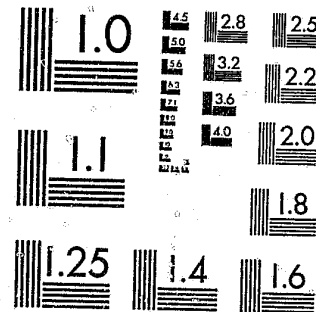


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PATROL

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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Project Consultant

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## PATROL

### I. History of the Police.

#### A. Early communities and their methods of group discipline.

1. In the first communities of man, the head of the family maintained discipline within his own small group.
  - a. The group or settlement head made decisions regarding right or wrong.
  - b. Any disciplinary action taken was within the group.
  - c. The heads of the small groups were solvers of disputes, judges, and leaders.
2. As the population grew, families spread out. Cohesive group unity was lost through people leaving. With intermarriage, different groups became both merged and divided.
3. Eventually the head of a group did not represent a cohesive group like original family unit.
4. Disciplinary action for minor infractions ranged from small fines to working for the community; major infractions could mean dismissal from the settlement.
5. In early times, there were no laws, only custom and/or tradition.
  - a. These customs were just as binding as a written code.
  - b. The members of the settlement there, through choice, banded together as a unit and against the outside.
6. Early communities built earthen mounds high off the ground.
  - a. A crude fort was built to protect them from evil men who roamed the areas.
  - b. Wrongdoers from another community were unaccepted individuals and the local communities feared them.
7. The settlements were formed for mutual assistance and defense.
  - a. Nonconforming members of the settlement were banished.
  - b. They were required to live in the outlying areas or in renegade settlements.

B. The history of early law enforcement.

1. One of the earlier cities was Sumeria in the southern half of Mesopotamia.
  - a. Around 1939-1929 B.C. the Isin Dynasty issued a code of laws for Sumeria.
  - b. There was no mention of punishment for any crime and banishment may have been the only punishment.
2. Perhaps the best known codes of law is that of Hammurabi.
  - a. Hammurabi was the king of the First Dynasty of Babylon, codified around 1750 B.C.
  - b. Prior to that time, all cities had different laws.
  - c. Existence of a code presupposes there was a band of officials to enforce the code which included enforcers, judges, and advisors.
  - d. Hammurabi's Code is a legendary document.
    - 1) It was first of its kind known to exist.
    - 2) Hammurabi ruled the land with an iron hand.
    - 3) His laws were fair, but infractions were dealt with severely.
    - 4) The Code was based on the concept of "an eye for an eye" and was administered as such.
3. Around the fifteenth century, B.C. the Hittites probably originated their code.
  - a. These were less severely administered than Assyrians.
  - b. The physical punishment was administered less for severe crimes.
  - c. The fines were levied in form of bartered goods, slaves, and members of the household for slavery.
4. In the eleventh and twelfth century B.C., the Assyrians had their own laws.
  - a. They were rigidly, and even savagely, enforced.

- b. Other codes undoubtedly existed but the Assyrian Code was typical of the times.

5. Fourth Dynasty of the Old Kingdom was in the area known as Egypt.

- a. Each province has an official responsible for the security of each province and was called Judge Commandant of the Police.
- b. One of the first of early written material during this period indicated an organized police force established for security.

C. The first police organizations.

1. Early police functions were observed in 1340 B.C. in Egypt.

- a. This was the first mention of a police organization.
  - 1) They had created a River Security Unit to patrol the Nile.
  - 2) The River Police Unit protected the Nile River for legitimate activities and insured safety of navigation, fighting pirates, and searching for smugglers.
- b. A century and half later, around 1198-1166 B.C., Ramses III extended police power in Egypt.
  - 1) It gave police force great authority to keep and preserve the public peace.
  - 2) The Ramses laws dealt strongly with highwaymen, and citizens who were obliged to prevent murder and/or to apprehend the murderer.
  - 3) If a citizen failed to act to prevent or apprehend a murderer, he would be held as guilty as the murderer.
  - 4) If he was unable to apprehend the murderer because of superior strength, he must assist in the pursuit and investigation, and excuses were not readily accepted.

c. Police of ancient Europe were invested with both administrative and judicial powers.

- 1) In effect they were the administrators of justice including enforcer of laws and the



apprehenders of violators.

- 2) Also included in the system were the prosecutor, judge, jury and the executioner.

#### D. Other early police systems in Egypt.

1. In Egypt units assigned to tombs were most important of all police.
2. They had the most prestige because tombs contained rich treasures which a pharaoh or king had amassed.
3. One of the most prestigious positions in Egypt was the Chief Commandant of the Police because of his duty of guarding the City of the Dead.
4. The Egyptian police were progressive.
  - a. They claimed to be the first to use dogs for police purposes in guarding property.
  - b. They also used dogs in the country districts.
5. The Egyptian metropolitan police had their own distinctive flag depicting their role, purpose, and their position of authority.
6. The Laws of Manu were formulated somewhere between 300 B.C. and 150 A.D.
  - a. They described the type of punishment to be meted out for a specific offense.
  - b. They indicate the possibility of an executive body charged with enforcing the laws.
  - c. They assisted in carrying out sentences prescribed for convicted criminals.
  - d. The duties of high officials were to restrain violence, punish evildoers, maintain patrols, and set up police posts.

#### E. Law enforcement in China.

1. In China, in the third millennium B.C. the first well-developed civilization grew in that land.
  - a. For protection and security purposes, groups of five and ten persons were banded together.

- b. They were mutually responsible for peace and order within the group.

2. There were men assigned to duties similar to that of the police.

#### F. Law enforcement in Rome.

1. In 300 B.C., the conquering nation of Rome spread its influences far and wide.
  - a. Consuls were appointed to serve the Romans.
    - 1) Curule Aedileship was in charge of the police in the city of Rome.
    - 2) The praetorship or magistrate was charged with specific criminal police duties.
  - b. In provinces of ancient Rome the night time was patrolled by Vigiles (policemen).
  - c. In the country side, surrounding the city, were military police officers who dealt with prisoners brought before them. They acted as a magistrate or a justice of a peace.

#### G. The early English police.

1. William the Conqueror conquered England and the concept of crime being a problem involving an individual matter was changed to one of involving the state.
2. Shires were districts comparable in size to our counties.
  - a. Each shire had a trusted army officer, called a Rieve, meaning "head man" who was placed in charge to collect taxes and maintain peace.
  - b. The Shire-Rieve was forerunner of Sheriff.
3. About 1500 A.D. merchant police were founded. They were hired by merchants to act as night watchmen or bank guards.
4. Cities were divided into religious areas called parishes and they hired police to protect them and their property.
5. In 1700's the Bow Street merchants in London hired fleet-footed men to catch thieves who were looting store stocks.

#### H. Henry Fielding and the Bow Street Runners.

1. In 1751, Henry Fielding wrote "An Enquiry Into the Causes of the Late Increases of Robbers."
  - a. He stated police were underpaid and in order to get good men the pay must be increased.
  - b. He further suggested that the city should hire the men to work together instead of separately for individual merchants.
  - c. He suggested foot beats in the city.
  - d. Mounted (horse) patrols were to be used in the suburbs.
  - e. The authority was given to supersede merchant police and be under government control.
2. Some suggestions were utilized and resulted in the "Bow Street Runners" who were better organized but still could not cope with crime increase.

#### I. Sir Robert Peel and the "Bobbies".

1. Sir Robert Peel became Home Secretary in 1822.
  - a. He studied crime situation and police agencies and concluded that crime control required better police personnel, and better lines of command, authority, responsibility, and police administration.
  - b. Government control of police necessary to consolidate and stabilize the many police agencies was deemed necessary.
2. In 1829 Parliament passed an act creating a professional police system.
  - a. Peel appointed Charles Rowan and Richard Mayne to the positions of commissioner.
  - b. Mayne drew up general instructions in words that stood the test of time.
3. Reorganization and image improvement were noted in the new police.
  - a. Recruits of high calibre were employed.

- b. Shifts and hours were established.
    - c. The officers' demeanor emphasized control of temper, appearance, and training to improve capabilities.
  4. London was divided into 17 divisions.
    - a. A superintendent was in charge of each division and each division was divided into patrol sections.
    - b. Each section was divided into foot beats.
    - c. A detective division was later created.
  5. The first appearance of "Bobbies" or "Peelers" - so named from the man, Robert Peel - brought catcalls, jeers from the public, and some violent assaults, but the high quality of work soon earned public's respect.
- #### J. The early American law enforcement - 1700's.
1. Prior to Sir Robert Peel's London's police forces, U.S. law enforcement was similar to England.
  2. The Sheriff was an adaptation from England with one very important difference.
    - a. The office was made a political one with election every two or four years rather than appointment for life.
    - b. Voting was a check of power given to the Sheriff.
  3. The American Constable also started in England.
    - a. It was a holdover from the thirteenth century.
    - b. The Constable and the Sheriff were usually the only police officers during early colonial days and power was local and restricted to the parish.
    - c. It was considered an excellent job being in charge of civilian night watch.
    - d. The original night watch comprised of householders who were forced to donate their services or hire someone to replace them. This practice gave way to a permanent night watch paid for through taxes.

