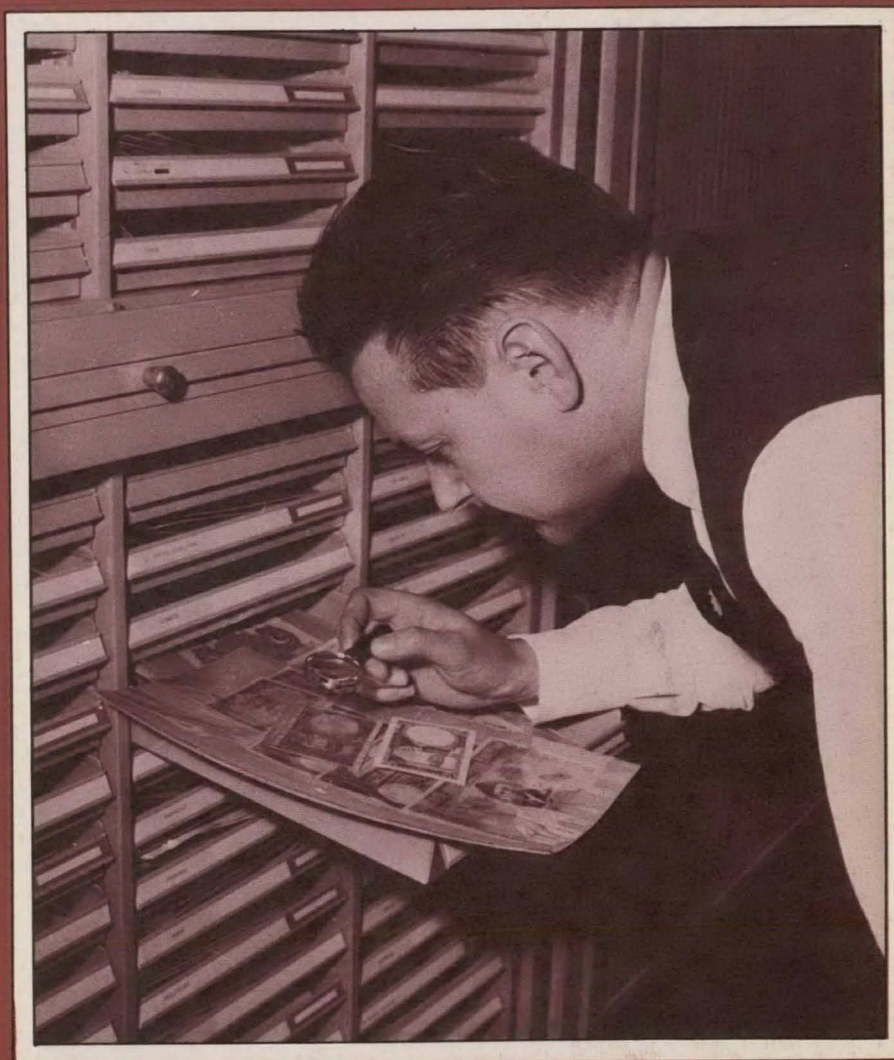
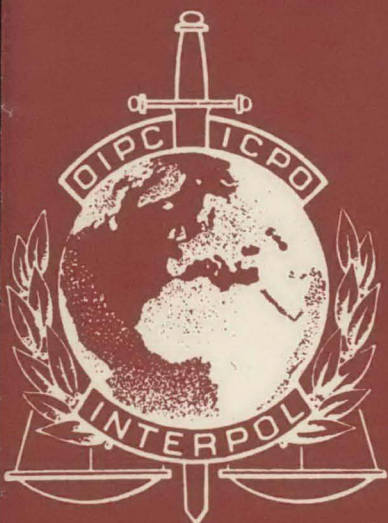


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**Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535**

William H. Webster, Director

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INTERPOL

The International Criminal Police Organization

“... now as in 1914, international police cooperation is the obvious solution to the problem of international crime.”

By

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Washington, DC*

0850072

INTERPOL—To many, the name brings to mind the fictional image of an agent wearing a trenchcoat and wide-brimmed hat standing on a fog-shrouded train platform awaiting the arrival of the famed Orient Express. In reality, Interpol has no operatives of its own. Its fame and success are based solely on the efforts of dedicated law enforcement officers in its 136 member countries working within their own borders and criminal justice systems, backed by an extensive telecommunications system and a spirit of international law enforcement cooperation.

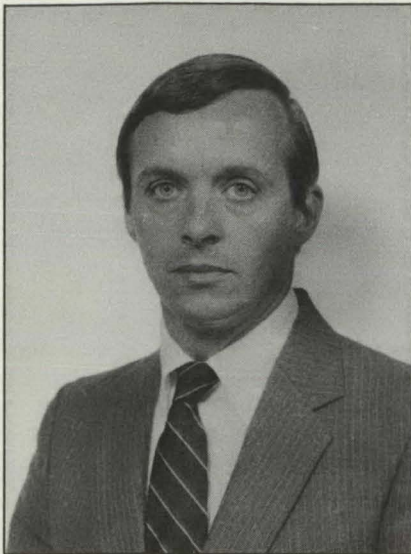
The turn of the century in Europe witnessed an increasing rise in the crime rate and development of a rapid and widespread transportation system on the continent. These factors created the ideal climate for the criminal who could commit a crime in Rome, board a train, and find himself many miles and several countries away within hours.

Greater international police cooperation was the obvious solution, but it was not until 1914 that the first positive action was taken. In that year, at the invitation of Prince Albert I of Monaco, the First International Criminal Police Congress met in the Principality of Monaco. Presided over by the University of Paris law faculty dean, the delegates from 14 countries discussed identification techniques, a central international records system, methods of speeding up and simplifying arrests, and a unification of extradition procedures.

A second meeting, scheduled for 1916, was delayed by World War I. It wasn't until 1923 when the Second International Criminal Police Congress met in Vienna, Austria, at the invitation of Dr. Johannes Schober, Presi-



Interpol's Founding Fathers



Special Agent Colitre

dent of the Vienna Police. At this meeting, it was decided to create the International Criminal Police Commission (ICPC), the forerunner of the present-day International Criminal Police Organization (ICPO).

By 1938, 34 countries had joined the ICPC, though its activities were primarily centered in Europe. The 1938 General Assembly Session held in Bucharest, Romania, marked the end of normal ICPC activities until the end of World War II.

With the return of peace in Europe came the need for the return of international police cooperation. In 1946, the ICPC was reborn at a conference in Brussels, Belgium. This effort was sparked by Mr. Florent Lowage, a senior Belgian police official who was elected president. A new constitution was adopted, and Paris was selected as the site for the new ICPC headquarters. The 17 countries attending the conference elected Mr. Louis Ducloux of France as Secretary General and that position has been held by a Frenchman ever since.

At the ICPC 25th General Assembly in 1956 a new constitution was adopted. Article I of the new constitution changed the organization's name to the International Criminal Police Organization—Interpol. The word "commission" was dropped because many members believed it was too indicative of a temporary group. The word "Interpol," in use since 1946 as part of the telegraphic address of the ICPC in each country, had become so well-known throughout the world as a substitute for International Criminal Police Commission or ICPC that it was officially made part of the new name.

Interpol headquarters, known as the General Secretariat, is located in a modern structure built by Interpol in St. Cloud (pronounced San Clue), a quiet suburb of Paris, France. The building was first occupied in July 1966, and houses the permanent administrative and technical staff of the organization.

The General Secretariat is organized into four divisions: General Administration, Police Matters, Studies and Research, and the International Criminal Police Review. The General Administration Division is further divided into subdivisions handling personnel, budget, conferences, and the vital translation and telecommunications functions. The Police Division is composed of three subdivisions—general criminal, economic, and financial crime and drugs. These subdivisions are further divided into groups handling specialized crime, such as violent gangs, counterfeiting, financial assets, and check fraud. The Studies and Research Division carries out research in a wide range of problems facing the world law enforcement community. The fourth division, as its name implies, publishes the International Criminal Police Review, a periodical published in the four official working languages of the organization—French, English, Spanish, and Arabic.



Interpol's General Secretariat, St. Cloud, France

The General Secretariat is headed by the Secretary General, a career law enforcement officer elected by the General Assembly for a term of 5 years. The Secretary General is advised by the executive committee which, like the Secretary General, is elected by the General Assembly and serves as Interpol's board of directors. The president is elected for 4 years and the three vice presidents and delegates for 3-year terms. The president and vice presidents must each be from a different continent.

Interpol's General Assembly meets annually to conduct the general business of the organization and to discuss topics of special interest. Each member country is invited to send a delegation to the General Assembly which meets in a member country that volunteers to host the session. Regardless of delegation size, each member country has only one vote as the assembly voices its decisions on a series of resolutions and election of officers.

Of great importance during the General Assembly sessions are the face-to-face meetings between the delegates who represent a wide range of cultures, customs, and backgrounds. Regardless of formal language barriers (the General Assembly meetings are simultaneously translated into the four working languages), the common language of law enforcement provides a bond of cooperation that transcends national boundaries.

In addition to the General Assembly sessions, Interpol holds a number of regional conferences, seminars, and symposiums each year to discuss topics of interest to various member countries. Such conferences in the past have focused on telecommunications, drugs, counterfeiting, aircraft hijacking, organized crime, financial crime, terrorism, and other matters of special concern. Several Interpol drug conferences have been the genesis for regional drug interdiction plans,

and in some cases, have targeted specific narcotics smuggling rings.

Financial support for Interpol is transmitted to the General Secretariat by the member countries in the form of annual dues. Each member pays an amount based on the population and development of the country and its use of Interpol facilities. The United States' annual dues account for approximately 5.2 percent of the overall Interpol budget and amounted to \$373,785 from appropriated Department of Justice funds in fiscal year 1983. The Interpol budget is constituted in Swiss francs, chosen because of their traditional stability in the world money market.

At the heart of the Interpol operation is the telecommunications system that provides the rapid exchange of information between the member countries and the General Secretariat. A modern, high-speed radio telecommunications network



Interpol's General Assembly

Telecommunications Center, St. Cloud, France

links 67 member countries with the General Secretariat either directly or through regional switching centers. As equipment and funds become available, additional members, now communicating via international telex or cable, are expected to join the radio network system.

To provide an Interpol point of contact in each country, the Interpol constitution requires member countries to establish a National Central Bureau (NCB). In most countries, the NCB is established as a component of the national police service and is frequently headed by the police official with the responsibility for all foreign police liaison matters. Though the size and internal organization of the NCB's vary from country to country, each operates within the constraints of its own national laws and policies, as well as within the framework of the Interpol constitution. Each NCB is responsible for liaison with other agencies in the country, with other NCB's, and with the General Secretariat.

Since the United States has no national police service, the authority for the operation of Interpol was vested by law in the Attorney General in 1938.¹ He initially designated the FBI to handle Interpol matters, a role which continued in 1947 when the United States resumed participation after the post-World War II reorganization. Even before the United States formally resumed participation in Interpol in January 1947, FBI Director J. Edgar Hoover had accepted a unanimous nomination by the General Assembly in June 1946, as senior vice president of the organization, a post held until December 1950, when the FBI discontinued its association with Interpol.



With the disassociation of the FBI, the U.S. Treasury Department, anxious to maintain international contacts to help with its enforcement responsibilities in narcotics, currency, and customs violations, continued an informal liaison with Interpol through 1957. In 1958, legislation was passed allowing the Attorney General to delegate the responsibility for Interpol operations in the United States to any department or agency.² The Treasury Department, already deeply involved in Interpol activities, officially assumed this responsibility, and in the fall of 1960, hosted the 29th Interpol General Assembly in Washington, DC. In 1962, the U.S. National Central Bureau (USNCB) was established in the Treasury Department to act as the central point of contact for Interpol activities in the United States. In January 1972, the USNCB joined the Interpol radio network, thus permitting direct communications with the 29 other member countries then a part of the system.

By the mid-1970's, a movement became active within the Justice Department to return the Interpol function to the Attorney General. Though this move was opposed by the Treasury Department, which by then was in full control of the USNCB, an agreement between the departments was reached in 1977. The compromise returned control of Interpol in the United States to the Justice Department but permitted representation and operation of the Interpol function to be shared by officials of both departments.

