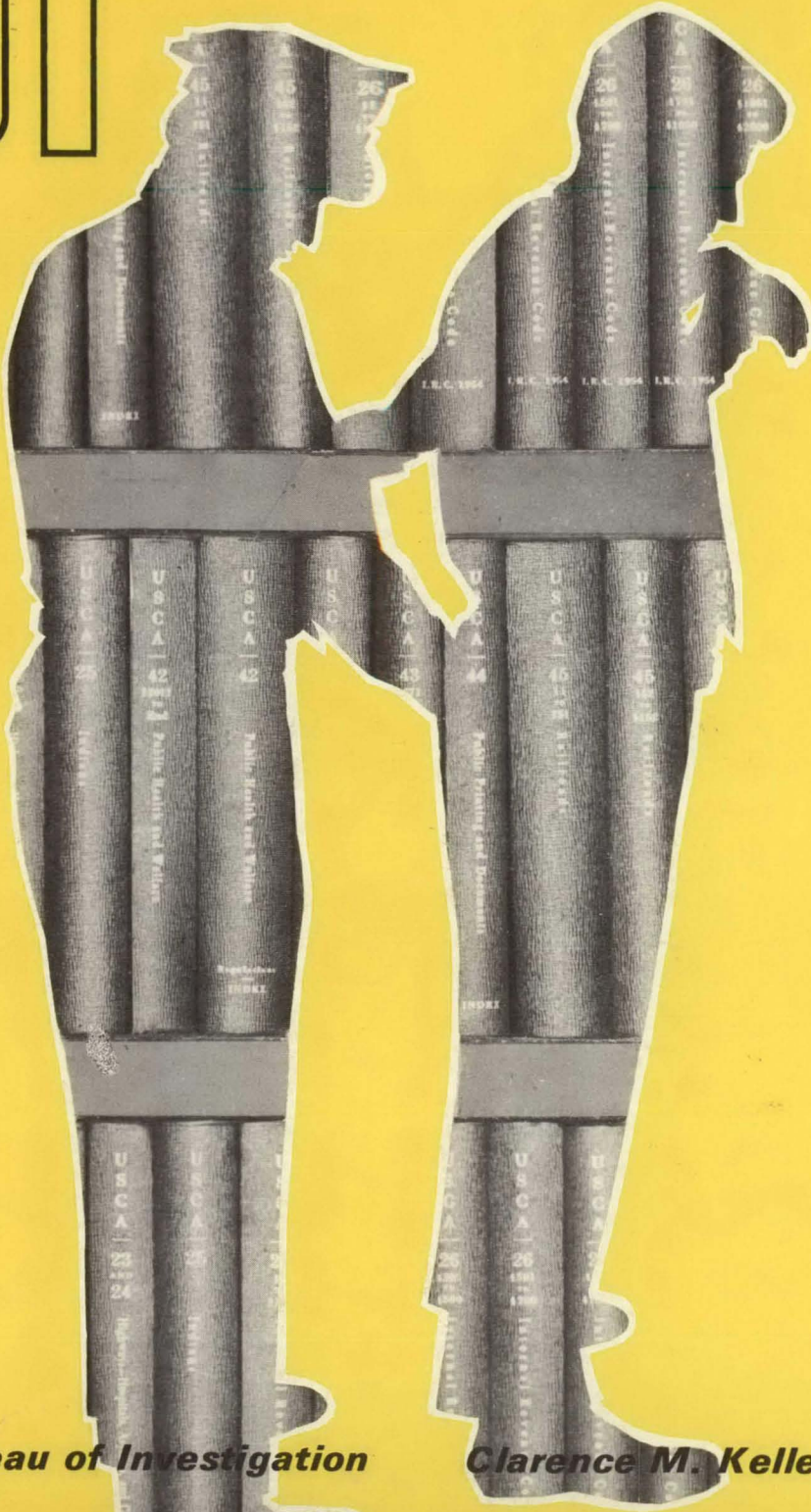


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Clarence M. Kelley, Director

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THE COVER

Independent of the power to arrest, the law provides law enforcement officers with the authority to stop, detain, and frisk a suspect. For a definitive discussion of this authority, see article beginning page 10.



Message from the Director . . .



THE CONTINUED SERIOUS RISE in nationwide crime is a grave concern to all law enforcement officers. Our concern, I am sure, is widely shared. To the law-abiding citizen, the specter of expanding lawlessness cannot help but provoke anguish—and for good reason. It is his tax dollars that have financed the war on crime, and it is his safety, possessions, and community that are mainly threatened by lawlessness.

There are few qualities in life that are more sought after than that which is denied by pervasive criminality: the freedom from fear. Still, the control of crime in a democratic society rightly demands that it be done without infringement on constitutionally protected rights and due process under the law for those charged with crime. Striking this balance between order and freedom is no mean achievement. The balance tips from time to time, to either side, and efforts have to be made to bring the scale back on center. That scale is presently out of kilter, particularly in regard to bail and sentencing considerations accorded seasoned criminals. This imbalance is substantially contributing to the growth of crime.

To combat crime effectively requires at the outset a realistic examination. One reality of crime is that repeat offenders are at the core of the problem. Studies of criminal histories reveal convincing evidence that as much as two-thirds of all offenses are committed by recidivists—persons who have been arrested for and convicted of crimes previously. Under current bail procedures, these experienced and

often hardened criminals are frequently given the same consideration as first-time offenders. In practice, this means that a high-risk offender can be bonded and released a number of times while awaiting trial. This results, quite predictably, in many of these offenders committing additional crimes to enrich the resources which they will use either to defend themselves in court or—quite probably—to flee altogether from its attempts to provide them due process before the law. To make matters worse, criminal repeaters charged with crimes of violence are frequently permitted bail as quickly as youthful and novice offenders accused of petty larceny.

The realities of crime also command us to deplore the widespread tendency to pronounce concurrent sentences on offenders convicted of multiple offenses. In short, this is bargain basement justice—two, three, or more for the price of one! It significantly reduces the risk of committing crime, encourages a careerist dedication to criminal pursuits, obscures the image of stern accountability to be expected from the law, and disillusiones the taxpayer, who supports an expensive criminal justice system with the earnest hope that it will justly punish offenders commensurate with the extent of their crimes.

Realistic assessments of criminality will, I am confident, stem the growth of crime. But it will take courage to support these concepts in the face of criticism from apologists of much criminal behavior. The same type of courage is

MESSAGE

needed as that displayed by the 858 law enforcement officers murdered in the past 10 years while upholding the law. It is no coincidence that 77 percent of the felons who took the lives of these valiant officers had been arrested previously on a criminal charge and that 59 percent of them had been convicted.

Experience teaches us—as it surely does the criminally inclined—that opportunities in all walks of life are to be seized when the rewards are great and the risks are small. Criminal opportunities in a free society will always be considerable and so should be the penalties for exploiting them.

NOVEMBER 1, 1974


CLARENCE M. KELLEY
Director

MANAGEMENT INFORMATION:

Law Enforcement's Forgotten Need

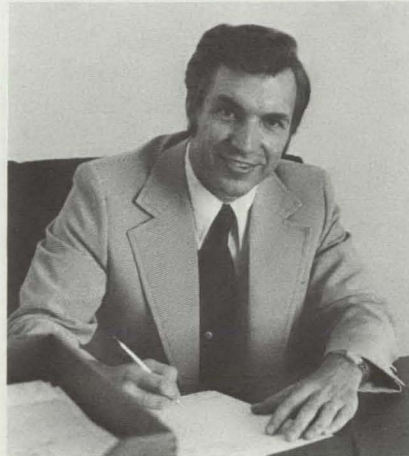
By

N. ROBERT CONOVER

Regional Inspector
Office of Inspection
Bureau of Alcohol, Tobacco and Firearms
Washington, D.C.

What return are you receiving on your investment? This has been asked of businessmen for years; now this question is being posed to law enforcement officials across the country. Few agencies have sufficient manpower to meet all of their law enforcement needs and, therefore, are faced with the problem of selectively assigning their available enforcement effort. While this problem exists to a lesser degree in uniform policework, because of the complaint-response situation, it is present and must be overcome if an agency is to function at peak efficiency. The solution is utilization of management information.

The evolution of a management information system (MIS) from inception through implementation will be described. This particular system was developed by the Bureau of Alcohol, Tobacco and Firearms (ATF), U.S.



Treasury Department, an investigative-type law enforcement agency with jurisdiction in the areas of firearms, explosives, and liquor. While it is recognized that there is no "typical" law enforcement agency, there exist many more similarities than differ-

ences between agencies. Therefore, although this particular management information system was designed for an investigative-type Federal agency, there will, nonetheless, be many areas within the ATF's MIS which will have direct application to any law enforcement agency.

Background

Managers of investigative-type law enforcement agencies require, as a minimum, information which reflects investigative effort expended, the specific geographic and jurisdictional areas receiving this effort, and the "success" of this investment in terms of arrests or seizures. Effective management may require additional information: Where, when, and how the investigation originated; how many suspects were involved; what specific

"Managers of . . . law enforcement agencies require . . . information which reflects investigative effort expended, the specific . . . areas receiving this effort, and the 'success' of this investment . . ."

violations were thought to have been perpetrated by each suspect and which can be substantiated; was the investigation successful and in what terms; if accepted for prosecution, where was venue, what was the action by the prosecuting attorney, and by the court?

These items, collectively, reflect a mass of data which will be termed the "investigation profile." Regardless of an agency's jurisdictional responsibilities, its management information needs are contained somewhere within this "profile," and this data can be captured and utilized by a properly designed MIS.

Such a system monitors management effectiveness. How well this is accomplished is determined by the design of the system, and is dependent upon the data elements selected as indicators, the currency of the information, and the "digestibility" of the product (output). The Bureau of ATF experienced problems in each of these areas. The major deficiency, however, was in the selection of indicators to reflect operational activities.

Law enforcement agencies, like business firms, assess their operational activities and, consequently, gain insight into their management effectiveness, by attaching individually meaningful units of measure to the effort-success relationship. They attempt to procure the maximum return (successes) for their investment (effort). This is commonly termed "selective enforcement." Understanding the varied definitions of "effort" and "success" and accurately interpreting the products of this relationship are the keys to effective management.

Manual System Deficiencies

Previously, ATF measured success, on a national basis, by the number of "cases" completed—a case generally being defined as an arrest, a seizure,



Director Rex D. Davis,
Bureau of Alcohol, Tobacco and Firearms.

or both. A case, however, could involve any number of defendants, each having committed any number of violations. A "case," therefore, was not a valid definitive or quantitative unit of measure. A detrimental side effect of this case-oriented system was the projection of a very unrealistic and unflattering accomplishment profile. Statistically, ATF received only partial credit for its successes and no credit for its nonsuccesses, those investigations that did not terminate in an arrest or seizure. That portion of ATF's total investigative effort that was expended on these successes could not be determined. In addition, nonsuccesses could neither be identified nor quantified, although a preliminary study indicated a ratio of approximately 10 nonsuccesses for each success might be expected.

Effort (time) was reported, to the nearest 1/2 hour, on a typewritten daily report prepared by each Special Agent. The upper portion of this report contained a brief narrative description of his activities. The lower portion contained a series of blocks, representing ATF investigative jurisdictional areas, which were utilized for reporting the number of hours expended on these various activities. Effort, quantified in the lower portion of the report, was not associated with

any specific case or activity, reflected in the narrative section. In addition, this "quantified" effort contained numerous variables which undermined its validity when utilized within the effort-success relationship. Effort included, for example, such activities as traveltime, courttime, report writing time, and time spent conducting investigations for other field offices (collateral investigations). None of these activities are "success-producing" in terms of arrests or seizures. Therefore, as effort expended by a field office in these activities increased, proportionately less time remained available to conduct its own "success-producing" activities. This distorted the "image" of that office as reflected by its effort-success relationship (ratio). Evaluating field offices, using this type data, could be quite biased and misleading.

A quantifiable indicator, exhibiting minimal variation from area to area, was needed to reflect "effort" realistically. This ultimately was evolved and termed "pure investigative time," defined as the time spent pursuing "success-producing" activities and divorced from the variable support-type activities previously mentioned. Under this concept, variations in effort-success ratios between offices or functions should now more accurately reflect variations of investigative efficiency—a valuable tool for field office evaluations.

System Design

A computerized MIS was designed which departed from the "case" concept and employs an "investigation" as a measure of success, and "pure investigative time" as a measure of effort. An IBM 360/65 data processing unit provides computer support.

A coded investigation number is utilized to report those data elements of the "investigation profile" most meaningful to ATF. The problem of

- (1) If a Special Agent works more than *4 hours* on a specific investigation, he secures an investigation number and begins to charge his investigative time (effort) to that number.
- (2) Successful investigations are all numbered, regardless of duration.
- (3) Specific types of noncriminal investigations are all numbered.

