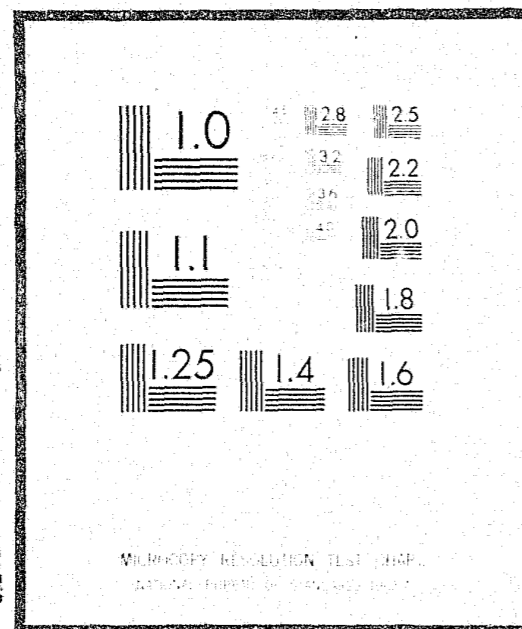


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INVESTIGATION SECTION

LESSON PLANS

A Report to
The
Michigan Law Enforcement Officers Training Council
In Accordance with
Grant No. 177 from
U. S. Department of Justice
Office of Law Enforcement Assistance
Washington, D. C.

by

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INTRODUCTION TO INVESTIGATION

I. Fundamentals.

A. Basic definitions.

1. Investigation: Webster's dictionary says: To follow up or make research by patient inquiry, observation, and examination of facts.
2. Criminal: An act committed in violation of a law prohibiting it, or omitted in violation of a law ordering it.
3. Criminal investigation: Making research by inquiry, observations, and examining facts to determine if a criminal act has been violated and who was the violator.
4. Criminal investigation not a science but an art: There are no scientific formulas that may be used in solving a crime. We use our human ability to develop skills to enable us to develop expertness in a field of criminal investigation.

B. What constitutes a successful investigation.

1. Has criminal investigation been successful? Nationally, less than 30% of all crimes have been solved (FBI Uniform Crime Reports). Some local departments have a higher crime rate clearance, some have less than 30%.
2. How do we judge the success of an investigation? Everything is secretive. Only those involved in the investigation know what has been done and what should have been completed. The public does not have access to the files. There is no statement of achievement issued. We would call this the lack of check and balance system.

3. The Uniform Crime Reports must also be critically analyzed. As is said, they are better than nothing at all, but the reports are only as good as they are reported by the local contributors. Improper or unintelligent reporting by the local departments would change the per cent of the reported crime rate clearance.
4. There is no normal criteria for judging the success or failure of an investigation.
 - a. The fact that the case remains unsolved does not indicate a deficiency in the investigation.
 - b. A conviction does not mean that the investigation was necessarily conducted properly and intelligently.
5. An investigation is considered a success if all of the available information relevant and material to the issue is uncovered.
 - a. If all of the available evidence is uncovered.
 - b. Witnesses were properly interviewed.
 - c. Suspects were effectively interrogated.
 - d. All logical leads properly developed.
 - e. The case clearly and accurately reported.
6. The verdict in court is not a definite criteria as to the success or failure of the investigation.

II. The Tools of the Investigation.

A. Information.

1. Information is knowledge gathered from other people. There are two kinds:
 - a. One type of information is that which we gather from regular sources such as citizens, phone calls to the police station, records at the local clerk's office, credit bureaus, military files and others.

- b. The second type is that knowledge gained from people that would not normally volunteer information without proper cultivation by the investigator. This would include cab drivers, bartenders, joint operators, pimps and procurers, narcotic addicts, and other informants.
 - c. Keep in mind that 95% of all crimes are cleared by information.
2. Of all the devices available to the investigator, information is the most important.
- a. It might tell us who did it. Sometimes if you ask who did it, it gives you the answer to the crime. You then work backwards.
 - b. Professional crimes will sometimes be solved by the use of informants. Amateur crimes are more difficult to solve because of the lack of motive or modus operandi.

B. Interrogation.

1. Interrogation includes the skillful questioning of witnesses as well as suspects.
- a. Interviewing means the questioning of a cooperative witness.
 - b. Interrogation is the vigorous questioning of a reluctant witness. This would include a witness who refuses to cooperate as well as a suspect.
2. To be a successful investigator you must be able to interrogate. An understanding of the psychological make-up of people, their motivations, attitudes, and drives is important.

C. Instrumentation.

1. Instrumentation is the field of criminal investigation that deals with scientific instruments and knowledge of the physical sciences to detect criminal identification.

- a. These are methods used in the police laboratory to examine and analyze clues and traces discovered in the course of an investigation.
 - b. Examples of instruments used would be: comparison microscope, lie detector, modern photography, listening and taping devices. It also includes the field of forensic medicine, toxicology, serology, chemistry, physics, and others.
 - c. The importance to the investigator of the field of criminalistics (instrumentation) is to know what the police laboratory can do for you in the discovery and analysis of evidence.
2. A successful investigator must be familiar with instrumentation processes available to assist in the investigation of a crime.

III. Reviewing the Objectives of an Investigation.

The criminal is identified, he is traced and located, and the facts proving his guilt are prepared for court.

- A. How we identify the criminal.
 1. By admission or confession.
 2. By eye witnesses.
 3. By circumstantial or physical evidence.
 4. By his modus operandi, or method of operation.
- B. How we trace and locate the criminal.
 1. Most criminals will stay in their neighborhoods.
 2. Make use of informants, area merchants, girl-friends, place of employment, and friends of the suspect.

- C. Proving the guilt is the most difficult part. Putting the case together requires both knowledge and skill.
1. To properly prepare the case, you must know the elements of the offense.
 2. Be prepared to prove the corpus delicti.
 3. Know the rules of evidence.

THE INVESTIGATION OF ARSON

I. Michigan Criminal Laws on Arson.

A. Definitions:

1. The offense consists in the willful and malicious burning of any property mentioned in the statute.
2. Burn is defined as the setting fire to, or doing any act which results in the starting of a fire. Aiding, counseling, inducing, persuading or procuring another to do such acts will also make one a principal.

B. M.S.A. 28.267, Burning: dwelling house or building in curtilage.

1. Any person who willfully or maliciously burns any dwelling house:
 - a. Occupied or unoccupied.
 - b. Or the contents thereof.
 - c. Whether owned by himself or another.
 - d. Or any building within the curtilage of the dwelling house.
 - e. Is guilty of a felony--not more than 20 years in the state prison.

C. M.S.A. 28.268, Burning of other real property.

1. Any person who willfully or maliciously burns any building or real property:
 - a. Or the contents thereof.
 - b. The property of himself or another.
 - c. Is guilty of a felony--not more than 10 years in the state prison.

D. M.S.A. 28.268, Burning of personal property.

1. Any person who willfully and maliciously burns any personal property:
 - a. Other than mentioned in preceding sections.
 - b. Owned by himself or another.
 - c. If the value of the personal property be less than \$100--is guilty of a misdemeanor.
 - d. If the value of the personal property burned or intended to be burned be more than \$100, such person shall be guilty of a felony.

E. M.S.A. 28.270, Burning of insured property.

1. Any person who shall willfully burn any building or personal property which:
 - a. Shall be at that time insured against loss or damage.
 - b. By fire with intent to injure and defraud the insurer.
 - c. Whether such person be the owner of the property or not.
 - d. Guilty of a felony, state prison not more than 10 years.

F. Other Michigan Statutes relating to arson and burning:

1. M.S.A. 28.271, Burning property owned or occupied by spouse.
2. M.S.A. 28.272, Burning, making preparations, misdemeanor.
3. M.S.A. 28.273, Woods and prairies, willful or negligent burning.
4. M.S.A. 28.274, Clearing land by fire and disposing of refuse materials in townships.
5. M.S.A. 28.275, Setting fires to mines and mining materials.

II. Elements of Proof.

- A. The corpus delicti in an arson case is not merely the burning of the house or property. There is also proof needed that there was an actual criminal intent to commit arson.
 - 1. Proof would be when an incendiary device along with accelerants are present.
 - 2. It would also be proof if no reasonable explanation of the presence of these accelerants was forthcoming.
- B. The crime of arson can be described in three ways:
 - 1. It is not a crime committed in the presence of witnesses.
 - 2. It is one where all facts and circumstances must be taken into consideration in determination of criminal liability.
 - 3. The physical evidence is usually destroyed.

III. Procedure.

- A. First duties upon arrival at the scene of a suspected arson.
 - 1. An officer should get to the scene of a fire call as soon as he can.
 - a. Be alert for persons or vehicles leaving the scene.
 - b. Check for persons showing unusual interest in the fire apparatus or behaving peculiarly at the scene.
 - 2. If possible, note if the fire originated on the inside or the outside of the building. Also check for foot prints or tire tracks in that area.
 - 3. Find out who turned in the alarm and question them as to what they observed.

4. The color and volume of the smoke should be noted and put in your notebook.
 - a. White smoke indicates the burning of vegetable compounds, grain or phosphorous present.
 - b. Yellow smoke indicates the burning of films, sulphur, acids, celluloid.
 - c. Black smoke indicates the burning of rubber, tar, coal, patroleum products.
5. The color and volume of the flame should also be noted and put in your notebook.
 - a. A bright red flame will possibly indicate that a petroleum product such as gasoline is burning.
 - b. A blue flame will indicate the presence of alcohol.
6. Note whether or not there is more than one fire in different areas of the building.
7. Check the crowd for a person that seems to be enjoying the fire.
 - a. Pyromaniacs, the type of person who sets fires for sexual gratification, will stand back in the crowd and watch the fire for sheer gratification.
 - b. Volunteer firemen in some instances have been known to set fires so that they may become involved in firefighting duties.
8. Note if any doors or windows were open, so that fire had a good draft.
 - a. If entry had to be forced, try to find out who opened the door or window and make note of it.
 - b. See if holes had been bored in the building to create a good draft.

- B. When entering the house or building, be on the alert for evidence that would indicate a possible arson.
1. Check for odors (using your sense of smell).
 - a. Gasoline, kerosene have a characteristic smell.
 - b. Sulphur, candles, celluloid have a pungent odor.
 - c. Phosphorus has the smell of matches burning.
 - d. Moth or insect spray has a sweet smell.
 2. Check for any device that might have been used to delay the start of the fire.
 - a. Mechanical clock, altered equipment are used as time-devices.
 - b. Match folder and cigarettes are used also.
 - c. Board to hold candle is another method of fire-setting device.
 - d. Trailers, strung from room to room, made of rope, cloth, or candlewick, are all examples of arson type fuses.
 3. Check for the source for origin of the fire.
 - a. The alligator effect on wood is usually more severe at the source of the fire.
 - b. Alligatoring is caused by accelerants that create intense heat and has a tendency to leave deep burns at the source.
 - c. If drapes or clothing are used to start a fire, sometimes the pattern of the material is left.

4. See if furniture or other personal belongings have been removed.
 - a. Color TV, rifles will sometimes be removed.
 - b. Also, pets, pictures, personal tools will be taken out prior to setting the fire.
5. In case arson is suspected, the investigator has several responsibilities.
 - a. Preserve crime scene.
 - b. Place all suspected accelerants in air-tight containers.
 - c. Preserve all suspect prints taking care that they are not altered.
 - d. Photograph complete scene, origin, and location of all physical evidence.
 - e. Indicate position of electrical wiring in relation to the fire.

IV. Investigation of Automobile Fires.

- A. The increasing number of automobiles and the sale of insurance has led to the rise of vehicle fires each year.
 1. Cars are maliciously burned for several reasons.
 - a. Financial difficulties with the threat of repossession one reason.
 - b. Another is domestic problems with a divorce pending.
 - c. Sometimes there is dissatisfaction with the automobile and the only way to regain your loss is by burning the car.
- B. The burning of automobiles has become a problem for arson investigators. With the increased number of cars being built and sold there will be many cases of this type that will come to the attention of the police.

1. Due to the construction of a car, it usually will not be completely destroyed.
 - a. If the wiring shorts out, only wiring would be destroyed.
 - b. If the upholstery burns, it would smolder for hours before breaking into open flame.
- C. The investigator should make a complete examination of the burned car.
 1. Determine the point of origin and the spread of fire. Special attention should be given to:
 - a. Electrical system---the owner might state that a short caused the fire.
 - 1) Beaded ends indicates a short.
 - 2) Head lamps burned out indicate a battery short.
 - 3) Check battery charge. A battery can be run down by a short.
 - b. Gas tank and gas line should be checked. A person can obtain gasoline from tank, gas line, or fuel pump.
 - 1) Has the gas line been tampered with?
 - 2) Check the gas cap, if it shows no sign of fire, it might have been put back after the fire.
 - 3) Examine the fuel pump to see if there are missing parts.
 - c. Under the hood, the points of origin could be the fuel pump, carburetor, or wiring.
 - d. Other indications of arson would be the removal of accessories such as stereo, radio, spare tire, contents of glove box.
- D. Interviewing the owner of the car or the insured should follow the examination of the car.

1. After the investigator has completely checked the car, the insured should be interviewed covering the following points:
 - a. All data on the sale of car including salesman's name should be checked.
 - b. Also the condition of the car including mileage, extra equipment, and defects.
 - c. Check on the movements of the owner prior to the car fire. This may indicate a motive or possible deception.
 - d. Ask the subject's explanation of the fire and its origin. Statements then can be compared with the physical examination.
- E. A summary of the problems and techniques in the investigation of automobile fires.
 1. The increased number of cars that are purchased each year has increased the number of suspected arsons of motor vehicles.
 2. In the investigation of suspected arson there are definite investigative techniques applicable.
 - a. In motor vehicles we are dealing with electrical wiring and the amount of destruction caused by defective wiring.
 - b. Gasoline as a fuel supply provides an accelerant for arson purposes.
 3. It is important for the investigator to attempt to uncover all facts as to the ownership of the car, satisfaction in the car's performance, finance problems, marital status, and other conditions that might be reason for arson.

THE INVESTIGATION OF BURGLARY

I. Fundamentals.

A. The definition of burglary normally includes the breaking and entering with intent to steal whereas robbery and larceny do not involve the breaking and entering elements.

1. The word BURGLARY is a common law term. Common law means the unwritten law of a country based upon customs and usage. The common law was brought to this country in 1607 at Jamestown, Virginia.

a. The word burglary is frequently used by the courts to mean Statutory Breaking and Entering.

2. Michigan does not employ the crime of burglary but rather breaking and entering for three reasons:

a. Common law burglary covered only dwelling house.

b. Breaking and entering covers more types of property.

c. Statute also sets degrees of punishment.

B. The Michigan law on breaking and entering.

1. Breaking and entering -- Stats. Ann. 28.305, 28.306.

2. Burglary with explosives -- Stats. Ann. 28.307.

3. Opening or attempting to open coin box, etc. -- Stats. Ann. 28.308.

4. Breaking and entering outside showcase -- Stats. Ann. 28.309.

5. Breaking and entering or entering without breaking without permission -- Stats. Ann. 28.310.

II. The Elements of Breaking and Entering.

- A. Actual breaking is by physical force necessary to effect an entrance into the building. Pushing open a closed door, lifting a window, removing a screen, unlatching a hook, cutting a pane of glass, or picking a lock and entering are examples of breaking.
- B. Entering is the insertion of any part of the body into the building. Putting a leg, arm or finger into the building as well as the insertion of a long pole or hook is sufficient entry and are examples of entering.
- C. The third element is the intent to commit a felony or larceny therein; where there must be an intent to commit a felony or larceny.
 - 1. To find a place to sleep is not sufficient.
 - 2. Ask suspect what he is doing in the building.
 - 3. The fact that the actual commission of the crime was impossible is immaterial.
 - 4. The intent is usually disclosed by all of the facts and circumstances disclosed by testimony.
- D. What is meant by a dwelling house? It is more than the house itself.
 - 1. It includes all of the buildings in the curtilage if used for domestic purposes.
 - 2. Curtilage means the normal fenced-in area surrounding a home, but it is not necessary that it is fenced in.
 - 3. It includes a barn, garage, tool shed, toilet, trash can.
 - 4. A barn is usually regarded as within the curtilage unless it is across the street or used for business.

III. The Investigation of a Burglary.

- A. Points to remember when responding to a call "Burglary in Progress".
1. Do not use a siren. Use your emergency light until you approach the area.
 2. While driving to the scene, check suspicious cars and persons that are leaving from the general area. If you observe anything worth checking, do not do it yourself. Continue to scene, while requesting assistance of other cars.
 3. Before you arrive, go over the physical layout of the building with your partner. Plan a method of covering the building, where the doors are, other means of escape, watchman, dogs, and where the safe is located.
 4. If you are alone, notify dispatcher as to what position you will take.
 5. Upon arrival, before entering the building, make sure all possible exits are covered. Also look up (roof jobs).
 - a. Do not expose yourself to possible gun fire from the burglar as well as fellow officers.
 - b. Stay away from doors and windows. Use flashlight to your side.
 - c. Look for method of entry.
 - d. When enough officers have arrived, first one officer goes in, being covered by the other officers.
 6. After entering the building, make a systematic search of the entire building. One officer must take charge, search each room separately, close off and go to next. Make sure all officers have definite assignment.

7. When suspect is apprehended certain safeguards are followed:
 - a. Immediately handcuff and search person.
 - b. Advise him of his rights.
 - c. Ask him what he is doing there.
 - d. Remove him from the crime scene.
 - e. Check suspect for traces left on him (safe insulation).
 8. Preserve the crime scene, allowing no unauthorized persons to enter.
- B. What to do when on investigation when burglary was committed earlier.
1. Make sure building is checked for suspect. Early morning burglaries are committed by persons such as paper boys.
 2. Safeguard crime scene. Keep in mind evidence might be found in areas other than safe or cash register locations.
 3. Interview the complainant or victim.
 - a. Determine what has been stolen or what felony has been committed.
 - b. Get complete and accurate description of property.
 - c. Find out who secured the building and when.
 - d. Find when the break-in was found and by whom.
 - e. Obtain names of possible suspects and why they are suspects.
 - f. Check for any unusual occurrences, man looking at safe behind counter, discussion of money kept in store at night.

4. Photograph the scene of the burglary, place of entry. Then make search of the premises for evidence. Determine a method of search: strip, grid, quadrant. Any method is satisfactory as long as it is thorough.
5. In searching, what are you looking for?
 - a. You are looking for footprints, fingerprints, tire tracks, toolmarks, tools left at scene, rope, glass breakage.
 - b. Pattern of behavior of criminal. Some criminals follow definite behavior patterns, drinking, eating, or defecation at crime scene.
6. Check with people in the area. Check the neighboring houses and business places open in the evening. It might establish the time of the crime, suspicious cars or persons seen.
7. Communicate with other police agencies. Through crime bulletins and communications, similar crime incidents in inter-city reports might give valuable assistance.
8. Maintain an MO (modus operandi) file on known and suspected burglars, also on paroled burglars.
9. You should cultivate informants because 95% of crime is cleared by information.
10. Check back with victim, apprise them of progress being made in the investigation.
11. Make use of spot maps, keeping track of incidents. Set up stake-outs at suspected areas.

IV. The Investigation of Safe Burglary.

A. The profile of a safe burglar.

1. There was a time when almost every safecracker was known by the police. Nowadays, it can be anyone. The modern safe man can be of any race, color, or occupation. He can be from 12 to 75. Both extreme ages have been apprehended for safe burglary.

2. The skill of the safe man can be judged by the method he employs. There are a number of methods in practice. The use of nitro or other explosive is pretty much in the past. The dangers of explosion have practically eliminated this method.

B. Types of safe jobs.

1. Rip, peeling, or pry job are methods. The greatest number of safe burglars use this method. Sometimes they will use a drill to make a hole in the upper or lower corner and then use a crow bar to pry open the door.
2. Another type is the punch job. This is the second most common method. When it is done right, it is clean, rapid, and quiet. This takes a sledge hammer and a drift punch. The dial is first knocked off and the punch is held against the spindle and hit sharply with the hammer. If the tumblers are at the end of the spindle, the small sockets inside will break and the lock is released. Most modern safes are punch proof because the tumblers are set off from the spindle. (See safe and lock glossary)
3. Another method is chopping. In this method, the safe is turned upside down and the bottom, the weakest part, is chopped open.
4. Burning is still another. Circles are usually burned around the dial and the dial falls off. This is also done around the locking bolt. Burning is done with an acetylene torch.
 - a. This is a popular method. Many ex-convicts use this method after learning welding in prison.
 - b. If you find a B & E of a garage where welding tools have been taken, check local businesses that have safes, in the general area of the welding tool theft.
 - c. If a suspect is apprehended, look for burned clothing, beads of molten metal, and safe insulation.

5. A last method is the carry out. Safes are sometimes taken from the burglary and worked on in other places. This is particularly true in smaller safes. If a safe weighing 200 pounds or more has been carried out, it is likely that more than one subject was involved.
 - a. A low-riding truck or car in the early morning hours might indicate a safe in the trunk.
 - b. Look for safes in rivers and creeks under bridges, also wooded areas. Every city or district has an area that attracts safe men when dumping their safes.

V. Physical Evidence Found at Burglaries.

A. Types of physical evidence.

1. Fingerprints are man's surest way of identification.
 - a. Victims will think that fingerprints will be easy to find. This is not true, but make a thorough search.
 - b. Check areas of break, door, and sills. Door knobs are rarity for print finders. The articles on the dresser might be fruitful. Bottles and glasses are good. If a safe is "crinkled," prints are unlikely. The change box is good as well as the bottom of the change shelf.
 - c. A print should be photographed, then lifted; or the whole article taken if portable.
2. Heel prints are the most common clue left at the scene of a safe burglary. Papers are thrown out of safe and stepped on.
3. A wide variety of tools are used in burglaries such as crow bars, screw drivers, pliers, hammers, drills and saws.
 - a. Screw drivers and knives are the most common because they are easy to conceal.

- b. Some tools leave marks which are very characteristic of the tool. Check the crime scene, suspect's clothes and car.
 - c. There are two types of tool marks, compression and sliding. Some tools leave both. A hammer will hit then slide. A knife pushed into a window will leave sliding marks, when pryed up, will leave compression marks. The sliding mark has the greater significance because the edge of every tool is more or less rough or irregular and can be seen microscopically.
 - d. Never place the tool back into the material.
4. Footprints. There are two types of footprints that might be left at the scene of a burglary. One is impression, which means that which is left in mud, mortar, or other soft material. The other is residue, which is left in sand, dust or blood.
- a. An impression print should be photographed first. A ruler should be laid along side to record the exact scale. It may be lifted by plaster of paris.
 - b. A residue print is the best reproduced by a photograph alone although the use of silicones is sometimes used successfully. It is difficult to compare with the exact shoe because the print is a mirror image of the other.
5. The common use of the automobile in burglaries makes an occasional study of tire treads and their tracks important.
- a. In some cases a special patch or repair will be a means of identification.
 - b. Manufacturers all make different tread characteristics. Study your evidence from several approaches; over-all design and pattern distance between edges, angles and other features. The amount and type of wear.

- c. Remember that a tire when compressed on the road does not have the same dimensional pattern as the uncompressed tire. Therefore, compare a known tire track with the questioned tire track, not the questioned track with a tire.
- d. On dusty roads, points of dust at the side of the track will point in the direction of travel.

VI. Simulated Burglaries.

A. False reports are sometimes made for many reasons.

- 1. Insurance claims, vengeance, mental disturbance are some of the reasons for simulating a burglary.
- 2. If entry is alleged to have been gained through a window.
 - a. Has the window been broken from inside or out?
 - b. How high up is the window?
 - c. Footprints outside? Glass ground into prints.
 - c. Check broken glass. Dirty window outside would leave or show push or strike marks. Any prints inside?
- 3. If entry was through a door. Was it forced or with a key?
 - a. If forced, check for pry marks. Check all of complainants tools.
 - b. How long was the burglar on the premises. Did he go right to the loot or ransack the place?
- 4. What was the financial condition of the business? Was it close to bankruptcy? Was there to be a dissolution of partnership? What was the reputation of the complainant?

VII. Summation.

- A. You, as police officers, will be investigating and responding to the scene of burglaries on many occasions during your career. It is important that you know the procedure to follow during a burglary in progress, proper care and custody of evidence, the elements of the crime so you will know what to look for, and the value of scientific aids in your investigation.

VICE CONTROL

I. Introduction to Gambling and Vice Control.

Regardless of the size of a law enforcement agency, the responsibility for the control of gambling and vice rests upon every member of the department. Unfortunately, the specialization of assignment of specific officers to "vice" work makes this fact less clear than is desirable in most departments. The vice squad cannot suppress gambling and vice conditions without the assistance of other members of the department.

The information contained in this outline should be worthwhile to both the recruit and the experienced officer. The outline is written to expose the officer to the various terms, methods of operation, and possible problems a police officer may face. This brief course cannot hope to produce an expert on gambling and vice control. Policy on the control of vice must be formulated at the local level.

A. The problem of gambling.

1. Gambling has always been a major social and economic problem and we find even in ancient times it became necessary to take drastic action to curb widespread gambling.
 - a. It was considered one of the most disquieting events of the times because it affected law enforcement and government.
 - b. It was against all those that believed in a moral and social government since it tended to break down morals and corrupt the government.
2. Organized crime thrives on commercial activities which exploit the human weakness in the abstinence from gambling.
 - a. Because of its lucrative nature, gambling is a principal revenue of the underworld.
 - b. It has contributed to corruptness in city governments in major cities.
 - c. Licensing of gambling operations is a controversial question.

3. Professional gambling and politics have often been closely affiliated.
4. In many communities, the gambling element is synonymous with the gangster element. This is especially true in the larger cities.
 - a. Much of the propaganda for legalized gambling can be traced to organized and professional gamblers.
 - b. They have attempted through public relations channels open to them to persuade legitimate businessmen that an open town is good for business.
 - c. They have succeeded in many cities in intimidating law-abiding citizens so that they are reluctant to enter into political campaigns against the candidates supported by the gangsters.
5. Gambling profits are the principal support of big time racketeering and gangsterism. Gambling is a big business throughout the United States.
 - a. A bookmaking syndicate in a large American city was controlled by five men. This operation involved 200 concessionaires who serviced the syndicate and shared the profits.
 - b. In another midwestern city, a grand jury estimated the annual gambling "take" to be in excess of 34 million dollars, secured chiefly through the interlocking bookmaking and gambling casino operations of organized gangs.
 - c. Profits might accrue from any number of types of operations. For example, in industrial areas, bookmaking on in-plant gambling might be the chief form; in other locations, numbers and policy rackets. Some cities might serve as distribution points for equipment and services for the syndicate.
6. Large scale gambling is vitally dependent upon the use of interstate facilities of transportation and communications.

- a. Syndicates use leased wires to telegraphically transmit up-to-the-minute news of horse races, dog races and other sporting events to "house parlors", betting commissioners and bookies throughout the country.
 - b. This increases the opportunities to bet, and it makes it possible for the bookie and the betting commissioner to hedge operations to the extent that they are not gambling but conducting a business with an assured margin of profit.
 - c. The wire services are to the bookmaker as the ticker tape is to the stock broker.
 - d. The interchange of information and the facilities for transmitting last minute information and bets by telephone or telegraph make possible the lay-off betting and enable bookmakers to change the odds, cut and control losses and assure large profits.
7. The widespread distribution of slot machines, punch boards and other gambling devices is facilitated by the ease of access to the channels of interstate transportation.
- a. There is legislation to prohibit the transportation slot machines in interstate commerce.
 - b. This has been a temporary stopgap in the growth of this type of gambling.
8. There is a breakdown in law enforcement machinery when wide open gambling and vice enterprises exist.
- a. There exists a failure, in some cases, to act against the criminals who run gambling and vice enterprises. This promotes inefficiency in law enforcement's dealings with other crimes.
 - b. Many police officials and prosecutors refuse to prosecute vigorously when racketeers and gangsters become involved in other types of crimes because of monetary considerations.

- c. A general breakdown of law enforcement results when gambling laws are not enforced, in the form of increases in other crimes.
9. The business of gambling has always been permeated with fraud and dishonesty.
- a. In Gamblers Don't Gamble, author Michael MacDougall states that the proprietor and/or operator of a gambling house cannot really lose, since he is engaged in the only business enterprise where there is little if any chance of losing money.
 - b. This does not mean that all gambling establishments resort to fraud to insure profits; there should be no occasion for cheating since the business is operated on a "percentage basis," which makes it impossible for patrons to win in the long run.
10. There has been much discussion, both favorable and unfavorable, about legalizing gambling.
- a. This discussion is very frequently based on emotion rather than reason.
 - b. Arguments are based upon moral issues rather than the social implications involved.
 - c. It is well to remember that there is nothing magic in the word "license."
 - d. The proposals submitted to license gambling are:
 - 1) To place the administration of the licensing laws in the hands of politically elected officials.
 - 2) These are the officials and law enforcement agencies which are usually impotent in controlling widespread illegal gambling.
 - 3) These same individuals had a licensing arrangement not sanctioned by law.

- B. History of legalized gambling in the United States.
1. Sometimes it is indicated that proposals to legalize gambling are the products of modern, liberal thinking.
 - a. It is claimed that laws which make gambling illegal are based on strong Puritan tradition.
 - b. This has been outmoded by present social conditions and attitudes.
 - c. The legalization of gambling, it is argued, would present a new approach to timeworn problems.
 2. Practice of legalized gambling does date back to ancient times.
 - a. Law prohibiting gambling activities certainly were not invented by the Puritans.
 - b. From time to time almost every civilized nation in the world has found it necessary to resort to anti-gambling legislation to protect its citizens.
 3. In the United States gambling by means of the lottery was legal from early Colonial times until the 1830's.
 - a. The Virginia Company, in 1612, utilized the lottery to raise funds for organizing its expedition to America.
 - b. In early 1700's, lotteries were commonplace in several of the colonies.
 4. People abolished lotteries as a result of careful deliberation.
 - a. Various legislatures enacted law after law designed to eliminate the numerous abuses which persisted in arising from the lottery business.
 - b. It became apparent that lotteries could not be controlled and the racketeers and professional gamblers alone benefited.

5. In the United States, gambling in general is legalized today only in the State of Nevada.
 - a. The laws prohibiting gambling had been so poorly enforced that they were repealed.
 - b. In defending their legalized gambling system, Nevadans stress:
 - 1) Their hatred of hypocrisy.
 - 2) Their belief in individual freedom.
 - 3) Their desire to bring gambling out in the open.
 - c. The principal motivating factor in the enactment of laws that legalized gambling in Nevada was the quest for needed revenue.
 - d. Nevada has not solved its revenue problem through legalized gambling.
 - e. The gambling revenue, easy to get through taxes, has served entrenchment purposes for the gamblers.
 - f. It could very easily plunge the State into debt if the people should rise up and ban the gambling business.
 - g. This has also served to attract underworld characters from other parts of the nation.
 - 1) The presence of members of the underworld and powerful syndicates from other parts of the nation in Nevada's legalized gambling system is not due to official laxity.
 - 2) Nevada officials have apparently, within the limitation of available supervising personnel, made sincere efforts to keep the racketeering element from operating in the state.

- 3) The fault lies in the nature of the business itself. It has always attracted the underworld, and probably always will.

6. The history of previous experiments in legalization of gambling has shown that legalization results in:
 - a. An increase in gambling, particularly in increased participation by small-wage earners, the people who are least able to bear the inevitable losses.
 - b. Violence and crime increase in proportion to the size of the gambling operations.
 - c. Promises of income to the gambling operator which are sufficient to encourage large-scale intimidation and gambling operation.
 - d. Gambling victims' attempts to recoup their gambling losses by means of embezzlement, robbery and other crimes.

C. Critical analysis of the gambling laws.

1. Organized crime acquires fantastic sums of revenue from such activities as:
 - a. Bookmaking.
 - b. The policy or numbers racket.
 - c. The gambling casino.
 - d. The floating crap game.
 - e. Slot machines.
2. Many officials in the field of law enforcement stated before a Senate Committee:
 - a. That they were hamstrung in their desires to enforce the gambling laws by the inefficiency and obsolete provisions of those laws.

- b. Studies conducted by prominent men in the field of law, in order to determine the efficiency of the present gambling statutes as instruments for the control of gambling, resulted in the following basic conclusions:
- 1) The gambling statutes are to a considerable degree ineffective instruments for the control of conduct they are designed to prohibit.
 - 2) Penalties for violating bookmaking and anti-gambling statutes are either too low, or are nullified through the suspension of sentences, and in general amount to a quasi-license to continue operations.
 - 3) Lottery laws fail to provide adequately for specific types of lotteries. They are ineffective in dealing with such phases of lottery operations as:
 - a) The printing, transportation and possession of lottery tickets.
 - b) The manufacture, possession of punchboards, slot machines.
 - 4) Effective suppression of policy or the numbers game is impossible without a prohibition against the possession of policy numbers or policy slips. This is lacking in the statutes of most states.
 - 5) Specific prohibitions against the manufacture, transportation and possession of slot machines do not exist in the statutes of many states.
 - 6) Many state statutes fail to provide adequate prohibitions against the places which maintain gambling devices. They also fail to provide penalties against lax law enforcement officials.

- D. Examination of arguments for and against legalized Gambling.
1. Basically, almost every proposal to legalize gambling is advanced as a means of raising added revenue.
 2. Proponents of legalization often argue that the urge to gamble is inherent in the human nature and that the enforcement of anti-gambling laws is an impossible and impracticable task.
 3. The fact that it is undoubtedly impossible to eradicate gambling completely would not justify the abandonment of attempts to limit the operations of the professional gamblers.
 4. One principal argument for licensing is to remove the control of gambling from the hands of the organized criminals.
 - a. These criminals in turn control the politicians and the officials of the police.
 - b. It is claimed that:
 - 1) Licensing would remove the criminals from the gambling racket.
 - 2) Gang warfare would be eliminated.
 - 3) Corruption would cease.
 - c. The criminal element does not enter a business or an activity because it is legal or illegal or because it is licensed or unlicensed.
 - d. The sole interest of the underworld is in the lucrative nature of the business and the opportunities presented for easy money.
 5. Under proposed schemes to license gambling:
 - a. The administration of licensing laws would be in the hands of politicians.
 - b. The politicians are the same ones who have had strong affiliations with the gangster element that has been in control of gambling.

