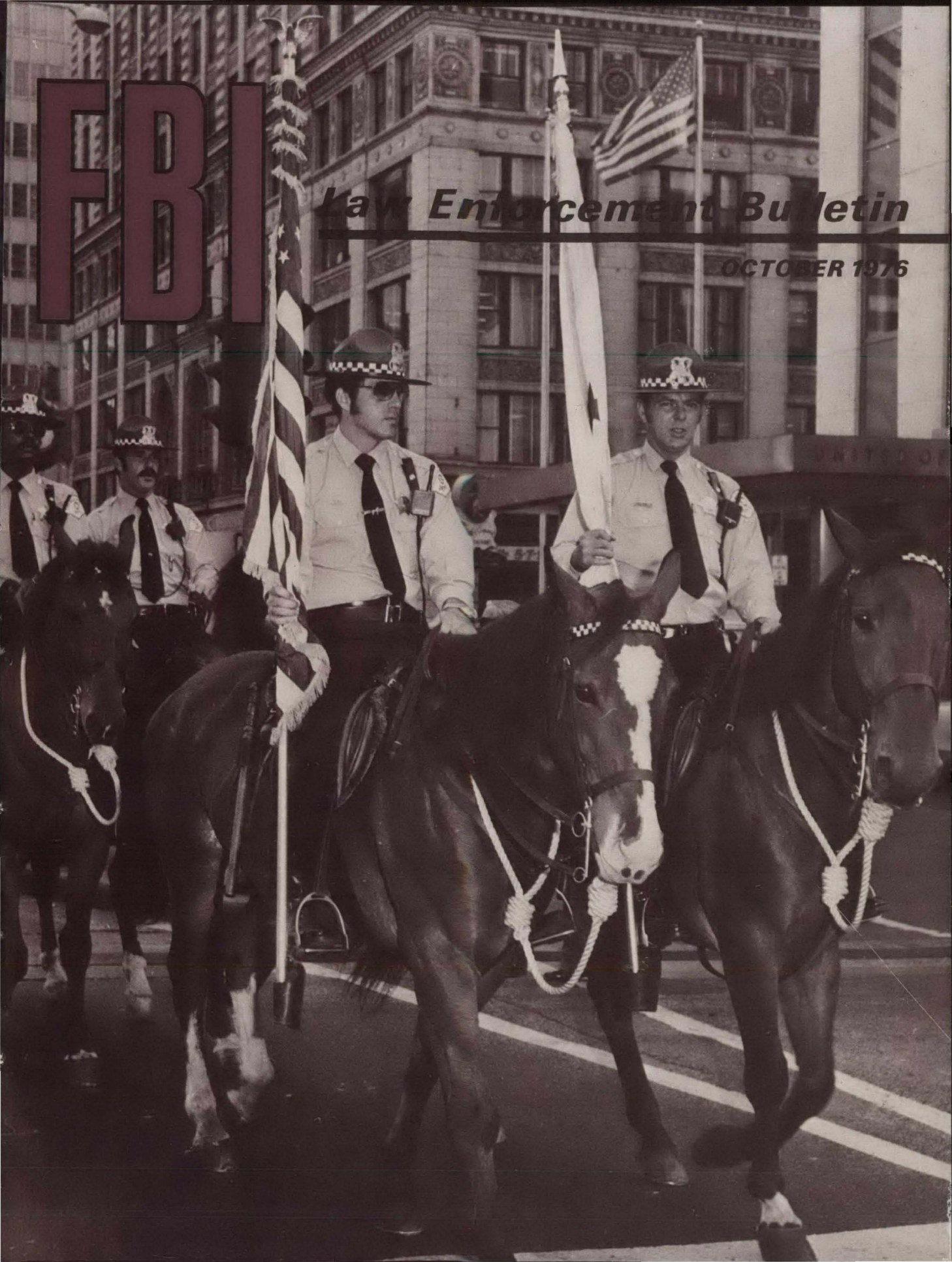
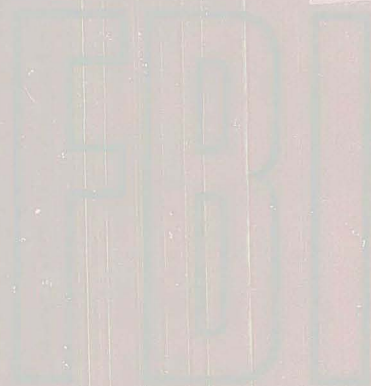


FBI

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THE COVER

In sharp and nostalgic contrast to many advances in police technology, the horse continues its long service to law enforcement. Featured on this month's cover are mounted officers of the Chicago, Ill. Police Department. Photo courtesy of the Chicago Police Department.



Message from the Director . . .



AS ANOTHER ACADEMIC YEAR BEGINS, educators and law enforcement officials must face the growing challenge of violence and crime in our Nation's schools. To an alarming degree, criminality, vandalism, and other forms of disruptive behavior have invaded many of our institutions of learning—menacing both students and teachers, destroying valuable educational resources, and generally eroding the quality of our school systems. Fully represented in the tragic reports of this lawlessness are offenses of the most serious and vicious nature, such as murder, rape, extortion, robbery, and drug trafficking.

Although it has been difficult to assess with any great degree of accuracy the full scope of these crime conditions on a nationwide basis, there are certainly substantial indications that it has reached disturbing proportions in many places.

A Senate subcommittee investigating the situation found considerable cause for concern as prominent organizations and other knowledgeable sources from throughout the educational community described the problem in frequently shocking terms. Included in the extensive information compiled were crime estimates by a national organization of school security directors. According to this source, some 9,000 forcible rapes, 12,000 armed robberies, 204,000 aggravated assaults, and 270,000 burglaries of a school-related nature were committed in 1974. During the same period, school losses due to burglary, arson, vandalism, and similar offenses were estimated to total nearly \$600 million—a sum said to exceed the amount spent for textbooks

in 1972 and to have been sufficient to hire an additional 50,000 experienced teachers. The legislators also determined that assaults against teachers numbered nearly 70,000 yearly.

Indicative of the sharp escalation in crime and violence reportedly experienced by many schools in recent years were the results of a survey conducted by the subcommittee itself. Comparative data provided by more than 500 of the school districts queried showed the following crime increases occurred from 1970 to 1973: homicides 18.5 percent; rapes and attempted rapes 40.1 percent; robberies 36.7 percent; assaults on students 85.3 percent; and assaults on teachers 77.4 percent.

Commendable efforts have certainly been made to more fully understand and effectively cope with the contagion of lawlessness that has infected large parts of our educational system. School authorities in many areas have achieved noteworthy success through more efficient security programs and other countermeasures, including strategies designed to treat causative factors and to gain a greater degree of student and community support in dealing with the problem. Police agencies have also endeavored to broaden their range of services to the entire educational community through such means as liaison programs aimed at reaching the student body.

In our struggle to combat the growth of crime and violence in the schools of this Nation, a strong alliance is assuredly needed among educators, law enforcement, and the community. Cooperation and understanding are critical links

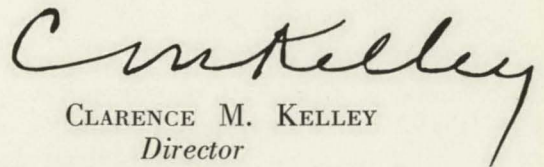
MESSAGE

in establishing this essential basis for meaningful progress. There must, in particular, exist between school and police officials a recognition of the proper role of each—its responsibilities, limitations, and functions. What is more, the full implications of criminal conduct as well as the sensitive issues involved in handling young

offenders within an educational context must also be mutually appreciated.

By working together, law enforcement officers, educators, parents, and the students themselves can go a long way toward safeguarding our young people in their vital pursuit of a formal education.

OCTOBER 1, 1976



CLARENCE M. KELLEY
Director

The Utilization of Explorer Scouts For Security Patrol of Vacation Homes

By
DELBERT H. WALPOLE
Sheriff
Tillamook County, Oreg.



Tillamook, Oreg., an Indian name meaning "Many Waters," is also known as "The land of cheese, trees and ocean breeze." It is located due west of Portland, on the Oregon coast. Its seven rivers, three bays, and the Pacific Ocean account for its Indian name, while its 20,000 dairy cows, lumber and plywood mills, and the ocean account for its slogan.

Tillamook County is 70 miles long and 35 miles wide, and the sheriff's department has a complement of 15. Of these 15, we have only 6 outside patrols to work around the clock, 7 days a week. We also have a State police force of 12 to help us police the county, but they are mainly committed to enforcing traffic and game violations.

Although the county is considered a rural area with only 18,000 permanent residents, it was discovered some 10 years ago as a playground for the

urban people who reside just a little over an hour away in Portland and Salem. Our excellent beaches, superb

"Consequently, the vacation homeowners were with us on the weekends, while the vacation home burglars were with us during the week."

fishing, and hunting were soon being utilized by the "city dwellers" and with them came many problems for our local law enforcement.

It was not long before affluent people from the urban areas began buying choice lots in the county for the pur-

pose of building "vacation homes" to be used on weekends and during the summer months. Many of these people built expensive beach homes, and, because they desired solitude, most of these homes were remotely located.

As a result of this, we soon discovered that we were having other visitors to our county—house burglars, their choice targets being the hundreds of vacation homes that had sprung up all over our county. Consequently, the vacation homeowners were with us on the weekends, while the vacation home burglars were with us during the week.

The vacation homeowners began to complain bitterly about these burglaries, and with good cause. Moreover, it was very discouraging to us to know that we had been "discovered" by outside burglars who would come in during the middle of the night and ransack the homes and would be out of the county by the next morning.

Pleas were made by myself and the vacation homeowners to the county commissioners for additional manpower to help combat this crime problem. The commissioners were able to provide two more men, but even then, we were unable to physically check and protect the many vacation homes which were now part of the county.

Since manpower is one of the most expensive items in a budget, I pondered how I could get additional officers without the high cost. My first act to increase manpower was to develop a 15-man reserve force, made up of interested men in the community who wanted to learn about law enforcement and at the same time be able to serve their community.

These "reserve deputies" were given extensive training, and before long, they were riding with the regular deputies at night to provide extra eyes and support. Soon, as a result of this, it became apparent that we were becoming more effective in reducing the number of break-ins and burglaries. Also, as the reserve deputies received more training and experience, we allowed them to make their own patrols; however, they were obligated to go



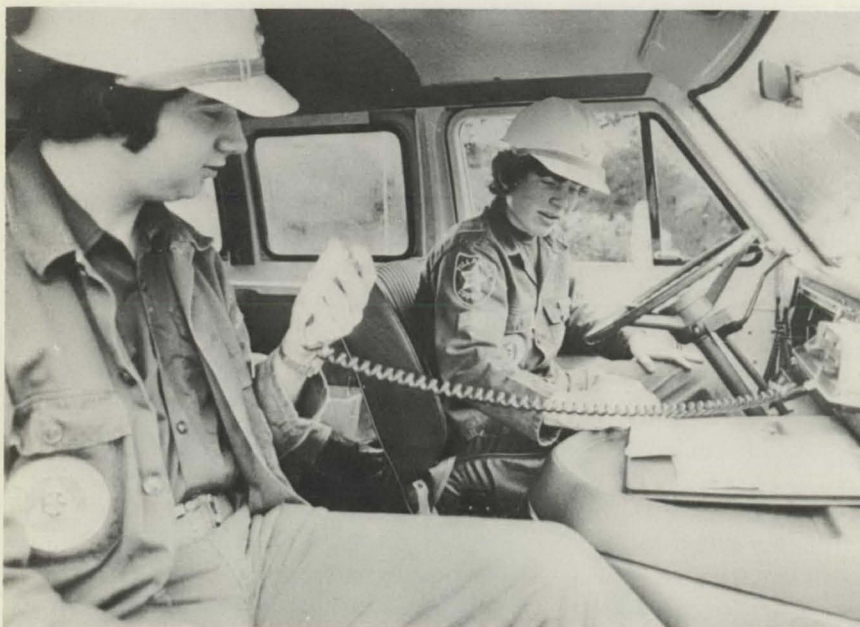
Two Explorers checking beach home.

with partners. If confronted with a situation that looked dangerous, they were told to radio in and call for assistance from one of the regular deputies. The extra manpower made available through the use of these reserve deputies enabled us to place another vehicle on patrol during the nighttime.