Today, the USNCB is located in the Justice Department and is staffed, in addition to a permanent Justice Department cadre, by investigative personnel detailed from Secret Service, Drug Enforcement Administration, Bureau of Alcohol, Tobacco and Firearms, the Customs Service, Immigration and Naturalization Service, U.S. Marshals Service, Postal Inspection Service, Internal Revenue Service, U.S. Department of Agriculture, and the Federal Bureau of Investigation. The Comptroller of the Currency and the Federal Law Enforcement Training

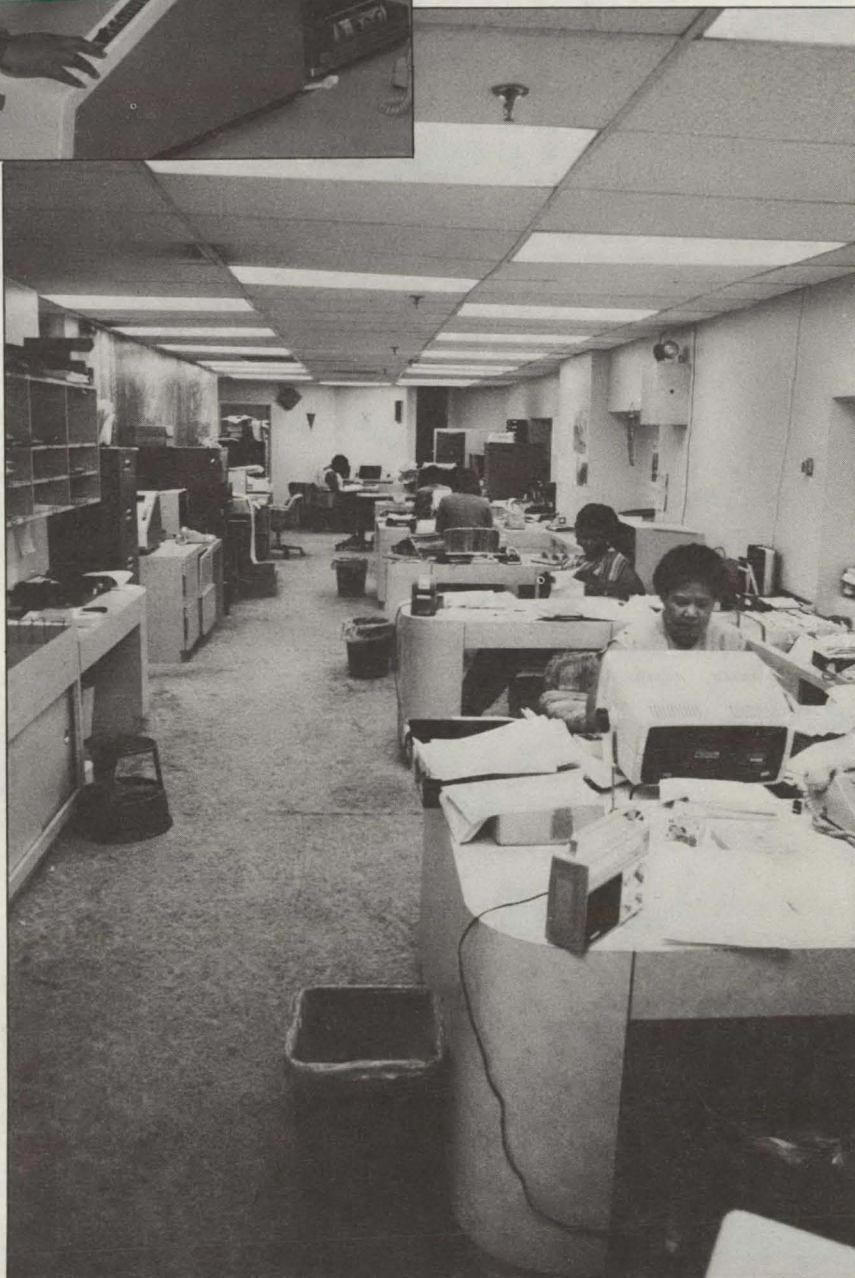


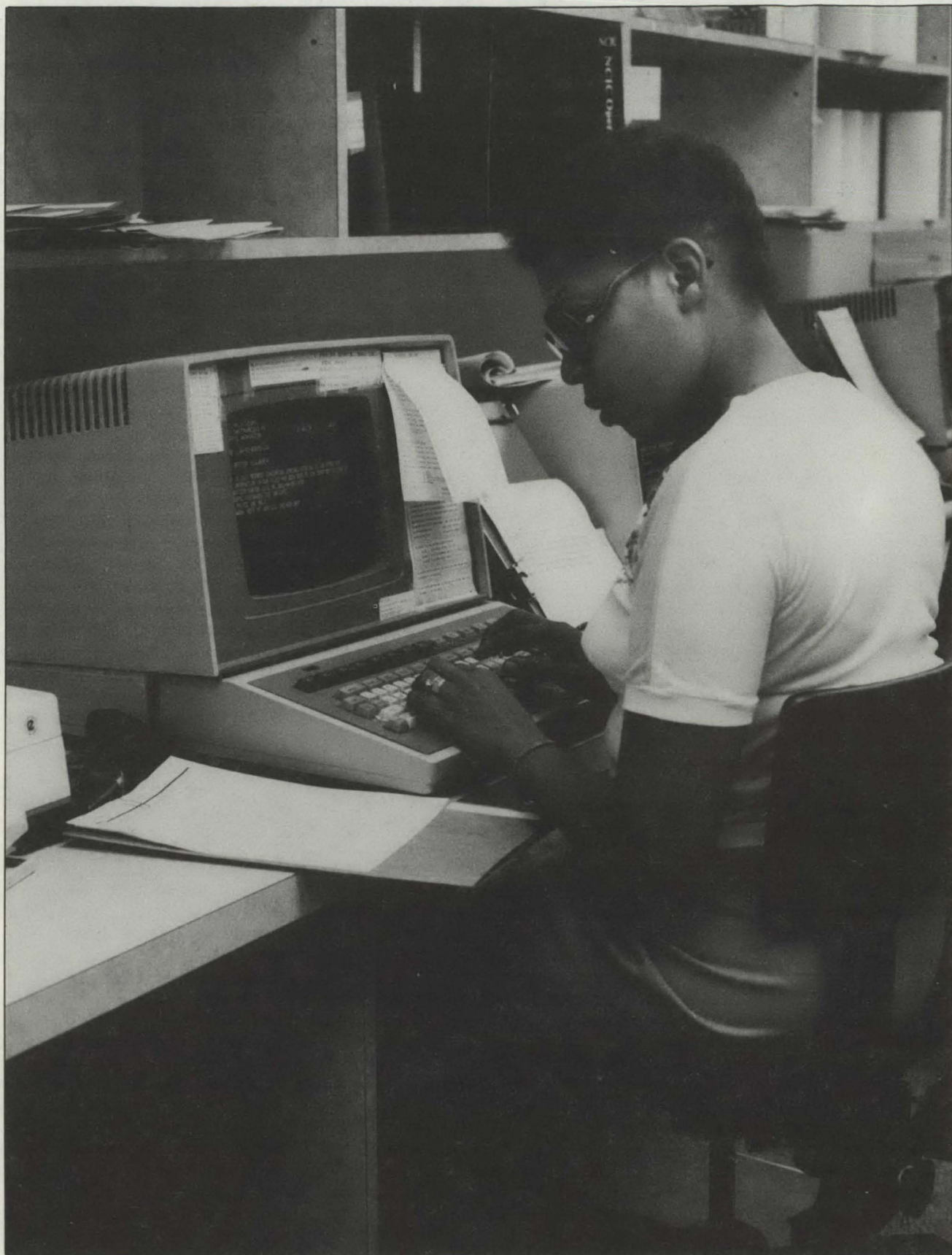
*U.S. National Central Bureau, Washington, DC
Left: Photofacsimile Unit
Below: Communications Center*

Center are also participating agencies, each having detailed administrative personnel to the USNCB.

During 1983, the USNCB investigative caseload totaled 24,706, an increase of 17.3 percent over 1982. In addition to the investigative caseload, the USNCB handled 648 other inquiries concerning Freedom of Information and Privacy Acts, media and public relations, and a broad spectrum of law enforcement topics from the use of bulletproof vests to computerized fingerprint comparison.

To handle these inquiries on an international level, the USNCB makes use of the Interpol radio telecommunications network and a telex and cable facility to communicate with NCB's not yet on the radio network. An advanced technology photofacsimile unit was installed in 1983, giving the USNCB high resolution transmission capabilities for fingerprints and photographs. For domestic communication, the USNCB has terminals for the National Law Enforcement Telecommunications System (NLETS) and both the Justice (JUST) and Treasury Enforcement (TECS) Communication System. Access terminals permit queries of the FBI's National Crime Information Center (NCIC) and the Narcotics and Dangerous Drug Information System (NADDIS) operated by the Drug En-





"Recognized internationally for its unique high degree of cooperation among members, Interpol continues to grow and adapt to the constantly changing methods of the modern international criminal. . . ."

forcement Administration. Information regarding fugitives and wanted persons is exchanged with the Department of State Advanced Visa Lookout System (AVLOS) and the Immigration and Naturalization Service Master Index File (MIRAC). The USNCB also makes use of an internal computer system for case indexing and tracking and to provide statistical data for management purposes.

The broad range of offenses and requests for investigations received by the USNCB extend from murder, robbery, narcotics violations, large-scale fraud, and counterfeiting to locating and apprehending international fugitives which involves arrests and extraditions to the countries where the crimes were committed. The requests also include criminal history information, license checks, and humanitarian matters. Through Interpol, weapons can be traced, witnesses can be located and even interviewed abroad, and criminal record checks can be conducted since there is no international equivalent of NCIC. Unless an individual has previously come to the attention of the General Secretariat through an Interpol-handled investigation or the issuance of an Interpol international wanted notice, each member country believed to have a criminal record or arrest warrant for the subject must be queried individually. The worldwide Interpol communications system makes such a task the simple matter of transmitting a single message for relay to the appropriate member NCB's.

Each case handled by the USNCB is carefully monitored to insure compliance with Federal statutes and regulations, Department of Justice policy, and directives and international standards for investigations and exchange of information. The questioning process between member countries is encouraged to insure that investigative requests do not violate the Interpol constitutional prohibition against involvement in political, religious, racial, or military matters. Requests from domestic law enforcement agencies must be in writing, either by mail or a telecommunications system, and must specify the criminal activity under investigation and the relationship of subjects to the investigation before the USNCB can proceed with international inquiries.

For U.S. law enforcement agencies, Interpol provides the vehicle for worldwide extension of "the long arm of the law." Through the use of Interpol, even the smallest and most remote police department has available to it, free of charge, the full resources of the law enforcement services of 135 nations.

Today, as at the turn of the century, rising crime rates and vast and rapid transportation systems, as well as modern communications networks, continue to provide the ideal setting for the international criminal. So too, now as in 1914, international police cooperation is the obvious solution to the problem of international crime. In the 70 years since Prince Albert I set in motion the wheels of multinational law enforcement cooperation, Interpol has grown to a membership of 136 countries. Recognized internationally for its unique high degree of cooperation among members, Interpol continues to grow and adapt to the con-

stantly changing methods of the modern international criminal in such diverse areas as terrorism, drug trafficking, and computer crime.

Investigative personnel of the participating agencies in the USNCB should consult their headquarters representative at the USNCB or current directives for format and method of communicating investigative requests to Interpol. State, local, and nonparticipating Federal agencies may submit requests by mail on agency letterhead to Interpol-U.S. National Central Bureau, Department of Justice, Washington, D.C., 20530 or via the National Law Enforcement Telecommunications System (NLETS) to (DCINTER00). To insure compliance with U.S. law and the Interpol constitution, Interpol guidelines require all requests for international investigation to be received in "hard copy" before action can be taken.

FBI

Footnotes

¹ 22 USC 263 (a).

² P. L. 85-768.

ARSON

A Statistical Profile

By order of a congressional mandate in 1978, arson was temporarily classified as the eighth Index crime, thus requiring the collection of data concerning its nature and extent by the FBI's Uniform Crime Reporting (UCR) Program. Further legislation, the Anti-Arson Act of 1982, has been issued in response to what was believed to be a dramatic rise in the cost and incidence of the crime. This directive calls for the permanent classification of arson as an Index crime and the release of a special statistical study describing its occurrence.

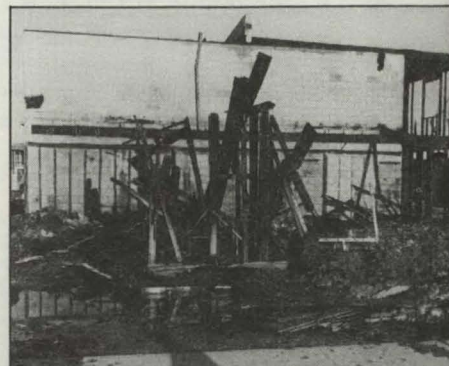
In many ways, arson is dissimilar to the seven other Index crimes with which it has been categorized. The credibility of statistics referring to the incidence of these crimes (and the entire UCR Program in general) depends on citizens voluntarily reporting crimes to law enforcement agencies and for those agencies to then voluntarily report to the national UCR Program. This system works well for the

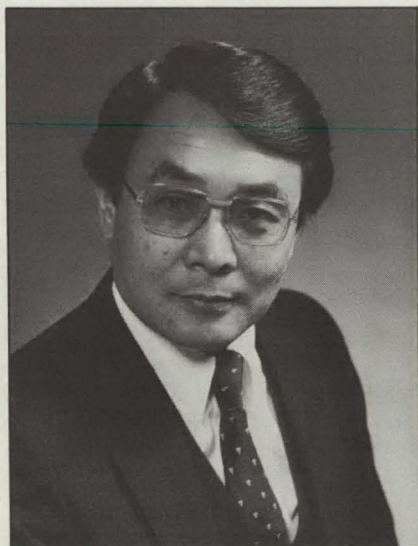
By
YOSHIO AKIYAMA, Ph.D.

*Chief Statistician
and*

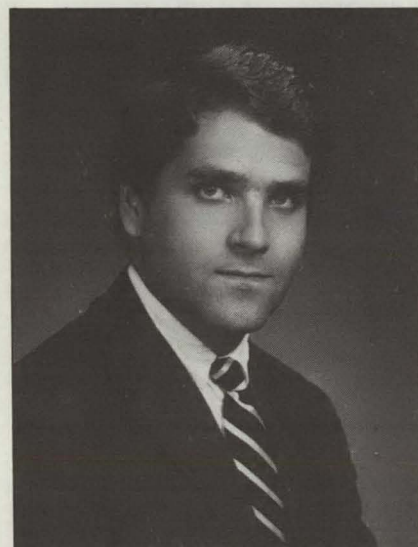
PETER C. PFEIFFER

*Survey Statistician
Uniform Crime Reporting Section
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Dr. Akiyama



Mr. Pfeiffer

original Crime Index offenses because law enforcement agencies representing approximately 97 percent of the Nation's population submit data on these offenses. Arson, unlike these other crimes, is less definitive, and therefore, more likely to go unreported at either of the two levels. It is not always possible to establish a motive, victim, or sometimes, even the occurrence of a crime when initially dealing with suspicious fires. A fire of undetermined origin does not necessarily indicate that a crime has taken place or that a criminal investigation is warranted.

As a prelude to a more extensive data collection program devoted to arson, this article will address the nature, extent, and use of current arson statistics available within the FBI. Particular attention will be given to identifying shortcomings of the current data and to exploring ways to more effectively monitor and analyze the incidence of arson.