K. American law enforcement in the 1800's.

1. Day watch began in Boston in 1838, and was separate from night watch.
  - a. This practice was found to be impractical and the two were finally combined into one force.
  - b. It was a step toward modern police organization.
2. In 1800, New York had a full time police force.
  - a. It was little more than men paid to sleep on the job.
  - b. The city did send a delegation to view the Peel system but no major revisions were made.
  - c. In 1884, a legislative investigation of conditions in New York City forced adoption of the Peel system.
  - d. Other cities gradually followed New York's lead.

L. The spoils system in police work.

1. Political interference was not condoned by Peel; he allowed little or no political interference with his police but President Andrew Jackson's theory of "to the victor belong the spoils" invaded municipal police departments.
2. An appointment by the mayor, council or police department head meant little to the average police officer because a purge of city government, including the police department, followed many elections and experienced men were replaced by men whose only qualifications were controlling a few votes.
3. In spite of the dirty politics, Peel's police system was adopted by most of the larger American cities within a short time.
4. Quality of law enforcement did not generally improve until the Pendleton Civil Service Act in 1883.
  - a. Most cities followed the lead of the federal government.
  - b. Many of them gave civil service protection to their city employees, including the police officer.

5. With civil service laws came job protection to the police, and efficiency; but little was done to train the patrolman.

M. Age of specialization began in 1901.

1. The first police ambulance service began in large metropolitan areas.
2. First aid training was now being taught to the police.
3. In 1903, the first automobile patrols established and the first full time training school began.
4. In 1906, first juvenile division started in Chicago and police probationary officers assigned to Juvenile Court.
5. About 1908, the first policewoman was added to police work.
6. Preventive law enforcement was started in the form of a safety bureau.
7. In 1912 the National Auto Theft Bureau, a private organization sponsored by the insurance companies was founded.
  - a. It created a national file on all stolen cars.
  - b. At the same time a pawn shop detail was started along with a lost and found department.
8. In 1916, the University of California at Berkeley started a summer course in police work. It attempted to raise the status of law enforcement officers from level of vocational occupation, to that of a profession, through better trained officers.
9. Other colleges followed with police oriented programs.
  - a. 1931 - by San Jose State College (California).
  - b. 1934 - Michigan State College.
  - c. 1941 by State College of Washington, undergraduate program to train prospective policemen.
10. Today over 30 colleges and universities offering a four-year course and over 100 junior colleges offer police courses.

11. In 1900, there were 8,000 automobiles in the United States and in 1920, there were 9,000,000.
  - a. Laws were passed against the many driving excesses.
  - b. The problem was dumped into the laps of the police so traffic divisions were created to meet the problem.
12. In 1925, shortwave radios made their debut in police cars. Records divisions became a "must" for efficient departments.
13. In 1929, the International Association of Chiefs of Police (organized in 1893) decided that if crime were to be fought scientifically, reports must be gathered for processing to determine the amount of crime being fought and how each department compared with other departments.
14. The Uniform Crime Report was begun and turned over to the F.B.I. These monthly and yearly reports, combined with fingerprinting cards and cross-index cards of names, modus operandi, and so forth, have resulted in the adoption of the I.B.M. punch card sorters used by many large departments.
15. Many departments today have well equipped laboratories staffed by well trained technicians. Cost restricts these facilities to the departments or states.
  - a. F.B.I. laboratory services are available to all departments free of charge.
  - b. Michigan Crime Laboratory provides excellent lab facilities in this state.

## II. Crime.

### A. Introduction.

If the officer is to be effective in the war on crime, he must understand the types of persons whom he can expect to confront as criminals. Once the officer understands the type of person he must deal with, his job of prevention is made considerably easier.

### B. Who commits crime.

1. One weapon at the disposal of the uniformed officer is his knowledge of the people who commit crime.
2. Most criminals fall into six categories:
  - a. Amateurs. Some amateurs become criminals because they cannot resist the temptation to possess an attractive thing and so they take a chance. Others act on an emotional, rather than a material, impulse; they act in a moment of temper, annoyance or revenge. Still others act out of extreme financial need - they must have money for food, rent or doctor bills. Due to his lack of experience, the amateur may be so jittery during the crime or apprehension that he presents a great danger to the victims, the police and the passersby.
  - b. Juveniles. Like adult amateurs, they sometimes commit crimes on the spur of the moment, for emotional reasons or out of need. And, like the amateur, their nervousness during the criminal act or apprehension may contribute to the danger. But the juvenile is unlike the adult in other ways.
    - 1) He usually travels in a small group or large gang - the gang is organized, sometimes under the leadership of an adult, with an "esprit de corps", uniform and, possibly, home-made weapons.
    - 2) He may commit crimes, not for profit, but for "kick", or to show off before his fellows.

- 3) He must be handled very carefully - the law and public opinion make special provision for his treatment. It is his gang organization, unthinking bravado, unpredictability and unique status under the law, in addition to his amateurishness, that make the juvenile violator a special danger to the public and the police.
- c. Mentally Ill Persons. There are those, who, for one reason or another, feel a psychological compulsion to commit certain crimes. These people, like kleptomaniacs, pyromaniacs and extreme sexual deviates, are mentally ill.
- 1) At a given time, in a certain situation, they yield to an irresistible temptation - they feel the need which can only be satisfied by theft, arson, exhibitionism, rape, etc. They are usually repeaters. Their act is a result of an uncontrollable urge.
  - 2) Due to the nature of their illness, the mentally unbalanced criminals can do great harm to themselves, to the arresting officer and others who get in their way.
- d. Vagrants. They are easy to detect because of their appearance. Often under the influence of cheap wine or alcohol, vagrants will generally commit "grab and run" crimes. That is, they break into cars or store windows and snatch cash, liquor or articles which can easily be sold. If young or traveling in a group, vagrants may assault and rob victims, with or without using weapons, for the price of a bottle of wine or whiskey.
- e. Dope Addicts. They may be so in need of narcotics that they commit crimes to get money to buy some. Addicts' crimes range from "grab and run" thefts to burglary of a premise (particularly of a doctor's office) to armed robbery of a store (especially of a drug store). In general, addicts will not commit crimes until driven to it as a last resort; by then, they show the telltale characteristics of narcotic addiction.

- f. Professional Criminals. As crime is their vocation, they commit it for a profit, never for kicks. They plan their crimes, seldom acting on impulse, and use accomplices, look-outs, disguises, and proper timing and equipment in their activities.
- 1) For these reasons, the professional criminal is least likely of all those mentioned above to be apprehended by the uniformed officer on patrol.
  - 2) But professionals usually specialize in certain crimes and repeatedly use a certain method of operation in their work. This is recorded and known to detectives who specialize in investigating their particular crimes. The investigating detectives generally arrest professional criminals.
  - 3) The professional criminal suffers from the occupational hazards of arrest and incarceration. He tends to take the least risk for the greatest financial gain.
  - 4) When apprehended, some professionals will surrender meekly - a possible jail sentence is preferable to the ominous finality of a police bullet.
  - 5) But others, for whom a conviction may mean a very severe punishment, are extremely dangerous.
  - 6) Unlike the detective, the uniformed patrolman making an arrest has no prior knowledge of the suspect's record, previous behavior when caught or present state of mind or armament. Therefore, the patrolman must exercise extreme caution when dealing with professional criminals.

C. Crimes on patrol.

1. Of the many crimes that may be committed, the uniformed officer on patrol is mostly concerned with assault, robbery, larceny, burglary and disorderly conduct.
2. An assault that he witnesses may turn into a homicide case for the detectives.



3. Homicide and arson, like forgery, blackmail, bribery and embezzlement, confront the detective far more than they do the man on patrol.
  4. Other crimes may be observed or suspected by the officer on patrol, but proper police procedure requires that he transmit this information to the plainclothes squads.
  5. The patrolman must be able to recognize the elements of such criminal activity as:
    - a. Prostitution.
    - b. Gambling.
    - c. Narcotics traffic.
  6. The apprehension of these criminals is, in general, the primary accomplishment of the plainclothesmen on the force.
- D. Prevention of crime.
1. Defining crime.
    - a. Crime: behavior which violates the legal codes under which we operate.
    - b. Crime generally is:
      - 1) Anything which society says is a crime.
      - 2) Actions which society punishes.
  2. Methods of crime prevention.
    - a. Prevention through mechanical devices.
      - 1) Use of lights, both well-lit streets as well as well-lit building.
      - 2) Locks on doors.
      - 3) Window bars.
      - 4) Uniformed officers.
      - 5) Conspicuously marked patrol vehicles.