As sheriff, I had sponsored an Explorer Scout Post, consisting of 25 high-school-age boys. The purpose of this post was to give myself and my deputies a chance to work with young people and, in turn, give them a chance to become involved with police. We called these boys "Law Enforcement Explorers," and they concentrated on search and rescue work. Since our county is quite rugged and people can easily become lost, the worth of the Explorers in the field of search and rescue became quite apparent. They were involved in many such missions for the department and were successful in that endeavor.

One of the more difficult tasks in sponsoring a post is keeping its mem-

Two Explorers using communications equipment in patrol vehicle.



"The purpose of this post was to give myself and my deputies a chance to work with young people and, in turn, give them a chance to become involved with police."

bers active and engaged in interesting projects. Search and rescue is more or less a seasonal occurrence in Tilla-



Vehicle used by Explorer Post 775 for patrol purposes and two Explorers checking beach home.

mook County, and I soon learned that inactivity caused a loss of interest for the Explorer Scouts. Thereafter, I began to look around for other activities for the group and came up with the following idea.

Why not expand my reserve deputy patrol by teaming one reserve deputy with one Explorer Scout for security checks on the vacation homes? This would extend the patrol capabilities of the reserves and would also give the Explorers an additional responsibility to keep their interest high.

The interest among the boys in our county had become more active with respect to Explorer Scouting. My responsibilities as sheriff limited my time with them, so I began to look for new advisers for the boys among the men who served as my deputies.

The original Explorer Post (777)

had been made up from boys in the Central High School at Tillamook City. Now students in the other two high schools were interested in similar law enforcement Explorer programs, and all we needed was adequate leadership to get them going. Three of the deputies were anxious to become involved as advisers, which, fortunately, allowed us to expand our Explorer program, creating Explorer Post 775 in the South High School and Post 598 (today Post 779) in the North High School.

Explorer Posts 777 and 598 were primarily interested in search and rescue and to this mission they targeted their efforts. Explorer Post 775 began the program of vacation home security checks, which was so successful that I will outline its development.

Explorer Post 775 had 30 members, ranging in age from 14 to 19 years.

The young deputy who took over the advisership of this post had two valuable assets: (1) An interest in young people; and (2) a wife with an interest in and an ability to get along with young people. This team developed one of the most recognized Explorer Posts in the United States as a result of their work in community activities.

Since the majority of the vacation homes are located in the south end of our county, this post took over complete responsibility of guarding these locations. Their first project was to list the names, addresses, and telephone numbers of all the owners of a summer or vacation home in the area. Letters were then written to each owner advising them that this Explorer Post would be responsible for security patrol checks of their homes and how they planned to accomplish this.

The owners were informed that their sponsor, the sheriff, would furnish the gasoline for patrol vehicles; however, additional expenses would have to be obtained either from fundraising activities or directly from the property owners. Almost immediately the homeowners began sending in money in support of this project, making it apparent that they were in favor of this type of assistance. Many of these absentee owners sent the post \$100 checks, but the average check was about \$25.

While the letter to the homeowners was doing its job in raising funds, an intensive training program was going on within the post itself. The post consisted of both boys and girls. One of the first things the boys did was make up numbered boards. Most of the homes are located in remote areas having no particular address, and it was necessary to be able to identify them in some way. Each home was assigned a number by the post, and a number board was nailed to the house. At the same time, the girls were preparing 3 by 5 cards on each house, listing all pertinent information as to ownership and whom to call in case of emergencies. These cards were filed by number and by name. They were then put into a small file and turned over to the dispatcher at the sheriff's office.

With the revenue that was coming in, the post started shopping for a vehicle in which to do their patrol work. One of the homeowners was a car dealer in a town nearby, and he offered them a vehicle at cost. About a month later, it was delivered to the post completely equipped with a radio and all the necessary equipment needed for the security patrol job.

By this time, most of the 500 homes that were to be checked were numbered, and the boys were trained and ready to go. It was decided that the patrols would work 5 days a week—during the week and not on week-

**TILLAMOOK COUNTY SHERIFF'S
DEPARTMENT**

WARNING

**This Property Is Being Regularly
Checked by One or More
of the Following:**

**DEPUTY SHERIFFS
EXPLORER SCOUTS
VOLUNTEER BURGLARY PATROL**

NOTE: BURGLARY OF THESE PREMISES CARRIES A PENALTY OF FROM 5 TO 20 YEARS IN THE OREGON STATE PENITENTIARY. THERE'S NOTHING INSIDE WORTH THAT MUCH OF YOUR LIFETIME.

Del Walpole, Sheriff

**Poster distributed to property owners for
placement in windows of buildings.**

ends—and that the patrol would consist of a licensed driver and two checkers who would physically check the security of the vacation homes.

“It is truly one program that has benefited all parties involved—the young people, the vacation homeowners, the advisers, and the Tillamook County Sheriff's Department.”

A patrol would begin at around 7 p.m. and would end at around 10:30 p.m. Since all 500 homes could not be adequately checked in one evening, it was necessary to set up patrol areas for each night. It was soon learned that the main function of this patrol was not to “catch” burglars, but to discover break-ins and find storm damage and vandalism. By quickly discovering and correcting these problems, the patrol was able to protect these homes from further damage.

A typical problem was that of broken windows from storms. The boys would discover a window blown out and would call the sheriff's office via radio, reporting that vacation home

No. 155 had a broken window, and they would stand by for further orders. The dispatcher would check the card file and call the owner, who might live as far away as Portland, to advise him of the problem. The owner would usually indicate that he couldn't get down right away, and would appreciate any help we could render. The boys would then board up the window with pieces of plywood that they carried, and the occurrence would be recorded. Thereafter, a letter would be sent to the owner, advising him of the action taken.

As a result of their efforts toward the protection of property in the community, Explorer Post 775 has received recognition from insurance companies. Law enforcement agencies from as far away as Alaska have come to Tillamook to view firsthand this unique group of young people. Today this group consists of 40 young men and women, who have expanded their equipment to 2 radio-equipped vehicles and one 4-wheel-drive vehicle for difficult roads. Not only do the absentee owners support this post with their money, but local residents proudly acknowledge support for the citizenship that we are developing in these young people.

This post and its program have completely restored many an older person's faith in our young people. These young people have selflessly dedicated their time and energy to the protection of other peoples' property.

In the past 10 years, due much to the Explorer program, our vacation home burglary rate has decreased to about 25 percent of what it was in the beginning. Complaints from vacation homeowners have become practically nil, and we have kept the cost of protecting their property down. It is truly one program that has benefited all parties involved—the young people, the vacation homeowners, the advisers, and the Tillamook County Sheriff's Department.

®

FBI Bomb Data Program:

—EXPLOSIVE HAZARDS— Military EOD Assistance

Many U.S. cities, towns, and communities do not have trained civilian personnel available locally to provide a bomb disposal capability. When such an asset is lacking, the city, town, or community is not totally without recourse when the public safety is threatened by the presence of home-made bombs, hazardous commercial explosives, or military explosive ordnance. Assistance from the Army may be available upon request in such instances.

Military Explosive Ordnance

Military explosive ordnance may be encountered almost anywhere. It is frequently a component of improvised explosive or incendiary devices, may comprise a part of a war souvenir collection, or could be found among explosives and weapons accumulated in a cache by extremist or violence-prone elements.

Many diverse items and materials can fall under the definition of military explosive ordnance. These could include: Artillery, mortar, rocket, and small arms ammunition; mines; grenades; bombs; explosive simulators; fuzes for any of the foregoing; as well as bulk explosives and chemical and/or nuclear items manufactured for military use.

Inherent Dangers

Most military explosive ordnance of recent manufacture has reliable safety features built into its design. Foreign explosive ordnance, however, may lack such features, or, if safety features are incorporated, their reliability may be uncertain.

The mere fact that many explosive ordnance items have safety features does not of itself preclude their being hazardous. Such items can be inadvertently armed through accident, malfunction, or other means. It is often difficult or impossible to tell whether such an item is armed or not.

Older ordnance, such as souvenirs from past wars, often pose an additional hazard due to possible deterioration or decomposition of components. In some instances in this regard, filler materials may have reacted with the substance of the container to form new compounds. The resultant mixture may be highly unstable and dangerous. A Civil War explosive souvenir, for example, may contain a black powder filler. This filler could produce an explosion upon receiving a slight shock, or a spark, or should a rise in temperature occur.

Most persons are unfamiliar with the composition and explosive possibilities of old U.S. military ordnance and similar items of foreign origin.

Accordingly, any devices of this nature encountered should not be touched or moved except by specially trained personnel.

Army Explosive Ordnance Disposal (EOD) Assistance

Army regulations stipulate that the Army has responsibility for disposing of all unneeded military explosive ordnance regardless of type, age, or origin. Within the Army, EOD detachments have the primary mission of safely disposing of hazardous military explosive ordnance. Army regulations also authorize the Army to assist civilian law enforcement agencies whenever public safety is threatened by the presence of suspected or known homemade bombs or hazardous commercial explosives. Certain conditions must exist, however, before such assistance can be rendered. These conditions are:

1. The requesting agency has no EOD capability of its own or its capability has been overextended; and
2. The requesting agency (Federal agencies excepted) executes a Civil Support Release and Reimbursement Agreement. (This agreement, signed by the

requesting agency, releases the Government from liability as a result of EOD assistance provided by the Army. While in some instances, reimbursement is required for costs involved in the EOD providing services, no charge is made for disposal of military explosive ordnance, or improvised explosives (home-made bombs and arson devices), or explosives which are abandoned. The latter category includes explosives for which responsibility or ownership cannot be determined within a reasonable time.)

It is noted that the Posse Comitatus Act (18 U.S.C. 1385) prohibits the use of any part of the Army to execute local, State, or Federal laws except as the Constitution or an act of Congress authorizes. Accordingly, except as stipulated by the provisions of this act, Army personnel, including EOD elements, may not assist in the

enforcement of civil law. EOD detachments also will not participate in *searching* for bombs or improvised explosive devices in response to a request for assistance from civilian law enforcement agencies.

When responding to a call for assistance from a civilian agency, Army EOD personnel may function as technical advisers or consultants, initiate procedures to attempt to render suspected hazardous items safe, and assist in disposal—or actually dispose of—hazardous residue.

As a matter of policy, the Army attempts to assist public safety and law enforcement agencies to develop their own capability of coping with the threat of explosive hazards. Additionally, training is provided in recognition of military ordnance, and safety and reporting procedures to be followed in the event of an incident involving military explosive ordnance or clandestine devices, pending the arrival of military EOD personnel.

Location of EOD Detachments

While not located in every State, EOD detachments are widely dispersed throughout the United States for coverage of all geographic areas. Figure 1 shows this dispersal within the contiguous United States. A complete listing of the location and organization designation of each EOD detachment, including detachments in Alaska and Hawaii, appears in inset 1.

Public officials foreseeing a potential need for Army bomb disposal assistance should ascertain the location of the nearest EOD detachment and establish liaison with the detachment commander. Through such advance coordination, the nearest EOD unit can be easily contacted and the providing of assistance may be facilitated whenever a suspected hazardous explosive is found or encountered. In such an eventuality, time may be of the essence, and advance coordination and planning could be a critical factor.

