



**FBI** LAW  
ENFORCEMENT  
BULLETIN

APRIL 1980



# FBI LAW ENFORCEMENT BULLETIN

APRIL 1980, VOLUME 49, NUMBER 4

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**The Cover:**  
A patrol boat and helicopter of the Portsmouth, Va., Police Department respond to a call.

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

**William H. Webster, Director**

The Attorney General has determined that the publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through December 28, 1983.

Published by the Public Affairs Office,  
Homer A. Boynton, Jr.,  
Executive Assistant Director

*Editor*—Thomas J. Deakin  
*Assistant Editor*—Kathryn E. Sulewski  
*Art Director*—Carl A. Gnam, Jr.  
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# “Training Wheels” for Police

By ROBERT CLARK STONE

*Commissioner  
Bureau of Training  
Kentucky Department of Justice  
Richmond, Ky.*

The mobile unit concept for police training was first designed and used by the New Jersey State Police Training Commission, which purchased two units in 1966 under a Federal grant. However, when the attorney general of New Jersey ruled that the commission had no legislative authority to conduct training, only to oversee training procedures, the units were phased out. Arkansas followed suit and operated a mobile unit because of the lack of adequate training facilities throughout the State. As individual police agencies began building their own training classrooms through Federal and State grants, the State discontinued use of a mobile unit for training.

*Commissioner Stone and instructors Robert Plomshe and Frank Boyer.*



**Facilities**



Commissioner Stone

Kentucky purchased its first mobile unit under a grant from the Law Enforcement Assistance Administration (LEAA) administered by the Kentucky Crime Commission. The unit became operational October 12, 1970.

#### Why Use a Mobile Classroom?

Historically, police training has been conducted in any available facility. Some of the largest police departments have had training classrooms for many years. Training for other police officers has been conducted in schoolrooms, courtrooms, churches, local conference rooms, and auditoriums. Occasionally, hotel or motel meeting rooms have been used when funds were available.

Most of these facilities proved to be unsatisfactory. I can recall setting up a classroom in the courthouse, carrying projectors, screens, film, slides, and notebooks to the third floor, teaching for 30 minutes, and then being told that the judge had an unexpected hearing so class would have to be canceled or moved elsewhere for the rest of the day.

One January day, in a mountain town in eastern Kentucky, we held a class on searches and seizures in a circuit courtroom. Late in the morning we inquired about two citizens in the back of the room. The court clerk explained, "Oh, they run a little moonshine still out in the country during the summer, but it's too cold this time of year, so they just hang around the courthouse to keep warm."

We didn't disturb them. Perhaps, they learned some valuable lessons about their rights under the fourth amendment. Yet, even if a room were available, there were constant problems, including:

- Outside noise (if others were not disturbing us, we were often disturbing someone else),
- Heating and ventilating,
- Lighting (including the ability to darken the room for visuals),
- Electrical outlets (often unavailable or of the wrong kind),
- Seating and other furniture,
- Configuration of the room (often the wrong size or arranged in a manner not conducive to training),
- Parking (police often comment that when a *television* detective goes about his duties he never has trouble finding a place to park. In training, the most desirable sites are often the least accessible, due to parking problems).

The mobile unit can solve all these problems. All equipment and supplies can be carried in the unit. Another important factor is that the unit is highly visible. Police chiefs and their officers report that they are proud to show the people in their communities that they are hosting training sessions. Officers from neighboring towns are notified in advance that the mobile unit will be set up on the police lot or in a shopping plaza.

The configuration of the mobile classroom has proved to be remarkably adaptive to police training. Several years ago, Dr. Joseph Liff of Adelphi University, Garden City, N.Y., conducted classes in a railroad car to enable commuters to complete their requirements for a master's degree while riding to work. In answering a question as to whether the tunnel-like classroom was suited to instruction, he replied, "I am ready to redesign every classroom in the building here and make them long and narrow."

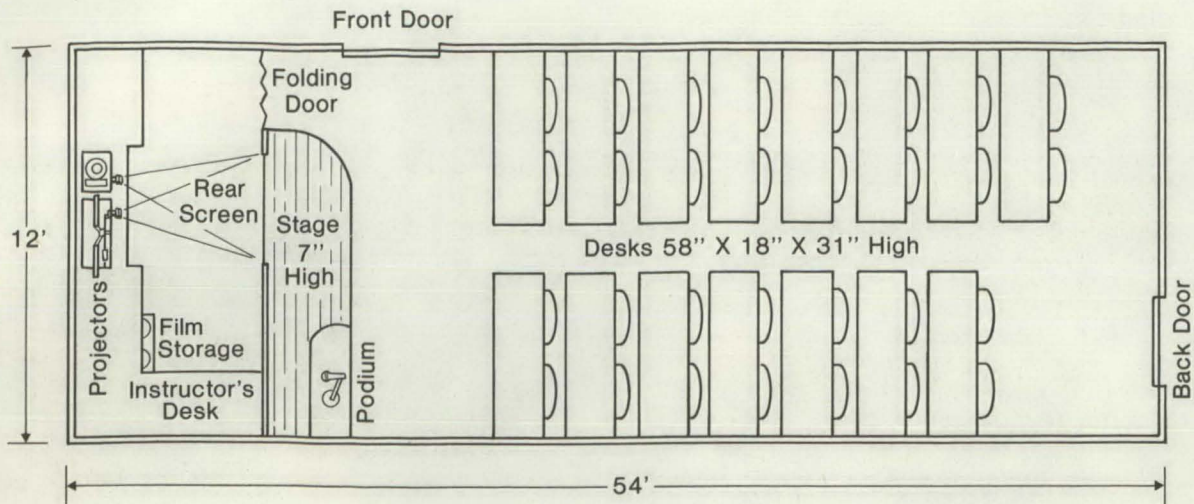
In Kentucky, we have found that this configuration is the best possible one for police training. The instructor stands on a platform about 7 inches high. He has direct eye contact with every member of the class, and when visuals are shown on the screen, every class member has a direct and unobstructed view. The acoustics of the mobile unit are also far better than most classrooms, minimizing outside distractions.



*Instructors present a class on police stress in the unit.*



*Police officers participating in a training session.*



NOT TO SCALE

### Specifications

The Kentucky Bureau of Training has actually owned two mobile units. During a session at Lebanon, Ky., in the fall of 1978, after the mobile unit had traveled 75,000 miles, it was necessary to have the trailer hitch welded and tightened. The class took a long break because of the resulting noise. However, a fire caused by the welding torch destroyed the unit almost immediately. The insurance company paid the full amount of the policy for the unit and its contents. Thereafter, a second unit was purchased and built with the following dimensions:

Length: 54 feet

Width: 12 feet

Height: 11 feet, 6 inches

Seating Capacity: 30 students and 3 observers.

The unit has been designed to withstand structural strains resulting from frequent relocation. Removable stabilizing jacks, five on each side, are used to level the unit. They are held securely in place by a steel pin attached to each jack. The jacks are manually operated, since electricity is seldom available at the time the mobile unit arrives at a new location. Leveling bubbles, designed to aid in leveling the unit, are installed above each jack. Once this facility has been leveled, it is solidly installed, and vibration is almost nonexistent.

An office in the front of the unit accommodates two instructors and their training aids and is also the location of rear projection equipment. The wall between the instructors' office and the classroom contains a chalkboard which lowers to uncover the rear projection screen. A remote control for the projectors is set up on the instructors' podium, and a sound amplifier is located in the instructors' office.

Power is supplied by the host agency, using the 100-foot cable attached to the unit. Service is 100 ampere, 110/220 volt single phase. The mobile unit has become so popular in many cities that a permanent junction box has been installed to accommodate the unit when it arrives.

A heat pump provides comfortable heating and air conditioning. The heat pump is rated at 36m Btu for heating and 35m Btu for cooling, with the thermostat located on the wall next to the instructors' podium.

The steps for the unit, constructed of heavy-duty extruded aluminum, are stored in the unit during transport. A rubber-coated chain seals the steps to the unit.

### Lessons Learned

We made many mistakes with the first unit built, one of which was having windows installed. Experience taught us that there was less distraction, less light problem, and less change necessary when visuals were shown if there were no windows. Class breaks on the hour give the instructors and students a chance to walk outside, smoke, and exercise between sessions.

The original unit contained aluminum wiring, which was replaced at an early date since it was damaged by the friction involved in moving the unit. Copper wire is now used.

The second unit is more sturdily constructed. The mobile unit can travel thousands of miles and sustain rugged travel conditions if it is built to last.

The location of the doors in the mobile unit was changed when it was realized that the unit might be impossible to evacuate if doors were all on one side. There is now a large door at the front of the classroom and a door on the end. If the unit were to turn over, it would still be easy to get out. The conventional door between the office and classroom was abandoned in favor of a folding door to conserve space.



An instructor prepares a rear-view projector prior to an audio-visual presentation.

A student is welcomed to the unit by Commissioner Stone and police instructors.



Carpeting in the first unit was changed to heavy-duty industrial vinyl flooring in the second, because it was learned that plaster of paris and mud were almost impossible to clean up with the unit's vacuum sweeper.

The original unit also had a self-contained gasoline generator for its power source. This was removed because the noise and vibration made it impractical to use while classes were in session. The new unit uses only electrical current provided by host cities.

Conventional speakers provided with audio-visual equipment were found to be inadequate. The new unit contains six high-quality overhead speakers spaced throughout the length of the classroom.

The original unit contained folding chairs. Mobile unit II is equipped with more comfortable chairs for students, an improvement much appreciated.

Mobile unit I and the New Jersey units were equipped with Edex Multi-Phase instructional systems. This type of teaching aid was abandoned when the second unit was built, because it was unnecessary and seldom used.

The desks in mobile unit I were constructed of pressed wood covered with formica. Despite all warnings, students had a tendency to sit on them. The desks currently used will sustain weight of more than 300 pounds.

The platform in front of the unit used by instructors originally created a traffic hazard as class members entered and exited. It was rounded as a safety factor. Coat racks for 24 garments were installed in the rear of the unit, and aluminum steps replaced the heavy iron ones. A small refrigerator in the office is constantly used to preserve undeveloped film and occasionally serves to keep students' medication cool.

### Costs

Inflation is reflected in the cost of mobile training units:

Trailer	{	1966—New Jersey units—
		10' × 60' each—\$16,412
		1970—Kentucky mobile unit I—12' × 54'—\$28,700
Tractor	{	1979—Kentucky mobile unit II—12' × 54'—\$46,785
		1970—For mobile unit I—\$3,533
		1979—For mobile unit II—\$13,255

Of course, the new tractor and trailer are much improved over their predecessors. The current unit is more solidly constructed and furnished with better and more sophisticated equipment. The original tractor was underpowered, and an engine had to be replaced for that reason.

### Training Programs

Kentucky does not mandate training for police. The fact that approximately 5,000 law enforcement officers have attended mobile unit training can be attributed to a pay-incentive program that encourages training and to the success of the mobile unit programs themselves.

Experience taught us that the mobile unit is not adaptable to basic training. Too much of hands-on instruction, including self-defense, firearms, and physical fitness, must be conducted at a police academy. But, for 1-week programs it has proved to be our most effective and least expensive means of

training. (Meals and lodging are paid at the academy in Richmond, Ky.) Each year at a Command Decisions Course all the State's police chiefs are questioned as to the courses most needed. The following courses have been taught in the mobile unit program:

- 1970 Elementary Police Information
- 1971 Narcotics and Dangerous Drugs
- 1972 Police Investigations
- 1973 Breaking and Entering and Related Subjects
- 1974 Penal Code (New Kentucky Code)
- 1975 Basic Refresher
- 1976 Crime Prevention
- 1977 Juvenile Delinquency and Child Abuse
- 1978 Major Case Investigation
- 1979 Legal Issues and Stress
- 1980 Officer Survival

The mobile unit will be sent to a locality only at the request of the chief of police. When the request is granted, police and sheriffs of agencies surrounding the host department within approximately 80 miles are invited to participate. The host chief assures the Bureau of Training that the classroom will be filled. Training is provided at no cost to the officers or their employing agencies.