Details of the ATF's MIS

Item 13 Office ID. The specific ATF office originating the investigation by both District Office (SAC) (Item 14) and Post of Duty (POD) (Item 15).

Items 16-17 Date. The month and year in which the investigation originated.

Illustration 1. Form 4795 (Front of form).

Sequence Number. Begins at 1 each month for each Post of Duty and increases, sequentially, with the opening of each new investigation.

Check Digit. A computer generated and validated (at each subsequent input) calculation which insures, within a certain probability, that each digit

[illegible]

of the Unique Identifier is correct as to position and value. In effect, it insures accurate master file posting.

These data elements, collectively, identify each individual investigation. They are termed the "Unique Identifier" and are utilized as an "address" in the computerized master file (Illustration I, Item 12).

Item 20 Suspect. Assigns a numerical code to each suspect.

Item 21 Origin. Shows from what source the investigation originated.

Item 22 Activity. All Special Agent activities are coded (Illustration II).

Item 23 Bureau Program. All activities are identified by ATF programs.

Item 24 Disposition. How the field investigation is concluded.

All of the above data elements are reported to the master file by the Special Agent, on Form 4795, and except for successful (case report forwarded) investigations, master file posting is completed.

Successful investigations require additional data elements which are reported to the master file on Form 4796 (MIS Input Document) (not illustrated) as Items 25 through 30:

Item 25 Judicial District. The specific judicial district in which venue is had or seizure is made.

Item 26 SAC. Action taken on the report by the Spe-

cial Agent in Charge; that is, no potential, prosecution recommended.

Item 27 Attorney. Action taken by the prosecuting attorney.

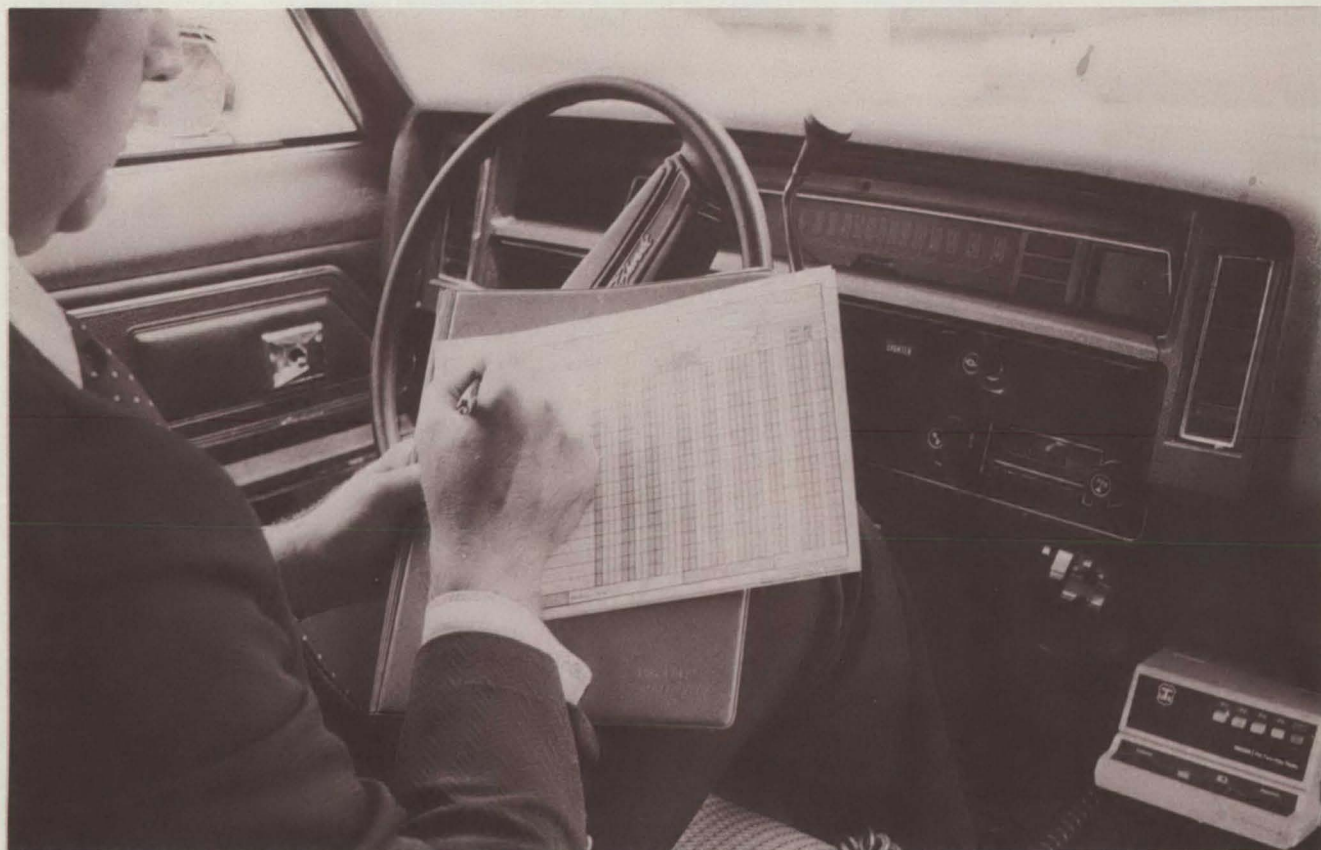
Item 28 Final Disposition. Final action by the prosecuting attorney, grand jury, and/or court.

Item 29 Sentencing. Initial action by the court, not including appeals.

Item 30 Defendant Status. The most current status of the defendant; that is, arrested, to be arrested, wanted person, etc.

These additional data elements are reported to the master file by the Dis-

A Special Agent prepares Form 4795 prior to going off duty.





An MIS clerk (at left) responds to a request for an investigation number.

ing all necessary additional information.

The District Office MIS Clerk will furnish the Special Agent with the Unique Identifier, which may be requested by the Special Agent telephonically or in person. The Special Agent will advise the clerk of the title of investigation, suspects, origin, activity, and Bureau program, which will be manually recorded (coded) in the investigation log.

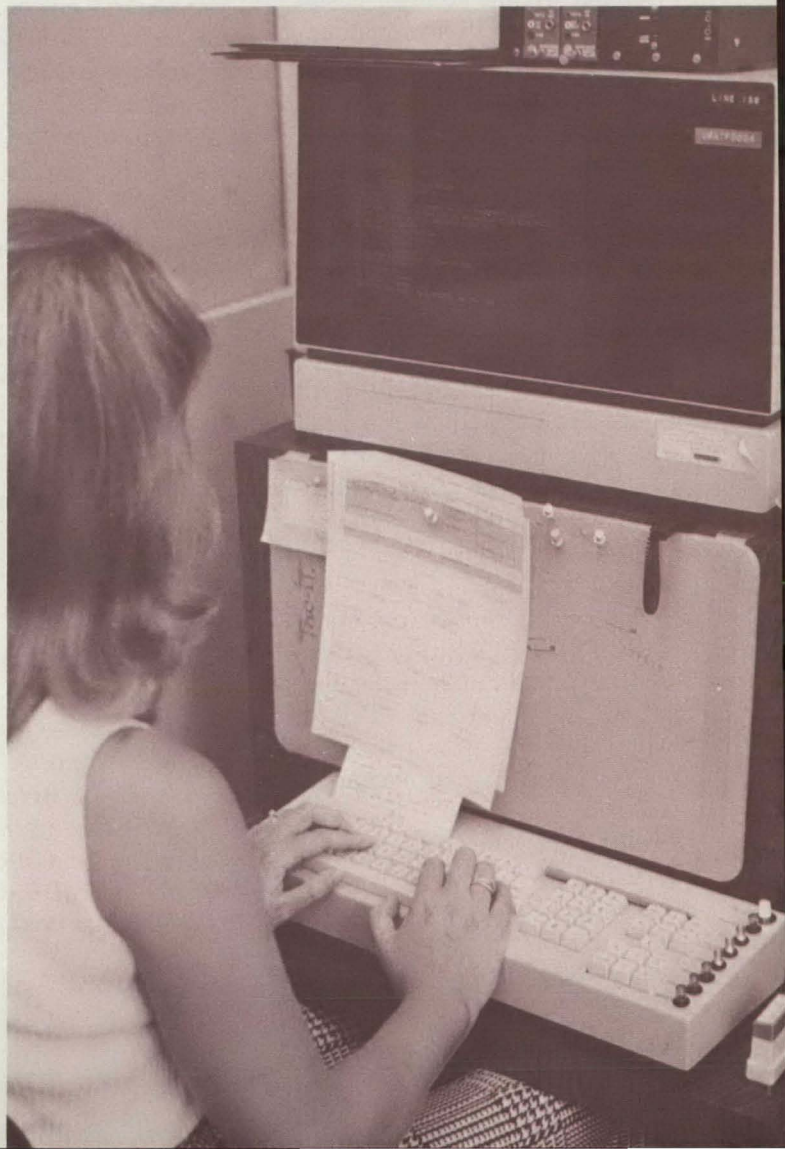
Outputs are individually formatted for each management level, for example, Special Agent in Charge, Regional Director, Assistant Director, by tailoring column headings to fit the recipient's needs. A Special Agent in Charge, for example, would receive outputs which contain a column for every District Office (including his)

A clerk (below) queries TECS.

trict Office MIS Clerk via Form 4796 on a weekly basis. The formats of Forms 4795 and 4796 are identical with the exception of data elements 25 through 30, and the fact that the reverse of Form 4796 contains only the numerical codes for these additional data elements.

All time spent on noninvestigative activities, for example, traveltime, courttime, and time devoted to investigations which never receive investigation numbers (less than 4 hours), is also reported to the MIS by the Special Agent, on Form 4795, in addition to reporting all time spent on investigations which have been assigned investigation numbers. In this way, effort, representing 100 percent of a Special Agent's activities, is captured (Illustration I, lines 3, 4, 6, 7, and 10 through 14).

Investigation logs for recording the issuance of investigation numbers to Special Agents are computer-generated. The formatting allows the printout to be directly utilized as a control log for issuing investigation numbers to Special Agents and record-



in his Region, together with a column reflecting Regional totals, and so forth.

Information (stub) items, actually printed, also vary with recipients, yet when they appear, are identical in all reports. Outputs for the ATF Management Analysis Division, for example, would contain all programmed stub items, while outputs for field office managers would contain fewer items. This allows all management levels to become thoroughly familiar with the format of the report and the significance of each information item, thus facilitating both vertical and horizontal communications within the management hierarchy.

Implementation

A pilot test of the MIS, involving five supervisory units totaling approximately 45 Special Agents, was initiated January 3, 1972, by ATF. On January 1, 1973, the system was instituted on a national scale.

That transition of report replacement is currently underway. Monthly operations reports are being generated with data breakdown by Regional and District Offices. Daily reports of Special Agents have been discontinued since January 1, 1973. The first two operations reports to be replaced completely by the MIS were abolished in September 1974, with additional reports being scheduled for replacement during the following months.

The average input error rate, nationwide, as reflected by the error registers for the most recent reporting period, is an extremely low 2 percent. The initial error rate, immediately following implementation, never exceeded 15 percent. While some credit for this low-error rate might be attributed to system design, it is felt that the major contributing factors were the MIS training given the Special Agents and the effort put forth

"The MIS [management information system] is . . . capable of providing an accurate measure of 'pure investigative time'"

in "selling" the system to the Agents. This was accomplished by advising the Agents of the need, the theory, the development, and the expected benefits of the MIS.

With the availability of a wealth of individually significant data, ATF must now identify those relationships within the master file which will most accurately reflect operational effectiveness, identify problem areas, and so forth. While many of these relationships are already recognized, it will require a considerable period of time before the most meaningful management information will be extracted from the MIS. This, then, must be translated into affirmative management action, if the substantial capabilities of the MIS are to be utilized.

Significant Criminal Investigations

The MIS is now capable of providing an accurate measure of "pure investigative time" by Special Agent, Post of Duty, District Office, and Region. Thus, ATF has quantified "effort expended" by its organizational entities. ATF is now developing a method of evaluating the degree of

success of this expended effort by identification of "significant criminal investigations." Some of the criteria under consideration for the identification of these investigations are:

- (1) Notoriety of suspect (impact upon the criminal community),
- (2) Past history of violence (types of crimes, murder, assault),
- (3) Propensity for unlawful activities (number of past arrests, etc.),
- (4) Geographic scope of violation (interstate, interregion, international),
- (5) Assistance rendered to other agencies (State assistance, etc.),
- (6) Organizational implications (organized crime, unions, gangs),
- (7) Program priorities (within ATF),
- (8) Number of defendants, and
- (9) Intelligence value.