FBI

LIST OF EOD DETACHMENTS

Organization	Location	Telephone Number
<i>Alabama</i>		
123d Ordnance Detachment (Ord. Det.) (EOD)	Fort Rucker, Ala. 36360	(205) 255-5004/6720
142d Ord. Det. (EOD)	Fort McClellan, Ala. 36201	(205) 238-5124/5430
<i>Alaska</i>		
176th Ord. Det. (EOD)	Fort Richardson, Alaska 99505	(907) 862-8114
<i>Arizona</i>		
77th Ord. Det. (EOD)	Yuma Proving Ground, Yuma, Ariz. 85364	(602) 328-2125/2841
<i>Arkansas</i>		
52d Ord. Det. (EOD)	Pine Bluff Arsenal, Ark. 71601	(501) 534-4600—Ext. 2731/2732
<i>California</i>		
34th Ord. Det. (EOD)	Sierra Army Depot, Herlong, Calif. 96113	(916) 827-9409
49th Ord. Det. (EOD)	Fort Ord, Calif. 93941	(408) 242-3054/3489
70th Ord. Det. (EOD)	Fort Rosecrans, Calif. 92106	(714) 225-7481/7482
87th Ord. Det. (EOD)	Presidio of San Francisco, Calif. 94129	(415) 561-2437/2524
548th Ord. Det. (EODC)	Presidio of San Francisco, Calif. 94129	(415) 561-4203/4312

Colorado

94th Ord. Det. (EOD) Fort Carson, Colo. 80913 (303) 579-2643/4242

District of Columbia

67th Ord. Det. (EOD) Fort Leslie J. McNair, Washington, D.C. 20315 (202) 693-8612/8614

Florida

66th Ord. Det. (EOD) Homestead Air Force Base, Fla. 33030 (305) 257-8172/8173

Georgia

13th Ord. Det. (EOD) Fort Gillem, Forest Park, Ga. 30050 (404) 363-5436/5437

38th Ord. Det. (EOD) Fort Stewart, Ga. 31313 (912) 767-3207/3498

89th Ord. Det. (EOD) Fort Benning, Ga. 31905 (404) 544-4668

547th Ord. Det. (EODC) Fort Gillem, Forest Park, Ga. 30050 (404) 363-5225/5226

Hawaii

6th Ord. Det. (EOD) Fort Shafter, Hawaii 96823 (808) 86-2315

Illinois

50th Ord. Det. (EOD) Granite City Army Depot, Ill. 62040 (314) 263-5262/5263

51st Ord. Det. (EOD) Fort Sheridan, Ill. 60037 (312) 926-2907/2227

259th Ord. Det. (EOD) Savanna Army Depot, Savanna, Ill. 61074 (815) 273-8846/8847

Indiana

64th Ord. Det. (EOD) Fort Benjamin Harrison, Ind. 46216 (317) 542-2392/2393

Kansas

74th Ord. Det. (EOD) Fort Riley, Kans. 66442 (913) 239-3313/3314

Kentucky

17th Ord. Det. (EOD) Fort Campbell, Ky. 42223 (502) 798-2312/2825

43d Ord. Det. (EOD) Fort Knox, Ky. 40121 (502) 624-5631/6426

Louisiana

45th Ord. Det. (EOD) Fort Polk, La. 71459 (318) 578-5505/5726

Maryland

144th Ord. Det. (EOD) Fort George G. Meade, Md. 20755 (301) 677-5770/2104

149th Ord. Det. (EOD) Aberdeen Proving Ground, Md. 21010 (301) 671-4147/3872

549th Ord. Det. (EODC) Fort George G. Meade, Md. 20755 (301) 677-5182/5183/3659/5477

U.S.A. Technical Escort Center (TEC) * Aberdeen Proving Ground, Md. 21010 (301) 671-4381/2601/3044

Off-duty hours 671-2773/4259

Massachusetts

14th Ord. Det. (EOD) Fort Devens, Mass. 01433 (617) 796-4448/2027

Michigan

75th Ord. Det. (EOD) 23921 Joy Blvd., Mt. Clemens, Mich. 48043 (313) 468-3621

Minnesota

88th Ord. Det. (EOD) Twin Cities Army Ammunition Plant, New Brighton, Minn. 55112 (612) 483-5913

Mississippi

40th Ord. Det. (EOD) Camp Shelby, Miss. 39401 (601) 583-1745/1746

Missouri

63d Ord. Det. (EOD)	Fort Leonard Wood, Mo. 65473	(314) 368-4229/2818
543d Ord. Det. (EODC)	Fort Leonard Wood, Mo. 65473	(314) 368-6145

New Jersey

54th Ord. Det. (EOD)	Fort Monmouth, N.J. 07703	(201) 532-9000 Ext. 1655
60th Ord. Det. (EOD)	Fort Dix, N.J. 08640	(609) 562-4250/6382
542d Ord. Det. (EODC)	Fort Dix, N.J. 08640	(609) 562-5940/4184

New York

55th Ord. Det. (EOD)	Fort Drum, Watertown, N.Y. 13601	(315) 782-6900 Ext. 78/79
143d Ord. Det. (EOD)	Seneca Army Depot, Romulus, N.Y. 14541	(315) 585-8363/8364
146th Ord. Det. (EOD)	U.S. Military Academy, Stewart Annex, Newburgh, N.Y. 12550	(914) 564-7000 Ext. 3232/3233

North Carolina

18th Ord. Det. (EOD)	Fort Bragg, N.C. 28307	(919) 396-5801/8578
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North Dakota

551st Ord. Det. (EOD)	Stanley R. Michelsen Safeguard-Complex, N. Dak. 58350	(701) 949-5213/5214
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Ohio

71st Ord. Det. (EOD)	Rickenbacker Air Force Base, Ohio 43217	(614) 492-3809/3800
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Oklahoma

61st Ord. Det. (EOD)	Fort Sill, Okla. 73503	(405) 351-5209/2313
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Pennsylvania

28th Ord. Det. (EOD)	Letterkenny Army Depot, Chambersburg, Pa. 17201	(717) 263-6681/7783
56th Ord. Det. (EOD)	Indiantown Gap Military Reservation, Annville, Pa. 17003	(717) 273-2601—Ext. 2811/2881

South Carolina

48th Ord. Det. (EOD)	Fort Jackson, S.C. 29207	(803) 751-5126/6919
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Texas

41st Ord. Det. (EOD)	Fort Bliss, Tex. 79906	(915) 568-8703/8905
47th Ord. Det. (EOD)	Fort Hood, Tex. 76544	(817) 685-2309/2929
137th Ord. Det. (EOD)	Corpus Christi U.S. Naval Air Station, Corpus Christi, Tex. 78419	(512) 939-2991/2992
546th Ord. Det. (EODC)	Fort Sam Houston, Tex. 78234	(512) 221-5308

Utah

62d Ord. Det. (EOD)	Fort Douglas, Utah 84113	(801) 524-4334
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Virginia

57th Ord. Det. (EOD)	Fort Belvoir, Va. 22060	(703) 664-4168/1186
147th Ord. Det. (EOD)	Fort Lee, Va. 23801	(804) 734-2709/3373

Washington

27th Ord. Det. (EOD)	Fort Lewis, Wash. 98433	(206) 967-5507/5508/4420
53d Ord. Det. (EOD)	Vancouver Barracks, Wash. 98661	(206) 693-2291

*The Technical Escort Center (TEC) is not a conventional EOD detachment. It provides assistance in the areas of selected ammunition and military chemical items for the Department of Defense. As a result, TEC support to civil authorities is limited to those instances where special considerations make Army assistance relative to hazardous chemicals absolutely essential in the public interest.

Electronic Surveillance: Participant Monitoring

By

JOHN J. BURKE

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

Introduction

The practice of eavesdropping is ancient. One would probably be fair in the assumption that man from his very beginning found it difficult to move away from an overheard conversation. However, the law found the repeating of the conversation to be not

only unsporting but a nuisance. Sir William Blackstone in rather characteristic style tells us about the 18th century eavesdroppers who:

"... listen under walls or windows, or the eaves of a house, to harken after discourse, and thereupon to frame slanderous and mischievous tales . . . [They] are a common nuisance, and presentable at . . . court . . . or are indictable . . . and punishable by fine. . . ."¹

The man found lurking under the eaves of a house or crouched below a window with the naked ear hoping for a repeatable tidbit is just as much a nuisance today as he was for Black-

stone. But there are limits to his potential harm. These are the limitations of human hearing. No, this is not the concern of the moment. Today the law speaks to those who have followed the progress of science and make use of sophisticated mechanical and electronic devices to overhear. It concerns itself with the scientific aids that "add a whole new dimension to eavesdropping."²

The abuses that paralleled the technological development of electronic surveillance devices were cataloged in the legislative history that accompanies title III of the Omnibus Crime Control and Safe Streets Act of 1968,³ the comprehensive Federal statute that controls the electronic surveillance practices of today. It states:

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.

"Commercial and employer-labor espionage is becoming widespread. It is becoming increasingly difficult to conduct business meetings in private. Trade secrets are betrayed. Labor and management plans are revealed. No longer is it possible, in short, for each man to retreat into his home and be left alone. Every spoken word relating to each man's personal, marital, religious, political, or commercial concerns can be intercepted by an unseen auditor and turned against the speaker to the auditor's advantage."⁴

These, then, were the abuses that provided the preface for the Federal statute that controls the electronic eavesdropping practices for each of us today—private citizen and law enforcement officer.

Present Law on Electronic Surveillance

Title III of the Omnibus Crime Control and Safe Streets Act of 1968 generally forbids wiretapping and eavesdropping using an electronic or mechanical device.

The consequences for failing to heed the prohibition are severe. A maximum fine of \$10,000 or a maximum prison term of 5 years, or both, may be imposed.⁵ In addition, money damages may be recovered by the victim consisting of actual damages, punitive damages, and attorney's fees.⁶ There is also provision in title III for the confiscation and forfeiture of devices and equipment used to conduct an illegal electronic surveillance.⁷ Finally, the results or contents of any unlawfully intercepted communication may not be received in evidence.⁸

However, Congress in passing title III not only desired to protect the privacy of wire and oral communications; it also recognized that the interception of such communications to ob-

tain evidence of the commission of crimes or to prevent their commission is an indispensable aid to law enforcement and the administration of justice.⁹ As a result of these dual concerns, Congress set forth in title III procedures that Federal agencies must follow to obtain court orders to investigate a specified list of offenses making use of electronic surveillance.¹⁰ Procedures are also contained in title III that must be followed by non-Federal officers in those States which have enacted enabling statutes permitting electronic surveillance.¹¹

The last mentioned restriction on non-Federal law enforcement officers

"The general rule concerning the use of electronic surveillance as an investigative tool is—you can't do it without a court order."

is emphasized. Title III procedures for obtaining a court order in a non-Federal case are inoperable unless there is a State statute permitting electronic surveillance.¹² Today, less than one-half of the States have statutory procedures for the interception of wire or oral communications.¹³

The Practical Exception: Participant Monitoring

The general rule concerning the use of electronic surveillance as an investigative tool is—you can't do it without a court order. The most important practical exception to that rule is the provision of title III stating it shall not be unlawful for a party to any wire or oral communication or a person given prior authority by a party to a conversation to intercept such communication.¹⁴ This part of title III continued in effect what had been existing law—where one of the parties consents, it is not illegal. The rationale is simply that there is *no justifiable expectation* that the other

party to a telephone or oral communication will keep it private.

This article includes within the terms "consensual monitoring" and "participant monitoring" the use of an electronic device by a participant in a conversation which transmits the exchange to a third person or records the exchange. The same terms also include the use of an electronic device by a third party to eavesdrop upon a conversation between two parties, one of whom is cooperating with a law enforcement agency.¹⁵

Constitutional Permission

The Supreme Court of the United States first considered the legality of participant monitoring in *On Lee v. United States*¹⁶ in 1952. There a Government informer "wired for sound" entered into On Lee's laundry and engaged him in conversations that were transmitted to a narcotics agent outside. At On Lee's trial, the informant did not testify, but the narcotics agent was allowed to relate the conversations he overheard with the aid of a receiving set.

On Lee's claim that the evidence should be excluded because it was obtained in violation of the fourth amendment¹⁷ was rejected by the Court. Mr. Justice Jackson writing for the 5-4 majority held that in the absence of a trespass to overhear words, there was no fourth amendment violation.

The Supreme Court next addressed the constitutional problems surrounding participant monitoring in *Lopez v. United States*¹⁸ in 1963. Lopez was charged with the attempted bribery of an Internal Revenue agent. The agent, wired for sound with a miniature wire recorder, agreed to a meeting at Lopez' office during which Lopez made incriminating statements. At the trial, the agent testified about the conversation, and the recordings were also allowed into evidence.

Mr. Justice Harlan, following *On*

Lee, held that the feigned willingness to take a bribe did not vitiate Lopez' consent to enter his office and thus there was no trespass or unlawful invasion. The entry being valid, the Court found little difficulty in permitting the recording into evidence. Indeed, here the Court found that no "eavesdropping" was involved whatever since the "device neither saw nor heard more than the agent himself."

The latter point caused Mr. Justice Harlan to recall the 1957 Supreme Court case, *Rathbun v. United States*,¹⁹ in which the Court found no constitutional prohibition against one of the parties to a telephone conversation permitting a policeman to listen on an extension telephone. As Harlan pointed out, in *Rathbun* it was conceded by all concerned that either party may record the conversation and publish it.

The decision in *Lopez* was that the defendant assumed the risk in offering the bribe to the agent that the offer would be accurately repeated in the courtroom, "whether by faultless memory or mechanical recording."

The Court had another chance to pass upon the soundness of its earlier decision concerning participant electronic monitoring in the 1964 case, *Massiah v. United States*.²⁰ Here, after the defendant had been indicted, a coconspirator agreed to cooperate with the Government. A radio transmitter was placed in his car and it was used to pass along incriminating conversations to a Federal agent. The agent testified at Massiah's trial to what he overheard on his receiver.