#### Staff

It takes an unusual and highly dedicated police instructor to conduct mobile unit training. The supervisor in charge of the program has been working in the mobile unit since October 1972, and has one assistant. These instructors sometimes team teach, but usually one of them will go to the host city on Sunday, prepare the unit, welcome the students, and teach the first 2½ days. The second instructor will complete the training session, test the students, close the unit when they leave, and prepare it for moving. These instructors report that they are able to maintain close liaison with the students, learn a great deal about the local communities where they are teaching, and establish rapport among the students who feel more at ease with their friends and neighbors than

they would in an academic environment far from home.

A driver, who is under contract with the Bureau of Training, transports the unit from town to town. Since this travel is over the weekend, it does not interfere with his usual occupation of transporting trailers.

#### Fringe Benefits

Mobile unit training has proved invaluable on a number of occasions. When the unit was in Corbin, Ky., a bank robbery occurred less than 500

**“Training is provided at no cost to the officers or their employing agencies.”**

yards from the training location. Alerted by radio, the entire class responded. A search by the class of a wooded area resulted in the arrests of the subjects.

In Elizabethtown, Ky., a subject barricaded himself in his home, resisting arrest. When he saw the class of 25 officers arrive, confronted by this overwhelming show of force, he promptly surrendered.

Although the mobile unit is plainly marked for police training, each year a class is interrupted by a knock on the door by a local resident requesting a chest X-Ray.

The unit is often used in the evening for community projects. During training sessions in crime prevention, business and professional people, as well as home owners, were invited to tour the mobile unit and observe the locks and alarm systems on display. Instructors were invited after class to visit some local places of business. Recommendations were made by the instructors as to means by which security could be improved.

A number of evening sessions were held by the Bureau of Training's Legal Services Division for judges and prosecutors who were invited to discuss methods of improving criminal justice and promoting cooperation in the communities involved. Boy Scouts and Explorer Scouts have been invited to participate in evening sessions to learn fingerprinting and demonstrate achievement of merit badge requirements.

After the training sessions on legal issues and stress, short courses were conducted on spouse awareness, including films for family members on stress problems unique to law enforcement.

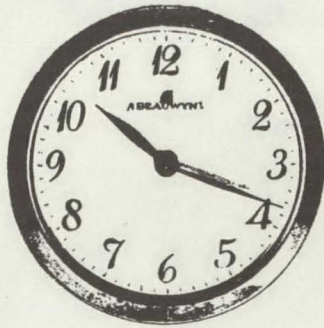
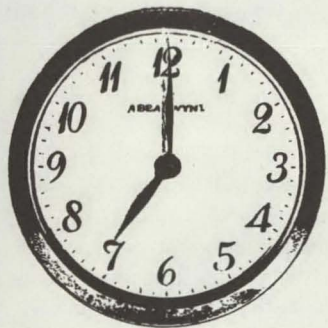
The narcotics and dangerous drugs course, taught in 1971, was considered by chiefs of police to have contributed substantially to a 271-percent increase in the number of drug-related arrests by local police officers the following year.

With increased transportation costs and shortage of fuel for individual officers and departments, we believe mobile unit training will continue to be a feasible, effective, and comparatively inexpensive method of continuing a high level of law enforcement training.

Kentucky has found “training wheels” so successful that we have constructed similar units outside the walls of the State penitentiary and the reformatory for the purpose of training correctional officers. These units are set up permanently at those locations.

**FBI**





Change, especially large-scale change, always creates organizational stress, even though the change may be to everyone's benefit. Hence, a move from established practices must be well-planned and carefully implemented. In addition, any change should be aimed at greater achievement of departmental goals or at least toward creating a more goal-oriented atmosphere within the department.

The Everett, Wash., Police Department has implemented a large-scale schedule change in its patrol division, consisting of a 12-hour shift, 4 days on and 4 days off. The rationale in implementing such an unusual schedule was simple. The many constraints placed on police administrators—pension laws, Civil Service rules, working agreements, and personnel ordinances—leave little room for innovation. Police administrators, therefore, must be constantly alert for methods of maximizing effectiveness, regardless of how unusual those methods may be.

#### A False Start

In 1976, the patrol division was using a days-on-off system. For several years, this consisted of an 8-hour shift, 7 days on, 2 days off, 8 days on and 4 days off. This system gave patrol personnel a 4-day weekend every 3 weeks. This system meant that 1 day a week relief squads were working in addition to the regular squads. This day was termed "training day" but was ordinarily used for paying back compensatory time. A suggestion was made to the department's administration to try a 12-hour shift with 4 days on and 4 days off. While the suggestion was met with mixed reactions, it was agreed that the 12-hour shift would be tried on a small scale.

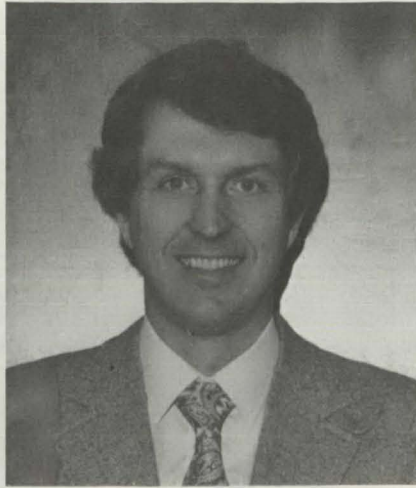
## EVERETT'S 12-HOUR SHIFT

By CAPT. GIL DAVIS and  
JAMES J. TRACY, Ph. D.

*Police Department  
Everett, Wash.*



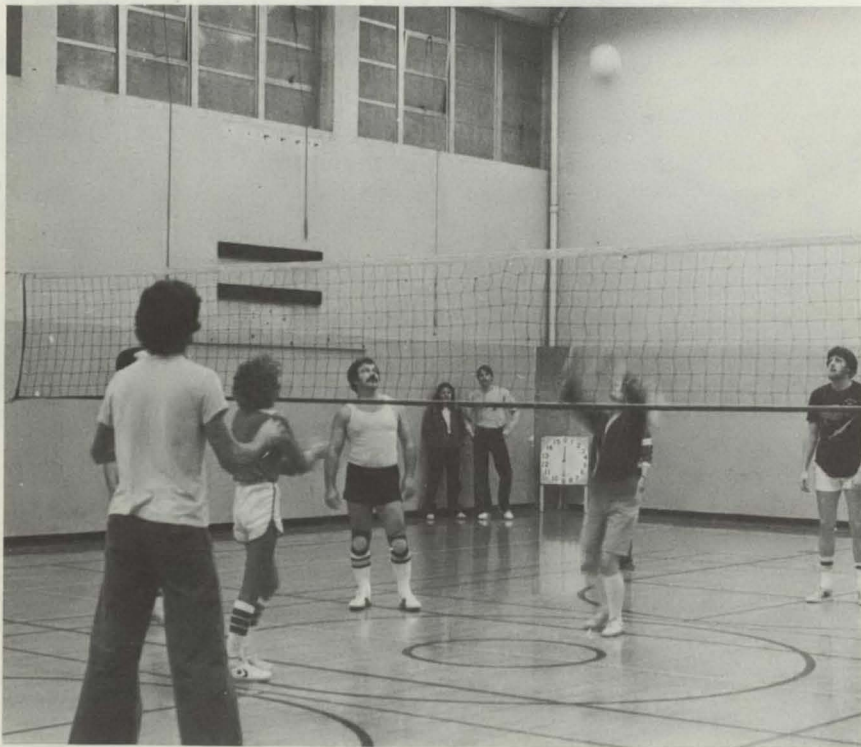
*Captain Davis*



*Dr. Tracy*



*James L. Perin  
Chief of Police*



*The 12-hour shift allows more time for officers and their wives to socialize with one another.*

The trial period lasted for less than a year and was over-shadowed by the implementation of team policing. Because of the administration's greater commitment to team policing, the 12-hour shift was discontinued without being evaluated.

In 1978, a new police chief made a commitment to conduct a feasibility study on a 10-hour day. This was seen as a compromise to those who still desired a 12-hour shift. After evaluating available information on the 10-hour day, the administration concluded that such a shift was not cost-effective.

### **A New Beginning**

In October 1978, the decision was made to submit a 12-hour interest questionnaire to the patrol division. Over one-half of the officers on patrol indicated a preference for the 12-hour shift. In addition, the chief of police alerted the department's consulting psychologist of the possibility of a 12-hour shift, asking for any clear evidence of negative effects upon officers. In the absence of evidence against the 12-hour shift, a "go-ahead" seemed reasonable. The psychologist recommended that performance measurements be maintained, as well as indicators of stress. Based upon this, the 12-hour shift was implemented on nights, effective January 1, 1979. The

implementation of this project began with the selection of volunteer personnel. Seniority, experience, training, and special qualifications also played a role in the selection process.

### Officer Response

The overlap of shifts that developed as a result of the implementation of the 12-hour shift was a new experience to the department. After having worked a few weeks under this new concept, patrolmen indicated some inconvenience in obtaining vehicles during overlap periods. A formal request was made of 12-hour shift officers to state, in writing, their opinions of the shift. The response was immediate and indicated overwhelming satisfaction with the 12-hour shift.

Shortly after evaluating this information, a questionnaire went out to all patrol personnel requesting their reaction to converting all patrol shifts to 12 hours. Fifty-eight of 59 officers indicated they would voluntarily work the 12-hour shift.

The intent to implement the 12-hour shift throughout the patrol division was announced departmentwide. Personnel assignments were made almost entirely on officers' indicated preferences. The increased available personnel also resulted in the creation of a traffic enforcement unit. The reorganized shift schedule became effective on June 1, 1979.

### Evaluation

Once the administration decided to implement the 12-hour shift, a commitment was made to evaluate it. Evaluation was viewed as a rational basis for further decisionmaking and change. In the case of the 12-hour shift, evaluation appeared to be the best way of answering anticipated inquiries or criticisms. The patrol captain, along with the consulting psychologist, designed the evaluation process.

Two evaluation methods were used—subjective response of officers and measurement of objective performance indicators. The first method included patrolmen's responses to a questionnaire aimed at measuring differences between the 8-hour and 12-hour shifts. The questionnaire was developed from written reactions gathered earlier. To encourage candid answers, the questionnaires were completed anonymously and sent to the psychologist's office with the assurance that only group data would be used.

The second method of evaluation was based on more objective data. Information as to the number of arrests, citations given, sick leave, etc., was gathered monthly for each officer on patrol and summarized in computer printouts. The second method of evaluation was used to contrast the 8-hour and 12-hour shifts on each of these objective factors.

### Findings

A more-detailed statistical analysis of this project is contained in "An Evaluation of a 12-Hour Shift."<sup>1</sup> What follows are the highlights of the statistical analysis.

The patrolmen's responses to the questionnaire indicated greater satisfaction with the rotation of days off, greater opportunity to complete work, higher morale, and a more-positive relationship with their families. These findings were consistent regardless of age or years of service. Finally, no single element in the questionnaire was rated lower for the 12-hour shift than for the 8-hour shift.

Nine objective factors were collected on each patrolman for 6 months—May, July, and September of both 1978 and 1979. The months of July and September 1978, were 8-hour shifts, July and September 1979, were 12-hour shifts, and May 1979, was a mixture of the two shifts. This allowed for a comparison between shifts for the same months in different years. Initially, assists on the 12-hour shift were significantly lower than on the 8-hour shift. Subsequently, however, this finding was reversed.

A sample of 17 officers who worked all 6 months was obtained. Each of the elements used for rating the 8-hour months were grouped together and contrasted with the 12-hour months. There were more reports on the 8-hour shift, but there were no significant differences on the other factors, although there was some indication that the 12-hour shift had more assists and less sick leave taken.