- b. Prevention through control of environmental conditions.
    - 1) Operation and control of youth recreational programs.
    - 2) Enforcement of housing codes to prevent slums.
    - 3) Strict licensing and control of alcoholic beverages.
  - c. Prevention achieved through redirection of the individual.
    - 1) Rehabilitation programs.
    - 2) Probation
    - 3) Psychiatric counseling.
    - 4) School drop-out prevention programs.
3. Crime prevention and the police.
- a. Crime is committed because of:
    - 1) Desire on the part of an individual to commit an offense.
    - 2) Belief that an opportunity exists to commit the crime.
  - b. The police through conspicuous patrol attempt to:
    - 1) Eliminate or stem the desire of a person to commit a crime.
    - 2) Eliminate the belief on the part of a person that an opportunity exists to commit the crime.
4. Crime prevention and public relations.
- a. The amount of citizens' support and involvement in crime prevention depends upon the following:
    - 1) Respect of the public for police.
    - 2) Understanding by the public of goals of program.
    - 3) How much the public shares these goals.

b. The police must:

- 1) Have the respect of the public.
- 2) Engage in programs which reflect the public's interest.

### III. Prevention of Crime.

#### A. Defining crime.

1. Crime: those forms of behavior which violate the legal codes under which they operate.
2. Police are law enforcement officers - through their actions they give meaning to the law and the administration of justice.
3. Police enforce only legal codes.
4. The moral code is set forth in religious doctrines and does not come within the area of police concern except where the legal and moral codes overlap.
5. Crime generally is:
  - a. Anything which society says is a crime.
  - b. Actions for which society has the power to punish for said conduct.
  - c. Actions for which society does punish for said conduct.

#### B. Assigning responsibility and authority.

1. In a free society the police can never be wholly responsible for successfully discharging their responsibility for community protection.
2. Because society exists we will have crime. It will never be completely eradicated.
3. Maximum protection through actual prevention of crime is most desirable.

#### C. Methods of prevention.

1. Prevention through mechanical devices:
  - a. Use of lights.
  - b. Locks.
  - c. Window bars.

- d. Uniformed officers.
- e. Conspicuous marked patrol.
- 2. Prevention through control of conditions:
  - a. Operation and control of youth recreational programs.
  - b. Enforcement of housing codes to prevent slums.
  - c. Strict licensing and control of alcoholic beverages.
- 3. Prevention achieved through redirection of the individual:
  - a. Rehabilitation programs.
  - b. Probation.
  - c. Psychiatric counseling.
  - d. School drop-out programs.
- D. Crime prevention and the police.
  - 1. Crime is committed because of:
    - a. Desire on the part of an individual to commit an offense.
    - b. Belief that an opportunity exists to commit the crime.
  - 2. The police, through conspicuous patrol, should attempt to:
    - a. Eliminate or stem the desire of a person to commit a crime.
    - b. Eliminate the belief on the part of a person that an opportunity exists to commit the crime.
  - 3. To be undertaken by an active program of conspicuous random patrol.
    - a. Should apply to:
      - 1) Roads.

- 2) Areas adjacent to the roadway.
- 3) Buildings - front, side and rear.
- 4) Inspection of business places.
- 5) Parks.
- b. The techniques must vary according to the crime which is to be prevented.
- E. Crime prevention and public relations.
  - 1. Amount of citizens' support and involvement in crime prevention depends upon:
    - a. Respect of public for police.
    - b. Understanding by public of goals of the program.
    - c. How much the public shares these goals.
  - 2. The police must have the respect of the public and engage in programs which reflect the public's interest.

#### IV. Personal Police Equipment - Choosing It and Using It.

##### A. The following is a list of equipment required of policemen in most departments.

1. A uniform which varies in style from department to department.
2. Leather gear including belt, holster and handcuff case.
3. A gun, normally a .38 caliber revolver.
4. Ammunition used is normally .38 caliber special.
5. A club or baton is standard issue.
6. Blackjacks are still carried by most police officers.
7. The flashlight is important and should be carried regardless of shift assignment.
8. Handcuffs are standard equipment.
9. A raincoat is necessary equipment for all officers.

##### B. The uniform.

##### 1. The trousers.

- a. Trousers should have tunnel loops which are much stronger at the waist band so that your cartridge belt will fit snugly over your dress belt.
- b. There should be one large flap at the rear of the trousers which will button down over the cartridge belt to keep the larger belt in place.
- c. Pockets should be deeper than average so that a notebook in the hip pocket will not show, and change will not fall out of the front pockets while riding in a car.
- d. If departmental policy permits, have club pockets put in each leg.
  - 1) These are pockets behind and below the openings of the front pockets and are only wide enough to permit the easy entrance of a short club or flashlight.
  - 2) These pockets are deep, but should not hang so low that the calf of the leg hits the end of the club while running.

- 3) A club pocket keeps the handle of the club within easy reach of the hand, even while wearing a blouse; and since it is slightly to one side of the leg, does not bother the officer while riding in a car.

- e. Be sure that the legs are fuller than normal so that there will be no bulges while standing.

##### 2. The type of shirt to be worn.

- a. A shirt should be tailored, rather than hang straight down, so that it does not have to be folded or wadded at the waistband.
- b. The tail should be long in back to keep it from continually coming out.
- c. Most police shirts have pockets with button-down flaps.
  - 1) If the shirt you buy is of this kind, make sure that the tailor leaves a pencil opening at the top of each flap.
  - 2) You must carry pencils, and if there is no opening the corner of the flap will always be sticking up.
- d. The arms should not be too tight; in fact, the upper part of the whole shirt should not be too snug.
- e. The kind of tie you wear depends on regulations, but if permitted wear the elastic-band variety. There have been occasions when a man has grabbed an officer's tie in an attempt to choke him during a brawl. Although infrequent, it could happen.

##### 3. Blouses or coats worn by the police.

- a. A blouse is the most costly article of the uniform.
- b. There are three styles normally used and all have drawbacks.
  - 1) The form fitting military style permits the wearing of the Sam Browne belt on the outside so that a gun or other equipment is easily accessible.

- 2) They look very trim and neat when they fit properly, but if and when a young man gains weight, the blouse no longer looks so trim and neat, resulting in the need to purchase a new blouse.
- 3) The box style blouse hangs straight down from the armpits covering any possible overweight form, but it also covers all of the officer's equipment including his revolver.

- c. Whatever style is used, it should be remembered that this costliest of uniform items is the one most liable to damage through wear, tear, blood, and so forth.
- d. It is recommended that the foot patrolman wear the cheaper "Eisenhower" style which comes only to the waist. The shoulder strap of the Sam Browne can be worn inside where it cannot be grabbed during a scuffle, yet the shortness permits easy accessibility to a gun or handcuffs.
- e. The man assigned to a car should wear a leather jacket.
  - 1) The reason for the distinction is that the beat man will wear a coat if it rains, but the prowl car man usually cannot take time to put on a coat even though he has one with him.
  - 2) He usually doesn't want to clutter up the car with coats, yet has to stand in the rain while directing traffic at accident scenes or on other emergencies.
  - 3) Cloth jackets would soon become a sodden, uncomfortable mess, while a leather jacket will keep him dry and warm even though it is only at the top half of the body.
  - 4) Since the prowl-car men are so much more active than beat men, their jackets will receive more wear and tear, especially from rubbing on the car seat.
- f. The newer car coat should also be considered for police service.

#### C. Types of belts worn.

1. A good "leather set" is of soft, pliable, two-layered leather with the layers glued and stitched together.

2. The best belts have brass "D" hardware on both sides. Since this hardware (brass loops to which the shoulder strap is snapped) is on both sides, the belt can be worn by either a right handed or left handed man.
3. The cheaper belts are made of one piece, stiff, saddle leather with hardware on but one side.
4. A third belt is a combination of the previously mentioned two. It is usually of one piece leather except for the space where the holster will hang where there is a short, second piece used for strength. The price of this belt usually falls between the other two.
5. Should you have a choice as to the kind of metal of the hardware, choose the nickel plated over the brass. Brass always seems to require polishing, making one wonder why all hardware is not plated.
6. Accessories, such as handcuff cases and shell holders that fit on the belt, are of varying makes, style, and quality.
7. The only other accessory, besides the holster, requiring much thought is the shell holder. There are two kinds:
  - a. The first is a kind of a leather box with a flap at the top and bottom held by a snap.
    - 1) The box holds six cartridges, which are placed in the holder from the top, and the bottom flap is unsnapped permitting them to drop into the hand. The idea is excellent for those who will always be standing up.
    - 2) A man firing from a prone position, however, must sit up, exposing himself to return fire, in order to remove the cartridges from the holder.
    - 3) Another problem with this type of holder is that the flap can, and at times has, caught on some brush, unsnapping the flap and permitting the cartridges to be lost. Also, they make bulges under the waist band of the waist-length jackets when buttoned.
  - b. The second kind of holder is the loop type with a loop for each cartridge. These take up a considerable length on the belt, and the cartridges will quickly become corroded next to the tight loop unless nickel-plated cases are carried.



