantages of education impressed upon her by her child's teacher. "Yes, indeed," she said, "if you ain't got an education you sure have to use your brains." Gentlemen, for you it is not a choice -- you must have both. I envy you the opportunity of service at this critical period. I can wish each one of you no greater success than that you, in each of the communities to which you go, may be as successful as the FBI has been in the nation.

(Continued from page 2)

gency. I would not be concerned if we were dealing with only 100,000 Communists. The Communists themselves boast that for every Party member there are ten others ready to do the Party's work. These include their satellites, their fellow-travelers and their so-called progressive and phony liberal allies. They have maneuvered themselves into positions where a few Communists control the destinies of hundreds who are either willing to be led or have been duped into obeying the dictates of others.

The average American working man is loyal, patriotic and law-abiding. He wants security for his family and himself. But in some unions the rank and file find themselves between a Communist pincers, manipulated by a few leaders who have hoodwinked and browbeaten them into a state of submission. Communist labor leaders have sparred for time in their labor deliberations to refer matters of policy to Communist Party headquarters for clearance. In fact, resolutions have been delayed pending such approval and contemplated strikes have been postponed until adequate Communist support and backing were available.

The Communist influence has projected itself into some newspapers, magazines, books, radio and the screen. Some churches, schools, colleges and even fraternal orders have been penetrated, not with the approval of the rank and file but in spite of them. I have been pleased to observe that the Communist attempts to penetrate the American Legion have met with failure. Eternal vigilance will continue to keep your ranks free of shifty, double-crossing Communist destructionists.

We are rapidly reaching the time when loyal Americans must be willing to stand up and be counted. The American Communist Party, despite its claims, is not truly a political party. The Communist Party in this country is not working for the general welfare of all our people - it is working against our people. It is not interested in providing for the common defense. It has for its purpose the shackling of America and its conversion to the Godless, Communist way of life. If it were a political party its adherents could be appealed to by reason. Instead, it is a system of intrigue, actuated by fanaticism. It knows no rules of decency. Its unprincipled converts would sell America short if it would help their cause of furthering an alien way of life conceived in darkness and motivated by greed for power whose ultimate aim is the destruction of our cherished freedom. Let us no longer be misled by their sly propaganda and false preachments on civil liberty. They want civil license to do as they please and, if they get control, liberty for Americans will be but a haunted memory. For those who seek to provoke prejudice and stir up the public mind to angry resentment against our form of government are a menace to the very powers of law and order which guarantee and safeguard popular rights.

We, of this generation, have faced two great menaces in America - Fascism and Communism. Both are materialistic; both are totalitarian; both are anti-religious; both are degrading and inhuman. In fact, they differ little except in name. Communism has bred Fascism and Fascism spawns Communism. Both are the antithesis of American belief in liberty and freedom. If the peoples of other countries want Communism, let them have it, but it has no place in America.

The Hitler, Tojo and Mussolini brands of Fascism were met and defeated on the battle field. All those who stand for the American way of life

must arise and defeat Red Fascism in America by focusing upon it the spotlight of public opinion and by building up barriers of common decency through which it cannot penetrate.

Such a crusade cannot be spearheaded by any force more potent than the American Legion, composed as it is of America's heroes who have proved their mettle in battle. The men and women who defeated the Nazi brand of Fascism with bullets can defeat the Red brand of Fascism by raising their voices in behalf of Democracy and by exposure and denunciation of every force which weakens America.

The American Legion, ordained to bring together the veterans of World War I to perpetuate the associations made on foreign soil, is being expanded by the influx of veterans of World War II, who likewise fought that America might live. To allow America to become infected with the malignant growth of Communism or to be infested by crime is a breach of our trust to those who gave their lives for American principles.

Let us gird ourselves with the determination that those basic freedoms and spiritual ideals for which so many have sacrificed so much shall not be destroyed from within.

Let us be steadfast for America, work and live for America, and eternally be on guard to defend our Constitution and our way of life against the virulent poison of Communistic ideology.