Because it is commonly believed that response time is related to fatigue, one might suspect that the response time would be slower toward the end of the 12-hour shift, compared to the end of the 8-hour shift. An analysis of response times revealed no differences between the shifts.

### Conclusion

In reviewing the statistical findings, the response of the patrolmen appeared to be overwhelmingly in favor of the 12-hour shift. The performance indicators of this study did not show the 12-hour shift superior to the 8-hour shift. Yet, on the other hand, there was no clear evidence of deteriorating performance. Increased officer satisfaction, then, appears to have been obtained without a decrease in performance.

In spite of a false start, implementing the 12-hour shift caused no insurmountable problems. Participative management has had a major effect on the success of the project. Beginning the program as strictly voluntary helped to avoid problems. Moreover, the evaluation of this change reinforces the need to go beyond opinion and bias to a systematic evaluation of goal achievement.

Finally, the 12-hour shift offers benefits to all involved—the officers benefit from a stress-relieving work schedule, while the citizens benefit from the manpower increase and the improved quality of service provided.

**FBI**

#### Footnote

<sup>1</sup> Charles Davis and James Tracy, *An Evaluation of the 12-Hour Shift*. Technical Report, Everett, Wash., Police Department, 1979.

# A Procedural Model for Processing Citizen Complaints

By LT. DOROTHY D. KNOX

*Police Department  
Detroit, Mich.*

In order to develop and maintain the confidence of the public, a police agency should be responsive to the citizens it serves. One way of doing this is to develop and maintain an open and effective procedure for investigating citizens' grievances filed against police officers during the performance of their duties.

Most police agencies have devised methods for processing citizen complaints; however, these methods are frequently viewed with suspicion by both the police officer and the public. The officer is leery of being made an example of by the administration, while citizens often allege that police investigators tend to coverup or "whitewash" the actions of police officers.

The nature of police work makes it vulnerable to complaints, both real and imagined. Police work is unlike any other vocation in a number of ways, all of which contribute to the problem of misconduct and the frequency of complaints:

"Police service is one of the few occupations in which a substantial part of the clientele does not appreciate the service, and the police are sometimes asked by others to ignore violations of the law for one reason or another.

Most police officers are conspicuous in attire and in their vehicles, making their actions, both good and bad, more noticeable.

Enforcement of the law often creates resentment, which sometimes becomes vindictive and personal.

Police officers are exposed to temptations not often found in other forms of work.

Officers in the field usually work without direct supervision, a fact that creates additional opportunity for misconduct.

The public tends to be more critical of the police, who are expected to exhibit a higher level of conduct and behavior than others. When they do not exhibit this higher degree of good conduct, complaints are generated.

The nature of the work occasionally attracts persons who have antisocial or brutal tendencies.

Emotion-charged situations are frequently encountered during police contacts such as arrests and interviews at crime scenes. The emotion can obscure the reason and judgment of both police officers and citizens."<sup>1</sup>

Thus, while full and fair investigations must be provided, proper safeguards must also be taken against unwarranted complaints.

When it is believed that a false complaint is being reported, the citizen should be advised of the consequences of making such a charge. When the complaint is lodged in person, the citizen should sign the complaint statement as being factual.

Complaints should be fully investigated and reported on promptly, with both the citizen and involved police officer being promptly notified of the disposition. The success of any system of internal investigation by police personnel depends upon the honesty of the investigators and their ability to ferret out and report the truth, however unpalatable that may be, and for the administration to take whatever disciplinary or training action is required.

Police administrators should realize that burying complaints and/or investigations, depending solely upon the initiative of the complainant, or failing to take disciplinary or corrective action when necessary will ultimately lead to the type of situation the administration seeks to avoid—the loss of public confidence and low police morale.

In the past, there had been considerable sentiment expressed by persons outside law enforcement to establish civilian review boards to investigate or adjudicate allegations against the police. Undoubtedly, one of the reasons for this has been the tendency of the police to avoid making fair and vigorous investigations of alleged wrongdoings within its own ranks. What has been described as the "blue curtain" has all too often been drawn over police misconduct. There are numerous reasons for this, among them the feeling by the police that they are vilified by a growing segment of the public and therefore must band together for self-protection. Additionally, some misguided administrators believe that conducting vigorous internal investigations is tantamount to admitting failure; the opposite is probably closer to the truth.

This article suggests a model procedure for the receipt, assignment, and investigation of citizen complaints. This procedure is, perhaps, best implemented in a relatively large department where a unit for handling citizen complaints has already been established.

First, a citizen complaint report (CCR) form must be designed to standardize reporting. The form can be preprinted with spaces at the top for routine identification information regarding the complainant, witnesses, officers involved, date and time of inci-

**"The nature of police work makes it vulnerable to complaints, both real and imagined."**

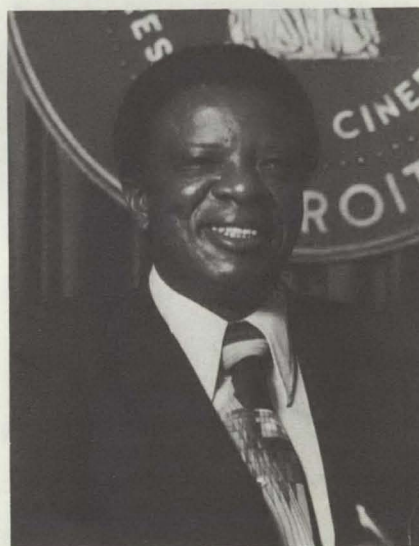
dent, etc., and room at the bottom for a brief statement of the complaint. In addition, the forms can be prenumbered to assist in establishing an accounting system. A multiple-copy form would be ideal.

When a written citizen complaint report is made, the complainant is given a copy of the complaint and has the opportunity to review the complaint statement before signing it. The complainant should then be advised that he will be contacted by an investigator in a few days and will perhaps be asked to provide additional information.

Citizens making complaints are referred to the complaint unit where grievances may be reported in person, by telephone, or by letter. All citizen complaint report forms are kept at the unit. In larger agencies, consideration should be given to providing CCR forms to the various precincts so that



Lieutenant Knox



William L. Hart  
Chief of Police

citizens may report grievances to supervisors there. Ultimate control of the numbered complaint forms should remain the responsibility of the citizen complaint unit. Complaints on the numbered form, wherever taken, should be immediately forwarded to the complaint unit for logging and assignment to investigators. Two log books, one alphabetical and one numerical, should be maintained at the citizen complaint unit for easy access and recall of any complaint.

If, for any reason, a citizen complaint report form is rendered unusable (i.e. torn, spoiled, soiled) it should be marked "VOID" and forwarded to the citizen complaint unit. A report should not, for any reason, be discarded. The citizen complaint unit should then void the report in its log book and file it for future reference. Quarterly and annual audits of the numbered forms should be made in order to maintain the integrity of the accounting system.

Generally, complaints should be assigned to the command of the officer(s) against whom the complaint is made. This commanding officer then assigns the complaint to a supervisor for investigation. Complaints involving unknown or more than one command, those originating from an attorney, and those of a sensitive or controversial nature should be retained at the citizen complaint unit for investigation.

When the case is assigned to a command other than the citizen complaint unit, the commanding officer should designate one or more officers, sergeant or above, to conduct the investigation. Under no circumstances should the officer against whom the complaint is made be assigned to con-

duct the investigation. The lowest ranking officer assigned to the investigation of the complaint should be superior in rank to the highest ranking officer against whom an allegation of misconduct is made. When the case is assigned for investigation at the citizen complaint unit, where investigators are generally all sergeants, the rule regarding rank will not apply, except when ordering statements. Of course, only a superior officer can order another officer to make an oral or written statement.

**"... while full and fair investigations must be provided, proper safeguards must also be taken against unwarranted complaints."**

The complaint should be investigated by supervisory personnel, who gather evidence and conduct interviews of all persons known to be involved, including police officers of all ranks. Throughout the investigative process, the investigator should maintain periodic contact with the citizen complainant.

The supervisor assigned to investigate a citizen complaint should try to complete the investigation, including the written report, within 20 to 30 days of the date of the complaint. If the investigation has not been completed by the 30th day, the officer assigned to the investigation should notify through channels the commanding officer of the citizen complaint unit of the reason for the delay and expected date of completion. This notification can be made on an interoffice memorandum.

While conducting investigations, personnel of the citizen complaint unit should have access to all agency records. If a commanding officer believes any part of his records is so sensitive that such access would be improper, he should immediately appeal the investigator's request to the chief of police or commissioner.

The officer conducting the citizen complaint investigation should report the results in writing to the commanding officer of the command conducting the investigation. The report should be accompanied by the original citizen complaint report and any other documents relevant to the investigation.

The disposition of a citizen complaint is the responsibility of the commanding officer of the command that conducts the investigation. The officer responsible for the disposition of the case should study the citizen complaint report, the investigator's report, and any other relevant documents or evidence in order to determine what actually happened. He should make every effort to reconstruct a complete account of the incident giving rise to the complaint. Based on the information at hand, he should reach a factual conclusion regarding the incident.

Upon finding impropriety on the part of a department member, a report of the alleged misconduct should be prepared, along with a draft of the charges, including the citation of the rule or regulation that was violated. The misconduct report and charge sheet are then referred through official channels to the chief of police, police commissioner, or to the person or command designated by him for the adjudication of the matter. In some large police agencies a disciplinary administrative unit exists for the orderly processing of all discipline cases, including trial boards, chief's hearings, appeals of terminal probationary evaluations, etc.

Separating the factfinding (investigation) unit and the adjudicative unit is desirable to provide greater credibility to the system. One person or unit should not be the judge, jury, and executioner, per se. Of course, when a particular command conducts an in-

investigation of its own officers, this separation of function is less apparent. It does exist, however, to a certain extent in that the supervisor who conducts the investigation is responsible for reporting his findings to the commanding officer for approval and adjudication. The commanding officer should decide what action, if any, is appropriate in light of his factual conclusions and existing policy. If he decides that taking no action is appropriate, it should be so stated in the disposition report. If he concludes that action is appropriate and it is within his authority to take such action, he should immediately do so. An explanation of the action taken should be included in the disposition report. If he concludes that action beyond his realm of authority is appropriate, he should, before submitting the disposition report:

- 1) Recommend the action to the appropriate authority,
- 2) State in the disposition report that he has made such a recommendation, and
- 3) Attach a copy of the correspondence containing the recommendation to the disposition report.

Disciplinary options include reinstruction, retraining, written reprimand, formal disciplinary proceedings, and change or refinement in department rules, regulations, procedures, or training.

The disposition report should include the conclusions of facts, the conclusions reached by applying rules and policy to the facts, and a statement of action being taken or recommended. The commanding officer should also state any mitigating circumstances, such as unclear or poorly communicated department policy, inadequate training, or lack of effective supervision.

The commanding officer has the responsibility of insuring that the complainant is notified of the disposition of the case. He is also responsible for notifying each officer involved in the complaint of the disposition insofar as it affects or applies to that member.

Upon completion of the investigation and notifications, all copies of the citizen complaint report, the investigator's report, the original and one copy of the disposition report, and all other documents relevant to the complaint are forwarded to the citizen complaint

unit for review, closure, logging, and filing. Prior to filing, notations should be made on officer contact cards, which are centralized at the citizen complaint unit.

Total processing of a citizen complaint should be completed within 45 days, unless there are unusual circumstances.