Offense Data

The UCR Program collects offense-related data for eight offenses known as Index crimes. These crimes, with the exception of arson, were selected because of their seriousness, frequency of occurrence, and likelihood of being reported to police. The greatest use of Crime Index data lies in UCR's ability to monitor fluctuations accurately and steadily over time; yet, it is in this very respect that arson data differ most noticeably from those for other crimes. The availability of only 4 years of reliable arson offense data belies attempts to isolate and analyze trends.

Despite an apparent heightened concern for arson and predictions of increases in its incidence and cost to the American public, UCR arson figures suggest a decline, as do those

for overall crime, in recent years. Figure 1 shows arson offense rates per 100,000 inhabitants residing in different population groups. This table depicts the relatively urban nature of the crime, as evidenced by the fact that the ratio between the county arson rate and the city arson rate is

Figure 1

Number of Arsons per 100,000 Inhabitants—1983

Total U.S.....	48.7
Total cities.....	54.5
Over 1,000,000 population.....	96.2
500,000 to 999,999	65.9
250,000 to 499,999	83.5
100,000 to 249,999	62.0
50,000 to 99,999.....	50.6
25,000 to 49,999.....	36.2
10,000 to 24,999.....	29.0
Less than 10,000.....	27.8
Total counties.....	35.0
Rural counties.....	24.1
Suburban counties.....	41.4

approximately 2 to 3. Also portrayed in this table is the higher arson offense rate for cities with larger populations.

Included among UCR arson offense statistics are data on types of property damaged, the estimated value of property damaged, whether the structures were inhabited, and the percentage of offenses cleared by law enforcement. A look at 1983 property classification statistics reveals that over half of reported arson offenses involved architectural structures and approximately one-fourth involved mobile vehicles. While only 1 percent of reported arson offenses involved industrial or manufacturing structures, the average value of the property damaged in these fires (\$59,400) was much higher than for any other type

of structure. Overall, the average damage incurred per arson offense in 1983 was \$9,400. Approximately one-seventh of the total structures burned were not in use at the time of the incident.

A lack of witnesses and the self-concealing nature of the crime tend to relegate the percentage of arson offenses cleared by law enforcement to among the lowest of any Index crime. Slightly over 17 percent of reported arson offenses were cleared during 1983, and among Index crimes, only burglary and motor vehicle theft had lower clearance rates. Of those arson offenses cleared, 34 percent involved

only persons under 18 years of age. For all Index property crimes, approximately 23 percent of those crimes cleared involved only juveniles.

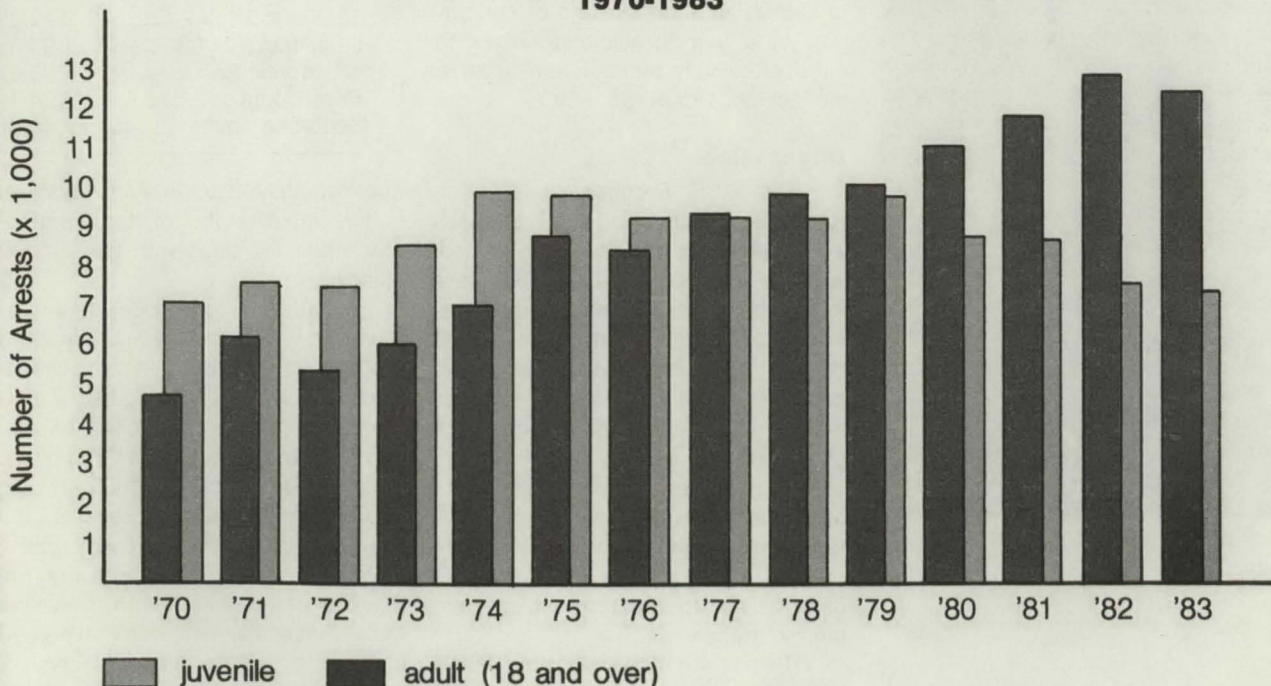
Arrest Data

Information concerning persons arrested for arson has been collected by the UCR Program since 1964. Unlike arson offense data, a high degree of historical continuity exists for the arrest statistics. Available on the local, State, and national levels, arrests are categorized by age, sex, and race variables and are considered to provide a reflection of the arson offender population.¹

Although the number of reported arson offenses has declined in recent years, the number of arson arrests increased steadily up to 1981. Over the 14-year period from 1970 to 1983 (1970 was the first year that nationwide arrest estimates were published), the number of arson arrests has shown an increase (66 percent), exceeded only by those for forcible rape, larceny-theft, and aggravated assault among Index crimes. This overall rise is attributable to a dramatic 160-percent jump in adult (age 18 and over) arrests, an increase greater than that experienced among either juvenile or adult offenders for any

Figure 2

Estimated Adult and Juvenile Arson Arrests 1970-1983



Arrest totals based on all reporting agencies and estimates for unreported areas.

other Index crime. (See fig. 2.)

The frequency of arson arrests is similar to that for homicide. According to 1983 estimates, there were 19,800 arson arrests and 20,310 arrests for murder and nonnegligent manslaughter. Relating arrests to population, law enforcement agencies nationwide made approximately 9 arrests per 100,000 inhabitants for both arson and homicide. The number of estimated offenses for these crimes varies considerably, however, indicating the relative difficulty involved in solving arson crimes and apprehending the offender. UCR figures for 1983 show an estimated 19,300 murder and non-negligent manslaughter offenses nationwide, as compared to over 100,000 reported arson offenses.

The most noticeable phenomenon observed from UCR arson arrest statistics, and one that is well-documented within arson-related literature, is the youth of the offender. Despite the declining percentage of youth involvement in arson arrests over the past decade and a half, the percentage of juvenile arson arrests in 1983 was second only to burglary among Index crimes. Almost one-fourth of all arson arrests in 1983 involved persons under the age of 15, and over 60 percent were among persons under 25 years of age. This representation by persons under 15 in arson is a level of involvement beyond that of any other crime for which UCR arrest data are collected, excluding categories limited to juveniles, such as violations of runaway, curfew, and loitering laws.

Arson arrest rates, which are equated to the actual population for

Figure 3

Arson Age-Specific Arrest Rates* By Sex 1983

Age group	Total	Male	Female
12 and under	6.2	11.2	1.0
13 to 14.....	27.8	47.9	6.8
15.....	28.3	49.3	6.3
16.....	24.4	43.5	4.6
17.....	22.1	39.3	4.2
18.....	20.3	36.1	4.0
19.....	19.7	35.6	3.4
20.....	16.9	30.0	3.5
21.....	17.4	30.1	4.4
22.....	15.0	26.2	3.7
23.....	13.9	24.2	3.4
24.....	12.2	20.4	3.9
25 to 29.....	12.0	20.8	3.3
30 to 34.....	8.8	14.8	2.8
35 to 39.....	7.5	12.6	2.6
40 to 44.....	6.5	11.1	2.1
45 to 49.....	4.5	7.7	1.5
50 to 54.....	3.5	6.5	.7
55 to 59.....	1.9	3.3	0.6
60 to 64.....	1.2	2.3	0.3
65 and over	0.4	0.8	0.1
Total all ages.....	8.6	15.5	2.0

*Number of arrests per 100,000 inhabitants.

any demographic group, provide an additional means for depicting the youth of the typical arson offender. In order to estimate the peak ages for arson arrest involvement, the data in figure 3 were computed. These age-specific arrest rates show that the peak age for total arson arrest involvement in 1983 was between 13 and 15 years.

Compared with other Index crimes, arson arrest rates show a further bias toward the youthful offender. As mentioned previously, murder is a

crime with national arrest totals similar to arson; however, the peak ages for arrest rates show murder offenders to be considerably older than those for arson. In 1983, the peak age for murder arrests was between 18 and 19 years of age.

To further analyze changes in the demographic characteristics of the typical arson arrestee, it is helpful to look at arrest rates compared in a ratio format. Figure 4 shows the changing nature of the ratio between juvenile and adult arson arrest rates.

Figure 4

Ratio of Juvenile-to-Adult Arson Arrest Rates*

Year	Total	Male	Female
1965.....	3.3 : 1	3.4 : 1	1.6 : 1
1970.....	2.8 : 1	2.8 : 1	1.8 : 1
1975.....	2.6 : 1	2.5 : 1	2.0 : 1
1980.....	2.0 : 1	2.0 : 1	1.6 : 1
1983.....	1.5 : 1	1.5 : 1	1.1 : 1

*Arrest rate per 100,000 inhabitants belonging to a prescribed group.

Since the number of arson arrests of adults has been increasing faster than of juveniles, it would be expected that the ratio of juvenile to adult arrest rates per capita should decline. Figure 4 shows that this is indeed the case, as evidenced by the fact that in 1965, there were over three juveniles arrested per capita for every one adult, but by 1983, this ratio had been reduced to less than 2 to 1. This table shows further that this decrease may be attributed to a reduction in the juvenile-to-adult arrest ratio among males, a shift that has lessened the total juvenile-to-adult ratio and resulted in nearly equal ratios for the sexes. These findings are particularly noteworthy because they are contrary to population trends. Between 1965 and 1983, the Nation's juvenile population declined while the adult population increased.

Arrest rates addressing the ratio between male and female arson offenders suggest a bridging of the gap between the sexes. In 1965, there were more than 12 male arson arrests for every female arrest. By 1983, this ratio had dropped steadily to under eight males for every female. This finding, together with increased involvement of adult arson offenders, is

indicative of an overall trend toward more uniformity among the nature of crime and criminals.

With respect to race, the arson arrest rates for nonwhites versus whites has remained relatively constant since 1965. This ratio (2 to 1) was the lowest nonwhite/white arrest rate ratio registered for any Index offense in 1983. In other words, arson proved to be the least racially skewed crime among UCR Index offenses. The crimes of burglary and motor vehicle theft had the next lowest arrest rate ratio (approximately 3 to 1), while robbery had the highest (10 to 1).

Automated Identification Division System

An additional FBI arrest-based data source relating to arson is the Automated Identification Division System (AIDS). AIDS is a computerized program based on fingerprint cards submitted by law enforcement agencies throughout the Nation. In comparison with the UCR Program, the nature and design of AIDS allows for several different analytical approaches to arrest data. For instance,

the UCR Program, by its design, can cross-tabulate data by age and sex only; AIDS allows for an analysis of every age group by sex and race and cross-tabulation between sex and race variables. Further, because AIDS is an assemblage of individual records, arrest data may be statistically (i.e., anonymously) analyzed from either the perspective of total arrests or individual arrestees. However, since the UCR Program is based on reported totals within an entire agency, only aggregate figures can be calculated. This aspect of AIDS also allows for a historical record of repeat arrestees and a measurement of recidivism for individual offenses.

In order to avoid contradictions, it should be noted that for several reasons, the overall number of arrests contained within AIDS is smaller than that contained within UCR. Most notable among the differences is that arrest records for persons under 18 years of age are included in AIDS only if they are to be prosecuted as adults. Therefore, these data should be considered as comprised of ostensibly adult offenders.

AIDS arson arrestee data cross-tabulated between sex and race variables show a greater level of involvement per capita for nonwhite women than for white women. Of all 1983 white arson arrestees, only 11 percent were female; however, when considering other races, women comprised 18 percent of all arrestees. In the 1983 U.S. population, women comprised the majority among all three of these racial groupings.

Cross-tabulation between age and race data reveals the peak age for arson arrest involvement to be lower among whites than blacks. AIDS data indicate the peak age for white arson arrestees was between 19 and 20 years of age and the peak age for black arrestees was between 23 and 26 years. Numbers of arrestees in other racial groupings were too small and too well-dispersed to offer valid conclusions.

Since AIDS is based on arrest records, not reported offenses, it allows for tracking of repeat offenders and calculation of the total arrests for which they account. Data for 1983, which are presented in figure 5, show that 7,261 persons accounted for 7,933 arson arrests. During the year, most of the offenders (91 percent) were arrested only once for arson. The average number of arson arrests per offender was 1.09 times, which ranks arson (together with aggravated assault) as having the fewest repeat arrestees among Index crimes.² The crimes of burglary and robbery (each with an average of 1.21 arrests per offender) had the highest level of repeat offenders among Index crimes.

In an effort to track arson arrestees' subsequent involvement in crime, AIDS data were obtained for a group of persons arrested for arson during 1974, and their arrest activity between 1975 and 1983 was studied. Of the 2,008 original arrestees, 163 (8 percent) were rearrested for arson within the following 9 years, and the remaining 1,845 arrestees had no subsequent arson arrests. For those who were rearrested for arson, four out of five persons had only one subsequent arrest for this offense.

