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SEPTEMBER 1968



# FBI

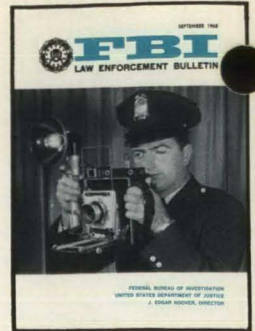
## LAW ENFORCEMENT BULLETIN



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

SEPTEMBER 1968

VOL. 37, NO. 9



THE COVER—An investigating officer photographs a crime scene. See page 12.

# FBI

LAW ENFORCEMENT BULLETIN

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# MESSAGE FROM THE DIRECTOR

MILLIONS OF COLLEGE STUDENTS are returning to campuses throughout the country to begin the fall semester. They represent both the hope and the shape of the future. From the standpoint of educational opportunities and intelligence, they are far better equipped than any preceding generation to participate constructively in developing solutions to the many complex problems confronting our Nation.

It can be expected that most of these young people will fulfill the promise they represent to us. In so doing, they will join hands with the millions of Americans of good will who actively seek meaningful solutions to our social life. If our joint progress in this regard is impeded and deterred, much of the trouble will come from a growing band of self-styled revolutionaries who are using college campuses as a base for their destructive activities. This comparatively small group of arrogant, hard-core militants have contempt for the majority and our democratic processes. They regard themselves as the nucleus of an elite dictatorial ruling class of the future.

These extremists openly avow that their aim is to overthrow the existing order. Under the guise of academic freedom and freedom of speech, they profess to seek a dialog, when actually what they seek is a confrontation with established authority to provoke disorder. Through these confrontations, they expect to smash first our educational structure, then our economic system, and finally our government itself.

It is vitally important to recognize that these militant extremists are not simply faddists or "college kids" at play. Their cries for revolution and their advocacy of guerrilla warfare evolve out of a pathological hatred for our way of life and a determination to destroy it. The workshops they hold on sabotage and how to use it to further their objectives are grim forebodings of serious intent.

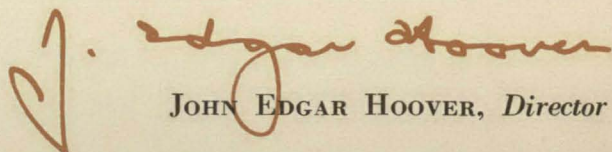
This New Left movement, as it is known, is growing both in numbers and varied forms of violence. Last spring, major disorders precipitated by the revolutionary adherents of the movement occurred on a number of college campuses. In the violent uprising at Columbia University, militant students and outsiders took over several buildings and committed senseless and deliberate destruction. The incident triggered similar disturbances on other campuses. Changes may be necessary and improvements in any institution can be made, but this is not the way to do it.

Encouraged by their "success" at Columbia, the anarchists in the New Left movement are boldly spreading the word that they intend to "create two, three, many Columbias," in the manner of one of their "heroes," Che Guevara, the Cuban revolutionary who cried "create two, three, many Vietnams!"

The main thrust of the New Left movement arises from the concerted efforts of the Students for a Democratic Society. Many of its members and some of its national leaders openly profess their faith in communist concepts and their determination to "restructure" our society. One of the militant spokesmen of this group stated, for example, that "perhaps 25 universities linked to the movement would be too much for the police—for the dominant class—and we would get what we demand."

The New Left leaders plan to launch a widespread attack on educational institutions this fall. They are relying on collegiate dissidents and militants to bolster and accelerate this drive. It would be foolhardy for educators, public officials, and law enforcement officers to ignore or dismiss lightly the revolutionary terrorism invading college campuses. It is a serious threat to both the academic community and a lawful and orderly society.

SEPTEMBER 1, 1968

  
JOHN EDGAR HOOVER, *Director*





# Let's Help Women Defend Themselves

By

**CAPT. COURTNEY A. ROBERTS**

**Police Department,  
Gainesville, Fla.**

**W**ith crime on the rise at alarming rates, we believe that law enforcement should use every possible means to inform citizens of situations that make them more vulnerable to attack.

The vulnerability of the fair sex, a prime target of criminal activity in every vein from purse snatching to rape, increases the responsibility of lawmen to educate the female popula-

tion in the art of evaluating their own weak points, making necessary corrections, and "reacting properly if suddenly exposed to criminal attack."

The answer could be found in a well-planned, carefully presented Personal Self Defense Course for Women. The Gainesville Police Department has such a program. Our program is based on actual police



**Captain Roberts.**

**FBI Law Enforcement Bulletin**



data from crimes against the females, plus information and suggestions that enable the average woman to see and overcome the weak points in her daily routine that may leave her and her possessions open to attack.

### ***Volunteer Instructors***

To be successful in presenting a course of this type, you need well-trained, interested personnel who do not mind donating their time and efforts to make their community more secure against crime. We have seven men in the program, all highly trained career officers, skilled in the act of self defense and hand-to-hand combat. These men donate 2 hours each week to make this program possible. In return they receive the satisfaction of knowing that they are contributing to the safety of the women they train, plus the knowledge that their department has taken a step further in its fight against crime.

### ***Great Interest Shown***

The city recreation center assisted us in opening the first course. The response was so great that some three hundred applicants had to be turned away. This was in January of 1967. We were able to train some 75 women in each class at that time.

As the course progressed, it became even more evident that our ladies had a great need for this information. An outline of the finest exercises for women that could be found was given on opening night. These exercises were to condition the body somewhat for the coming classes and to firm up badly neglected muscle tissue so that in a serious situation the ladies might have a better defense. The exercises were presented by a professional physical education major from the University of Florida—Miss Yvonne Conway. At the opening of each of the six classes that followed, Miss Con-

way put the ladies through 15 to 20 minutes of planned exercise. After 6 weeks of this type of conditioning, which was kept up during the week on an individual basis by each woman, there were remarkable results noted in the majority of ladies. Their energy increased, their daily routines became easier, and the physical fitness of most of the trainees improved. The exercise phase was well received.

In the opening class we discuss the seriousness of crime in general and specifically crimes against the person, using local cases for examples in all phases of the training.

### ***Car Defenses***

Our material covered the activities of the average woman in a normal working or home-life day and started with "car defense." This included the proper habit of keeping valuables in the car out of sight, locking the vehicle when unattended, checking it before entering at any time, and using the national distress signals of raising the hood and placing a cloth in the

rolled up window of the driver's side. Many women did not know how to find the hook latch. They had never changed a tire, and most did not know the distress signals. We made all the drivers run and get into their vehicles on opening night. Many had left them unlocked, and in these cars I had placed police officers on the rear floors. When the women entered without checking their cars, the officers raised up and grabbed them by the shoulders. Well, needless to say, after that there were no more unlocked vehicles!

### ***Home Defense***

Next, we used a complete lock display, that was donated by local merchants, to show the house locks that are very easy to open and those that are reasonably pick-proof, pointing out, however, that there is NO locking device that can positively secure a home from any and all possible entry. We showed the advantages as well as the disadvantages of chain locks and other flip-lock devices. This



Some simple but effective throws were demonstrated.



phase of training made quite an impression. Again, cases of entry from local crime files were used as examples.

### **Personal Crimes**

From this point, we explained our "Crime Alert" program, showing the need for all citizens to work together to fight crime and keep a clean community. Individual crimes that are directed at the female population in the main were brought to light, such as cases of purse snatching, prowling, flim-flam, rape, murder, and obscene telephone calls. The use of a common police whistle was recommended to ward off a possible attack or give warning in a purse snatching. For example, one of our graduate working girls had her purse snatched while shopping at a local shopping center. She quickly removed the small police whistle in her dress pocket and placed it to her lips, giving a mighty blast. The purse snatcher paused in flight, dropped the purse, and fled again at top speed. The blast of a whistle is also effective in discouraging an obscene telephone caller.

As the classes progressed, we tried to spotlight each possible defense that could be used and the most opportune moment to use it. We always emphasized, however, that no defense is foolproof. We stressed how important it is for the victim to keep her mind working, to remain as calm as possible, and to outwit the attacker.

### **Unarmed Tactics**

Finally, the use of unarmed techniques was taught. It should be noted that this is NOT a judo or karate training. Many moves, kicks, breaks, blocks, holds, and falls are borrowed from judo, karate, aikido, and yawara, but these moves are self-defense tactics only. Training was given in the use of the tear gas pen gun, firearms,



Chief William D. Joiner.

personal objects in the purse or on the person and "weapons" such as a shoe heel, a nail file, a belt buckle, and an umbrella. The proper striking technique, the proper placement of an effective blow, and the use of the feet, knees, hands, elbows, head, and teeth

to defend were also taught. Finally, some simple but effective throws were shown.

### **Keen Interest Shown**

The women were able to handle most of the material with ease. The interest was sky high and the response overwhelming, so much so that to meet the demand the police department has set up a regular schedule of self-defense classes for women. These classes include all age groups. We have had a Senior Citizen Defense Class and a Teenage Self-Defense Class with equal response. Of course, material has to be modified to fit the age group and the circumstance. We have also assembled special classes for nurses, since some aspects of their profession call for more advanced work in holds and locks.

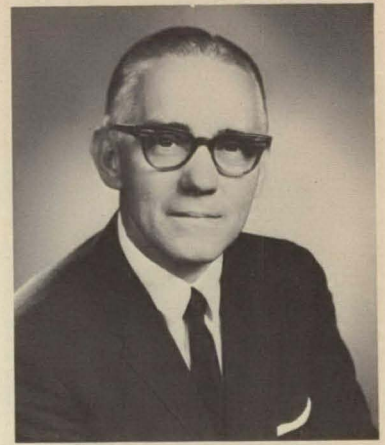
*(Continued on page 22)*



Police instructors taught the women how to use kicks in defending themselves.