D. Various types of holsters used in police work.

1. There is a great variety of styles in holsters. The style should be determined by the work you will most likely be doing and your mannerisms.
2. If you normally stand with your arms crossed, or if you will be assigned to a car, you may prefer the "cross draw" holster to wear on the left side, butt forward (for right-handed men). There are two disadvantages to the "cross draw":
  - a. Whenever you approach a stopped car it is for your own protection to keep your hand on your gun in the event of danger.
    - 1) To do this the right hand must be across the body in such a way that your thoughts are obvious to anyone watching.
    - 2) If you hold your left hand on the gun handle, it will be in a twisted, awkward position equally as obvious, unless you draw left handed using the little finger as a trigger finger with the gun upside down.
    - 3) Many patrol-car men, forced by some superior to wear the "cross draw," overcome this awkwardness by carrying a "hold out" in the breast pocket of a coat or jacket. This second gun is a derringer or the short barreled, hammerless revolver. By using the second gun, a man can approach a stopped car with his hand on a gun in a casual manner.
  - b. A second disadvantage to the "cross draw" is that to fire, the gun must be swung sideways.
    - 1) Swinging sideways, a man being fired at presents only his width as a target which is about one and one half feet.
    - 2) A straight draw in an upward arc gives the man's whole height to fire at, which is about six feet.
3. Should you decide on this style holster, there is an advantage in that it can be worn on a dress belt under a coat when in civilian clothes.

4. If you intend walking a beat, there are border patrol style holsters which hang low and are fashioned in such a way that the handle of the revolver is not tight against the body, but away from the body and tilted forward for a fast draw. These are a nuisance while riding in a car, since they are so low and so inflexible that they hoist the gun belt up when the muzzle hits the seat.
  5. Motorcycle riders may want the type which hangs low but which is on a swivel so that the holster hangs straight down while either walking or riding.
  6. Although a fast draw may never be needed, it should be considered since one type of holster has a flat spring inside the trigger guard of the holster gun to prevent the gun from falling out.
  7. Another type, called a "clam shell" is hinged in the rear of the holster so that the whole side of the holster opens when a button inside the trigger guard is pressed.
  8. With both of these holsters your hand must be on the gun in order to make a fast draw.
  9. No matter what style you choose, do not wear it in such a way that it is difficult to draw.
  10. An ordinary "cowboy" holster worn on a Sam Browne belt rides so high on the waist that it is difficult to draw a gun from it no matter what length the gun barrel.
  11. These holsters do not tilt forward, so the gun must be drawn straight up before the muzzle can be swung forward.
- E. The recommended type of firearm for police work.
1. The make of revolver you buy is a matter of choice, but it should be a revolver.
  2. There are many excellent semi-automatic pistols on the market that some men claim can be fired faster than a revolver.
    - a. Don't let these claims stampede you into buying one, since the point to consider should not be speed in firing a string of shots, but the accuracy of the shots fired and dependability.

- b. Many of the automatic pistols are just as accurate as the revolvers, WHILE NEW.
  - c. If you will look at an automatic closely you will notice that at least one of the sights, often both on most automatics, will be fixed to the slide.
  - d. While the gun is new and the slide tight, the gun will be accurate; but after the gun has been worn the slide becomes loose, permitting the sights to be pointing in one direction and the barrel in another. This is not conducive to accuracy.
  - e. Although you buy barrel bushings and tighten the rear of the slide in a vise to retain accuracy, consider dependability.
3. A good source of information and advice is a pistol shoot.
- a. You will find that the vast majority of malfunctions in their guns will be in the automatics.
  - b. This is in spite of the fact that the automatics used are a much more refined version of the standard gun you may purchase.
  - c. These guns are kept in top condition and are sent to gunsmiths at the slightest sign of imperfection - yet they still quite often fail to function properly.
4. The only malfunction a revolver usually has is due to a misfire caused by a faulty cartridge.
- a. Should this happen in an automatic you must manually eject the cartridge before you can fire again.
  - b. With a revolver all you need do is to thumb back the hammer, or pull the trigger again, and a fresh cartridge is rotated into position.
  - c. The small difference in time could mean the difference between life and death.
5. Another point overlooked or ignored by those advocates of automatics for police work is the human factor.
- a. The automatics must be kept clean or they may malfunction.

- b. Although you may highly prize your new gun when you buy it, and may clean it every day, your pride may gradually diminish and you will probably clean your gun less often.
  - c. Although bad for any gun, the lack of cleaning will affect the revolvers less than the automatics.
6. A few things should be taken into consideration while deciding on caliber.
- a. A bullet the size of a .22 caliber will not stop a man unless he is hit in a very vital spot, but a .45 caliber will.
  - b. It has been reported that the U.S. Army adopted the .45 caliber over guns of smaller caliber when it was shown that the .45 stopped men who were hit in almost any part of the body.
  - c. It is not advisable to carry a gun firing a small caliber cartridge.
7. If you are to be working alone at all times, you can choose the caliber you want.
8. You should carry a gun which is fairly standard so that you can borrow cartridges from other officers if needed, and can take advantage of the reloaded cartridges so many departments furnish for practice. This standard caliber is the .38 special.
- a. You should not even consider the .357 or .44 magnums if your work is to be inside the city.
  - b. Highway patrolmen, sheriffs, or others who work in the country may find these calibers highly gratifying for their type of work.
  - c. However, these cartridges are so powerful that, should you be forced to fire at someone on a city street, the bullet may not only go through the one fired at but could go through one or more other persons.
  - d. In addition, these revolvers are so thick and heavy, due to the added steel needed to strengthen the cylinder so that it can withstand the extreme gas pressures, that they become a burden after being carried all day and are impossible to hide in plain clothes unless a loose coat is worn constantly.

- e. If you should already own a .357 magnum, it can be carried; for they are the same caliber as the .38 special and the cartridges can be fired interchangeably.

9. The barrel length must be considered.

- a. A two-inch barrel revolver may be useful to a detective who will seldom fire at a distant target, but the short sighting radius between the front and rear sights is not conducive to accuracy.
- b. The short barrel has less range because some of this expensive force is lost.
- c. The six-inch barrel, while it gives much more sighting radius, may be too long for comfort while riding in a car or too long to draw easily from a holster.
- d. Your choice should be either the four or five-inch barrel, unless you wear a cross-draw holster which will eliminate the last two objections.

F. Clubs and saps used by the police.

- 1. If you have a choice between carrying a club or sap (black jack), carry a club.
- 2. And if you have a choice as to its material and length, have one made of a heavy strong wood such as ironwood or lignum vitae, about 13" long, 5½ to 6 inches around at the large end depending on the weight wanted, tapered to about 4" at the handle, ending in a small knob.
- 3. A leather thong 18" long (9" doubled) should be attached by a swivel. A tapered handle is mentioned since a fancy handle will contribute nothing but weak spots to this very important tool of your trade.
- 4. A longer club such as the night stick may have more of a psychological effect on people, but the added length often makes a long club as much a problem as it is a benefit.
  - a. It cannot be carried by patrol car men unless it is laid on the seat or hung on the car door handle - where it can be forgotten.
  - b. It will not fit into a club pocket of your pants, so must be carried in your hand or on your belt.

- 5. The only actual benefit to a longer club is that it permits you to stand a little further away from the person you are going to use it on.
- 6. A club should be used as an extension of the arm so that you can stand back from the person, out of danger, while you use it.
- 7. It is much more effective in a stand-up fight used as a punching tool than as a club to strike with.
- 8. The club is a tool that can also be used for many other purposes. If you should ever have to break the plate glass of a store door to get at a burglar inside, or have to ram one into the teeth of a vicious dog, or use it as a splint on the broken arm of a child, or use it as a lever to bend a steering wheel away from the crushed ribs of an automobile accident victim, you soon learn its usefulness.
- 9. If you insist on carrying a sap because it is easy to carry, or because it is easy to hide in civilian clothes, your choice should be the "beaver tail" over the round-headed type.
  - a. The beaver tail is a wide, flat sap made of fairly stiff leather with a flat spring running the full length inside.
  - b. The larger end contains a piece of lead.
  - c. Should you be forced to hit a man on the head, the flatness will prevent a skull fracture of the kind made by the round sap.
- 10. There is another kind of sap that can be recommended and that is the "palm sap".
  - a. Little known, it is very effective but startling to the persons who see it used.
  - b. This little device, often used to build up the officer's stature on a rough beat, is nothing more than a few ounces of lead shot sewn between two layers of leather so that it will fit into the palm of your hand.
  - c. A strap goes around the back of the hand to hold the lead in place, and is worn under a glove.

- d. Since right-handed men wear it on the left hand to keep the right hand free, it is a source of wonderment to onlookers how an officer can upend a trouble-maker merely by slapping him along side the jaw.

G. Handcuffs and restrainers - their style and use.

1. Handcuffs are no problem as long as they are the kind that will double lock, and are not the kind with an odd key.
2. The links must be fastened to swivels - but all modern cuffs have these.
3. Never rely too strongly on the restraining power of cuffs, for they can be picked easily in a few minutes by the use of a thin piece of plastic or steel such as a "Bobby Pin".
  - a. By sliding the steel between the teeth of the ratchet and the engaging teeth located in the frame, the teeth will become disengaged from each other, permitting the cuffs to open.
  - b. Double locking prevents this on good cuffs, but even the best should be thought of as only temporary restrainers.
4. The "claw" is a device of steel consisting of two pincers which are squeezed together by ratcheting the handle.
  - a. Tremendous pressure can be exerted by a twist, making the claw excruciatingly painful on whomever it is used.
  - b. It is valuable in restraining an unruly person since it can be placed on a wrist or arm more easily than handcuffs.
  - c. Whether or not you should buy one should be determined by the type of work that you may be doing.
  - d. It is useful to a beat man who will use it to walk a man to a call box or telephone and has only to keep the prisoner subdued for a short time until a car arrives.
5. If the handcuffs you buy have been used, be sure to inspect them for ease of operation.