6. Legalized gambling has always been attractive to the criminal and racketeering elements.
 - a. The migration of many of the nation's biggest racketeers to Nevada, where gambling is legal, is the logical and inevitable result of legalization schemes.
 - b. Even if it were possible through legalization and licensing to eliminate criminals from the control of the gambling business, it would still fail to remove gambling as a principle source of criminality.
 - c. Many respectable citizens who become addicted to gambling turn to crime to recoup high losses suffered at roulette wheels, crap tables or handbooks.
7. Another argument is that since the operation of gambling houses appears to be difficult to suppress, the state should acquiesce and participate in the profits.
 - a. This argument is really one for imposing new and additional taxes upon the people.
 - b. Whether the state or city gets the money through direct taxes or through taking part of the profits on gambling, the result to the people is the same.

E. Conclusions and recommendations.

1. For the most part, criminals, gangsters and swindlers have been the proprietors of gambling establishments.
 - a. This is inevitable in a business that is tremendously lucrative and which exists only to exploit a human weakness.
 - b. Gambling houses have always been a rendezvous for criminals.
 - 1) This again is due to the inherent nature of the business.
 - 2) The gambling business has also been recognized as a principal source of crime.

2. It is only in the State of Nevada that the general legalization of gambling prevails today. The principal motive for licensed gambling in the state is to secure badly needed revenue.
3. On the whole, legalization of gambling in the United States has failed completely.
 - a. Instead of eliminating abuses, it increased them.
 - b. Legalized gambling businesses operating got out of hand.
 - c. The abuses under gambling license laws were so great that the people repealed them.
 - d. Suppressing the business of gambling when it was illegal was even more impossible under a licensing setup.
 - 1) Lawlessness generally prevailed on a large scale.
 - 2) Licensing of gambling is no solution to the gambling problem.
4. It is obvious from the foregoing analysis that to be effective, substantial changes must be made in the gambling laws.
 - a. An effective gambling code would:
 - 1) Make it possible for honest efficient law enforcement officials to minimize gambling.
 - 2) Eliminate a major source of revenue for organized crime.
 - b. An effective gambling code would also highlight the refusal or failure of corrupt and inefficient law enforcement officials to enforce the gambling laws.

c. This code should be designed to:

- 1) Eliminate or control modern forms of gambling.
- 2) Eliminate or control modern forms of conducting gambling operations.
- 3) Provide for rigid prohibitions for the use of all types of communications for the dissemination of gambling information.
- 4) Provide rigid controls on the transportation and possession of gambling devices.

F. Gambling -- definitions, nature and elements of offense.

1. Gambling: In common speech, gambling is applied to play with stakes at cards, dice, or any other contrivance, to see which shall be the winner and which is the loser.
2. Betting: Betting commonly means the putting of a certain sum of money on other valuable thing at stake on the happening or not happening of some uncertain event.
3. In common usage the two terms "betting" and "gaming" may sometimes, but not always, be employed interchangeably.
 - a. If two persons play at cards for money, they are said to be gambling or gaming; but they are not gambling because they lay a wager or make a bet on the result of the game, and, therefore, to say that they are betting is equally appropriate.
 - b. If two persons lay a wager upon the result of an impending election, it may be said that they are betting but not that they are gaming.
 - c. There is no gaming in which the element of wager is wanting; there is no betting which the term "gaming" is not commonly made to embrace.

4. Other terms defined.

- a. Runner: Person who collects bets such as numbers slips, football pool tickets. Also known as pickup men.
- b. Route: The various places runners pick up bets.
- c. Bank: The money supply to back the bets accepted.
- d. Lay Off: Re-betting by a smaller operator who cannot cover the "action" or bets he has received. This may be by reason of a bet or a combination of bets on a particular event or number.
- e. Hit: The winning number or combination of teams involved in the bets.
- f. Action: Bets on a particular game or event.
- g. Line: The odds on an event or contest, i.e., a spot of 6 points on a football game or 5-2 on a world series game.
- h. Numbers: The combination of three digits in any sequence from 000 to 999. Usually divided into a combination of five numbers-- thus giving a first "race" or "house" and last "race" or "house", the middle number being the last number of first house or race and first number of last race or house.
- i. Head on betting: Single game or event bet between a banker and bettor.
- j. Point spread: Points given to a team which supposedly makes the two teams even. Generally can be taken or given by the bettor.
- k. Overlook: A bet which was a "hit" or winner but inadvertantly missed in the process of determining who won. This is reason for maintaining tickets or bet slips for a period of time until bettor can indicate his win or bet was missed.

l. Bookie: One who accepts bets contingent upon the outcome of events or games. Generally confined to horse, boxing, and head-on betting.

m. Odds:

- 1) Bettor has odds of 999 to 1 against having a winning number.
- 2) The operators pay 500 to 1 on most numbers; most triple numbers such as 111 are "cut" numbers and pay only 300 to 1. There are other three number combinations which are "favorites" and are "cut" to 300 to 1.

G. Laws pertaining to gambling.

1. 1581--WINNING AT GAMBLING (Stats. Ann. 28.546; C.C. 1948, Sec. 750.314) "Any person who by playing at cards, dice or any other game, or by betting or putting up money on cards, or by any other means or device in the nature of betting on cards, or betting of any kind, shall win or obtain any sum of money or any goods, or any article of value whatever shall, if the money, goods, or articles so won or obtained be of the value of fifty dollars, such person shall be guilty of a misdemeanor, punishable by imprisonment in the county jail for not more than one year, or by a fine of not more than five hundred dollars."
2. Betting in common speech means the putting of a certain sum of money or other valuable thing at stake on the happening or not happening of some certain event. A purchase of options is not betting in this sense. Betting on the result of an election is not within the provisions of the statute.
3. 1582--LOSING AT GAMBLING (Stats. Ann. 28.547; C.C. 1948, Sec. 750.315) "Any person who shall lose any sum of money, or any goods, article or thing of value, by playing or betting on cards, dice or by any other device in the nature of such playing or betting, and shall pay or deliver the same or any part thereof to the winner, and shall not, within three months after such loss, without covin or

collusion, prosecute with effect for such money or goods, the winner to whom such money or goods shall have been so paid or delivered, shall be guilty of a misdemeanor, punishable by a fine not exceeding three times the value of such money or goods. Such loser may sue for and recover such money in an action for money had and received to the use of the plaintiff; and such goods, article or valuable thing in an action of replevin, or the value thereof in an action on the case."

4. SELLING POOLS AND REGISTERING BETS (Stats. Ann. 28.536; C.L. 1948, Sec. 750.304) "Any person or his agent or employee, who shall, directly or indirectly keep, maintain, operate or occupy any building or room or any part thereof or any place with apparatus, books or any device for registering bets or buying or selling pools upon the result of a game, competition, political nomination, appointment or election or any purported event of like character or who shall register bets or buy or sell pools, or who shall be concerned in buying or selling pools or who shall knowingly permit any grounds or premises, owned, occupied or controlled by him to be used for any of the purposes aforesaid, shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than one year or by a fine of not more than five hundred dollars."
5. POOL TICKETS, ETC., DECLARED NUISANCE (Stats. Ann. 28.538; C.L. 1948, Sec. 750.306).
 - a. "All policy or pool tickets, slips or checks, memoranda or any combination or other bet, manifold or other policy or pool books or sheets, are hereby declared a common nuisance and the possession thereof a misdemeanor, punishable by imprisonment in the county jail not more than one year or by a fine of not more than five hundred dollars."

- b. "The possession of any such articles, or of any other implements, apparatus or materials of any other form of gaming, shall be prime facie evidence of their use, by the person having them in possession, in the form of gaming in which like articles are commonly used. Any such articles found upon the person of one lawfully arrested for violation of any law relative to lotteries, policy lotteries or policy, the buying or selling of pools or registering of bets or other form of gaming shall be competent evidence upon the trial of and indictment to which it may be relevant."

H. Policy.

- 1. Drawing -- In the operation of the Policy Gambling business, numbers are drawn twice a day to determine which numbers are the winning combinations for the particular bets placed. Usually a drawing is made in the early afternoon and is called the A.M. drawing, and another drawing is held in the evening which is known as the P.M. drawing.
 - a. Policy is different from Mutuel numbers gambling in that 12 numbers are drawn from a total of 78.
 - 1) The bettor in Policy gambling has the privilege of betting several different combinations of numbers commonly known as gigs, saddles, sides, flats, spiders and other multiple combinations.
 - 2) In order to win, the combinations must be among the numbers drawn for that particular drawing for which the bet is made.
 - b. In order that all of the players and writers may know the winning numbers, after each drawing is made, result slips are printed and given to the pickup men who in turn distribute them to the various players and writers on their routes.

c. In former years the Policy Houses would print the name of the house, the date, and other information on the result slips. After the Grand Jury, a method had to be found to conceal information from the police.

- 1) Instead of the date appearing on the result slips and bet slips, each drawing would be given a number and these numbers would appear under the heading of "Class" followed by the number of whatever drawing it was for.
- 2) Instead of the name appearing on the result slip, initials would be substituted or some symbol that represented the house.
- 3) Instead of the date appearing on the result slip, "Class 287 PM" would appear. This represents the date.
- 4) There are 12 numbers in a verticle column. These are the winning numbers for the bets placed on this drawing. The three digit numbers appearing on the result slips are the winning mutuel numbers for the day, for mutuel bets placed that day.

2. Policy playing in gambling.

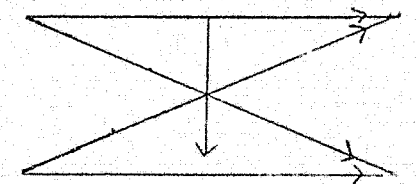
- a. When playing "POLICY", only the digits 1 to 78 inclusive are used.
- b. Policy Houses are known as ONE SIDED or TWO SIDED and refers to the number of drawings made on a single play. Drawings are known as the CLASS and numbered instead of using a date. The CLASS number is printed on each policy result slip to identify a drawing.
- c. When a player bets with a TWO SIDED house, it means he will have two chances of winning on the same CLASS or drawing. Therefore, the payoff on bets is only half of what would be paid by a ONE SIDED house.

- d. Drawing -- 12 numbered PILLS pulled from a box containing 78 different numbers.
- e. Straight Play of Gig -- Any 3 of the 12 numbers pulled from box in a drawing. Pays \$10.00 for 5¢ played.
- f. Gig and Saddle -- Are played together. The gig, same as a straight play, pays \$10.00 for each 5¢ played. The saddle, if the bet misses the gig but 2 of the 3 numbers played come out on drawing, payoff is 25¢.
- 1) If the GIG wins, the saddle payoff is 75¢. The play is written as follows: 14-21-8-¹⁰/₅, the 10¢ marked above the line refers to the amount bet on the gig, the 5¢ marked below the line refers to that amount bet on the saddle.
 - 2) In this type of play, hitting for a gig and saddle, pay off would be \$10.75 for a nickel played both above and below the line.
- g. Flat -- A play of 2 numbers that come out any place in the drawing. Pays \$1.50 for 5¢.
- h. Side -- A 2 number play, both numbers must come out side by side in the drawing. Pays \$9.00 for 5¢ played.
- i. Four Number Play -- 4 numbers played. If 3 come out, pays \$2.50, if all four come out, pays \$10.00 for 5¢.
- j. Spider or Bug -- 5, 3 number plays arranged in the form of a bug. Pays \$10.00 for 25¢ played. (Nothing more than a fancy straight play or gig.)

22 - 31 - 54

8

16 - 76 - 42



3. "Policy" bet slips - examples of: .

"Policy" Bet Slip

Book No. (STATION) OR WRITER NO.) -	B17	346	- - - CLASS NO.
BET NO. - - - - -	8)		
GIG BET - - - - -	9-12-23	10	- - - AMOUNT OF BET (10¢)
GIG BET - - - - -	Comb. 24	05	- - - AMOUNT OF BET (5¢)
BOOK NO. - - - - -	17	246	- - - CLASS NO.
BET NO. - - - - -	9)		
GIG BET - - - - -	11-24-46	10	- - - AMOUNT OF BET (10¢)
	bad	05	- - - AMOUNT OF BET (5¢)
	17	346	
	10)		
	29-31-68	10	
	7-11-11	10	
	all	20	
	17	146	
	11)		
	1-9-10	20	
	1-8-10	20	
	all bad	40	
	17	246	
	12)		
	6-18-36	25	
	8-19-23	25	
	24-54-Flat	50	

"Policy" Bet Slip

CLASS NAME - - - - -

WURLITZER

CLASS NUMBER - - - - -

346

"AM" SIGNIFIES
TIME OF DRAWING

21 AM 67

64 SINGLE 77

70 58

DRAWING RESULTS - - - - -
FOR THE "LEG"

2 cross 7

73 78

67 \$2.50 56

SHUT-OUT BOONS
(ROUTES 15 and 18)

55 SHUT 25

66 OUT 2

72 ROUTE 18

5 18 39

28 15 69

63 OVER 26

- - - DRAWING RESULTS
FOR THE "LEG"RESTRICTION ON
"CROSS-GIGGING" IS
SHOWN BY "SINGLE
CROSS \$2.50"

4. Hit Slip -- A claim for payment of a winning bet originates with the bettor and is made on the station or walking writer who wrote the bet.
- a. The station is permitted to pay off winning bets out of current betting receipts, except in those cases where the payment would exceed receipts or where the payment would exceed a limitation as to the amount it would be permitted to pay.
 - b. A record of payment for any one bettor is made on what is known as a "hit slip", and the slip may be used in lieu of cash by the station accounting to the wheel. The illustration of a hit slip below is the actual size of the paper used.

BOOK NO. - - -	17	246	- - -CLASS NO.
BET NO. - - -	41		
WINNING GIG -	2-56-76	10	- - -AMOUNT CLAIMED AND PAID (\$10)

- c. Usually a claim for payment of a winning bet will be made shortly after the results of the drawing are known.
- 1) However, some claims have been made as much as three days late by reason of the traveling occupation of the bettor.
 - 2) Such late claims are known as "overlooks" and a time limitation is placed on honoring them.

II. Horse Bookie Operations.

A. General modus operandi.

1. The horse bookie deals in even larger bets, generally, than numbers or football pools, but is needed less since the state has legalized betting on horses at tracks.
2. Horse betting has a greater variety of bets and less necessity for daily contact between operators and bettors.
3. Bettors utilize legitimate sources for bet information such as newspapers and "The Racing Form" (a horse race daily, generally available at one newstand in a city of any size).

B. The bet.

1. Bet slips are sometimes given, sometimes not. (See attached description of various types of horse bets.)
2. "Percentages" are generally the same as track odds, except in maximums on long shots, i.e., 50-1.

C. The "Bookie."

1. Generally - though not always - he operates in a house or business establishment.
 - a. Sometimes he goes on "route" to customers.
 - b. He may even supply bet information such as "The Racing Form."
2. Generally he is the backer or banker himself.
3. Generally he has a place to "layoff" larger bets beyond his bank or financial means if the bettor should win.
4. He is more likely to have credit betting than previous operations such as numbers and football pools. Also, bookies are more likely to settle on a weekly basis deducting winnings against bets.

CONTINUED

1 OF 6

D. The "House."

1. There may be a house which handles small bookies.
2. It may be less organized than numbers.

E. The law on bookie operations.

1. Publishing and selling betting odds on horse races.

- a. "Any person, firm or corporation, who by means of any newspaper, periodical, poster, notice or other mode of publication or reproduction, shall publish, or sell reports of betting odds on horse races wherever conducted shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than one year or by a fine of not more than five hundred dollars."
- b. "This section shall not be construed as applying to trotting or pacing races permitted to be held in this state, nor to races conducted at state or county fairs or other fairs conducted by agricultural societies; nor as prohibiting the publication of matters pertaining to pedigrees, entries or results of races excepted by this section, or programs for the use solely of spectators at races nor to any publication designed solely for the benefit of breeders or purchasers of stock."
- c. "It is unlawful for any corporation, association, firm, co-partnership or person, either directly or indirectly, or by or through any agent or employee, to lease, loan, sell, assign or in any way cause to be furnished any machine, device or instrumentality, excluding the telephone, and including any teletype ticker, registering or recording the results of racing or information concerning the making or laying or wagers or bets or the selling of pools or evidence of betting odds on any race, or directly or indirectly to transmit such information to a teletype ticker or other device, etc. The statute, however, does not apply to the transmission and recording of such information to

bona fide newspapers having a general circulation, nor to duly licensed radio and television stations nor to press associations for distribution to newspapers, etc. Any violation of the statute is deemed a misdemeanor punishable by imprisonment in the state prison for not more than two years or by a fine of \$5,000 or both such fine and imprisonment."

2. Racing defined and punished.

- a. "All running, trotting or pacing of horses, or any other animals, for any bet or stakes, in money, goods or other valuable thing, excepting such as are by special laws for that purpose expressly allowed, shall be deemed racing within the meaning of this section, and are hereby declared to be common and public nuisances and all parties concerned therein, either as authors, bettors, stakers, stakeholders, judges to determine the speed of animals, riders, contrivers or abettors thereof, shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than one year or by fine of not more than five hundred dollars, That the giving of premiums by agricultural and other societies and associations, for the running and trotting of horses at fairs or regularly appointed meetings, shall not be illegal or unlawful.
- b. "Every person who shall contribute or collect any money, goods, or things in action, for the purpose of making up a purse, plate or other valuable thing, to be raced for by any animal contrary to law, shall be guilty of a misdemeanor."

3. Licensed racing meets.

"The Michigan racing commissioner is required to prescribe rules, regulations, and conditions in accordance with statutory provisions under which all horse racing shall be conducted within the state, and may assess penalties, including fines up to three hundred dollars, for violations by licensees under the act. The commissioner is authorized to issue race meeting, occupational,

and track licenses. Except as provided by the act, no person shall hold or conduct, or assist, aid or abet in holding or conducting any stake, purse or reward, and at which pari-mutuel wagering is used, unless the person and the track on which the racing is conducted is licensed by the commissioner. The act expressly provides that the provisions of the Penal Code, and all other acts and parts of acts inconsistent with the provisions of the act, shall not apply to the pari-mutuel system of wagering as provided by the act at any horse racing meeting held or conducted by any person licensed to hold or conduct horse racing meetings. It is provided that any person who willfully aids, assists or abets the violation of any of the provisions and requirements of the act is guilty of a misdemeanor, and shall be punished for each offense by a fine of not more than ten thousand dollars, or by both fine and imprisonment. The act expressly provides that all other forms of racing involving wagering of any kind are illegal and that racing at the state fairgrounds at Detroit involving pari-mutuel wagering under the provisions of the act shall not be authorized and shall be in violation of the laws of the state. The act further provides that any licensee under the act, who, directly or indirectly, makes any contribution whatsoever, to any political party or any candidate for state, county, district or municipal office shall be guilty of a misdemeanor."

4. The statute is not unconstitutional as a violation of the constitutional prohibition against lotteries. The legislature in the exercise of its police power can regulate horse racing and wagering thereon as provided by the statute.
5. In the light of regulatory control of betting prescribed by the statute, it is apparent that the legislature intended to confine such activities to licensed premises under the supervision of the racing commission.
6. Pari-mutuel betting on horse races is not a lottery. A lottery is a scheme for the distribution of prizes by lot or chance among persons who have paid or promised to pay a consideration for the chance to

win them, while in horse racing, the winner is not determined by chance alone, as the condition, speed and endurance of the horse and the skill and management of the rider are factors affecting the result of the race.

7. Pari-mutuel is defined as a form of betting on horses in which those who bet on the winning horse share the total stakes, less a small percentage to the management. A pari-mutuel machine is a machine for registering and indicating the number and nature of the bets made on horse races, used in the pari-mutuel system of betting.

8. Samples of betting slips:

Bright Star
\$ 2 Win
Jones

STRAIGHT BET

A specified amount of money
is wagered on one winning
money position.
Illustration (at left)
\$2.00 wagered on the
win position

Name of Horse

Position of the Bet

Amount Wagered

Identity of the Player

(TYPE MADE BY A PLAYER)

12-5
Bright Star 2W
Jones
215
UR (2)

STRAIGHT BET

Date

Money position of the bet

Amount wagered

Name of horse

Identity of the player

Time of receiving bet

Initials of the Bookmaker

Total amount wagered
on this slip

(TYPE MADE BY A BOOKMAKER)

8. (Cont'd.) Samples of betting slips:

Daylight) 2W
 & L Taro)

"PARLAY"

Blue Boy) 2
 Jackie's Pride) DD

"DAILY DOUBLE"

Pronto
 2-2-2
 Henry Jr
 1-0-1

(ACROSS-THE-BOARD X UPPER)

Ordeal) 2
 Sam Sam) W
 Beauty) R
 R
 ⑥

"ROUND ROBIN"

Citation) 3
 Valiant) W
 if
 Mars 2-4-0

"PARLAY WITH "IF" BET"

9. "Numbers" or mutuel bet rings.

a. The bet.

- 1) Generally made on a set of three (3) (original yellow, duplicate white, and a tissue third copy) slips as shown below and about that size.
- 2) These slips are generally in "numbers book."
 - a) Frequently a bettor maintains a book in his home or business and retains only one of the slips or a "receipt." The yellow bet slip(s) will be picked up by a "runner" or representative.
 - b) If the bettor does not have a numbers book, the runner will write up the bet in his book and give a "receipt" - the duplicate or carbon copy.

Nov. 3, 1967		- Date
JWR		- Bettor
Number bet	313 - 5 ^{\$} FR	First Race
	317 - 5 ^{\$} LR	Last Race
Amount bet	715 - 5 ^{\$} BR	Both Races and "Boxed" meaning any of the following numbers would be winner:
<div>715 751 175 157 571 517</div>		
Book No.	Sales No.	Total Sales
23-5091-17		.70
		Total Amount Bet

- 3) Today it is customary for the bettor to only pay seventy-five (75) percent of the amount bet on numbers.
- b. The "Runner." For want of a better description, the "runner" is the "salesman" for the numbers organization. He generally:
- 1) Has a "route" or number of homes and commercial places he visits daily. In some instances the "route" is in the factory where he works.
 - 2) Has a pattern he follows as to time and method of "collecting" his route.
 - 3) Receives ten (10) to twenty (20) percent of the bet slips picked up. This may be substituted by a salary in some cases.
 - 4) Has another means of income.
 - 5) Has a definite deadline he must meet - ordinarily not later than 2 p.m.
- c. The "House." The "house" is the substation where a certain group of "runners" turn in their bet slips. It may or may not have an "office girl" who tabulates on an adding machine tape the amount due for the slips. Size of a numbers operation will generally determine if there will be substations and how many.
- d. Headquarters. Headquarters for numbers operations is the final repository for the numbers rings bet slips and generally, though not always, has the operator present to assure security against anyone "slipping a bet" in after the winning numbers start becoming available. The operation generally requires that slips be in headquarters or "safe" prior to 3:00 p.m. daily.
- e. The "Hit." The bettor has thus placed his bet in the hands of the gambler through a series of transfers. The operator now computes the winning numbers from the mutuels totals of a race track. Suffice here for the recruit to know:

- 1) The numbers are derived from race track totals of winning horses.
- 2) There are five digits which comprise:
 - a) The first "race" or "house."
 - b) The second or cost "race" or "house."
 - c) Since there are but five digits used, the last number of the first "house" or "race" is the first number of the cost "race" or "house."
 - d) Example: The "number" is 51713. This means the bettor who has bet on 517 in the first "house" has won. So has the bettor who has bet 713 in the last "house."
- 3) The "hits" are then placed in envelopes containing: (a) the code name of writer; (b) number bet; (c) amount won. This is achieved by 7 to 10 p.m. depending on many circumstances.
- 4) The "hit" envelopes are then distributed in reverse to the substation (if there is one); the runner; the bettor. The bettor may get the winnings the night of the win or the next day while the runner is on his route.

F. Football "Pools."

1. A form of gambling which is quite similar to the preceding form described as numbers bet rings is generally called a Football Pool. This is a misnomer since there is no real "pool" as we know it. Football bet rings are differentiated from numbers operations by the following:
 - a. It is a weekly event rather than daily.
 - b. It is confined to 10 or 11 weeks per year rather than 52 weeks.

- c. There is a little more "skill" connected with this type of betting.
- d. The odds are considerably less and the amount bet is usually a minimum of \$1.00 rather than one cent.
- e. Amounts bet tend to be greater per slip.

2. The bet.

- a. The bettor generally makes his bet on slips or cards printed by the operators. They are similar to the example shown on the preceding page.
- b. Bettor may select either team, thus giving or taking the points shown on bet cards.
- c. Note: He must pick at least 4 teams and all must win.
- d. The bettor may receive his card or slip from a "dealer" or handler of the bets.

3. The runner.

- a. Similar to numbers operations, the runner has a route which he follows to:
 - 1) Drop off the bet slips to "dealers" - who in turn take them to work to distribute among fellow employees. Their part of the operation usually starts Monday night or Tuesday.
 - 2) Pick up bet tickets or slips and money from dealers or big bettors. Usually no later than Friday night.
 - 3) Dealer may get 25 percent of gross.
- b. Runner then in turn delivers the bet tickets and money into a substation or headquarters.
- c. These must be in the hands of the backer before kickoff time of earliest game.

4. The "house" or "headquarters" or "office."
 - a. Headquarters operations are similar to numbers - sometimes there are some financial backers.
 - b. A check is made of winners, and pay off on "hits" is made in envelopes similar to the method described in the numbers outline.
5. The "hit."
 - a. Odds described on card shown - less the number.
 - b. Note "ties" are resolved in favor of the operator, generally.
 - c. A "hit" envelope is shown below.

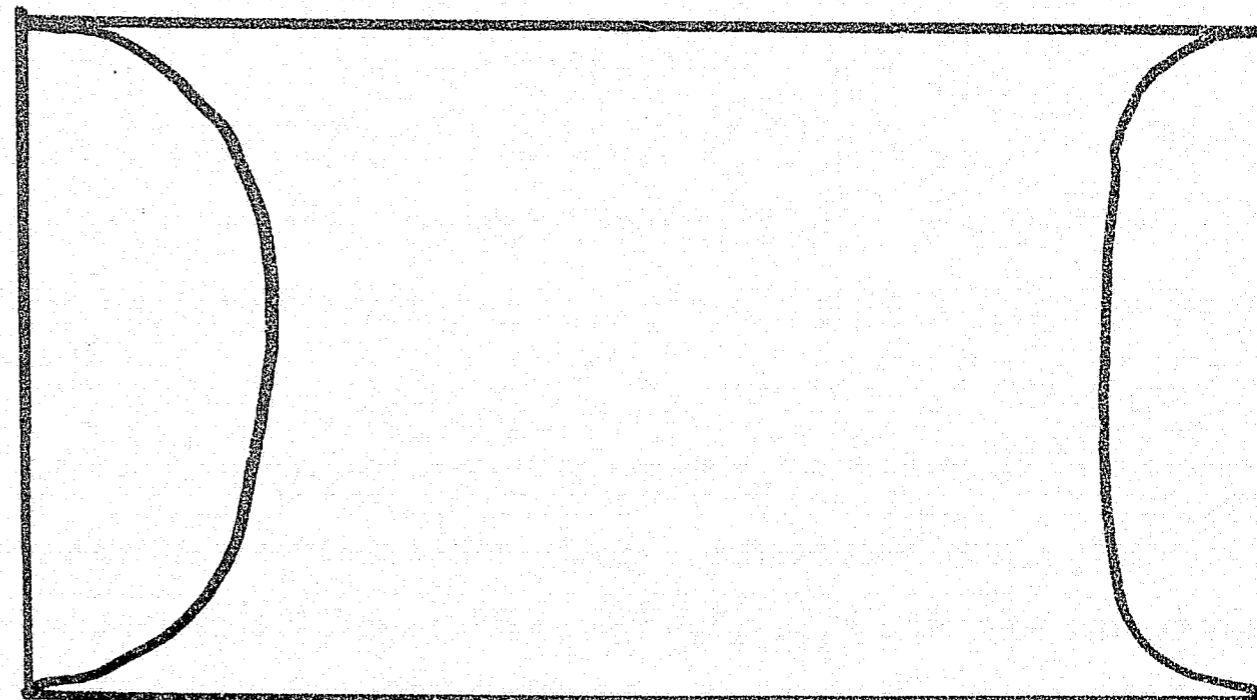


TABLE 1
HOW THE WINNING DAILY "NUMBER IS DETERMINED

	WIN	PLACE	SHOW	
FANCY TAIL	\$28.00	\$12.50	\$8.00	
SWEETIE PIE		7.00	6.00	
MAN O'WAR			6.50	FIRST RACE TOTAL MUTUEL WIN \$ 68.00
1ST RACE PAID		\$	68.00	
2ND RACE PAID			54.00	
3RD RACE PAID			42.00	
4TH RACE PAID			24.00	
TOTAL FOUR RACES PAID		\$	18(8).00	FIRST DIGIT AT LEFT OF DECIMAL BECOMES 1ST DIGIT OF FIRST WINNING COMBINATION
5TH RACE PAID			26.50	
TOTAL FIVE RACES PAID		\$	21(4).50	FIRST DIGIT AT LEFT OF DECIMAL BECOMES 2ND DIGIT OF FIRST WINNING COMBINATION
6TH RACE PAID			117.00	
TOTAL SIX RACES PAID		\$	33(1).50	FIRST DIGIT AT LEFT OF DECIMAL BECOMES 3RD AND LAST DIGIT OF FIRST WINNING COMBINATION.
AUTOMATICALLY CARRY OVER 3RD DIGIT TO START LAST WINNING COMBINATION				
7TH RACE PAID		\$	72.50	
TOTAL SEVEN RACES PAID		\$	40(4).00	FIRST DIGIT AT LEFT OF DECIMAL BECOMES 2ND DIGIT OF THE LAST WINNING COMBINATION.
8TH RACE PAID			31.25	
TOTAL EIGHT RACES PAID		\$	43(5).25	FIRST DIGIT AT LEFT OF DECIMAL BECOMES 3RD AND LAST DIGIT OF LAST WINNING COMBINATION.

FIRST RACE WINNING NUMBER - 841

LAST RACE WINNING NUMBER - 145



Madam Sophie

THEY HAVE
THESE LAST WEEK

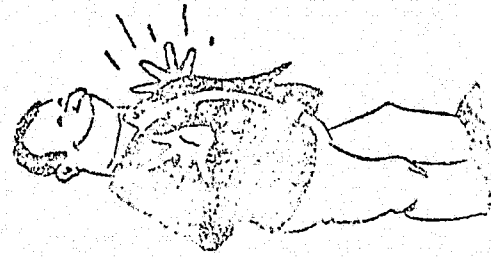
692 - 724

193 - 910

TABLE 2

112	331	337	333	279	613
737	331	828	512	411	784
323	374	114	790	843	359
952	100	333	955	157	130

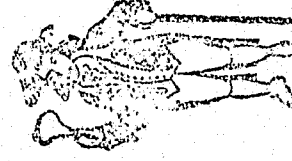
303



Look!

Look!