This article is based on excerpts from a sermon given by Dr. Davis at the 15th Annual Interdenominational FBI Vesper Service at the National City Christian Church, Washington, D.C., on May 26, 1968.



Dr. Davis

## Religion and Law:

### The Universal Twins

By

DR. GEORGE R. DAVIS\*

Minister,  
National City Christian Church,  
Washington, D.C.

No answers will be found to the great problems facing this country until we reestablish solidly a respect for law and order. This is my personal commitment.

My personal commitment began more than 3 years ago as I watched the trends across our Nation and in the District of Columbia and as I related those trends to what knowledge I have of history. At that time I made a triple commitment:

First, that I would support the church as it exists in history, with all of the faults

and weaknesses to which even a Divine institution would fall prey in a human situation. I committed myself, in the second place, to a loyalty to my country's welfare and the system of life as we have known it here, also with its many weaknesses, because I felt, as Winston Churchill so clearly expressed it years ago, "Democracy is the worst form of government in the world, except for all the other forms." And my third commitment was to the way of law and order, which meant that I would not contribute in any way at all, if it could be avoided, to the conscious or unconscious attempt to tear our society apart.

It may be that some of the criticism of law enforcement is justified, but I would dread to think of our society at this point in history being without effective law enforcement. I would prefer to have whatever alleged police brutality which might be true over a great deal of criminal brutality.

No final answers to our national problems will be found by blocking streets, by riot and anarchy, or by the

violation of laws. If I have the right to break the laws I do not accept, then everyone else has the right to justify his disobedience to law simply by saying, "I am following my conscience."

I insist that if we are to have a society of order, then even the bad laws must be enforced until they are changed by orderly process. What I am doing, therefore, in this sermon, is not an attempt to impress you, but to express some of my most fundamental convictions and philosophies. I am speaking under the general theme, "Religion and Law: The Universal Twins," because of the very simple truth held within that title. Good religion supports law and good laws support religion. They belong together.

I requested the two lengthy passages so beautifully read a few moments ago by one of your representatives, one from the Old Testament,

\*Dr. Davis is a native of Topeka, Kans. He is a graduate of Phillips University, Enid, Okla., with A.B., M.A., and B.D. degrees. Dr. Davis also holds an honorary D.D. degree from Phillips and an honorary LL.D. degree from Midwestern University, Wichita Falls, Tex. Before beginning his ministry at the National City Christian Church in July 1961, Dr. Davis held major pastorates in Chickasha, Okla., St. Joseph, Mo., and Wichita Falls. He is an active participant and leader in missionary, civic, and religious programs on national and international levels. He is a staunch supporter of effective law enforcement and respect for law and order.



including the Ten Commandments, and the other from the New Testament, including the Sermon on the Mount. I wanted to point out how much law there is in this great Book, which we think of primarily as a book of religion.

### ***Duties and Responsibilities***

There are those who believe we have placed too much emphasis in recent years on the rights of individuals in our democratic society and not enough on their duties and responsibilities. Perhaps we have not placed too much emphasis on rights, but we certainly have placed too little on our obligations and responsibilities.

Many of our institutions even in recent times have been insisting that they exist primarily to challenge and judge and change culture. Among these institutions primarily have been the Church and our universities and colleges. I would agree that these are their basic responsibilities, but I would also insist that any institution existing within a society and benefiting from its protection has some responsibilities to appreciate and preserve it.

Our free academic institutions and militant churches in recent days have shown very little appreciation for the society in which they exist, and therefore, they must carry, if not all the responsibility, a major part of it for the breakdown in respect for the laws which govern the society. If, in a free society, we have the right to worship God according to the dictates of our own consciences, it would seem to me we also have some obligation to give some support to that society when it helps to guarantee our freedoms and our rights.

Your profession—the FBI's and that of other law enforcement agencies—is more than a secular one. I believe you have a religious and a sacred responsibility in the doing of

your job, because the great goals which have to do with the eventual elimination of poverty, ignorance, and disease, and the other ancient enemies of man can never be achieved or held together except within a framework of the rule of law.

Let me insist, therefore, that defiance of law is never good religion. We are reminded in the New Testament in the writings of the Apostle Paul that laws were made for evil people; good men would not require laws, perhaps because their very inner natures and dispositions would lead them to behave responsibly and consistently. But if history proves one thing, it proves that all problems do not respond to reason or good will immediately. In such temporary situations there is no other alternative than force, and again, as Paul insists in his writings, the force of authority exists to control the lawbreaker.

Let me insist once again that just as defiance of law is never good religion, defiance of law enforcers is not to be Christ-like. We are taught in the New Testament, "Pray for those in authority." Even though Christ was the Son of God and certainly would not have been in agreement with many of the laws of the Roman Empire, He nevertheless accepted the penalty of going against the grain of His time by refusing to allow His Apostles to use the sword to prevent Him from going to the cross.

The New Testament likewise teaches us, "If any man suffer as a Christian, let him not be ashamed." But the fact that a man suffers is not proof that he is a Christian. He may run into opposition and trouble because he is being unchristian. There is a false notion abroad in certain quarters today that if a man gets in trouble with the law and suffers a penalty, he thereby becomes Christ-like. This is not necessarily true. Let me insist again that just as defiance of law is not good religion and defiance of law enforcers

is not necessarily to be Christ-like, disregard for property does not mean you are showing regard for persons.

During the riots in some of our big cities, including the Nation's Capital, we knew of certain law enforcement officers and men of the military community who were told not to shoot because it would be far better to lose a great deal of property than to see human life destroyed. This always sounds good, but it is not necessarily good. We are beginning to see how much damage was really done to persons in the loss of their property, their dwelling places, their jobs, their security, and their general well-being.

### ***Property and Persons***

It is impossible to separate property and persons. It seemed doubly strange to me that this was not apparent to everyone, when at the same time even the revolutionaries kept insisting we wanted more things for more persons—better jobs, better housing, and better opportunities. Let it, therefore, be repeated that as members of the Federal Bureau of Investigation (and this relates to all law enforcement agencies), you have a sacred responsibility, and the work you do is of a religious nature.

During times of national emergency, I have always been glad that while I slept at night the Strategic Air Command had planes in the air and there were Polaris submarines beneath the sea. I have been glad that while I slept, policemen, usually poorly paid and living at great risks, walked the streets of the cities in which I have lived. And I have been glad as I made a fairly thorough study of criminal behavior and learned more and more of the Communist conspiracy in our world that the FBI had come into being.

The breakdown in respect for law and order reflects more than one

*(Continued on page 23)*



Keep in mind the constitutional protections that are available to all and enforce the law vigorously without bias or favor. Arrest only when you have probable cause. Search whenever necessary, but do so under the authority of a valid warrant, incidental to lawful arrest, by appropriate consent, or, in the case of mobile vehicles, search on probable cause alone.

As much as possible, allow the courts first to decide, by applying for a warrant, whether there is probable cause to justify an arrest, a search, or the seizure and destruction of property before any such action occurs.

# 1983 TODAY

*This is the second part of an article on police liability.*

Judging from the volume of 1983 litigation reported in the lawbooks, alleged deprivations of "due process" account for the major portion of such suits filed against officers. A survey of these cases reveals what most officers could have guessed. Practically all routine law enforcement chores have the potential of becoming the subject of complaint by an irate citizen who demands satisfaction by way of a civil suit under this statute.

As an aid to understanding the vast potential coverage of the statute and therefore its possible impact on law enforcement, the protected rights that generally have been claimed can be summarized and illustrated by a representative sampling of the decisions as follows:

## First Amendment

### 1. Freedom of Religion

*Cooper v. Pate*, 378 U.S. 546 (1964); 382 F.2d 518 (1967) (pris-

oner denied opportunity to buy religious publication); *Sharp v. Sigler*, 277 F. Supp. 963 (1967) (permission to attend Sunday services in penitentiary chapel denied).

### 2. Freedom of Speech

*Hague v. CIO*, 307 U.S. 496 (1939) (public speech and assembly without permit); *Burnside v. Byars*, 363 F.2d 749 (1966) (wearing of buttons bearing slogans pertaining to public issues); *Tinker v. Des Moines*, 258 Supp. 971 (1966) (wearing black armbands).

### 3. Freedom of Press

*Douglas v. Jeanette*, 319 U.S. 157 (1943) (distribution of religious pamphlets); *Smith v. Cremins*, 308 F.2d 187 (1962) (distribution of tracts); *Herschel v. Dyra*, 365 F.2d 17 (1966) (leaflets).

### 4. Freedom To Peaceably Assemble

*Hague v. CIO*, 307 U.S. 496 (1939) (public assembly); *Egan v. City of Aurora*, 365 U.S. 514 (1961) (public meeting).

## Fourth Amendment

### 1. General Invasion of Privacy

*Shorter v. Retail Credit Co.*, 251 F. Supp. 329 (1966) (no invasion of privacy is committed by simple inquiry at the front door even though there are "keep out" signs posted on the premises); *Herschel v. Dyra*, 365 F.2d 17 (1966) (arrest and related records may be maintained even though charges are dismissed); *York v. Story*, 324 F.2d 450 (1963) (if city police officer caused plaintiff, who had come to station to complain of an assault, to be photographed in indecent positions, over her objections,



and circulated the photographs among police personnel, the officers were liable for invading privacy).