6. If there is any indication that the previous owner used oil as a lubricant, dip them in gasoline or solvent then lubricate them with graphite. Oil will hold dust or grit, or may freeze during cold weather.

H. Flashlights and their use.

1. A flashlight is another tool that will be in almost constant use, so some thought should be given as to the type to buy.
2. Many officers carry a two-celled light because they are not so heavy as the three-celled.
3. However, a three-celled flashlight is heavy enough and long enough to use as a club should the occasion arise. Another good recommendation is that it throws a longer, brighter light.
4. One particularly fine light is made with the butt tapered to a point so that it can be slipped into a club pocket easily, yet the head is so small that it does not rub against the leg while being carried.
5. Whatever type you buy, try to find a clear plastic lens to use as a replacement for the glass lens. It will not break as easily.
6. Next, solder the spring in the butt to the case or cap and cover the part of the spring that touches the battery with solder.
  - a. When a flashlight is new it will work very well, but when the insides become corroded the spring will often not make contact between the case and the batteries, resulting in little or no light.
  - b. Shaking a light in an attempt to get the bulb to butn may be all right with the average person who has plenty of time, but the officer may have no time at all.
7. Keep good batteries in your light for your own protection.
  - a. However, should you ever forget to change batteries, the following tip may help you through an emergency.
  - b. If you carry a three-cell light, carry an extra bulb for a two-cell light, in the spring. When your batteries get weak, replace the three-cell bulb with the two-cell bulb and you will have a fairly strong

beam again for a while.

8. A flashlight should be carried both day and night, for it is impossible to know when you may have to go into a dark attic or cellar. Often the man walking a beat feels he looks odd carrying one on day shift.
  - a. Should you feel conspicuous, get a "pen-light."
  - b. Although they do not compare with the large lights, they are much better than no light at all.
- I. It is a good policy to mark your equipment to indicate that it belongs specifically to you.
  1. Put identifying marks, such as your badge number, on all your equipment that could be mislaid or stolen.
  2. Even though all the officers are themselves basically honest, equipment can become "missing."
- J. It is very important to maintain your equipment in good order.
  1. After you have acquired all your equipment, keep it in good condition and have it with you.
  2. Keep your uniform clean and pressed with all the brass polished.
  3. Polish all the leather of your belt and accessories to keep them from deteriorating and to present a good appearance to the public.
  4. Inspect yourself before reporting for duty, or if you are married, have your wife inspect you.
  5. You don't have to look like a movie idol, but even though your uniform may be old, neatness and cleanliness may keep you from having trouble when making arrests. There is a natural tendency to resent and resist a slovenly individual.
  6. After all, you don't like to take orders from a bum - neither does a bum.

## V. The Concept of Patrol.

### A. In a modern department, there are different types of patrols.

1. Most patrols are assigned to a particular area called a BEAT, and they are referred to as BEAT PATROLS. The size of the beat is determined by:
  - a. The type of area to be patrolled, such as:
    - 1) Business area.
    - 2) Farming area.
    - 3) Residential area.
    - 4) Recreational area.
  - b. The type of criminal activity that occurs in the area.
  - c. The frequency of crime in that area.
2. To properly cover the beat, patrols are assigned to shifts.
3. Shifts are determined by:
  - a. The number of personnel available.
  - b. The frequency of calls for police service.
4. Most communities have three 8-hour shifts offering twenty-four hour service.
  - a. In larger communities special overlapping shifts are assigned during peak hours.
  - b. In many communities the crime peak is between 7 p.m. and 3 a.m. so a special overlapping shift is assigned during this time period.

### B. Foot patrol.

1. Foot patrol is the most expensive type of patrol.
  - a. Most departments have reduced their foot patrols to a minimum because of the cost.
  - b. Foot patrols have certain advantages that warrant continued use even on a limited basis.
  - c. A foot patrolman is usually assigned an area of dense population such as the downtown or business center



where there is heavy traffic congestion and the assistance of an officer is needed to help eliminate traffic jams.

2. In some cities, the foot patrol officer spends only part of his shift walking beat or providing traffic control. When things are quiet as during the early morning hours, he may be assigned to ride as a second man in the beat patrol car. This combination is an efficient form of patrol.
3. The following are some of the advantages of the foot patrol beat:
  - a. The foot patrolman can provide immediate traffic control when it is needed.
    - 1) He is in close proximity to the traffic congestion.
    - 2) He will know when assistance is needed due to the increase of traffic.
    - 3) He does not have the problem of parking police vehicle, causing further traffic problems.
  - b. More person-to-person contact with the public is effected.
    - 1) This can promote good public relations.
    - 2) It involves more personal contacts with the public.
    - 3) He is seen more by the public than any other type of patrol.
    - 4) He becomes an important link between the department and the public.
    - 5) The foot patrolman knows the physical layout of his beat better.
    - 6) He knows people on his beat better.
    - 7) He can develop criminal informants more easily.
    - 8) He can meet with informants without being noticed so easily.
  - c. The foot patrolman can approach a situation quietly and may not be noticed when he approaches.

- d. The officer can maintain communications with the department and mobile units with walkie-talkie.
  - 1) Lack of communications was formerly a disadvantage.
  - 2) The officer can now be directed to trouble situations just as patrol cars are.
  - 3) The officer can immediately report trouble to headquarters.

#### C. Foot patrol procedures and techniques.

1. Don't establish set patterns of patrol.
  - a. Very easy to patrol certain areas according to an unconscious time schedule.
  - b. Officers usually start patrolling the first part of the beat approached upon leaving headquarters.
  - c. Coffee stops and lunch at particular establishments tend to create patterns in walking the beat.
  - d. Trouble on the beat results if criminals can clock movements.
  - e. Break up patterns by doubling back occasionally.
2. When checking doors for forced entry:
  - a. Use the flashlight on the area around the lock to see if there are fresh or noticeable jimmy marks.
  - b. Avoid grabbing the handle, twisting and leaning.
  - c. Proper technique enables officer to cover beat faster and more efficiently.
3. If open door is found on the beat:
  - a. The officer should NEVER ENTER ALONE because he has no support.
  - b. Call for assistance even though it may be simply a matter of the owner forgetting to lock the door.
  - c. There is the problem of the store later claiming items are missing and the officer is responsible.

4. Once a night, use fire escapes to check roofs in downtown area.
  - a. "Cut-through" burglaries or "roof jobs" as they are sometimes referred to, can often be so detected. A high percentage of burglaries is perpetrated in this manner.
  - b. Roof burglars avoid detection by officer who just checks doors and windows.
  - c. While on the roof, take advantage of the position to look over beat. At night you can see many things from a high position.
  - d. Be concealed when checking roofs.
5. Be alert for boxes piled up behind a building, ropes hanging down side of building or ladders that might have been used to gain access to a roof.
6. At night, occasionally step into an alley or store entrance:
  - a. Get out of light as much as possible and be quiet and just listen.
  - b. You may hear many things. Officers have actually used this technique to hear locks being broken, as well as doors and windows being forced.
7. Your feet are important.
  - a. A foot patrol officer spends most of the shift on his feet and so proper care of feet cannot be overemphasized.
  - b. When walking, maintain good posture. It impresses public and it also keeps the officer's back, legs, and feet from tiring.
  - c. Do not put all of the body weight on the heel when walking.
    - 1) It shocks bone structure.
    - 2) It can cause back trouble.
  - d. A good pair of walking shoes is essential if an officer is assigned to a permanent walking beat.
  - e. It is important to get off the feet at regular intervals.

- 1) If possible, go to a back room, elevate feet for short period of time.
- 2) NEVER DO THIS IN PUBLIC, HOWEVER! Nothing looks worse to the average citizen than an officer apparently loafing with his feet up.
- f. Other helpful hints:
  - 1) Wash feet daily.
  - 2) Use foot powder liberally.
  - 3) Wear clean socks.
  - 4) Keep feet dry and warm.
8. The foot patrol officer walks his beat during all types of weather and so he must take every possible precaution to protect health.
  - a. Wear long winter thermal underwear.
  - b. Have a place to leave raincoat on or near the beat.
  - c. When it is cold:
    - 1) Wear lined leather gloves.
    - 2) Never put hands in pockets.
    - 3) Portable hand warmers may help.
9. Never smoke or chew gum while in uniform on street.
  - a. It's unmilitary.
  - b. It does not set well with the public.
  - c. It is more acceptable in a restaurant or restroom.
10. The foot patrolman should make conscious efforts to make friends on the beat.
  - a. It is good public relations.
  - b. It will develop informants.
  - c. You should develop friends - they come in handy if you are jumped by a group of hoodlums.
  - d. Most foot beats are in or near lower class areas.