720



LONG

OT - 3 TWE

277

WYATTE

THREE

631 - 201

897 - 506

699 305 715 532 413 631 592 327 593

933 223 702 903 706 779 203 319

815

461

159

116

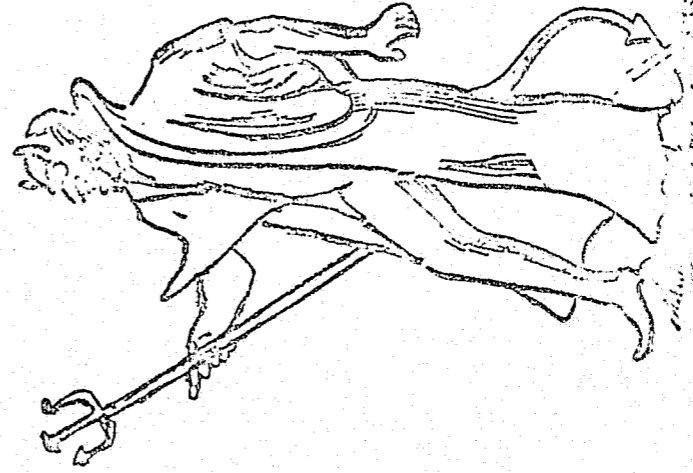
TABLE 4

★	★	★
825		
755 806	755 806	755 806
106 270	106 270	106 270
00 270 019 270	00 270 019 270	00 270 019 270
00 270 019 270	00 270 019 270	00 270 019 270

The Lucky Red
Calendar The Week

★	★	★
246	★	767
443	★	954
Keep	Keep	Keep
7000	7000	7000
903		

RECORD WIN



OLIE RHD DEVIL

895 700 895 700 895 700

Some claim to be MEy but there star but
one MEy and that's MEy

Monday Tuesday Wednesday

218 893 144
301 575 890
280 714



11 Pays to Watch and Make These
Mach These For

181 781 115

067 331

TABLE 5

Tuesday Wednesday Thursday

512 385 871
968 353 897
320 359

★ Long ★

Outside
Week

754 985
505 816

588

123 244

Thursday Friday Saturday

515 734 730
715 945 730
515 945 670

337

Week

543

222 500

TABLE 6

COLLEGE GAMES-SAT., NOV. 4, 1967

1 Arkansas	2 Texas A&M	+ 3
3 Missouri	4 Okla. St.	+ 3
5 Mississippi	6 LSU	+ 4
7 Houston	8 Georgia	+ 4
9 Michigan	10 No. West.	+ 7
11 Auburn	12 Florida	+ 7
13 Oklahoma	14 Colorado	+ 7
15 Texas Tech	16 Rice	+ 7
17 Army	18 Air Force	+ 7
19 So. Car.	20 Wake For.	+ 7
21 Miami (Fla)	22 Virg. Tech	+ 8
23 Baylor	24 TCU	+10
25 Washington	26 Stanford	+11
27 Minnesota	28 Iowa	+13
29 Clemson	30 No. Car.	+14
31 Indiana	32 Wisconsin	+14
33 MSU	34 Ohio St.	+14
35 Syracuse	36 Pitt	+14
37 Purdue	38 Illinois	+14
39 Texas	40 SMU	+14
41 UCLA	42 Ore. St.	+14
43 No. Car. St.	44 Virg.	+15
45 Penn St.	46 Maryland	+21
47 Nebraska	48 Iowa St.	+21
49 So. Cal.	50 California	+21
51 Alabama	52 Miss. St.	+27
53 Notre Dame	54 Navy	+27

PRO GAMES-SUN., NOV. 5, 1967

55 Washington	56 St. Louis Even
57 Pitt.	58 Cleveland Even
59 Green Bay	60 Baltimore + 3
61 Minnesota	62 N.Y. Giants+ 4
63 L. A.	64 San Fran. + 7
65 Boston	66 Houston + 7
67 Kans. City	68 N.Y. Jets + 7
69 Detroit	70 Chicago + 8
71 Phil.	72 New Orl. +10
73 Buffalo	74 Miami +14
75 Oakland	76 Denver +14
77 Dallas	78 Atlanta +20

CIRCLE TEAM SELECTED

1 2 3 4 5 6 7 8 9 10 11
 12 13 14 15 16 17 18 19 20 21 22
 23 24 25 26 27 28 29 30 31 32 33
 34 35 36 37 38 39 40 41 42 43 44
 45 46 47 48 49 50 51 52 53 54 55
 56 57 58 59 60 61 62 63 64 65 66
 67 68 69 70 71 72 73 74 75 76 77
 78
 SAT & SUN., NOV. 4 & 5, 1967

TABLE 7

GRID CAST
TIES DON'T LOSE on 7 to 10 Team Selections
Ties Lose on 4, 5, and 6 Team Selections

No. 2006

September 23, 24, 1967
All Ties Scratched
on or over 7 Teams
AMUSEMENT ONLY

Teams	4	5	6	7	8	9	10	
	9	15	25	35	60	100	150	9/10 20
College Football—Saturday, September 23, 1967								
1 Penn State					2 Navy			3
3 Indiana					4 Kentucky			+3
5 T. C. U.					6 Iowa			+3
7 Southern California					8 Texas			+3
9 Missouri					10 S. M. U.			+4
11 Florida					12 Illinois			+4
13 Michigan					14 Duke			+7
15 Michigan State					16 Houston			+7
17 Washington					18 Wisconsin			+7
19 South Carolina					20 North Carolina			+7
21 Purdue					22 Texas A & M			+7
23 L. S. U.					24 Rice			+7
25 Army					26 Virginia			+14
27 Miami, Fla.					28 Northwestern			+14
29 Virginia Tech					30 William & Mary			+14
31 Colorado Univ.					32 Oregon Univ.			+14
33 Texas Tech					34 Iowa State			+14
35 Stanford					36 Kansas			+10
37 Arkansas					38 Oklahoma State			+10
39 Syracuse					40 Baylor			+10
41 Oklahoma					42 Washington State			+17
43 Georgia					44 Mississippi State			+21
45 U. C. L. A.					46 Pittsburgh			+21
Pro Football—Sunday, September 24, 1967								
47 Detroit					48 Cleveland			+4
49 Baltimore					50 Philadelphia			+6
51 Washington					52 New Orleans			+7
53 N. Y. Jets					54 Denver			+7
55 San Diego					56 Houston			+7
57 Pittsburgh					58 St. Louis			+10
59 San Fran. 49'ers					60 Atlanta			+10
61 Buffalo					62 Boston			+10
63 Dallas					64 N. Y. Giants			+14
65 Kansas City					66 Miami			+14
67 Green Bay					68 Chicago Bears			+16

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70

No. 2006

Grid Cast
September 23, 24, 1967
AMUSEMENT ONLY

COLLEGE GAMES-SAT., NOV. 4, 1967

1 Arkansas	2 Texas A&M	+ 3
3 Missouri	4 Okla. St.	+ 3
5 Mississippi	6 LSU	+ 4
7 Houston	8 Georgia	+ 4
9 Michigan	10 No. West.	+ 7
11 Auburn	12 Florida	+ 7
13 Oklahoma	14 Colorado	+ 7
15 Texas Tech	16 Rice	+ 7
17 Army	18 Air Force	+ 7
19 So. Car.	20 Wake For.	+ 7
21 Miami (Fla)	22 Virg. Tech	+ 8
23 Baylor	24 TCU	+10
25 Washington	26 Stanford	+11
27 Minnesota	28 Iowa	+13
29 Clemson	30 No. Car.	+14
31 Indiana	32 Wisconsin	+14
33 MSU	34 Ohio St.	+14
35 Syracuse	36 Pitt	+14
37 Purdue	38 Illinois	+14
39 Texas	40 SMU	+14
41 UCLA	42 Ore. St.	+14
43 No. Car. St.	44 Virg.	+15
45 Penn St.	46 Maryland	+21
47 Nebraska	48 Iowa St.	+21
49 So. Cal.	50 California	+21
51 Alabama	52 Miss. St.	+27
53 Notre Dame	54 Navy	+27

PRO GAMES-SUN., NOV. 5, 1967

55 Washington	56 St. Louis Even
57 Pitt.	58 Cleveland Even
59 Green Bay	60 Baltimore + 3
61 Minnestoa	62 N.Y. Giants+ 4
63 L. A.	64 San Fran. + 7
65 Boston	66 Houston + 7
67 Kans. City	68 N.Y. Jets + 7
69 Detroit	70 Chicago + 8
71 Phil.	72 New Orl. +10
73 Buffalo	74 Miami +14
75 Oakland	76 Denver +14
77 Dallas	78 Atlanta +20

CIRCLE TEAM SELECTED

1	2	3	4	5	6	7	8	9	10	11
12	13	14	15	16	17	18	19	20	21	22
23	24	25	26	27	28	29	30	31	32	33
34	35	36	37	38	39	40	41	42	43	44
45	46	47	48	49	50	51	52	53	54	55
56	57	58	59	60	61	62	63	64	65	66
67	68	69	70	71	72	73	74	75	76	77

78
SAT. & SUN., NOV. 4 & 5, 1967

TABLE 8



4 TEAMS	. . . . .	. 10 for 1
5 TEAMS	. . . . .	. 15 for 1
6 TEAMS	. . . . .	. 25 for 1
7 TEAMS	. . . . .	. 40 for 1
8 TEAMS	. . . . .	. 60 for 1
9 TEAMS	. . . . .	. 80 for 1
10 TEAMS	. . . . .	. 150 for 1
15 TEAMS	. . . . .	. 300 for 1
9 Winners Out of 10.	. . . . .	. 20 for 1

ALL TEAMS MUST WIN - TIE LOSES

ANY GAMES NOT PLAYED ON THIS DATE OR
BEFORE 1 P.M. SATURDAY, ARE SCRATCHED

All Cards Must Be In Friday Night

Nº 48261

Name _____ Amt. _____

No. Teams _____ Agent _____

Nº 48261

TABLE 9



4 TEAMS . . . . .	. 10 for 1
5 TEAMS . . . . .	. 15 for 1
6 TEAMS . . . . .	. 25 for 1
7 TEAMS . . . . .	. 40 for 1
8 TEAMS . . . . .	. 60 for 1
9 TEAMS . . . . .	. 80 for 1
10 TEAMS	150 for 1
15 TEAMS	300 for 1
9 Winners Out of 10. . . . .	. 20 for 1

ALL TEAMS MUST WIN - TIE LOSES

ANY GAMES NOT PLAYED ON THIS DATE OR
BEFORE 1 P.M. SATURDAY, ARE SCRATCHED

All Cards Must Be In Friday Night

No 48262

Name _____ Amt. _____

No. Teams _____ Agent _____
No 48262

G. Barbouth as a form of gambling.

1. Also known as Barbudi, Barbuder, Barbooth, and Barboot, is a dice game where the dice cup is used. Any number of players may participate and the odds between the shooter and the fader are dead-even. The house cut is taken in the form of a cut from each bet, including side bets, and is usually 3 percent or 5 percent.
 - a. The game is conducted in the following manner: a single pair of dice are used and the game is played frequently on a pool table with the pockets blocked.
 - b. The dice are rolled for "high dice" to determine the first shooter, second shooter, and so on. The first shooter rolls against the second shooter, the second shooter against the third, and so on.
2. Bets are made through the "house" man, either on the first shooter or on the second shooter. The shooter's money is covered first, then side bets may be added on either shooter through the "house" man.
 - a. Shooters roll the dice once to determine a win, lose or neutral number.
 - b. If the number is neutral, the dice are passed to the next shooter for one roll also. The dice are passed between the first shooter and the second shooter until a decision shot (win or lose) is made.

WIN	LOSE	NEUTRAL
3-3	1-1	
5-5	1-2	All other numbers
5-6	2-2	
6-6	4-4	

H. Patrolman and gambling suppression.

1. Indicators of gambling activities.

- a. Runners who follow a similar pattern as to stops and time of day.
 - b. Generally only in the stop for one or two minutes.
 - c. Usually start at 8-10 a.m. and completed by 1-2 p.m. daily.
 - d. "House" may be spotted by the patrolman by the "brown paper bags" taken into the "house" by a number of runners - usually between 1:30-3:00 p.m.
2. Procedure if such an activity is suspected.
 - a. Report to proper officials.
 - b. Report should indicate:
 - 1) License numbers and description of vehicles suspected.
 - 2) Names of individuals, if known.
 - 3) Addresses.
 - 4) Times, dates.
 - 5) Peculiar circumstances noted by patrolman.
3. Patrolman not expected to take action.
 - a. May uncover some activities when making other lawful arrests and discover bet slips in possession.
 - b. Patrolman should report suspected activities even though not his direct responsibility.

III. Introduction to Narcotics Investigation.

Drug traffic and drug addiction go hand in hand with crime in general. Generally, persons addicted to the use of drugs belong to the criminal element of our society.

The general pattern appears to be that through association with the underworld individuals become addicted to the use of drugs. Drug addicts make up one of the greatest criminal groups of today. Each individual so addicted is capable of and generally will bring about the downfall of at least half a dozen other persons.

A. Prostitution and drugs. Prostitution and drug addiction are very closely associated.

1. Many prostitutes will admit that they are drug addicts because of the fact that they have prostituted themselves.
2. Many will explain that the only means that they have of obtaining sufficient funds to maintain the terrific habit is by way of prostitution.

B. "Pushers" are the most mercenary, and perhaps the most desperate individuals associated with narcotic drugs.

1. They are not themselves addicts but are in the "racket" for the monetary gain. They are hard to locate because of the fact that they keep themselves well out of the picture.
2. It is often necessary to make several steps of arrest before the individual engineering the distribution and sale of the drug is finally apprehended.
3. There are many criminals who have long periods of law violations and finally enter the field of narcotic traffic. Many of these eventually fall victim to the drug themselves.

C. The cost of the narcotic habit.

1. To the individual who is addicted to the use of narcotic drugs, there is one thought foremost in his mind - where he may obtain the drug to satisfy his craving. Drug addiction is a very expensive habit to maintain.

E. Profits in drug traffic. Those engaged in the traffic of the illicit narcotic drug realize enormous profits.

1. A 5-tael can of opium, which holds approximately 6-2/3 ounces, may be purchased in Mexico for \$150 and resold by the can on this side of the border for prices ranging up to \$350.
2. This same amount when sold by the bundle or in small quantities may bring as high as \$2,000.

IV. Distribution of narcotics in the United States.

A. The myth of legalized narcotics distribution. Various groups contend that the element of profit might be lessened should narcotic drugs be legally distributed to drug addicts.

1. Such distribution has been resorted to and has been found to be a dismal failure, primarily because of the diversion of drugs obtained legally into illegal channels.
2. Legal distribution of the drug would result in only a small percentage of those addicted availing themselves of the opportunity of obtaining the drug in this manner. The small percentage that might take advantage of such legal distribution would be the source of supply for many of those who might refuse to identify themselves.
3. The clinic plan of "legal distribution" of narcotic drugs was given a trial in a southern California community in the year 1934. Rather than solving the problem, drug addiction increased to a great degree; and those individuals who were thus obtaining the drug, ostensibly for a pathological condition for about three or four cents a grain, were as a matter of fact re-selling it to other addicts at a tremendous profit.

B. The illicit traffic of taxed narcotics.

1. A current problem is the diversion of the tax-paid narcotics to illicit channels by way of the burglarizing and robbing of retail drugstores.

2. Michigan has had its share of this type of crime. Hundreds of drugstores have reported burglaries and robberies in the last year.
3. This has thrown thousands of grains of the legal drug into the hands of persons who realize enormous profits from the sale of these drugs.

V. Definition of Narcotics, Addiction, Dependence, Habit, Withdrawal and Tolerance.

- A. Michigan has adopted the Uniform Narcotic Drug Act, which was intended to safeguard and regulate the legitimate use and sale of narcotic drugs, and to suppress the illegal use, possession, control, sale and manufacture thereof. (Stats. Ann. Section 18.1071-18.1097; C.L. 1948, Sections 335.51-335.77).

1. The Uniform Narcotic Drug Act, adopted by the National Conference of Commissioners on Uniform State Laws in 1932, is an act which has received the study of the committee in charge and many experts for the past five years. It is an act defining and relating to narcotic drugs and making the law uniform with reference thereto.

"SECTION 1. The following words and phrases, as used in this act, shall have the following meanings, unless the context otherwise requires: 'Narcotic drugs' means coca leaves, opium, cannable, and every other substance neither chemically nor physically distinguishable from them; any other drugs to which the Federal laws relating to narcotic drugs may now apply; and any drug found by the State Commissioner of Health or other competent state officer, after reasonable notice and opportunity for hearing, to have an addiction-forming or addiction-sustaining liability similar to morphine or cocaine, from the date of publication of such finding by said State Commissioner of Health or other competent state officer."

2. Another narcotic definition. A narcotic is a substance which has a strong depressant affect upon the human nervous system. Such substances cause insensibility to pain, stupor, sleep or coma in relationship to dosage. The term narcotic comes from a Greek word meaning "to make numb."

- a. Withdrawal of the drugs is less traumatic than with addict.
 - b. Still there is a degree of the symptoms of withdrawal.
5. Effect is detrimental more to the individual.
Note: Thus there are addicting drugs and habit-forming drugs and laws tend to distinguish the two.
- D. "Withdrawal" or "Abstinence" results in discomforts - physiologically - attendant to failure to maintain addictive drug.
- 1. First, about 12 to 18 hours after the last dose, despondence, irritability, apprehension and restlessness. Then the subject begins to yawn and stretch and may become drowsy temporarily.
 - 2. Sneezing, symptoms of a fresh cold (watering of eyes and nose), hand become shaky and muscles jerk. The subject is cold in spite of added clothing.
 - 3. Loss of appetite and acute sickness frequently occurs. Skin is cold and covered with gooseflesh, hence: "cold turkey."
 - 4. There may be weakness, restlessness and gnawing sensations in the stomach, followed by nausea and vomiting.
 - 5. Other symptoms may be:
 - a. Fever.
 - b. Pains in the abdomen and back.
 - c. Diarrhea.
 - d. Muscle twitchings.
 - e. Convulsions.
 - f. Dilated pupils.
 - g. Hot and cold flashes.
 - 6. Examinations reveal:
 - a. Elevations in blood sugar.

- b. Unusual white blood cell count.
 - c. Raised body temperature.
- 7. Acute symptoms last from two to three days.
 - a. Gradually subside until they disappear.
- 8. Note: Cocaine and marihuana do not produce withdrawal symptoms. They do leave the individual with raw and shaky nerves which is physiological.
- E. Tolerance - the state of tolerance is a condition of the body tissues no longer reacting to the drug unless there is increased dosage.
 - 1. Dosage must be increased to secure an effect equivalent to the original dose.
 - 2. Some drugs build up tolerance more quickly than others.
 - a. Morphine and heroin, for example, are quick to build up tolerance.
 - b. Cocaine is less "addictive" in the establishment of tolerance.
 - 3. With increased dosage, moral understanding deteriorates.

VI. Opium, the Base of Many Other Drugs.

- A. Opium is defined by the United States Pharmacopoeia as follows: "Opium is the air-dried milky exudation obtained by incising the unripe capsules of Papaver somniferum Linne or its variety Album de candolle (Fam. Papaveraceae). Opium in its normal air-dried condition yields not less than 9-1/2 percent of anhydrous morphine."
- B. Opium is obtained by making incisions in the unripe capsule or seed pod of the poppy.
 - 1. Incisions are made in the late afternoon.
 - 2. Gum is collected the following morning.
 - a. Gum in its natural state is a milky white substance.

- b. During the night after the incisions are made, the substance will seep through the incisions and collect on the outer surface of the pod.
 - c. Because of its exposure to the air, the gum oxidizes, turning very dark reddish brown.
- 3. Gum is collected by scraping it from the sides of the pods, placing it in the large leaves of the poppy plants until a mass of approximately eight ounces to a pound has been collected.
- 4. Opium is then removed to laboratories where it is refined and the alkaloids extracted for medicinal purposes.
- 5. The greater part of the opium cultivated for medicinal purposes is supplied by Turkey.
- 6. Turkish opium as names, however, may come from Smyrna, Asia Minor, Bulgaria or Macedonia.
- C. Opium cultivated for use in the illicit traffic is also sent to laboratories where a solution of glycerine and water is added and the mass boiled down to the consistence of heavy molasses.
 - 1. This is known as smoking opium.
 - 2. Processed further by cooking to evaporate the water, the remaining glycerine keeps the opium pliable.
 - 3. The opium is then poured into 5-tael cans (6-2/3 ounces).
- D. Opium is graded by its morphine content.
 - 1. United States Pharmacopoeia indicates that the drug shall contain no less than 9-1/2 percent morphine - for medicinal purposes.
 - 2. Any drug containing less than 9-1/2 percent of morphine is considered unfit for medicinal use.
- E. The illicit traffic has placed on the market a grade of opium varying in morphine content from about 2 to 8 percent.

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G. Effects of opium smoking.

1. Opium smoking itself, to the beginner or the pleasure smoker, produces a very desirable effect; that is, the subject under the influence of the drug, usually in the initial stages of the habit, experiences hallucinations and very pleasant dreams.
2. The pleasant dreams are responsible to a great degree for the continued use of the drug.
3. In future smoking he may require an increased dose, that is, instead of one or two pills, possibly three or four to produce the desired result.
4. Soon the tolerance requires 15 or more pills to smoke every 24 hours.

H. Withdrawal from the state of opium addiction.

1. Because of terrific suffering and state of collapse, the user of opium finds it necessary to meet the tolerance that he has built up.
2. Through continued use of the drug, the subject takes on a pallor and becomes highly nervous. There is a loss of appetite, sexual desires vanish and the pupils of the eyes are frozen to what is termed a "pin-point."
3. The usual length of time that the body passes through the intense suffering through the lack of the drug is a period of 72 hours.

VII. Morphine is a derivative of the opium poppy.

A. Chemical formula for morphine. Morphine is the principal alkaloid or active constituent of the drug opium, having the chemical formula $C_{17}H_{19}NO_3 + H_2O$.

B. Appearance and dosage.

1. The alkaloid appears in transparent white rhombic prisms or fine needles and as a powder in crystal form.

2. It has a very bitter tast.
3. The average dose of morphine is 1/4 grain.

C. Effects of morphine.

1. Relative to the legitimate use of morphine, the effects might best be described relative to their importance.
 - a. First, on the nervous system, morphine is a cerebral depressant, but a spinal stimulant. The relative predominance of one or the other of these actions depends upon the relative degree of development of the brain or spinal cord.
 - b. For medical purposes, the drug may be regarded as a general depressant as far as the nervous system is concerned. With increased doses, the intellect becomes depressed and drowsiness is prevalent.
 - c. Other actions of morphine are the contraction of the pupil of the eye, slowing of the pulse, and slowing of the respiration.
2. Tolerance for the drug builds up very fast. Persons addicted to the use of morphine may use up to ten grains of the drug three times a day.
3. For medicinal purposes the salt of the drug, morphine sulphate, is commonly used.
 - a. In the illicit traffic for the most part a salt known as morphine hydrochloride, manufactured from morphine by treating the alkaloid with hydrochloric acid, is most commonly used.
 - b. Morphine alkaloid itself is not used to any extent either legitimately or illicitly, since it is less soluble than its various salts.

D. Preparation for use.

1. The average drug addict using salts of morphine, dissolve the drug (the amount depending upon the individual's tolerance) in a small amount of water, usually in a spoon.
 - a. The solution is slightly heated and the solution drawn into the hypodermic syringe through the needle. A small piece of cotton is usually placed in the bowl of the spoon.
 - b. The point of the needle is held in position in this ball of cotton and the solution strained in this manner.
 - c. The cotton is kept by the individual using the drug, and over a period of weeks quite a number of these cottons will be accumulated. When the individual is unable to obtain his regular supply of the drug, the cottons can be placed in a small amount of water and sufficient morphine obtained from the drug in the cotton going into solution.
 - d. This keeps the subject's habit satisfied until such time as he may either "make a new connection" or procures his drugs from some other source.
2. After being drawn into the syringe, the solution is, in the early stages of morphine addiction, injected into the fleshy parts of the arms or legs.
 - a. The reaction is very slow using the drug in this manner.
 - b. Many times the subject using the morphine will turn to the large veins back of the elbows or knees, commonly called in the vernacular "The Main Line." Injecting the solution of morphine into these veins brings about the desired result within a matter of seconds.
 - c. The desired result is a stabilization, both physical and mental.

- d. With continued use of these larger veins described above, the walls of the veins will collapse; and finally these veins will cease to serve their natural functions.
 - e. The user then may use other veins; that is, in the arms, thighs, calves of the legs, the feet, the backs of the hands and even between the fingers.
3. The average individual addicted to the use of morphine uses practically no sanitary methods in caring for the needle or the syringe. Antiseptics play little, if any part, in the life of the addict.
- a. The lack of precaution is the cause of many infections; however, the average individual so addicted seems to weather the storm.
 - b. The hypodermic syringes referred to are generally a common eyedropper wrapped on the end with a little tape so that the hypodermic needle, if he should possess one, may be held in position.
 - c. A common safety pin or possibly a razor blade is used to make an incision, and the point of the eyedropper is inserted.
 - d. The average addict will be found to have in his possession the eyedropper as referred to above, possibly a razor blade, a spoon, a small amount of cotton, a heavy rubber band and matches.
- E. The addict.
- 1. Statistics prove that on the average, human beings become addicted to the use of drugs through association with other persons addicted. Few of the heavy users of narcotics have been brought to their existing predicament through the misuse of the legitimate drug.
 - 2. It is a rare occasion to find a subject addicted to the use of narcotic drugs through the mercenary attitude of an individual who is privileged to prescribe such drugs.

F. Legitimate uses of morphine.

1. Morphine, as well as opium or any of the drugs coming within the scope of the Narcotic Act, has been a boon to mankind. Medical science certainly could not have reached the heights that it has to date were it not for such drugs.
2. Some day perhaps science will produce a non-habit forming drug. In some instances drugs have been very extensively used; however, none of the drugs so far brought to the attention of the medical world are non-habit forming.

VIII. Heroin is a derivative of the opium poppy.

A. Chemical formula for heroin. Heroin is an indirect derivative of the drug opium, having the chemical formula of $C_{21}H_{23}NO_5HCL \cdot H_2O$. It is known chemically as Diamorphine Hydrochloride; Diacetylmorphine, or Heroin Hydrochloride. This drug may be manufactured by treating morphine with acetyl chloride, washing the produce with a dilute alkaline solution and crystalizing with the aid of alcohol.

B. Physiological effects of heroin.

1. In its general physiological action, heroin acts much like morphine except that it is depressant to the spinal cord. It is, however, about twice as powerful in its depressant action upon the respiratory center.
2. The dose of heroin is on the average of 1/12 grain as compared with morphine, 1/4 grain; in other words, heroin has three times the strength of morphine.
3. It is a colorless, odorless crystalline powder with a very bitter taste. After it has been exposed to air for a certain length of time, it takes on a slightly tannish color.
4. Because tolerance to this drug builds up so rapidly, the dangers of addiction are definitely more pronounced than any of the other opiates.

- a. The United States Government several years ago saw fit to prohibit the further importation of opium for the purpose of manufacturing heroin.
- b. The traffic in illicit heroin has been quite extensive throughout the world. In the United States it has been the prevailing drug on the eastern seaboard.

C. Preparation and use of heroin.

- 1. The drug heroin is used by the addict much the same as is morphine, usually by way of the hypodermic outfit, injecting the solutions of the drug into the veins.
- 2. Most individuals addicted to the use of the opiates, after a cure, will sooner or later return to the use of the drug.
- 3. This is very definite and more outstanding in the case of heroin than any of the other drugs.

IX. Cocaine as an Addicting Drug.

A. Cocaine is an alkaloid obtained from the leaves of the Erythroxylon Coca and other species of Erythroxylon having a chemical formula of $C_{17}H_{21}NO_4$.

B. Legitimate beginnings of cocaine.

- 1. Cocaine, like the other drugs included in the Narcotic Act, has had its place in the medical and scientific world. Cocaine was given to the world in 1844. At that time it was obtained from the Brazilian coca leaves.
- 2. More recently, coca leaves from Java have been the principal source of supply.
- 3. Cocaine itself occurs as colorless to white crystals or as a white crystalline powder. The hydrochloride of cocaine is the commonly used salt which dissolves readily in water.

4. The straight alkaloid for the most part is used in ointments and oily solutions.
5. The South American Indians in the locality where the coca leaf has been cultivated have used the drug by way of chewing the leaves for many years. The excitement and apparently stimulating effect produced by the action of the alkaloid upon the human system enabled these natives to carry on in great feats of manual labor.
6. Cocaine in its legitimate use has answered the call of physicians and dentists, who have applied the drug in solution to a great extent as a local anesthetic.
 - a. It has been replaced in that degree by such synthetics as novacaine, procaine, etc.
 - b. The drug may be administered orally for internal use or hypodermically in doses up to 1/2 grain.

C. Effects of cocaine on the user.

1. The cocaine habit is not only one of the most seductive, but one of the most injurious, of all drug habits.
2. The characteristic symptoms produced by the over-indulgence in this drug are changes in the moral and mental qualities, especially characterized by alternate periods of exaltation and depression, loss of appetite and weight, pallor of the skin, insomnia, and general health failure.
3. The overindulgence of the drug results in hallucinations such as some foreign body under the skin or insects crawling over the person.
4. Inhibitions are released; the individual is at a loss to measure time and distance. Definite intoxication prevails.
5. Under the influence of the drug, the individual is very dangerous, with maniacal tendencies.

D. Preparation and use of the drug, cocaine.

1. Cocaine illicitly used is, for the most part, brought into contact with the mucous membrane, such as sniffing it up the nostrils.
2. It may be placed inside the lower lip where it might be picked by the salivary glands.
3. The drug is used by some criminals to bolster them before they commit major crimes.
4. The drug marijuana - which produces reactions similar to cocaine when used in large quantities - has to some extent replaced cocaine.
5. Cocaine is definitely a habit-forming drug.
 - a. The habit is in no way comparable to that produced by the overindulgence in any of the opiates.
 - b. It may be broken without any great physical discomfort.
 - c. Keep in mind that there always exists a great danger in apprehending users of narcotics; particularly at this time it is referred to the users of cocaine and marijuana.

X. Cannabis Sativa (Marijuana).

A. The plant or weed and its nomenclature.

1. This drug is most commonly known in the Western Hemisphere as marijuana, generally known throughout the world as hemp, in the Asiatic countries as cannabis indicae (Indian hemp), hashish, hasheesh, charus, bhang, ganjah or gunjah.
2. The cannabis sativa or hemp plant is a tall annual, reaching to a height of from four to twenty feet when mature. The leaves are alternate or opposite, with each leaf being made up of an odd number of coarsely serrated blades, as many as 11 blades to the mature leaf.

B. Legitimate uses of marijuana.

1. Cannabis has been used in medicine to relieve pain, encourage sleep and to soothe restlessness. In recent years, however, it has not been used medicinally to the extent that it was in the past. It has been determined that there has been great variability in the potency of different samples of the drug.
2. Because of occasional unpleasant symptoms from unusually potent preparations, caution has been advised relative to administering or prescribing the drug.

C. Historical review and description of marijuana.

1. The cannabis habit has claimed its victims throughout the oriental countries for over 1,000 years.
2. In the last 10 to 15 years it has become a problem of great importance in the United States. In this country most individuals use the drug by smoking.
3. The leaves and the flowering tops of the cannabis plant are covered with a gum or a resin.
 - a. This gum contains the active constituent cannabin, the alkaloid of the drug.
 - b. As is morphine to opium, cocaine to the coca plant, so is cannabin to marijuana.
 - c. The gum of the female plant produces the drug. The male plant, however, has greater commercial value because of the strong, woody fibers.
4. The fruits, often incorrectly called seeds, are shaken from the flowering tops. All stalks and stems are removed, and the leaves and flowers are crushed by rubbing between the palms of the hands.
 - a. The resultant substance is usually packed in ordinary tobacco cans.
 - b. These cans hold approximately 1-1/4 ounces of the drug and bring a price of \$30 to \$50 a can.

D. Use and effects of marijuana.

1. To use the drug, it is frequently rolled into cigarettes. Usually brown wheat-straw paper is used. The cigarettes are rolled in double papers, each paper being carefully pasted on the overlapping edge and the ends tucked tightly in.
 - a. The double paper is to protect the cigarette against the possibility of breaking up, as these cigarettes are at times handled by many individuals before they reach the consumer. Also, the sharp edges of the leaf might cut through a single paper.
 - b. These cigarettes sell individually at prices ranging up to \$1.00 apiece. The average cigarette holds not more than 4 grains of the drug.
2. Smoking marijuana cigarettes produces an intoxication - even one cigarette might bring about the desired result.
3. The effect on the individual using this drug is first manifested by a peculiar delirium which is accompanied by exaltation of the imaginative function, often accompanied by hallucinations, following which is a remarkable loss of the sense of time.
 - a. The individual under the influence of the drug is definitely intoxicated; that intoxication is comparable to some extent to the intoxication produced by overindulgence in alcohol or any other intoxicant.
 - b. The reactions of the drug are definitely unpredictable regardless of whether it is legitimately or illicitly used. For instance, an individual may be brought under the influence of the drug by smoking but one marijuana cigarette on one occasion, whereas on another occasion several cigarettes may be required to produce the same effect. The use of the drug orally may be described in the same manner.

4. The reaction in the initial stages, as in the case of the overindulgence in alcohol in the initial stages, may appear to be stimulating to a high degree.
 - a. The drug is definitely a sedative as alcohol is a sedative, the proof of that being in the final reactions, producing a definite drowsiness followed by the subject passing into a comatose state.
 - b. Because this drug releases inhibitions, the individual under the influence may and very often does resort to crime and lawless acts in general.
 - c. Immoral tendencies of the subject while so intoxicated are also due to the release of the inhibitions.

E. Marijuana's use with alcohol.

1. The drug, it is found, is used to a great extent in combination with alcohol. This produces an uncontrollable intoxication.
2. The subject is very dangerous to handle, knows no fear and may cause considerable difficulty in being placed under restraint.

F. Marijuana's effects on the brain.

1. Repeated indulgences in the use of marijuana is quite likely to produce mental deterioration. In cases of permanent insanity following the overindulgence in this drug, it is questionable as to whether or not the subject may have been unbalanced to some degree before acquiring the habit.
2. It has been reported that many of the mental institutions throughout the Near and Far East attribute the condition of their insane patients to a great degree on the over-indulgence in the drug hasheesh or bhang, as marijuana is known in these countries.

G. United States sources of marijuana.

1. A considerable amount of marijuana is continually being smuggled into this country from Mexico.
2. The bulk of marijuana seizures by the United States Customs have been on the Mexican border.
3. It is also found and destroyed in Michigan each summer.
4. Customs seizures are also frequent on the Atlantic Coast and ports of the Gulf of Mexico, as well as the Pacific Coast.
5. The user of marijuana definitely should not be underestimated by peace officers. Caution should be used at all times in taking any drug user into custody, but particularly individuals who are known users of either cocaine or marijuana. They are dangerous, hard to handle and might resort to any act of violence.

XI. Synthetic Drugs and Their Use.

A. Demerol. With relation to tax-paid drugs, reference at this time is made to the well-known synthetic Isonipecaine, or as it is more commonly referred to, Demerol.

1. This is a drug placed on the market fairly recently, and its reactions have been observed to a great degree by the Federal Bureau of Narcotics.
2. The drug is manufactured for legitimate use only and may find its way into the illicit traffic by being diverted from the legitimate channels, such as burglary, robbery or forged prescriptions.
3. The reaction of the drug is comparable to the reaction of the alkaloid morphine, its properties of addiction being about 75 percent as active as in the case of morphine.
4. The tolerance for this drug builds up rather rapidly due to its rather sluggish reaction and may require increased doses.

5. Demerol is definitely a dangerous drug with many cases of addiction having been brought to the attention of the Division of Narcotic Enforcement in the last three years.
- B. Amidone group. In addition to the synthetic Demerol, there is a group known as the Amidone group.
1. The Federal Bureau of Narcotics has given considerable attention to the drug Amidone, also known as Dolophine, Methadon and other trade names.
 2. Because it has been established that the drug is habit-forming, the United States Government has seen fit through presidential proclamation to incorporate this particular drug in the Treasury Regulations.
- C. Barbiturates and their use.
1. The commonly known barbiturates are manufactured by recognized pharmaceutical houses and packaged or produced in a variety of identifying shapes and colors.
 - a. "Barbies":
 - 1) Luminal-Luminal Ovoids.
 - 2) Phenobarbital.
 - b. Yellow Jackets:
 - 1) Nembutal.
 - 2) Phenobarbital Sodium.
 - c. Red Birds:
 - 1) Seconal Sodium.
 - 2) Secobarbital.