The Court found the testimony was improperly allowed into evidence. However, the fourth amendment issue was avoided. Instead, the Court ruled that Massiah's sixth amendment right to a lawyer was violated "when there was used against him at his trial evidence of his own incriminating words, which Federal agents had deliberately elicited from him after he had been

indicted and in the absence of his counsel."

*Osborn v. United States*²¹ in 1966 was the Court's next occasion to pass upon the use of an electronic device by a participant in a conversation. In a fact situation reminiscent of those in *On Lee*, *supra*, and *Lopez*, *supra*, the accused had used against him at trial a tape recording of a conversation he had with a police officer in which it was suggested that the officer attempt to bribe a juror. The officer told the prosecutor of the bribe attempt, and a court order was given to the Federal Bureau of Investigation to conceal a recorder on the police officer.

Mr. Justice Stewart wrote the majority opinion. After noting that Osborn's claim of inadmissibility of the recorded evidence had to fail under the rule of *Lopez*, he stated the decision did not have to rest on the rationale of *Lopez* since in this case the recording of the conversation had the previous approval of judicial officers.

In 1971, the Court in *United States v. White*,²² once again faced the issue previously encountered in *On Lee* and *Lopez* of whether the fourth amendment bars from evidence the testimony of governmental agents who related conversations which had occurred between the defendant and a Government informant, and which the agents overheard by monitoring the frequency of a radio transmitter carried and concealed on the person of the informant.

Mr. Justice White, writing the plurality opinion in *White*, reasoned:

"Concededly a police agent who conceals his police connection may write down for official use his conversations with a defendant and testify concerning them, without a warrant authorizing his encounters with the defendant and without otherwise violating the latter's Fourth Amendment rights. *Hoffa v.*

United States, 385 U.S., at 300-303. For constitutional purposes, no different result is required if the agent instead of immediately reporting and transcribing his conversations with defendant, either (1) simultaneously records them with electronic equipment which he is carrying on his person, *Lopez v. United States*, *supra*; (2) or carries radio equipment which simultaneously transmits the conversation either to recording equipment located elsewhere or to other agents monitoring the transmitting frequency. *On Lee v. United States*, *supra*. If the conduct and revelations of an agent operating without electronic equipment do not invade the defendant's constitutionally justifiable expectations of privacy neither does a simultaneous recording of the same conversation made by the agent or by others from transmissions received from the agent to whom the defendant is talking and whose trustworthiness the defendant necessarily risks.

". . . Our problem, in terms of the principles announced in *Katz*, is what expectations of privacy are constitutionally 'justifiable'—what expectations the Fourth Amendment will protect in the absence of a warrant. So far, the law permits the frustration of actual expectations of privacy by permitting authorities to use the testimony of those associates who for one reason or another have determined to turn to the police, as well as by authorizing the use of informants in the manner exemplified by *Hoffa* and *Lewis*. If the law gives no protection to the wrongdoer whose trusted accomplice is or becomes a police agent, neither

should it protect him when that same agent has recorded or transmitted the conversations which are later offered in evidence to prove the State's case."

White is a case of great importance because it was decided after *Katz*, *supra*,²³ which had "finally swept away doctrines that electronic eavesdropping is permissible under the fourth amendment unless physical invasion of a constitutionally protected area produced the challenged evidence." In *Katz*, Federal agents, without the defendant's knowledge or consent, attached a listening device to the outside of a public telephone booth and recorded the defendant's end of his telephone conversation. The Supreme Court in holding the recordings inadmissible in evidence in the absence of a warrant authorizing the surveillance held that the absence of trespass or physical intrusion into the telephone booth did not justify electronic devices in listening to and recording *Katz*' words, thereby violating the privacy on which he justifiably relied while using the telephone in those circumstances. This absence of trespass was the legal justification used by the Court to allow into evidence the results of participant monitoring in *On Lee* and *Lopez*.

Statutory Permission

Title III of the Omnibus Crime Control and Safe Streets Act of 1968 specifically places consensual participant recording outside of its broadly worded prohibitions of electronic surveillance.

Title 18, United States Code, Section 2511(2)(c)-(d) (1970) provides:

"(c) It shall not be unlawful under this chapter for a person *acting under color of law* to intercept a wire or oral communication, where such person is a party to the communication or

one of the parties to the communication has given prior consent to such interception (emphasis added).

(d) It shall not be unlawful under this chapter for a person *not acting under color of law* to intercept a wire or oral communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State *or for the purpose of committing any other injurious act* (emphasis added)."

Note that in the instance of private persons intercepting communications with the consent of one party, there is the added qualification that the interception not be done for the purpose of committing a criminal or tortious act. This qualification was added primarily to punish monitoring "for insidious purposes such as blackmail [and] stealing business secrets."²⁴

"Title III of the Omnibus Crime Control and Safe Streets Act of 1968 specifically places consensual participant recording outside of its broadly worded prohibitions of electronic surveillance."

The final qualifying phrase for consensual participant monitoring by private persons making the exemption inapplicable when done "... for the purpose of committing any other injurious act" has created difficulties in interpretation. The legislative history behind this section of title III indicates that the overall intent was to make the one-party consent exception

available only for "private persons who act in a defensive fashion." The only example provided to illustrate the final qualifying phrase was the one-party consent recording of a conversation for the purpose of "publicly embarrassing" the nonconsenting party.²⁵

Limitations on Consensual Monitoring

While the ruling of *United States v. White* has been followed by the vast majority of subsequent cases,²⁶ there are some important practical restraints on its use for many law enforcement officers. In addition to the limiting effect on its use after a subject has been indicted as set forth in *Massiah v. United States*, *supra*, there are many State laws that prohibit or restrict participant monitoring.

The report of the National Commission on Wiretapping issued on April 30, 1976, noted that 11 States have enacted statutes either limiting or prohibiting one-party consent recording. For example, Pennsylvania requires that law enforcement officers must obtain a court order for a one-party consensual interception, and can do so only where it is a case that involves endangering the safety of law enforcement officers. Even with the court order the intercepted conversations cannot be recorded.

California and Ohio make exceptions to their requirement of consent of all parties by permitting one-party consent monitoring without a court order where it is used to prevent or detect crime. Oregon and Maryland distinguished between telephone interception, for which one-party consent is sufficient, and other types of electronic surveillance where the consents of all parties are required.²⁷

Another limitation on consensual monitoring is that requiring the consent by the consenting party be voluntarily given. An involuntary consent is void and the intercepted commu-

nication cannot be used in any way. So then, consent given under an implied threat of indictment if consent is refused is not a voluntary consent.²⁸ However, an expectation of leniency by the consenting party does not void the consent.²⁹

It should be noted that the consent given must be provided prior to the electronic interception and does not allow for subsequent authorization by one of the parties.³⁰ Title III specifi-

"The only limitation on title III's broad claim to exclusive control over electronic surveillance is the allowance for State statutes that are more restrictive than the Federal law."

cally refers to the need for "prior consent" to interceptions by law enforcement or private persons.³¹

Another practical and important limitation is the requirement that consent to monitor must be given by a "party" actually participating in the communication. It is not permissible to obtain "consent" from a parent, relative, owner or renter of premises, or subscriber to a telephone. In addition, the consent "leaves" with a departing party to a conversation. That is, when a consenting government agent or informant is in a room wired for sound and consents to the recording or transmission of a conversation this would be permissible. However, when the cooperating party leaves the "wired" room or premises, the ability of the government to rely on the "consent" of the cooperating party is lost.³²

Finally, at least one State has chosen not to follow the constitutional permission granted to participant monitoring in *United States v. White*, *supra*. In *Michigan v. Beavers*,³³ the Supreme Court of Michigan ruled that the use of an electronic device by a participant of a conversation which

transmitted the exchange to a third party was impermissible in the absence of a court order. The Michigan court, however, was clear in pointing out that its result was based upon its own State constitution and that it chose to be more restrictive in its approach to participant monitoring than the apparent Federal case authority.

Conclusion

Title III of the Omnibus Crime Control and Safe Streets Act of 1968 is the comprehensive Federal statute that effectively preempts and attempts to make uniform the law regarding the interception of oral communication by electronic or mechanical devices. The only limitation on title III's broad claim to exclusive control over electronic surveillance is the allowance for State statutes that are more restrictive than the Federal law.

The general rule of title III that requires a court order before law enforcement officers may make use of electronic surveillance as an investigative technique has one important practical exception—participant or consensual monitoring. It is, however, an exception that has many limitations. While the Supreme Court has given the practice general constitutional permission, and title III specifically excepts it from the requirement of a court order, several States expressly forbid it, or require a court order, or place other restrictions on its use.

FOOTNOTES

- ¹ 4 W. Blackstone, *Commentaries* 168 (Lewis ed. 1897).
- ² *Lopez v. United States*, 373 U.S. 427 (1963).
- ³ 82 Stat. 197, 211-225, 18 U.S.C. 2510-2520 (1970).
- ⁴ Legislative History, 2 U.S. Code Cong. & Ad. News 2154 (1968).
- ⁵ 18 U.S.C. 2511(1) (1970).
- ⁶ 18 U.S.C. 2520 (a), (b), (c) (1970).
- ⁷ 18 U.S.C. 2513 (1970).
- ⁸ 18 U.S.C. 2515 (1970).
- ⁹ Legislative History, 2 U.S. Code Cong. & Ad. News 2177 (1968).
- ¹⁰ 18 U.S.C. 2516(1) (a)-(g) (1970).
- ¹¹ 18 U.S.C. 2516(2) (1970).
- ¹² 18 U.S.C. 2516(2) (1970) provides that "the principal prosecuting attorney of any State, or the

principal prosecuting attorney of any political subdivision thereof, if such attorney is authorized by a statute of that State to make application to a State court judge of competent jurisdiction for an order authorizing or approving the interception of wire or oral communications . . . (emphasis added)."

¹³ Annual Report on Applications for Orders Authorizing or Approving the Interception of Wire or Oral Communications for the period January 1, 1974, to December 31, 1974 (Administrative Office of the U.S. Courts reported that 22 States, the District of Columbia, and the Federal Government had statutes authorizing the interception of wire or oral communications effective during the period January 1, 1974, to December 31, 1974. The States having such statutes were: Arizona, Colorado, Connecticut, Delaware, Florida, Georgia, Kansas, Maryland, Massachusetts, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Rhode Island, South Dakota, Virginia, Washington, and Wisconsin).

¹⁴ In addition to the consensual surveillance exemption, 18 U.S.C. 2510(2) (1970) protects "oral" communications only when they are uttered under circumstances reasonably justifying parties in expecting privacy. E.g., *United States v. Carroll*, 337 F. Supp. 1260 (D.D.C. 1971). Although a device was used to record a conversation between parties, bringing it within title III, it was the interception of an "oral" communication rather than a "wire" communication. So then oral communications do not receive protection of title III to the same extent as wire communications. See *United States v. Hall*, 488 F. 2d 193 (9th Cir. 1973).

¹⁵ "Participant monitoring" was the term used in Greenwalt, *The Consent Problem in Wiretapping and Eavesdropping*, 68 Colum. L. Rev. 189 (1968). The article is the most extensive analysis of the constitutional issues surrounding the subject of consensual monitoring.

¹⁶ 343 U.S. 747 (1952).

¹⁷ U.S. Const. Amend. IV states in part: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. . . ."

¹⁸ *Supra* footnote 2.

¹⁹ 355 U.S. 96 (1957).

²⁰ 377 U.S. 201 (1964).

²¹ 385 U.S. 323 (1966).

²² 401 U.S. 745 (1971).

²³ 389 U.S. 347 (1967).

²⁴ Report of the Committee on the Judiciary United States Senate to Accompany S-1 Criminal Justice Reform Act of 1975, p. 519. See *Meredith v. Gavin*, 446 F. 2d 794, 798 (8th Cir. 1971).

²⁵ National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance (Testimony of James Reynolds, Attorney, Criminal Division, U.S. Department of Justice, at Commission hearings June 27, 1975, p. 1519).

²⁶ E.g., *United States v. Osser*, 483 F. 2d 727 (3d Cir.), cert. denied, 414 U.S. 1028 (1973); *Ansley v. Stynchcombe*, 480 F. 2d 437 (5th Cir. 1973); *United States v. Santillo*, 507 F. 2d 629 (3d Cir. 1975), cert. denied, 421 U.S. 968 (1975).

²⁷ *Supra* footnote 25, Commission Studies Volume, *Consensual Surveillance Exception*, p. 8.

²⁸ *United States v. Laughlin*, 222 F. Supp. 264 (D.D.C. 1963).