**FBI**

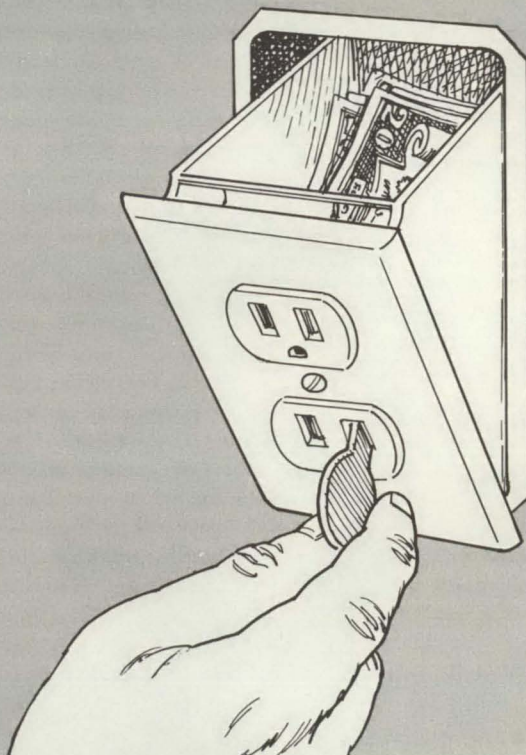
**Footnote**

<sup>1</sup>O. W. Wilson and Roy Clinton McLaren, *Police Administration*, 4th ed. (New York, N.Y. : McGraw-Hill, 1977), p. 212.

## Outlet Storage Compartment

This device, advertised in magazines, looks like an electrical outlet that opens to allow for the storage of valuables. The "outlet" can be locked with a key and made to appear authentic when a lamp is plugged into it. However, law enforcement authorities should be aware that such a device could also be used to store illegal items, such as narcotics.

**FBI**



# The Junior Security Patrol and the Military Installation



*JSP's monitor a traffic control point.*

By SSGT. MARY F. BAKER  
*Security Police/Crime Prevention Section  
Nellis Air Force Base, Nev.*

In April 1979, the Crime Prevention Section of the 57th Security Police Squadron implemented a junior security police (JSP) program on Nellis Air Force Base, Nev. This program, aimed at military dependent youths 6 to 14 years of age, was designed to make a youth's first contact with law enforcement officials a positive one.

In 1978, vandalism to military property in the base housing areas was a growing problem. Although the military installation is a cloistered law enforcement environment, its problems in the area of juvenile vandalism are not much different than those of a small





*JSP's receive duty instructions.*

urban population of 36,000. Military dependent youths come from a variety of social backgrounds, unlike a civilian community where the majority of its citizens are basically integral to the area. Social aberrations are brought into the military "on-base" community that stem from vast urban population centers, as well as semi-isolated rural areas across the United States, and in some cases, from the other side of the globe.

It seemed a logical approach to implement a public relations program aimed at negating preconceived information or ideas about people who wear a badge, establish an honest rapport with the base youths, and actively involve young people in constructive crime prevention.

### **Program Development**

The initial effort by the Nellis police force was an intense program of advertisement over a 6-week period. This advertisement was geared toward motivating both the juveniles and the parents. In addition to the standard techniques—poster coverage in base public areas and articles in the base newspaper—permission was obtained from the principals of both base schools to not only brief classes but to conduct a "pep rally" for the students in the school auditorium. One county school located in the proximity of the off-base government housing area is 87-percent military. Although this had a short-lived, disruptive effect on the standard "3R's" fare, it was inordinately effective and delivered a payoff of enthusiasm that made a successful advertisement campaign. These techniques are facilitated by the overall cloistered nature of even the largest military installation.

On April 21, 1979, the initial meeting of the junior security police program was conducted. Of the 1,660 eligible base youths 486 turned in membership applications and received a briefing on the training curriculum. It was gratifying to note that at least 90 percent of these youths were accompanied by at least one parent. Attendance at subsequent training sessions grew to over 500, approximately 30 percent of the total population of eligible base youths.

### **Administration**

Training classes are conducted twice monthly and are supervised by a training cadre of 10 off-duty instructors.



*Members of the junior security patrol man an information center.*



*The author and a junior security patrol member arrive for duty.*

The curriculum consists of standard paramilitary skills, such as guardmount procedures, inspection and drill, crime prevention slide presentation (developed locally by the Clark County Chamber of Commerce), police communication and crime reporting, traffic control, base entry control duties and procedures, and localized classes followed by a test on various subjects ranging from babysitting to home/self-protection.

On September 1, 1979, the first class of junior security police graduated. These 36 young people had completed all requirements and had displayed proficiency in all areas of the curriculum. On graduation day, they received a certificate from the chief, security police, a shirt with name tag, JSP and American flag patches, and became eligible to be scheduled to work along with security police. Due to the potential danger of some law enforcement conditions, JSP are never placed on active patrol. They observe the desk sergeant's duties and work traffic points and base entry control points, always supervised by an active duty police officer.

All funds for training equipment and uniforms for this program came from donations by local civil organizations or fundraising activities by the security police squadron and the youths themselves.

### **Evaluation**

Since the implementation of the JSP program, crime analysis statistics relating to housing area vandalism have shown a significant decrease. We have achieved our stated purpose. On several occasions, such as the Fourth of July celebration when base traffic was nearly tripled, JSP's were successfully used at traffic control points, parking lots, and information centers, freeing the security police patrols and virtually eliminating the need to call in off-duty law enforcement personnel. With very little supervision and without incident, the JSP's proved themselves adequate in the task of routine police duties.



*Members of the junior security patrol.*

There have also been many residual effects that reflect virtual 24-hour involvement by the youths in this program. On April 28, 1979, during an infrequent Las Vegas storm, a powerline was blown down near the housing area. This hazard was recognized by four youths in the JSP program. The incident was reported to the security police desk sergeant by one of the youths, while the others established traffic control to preclude traffic movement through the affected area.

On August 19, 1979, the security police desk sergeant received a report from a distraught parent—two male individuals had attempted to entice his 6-year-old daughter into their car in the off-base government housing area. The parent reported that two JSP youths had prevented this and escorted the child home.

These are a few small examples of how a youth's willingness to get involved and some productive training by dedicated police officials can combine to make productive police-community relationships. **FBI**

# The Lust Murderer

By ROBERT R. HAZELWOOD  
and JOHN E. DOUGLAS

*Special Agents  
Behavioral Science Unit  
FBI Academy  
Quantico, Va.*

On August 29, 1975, the nude, mutilated body of a 25-year-old mother of two was found near Columbia, S.C. Both breasts had been removed, the reproductive system had been displaced, numerous cut and stab wounds were evidenced by the body, and there was indication of anthropophagy.<sup>1</sup>

This was the scene of a lust murder, one of the most heinous crimes committed by man. While not a common occurrence, it is one which frightens and arouses the public as does no other crime.

Of primary concern are those factors which differentiate the lust murder from the more common sadistic homicide, physical evidence present at the scene which may assist in determining the responsible individual(s), and possible personality characteristics of the murderer. It is not the authors' contention that the material presented is applicable to all such crimes or their perpetrators, but rather that the majority of the crimes and offenders involved will exhibit the characteristics set forth. The data presented here have not been quantified, but are based upon the authors' examination of case reports, interviews with investigative personnel, and a careful review of the literature. Minor variations of the terms used may occur, depending on the source of reference.

It is the authors' contention that the lust murder is unique and is distinguished from the sadistic homicide by the involvement of a mutilating attack or displacement of the breasts, rectum, or genitals. Further, while there are always exceptions, basically two types of individuals commit the lust murder. These individuals will be labeled as the Organized Nonsocial and the Disorganized Asocial personalities.

## **The Organized Nonsocial**

The organized nonsocial (nonsocial) lust murderer exhibits complete indifference to the interests and welfare of society and displays an irresponsible and self-centered attitude. While disliking people in general, he does not avoid them. Instead, he is capable of displaying an amiable facade for as long as it takes to manipulate people toward his own personal goal. He is a methodical and cunning individual, as demonstrated in the perpetration of his crime. He is fully cognizant of the criminality of his act and its impact on society, and it is for this reason that he commits the crime. He generally lives some distance from the crime scene and will cruise, seeking a victim. Dr. Robert P. Brittain, author of "The Sadistic Murderer," has stated, "They (sadistic murderers) are excited by cruelty, whether in books or in films, in fact or fantasy."<sup>2</sup>

### **The Disorganized Asocial**

The disorganized asocial (asocial) lust murderer exhibits primary characteristics of societal aversion. This individual prefers his own company to that of others and would be typified as a loner. He experiences difficulty in negotiating interpersonal relationships and consequently feels rejected and lonely. He lacks the cunning of the nonsocial type and commits the crime in a more frenzied and less methodical manner. The crime is likely to be committed in close proximity to his residence or place of employment, where he feels secure and more at ease.

### **The Crime**

The lust murder is premeditated in the obsessive fantasies of the perpetrator. Yet, the killer may act on the "spur-of-the-moment" when the opportunity presents itself. That is to say, the murderer has precisely planned the crime in his fantasies, but has not consciously decided to act out those fantasies until the moment of the crime. Consequently, the victim is typically unknown to the killer, a fact borne out by the cases studied by the authors.

The location of the victim's body may be indicative of the type of murderer involved. Typically, the asocial type leaves the body at the scene of death, and while the location is not open to the casual observer, there has been no attempt to conceal the body. Conversely, the nonsocial type commits the crime in a secluded or isolated location and may later transport it to an area where it is likely to be found.



While there may be no conscious intent to be arrested, the nonsocial type wants the excitement derived from the publicity about the body's discovery and its impact on the victim's community.

The lust murder is committed in a brutally sadistic manner. While the victim may be either male or female, the crime is predominantly heterosexual and intraracial in nature. The victim's body exhibits gross mutilation and/or displacement of the breasts, rectum, or genitals and may have been subjected to excessive stabbing or slashing with a sharp instrument. The victim's death typically occurs shortly following abduction or attack, and the mutilation that takes place follows death. Dr. J. Paul de River notes in his book, *Crime and the Sexual Psychopath*:

"The lust murderer, usually, after killing his victim, tortures, cuts, maims or slashes the victim in the regions on or about the genitalia, rectum, breast in the female, and about the neck, throat and buttocks, as usually these parts contain strong sexual significance to him, and serve as sexual stimulus."<sup>3</sup>

If, however, there is physical or medical evidence indicating the victim was subjected to torture or mutilation prior to death, this factor indicates that the perpetrator was the nonsocial rather than the asocial type.

Seldom will the lust murderer use a firearm to kill, for he experiences too little psychosexual gratification with such an impersonal weapon. Most frequently, death results from strangulation, blunt force, or the use of a pointed, sharp instrument. The asocial type is more prone to use a weapon of opportunity and may leave it at the scene, while the nonsocial type may carry the murder weapon with him and take it when departing the scene. Therefore, the murderer's choice of weapon and its proximity to the scene can be greatly significant to the investigation.

Dr. de River comments that the instrument itself may be symbolic to the murderer and he may place it in a position near the victim. This is a form of pride and exhibitionistic behavior and can be sexually gratifying to him.<sup>4</sup>

The investigator may find that the victim has been bitten on the breasts, buttocks, neck, abdomen, thighs, or genitals, as these body areas have sexual associations. Limb or breast amputation, or in some instances total dissection, may have taken place. Dis-

### **"The lust murder is premeditated in the obsessive fantasies of the perpetrator."**

section of the victim's body, when committed by the nonsocial type, may be an attempt to hinder the identification of the victim. The asocial individual approaches his victim in much the same way as an inquisitive child with a new toy. He involves himself in an exploratory examination of the sexually significant parts of the body in an attempt to determine how they function and appear beneath the surface.

Occasionally, it will be noted that the murderer has smeared the victim's blood on himself, the victim, or the surface on which the body rests. This activity is more frequently associated with the asocial type and relates to the uncontrollable frenzy of the attack.

Penis penetration of the victim is not to be expected from the asocial individual, but is predominantly associated with the nonsocial type, even to the extent of "necrophilia."<sup>5</sup> These activities on the nonsocial's part reflect his desire to outrage society and call attention to his total disdain for societal acceptance. The asocial type more commonly inserts foreign objects into the body orifices in a probing and curiosity-motivated, yet brutal, manner. Evidence of ejaculation may be found on or near the victim or her clothing.