## 2. Search and Seizure

### a. Search of the Person

*Weyandt v. Mason's Stores*, 279 F. Supp. 283 (1968) (female plaintiff, accused of shoplifting, alleged she was forcibly searched and under compulsion was forced to expose her person. The case indicated that as long as the male officers had probable cause to arrest and search the person of the plaintiff, their actions were not *per se* constitutional violations); *Cohen v. Norris*, 300 F. 2d 24 (1962) (search of person without warrant, arrest on probable cause, or consent); *Lucero v. Donovan*, 354 F. 2d 16 (1965) (strip search and search of body cavities of female); *Bowens v. Knazze*, 237 F. Supp. 826 (1965) (second search of the person incidental to arrest).

### b. Search of Motor Vehicles

*Cohen v. Norris*, 300 F. 2d 24 (1962) (search of car without authority).

### c. Search of Premises

*Lankford v. Gelston*, 364 F. 2d 197 (1966) (searches of numerous houses without warrant to locate fugitives); *Lucero v. Donovan*, 354 F. 2d 16 (1965) (search of apartment by consent); *Burmeister v. NYCPD*, 275 F. Supp. 690 (1967) (repeated police raids on apartment).

### d. Seizure of Property

*Klor v. Hannon*, 278 F. Supp. 359 (1967) (films and photographs seized incidental to arrest for obscenity offense were allegedly intentionally and maliciously damaged and mutilated);

*Smith v. Cremins*, 308 F. 2d 187 (1962) (tracts being distributed on public sidewalk allegedly seized and destroyed); *Sheridan v. Williams*, 333 F. 2d 581 (1964) (plaintiff complained of the unlawful seizure of his car, clothing, and other personal possessions).

## 3. Arrest

### a. On Probable Cause Alone

*Beauregard v. Wingard*, 362 F. 2d 901 (1966) (plaintiff alleged entrapment destroyed probable cause for his arrest for bookmaking); *Attreau v. Morris*, 357 F. 2d 871 (1966) (patrolman stated cause of action against fellow officers when he alleged arrest and detention for 12 hours without a warrant or probable cause); *Brooks v. Briley*, 274 F. Supp. 538 (1967) (plaintiffs complained arrests made during North Nashville riots of April 1967 were unconstitutional).

### b. Arrest Warrants

*Quinnette v. Garland*, 277 F. Supp. 999 (1967) (deputy sheriff executed an arrest based on warrant issued 12 years previously; plaintiff claimed warrant was not valid on its face); *Daly v. Pederson*, 278 F. Supp. 88 (1967) (lawyer claimed he was unlawfully arrested in the courthouse by police on warrant charging failure to pay parking tickets).

### c. Detention

*Notaras v. Ramon*, 383 F. 2d 403 (1967) (following arrest without warrant for grand larceny, plaintiff was allegedly held in city jail for 36 hours until investigation was completed and detectives concluded the evidence was insufficient to prosecute. The court held, in favor of the officers, that the detention was for a period no longer than reasonably necessary for a prompt and expeditious

investigation of the subject's participation or lack thereof in the offense); *Czap v. Marshall*, 315 F. 2d (1963) (plaintiff alleged he was arrested and released without a complaint having been filed and without an appearance before a magistrate. The court said it was not discernible how the plaintiff sustained any damages by being taken before the prosecutor . . . "who ordered his discharge rather than before a magistrate who could have rendered him no more favorable service").

### d. Reasonable Force in Executing Arrest

In *Cohen v. Norris*, 300 F. 2d 24, 32 (1962), the court said: "Where, in the exercise of their discretion, officers believe that a reasonable exercise of force, or a conducting of the search in a public place, is necessary to effectuate the legitimate purpose of the search, the fact that an assault or humiliation is suffered does not render the search unreasonable." But, person unlawfully beaten by an arresting officer is denied the right of due process of law." *Morgan v. Labiak*, 368 F. 2d 338, 340 (1966). The question of reasonable force is one for jury to determine whether the force was unnecessary, unreasonable, or violent. ". . . (T)he standard is the conduct of ordinary, prudent men, under the existing circumstances." *Morgan v. Labiak*, *supra* at page 340.

## Fifth Amendment

### 1. Grand Jury

*Cassell v. Texas*, 339 U.S. 282 (1950) (racial discrimination in selection of grand jury which indicted on murder charge violates constitutional rights).

### 2. Self-Incrimination

*Thornton v. Buchmann*, — F. 2d —



(1968) [plaintiff claimed officers arrested without probable cause, did not see him promptly before a magistrate, and failed to give him the warnings now required by *Miranda v. Arizona*, 384 U.S. 436 (1966)].

### 3. Due Process Necessary To Deprive of Life, Liberty, or Property

*Nelson v. Hall*, 368 F. 2d 103 (1966) (Plaintiff left car for repairs on April 15th. He was arrested on April 22d, convicted, and sentenced to State penitentiary. Car reported abandoned at garage on May 28th. Registered mail notice sent to owner at registration address was returned unclaimed. Notice of public sale was published in two newspapers. Car was sold September 5th. Plaintiff claimed property was unlawfully taken from him. The court held, in favor of the officer, that the failure to give notice beyond that required in the statute is not a deprivation of due process.).

### Sixth Amendment

#### 1. Right to Speedy Trial by Impartial Jury

*Cassell v. Texas*, 339 U.S. 282 (1950) (Mr. Justice Frankfurter's concurring opinion states: ". . . [I]t has been settled law since 1880 that the Civil War Amendments barred the States from discriminating because of race in the selection of juries, whether grand or petty.").

#### 2. Right To Be Informed of the Nature and Cause of the Accusation

*Roberts v. Trapnell*, 213 F. Supp. 49 (1962) (Facts alleged were that a minor saw police car and ran. Officer gave chase, shot him in the leg, kicked him while he was fallen, told him to "shut up" when he asked why he was shot, and refused permission to call

his parents or to have his friend accompany him to the hospital.).

### 3. Right to Assistance of Counsel for His Defense

*Herschel v. Dyra*, 365 F. 2d 17 (1966) (plaintiff claimed he was arrested and denied the right to call his attorney); *Roberts v. Trapnell*, *supra*.

### Eighth Amendment

#### Cruel and Unusual Punishment

*Wright v. McMann*, 387 F. 2d 519 (1967) (plaintiff complained of being confined in a "strip cell," denuded, exposed to bitter cold in solitary for substantial period without basic elements of hygiene).

### 13th Amendment

#### Slavery or Involuntary Servitude

*Jobson v. Henne*, 355 F. 2d 129 (1966) (Confined to a school for mental defectives, the plaintiff claimed he was forced to work day and night against his will. Though the general rule is that the 13th amendment does not apply to prisoners, and that they may be required to perform therapeutic work or normal housekeeping chores, forced labor beyond that may be "involuntary servitude.").

### 14th Amendment

As previously explained, the 14th amendment provides the means by which rights described by prior amendments are made available to individual citizens in actions against State officers.

### 15th Amendment

#### Right To Vote

*Lane v. Wilson*, 307 U.S. 268 (1939) (plaintiff alleged officials de-

clined to register him to vote in general elections); *Smith v. Allwright*, 321 U.S. 649 (1944) (exclusion from voting in primary elections due to race).

Of course, the officer was able to present a defense sufficient to avoid personal liability in some of the cases surveyed. However, in view of this history, the fact remains that the potential application of civil liability under 1983 is beyond reasonable estimate at this time. This situation should catch the attention of all law enforcement officers. Hopefully, it will do so before it is too late. The tragedy will be that the unprepared or unprotected officer and his family will be affected individually in many instances where positive steps could have been taken to reduce the risk of personal loss.

Two decisions of the Supreme Court have provided the major guidelines for application of 1983. The facts in both cases are basically simple and familiar to all officers who have worked on the street. In many ways, the defendant officers in these cases represent the plight of policemen everywhere, as the problems they faced are not unlike those being faced daily in all jurisdictions. The distinction is that *their* responses to the challenges of the law enforcement profession were characterized as causing deprivations of somebody's constitutional rights. One case arose in Illinois and the other in Mississippi, but they could well have been produced in any other State. When this fact is added to the expanding application of 1983, little more should be required to convince officers of the need to be aware of the problem of potential liability and to do something about it.

*Monroe v. Pape*, 365 U.S. 167 (1961), grew out of a murder investigation in Chicago. The facts alleged by the plaintiff were that 2 days after the murder, at 5:45 a.m.,



**Study the law. There is no end to knowledge of things legal; therefore, you will never be finished. But learn what you can and you will be well rewarded. Often civil liability springs from ignorance rather than intentional wrongdoing.**

13 police officers led by the deputy chief of detectives broke through two doors of an apartment, woke the complainant and his wife with flashlights, forced them at gunpoint to leave their bed and stand naked in the center of their living room, and then aroused their six children and herded them into the living room. One detective struck the father several times with his flashlight, called him offensive names and another officer pushed the mother. Other officers hit and kicked several of the children and pushed them to the floor. The officers ransacked every room, throwing clothing from closets to the floor, dumping drawers, and ripping mattress covers.

The father then was taken to the police station and detained on "open" charges for 10 hours, during which time he was interrogated about the murder and exhibited in lineups. He was not advised of his procedural rights. He was not permitted to call his family or an attorney. He was subsequently released without criminal charges having been filed against him.

The officers acted without warrants.

In the 1983 suit filed against the officers and the City of Chicago, the plaintiffs were the father and mother and the children. Their complaint alleged that the officers, acting under color of law and as agents of the city, were liable for invasion of the home, search without a warrant, and arrest and detention which deprived rights, privileges, and immunities secured by the Constitution.