²⁹ *Good v. United States*, 378 F. 2d 934 (9th Cir. 1967); *McClure v. United States*, 332 F. 2d 19 (1964).

³⁰ *Weiss v. United States*, 308 U.S. 321 (1939).

³¹ 18 U.S.C. 2511(2) (c)-(d) (1970).

³² *United States v. Padilla*, 520 F. 2d 526 (1st Cir. 1975).

³³ 393 Mich. 554, 227 N.W. 2d 511 (1975), cert. denied, 46 L. Ed. 2d 111 (1975).

Decoys, Disguises, Danger— New York City's Nonuniform Street Patrol

By

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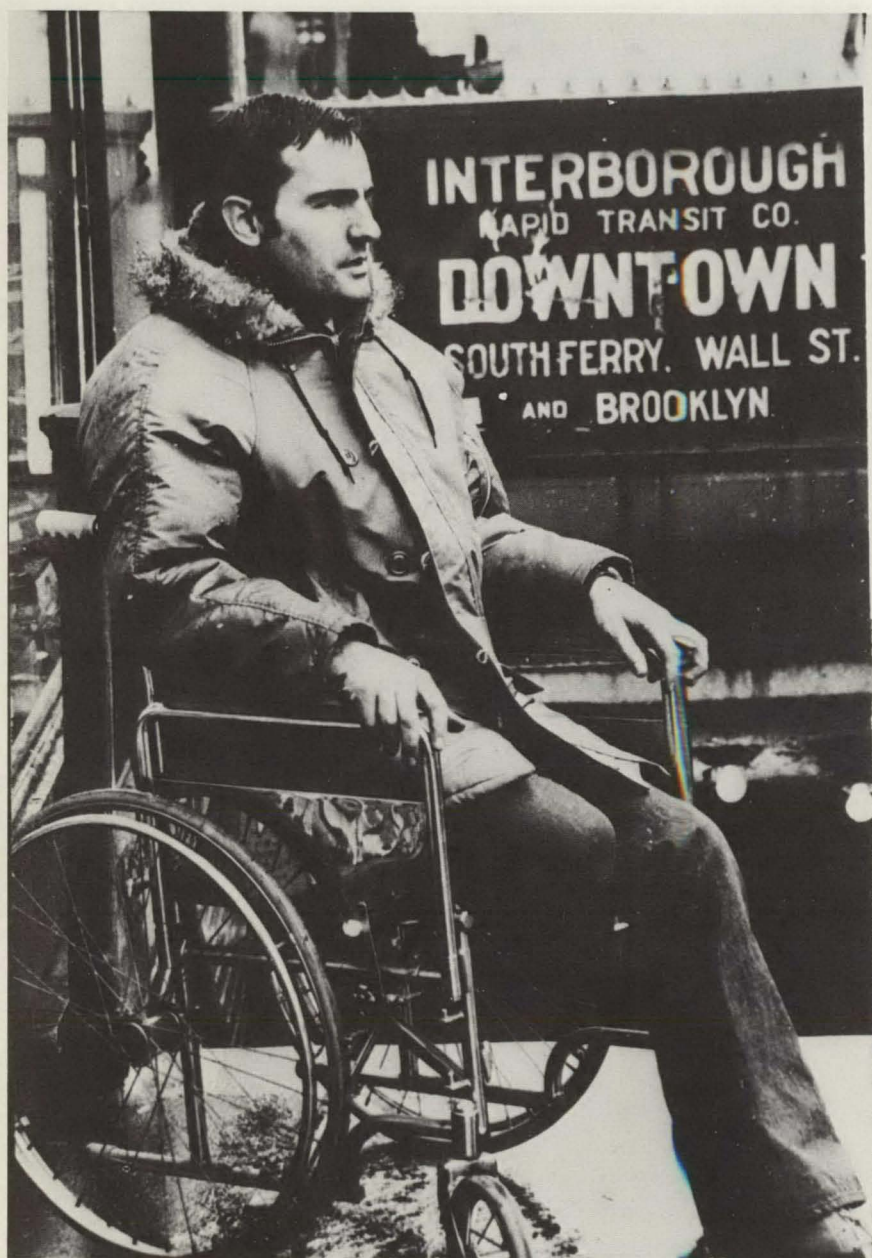
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The crime of robbery has tremendous impact upon the public, and in many cities and towns it is viewed as a barometer of police effectiveness. The fear of "crime in the streets" is largely a fear of robbery and in many cities this fear has resulted in citizens being virtually imprisoned behind their own locked doors. Robbery has contributed to the decay of our urban centers and has served to keep people from recreational and cultural centers. The Federal Bureau of Investigation reports a total of 441,290 robberies in the United States in 1974. This does not include unreported robberies, and according to a victimization study conducted in eight American cities, between 40 and 50 percent of all robberies are not reported.¹

"The New York City Police Department's program of aggressive nonuniform patrol is a response to a police need . . . [It] . . . is not a substitute for the uniform role but merely a complement to it, designed to strengthen crime control and deterrence efforts."

It was not surprising that a Presidential Commission on Crime in America would conclude that crime and the fear of crime has, undoubtedly, impoverished the lives of many Americans, particularly those residing in the high crime areas within our urban cities. The citizenry, according to the Commission's report, prefers to stay behind their locked doors rather than risk walking their streets at night. More serious perhaps, the study indicated "the cost of fear of crime to the social order may, ultimately, be greater than the psychological costs to the individuals."²

Recognition of the growth in crime and the contagion that accompanies it, fear of crime, was the basis for the enactment of the Omnibus Crime Con-



The disabled are sometimes victims of street crimes. Here a "blender" goes on his mission in a wheelchair.

trol and Safe Streets Act of 1968. Congress clearly delineated the objectives of the bill which would, hopefully, restore the citizen's belief in the safety of our streets. The objectives were to be met by providing the financial impetus to local government to improve the police delivery system and promote efficiency in combating crime.

Since the enactment of the Safe Streets Act of 1968, the challenge has been laid at the doorstep of the urban police administrator. The street crime problem confronting the police administrator required a thorough examination of the traditional role of crime prevention and suppression. The problem of crime, according to many police planners, required additional strategies other than those normally attributed to the crime fighting mission—uniform preventive patrol and postincident investigation. In this regard, the New York City Police Department chose to create, so to speak, a third operational strategy by developing a program of "aggressive non-uniform patrol in high crime areas." Such a program has provided New York City with a realistic approach to coping with the American urban dilemma—"crime on the streets." Testimony to its effectiveness was acknowledged by the National Institute of Law Enforcement and Criminal Justice of the Law Enforcement Assistance Administration (LEAA), U.S. Department of Justice, in awarding "Exemplary Project" status to New York's Street Crime Unit.³ The

designation Exemplary Project resulted from the validation of an independent evaluation team's findings that the Street Crime Unit has met the following operational criteria: overall effectiveness in reducing crime or improving criminal justice; adaptability to other jurisdictions (replication); objective evidence of achievement; and demonstrated cost effectiveness.

Particularly gratifying to the members of the Street Crime Unit is the fact that, according to the president of the Police Foundation at Washington, D.C., in early 1975, "It has been the only police field operations project to receive the Justice Department's Exemplary Project National Award."⁴

The Problem

In dealing with the problem of "street crime," we recognize the presence of many criminal variables. By its nature, frequency, and consequence to the victim, the crime of robbery merits the most serious concern by the police. Too often the end result of robbery is homicide, society's most serious criminal offense. This article, however, in its definitive sense, deals with those types of street robberies which occur in public areas, side streets, or in less utilized areas such as parking lots and hallways. Often, these crimes are perpetrated



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by the use of physical force or a threatening weapon and are accompanied by the elements of fear, speed, and surprise. Quite frequently, the perpetrators of such street outrages possess records of previous similar illegal involvement.

Many experienced police officers believe that the decision to commit the robbery or other violent street act is based on opportunity rather than any other prior considerations. The decision to "mug," "rip off," or injure is often group formed and frequently on the spur of the moment, probably based on the apparent "vulnerability" of the potential victim. Yet, it is not

alien for two or more individuals to set out with the intent to perpetrate a "purse snatch or mugging." Only the presence of the "vulnerable" victim and an opportune location provide, unfortunately, the final ingredients to the actual commission of such a crime.

"Many experienced police officers believe that the decision to commit the robbery or other violent street act is based on opportunity rather than any other prior considerations."

EDITOR'S NOTES:

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A detailed 165-page Law Enforcement Assistance Administration publication, relating to the subject matter of this article, entitled "The New York City Police Street Crime Unit—An Exemplary Project" can be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (Stock No. 027-000-00338-9).

Therefore, the police problem of preventing or solving crimes of this nature becomes increasingly difficult because the "speed and element of surprise" often leave the victim of a street crime unable to provide a physical description of the assailants or of the modus operandi of any involved in the incident itself.

In New York City, one method utilized to reduce street crime and apprehend street crime perpetrators has been through development and employment of the New York City Po-

lice Department's Street Crime Unit. Its objectives are twofold—arrest and deterrence. In seeking to make quality arrests, the ultimate objective is to develop a sound case that will result in a conviction. This particular thrust involves utilizing techniques of "decoying and blending."

The decoy tactics are used in response to particular crime/victim patterns, while the blending operations permit the officer to move freely about the street, with the anticipation of being close enough to observe and in-

terrupt any actual crime incident which occurs in his presence. The equipment utilized in combating criminal activity through these means includes special cameras, walkie-talkies, a wide variety of costumes including wigs, wheelchairs, and crutches, and a nondescript fleet of vehicles including taxis, surveillance trucks, unmarked sedans, and even bicycles.

Role of Anticrime Elements

Traditionally, one of the primary

"Muggable Mary" (Detective Mary Glatzle) has made over 250 felony arrests since assignment to the Street Crime Unit and has received many awards for her outstanding service.



ways a police department seeks to prevent crime is through the use of uniform patrol and arrest tactics; secondly, by conducting successful postincident investigations which produce convictions of subjects identified. Recent claims as to the efficacy of uniform patrol as a crime preventive measure have been challenged by those involved in the Kansas City Preventive Patrol Experiment.⁵ The preliminary findings suggested that "increased or decreased preventive patrols have little effect on crime, citizen fear, or satisfaction with police services." The International Association of Chiefs of Police has prepared a position paper suggesting that the Kansas City Preventive Patrol Experiment findings are an oversimplification.⁶ Nonetheless, there is some evidence to support the development of innovative forms of policing to bridge the gap between visible police patrols and post investigation of reported crimes. The New York City Police Department's nonuniformed anticrime program was developed, not to evaluate uniform patrol but rather to initiate and employ an additional police tactic with the goal of reducing crime through quality arrests.

Therefore, we still accept the hypothesis that few criminals will attempt criminal behavior within the presence of identifiable police. Accepting such a hypothesis then dictates that the police task of reaching a level of optimum crime prevention can be sought by maximizing an aura of police omnipresence. The realities of a city's financial resources preclude the possibility of a uniformed police officer being on duty on every corner. On every street and avenue in the urban setting, however, there are people who may be imitated through disguise to suggest a police presence and promote the idea of police omnipresence. New York, according to some law enforcement officials, by its development and

use of "decoy and blending" tactics has provided its citizens with an environment that suggests to many would-be violent criminals a unique form of police invisible omnipresence.⁷

Police commanders in New York, and probably throughout the Nation, have recognized the existence of a gap between uniform preventive patrol and the postfacto investigation process. Despite the diligent efforts of a police department, crime situations often exist which appear beyond the control of the agency charged with their suppression. Frequently, the potentially valuable effect of an ap-

prehension-arrest may be negated and subsequent criminal justice proceedings may not result in a conviction because of: reluctant witnesses to the crime; fear on the part of the victim prompting a reluctance or refusal to cooperate; and in some instances, an apathetic citizenry.

If such is the case, as it often is, what alternatives could we provide that would transfer the fear of crime by the citizen to fear of apprehension by the criminal? We would have to find a method which would counter the street criminal not only by fear of a formidable opponent but also by fear of an opponent capable of sustaining



Commissioner Michael J. Codd

court delays and providing expert testimony to the criminal act in later court proceedings. Thus, the projection of police omnipresence, real or imagined, serves to repress criminal desire through the means of compelling the would-be criminal to take account of an increased possibility of apprehension and subsequent conviction.