The above criteria, and any additional criteria deemed appropriate, will be assigned ranges of weights (points) based upon the overall impact on the significance factor; for example, program priorities (1-5 point range), organizational implications (10-15 point range), and so forth. Management would decide the minimum total point count which would determine a "significant criminal investigation."

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Once significant criminal investigations are identified within the MIS, management can be furnished information reflecting the number of significant criminal investigations developed per unit of effort expended by individual Special Agents and organizational entities. When operational, this system modification will provide information that will assist in more accurately assessing the "value" of individual field offices within the selective enforcement concept and provide some insight into the effectiveness of local management. In addition, ATF will have the capability of monitoring the out-of-house disposition of significant criminal investigations; that is, how many are accepted for prosecution or declined by judicial district, what is the conviction rate, what sentences are being imposed, and so forth.

Treasury Enforcement Communications System

The U.S. Customs Service provides the host computer facility for the Treasury Enforcement Communications System (TECS). In addition to ATF and Customs, TECS serves the Internal Revenue Service and the National Central Bureau of Interpol, providing the following general capabilities:

- (1) A central repository of records of common interest to the Treasury enforcement community with a real time file maintenance and record retrieval capability.
- (2) An administrative message switching capability linking the headquarters and field offices of all TECS participants.
- (3) An interface to the FBI's National Crime Information Center and Computerized Criminal History files.



Director Davis reviews MIS output with a member of his staff.

Specified information items from the ATF's MIS are being entered into TECS. This will, in effect, expand the capability of the MIS to a real time central index of open and closed ATF investigations. There are TECS terminals with query capability in each of ATF's 28 District Offices.


Finally, ATF is studying the feasibility of remote terminal input into MIS. This could reduce the current turnaround time of 23 days by as much as 80 percent, since most of the present delay is caused by the mails and the error resolution cycle.

Summary

Acceptance of the MIS by field personnel has been outstanding, and a reduction of approximately 80 percent in the time required for reporting

daily activities has been demonstrated.

The MIS will result in substantial savings of effort previously required for report preparation; 12 reports will be replaced completely, and 10 additional reports will be replaced in part. An estimated annual recurring savings on these reports should approach \$1 million. In addition, most regional investigation reporting and control forms have been replaced by the MIS.

The principal benefit, however, is that the ATF managers are furnished information, in the form of analytical data, which reflects and identifies, qualitatively and quantitatively, the ATF's enforcement problems, the expenditure of selective enforcement effort, and the effectiveness of this expended effort. This information is furnished by a modern, computerized management information system which provides meaningful data on a more timely basis and at a much lower expenditure of effort by field personnel, than was previously possible. 

"The MIS will result in substantial savings of effort previously required for report preparation . . ."

Investigative Detention

By

JOHN DENNIS MILLER

Special Agent
Federal Bureau of Investigation
Washington, D.C.

"What can a police officer do when he observes a person in a situation which demands that the officer investigate, yet does not afford him authority to arrest?"

PART I

I. Introduction

The basic question is not complex. What can a police officer do when he observes a person in a situation which demands that the officer investigate, yet does not afford him authority to arrest? The answer is complex.

Envision a continuum representing the facts concerning a specific situation. At one end are no facts; at the other the facts add up to show proof beyond a reasonable doubt. As one scans from left to right the evidence of guilt increases from zero, to reasonable suspicion, to probable cause, to proof beyond a reasonable doubt (See Chart 1).

The application of these facts to a particular person in a specific situa-

tion may be clear. If there is proof beyond a reasonable doubt, a verdict of guilty would be justified; if there is probable cause to believe a law has been violated and the particular person violated that law, a full-custody arrest would be lawful. That much is clear.

Clear, too, is that an officer may approach a person for the purpose of engaging in a voluntary conversation in any situation, no matter what facts are known.

The material which follows relates to that point on the continuum marked "reasonable suspicion"—the situation in which an officer reasonably suspects a person is committing,

Law enforcement officers of other than Federal jurisdiction who are interested in any legal issue discussed in this article should consult their legal advisor. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law, or are not permitted at all.

CHART 1

ZERO

REASONABLE
SUSPICION

PROBABLE CAUSE

PROOF BEYOND
A REASONABLE
DOUBT

FACTS KNOWN

has committed, or is about to commit a crime. He has more than a baseless hunch, but less than probable cause to arrest. What may the officer do?

The answer is that he may stop and detain the suspect for the purpose of investigation, and if the officer reasonably believes his safety is in danger, he may frisk the person for weapons which could be used to harm him.

The following pages provide a discussion of the authority to stop, detain, and frisk, and the problems attendant to the exercise of that authority.

The law of arrest is not being discussed here. The authority to stop and frisk is independent of the power to arrest. A stop is not an arrest, *Young v. United States*, 435 F. 2d 405 (CADC 1970), and it is important to recognize that distinction. While it is true that both the stop and arrest are "seizures" within the meaning of the fourth amendment and thus both actions must be justified by a showing of "reasonableness," observe the fundamental differences between the two as seen in Chart 2.

Clearly, a stop is not an arrest. What follows speaks of the stop and frisk. Left to another day is the subject of arrest.

Some officers refer to the initial search of an arrested person as a frisk. In this article, the term "frisk" refers only to a limited self-protective search for weapons following a stop.

II. The Stop and Detention

A. Authority to Stop and Detain

1. Constitutional Authority

The point of beginning is the fourth amendment to the Constitution of the United States. It is true the purpose of this cornerstone of freedom is to guarantee people a right to privacy by prohibiting unreasonable searches and seizures by the police. *Katz v. United States*, 389 U.S. 347 (1967).

On the other hand, communities expect the police to investigate circumstances which could be violations of the law. One court phrased it in these words, "The local policeman . . . is also in a very real sense a guardian of the public peace and he has a duty in the course of his work to be alert for suspicious circumstances, and, provided that he acts within constitutional limits, to investigate whenever such circumstances indicate to him that he should do so." *United States v. West*, 460 F. 2d 374 (5th Cir. 1972), quoted with approval in *United States v. Allen*, 472 F. 2d 145 (5th Cir. 1973).

The Supreme Court struck a balance between these two often competing concerns in 1968 with two opinions rendered on the same day, *Terry v. Ohio*, 392 U.S. 1, and *Sibron v. New York*, 392 U.S. 40, and in 1972 in *Adams v. Williams*, 407 U.S. 143.

In *Terry*, a police officer observed three men who appeared to be "casing" a store prior to a robbery. The

officer approached the men, identified himself, asked their names, received a mumbled reply, frisked them for weapons, found pistols on two of the subjects, and arrested the two for carrying concealed weapons. The Court upheld the action of the officer, stating, ". . . where a police officer observes unusual conduct which leads him reasonably to conclude in light of his experience that criminal activity may be afoot and that the persons with whom he is dealing may be armed and presently dangerous, where in the course of investigating this behavior he identifies himself as a policeman and makes reasonable inquiries, and where nothing in the initial stages of the encounter serves to dispel his reasonable fear for his own or others' safety, he is entitled for the protection of himself and others in the area to conduct a carefully limited search of the outer clothing of such persons in an attempt to discover weapons which might be used to assault him." 392 U.S. 1 at 30 and 31.

While the Court held the search (frisk) reasonable under the fourth amendment, it said it was not deciding whether or not the seizure (stop) was reasonable. Yet 4 years later, in *Adams*, the Court said, "The Fourth Amendment does not require a policeman who lacks the precise level of information necessary for probable cause to arrest to simply shrug his shoulders and allow a crime to occur or a criminal to escape. On the contrary, *Terry* recognizes that it may be the essence of good police work to adopt an intermediate response. . . . A brief stop of a suspicious individual, in order to determine his identity or to maintain the status quo momen-

CHART 2

	<u>STOP</u>	<u>ARREST</u>
JUSTIFICATION	REASONABLE SUSPICION	PROBABLE CAUSE
SEARCH	POSSIBLY A "PAT DOWN"	COMPLETE BODY SEARCH
RECORD	MINIMAL	FINGERPRINTS, PHOTO-GRAPHS, BOOKING
INTENT OF OFFICER	TO RESOLVE AN AMBIGUOUS SITUATION	TO MAKE A FORMAL CHARGE

"The fourth amendment with its requirement of reasonable searches and seizures applies to the stop and frisk practice"

tarily while obtaining more information, may be most reasonable in light of the facts known to the officer at the time." 407 U.S. 143 at 145.

The balance was struck. The fourth amendment with its requirement of reasonable searches and seizures applies to the stop and frisk practice and only if the stop and frisk are reasonable are they constitutionally permissible.

Stopping citizens in the course of an investigation is not a recently developed police technique. Indeed, the practice can be traced to 13th-century England. The American Law Institute (A.L.I.), A Model Code of Pre-Arrest Procedure, Proposed Official Draft No. 1. (1972), p. 105, fn. 4 and 5 [hereinafter referred to as A.L.I., Model Code]. Thus it may be said that *Terry* and *Adams* told police officers what they had been doing for years was legal. But the Court's holdings in these cases did more than that. They put the officer on notice that the time-honored practice was a fourth amendment intrusion into a person's individual liberty, and as such it may not be employed in a cavalier manner, but will be allowed only when reasonably done.

2. Statutory Authority

In *Terry*, there was no State statute authorizing a stop and/or frisk. The case thus makes it clear that such a statute is not a prerequisite to a judicial finding of a constitutionally permissible stop and frisk. Several States have passed so-called stop and frisk laws, some of which predate *Terry*.

The provisions of the New York Statute are illustrative of those laws:

"1. . . . a police officer may stop a person in a public place located within the geographical area of such officer's employment when he reasonably suspects that such person is committing, has committed or is about to commit

either (a) a felony or (b) a misdemeanor defined in the penal law, and may demand of him his name, address and an explanation of his conduct.

"2. . . .

"3. When upon stopping a person under circumstances prescribed [above] a police officer . . . reasonably suspects that he is in danger of physical injury, he may search such person for a deadly weapon or any instrument, article or substance readily capable of causing serious physical injury and of a sort not ordinarily carried in public places by law-abiding persons. If he finds such a weapon or instrument, or any other property possession of which he reasonably believes may constitute the commission of a crime, he may take it and keep it until the completion of the questioning, at which time he shall either return it, if lawfully possessed, or arrest such person." McKinney's Consolidated Laws of New York, CPL 140.50.

No matter how a statute is worded, it cannot convey power to an officer to do more than that which courts define as valid exercise of police conduct under the Constitution of the United States or the constitution of the State in which a local or State officer is employed.

B. Utilization of Detention Authority

As the officer contemplates employing his power to stop he should recall the underlying reason the courts allow him to stop is that there is some legitimate need to take immediate action to resolve an ambiguous situation. There must be a valid reason to stop the particular person at the particular place at the particular time. If not, a stop should not be made.

There are two types of ambiguous situations which necessitate a stop: to investigate suspicious circumstances and to effect an identification. *Terry* illustrates the first of these categories, while the other encompasses such situations as those in which an officer observes an individual who "looks like" either the description of a known subject named in an arrest warrant, or an unknown subject whose description has been broadcast on a police lookout soon after the commission of a crime.

To stop a subject lawfully for whatever reason, the officer must act reasonably within the meaning of the fourth amendment, and since to stop reasonably the officer must have reasonable suspicion, the question to resolve is what is reasonable suspicion. Because reasonable suspicion is an intangible concept and can be defined only as lying somewhere between mere suspicion and probable cause, two other intangible concepts, any attempt to reach some satisfactory definition, legal or otherwise, likely is doomed to failure. While reasonable suspicion, like probable cause, may be indefinable, it is not unknowable. A police officer (or anybody else, for that matter) may not be able to articulate a useful definition of probable cause, but he knows he has it when he hears a gunshot, hears the cry "Stop! Thief!" and sees a man running out of a bank, carrying a gun and clutching a fistful of money. Similarly, as knowledge and experience in this relatively new area of the law expand, the officer will be better prepared to judge when he has sufficient legal grounds to effect a stop.

On the street, whether or not there is reasonable suspicion to stop is a question for the officer to decide. Later the question is one for the court. In the courtroom, then, the legality of the stop is a conclusion of law to be decided by the judge. To reach his decision, the judge must look to the facts

"Indispensable in the preparation for trial is the realization by the officer that . . . he will be asked on the witness stand why he stopped the defendant . . ."

of each particular case, and often the single most important source of these facts is the officer. Thus, the officer must be prepared to testify as to the facts which led him to conclude out on the street that the subject should be stopped.

The officer knows he cannot obtain a valid arrest or search warrant by filing an affidavit based on conclusion alone, nor can he sustain his warrantless arrest unless he testifies to the facts which the judge believes amount to probable cause to arrest. The same principles apply to this area of the law. The officer cannot sustain his action merely by testifying he thought he had reasonable suspicion. The court cannot consider the officer's conclusion; it must consider only the facts judged in light of the officer's experience and knowledge.