The City claimed it was not liable under the statute. The individual of-

ficers moved to dismiss on the ground that the plaintiffs failed to state a claim on which relief could be given because the activities alleged also violated the laws of the State of Illinois and therefore the officers could not have been acting "under color of" law.

The Supreme Court examined the legislative history of the statute and held that "persons" in the statute did not include municipalities. However, officers *are* "persons," and the fact that the Illinois constitution and laws prohibit unreasonable searches and seizures is no barrier to a 1983 suit. The Court said, "Misuse of power, possessed by virtue of State law and made possible only because the wrongdoer is clothed with the authority of State law, is action taken under color of State law." Moreover, the plaintiffs did not have to show that the officers specifically intended to violate their constitutional rights; the "... statute should be read against the background of tort liability that makes a man responsible for the natural consequences of his actions." 365 U.S. at 187. Therefore, the complaint states a cause of action against the officers but not the city.

The facts alleged in *Pierson v. Ray*, 386 U.S. 547 (1967), were that clergymen, dressed in clerical attire, participated in a prayer pilgrimage commencing at New Orleans and continuing through Mississippi to Michigan. When they got to Jackson, Miss., fifteen of them went to the bus terminal. They had bus tickets for transportation to Chattanooga, Tenn.

Arriving at the station about 40 minutes before the bus was due to depart, they started toward the coffee

shop but were stopped by two city police officers. They were directed to "move on." The clergymen remained where they were. Soon a captain of police arrived, and he ordered them to "move on." There was testimony at the trial that a crowd had gathered and they were "mumbling in a very ugly mood."

The clergymen were arrested and the police captain charged them with disorderly conduct under a Mississippi statute. They were tried before a municipal police justice and given the maximum sentence. On appeal to the State court, one of them was found not guilty and the charges against the rest were dropped.

The clergymen sued the officers and the police justice, under 1983, claiming \$11,001 damages. In the District Court the jury verdict was for the officers, and the clergymen appealed. In the Court of Appeals, the court said:

1. The police justice was immune from suit.
2. The officers were immune from liability under general tort law because they had probable cause to make the arrest, and because the statute on which they based their authority had not at that time been declared unconstitutional.

But the Court of Appeals held that the officers could be liable under the Federal Civil Rights Statute, because in *Monroe v. Pape* the Supreme Court indicated that good faith and reliance upon a statute, subsequently declared invalid, are not good defenses for the officers. The court ordered a new trial on the Civil Rights Statute liability.

At the new trial the court held that the ministers could not recover if it were proved they went to Mississippi anticipating that they would be illegally arrested because such action would constitute *consent* to the arrest, and there is a principle in tort law that "he who consents to a wrong cannot be injured."

This case eventually went to the



Supreme Court to resolve three questions:

1. Is a local judge liable for an unconstitutional conviction?
2. Should the clergymen be denied recovery where they acted with the anticipation they would be illegally arrested?
3. Can the officers defend their case on the grounds they acted in good faith and had probable cause when they made the unconstitutional arrest?

The Supreme Court held:

1. A judge is not liable under 1983 as long as he is acting within his judicial discretion.
2. The clergymen did not consent to the arrest. There was no proof they tricked or goaded the officers into arresting them. They exercised their right to enter the premises and the fact that they expected they might be arrested for so doing does not prevent them from suing.
3. There is a general common law rule that an officer who arrests someone with probable cause is not liable for false arrest simply because the innocence of the suspect is later proved. A police officer does not have to choose between being charged with dereliction of duty if he does not arrest when he has probable cause, and being sued for damages if he does. The same reasons would excuse the officer from liability for acting under a statute that he reasonably believes to be valid but which is later held unconstitutional.

(To be continued in October)

## SPEEDIER MAIL DELIVERY

As a matter of cooperation with the U.S. Post Office Department, the Bulletin suggests to all police departments that, in reordering or revising their letterhead stationery, they include the Zip Code number. It should appear on the last line of the address following the city and State. Printing the Zip Code number on official department stationery will make it readily available to recipient correspondents for use in answering communications, in addition to aiding the Post Office in delivering mail.

September 1968

# INVESTIGATORS' AIDS

*SAC Letter 68-27, 5-7-68*

## BANK ROBBERY CONFERENCES

Bank robbery and incidental crimes will be the subject of FBI-sponsored law enforcement conferences to be held throughout the country in September and October. The continuing increase of these violations and the resulting losses, injuries, and deaths make the topic most appropriate.

The conferences will feature panel discussions by representatives of local and State law enforcement, the banking profession, the prosecutive field, and the FBI. They will exchange ideas on the prevention of bank robberies and related crimes and the quick apprehension of violators. Also on the agenda will be a discussion of legislation relative to the problem.

Law enforcement officials, representatives of all types of financial institutions and companies coming within the purview of the bank robbery and related statutes, prosecutors, and members of the judiciary will be invited to the conferences.

At special sessions, either before or after each conference, news reporters will be briefed on the purposes of the conferences and on what the public can do to help with the bank robbery problem. Emphasis will be placed on prominent reporting of apprehensions and convictions of bank robbers and burglars as a deterrent to those who might choose this means of obtaining "easy money."

*Jackson Crimdel, 11/13/67*

### DELAYED ALARM

*Bufile 63-4296-54 #168*

The key to an alarm system for the prevention of auto theft is a time delay switch which allows the driver 15 seconds to activate the alarm and get out of the car before the system is energized. It also permits him another 15 seconds to reenter the car and deactivate the system.

When activated, there is one piercing blast from the horn, which will continue to sound at a rate of 30 times a minute until the power switch is turned off.

The driver may turn the alarm system on and off from a concealed location inside the auto without alerting any would-be thief who might have the car under surveillance.

*Seattle Crimdel, 4/4/68*

### ANTIPOISON KITS

*Bufile #63-4296-50*

A local pharmacy in Longview, Wash., has provided antipoison kits for all mobile units of the city police department. The kits are kept with the first aid equipment in each vehicle and contain a poison antidote and drug counterdose chart. Each officer receives instruction in the use of these items.

A chart listing various types of poison supplements the antidote chart and gives instructions for the care and treatment of the patient.

Having these items readily available to an officer responding to a poison or drug overdose call gives him the opportunity for immediate action and may be instrumental in saving a life.



# Investigative Photogra

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*"Photographs are silent witnesses of what they portray. They are, in fact, pictorial testimony . . . Many cases are won in court by the investigator who uses photography to good advantage."*

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By  
**LT. GLEN S. CAHOON**  
Homicide Division,  
Police Department,  
Salt Lake City, Utah



Lieutenant Cahoon.

With the recent U.S. Supreme Court decisions on evidence and admissibility of statements, the responsibility and the burden of criminal investigation have shifted more toward the technical aspects. The officer must now rely heavily on physical evidence to solve cases.

For years one of the greatest aids to the investigator has been the photographer. Now his role has expanded into such importance that the smallest departments cannot afford to be without a working knowledge of the camera and what it can do for law enforcement in upholding justice.

## **Silent Witness**

Photographs are silent witnesses of what they portray. They are, in fact,

pictorial testimony. No verbal description can tell the horrors of the homicide as well as a photograph. Because the general public, as a rule, is not familiar with violent crimes, it is extremely difficult for the investigating officer to describe a terrible scene in words without using photographs. In some cases judges have rejected photographs which unduly excited prejudice or sympathy from jurors. However, if a photograph, no matter how gruesome, has any materiality to a case, it can be introduced as evidence. Each photograph introduced must be relevant and material to the case being tried. Also, the photograph should, if possible, prove the elements of the crime—the *res gestae* (the full story of the crime), the *corpus delicti* (the body of the crime).





A murder victim (posed above) is photographed to show and record important details and the full extent of body surface injury at the time of discovery.

and the modus operandi (the method of operation used by the criminal). These points will be extremely important to the investigator, as well as to the prosecutor in presenting the case in court.

### ***Details Recorded***

Photographs may be used at a later date in reconstructing the crime scene. You cannot photograph too much. Pictures of every detail, even items which do not seem pertinent at the time of the initial investigation, may be extremely important after additional witnesses and the suspect himself have been interviewed. Photographs in many cases will bring out points that are not observed by the investigator at the scene. Caution

should be taken to insure that the complete crime scene is recorded on film before anything is moved.

Often photographs corroborate testimony of a witness by showing that he could have seen the evidence from the position in which he was standing. In serious assault cases, where injury to the victim may cause death, it is valuable to have pictures of the original wound before surgery or any superficial healing processes. Photographs of the body in its original position are important, and sometimes photographs of the scene after the body has been removed are equally helpful. The latter may reveal additional evidence.

Photographs should not be overlooked in recording tool markings or similar abrasions found at some

crime scenes. These pictures may be valuable for comparison with known marks made by tools found in the possession of suspects. The investigator should also remember that there are many small cameras which are ideal for photographing individuals under surveillance when larger cameras would be impractical.

Many months, and sometimes years, may pass before a case is brought to trial. In these instances, photographs are invaluable in refreshing the memory of the officers and other witnesses. Likewise, photographs entered into evidence and available to the jury during its deliberation will help to highlight pertinent facts of testimony in the trial.

X-rays are very helpful to show broken bones and other bodily dam-





A photograph showing relationship of gun used in a slaying to the body provides important evidence for the prosecution.

age which cannot be seen by visual examination. X-rays are important in arson cases because in many instances bodies are burned so badly, injuries to the person are concealed. Bullet wounds, skull fractures, and similar injuries could have caused death prior to the fire. X-rays should also be considered in other cases, such as drownings in which the body surface is damaged.