How is this fear of apprehension and conviction transmitted? One innovative measure is to have the trained police officer substituting, in

"... it is becoming apparent to the street criminal that his next victim, be it a taxi driver, tourist, nurse, elderly individual—even Santa Claus, if the season is right—could well be a police decoy."

effect, for a member of the community in the role of a potential victim (decoy) or that of a close observer to a spontaneous type of criminal incident (blending technique). As a result of making many high quality arrests and subsequent media coverage over the past several years of such police anticrime activity, it is becoming apparent to the street criminal that his next victim, be it a taxi driver,

STREET CRIME UNIT ARREST STATISTICS (1974-75)

Charge *	1974	1975
Murder police officer	19	22
Murder civilian	51	21
Robbery	523	364
Robbery (decoy)	218	84
Grand larceny person	136	42
Grand larceny person (decoy)	1,902	1,855
Grand larceny automobile	165	239
Bribery	25	9
Gun (felony)	331	261
Narcotics (felony)	51	78
Burglary	326	359
Felonious assault	64	72
Other felonies	185	241
Total felonies	3,996	3,647
Gun misdemeanors	19	20
Narcotics misdemeanors	15	24
Other misdemeanors	335	294
Total misdemeanors	369	338
Total other violations **	2	3
Total arrests	4,367	3,988
Total arrests for robbery and grand larceny person	2,779	2,345
Felony rate (percent)	91.5	91

* Includes attempt to commit crime charged.

** Includes offenses other than traffic infractions for which a sentence to a term of imprisonment in excess of 15 days cannot be imposed.

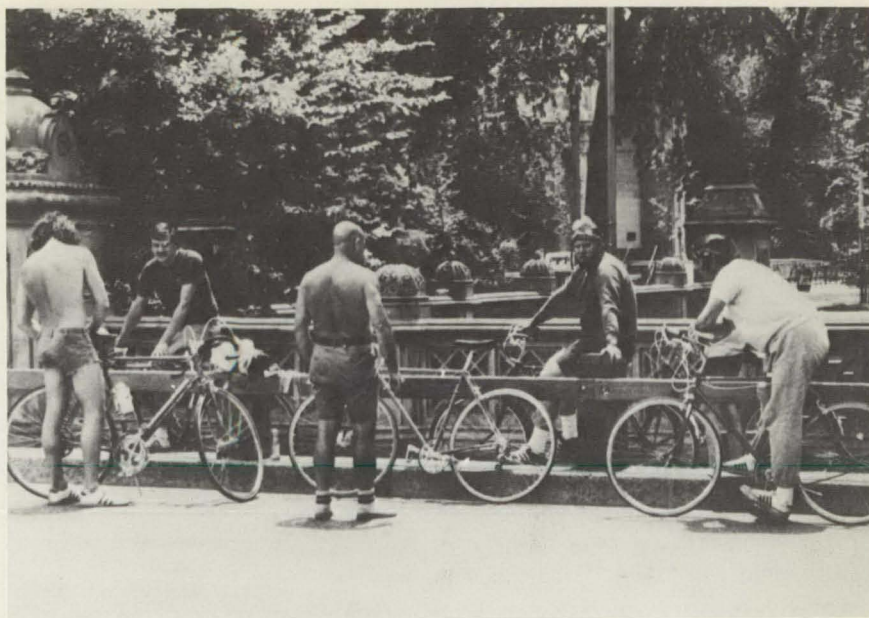
tourist, nurse, elderly individual—even Santa Claus, if the season is right—could well be a police decoy.

The concept of discovering and implementing anticrime measures in New York City was developed in 1970 when the police commissioner broke with tradition and authorized each precinct (New York City presently has 73 precincts) commander to utilize a percentage of his personnel to dress in nonuniformed attire in an effort to combat violent street crime.⁸ Chosen for this task were the more experienced and active police officers who were then assigned to the specific areas within their commands that were designated as most vulnerable to street crime activity. The selection of “high hazard areas” by each commanding officer was the result of careful analyses of statistical crime data and other information. The operational criteria for selecting tactics, both by anticrime elements of the precincts and by the department’s centrally controlled Street Crime Unit, were based on the answers to the questions: “Is it legal? Is it moral? Does it work?”

Based on such criteria, personnel assigned to anticrime duties were encouraged to use their imagination and initiative in an effort to increase the potential for criminal apprehensions, reduce/prevent street crimes, and increase the conviction rate of perpetrators of such crimes.

Taxi-Truck Surveillance Unit

It was during this period of patrol change that New York City was particularly attempting to cope with an escalation of assaults and robberies against taxi and truck drivers. As indicated earlier, preparation for committing a street crime is often minimal with opportunity and vulnerability of the victim frequently being the main catalysts. The exception to this minimum preparation concept can be



Cyclists getting ready for a ride in Central Park. Which ones are police officers? (They all are!)

found when dealing with “taxi hold-up” situations. It was found that the street predator in commission of such a crime did have an advance “plan of execution.”

To reverse this spiraling type of criminality, the Taxi-Truck Surveillance Unit was organized. This particular unit, comprised of selected members of the patrol and detective bureaus, functioned in the manner, dress, and with equipment generally ascribed to persons employed as truck and taxi drivers. Within a short period of time, crimes in this category were reduced. This resulted in expansion of this unit and its absorption into a citywide anticrime section. Further refinement and development produced a newly structured element named the Street Crime Unit. The success of this unit in combating the “taxi” crime problem is particularly evident when reviewing the following statistical data:

	Taxi	Decrease
Year	robberies	from 1970
1970*	3,210	-----
1971	2,360	26 percent
1972	1,519	52 percent

1973**	1,908	40 percent
1974	1,864	41 percent
1975	1,579	51 percent

*Using our base level figure of 3,210 robberies in 1970, the year prior to New York’s anti-crime enforcement role, it appears that a significant case can be made for the successful impact on this specific problem.

**During January and February of 1973, Street Crime Unit personnel were diverted from their assigned mission to assist in “Operation Backup” which dealt with combating the criminal activities of Black Liberation Army terrorists engaged in police assassinations.

Citywide Street Crime Unit

Contrary to the cliché that “you can have too much of a good thing,” the New York City Police Department continued to expand its nonuniform anticrime operations by assigning additional personnel and increasing crime targets, finally culminating in a citywide street crime unit. From an

original complement of 80 personnel serving as its nucleus, its membership over a period of time increased to a total of 265 sworn personnel. However, due to the city's budgetary limitations, the unit has a present complement of 209 officers.⁹

In the table of organization, the commanding officer, Street Crime Unit, reports directly to the commanding officer, Special Operations Division, who in turn is directly responsible to the chief of Field Services. The chief of Field Services directs, in addition to the Special Operations Division, the patrol activities of the field area commanders assigned to New York's five boroughs. These latter commanders in turn supervise and direct the activities of some 73 precinct commands.

The Street Crime Unit's mission is to focus primarily on violent street crime, with the objective of reducing crime and minimizing criminal opportunities within certain designated areas of the city. Obviously, new non-uniform patrol tactics had to be developed and more specific methods for analyzing data accumulated were required.¹⁰ Needed was an operational

"To date, the most effective means of blunting street crime have been the decoy and blending techniques."

manual geared specifically to the anti-crime mission. The men and women assigned to the Street Crime Unit, in essence, have been writing such a manual in a series of ad hoc progressions.¹¹ To date, the most effective means of blunting street crime have been the decoy and blending techniques. With the decoy assuming the role of a potential victim, he or she is placed in an area where statistical data and/or experience indicates a better than average chance that the decoy

will become a victim of a crime. The decoy backup teams "blend" inconspicuously into the street scene area near the decoy, placing themselves close enough to observe and assure the safety of the decoy yet a discreet distance away so as not to jeopardize the decoy's ploy.

The decoy, quite often unarmed, plays a passive role during any crime-type incident that materializes. Through the use of prearranged hand signals, he or she indicates to the backup team when the crime has been consummated. Needless to say, the decoy

mission is "hazardous duty," since an individual cannot be arrested for an anticipated action. Despite this, a recent federally sponsored study reported "one of the major accomplishments of the Unit (Street Crime) has been its ability to handle potentially violent situations with little or no violence. Decoys adhere to a strict policy of not resisting when being victimized. In contrast to other cities with similar units, there have been few perpetrators or officers injured and citizen complaints have been consistently low."¹²

STREET CRIME UNIT EQUIPMENT INVENTORY APR. 1, 1976

Equipment	Total	Equipment	Total
Unmarked sedans	42	Television tape recorders	2
Taxicabs	14	Tape recorders	8
Station wagons	5	Viewgraph	1
Van-type trucks	6	Display boards	74
Bicycles	30	Tripods	7
Portable air compressors	2	Kodak XL55 movie cameras	2
Heavy-duty battery chargers	2	Telescopes	2
Base transmitter	1	Binoculars (7 × 35)	24
Repeater stations	6	Binoculars (7 × 50)	72
Walkie-talkies	72	Hand-held flashing spotlights with switchers and flashers	103
Batteries	170	Car spotlights	60
Battery chargers	8	Gypsy lights and signs	43
8-band transceivers	53	Bullet resistant vests	286
10 frequency scanners	60	Makeup kits	6
Consolettes	6	Headbands	7,500
Automobile radio chargers	56	Typewriters	6
Antennas and lines	8	Calculator	1
Red phones and monitors	2	Copying machine	1
Antennas	60	Rotary stencil cutter	1
Antenna couplers	56	Rotary electro printer	1
Polaroid cameras	8	Dictating and transcribing unit	1
Polaroid reproducer	1	Rotary offset press	1
Nikon cameras	2	Rotary platemaker	1
300 mm Nikon telelens	1	Rotary photocopier	1
Television camera	1		
Television monitor	1		

While the development of a centralized anticrime unit has provided many rewarding police experiences, it has not been without its administrative and operational difficulties.

Some of the Problems

Identification-Confrontation

When dealing with police presence in an urban center the size of New York City (approximately 7,800,000 population), it should be realized that the total law enforcement community may exceed 40,000 personnel. In addition to the New York City Police Department, the transit police, housing police, and State police, there are also law enforcement officers on the street representing the Federal Bureau of Investigation, Federal crime task forces, narcotic control agencies, the Treasury Department, the Port Authority, and many others. Such a variety of law enforcement representatives increases the hazard of mistaken identity and confrontation in connection with apprehensions and other contingencies attendant to decoy and nonuniform police operations. Public and police safety considerations mandated the need for developing quickly recognizable "identification" procedures for nonuniform officers on such anticrime assignments.

The article "Plainclothes Police Personnel—An Identification Problem," in the April 1975 FBI Law Enforcement Bulletin and an LEAA "Exemplary Project" publication prepared on the Street Crime Unit (mentioned in Editor's Notes) provide a comprehensive report of steps taken to ameliorate the identification-confrontation hazard. Some measures initiated to reduce this danger of mistaken identity were:

Use of brightly colored headbands which, while not failsafe, were highly visible, easy to carry, and were used in a manner where



This photograph depicts a female member of a mugging team who has just been apprehended, after an attempted purse snatching, by a decoy officer and her backup officer. The prisoner, in the white sweater, is being quickly placed in a vehicle driven by the second backup member of the team in order to avoid the possibility of uniform-nonuniform police confrontation difficulties.

a daily change of color for identification was part of the system. Other members of the law enforcement community utilize and participate in the daily color code identification system.

Promulgating specific departmental rules, regulations, and tactical guidelines requiring, among other things, that anticrime personnel notify the radio dispatcher when responding to, or present at the scene of, a police situation.

Development and use of special confrontation tactics in various role playing situations at the Street Crime Unit base on Randall's Island and at other training sites throughout the city under the direction of the commanding officer, Police Academy.

Establishing, as a standard operating procedure, close coordination and communication between the Street Crime Unit commander

and commanding officers of precincts wherein the specialized anticrime units are assigned. (These exchanges facilitate not only the transmittal of "street crime intelligence," but reinforce the fact among precinct members of the presence of outside personnel in the precinct's area of operations.)

Holding unit squad commanders (lieutenants) personally responsible for coordinating assignments and activities of their squad with those of supervisory personnel assigned to local commands. (Such conferral is an ongoing process and includes other agencies such as the transit and housing police.)

Supervision of Street Crime Unit Personnel

The ability of the Street Crime Unit to compile its impressive record to date can be attributed to the quality

of its first and second line supervisors. The effectiveness of any street crime operation is directly related to the ability of its personnel to not only decoy but, just as often, to blend into the community. The tactic of blending, a highly successful apprehension tool in suppressing violent street crime, can provide an organization with supervisory difficulties dissimilar to those in the conventional uniform service. The specific problems appear to have been resolved by the quality of personnel selected and the fact that supervisors patrol in close proximity to their subordinates, blending in by also wearing similar garb. This intimate "street" relationship permits the supervisor to judiciously use such problem solving tools as participatory management, peer decisionmaking, and brainstorming. It is our belief that using the thoughts of individuals, who are not only performing the task but who also have a background of extensive street experience and job knowledge, in solving unit problems furthers the primary police objective—reduction of street crime.