"Stops as well as arrests must satisfy the Fourth Amendment requirement of reasonable cause commensurate with the extent of the official intrusion. If the defendant challenges evidence as the fruit of an illegal seizure, the government must come forward with 'specific and articulable facts which, taken together with the rational inferences from those facts, reasonably warrant that intrusion.'" *Young v. United States*, 435 F. 2d 405 (D.C. Cir. 1970), quoting *Terry*. [Emphasis added.]

Indispensable in the preparation for trial is the realization by the officer that (1) he will be asked on the witness stand why he stopped the defendant, and (2) when so asked he must "lay it on the line"; that is, he must articulate the facts he possessed

upon which he based his stop. It is difficult to imagine an officer who can so prepare himself without an adequate investigative report.

What the court will consider and how it will weigh it are two different things. While the judge will consider only facts given to him, he will weigh those facts by what they meant to the officer. This is exactly what the Supreme Court did in *Terry*. Notice also the language in a pre-*Terry* case—"In determining the reasonableness of the initial questioning, the qualifications, knowledge and experience of the railroad policemen is quite relevant, . . . and the circumstances presented to them must be evaluated not from the remote vantage point of the library but rather from the viewpoint of a prudent and cautious police officer on the scene." *United States v. Thomas*, 250 F. Supp. 771 (1966) *aff.* 396 F. 2d 310 (2d Cir. 1968).

1. Detention for Investigation of Suspicious Circumstances
 - a. Facts Justifying Detention

The purpose of the next few pages is to provide examples of factual situations in which courts have concluded there were reasonable grounds to stop, as well as cases in which the courts concluded the stop was unreasonable. These examples, added to the officer's own experiences, hopefully will enable him in future situations to know when he has reasonable suspicion to justify a stop.

In *Cotten v. United States*, 371 F. 2d 285 (9th Cir. 1967), it was reasonable for the officer to stop a citizen after the officer observed him

- (1) drive into an alley
- (2) at 1:30 a.m.,
- (3) turn off the lights,
- (4) park the car,
- (5) walk 50 yards up alley, and
- (6) enter a used car lot.

In *United States v. Rodriguez*, 459 F. 2d 983 (9th Cir. 1972), it was reasonable for the officer to stop a suspect to ascertain his identity when

- (1) the officer, who was surveilling a residence for narcotics activity, saw the suspect enter the house,
- (3) emerge with another man who looked up and down street and then drive away a few minutes later.

United States v. Catalano, 450 F. 2d 985 (7th Cir. 1971), cert. denied, *Moscatello v. United States*, 405 U.S. 928 (1972), shows intelligent police officers, who know their city and the criminal element in it, at work. In this case, the court held the stop to be reasonable on these facts:

- (1) experienced detectives,
- (2) observed a known burglar,
- (3) out of his neighborhood,
- (4) in early morning hours,
- (5) driving an automobile containing three passengers,
- (6) all of whom slouched below the car's windows as the car approached the police vehicle.

In *Young v. United States*, 435 F. 2d 405 (D.C. Cir. 1970), officers acted reasonably in stopping an automobile containing five men after the officers saw the car

- (1) parked in front of a bank,
- (2) make a U-turn and
- (3) follow a delivery truck which
- (4) the officers determined was overdue,
- (5) which truck just left the bank.

In *Wilson v. Porter*, 361 F. 2d 412 (9th Cir. 1966), the officer could stop for routine investigation after he observed the defendant

- (1) drive by in an automobile
- (2) at a very slow speed

- (3) several times
- (4) during predawn hours.

Review the facts sketched in these cases. Notice the following about them:

- (1) There are facts to observe. The judge in every one of these cases knew what the officer knew at the time of the stop because the officer testified as to the facts—what he saw, what he heard, what he did.
- (2) In some of the cases, the officer stopped a pedestrian, in others it was necessary to stop a motor vehicle. Given reasonable suspicion, it is reasonable to stop either.
- (3) In none of these cases did the officer know a crime had been committed. A legal stop does not depend on such knowledge—far from it. It is sufficient that the officer suspects reasonably that a crime has been, is, or is about to be committed.

Now compare the cases just considered with the following in which the stop was held to be unreasonable.

In *United States v. Davis*, 459 F. 2d 458 (9th Cir. 1972), officers

- (1) saw the defendant and three or four others at a motel frequented by addicts,
- (2) observed the group glance at the passing police car,
- (3) noticed the defendant having difficulty sustaining his balance,
- (4) and after the officers turned around, they saw the defendant as a passenger in a car leaving the motel.

The *Davis* court held, "These observations and suspicions do not suffi-

ciently suggest that some criminal enterprise was afoot. They suggest that an intoxicated person was being driven away from a resort of ill repute. This does not suffice under *Terry*. . . ." 459 F. 2d 458 at 459.

Factors to consider, the court said, include the seriousness of the suspected offense, the need for immediate police work, and the need for preventative action.

In *Sibron v. New York*, the Supreme Court indicated a stop was unreasonable where an officer

- (1) observed Sibron continually
- (2) from 4 p.m. to 12 midnight,
- (3) at a particular location,
- (4) during which time Sibron was in conversation with approximately 10 persons,
- (5) known to the officer as narcotics addicts, but
- (6) did not overhear any of the conversations, or
- (7) see anything pass between Sibron and any of the others.

Looking at the same set of facts two officers may disagree whether or not there is probable cause to arrest. When the same set of facts is presented to a judge he will have his own view. He may or may not concur with the opinion of the police. (That is the reason for the continuing emphasis by the Supreme Court for police to apply for warrants prior to arrest whenever possible.)

The reasonable suspicion standard presents a similar situation. Given a set of facts two officers may agree or disagree whether the standard has been met. A judge, examining the facts, may or may not concur. In any event, the criminal justice system assigns the judge the final decision. This does not mean the police should re-

frain from using the stop authority any more than it means they should not ever arrest without a warrant merely because the system assigns to the judge the final decision as to the existence of probable cause.

What these cases do mean is that an officer should exercise his authority, indeed his duty, to stop a person if the officer, acting in good faith, believes it is reasonable for him to stop the particular person at the particular time at the particular place for a legitimate law enforcement purpose.

b. Sources of Facts Justifying Stop and Detention

i. Personal Knowledge

Reasonable suspicion is determined by examining the facts known to the officer at the time of the stop. All facts have sources. In each case discussed in the preceding section, the source of all the facts known to the officer was the officer himself. The officer saw, he heard, or he perceived one thing or another. The facts were within the personal knowledge of the officer. The officer may consider facts within his personal knowledge as he decides whether or not he has sufficient facts to meet the reasonable suspicion standard.

ii. Third Persons

Can the officer consider facts the source of which is some third person?

In *Wade v. United States*, 457 F. 2d 335 (9th Cir. 1972), an officer was dispatched to the vicinity of a pedestrian tunnel after the police received a complaint that a man had attempted to molest children there. Arriving on the scene a few minutes later, the officer saw a man sitting near the tunnel entrance who arose and began walking away as the police vehicle approached.

The court held the officer acted reasonably in stopping the man.

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

"The officer can consider facts furnished him by third persons as he decides whether or not he has sufficient facts to meet the reasonable suspicion standard."

victim of a crime furnished the officer a description of the accused. It was reasonable to stop the defendant on the street when the officer saw him a few minutes later.

In *United States v. Hill*, 340 F. Supp. 344 (E.D. Pa. 1972), an officer received a call over the police radio that persons in two automobiles were engaged in suspicious activity, possibly involving narcotics. After driving to the location the officer observed some persons in front of one automobile attempt to flee and further observed one person drop a gun as he exited from the car. The court held the officer had—not reasonable suspicion to stop, but—probable cause to arrest.

The officer can consider facts furnished him by third persons as he decides whether or not he has sufficient facts to meet the reasonable suspicion standard. He can use hearsay information.

iii. Informants

Can the officer utilize information furnished to him by a third person whose identity the officer does not desire to disclose?

The Supreme Court held he could in *Adams v. Williams*. In that case, a confidential source told an officer early in the morning that a man, seated in a nearby vehicle in a high crime area, was in possession of narcotics and had a gun at his waist. Seizure of the weapon, arrest, and full search of Williams and his car soon followed. "[W]hile . . . this informant's unverified tip may have been insufficient for a narcotics arrest or search warrant, . . . the information carried enough indicia of reliability [the informant could have been arrested under Connecticut law if the report were false]

to justify the officer's forcible stop of Williams.

" . . . we reject respondent's argument that reasonable cause for a stop and frisk can only be based on the officer's personal observation, rather than on information supplied by another person. . . . Some tips, completely lacking in indicia of reliability, would either warrant no police response or require further investigation before a forcible stop of a suspect would be authorized. But in some situations—for example, when the victim of a street crime seeks immediate police aid and gives a description of his assailant, or when a credible informant warns of a specific impending crime—the subtleties of the hearsay rule should not thwart an appropriate police response." 407 U.S. at 147.

The Supreme Court has held in other cases, *Aguilar v. Texas*, 378 U.S. 108 (1964); *Spinelli v. United States*, 393 U.S. 140 (1969); *United States v. Harris*, 403 U.S. 573 (1971), in which the issue was probable cause and not reasonable suspicion, that a two-pronged test must be satisfied when informant information is used. The officer must satisfy the court (1) there is reason to believe the source and (2) the source obtained his information in a reliable way. The first part of the test is met most often by showing—not merely saying—the source has furnished reliable information in the past. If the information furnished by the source tends to incriminate himself, as in *Adams* and *Harris*, that is an additional factor tending to establish the truthfulness of the source, for a person usually will not furnish false information to the police if that information is inculpatory. The second part of this test is met by showing the source obtained his information

by personal observation, or by showing that the information is so detailed and precise that it is reasonable to conclude the source is speaking of facts within his personal knowledge. *Draper v. United States*, 358 U.S. 307 (1959).

The results of independent investigation by the police which corroborate the informant's report add believability to both the source himself and his report. *Draper*.

In *United States v. Fields*, 458 F. 2d 1194 (3d Cir. 1972), an officer who

- (1) received a report from a reliable informant that
 - (a) the subject and others were involved in narcotics activity
 - (b) the subject usually returned to the city by airplane
 - (c) on Mondays
 - (d) accompanied by a woman
 - (e) who had the subject's narcotics in her possession;
- (2) knew personally that the subject was a narcotics violator;
- (3) observed the subject
- (4) and a woman companion
- (5) at the airport
- (6) on Monday;

acted reasonably in stopping the subject and his companion.

Notice how the officer's personal knowledge of the subject and his own observations corroborated the informant's report.

The officer can consider facts furnished him by confidential informants as he decides whether or not he has sufficient facts to meet the reasonable suspicion standard. He can use the report if it is reasonable to believe, first, the source, and secondly, the information furnished by the source.

(Continued Next Month)

WANTED BY THE FBI

NATIONAL FIREARMS ACT

William Taylor Harris

Date photographs taken unknown

FBI No.: 308,668 L5

Aliases: Mike Andrews, Richard Frank Dennis, William Kinder, Jonathan Maris, Jonathan Mark Salamone, Teko

Age: 29, born January 22, 1945, Fort Sill, Oklahoma
(not supported by birth records)

Height: 5'7"

Eyes: Hazel

Weight: 145 pounds

Complexion: Medium

Build: Medium

Race: White

Hair: Brown, short

Nationality: American

Occupation: Postal clerk

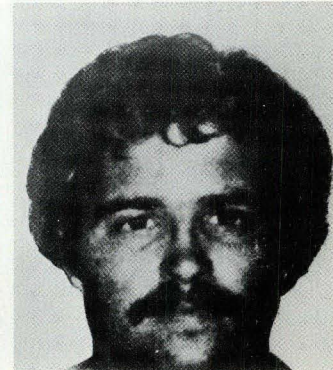
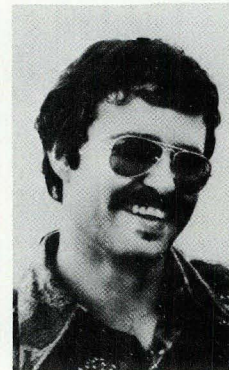
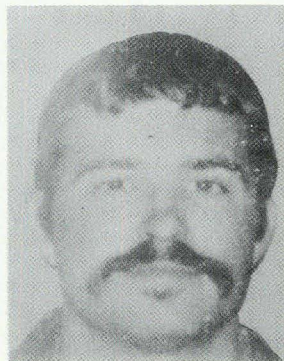
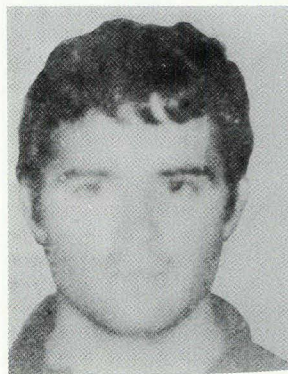
Remarks: Reportedly wears Fu Manchu type mustache, may wear glasses, upper right center tooth may be chipped, reportedly jogs, swims and rides bicycle for exercise, was last seen wearing army type boots and dark jacket