In cases involving fire, the early arrival of a photographer on the scene is important. Close examination of the photographs often reveals the area

of origin, the rapidity of burning, as well as the direction of the fire. The color of the flame and smoke and the size of the blaze give hints as to the type of fire and whether an accelerant was used.

In cases of suspected arson, it is always wise to photograph spectators, for many individuals who set fires receive thrills from watching and a suspect may be in the crowd. Specifically, take photographs of individuals who are overly helpful to the fire department or seem to know more about the fire than others present.

Many times photographs of crowds can be obtained from local television stations or newspapers. Also, check local photograph processing companies to see if any persons have taken photographs of the fire. Possibly the suspect may have taken pictures of the fire. Some pyromaniacs photograph fires and at a future date refer to pictures for erotic excitement.

### **Motion Pictures**

Many departments use motion pictures to good advantage. They are, of course, excellent for surveillance

work and for depicting sobriety, or lack of sobriety in some instances. Motion pictures are limited only by the imagination of the camera operator. Used with taped statements of a suspect, they can verify to the courts that the constitutional rights of the suspect have not been violated. If a suspect claims self-defense, photographs may show injuries or lack of injuries.

### **Aerial Photographs**

Aerial photographs are helpful in showing distance in relationship to a particular area of the crime scene. Often, geographic photographs are available from Federal agencies. However, if these are unavailable or outdated, pictures can be made from a helicopter or private plane. Such photographs require great skill, and inquiry should be made of a professional photographer before a project of this type is undertaken.

### **Value of Color**

For many years law enforcement members have discussed the pros and cons of color photography as compared with black and white. Generally, color helps because it shows colors exactly as the normal eye sees them, not just black and white. This fact may explain why more and more color photographs are being admitted as evidence in court cases. One problem with color is that some people may not see it in the same respect as others. The eyes of the individual act only as a lens to transmit vision to the human mind, and we find that the interpretation by the human mind varies with the individual. Color blindness is a good example of this. Another factor which must be considered is that color prints are more expensive than black and white.

Color transparencies can be used to good advantage to project lifesize characteristics on a screen in court-



Chief Dewey J. Fillis.





A unit of measurement placed in a picture of heelprints helps to show their relative size.

room showings, and the cost of film is less than that for color prints. While the projector and other equipment used in showing the transparencies are bulky and cumbersome, many times the results achieved are well worth the extra effort.

The camera is important at autopsies because photographs show the full extent of injury to the body surface before and after the body is cleaned. After dissection, pictures may help to record the direction of the projectile or knife and the amount of damage done by these weapons inside the body. Photographs also bring out more vividly such important details as trail marks in knife wounds and powder burns in gunshot wounds.

### ***Polaroid Cameras***

Some departments operating on limited budgets and without the services of a photographic laboratory have made good use of Polaroid cameras. A photograph can be made within seconds, and if it does not portray the area desired, other pictures can be taken until the proper results are obtained. In many large departments, Polaroid cameras are used for various assignments, such as reproducing

mug shots. When taking Polaroid pictures with color film, check the lens setting and the lighting conditions because a slight differential will cause unnatural color.

### ***Impressions***

Pictures of impressions, such as shoe and tire prints, should always be taken before a casting is attempted because sometimes casting will destroy the original image. This is also true with fingerprints which are to be lifted. When small objects are involved, two photographs should be taken, one close to show the object in detail, and another farther away to depict the object in relation to other stationary items.

Photographs showing trajectories should be taken from the suspected point of origin as well as from a position at a right angle to the point where the projectile struck an object, such as a wall. Color photographs of murder weapons, such as hammers and axes, are important because, with time, blood will change color and sometimes flake off the instrument. This is also true with hair which may cling to a murder weapon.

### ***Distortions***

The investigator should be careful to avoid distortions in pictures. Sometimes the camera will give the impression that an object is taller, or the distance is farther away, than it actually is. In these shots, as in most photographs made during investigations, a unit of measurement should be placed in the picture to show the relative size of the object. Do not rely on photographs entirely. Make sure that you draw a diagram. The diagram shows the distance from one place to another. The photograph shows the relationship of one item to another.

Whenever making a photograph of



Pictures of toolmarks can be used by the prosecution to show means of entry into a building.

a stand-in item, be certain to take two photographs, one with the prop and the other without, for in some instances the courts will not accept photographs with anything in them except that which you see when you first arrive.

### ***Identification***

The use of an identification card in a photograph is usually a desirable practice, but information on the card should be limited to the date, the time, the location, and the photographer's name. Do not identify items by drawing on the photograph or placing name cards on any object. Photographs mounted on white cardboard give the appearance of professional work and make a better impression in court.

Many cases are won in court by the investigator who uses photography to good advantage. Frequently, when a defense counsel learns that substantial photographic evidence is to be presented in court, he pleads his client guilty to the charge rather than subject the defendant to an array of incriminating pictorial evidence which most graphically pinpoints the individual's guilt.



# TECHNIQUE AND USE OF THE POLICE BATON

*This is the conclusion of a three-part article on the use of the police baton.*

## Miscellaneous Techniques

*Move-along techniques* can be used to move an individual a short distance while maintaining a certain amount of control over him.

1. Between the Legs—There are two variations of this technique and both are effective in moving an individual a short distance.
  - a. Grab your opponent's left elbow with your left hand as you push the barrel of the baton between his legs from the rear. The baton handle should be outside the opponent's left leg. Tilt the tip of the baton upward and propel him forward by pushing the baton handle forward with your right hand as you shove his left arm forward with your left hand (fig. 60). Note: Stay to the left of the opponent to avoid being struck by his right elbow. The officer's left hand and arm can be used to protect himself against the opponent's left elbow.
  - b. Grasp the middle of the baton with your right hand, using the thong in the same manner as for the long

grip. Insert the baton between the opponent's legs as you grasp his clothing at the neck with your left hand. Move the opponent forward by raising your right arm against his groin as you lift and push him by the neck (fig. 61). Note: When the baton is inserted between the opponent's legs, the knuckles of the right hand should be pointed down. The arm is in a stronger position when the knuckles are pointed down, and this position minimizes the risk of injury to the officer's arm should the subject suddenly sit down.

2. Hand and Armpit—Grasp the opponent's left hand with your left hand as if shaking hands. Immediately turn his palm upward, raising his arm shoulder high. Place the baton tip into his left armpit and move him forward-sideward by keeping his left arm high as you press the baton tip into his armpit (fig. 62). Note: The armpit is a vulnerable area and caution should be used in placing the tip of the baton in the armpit.
3. Short-Grip—Shoulder Push—Grasp the baton in your right hand, using the short grip. Approach the opponent from the rear and jab him in the kidney area with the butt (fig. 63). Immediately push him on the back of the left shoulder with your left hand (fig. 64). Con-

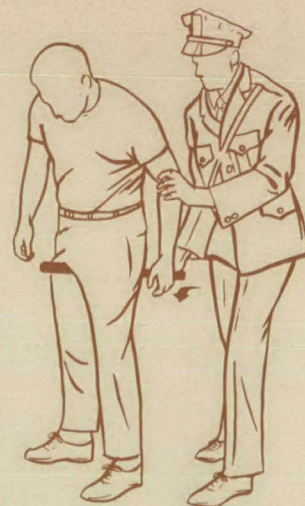


Figure 60.

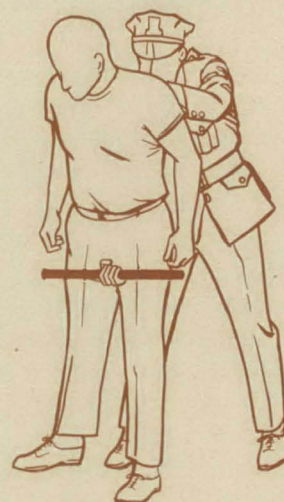


Figure 61

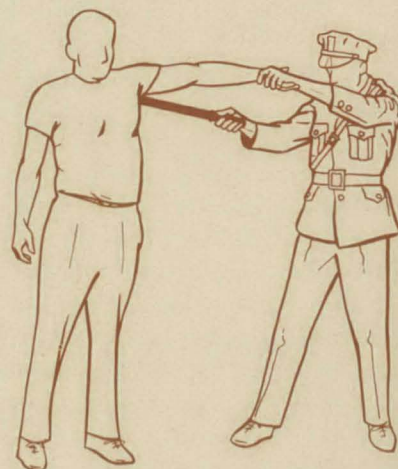


Figure 62.





Figure 63.



Figure 64.

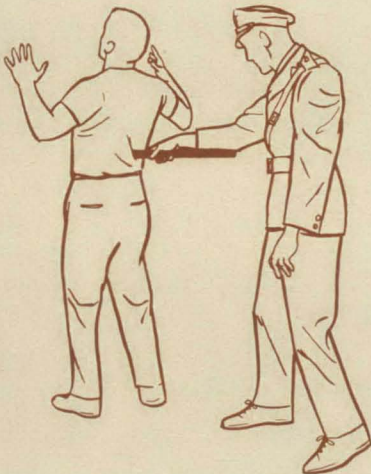


Figure 65.

- tinue moving him forward with a fast series of baton jabs and pushes on the shoulder, alternating jab-push, etc.
4. Neck and Back Push—Grasp the back of the opponent's collar with your left hand, keeping your left arm fully extended as you place the tip of the baton into his kidney area. You are able to move him forward and keep him off balance to a certain degree by pulling him slightly backward with your left hand as you push him forward with the tip of the baton (fig. 65). Note: You strengthen your right-arm position by holding the right elbow close to your body.