Frequently, the murderer will take a "souvenir," normally an object or article of clothing belonging to the victim, but occasionally it may be a more personal reminder of the encounter—a

finger, a lock of hair, or a part of the body with sexual association. The souvenir is taken to enable the murderer to relive the scene in later fantasies. The killer here is acting out his fantasy, and complete possession of the victim is part of that fantasy. As previously mentioned, the perpetrator may commit an anthropophagic act and such an act is indicative of asocial involvement.

Finally, the scene itself will exhibit much less physical evidence when the murderer is the nonsocial type. As stated, the individual categorized as the nonsocial type is very cunning and more methodical than the asocial type, who commits a more frenzied assault. It is interesting to note, however, that both types may be compelled to return to the scene, albeit for different reasons. While the asocial type may return to engage in further mutilation or to relive the experience, the nonsocial type returns to determine if the body has been discovered and to check on the progress of the investigation. Instances have occurred when the nonsocial type changed the body's location to insure its discovery.

Of interest is the almost obsessive desire of the nonsocial type to assess the police investigation, even to the extent of frequenting police "hang-outs" to eavesdrop on discussions of unsolved crimes, or in some manner, inserting himself into the investigation. In one case, the murderer returned to the scene after it had been examined by police laboratory technicians and deposited articles of clothing worn by the victim on the day she died. In both of two other cases, the killer visited the cemetery site of the victim and left articles belonging to the victim on her grave. It is as though he were involved in a "game" with the authorities. Such actions appear to further his "will to power"<sup>6</sup> or desire to control.

## Portrait of the Lust Murderer

What set of circumstances create the individual who becomes the lust murderer? The authors do not possess the expertise to explain the multiple and complex casual factors associated with the psychological development of the individual who commits such a heinous crime. But, it is generally accepted that the foundation of the personality is formed within the first few years of life. While extreme stress, frequent narcotic use, or alcohol abuse can cause personality disorganization in later life, it is the early years that are critical to the personality structure and development.

Seldom does the lust murderer come from an environment of love and understanding. It is more likely that he was an abused or neglected child who experienced a great deal of conflict in his early life and was unable to develop and use adequate coping devices (i.e. defense mechanisms). Had he been able to do so, he would have withstood the stresses placed on him and developed normally in early childhood. It must be emphasized that many individuals are raised in environments not conducive to healthy psychological development, yet they become productive citizens. These stresses, frustrations, and subsequent anxieties, along with the inability to cope with them, may lead the individual to withdraw from the society which he perceives as hostile and threatening.

Through this internalization process, he becomes secluded and isolated from others and may eventually select suicide as an alternative to a life of loneliness and frustration. The authors have designated this reaction to life as disorganized asocial. This type possesses a poor self-image and secretly rejects the society which he feels rejects him. Family and associates would describe him a nice, quiet person who keeps to himself, but who never quite realized his potential. During adolescence, he may have engaged in voyeuristic activities or the theft of feminine clothing. Such activities serve as a substitute for his inability to approach women sexually in a mature and confident manner.

The individual designated by the authors as the organized nonsocial type harbors similar feelings of hostility, but elects not to withdraw and internalize his hostility. Rather, he overtly expresses it through aggressive and seemingly senseless acts against society. Typically, he begins to demonstrate his hostility as he passes through puberty and into adolescence. He would be described as a troublemaker and a manipulator of people, concerned only for himself. He experiences difficulties with family, friends,

## **"The lust murder is committed in a brutally sadistic manner."**

and "authority figures" through antisocial acts which may include homicide. Thomas Strentz and Conrad Hassel, in the June 1978 issue of *Journal of Police Science and Administration*, wrote of a youth who had first murdered at the age of 15 and was committed to a mental institution. After his release, he murdered and dismembered eight women.<sup>7</sup> It is the nonsocial's aim to get even with society and inflict pain and punishment upon others.

### **The Role of Fantasy**

As noted, the lust murder is premeditated in obsessive fantasies experienced by both the asocial and nonsocial murderers. Fantasy provides them an avenue of escape from a world of hate and rejection. Dr. James J. Reinhardt in his book, *Sex Perversions and Sex Crimes*, has written:

"A study of these cases almost invariably reveals a long struggle against what Reik calls the 'forward thrust.' By fantasy the murderer attempts to wall himself in against the fatal act, while at the same time gratifying the compulsive psychic demands in the development and use of *fantasy*.

These sadistic [fantasies] seem always to have preceded the brutal act of *lust* murder. These *fantasies* take all sorts of grotesque and cruel forms. The pervert, on this level of degeneracy, may resort to pornographic pictures, grotesque and cruel literary episodes, out of which he weaves fantasies. On these, his imagination dwells until he loses all contact with reality, only to find himself suddenly impelled to carry his fantasies into the world of actuality. This is done, apparently, by drawing human objects into the *fantasy*."<sup>8</sup>

James Russell Odom, tried and convicted with James Clayton Lawson for the brutal lust murder described at the beginning of this article, stated that while he and Lawson were at a mental institution, they would express their fantasies about women:

"(Odom) raping them and Lawson mutilating them . . . (we had fantasized so much that at times I didn't know what was real.)"<sup>9</sup>

If he acts out the fantasy (commits the crime), his goal will be to destroy the victim and thereby become the sole possessor. James Lawson (mentioned above) is quoted as saying:

"Then I cut her throat so she would not scream. . . . at this time I wanted to cut her body so she would not look like a person and destroy her so she would not exist. I began to cut on her body. I remember cutting her breasts off. After this, all I remember is that I kept cutting on her body."<sup>10</sup>

The victim may represent something he desires sexually, but is unable to approach. Lawson speaks again, "I did not rape the girl. I only wanted to destroy her."<sup>11</sup>

Rarely encountered is the asocial type who is capable of normal heterosexual relationships. He may desire such relationships, but he also fears them. Dr. Reinhardt, on an interview with a famous lust murderer, wrote:

"... he at first denied ever attempting any sex play with girls. Two days later with one of his rare shows of emotion he said, looking much ashamed, that twice, later correcting himself to eight times, he had touched girls 'on the breasts' and then pressed 'on the leg.' Always having done this, he would immediately burst into tears and 'be upset and unable to sleep'."<sup>12</sup>

### The Psychological Profile

A psychological profile is an educated attempt to provide investigative agencies with specific information as to the type of individual who committed a certain crime. It must be clearly stated at the outset that what can be done in this area is limited, and prescribed investigative procedures should not be suspended, altered, or replaced by receipt of a profile. Rather, the material provided should be considered and employed as another investigative tool. The process is an art and not a science, and while it may be applicable to many types of investigations, its use is restricted primarily to crimes of violence or potential violence.

When prepared by the FBI, the profile may include the perpetrator's age, race, sex, socioeconomic and marital status, educational level, arrest history, location of residence in relation to the scene, and certain personality traits.

A profile is based on characteristic patterns or factors of uniqueness that distinguish certain individuals from the general population. In the case of lust murder, clues to those factors of uniqueness are found on the victim's body and at the scene and would include the amount and location of mutilation involved, type of weapon used, cause of death, and the position of the body. The profiler is searching for clues which indicate the probable personality configuration of the responsible individual.

### "The location of the victim's body may be indicative of the type of murderer involved."

In preparing the profile, it is preferable to have access to the scene prior to its disturbance. In most instances, this is impossible. In lieu of being at the scene, the profiler must be provided investigative reports, autopsy protocols, detailed photographs of the body, scene, and surrounding area, as well as a map depicting the victim's last known location in relation to its present location and any known information pertaining to the victim and her activities.

There are violent crimes in which there is an absence of uniqueness; therefore, it is not possible to provide a profile. However, this is not likely to occur in the case of a lust murder.

### Summary

While not a common occurrence, the lust murder frightens and arouses the public as does no other crime. The lust murder involves the death and subsequent mutilating attack of the breasts, rectum, and genital areas of the victim. The crime is typically heterosexual and intraracial in nature and is committed by one of two types of individuals: The disorganized asocial personality, or the organized nonsocial personality.

The organized nonsocial type feels rejection by and hatred for the society in which he lives. His hostile feelings are manifested overtly, and the lust murder is the final expression of the hatred he feels. The disorganized asocial type also feels rejection and hatred for his world, but withdraws and internalizes his feelings, living within a world of fantasy until he acts out that fantasy with his victim.

While commonalities exist in the commission of the lust murder, there are certain factors which may indicate the personality type involved. These factors include the location of the body, evidence of torture or mutilation having occurred prior to death, smearing of the victim's blood, evidence of penis penetration or anthropophagy, and the availability of physical evidence at the scene.

The crime is premeditated in the obsessive fantasies experienced by both the asocial and the nonsocial types, yet it is a crime of opportunity, one in which the victim is not usually known to the murderer.

The use of psychological profiling in such crimes may be of assistance in determining the personality type involved. It is a search for clues indicating the probable personality configuration of the responsible individual(s). It is a useful tool, but must not alter, suspend, or replace prescribed investigative procedures. **FBI**

### Footnotes

<sup>1</sup>Anthropophagy: Consuming the victim's flesh or blood.

<sup>2</sup>Robert P. Brittain, "The Sadistic Murderer," *Medical Science and the Law*, vol. IV (1970), p. 202.

<sup>3</sup>J. Paul de River, *Crime and the Sexual Psychopath* (Springfield, Ill.: Charles C. Thomas, 1950), p. 40.

<sup>4</sup>J. Paul de River, *The Sexual Criminal* (Springfield, Ill.: Charles C. Thomas, 1950), p. 233.

<sup>5</sup>Necrophilia: A desire for relations with the dead.

<sup>6</sup>Calvin S. Hall and Lindsey Gardner, *Theories of Personality*, 2d ed. (New York: John Wiley and Sons, Inc., 1970).

<sup>7</sup>Thomas Strentz and Conrad V. Hassel, "The Socio-path—A Criminal Enigma," *Journal of Police Science and Administration*, (June 1978).

<sup>8</sup>James J. Reinhardt, *Sex Perversions and Sex Crimes* (Springfield, Ill.: Charles C. Thomas, 1957), pp. 208-209.

<sup>9</sup>Statement of Odom as reported by *The Record* (newspaper) April 7, 1976, 1-A.

<sup>10</sup>Statement made to South Carolina law enforcement authorities by James Clayton Lawson on September 3, 1975.

<sup>11</sup>*Ibid.*

<sup>12</sup>Reinhardt, pp. 221-222.





## The Administration of the Small Police Department

In the United States today, the majority of communities are relatively small in size and population. Most of these communities have their own city, town, or village police department of comparable size. There are many fine publications addressing the management and administration of a police department, but none that exclusively address these matters for the small police agency.

Some questions that must be answered when examining the size of the department deal with the actual operations—job performance, job support, and job administration or management.

This article illustrates one method used by a small police department in the support and administration functions of the agency.

By SGT. RAYMOND ARTHURS

*Police Department  
Palos Heights, Ill.*

The City of Palos Heights is located in south suburban Cook County, Ill., approximately 5 miles southwest of the City of Chicago. The population of the city as of the 1970 census was 9,900 people. Today, it is estimated that there are 13,000 residents. The community is an upper middle class bedroom community with a number of small business areas and no industry. The city covers an area in excess of 7 square miles.

A mayor-alderman form of government was established in the community at its inception in 1959. These officials are elected and seek their offices as independents. The mayor and city clerk are elected from citywide voting and two aldermen are elected from each ward with their terms of office staggered.

The Palos Heights Police Department is composed of 22 full-time sworn officers, 3 part-time sworn officers, and 13 nonsworn personnel. The organization of the department consists of the chief of police, 1 captain, 5 sergeants, and 18 patrolmen. In addition, there are five civilian dispatchers/typists, three typists, and five crossing guards. (See fig. 1.)