Social Security Numbers Used: 315-46-2467;

553-27-8400; 359-48-5467

Fingerprint Classification: 20 L 1 At 12

S 1 Ut



Emily Montague Harris

Date photographs taken unknown

FBI No.: 325,804 L2

Aliases: Mrs. William Taylor Harris, Mary Hensley, Joanne James, Anna Lindenberg, Cynthia Sue Mankins, Dorothy Ann Petri, Emily Montague Schwartz, Mary Schwartz, Yolanda

Age: 27, born February 11, 1947, Baltimore, Maryland
(not supported by birth records)

Height: 5'3"

Eyes: Blue

Weight: 115 pounds

Complexion: Fair

Build: Small

Race: White

Hair: Blonde

Nationality: American





wear glasses or contact lenses; reportedly has partial upper plate, pierced ears, is a natural food fadist, exercises by jogging, swimming and bicycle riding, usually wears slacks or street length dresses, was last seen wearing jeans and waist length shiny black leather coat; may wear wigs
Social Security Numbers Used: 327-42-2356; 429-42-8003

NATIONAL FIREARMS ACT; BANK ROBBERY

Patricia Campbell Hearst

FBI No.: 325,805 L10

Alias: Tania

Age: 20, born February 20, 1954, San Francisco, California

Height: 5'3"

Eyes: Brown

Weight: 110 pounds

Complexion: Fair

Build: Small

Race: White

Hair: Light brown

Nationality: American

Scars and Marks: Mole on lower right corner of mouth, scar near right ankle

Remarks: Hair naturally light brown, straight and worn about three inches below shoulders in length, however, may wear wigs, including Afro style, dark brown of medium length; was last seen wearing black sweater, plaid slacks, brown hiking boots and carrying a knife in her belt

Jan., 1971

Feb., 1972

Dec., 1973

April, 1974



THE ABOVE INDIVIDUALS ARE SELF-PROCLAIMED MEMBERS OF THE SYMBIONESE LIBERATION ARMY AND REPORTEDLY HAVE BEEN IN POSSESSION OF NUMEROUS FIREARMS INCLUDING AUTOMATIC WEAPONS. WILLIAM HARRIS AND PATRICIA HEARST ALLEGEDLY HAVE USED GUNS TO AVOID ARREST. ALL THREE SHOULD BE CONSIDERED ARMED AND VERY DANGEROUS.

Federal warrants were issued on May 20, 1974, at Los Angeles, California, charging the Harrises and Hearst with violation of the National Firearms Act. Hearst was also indicted by a Federal Grand Jury on June 6, 1974, at San Francisco, California, for bank robbery and use of a weapon during a felony.

IF YOU HAVE ANY INFORMATION CONCERNING THESE PERSONS, PLEASE NOTIFY ME OR CONTACT YOUR LOCAL FBI OFFICE, THE TELEPHONE NUMBER OF WHICH APPEARS ON THE FIRST PAGE OF MOST LOCAL DIRECTORIES.

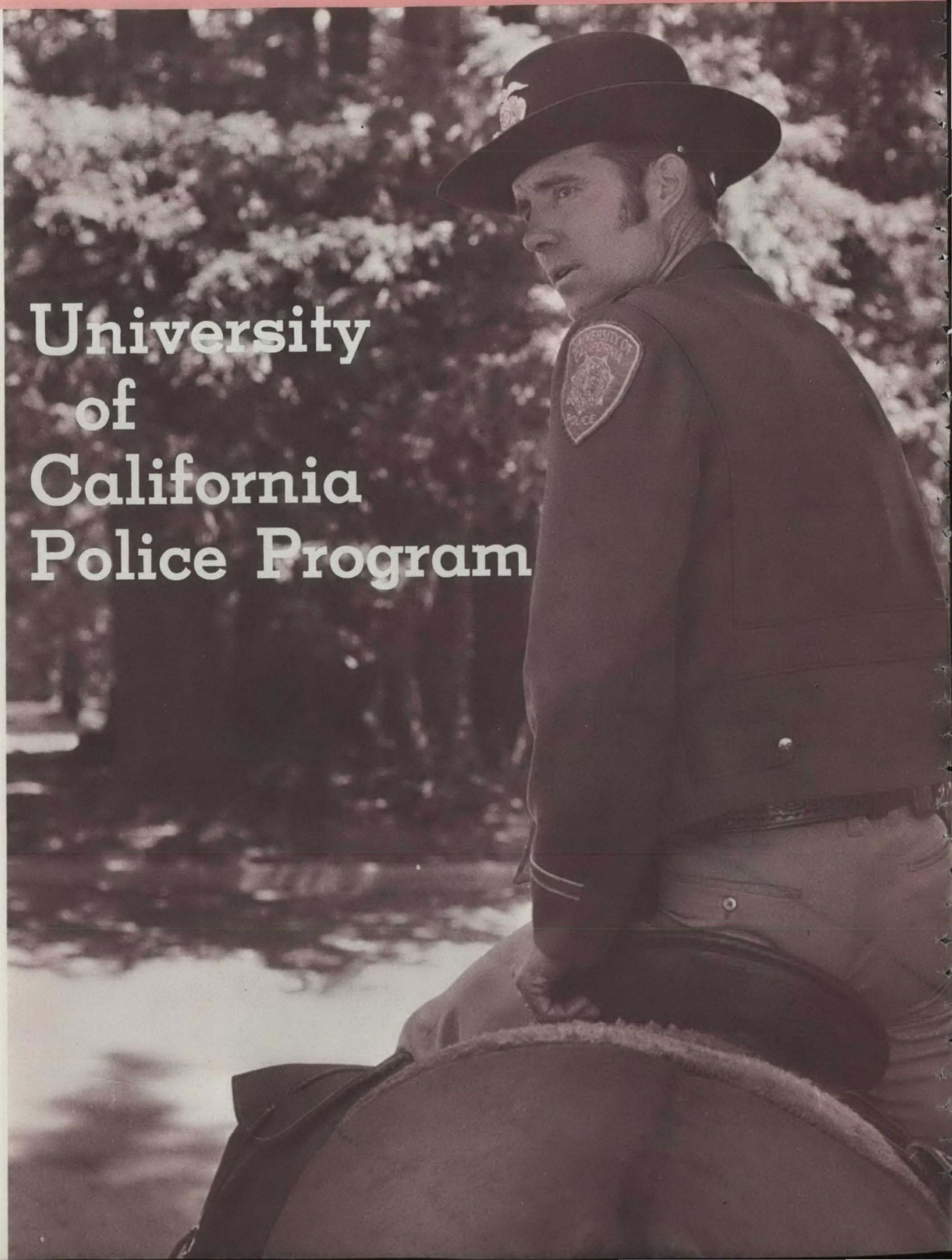
Entered NCIC

C. M. Kelley

DIRECTOR
 FEDERAL BUREAU OF INVESTIGATION
 UNITED STATES DEPARTMENT OF JUSTICE
 WASHINGTON, D. C. 20535
 TELEPHONE: 202 324-3000

ON THE CAMPUS

University of California Police Program



A Time of Change

The University of California (UC), which includes nine campuses serving over 120,000 students and containing buildings and property that exceed \$2.5 billion in value, making it one of the largest universities in the world, has completed a third year without a riot or major confrontation on its campuses. This is a marked change from 1969 when the Berkeley campus alone reported 16 campus police officers injured in riots. The campuses at the same time have become one of the safest places in the State of California to reside. Although the student population has increased 12 percent since 1969, the incidence of reported crime has increased only 2 percent.

What has brought about some of these changes in such a short period of time? The conclusion of the Vietnam war has played a major role in easing the tensions which led to many of the confrontations which occurred

By

JOHN C. BARBER

Chief
University Police
Santa Cruz, Calif.



November 1974

on the university campuses. However, the commitment of the university regents in 1968 to build a professional law enforcement system which could respond to the complex needs of a multicampus university is likely of much greater importance.

The regents commissioned two former Berkeley chiefs of police to do a comprehensive survey of the varied needs of each of the nine semiautonomous campuses in the university. John Holstrom and Addison Fording presented their report in the spring of 1969. There are a number of recommendations in this report concerning jurisdiction and relationships, organization, administration, personnel administration, training and development, operations, and facilities and equipment. Principal among these are:

- Delineate the areas of university police operational responsibility and issue appropriate orders concerning jurisdiction and relationships on each campus.
- Establish the position of police services coordinator in the office of the president, directly responsible to a vice-president.
- Consider the present and future positioning of the chief of police in the administrative organizational structure on each campus.

“... the university police in the past 5 years have made a concerted effort to provide each campus with a personalized approach to the special enforcement problems presented.”

- Initiate a pilot study of police manpower requirements on selected campuses.
- Encourage additional educational attainments by university policemen.

Emphasis on Professionalism

In 1969, Chief William Beall of the Berkeley Police Department was selected to fill the dual role of coordinator of the university police system and chief of police of the Berkeley campus. Chief Beall, who was a 1940 graduate of the University of California School of Criminology and a former FBI Agent, accepted the challenge, and through his leadership and expertise practically all of the recommendations of the Holstrom-Fording report have been implemented in a brief period of 5 years.

The first of several major recommendations implemented was the upgrading of the quality of police personnel. Prior to 1969, it had been common practice to hire retired military personnel and people from other jobs with early retirement plans, who were not suitably trained, and assign them to what was recognized as nothing more than a guard service.

In July 1971, it became mandatory for all officers on campus to pass the

Chief William Beall of the Berkeley campus and Coordinator of Police Services.



“ . . . it became mandatory for all officers on campus to pass the California Peace Officer's Standards and Training Course.”

California Peace Officer's Standards and Training Course. All campus police officers must pass the same rigorous selection standards as other law enforcement officers throughout the counties and municipalities within the State of California. Then they attend a 400-hour 10-week comprehensive course sponsored by the State. This course covers a variety of subjects, including criminal law, evidence, community relations, and role playing. All sergeants and lieutenants are required to attend an additional 4 weeks of training in supervisory techniques and management skills. All of the university system's 300 police officers have successfully completed these required courses.

Another major recommendation acted upon was the establishment of the post of police services coordinator for all nine campuses. It should be emphasized that police services are coordinated, not centralized. This plan allows for the necessary diversity that each campus situation may require. The rules and regulations of the police system covering such things as basic entry levels, uniforms, and shooting policy, however, apply uniformly. One of the advantages of the coordinator system is the ability to move specially trained university police from one campus to another so that personnel sensitive to the needs of the campus community are available when needed.

Another distinct advantage is the role played by the coordinator in representing the university police programs in the State legislature in Sacramento. During the past session, the university police, with the support of the university administration, were able to acquire a quality retirement program and reimbursement funding from the State for all training pro-

grams in which police personnel have participated.

Finally, in the area of equipment, the university police system now possesses one of the most modern coordinated radio communications systems within the State. By designing the system under the guidance of the coordinator's office, the police have the capability of the total interchange of personnel with mobile and hand radio equipment throughout the entire State.

A Variety of Programs

In addition to coordinating and upgrading the quality of police services offered throughout the system, the university police in the past 5 years have made a concerted effort to provide each campus with a personalized approach to the special enforcement problems presented. No two campuses approach the same problem in precisely the same fashion. For ex-

ample, both the Berkeley and Santa Cruz campuses have under their jurisdiction large areas of forested land, inaccessible to regular radio car patrol. Berkeley solved the problem with a 4-wheel drive vehicle, while rural Santa Cruz instituted a horse patrol of these undeveloped areas.

Other campuses have used different methods to involve the police personnel in the activities unique to the school. At the San Francisco Medical Center, a campus police officer teaches a basic emergency first aid course to the dental hygiene students in the School of Dentistry.