Figure 5

Number of Arson Offenders by the Number of Times Arrested 1983

Number of times arrested for arson	Number of arson offenders	Arrests
1	6,636	6,636
2	580	1,160
3	43	129
4	2	8
5 or more.....	0	0
Total	7,261	7,933

The arrest record for all criminal activity by the 2,008 offenders showed that they accounted for 5,040 total arrests over these following 9 years. In other words, each 1974 offender accounted for an average of between two and three arrests during the 9-year period. Larceny, burglary, and assault proved to be the three most common crimes for which they were arrested, but it should be noted that these three crimes also registered the highest overall arrest totals according to 1983 UCR figures.

Conclusion

The information gleaned from these three types of data is helpful in gaining an understanding of both the crime of arson as well as its perpetrator, but it is far from all-inclusive. UCR offense-based arson data, which should ultimately be the best indication of the extent of the Nation's arson problem, are currently limited in terms of historical perspective and population coverage. Arson, unlike its Crime Index counterparts, is a crime that does not necessarily lend itself to

police knowledge and reporting. Therefore, UCR arson offense statistics should be viewed as only as an indication of the national arson problem.

Although arrest statistics do not necessarily address the frequency with which a crime occurs, they are probably a more realistic indicator of law enforcement's involvement with arson. Used as an indicator of the demographic characteristics of a crime's offender, UCR arrest data are useful in supplying a description of the typical arson arrestee: He is often a young male and is usually white. Further, UCR arrest statistics provide a reliable indicator of arrest trends, a means of comparing characteristics of the perpetrator of one crime to those of another, and a high degree of historical continuity. Similarly, AIDS arrest data are helpful in describing characteristics of the arson arrestee, as well as showing arson recidivism and a measure of the arson arrestee's involvement with other crime.

While these data offer useful background information toward analyzing the current arson problem, they cannot provide a complete solution—more information regarding the incidence and characteristics of the crime is needed. As a means of explaining why the perpetrator commits the crime and how one can conceivably reduce its occurrence, data on the known methods and motives of the arsonist would provide the law enforcement administrator with more actionable data for crimefighting decisions.

The development of a data collection system in concert with the needs of the law enforcement and firefighting communities is currently being undertaken by the UCR Program. Because of the self-concealing nature of the crime, detailed information will likely only be available for certain fires. Therefore, UCR is considering appropriate sampling procedures which could aid in estimating arson nationwide. Since the crime of arson is dealt with by both police and firefighting agencies, it will be necessary that the system tap both of these sources. These data should address the motives of the arsonist, the most commonly mentioned of which are revenge, vandalism, fraud, crime cover, and pyromania. Further, data on persons injured and killed, characteristics of the burned building, type of insurance coverage, time of occurrence, and detailed characteristics of the actual or suspected offender are among many variables being considered for collection.

FBI

Footnotes

¹ Anthony Olen Rider, "The Firesetter: A Psychological Profile," *FBI Law Enforcement Bulletin*, vol. 49, No. 7, 1980, p. 10.

² The figures on average number of arrests per offender for offenses other than arson are for 1982; these data do not vary significantly from year to year, however.

INS Hiring Border Patrol Agents

The U.S. Border Patrol is looking for men and women to work as agents on the U.S./Mexico border enforcing national immigration laws. The work involves apprehending illegal aliens and smugglers attempting to enter or bring people unlawfully into the United States.

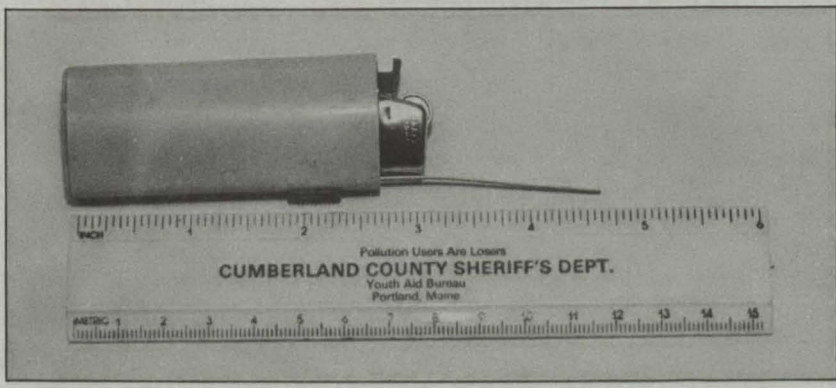
The work is challenging, and the requirements are high. Successful applicants will receive 17 weeks of intensive training in law, Spanish, physical training, marksmanship, and other subject areas. Applicants must be U.S. citizens, in excellent physical condition, under 35 years of age, and must pass a written test. The beginning salary is \$13,903 a year.

Applications will be accepted by local Office of Personnel Management (OPM) offices between October 15 and November 30, 1984. To obtain an application, contact any local OPM or INS office, or write to INS Staffing Programs, Room 6042, Washington, D.C. 20536.

Cigarette Lighter Handcuff Pick

This 3-inch metal device, designed to deice frozen locks, holds a butane lighter that can also be used to unlock handcuffs in only a few seconds.

(Submitted by Portland, ME, Police Department)



Crime in the United States 1983

In 1983, the largest annual decrease for serious crime in the past 23 years was recorded, according to statistics compiled by the FBI's Uniform Crime Reporting Program. Not only was the 1983 downturn the largest decrease since 1960, it was also the first time the Nation's crime volume declined in two consecutive years and the fourth annual decrease to occur.

An estimated 12,070,200 Crime Index offenses were reported to law enforcement in 1983, an overall decrease of 7 percent from the previous year's total. Nearly 16,000 law enforcement agencies, covering 97 percent of the total U.S. population, reported data to the FBI.

Violent Crime

A 5-percent decrease in violent crime—murder, forcible rape, robbery, and aggravated assault—was recorded in 1983. Murder and robbery totals each declined 8 percent, and aggravated assault was down 2 percent. Forcible rape showed virtually no change in volume since 1982. For violent crime, the crime rate was 529 per 100,000 inhabitants, a decrease of 6 percent from 1982.

MURDER—An estimated 19,308 murders occurred last year, with a murder rate of 8 per 100,000 inhabitants. Of every 100 murder victims, 76 were male, 55 were white, 33 were between the ages of 20 and 29, and 20 were Hispanic. Firearms were the dominant weapons used to commit this crime, with handguns being used in 44 percent of all cases.

In 57 percent of all murders, the

Index of Crime, United States, 1974-1983

Population ¹	Crime Index total ²	Modified Crime Index total ³	Violent crime ⁴	Property crime ⁴	Murder and nonnegligent manslaughter	Forcible rape	Robbery	Aggravated assault	Burglary	Larceny-theft	Motor vehicle theft	Arson ⁵
Number of offenses: ⁶												
1974-211,392,000	10,253,400		974,720	9,278,700	20,710	55,400	442,400	456,210	3,039,200	5,262,500	977,100	
1975-213,124,000	11,256,600		1,026,280	10,230,300	20,510	56,090	464,970	484,710	3,252,100	5,977,700	1,000,500	
1976-214,659,000	11,315,600		988,410	10,327,200	18,780	57,180	422,450	489,990	3,099,800	6,264,800	962,600	
1977-216,332,000	10,950,700		1,013,270	9,937,400	19,120	63,610	407,440	523,100	3,062,700	5,900,500	974,200	
1978-218,059,000	11,174,000		1,068,280	10,105,800	19,560	67,720	421,580	559,430	3,119,300	5,985,900	1,000,600	
1979-220,099,000	12,211,200		1,188,870	11,022,300	21,460	76,510	474,680	616,220	3,318,200	6,595,300	1,108,800	
1980-225,349,264	13,366,100		1,323,400	12,042,700	23,040	83,130	558,750	658,480	3,784,300	7,130,800	1,127,700	
1981-229,146,000	13,384,500		1,340,540	12,043,900	22,520	82,630	585,480	649,910	3,768,800	7,188,300	1,086,800	
1982-231,534,000	12,933,700		1,301,500	11,632,200	21,010	78,900	546,200	655,380	3,437,200	7,136,400	1,058,600	
1983-233,981,000	12,070,200		1,237,980	10,832,200	19,310	78,920	500,220	639,530	3,120,800	6,707,000	1,004,400	
Rate per 100,000 inhabitants: ⁶												
1974	4,850.4		461.1	4,389.3	9.8	26.2	209.3	215.8	1,437.7	2,489.5	462.2	
1975	5,281.7		481.5	4,800.2	9.6	26.3	218.2	227.4	1,525.9	2,804.8	469.4	
1976	5,271.4		460.5	4,811.0	8.8	26.6	196.8	228.3	1,444.0	2,918.5	448.4	
1977	5,062.0		468.4	4,593.6	8.8	29.4	188.3	241.8	1,415.7	2,727.5	450.3	
1978	5,124.3		489.9	4,634.4	9.0	31.1	193.3	256.5	1,430.5	2,745.1	458.9	
1979	5,548.1		540.2	5,007.9	9.7	34.8	215.7	280.0	1,507.6	2,996.5	503.8	
1980	5,931.3		587.3	5,344.0	10.2	36.9	247.9	292.2	1,679.3	3,164.3	500.4	
1981	5,841.0		585.0	5,256.0	9.8	36.1	255.5	283.6	1,644.7	3,137.0	474.3	
1982	5,586.1		562.1	5,024.0	9.1	34.1	235.9	283.1	1,484.5	3,082.2	457.2	
1983	5,158.6		529.1	4,629.5	8.3	33.7	213.8	273.3	1,333.8	2,866.5	429.3	

¹ Populations are Bureau of the Census provisional estimates as of July 1, except April 1, 1980, preliminary census counts, and are subject to change.

² Due to rounding, the offenses may not add to totals.

³ Although arson data are included in the trend and clearance tables, sufficient data are not available to estimate totals for this offense.

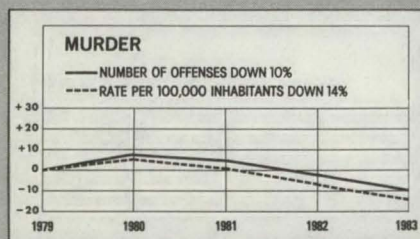
⁴ Violent crimes are offenses of murder, forcible rape, robbery, and aggravated assault. Property crimes are offenses of burglary, larceny-theft, and motor vehicle theft. Data are not included for the property crime of arson.

⁵ Annual total for years prior to 1983 have been adjusted and may not be consistent with those in prior editions of this publication. See "Offense Estimation," page 3 and 4 for details.

All rates were calculated on the offenses before rounding.

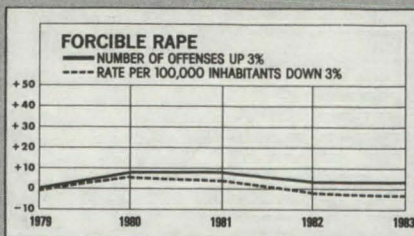
victims were slain by relatives or acquaintances, and spouse against spouse were involved in 9 percent of the murders. Arguments resulted in 44 percent of all murders, while 18 percent took place as a result of felonious activities such as robbery, arson, etc.

Of those arrested for murder, 41 percent were under 25 years of age, 50 percent were black, and 16 percent were Hispanic. The 18- to 24-year age group accounted for 34 percent of the total murder arrests. Seventy-six percent of all murders have been cleared by law enforcement.



FORCIBLE RAPE—During 1983, an estimated 78,918 forcible rapes occurred, representing virtually no change in volume from the previous year. In Uniform Crime Reporting, the victim of forcible rape is always female. The rate increased 2 percent from 1982, but was 1 percent below that of 1979. For every 100,000 females in the United States, an estimated 66 were reported rape victims. Of the offenses reported, 77 percent were rapes by force and the remainder were attempts or assaults to commit forcible rape. As in previous years, forcible rapes were more prevalent in the summer months than during other times of the year.

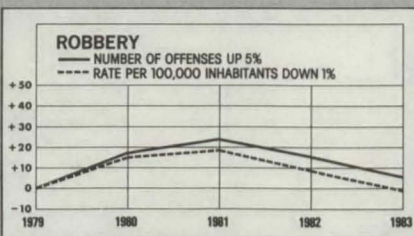
The number of arrests for this violent crime was up 1 percent from 1982, and of those arrested, 50 percent were white, 49 percent were black, and 10 percent were Hispanic. Persons under 25 years of age accounted for 50 percent of the arrests, while 25 percent of the arrests were of those 18 to 22 years of age. The national clearance rate was 52 percent.



ROBBERY—Robberies fell 8 percent nationwide from 1982, registering a decrease in all regions and population groups. An estimated 500,221 robberies took place, with losses to the victims reaching an estimated \$323 million or an average loss of \$645 per incident. Bank robberies registered the highest average loss, \$4,057 per incident, although they comprised only 1 percent of all robberies. The 1983 rate for this crime was 214 per 100,000 inhabitants. Robberies on streets or highways accounted for more than half of the total offenses in this category.

Sixty percent of these offenses were armed robberies, and the remainder were those in which strong-armed tactics were employed. Firearms were used most often in the commission of armed robberies, accounting for 37 percent of the total; knives or cutting instruments were used in 14 percent; other dangerous weapons in 9 percent.

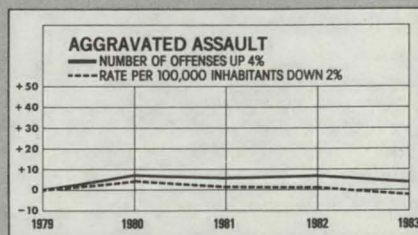
Robbery arrests were down 5 percent from 1982. Of those arrested, 68 percent were under 25 years of age, 93 percent were male, 63 percent were black, 36 percent were white, and 12 percent were Hispanic. The national robbery clearance rate was 26 percent, and persons under the age of 18 were the offenders in 12 percent of the clearances.