Observers from around the country and various parts of the world have been quick to note one of a police supervisor's most vital contributions to the organization he serves is developing in subordinates a common spirit of pride, devotion, and enthusiasm for police service. The presence of these qualities among assigned personnel of the Street Crime Unit has provided supervisors with the necessary flexibility and authority to exercise total field command responsibility in deploying personnel within assigned areas. The teams, themselves, are encouraged to develop plans, tactics, and decoy and disguise innovations. Developments in these areas are vital to conducting an effective decoy and blend police operation.

Selection of Personnel

From its inception, careful selection

of personnel has been one of the highest priority tasks of the Street Crime Unit. It was and still is felt that the effectiveness of a unique street crime operation such as this is directly related to the quality of personnel assigned. All of the unit's officers are volunteers selected from among the many diverse units within the department. There is a very low turnover rate within the Street Crime Unit. The primary emphasis is on experience, past arrest performance, integrity, and motivation. In formulating a qualitative model for the selection of each individual, certain standards and criteria for selection were established.

Method of Selection

By its very nature, assigning police officers in a nonuniformed capacity to an anticrime role requires that those so assigned be personnel with considerable initiative and above average imagination. Such assignments also require individuals who not only possess a high degree of personal integrity but who can function effectively in unusually difficult police situations with a minimum of supervision. It is expected that individuals selected will devote their full time and energy to outwitting the street criminal in his own environment—the streets of New York.

Street Crime Unit personnel function, almost exclusively, in high haz-

"The [nonuniformed] officer must perform and accomplish his mission without benefit of the usual identification factors associated with the uniformed officer."

ard areas of the city during peak hours of crime incidence—4 p.m. to 2 a.m. The ethnic, racial, and economic diversity of the city coupled with its sprawling and densely populated areas, as well as the fact the city

never "sleeps," provide for no simple police anticrime operation. The officer must perform and accomplish his mission without benefit of the usual identification factors associated with the uniformed officer. The removal of a prisoner from a hostile crowd poses serious problems to the nonuniformed anticrime officer. Also, his unmarked, nondescript automobile does not provide this officer with a readily communicated symbol of authority that is often taken for granted in the marked car and uniformed patrol setting.

In view of these considerations, each applicant for assignment to the unit undergoes an intense oral interview designed to assess his character, judgment, and ability and to test whether he can handle unanticipated stress. The supervisory personnel play a key role in this interview. During it, the supervisory officers direct probing and stress inducing questions at the candidate in order to gauge his capability to handle himself in difficult situations and to assess his thought processes. It is recognized that the interview situation produces a subjective evaluation and, to offset this, another variable was introduced. In keeping with the emphasis the Street Crime Unit places on strong interpersonal trust among members, and where administratively possible, the interviewing officers will not only be recommending an individual to the overall Street Crime Unit, but more than likely, to the particular squad they command. Such a procedure, it is felt, heightens the need for the interviewers to render an objective and accurate appraisal of the candidate. The interviewers, in a sense, are more keenly aware of the consequences their recommendations will have on their squad's future job success and the safety of its members on the street.

In addition to this interview, the screening process also requires the applicant to submit a detailed questionnaire setting forth his personal his-

tory and financial background. Finally, before the selection process is completed, an intensive background investigation is conducted on each applicant. This includes not only the formal investigatory checks associated with police assignment but consideration of "street" experience, personal contact with applicant's previous supervisory officers, as well as members of his peer group.¹³ Such actions often provide additional insight into the candidate's ability, sense of dedication, and professionalism.

Training

Training, as in any progressive organization, is ongoing and continually being refined. Training at the Street Crime Unit base emphasizes the issues of entrapment and integrity and the primary objective of making quality arrests without endangering police or citizens. Actual training includes not only the standard inservice requirements of the New York City Police Department but also regular update sessions on the kinds of street crime occurring within certain local areas, the modus operandi of the criminals involved, the latest trends in victimization, and the suggested police strategies believed best to successfully cope with such criminal behavior. The methods of instruction utilized are those found in most police organizations, such as the:

Lecture method—utilized when subject material is required to be disseminated to a large group within a short time frame.

Lecture/Discussion method—utilized when subject's content is of such a nature as to encourage an exchange of knowledge from students, individual or group thinking, creativity, or attitude modification.

Conference—utilized when participative management, brainstorming, idea sharing, and de-

velopment of role playing situations are the desired goals.

Postincident critique—review and discussion of shooting incidents or unusual arrest situations with emphasis on all factors involved and possible alternatives to the action taken.

Other phases of Street Crime Unit training include:

Orientation—extensive training is provided to each newly assigned member. It consists of 40 hours duration and entails an overview of all aspects of the anticrime operation, and presentation of operational policies and tactics as well as outlining responsibilities relating to overall department policy.

Rollcall instruction—dissemination of street intelligence data and changes of area assignments (and the reason therefore) prior to turning members out on patrol.

Unit training—quarterly sessions of 8 hours duration given to all members of the service below the rank of captain. The format includes video-tape cassette presentations and various lectures as directed by the commanding officer, Police Academy, and where appropriate, by the Street Crime Unit commander.

Other—decoy officers often spend off-duty hours observing and studying the habits, gestures, and dress of the various types of people they will be imitating.

A Look at the Results

The members of the Street Crime Unit can view their accomplishments with a well-deserved sense of pride based upon the latest figures on arrests made and the felony rate. (See arrest statistics chart.) A total of 16,851 arrests were effected as of April 30, 1976, of which 14,867 or

88 percent were felonies. Similar success can be noted with the precinct anticrime personnel.¹⁴ Nearly 90 percent of all Special Crime Unit arrests during 1975 resulted in conviction.

Number of Awards

The Street Crime Unit and its members have been recipients of numerous awards. These include:

Awarding the Street Crime Unit the first "Unit Citation" presented by the police commissioner, City of New York, for its accomplishments in 1972.

Awarding individual members 2,010 departmental awards as of April 30, 1976.

Designating 51 of its members as detective specialists (in addition to merit recognition this designation provides the recipients with salary increases of approximately \$2,500 per annum).

Selection of the Street Crime Unit by the National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration (LEAA), as an "Exemplary Project." (In selecting the unit, the LEAA Advisory Board endorsed an independent evaluator's report which read in part, "The New York City Street Crime Unit is clearly making high-quality arrests for violent crimes at a normal incremental cost per conviction. It is accomplishing this with a MINIMAL DANGER TO ITS OFFICERS, THE SUSPECTS ARRESTED, AND THE GENERAL PUBLIC.")

Mentioned by the Citizens Budget Commission, Inc., (November 1973) in their study of New York City's productivity program in which they reported "the anti-

crime project must be listed among the major accomplishments of the New York City productivity program. Its conception was bold, its implementation swift and thorough, and its impact profound. The city's decision to monitor closely the number and quality of felony arrests made by such unit has been an excellent one and has left a clear basis for analysis and appraisal of the program's impact."

At the International Association of Chiefs of Police conference in Denver, Colo., September 1975, Detective Mary Glatzle, dubbed "Muggable Mary" received a Parade Magazine award in recognition of her more than 250 felony arrests effected since her assignment to the Street Crime Unit. (Detective Glatzle is only one of the many highly decorated officers of this unit cited by various community groups throughout New York City.)

Highly commendatory coverage in numerous news/magazine articles written by both foreign and domestic news services as well as various radio and television media presentations.

Conclusion

In waging war on crime, each police administrator must aggressively seek to develop and implement innovative measures which will provide answers to the question of "what is the best police approach to crime deterrence?" The ultimate verdict, "the one best way," will not be forthcoming soon. In fact, the final answer may not be as simple a solution as suggested in the present nonuniform versus uniform extremes. More probably, the solution, when found, will involve variations and combinations of uniform and nonuniform approaches.

The New York City Police Department's program of aggressive nonuniform patrol is a response to a police need—the need for additional tools in our arsenal of crimefighting strategies. The New York anticrime mission, therefore, is not a substitute for the uniform role but merely a complement to it, designed to strengthen crime control and deterrence efforts.

In addition to actual crime, fear of crime—particularly street crime—has plagued law-abiding residents of

"Training at the Street Crime Unit base emphasizes the issues of entrapment and integrity and the primary objective of making quality arrests without endangering police or citizens."

urban communities. While some fears in this regard are exaggerated, the police must recognize that fear of this nature has diminished the quality of life for many of our citizens—fear has been their captor, their home has been their prison. To assist these citizens and reverse this situation, the police must initiate programs which provide more effective methods of protecting life and property. The expertise, originality, courage, and devotion to duty of members of the New York City Police Department assigned to the nonuniformed anticrime program have contributed substantially to the success of a program which has reduced the street crime rate. By this achievement, the streets of New York have become safer and less fearful for citizens and visitors alike.

FOOTNOTES

¹ "Crime in Eight American Cities," Advanced Report (July 1974), p. 38, U.S. Department of Justice, Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, Washington, D.C.

² "Challenge of Crime in a Free Society," A Report by the President's Commission on Law Enforcement

and Administration of Justice, p. 52, U.S. Government Printing Office, Washington, D.C., February 1967.

³ The New York City Police Street Crime Unit is one of at least 13 programs which have earned the Law Enforcement Assistance Administration (LEAA) "Exemplary Project" label. Such federally funded programs are nominated through the LEAA regional office and the State planning agencies and undergo examination by an independent evaluator.

⁴ New York Times, Apr. 11, 1975, news item by Patrick V. Murphy, president of the Police Foundation.

⁵ "The Kansas City Preventive Patrol Experiment," a summary report, a Police Foundation publication, October 1974.

⁶ IACP Police Position Paper on "Kansas City Preventive Patrol Experiment," *Police Chief*, September 1975.

⁷ Publication "New York City Police Street Crime Unit—An Exemplary Project," U.S. Department of Justice, Law Enforcement Assistance Administration, National Institute of Law Enforcement and Criminal Justice. This publication can well be considered the "fruits of labor" derived from the experience and expertise of operational personnel.

⁸ During the early 1960's, the New York City Police Department's Tactical Patrol Unit introduced a limited nonuniform patrol approach. However, with the urban disorders of the mid-1960's the emphasis was placed on rapid uniformed response.

⁹ In June 1975, New York City's budgetary problems required that a substantial number of police officers be laid off. These layoffs consequently resulted in a readjustment of uniform personnel from among the department's specialized forces in order to sustain the appropriate uniform manning level.

¹⁰ The Street Crime Unit in performing its own analyses compiles, compares, and evaluates crime data from all available sources. Such sources include Sprint System (daily crime reports current to 72 hours) and the precinct anticrime reports prepared on a monthly basis. In addition, the unit ranks each of the 73 precincts, twice monthly, according to the level of activity within certain categories of crime. These areas include robbery, burglary, grand larceny—auto, assault, street crime (total number of robbery, burglary, grand larceny—auto), and all crime (includes precinct's felonies, misdemeanors, and other violations. The latter includes offenses other than traffic infractions for which a sentence to a term of imprisonment in excess of 15 days cannot be imposed.) Once an area of operations is selected, subsequent action includes consultation with area personnel, the perusal of precinct crime reports, obtaining detailed information on crime patterns, including type, time, location, description, and modus operandi, etc.

¹¹ Publication "New York City Police Street Crime Unit—An Exemplary Project," *op. cit.*

¹² "Police Robbery Control Manual" (April 1975), A Prescriptive Package—U. S. Department of Justice—LEAA—National Institute of Law Enforcement and Criminal Justice, p. 15.

¹³ Normally, a request for reassignment within the police department requires that a series of background checks be conducted. These include checking past records of any disciplinary action taken, reviewing sick report records and any civilian complaints, analyzing the scope of prior assignments, and ascertaining past evaluations.

¹⁴ Combining Street Crime Unit arrest activity with that of elements assigned to precinct anticrime efforts reveals an average arrest rate which comprises approximately 20 percent of all felony arrests made by the New York City Police during the years 1972 to 1975. The total arrests for felonies for the same 4-year period was 392,992. Such a percentage arrest rate is noteworthy considering that anticrime personnel only represent about 3 percent of the department's total sworn personnel.

Ever Ready to Assist: The FBI Disaster Squad



Last month, the FBI's Disaster Squad commenced its 37th year of dedicated and humanitarian service in the difficult but necessary work of identifying deceased disaster victims. Whenever called upon to render assistance, the squad conducts identification operations and provides expert technical advice to local authorities.