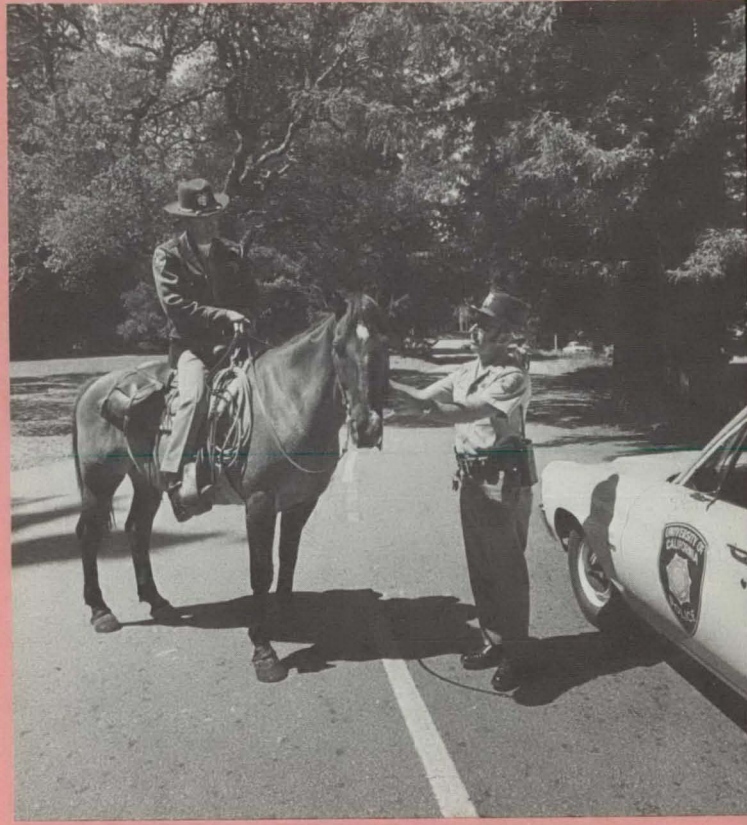
Working in cooperation with the local sheriff's department, University of California—Santa Barbara police operate a storefront station in Isla Vista, a small beach community adjoining the campus, which was rocked by 4 weeks of rioting in 1970. Tensions have eased, and the major crime rate has shown an appreciable decrease.

A university police officer confers with two members of a forestry crew. Berkeley's large forest of eucalyptus trees presented an enforcement problem until patrol with a 4-wheel drive vehicle was instituted.





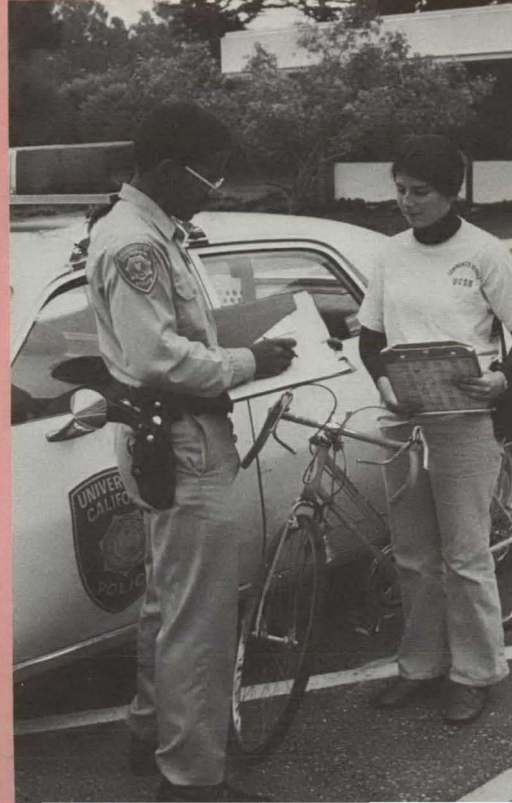
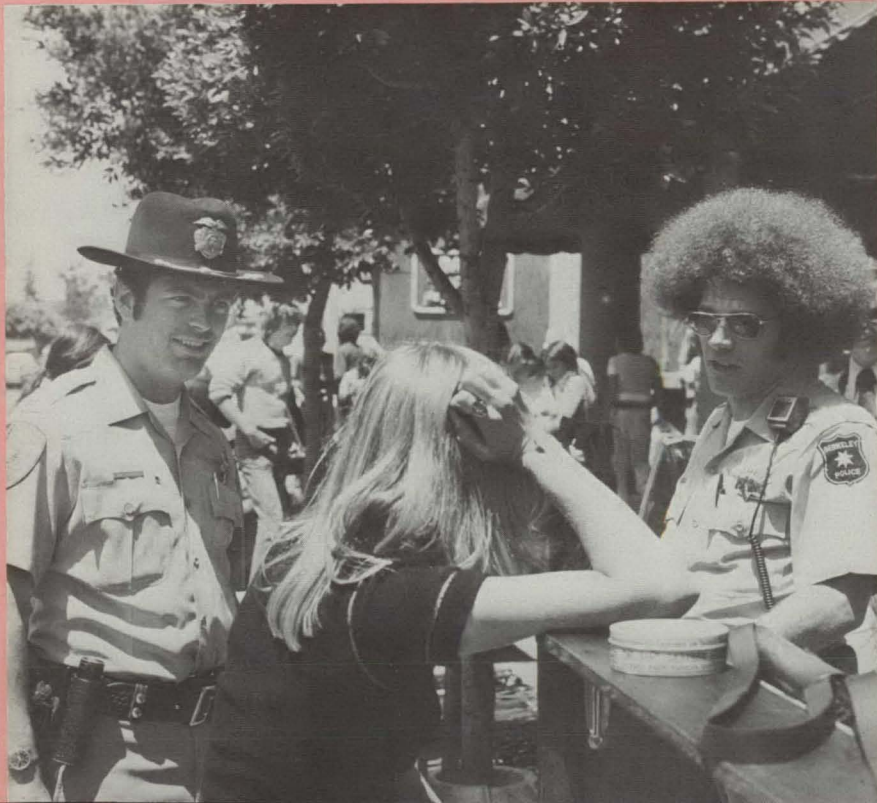
University police officer pauses on his bike patrol to talk with a student.



Patrol on the Santa Cruz campus involves many modes of transportation.

Cooperation between the university and city police departments is strongly encouraged.

A student community services officer exchanges information with a university police officer on the Santa Barbara campus.



UCLA, with a daily population of 60,000 students, faculty, and staff, is virtually a city within itself. It also has the largest of four hospital medical centers within the system. UCLA has increased the visibility and coverage provided by its officers through use of extensive foot beat patrols to effectively combat crime. Five officers are assigned to this detail on each shift.

At the Davis campus, police have established a self-defense course for women, emphasizing basic defense techniques through a training film produced by the university. This program has been presented to over 3,000 students and staff members. At the same time, by working closely with the city police, university officers have presented the program to numerous schools, civic groups, and churches within the town.

To reduce incidents of theft, the Riverside campus initiated an extensive "operation identification" program by engraving a student's driver's license number on all his property at no cost. This program is now successfully used at all the campuses.

In order to improve relationships between students and police in strife-torn Berkeley, the university and the city of Berkeley police have started a combined foot patrol in the area adjacent to Sproul Plaza, which was once the scene of the worst confrontations in the university's history.

The Santa Cruz campus horse patrol was a source of much good will from the students, as well as effective enforcement on the heavily forested 2,500-acre campus located on the coast. There has not been a single incident during the past year in an area which was once frequented by indigent campers and hitchhikers. In addition, the effect of seeing a fully uni-

formed police officer on horseback brought many of the area's students to make their first positive contact with a law enforcement officer.

In all cases, the central emphasis behind the specialized programs is the realization that acceptance by and cooperation from the students themselves are necessary to the effectiveness of any campus police organization. To that end, the university police department has also encouraged the officers to involve themselves in the activities of the campus community. Sixty-eight of the system's 300 officers are themselves college graduates. Whenever possible, officers wishing advanced educational degrees are encouraged and partially subsidized to enroll at the campus where they are employed, in order that the students may see the officers in a social context as well as on duty.

Student Involvement

Getting the officers out to meet the students is not enough. The university police system has also made an effort to give the students an active role in the enforcement process. A program of police apprentices and community service officers gives the students a chance to support the campus police. The community service officers are student workers who are used both as dispatchers and in the field as a liaison between their peer group and the campus police. By giving these students an opportunity to view police activities from the inside, the university is working to dispel many of the myths entertained by students whose sole contact with law enforcement may have been negative.


A program for those students who express curiosity about the police, but

do not wish to devote the necessary time to become a community service officer, is the "Ride-Along Program," whereby a student may ride in the patrol car with a university officer and see his duties firsthand. This program has been used successfully by many city agencies as well as by the university and has proved invaluable toward improved relations with the community. In fact, the program at the Santa Cruz campus has been such a success that any student who owns his own horse may ride along with the mounted officer on routine patrol.

A View of the Future

In the future, the University of California police program will increase recruitment of graduating students into the police officer position, with the hope of eventually having all the positions filled by college graduates. At the same time, there will be an increased use of current students as community service officers. The projected goal for this already very effective student program is one community service officer to augment every police officer position.

An experimental program which also follows the philosophy of campus-community involvement is being undertaken at this time on the Santa Cruz campus. It involves the participation of selected campus staff and faculty in the role of reserve campus police officers and has proved an effective aid to the campus police programs.

As Coordinator-Chief Beall has stated: "The thing I'm most proud of is that the University of California Police of 1973 are more representative of our campus communities and surrounding areas than ever before. More UC students and graduates, and residents from the immediate communities, have chosen to join the ranks of our police departments. I hope this continues." 

Student cooperation is necessary to the effectiveness of any campus police organization.

"Busting" Burglars—



The stillness of a midwestern city was disturbed one April morning by a faint noise at a grocery store window. It was the sound of metal against metal, a creaking sound as if great force was being exerted. Then there was silence, broken only by the heavy

breathing of a man gathering himself for a supreme effort—and in a moment the clang of broken metal told the burglar that the window bar had given way. Within a few moments, he had forced the window and was expertly ripping open the fireproof cabi-

net safe. Pocketing \$400 in cash from the safe, the burglar made a quick exit and disappeared into the darkness.

A prompt investigation was begun by the police, and within a short time, they had picked up a suspect. There were little spots of white material on

Safe Insulation and Its Value in Crime Detection

"The FBI Laboratory can usually determine that even a very small particle of material came from a safe, the brand of safe from which the particle came, and whether or not questioned particles are the same as or dissimilar to insulation from a burglarized safe."

his clothes and a heavier piece of plasterlike material in his trouser cuff.

The officers carefully wrapped the clothes, the whitish material, and a sample of insulation from the burglarized safe. Without delay, they forwarded the above items to the FBI Laboratory for examination and comparison.

The Laboratory report to the police disclosed that white, plasterlike material identical in all respects with the insulation from the safe was present in the suspect's shoes, coat pockets, and trouser cuffs. When confronted with these findings, the suspect pleaded guilty to a charge of safecracking and was given a sentence of 1 to 15 years.

Again and again, insulation meant only as a shield against fire has been a silent, but crucial, witness in cases of burglary.

Today there are two main types of safes manufactured—the fire resistant and the burglar resistant.

The fire-resistant type is usually more lightly constructed of sheet steel boxes between which is found a thickness of insulating material to resist fire damage to the contents of the safe. This type is often equipped with relocking devices and burglar-resisting locks which deter the experienced safecracker for only a brief period.

The burglar-resistant safe, on the other hand, is heavily constructed of laminated or thick steel in such a manner that it will resist the efforts of a burglar for quite a lengthy period of time. However, with persistence and modern tools and equipment, it can eventually be entered. There is usually no fire-resistant insulation incorpo-

rated into this type of safe. Fire protection is afforded by embedding the safe itself in concrete or by placing it in a larger fire-resistant safe.

It is probable that the majority of safecracking cases involve the fire-resistant type because of the relative ease with which they may be entered. Usually they are opened by one or a combination of ways—"blowing," "ripping," "punching," "drilling," "coring," and "cutting" with burning bars or abrasive wheels. If one or more of these methods are applied, the insulation in the walls or door of the safe is disturbed and breaks loose. Depending on the activities of the burglar, particles of the insulation may become attached to his clothing, fall into the pockets and cuffs of his outer clothes, or become embedded in the soles and heels of his shoes. In a number of instances, safe insulation has been found in the nail holes of shoe heels several weeks after the commission of a safecracking crime.

The variations among insulations make it valuable as evidence. Many older safes made prior to 1930 contained an insulation composed of natural cement. This product is made by calcining certain argillaceous limestones and has been used without sand or gravel only as safe insulation. Many modern safes use an insulation

composed of diatomaceous earth, portland cement, and vermiculite mica. This combination of materials has only been used as insulation for safes. The experienced laboratory examiner can, therefore, state positively that the above materials on the clothing or tools of a burglar came from a safe. This alone is valuable testimony in cases of safecracking or possession of burglar's tools. Further, many brands of safes contain distinctive insulation, samples of which are maintained in a file in the FBI Laboratory. It is, therefore, often possible to compare insulation from a suspect's belongings with insulations in the file and name the make of safe from which it came.

Some safes, however, use gypsum containing woodchips as insulation. This material cannot be positively identified as safe insulation, but side-by-side comparisons of particles from tools or clothing with the insulation from a burglarized safe can lead to valuable court testimony affirming or denying a suspect's complicity in a crime.