- 1) The officer's attitudes are quickly sensed by the people on the beat.
  - 2) Poor officer attitudes soon result in a reduction in overall efficiency and development as a police officer.
11. The officer should use all five senses while walking the beat. For example:
- a. Observation is a skill that requires continued effort to develop.
  - b. The officer should not look straight ahead when walking.
    - 1) The officer might miss much of what goes on around him.
    - 2) The officer is not properly performing his assigned task.
    - 3) The officer should develop the habit of looking up and down while walking.
    - 4) Occasionally look over and under objects in the area.
  - c. Sight is your greatest asset - use it to full capacity.
- D. Automobile patrol.
1. It is the most economical type of patrol, and it offers the greatest tactical ability when used in numbers. In the last two decades it has replaced all but the most essential of the foot patrols.
  2. It affords greater speed and mobility. In a large area that must be covered by a few officers, automobile patrol can service whole areas and do it efficiently.
  3. Advantages of the automobile patrol:
    - a. It is one of the best means of preventive enforcement.
      - 1) Distinctive colors for police vehicles - easily visible.
      - 2) Red lights or blue lights for distinction.
      - 3) Door insignia and rear deck reflectorized tape are important for safety.

- 4) It is most effective in deterring criminal activity.
  - 5) Conspicuous patrol makes people conscious of the presence of police enforcement.
- b. It provides the officer protection.
- 1) Protects him from the weather.
  - 2) Provides protection from thrown missiles and objects.
  - 3) Provides some protection if being shot at.
- c. It permits the officer to carry extra equipment:
- 1) Rain gear.
  - 2) Extra clothing.
  - 3) A shotgun and extra ammunition.
  - 4) First aid and rescue equipment.
  - 5) An equipment case for the many forms and manuals.
- d. The patrol car also enables the police officer:
- 1) To have a partner when needed.
  - 2) To transport prisoners.
  - 3) To transport evidence and recovered property.
- e. Station wagons as a police vehicle have certain values.
- 1) They can be used to carry police dogs while on patrol.
  - 2) They can be used as an emergency ambulance when a disaster occurs.
  - 3) They can carry larger pieces of evidence and recovered property.
- f. Patrol vehicles can be used as barricades in roadblocks.
- g. Automotive patrol provides some degree of safety during high speed pursuit.

E. General techniques and procedures for automobile patrols.

1. Check the police car thoroughly before leaving the garage. It could mean your life if the car proved faulty during an emergency.
2. Many of the techniques and procedures mentioned for foot patrol are also available to automobile patrol. As with foot patrol, don't travel the beat the same way each night; vary timing, because criminals may time or clock your movements.
3. Spend limited time in drive-ins or coffee spots. Avoid the coffee break if there is another police car there; the public view it as waste of their money.
4. Avoid driving too fast on general patrol:
  - a. It wastes gasoline and more importantly, very little is seen by driver.
  - b. The recommended speed for patrolling is between 15 and 20 miles per hour, but it should be adjusted to suit the situation.
  - c. Don't patrol too slowly in heavy traffic. Most motorists are hesitant about passing a police car; traffic will back up, congestion will follow.
5. During normal patrol, observe the rules of the road. A policeman is exempt from traffic laws only in an emergency.
6. The license numbers of all strange or suspicious cars should be jotted down.
7. Never leave the keys in the police car. There are many cases on record of stolen police cars which had the keys in the ignition.
8. Make it a habit to use the seat belts at all times.
  - a. Use of seat belts lessens fatigue.
  - b. The officer won't be fighting gravity on each turn made in the police car.
9. Learn the whereabouts of all safes, safe lights and outside locks on your beat.
  - a. They should be checked at least once each night.

- b. If a night light is out, the owner should be called, even if it is two o'clock in the morning.
    - 1) The owner will be unhappy upon being awakened from a sound sleep.
    - 2) It will make him replace the light bulb regularly.
    - 3) When night light or safe light is found out, also notify headquarters.
    - 4) Conduct a close inspection of outside of building to see if there is forced entry.
  - c. Check locks and night lights as regular procedure. It's a good means both of apprehending burglars and of preventing the occurrence of burglaries.
10. Carry 3 x 5 card file in the patrol car.
- a. List cars belonging to night workers and janitors on the beat. Include:
    - 1) License number.
    - 2) Name of the owner of the car.
    - 3) Where the owner or driver works.
    - 4) What hours and what days he works.
  - b. If a car is noticed parked after the normal time of departure, further investigation is warranted.
    - 1) It is possible that the custodian might be ill.
    - 2) It is possible he might be tied up in a back room while a criminal is working on the safe.
  - c. This card file should also list:
    - 1) The criminals known to frequent the beat.
    - 2) Pertinent information concerning them.
      - a) The various cars they drive, make, color, license number.
      - b) Their friends and acquaintances.
      - c) The type of crimes they usually commit and their usual method of operation.

11. If beat encircles factories and warehouses:
  - a. The officer should know what they produce or contain.
  - b. This information may be useful in the future, in event a car is checked and observed containing similar products.
  - c. The buildings can be checked for entry more easily.
12. Be on alert for possible informants.
  - a. The officer seldom will have money to pay for information.
  - b. He must develop informants whose sole motive is friendship.
  - c. With the right approach, some will give information voluntarily.
  - d. Don't push for information too hard. First establish rapport. Inspire in the informant a feeling of confidence.
  - e. Watch out for informant who just wants a meal or a few drinks.
    - 1) The informant may have a "big narcotic deal", or something else on the line.
    - 2) The informant may keep you hanging for weeks - to soak you.
    - 3) The informant may attempt to convince you that you will make the headlines.
    - 4) The informant may attempt to convince you of a promotion to the detective division when you obtain the information.
13. The following people are good persons to develop as contacts and possible informants:
  - a. Service station attendants; especially all-night stations.
  - b. Custodians and maintenance men.
  - c. Window washers; especially those who work early in the morning.

- d. Newspaper vendors and paper boys.
  - e. There are usually a few deaf mutes who hang out around skid row. The criminal element usually ridicules them. They can SEE conversations from a distance which could not normally be overheard. Establish rapport by learning sign language. It is simple to learn and only takes a little practice to become proficient. Most dictionaries contain the mute alphabet.
  - f. Delivery men such as milk men, garbage men.
- F. One man versus the two-man automobile patrol.
1. The advantages of two-man patrol cars:
    - a. A two-man patrol car provides officer with greater safety factor by:
      - 1) Doubling the firepower and the physical strength.
      - 2) Preventing trouble in many cases.
    - b. The mistake made by one man may be caught by his partner and vice versa. A quality that one officer lacks is often a strong point of his partner.
    - c. One officer does not have to drive a full eight hours.
      - 1) He is more rested and can do a more efficient job.
      - 2) The variety of tasks makes the job more interesting.
    - d. Two pair of eyes are better than one. Devoting attention to what is going on around him while he is driving is difficult for a police officer.
    - e. One man can operate the radio while the other drives.
    - f. On quiet nights the driver can have someone to talk to and help him keep alert. Morale is often improved through companionship.
  2. A description of one-man patrol cars and their advantages would include the following factors:
    - a. The modern use of one-man patrol cars involves the team concept.



- b. Each beat is assigned two patrol cars that can work separately or, when the occasion arises, as a team.
- c. The second man is given another patrol car to cover the same beat that was originally covered by one two-man car.
  - 1) The coverage of the same area is now doubled.
  - 2) Cities using this concept have reported good results.
  - 3) The preventive enforcement is doubled by having twice as many police cars on the street.
  - 4) When the officer is alone, he often devotes his full attention to his driving and the beat rather than to the conversation with his partner.
  - 5) A man alone often develops self-reliance; in a two-man car, officers may rely on each other too much.
  - 6) In the two-man car, an officer will probably take more chances than if he were alone.
    - a) The two-man car apparently builds a false sense of security.
    - b) When two officers work in the same car together, sometimes one acts without caution, to avoid feeling of being coward.
    - c) More officers have been killed when riding in two-man cars than when riding alone in a one-man car.
  - 7) Personality clashes are reduced. Riding in a patrol car with another person for eight hours will soon reveal personality weaknesses. These faults can get on the other person's nerves.
    - a) It is unusual for a two-man team to last much over a year.
    - b) Two-man teams sometimes spend more hours with their partner than with their wife.

G. The use of horses for police patrol.

- 1. Next to walking, the horse patrol is one of the oldest types of patrol.

2. Advantages of horse patrol:

- a. There is still a need for the horse patrol when the terrain is steep and rough.
- b. Also there are special occasions when horse patrol is very adaptable.

3. Disadvantages of horse patrol:

- a. Horse patrol has the high cost of stables and upkeep.
- b. It has limited use in a city or metropolitan area.
- c. Horses are no good for chasing criminals in an automobile.
- d. Horses tire easily and require close physical attention.

4. The disadvantages may be overcome by renting horses for special occasions. This has resulted in substantial monetary savings for some departments.