Origin

The need for such a service first became apparent in late August 1940, when an airliner, carrying a young FBI Agent—enroute to his first assignment—and a vacationing FBI

clerical employee, crashed in a violent storm near Lovettsville, Va. Almost immediately, FBI Agents and fingerprint experts were dispatched to the scene to identify the two bodies and recover Government property they had been issued. The situation at the disaster site was grim and chaotic.

"This is a cost-free, humanitarian, and cooperative service offered by the FBI."

Only four of the 25 bodies had been located, and due to the extent of the wreckage and other factors, identification efforts had been minimal. Officials at the scene were open to suggestion as to the best manner to proceed further. Realizing the difficulties, the FBI Agents offered to take charge of identification operations. It was a tedious and gruesome task, but all 25 victims were eventually located and identified. Thus, the Disaster Squad came into being.

Service Rendered

As of June 30, 1976, the squad has



Search at scene for bodies and body parts of disaster victims.

furnished identification assistance at the scene of 114 major disasters, including over 80 plane crashes. It has also rendered service at scenes of fires, major ship and bus accidents, explosions, hurricanes, and other catastrophes. Since 1959, finger and palm prints have been obtained from an estimated 2,804 victims of whom 1,805 or 64.4 percent were positively identified by print comparison. The following are recent disaster scenes the squad has assisted at:

Sept. 11, 1974	Commercial airplane crash, Charlotte, N.C.
Dec. 1, 1974	Commercial airplane crash, Bluemont, Va.

Jan. 25, 1975

June 24, 1975

April 27, 1976

June 4, 1976

Crash of twin-engine aircraft, Washington, D.C.

Commercial airplane crash, New York, N.Y.

Commercial airplane crash, St. Thomas, V.I.

Crash of airplane on international flight, Barrigada, Guam.

Requesting Assistance

A request for the assistance of the FBI Disaster Squad may originate from the ranking law enforcement of-

ficial at the scene or from a representative of the National Transportation Safety Board or from an official of any public transportation agency or facility involved. The request may be transmitted through a representative of the nearest FBI field office or resident agency. Requests from other sources submitted through official channels are also considered, as are invitations from foreign governments to assist in the identification of U.S. citizens. This is a cost-free, humanitarian, and cooperative service offered by the FBI. (Title 28, Code of Federal Regulations, section 0.85, authorizes the Director of the FBI, subject to the general supervision of the Attorney General, to provide identification assistance in disasters.)

Squad Composition

The Disaster Squad itself is composed of a small group of highly skilled Agents and fingerprint specialists who are assigned to the FBI's Identification Division at FBI Headquarters in Washington, D.C. They are on call at all times and, upon proper request, can arrive at a disaster site in a matter of hours, or less, depending on the location.

At disaster scenes, the FBI limits its participation to identifying as many victims as possible through fingerprints. Agents do not obtain complete background data concerning every victim unless this information

is needed in cases where the Bureau has investigative jurisdiction.

Identification Process

When a disaster occurs, law enforcement personnel should cordon off the pertinent area and provide necessary security to keep unauthorized individuals out. They should also organize search parties to locate all victims. Remains of the deceased should be placed at a centralized and secure point nearby.

Once on the scene, the Disaster Squad's first order of business is to establish a morgue and adjacent temporary working area. FBI representa-

tives also suggest to an appropriate local official or coroner that immediate arrangements should be made to obtain the services of a dentist or pathologist. After these preliminary actions are completed, careful and methodical examination of the human remains of the disaster begins. The orderly processing of remains for identification requires time, painstaking effort, and elimination of confusion. Infinite care is taken with even the most minute particle in the hopes that it will yield a distinct, identifiable detail. On occasion, positive identification has been made by comparison of a portion of a fingerprint no larger than $\frac{1}{4}$ inch square.

Disaster equipment includes wearing apparel, surgical implements, and camera.

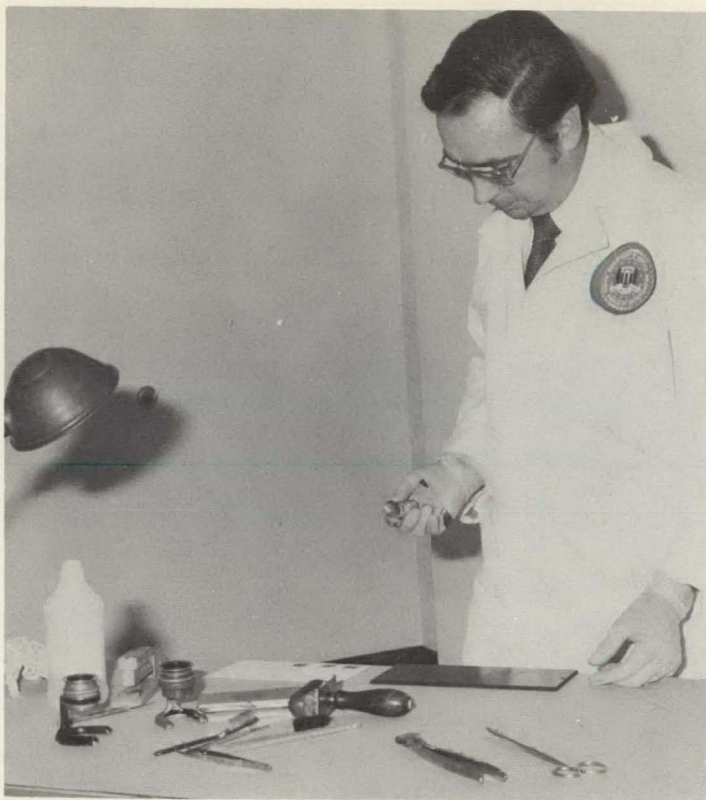


If there is no record of the prints on file, attempts are made to secure them from some other source, such as from a driver's license or employment application. If this search fails, latent prints can be lifted from personal articles known to belong to dis-

[illegible]

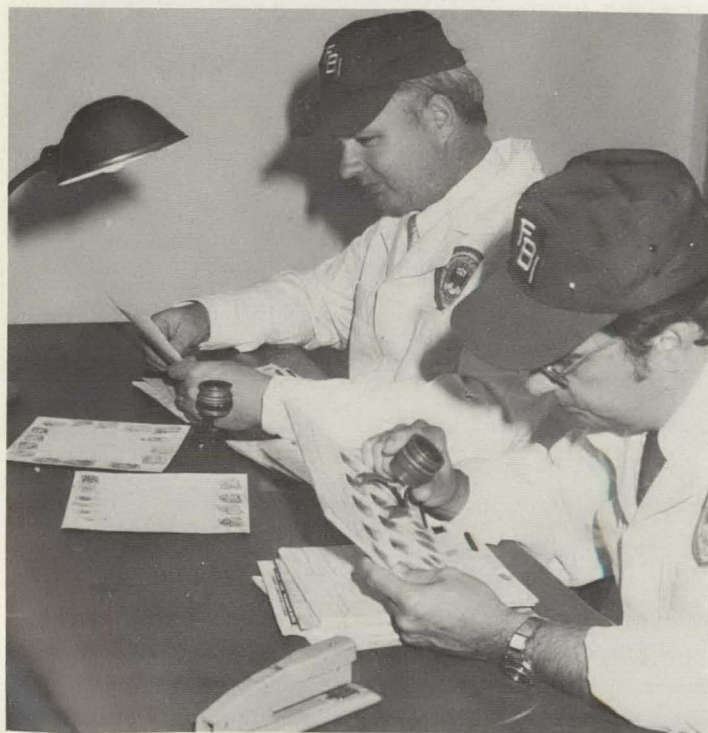
Cordoned off area at air crash site.





Disaster Squad member obtaining prints from finger of victim.

Disaster Squad members comparing fingerprints obtained from victims with known inked prints.




aster victims, and they may then be compared with prints obtained from remains at the scene.

Information on positive identifications made of the deceased is promptly furnished to the appropriate coroner or medical examiner at the scene who may then issue a death certificate and make arrangements for release of the body. FBI fingerprint experts stand ready to certify to each fingerprint identification made.

The Disaster Squad's basic job is to seek to positively establish identification of deceased victims through fingerprints. Once this has been done, proper records made, and interested officials apprised the squad's job at the disaster scene ends.

Valuable Service

The FBI's Disaster Squad has continuously received warm praise and appreciation for its impressive achievements since its inception in 1940. The service this squad offers is of untold value in settling estates and insurance claims, and particularly in alleviating the anxiety of relatives and friends of victims. The squad members themselves are totally dedicated to their important mission. In responding to disasters, they frequently work long hours under adverse conditions in makeshift facilities, and must combat the weather, fatigue, and other stressful conditions attendant to most such incidents. Regardless, they stand ready and willing to promptly respond to future calls for assistance when needed.

Through dedicated service and persistent effort, the Disaster Squad has further demonstrated the immense value of fingerprint comparison as a means of positive identification. In the process, squad members have also earned the respect and gratitude of citizens and law enforcement officials throughout the world. 

WANTED BY THE FBI



Photos taken 1969.

JEFFREY CARL JONES, also known as Jeff Jones, Jason Robert Russell

Interstate Flight—Aggravated Battery and Bail Jumping

Jeffrey Carl Jones is being sought by the FBI for unlawful interstate flight to avoid prosecution for aggravated battery and bail jumping.

The Crime

Between October 8 and 11, 1969, a series of violent demonstrations was reportedly sponsored by the Weatherman faction of the Students for a Democratic Society (SDS) at Chicago, Ill. Jones, reputedly an active member of SDS, was arrested for his alleged participation in these demonstrations but was subsequently released on

bond. Jones failed to appear for his scheduled court trial, and on January 16, 1974, the Office of the State's Attorney, Chicago, requested FBI assistance in locating Jones for aggravated battery and jumping bail. A Federal warrant for Jones' arrest was issued on July 24, 1974.

Description

Age----- 29, born Feb. 23, 1947, Philadelphia, Pa.
Height----- 5 feet 11 inches.
Weight----- 150 pounds.
Build----- Slender.
Hair----- Blond.
Eyes----- Blue.
Complexion... Fair.

Race----- White.
Nationality-- American.
Occupations-- Longshoreman, printer.
Remarks---- Hair may be dyed brown and shorter than depicted in photographs.

Social Security No. used... 567-62-1868.
FBI No.----- 13, 856 H.
Fingerprint classification:
8 S 1 T 14 A A T T T
M 1 At Ref: A R A T R
NCIC classification:
08 TT 11 12 14 12 AA TT O 1 14.

Caution

Jones reportedly may resist arrest. He has been associated with persons who advocate use of explosives and may have acquired firearms. He should be considered very dangerous.

Left little fingerprint.



Notify the FBI

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

FOR CHANGE OF ADDRESS ONLY

(Not an Order Form)

Complete this form and return to:

DIRECTOR

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

NAME

TITLE

ADDRESS

CITY

STATE

ZIP CODE

BANK CRIMES: CONVICTIONS RISE— VIOLATIONS DECREASE

During fiscal year 1976, ending on June 30, convictions of persons arrested by the FBI in connection with Bank Robbery and Incidental Crimes Statute offenses reached a record 2,866, an increase of 620 convictions over the previous fiscal year. At the same time, violations in this category totaled 4,511—a 10-percent decrease from the record 5,050 violations reported in the previous fiscal year. The Bank Robbery and Incidental Crimes Statute includes burglaries and larcenies as well as robberies.

Some 32 persons were killed in bank robberies during fiscal year 1976, most of those slain (17) being the robbers themselves; 6 were law enforcement officers; 5 were guards; 3 were employees, and 1 was a customer. Also, 183 persons were injured in bank robberies and 83 hostages were taken.

In its continuing efforts to combat crimes of this nature, the FBI, during fiscal year 1976, held 2,102 bank crime conferences, clinics, and seminars, reaching a total of 114,291 representatives of financial institutions and police agencies. These meetings are primarily designed to acquaint bank officials, tellers, and other banking employees with specific crime resistance tips and with measures that should be taken when present during a robbery to insure employee safety, and to aid law enforcement in the identification and eventual prosecution of those perpetrating such a crime. These conferences sometimes include local law enforcement agencies and, during these, the exchange of ideas between citizens, businessmen, and law enforcement officers is encouraged. Through such exchanges, common problems are frequently solved and harmonious relationships are established.

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

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INTERESTING PATTERN

The pattern pictured at left is classified as a double loop-type whorl with an inner tracing. The positioning of the two loop formations and their deltas is unusual and interesting.