AGGRAVATED ASSAULT—The number of aggravated assaults declined 2 percent in 1983 from the pre-

vious year's total, with an estimated 639,532 offenses occurring nationwide. As with forcible rape, more aggravated assaults took place during the summer months. For every 100,000 inhabitants, there were, on the average, 273 victims of aggravated assault. Blunt objects or other dangerous weapons were used in 29 percent of the offenses; personal weapons such as hands, fists, feet in 26 percent; knives or cutting instruments in 24 percent; and firearms in 21 percent.

Total arrests for this offense dropped 3 percent from 1982, and the national clearance rate for aggravated assault was 61 percent. Of those arrested, 59 percent were white, 39 percent were black, and the remainder were of other races. Arrests of males outnumbered those of females by 6 to 1.



Property Crime

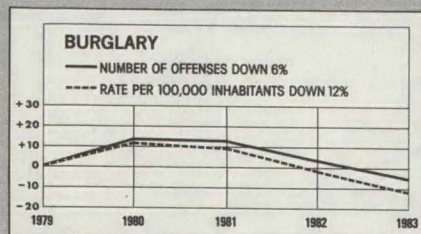
Like the Crime Index, property crime—burglary, motor vehicle theft, and larceny-theft—dropped 7 percent in 1983. Among the individual property crimes, burglary was down 9 percent; larceny-theft, 6 percent; motor vehicle theft, 5 percent. Arson, the eighth Index crime, declined 11 percent in volume. The 1983 rate of 4,630 property crimes per 100,000 inhabitants dropped 8 percent.

BURGLARY—Over 3 million burglaries were estimated to have occurred in 1983, for a 9-percent drop in volume from the previous year. On the average, 1,334 burglaries were reported per 100,000 inhabitants nationally, and estimated property losses totaled \$2.7 billion, an average loss of \$860 per offense.

Seventy-one percent of all burglaries involved forcible entry, and residential burglaries accounted for 66 percent of the reported offenses.

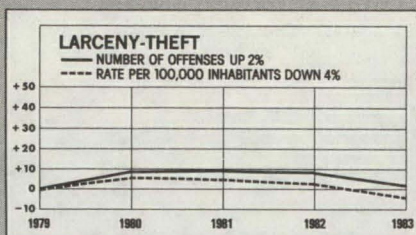
More burglaries occurred in January than in any other month in 1983.

Burglary arrests decreased 9 percent nationwide in 1983. Of the total number arrested, 75 percent were under 25 years of age; 38 percent were younger than 18, 93 percent were male, 67 percent were white, and 13 percent were Hispanic. The national clearance rate for this offense was 15 percent. Adults were involved in 77 percent of all burglary clearances, and those under 18 years of age were offenders in the remaining 23 percent.



LARCENY-THEFT—While the number of larceny-thefts totaled over 6.7 million in 1983, the volume decreased 6 percent from 1982. This offense occurred most frequently in August and least often during February. On the average, 2,866 larcenies were reported per 100,000 people, 7 percent less than the 1982 rate. Property losses to larceny-theft victims totaled an estimated \$2.3 billion or a \$348 loss per incident. By type, the highest average losses were due to miscellaneous thefts from buildings, \$510; thefts from motor vehicles, \$381; and thefts of motor vehicle parts and accessories, \$238. Pocket-picking resulted in average losses of \$218; purse-snatching, \$178; and shoplifting, \$72.

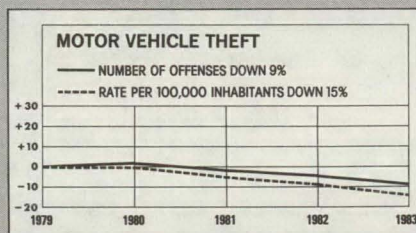
Total arrests for this offense were down 4 percent from 1982. Forty-eight percent of the arrestees were under 21 years of age, 32 percent were under 18, 65 percent were white, and 33 percent were black. The national larceny-theft clearance rate was 19 percent.



MOTOR VEHICLE THEFT—An estimated 1,004,372 motor vehicle thefts were reported in 1983, 5 percent lower in volume than in 1982. The motor vehicle theft rate was 429 offenses per 100,000 population, down 6 percent from the previous year's rate. An estimated average of 1 of every 161 registered motor vehicles was stolen nationally, for an estimated \$4 billion property loss to victims.

Of all vehicles stolen, 76 percent were automobiles, 14 percent were trucks or buses, and the remainder were other types. August and February were the months in which the most and least motor vehicle thefts occurred, respectively.

Motor vehicle theft arrests dropped 8 percent from 1982. Over half of those arrested for this crime (55 percent) were under 21 years of age, while those under the age of 18 accounted for 35 percent of the total. Sixty-six percent of the arrestees were white, 32 percent were black, and the remainder were of other races. The national clearance rate for this crime was 15 percent, and persons under age 18 accounted for 18 percent of the total clearances.



ARSON—A total of 101,947 arson offenses were reported by 11,286 law enforcement agencies during 1983. Structures accounted for 61 percent and mobile property for 23 percent of property targeted by arsonists in 1983, with the remainder being directed at such property as crops,

timbers, fences, etc. Structural arson involved residential property in 63 percent of the offenses and 91 percent of mobile arsons involved motor vehicles. Averaging \$9,384 per incident, the property value damaged by arson totaled \$795 million. Industrial/manufacturing structures registered the highest average loss, \$59,372 per offense.

In 1983, 17 percent of reported arsons were cleared by law enforcement, while 34 percent of the clearances involved those under 18 years of age. The number of arson arrests reached 19,800, of which 88 percent were male, 76 percent were white, and 62 percent were under the age of 25.

Based on reports from law enforcement agencies providing at least 6 months of arson data in 1982 and 1983, arson trends showed an 11-percent decrease from 1982. Independently computed rates based on 12 months of reports showed a national rate of 49 arson offenses per 100,000 population.

Crime Distribution

Geographically, declines in the overall Crime Index were recorded in all regions for the same 2-year period. The Northeastern States recorded an 8-percent decrease; the Southern States, a 7-percent decrease; and in both the North Central and the Western States, a 6-percent decrease. The country's cities, rural counties, and suburban areas all recorded 7 percent fewer Index crimes in 1983.

Down 8 percent from the previous year, the 1983 national crime rate was 5,159 Crime Index offenses per 100,000 inhabitants. The rate, which relates the crime volume to population, fell 7 percent from 1979, but was 6 percent higher than the 1974 rate.

Clearances

Law enforcement agencies cleared 21 percent of the total Crime Index offenses in 1983. Forty-six percent of all reported violent crimes

Total Estimated Arrests,¹ 1983

TOTAL²	11,700,500	Drug abuse violations	661,400
Murder and nonnegligent manslaughter	20,310	Opium or cocaine and their derivatives	149,500
Forcible rape	34,080	Marijuana	406,900
Robbery	146,170	Synthetic or manufactured drugs	22,300
Aggravated assault	298,830	Other dangerous nonnarcotic drugs	82,700
Burglary	475,800	Gambling	41,000
Larceny-theft	1,315,000	Bookmaking	3,500
Motor vehicle theft	119,400	Numbers and lottery	7,300
Arson	19,800	All other gambling	30,200
Violent crime ³	499,390	Offenses against family and children	56,300
Property crime ⁴	1,930,000	Driving under the influence	1,921,100
Crime Index total ⁵	2,429,400	Liquor laws	498,300
Other assaults	547,500	Drunkenness	1,115,200
Forgery and counterfeiting	85,600	Disorderly conduct	757,400
Fraud	309,800	Vagrancy	33,700
Embezzlement	8,800	All other offenses (except traffic)	2,267,900
Stolen property; buying, receiving, possess- ing	127,700	Suspicion (not included in totals)	13,800
Vandalism	243,500	Curfew and loitering law violations	75,000
Weapons; carrying, possessing, etc	179,600	Runaways	128,900
Prostitution and commercialized vice	125,600		
Sex offenses (except forcible rape and prostitution)	87,000		

¹ Arrest totals based on all reporting agencies and estimates for unreported areas.

² Because of rounding, items may not add to totals.

³ Violent crimes are offenses of murder, forcible rape, robbery, and aggravated assault.

⁴ Property crimes are offenses of burglary, larceny-theft, motor vehicle theft, and arson.

⁵ Includes arson.

were cleared, while the overall property crime clearance rate was 18 percent. Persons under the age of 18 accounted for 20 percent of the Index clearances, with those in this same age group accounting for 9 percent of the violent crime clearances and 23 percent of those for property crimes.

Arrests

Arrests for all offenses except traffic violations totaled an estimated 11.7 million in 1983. Among the offenses for which the highest volume of arrests was recorded were drunkenness with 1.1 million; larceny-theft, 1.3 million; and driving under the influence of liquor or narcotics, 1.9 million. The national arrest rate was 5,120 per 100,000 inhabitants.

Total arrests were down 3 percent from 1982, with adult arrests declining 2 percent and arrests of those under the age of 18 dropping 10 percent. Arrests for drug abuse violations increased 5 percent over the 1982 level. Of all arrestees, 51 percent were under 25 years of age and 83 percent were males. Larceny-theft

was the single offense for which females were most often arrested, accounting for 20 percent of all female arrests.

Assaults on Law Enforcement

Nationwide, an average of 17 of every 100 local, county, and State law enforcement officers were assaulted in 1983, a 6-percent decline from the 1982 rate. Of the 62,324 assaults reported by nearly 10,000 law enforcement agencies, personal weapons (hands, fists, feet, etc.) were used in 83 percent; firearms in 5 percent; knives or cutting instruments in 3 percent; and other dangerous weapons in the remaining 9 percent. Responses to all types of disturbance calls (family quarrels, man-with-gun calls, bar fights, etc.) continued to lead all other circumstances with 33 percent of all assaults.

Law Enforcement Officers Killed

During 1983, 80 law enforcement officers were killed feloniously in the line of duty, fewer than in any other year of the past decade and 12 less than the 1982 total. Of the 80 victims, 42 were city policemen, 24 were county officers, 11 were employed by State law enforcement agencies, and 3 were Federal officers.

As in past years, more officers (31) were killed while attempting arrests than while involved in any other activity. Eleven officers were killed while attempting to thwart robberies or were in the pursuit of robbery suspects when slain; 7 were investigating drug-related matters; 4 were handling burglary-in-progress calls or were pursuing burglary suspects; and 9 were attempting arrests for other than the above-mentioned crimes. Seventy-four out of 80 officers were slain by firearms, with handguns being used in 54 of the murders. Twelve officers were killed with their own service weapons, and law enforcement has cleared 91 percent of the murders.

FBI



The Surveyor 7 Unit—The telephone/computer device is on top with receiver and transmitting units below.

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Neighborhood Crime Watch

A Communication Problem

"The fundamental element in the success of any neighborhood watch program is communication."

By
OFFICER JAMES H. HOWELL
Crime Prevention Section
Police Department
Mt. Lebanon, PA



Officer Howell



*David A. Varrelman
Chief of Police*

The Mt. Lebanon Police Department began its formal crime prevention program in 1978 with the establishment of a neighborhood crime watch program. The need for this type of program was sparked by a rash of residential burglaries and minor arson cases. The value and success of this one neighborhood program laid the foundation for the establishment of a full-time crime prevention unit and 27 additional watch groups. The neighborhood watch group program is continuing to grow, and by 1985, the entire community will be covered by 35 individual groups.

Mt. Lebanon is a residential community bordering the city of Pittsburgh. Slightly over 6 square miles in area with a population of about 35,000, Mt. Lebanon's mean family income is approximately \$36,000, which is significantly above the average for the geographical area. As in most affluent, midlevel executive communities, the primary crime is burglary. About 95 percent of these burglaries are residential. Vandalism is also an annoying problem which, in volume, surpasses any other offense that occurs within the community.

Since the inception of the crime watch program, a noticeable reduction in burglary and vandalism has occurred. In 1978, our department investigated 199 burglaries, which decreased to 128 in 1983. At the same time, the burglary clearance rate went from 21 percent to 34 percent. Although Mt. Lebanon has experienced the same phenomenon of crime rate

reduction as other communities over the past 2 or 3 years, this process has been accelerated in Mt. Lebanon and has been somewhat greater than in communities in the surrounding area. We believe that the neighborhood watch program has been a major contributor to the swift reductions in crime.

The fundamental element of any successful neighborhood watch program is communication. The watch group must be kept informed of the events as they occur within their area and must be able to communicate suspicions and observations to the police. When the program is small, involving only 100-200 residences, this is a comparatively easy task. As the program grows, however, the task becomes more difficult.

Mt. Lebanon has organized neighborhood groups to conform with police reporting areas or computerized grids. This allows for quick retrieval of information pertaining to the group that can be disseminated at meetings or as the need becomes apparent. Also, if a series of events occurs, the group can be immediately notified. The problem of how to get this information to each member of the group then arises.

As in most neighborhood watch programs, we began our communication chain with a telephone pyramid calling system. The crime prevention officer would call the group coordinator who in turn called block captains who relayed the message to other members within the group. This method is effective for small groups but does have some serious drawbacks. As in most verbal messages, changes occur as the message is passed down the chain, and at the same time, meanings become confused. It is also difficult to ensure that

all members of the pyramid are contacted, and it is almost impossible to make a record of those who have not been reached. Finally, as the program grows and additional watch groups are added, the pyramid calling system becomes less and less effective. Mt. Lebanon experienced all of these problems as the program grew to encompass approximately 9,000 individual homes and/or apartments. It was at this time we discovered a marketing device used by private industry that solved our problem.

In late 1982, we included, as part of our crime prevention program, the use of the Surveyor 7 computerized telephone calling device. The Surveyor 7 is a small 62K computer coupled with a telephone transmitter/receiver unit. The face of the computer con-

Each tape contains entries for two streets, one on each side, and there is a master tape with all phone numbers for that particular watch group. The tapes are filed by watch group and backed up by both a computer disk and a printed list.