- a. This drug may be used as:
 - 1) Stimulants by the individual feeling a need for a "pick up."
 - 2) Appetite depressants for those persons on a diet.
 - 3) To counteract mental depression, especially during menopause.
- 2. Symptoms of persons under the influence of such drugs.
 - a. Restlessness which is almost unbearable.
 - b. Dizziness and a feeling of light-headedness may be evident.
 - c. Tremor (shakes) may be apparent similar to "withdrawal" symptoms.
 - d. Increased reflexes frequently are the result of the usage of such pills.
 - e. Sleeplessness, which is sometimes the desire of the user.
 - f. Tenseness and/or irritability may be the result of using pep pills or bennies.
 - g. Impulsive talking may be occasional by using the drugs.
 - h. Highly emotional symptoms similar to a mentally ill patient, such as:
 - 1) Confusion.
 - 2) Assaultiveness.
 - 3) Increased libido.
 - 4) Hallucinations.
 - 5) Delirium.

2. Method of use of LSD.

- a. Dispensed by clandestine laboratories in small doses - 100 to 250 micrograms. A sugar cube saturated with the drug will bring from \$5 to \$10 in the state of Michigan.
- b. The drug takes about one hour to take effect and has a duration of five to ten hours. Sometimes a delayed reaction occurs days later.

3. Effects of the drug LSD on the user.

- a. Distortion and intensification of sensory perception.
- b. Lessened ability to discriminate between fact and fantasy.
 - 1) May "see sounds" or "taste colors" or "feel objects pulsating."
 - 2) Dilation of pupils may be evident.
 - 3) Mental effects are unpredictable.
 - a) Illusions may prevail.
 - b) Panic, psychotic or antisocial behavior might be included.
 - c) Impulses toward self-destruction may even be observed.
 - 4) Nausea, chills, irregular breathing, increased heartbeat and blood pressure may be present.
 - 5) Time stands still for the user.
 - 6) Sex orgies anywhere or anytime under the influence of the drug may occur.
 - 7) May feel weightlessness or "stiff as a board," "hot as hell," or "cold like ice."

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- 8) There may be a relaxed feeling, or extremely tense feeling.
- 9) In summary, it is a dangerous, unpredictable, potentially fatal or psychotic means of being "in" with the crowd to take this highly potent drug. In fact, recent research indicates danger to babies born to females becoming pregnant during or following the use of the drug. This is because of chromosome destruction or distortion.

XIII. Glue Uses and Glue Sniffing.

- A. In our tracing of the scale of drug habits and addictions, glue sniffing is on the bottom. This practice must be considered as the least virulent of all drug habits. This is because of its usage being more prevalent on a hit-or-miss basis by juveniles.
- B. The United States Public Health Service warns glue sniffing is a nationwide problem.
 1. The Health Service has not published authoritative statistics on this matter.
 - a. It states that sniffing glue can cause a syndrome resembling acute alcoholic intoxication.
 - b. It remains unclear as to whether repeated inhalations can result in chronic toxicity.
 2. Statistics will be forthcoming in a year or two.
- C. Glue sniffing appears to appeal to the 8 to 15 year age group rather than older youths.
 1. The habit has a physical syndrome related to alcoholic effects.
 2. It appears to lead to promiscuous, experimental sexual exercises in mixed groups.

- D. One of the attractions of the habit is the ready access to the materials for experimenting. Glue, or "airplane glue" can be bought in most neighborhood stores.
- E. Use of glue for sniffing.
 - 1. Fumes from glue may be inhaled directly from its container.
 - 2. The common method is to spill its contents in the bottom of a paper bag and hold the bag opening to cover the nose and mouth.
 - 3. Inhalation of fumes create the desired effect.
- F. Effects and dangers to the individual using glue fumes.
 - 1. The chemical in the glue acts somewhat like some anesthetics giving the user a feeling of stimulation, then a period of depression.
 - 2. This practice may lead to severe physical impairment of the user.
 - 3. Some physicians claim a week of heavy usage will create a degree of cirrhosis of the liver equal to that which may result from a lifetime of alcoholism.
 - 4. Ultimate effects of this habit are still not known.
 - 5. Detrimental influences on the users' personality is becoming widely accepted by various interested groups and agencies.
 - 6. The physical effects affect each individual differently.
 - 7. Factors that affect this are in accord with each individual's physical condition, emotional stability and the frequency of practice.
- F. In summarizing, glue sniffing is dangerous to youth and a socially unacceptable practice.

XIV. Narcotic Investigations - Types of Cases Made.

A. Illegal possession of a barbiturate.

1. Elements:

- a. It must be shown that the defendant had no right to have it in his possession (no prescription or doctor's confirmation that he dispensed the barbiturate).
- b. Penalty - misdemeanor - 1 year county jail or \$500 fine.
- c. Druggists often refill a prescription after receiving a telephone call from a doctor. The attorney general has ruled this procedure "illegal."

2. Possession cases are infrequent and difficult.

B. Illegal possession of narcotics.

1. Description of narcotics as defined in Michigan laws.

- a. Coca leaves.
- b. Opium and its derivatives.
- c. Cannabis (or the commonly used term marijuana).
- d. Every substance neither chemically nor physically distinguishable from them.

2. Elements necessary for successful prosecution of illegal possession of narcotics.

- a. It must be shown that the drug was in the subject's possession or under his control.
- b. It must be shown that it is a narcotic.
- c. There must be a legal entry if the arrest takes place inside a building.

- d. It must be shown that the defendant had no valid license to handle - have in his control - or dispense narcotics.
- e. Possession applies to vehicles transporting narcotics.
- f. Penalty up to ten years for first offense - felony.

C. Illegal sale of narcotics.

1. Elements necessary to prove illegal sale of narcotics.

- a. It must be shown, usually by the complaining witnesses testimony, that the defendant either dispensed or sold a narcotic. It is not necessary for a sum of money to be accepted.
- b. It must be shown that it was a narcotic which was sold - expert testimony is necessary.
- c. Date - time - locations - price - must be shown. A search of the informer must be shown prior to the "buy" to eliminate the possibility of the defendant being framed. This type of case requires the officer to keep the informer directly under his surveillance as much as possible. TIME is an important element.
- d. Your chain of evidence must follow the evidence.
 - 1) Informer to police officer.
 - 2) Police officer to identification bureau.
 - 3) Identification bureau to State Health Laboratory in Lansing.
 - 4) Lansing to court.
- e. Notes prove invaluable on either arrest or case history.
- f. Usually on this type of case a warrant is obtained prior to the arrest.

- 1) Reasons for obtaining a warrant prior to arrest.
 - a) Warrant charges - Count I - Illegal Sale of Narcotics; Count II - Illegal Possession of Narcotics
 - b) Officers may recover large amounts of narcotics.
 - c) Officers may search premises incidental to the arrest.
 - d) Additional possession cases may be made at the time.
 - e) Learn a subject's associations; obtain photos for their files.
 - f) A large investigation may be underway, and officers wait and round up all subjects at once.
 - g) Penalty for sale: Mandatory 20 years - felony.
- 2) There is generally no valid excuse or reason to fail to procure a warrant prior to arrest.

D. Addiction of narcotics.

1. Elements:

- a. Testimony from examining physicians that the defendant is addicted to drugs.
- b. If it can be shown that the defendant was using, or had in his possession, paraphernalia used by drug addicts, the case is strengthened.
- c. Statements made at the time of the subject's arrest concerning his use and "habit."
- d. Penalty: Misdemeanor - up to 1 year, county jail.

2. This crime is difficult to prosecute.

XV. Utilization of the Patrolman in Narcotic Control.

A. Foot patrol and cruiser assignments.

1. Know your "beat" well.
2. Note breeding places for this type of crime:
 - a. Shoe-shine parlors.
 - b. Taverns.
 - c. Soda bars.
 - d. Pawn shops.
 - e. Dry-good stores handling new and used clothing.
3. Learn the identity of many suspected persons relative to this crime.
4. Keep a close watch on restrooms in taverns, gas stations, soda bars, etc. Subjects are known to enter these rooms to "use."
5. In effecting an arrest, keep this crime in mind as the subject will attempt to destroy evidence.
6. At night, note people sitting around in cars for any length of time; frequently they are "using."
7. Be thorough in any search.
8. Note license numbers on cars; get registrations; learn ownership.
9. Remember: If you suspect that "John Doe" is involved in narcotic traffic, check out his associates - often they have narcotic arrest records.
10. Cultivate good "informants" - they prove invaluable on this type of crime.
11. Have knowledge of general appearance of narcotics.

12. Forward reports concerning narcotic traffic to narcotic squad.
13. In effecting an arrest for this crime, act fast - guard against subject eating evidence. In autos effect your arrest at signal light - one officer on each side of suspected car. If in stopping a moving vehicle a cigarette package is thrown out, check this as it may contain capsules or marijuana cigarettes.
14. If evidence is seized, if possible, place it in an envelope and seal same, note time, contents, initials, subject taken from and location.

Terms and definitions pertaining to morphine:

"M" - morphine.
"Stuff" - morphine.
"Mary Ann" - morphine.
"White Stuff" - morphine.
"Cottons" - saturated cottons saved by addicts for re-use.
"Jolt" - a dose.
"Geezer" - a dose.
"Shot" - a dose.
"Fix-up" - a dose.
"Piece" - one ounce of morphine.
"Cube" - a cube of morphine, about 3 grains.
"Bindle" - paper containing morphine.
"Paper" - package containing morphine.
"Deck" - bindle or paper.
"Cap" - capsule containing, usually about 2 grains.
"Birdseye" - a very small amount.
"Short Buy" - buying in small quantities.
"Joint" - a needle or outfit.
"Spike" - a needle.
"Gun" - a syringe.
"Dripper" - a syringe.
"Dropper" - a syringe.
"Outfit" - pin, dropper, spoon, cotton, etc.
"Layout" - pin, dropper, spoon, cotton, etc.
"Blow a shot" - spill or lose a dose.
"Miss a vein" - shoot into muscle or skin by mistake or accident.
"Main line" - main vein of arm.
"Shooting below the belt" - mostly women shooting in legs or hips.

Terms in the vernacular pertaining to marijuana:

Marijuana

"Tea"
"Hay"
"Hemp"
"Weed"
"Yesca"
"Greefo"

Marijuana Cigarettes

"Sticks"
"Joints"
"Jive Sticks"
"Roach"
"Cripple"
"Reefers"
"Crutch" *
"Bridge" *

* The last two mentioned, that is, "crutch" and "bridge" are improved holders for marijuana cigarette butts. The smoker, in an effort to get all that he can from a "reefer," will smoke it to the point where it is impossible to hold it in the lips. The average smoker of marijuana usually places a hood, such as a newspaper or a bag, over his head while smoking so that he may get the benefit of every bit of the smoke.

Terms used by the people who use marijuana:

- "I'm beat" - this means I'm not feeling good or I'm broke or out of Stuff.
- "You're cooking with gas" - what you are saying or doing is ok.
- "Plant" - hiding place.
- "Fine stuff" - good marijuana.
- "Hi-Gate" - hello there.
- "Stack" - a quantity of marijuana cigarettes.
- "Oh my back!" - an exclamation comparable to "Oh Shucks!," "Oh Gosh!," etc.
- "Frantic Character" - one who is nervous or jittery and looking for stuff.
- "Lusher" - one who prefers liquor to marijuana.
- "On the beam" - feeling fine.
- "Blow a Stick" - smoke a marijuana cigarette.
- "I'm way down" - I need some marijuana.
- "Can you do me good" - can you get me some drug.
- "Score" - to buy.
- "Connection" - the one from who narcotics are purchased.
- "Blow Tea, or Hay or Jive" - smokes marijuana.
- "Torch up" - light a marijuana cigarette.
- "Sharp" or "Looks sharp" - means well dressed or good appearance.
- "He's George" - can be trusted.
- "Tea Head" - marijuana smoker.
- "Hay Head" - marijuana smoker.
- "Frog skins" - paper money.
- "Slip me some skin" - shake hands.
- "Get high" - smoke marijuana.
- "Knocked in" - to get arrested for marijuana.
- "I'm flush" - I have money.
- "Out of the world" - under the influence of marijuana to a great degree.
- "High" - under the influence of marijuana.
- "Higher than a kite" - under the influence of marijuana to a great degree.
- "Lush" - liquor.
- "Hand to hand go" - delivery at time of payment.
- "I'm holding" - I have the drug.
- "A cat" - a young person who hangs around where jive music is played.
- "Chick" - a girl.
- "Slick Chick" - a cute or good-looking girl.
- "Pachucco" - a young zoot suiter, usually a Mexican in a tough gang.
- "Dick Smith" - a lone wolf.
- "Fish" - a pimp.
- "Sisters-in-law" - girls with the same pimp.

NARCOTIC GLOSSARY

A.D., an addict.
ACE, marijuana cigarette, or dollar bill.
ACE IN, to get into a narcotic's deal.
ARTILLERY, the works.
BAMBOO, opium pipe.
BANG, thrill of using drugs, also the actual injection.
BANG A REEFER, smoke a reefer.
BANGER, a hypo needle.
BARS OF SOAP, drugs.
BAY STATE, a hypo needle.
BELT, the kicks from a drug.
BENDER, a drug orgy.
BENDIN, subject under the influence of narcotics.
BIG BLOKE, cocaine.
BINDLE, small packet of heavy narcotics.
BING, a shot of narcotics, Bingo.
BIRDIE POWDER, narcotics.
BIZ, the works.
BLACK STUFF, opium.
BLAST, use narcotics.
BLOCK, a bindle of morphine.
BLOW, also see snort.
BLOW SNOW, snort coke.
BLUE SAGE, marijuana.
BO BO BUSH, marijuana.
BOOT THE GONG, smoke marijuana.
BOUNCING POWDER, cocaine.
BOWLER, an opium smoker.
BOW SOW, drugs.
BRICK GUM, gum opium.
BROWN RINE, heroin.
BURNED OUT, vein condition.
BURNIE, marijuana cigarette.
BUST THE MAIN LINE, intravenous.
BUZZ, the effect of the drug.
C, cocaine.
CECIL, cophine or cocaine.
CADET, new addict.
A CADDILLAC, cocaine.
CAME, cocaine.
CARPET WALKER, an addict.
CARRIER, narcotic distributor.
CAUGHT IN A SNOW STORM, under influence of narcotics.

CHANNEL, vein used for injections.
CHARLIE, cocaine.
CHARLIE COKE, addict.
CHINESE MOLASSES, opium.
CHINO, a Chinese drug peddler.
CHUCK HORRORS, food appetite when cut off the narcotics.
COCONUT, cocaine.
COKE, same.
COKE OVER, where coke is sold.
COLD TURKEY, withdrawal with no help.
CONNECT, to score or buy.
CONNECTION, man that sells.
COOK, make a fix.
CORRINE, cocaine.
CORK THE AIR, snort.
COTICS, narcotics.
COURAGE PILLS, heroin in tablet form.
CROWKER, doctor.
CRYING WEED, marijuana.
CUBE, morphine.
CUT IN, to get into a connection.
DEALER, drug peddler.
DECK, small packet narcotics.
DIP, drug addict.
DIPPER, opium pipe.
DOCTOR WHITE, narcotics.
DODO, addict.
DRAG WEED, marijuana.
DREAM GUM, opium.
DRIVE IN, smuggle narcotics.
DROPPER, the works.
DUST, narcotics.
DYNAMITER, cocaine addict.
EYE OPENER, for blast of the day.
FIRE, FIX UP, to inject.
FLIP, get an overdose of drugs.
FOO FOO DUST, drugs.
FU, marijuana.
GOM, God's own medicine, morphine.
GAPPER, addict who is desperate.
GAZER, federal law man.
GEE, drugs.
GEEZER, injection.
GIGGLE WEED, marijuana.
THE GIRL, cocaine.
GIVE THE GO BY, refusal to sell.

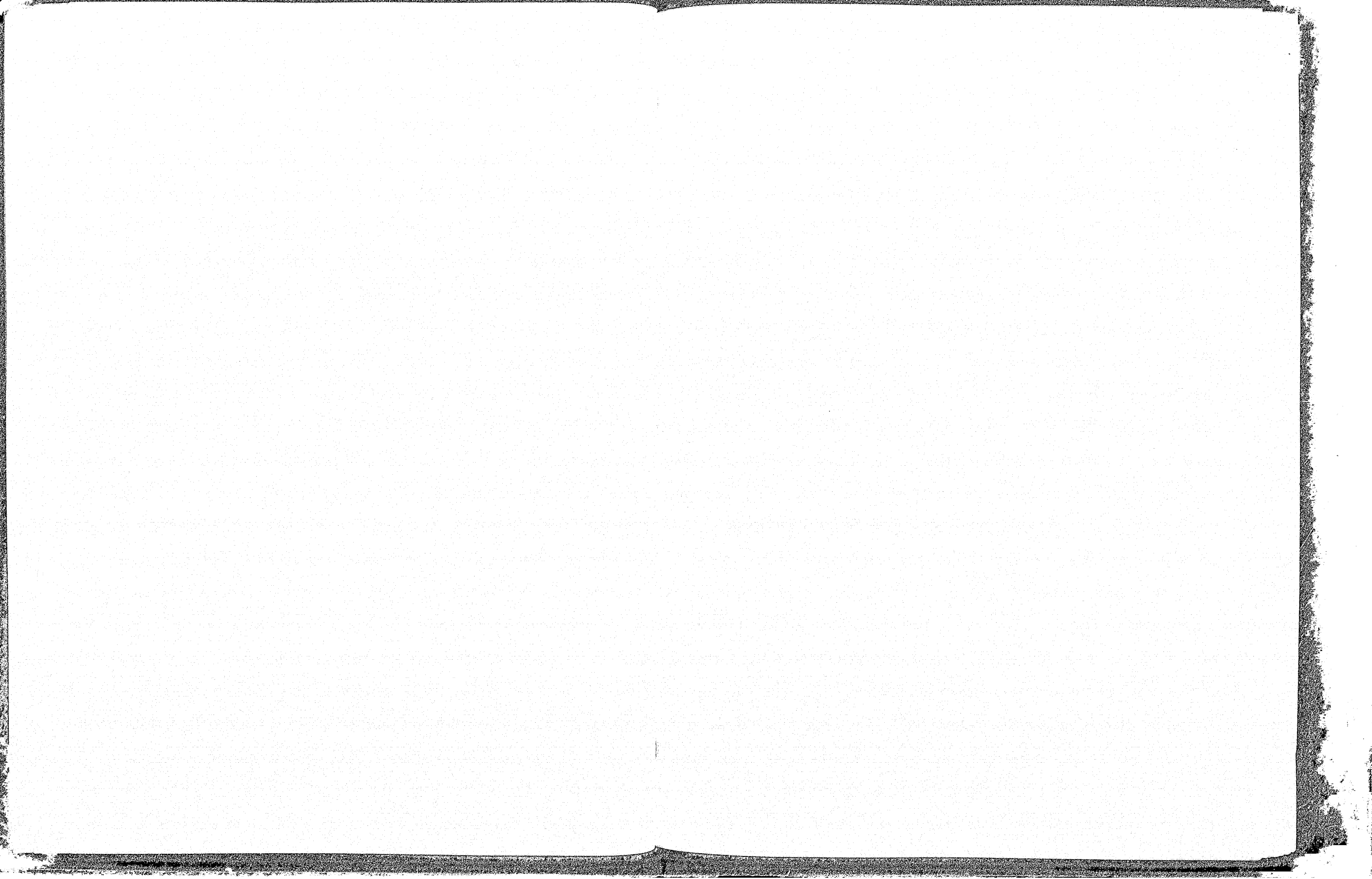
GLASS EYES, addict.
GLASS GUN, hypodermic needle.
GO INTO THE SEWER, inject in a vein.
GO ON A SLEIGH RIDE, inject coke.
GONG, opium.
GONG KICKER, opium smoker.
GOOFED UP, high on drugs.
GOW, drugs.
H., heroin
HAPPY DUST, cocaine.
HARRY, heroin.
HAVE A MONKEY, addicted.
HEADACHE MAN, law officer.
HERO, heroin.
HIT IT, use narcotics.
HOG, addict that requires large amounts.
HORSE, heroin.
HYPE, hypodermic.
ICE CREAM HABIT, only occasional use.
JAM, overdose.
JOINT, a shooting gallery.
JOLT, intravenous shot
JOY POPPER, weekender user.
JUNK, narcotics.
JUNKY, addict.
KICK THE HABIT, withdrawal.
KOKOMO, cocaine addict.
LOCO WEED, marijuana.
MAIN LINE, IV (intravenous) injection.
MOOTA, marijuana.
NAIL, hypo needle.
NOCKS, drugs.
NOSE POWDER, cocaine.
PAD, apartment.
PLEASURE JOLT, occasional use.
POP, an injection.
POT, marijuana.
RACE HORSE CHARLIE, narcotics.
SHOOT, inject.
SKATE, use morphine.
SKIN POP, inject under the skin.
SLEIGH RIDE, drug jag.
SMECK, snorting, sniffing.
SNOWBIRD, cocaine addict.
STONED, under the influence of drugs.
SPEEDBALL, injection of heroin and cocaine.
SPIKE, hypo needle.
TEA, marijuana.
WHISKERS, federal officer.
WHITE STUFF, powdered narcotics.
PAPER, amount of narcotics.

XVI. Prostitution and Michigan Laws Applicable to Prostitution.

- A. Introduction to prostitution. Prostitution can occur in all ranks of society. History has proven that it is not confined to women of poverty or of low intelligence. Most females who eventually become prostitutes have lost their virginity at an early age and, in the great majority of these cases, through men of their own social and economic class.
- B. Definitions and terms that are related to prostitution.
 - 1. Prostitute: An individual, male or female, who for some kind of reward, monetary or otherwise, or for some form of personal satisfaction and as a part or full-time profession engages in normal or "abnormal" sexual intercourse with various persons, who may be of the same sex as, or the opposite sex to, the prostitute.
 - 2. Procurer or Panderer: One who procures females for prostitution.
 - a. A procurer is a member of an organized group concerned with prostitution, who procures the girls. Some procurers team up with an older woman and intimidate and coerce girls into prostitution.
 - b. Years ago, the procurer would seduce a young girl and then with the help of the older woman shame her into remaining with them away from her home and family until she agreed to enter a disorderly house.
 - c. In some cases, forced sexual relations with numerous strange men are used to break a girl's resistance. Today, this is not necessary; girls are available, many of them willing and even eager to get into big city prostitution with an organized mob. Most of these girls are recruited from among prostitutes operating alone or in a small disorderly house in small towns or cities located near farming or mining areas.

- d. Most localities with a great amount of substandard housing, unemployment, and general hardship are fertile ground for procurers.
 - e. The big city operators have their contacts in other localities. They contact a procurer in another municipality to learn what he has available.
3. Transporters: Men or women who take the prostitutes from wherever they are presently working to the city for which they have been procured.
- a. They are responsible for the safe arrival of the girls. Transporters are highly trusted persons.
 - b. Usually operating in automobiles but occasionally using rail or air transport, these men and women knowingly violate federal laws when they cross state lines in transporting these girls. No other members of the organization take the chances that the transporters do.
4. Madams: Really general managers of houses of prostitution, they keep the girls in line, meet and control the customers, handle the cash and small expenses, and are responsible for any trouble within the house of prostitution.
5. Pimps: He works as an agent for the prostitution rackets.
- a. He may have one or more "girls" working for him. He may even have his own wife as his prostitute. He usually dominates the prostitutes and receives a percentage of the profits.
 - b. He is expected to get customers, supply a lawyer and bond when prostitutes are arrested.
6. Houses of Prostitution: This house is now becoming scarce. Few communities tolerate them openly.

- a. Conducted by a madam and employing from four to ten girls, these houses are difficult to hide. An alert police officer should discover them quite readily, if only from their laundry or towel service requirements.
 - b. However, big time operators still operate houses of this type because of the tremendous amount of profit from such houses. They try to escape detection by every possible means.
 - 1) They select locations in large apartment houses where many male visitors would not be suspicious.
 - 2) Doormen, elevator operators, superintendents, and janitors are paid weekly salaries.
 - 3) Operating cautiously, they admit only persons known to them or sent by known agents. Trade may be referred from dance halls, cabarets, bars, hackdrivers, or regular customers.
 - 4) A password of some kind is furnished the new patron, and the person referring him must telephone the madam and give a description of the new referral.
7. Furnished Room Operation: In instances where furnished room houses are used, they are usually operated by experienced madams who have left the organized ring and started out on their own.
- a. In the average case they have only two or three girls, the other rooms being rented to legitimate roomers, thus aiding the madam to maintain an appearance of respectability and thereby making detection more difficult.
 - b. Method of operation is similar to the disorderly house, only on a smaller scale. No salaries are paid to any building employees, and they have fewer referral agencies and a more select group of customers.



- a. The bar and tavern pickups are prostitutes who frequent places where liquor is sold.
 - 1) At times working with the knowledge of the management - since they do attract trade - these women strive for out-of-town patrons.
 - 2) They are perhaps the most dangerous of all prostitutes, as they often combine larceny and robbery with their chosen profession. They are the ones who slip knockout drops into the victim's drink once they get to the selected room.
- b. Streetwalkers make the contact themselves rather than through a pimp, which makes this type of prostitute very selectful of clients.
 - 1) Seldom will they solicit any man having the slightest suggestion of police officer about him.
 - 2) Hustlers resort to many and varied places for the consummation of their business, using hallways, furnished rooms, hotel rooms, parks, and other places. Some work with cabdrivers and use the cab itself.
 - 3) After solicitation, the prostitute may not walk out or off with the prospective customer. Many of them will give an address or location to go to and then they walk around the block and meet him; others will demand he get a room or take them to his room.
 - 4) Hustlers usually work in a particular bar or tavern, neighborhood or street. This makes them quickly known to police, and though difficult to arrest for direct soliciting, it does make it possible to control them if the officer can observe a course of conduct which shows her to be a hustler.

11. Door Knockers: The girls roam the hallways of hotels, knocking on doors and callign out, soliciting vocally.
- C. The business of prostitution is normally committed by one of two types of offenders, that which is considered a commercial venture, or the one classified as an occasional offender.
1. The occasional offender usually has the advantage of respectability because she usually has a home and other methods of employment.
 - a. She become involved because she wants to make quick and easy money.
 - b. She does not depend upon prostitution for her living, but sells herself sexually to get extras.
 - c. This offender will be contacted by telephone and will meet the man at a motel, hotel, or office.
 2. The commercial prostitute is more of a police problem, because she depends upon her occupation for her livelihood.
 - a. She works full time and must subject herself to social humiliation and venereal disease.
 - b. The commercial prostitute will come into contact with law enforcement more often than the occasional offender.
 - c. She will more than likely be tied into gangster associates or organized crime operators.
- D. The reason why some women become prostitutes.
1. Many prostitutes come from bad or unhappy homes.
 2. A young girl who becomes delinquent through maladjustments in the home and social life will adopt vices such as alcohol or marijuana and may turn to prostitution to maintain these other vices.
 3. Many women turn to prostitution because of their desire for money, a chance of excitement, laziness, or a dislike of routine.

4. Another reason why women become prostitutes is simply that they enjoy sex. This would include nymphomaniacs and lesbians, as well as those possessing relatively normal sexual drives.

XVII. The Legal and Medical Aspects of Prostitution Today.

- A. When we examine our laws on prostitution, we find that there are sufficient laws and penalties to effectively combat the problem. There is sometimes political pressure not to enforce the laws to their fullest because of the so-called need for the prostitute.
- B. In looking at the prostitution problem from the police view, we find that honest and effective policing is needed and, further, that an attempt to eradicate the prostitution problem in the community is difficult at best.
- C. The medical authorities have contributed their talents to combating the problem of prostitution by discovering and controlling persons infected with venereal disease and warning the public of the dangers.

XVIII. Michigan Law on Prostitution.

- A. Prostitution.
 1. Accosting, soliciting or inviting another in any public place, or in or from any building or vehicle, by word, gesture or any other means to commit prostitution, or to do any immoral act, is a misdemeanor - county jail not more than 90 days or a fine of not more than \$100 or both.
 2. Admission or the permission of any person to remain in any place, structure, house, building or vehicle for purpose of prostitution is a misdemeanor - county jail not more than 90 days or a fine of not more than \$100 or both.
- B. Common prostitutes as defined in Stats. Ann. 28.364 is part of the term "disorderly person" which is comprehensive and properly includes all persons designated in the body of the act. Under the statute, the following are deemed to be disorderly persons:

1. Any person of sufficient ability who shall neglect or refuse to support his family.
2. Common prostitutes.
3. Window peepers.
4. Any person who engages in an illegal occupation or business.
5. Any person who shall be drunk or intoxicated or engaged in any indecent or obscene conduct in a public place.
6. Any vagrant.
7. Any person found begging in a public place.
8. Any person found loitering in a house of ill fame or prostitution.
9. Any person loitering in or about any police station, etc., for the purpose of soliciting employment of legal services or surety upon criminal recognizances.
10. Any person found jostling or roughly crowding people in a public place.

C. Common prostitutes. The statutes, prior to its amendment in 1927, declared that not only common prostitutes, but also any keeper of a bawdyhouse or house of prostitution, should be deemed to be a disorderly person. Prostitutes only are included in the present statute, and it may be questioned whether the keeper of a bawdyhouse would come under its provisions because, under the Penal Code, the keeper of such a house is now deemed guilty of a felony.

D. Loiterers in house of ill fame or prostitution. To establish guilt under this section, it is necessary to show that the house was kept as a resort for prostitutes.

1. Under the statute prohibiting the keeping of such a place, the house must be shown to have been a house of ill fame, and resorted to for the purpose of prostitution and lewdness.

2. An offense under this statute falls short of the latter offense, as the house may or may not be a house of ill fame, and acts of prostitution may or may not be committed here.
 3. It may be open to question, however, whether the disorderly act would apply to a house where prostitutes merely make their permanent residence. The statute was intended to provide punishment for frequenters of houses of ill fame; and if a person is found loitering about such a place, for no lawful purpose, he is deemed a disorderly person under the statute.
- E. Soliciting and accosting as defined - Stat. Ann. 28.365 C.L. 1948 is "Any person who shall accost, solicit or invite another in any public place, or in or from any building or vehicle, by word, gesture or any other means, to commit prostitution or to do any other lewd or immoral act, shall be guilty of a misdemeanor."
- F. Pandering as defined in Stat. Ann. 28.710 C.L. 1948 is "Any person who shall procure a female inmate for a house of prostitution; or who shall induce, persuade, encourage, inveigle or entice a female person to become a prostitute; or who by promises, threats, violence or by any device or scheme, shall cause, induce, persuade, encourage, take, place, harbor, inveigle, or entice a female person to become an inmate of a house of prostitution or assignation place, or any place where prostitution is practiced, encouraged or allowed; or any person who shall, by promises, threats, violence or by any device or scheme, cause, induce, persuade, encourage, inveigle or entice an inmate of a house of prostitution or place of assignation to remain therein as such inmate; or any person who by promises, threats, violence, by any device or scheme, by fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, or having legal charge, shall take, place, harbor, inveigle, entice, persuade, encourage or procure any female person to enter any place within this state in which prostitution is practiced, encouraged or allowed, for the purpose of prostitution; or who shall inveigle, entice, persuade, encourage, or procure any female person to come into this state or to leave this state for the purpose of prostitution; or who upon the pretense of marriage takes or detains a female person for the purpose

of sexual intercourse; or who shall receive or give or agree to receive or give any money or thing of value for procuring or attempting to procure any female person to become a prostitute or to come into this state or leave this state for the purpose of prostitution, shall be guilty of a felony, punishable by imprisonment in the state prison for not more than twenty years."