The FBI Laboratory can usually determine that even a very small particle of material came from a safe, the brand of safe from which the particle came, and whether or not questioned particles are the same as or dissimilar to insulation from a burglarized safe.

The mere presence of safe insulation material on the clothing or shoes of a suspect can, with other circumstances, be a strong indication of guilt. Generally, persons would rarely come in contact with this type of material

"Again and again, [safe] insulation meant only as a shield against fire has been a silent, but crucial, witness in cases of burglary."



An FBI Laboratory technician removes safe insulation from nail holes in suspect's shoes.

in the course of normal activities unless, of course, they are employed in the manufacture or the repair of safes.

Hammers, chisels, punches, drills, and pries utilized in safebreaking will often be found to have quantities of insulation material adhering to them. This is good evidence of the purposes for which they have been used and may be the basis for the proof of intent necessary in cases involving possession of burglar's tools.

Safe insulation has helped to solve numerous crimes. In an eastern city, an officer noticed what he thought to be safe insulation on the steps of the trailer home of a known burglar. On the basis of his experience and his reasonable belief that the material was safe insulation, a search warrant was issued. Lumps of the material from the steps along with tools and clothing from inside the trailer were sent to the FBI Laboratory. The officer's belief was verified, and the insulation was matched with insulation from a recently burglarized safe. Conviction

was obtained largely on the basis of expert testimony of FBI Laboratory examiners concerning the insulation. Further, the warrant was held to have been obtained properly, and the ruling was upheld on appeal. The appeals court noted that the laboratory is an extension of the knowledge of the officer and that, although it was proper to obtain and execute the warrant before the laboratory examination, the fact that it was sent to a cooperating law enforcement agency for verification did not diminish the probable cause the officer had that the particles were indeed safe insulation.

"With the high level of burglary crimes and sophisticated laboratory analysis methods, the value of safe insulation as evidence in burglary investigations is increasing."

In a northeastern State a rented truck was discovered abandoned, and an alert detective noticed what appeared to him to be lumps of safe insulation. These lumps along with insulation from one burglarized safe were brought to the FBI Laboratory. Some lumps matched insulation from the burglarized safe; other lumps were identified as coming from two other specific brands of safes. A review of recent safebreaking cases in the area disclosed that these brands of safes had been entered, and after further investigation, the individual who rented the truck was identified. He was tried and convicted of two of the three safebreakings.

With the high level of burglary crimes and sophisticated laboratory analysis methods, the value of safe insulation as evidence in burglary investigations is increasing. Scientific analyses and comparison tests of safe insulation are helping to put the man who burglarizes safes on an unsafe spot.

The **MAINE** Way to Deer Poacher Sleuthing

By

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During the last 15 years, I have poached quite a few hours from my occupation of formal teaching and research duties.

These semi-illicit hours have been well invested I think in the training of and as consultant to members of the Maine Warden Service. It's a pleasure to share my tale of involvement with this group of dedicated, spirited protectors of Maine wildlife.

The Maine of 1900 had lots of wild acres between people. The Maine Warden Service still consisted mostly of part-time game protection agents. The job demanded energetic and versatile woodsmen, who most likely were enthusiastic hunters themselves. The poachers were often some of the same folks the agents talked with around the cracker barrel in the general store. To a lot of these folks, there seemed plenty of reason to take State game for meat when they needed it. Poaching was a serious but almost friendly game at times. It might be played by planting a few rows of beans in a wood clearing, tying a few apples to spruce and fir trees, spilling a bit of salt, or stalking by moonlight. When caught,

finer were paid, but the contest continued.

This situation existed at least into the late 1940's in the portion of Maine where I first settled. Better roads, more cars, and more out-of-State visitors have changed the law enforcement-poacher game. Both enforcement and poaching have become serious and efficient.

In 1947, a large part of Mount Desert Island, Maine, was burned. Red maple trees rapidly grew in the burnt areas, and the deer herd thrived. By 1960, a deer herd-reduction kill was done by Acadia National Park service crews to keep the deer herd within its food supply. I was bemoaning the loss of a chance to do research on these deer to a regional game biologist, who, by October 1961, had received approval to have a game biologist, John D. Gill, assigned to the herd hunt by the National Park Service in 1961 and 1962. A cottage was rented for Mr. Gill to use as living quarters near a deer carcass park.

In order for me to get the blood and tissue samples I was interested in for other research, my participation was

required in developing methods of estimating the time of death for deer and the time deer meat had been frozen. As Mr. Gill and I got going on the methods we would try, we received suggestions from many physicians and pathologists but found little on post-mortem changes in mammals other than man and that the time-of-death estimates for humans are not as straightforward if variations of air temperature, wind velocity, body size, and so forth, are not considered or known. We were kindly received by the Department of Legal Medicine, Harvard Medical School, and given use of their library. We were both in pretty deep water not being pathologists. Mr. Gill had handled a lot of deer and was a tireless, meticulous biologist. My varied background included a lot of deer autopsies, but these were not on healthy ones. I had a couple years of contact with a fine group of medical officers in the 120th Station Hospital and feel one of my duties, assisting at post mortems, certainly helped.

Time of Death

Eighty-five deer carcasses were observed and measured under conditions resembling legal or night hunting from October 13, 1961, through January 3, 1962, and during November and December 1962. The observation periods varied from 2 to 13 days. Four easily measured post-mortem characteristics indicated time since death more consistently than others requiring specialized instruments or access to a clinical laboratory. Reference data on carcass temperatures, eye appear-

"Better roads, more cars, and more out-of-State visitors have changed the law enforcement-poacher game."



Maine wardens will arrive at time-of-death estimates for the confiscated deer.

ances, pupil diameter, and rigor-mortis patterns was compiled on these deer grouped by air temperature and dressed-weight class.

A group of wardens were given criteria based on the first 41 deer examined and they made estimates of time of death on 30 more deer. Most of the estimates showed practical agreement with the actual times of death particularly among deer dead less than 24 hours. These tests impressed the wardens with the variability in post-mortem changes and the need for careful judgment of all evidence. This study was published¹ and no challenge has been made of the data.

While Mr. Gill left the area for another position, I kept acting as a con-

sultant and participated in giving the basic techniques each year at the annual warden school. Several court cases were won, a few fines collected, and maybe a few hunters used more care in getting their deer, but only a few wardens really felt at ease in their roles as time-of-death estimators.

An increased interest in these techniques led to the addition of more training sessions, and 2 years ago, an advanced training session was given to 25 wardens. Six months later, a full day was devoted to background material, vocabulary, measurement skills, and data typical of varied cases to arrive at an estimate of the time of death within as broad a time scale as possible dictated by the case and as short an interval as possible given variation

potentials due to handling. Seven of the group were passed on their demonstration of this skill, and five have been accepted as experts by Maine courts. These men are now used by the other wardens as consultants on time-of-death estimates in cases in which they are involved. In the last 4 years, 73 cases were taken to court.

After the herd-reduction program, deer data accumulation has been limited to the wardens' own regions. They are urged to make as many observations and measurements on deer of known time of death as they can to build up their personal data bank. A bathroom-type scale can be used for weight estimation at the time of seizure. A certified scale is then used to verify weight. Thermometers are

Eye appearance and pupil diameter are two of the post-mortem characteristics used to determine the time of death of a deer. The photo shown in figure 1 was taken 4 hours after death; in figure 2, 23 hours 25 minutes; and in figure 3, 6 days 3 hours.

Figure 1.

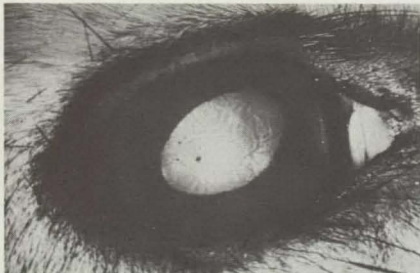


Figure 2.

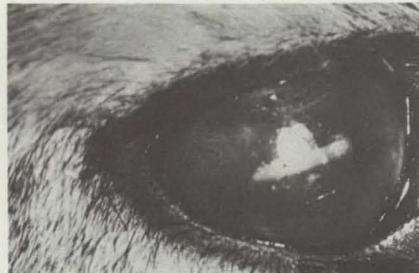
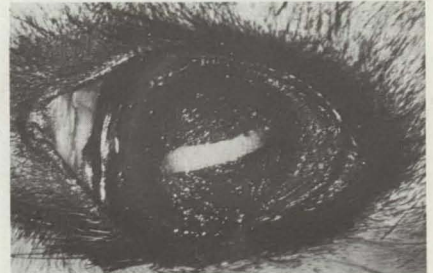
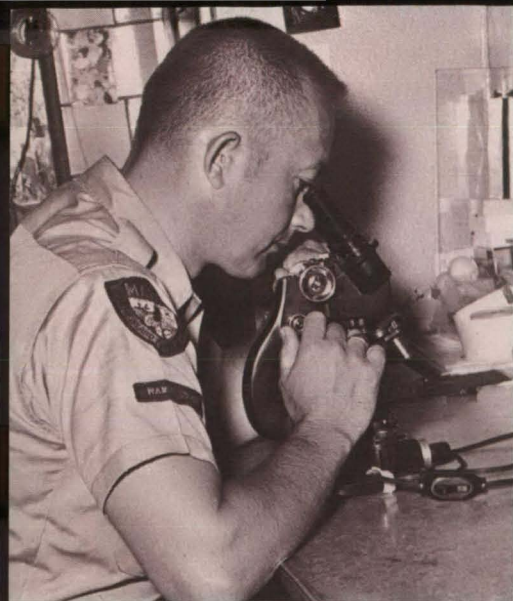


Figure 3.





Warden Bryan C. Buchanan studies a sample submitted for identification.

"... five [wardens] have been accepted as experts by Maine courts. These men are now used by the other wardens as consultants on time-of-death estimates"

checked against each other and against one which has been checked and certified by the local weather station. The use of color transparencies and/or Polaroid color photos at the time of seizure and some hours later while held under known conditions is encouraged. An 80-page compilation containing abstracts, explanation and warnings of measurement variations, anatomical charts, and glossary is part of each expert's resource kit. A sizable collection of published articles, books, photos, and related resource materials has been assembled at my office for use by these wardens.

Somehow we have been able to keep the wardens interested yet not exuberant. Dramatics such as an eyewink caused by stimulation from spark plug wire extension are not encouraged.

Meat and Hair Identification

In 1963, a casual arrangement was made for me to train a warden in meat and hair identification. Warden Bryan C. Buchanan came to my laboratory during any odd hours he could squeeze from his full-time warden duties. After 9 months, we visited the Department of Legal Medicine at the Harvard Medical School, the Massachusetts State Police laboratory, and

the Boston, Mass., laboratory of the Food and Drug Administration. After these visits, we felt confident to accept samples. We had proposed that wardens submit meat and hair samples of known origin to us for identification. However, we were involved in a real case first. Six samples were submitted and we found deer meat, blood, and hair in five of the samples. The other sample was beef.

Several years ago, a separate lab was set up and equipped with adequate instrumentation, security, and space for Mr. Buchanan's sole use. He has set up and maintained a series of known mounted hair and hair scale casts. He has kept abreast of developments in the field of immunology. (We have developed many batches of immune sera but now depend on forensic grade, freeze-dried antisera from biological supply sources whenever possible.) He has worked on his own to develop a wide-ranging pathologic and immunologic background. He is an expert self-made with no string of degrees to help support him. He is methodical in testing each lot of antisera and reagents and always includes controls from known animals with the unknown samples tested. He has also been able to present evidence that a sample of meat has never been frozen. This test has countered the tales about a freezer breakdown to explain all the unfrozen packaged deer meat out of season. We are still stumped on a test which would be valid enough to indicate the length of time meat has been frozen and the identity of cooked meat samples.

I am proud to have been a part of these casual cooperative efforts. They have enabled members of the Warden Service to make sophisticated, expert observations which in the human area are reserved for the pathologist's opinion. These tests have helped catch some nonsporting folks and may have deterred some others from straying with gun and light. They have also been used to substantiate a suspect's story when other evidence looked pretty much as if there were a violation.

Meaningful data can be gathered and practical utilization of research can be made through cooperative efforts. I could not get involved in court cases as an expert, yet I was able to function effectively as a consultant.

Mainly, the success of these tests depended on wardens that didn't just see, but observed. Didn't just hear, but listened. Didn't just take things for granted, but questioned and checked. They verified their experiences distinguished through their senses and compared and compared.

UTILIZATION OF MEAT IDENTIFICATION

	Wardens	Samples
1964	1	4
1965	1	2
1966	1	2
1967	10	10
1968	11	23
1969	9	14
1970	8	17
1971	7	13
1972	13	16
1973	24	37

These resulted in a total of approximately \$10,000 in fines.

FOOTNOTE

¹ Gill, John D. and O'Meara, David C., "Estimating Time of Death in White-Tailed Deer," *Journal of Wildlife Management*, Vol. 29, No. 3, July 1965, pp. 471-486.