Should a neighborhood watch alert become necessary, the tape cassette of the street or group to receive information is placed into the transmitter and the numbers are automatically fed into the Surveyor. The number tape is then removed and a voice tape (which is made on the unit) containing the specific message is placed into the transmitter. The Surveyor is wired into a dedicated phone line and begins to call each number when the auto call command is given. When the telephone is answered, the voice tape

ess can handle up to three questions and answers, plus the initial message.

Updating and Editing Tapes

Our community experiences a residential turnover rate of 7 to 10 percent. One of the obvious problems created by this turnover rate is maintaining an accurate phone list. The Surveyor 7 editing capabilities have eliminated this problem. Phone number tapes of the street requiring a revision are placed into the Surveyor 7, and the unit is placed into an edit mode. Each number is displayed and either totally deleted or changed without disturbing other numbers on that tape.

Setup time for the Surveyor 7 is minimal, and a basic element of crime prevention—communication—is accomplished effectively, accurately, and perhaps best of all, cost effectively. The initial investment is approximately \$7,000, plus a dedicated phone line. This system has allowed our department to relay messages to individual citizens quickly and accurately. It has reduced the time necessary for individual officers to make telephone calls and has met with a favorable response from our citizens.

Additional Programs

In the time the Surveyor has been employed, other programs have been developed. When burglaries occur on a particular street, residents are called and given specific information. Department policy allows for resi-

Burglary in Mt. Lebanon 1978-1983

	1978	1979	1980	1981	1982	1983
Reported.....	199	221	283	269	160	128
Percent change..		11%	28%	-5%	-41%	-21%

tains a touch pad similar to a telephone, with several additional keys. Telephone numbers obtained from members of each watch group are fed into the computer through regular cassette-type recording tapes by volunteers from the watch groups. This involves simply entering each telephone number and pushing the enter code. Streets are first entered alphabetically and then numerically by house number. When a street has been entered, those numbers are then permanently recorded on the cassette tape.

gives the resident the prerecorded message. Each call is documented on a printer by phone number, time called, and time answered. If the call is not answered, the Surveyor calls back three times. An update of total number of calls entered, answered, unanswered, or to be placed is printed every 15 minutes. The device can be programmed to call only during certain hours of the day, ensuring that no calls will be transmitted during late or unusual hours.

An added feature of the unit allows for a question-and-answer program to be incorporated into the initial call. The prerecorded tape will ask a question and wait for the response of the individual being called. This proc-

"Since the inception of the crime watch program, a noticeable reduction in burglary and vandalism has occurred."

dents to be given all available information including where the burglary occurred, a complete description (if available) of burglar and vehicle, point and method of entry, time, date, and articles taken. Anyone with information is encouraged to call the detective unit directly. Investigators can now canvass several streets around the crime scene with the Surveyor 7; the savings in man-hours is impossible to estimate.

Lost Children

When the department receives a lost or missing child report, the Surveyor is used to contact several streets around the area in which the child was last seen. Residents receive a complete physical description of the child and are asked to check around the perimeter of their property. Within a very short time, 40 or 50 individuals begin assisting the department in the search, reducing the need for P.A. announcements from radio cars.

Bunko Operations

A fraudulent prescription operation was recently uncovered involving individuals who purported to be relatives of recently deceased persons. The suspect would call a local doctor stating that he was in town for the funeral, had run out of a prescribed medicine, and would need a prescription to "hold him over" until after the funeral. Because of this problem, local doctors have consented to having their telephone numbers stored on a special tape. If this bunko operation occurs, all doctors within our area can be notified within minutes. This idea can also be adapted to problems with pharmacies, banks, or businesses to curtail bad checks, retail theft, or quick-change artists.

Blind and Physically Handicapped Persons

We are now developing a blind and physically handicapped program in which weekly contact will be maintained with those persons in our community who have physical handicaps that restrict their mobility or confine them to their homes. The device will be used not only for checking on the health of the physically handicapped but also as a method of passing on special safety information.

Notification of Neighborhood Watch Meetings

Using the master tape, residents are notified of the location, date, time, and subject of neighborhood watch meetings. This is done bimonthly to keep residents informed of changing crime patterns within their particular area and is a reinforcement of the neighborhood watch concept. It is a valuable aid in maintaining the residents' participation in the program and has resulted in larger watch meeting attendance.

Emergency Notifications

This system can also be used in other emergencies, i.e., chemical spills, hazardous waste accidents, or other unforeseeable emergencies which may require evacuation of certain areas. It is also used to provide emergency general callouts of police officers or for special squads, such as SWAT, fatal accident teams, etc.

Summary

The need to communicate information to members of neighborhood watch groups is critical to the success of these types of programs. Traditional methods of pyramid telephone chains, while effective for very small programs, are not suited to communitywide efforts. The use of a marketing device previously thought to have application only in the private sector has provided an efficient, reliable, and cost-effective method of providing direct communication with the citizens of our community. Its uses are unlimited, and most importantly, adaptable to police departments of all sizes. It also provides immeasurable assistance to the department during police emergencies and other unforeseen events.

FBI

Missing the Boat

By

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Do you think the Uniform Crime Reports are something the bureaucrats down the road use? Do you use them for lighting fires, feeding the paper shredder, or filling your file cabinets? If so, you're missing the boat to making informed administrative and operational decisions.

A significant number of law enforcement agency administrators continue to ask how the Uniform Crime Reports (UCR) can benefit their agencies at the local level. This article strives to answer that question, as well as stimulate your thoughts about the use of UCR data within a law enforcement agency.

UCR can be of value at the local level to provide an administrator with a statistical picture of serious crimes committed within his jurisdiction. This information, as well as the value of property stolen, is readily available when the Uniform Crime Reports are properly prepared. UCR-documented arrest data provide useful information regarding offense classification, race, sex, and ethnic origin from which offender profiles can be developed. Other indicators of an agency's success in solving crime problems include the number of crimes cleared by agency personnel and the value of property recovered.

Another use of UCR data at the local level is in the area of personnel resource allocation (manpower). A skilled law enforcement agency administrator uses such information to determine what types of crimes are occurring, what time they are taking place, and what percentage of reported crime is occurring during a particular shift. The administrator may then assign the proper ratio of officers for duty during these critical time periods. Additionally, the monthly Uniform Crime Reports can be the basis upon which an agency establishes its selective enforcement priorities.

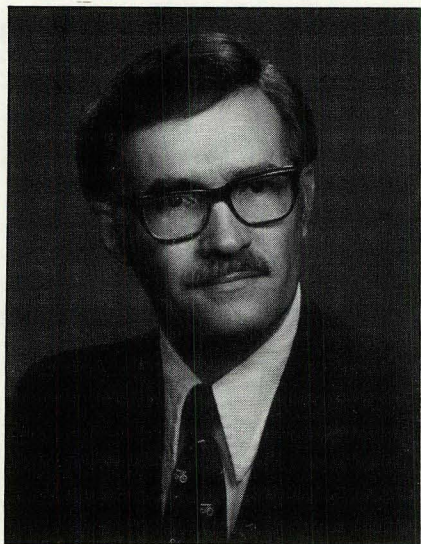
Having an adequate number of officers to perform those duties and responsibilities placed upon the agency by the public and the community's governing body is essential. Accurate Uniform Crime Reports can be used to present clear justifications for additional personnel, equipment, etc., to those persons who control the purse strings. Support personnel necessary for smooth operation of the agency, such as latent impression examiners, crime analysts, laboratory technicians, photographers, and secretaries, can also be determined using UCR data in conjunction with other information.

What about crime prevention? If

the agency administrator does not know what crime problems confront the agency, how can logical actions be taken to prevent those crimes from occurring? More importantly, is the public informed about what they can do to prevent crimes that occur in their community?

How does a competent law enforcement administrator determine the agency's budget needs and justify those needs? UCR data can be a vital component in this budget process when properly used. For example, how many Part I crimes will the agency investigate during the next budget year and how long does it take, on an average, for an officer to conduct only the preliminary phase of each investigation? By multiplying the time factor for each offense classification to an average hourly salary paid to those officers, the total personnel costs of preliminary investigations can be computed. This calculation is applicable when determining the costs of all calls for service responded to by the agency.

How are the training needs of the personnel in your agency determined? One method would be to compare the arrest data from your agency's UCR submissions to the number of cases accepted or rejected by the prosecutor,



Mr. Stone

the number of cases presented to a grand jury and/or a court, as well as conviction data obtained from the courts. If a significant number of cases were refused prosecution, a review of those cases might indicate questionable arrests, unlawful searches, poor report writing, excessive use of force, etc. A consultation with the prosecutor should prove useful in identifying those areas where training could improve the overall effectiveness of agency personnel and demonstrate interagency cooperation beneficial to the general public. If a criminal goes free because of a technical error committed by the investigating officers, it is the agency administrator's responsibility to ensure that the officers do not make the same mistake again. This problem can be solved with proper training by a supervisor, field training officer, or by classroom instruction. Practical problems are an effective tool to allow an officer to demonstrate his ability to perform those tasks for which he has been retrained.

UCR statistics also identify those specialized categories of crime where training is necessary to elevate an officer to a specific level of compe-

tence. These types of crime include computer crime, white-collar and organized crimes, narcotics smuggling, terrorist activities, etc. A street officer can deal lawfully and effectively with persons who commit those kinds of crime when properly trained.

Planning is another area in which law enforcement agencies benefit from its own UCR data. Predicting an agency's probable criminal workload for future years can be accomplished with various mathematical formulas and accurate statistical information derived from UCR. Once again, associated costs can be computed for determining budget needs 4 to 5 years ahead. This type of information is vital to the development of a more comprehensive plan regarding the future financial needs of the agency.

“Uniform Crime Reports . . . can be an effective management tool for law enforcement agency administrators.”

How are the equipment needs of your agency determined? Will a machine do a particular task faster, with fewer errors, and less expensively than a human being? Will a machine enhance the department's service to its jurisdiction or make the officer on the street more effective in duty performance? How does an administrator begin to determine whether a new piece of equipment is needed by the agency? The answers can be summed up in one word—information—information that is already available from UCR.

Administrators of neighboring law enforcement agencies are probably

facing similar, if not the same, problems you are. It would, perhaps, serve a useful purpose if all of the regional administrators discussed those common problems. The impact may be greater if everyone worked together with a common goal of eradicating a particular type of crime through the exchange of information. When meetings of this nature take place, UCR data can be a base from which administrators may work.

Conclusion

Uniform Crime Reports, when used at the local level, can be an effective management tool for law enforcement agency administrators. This data, combined with other information, allow departments to make rational decisions affecting the day-to-day operations of the agency. This may include revisions to a report writing manual, establishing and/or revising policy and procedure, conforming to UCR standards and applying those same standards when reporting crime data and clearing cases, instituting new inservice training programs for street officers, or a review of the agency's crime prevention efforts. Other uses may be records system improvements or the setting of realistic goals predicated upon accurate statistics in usable form. The imagination is the only limiting factor regarding the use of UCR information by the agency that produced it.

Problem solving begins with identifying problems. UCR data can help you identify these problems. If you are an agency administrator, in a midmanagement position, or a supervisor, the Uniform Crime Reports prepared by your personnel can assist you in making administrative and operational decisions. Don't miss the boat! But even more important, don't ride in a boat that has no rudder. As the rudder directs the course of a boat, likewise the use of your agency's Uniform Crime Reports can direct the course of action your agency takes in providing quality law enforcement services to the people you serve.

FBI

The Collective Knowledge Rule

“ . . . the collective knowledge of the agency rule should be applied only where the knowledge or information possessed within the agency pertains to the offense for which an arrest, search, or detention was made.”

Every law enforcement officer knows the importance of probable cause. The fourth amendment to the U.S. Constitution expressly states that no arrest warrant or search warrant may be issued unless supported by probable cause.¹ The probable cause requirement also applies to an arrest made without a warrant,² to a search of a vehicle conducted under the vehicle exception to the warrant requirement,³ and to most warrantless emergency searches.⁴

The Supreme Court has recently emphasized that probable cause is a “common sense, practical question.”⁵ Probable cause is based on “the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act.”⁶ Consequently, probable cause is judged by the “totality of the circumstances.”⁷

When applying for a warrant, an officer generally will have available not only the results of his own investigation but also relevant facts that were collected by fellow law enforcement officers and related to him. The combined collection of facts relevant to the establishment of probable cause may be communicated to the issuing magistrate in an affidavit or complaint. When the warrant is challenged, the general rule is that only the collective knowledge stated in the affidavit or complaint may be considered in testing the probable cause de-

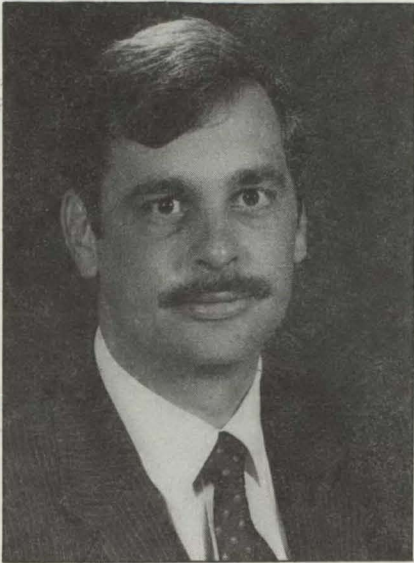
termination of the magistrate. Additional collective knowledge of the officers existing at the time, but not submitted in the affidavit or complaint, may not be considered to justify the issuance of the warrant.

In contrast, when an officer conducts a search or executes a seizure *without a warrant*, there may be no opportunity beforehand to acquire all the collective knowledge of other officers which might be relevant to probable cause. Thus, the question arises: When the officer is subsequently called upon to testify as to the factual basis to support the warrantless search or seizure, may the collective knowledge of fellow officers, unknown to that officer at the time of such warrantless action, be used to satisfy the totality of the circumstances test? The general answer is “yes.” Unlike the affidavit or complaint, the search or seizure without a warrant may be tested according to the totality of information available, the collective knowledge of all of the officers at the time, and not just knowledge collected by and communicated to the arresting or searching officer prior to the arrest or search.