### ***Come-Along Techniques***

Come-along techniques are designed to move an opponent a short distance and to enable the officer to exercise more control over the opponent than is possible with the move-along techniques.

1. Armlock—Approach the opponent from his right side with the baton in your right hand. Strike the opponent inside his right elbow with the baton barrel, moving his right arm to the rear (fig. 66). Push the baton barrel through as you move to the side of the opponent, placing your left arm over the baton barrel (fig. 67). Slide your left arm under the opponent's right arm and grasp the baton handle with your left hand just above the right hand (fig. 68). Keep the opponent's right arm snug to your body and bring him under control by forcing the baton handle downward, thus applying pressure on the radial bone of the forearm with the baton barrel. Note: This technique can be made more effective if the opponent's right hand is positioned so that the knuckles are turned up. The officer can release his right hand from the baton and use it to turn the opponent's right hand to a knuckles-up position. This brings the baton barrel in direct contact with the opponent's radial bone (fig. 69).
2. Elbow Lock—Approach the opponent from his left side and grasp his left hand as if to shake hands. If you cannot grasp his hand, grab him by the inner side of the wrist. Raise his left arm about shoulder high as you turn his palm up (fig. 70). Step in beside him and place the baton barrel beneath his left

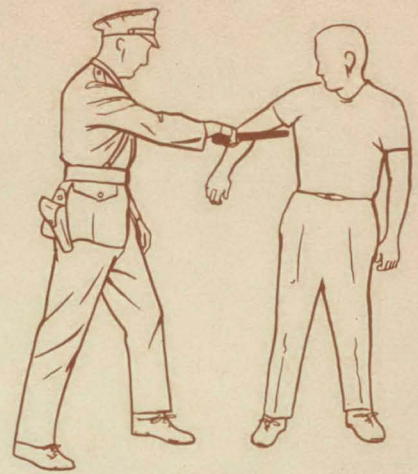


Figure 66.

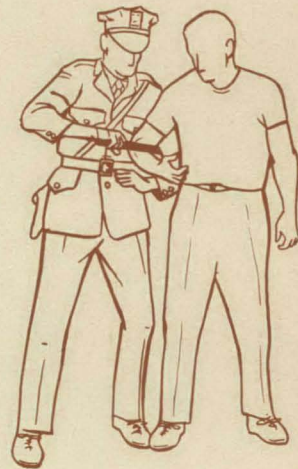


Figure 67.



Figure 68.





Figure 69.

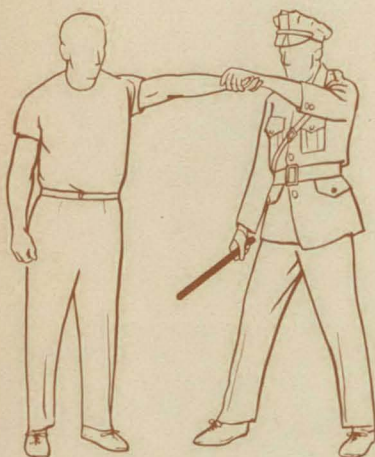


Figure 70.

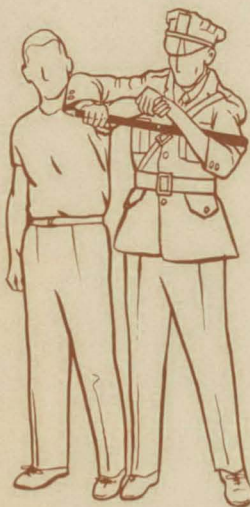


Figure 71.

elbow as you rest the tip end of the baton in the bend of your left elbow (fig. 71). Bring the opponent under control by twisting his left hand to the outside and down as you raise the baton barrel upward, applying pressure to the back of the opponent's elbow. Note: When using this come-along hold, stay to the side and rear of the opponent to minimize effectiveness of a righthand blow (fig. 72).

3. Behind Neck and Elbow Lock—Approach the opponent from his left side and grasp his left hand or inner left wrist with your left hand. Turn his palm up as you raise his arm shoulder high. Insert the baton underneath the opponent's left arm and place the baton barrel behind his neck (fig. 73). The back of the opponent's elbow should rest on the baton barrel. Bring the opponent under control by twisting his left hand or wrist to the outside and downward, applying pressure with the baton to the back of his elbow (fig. 74). Note: This technique can best be used with a baton which is 24 inches in length or longer. A shorter baton prohibits the effectiveness of this technique.

### ***Thong as Handcuffs***

The thong can be used as a temporary restraining device if handcuffs are not available. With the opponent's hands placed behind him, pass the leather thong around both wrists (fig. 75). Tighten the thong either by twisting it with the baton (fig. 76) or by

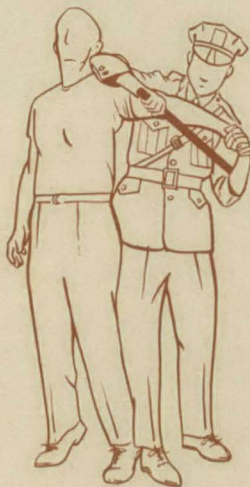


Figure 72.

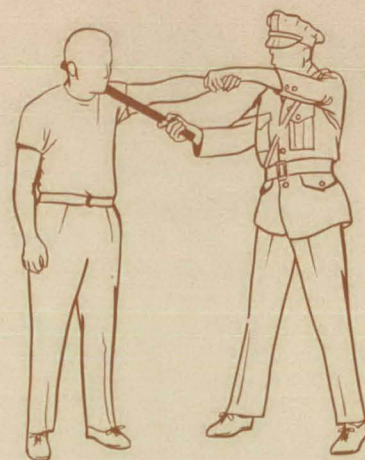


Figure 73.

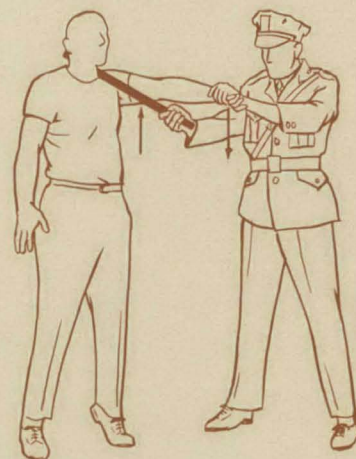


Figure 74.

rolling the thong onto the baton handle (fig. 77). Place the baton handle in the small of the opponent's back, grasping the barrel of the baton with your right or left hand. The opponent can be temporarily held in this position, or he can be moved by exerting pressure into the small of his back with the butt end as you grab the clothing at the back of his neck and pull him slightly backward (fig. 78).

### ***Alternate Method***

With the baton hanging downward, have the subject insert hands into the loops which are separated by the baton



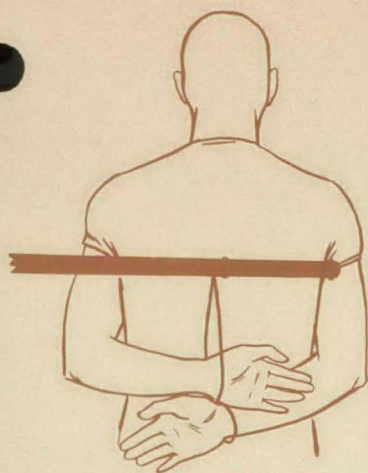


Figure 75.

handle (fig. 75a). Tighten the thong by pulling the opponent's hands backward as you raise the baton tip upward in a circular path and bring the baton tip between the opponent's hands and his back (fig. 76a). Bring the baton tip downward and continue circular path until the thong is tight (fig. 77a). Place the baton tip between the opponent's shoulder blades as you grasp the baton handle in your left hand. The opponent can be moved under control by raising the baton handle as you push him in the back with the tip of the baton (fig. 78a).

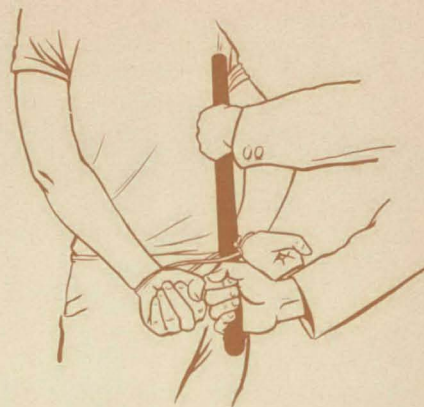


Figure 76a.

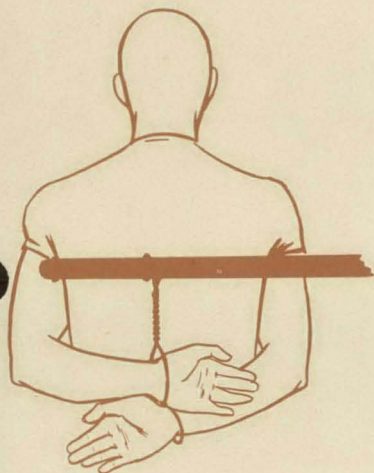


Figure 76.



Figure 78.

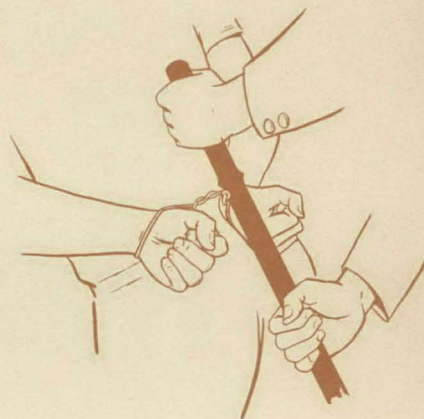


Figure 77a.