5. Can maintain the same communications as the patrol car with "walkie-talkie."

6. These are some of the more common uses of horse patrol today:

- a. Park Patrol. In parks where trails are too narrow, steep and winding for automobile or jeep patrol.
  - 1) There is a great need for a patrol in park areas. It is a common place for deviates to congregate.
  - 2) Horse provides rider with higher and better plane of vision than a patrol car.
- b. Beach Patrol. In many areas containing large beaches, it has been found that the horse patrol is quite suited. The sand and water make vehicle patrol difficult.
  - 1) Useful in the control of "beach bums" and beach drifters.
  - 2) Walkie-talkie radios increase their effectiveness.
  - 3) Only well-trained horses should be used in this form of patrol.

- 4) Large civil suits could result from injuries to innocent persons, if a civilian suffers an injury from a horse due to the rider's negligence.
- c. Posse and Search Duty. Generally for the community close to, or part of a mountainous area.
  - 1) The community has the problem of chasing down escaped or wanted persons who have fled to these areas.
  - 2) Many children, hunters and fishermen become lost in these areas.
  - 3) A mounted posse is the best means of locating these persons particularly if used in conjunction with helicopter.
  - 4) The need for a posse is infrequent.
    - a) Many communities form police reserve posses.
    - b) The volunteer, upon request, assists the department with his own horses.
- d. Parade and Crowd Control. Horses have been used for parade and crowd control for centuries, probably because the height and size of the horse has a strong psychological advantage in dealing with unruly crowds.

#### H. The use of dogs in police work.

1. Historical use of dogs in police work.
  - a. Dogs have always been used for personal protection.
  - b. During World War II the military used dogs as means of security and protection.
  - c. In United States the military K-9 Corps was a big operation.
  - d. Biggest development and use of dogs after war was in Europe.
  - e. Their use in police work in the United States started slowly:

- 1) Only isolated examples of successful use in the United States until early 1950's.
- 2) After the Korean War, the use of dogs became more widely accepted.
2. Many police administrators today are still cautious, some overly cautious, because of possible misuse and cost of maintenance.
3. Key to the successful use of police dogs in patrol is based on:
  - a. An understanding and willing master.
  - b. Proper selection and training of the dogs.
  - c. Preparing general public for their use.
4. To become a dog's master or handler, the officer must:
  - a. Have an understanding of animals.
  - b. Be willing to make personal sacrifices to keep the dog.
  - c. His family must accept dog.
5. The selection of dogs for police work.
  - a. The selection of police dogs is very important, and can present many problems.
    - 1) Well meaning citizens may offer dogs to department.
    - 2) Not all types of dogs are suited for police work.
  - b. The type of dog that so far seems to be the best suited for all-around police work is the German Shepherd.
  - c. Great care should be exercised in accepting a dog for training.
6. Training of police dogs.
  - a. Another phase of this problem is the training of the dog for his police duties.
  - b. Training police dogs is a special field.

- c. Training is usually expensive. It must be proper training.
- 7. Police dogs and the attitude of the public.
  - a. The dogs can work out fine. But if the public thinks that they are a danger to the community as well as to the criminal, they will not last.
  - b. The public must accept police dogs.
  - c. A well-planned public relations campaign is necessary.
  - d. It is important that strong control be exercised over the use of dogs. There is no excuse for the indiscriminate use of police dogs.
- 8. The use of police dogs.
  - a. The use of police dogs is almost unlimited.
  - b. They seem best suited in patrol work:
    - 1) For locating residential prowlers.
    - 2) For burglars hiding in large buildings or stores.
    - 3) For the control of unruly crowds and riots.
  - c. Dog patrol cars should be evenly spaced throughout the city.
  - d. POLICE DOGS SHOULD NEVER BE USED TO REPLACE POLICE OFFICERS.
  - e. They are a supplementary force that can aid the officer in better performance of his duty.
  - f. They should never be used as an economy measure or for the reduction of personnel.
- I. Patrol in the air.
  - 1. Air patrol is rapidly becoming an important type of patrol to the departments that can afford it.
  - 2. It is outside the financial limits of many departments, and for most it is not feasible because of the small area that the city encompasses.

- 3. Their use has been more than justified on the county and state level.
- 4. If the area is large enough to justify its use, it can actually be as economical as the automobile.
- 5. Light aircraft and helicopters are proving themselves very helpful in the area of traffic control because they can cover miles of highway in a short period of time without being bothered by traffic jams or signals.
- 6. As our traffic congestion has increased, so has the use of air traffic patrol.
- 7. Aircraft can also be used for the following occasions:
  - a. The transportation of prisoners.
  - b. For emergency removal of injured from remote areas or inaccessible areas.
  - c. In searching for lost persons.
  - d. In searching for escaped prisoners.
- 8. Due to recent engineering developments in the aircraft industry, reasonably priced helicopters may soon be placed on the market.
  - a. It could well mean that many departments soon may have a helicopter patrol as part of regular patrol service.
  - b. Wide use of small helicopters could result in the development of an entirely new concept in police patrol tactics.
- J. The use of boats for patrol.
  - 1. Man has often founded and built his cities next to some river or body of water.
  - 2. It is conceivable that the use of boats in enforcement of law has been a type of patrol since the dawn of history. For example, recorded history of earliest civilizations indicates the use of tariffs. Where there are tariffs, there is smuggling. Control of smuggling near water necessitates use of water patrol.

3. Boat traffic control problems have also arisen on our waterways. Because these facilities have been opened to the public as recreation areas, police departments who heretofore never needed water patrol, find they must form such a patrol.
4. With water patrol comes a Scuba diving team because where there is a body of water:
  - a. There will be drownings.
  - b. There will be evidence thrown into water.
  - c. There will be items of value lost in the water.
5. Where there are large piers and warehouses, there is the danger of:
  - a. Theft from the piers, loading docks and buildings.
  - b. Burglary of the buildings, ships and warehouses.
6. It is easier to patrol piers from water than have patrol cars drive out on the pier.
7. The combination of water patrol and pier (automotive or foot) patrol is often used.

K. The use of bicycles in police patrol.

1. Bicycle patrol has long been a part of the patrol services of most countries throughout the world since the bicycle was first developed.
2. In the United States the use of the bicycle as a patrol vehicle has been limited by:
  - a. The rapid development of the automobile.
  - b. The wider streets which have limited and almost eliminated bicycle patrol.
3. Many communities have retained the use of the bicycle for the following reasons:
  - a. It is an economical form of patrol for selected areas to combat a particular crime situation.
  - b. It is quiet and can be used to patrol an area without alerting the criminals.

4. With the development of the small compact transistor radio the bicycle can be radio-equipped.

L. The use of motorcycles for police patrol.

1. Use of the motorcycle has lost ground to the patrol cars in recent years. However, their need in congested traffic insures their continued use.
2. The two-wheel motorcycle is quite adaptable to the duties of:
  - a. Traffic enforcement.
  - b. Parades.
  - c. Escort duty.
3. The motorcycle has the following disadvantages:
  - a. Motorcycles may be used only in fair weather.
  - b. Motorcycles have more accidents which are usually more serious, resulting in an exorbitant number of man hours lost per accident.
  - c. Motorcycles cost the department almost as much as a patrol vehicle.
4. The three-wheel motorcycle is used almost exclusively in the enforcement of parking.
  - a. It is reasonably safe and efficient.
  - b. It carries more equipment.
  - c. A new type, covered, three-wheel scooter is easier on gas, easier to operate, especially by metermaids.
5. The Motorscooter has been steadily replacing the three-wheel motorcycle for patrol.

M. The use of television for police patrol.

1. Television patrol was first used in police work on a practical basis in the early 1960's.
2. Its use is basically for purpose of traffic control.

3. In the field, at key points, television cameras are mounted in weatherproof housings.
4. They are equipped with Zoomar lenses and are remotely controlled by the operator at the control board who could adjust each camera to a panoramic view of 270 degrees.
5. As situations develop in the field, the operator directs officers to the exact location.
6. This type of operation is only adaptable to cities or areas containing great concentrations of people or traffic. The idea is not only sound but economical.
7. In the United States this system has been used with considerable success in the control of prisoners in jail.
8. With the zoom lens now used in sports televising, it is possible to pick up the license numbers of fleeing automobiles.
9. There are many possibilities for the future development of television as a tool of law enforcement.
10. The portable television camera may be used in surveillances to cover a multitude of locations.

## VI. Preparation for Patrol.

### A. Introduction.

An officer who does not properly prepare for patrol duty not only does the community a gross disservice, but increases the possibility of danger to himself and his fellow officers on duty.

1. It is important for a police officer to prepare for duty. He cannot begin his tasks without preparation.
2. There is a definite relationship between the quality and interest that an officer has in his work, his ability to perform, and the amount of time he spends in preparation.

### B. The first of his preparations should involve a thorough check before leaving home.

1. It is important that the officer stop for a minute, just before leaving for work, and make sure that he has everything that he will need.
2. The following serves as a check-list of some of the things that are most commonly forgotten:
  - a. Shoes and socks should be checked for color.
    - 1) Don't rush out of the house with brown shoes and socks when uniform requires black shoes and socks.
    - 2) Shoes should be shined to a high gloss.
  - b. The officer's off-duty gun should be checked.
    - 1) Check for off-duty gun if department requires it to be worn to and from work.
    - 2) You may use your off-duty gun as a second gun while in uniform and on duty if this is permitted by your department.
  - c. Writing implements should be checked.
    - 1) Always have at least two writing implements in case one should run out of ink.
    - 2) Always have a pencil as one of these implements.