The Supreme Court case which first raised this issue was *Whitely v. Warden*.⁸ In *Whitely*, the sheriff of Carbon County, WY, investigated the reported burglary of two businesses in Saratoga, WY. The sheriff received a “tip” that Harold Whitely and Jack

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



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Daley were responsible for the burglaries. Based on that tip, the sheriff filed a complaint with a justice of the peace and an arrest warrant was issued for Whitely and Daley. The Carbon County sheriff thereafter had a bulletin issued over the State police radio network advising all other Wyoming law enforcement officers of the existence of the warrant and providing a description of the suspects and the car the suspects were believed to be driving. An officer in Laramie, WY, learned of the bulletin, and later the same day, after seeing Daley whom he recognized from prior contacts, stopped and arrested both Whitely and Daley. A search of the car in which Whitely and Daley had been riding produced a number of items which were admitted into evidence against Whitely at his State trial for burglary. In a series of appeals, Whitely contended that the complaint filed by the Carbon County sheriff failed to establish probable cause for his arrest. Ultimately, the Supreme Court agreed. The Supreme Court found that complaint to be fatally conclusory and lacking any operative fact upon which probable cause could be based.⁹ Wyoming argued, however, that the Laramie police officer was nonetheless justified in making the arrest based on the contents of the State police radio bulletin. The arrest was valid, the State argued, because once the arresting officer reasonably believed the men he saw were the men named in the bulletin, he was entitled to presume that whoever authorized the bulletin had probable cause to substantiate the subsequent arrest. In analyzing the issue, the Supreme Court held:

"We do not, of course, question that the Laramie police were entitled to act on the strength of the

radio bulletin. Certainly police officers called upon to aid other officers in executing warrants are entitled to assume that the officers requesting aid offered the magistrate the information requisite to support an independent judicial assessment of probable cause. Where, however, the contrary turns out to be true, an otherwise illegal arrest cannot be insulated from challenge by the decision of the instigating officer to rely on fellow officers to make the arrest."¹⁰

Even though the Supreme Court found the arrest to have been invalid, it made it clear that an arrest made at the request or direction of another officer who possesses probable cause is a valid arrest, even though the arresting officer does not personally have knowledge of the facts establishing probable cause. This idea has been developed in other cases and identified as the collective knowledge rule.

A question unanswered by the Supreme Court in *Whitely v. Warden*, however, is: Absent a request or directive to act from officer A to officer B, may the knowledge possessed by officer A be used in a subsequent determination of probable cause to support a warrantless arrest or search made by officer B when the knowledge then possessed by officer A is not known to officer B until after the arrest or search? The lower courts have answered "yes" and applied the collective knowledge rule to such circumstances.

All jurisdictions where this issue has arisen employ some form of the collective knowledge rule. Additionally, the collective knowledge rule has been expanded to permit the pooling of police information not only in warrantless arrest situations and warrant-

“... an arrest made at the request or direction of another officer who possesses probable cause is a valid arrest, even though the arresting officer does not personally have knowledge of the facts establishing probable cause.”

less searches requiring probable cause but also to investigative detentions. The remainder of this article will examine the collective knowledge rule as interpreted and applied by the courts in cases where the issue has been raised.

Collective Knowledge of Officers Involved in a Common Investigation—No Communication Required

The variations of the collective knowledge rule can be broken into five major categories. The first category of cases permits the collective knowledge of the police to be pooled only where the officers whose knowledge or information is collectively used are participating in a common or joint investigation, arrest, or search.

Illustrative of the cases in which this approach was taken is *United States v. Gilbert*.¹¹ In *Gilbert*, a motorhome in which the defendant was riding was stopped by FBI and Bureau of Indian Affairs (BIA) Agents based on their earlier observations that the occupants participated in the looting of a business during a period of civil unrest on the Pine Ridge Indian Reservation. After the stop of the motorhome, an FBI Agent observed certain items in the motorhome which led to the arrest of the occupants. The motorhome was then taken to the BIA offices nearby and further searched the following day by a different FBI Agent without a warrant. The court, in deciding the legality of the second search, held that the limited knowledge of the second FBI Agent “was not sufficient probable cause to permit him further to search the vehicle, unless the collective and uncommunicated knowledge of [the initial Agents] may be used as a basis of [FBI Agent] Price’s search and seizure. Be-

cause it is the collective knowledge, rather than the officer’s individual knowledge, that governs, the searches and seizures by Price were valid.”¹²

A similar rule has been applied by courts in reviewing whether the police possessed reasonable suspicion to stop a person believed to be a fugitive for whom the police had a warrant. In *United States v. Merritt*,¹³ a surveillance by a team of officers resulted in several officers observing the defendant engage in suspicious behavior while driving in the vicinity of the house under surveillance. Other officers were provided information by occupants of that house concerning the anticipated return to the house by the defendant. A stop was made of the vehicle in which the defendant was riding. The court upheld the stop, finding the police possessed the requisite reasonable suspicion to stop the defendant based on the collective knowledge of all the police involved in this particular investigation rather than the sole knowledge of the officer who physically made the stop.

Though the Supreme Court has not squarely faced the question, a recently decided case indicates that the present Supreme Court would permit use of the collective knowledge rule at least where the probable cause existed among all the officers cooperating in an investigation. In *Illinois v. Andreas*,¹⁴ a defendant challenged his narcotics conviction following the discovery by U.S. Customs officials of narcotics concealed in a table which the defendant had apparently shipped to himself from Calcutta, India. The defendant argued that when DEA agents were notified by the Customs officials of the discovery of the narcotics and the decision was made to reseal the container and make a con-

trolled delivery to the defendant, the DEA agent who ultimately arrested him and reopened the container did not witness the sealing of the container, and therefore, did not personally possess probable cause to believe the container had contraband inside. Though the Supreme Court decided the case on different grounds, it answered the defendant’s argument by saying, “[w]here law enforcement authorities are cooperating in an investigation, as here, the knowledge of one is presumed shared by all.”¹⁵

The numerous courts which have adopted the joint investigation collective knowledge rule have applied the rule where the common investigation was conducted by members of a single agency¹⁶ or multiple law enforcement agencies,¹⁷ so long as the officers are “participating,”¹⁸ “involved,”¹⁹ “in close coordination,”²⁰ “in close concert,”²¹ or “in a cooperative effort”²² with each other, even though the information critical to probable cause or reasonable suspicion has not been shared among the participants.²³ Thus, as long as it can be shown that information sufficient to form probable cause or reasonable suspicion exists among all the law enforcement personnel involved in a particular investigation, even though the facts supporting probable cause or reasonable suspicion do not necessarily reside in any single officer’s mind, a warrantless arrest, search, or detention may be supported later by the totality of the collected facts existing at the time of the event.

Collective Knowledge of Officers in a Common Investigation—Some Communication Required

The cases discussed above require only that the officers be participating in a common investigation

“ . . . courts do not require the specific facts constituting probable cause or reasonable suspicion to have been communicated . . . rather, they require only that there was some communication among the officers participating in the investigation prior to the warrantless action.”

before the collective knowledge rule is invoked to support a warrantless search or seizure. There is no requirement that any of the facts constituting probable cause or reasonable suspicion must have been communicated to the officer who actually makes the warrantless arrest, stop, or search. In fact, communication among the officers involved is not required at all under the previous rule. However, the second category of cases under the collective knowledge rule requires some degree of communication by the participating officers before the collective knowledge rule can be invoked.

The case of *United States v. Woods*²⁴ is an example. In *Woods*, law enforcement officials were investigating a narcotics conspiracy that eventually led to the arrest and conviction of 17 defendants. A challenge was made by the defendants that their warrantless arrests were not founded on probable cause because the arresting officers did not personally possess sufficient facts to justify the arrests. The Sixth Circuit Court of Appeals rejected that argument and relied on the collective knowledge rule. The court said:

“ . . . when a group of agents in close communication with one another determines that it is proper to arrest an individual, the knowledge of the group that made the decision may be considered in determining probable cause, not just the knowledge of the individual officer who physically effected the arrest . . . [W]e do mutually impute the knowledge of all agents working together on the scene and in communication with each other.”²⁵

Thus, this category of collective knowledge rule cases is more restrictive than the first since courts adopting this view require not only that the

law enforcement officers be involved in a joint investigation but also that there be some communication among them before the warrantless arrest or search is made.²⁶ However, courts do not require the specific facts constituting probable cause or reasonable suspicion to have been communicated to the arresting or searching officer before he acted; rather, they require only that there was some communication among the officers participating in the investigation prior to the warrantless action. For example, in *United States v. Soto*,²⁷ a stop and a subsequent arrest were sustained over the defendant's objection based on the participating officers' collective knowledge, not all of which had been communicated to the acting officer at the time of the stop, because the investigation had “been under way for two weeks” and the participating officers had been “in regular communication with one another. . . .”²⁸ This rule was also clearly stated in *State v. Clark*,²⁹ where the Kansas Supreme Court invoked the collective knowledge rule, finding probable cause existed among all the officers involved in a coordinated investigation and that communication existed among the group, even though “every link or officer in the chain may not have had all the information available about [the defendant] or the crime.”³⁰

A second important point—in addition to the fact that communication of the specific facts constituting probable cause or reasonable suspicion does not have to be communicated to the acting officer beforehand—is to note the degree of communication which is required. Generally, the courts require only a small amount of communication among participating officers. For example, in *United States v. Head*,³¹ Customs agents radioed

their observations and information to Border Patrol agents who then stopped and detained a truck driver. On appeal, following a conviction for illegal importation of aliens, the Fifth Circuit Court of Appeals sustained the detention, saying that reasonable suspicion could be predicated on the collective knowledge of those involved, even where a “minimal quantum of reliable information” has been communicated.³² Similarly, *United States v. Luck*³³ found the required degree of communication satisfied merely by the officer in charge of the investigation monitoring the radio broadcasts of the surveillance team. Other courts have also held that the communication necessary between participating officers need only be minimal,³⁴ or even more generally, that there need be only “some degree of communication”³⁵ before the collective knowledge rule will be applied.

Collective Knowledge of the Entire Organization—No Communication Required

A third group of cases involving the collective knowledge rule allows probable cause or reasonable suspicion to be more broadly based upon the collective knowledge possessed by the entire department, agency, or organization for which the acting law enforcement officer works rather than just the collective knowledge of officers participating in a common investigation or those officers working jointly and in communication with one another. The leading case in this group is *Smith v. United States*.³⁶ In *Smith*, information possessed by two Bureau of Narcotics agents in different cities was held to constitute probable cause to arrest. The Circuit Court of Appeals for the District of Columbia rejected the defendant's challenge to probable

cause, citing the collective knowledge rule. The court ruled that probable cause for a warrantless arrest need not be judged solely on the arresting officer's individual knowledge or information at the time of arrest. Rather, "[t]he correct test is whether a warrant if sought *could have* been obtained by law enforcement agency application which disclosed its corporate information. . . ." ³⁷ Thus, the court recognized that probable cause to support the arrest could be drawn from facts known to the entire department or agency at time of arrest, even when the "corporate" probable cause is not known to the arresting officer at the time the warrantless arrest is made. The same rule has been applied in the sixth circuit in the case of *United States v. McManus*.³⁸ The *McManus* court cited *Smith v. United States* and upheld a warrantless arrest based on probable cause possessed by the entire law enforcement agency but unknown to the arresting officer at the time he made the arrest.

This rule was also recently adopted by the Minnesota Supreme Court in *State v. Conaway*.³⁹ There, the defendant contested his conviction for possession of burglary tools discovered upon execution of a search warrant. The defendant contended that the seizure of the burglary tools was improper because the probable cause for the issuance of the search warrant was dependent upon items discovered, incident to his warrantless arrest, in the trunk of the loaner car which the defendant had been driving. In upholding the warrantless arrest, the Minnesota Supreme Court applied the collective knowledge rule and held:

"In a metropolitan environment, with many police and fast-moving criminal activities, it is unrealistic to

demand that each officer in the department personally know all the facts necessary to justify an arrest. The right to act must be judged by the total knowledge of the police department.

"Under the 'collective knowledge' approach, the entire knowledge of the police force is pooled and imputed to the arresting officer for the purpose of determining if sufficient probable cause exists for an arrest. . . . The operative question is whether the police—as a collective body—have probable cause at the time of the arrest." ⁴⁰

Thus, a few courts extend the collective knowledge rule to include the collective but uncommunicated knowledge possessed by the entire law enforcement organization rather than limiting it to the knowledge possessed by the arresting or participating officer. However, as a general proposition, the collective knowledge of the agency rule should be applied only where the knowledge or information possessed within the agency pertains to the offense for which an arrest, search, or detention was made.⁴¹

Collective Knowledge of the Agency—Communication Required

At least one court has added a requirement that there must be communication between officers before the collective knowledge of the entire agency may be considered to support a warrantless search or seizure. In *Poindexter v. Wolff*,⁴² an arrest was upheld as being based on probable cause, even though a previously issued arrest warrant was held to be invalid. The court examined the probable cause and concluded, ". . . it is the collective knowledge of the police force, not merely the personal knowl-

edge of the arresting officers, that is to be used . . . [S]ome communication, however, needs to have been had between the officers having actual knowledge . . . and the arresting officers before the arrest." ⁴³ The court also answered the question of how much communication was necessary, saying that merely informing the arresting officers of the existence of the warrant, even though it turned out to be invalid, was sufficient.⁴⁴ Two other courts have also suggested that communication is a prerequisite to use of the collective knowledge of the entire agency.⁴⁵

Reasonable Belief that Probable Cause Exists

The cases discussed previously, though differing in the breadth of information upon which probable cause or reasonable suspicion can be based (i.e., the officers involved versus the organization as a whole), and whether communication is required, ultimately relied upon the collective knowledge rule to uphold the warrantless action.