NOTICE

It is extremely important that, if available, a photograph of the subject be attached and descriptive data requested on the back be filled out in full on each fingerprint card forwarded to the Identification Division.

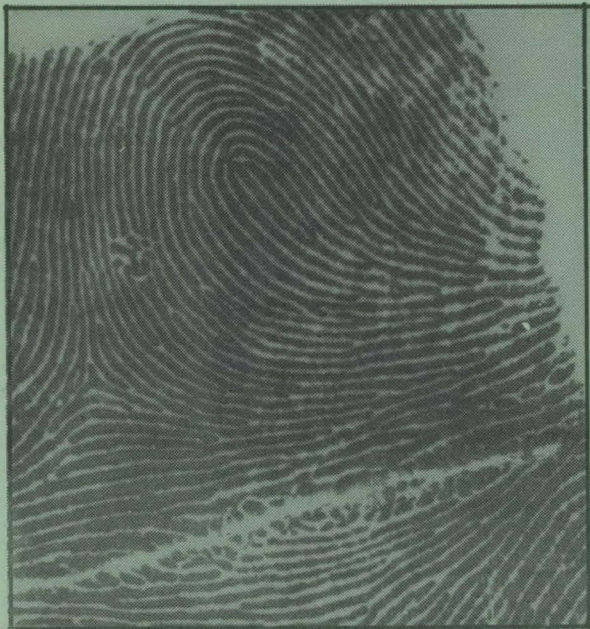
Should the subject later become a fugitive, a picture of him is then readily available.

It is particularly necessary that the FBI Number of the subject be carried on the card if it is in the possession of the contributing agency. This eliminates work and expedites handling of the fingerprint card.

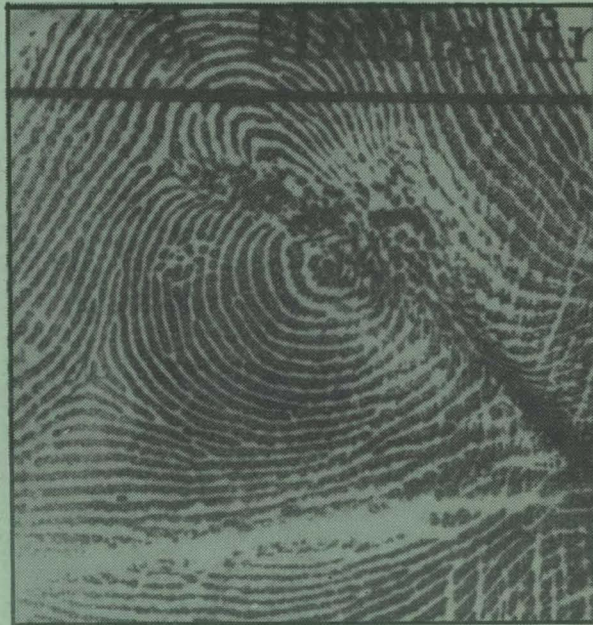
A QUESTIONABLE FINGERPRINT PATTERN SCARRED IMPRESSION

The fingerprint impression presented this month illustrates the result of a scar.

When an impression is partially scarred, i.e., large scars about the core so that the general type cannot be determined with reasonable accuracy, the impression should be given the primary value of the pattern of the corresponding finger on the other hand.



BEFORE SCAR



APPEARANCE AFTER SCAR

It is noted that this scarred print can only be classified as one of two general types; namely, loop or whorl. In view of the fact that this scarred print has the general formation of a loop or whorl, it would not be classified as an arch or tented arch even though the opposite finger were an arch or tented arch. In the fingerprint files of the FBI if this scarred pattern were opposite any other type pattern, it would be given a loop with a reference to a whorl.

NOTICE MURDER VICTIM IDENTIFIED

The body of an unknown white woman caught in a drift below a bridge at Jacksonville, Texas, (FBI Law Enforcement Bulletin, September, 1946) has been identified as that of Mrs. T. C. Brannon, Gladewater, Texas. Her husband has been arrested and charged with the murder in Gregg County, Texas.

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