Sergeant Arthurs



Nick A. DeLeo  
Chief of Police

The agency can be divided into three areas—operations, support, and administration. All sworn personnel have line responsibilities with the exception of the chief and captain.

The administration of the department rests with the chief of police who has overall authority and responsibility for its operation and the accomplishment of goals. Assisting the chief is the captain of police, whose duties include budget preparation, policy formulation and implementation, and discipline. In addition, he is responsible for the su-

**“ . . . each supervisor has two or three support functions which are his responsibility. . . . ”**

per vision of sergeants, all patrol scheduling, coordinating outside training for the department, and commanding the Investigations Division.

The patrol function of the department consists of three 8-hour shifts, with a sergeant acting as watch commander. Depending on the watch, days off, illness, and special assignments, each shift will have from two to six patrolmen on duty. In addition, the schedule is made to assure there is a relief supervisor on duty whenever the watch commander is on his regular day off. Assisting the patrol function is a traffic/court sergeant who handles the Records Division and serves as relief for sergeants.

The Investigations Division consists of two investigators under the direct control of the captain. Their responsibilities include followup of all crimes, handling of juveniles, both criminal and status offenders, narcotic law violations, and any undercover or stakeout assignments.

Yet, who handles the various support functions of the department? Who maintains the volumes of records needed to support budget proposals, determine equipment needs, and record the activities of the police agency? In the small police department, this is usually handled by line supervisors in addition to their normal duties of supervising the shift as watch commander. Many large police departments have a number of divisions to handle these problems, which on a much smaller scale are handled by the smaller agency without additional manpower.

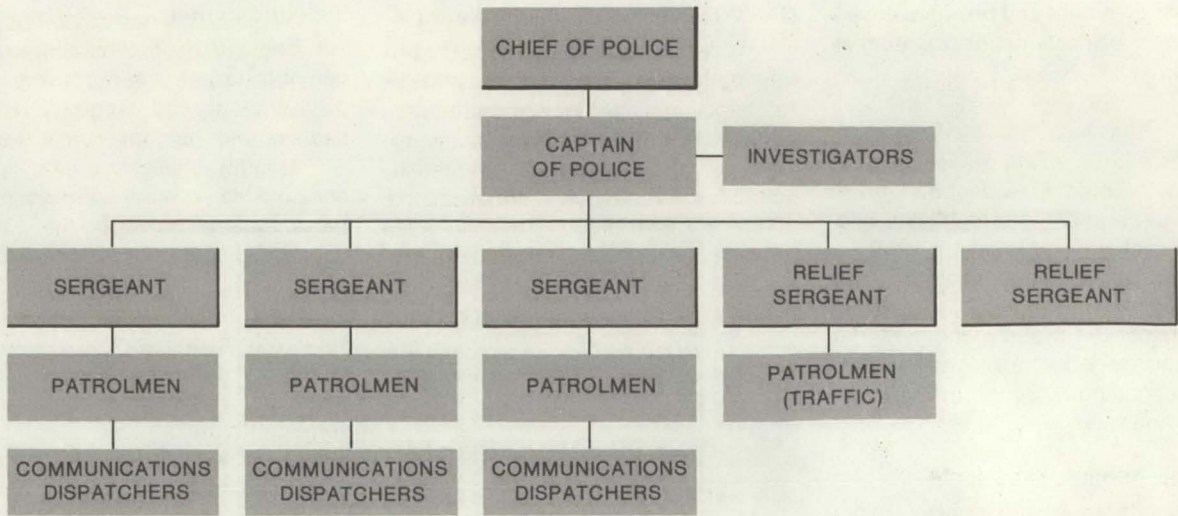
In the Palos Heights Police Department, the assignment of these support functions is handled by the captain. They are reviewed annually and in many cases rotated among the various sergeants to familiarize each of them with the tasks and procedures. Figure 2 provides a review of the manner in which these functions are distributed.

#### **Communications/Records**

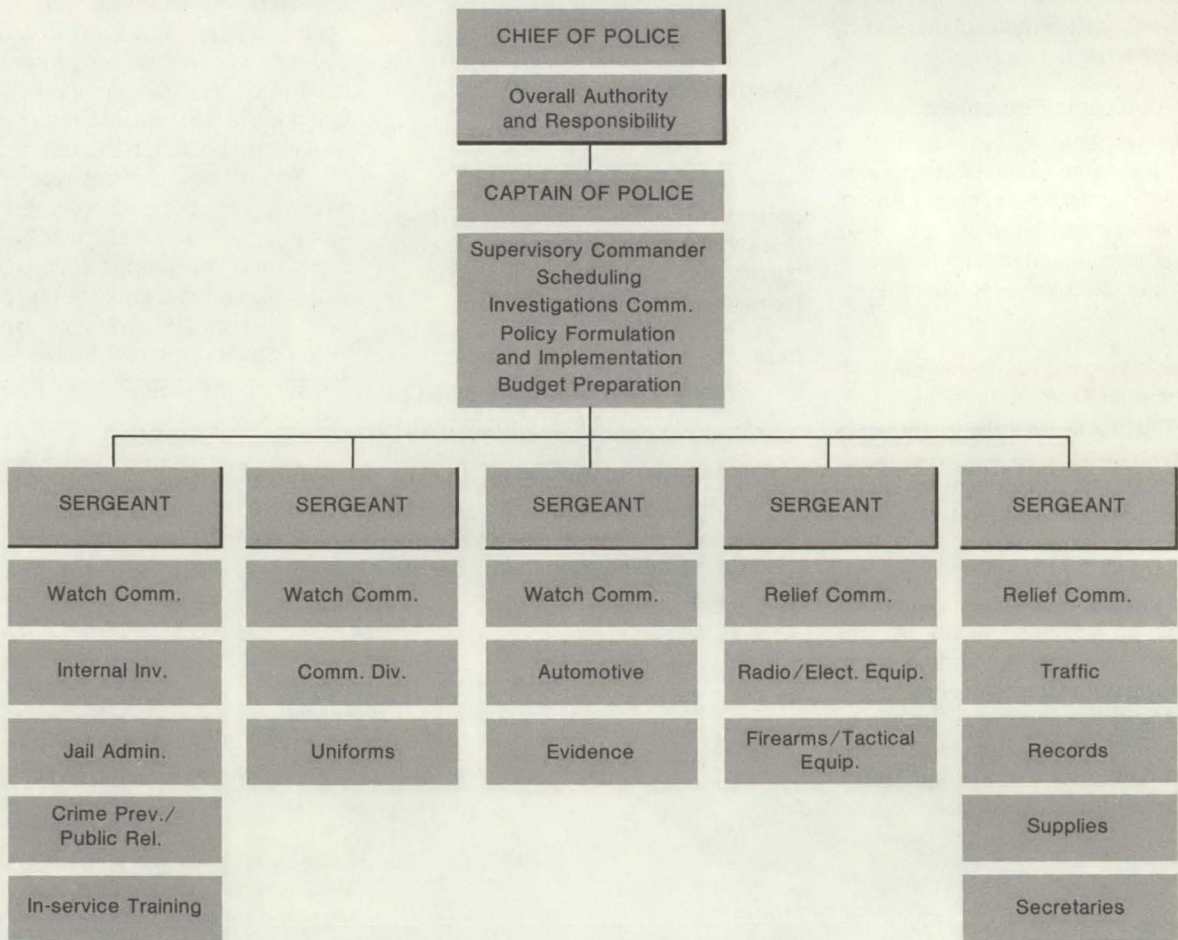
The supervising sergeant for this area is responsible for scheduling and supervising communication dispatchers/typists and taking any necessary disciplinary actions. It is his responsibility to handle all complaints concerning the operation of this unit. He makes recommendations for the hiring, replacing, or releasing of personnel, schedules equipment maintenance, and proposes procedural changes. Reports go through the chain of command until approved and are eventually filed in the records office.

#### **Automotive**

This support function concerns the care and recordkeeping aspects of departmental vehicles. The supervising sergeant is responsible for maintaining records on each vehicle, as well as scheduling automotive work to be done either through the dealer under the warranty or by the city mechanic. In addition, he keeps records on fuel consumption and has the responsibility for ordering and stocking automotive and gas supplies. He advises the captain of



**Figure 1—PALOS HEIGHTS POLICE DEPT. ORGANIZATION CHART**



**Figure 2—DISTRIBUTION OF ADMINISTRATION AND SUPPORT FUNCTIONS**

needed equipment and provides advertisement specifications for bids on new vehicles.

### **Evidence**

The sergeant with responsibility in this area records all evidence received by the department. He maintains custody and chain of custody records for each item and controls the storage and safekeeping of evidence. In addition, he prepares the proper documents for disposing evidence, and when necessary, submitting evidence to the crime lab for analysis.

### **City Jail Administration**

Inspection, recordkeeping, maintenance, and overall physical conditions of the city jail are the assigned duties of the sergeant in charge. He records inmate population for city, State, and Federal crime statistics. In addition, he approves bills for meals, purchases supplies, and schedules any necessary repairs.

### **Radio/Electronic Equipment**

The sergeant is responsible for the installation and maintenance of all radio and electronic equipment. In addition, he records all repairs and costs and makes recommendations for replacing and purchasing equipment.

### **Uniforms**

This supervisor deals directly with the department's retail uniform supplier. He maintains records of requests for new uniforms and the ordering of same. Additionally, he projects budget figures for the next fiscal period.

### **Firearms/Tactical Equipment**

All department-owned weapons are secured and maintained by this supervisor. In addition, recommendations for the purchase of new weapons and equipment are submitted by him to the captain. He also conducts a monthly department qualification shoot which is mandatory for all members.

### **Crime Prevention/Public Relations**

This unit supervisor is assisted by one patrolman. They are responsible for selecting all equipment and materials needed for this function. They also present programs to community schools, churches, civic organizations, and any other group, covering such topics as narcotics, general crime prevention, elementary school "Officer Friendly" programs, safety, and home security. Tours conducted of the police facility are part of their responsibilities.

**“. . . it is a workable system in which all of the support, administrative, and investigative operations of the police department are met.”**

### **Special Investigations**

The sergeant in this unit conducts all internal investigations for the department and submits subsequent reports to the captain. These investigations include citizen complaints and background investigations for new applicants.

### **Inservice Training**

In conjunction with the captain of police, inservice training programs using outside lecturers and audio-visual aids, as well as department members, are scheduled. In addition, practical "hands on" programs are developed to keep members informed of departmental practices and procedures.

### **Implementation**

The chain of command is maintained. The patrolman converses with his sergeant, the sergeant with the captain, and the captain with the chief.

Monthly supervisor meetings are held in which reports are presented by the sergeants on all of the aforementioned subjects. In addition, problems, suggestions, and recommendations are discussed in relation to the various support functions, as well as matters of patrol and administration. Written reports are submitted monthly by each sergeant to the captain in each area of responsibility, with a comprehensive report submitted annually.

### **Conclusion**

It must be noted that each of these support functions is basically the same as those found in the large department. In the larger department, however, the supervisor in charge of each area basically has no other responsibilities. In this department, each supervisor has two or three support functions which are his responsibility, as well as the supervision of his shift.

The problems of this type of organization can become very complex. The priority of the task must be determined and the proper actions taken. To say it is a model may not be proper, but it is a workable system in which all of the support, administrative, and investigative operations of the police department are met.

**FBI**

# Interview of Public Employees Regarding Criminal Misconduct Allegations

## Constitutional Considerations (Conclusion)

*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.*

By JOSEPH R. DAVIS  
*Special Agent  
Legal Counsel Division  
Federal Bureau of Investigation  
Washington, D.C.*

Part I of this article discussed some of the major principles that courts have developed in regard to a public employee's obligation to answer an employer's work-related questions when there is a substantial risk that the employee may be subject to criminal prosecution for his actions. For purposes of continuity, these are briefly summarized:

1) As a matter of constitutional law, any statement given by a public employee based upon a threat of dismissal from his job if he fails to respond will be inadmissible against the employee in a subsequent criminal proceeding.