DRUG UNDERCOVER OPERATIONS

"The most successful investigative technique . . . to combat the trafficking in narcotics is the use of an undercover agent. . . ."

Mobile, Ala., a city of over 200,000 persons, is located on Mobile Bay. It is an international port, ranking high not only in the number of foreign ships calling at this port, but also in gross tonnage. Like many cities throughout the world, especially international ports, Mobile has a continuing law enforcement problem with the use and sale of narcotics. Narcotics

By
KATER W. WILLIAMS*
Chief of Police
Dothan, Ala.

*Prior to his recent appointment to head the Dothan Police Department, Chief Williams was a captain with the Mobile, Ala., Police Department. This article has the endorsement of the Mobile, Ala., Chief of Police Edward J. McLean.



abuse is an "in problem," which alarms a wide spectrum of the taxpaying citizenry. Civic groups are increasingly interested in it and evidence their support of police agencies attempting to control this problem, one of the most challenging and unique situations confronting law enforcement today.

In Mobile, for example, the Chamber of Commerce instituted a TIP program in February 1972. TIP is an acronym for "Turn In a Pusher."

A TIP Line phone is installed in a secret location. It is manned by a specially trained, knowledgeable female who relays information received to the proper investigative personnel within the Mobile Police Department and other law enforcement agencies responsible for drug enforcement in the area.

A caller with information concerning a pusher which results in a conviction is rewarded by the Chamber of Commerce with cash payments up to \$500, and the anonymity of the caller is protected.

During the 2-year period from February 1972 through February 1974, there was an average of six calls per day which contained sufficient positive information to warrant some type of police action or which coincided with



Edward J. McLean, Chief of Police, Mobile, Ala.

previous available information or suspicion. During this period, 24 arrests were made which could be directly attributed to the TIP Line.

The availability of a published phone number which gives anonymity to an individual who desires to furnish information, and the fact that the phone is answered by a knowledgeable, sympathetic listener, have proved invaluable to narcotics investigations. The TIP program only identifies a possible pusher. It provides a starting point for some of the most challenging and difficult investigative assignments.

Police Problem

While the use, manufacture, transportation, and sale of narcotics are crimes in themselves, they are also the symptoms of a deeply rooted criminal problem in Mobile and other such cities throughout the world. Narcotics addiction is an expensive habit. As the habit grows, the per diem expenses necessary to sustain it increase by geometric proportion. Experience shows that the addict is usually unable to satisfy his habit through lawful means. His addiction to narcotics so affects his personality that he cannot maintain the proper attitude to satisfactorily work at a normal job. He must then resort to some type of criminal activity to maintain his chosen lifestyle. As a

result, an increasing proportion of the robbers, burglars, shoplifters, gamblers, and prostitutes are also addicts committing crimes to continue to support their addiction.

The police problem then is twofold: To control the narcotics traffic and to identify addicts involved in other criminal activities. Throughout all these investigations, one must keep in mind and emphasize to individuals involved that these addicts not only are violators of narcotics laws, but, most assuredly, are guilty of other criminal offenses.

The most successful investigative technique we have found to combat the trafficking in narcotics is the use of an undercover agent whom we have placed in contact with the user, pusher, and dealer of narcotics.

Each undercover operation is unique. What succeeds in one area may not in another. We have found that for the ultimate prosecution, the testimony of a sworn police officer, with an impeccable background, is unparalleled for its credibility.

The Undercover Officer

Each undercover operation must be most carefully planned. Certainly, one of the primary aspects of any such activity is the selection of personnel. By necessity, an undercover officer must be a person of outstanding ability and intelligence and be knowledgeable in the field of narcotics, including the street jargon of its operations. He must be thoroughly briefed as to his assignment and be keenly aware of the overall objective and target of the specific operation.

The time an officer can spend in such an operation is limited not only by the needs of his department, but also by the time and money involved. Additionally, the pressure on an officer in such a capacity is considerable, and the time that an agent can maintain a

false identity, as well as endure surroundings divorced from his normal associates, is often limited.

Undercover agents may be obtained by "borrowing" sworn personnel from other local and State law enforcement agencies or Federal agencies with an interest in drug enforcement. They might be recruited from a list of prospective applicants for a police position, or from the department itself. Due to the size of Mobile, it was determined that an officer from within the department would not be utilized because of the great risk that his true identity would be too well known. Accordingly, an Alabama State Trooper was utilized. While this posed no problem in Mobile's operation, difficulties may develop when the undercover agent is not directly on the payroll and working under the direct supervision of the senior officer charged with drug enforcement. The overall success of such an undertaking is dependent upon planning, an understanding of the plan by assigned personnel, and the direction of the plan by one officer to assure coordinated results. He must insist that all individuals involved are contributing toward the stated objective and target.

Each undercover officer must have a support team. This team must be available to the undercover agent at all times, not only to give physical protection, but also to observe and record the activities of the undercover agent for subsequent corroborative testimony in court. This tends to alleviate the one-man's-word-against-another's testimony which can often result in these investigations. The team should be seasoned police officers who have an aptitude for and a desire to conduct drug investigations. Their knowledge of drug operations and of the community is a great asset to these investigations.

It is necessary for the undercover agent to be discreetly introduced into

"After the selection of the undercover agent, the next major problem . . . is the identification of a proper individual to introduce the agent into the narcotics community."

the community or subculture where he will work. After the selection of the undercover agent, the next major problem in any such activity is the identification of a proper individual to introduce the agent into the narcotics community. This must be an informant knowledgeable of the narcotics community and trusted by the narcotics squad. He must know that he may be suspect if the undercover operation fails or succeeds. At the very least, he is likely to become suspect if and when warrants are obtained. This informant then has to be one with whom there has been enough previous contact to know he can be trusted. If possible, he must be one who can be effectively controlled and successfully removed from the scene without jeopardizing the overall op-

eration. To further protect the operation, every effort must be made to divorce this informant from the operation as soon as the undercover agent has been introduced. This not only helps guarantee the safety of the agent, but also protects the informant for subsequent use.

The Operation

Vehicular transportation is always a problem. Many individuals remotely connected with law enforcement seem to think that taking an old squad car and repainting it makes the car unrecognizable to the criminal element. It was determined that by far the most successful type of vehicle is one rented. The use of rental vehicles is logical because of the variety available at

local car rental agencies and because they are not readily identifiable with the police. The rental vehicle can be selected to fit the agent's cover. A rental car can be successfully equipped with a concealed radio to effect short-range communication and to make the surveillance of the vehicle easier by use of a homing or beeping device. Many individuals trafficking in narcotics also utilize rental vehicles to prevent having their personally owned vehicles confiscated at the time of an arrest.

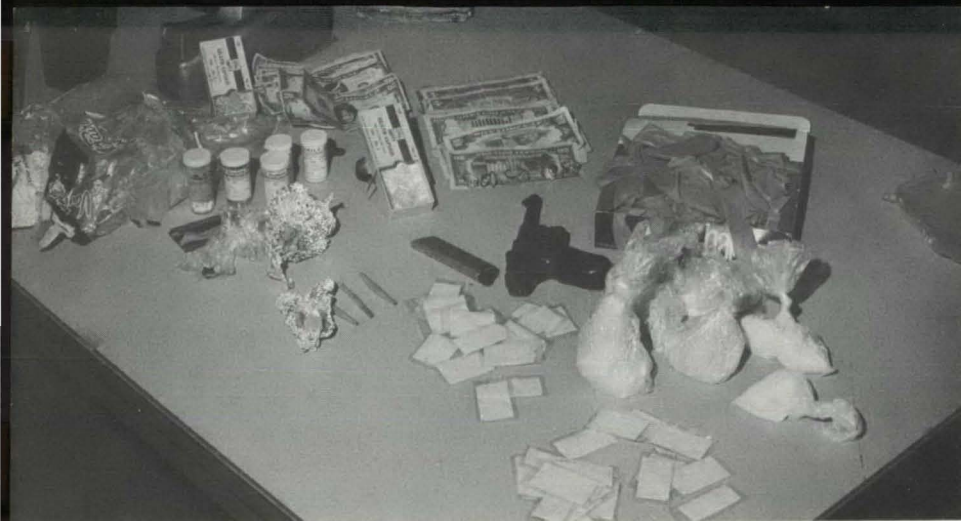
Living quarters for the undercover agent must be carefully selected. They should suit the degree of affluence suggested by the cover identity, yet be so located as to avoid the attention of nosey neighbors. While inquisitive neighbors may be minimal in large metropolitan areas, the friendliness of nearby residents in many smaller cities could be upsetting to undercover operatives. Motel accommodations may be satisfactory for the short term, but they afford limited cover since adjoining entertainment lounges are very often meeting places for local and out-of-town narcotics dealers who have an opportunity to cultivate motel employees for information relative to known and suspected narcotics officers.

As a result, a furnished apartment in a large apartment complex was found to be most adequate living quarters for Mobile's undercover narcotics operation. The undercover agent can in this environment maintain substantial privacy and store necessary equipment in his apartment without attracting unusual attention.

The matter of finances is one of the most difficult. The idea of an undercover operation is often offensive to civilians who provide the money for

A hiding place for drugs which had been concealed by wall paper.





Loot, weapon, narcotics, and drug paraphernalia recovered from inside a kitchen wall.

law enforcement operations. Therefore, it is necessary to justify to local governing officials the necessity of the operation.

The following is a breakdown of the approximate cost of a recent 6-month undercover operation at Mobile:

Lodging, meals, telephone -----	\$ 4,000
Travel expenses -----	2,600
Money for informants -	7,500
Automobile rentals (two vehicles, one for the undercover agent and one to be utilized by the support team) -----	8,000
Gasoline -----	480
Incidental expenses (social activities and entertainment designed to enhance capabilities of undercover operative) ---	2,370
Front money used to make drug purchases	15,000
Total -----	39,950

Results

During a recent 4-month continuous operation, the following arrests were the direct result of one undercover operator's activities:

Selling marihuana-----	56
Selling amphetamines-----	4
Selling barbiturates-----	11
Selling psilocybin-----	2
Selling methadone-----	2
Selling heroin-----	26
Possession of narcotics paraphernalia -----	30
Obtaining narcotics by fraud--	2
Frequenting a house in which drugs were sold-----	10

In addition, the following arrests of individuals involved with narcotics were also made:

Operating a house of prostitution -----	5
Advancing prostitution-----	3
Prostitution -----	7
Burglary -----	3
Murder -----	1
Gambling -----	7
Possession of untaxed whiskey -----	1
Receiving and concealing stolen property-----	2

While some of these arrests might have been made without an undercover operation, it is believed that this operation was a truly successful effort in attacking the police problem of controlling the narcotics traffic and identifying offenders involved in other crimes. This operation not only resulted in increased arrests, but also in the removal of a great deal of narcotics from the streets of Mobile. ®

A FAMILIAR FACE?

When police investigators questioned a teller after a bank robbery and asked what the holdup man looked like, the teller pointed to the chief of the police robbery squad and said, "Just like him!"

Photographs taken by the bank surveillance cameras reinforced the opinion of the resemblance, although the chief vigorously protested the notion that any similarity existed.

An investigation by the police and the FBI culminated in the arrest of the suspect, who was charged with bank robbery and is being investigated in connection with other bank robberies. The poor robbery squad chief is still taking a healthy ribbing from his colleagues who, tongue in cheek, contend they wouldn't be surprised if the law finally catches up with him.

NCIC

As of September 1, 1974, there was a total of 5,186,907 active records in the National Crime Information Center data bank. The breakdown is as follows:

Stolen securities -----	1,565,438
Stolen articles--	1,015,760
Stolen vehicles -----	906,471
Stolen guns----	764,363
CCH subjects--	469,738
Stolen license plates -----	303,533
Wanted persons -----	151,082
Stolen boats--	10,522

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CRIME IS INDISCRIMINATE

On September 20, 1974, an officer of the Metropolitan Police Department was shot and killed while conducting an investigation in downtown Washington, D.C. This tragedy marked the 93d time this year that a law enforcement officer has been slain in the United States and Puerto Rico.

Significantly, the victim of this heinous crime, Gail A. Cobb, was the first female officer known to have been killed in the line of duty since the FBI began recording such deaths in 1960. Her passing left a young child motherless—another victim of police killings.

Scores of officers, many traveling long distances, attended the solemn funeral services for Officer Cobb. Among those in attendance was FBI Director Clarence M. Kelley.

Commenting on Officer Cobb's death, President Ford observed what law enforcement officers know only too well, that crime draws no distinction between the sexes.

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INTERESTING PATTERN

The pattern appearing here presents no problem as to the classification. It consists of a combination of a loop and a whorl-type pattern. It is classified as an accidental whorl with an outer tracing.