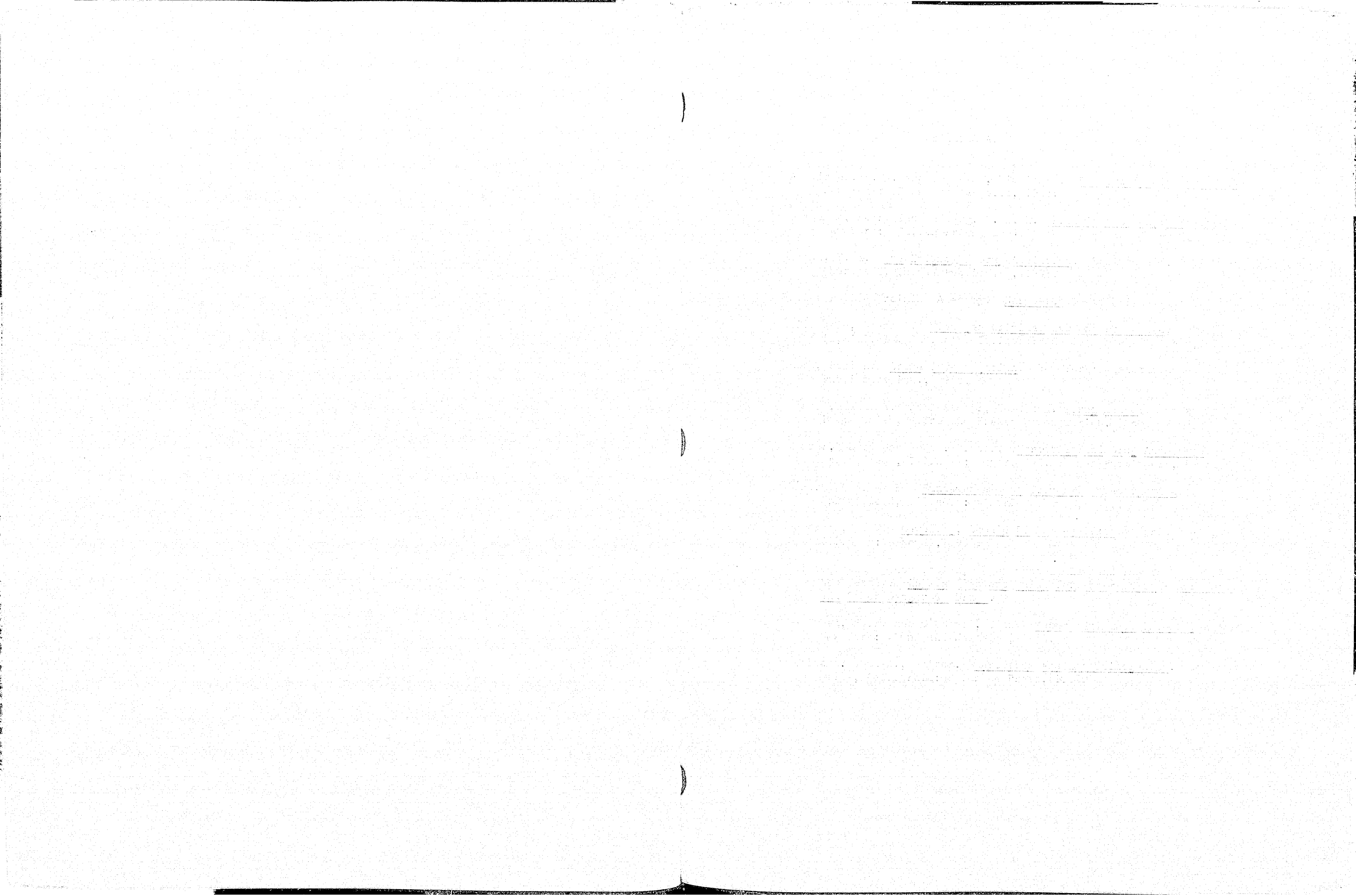
- G. Accepting earnings of a prostitute as defined in Stat. Ann. 28.712 C.L. 1948 is: "Any person who shall knowingly accept, receive, levy or appropriate any money or valuable thing without consideration from the proceeds of the earnings of any woman engaged in prostitution, or any person, knowing a female to be a prostitute, shall live or derive support or maintenance, in whole or in part, from the earnings or proceeds of the prostitution of said prostitute, or from moneys loaned or advanced to or charged against her by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, shall be guilty of a felony, punishable by imprisonment in the state prison not more than twenty years. And such acceptance, receipt, levy or appropriation of such money or valuable thing, shall, upon any proceeding or trial for violation of this section, be presumptive evidence of lack of consideration."
- H. Transporting female for prostitution as defined in Stat. Ann. 28.714 C.L. 1948 is: "Any person who shall knowingly transport or cause to be transported, or aid or assist in obtaining transportation for, by any means of conveyance, into, through or across this state, any female person for the purpose of prostitution or with intent and purpose to induce, entice, or compel such female person to become a prostitute shall be guilty of a felony, punishable by imprisonment in the state prison for not more than twenty years; any person who may commit the crime in this section mentioned may be prosecuted, indicted, tried and convicted in any county or city in or through which he shall so transport or attempt to transport any female person as aforesaid."
- I. Placing wife in house of prostitution as defined in Stat. Ann. 28.711 C.L. 1948 is: "Any person who by force, fraud, intimidation or threat places or leaves, or procures any other person to place or leave his wife in a house of prostitution or to lead a life of prostitution, shall be guilty of a felony, punishable by imprisonment in the state prison for not more than twenty years."

- J. Admitting to place of prostitution as defined in Stat. Ann. 28.704 C.L. 1948 is: "Any person who shall receive or admit or offer to receive or admit any person into any place, structure, house, building or vehicle for the purpose of prostitution, lewdness or assignation, or who shall knowingly permit any person to remain in any such place for any such purpose, shall be guilty of a misdemeanor."
- K. Aiding and abetting as defined in Stat. Ann. 28.705 C.L. 1948 is: "Any person who shall aid, assist or abet another to commit, or offer to commit, any act prohibited by the two next preceding sections of this chapter shall be guilty of a misdemeanor."
- L. Soliciting, accosting, admitting - second offense as defined in Stat. Ann. 28.706 C.L. 1948 is: "Any person who shall be adjudged guilty a second time of a violation of any of the preceding sections of this chapter, the offense being charged as a second offense, shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than one year or by a fine of not more than five hundred dollars; and any person adjudged guilty a third or any subsequent time of a violation of any of said sections, the offense being charged as a third or subsequent offense, shall be guilty of a felony, punishable by imprisonment in the state prison for not more than two years."
- M. Testimony of wife in prostitution cases is defined in Stat. Ann. 28.716 C.L. 1948. It reads: "Any such female person referred to in the six preceeding sections shall be a competent witness in any prosecution under this chapter to testify for or against the accused or by him with another person or persons in her presence, notwithstanding her having married the accused before or after the violation of any of the provisions of this chapter, whether called as a witness during the existence of the marriage or after its dissolution. No complaint shall be entertained or warrant issued against any female witness, nor shall such testimony or any part thereof be used in any way in connection with or as a basis for a criminal prosecution against said witness. No such female witness shall be permitted to refuse to answer any question involving a violation of the provisions of this chapter on the ground

that such answer might tend to incriminate or degrade said witness; Provided, That no person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying."

XIX. Enforcement of Laws on Prostitution.

- A. One of the methods in effective control of prostitution involves the charge of soliciting.
- B. One of the elements necessary is the establishment of proof she intended to commit an immoral act for monetary gains. One of the critical points in this type case is involved in the prostitutes making the initial solicitation. A patrolman in plainclothes will frequently be in a position to be solicited, and it is necessary that he not be the aggressor.
- C. Once the solicitation has been made, the officer should be in a position to testify that the woman accepted money for the purpose of an immoral act. If possible the money should be pre-marked. Actually, when the prostitute clearly expresses her criminal intent in no uncertain terms at the time of solicitation, then an immediate arrest can be made. However, ambiguous words or phrases are often used by prostitutes in lieu of direct, specific language relating to the sex act. If ambiguous terms are used, then the initial solicitation may be insufficient to warrant an immediate arrest until such time as some act of the prostitute spells out the meaning of such words. Exposure, exchange of money, or some act of furtherance of the expressed purpose is necessary to warrant conviction.



DEAD BODY CALLS AND THE INVESTIGATION OF HOMICIDE

I. Procedure.

- A. When you first receive a call to "check a dead body" there are definite steps to follow. Most errors in the investigation of death are errors of omission rather than commission.
1. Upon receiving the call, note date, time received and present location. Note how informed, by radio or telephone, etc.
 2. At the scene, note the time arrived, exact location of the body, identify specifically, particularly if body is outdoors. Why so much emphasis in time?
 - a. Hard being able to explain in court 3 or 6 months later when a particular thing occurred.
 - b. Not making a record of your activities, record to refer to at some later date.
 - 1) Defense attorney may ask you, "How do you know when you arrived at the scene?"
 - 2) Your answer--"Because I wrote it down at the time."
 - c. Defense attorney may reach over and take your notebook from your hand.
 - d. He has every right to look at what it contains.
 - e. There are the facts as your wrote them.
 - f. Testimony will carry more weight with jury.
 3. There are tricky situations for which you should be on guard.
 - a. Cases due to asphyxia--smothering in one form or another. Common types:

- 1) Sleeping pills.
- 2) Gas poisoning.
- b. Body that has been in the water for just a few minutes.
- c. Person who has received an electric shock.
 - 1) May look very dead.
 - 2) Yet be alive.
 - 3) If proper action is taken, many of them can be saved.

B. The question of death or life is your first responsibility.

1. First responsibility is to determine if life is present; all efforts should be aimed toward saving life.
 - a. All other responsibilities such as:
 - 1) Preserving evidence.
 - 2) Safeguarding the crime scene are secondary.
 - b. If death is evident and no doctor present.
 - 1) Body cannot be moved until Medical Examiner or Coroner is notified.
 - 2) Headquarters will contact the Medical Examiner or Coroner upon request.
 - c. The Medical Examiner or Coroner will sometimes desire certain information.
 - 1) Question witnesses as to:
 - a) Circumstances of death.
 - b) Medical history.
 - c) Age of victim, etc.

2. Only a medical doctor can pronounce a subject dead--certain signs of death that give assistance.
 - a. Respiration:
 - 1) Closely observe the stomach and the chest.
 - 2) Look for movement.
 - 3) Hold a light object over the mouth or nose.
 - 4) Look for air movement.
 - b. Check for heart beat:
 - 1) Feeling for the pulse at the wrist.
 - 2) Place palm of the hand on the chest.
 - 3) In region of left nipple.
 - c. Body temperature is not a sure method of determination.
 - 1) But check temperature in various parts of the body.
 - 2) Such as differences between trunk and extremities.
3. There are some positive signs of death. When one or more of these signs are present, it is likely that death has occurred.
 - a. Rigor mortis is a temporary hardening of the muscles.
 - 1) It generally occurs two to six hours after death.
 - 2) The rigor begins in the jaw and neck area, passing down through the body to the lower extremities.
 - 3) It is usually completed in ten to twelve hours, and usually disappears after two to three days, leaving the same way it began.

- 4) The time for the appearance and disappearance depends upon the temperature of the surroundings and the strength of the muscles.
- b. Post-mortem lividity occurs three or four hours after death. Lividity is the discoloration or purplish color that appears on the body.
 - 1) It will primarily be observed as a greenish-blue discoloration of the veins and the stomach area.
 - 2) Insects will also appear under the eyelids.
 - 3) It is self-evident testimony that death had occurred sometime prior to discovery of the body.
4. If you are satisfied that the body is dead, you should not touch it, move it, or disturb it in any way. Your duty at this time is to preserve the scene and call for assistance. Ask for detectives, medical examiner, and identification bureau personnel.
5. In the course of daily patrol activities, the field officer is often assigned to investigate a reported dead body. In most cases the cause of death will be from so-called natural causes, such as illness or disease or from an accident or suicide. In others, usually in the minority, investigation will reveal that the condition is a direct result of a criminal act. Since we cannot begin to determine the facts until the conclusion of the preliminary investigation, criminal homicide should be suspected until it has been established that no crime has been committed.

II. Procedure at the Scene of a Homicide.

- A. When the medical examiner has been contacted and determination has been made that the death has resulted from a criminal act, your responsibility will now begin to multiply and it becomes very important how you handle the situation.

1. The first step is to apprehend the responsible person if he is present, and if not, determine his identity and communicate with your headquarters.
 - a. Determine the suspects name, age, sex, car if he left by that method, license number, make and color of car. The quicker the information is given out, the better the chance of immediate apprehension.
 - b. If person responsible for the crime is there, handcuff and secure the suspect. If you ask any questions of the suspect, make sure you advise him of his rights, although it is often better at this stage of the investigation to refrain from any questions.
2. Notify your headquarters as to the need of additional help, giving a brief outline of the case.
3. Safeguard the crime scene.
 - a. This means preventing anyone from touching the body or disturbing anything.
 - b. Hold everyone at the scene for questioning.
 - c. Isolate all witnesses from each other whenever it is practical.
 - d. Remove everyone from the scene that is not, in your opinion, necessary or involved in the situation.
 - e. In this era of mass communication and media, you will also have newsmen and photographers to deal with. You are not in a position to give them any information. Also, avoid being photographed with the body.
 - f. Preserve perishable evidence such as fluids that might drain away (blood in sink, toilet, etc.) footprints in dust

or mud--protect against rain or trampling. Do not step on blood stains, their shape might be important. Do not handle anything that might have a fingerprint on it, especially the murder weapon.

- g. Do not move the body.
- h. Do not unload guns.
- i. Note the position of all weapons and spent casings if found on the floor. Write all of this information in your notebook.
- j. Use your nose at the scene. There may be an odor of burned gun powder; do you smell alcohol on breath of victim or suspect? Note this in your notebook.
- k. Use your ears, you may hear a witness or suspect make an incriminating statement.

III. Advanced Procedures in Homicide Investigation.

Following the preliminary investigation comes the follow-up or advanced investigation. This is an important phase. It will depend upon how the first steps of the investigation were handled as to how successful the next steps will be.

- A. After the crime scene has been protected and all witnesses detained, photograph the crime scene and all evidence.
 - 1. All photographs must be taken before anything is touched or moved.
 - 2. It is usually advisable to take more pictures than believed necessary. Better to have too many than too few.
 - 3. The photograph acts as an artificial memory. Many small details will become apparent at a later date revealed by photographs.
 - 4. To be acceptable in court, the photograph should be a conventional representation of the scene or object. The photograph should avoid distorting views that might deceive the court or jury.

5. Types of cameras that are acceptable for crime scene photography are the 4 x 5 press and the 35 mm. Other desirable items would include a good lighting system, light meter, filters and tripod.
 6. In homicide investigation all of the following should be photographed.
 - a. The room where crime took place and where the body was found.
 - b. Signs of activities prior to the crime (bottles, cards, ash trays).
 - c. Photographs of fingerprints and footprints.
- B. After the entire crime scene had been photographed, you should record the location of all the evidence in your notebook.
1. Make notes as to how the victim is lying, on his side, face down, etc.
 2. Record location of murder weapon.
 3. Record the condition of room, amount of destruction resulting from a possible struggle.
 4. Check for odors apparent at the scene.
- C. The next step in the investigation is to interview all witnesses detained at the scene.
1. Question each as to name, address, age, relationship to victim and suspect.
 2. Whenever possible witnesses should be removed from the crime scene and questioned under better conditions.
 - a. Privacy is important when interviewing witnesses.
 - b. Many witnesses will talk more freely when interviewed alone.

3. Depending upon department regulations, all witnesses should be taken to the police department where each witness should be questioned with a stenographer recording the interview. The witness should read the transcription, initialing each page and signing the total statement.
- D. In the more serious crimes, such as a homicide, a sketch of the crime scene is made.
1. The first sketch of the crime scene is that sketch which each officer at the scene of the crime puts in his notebook. It is a sketch (rough) and is used by the officer in refreshing his memory when testifying in court.
 2. The other type of crime scene sketch is that which is made by one of the investigating team.
 - a. It is a sketch drawn to scale making use of a portable drawing board, T-square, triangle and scale.
 - b. Two investigators will measure distance between walls, location of body, arrangement of furniture, and other pertinent measurements.
 - c. The investigator assigned to making the drawing will then, as each measurement is determined, transpose them on the drawing paper.
 - d. The measurements should be taken accurately in order to avoid distortion.
 - 1) Show north (N) at top of paper.
 - 2) Indicate on drawing the scale used ($1/2" = 10'$).
 - 3) Put measurements on the drawing while at the crime scene, do not rely upon your memory to do it later.
 - 4) The drawing may be inked upon returning to the station.

- 5) Photographs should be taken of the finished crime scene sketch for jury and court distribution. The original crime scene drawing will also be presented in court as evidence.

E. After photographs have been taken, witnesses removed, and a crime scene drawing made, the next step is to make a detailed search of the crime scene.

1. The mechanics of crime scene searching is more fully covered in other lectures. The important point to remember in searching a crime scene is as follows:
 - a. Decide upon a method.
 - b. Delegate duties with one officer in charge.
 - c. Coordinate activities making sure all persons assigned to searching are working together with everyone having a definite assignment.
2. Whenever any evidence is found, all searchers should stop, the evidence properly identified as to location, marked and retained by the finder.
3. Do not accept a cursory search of the crime scene. Go over the area several times, do not hurry, and be methodical.
 - a. Look at the floors, walls and ceilings.
 - b. Look under the furniture, look in all small areas.

F. After you have the victim removed to the morgue, (usually in the local hospital) arrangements are made to have a complete autopsy.

1. The medical examiner orders an autopsy and the local prosecuting attorney will furnish the legal papers for authorization. In large communities, a pathologist will perform the autopsy. In other areas, the coroner performs the post-examination.

2. In all autopsies, the investigating officer should insist on a complete autopsy. Make sure that the body will not be embalmed prior to the autopsy.
3. The body should be identified to its pathologist by a relative of the victim or one who has known him in life.
4. Any evidence removed from the body during the autopsy, such as bullets should be marked by the pathologist and turned over to the investigating officer present.
5. A member of the investigating team should attend all criminal autopsies.
6. A blood specimen should be taken as well as portions of the vital organs and stomach contents when poison is suspected or cause of death is questionable.

IV. Determining Cause of Death.

Homicides occur in many violent ways with many types of instruments causing death. In this section, we will cover the many types of instrumentality used, searching for the evidence that will determine if the death was suicide, accidental, or murder.

- A. One of the most common causes of death is from gunshot wounds.
 1. If the gunshot is through the clothing, the powder burn and tattooing can be revealed by the Walker or diphenylamine test. This will determine the distance the shot was fired from.
 - a. One cannot fire at oneself at a greater distance than about 20 inches, without the use of wires, ropes or other extensions.
 - b. Several wounds in the body usually indicate homicide, but there have been cases where suicides have shot themselves several times.

2. A method of determining if the victim has fired a gun is by using the Gonzales paraffin test. This involves the placing of several areas of molten paraffin around the thumb and palm area. Traces of nitrates present will indicate that the victim had discharged a fire arm. The Gonzales method is no longer as acceptable as in the past because nitrates are also present in urine, fertilizer and other organic materials.
3. In suicides, men usually shoot themselves in the head and women in the body (vanity).
4. Other important points to determine if the death resulted from suicides if there is a suicide note present (in the victim's handwriting) and if there has been threats by the victim to commit suicide.
5. In accidental shootings, which are often caused by hunting accidents, the improper handling of the weapon caused the death.
 - a. Look for powder burns, they are usually not present beyond four feet with a shotgun or rifle.
 - b. Check the mechanical operation of the gun to determine if the accident was caused by a defective gun.

B. Gunshot wounds.

1. In suicides, the weapon will usually be found at the scene, sometimes clenched tightly in the hand (cadaveric spasm).
 - a. Examine the wound and the weapon to determine if the act of suicide was physically possible.
 - 1) Wound in a location that could be reached by the victim, such as the mouth, throat, temple, or chest.
 - 2) Evidence that the wound was caused by a weapon which could

have been successfully manipulated by the victim to cause the wound.

- a) Determined by examination of the clothing and skin in the area of the wound.
- b) The victim's reach as well as the type and length of the weapon are to be considered.
- c) The victim usually bares the skin at the point of contact with the weapon in the case of suicide.

2. In homicide, the weapon is not likely to be found at the scene.

- a. Exceptions are when the death is intended to appear as a suicide, or when the crime is committed by a professional killer who knows that the origin of the weapon cannot be traced.
- b. The wound may be in a location where the victim would have been physically incapable of firing the shot.
- c. The distance from which the shot was fired is one of the most important factors which distinguish suicide from homicide.
- d. Check for entrance and exit wounds.
 - 1) Determine the direction from which the shot was fired.
 - 2) Ascertain the number of wounds, anteriorly and posteriorly.
- e. Attempt a preliminary determination as to the type of firearm used, and if the weapon used is of the type of any found at the scene.

- C. Another method of causing death is by the use of knives or other sharp weapons. This type of suicide is rare, but self destruction is possible.
1. Some of the weapons used are knives, nail files, letter openers, and other sharp instruments.
 2. Suicide attempts can be indicated by "hesitation" marks on the inside of the wrists. The subject will usually stop before the loss of blood is so great to cause death.
 3. Victims who have been successful usually slash their throat, starting by the left ear and slashing the throat in a downward motion toward the right ear.
- D. The use of poison, especially with the new synthetic drugs, is becoming a popular method of homicide. However, the majority of deaths are either suicide or accidental.
1. Suicide by poison usually involves one of the following:
 - a. Barbiturates such as Veronal, Luminal, Amytal, or Nembutal.
 - b. Coviosine such as sulfuric, nitric, and hydroxide are poisons which cause burning and redness around the mouth and throat. Identifiable household substances in this category includes lysol and carbolic acid.
 2. Accidental death by poison usually involves an overdose of sleeping pills, "hot" shot of heroin taken by an addict or an overdose of medicine prescribed by a physician. Food poisoning has also caused accidental death.
 3. Murder by poison is not as popular as in past years but there are certain methods using poisonous materials.
 - a. An overdose of chloroform, which is sometimes used in robberies or kidnapping, can cause death.

- b. Chlorohydrate or knock-out drops used by female robbers and prostitutes can cause death if used in an overdose form.
- c. Arsenic which is almost tasteless and odorless, has an accumulative action, remaining in the body for several years. It can be detected several years after burial.
- d. Strychnine is a rapid action poison, causing convulsions, contortion of features and spine arching. Death will take place within fifteen minutes with lethal dose.

E. Death by monoxide poisoning occurs on numerous occasions. Most deaths are either accidental or suicidal. It would be well for a police officer to know the characteristics, sources, symptoms and the common causes of death by monoxide poisoning.

- 1. Monoxide gas is odorless, transparent and non-irritating.
 - a. It is a product of incomplete combustion of carbonaceous matter.
 - b. It has over 200 times the affinity for blood that oxygen does.
- 2. Carbon monoxide comes from stove gas, automobile exhaust, coal gas, and ethylene anesthesia.
- 3. Some of the symptoms of carbon monoxide poisoning would include tightness across the forehead, throbbing at the temples, weakness, dizziness, nausea and vomiting.
- 4. Some of the common causes of death by accident resulting from monoxide poisoning are:
 - a. Closed garage doors--effective in 15 minutes.
 - b. Defective vents on gas heaters and gas stoves.

- c. Defective muffler and exhaust pipes on automobiles.
- 5. Some of the common causes of death indicating homicide or suicide resulting from monoxide gas.
 - a. Great majority of homicides are due to stove gas turned on when the victim is drunk, injured, or doped.
 - b. Suicides invariably turn to exhaust or stove gas.
- 6. Characteristics of monoxide poisoning.
 - a. Cherry redness of skin.
 - b. Vomiting or blood from mouth or nose.
 - c. Monoxide can cause abrasions and tears on the skin when the body is handled after death. These can appear like burns.
- F. Strangulation of hanging is a common method of suicide and it is the type of homicide call that officers will receive on many occasions. This type of incident, strangulation or hanging, can occur as a result of a murder, suicide, or accidental causes.
 - 1. Murder resulting from strangulation.
 - a. Manual strangulation always involves murder.
 - 1) It is virtually impossible to manually "choke" yourself to death. You will lose consciousness first.
 - 2) Look for foam at the nose and throat.
 - 3) Look for finger marks on the throat.
 - 4) The face may be flushed or mottled.
 - 5) The autopsy may reveal pinpoint hemorrhages or crushing of the trachea.

- 6) The tongue might be bruised.
- b. In murder made to look like self hanging, body is usually drawn up after death. If the ligature has been drawn tight before the body is suspended, there will be a straight mark around the neck with no break.
 - 1) An autopsy will reveal if death resulted from another cause.
 - 2) It is possible that a person may be knocked out and then hanged to simulate suicide. In this type of incident it is hard to substantiate that a murder was committed.
- c. Suicides by hanging are a common method of self destruction.
 - 1) It is not necessary that body swings free.
 - 2) The ligature or noose is usually at an angle.
 - a) Women will often use silk stockings.
 - b) Men will often use a tie or wire.
 - 3) Usually a note is left.
 - 4) Person will become unconscious almost immediately as a result of the pressure on the artery of the neck. The scene might indicate a struggle, where in fact, the suicide attempted to stop his act, but became unconscious.
- d. Death will sometimes result from accidental hanging or strangulation.
 - 1) Sometimes people choke to death when dentures become lodged in their throat.

- 2) Food lodged in the mouth or stuck in the bronchial tube can cause strangulation.
- 3) Boys often hang themselves while playing.
- 4) Some accidental hangings result from sexual perversion where a degree of unconsciousness or euphoria is attempted and is overdone.

G. Burning.

1. Accidental death in an accidental fire.
 - a. Victim falls or is felled by debris.
 - b. Overcome by gases, the victim is unable to escape.
 - c. Direct exposure to the flame will cause death.
2. Accidental death in a deliberately caused fire.
 - a. In most jurisdictions, death which occurs as a result of, or incidental to, arson, is murder even though the culprit's only intention was to cause the fire.
 - b. Look for arson in case of a natural death followed by structural burning, as arson may have been committed to make the death appear as though caused by the fire. (i.e., insurance fraud).
3. Homicide followed by arson or accidental fire.
 - a. Look for a cause of death other than fire.
 - b. Suspect arson until the investigation establishes the real cause of the fire.
 - c. The fire was possibly caused to destroy valuable evidence.

4. Lightning.

- a. Weather conditions at the time of death will provide a clue as to this type of death.
- b. Lightning causes tree-shaped marking on the body, or burns on the skin under metal objects worn by the deceased.

5. Electrocution.

- a. A good contact and ground are usually necessary for death by electrocution.
- b. Check electrical wires and outlets near the body.
- c. Look for wet hands and/or pools of liquid near the body.
- d. The area of contact may either be invisible, or it may appear as a round shaped wrinkled spot which will be greyish-white or yellow colored.

G. Death caused by blunt weapons or direct violence are common to both homicide and accidental causes.

1. Head injuries.

- a. Blunt objects applied forcibly to the scalp or other areas of the body where the skin is taut across the bone may appear as cut wounds.
- b. Concussions and skull fractures are always strong possibilities in deaths of this nature.

2. Spine fractures.

- a. This type is common to auto accidents and falls.
- b. Indirect violence, such as a heavy object falling on the head, or a blow to the head, may cause spinal damage.

c. A broken neck is often accompanied by fatal damage to the spinal cord.

3. Chest and abdominal injuries.

a. They are accompanied by internal injuries, such as fractured ribs that puncture vital internal organs.

b. They are frequently the cause of death in auto accidents, when extensive internal damage is involved.

V. Michigan Statutes Covering Homicide.

A. Murder is not defined by Michigan Statutes and the definition remains the same as in common law.

1. Murder occurs when a person of sound memory and discretion unlawfully kills any person with malice pretense or aforethought, either express or implied.

2. First degree murder--Statutes Ann. 28.548.

a. "All murder which shall be perpetrated by means of poison, or lying in wait, or any other kind of willful, deliberate and premeditated killing, or which shall be committed in the perpetration, or attempt to perpetrate any arson, rape, robbery, or burglary, shall be murder of the first degree, and shall be punished by solitary confinement at hard labor in the state prison for life."

3. Second degree murder--Statutes Ann. 28.549.

a. All other kinds of murder shall be murder of the second degree.

b. There must be an unlawful killing and a purpose to kill, formed suddenly, preceding and accompanying the act. Lack of premeditation and deliberation separates second degree murder from first degree.

4. Manslaughter is defined as the unlawful and felonious killing of another, without malice, express or implied. Statutes Ann.28.553. Notice here that the element of malice, express or implied is absent.
5. Negligent homicide--Stats. Ann. 28.556.
 - a. This is a lesser offense than manslaughter, where a negligent killing was caused by the operation of any vehicle.
 - b. This usually involves either careless, reckless or negligent operation of a vehicle.
6. Excusable homicide--results from an accident or misadventure while doing a lawful act in a lawful manner and without negligence.
 - a. A hunter accidentally shooting a concealed man is excusable.
 - b. Lawful medical operation with due care and skill resulting in the death of the patient is also excusable.
 - c. Homicide committed in self-defense is considered excusable.
7. Justifiable homicide--if authorized or commanded by law.
 - a. To prevent the commission of a violent felony such as a rape, robbery.
 - b. Killing, as in war, is justifiable homicide.
 - c. Also police in the course of duties in protecting life.
 - d. As well as executing a death sentence as judged by a court.

VI. Conclusion.

A. All deaths encountered by a police officer should be handled and investigated as homicides until it can be determined that they are not. As a guide, the following list prescribes the conditions under which deaths must be reported to the Coroner or Medical Examiner, and which call for the possible involvement of the police in the investigation:

1. No physician in attendance at the time of death.
2. Medical attendance of a period of less than twenty-four hours.
3. In the continued absence of an attending physician. Defined as the doctor not having seen the patient in the thirty days prior to death.
4. The attending physician is not able to state the cause of death.
5. The decedent was killed or committed suicide.
6. The circumstances indicate that death resulted from the criminal act of another person.
7. Following an accident or injury (primary or contributory, occurring immediately or at some remote time).
8. Death by poisoning.
9. Occupational deaths.

BAD CHECKS, FORGERY AND FRAUDS

I. Checks Without Sufficient Funds.

A. Law: "Any person who, with intent to defraud, shall make or draw or utter or deliver any check, draft or order for the payment of money, to apply on account or otherwise, upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivering, that the maker, or drawer, had not sufficient funds for payment upon its presentation." M.S.A. 28.236.

1. If the amount payable is \$50 or less, the crime is a misdemeanor.
2. If the amount payable exceeds \$50 the crime is felony.

B. Proof of evidence to defraud.

1. The statute requires that the maker of the check, in the case of not sufficient funds checks, be notified that the check was refused by the bank and then be given time within a five-day period to make the check negotiable.
 - a. The best procedure for notification is to send a registered letter to the maker of the check notifying that the check was returned from the bank.
 - b. The signature on the registered letter receipt if that of the maker of the check is evidence of receiving notification.
2. If the check is accepted knowing that there is not sufficient money in the bank to cover the check will not create a fraud.
3. Receiving a check post-dated is only a promise to pay on a certain date and not a fraud criminally, but a civil case at that point.

CONTINUED

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1. The first step in the process of the development of a new product is the identification of a market need. This is often done through market research, which can be conducted in a variety of ways, including surveys, focus groups, and interviews. The goal is to understand what customers want and need, and to identify any gaps in the current market.

[illegible]

1. The purpose of this document is to provide information on the various types of aircraft that are currently in use by the United States Air Force. This document is intended for use by personnel who are responsible for the maintenance and operation of these aircraft.

[illegible]

Monday, 10/10/1935. All party checks. Jones cashes a check at the local grocery store owned by Fred Brown. In the normal course of business gives the clerk a partial payment to his breadman. In the night Mr. Enright deposits the check in the Federal Reserve Bank. The check is returned

- C. Before a police officer conducts a preliminary investigation on a complaint involving a check marked "not sufficient funds" a requirement that the payee make the proper notification is necessary. A not sufficient fund check does not become the subject of a criminal violation until the five-day notice has been given.

II. No-Account Checks.

- A. Law: "Drawing check upon bank without any bank account--Any person who with the intent to defraud shall make, draw, or utter any check, draft or order for payment, who at the time of drawing has no account in such bank. Felony, 2 years and/or \$500 fine." M.S.A. 28.326.
- B. The offense of no-account checks consists of writing and uttering or publishing a check where the maker has no account with the bank the check was written on.
 - 1. The proof of intent must be shown. Closed accounts are the same as no-accounts, but proof that the maker of the check knew his account was closed is necessary.
 - 2. Testimony is needed from the recipient of the check and a bank official.
 - a. The recipient can testify to receiving the check.
 - b. The bank official can testify as to the lack of an account or that notification had been given as to it being closed.
 - 3. Additional testimony may be received from the investigating officer and a handwriting expert.

III. Consequences of Accepting Checks that Bar Prosecution.

- A. Example of third-party checks. Jones cashes a check at the local grocery store owned by Brown. Brown in the normal course of business gives the check as partial payment to his breadman, Mr. Taystee. Mr. Taystee deposits the check in the Taystee Bread Account. The check is returned

to Mr. Taystee as "Not Sufficient Funds." Mr. Taystee must go back to the store owner, Brown, for collection. Brown is the complainant against the maker, Jones.

1. Joint accounts: Where more than one person writes checks on an account it is usually difficult to prove intent. In joint accounts it cannot ordinarily be proven that the defendant knew there were insufficient monies in the account.
 2. Post-dated checks: If the date is post-dated, the promise to pay being future, no criminal action can arise. Although legally it must be a mutual agreement between the maker and the recipient, the courts usually feel that all post-dated checks result from an agreement. Thus it is only a promise to pay at a future date.
 3. Checks received as gambling debts: When a check is given for a gambling debt and is returned from the bank because of a lack of funds, criminal prosecution cannot begin. The original transaction must in itself be legal.
- B. Accepting third-party checks. If the maker gives the check to a second party, who in turn gives the check to a third party, the third party does not have criminal redress against the maker.
1. The third party has civil action against the second party.
 2. The second party has criminal redress against the maker of the check.

IV. Forgery.

- A. Law: "Includes all types of papers, but principally involves checks. The making of any false document, with the intent to inure or defraud another, and, the exposure of some person to loss or risk through such art."
1. Affixing fictitious signature is a violation. M.S.A. 28.456.

- a. Any fictitious signature purporting to be the signature of an officer of a corporation even though no such person existed.

B. Uttering and publishing a forged instrument.
M.S.A. 28.446.

Definition: Forgery includes the wrongful art of making a false instrument. Uttering and publishing includes the art by which the fraud is either perpetrated or attempted to be perpetrated.

- 1. To utter is to offer.
- 2. To utter and publish is to declare directly or indirectly, by words or actions that the instrument is good.
- 3. To merely show it without an offer to pass it is not uttering as there must be an intent.

C. The investigation of forged instruments.

- 1. It is important that proof of legal liability of another be established. If name is fictitious (not of an officer or agent of a corporation) the charge is Uttering and Publishing a No-Account check.
- 2. Statute not limited to checks. Can be records, deeds, warehouse receipts.
- 3. Investigation must prove: Perpetrator either changed, altered, published and/or offered the instrument knowing it to be forged.
 - a. By interrogation.
 - b. By witnesses.
 - c. By handwriting experts.
- 4. You must be able to prove the intent.
 - a. May be inferred from the uttering or publishing of the instrument.