2) An employee who is being questioned in any proceeding about a matter that could result in a criminal prosecution of him may not be discharged solely for invoking his fifth amendment privilege and refusing to answer or for refusing to sign a waiver of immunity.

## **“. . . no *Miranda* warning or any warning of fifth amendment rights is suggested [in disciplinary interviews].”**

3) A public employee does have an obligation to answer his employer's work-related inquiries. Therefore, if an employee is assured that his answers and information obtained as a result of those answers cannot be used against him in a criminal proceeding and that he may be disciplined or discharged for failure to respond, then he may properly be disciplined or discharged for any refusal to answer such questions.

The conclusion of the article will suggest procedures for interviewing employees which will satisfy these principles.

It should be recognized the Government is often "wearing two hats" in pursuing inquiries into allegations of criminal misconduct on the part of public employees. The Government *as an investigator and prosecutor* is responsible for uncovering and prosecuting individuals, Government employees included, who violate criminal statutes. Additionally, the Government *as an employer* has a legitimate interest in obtaining all the facts regarding misconduct of its employees, in order to take appropriate disciplinary action against offending employees. This dual role is particularly apparent in the case of a law enforcement agency.

The foregoing often causes confusion in the minds of both the investigator, who is acting on behalf of the agency in pursuing the inquiry, and the employee, who is called upon to respond to questions regarding his official duties.

Often, it is impossible for the interviewer to pursue both roles simultaneously, at least to the fullest extent. For example, as a criminal investigator the interviewer must be concerned that no improper coercion is exerted on the employee, because this could result in a finding that the statement is "involuntary" and hence inadmissible in a criminal proceeding. He may also be concerned with whether full *Miranda* warnings or some modified warning should be given to the employee.<sup>25</sup> On the other hand, as a representative of the employer, the interviewer may wish to compel the employee to answer fully all questions relating to his duties and enforce this by a threat of disciplinary action, including dismissal, if the employee fails to account for his duties.

Because these interests conflict, any attempt to pursue them both simultaneously is likely to result in a situation that ill-serves the interests of both the employer and the employee.

An illustration of this conflict is provided in *Peden v. United States*,<sup>26</sup> a recent U.S. Court of Claims case. Peden was a special agent with the Intelligence Division of the Internal Revenue Service (IRS) and was assigned to investigate criminal tax frauds. He was suspected of arranging payment of bribes to IRS personnel by a taxpayer who was under investigation. Agents of the Inspection Service of the Treasury Department attempted to interview Peden regarding his investigation of the taxpayer and certain other tax cases assigned to him. The inspectors gave Peden the usual *Miranda* warnings, after which he refused to answer any of their questions. The inspectors then informed him of a portion of the Rules of Conduct for IRS Employees, which required him to "respond to questions on matters of official interest." They again emphasized that they wished to

question him concerning the tax liability of individuals he was assigned to investigate as part of his official duties. Peden persisted in his refusal to answer any questions.

A few days after the abortive interview, Peden was arrested on criminal charges relating to the alleged bribery. He was later terminated based, in part, on the fact that he had refused to answer questions regarding his official duties in the course of the interview mentioned above. The court of claims commented on the validity of the "refusal to answer" charges by stating:

"The statements of the agents to Peden were a masterpiece of confusion. They told him per the *Miranda* formula that he could have counsel and did not have to talk. Thus, as a criminal investigator himself, he could have had no doubt he was suspected of having committed a crime. Then they told him, per the Treasury regulation, that he did have to talk. No explanation or resolution of this inconsistency was offered. . . . (A) regulation of this Treasury type can be used to coerce information from a criminal suspect only if he is given adequate assurance that his responses will not be used against him in any criminal proceeding. No such assurance was given here."<sup>27</sup>

The court held that the firing could not be supported based on the agent's failure to answer.

To avoid unnecessary problems, before undertaking the interview, the employer should determine whether the goal of the interview is to obtain a statement usable in a criminal proceeding or rather to compel the employee to account fully for his work-related actions.

### **Interviews for Criminal Investigative Purposes**

If the employer believes criminal prosecution is a possibility and wishes to insure any statement obtained is usable against the employee in a criminal proceeding, or at least wishes to preserve the option of its use, then the following procedure is suggested:

1) The employee should be given some warning of his fifth amendment rights, at least an assurance that he may refuse to answer any questions that may be incriminating and that any answers the employee gives may be used against him in a subsequent criminal proceeding.

2) The employee should be advised that if he asserts his constitutional right to refuse to answer incriminating questions, no adverse administrative action will be taken against him based upon his refusal to answer.

If the above procedure is followed, any statement given should be "voluntary" and usable in any subsequent criminal proceeding. Of course, the statement also could be used for disciplinary purposes.

It can be argued that no warning of constitutional rights is required, or at least not a full *Miranda* warning. The employee in most instances is not in custody or significantly deprived of his freedom of action for purposes of the *Miranda* requirement, and he has not been arrested or charged with a crime.<sup>28</sup> However, there is coercion inherent in an interview of an employee regarding his duties by a representative of his employer, often a superior officer. To overcome this inherent compulsion, some fifth amendment warning is recommended.

The same holds true for the suggested assurance to the employee that he will not be punished for his failure to respond. It simply dispels any doubts that the employee may have as to whether he must answer or face disciplinary action for failure to do so. It also substantially reduces the possibility that an employee may later convince a court that he was "compelled" to make an incriminating statement because of an implied threat of disciplinary action. It would appear this is particularly advisable when there is a statute, regulation, etc., that on its face appears to require the employee to respond to all questions regarding official duties.

If full *Miranda* warnings are given, they will include the right to have counsel present at the interview and even the right to appointed counsel. As a matter of constitutional law, it does not appear that a person who is not in custody or significantly deprived of his freedom of action or who has not previously been charged with a crime has a sixth amendment right to counsel at an interview.<sup>29</sup> Therefore, no warning of right to counsel is required by the Constitution. Of course, since the employ-

ee being interviewed may refuse to answer at all, he may also refuse to answer until he consults with an attorney. If the employee asks to consult with an attorney before answering or to have an attorney present during the interview, then it becomes a policy question as to whether the employer wishes to conduct the interview under those circumstances.

On the other hand, if the employer determines that the goal of the interview is simply to require a full statement from the employee as to matters directly relating to the performance of his duties, for the sole purpose of determining if disciplinary action is warranted, a different approach is appropriate.

### **Interviews for Administrative Purposes Only**

If the employer wishes to compel the employee to answer fully questions directly related to the employee's official duties and is willing to forego any use of his answers or their fruits in a criminal prosecution, then the following procedure is suggested.

The employee should be advised that:

1) The purpose of the interview is to solicit responses that will assist in determining whether disciplinary action is warranted, and the answers furnished may be used in disciplinary proceedings that could result in administrative action against the employee, including dismissal.<sup>30</sup>

2) All questions relating to the performance of official duties must be answered fully and truthfully, and disciplinary action, including dismissal, may be undertaken if the employee refuses to answer fully and truthfully.

## **“ . . . several court decisions have directly held that no sixth amendment right to counsel applies in purely disciplinary proceedings.”**

3) No answers given nor any information gained by reason of such statements may, as a matter of constitutional law, be admissible against the employee in any criminal proceeding.

If the above warning and assurance is given, the employee is required to answer fully questions relating to performance of his job.<sup>31</sup> If the employee refuses to respond to such questions, there is no constitutional bar to disciplinary action, including dismissal from employment, based upon such refusal.<sup>32</sup>

Note that no *Miranda* warning or any warning of fifth amendment rights is suggested. Giving fifth amendment warnings, particularly the full *Miranda* warnings, in such an interview is not only unnecessary, it is inconsistent with the required assurance that the employee's statements *cannot* be used against him in a criminal proceeding.<sup>33</sup> It causes confusion in the mind of the employee that may result in an unjustified refusal to answer. Alternatively, a court could also find that this contradictory advice so confused the employee as to the consequences of his refusal to answer that disciplinary action could not properly be taken for any refusal.<sup>34</sup>

There is no right to counsel under the sixth amendment in such administrative interviews. The sixth amendment guarantees a right to assistance of counsel “in all *criminal prosecutions*.”<sup>35</sup> (emphasis added) More specifically, several court decisions have directly held that no sixth amendment right to counsel applies in purely disciplinary proceedings.<sup>36</sup>

Apart from the 6th amendment right to counsel guarantee, the 5th and 14th amendments provide that the Government may not deprive a citizen of “life, liberty, or property, without due process of law.”<sup>37</sup> This has been interpreted to require certain minimal procedural safeguards prior to deprivation of any substantial “property” right. Public employees, particularly competitive Civil Service employees, have been held to have a property interest in continued employment sufficient to require procedural due process in termination proceedings.<sup>38</sup> Assuming for purpose of this discussion that such a property right does exist, the question then arises as to whether a right to consult with counsel or to have counsel present in such administrative interviews might be inferred.

The Supreme Court and lower courts have recognized that fewer procedural safeguards are required to satisfy due process in the “investigatory” (factfinding) stages of a proceeding than are required in the “adjudicatory” (decisionmaking) stages of the proceeding.<sup>39</sup>

The few cases which have directly considered the question have refused to recognize any right to counsel in a purely disciplinary interview or proceeding, particularly if the interrogation takes place in the investigatory stage of the proceeding.<sup>40</sup> These cases appear to be correct. Having an attorney present during such an administrative interview would seem to offer minimal benefit to the employee. The employee is required to answer fully all questions relating to the performance of his duties. No problem of self-incrimination arises that would require the advice of counsel, as the Government is prohibited from using such compelled statements or the fruits thereof in any subsequent criminal proceeding. The

obvious burden on the agency of allowing consultation with counsel or presence of counsel during the course of such interviews will be considered by a court and balanced against the benefit to the employee in having his attorney present.<sup>41</sup> Generally, if the interview is factfinding in nature and conducted solely for disciplinary purposes, the court is likely to resolve the question in favor of no constitutional right to counsel under either the 6th or 5th and 14th amendments.

Assuming, as indicated above, there is no constitutional right to counsel in such administrative interviews—it becomes a question of policy as to whether an agency wishes to allow consultation with or presence of counsel in such proceedings. If a public employer decides to allow the presence of counsel in such interviews,<sup>42</sup> there seems to be no constitutional reason why certain conditions could not be imposed on the attorney's participation.

### **Conclusion**

From the foregoing it should be apparent that interviews of public employees regarding allegations of criminal misconduct require careful planning. It is essential that the employer consider beforehand the purpose of the interview and then tailor the approach to comply with the constitutional principles discussed above.



Although some basic requirements as to such interviews are well-established by Supreme Court and other appellate court decisions, there are many issues which have not been considered. There is some diversity in the resolution of these problems.

Because of the complexity of the legal issues and the variety of State and local statutes and regulations, agencies are strongly encouraged to consult with legal counsel in formulating guidelines for such employee interviews.

**FBI**

#### Footnotes

<sup>25</sup> In *Miranda v. Arizona*, 384 U.S. 436 (1966), the U.S. Supreme Court held that when an individual is in police custody or otherwise deprived of his freedom of action in any significant way, and police desire to question him, he must be first advised of certain rights set forth in the *Miranda* opinion and must make an intelligent waiver of those rights.

<sup>26</sup> 512 F. 2d 1099 (Ct. Cl. 1975).

<sup>27</sup> *Id.* at 1101-02.