A few State courts have imposed one additional requirement before sanctioning the collective knowledge rule to justify a warrantless action. These courts mandate that prior to effecting a warrantless arrest, search, or detention, an officer must have reasonable belief that other officers then have sufficient cause to justify such action. For example, in *State v. Mickelson*,⁴⁶ Officer Johnson detained the defendant during the execution of a search warrant at a house not believed to be the defendant's residence. During the search of the house, Officer Chaney discovered items linking the defendant with a room in the house and subsequently discovered narcotics and paraphernalia in the same room. Officer Johnson

“ . . . the communication necessary between participating officers need only be minimal . . . there need be only ‘some degree of communication’ before the collective knowledge rule will be applied.”

briefly went to the room Officer Chaney was searching and learned from Chaney that the defendant was associated with the room, but apparently did not learn of Chaney's discovery of the narcotics. Johnson returned to the defendant, searched her purse, and discovered further illegal drugs. The defendant challenged the probable cause for the warrantless search of the purse, claiming Johnson did not personally possess facts supporting probable cause to search. The Oregon Court of Appeals held that the search of the purse was invalid. The court acknowledged the existence of a collective knowledge rule but required that an officer must “reasonably believe that his fellow officers have probable cause before he arrests or searches on the basis of their knowledge.”⁴⁷

Similarly, the Arizona Court of Appeals has held that “probable cause may be based upon the collective knowledge of law enforcement officers only when the officer who takes action correctly believes or has reason to believe that other officers have knowledge that justifies the action.”⁴⁸

The few courts which have adopted this approach apparently require that an officer have probable cause to believe probable cause exists. It is a stricter requirement than the previously discussed cases and is designed to prevent an officer from arresting a person on the mere hope that probable cause to support the arrest exists somewhere.⁴⁹

Summary

No reported decision in which the collective knowledge rule was raised has declined to recognize its use in attempting to subsequently justify warrantless action. The rule, in various forms, allows an officer to include in-

formation possessed by other officers in the justification for a warrantless arrest, search, or investigative detention. The acting officer may use the collective information from fellow officers, even though the specific facts constituting probable cause or reasonable suspicion had not been communicated to him before he effected the action.

Since the lawfulness of any police action is dependent on the facts articulated by the officer, it is imperative that the officer relate all relevant facts. When information relevant to probable cause or reasonable suspicion is possessed by other officers at the time of a warrantless search or seizure, but unknown to the acting officer at that time, the officer should take advantage of the collective knowledge rule by gathering the information possessed by his fellow officers and offer those additional facts when testifying in support of the warrantless action.

However, as we have seen, courts have developed five variations on the collective knowledge rule. The five variations are: 1) Collective knowledge of those officers involved or participating in a joint or common investigation; 2) collective knowledge of those officers jointly involved and who have engaged in at least a minimal amount of communication; 3) collective knowledge of the entire police department, agency, or organization; 4) collective knowledge of an entire police or investigative agency where some degree of communication regarding the action taken has occurred; and 5) collective knowledge when law enforcement officers act upon the reasonable belief that probable cause does exist within the knowledge of other officers.

Unfortunately, the courts have failed to provide any meaningful dis-

cussion of the rationale which underlies the rule. Despite the courts' failure to articulate a clear rationale for the collective knowledge rule, it has been accepted and used as a reasonable basis for justifying warrantless law enforcement action. The collective knowledge rule addresses the exigencies of law enforcement by allowing an officer to justify a warrantless action on the information possessed by fellow officers at the time of his action but not then available to him. It recognizes the need for a warrantless response based upon information which might be included in a complaint or affidavit by an officer who has the luxury of time to collect that information and present it to a magistrate to obtain a warrant. If such justification were not permitted and warrantless searches or seizures were limited to situations where the officer was acting on facts constituting probable cause or reasonable suspicion only in his personal possession, much police activity vital to society could not be performed. Law enforcement is simply too complex and fast-moving to function under such a restrictive and stifling rule, and courts addressing this issue have apparently concluded that society would be inappropriately disadvantaged by such a hypertechnical approach.

The lack of a clear court-enunciated rationale and the multiple variations of the rule make it difficult for law enforcement officers to predict which variation will be followed by the courts of their respective jurisdictions. To alleviate this problem, it is suggested that whenever possible, law enforcement officers attempt to satisfy the strictest variation of this rule. In meeting the strictest test, the requirements of each of the other variations will also be met.

The strictest of all the variations, i.e., reasonable belief that probable cause exists in the collective knowledge of fellow officers, can readily be met by professional law enforcement officers. Officers should not take warrantless actions upon the remote hope that someone else will have facts to justify them. Rather, they should act on an informed basis, guided by their training and experience. Additionally, the use of modern communication techniques and equipment available even to small departments will make it more likely that at least portions of the facts constituting probable cause or reasonable suspicion will be available to and known by the officer when he/she acts. Those communicated facts, when articulated at a subsequent judicial review, may form the basis for the reasonable belief that probable cause does indeed exist in the collective knowledge of all the officers, thereby satisfying even this strictest test.

The collective knowledge rule can be of great benefit to law enforcement. An officer's attention to facts possessed by other officers, the communication which existed among officers, and even the information possessed by and communication within his/her department will lead to more successful prosecutions and will minimize the chances that evidence will be suppressed or that stops, arrests, or searches will be ruled invalid.

FBI

Footnotes

¹ U.S. Const. amend. IV provides: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized."

² See, *Whitely v. Warden*, 401 U.S. 560, 566 (1971).

³ See, *Chambers v. Maroney*, 399 U.S. 42 (1970); *Carroll v. United States*, 267 U.S. 132 (1925).

⁴ See, *Schmerber v. California*, 384 U.S. 757 (1966).

⁵ *Illinois v. Gates*, 103 S.Ct. 2317, 2328 (1983).

⁶ *Id.*, citing *Brinegar v. United States*, supra, 338 U.S. at 175.

⁷ *Id.*

⁸ 401 U.S. 560 (1971).

⁹ *Id.* at 565.

¹⁰ *Id.* at 568.

¹¹ 378 F.Supp. 82 (D. South Dakota 1974).

¹² *Id.* at 88.

¹³ 695 F.2d 1263 (10th Cir. 1982), cert. denied, 103 S.Ct. 1898 (1983).

¹⁴ 103 S.Ct. 3319 (1983).

¹⁵ *Id.* at 3324, n.5.

¹⁶ See, e.g., *United States v. Merritt*, supra note 13.

¹⁷ See, e.g., *Woodward v. State*, 35 Cr.L. 2004 (Tex. Ct. Crim. App. 1984) (separate local police departments); *United States v. Wright*, 641 F.2d 602 (8th Cir. 1982), cert. denied, 451 U.S. 1021 (1982) (local police and Federal agency); *United States v. Gilbert*, supra note 11 (separate Federal agencies).

¹⁸ See, e.g., *United States v. Neumann*, 585 F.2d 355 (8th Cir. 1978).

¹⁹ See, e.g., *Woodard v. Sargent*, 567 F.Supp. 1548 (E.D. Arkansas 1983); *United States v. Troutman*, 458 F.2d 217 (10th Cir. 1972).

²⁰ See, e.g., *State v. Washington*, 602 P.2d 1377 (Kansas 1979).

²¹ See, e.g., *United States v. Bernard*, 623 F.2d 551 (9th Cir. 1980).

²² See, e.g., *Commonwealth v. Dussault*, 311 N.E.2d 662, 665 (Mass. App. 1974).

²³ See, *United States v. Bernard*, supra note 21.

²⁴ 544 F.2d 242 (6th Cir. 1976), cert. denied, 430 U.S. 969 (1977).

²⁵ *Id.* at 260.

²⁶ See also, *United States v. Perkins*, 608 F.2d 1064 (5th Cir. 1979); *United States v. Clark*, 559 F.2d 420 (5th Cir.), cert. denied, 434 U.S. 969 (1977); *United States v. Morquecho*, 474 F.Supp. 1134 (S.D. Texas 1979).

²⁷ 591 F.2d 1091 (5th Cir.), cert. denied, 442 U.S. 930 (1979).

²⁸ *Id.* at 1098.

²⁹ 544 P.2d 1372 (Kansas), cert. denied, 426 U.S. 939 (1976).

³⁰ *Id.* at 1379.

³¹ 693 F.2d 353 (5th Cir. 1982).

³² *Id.* at 359.

³³ 560 F.Supp. 258 (N.D. Georgia 1983).

³⁴ See, e.g., *United States v. Agostino*, 608 F.2d 1035 (5th Cir. 1979); *United States v. Vasquez*, 534 F.2d 1142 (5th Cir.), cert. denied, 429 U.S. 979 (1976); *United States v. Kreimes*, 649 F.2d 1185 (5th Cir. 1981); *State v. Phillips*, 436 A. 2d 746 (Vermont 1981).

³⁵ See, e.g., *United States v. Morquecho*, supra note 26; *United States v. Michel*, 588 F.2d 986 (5th Cir.), cert. denied, 444 U.S. 825 (1979).

³⁶ 358 F.2d 833 (D.C. Cir. 1966).

³⁷ *Id.* at 835 (emphasis in original).

³⁸ 560 F.2d 747 (6th Cir. 1977), cert. denied, 434 U.S. 1047 (1978). (But see *United States v. Woods*, supra note 24, where the sixth circuit seemed to limit the collective knowledge rule to information possessed by officers working together and in communication.)

³⁹ 319 N.W.2d 35 (Minnesota 1982).

⁴⁰ *Id.* at 40.

⁴¹ But cf., *United States v. Carr*, 445 F.Supp. 1383 (D. Connecticut 1978), aff'd, 584 F.2d 612 (2d Cir. 1978), cert. denied, 440 U.S. 935 (1979) (conviction on weapons charge upheld based on uncommunicated collective knowledge even though charge upon which initial arrest was made was dismissed for want of probable cause).

⁴² 403 F.Supp. 723 (D. Nebraska 1975), aff'd, 540 F.2d 390 (8th Cir. 1976).

⁴³ *Id.* at 729.

⁴⁴ *Id.*

⁴⁵ *United States ex rel. Scott v. LaVallee*, 379 F.Supp. 111 (S.D.N.Y. 1974); *Pritz v. Hackett*, 440 F.Supp. 592 (W.D. Wisconsin 1977).

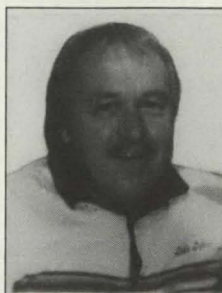
⁴⁶ 526 P.2d 583 (Oregon App. 1974).

⁴⁷ *Id.* at 584. See, also, *State v. Porter*, 570, P.2d 396 (Oregon App. 1977).

⁴⁸ *State v. Ochoa*, 639 P.2d 365 (Arizona App. 1981).

⁴⁹ *Id.*

WANTED BY THE FBI



Photograph taken 1981



Photograph taken 1983



Photograph taken 1983

Gilbert James Everett

Gilbert James Everett, also known as Gib Everett, James Everett, Skip Everett, Richard Ray Gibson, Richard Ray Robinson, James Walfenbarger, and others

Wanted for:

Bank Robbery; Escaped Federal Prisoner; Interstate Transportation of Stolen Motor Vehicle

The Crime

Gilbert James Everett is an escaped Federal prisoner wanted for a series of armed bank robberies and auto thefts. On October 26, 1980, Everett escaped from the Knox County Jail in Knoxville, TN, where he was being held while awaiting trial for bank robbery. He is one of the FBI's "Ten Most Wanted Fugitives."

Three Federal warrants have been issued for Everett's arrest. The first warrant was issued on September 29, 1980, in Greenville, TN, charging him with violation of the escape and rescue statute; the second arrest warrant was issued on October 2, 1980, in Birmingham, AL, with two counts of interstate transportation of stolen motor vehicle; and the final warrant was issued on November 20, 1980, Orlando, FL, for bank robbery. Everett is also believed responsible for at least several other bank robberies in Kentucky, Tennessee, North Carolina, and Florida.

Description

Age..... 43, born June 26, 1939, Hamilton, OH.
Height..... 5'7".
Weight..... 185 pounds.
Build Husky.
Hair..... Brown, streaked with gray, curly and wiry in texture.
Eyes Brown.
Complexion Medium.
Race..... White.
Nationality..... American.
Occupations Car salesman, map maker, topographer.
Scars and Marks 2-inch scar on right wrist; tattoos: Red rose on outer middle right forearm, head of an Indian on outside of upper left arm; hair thinning on top; beard may have been shaved.

Social Security No. used 283-23-7243.
FBI No. 173 064 W4.

Caution

Everett, an alleged narcotics user and dealer, has been armed in the past with a .38-caliber revolver, which is often strapped to his leg or concealed in a hollowed-out book. An escapee from custody, he should be considered armed, dangerous, and an escape risk.

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.

Classification Data:

NCIC Classification:
POPM1320151PIP0042020

Fingerprint Classification:
13 0 21 W MOO 15
I 19 W OIO

I.O. 4867



Right index fingerprint

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Questionable Pattern

The questionable pattern presented here has some of the requirements for three different types of patterns. It could be a plain whorl, loop, or tented arch. In the Technical Section of the FBI's Identification Division, it is classified as a tented arch, inasmuch as the pattern lacks a ridge count across a looping ridge. Due to its borderline nature, the pattern would be referenced to a loop and a plain whorl.



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The Bulletin Notes

that on October 16, 1983, two Kingsport, TN, police officers responded to an altercation and found several stabbing victims. Due to one person's wounds, Patrolmen E. Paul Bowman and Thomas R. Wyrick transported this victim to the hospital immediately, and Officer Bowman administered mouth-to-mouth resuscitation to stabilize his condition. It was determined that the quick action of those officers saved this person's life, and the Bulletin joins these officers' superiors in recognizing their lifesaving actions.



Officer Bowman



Officer Wyrick