- b. May use other forged instruments.
 - c. Frequently one person signs first name, another the last name, and a third passes the check. All are guilty.
5. If offense is forgery of endorsement, then an affidavit of forgery must be made by person to whom the check was payable.
6. The definition of a handwriting specimen or exemplar:
- a. An exemplar is a typical specimen to be compared with evidence document.
 - b. Exemplars can be handwriting or typing from a suspect typewriter.
 - c. When taking handwriting for comparison purposes, original conditions should be simulated.
 - d. The same type of pen or pencil, the same type and size of paper and same posture (sitting or standing) should be required.

THE INVESTIGATION OF LARCENY

I. Introduction.

- A. Definition, nature and elements of offense. Larceny has been defined to be the felonious taking and carrying away, by any person, of the goods and personal property of another, with the felonious intent of converting them to his own use and making them his own property. Without the consent of the owner. The word "felonious" means that the offender had no right or excuse for the act. The elements are:
1. An actual or constructive taking of goods or property.
 - a. A felonious taking is necessary and where it appears that the defendant's possession was lawful in the first instance, the mere refusal on demand by the owner will not warrant a conviction.
 - b. Removing of clothing from a clothes rack in a store and concealing it under a coat is an example of felonious taking.
 2. A carrying away.
 - a. The removal of property from the place it was found is sufficient to support the charge.
 - b. The fact that the goods were discarded after they were taken and concealed does not free the defendant.
 - c. A bare removal is sufficient.
 3. The taking or carrying away must be with a felonious intent.
 - a. It must be evident that the intent was to deprive the owner permanently of his property.

- b. If the defendant, by reason of drunkenness or insanity, was incapable of forming an intent, no guilt can be indicated.
 - c. If a person under a claim of right takes the property, the felonious intent not being present, there could be no charge of larceny.
4. It must be the property of another.
- a. The word property, in reference to a larceny, is used in its general sense and covers all things of value.
 - b. Lost property may be the subject of larceny. It is the duty of the finder of lost goods to hold them for the true owner and give notice. If the finder of lost goods fails to give notice and converts the goods to his own use with the intent to deprive the owner of them permanently, he is guilty of larceny.

B. Applicable laws:

1. Larceny from person--stealing from another is a felony. M.S.A. 28.589.
2. Larceny from a store, house, office, and other buildings is a felony. M.S.A. 28.592.
3. Larceny at a fire is a felony. M.S.A. 28.590.
4. Larceny from a vacant building is a misdemeanor. M.S.A. 28.591.
5. The larceny statutes discuss in terms of value that if the property stolen exceeds the value of \$100 the offense is a felony, if less than \$100 it is a misdemeanor. Any larceny "from" as indicated in the above statutes other than vacant building is a felony.
6. The value of property is the market value fixed by the rates prevailing at the time and place the theft was committed.

C. Investigation techniques.

1. The officer's first responsibility is interviewing the complainant.
 - a. Determine the owner of the property.
 - b. Get a complete and accurate description of the stolen property, including the type of article, brand name, material, size, shape, color, serial number, model number, inscription, and other descriptive marks.
 - c. Determine the value of the property.
2. All witnesses should be interviewed. Use proper techniques of interviewing.
 - a. Find out from the witness what took place, who are suspects by names or descriptions that are available.
 - b. Find out the direction and method of travel suspect took.
 - c. Have witnesses view mug files for possible identification.
 - d. Check your modus operandi files.
3. How to locate and identify stolen property.
 - a. Put out all information to other officers.
 - b. Use statewide communication if applicable.
 - c. Distribute circulars and bulletins to area police officers with description of articles.
 - d. Check pawn shops and stolen card files.
 - e. Become acquainted with local fences that could accept the type of property stolen. A fence is a receiver of stolen goods.

- f. Check with police informers for information.
- g. If the thefts are of the type, such as employee thefts, and it appears that the same type of theft will be repeated, make use of thief detection powders and surveillance.

II. Shoplifting. The most common type of larceny is that of shoplifting. This is the theft of merchandise from a store. We identify the professional shoplifter as a "booster."

A. Classification of shoplifters.

1. The professional, commonly called a "booster." He or she might well be a prostitute or narcotic user. They are skilled, having been involved in this type of offense for a long period of time. They will usually work in pairs. They steal merchandise for resale and articles that are of high value. Examples would be portable TV's, furs, tires, etc.
2. The nonprofessional. This type of thief steals to satisfy a personal need or desire. The nonprofessional usually accounts for 80% of all thefts.
3. The juvenile. The youthful offender is also a nonprofessional, but because of the specific problem of juvenile shoplifting it is classified separately.
4. The kleptomaniac. This type of offender steals only for the psychological satisfaction that it gives him. He can be found in any strata of society. Merchandise is usually given away or thrown away after leaving the store.

B. The different characteristics of shoplifters.

1. Sex. More women are shoplifters than men. This difference in sex results from the involvement of so many prostitutes as well as juvenile girls.

2. Age. Shoplifters are as young as seven and as old as seventy. It is more likely that juveniles and professional shoplifters who are in their teens and the professionals in their twenties will make up the largest percent.

C. Where and when shoplifters operate.

1. The most desirable places for the shoplifter to be working in our modern society is the self-service type of business. This type, which has very few clerks, allows the thief to wander around the store picking up articles without suspicion.
2. Professional shoplifters will pick certain times of the day for their shoplifting. This would include lunch hours when part of the staff is not working, supper hours, and when the store is closing. Clerks are busy at closing time cashing up and putting merchandise away.

D. Kinds of stolen merchandise.

1. The juvenile offender, and especially the female offender, will be attracted to cosmetics, rings, necklaces, and other goods that they would not normally have money to buy. The male juvenile will steal cigarette lighters, knives, pens and smoking materials.
2. The professional booster will steal a variety of things, but they normally will be of high quality, in demand, and easy to dispose of.
3. Shoplifters in supermarket will be attracted to choice cuts of meats, butter, cigarettes and canned delicacies.

E. Techniques of stealing by the use of clothing.

1. Using a coat is a popular method of concealment. Women boosters will use a large loose fitting coat and put the merchandise under the coat. Some professionals will sew drapery hooks inside of the coat, others will sew large pockets on the inside of the coat.

2. Women shoplifters can fold up stolen clothing, such as a fur cape, place it under the dress where it is held in place between her thighs and walk out of the store. There was even a case where a woman did this with a 10-lb. ham.

F. The use of boxes and other objects.

1. A booster box is a box wrapped to resemble a newly purchased article. One end of the box can be opened to shove articles into it.
2. The stove pipe. The purchase of a simple cylinder object such as toilet tissue can be used by shoving stolen articles inside the role. Popular in supermarkets.
3. Removing box contents. Taking a box of breakfast food, dumping the contents out and replacing the contents with high quality goods such as cigarettes or meats. Offender then pays for the breakfast product. Look for breakfast foods dumped in an isolated area of the store.
4. Large purses used by the female offender. She will set the purse close to the counter and when clerk is not looking push the article into the purse.
5. A favorite method of the juvenile offender is the use of the inside of a book which has a portion cut out. From the outside the book looks legitimate.
6. Two shopping bags, one inside of the other is another favorite. The offender drops flat articles such as nylons between the two shopping bags, placing merchandise to be paid for in the inner bag.

Questions for Discussion. (Unit 6---Investigation of Larceny)

If the lecture is for a one-hour class, the above amount of information on the investigation of larceny should satisfy the basic needs. The following questions should finalize the basic instruction.

1. Larceny in many instances can be very difficult to prove. When investigating a larceny, definite elements must be proven to sustain the charge of larceny. What are they?
2. What is animus furandi? What is asportation?
3. Discuss the statutes of larceny.
4. In the investigation of larceny, why is it so important to have a full description of the property.
5. What is the value of the modus operandi file?

Questions for Discussion. (Unit 6--Types of Larceny)

1. Discuss the many types of shoplifters. Identify businesses in your community where each type would be found attempting to steal.
2. Discuss some of the methods that are used to take articles from stores without creating suspicion.
3. Discuss methods of assisting local merchants in preventive measures.
4. Do you favor prosecuting a kleptomaniac who has been caught stealing?

INVESTIGATION OF ROBBERY

I. Definitions.

A. The crime of robbery under the statute is divided into two offenses.

1. One in which the offense is committed by an assault and robbery from the person, the offender being armed with a dangerous weapon.
2. The other in which the offender is unarmed when he commits the offense.

B. Elements of robbery armed M.S.A. 28.797.

1. An assault.
2. A felonious taking of any property which may be the object of larceny.
3. Armed with a weapon.
 - a. A dangerous weapon.
 - b. Any article used or fashioned in a manner to lead the persons assaulted to reasonably believe it to be a dangerous weapon.

C. Elements of robbery unarmed Statutes Annotated 28.798.

1. The defendant by force and violence, assault or putting in fear did take goods or property of another.
2. Feloniously took any property which may be the object of larceny.
3. Perpetrator was not armed.

II. Investigation of "In Progress" Robberies.

A. Duties of first car sent to the scene of a robbery.

1. Do not use siren. Use only red light until you arrive in the area. If the robbery is

in progress, your warning signals will either scare suspects off or will cause panic where they might start shooting.

2. Upon approaching area look for suspect cars of persons rushing from the scene. If you don't know definitely that car or suspect is involved, have back-up car check suspicious circumstances. Continue to the scene.
3. Upon arrival cover all exits. Enter place with weapon in hand. Catch suspect in act when possible. Handcuff and remove from scene.
4. If persons responsible for robbery have fled the scene, officers should do the following:
 - a. Talk to victim and to any witnesses to the robbery.
 - b. Important at this time is the transmission of all available information. Put out the following information to all cars:
 - 1) The location of the robbery and the time it occurred.
 - 2) A complete description of suspects including sex, race, age, and clothing.
 - 3) Description of weapon(s) used.
 - 4) Vehicle if used and license number.
 - 5) Direction of escape.

B. Duties of additional or back-up units.

1. In cases of robbery calls, it is only necessary to send one car to the scene, especially if suspects have left the scene. The duties of back-up units would be:
 - a. Observe all cars and persons fitting description received by unit going to the scene.
 - b. Check main intersection and routes of possible escape.

- c. If suspect is on foot, check area bars and other public places.
- d. Be alert to license plates being changed, look for make shift license brackets.
- e. Pay attention to stolen car sheet. Many criminals will use stolen cars for get-away transportation.
- f. Cooperate with other units on covering certain areas and assisting in shaking down suspected cars and passengers.
- g. If suspect is apprehended, do not take him back to the scene. Take suspect to the police station for line-up viewing.

III. Types of Armed Robberies and Investigative Aids.

A. Gas stations.

- 1. Usually one or two suspects involved. They drive in on the pretense of getting gas and while attendant is getting change, the suspect will hold up the attendant.
- 2. Sometimes it is a lone wolf. The suspect will park car down the street and will walk to station. Look for cars parked in the area, especially on dark streets, with the motor running.

B. Robbery of stores.

- 1. One suspect will enter the store, the other sits in car with motor running.
- 2. First suspect makes purchase holds clerk up. Sometimes puts clerk in walk-in refrigerator or store room.
- 3. Stores are sometimes held up by single bandit who might live in area. If bandit is masked, this could be an indication of suspect being a neighborhood resident.

C. Car-passenger robbery.

- 1. Young man hitch-hiking, gets ride and holds

up driver. This type of robbery popular around bus stations and other public places where homosexuals make their contacts.

2. In many cases, perpetrator returns to the same area the following night, and another robbery using the same modus operandi.

D. Bank robbery.

1. Usually the follow-up investigation is done by F.B.I.
2. Prosecution is in federal courts by mutual agreement between local police and federal agency.
3. Local officers will respond to the initial call and make the preliminary investigation.
4. Bank robberies usually committed by a more professional type of criminal.
5. Many recent robberies have been committed by a single suspect desperate for money.
6. Bank robbers are very dangerous. They carry firearms and will shoot rather than be caught in many cases.

IV. Types of Unarmed Robberies and Investigative Aids.

A. Purse-snatching.

1. Usually classified as unarmed robbery if force was used; if not, then it is larceny from person.
2. Juvenile gangs will prey upon women returning to their homes from work or theaters.
3. If they work in pairs, they might have a car nearby.
4. As a rule, they check the purse before leaving the area, take money and discard the purse.

B. Rolling drunks and homosexuals.

1. Suspect makes acquaintance in bar. Both go to men's room, and drunk is assaulted. Suspects will leave by back door.

2. With homosexuals, suspect will go with homosexual to his room. While there, suspect will strong-arm victim. This can also happen on the way to homosexual's room.

THE INVESTIGATION OF SEX OFFENSES

I. Introduction.

- A. Sex offenses are usually crimes of rape, sodomy, perversions and molestations. An investigation involving sexual behavior requires tact and discretion on the part of the investigator. He has the responsibility to conduct a fair investigation because of the seriousness of the offense.

II. Definitions.

- A. Types of sexual offenses and applicable laws.

1. Crimes against children.

- a. Indecent liberties--"Any male person over the age of sixteen years, who shall assault a female child under the age of sixteen, and shall take indecent and improper liberties with the person of such child." Felony MSA 28.568
 - 1) It is not necessary to show that the accused took liberties with the private parts of the child.
 - 2) It is indecent for a man to place his hands upon a child with the intent to take liberties.
 - 3) Indecent and improper liberties with the person of a female child means such liberties as the common sense of society would regard as indecent and improper.
- b. "Accosting, enticing or soliciting child for immoral purpose. Any person who shall accost, entice, or solicit a child under the age of sixteen years with intent to induce or force said child to commit an immoral act, or to submit to an act of intercourse, gross indecency or other acts of depravity." Misdemeanor. MSA

28.341. This act covers all of the cases of solicitation of the above offenses, which fall short of the commission of the act themselves.

- c. Statutory Rape. "Any person who shall unlawfully and carnally know and abuse any female under the age of sixteen is guilty of statutory rape." Felony MSA 28.788
 - 1) As defenses, ignorance of age, unchastity of the female, or lack of out-cry are not valid.
 - 2) Female of the age of sixteen also cannot give consent. Crime is contributing to the delinquency of a minor.
- 2. Forcible Rape. "Any person who shall ravish and carnally know any female of the age of sixteen years or more by force and against her will shall be guilty of a felony." MSA 28.788.
 - a. The essential elements of rape.
 - 1) Carnal knowledge.
 - 2) The act was accomplished by force and against her will.
 - b. Force does not necessarily imply that positive exertion of actual physical force, but may be force or violence threatened as the result of non-compliance. Force is satisfied if it is shown that the woman was in fear of harm or danger to life.
 - c. There must be a degree of penetration, no matter how slight. Ejaculation is not necessary to consummate the crime.
- 3. Indecent Exposure. "Any person who makes any open or indecent or obscene exposure of his or her person is guilty of a misdemeanor." MSA 28.567.

- a. May be committed on private property but it must have been open and public, with relation to the people that were there in the situation.
 - b. Indecent and obscene exposure means such an open and public exposure of the person as the common sense of society would regard as obscene, indecent, and improper.
4. Crimes against nature. These offenses include crimes of gross indecency between male persons and also between female persons. The statute reads that any person who in public or private commits or is a party to the commission of or procures the commission by any person of an act of gross indecency with another of the same sex is guilty of a felony. MSA 28.570. Gross indecency is committing sodomy by one male on another or the placing of the mouth on the private parts of another of the same sex. Usually identified as oral copulation.
- B. Investigation. The investigation of sex offenses is no different than that of the investigation of any type of criminal offenses. The elements of the particular sexual offense must be sought in all offenses.
- 1. Investigation in general.
 - a. The victim must be interviewed and all pertinent information be received.
 - b. The time, place, and date of the alleged offense must be recorded.
 - c. A description and other identifying aids of the suspect must be sought.
 - d. If a vehicle was involved or other types of transportation this should be noted.
 - e. Statements from victim, suspect, and witnesses are important.
 - f. Look for evidence at the scene which would include materials that might be

found on the victim or the suspect. Tracks, traces and impressions should be looked for and preserved. Blood, semen stains, hair and other identifying materials might be at the scene.

- g. Preserve clothing of victim and suspect for lab analysis. Also fingernail scrapings and minute bits of skin and flesh.
- h. Gather sufficient information about the victim such as her age (statutory rape), mental condition, involvement in similar offenses, her physical condition and appearance of clothing such as tears and stains.

2. Investigation of crimes against children.

- a. Age of victim is important.
- b. Be aware of fabricated story--child dreaming--because small children will make up stories.
- c. Investigate the modus operandi of the suspect.
 - 1) Becoming friendly to the family.
 - 2) Offering candy or gifts to the child.
 - 3) Sitting next to child in a theater.
 - 4) Offering a ride to the child.
- d. Pit-falls or problems of investigation.
 - 1) Parents do not want to prosecute.
 - 2) Child changing story.

3. Investigation of crimes against nature.

- a. One of the biggest problems is getting competent testimony because it is usually is a mutual crime.

- b. Evidence might be found such as stains and hairs.
- c. Method of operation. Perverts will congregate around public places such as bus stations, beaches, parks, and "gay" bars.
- d. It is difficult to establish act of copulation or sodomy without victim's testimony.

4. Investigation of forcible rape.

- a. The victim must have a physical examination to indicate recent intercourse, tears, and presence of sperm.
- b. The investigator must examine victim's story very closely. Problem of force and consent is always present.
- c. Very few cases of forcible rape ever stand up in court. Credibility of victim is always questioned.
- d. Investigate relationship of suspect to victim, ability of suspect to commit the act, how long parties have been acquainted, and if acts of sexual relation had been consummated prior.
- e. Methods of operation of the rapist could include burglary with an intent to rape, taking advantage of a feeble-minded victim, pick up at a bar, or the use of a weapon.
- f. Problems of investigation and prosecution would include:
 - 1) Reluctance of victim to prosecute.
 - 2) Proving penetration.
 - 3) False report because of pregnancy.

III. Forms of Sexual Perversion.

The term perversion in sexual behavior usually means that which is a deviation from normal. It includes any sexual act which constitutes a deviation from the heterosexual act of coitus. Some of these acts are

illegal, others are only considered immoral. The criminal investigation will not be required to investigate the perverted crimes as often as the crimes that were discussed in the previous section.

A. Sexual perversions.

1. Sadism--inflicts punishment on another.
2. Masochist derives pleasure from being subject to injury such as spanking or whipping.
3. Transvestism is the practice of wearing clothes of the opposite sex for erotic pleasure. This type of behavior is among the homosexual group and is normally a criminal act in public.
4. Fetishism is deriving sexual pleasure by using an object such as underthings, shoes or even a woman's purse, substituting acts of love-making with a fondness for the object.
5. Frottage means to rub against. This type offender is not dangerous. He works in the press of a crowd and when confronted with his rubbing activities defends himself by saying it was crowded and that it was an accident.
6. Necrophilia means to enjoy having relations with a corpse. This offender is a mental case and is related to a sadistic type of behavior. Offenders seek employment in funeral homes, morgues, and cemeteries. This behavior is a criminal violation.
7. Exhibitionist obtains sexual satisfaction by exposing himself to members of the opposite sex. He sometimes feels that by exposing himself he will get sexual invitations from the woman he exposes himself to. In some cases it is because of a deep rooted inferiority complex. Will expose himself in cars or public hallways and elevators. This behavior comes under the criminal statutes defining indecent exposure.

B. Other definitions pertaining to degenerates,
sex crimes, and homosexuals.

1. Fellatio--oral copulation with male sex organ.
2. Cunnilingus--oral copulation with female sex organ.
3. Oralism--sex pleasure through use of mouth to sex organs of either male or female.
4. Eoism--impulse to dress in clothing of opposite sex.
5. Bestiality--sexual intercourse with an animal.
6. Paedophilia--using a child for a sex object, or a child lover.
7. Oedipus complex--sex attraction of son to mother.
8. Zoophilia--sex relations with animals.
9. Nymphonia--female whose desires for sex are unsatisfiable.
10. Lesbian--female homosexual.

Discussion Questions on First Section. (Unit VIII--Investigation of Sex Offenses).

The preceding section gives in general, and in some cases specific, information on the investigation of sexual offenses. For a basic course of approximately one-hour time, the preceding sufficiently covers a basic lecture. The following discussion questions should follow the lecture.

1. Name several reasons the investigation of sex offenses can be difficult.
2. Discuss forcible and statutory rape.
3. Should gross indecency in private be a criminal offense?
4. Discuss the difference between statutory rape and indecent liberties.

Discussion Questions for Second Section (Unit VIII-Forms of Sexual Perversion).

1. Discuss the investigation problems that are inevitable when investigating crimes of homosexuality.
2. Should persons who have indicated sex perverted attitudes be arrested or are they mentally ill?
3. Why should a police officer know and understand the many deviant definitions as was covered in this section?
4. Do we have a crime charging one with necrophilia? Bestiality? Lesbianism?

THE INVESTIGATION OF ASSAULTS

I. Assault and Battery and Simple Assaults.

- A. Basic definition of simple assault: Defined as an attempt to commit a battery, or the commission of an unlawful act which causes another to fear an eminent battery.
 - 1. An attempt to offer with force and violence to hurt another.
 - 2. To begin violence to another with the means to carry it out.
- B. Battery is the unlawful application of physical force to another.
 - 1. The degree of force is not important.
 - 2. Mere touching can be battery.
- C. An assault and battery is committed whenever a person without cause, excuse, or justification, intentionally assaults and inflicts bodily harm upon another.
- D. Assault and battery is a misdemeanor crime.

II. Aggravated Assault.

- A. When an assault by one upon another causes serious or aggravated injuries, but with no weapon being used, the crime is aggravated assault.
 - 1. It is a further continuance of assault and battery.
 - 2. Kicking of feet at a person's head or a continued pounding by fists satisfies the statute.
 - 3. Aggravated assault is a state misdemeanor.

III. Assault with Intent to do Great Bodily Harm Less Than the Crime of Murder.

- A. To constitute this offense, the defendant must have intended to do serious and permanent bodily injury to the person assaulted.
 - 1. The harm or injury intended must be of a serious and aggravated nature.
 - 2. The statute was designed primarily to fill the punishment gap between the minor assault crimes and assault with intent to commit murder.
- B. Felonious assault is assault where an object or weapon is used for the assault.
 - 1. A dangerous weapon is any instrument likely to produce serious bodily injury.
 - 2. The instrument does not necessarily have to be a weapon but that which is capable when used in such a manner to inflict serious injury or death.
 - 3. Felonious assault is a felony crime.

IV. Assault with Intent to Maim.

- A. When any person with design or intent maims or disfigures another by cutting out or maiming the tongue, destroying the eye, cutting or tearing off an ear, cutting or mutilating the nose or lips, or disabling a limb, organ or member is guilty of assault with intent to maim.
 - 1. This class of assault is one which describes extreme aggravation in the assault.
 - 2. It must be shown that there was the intent to maim or disfigure.
- B. It is a matter of well established case law that any serious bodily harm justifies extreme resistance. The victim cannot be required to draw fine distinctions as to the extent of injuries he will receive or that he commits in resisting the attack.

V. Assault with Intent to Commit Murder.

- A. The crime of assault with intent to commit murder is the highest degree of assault. It is an assault with the intent to commit murder. Had it caused the death of the person assaulted, the assaulter would be guilty of murder.
1. It is immaterial whether the murder was intended and if completed would have been murder in the first or second degree.
 2. Whenever a man assaults another intending to commit murder, the crime is complete.

Questions on Assault.

1. Discuss the elements of assault and battery.
2. Define assault, define battery.
3. Can you arrest for an assault and battery committed in your presence?
4. Discuss when you would not arrest nor sign a complaint for assault and battery.
5. List some objects, not dangerous per se, that could be the subject of felonious assault.

SCIENTIFIC AIDS TO INVESTIGATION

I. Fingerprints.

One of the more common types of physical evidence that the police officer will have contact with are fingerprints. The responsibility of the officer at the scene is to discover the fingerprint evidence with the field equipment available, judge as to its value, and then preserve the prints. He will not be a fingerprint expert, his findings will be followed up by a fingerprint expert who will analyze and prepare the print for court.

- A. Types of prints found at the scene usually fall into three general classes.
 - 1. Visible fingerprints. This type of print is found in dirt, grease, blood, or other stains that result from the finger contacting a receptive surface and leaving an impression of the ridge formations. This print is visible to the eye and should be photographed for evidence purposes.
 - 2. Plastic fingerprints. This type of print is left as a result of contact with soap, butter, gum, clay, putty, and other soft materials. A photograph of the imprint should be taken prior to any attempt to reproduce the print by casting methods. Plaster of Paris or moulage may be used to make a cast in most soft materials. No attempt to make a cast should be done unless the officer has the experience. If the object is portable, it should be taken to the crime lab for expert assistance in casting the print.
 - 3. Latent fingerprints. Latent usually refers to that which is hidden. A true latent print is that which is present but needs some type of development to make it visible. This type of print is the most common type that the officer will deal with. It results from the natural oily secretion through the pores of

the skin. Sometimes these secretions are stimulated due to the increased tension of persons involved in an illegal act. When the ridge formation of the finger comes in contact with a fairly smooth surface, they leave an oily facsimile on that surface. Fingerprint powders can be applied to the areas where it is believed that latent prints were left and application of the dust onto the oily surfaces will develop or bring out the print.

- B. Procedure for developing latent prints at the scene of the crime.
 - 1. The first responsibility of the investigator or police officer is to preserve any possible areas where latent prints might be found.
 - a. The search for prints must be done in a systematic manner, beginning in the area where the crime was committed, and should extend to all possibilities where the suspect was present, including the entrance and exit.
 - b. In making the search for prints, plastic and visible prints will be readily noticed, latent prints will not. The flashlight or other lighting methods, shined obliquely at the suspected surfaces, will sometimes bring out the latent print impression.
 - c. When the fingerprint is located and the object that it was left on is portable, the whole object, if possible, should be taken to the crime lab for processing. The whole article should even be exhibited in court showing the print when practical.
 - 2. Any smooth surface might bear fingerprints if touched. Rough surfaces rarely have prints that can be developed, but when in doubt, the article should be checked for prints. Objects which have been handled numerous times such as doorknobs and steering wheels, usually have an abundance of oil from numerous impressions and are usually poor objects to try to obtain prints from.

C. Equipment for latent fingerprint work.

1. When the evidence is not portable, it then becomes necessary to develop and lift the evidence print at the scene. The police officer might be called upon to perform this service. Every officer and investigator must have some working knowledge of the equipment needed and the development and lifting of a print.
 - a. The complete equipment for developing and reproducing latent fingerprints would include several types of powders, brushes, a flashlight, rubber and transparent lifting tape, scissors, magnifying lens and a camera.
 - 1) Developing powders. The powder most commonly used is the grey or aluminum powder. This can be used on glass, woodwork, cardboard, leather and metal objects. Another type is the black powder which may be used on glass, paper, marble, porcelain, and smooth light-colored wood.
 - 2) Brushes and brushing. The two most common types of fingerprints brushes are the small hair type and the feather duster type. The small hair type is for covering small areas and for direct development of the print. The feather duster type is for dusting large areas and for cleaning the developed print. In using either brush, the most important factors are as follows: place the powder on a clean sheet of paper and dip your brush into the powder, do not overload your brush. Shake the brush and begin applying the powder on the suspect area by brushing in a circular motion. When the print has been developed, clean your brush by shaking and then lightly brush the developed print. This will clean the areas between the ridge pattern, and bring out the pattern.

2. Materials used for reproducing latent prints.

a. When a print is reproduced it will be used for comparison purposes or to be used for evidence in court. The methods used for reproducing a print is either by transparent lifting tape or rubber lifting tapes. Regardless of which is used, a photograph of the developed print should always be made first.

1) Transparent lifting tape. This tape is made of cellophane and is closely identified with the brand scotch tape. Lifting a print with this type has the advantage in that the lifted print can be pressed on a backer, preserving the developed print both for purposes of examination and introduction in court as evidence.

2) Rubber lifting tapes. This is an old method of reproducing prints but is still in use in many departments. It comes in two colors, either black or white. It is fine-grained rubber with a tacky coating on one side. It is easy to use and provides good reproductions. The disadvantage of rubber lifts is that the lifted print will be a negative and must be photographed to return to the original position.

b. Chemical methods of developing latent prints. When latent prints are believed to be on paper, rather than using the brush and powder method of reproducing, it is usually better to make use of one of the two methods of chemical development.

1) Iodine fuming method. This method makes use of iodine crystals either with an iodine fuming apparatus or a light bulb placed in an airtight box. The principle of the iodine fumes is that the fumes will react on the oily surface of the latent

prints causing the print to turn reddish brown. When the latent print appears, it must be photographed immediately because the image will fade. Since the developed prints will fade away, this is also a good method of developing prints and leaving no clues as to your activity.

- 2) Silver nitrate method. Latent prints on raw wood, paper, leather, and some types of cloth will develop with silver nitrate. The silver nitrate is in a solution poured into a tray and the paper that it is believed to have prints is placed in the solution. If the object cannot be moved, an atomizer with silver nitrate solution can be sprayed on the article. In the case of silver nitrate, the print developed remains indefinitely and can be used for examination and evidence purposes.

D. Marking and preservation of fingerprint evidence.

1. Any fingerprint evidence that will be submitted to a crime lab or latent fingerprint section should be marked or sealed in marked envelopes. When photographs are taken of developed prints, some type of identifying mark should be placed near the print and this mark should be photographed so that it will show on the negative. If the camera used is a fingerprint camera, a rule or some other item should be included in the photograph to show the amount of magnification.
2. Preserving fingerprint evidence. The most important item to remember is not to destroy any existing prints nor add any prints to the object. The objects should be touched as little as possible and when it is necessary to touch any suspect article, this should be done only in the areas where it is unlikely latents might be found.

- a. The use of gloves or handkerchief is not the most desirable method of picking up articles because of the chance that the cloth material will wipe off any existing latents.
- b. Large articles with suspected latents should be placed on wood or heavy cardboard and fastened down with string.
- c. Papers and documents containing latent prints should be placed individually in cellophane envelopes.
- d. If an object containing possible prints cannot be moved, and it is important to attempt to develop and reproduce the latent print as soon as possible, the officer or the investigator in these cases, should by using the methods described earlier in the outline, lift the print. It then can be submitted to your crime lab for further analysis.

II. Firearms Identification.

The value of firearms identification as a scientific aid in criminal investigations has become well established. Firearm uses are a common cause of many crimes. The police officer should possess considerable knowledge in the understanding of firearms and ammunition.

A. Types of firearms:

- 1. A revolver is a hand gun which has a revolving cylinder at the rear of the barrel. The revolver is usually less than eight inches in length and the revolving cylinder will contain from 5 to 9 chambers, the majority containing 6. (A revolver should be shown to the class and the nomenclature of the weapon be shown.)
- 2. An automatic pistol is a firearm from which the shell of a fired shot is ejected and a fresh cartridge pushed from the magazine into the breech by gases generated by the explosion of the first shot fire. Popular models of the automatic pistol are the Colt .45, and

the German Luger. (An automatic pistol should also be shown to the class and the nomenclature and method of operation be illustrated.)

3. Rifles are classified by their type of action. Examples are single shot, lever-action, bolt-action, pump, and automatic. They are called rifles because of the lands and grooves in the barrel which causes the bullet to spin in flight.
4. Shotguns are classified as single barrel, double barrel, bolt, semi-automatic, and pump action plus others. In contrast to the rifle, the shotgun barrel has a smooth bore and normally shoots a shotgun shell containing pellets. The shotgun is usually classified by its gauge: 10, 11, 16, or 20-gauge.

B. Bullet or ammunition evidence.

The examination of a bullet should lead not only to the determination of identity with the firearm from which it was fired, but also to a thorough knowledge of the marks produced by its discharge. Revolvers, automatics, and rifles have rifled bores. A bullet discharged from one of these weapons will bear characteristic marks of only that weapon.

1. We find the sum total of the peculiarities of the particular barrel on the discharged bullet.
2. The barrel characteristics result from the tools used in making the grooves, defects in the material, and the use of the weapon.
3. If the bullet has partially retained its original shape, it can be examined with what is called a comparison microscope.
 - a. A test bullet is fired into cotton or water from the weapon used and set under the comparison microscope along with the suspect bullet.
 - b. The lands, grooves, and minute characteristics are compared.

C. Determination of the firearms by a bullet.

1. If you are in possession of a bullet, there is a good possibility that the weapon from which the bullet was fired from can be identified.
 - a. Evidence bullets in good condition can be identified as to caliber: 32, 38, or 45, etc.
 - b. The bullet may be weighed and checked against a weight chart or a test bullet.
 - c. Examination of the grooves on the suspect bullet will indicate if it came from a left or right twist weapon.
 - 1) Colt pistols have left twist, Smith & Wesson have right twist.
 - 2) Most modern arms have an even number of grooves which may vary from 4 to 6.
 - 3) The angle of the twist will often give sufficient information for identifying different makes of pistols.
2. Keep in mind that on a fired bullet, land marks or the raised portion is formed by the grooves in the barrels rifling, and the lands or raised portion of barrel rifling from the grooves in the fired bullet.

D. Cartridge case evidence.

1. Information that may be derived from cartridge cases would include the caliber, make and model of the unknown gun, the position that the gun was held in case of automatics, and the identification of the gun in which the bullet was fired.
 - a. Determination of the caliber, make and model of the unknown gun.
 - 1) Cartridge cases on the base will indicate the caliber of the gun.
 - 2) The firing pin of the weapon will leave an impression on the primer cap which is characteristic of the weapon.

- 3) Extraction marks will be left on a casing when the weapon is an automatic. It will be found on the front of the lip of the casing and results from the ejector pulling the casing back after discharge.
- 4) Ejector marks will be found on the base of the casing. When the extractor brings the spent casing to the rear of the breech in an automatic, the ejector then ejects the spent casing out of the gun. The extractor and ejector marks will be positioned in the same relation each time.
- 5) Breech block marks will be left on the head of the casing. This results from the casing striking against the breech at the time of discharge. The breech block will have characteristic marks from files or other tools used when the breech is finished.