<sup>28</sup> *Miranda v. Arizona*, *supra* note 25. Subsequent Supreme Court decisions have made it clear that it is the combination of *custody* and *interrogation* that triggers the requirement for *Miranda* warnings. If an individual is not in custody or significantly deprived of his freedom of action, police may question him without the required warnings. *Beckwith v. United States*, 425 U.S. 341 (1976); *Oregon v. Mathison*, 429 U.S. 492 (1977). See *People v. Wenstrom*, 356 N.E. 2d 1165 (Ill. Ct. App. 1976) (officer's confession without full *Miranda* warnings was admissible, as there was no custody.)

In *Massiah v. United States*, 377 U.S. 201 (1964), the Court held that incriminating statements, deliberately elicited by Government agents after indictment and in the absence of counsel, are inadmissible. Therefore, if an employee has been formally charged with a crime a full *Miranda* warning should be given and a waiver obtained before proceeding with the interview.

Many police agencies have policies that go beyond those strictly required by *Miranda* and subsequent decisions and require warnings be given whenever any individual who is a "suspect" or "subject" or the "focus" of an investigation is interviewed, regardless of whether there is custody. Agencies having such policies may desire to apply the same standards to employee interviews where a statement usable in a criminal proceeding is being sought.

<sup>29</sup> See citation of authority and discussion, *supra* notes 25 and 28.

<sup>30</sup> This statement serves two purposes. First, it helps assure the employee that the interview is solely for administrative, as opposed to criminal investigative, as opposed to criminal investigative purposes, and second, by specifically informing the employee that his answers can be used against him for disciplinary purposes, it removes any possibility of confusion over the scope of the "immunity" as to the use of his response.

<sup>31</sup> As Judge Friendly of the U.S. Court of Appeals for the Second Circuit explained, "... public employees do not have an absolute constitutional right to refuse to account for their official actions and still keep their jobs; their right, conferred by the Fifth Amendment itself, as construed in *Garrity*, is simply that neither what they say under such compulsion nor its fruits can be used against them in a subsequent prosecution." *Uniformed Sanitation Men Association v. Commissioner*, 426 F. 2d 619 (2d Cir. 1970), *cert. denied*, 406 U.S. 961 (1972).

<sup>32</sup> *Uniformed Sanitation Men Association v. Commissioner*, *supra* note 31; *Hank v. Codd*, 424 F. Supp. 1086 (S.D.N.Y. 1975); *McLean v. Rochford*, 404 F. Supp. 191 (N.D. Ill. 1975); *Seattle Police Officer's Guild v. City of Seattle*, 494 P. 2d 485 (Wash. 1972); *Confederation of Police v. Conlisk*, 489 F. 2d 891 (7th Cir. 1973) (dictum), *cert. denied*, 416 U.S. 956 (1974).

<sup>33</sup> *Peden v. United States*, *supra* note 26, *Kalkines v. United States*, 473 F. 2d 1391 (Ct. Cl. 1973).

<sup>34</sup> *Peden v. United States*, *supra* note 26, *Kalkines v. United States*, *supra* note 33. If a public employer is required by statute, regulation, collective bargaining agreement, or other provision to give a fifth amendment warning of rights, the person conducting the interview should explain the apparent inconsistency to insure the employee understands that answers compelled upon threat of job termination *cannot* be used against the employee in a criminal proceeding. Note that such a procedure was approved in *Uniformed Sanitation Men Association v. Commissioner*, *supra* note 31, although the fifth amendment warning given in that case was limited to the right to remain silent and was closely followed by a statement that the employee would be subject to disciplinary action for refusing to answer and that neither the answers nor their fruits could be used against the employee in a criminal proceeding.

<sup>35</sup> U.S. Const. amend. VI. The sixth amendment states, in part, "In all criminal prosecutions the accused shall enjoy the right . . . to have Assistance of Counsel for his defence"; See *Ganz v. Bensinger*, 480 F. 2d 88 (7th Cir. 1973); *Barker v. Hardway*, 283 F. Supp. 228 (S.D. W.Va. 1968), *aff'd*, 399 F. 2d 638 (4th Cir. 1968), *cert. denied*, 394 U.S. 905 (1969); See generally *United States v. Zucker*, 161 U.S. 475, 481 (1896).

<sup>36</sup> *Grabinger v. Conlisk*, 320 F. Supp. 1213 (N.D. Ill. 1970), *aff'd*, 455 F. 2d 490 (7th Cir. 1972) (police officer's suspension without pay for refusal to submit to polygraph exam ordered by superior without the presence of counsel did not violate the sixth amendment right to counsel, as the proceedings were purely disciplinary in nature); *Boulware v. Battaglia*, 344 F. Supp. 889 (D. Del. 1972), *aff'd without opinion*, 478 F. 2d 1398 (3d Cir. 1973) (police officer's interrogation in the course of internal disciplinary investigation without a warning of right to counsel did not violate the sixth amendment, as the proceedings were disciplinary in nature); *Jones v. Civil Service Commission*, 489 P. 2d 320 (Col. 1971) (failure to advise prison guard of constitutional rights or to allow consultation with counsel during interrogation by the warden in the course of a misconduct investigation did not violate the employee's constitutional rights where the statements were never used in a criminal prosecution); *Wilson v. Swing*, 463 F. Supp. 555 560-61 (M.D. N.C. 1978).

<sup>37</sup> U.S. Const. amends. V and XIV.

<sup>38</sup> *Arnett v. Kennedy*, 416 U.S. 134 (1974). For a more detailed discussion of the requirements of procedural due process in termination proceedings see "Public Employment and the U.S. Constitution—Recent Supreme Court Opinions" by Special Agent Daniel L. Schofield, published in the July and August 1978, issues of the *FBI Law Enforcement Bulletin*.

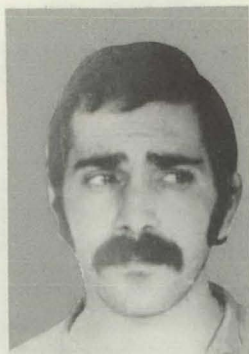
<sup>39</sup> *Hannah v. Larche*, 363 U.S. 420, 441 (1960); *United States ex rel. Catena v. Elias*, 465 F. 2d 765 (3d Cir. 1972); *Womer v. Hampton*, 496 F. 2d 99 (5th Cir. 1974).

<sup>40</sup> *Grabinger v. Conlisk*, *Boulware v. Battaglia*, *Jones v. Civil Service Commission*, *supra* note 36.

<sup>41</sup> *Grabinger v. Conlisk*, *supra* note 36.

<sup>42</sup> In *McLean v. Rochford*, *supra* note 32, the court upheld a dismissal of a police officer based upon his refusal, after a proper warning and assurance, to answer his employer's work-related questions, even though he was relying on advice of his attorney who was present during the interview.

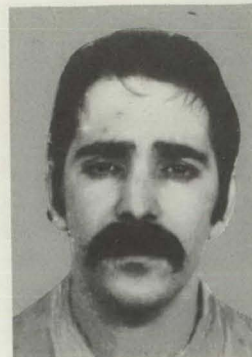
# WANTED BY THE FBI



Photograph taken 1971.



Photographs taken 1973.



## Luis R. Archuleta

Luis R. Archuleta, also known as Lorenzo Buscateri, Lawrence Carbone, Jose Martinez Lopez, Lawrence Larry Pasateri, Ramon Benito Trevino Pedrosa, Benito Trevino Pedroza, Larry Pusateri, Larry Lurcea Pusateri, Larry Luneca Pusateri, Lawrence Pusateri (true name), Lawrence Carbone Pusatari, Lorenzo Pusatari, and others.

### Wanted For:

Interstate flight—Escape, Holding hostages.

### The Crime

Archuleta is being sought by the FBI for holding a prison guard hostage, using a .38-caliber handgun, during his escape from custody. At the time of escape, Archuleta was serving a lengthy sentence for shooting and seriously wounding a police officer.

A Federal warrant was issued for his arrest on June 13, 1977, at Denver, Colo., charging Archuleta with unlawful interstate flight to avoid prosecution for the crimes of escape and holding hostages.

### Criminal Record

Archuleta has been convicted of burglary, robbery, narcotics violations, contempt of court, and assault with a deadly weapon on a police officer.

### Description

Age .....37, born January 6, 1943, Brooklyn, N.Y.  
 Height .....5'7".  
 Weight .....150 pounds.  
 Build .....Medium.  
 Hair .....Brown.  
 Eyes.....Brown.  
 Complexion.....Medium.  
 Race .....White.  
 Nationality .....American.  
 Occupation .....Barber.  
 Scars and Marks.....Scar on left eye; tattoos: cross with branch of flowers and "GLORIA" on left arm; butterfly and woman's head on right arm; rose on chest; rosary entwined with madonna on back.

Social Security No. Used .....549-56-8517.  
 FBI No. ....817,439 D.

### Caution

Archuleta 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:  
 PO6712PO142065PMP15  
 Fingerprint Classification:  
 17 O 11 R OOO 14 Ref: 11  
 L 18 R OMI 20



Right middle fingerprint.

# Change of Address

Not an order form

# FBI LAW ENFORCEMENT BULLETIN

Complete this form and return to:

Director  
Federal Bureau of Investigation  
Washington, D.C. 20535

Name \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

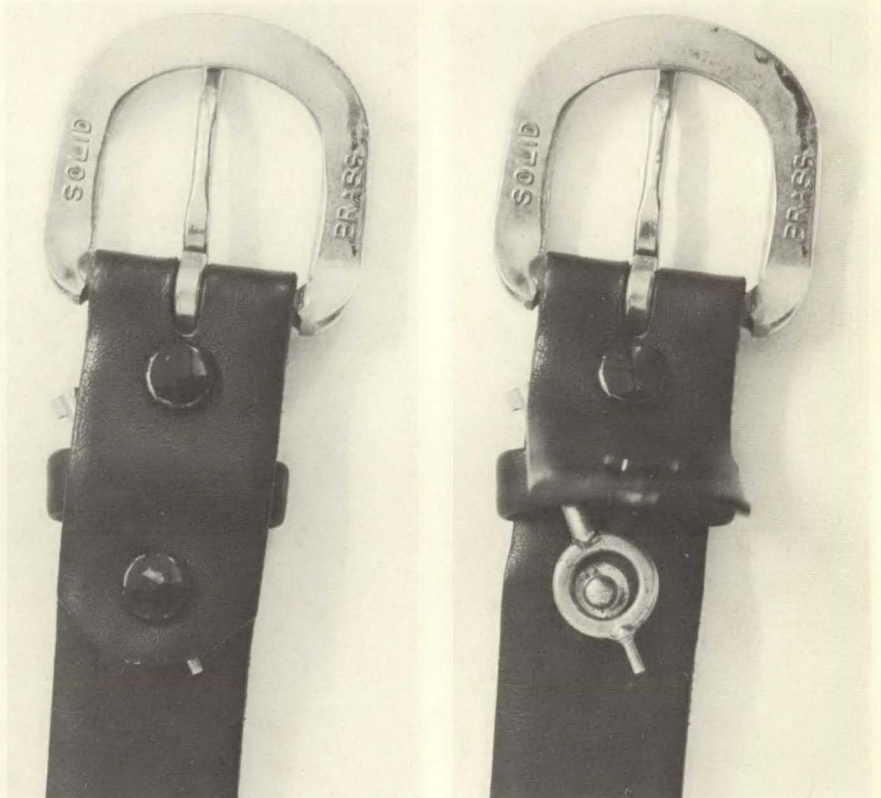
City \_\_\_\_\_

State \_\_\_\_\_

Zip \_\_\_\_\_

## Belt Conceals Key

A man's belt can be used by criminals to conceal a handcuff key. This belt was found by law enforcement authorities in a vehicle abandoned by a former FBI Top Ten fugitive. When the belt is being worn, the key is well hidden, but readily accessible when needed.





*Washington, D.C. 20535*

## **Interesting Pattern**

The patterns this month show the interesting changes which result when an impression has been scarred.

The reproduction appearing on the left shows a plain whorl-type pattern. After having been scarred, this same impression, as shown on the right, now appears to be a double loop whorl pattern.