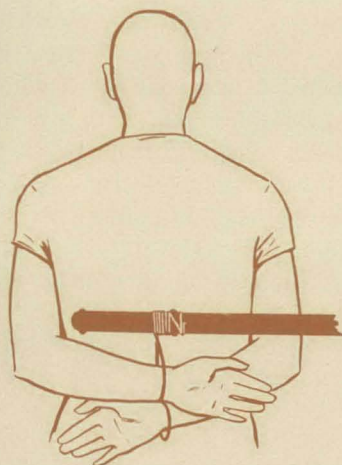


Figure 77.

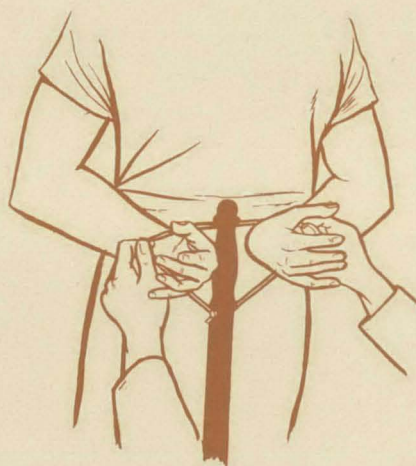


Figure 75a.

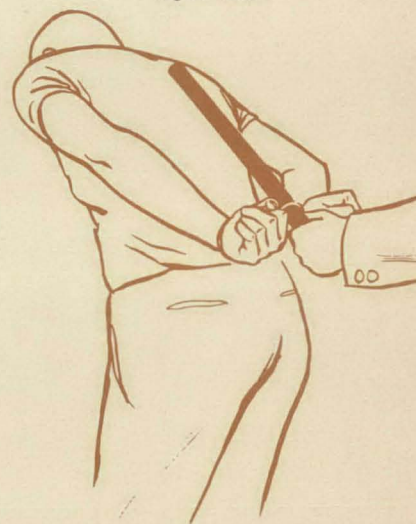


Figure 78a.



## Strangles

The baton can be used quite effectively in strangling an opponent who has either gone berserk or is extremely violent.

One method is to approach the opponent from the rear as you grasp the baton in your right hand using the long grip. Place the baton barrel across the opponent's throat and the tip of the baton in the crotch of your left elbow (fig. 79). Place your left hand on the back of the opponent's head and bring him under control by pushing his head downward with your left hand as you pull the baton back with the right hand (fig. 80).

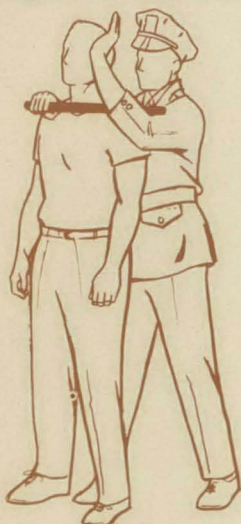


Figure 79.



Figure 80.

Another method is to grasp the baton with the right hand, using the long grip. Approach the opponent from the rear and reach across with your right hand, placing the baton barrel against his throat. The knuckles of your right hand are turned down and the right hand is held just outside the opponent's left ear (fig. 81). Reach across the opponent's back and grasp the baton tip with your left hand, with the knuckles turned up. Control the opponent by flexing both arms, thereby applying pressure to his throat with the barrel of the baton (fig. 82). Note: Strangles are dangerous and should be used as a last resort in controlling a violent opponent. An officer must exercise good judgment in utilizing techniques which strangle an opponent.

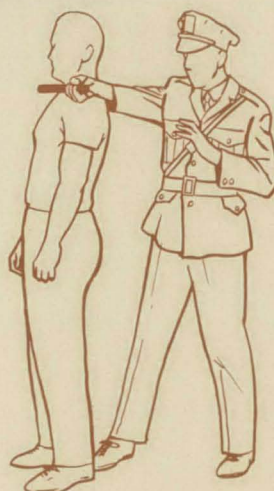


Figure 81.



Figure 82.



Figure 83.

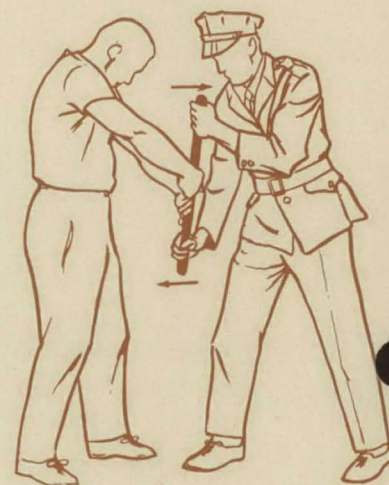


Figure 84.

## Freeing the Baton

When an opponent attempts to seize the baton with one or both hands from a long grip, step toward him quickly with your right foot and grasp the baton barrel with your left hand (fig. 83). Pull the baton barrel upward with your left hand as you drive the baton butt downward, then upward, with your right hand (fig. 84). Step back quickly with your left foot, twisting your body to the left as you drive the baton butt to the outside with your right hand. Free the baton by jerking it toward you as you drive the butt of the baton forcefully to your left (fig. 85). Note: The officer should be prepared to





Figure 85.



Figure 87.



Figure 89.

strike a butt stroke should the opponent attempt to seize the officer's revolver.

From the two-handed grip, an opponent would be forced to grab the center of the baton barrel, because of the position of the officer's hands on the baton. In that case, step forward with your left foot as you raise the baton tip with your left hand (fig. 86). Drive the baton tip toward the opponent's left shoulder as you twist your body to the right (fig. 87). Free the baton by ripping it downward, raising the butt end with the right hand as you lower the baton tip with the left hand (fig. 88). Note: By driving the baton tip to the outside of the opponent, you cause his arms to cross, thereby placing him in a weak position.



Figure 86.

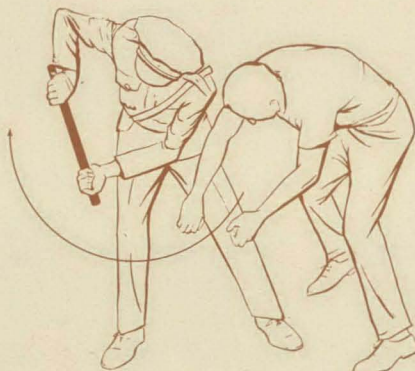


Figure 88.



Figure 90.

Whether the officer is using the long grip or the two-handed grip, if opponent grabs the baton, the officer can free it with a well-executed kick.

- a. Snap kick—Place both hands on the baton handle and pull it toward you. Bend your right knee slightly to assist in maintaining balance as you deliver a snap kick to the opponent's knee (fig. 89).
- b. Thrust or Side Kick—Place both hands on the baton handle and pull it toward you as you pivot to the right on your right foot. Bend the right knee and lean to your right as you deliver a thrust or side kick to the opponent's knee (fig. 90). Note: The snap kick and the thrust or side kick must be executed quickly so the officer is not pulled off balance.

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I.I.L. #814, 6/16/66, Bufile #91-19481

## PLACED AT THE CRIME SCENE

Some time ago two men gained entrance to a bank in a Colorado city by forcing open a rear door. After an unsuccessful attempt to enter the main vault, they pried open 39 safe-deposit boxes and escaped with several thousand dollars in currency and other valuables belonging to boxholders and \$872.20 of the bank's coins. Two men believed guilty of the burglary were arrested in a remote area that afternoon while in the process of burning clothing and other items.

Plaster casts were made of shoe impressions found near the bank and sent to the FBI Laboratory for examination.

FBI Laboratory experts determined

that the plaster casts of the impressions matched a pair of boots found at the scene of the fire. Paint, brick, and plaster found at the bank also matched these same materials on one of the jackets being burned. Furthermore, examination in the FBI Latent Fingerprint Section showed that latent fingerprints on numerous coin wrappers from the bank found at the scene of the fire were identical with the fingerprints of one of the suspects.

One of the subjects later committed suicide. The other was found guilty of bank burglary, following testimony given by three FBI Laboratory experts at his trial, and was sentenced to 10 years' imprisonment.

## SELF-DEFENSE COURSE

(Continued from page 4)

The department has received many letters of praise from grateful women who have completed this course. Some have had occasion to use the material taught them. This training has a far-reaching effect to bind the community and the police tightly together in a police-community relations fight against crime. It reaches one of our greatest needs, the protection of women. It makes them aware of possible dangers. It alerts them to the criminal activity in their community. It helps them to think and react in instances when their very lives may be endangered.

Certificates are presented to those who complete the course. These certificates are signed by the chief instructor, the Recreation Director, Mr. Raymond Massey, and by me.

The training outline and exercise information are available by writing to me, care of the Gainesville Police Department, Post Office Box 12 Gainesville, Fla. 32601.

C. Balg to Mr. Rosen Memo. 4-24-68, re: LEB

## PROHIBITED GAMBLING ACTIVITIES

Public Law 90-203, effective April 1, 1968, prohibits national banks, State member banks of the Federal Reserve System, and other federally insured State banks and savings and loan associations from fostering or participating in gambling activities, particularly lotteries.

The law revises various Federal banking regulatory statutes and prohibits banks and savings and loan associations from dealing in lottery tickets or in bets used as a means or substitute for participation in lottery. It prohibits announcements, advertisements, or publicity of any kind relative to the existence of any lottery or the identity of any participant or winner as such. The law also prohibits the use of any part of the institutions'

offices for any purpose prohibited above, and it prohibits direct access by the public from any of the institutions' offices to any premises used by any person for any purpose prohibited above.