E. Determination of distance from where the weapon was fired.

1. The distance can be determined only to the point where powder residue is left on the victim. This can be determined by firing the same weapon or similar, using the same type of ammunition. The exception would be where a shotgun was used. In this case tests can be conducted noting the pattern of the shotgun pellets at several distances.
2. There are two types of powder residues.
 - a. Smudging is the soot-like deposit that merely discolors the surface.
 - b. Tattooing is caused by burned or partly-burned particles of powder being driven into the skin.
 - c. Smudging and tattooing are common with discharge of the weapon fired at close range.

III. Blood and Other Body Fluids.

A. Possible laboratory determinations.

1. The first question would be, is the suspect stain blood? The preliminary test the lab technician would more than likely conduct is the benzidine test.
2. When it has been determined that it is blood, the next question is that of - is it human or animal?
 - a. The test used in this case is the precipitin reaction analysis.
 - b. Both tests for determination of blood should be conducted by the lab expert.
3. From which part of the body does the blood originate?
 - a. Microscopic examination may indicate the origin of the blood through the presence of foreign particles.
 - 1) Blood from the nose will have mucus and hair from the nostrils.
 - 2) Epithelial cells from the vagina are found in the blood evidence in cases of rape.
4. Does the blood come from a certain individual?
 - a. Blood can be grouped into four major classifications: O, A, B, AB.
 - 1) By blood typing you can eliminate certain suspects, but not all.
 - 2) This is helpful in paternity cases because the child must have similar blood type. It would eliminate some suspects but will not determine the responsible father. Only that his blood type is compatible with that of the baby.
5. Stains of semen can be determined by microscopic means.
 - a. The procedure consists of an examination for an intact spermatozoon.

b. The ultra-violet lamp is also used for identification. Seminal stains will emit a strong fluorescence.

1) Urine will also be fluorescent, so this test is not all conclusive.

B. At the crime scene the position and the condition of the blood will answer some questions.

1. At what height did the blood fall. The vertical fall will create a round stain and at greater heights will have a surrounding pattern of droplets.
2. Drops falling at an angle other than 90 degrees from the horizontal will form a blot, usually tear-shaped, with the point extended in the direction of the fall.
3. Blood begins to dry at the edge. Many conditions, including temperature, humidity, and the material the blood is on, will be important in determining how long the blood has been present.
4. On dark backgrounds, blood stains will be hard to recognize. Using artificial lights, dried bloodstains will appear as a glossy varnish.

IV. Soil and Mineral Analysis by the Laboratory.

A. Analysis of soils and other materials will sometimes indicate if a certain subject or object was at the scene of the crime. In cases where the victim or subject may have come into contact with the ground, find local soil on clothes, shoes, and in the car. Tools and other instruments might have soil on them to indicate that they had been at a crime scene.

B. When taking samples for evidence, always take more than one sample from any place subject may have come into contact with the ground.

1. Soils will vary in all areas, sometimes in just a few feet apart.
2. Take "grab" samples - double handful of soil scraped from surface of ground.
3. Obtain about 1/2 pint of each sample, using round containers, preferably cardboard. Glass might break while in transit.

4. If you have suspect or victim's shoes or clothing to be checked, send the whole article to your crime lab.
 - a. Dirt such as in the instep of a shoe is often in layers, and it is necessary that these layers be removed in proper sequence.
 - b. Place these types of evidence in plastic bags.
 - c. Make sure clothing or articles are dry before transporting them.

C. Safe insulation.

1. Safe insulation is used as fireproofing for safes.
2. In most cases the lab expert can identify safe insulation as coming from a particular safe.

V. Plaster Casting as a Scientific Aid to Investigation.

- A. Plaster casting is important in investigation because it may assist in locating the person who committed the crime, may place the subject at the scene of the crime, used to eliminate suspects and used to assist in determining whether a subject wore shoes, boots, socks only, barefooted, vehicle, or other conveyance.

The purpose of plaster casting is primarily to obtain characteristics of the print for comparison purposes such as a worn heel or sole, make of heel, pattern of tread, or defects in a tire.

Secondly, it is done to obtain a size, because in sand or loose dry soil, a print usually is larger due to expansion and in wet soil or clay a print is smaller due to contraction as it dries.

B. Types of materials used for plaster casting.

1. The most commonly used material for plaster casting is Plaster of Paris. This is usually art plaster and if a finer grain of plaster is desired, then dental plaster should be used.
 - a. A mixture of Plaster of Paris and rock plaster will form a hard cast eliminating the need of supports in a cast.
 - b. Emergency substitutes for plaster can be wax, lard, flour and water, or sulphur.

2. Side supports to be placed prior to pouring should be of such material that they will be firm and hold up during the casting process.
 - a. Venetian slats are good for this purpose, the metal slats being the best because they are thinner and flexible.
 - b. Thin strips of any kind, such as wood, metal, plastic, glass, or cardboard can also be used.
3. Reinforcement or splints are used to strengthen the cast.
 - a. Wood or metal is preferred. Wood is best because it does not have the tendency to settle to the bottom of the print.

C. Technical examination of plaster casts.

1. The crime laboratory technician can make positive identification if the cast contains the following characteristics:
 - a. If there is a sufficient number of identifiable characteristics.
 - b. If there is good detail in the cast to enable positive identification.
 - c. If examination of the cast can indicate possibly the brand, size, manufacturer, and address.

VI. The Polygraph as a Scientific Aid to Investigation..

- A. The polygraph serves as an investigative aid, not an investigative end. The operators of the polygraph do not involve nor eliminate every subject. They can assist by rendering an opinion of truth or deception concerning the matter under investigation. At the present time, polygraph results are not admissible in court.
- B. What is the polygraph machine?
 1. The polygraph machine commonly known as a "lie detector" is a diagnostic instrument that measures, simultaneously, blood pressure, pulse rate, respiration, and electrodermal changes. It then reproduces these changes on a graph. The changes in these measurements are interpreted by the qualified examiner according to well known and universally accepted physiological principles.

2. The principal factor causing the physiological changes which are recorded and interpreted as presence of deception appears to be the fear of detection. Another important factor is the widespread belief that the polygraph will uncover attempts to conceal the truth.
- C. Preliminary procedures in the use of the polygraph.
1. A polygraph test must be voluntary and should not be used following extensive interrogation.
 2. The suspect is interviewed by the examiner prior to testing. This is called a pre-test interview.
 - a. This interview is of prime importance. A large majority of guilty persons will confess to their guilt at this time.
 - b. Requires great skill on the part of the examiner.
 - c. The suspect is told what questions will be asked, surprise questions are not used. Tension is replaced with trust.
- D. The polygraph test follows the pre-test interview. Either the peak of tension or the relevant-irrelevant type of questioning is used.
1. Each test lasts no more than four minutes due to the discomfort of the blood pressure cuff.
 2. Following the test, the graph is analyzed by the examiner and a post-interview is conducted by him.
 3. Results of deception, if any, are then reported to the investigator.
- E. The polygraph is intended to do just what it accomplishes: make a continuous recording of the emotional changes exhibited.
1. The examiner must be well qualified in regard to education, training and ethics.
 2. The subject must be fit emotionally and physically.
 3. When both 1 and 2 are present, then a high degree of effectiveness will result. The effectiveness is measured by how well the test serves the officer as an investigative aide, not an investigative end.

VII. The Role of the Crime Detection Laboratory.

There are many more scientific aids that will assist the officer in the investigation of crimes that are not mentioned in this outline. The crime laboratories and the men that work in them are continually finding new ways and methods of detecting the criminal by scientific discovery. In summary, this section will acquaint the officers with the functions and duties of a crime laboratory, some of the services the laboratory provides and how the officer may assist the laboratory.

A. Functions and duties of a crime laboratory.

1. The crime detection laboratory can make laboratory examinations of evidence in cases of suspected criminal offenses.
 - a. It can examine guns and bullets commonly called ballistics and firearms identification.
 - b. Examination of questioned documents.
 - c. Fingerprint identification.
 - d. The use of the polygraph.
 - e. In cases of injury or death of a person, the following questions may arise.
 - 1) The identification of the remains as to age, sex, and height may be accomplished by examination of the bones, in such cases where the body is in a very bad state of preservation or is actually reduced to a skeleton.
 - 2) When persons are burned in a fire, the lab can analyze the blood for carbon monoxide content and conduct a pathological examination of lung tissue for identification of soot.
 - 3) Where there are cases involving the shedding of blood, the lab can examine the weapon and other articles for blood, and further determine as to whether the blood was of human origin. Typing of the blood chiefly for paternity cases can also be done.
 - 4) In cases of rape, the examination of garments and other materials for seminal stains can be accomplished.

- 5) In fatal cases involving poisons, the crime lab can do and suggest the following: an autopsy should be performed before embalming. Specimens of blood, urine, stomach contents, liver, and kidney should be taken and turned over to the crime lab.
 - 6) In both fatal and non-fatal poison cases, all external circumstances should be noted, including odors of poisons, burns around the lips, evidence of convulsions and other evidence of poisons.
2. The crime lab can assist the accident investigator in fatal automobile accidents, where foul play is suspected.
 - a. There should be a collection of all evidence at the scene of the accident, including blood splashes, bits of metal, glass, paint, or enamel which might have been broken off the car.
 - b. Collection of evidence on the suspected car, including blood splashes or human tissue, hairs, clothing fabrics or fibers, missing parts of the car which might have been involved in the accident.
 - c. Comparisons may be made of tool marks, footprints, tire tracks, rope, cord, tape and other objects or materials which might have broken off.
 3. In cases of sabotage, arson, and explosions or explosives, the crime lab can make examinations of the explosives and inflammable liquids for their explosive hazard. In explosives or explosions the crime lab can examine suspected bombs and infernal machines and make determinations as to materials used and the type of bomb made.
- B. The handling of evidence.
1. In the handling of evidence the officer should preserve the identity of the material.
 - a. By delivering the specimen to the laboratory in person or by keeping to a minimum the number of persons through whom the evidence is required to pass prior to delivery to the lab.
 - b. When specimens cannot be delivered personally, seal and label evidence containers for subsequent identification.

- c. Supply the laboratory with the necessary information regarding the identity of the specimen, the type of test required, and all other pertinent information which might be of assistance in guiding laboratory techniques.
- 2. Prevent contamination and preserve the evidence.
 - a. This is accomplished by seeing that all containers in which evidence is to be placed are clean.
 - b. Also by seeing that there is no possibility of specimens getting mixed with each other or coming into contact with each other during transit.
 - c. Further by seeing that evidence which requires shipment is properly packed to prevent breakage of containers.
 - d. In poison cases, make sure that the victim has not been embalmed or other preservatives been added to the organs that are needed for analysis.
 - e. All specimens should be refrigerated if they are of the make-up that they will decompose readily.

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CONTINUED

4 OF 6

CRIME SCENE SEARCH

I. The Significance of the Crime Scene Search.

A. The basic understanding of the crime scene search.

1. New police officers have a problem understanding the ramifications of the crime scene search.
2. Many older officers are unaware of the process of the search and its importance, particularly if the step by step methodological detail has not been explained.

B. Carelessness in the crime scene search.

1. The officer investigating a crime must know what evidence is and how to look for it.
2. The volume of good evidence destroyed by carelessness in many police department is appalling.
3. Preserving evidence from crime scene is an important job of any peace officer.
4. How well the uniform officer does his job at the crime scene may well determine the success of failure of the subsequent investigation.

C. The importance of the crime scene search.

1. In many crimes the crime scene search is the most vital phase of detection, apprehension and the conviction of the guilty person(s).
2. Many departments divide the responsibility between guarding the crime scene and searching the crime scene. It is divided between the uniform and plainclothes officers respectively.
3. It is conceivable that at some time every officer may be charged with the responsibility of the investigation beyond the preliminary phase. The importance of a good crime scene investigation becomes even more dramatic.

D. The importance and value of a system.

1. It is vitally important that the officer

- d. Look for stains, such as blood on the floor and on articles or semen in rape cases, etc.
 2. By safeguarding the crime scene it will enable detectives to reconstruct the crime. It will provide data on the exact location of weapons, clothing, disarranged furniture, and various personal articles.
 3. It will assist in drawing conclusions regarding the criminal's actions and Modus Operandi or method of operation.
- B. The value of such physical evidence.
1. It depends upon "protection given to the crime scene."
 2. The crime scene must be photographed in it's undisturbed condition.
 3. All evidence must be carefully collected, identified, and preserved.
- C. The most important member of the investigative team is the first police officer arriving at the crime scene.
1. The steps the first arriving officer takes at that time is to safeguard the scene of the crime.
 2. To determine whether any physical evidence of value will be available on the arrival of the investigators and laboratory technicians.
 3. By preventing the careless destruction of potential evidence.
 4. The primary objective at this stage of investigation is to protect all evidence at the crime scene.
- D. Police officers duties upon arriving at the scene of a serious crime.
1. The first officer arriving at the scene will receive assistance soon after his own arrival.

2. Ordinarily, the following steps will be applicable in safeguarding the crime scene.
 - a. To determine the crime scene area.
 - 1) That is the area in which the crime took place including all evidence.
 - 2) It is a matter of experience and good judgment in determining what constitutes a crime scene.
 - b. Do not touch or disturb anything in the crime scene area.
 - c. Exclude all persons from this area, this includes other law enforcement officers in the area unnecessarily.
 - d. Prevent all persons from entering this area until a superior officer or detective arrives.
 - e. Notify the superior or detective the circumference of the crime scene and whether or not the area has been photographed or searched.
3. The physical means used in safeguarding will depend upon the crime scene itself.
 - a. Indoors the officer can close off rooms and stand guard over them.
 - b. Outdoors the officer may apply as needed, guards barricades, or ropes, etc.
4. The officer should post signs prohibiting passage beyond the boundary of the crime scene area, until the crime scene has been searched.
5. In large crime scene areas, additional officers may be assigned guard duty and police lines established to meet needs of the situation.
6. The next or second stage of the investigation begins at this point.
 - a. It involves members of the detective division or the criminal investigator.

- b. The criminal investigator shares the responsibility of protecting evidence in the crime scene area.
 - c. The detective or superior officer in charge may enter the crime scene to determine the situation.
 - d. All who enter the crime scene area must be careful not to step or touch where he will damage or cover evidence.
7. The crime of homicides - in particular.
- a. The initial officer on the scene should first determine if the victim is dead.
 - b. If there is any possibility of life, immediately give whatever medical aid available.
 - c. The final determination of death must be made by a Medical Examiner.
 - d. The examinations for death must be done so that:
 - 1) The body is not moved unnecessarily.
 - 2) The existing evidence is not touched or moved.
8. Photographs to be taken at a crime scene.
- a. The photographs must be made at the scene before anything is disturbed.
 - 1) The photographs to be of any value as evidence, must show all objects in the picture and must show the entire crime scene.
 - 2) The photograph must show the crime scene in the original undisturbed condition and position.
9. Fingerprints at the scene of a crime.
- a. Latent fingerprints are of great importance in the investigation of a crime.

- b. Latent fingerprints recovered from a crime scene may solve the crime or insure the successful prosecution of the criminal.
- c. Latent fingerprints developed at the scene are compared with:
 - 1) The fingerprints on file of all officers at the scene.
 - 2) The fingerprints on file of all officers at the scene.
- d. A telephone located within the boundaries of the crime scene should not be used for police calls until it has been photographed and processed for latent fingerprints.

III. The Importance of Crime Scene Search.

A. Evidence is always present at the scene.

- 1. The amount of evidence varies from crime scene to crime scene.
- 2. Recognition of the evidence is one major problem for criminal investigators.
- 3. Even if not discovered, evidence is present, it just has to be found. Many factors preclude the discovery of physical evidence at the scene of a crime.
 - a. The lack of protection of crime scene.
 - b. The lack of planning of the search by the investigator.
 - c. The lack of the proper equipment such as laboratory equipment, photographing, etc.
 - d. Inadequate manpower in safeguarding the crime scene and searching the crime scene.
 - e. Poorly trained or untrained personnel who safeguard or search the crime scene.

- f. Indifferent attitude on the part of personnel involved in providing police services.

B. The results of poor crime scene search.

1. Most criminal investigations which fail can be traced to the inadequate search of crime scene.
2. The first few minutes of activity by the patrolman or police officer who arrives at the scene of the crime to begin the investigation.
3. The patrol officer must not lay himself open to shouldering the blame for the failure of the search by not safeguarding the crime scene or by overlooking evidence in the search.

C. Obviously there is no "scene" in some crimes, such as embezzlements, forgeries, and other types of frauds.

D. It cannot be overemphasized that nothing should be considered insignificant. This is the difference between the thorough and the inadequate search.

IV. General Information on the Crime Scene Search.

A. In crimes of violence - certain types of evidence should be sought.

1. In murder or homicides look for spent slugs, and weapons such as a knife, or a gun.
2. In assault with weapons such as a club or poker there will be the weapon and also possible blood stains.
3. In robbery evidence might include vehicle tracks, and if possible the license number of escape vehicles should be noted.
4. In rapes evidence could include seminal stains and blood stains.

B. Crimes against property such as larceny, burglary, and auto theft present other types of evidence to be sought peculiar to each crime. They may include fingerprints, footprints, blood stains, broken glass and other items.

- C. Search the crime scene in a positive manner. The suspect may retain certain signs of evidence or proof of presence such as mud, blood, oil, glass, scratches, or dirt, powder or dust.
- D. Some crime scenes are inclusive of more than one crime, in some situations such as:
 - 1. Burglary - robbery.
 - 2. Robbery - murder.
 - 3. Rape - murder.
 - 4. Burglary - assault.
- E. Important purposes of the search is to attempt to:
 - 1. Determine what happened in the event there is no eye witness to the crime. Or even if there is an eyewitness, facts obtained in the search may show error of what was "seen."
 - 2. To determine the means of escape and if possible all facts concerning the culprit.
 - a. The size of person(s) involved and their descriptions.
 - b. Vehicles involved and the description.
 - c. The number of persons involved in the commission of the crime.
 - d. Anything removed from the crime scene which could place suspect at scene.

V. The Steps Preceding the Search.

- A. An interview (if possible).
 - 1. With the victim of the crime.
 - 2. With the person who notified police of the crime.
 - 3. With the witnesses to the crime.
- B. Attempt must be made to determine the culprit.

- C. The detention of key witnesses to the crime.
- D. Communicate - if practical to other law enforcement officer the following:
 - 1. The facts of the case.
 - 2. A description of suspect(s), cars, etc.
 - 3. A description of stolen property or other pertinent information.
- E. Isolate the perimeter of the crime scene.
 - 1. To prevent anyone from entering.
 - 2. To prevent anyone, including peace officers, from tampering with or otherwise potentially destroying valuable clues.
- F. Keep the witnesses separate to permit the interviewer to obtain necessary information.
- G. Don't touch anything.
- H. Typical questions about the crime which should be answered by the police officer when above completed.
 - 1. Who?
 - a. Who is the victim?
 - b. Who reported the crime?
 - c. Who discovered the crime?
 - d. Who saw or heard pertinent facts about the crime?
 - e. Who did it?
 - f. Who assisted the culprit?
 - g. Who was with victim prior to crime?
 - h. Who saw what?
 - 2. What?
 - a. Happened?

- b. Is the specific crime?
 - 1) What are elements of this crime?
 - 2) What evidence is known?
 - 3) What did suspect do?
 - 4) What did suspect say?
- c. What are culprits motives?
 - 1) Protecting another party?
 - 2) Are there other motives?
 - 3) Has motive been fabricated by others?
 - 4) Is motive sufficient generally to instigate crime?

3. Where?

- a. Where was crime committed?
- b. Where was it discovered?
- c. Where was suspect first observed?
- d. Where was evidence discovered or obtained?
- e. Where did victim live?
 - 1) Known habits?
 - 2) Known hobbies?
 - 3) Known associates?
- f. Where did culprit live?
 - 1) Known habits?
 - 2) Known associates?
 - 3) Vehicles driven by culprit?
- g. Where were witnesses?
- h. Where is suspect?

- i. Where might he go?
- j. Where can he be apprehended, if known?
- 4. When?
 - a. Was the crime committed?
 - b. Was crime discovered?
 - c. Was department notified?
 - d. Did police arrive (exact time)?
 - e. Was victim last seen?
 - f. Was suspect apprehended?
- 5. How?
 - a. Was crime committed?
 - b. Did suspect get to and from scene?
 - c. Did suspect get away?
 - d. Did suspect obtain private knowledge?
 - e. Much is missing?
 - f. Much did victim have on person?
 - g. Much skill was necessary?
 - h. Much strength was necessary?
 - i. Much knowledge was necessary?
 - j. Much skill did weapon require?
- 6. Why?
 - a. Was crime committed?
 - b. Were specific tools used?
 - c. Was particular weapon used?

- d. Are witnesses not cooperative?
- e. Was crime reported?
- f. Was crime not reported earlier?
- g. Is there a known motive?

VI. The Purpose of the Search.

- A. To reconstruct the crime as it apparently happened.
- B. To collect physical evidence - officer must understand:
 - 1. What is physical evidence?
 - 2. How to collect, identify and preserve physical evidence.
 - 3. How to best utilize the information obtained from physical evidence.
- C. How to identify culprit through evidence obtained such as fingerprints, clothing with special marks and other articles to connect suspect with crime.

VII. The Objectives of the Crime Scene Search.

- A. To obtain admissible evidence establishing:
 - 1. That a crime has been committed.
 - 2. To determine that the investigative department has jurisdiction.
 - 3. Location, identification, and preservation of evidence.
 - 4. Identification of guilty person(s).
- B. To prove the elements of the crime.
 - 1. Who did it?
 - 2. What was done?
 - 3. When was it accomplished?
 - 4. Where did it occur?

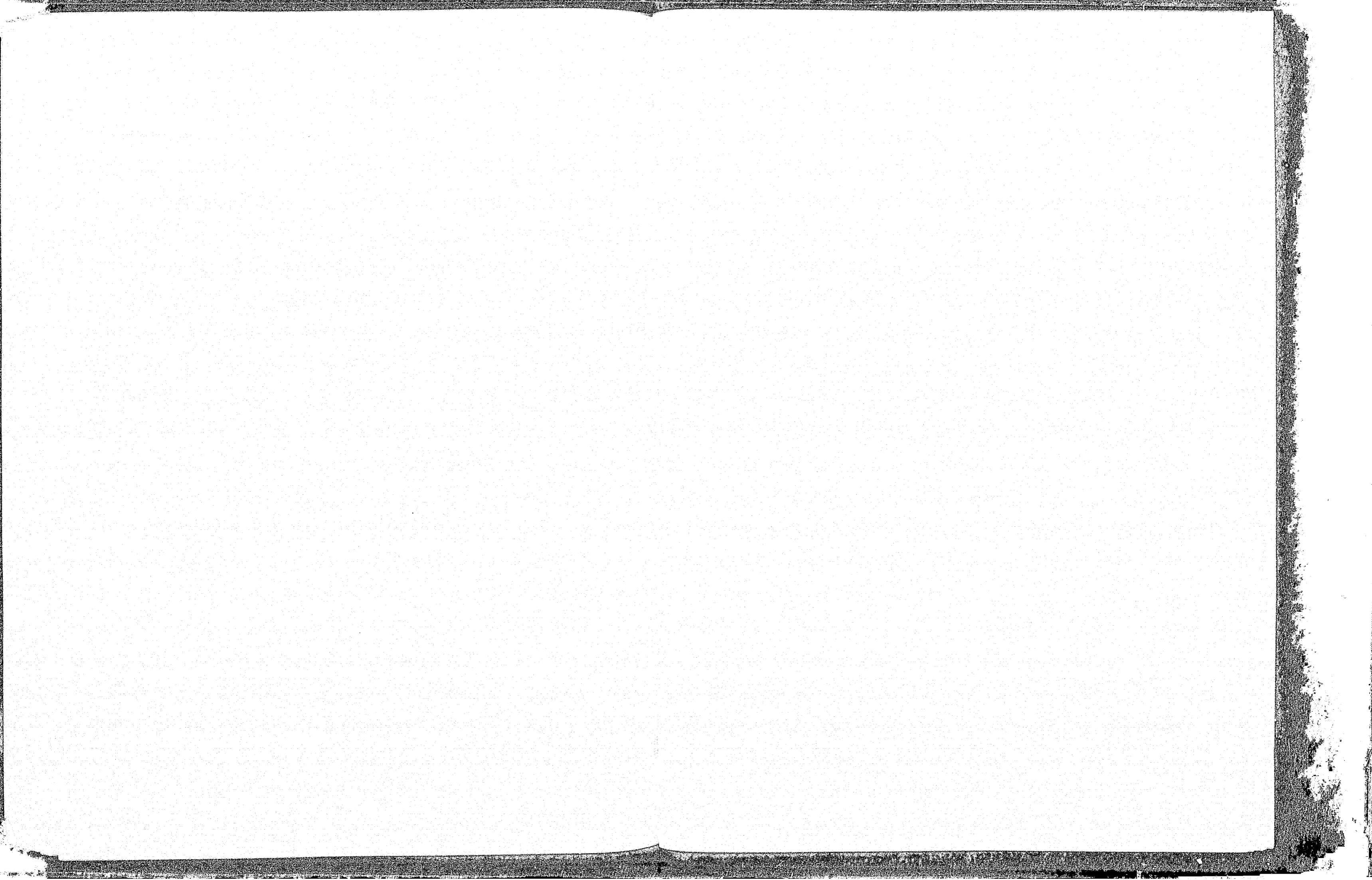
6. Tool marks such as pry marks, punch marks, etc.
 7. Overturned furniture or other items at the scene.
 8. Other disturbed articles at the crime scene.
 9. Safe insulations, pieces of the safe.
 10. Foreign objects left at the scene by the perpetrator(s).
- E. Other things to be considered regarding crime scene.
1. What the scene may have imparted to the person of the crime when he departed.
 - a. Seeds or weeds from the crime scene area.
 - b. Dust, soils and glass fragments.
 - c. Safe insultations or safe materials.
 - d. Building materials, such as parts of the wall or doors, etc.
 - e. Paint chips, sawdust or splinters of wood.
 - f. The articles of evidence stolen from the scene.
 - g. Any other materials, depending on the location of the scene of the crime.
- IX. Organization and Assignment of Personnel to Search the Crime Scene is Dependent on the Seriousness of the Crime.
- A. Proper organization of the search.
1. The proper organization of the search depends upon a great many things.
 2. For example, the type of scene, whether it's indoors or outdoors, upstairs, or downstairs, wet weather or dry weather, crowded hotel lobby or private living room, etc.

3. It is impossible to establish ironclad rules for every situation.
4. A proper search may involve one many or many, depending upon the nature of the locale and of the crime committed.
5. Your role may involve any of the following tasks, depending upon circumstances.

B. The handling of major or minor crimes.

1. If the crime is of a minor nature, the responding officers may have to work systematically together in searching the crime scene.
2. If the crime is of a major nature, the assignment of additional personnel may be necessary. The decision is up to the investigator to do the following:
 - a. Makes all assignments and is fully responsible for the crime scene search.
 - b. An assistant sees that the orders of the investigator in charge are carried out and acts as liaison officer between investigative units.
 - c. The photographer takes the necessary photographs of the scene and individual pieces of evidence as they are discovered.
 - d. The sketch team takes the necessary measurements for crime scene sketch.
 - 1) The sketch is the skeleton of the scene.
 - 2) The photographs are the flesh and body of the scene.
 - e. The master note taker writes down the observations and descriptions given by the investigating team. They are coordinated by notes of each individual officer involved.

- f. The assignment of one investigator to act as evidence man in confiscating, preserving and labeling of found evidence.
 - 1) Photographs should be taken of the crime scene.
 - 2) Charts should be made of the crime scene.
 - 3) Confiscation of evidence found at the scene.
 - g. The interview units conduct witness interviews and neighborhood interviews.
 - h. The technical units should:
 - 1) Search for latent fingerprints.
 - 2) Make plaster casting.
- C. Try to evaluate the entire situation without forming any positive or negative opinions involving the case.
- 1. Make calculated estimate of entire situation.
 - 2. To determine those areas:
 - a. Which are critical to the scene.
 - b. That have no evidentiary value.
 - 3. To set up headquarters for base of operation.
 - 4. To obtain necessary equipment and place in a designated area.
- X. The Physical Crime Scene Search.
- A. The crime scene should be methodically searched with a definite plan in mind.
 - 1. The plan should be formulated to cover all the ground or area involved in the crime.
 - 2. The search should be undertaken with the thought of this case ultimately going to court, detailed notes should be taken of all phases of the investigation to supplement the crime scene sketches and photographs.



- 2) Each quadrant is designated to a specific searcher.

3. The wheel method of a crime scene search.

- a. The area to be searched is considered as being approximately circular in shape.
- b. The searchers gather at the center and proceed outward along radii or spokes.
- c. The procedure will be repeated several times depending on:
 - 1) The size of the circle.
 - 2) Number of searchers.
- d. There are two weaknesses in this method.
 - 1) The great increase of relative area to be observed.
 - 2) The searcher departs from the center.

4. The spiral method of a crime scene search.

- a. The searchers follow each other in the path of the spiral,
- b. They begin on the outside of the area involved.
- c. Spiral in towards the center.

5. The straight line method of a crime scene search.

- a. Each officer lines up in a straight line next to fellow officer where they extend their arms straight out.
- b. Search begins as each officer covers his area and they move together until something is discovered or wall reached.

D. If a crime committed inside a premises.

1. Attempt to determine point of entry.

2. Protect fingerprints, footprints, other valuable evidence.
 3. Inspect all objects in room for evidence.
 4. Observe the crime scenes for:
 - a. Cigarette butts.
 - b. Clothing threads.
 - c. Buttons.
 - d. Lipstick stains.
 - e. Hair.
- E. Precautionary methods to be taken in a crime scene search.
1. Precautionary measures to take while instituting a search.
 2. During the crime scene search the officer should avoid overlooking the following.
 - a. Though surface may have been scrubbed residue in cracks would remain.
 - b. Newly painted surfaces, new cement and new plastered areas.
 - c. Light fixtures, door locks and latches.
 - d. Walls, ceilings, closets, doors, and castings.
 - e. Toilet stool and tank, sinks and traps.
 - f. Curtains, draperies, carpets and clothing.
 - g. Furniture and other accessories.
 - h. Window sills and ledges.
 - i. Waste baskets and their contents.
 - j. Phone books and markings thereon.

- XI. The Officer Or Investigator Should Evaluate Each Piece of Evidence or Gathered Material as Establishing One of the Following.
- A. The identification of the perpetrator(s).
 - B. Establishing the corpus delicti of the crime involved.
 - C. A method of operation of the perpetrator(s) also known as modus operandi.
 - D. To establish the elements of proof of the crime involved.
 - E. That the evidence was used in such a manner to prove the degree of the crime.

XII. Composite Crime Scene Kit.

- A. The following is a list of items recommended for a composite crime scene kit:
 - 1. Camera.
 - a. Folding type.
 - b. Fingerprint type.
 - c. Polaroid.
 - 2. Cellophane holders.
 - a. Envelope size.
 - b. Standard size.
 - c. Large size.
 - 3. Cellulose tape.
 - 4. Chalk.
 - 5. Compass.
 - 6. Containers.
 - a. Pill boxes - large and small.
 - b. Cardboard boxes - large and small.

- c. Glass for fluids.
- 7. Dusting kit.
- 8. Envelopes (manila),
- 9. Fingerprint kit (portable).
- 10. Fingerprint cards.
- 11. Flashlight with extra batteries.
- 12. Gummed labels - evidence stickers, evidence tape.
- 13. Jackknife.
- 14. Magnifying glass.
- 15. Paper.
 - a. Lined pad.
 - b. Graph.
 - c. Notebook (investigators).
- 16. Clipboards.
- 17. Writing implements.
 - a. Pencils (red, green, blue, black)
 - b. Pen
- 18. Cotton.
- 19. Plaster of Paris
- 20. Rubber gloves
- 21. Scissors.
- 22. Stapler and staples
- 23. Steel tape and ruler.
- 24. String tags.
- 25. Tools.

- a. Hammer.
 - b. Saw - regular and keyhole.
 - c. Screwdriver.
 - d. Wire cutters.
 - e. Putty knife.
- 26. Tweezers.
 - 27. Twine.
 - 28. Wrapping paper.

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PRESERVATION, IDENTIFICATION, COLLECTION AND MARKING OF
PHYSICAL EVIDENCE

I. Introduction to Physical Evidence.

- A. Physical evidence may be best defined as articles and materials which are found in connection with an investigation and which aid in the identity of the perpetrator(s) or the circumstances under which the crime was committed or which, in general, assist in the prosecution of the criminal.
- B. Physical evidence must be intelligently cared for, so that its full probative value as physical evidence can be realized both from a standpoint of law and science.
- C. A violation of the rules of care, collection, preservation and identification and marking of evidence can:
 - 1. Lead to the loss of vital evidence.
 - 2. Lead to the partial loss of the value of the evidence.
 - 3. Lead to the loss of the entire case.

II. Types of Physical Evidence.

- A. Corpus Delicti Evidence: This consists of objects or substances which are the essential part of the body of the crime. As example:
 - 1. The stolen article in a larceny.
 - 2. The narcotics found in the addicts possession.
 - 3. The gun in concealed weapons case.
- B. Associative Evidence: This type of evidence links the suspect(s) to the crime scene. As example:
 - 1. Safe insulation and building materials found in the trouser cuff of the suspect(s) in burglaries and safe job cases.

2. Fragments of glass at hit and run accident scenes fitting broken headlight lens in suspect(s) car.
- C. Tracing Evidence: This type of evidence indirectly leads to the suspects of a crime.
 1. Laundry marks, dry cleaning marks.
 2. Any evidence aforementioned could serve this purpose in many instances.