New Section 1306, Title 18, United States Code, provides a maximum penalty of \$1,000 fine or imprisonment of not more than 1 year, or both, for violation of this law.

Nothing contained in this law prohibits a named institution from accepting deposits or performing any lawful banking service for a State operating a lottery or for an employee of the State charged with the administration of the lottery.

The FBI has investigative jurisdiction over alleged violations of criminal provisions of this new law, and all violations should be referred to the nearest FBI office.

## FBI REPRINT MATERIAL

A reprint of the article entitled "What Are Policemen Made Of?" by news commentator Paul Harvey, which appeared in the January 1968 issue of the Bulletin, is available in limited quantities free of charge to interested individuals and organizations.

Also, reprints of the complete series of articles on "Search of Motor Vehicles" are still available to police officers desiring this material for training, information, and reference purposes.

Requests for copies of these items should be forwarded to the Director, FBI, Washington, D.C. 20535.



## RELIGION AND LAW

(Continued from page 6)

cause. I think our permissive society, developing over the last decades and creating the impression that every individual has a right to do as he pleases, certainly has been a contributing factor. One of the great risks we must run in the free society is that dissent must not only be allowed and expected, but even encouraged. We have so over-emphasized the right and obligation to dissent that we have carried it far beyond any rational meaning. We have come fairly close to substituting a way of riots in the streets for a way of dialog and debate in the assembly room. We have moved fairly close to substituting anarchy for the way of the courts. All of this has contributed likewise to the breakdown in respect for law and order.

We have undermined the confidence of the public in law enforcement officials. It seems to me at times our courts have been prejudiced in favor of lawbreakers over society in general. The trend can be reversed, but it will take, among other things, a revival of religious principles because, as we have suggested, good religion gives support to the way of law.

Let me then urge you to remember the sacredness of your profession. The continuance of our society depends upon law and order. Attaining all the desirable human goals within that society depends to some extent upon how well you do your work. If you will pardon my personal appeal, let me call you to the Altar of God. I know my strong convictions about the rule of law place upon you an exceedingly heavy responsibility in terms of your own religious faith, your own moral character, and your own personal commitment and dedication.

As important as I believe my work

to be as a minister of religion, it will be impossible for me to do my work unless you do yours well. In some ways I have always maintained that teaching is the most important of all professions. All men in all professions must be taught, including ministers. Yet, teaching becomes exceedingly difficult, if not impossible, in an atmosphere of anarchy as we have witnessed at the Berkeley campus, at Columbia University, at Paris, France, and at many other centers of our so-called learned community.

Among the most noble of the professions are those related to the healing arts—medicine and nursing. In times of crises this becomes even more apparent. But the performance of duties by doctors and nurses becomes a task of little joy, and even a real nightmare, when streets are filled with rioters and looters and destroyers of every type.

I am trying to say that if the FBI and all other enforcement agencies are permitted to do their job and they do it well, all other work becomes more meaningful.

### *Minneapolis Crimdel, 3-27-68, Bufile #63-4296-43* **FLYING SQUAD SUCCESS**

A flying squad set up by the Sheriff of Hennepin County, Minn., operates from sunset to sunrise covering remote areas of the county by helicopter.

One of its accomplishments was the arrest of three men and a woman driving toward the city pulling a trailer loaded with antiques stolen in an adjacent county. As a result of this arrest, officers recovered several truckloads of property in an antique store—merchandise that had been stolen from summer homes in lakeside areas.

An estimated \$60,000 in stolen property was recovered during a month's time as a result of the flying squad's nighttime operation.

### *Minneapolis Crimdel, 3-8-68, Bufile #63-4296-43* **SHOPLIFTING WITH A PURPOSE**

A woman employed in the vocational division of the department of education in a midwestern State operates as a "professional" shoplifter in stores throughout the State. She is a field instructor in marketing and merchandising, and her purpose in acting as a "professional" shoplifter is to bring more forcefully to the attention of clerks and store owners the need to pay close attention to the customers they serve.

So far she has struck in large general and department stores in about 25 cities in the State. She has shoplifted bicycles, wheelbarrows, full sets of golf clubs, jewelry, toys, groceries, auto equipment, and almost anything that can be rolled or carried away. Rarely has she been confronted by clerks or store owners and considers her success in shoplifting due to the complete indifference shown to customers by clerks and store owners.

When she goes into a new town to carry on her "professional" activities, she notifies the police department of her presence and what she intends to do.

### *Rome Crimdel, 2-21-68* **LAMBS SACRIFICED** *Bufile #63-4296-233*

One foreign government confronted with the long-standing problem of goods smuggled into a neighboring country thought it had solved the problem by placing land mines across the border. But the smugglers came up with a scheme of their own.

They buy lambs and drive them across the border to trigger the mines and clear a path for their own safe crossing. Then the smugglers retrieve the dead lambs not only to dispose of the evidence but also to sell the meat in an attempt to recoup part of their original cost.



# WANTED BY THE FBI



**LEROY GRADY, also known as: "Pee Wee."**

## Interstate Flight—Murder

LEROY GRADY is currently being sought by the FBI for unlawful interstate flight to avoid prosecution for murder. On June 1, 1963, he allegedly shot a Gadsden, Ala., garage owner nine times with a .45 caliber automatic pistol after having a violent argument with the victim over an \$18 garage bill. A Federal warrant for his arrest was issued on September 22, 1966, at Gadsden, Ala.

## Criminal Record

Grady, who reportedly has been engaged in bootlegging activities, has been convicted of assault and battery, transporting illegal whiskey, and resisting arrest.

## Description

Age ----- 38, born Jan. 1, 1930, Lafayette, Ala. (not supported by birth records).  
Height ----- 5 feet 9 inches.

Weight ----- 150 to 155 pounds.  
Build ----- Medium.  
Hair ----- Black.  
Eyes ----- Brown.  
Complexion ----- Dark.  
Race ----- Negro.  
Nationality ----- American.  
Scars and Marks -- Scar on forehead.  
Occupations ----- Construction worker, laborer.  
Remarks ----- Wears glasses.  
FBI No. ----- 601,915 A.  
Fingerprint classification: 19 O 32 W 000 19  
I 20 W IMI

## Caution

Since Grady allegedly murdered his victim with a .45 caliber automatic pistol, he should be considered armed and dangerous.

## 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.

*Memo to liaison agent B.C. RACHNER from G. Mar... gentin*  
**HANDLING POLICE MATTERS WITH FOREIGN COUNTRIES** *Dept of State*

Local police departments occasionally send officers into foreign countries to handle police matters. In a number of recent cases, the Department of State reports, some investigators have not received cooperation from foreign officials and have been asked to leave. Such difficulties can be avoided, the Department of State points out, if the police departments and investigators will request the advice and assistance of the American Embassy in each country involved.

Before sending investigators abroad, the Department of State suggests American police departments should contact the American Embassy in each country to be visited. The Embassy will normally obtain approval for the visit from the host government. It will also facilitate local police contacts with officials and provide any other assistance appropriate. If the country to be visited does not permit the entry of American investigators, or their possession of weapons, the Embassy will call this to the attention of the department concerned.

*Charlotte Crindel*  
**FILE A KEY**  
*11-14-67, Bufile 63-4296-*  
A prisoner incarcerated in a county jail used an 8-inch file to make a 3-inch key from a metal slat taken from his cot. Taking advantage of the noise made by a drunken prisoner, he let himself out of the jail and escaped.



## FOR CHANGE OF ADDRESS

Complete this form and return to:

DIRECTOR

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

(Name)

(Title)

(Address)

(City)

(State)

(Zip Code)

*San Diego Crimdel*  
*4-5-68*

### SPRINGING THE LOCK

*Bufile # 63-4296-46 Serial 737*

A juvenile in a Mexican jail admitted using a bedspring to enter convertibles and hardtops—cars having no centerpost. He would insert the loop end of the spring in a vertical position through the rubber molding. When the loop was completely through the molding, he would turn the spring to encircle the lock button and, by applying a small amount of pressure, was able to lift the button and enter the car.

So adept had he become at this maneuver that he was able to enter an automobile as quickly as a person using a key and thus gave the appearance of being the legitimate owner.



A juvenile used this bedspring to enter locked convertible and hardtop vehicles.

*Savannah Crimdel 2-28-68*

### DOORS DRILLED

*Bufile # 63-4296-49*

Many stores in the rural areas of a southern State have a steel or iron bar horizontally across the center section of the front and rear wooden doors as additional protection to the usual door lock. Burglars have gained entrance to some of these stores by drilling a series of holes in the door be-

neath the barred area and thereafter pushing or kicking in the drilled section.

*Outgoing letter to AG 7-5-68*  
**FBI POLICE TRAINING**

During fiscal year 1968 the FBI provided assistance in 6,074 police training schools throughout the Na-

tion. More than 184,000 officers attended these schools which included instruction in the fundamentals of law enforcement, fingerprint identification, photography, firearms, defensive tactics, police-community relations, sex crimes investigations, legal decisions affecting law enforcement, police management, arrest problems, and mob and riot control.



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

OFFICIAL BUSINESS

RETURN AFTER 5 DAYS

POSTAGE AND FEES PAID  
FEDERAL BUREAU OF INVESTIGATION

## QUESTIONABLE PATTERN



The above pattern is classified as an accidental whorl with a meeting tracing and is referenced to an outer tracing by reason of the small break in the tracing ridge. Because of the questionable nature of the recurve at point A, this pattern is referenced to a double loop-type whorl.