III. The Evaluation and Custody of Physical Evidence.

- A. The officer must recognize the significance of an object as evidence in relation to the offense.
 1. The officer must endeavor to develop an ability to recognize evidence through on-the-job experience and by broadening his informational background.
 2. Informational background and skills can be developed by:
 - a. Thorough knowledge of laws of evidence and its application in court procedures.
 - b. Developing an ability to recognize indications of modus operandi or method of operation.
 - c. Thorough knowledge of the substantive law relating to the offense under investigation.
 - d. Knowledge of scientific laboratory techniques and conclusions that may be derived from their use.
- B. The officer must have a knowledge of the correct procedure in caring for evidence from its initial discovery until its ultimate appearance at the trial.
 1. There are four important factors to be considered for the introduction of physical evidence to trial.
 - a. The evidence has been lawfully obtained.
 - b. The evidence must be properly identified.

- c. The continuity or chain of custody must be proven.
 - d. Its competency must be proved.
 - 1) It must be material.
 - 2) It must be relevant.
- C. The officer must be able to identify the evidence and testify that the exhibit is the same evidence discovered at the scene.
- 1. The officer must be able to testify, under cross-examination, that another similar piece of evidence could not have been substituted.
 - 2. This objective can be achieved by a systematic procedure.
 - a. Protection of the evidence.
 - b. Collection of the evidence.
 - c. Identification of the evidence.
 - d. Preservation of the evidence.
 - e. Transmission procedures involving the evidence.
 - f. Disposition of the evidence.
- D. The chain of custody or continuity of the evidence.
- 1. The number of persons who handle the evidence should be kept at an absolute minimum.
 - 2. A chain of custody showing continuity must be established from the time of the evidence is discovered until trial.
 - a. Each transfer should be receipted.
 - b. Each transferee is responsible for an accounting of the evidence during the time it was in his possession.
 - 1) The evidence must be properly protected.

- 2) Records maintained with names of persons from who he received it and to whom he delivered it along with the date and time of such receipt and delivery.

IV. The Protection of the Evidence.

- A. Certain types of evidence are fragile in nature and careless handling can destroy their value as clues and remove the possibility of obtaining from them any information which would further the investigation.
- B. In order for a physical evidence connected with the commission of a crime be admitted into a courtroom exhibit, it is necessary to show that such evidence is in the same condition, without substantial change, as at the time the offense was committed. Therefore, special precautions must be employed with certain types of evidence to minimize the possibility of disrupting its value as evidence.
 1. Properly safeguarding the crime scene to insure against damaging influence.
 2. Properly protecting the evidence from exposure to the elements which may deteriorate the evidentiary value of the object.
 - a. The sun.
 - b. Rain, snow or moisture.
 - c. High and low temperatures.
 - d. The wind.
 3. Observe the ordinary precautions to protect the evidence against breakage, contamination or loss and/or acquisition of new characteristics.
 - a. The dropping of fragile objects.
 - b. Improper marking of objects which destroys certain valuable characteristics.
 - c. Smearing or smudging of latent fingerprints, etc.

4. Evidence which can be moved from the scene and conveniently packaged should be placed in clean containers, such as envelopes, pill boxes, cardboard boxes, glass and plastic containers.
 - a. The choice of the container will depend on the size of the specimen, its fragility, its physical state, whether solid or liquid.
 - b. There are two phases of packaging the evidence.
 - 1) From the crime scene to the station.
 - 2) From the station to the scientific laboratory.
5. The proper receiving of evidence into custody.
 - a. Protect the evidence from extraneous contact.
 - b. Place in one of the aforementioned containers rather than putting loose in your pocket or otherwise handling improperly.
 - c. The officer must use ingenuity and improvise in many instances.
6. After transporting the evidence to the station, the evidence can be placed in a suitable container, then compile special notes regarding circumstances of your coming in possession of the evidence. Such as who, what, when, where, how and why, etc.
7. Avoid the risk of damaging evidence in transportation.
 - a. Bottles and glass bearing latent fingerprints may be damaged by rubbing the upholstery or interior of the car or the sides of an improper container.
 - b. Similarly, if a jar or liquid or a plaster cast is mailed to laboratory without being properly packaged for protection in transit, the likelihood of breakage or damage is present.

8. Adequate storage facilities should be maintained.
 - a. To physically protect the evidence, to insure against alteration or destruction from natural causes or unauthorized contact.
 - b. Changes of custody of items maintained in the evidence room should be covered by hand receipts. Notation of such changes should be made on the original receipt and a record of the removal of evidence should be recorded by inked entries indicating:
 - 1) Date evidence was received.
 - 2) File number of the case involved.
 - 3) Title of the case involved.
 - 4) Name of officer in charge of case.
 - 5) Person or place from whom or at which received.
 - 6) Person who received the evidence.
 - 7) Complete description of the items involved, including size, color, serial number and other identifying data.
 - 8) Disposition of the evidence to whom delivered or any other indication of any disposition.
 - 9) Officer turning in evidence signs his signature in ink as well as custodian receiving.

C. The preservation of perishable evidence.

1. Evidence in the form of organic matter, such as food, blood, semen stains or tissues may be present special problems relating to preservation.

2. Most organic matter changes in character through natural decomposition and unless properly preserved, its evidentiary value through laboratory examination, may be destroyed.
3. In warm weather, there should be a minimum of delay in placing evidence in proper storage.
4. High temperatures such as 95 degrees greatly accelerates decomposition. Similarly, extreme cold may effect the evidentiary value of a specimen. For example:
 - a. Blood loses its value as evidence if exposed to high temperature for a long period of time or if it is permitted to freeze solidly.
 - b. Ideally, the preserving temperature for blood or other perishable specimens should be between 40 to 50 degrees.

V. Collection of the Various Types of Evidence.

- A. Most of the errors committed in connection with evidence takes place in the collection of samples.
 1. A generous sample of evidence should be collected.
 - a. Enables the laboratory expert to run sufficient tests to make his determinations.
 - b. Allows retention of a quantity of evidence, untouched, so the court can actually see and thus understand the nature of the evidence as well as acquire some knowledge of its original appearance.
 - c. Will more nearly approach the ideal of the true "representative sample" to enable the expert to determine the true nature of the substance.
- B. Clue materials, such as stains or traces, particularly those available only in small quantities, are usually found in the presence of a foreign substance which can effect the analysis. In cases of this nature, the evidence material should be collected in the form of two samples.

1. One bearing the stain or trace.
 2. A "control sample" enable the analyst to determine what impurities are contributed to the stain or trace by the background material. The "control sample" should be taken from an area about six inches from the stain and another "control sample" about one foot away.
- C. An evidence sample should not come into contact with another sample or with any contaminating material which will effect its integrity.
1. The impatient investigator contaminates the evidence by placing the confiscated tool into the tool impression found at the scene of the burglary.
 2. Co-mingling of poorly wrapped or packaged samples of known and unknown substances.
- D. Portable and fixed evidence.
1. Perhaps the simplest division of evidence into categories is that of portable and fixed evidence.
 - a. If the evidence is portable, the investigator simply removes the whole object. If cash box is found bearing latent fingerprints, they should be developed and photographed and then the box itself should be brought in as evidence by the technician.
 - b. If evidence is a fixed object, the importance of its removal will depend on the importance of the case. Tool mark or bullet hole in a serious crime do not hesitate to remove the entire door.
 2. Where it is not possible or practical to remove the evidence, methods of reproduction, such as photography and casting, should be employed to accurately represent the condition of the evidence.

VI. The Identification or Marking of Evidence.

- A. Evidence should be properly marked or labeled for identification as it is collected or as soon as practical thereafter.

1. This makes it easy to identify even though many months may have elapsed since the commission of the offense.
 2. The defense counsel may insist on complete chain of custody and call upon each link in the chain to identify object.
- B. The mark of identification should not be placed where evidentiary traces exist.
1. Marks of identification should consist of at least the initials of the officer.
 2. A sharp pointed instrument such as a stylus should be used on hard objects.
 3. Pen and ink should be used for absorbent articles.
 4. Special care should be used on markings objects of great intrinsic value.
 5. Articles that are too small to mark may be placed in a container such as a pill box and the container then sealed and marked.
 6. Liquids or paste should be retained in their original container and appropriately sealed, labeled and marked.
- C. Sealing of the evidence container.
1. Whenever practical, articles of evidence should be enclosed in separate containers.
 - a. Pill boxes.
 - b. Envelopes.
 - c. Test tubes.
 - d. Bottles, etc.
 2. They should be sealed in such a manner that they cannot be opened without breaking the seal. The officer initials, date, time, etc., should be placed on the seal in ink.

D. Labeling of the evidence.

1. After the article of evidence is marked and placed in a sealed container, a label should be affixed bearing identifying case information.
 - a. Gummed labels.
 - b. Tags.
2. For example:
 - a. A bullet is marked with the officers initials, placed in a pillbox containing cotton or other protective material which is then sealed and initialed and finally labeled.
 - b. An alleged heroin specimen would be placed in a protective enclosure, inserted in a pillbox which would then be sealed, a paper seal placed across the flap, and identification marks placed on the label.
 - c. A rifle would be marked and tagged.

E. The following information should be placed on the label or tag.

1. The case number.
2. Date and time of finding article.
3. The name and description of article.
4. Location at time of discovery.
5. Signature of the officer who made the discovery.
6. Names of witnesses to the discovery.

VII. Recommended or Suggested Locations to Mark Evidence.

- A. Firearms Evidence - If the weapon is a revolver, containing loaded cartridges or fired cases, the weapon should be carefully opened and a diagram should be made of the rear face of the cylinder to show the position of each cartridge with respect to the firing pin. The cartridges should be numbered to correspond to the numbering

of the chambers. A mark should be placed on the rear face of the cylinder on both sides of the chamber which lay under the firing pin on original discovery of the weapon to assist the expert. In marking a revolver or automatic weapon, it should be kept in mind that all removable parts should be marked for identification. Transport by securing to a board by means of string passing through perforations.

1. Bullets - In marking bullets, care should be taken to avoid scarring an area bearing rifling imprints. The bullet should be marked on the base. If you must mark on the nose be sure that in marking on the nose that no fabric marks or other marks of identification are destroyed. Care should be taken that none of the rifling imprints are scratched or damaged. Jacket fragments should be marked on the smooth inside surface. These items should be placed in separate small boxes, surrounded with cotton and each box numbered in sequence.
2. Cartridge Cases - A fired cartridge case should be marked inside of the mouth, or, if the caliber is too small on the cylindrical outer surface, at a point near the mouth. The case should never be marked on the head since this area may bear breech block marks, firing pin indentation and extractor and ejector marks. These items should be placed in separate small boxes and surrounded with cotton.
3. Shotgun Shells - If the shell is made of paper, it should be marked with ink avoiding damage to brass. Brass shells should be treated as cartridge cases.
4. Shotgun Wads - The wad should be placed in a pillbox, sealed, identified and labeled. Small shot, buckshot, birdshot, and similar ammunition are too small to be marked, therefore, specimens should be placed in a pillbox, sealed and labeled.

- B. Knives and Tools - Articles such as these should be marked near the handle on the metal in such a location that the bite or cutting edges are not defaced.

1. Glass - Maybe transported by improvising a carrier made from a cardboard box.
2. Glasses and Bottles - These items can be carried by placing over pegs or nails embedded in a board.
3. Documents - The best method of marking is to initial with a fine pointed pen along with the date on the back in an area where the marking will not effect the examination. This type of evidence or any paper article should be handled with tweezers or tongs and placed, where the size permits, into a cellophane envelope. It should not be folded unless it is very large and then only along existing fold lines. Record how the mark was made and where the mark was made in the written report on the case. It looks inefficient for an officer to search for the mark on the piece of evidence in court.

POLICE INTERVIEWING

A Report to
The
Michigan Law Enforcement Officers Training Council
In Accordance with
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by
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POLICE INTERVIEWING

- I. Introduction to the Police Interview and Communication Process Within the Police Agency.
 - A. Communication, both verbal and nonverbal is the tool of interviewing.
 - B. Communication is that human function occurring during the interview which enables the subject and the interviewer to relate to each other.
 - C. Scope and purpose of communication within the police agency.
 1. To inform appropriate sources of needed or essential information.
 2. To persuade for the release of information by appealing through planned and organized efforts for whatever information is required.
 3. To produce awareness as to the significance of any kind of information pertinent to police operations that is gained through planned and organized communicative efforts.
 4. To use as a tool which the police agency can employ to manipulate, control, and understand their environment.
 5. To enable the police agency to receive the greatest rewards from their environment by reducing inherent occupational hazards brought about by the search for information.
 - D. Definitions in police interviewing.
 1. Interrogation: The legally acceptable verbal persuasion of a suspect or accused, in an attempt to cause his admission or confession of guilt in a crime or offense.
 2. Interview: Is a formal process of interaction, or of communication, between one person and another (or several others) in which the interviewer seeks to impart to or extract from the interviewee information and attitudes, for the purpose of directing the interviewee's action,

of aiding him to adjust to a difficulty, finding a solution to a problem, or of determining a course of action. To put it simply, an interview is a "conversation with a purpose."

- a. Interviews are classified into three categories:
 - 1) Fact finding interview.
 - 2) Informing interview.
 - 3) Motivating interview.
3. Accuse: To bring a formal charge against a person, to the effect that he is guilty of a crime or punishable offense, before a court or magistrate having jurisdiction to inquire into the alleged crime.
4. Accused: The person against whom an accusation is made. "Accused" is the generic name for the defendant in a criminal case, and is more appropriate.
5. Admission: When a suspect or accused admits to a certain pertinent fact or act connected with a crime but will not, or does not, reveal all of the pertinent particulars of the crime.
 - a. In evidence: A voluntary acknowledgment, confession or concession of the existence of a fact or the truth of an allegation made by a party to the suit.
 - b. In pleading: The concession or acknowledgment by one party of the truth of some matter alleged by the opposite party, made in a pleading, the effect of which is to narrow the area of facts or allegations requiring to be proved by evidence.
 - c. In practice: The formal act of a court, by which attorneys or counsellors are recognized as officers of the court and are licensed to practice before it.
6. Confession: In criminal law, a voluntary statement made by a person charged with the commission of a crime or misdemeanor, communicated to another

person, wherein he acknowledges himself to be guilty of the offense charged, and discloses the circumstances of the act or the share and participation which he had in it.

- a. An implied confession is where the defendant, in a case not capital, does not plead guilty but indirectly admits his guilt by placing himself at the mercy of the court and asking for a light sentence.
 - b. An indirect confession is one inferred from the conduct of the defendant.
 - c. A naked confession is an admission of the guilt of the party, but which is not supported by any evidence of the commission of the crime.
 - d. A simple confession is a direct acknowledgement of guilt.
 - e. A voluntary confession is one made spontaneously by a person accused of a crime, free from the influence of any extraneous disturbing cause, and in particular, not influenced, or extorted by violence, threats, or promises.
7. Subject: Any person possessed of information needed by the police in the performance of their authorized job. It may be any of the following:
- a. The complainant.
 - b. The victim.
 - c. The suspect or accused.
 - d. A witness.
 - e. Any informer or informant.

II. The Interview as an Instrument for Gathering Information.

- A. The three basic methods of collecting information.
 1. Interview techniques.

2. Observation techniques.
3. Use of documents.
- B. Criteria for selecting a method of gathering information.
 1. The accessibility of information involves two separate questions.
 - a. Is the information obtainable at all by one of the three methods, regardless of the possessor to make it available?
 - b. Will the possessor of the information be willing to make it available to the interviewer?
 2. The problems of acquiring information are difficult to estimate because of four factors:
 - a. Locating the appropriate source of information.
 - b. Eliciting information from the source.
 - c. Editing, and digesting the information.
 - d. Carrying out the analysis so that the answers are provided to the original questions posed by the interviewer.
 3. The accuracy of the information. There are two hazards involved:
 - a. The interviewer must maintain skepticism about the reliability and validity of any information and a constant awareness of the possible sources of error and distortion.
 - b. The interviewer must realize that reliability and validity are relative and that an extremely high degree of accuracy may not be attainable. Error and distortion can occur in any method of collecting information.
 4. The relevance of the information. The relevance of a specific element of the investigation can readily change. This influences the interviewers

change in perception as to what is relevant and at the time it may become relevant to the particular situation which denotes its importance.

- C. Basic hypothesis: Everyone, in the course of daily life, seeks information as a basis for short and long --range actions. Interviewing is often the most effective method for gathering information that could also be acquired by the other methods.
- D. Nature of the information sought.
 - 1. Description of events--narrative account by a subject.
 - 2. Observation of behavior by a witness.
 - 3. Attitudes--conscious and unconscious.
 - 4. Moral values--overt and covert.
 - 5. Habits of recreation.
 - 6. Modes of perception.
 - 7. Feelings--habitual or those brought about by other influences.
- E. Nature of the expression of information.
 - 1. May be freely given.
 - 2. May be given with the greatest reluctance.
 - 3. May be given accurately.
 - 4. May be given with conscious or unconscious distortion.
 - 5. May take the form of a single word--a number--or response to one of a series of alternatives.
 - 6. It may have to be sifted out from a flood of response material given by the respondent.
 - a. The respondent may be doing his best to cooperate with the interviewer.
 - b. The respondent may be doing his best to mislead the interviewer.

7. The information may be elicited in a casual, extemporaneous, two-minute conversation.
8. It may be elicited in the course of an hour of intimate discussion.
9. It may be elicited in a series of interviews extending over many months.

F. The importance of interviewing.

1. Investigations do not end on the discovery of physical evidence alone.
2. Detection and prevention of prohibited activity within the mission of police work depends upon interviewing.
3. Detailed interviewing forms the basis for writing a competent police report.
4. A great deal of each individual officer's time is spent dealing with interviewing situations arising through routine police work.
5. Justice founded upon three cornerstones.
 - a. Truth
 - b. Mercy.
 - c. Wisdom.
6. The relationship of truth to law enforcement.
 - a. Law enforcement seeks the truth.
 - b. Without the truth final adjudication is impossible.
 - c. Truth is knowledge.
 - d. This knowledge is found in the mind of man.
 - e. We probe the mind of man in order to ascertain true facts.

G. Types of interviews.

1. Different kinds of interviews produce or arouse different kinds of behavior and approaches to collecting information by the interviewer.

- a. The direct, standard, formal structured interview.
 - 1) By definition this type of interview (direct) means: "Designed to collect the same information from each respondent"--not really the case in police situations.
 - a) In police interviewing we can have a structured, indirect interview, or a:
 - b) Typical standard interview.
 - 1) Basic questions.
 - 2) Questions based on answers to basic questions.
 - c) This is the easiest type of interview to do.
 - 1) Procedure usually spelled out.
 - 2) Respondent and interviewer same awareness in the question answer process. Can select the subject and have prior knowledge of his information.
 - d) Two forms of standard interview:
 - 1) Scheduled--spelled out--prerequisite on information sought--give police examples.
 - 2) Non-scheduled standardization--much more difficult--variance
 - e) Choice of two usually influenced by situation, crime in question, behavior of subject.
- b. The non-standard--informal--non-structured--structured--indirect interview.

- 1) The most difficult of all if the indirect method is structured--explain with regard to police situation.
 - 2) Explain complete no-standard interview.
 - 3) Explain variance of question formulation as compared to standard interview.
 - a) No prerequisite on information sought.
 - b) Casual conversation.
- c. Combination of types of interviews.
- 1) Examples of combination interviews.
 - a) Non-standard--structured--direct interview.
 - b) Standard--information--structured.
 - c) Indirect--structured--informal.
 - 2) Criteria or requirements for these interviews.
 - a) Requires careful planning.
 - b) The use of extreme discretion.

III. Basic Guidelines for the Police Interview.

- A. Each interview brings together two unknowns, the interviewer and subject.
- B. To achieve harmony between these two unknowns, there cannot exist any rigid rules of interviewing procedure.
 - a. Flexibility in application.
 - b. The use of logic.
 - c. The use of applied psychology.
 - d. Thoroughness in the interview.
 - e. Control of the interview.
 - f. Correct questioning techniques.

- C. Each subject is a new and fresh personality.
 - 1. Pre-adolescent children.
 - 2. Adolescent boys.
 - 3. Adolescent girls.
 - 4. Young adult, either married or single.
 - 5. The mature adult.
 - 6. Elderly persons of either sex.
- D. Attitude, capability, and personality classifications.
 - 1. The garrulous type.
 - 2. The drunken type.
 - 3. The dying subject.
 - 4. The born liar.
 - 5. The reserved type of subject.
 - 6. The loud, blow-off subject.
 - 7. The remorseful type.
 - 8. The subject with emotional conflict.
 - 9. The mentally deficient.
 - 10. The culturally deficient.
 - 11. The subject suffering from loss of memory.
 - 12. The subject with a minority personality.
 - 13. The shy, diffident type.
 - 14. The fearful type.
 - 15. The know-nothing type.
 - 16. The disinterested type.
 - 17. The impudent type.
 - 18. The tricky type.

19. The anti-police type.

20. The anti-social type.

E. Psychological considerations regarding personal involvement of the subject.

1. Human beings tend to be talkative, especially after harrowing experiences.
2. Human beings tend to be different when confronted by person in position of authority.
3. Human beings tend to rationalize acts about which they feel guilty.
4. Human beings tend to attach less importance to what they think is their exclusive knowledge when someone else demonstrates that he too possesses a great portion of that knowledge.
5. Human beings normally do not wish to antagonize those who have power over them and are, therefore, tempted to be cooperative with those in control.
6. Human beings are inclined to respond to kindness and understanding, especially under dire conditions.

F. Inherent characteristics of the subject which bring about participation.

1. The desire to be of assistance.
2. Emotional relief in talking.
3. Previous experiences of the subject which influence their perception of the interviewer and the interview situation.
4. Personal circumstances of the subject.
 - a. Periodic (troubles).
 - b. Predictable (idiosyncracies).

IV. Components of the Police-Interview.

A. Basic components of the police interview.

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5 OF 6

1. The subject to be interviewed is any person possessed of information needed by the police in the performance of their authorized job.
 - a. The complainant in the case.
 - b. The victim of the crime.
 - c. The suspect or accused person.
 - d. Any witness or witnesses to the crime.
 - e. Any informer or informant with information on the crime.
2. The interviewer is known as the constant factor of the interview.
 - a. The interviewer must have self-assessment of personal characteristics and an appreciation of his own limitations and special abilities.
 - b. Visible characteristics of the subject to be interviewed.
 - 1) The age of the subject.
 - 2) The sex of the subject.
 - 3) The accent of the subject.
 - 4) The physical appearance of the subject.
 - 5) The race of the subject.
3. Environmental characteristics of the subject to be interviewed.
 - a. The subject's education and training.
 - b. The subject's grasp of the situation.
 - c. Previous police interviewing experience of the subject.
 - d. The subject's attitudes springing from heredity and growing out of past experiences.
 - e. The reaction of the subject to specific situations and persons.

f. The culture and education of the subject and his family.

4. Personal characteristics of the subject to be interviewed.

a. Interests of the subject.

b. Marital status of the subject.

c. Personality variations of the subject.

B. Preparation by the interviewer.

1. Incident knowledge.

a. Each interview has as its central interest one or more particular incidents of police business.

1) Available information concerning the incident should be known by the interviewer prior to the interview.

2) Information concerning the incident may provide a pre-evaluation of information prior to the interview.

2. Knowledge should include (FACTS SURROUNDING THE INCIDENT).

a. Legal nature of the offense as defined by statute.

b. Robbery, burglary, embezzlement, or larceny and the exact amount and nature of the loss.

c. Date, time, and place of occurrence (accurate details).

d. Description of the crime area and of the crime scene itself.

e. Manner in which the crime appears to have been committed and known details, i.e., implement used, place of entry or exit, etc.

f. Possible motives for its commission.

- g. Incriminating factors respecting a particular suspect.
- h. Climatic condition at the time of incident.
- i. Degree of visibility at the time of the incident.
- j. Disturbances occurring simultaneously with the incident.
- k. The emotional, physical, and mental condition of the principals of the incident.

3. Capability of the interviewer.

- a. Ability to make an accurate appraisal of the subject.
 - 1) The subject's position relative to the pertinent issue.
 - 2) Subject's general attitudes.
 - 3) Subject's emotional condition.
 - 4) The determination of such questions as pecuniary or mercenary liability interest of the subject.
 - 5) Friendships, antagonisms, relationships, or bitterness toward the police or society as a whole.
 - 6) Determine what is needed from the interview.
- b. The ability to make an appraisal rapidly.

C. The role of privacy in the interview.

- 1. The place of interview.
 - a. Situation of great variance--depends on time and circumstances.
 - b. Explain in view of correct legal stipulations.

2. The value of privacy in the interview.
 - a. Facilitates greater consideration of the material to be discussed or disclosed.
 - 1) Most often the fewer people who know what has been discussed during the interview, the better chance the interviewer will have in obtaining a high degree of accuracy in collecting remaining bits of information.
 - 2) There is an ever-present negative effect in advertising your source of information in many police interview situations.
 - 3) Allows the interviewer and the subject to follow each particular point of interest until satisfactorily disclosed.
3. Persons present during the interview should be limited because the element of control is an essential consideration.
 - a. More than one interviewer hampers the release of information as well as its accuracy.
 - 1) Possibility of conflicting impressions with multiple interviewers.
 - b. At different times it is advantageous to have two interviewers present.
 - 1) With a subject of the opposite sex.
 - 2) When the personality of main interviewer is in conflict with subject.
 - c. Generally interviewing situations are best handled individually by a single interviewer, however, there are exceptions:
 - 1) Subjects of the opposite sex.
 - 2) Mental deficient subjects.
 - 3) Emotionally unstable subjects.

- d. One subject at a time during the interview.
 - 1) Need for true, accurate, and reliable information without knowing what others may have previously provided.
 - 2) Private conversation many times much easier to come by with no one else present.
 - 3) One subject may dominate or restrain another in a sense of restricting his flow of information.

V. The Qualifications of the Police Interviewer.

- A. Different types of interviewing situations demand a wide variety of skills and personal characteristics on the part of the interviewer.
 - 1. Obstacles preventing a clear-cut, definition of the interviewer in terms of an adequate evaluation of his "success."
 - a. Measurement of the interviewers performance.
 - b. Development of techniques for selecting interviewers.
 - c. Predicting the "success" of an interviewer.
 - 2. The most common error made regarding interviewing is that information relevant to certain kinds of interviewers is applied to other kinds of interviewers.
 - a. Generalizations are therefore adopted to fit all interviewers.
- B. In interviewing, as in any other field, prior preparation becomes one of the most important factors determining success or failure.
 - 1. Physical preparation for the interview.
 - 2. Mental preparation for the interview.
 - a. Have clearly in mind known elements of the case.
 - b. Know exactly what information he is seeking.

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5. The quality of alertness.

- a. Knowledge of how to question all types of subjects.
 - 1) Human behavior follows certain patterns resulting from education, experience, and environmental influences.
 - 2) An informed awareness of the differences in patterns of behavior.
 - 3) The ability to detect discrepancies in testimony.
 - 4) Making clear and definite mental notes to assist in guiding the interview.
 - 5) The ability to adapt quickly to meet new situations as they develop during the interview.
- b. Know how to approach all types of subjects.

6. The quality of salesmanship.

- a. Interviewing can be termed as a "sales talk."
 - 1) Sell yourself to the subject.
 - 2) Sell your need for information.
 - 3) Sell the need to assist the subject.
- b. If the sell is not made, no information may be forthcoming.

7. The ability to act.

- a. There is no prepared script so a great deal of communication is completely adlib as the interviewer is on his own to act and sell as the situation dictates.
- b. Always within the complete legal realm of interviewing.

8. Interviewing hazards or pitfalls.

- a. Jumping to conclusions is a common pitfall. The interviewer has the responsibility to seek the truth and report this truth accurately.
- b. The use of force is absolutely prohibited.
 - 1) It is completely illegal.
 - 2) Force is an extremely poor substitute for proper investigation and interviewing techniques.
 - 3) The interviewer's position as regarded by the subject and by other police interviewers should he resort to forceful techniques.
- c. Avoid making promises which cannot be fulfilled.
- d. The interviewer's failure to grasp the significance of details.
- e. Failure to correctly judge the accuracy, reliability, and validity of facts elicited. The interviewer must check, correlate, and establish agreement of all details, regardless of the insignificance of the appearance of such facts.

VI. Principles of Question Construction and Delivery in the Question-Answer Process.

- A. Importance of communication in the interview process.
 - 1. Projection of thoughts.
 - 2. Receiving answers.
 - 3. Meaning of answers.
- B. The importance of asking the right questions.
 - 1. Separate components required for skillful interviewing.

2. Proper word usage.

- a. Specific words: "knife" in comparison to "weapon."
- b. Concrete words: "hurt" by the punch or ... "staggered" by the punch.
- c. Problem words: "steal" in comparison to "take," "molest" in comparison to "rape."

C. Direct questioning.

- 1. The positive approach. Example: "Did you shoot him?"
- 2. The negative approach. Question implies a negative answer. Example: "You didn't see him, did you?"
- 3. The neutral approach. Strictly information seeking question--neither accusary or negative in implication.
- 4. The narrative approach.
 - a. Most widely used.
 - b. Use caution in asking the subject to tell his story when you have nothing to compare his story with in order to note discrepancies.
 - c. Not a good beginning approach question unless you tell the subject where you want him to begin.
 - d. Narrative approach is used quite frequently when interviewing very emotional subjects. Example: "Why don't you tell me what happened?"

D. Indirect questioning.

- 1. One of the payoffs of a well-thought-out question is that it opens a free exchange of communication that leads to further information.

2. Irrelevant questioning of the subject.

- a. Some factors demanding the use of irrelevant questions.
 - 1) Personality of the subject.
 - 2) Type of crime committed.
 - 3) The emotional condition of the subject at the outset of the interview.
 - 4) Helping the subject to adjust himself to the interview.
- b. May take two forms.
 - 1) The completely irrelevant question having nothing to do with the crime.
 - 2) That which appears to the subject to be irrelevant, but to the interviewer it has a direct bearing on the issue at hand.

D. Delivery of the question by the interviewer.

- 1. Interviewer's manner of questioning is extremely important.
 - a. Bullying, threatening, or harsh manner may produce certain reactions--these are not desired.
 - b. Pleasant, understanding and sympathetic manner must be given the greatest consideration.
 - 1) Pleasantness in an interviewer does not indicate slackness or inefficiency.
 - 2) Unpleasant interviewers are usually those who, for some reason, lack confidence in themselves or are in some other respect inefficient. This of course does not apply to the case where the interviewer uses the unpleasant approach as a special technique to fit the situation.

- 3) The circumstances surrounding the crime and the particular situation must be the interviewer's guide to his choice of procedure.

2. Choice of delivery may be difficult in some cases.

F. Repetition of subject's statements.

1. Accomplished by repeating the statement (answer) which we would like to have the suspect elaborate on.
 - a. Elaboration can be that concerning both the expressed and implied answer.
 - b. This served two-fold function.
 - 1) Interviewer implicitly invites progressive elaboration by the subject.
 - 2) Such repetitions enhance rapport, since the interviewer makes it clear that he understands the subject as he proceeds to express himself.

G. Provoking an affective reaction.

1. Provoking an affective reaction most generally stems from the use of probes.
 - a. Probes are questions which elicit information in addition to that given in the first response to a general question.
 - 1) Requires insight and judgement by the interviewer.
 - 2) Must be made on the spot as the interview situation demands.
 - b. Probes can be used when the response is:
 - 1) Irrelevant to the question asked.
 - 2) When the answer is unclear.

- 3) When the answer seems incomplete.
- 4) When an answer is suspected of being false.

c. Kinds of probes.

- 1) Completion probes - to obtain more information on a response which was vague.
- 2) Clarity probes - to elicit information which seems to explain an answer which was unclear.
- 3) Reactive probes - to elicit effective reactions to situations to which the subject shows an emotional uneasiness.

H. Subject difficulties in communicating.

1. It is a natural reaction for the subject to experience and show anxiety when he is confronted with an interview situation.
 - a. It is safe to assume the subject will be defensive, until such time he is reassured, either by the words or manner, or both, of the interviewer.
 - b. Defense reactions do not always present themselves in the same manner.
 - 1) One defensive subject will simply keep quiet, saying nothing.
 - 2) Another subject will become argumentative.
 - 3) Another subject will be timid, nervous and as such both traits might increase at the outset of the interview.
2. Various principles to guide the interviewer in dealing with those individuals who are reluctant to communicate.
 - a. The interviewer should consider the enormity of the task of confessing. To admit that one has been in error is usually quite difficult.
 - b. Language sometimes is a barrier. Guard against the use of words which are outside the vocabulary of daily conversation for the subject. "Speak his language."

- c. Maintain your own self-control in the situation. Sometimes the most difficult assignment for the interviewer is keeping his own emotions in balance.
- d. Encourage the subject to talk of his own misfortunes and troubles. This will assist the interviewer in making a more adequate and accurate appraisal relative to the subject's viewpoints.
- e. Appreciate the mental conflict in the subject's mind between the natural inclination to state what actually occurred and the desire to state only those things which accord him protection.

VII. The Relationships of the Police Interviewer to the Total Communicative Effort Within the Police Agency.

- A. Structure of communication within the police agency.
 - 1. Importance.
 - 2. Channels.
 - 3. Sources.
 - 4. Message.
 - 5. Receiver.
- B. Coordination of communicative efforts dealing with specialized police functions.
 - 1. Vice activities.
 - 2. Intelligence activities.
 - 3. Case reports.
 - 4. Investigation.
 - 5. Interviewing.
 - 6. Reports.
 - 7. Complete adjudication of case.
- C. Social aspects of police communication.
 - 1. Groups and individuals: their communicative efforts.

2. Complete access to information.
 3. Clarification of the goals of society.
 4. Truth and meaning.
 5. Police philosophies reflected.
 6. Police policies dictated.
- D. Physical police environment and its effect on communicative efforts.
1. Authority.
 2. Responsibility.
 3. Uniform.
 4. Fear.
 5. Respect.
 6. Public attitude.

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