- d. The officer's wrist watch should be wound and set just before leaving the house.
  - 1) The officer should make a habit of this.
  - 2) The watch can be inexpensive but must be reliable.
  - 3) A calendar watch is most appropriate.
- e. Hands and fingernails should be checked. The officer, justifiably, is expected to have clean and neat appearance.
  - 1) He should always carry a fingernail file and before going to work he should see that nails are clean.
  - 2) Dirt and grease may be removed from under the fingernails by use of a fingernail file or one of the special cleaning compounds that most mechanics use.
- f. Shave should be checked.
  - 1) The officer should not shave in the morning and forget to shave again before starting afternoon shift.
  - 2) The officer should make it a habit to look in the mirror and rub face just before leaving for work.
- g. Lunch or lunch money should be provided for.
  - 1) The officer should not forget lunch or lunch money.
  - 2) If he does not take his lunch, he should always have enough money to pay for what he eats.
- h. Forms to be handed in should be completed.
  - 1) The officer should not forget forms to be filled out at home and returned.
  - 2) A brief case or attache' case is inexpensive but functional equipment for policemen.
- i. Fresh uniforms should be available.

- 1) Take fresh uniforms to locker as soon as possible.
- 2) Emergencies often require changing into a clean uniform.

C. Before leaving the locker room certain checks should be made.

- 1. When officer is dressed, he should check certain items before he leaves the locker room.
  - a. He should make a typewritten check-list and tape it to the inside of his locker.
  - b. He should then make it an automatic habit to read the list each day; it will insure preparedness.
  - c. Check the locker calendar. The officer should have a large calendar on inside of his locker door. The type with large blocks for each date should be used so important items can be written in them. The following are examples of what should be indicated on the calendar:
    - 1) An officer's uniform should be cleaned regularly.
    - 2) An officer should have a haircut or trim every two weeks. If he can notice that he needs a haircut, then he has waited too long.
  - d. Locker should be cleaned out once a month. Spend a little time at regular intervals straightening out your locker. You will find that you save much time wasted looking for things.
  - e. Upon receiving a court notice or subpoena, indicate it on the locker calendar. Every time you open locker, it is there to see.
  - f. Always mark in advance days off and vacation days.
  - g. Before you throw away old calendar, transfer important dates to the new one.

D. The policeman's locker.

- 1. The policeman's locker is his personal office and storeroom.

2. If he is to get everything in the locker that should be there, he will have to keep it neat.
3. All the items that an officer might need in the field would require much storage space. The following are listed as basic items:
  - a. Having his uniform ripped or torn is an OCCUPATIONAL HAZARD. He should have an extra one in locker for emergencies -- it need not be one of his best; only one that is still serviceable.
  - b. He should have an extra pair of black shoes and socks.
  - c. He should have spare batteries, flashlight bulbs and an extra flashlight lens.
  - d. With the possibility of using his gun today, it is important to keep extra ammunition in locker.
  - e. In the field he has many uses for handkerchief. He should have extras in locker.
  - f. It could be awkward for an officer if a shoe lace breaks. The best insurance against this is to change them regularly.
  - g. If special duty such as a stakeout arises, an officer might be called to work overtime. He should keep a simple and economic safety razor in his locker, and also a toothbrush and toothpaste.
  - h. A thermos bottle can be very welcome when an officer is assigned to a stakeout.
  - i. A wide-mouthed jug or jar will be appreciated if the officer is assigned to an unexpected stakeout where there are no toilet facilities. A mayonnaise jar of the quart size should do the trick.
  - j. Suit of underwear. The officer may fall into water or have to jump in, to save someone's life. An extra set of underwear at headquarters would be most welcome.
  - k. Extra notebook paper and pen refills and pencils are inexpensive and not bulky.

1. Handcuff key and whistle are the most frequently lost items of police equipment; yet they are essential when needed, so spares should be kept in officer's locker.
  4. Attache' case - many officers now carry attache' cases with these items inside, eliminating need for returning to station in emergency..
- E. Some final checks should be made.
1. When the officer is dressed in his uniform and is ready to go to the squad room, he should check a few items before leaving the locker room.
    - a. Does he have his badge on?
    - b. Does he have his gun in his holster?
    - c. Does he have black shoes on?
    - d. Is he wearing his tie? (With black uniform and a black tie, it is hard to notice.)
    - e. Does he have his flashlight and club?
    - f. Does he have his hat?
    - g. Writing implements. (Always carry two in case one runs out.)
    - h. Citation book and street map.
  2. Before he leaves the locker room, he should stop and look at himself in the full length mirror by the door and ask himself, "Are you proud of your appearance?"
    - a. If not, why not?
    - b. If you can find some fault in your appearance, you can be sure that the public will and your ability to function is frequently judged by your appearance.
- F. The next step in preparation involves obtaining the necessary information for the patrol.
1. Arrive at squad room, dressed for duty, at least twenty minutes before shift begins.



2. In order to obtain the information necessary to properly prepare for duty, the officer should take the following steps.
  - a. Mail slots or box, if they are used, should be checked.
    - 1) The officer should look in his mail slot for important messages or court notices.
    - 2) If there are court notices, he might take them to the Records Division where copies can be made.
  - b. Daily offense bulletin should be studied.
    - 1) They list basic and minimum information for crimes committed in last twenty-four hours.
    - 2) If it is felt important, the officer can take the case number and look up the complete report.
    - 3) Smaller departments usually expect all reports to be read by all officers.
  - c. Beat file (or offense report file) should be studied, if possible.
    - 1) In smaller departments, the offense report file contains copies of all offense reports.
    - 2) In larger departments, there are usually too many offense reports for each officer to read them all.
      - a) They are then usually divided up by beat and put in a beat file.
      - b) If time permits, officer can read the file for adjoining beats.
      - c) After leave days, you should arrive early to read the old reports.
  - d. The bulletin board should be checked once a day, preferably at the beginning of the watch. The bulletin board usually contains the following sections:
    - 1) Training: Roll call bulletins, latest developments, special classes.

- 2) Range schedule: Who goes to the range, at what time, and on what date.
- 3) Hit and run information: Descriptions of latest hit and run vehicles.
- 4) Watch notices and schedules.
- 5) Cases cleared: Reports listing arrests and crimes cleared by arrest.
- 6) Announcements: New announcements for patrol division.
- 7) Wanted persons: Descriptions and mug shots of wanted persons.
- 8) Orders: This section lists all of the special, general, and division orders.
- 9) Letters of recommendation and commendation for patrol officers.
- e. Obtain a copy of pick-up notices and stolen car lists (hot sheets) at the beginning of each shift and make corrections when sergeant checks shift.
  - 1) Hot sheets are usually made out once every twelve hours.
  - 2) There are usually few additions and cancellations to be made at beginning of shift.
- f. Description of any missing person should be jotted down in the officer's notebook, especially any that might have some connection with beat.
- g. The daily arrest sheet contains the names and information about persons arrested during the last 24 hours and can provide the patrol officer with valuable information.
  - 1) Tells him where criminals are operating in town.
  - 2) Gives the officer a familiarity with the crimes and the criminals in town.
- h. Pin maps are maintained by most modern police departments on major offenses or those becoming a nuisance,

and can be checked to determine any crime concentrations. They are good devices for showing patterns in criminal activity.

- 1) You can profit by keeping abreast of criminal patterns on beat.
  - 2) Anticipating the criminal's next move is possible.
- i. Instructions from the watch sergeant should be well noted. Ten or twenty minutes before shift begins, the sergeant reads latest orders and instructions. He relays recent criminal information, takes roll and gives most recent stolen car notices and cancellations.
  - j. The officer should obtain a supply of forms needed during a tour of duty.
    - 1) The modern police officer uses a multitude of forms for his various reports and accident investigations.
    - 2) He should check his carrying case to make sure he has an ample supply for shift.
    - 3) He should check to see if he has:
      - a) Legal Code.
      - b) Vehicle Code.
      - c) Peace Officer Handbook.
  - k. Shotgun should be checked.
    - 1) Officer assigned shotgun should pick it up and sign for it.
    - 2) IT SHOULD NEVER BE LOADED IN THE BUILDING.
    - 3) Both hands should be used for loading the shotgun.
    - 4) Barrel should always be pointing upward.
    - 5) Shotgun ammunition should be carefully checked, since loading and unloading them each watch tends to wear the paper covering out, causing a jam.

G. Inspection has a purpose in preparing the officer for duty.

1. The purpose of inspection is to be certain that officers' uniforms are clean and their equipment is in proper shape.
2. Faced with daily inspection, the officer tends to be more realistic in his self-evaluation, especially when he faces the possibility of being chastised in front of his fellow officers.

H. In leaving the squad room, if police vehicles are located outside the building or in another building, officers of the new watch should maintain a military bearing enroute to their vehicles.

1. Some departments require that the shift actually march in military formation.
2. The larger the shift, the greater the need for military bearing and uniformity in movement.
3. After briefing and inspection, report to vehicles and check into service.

I. Checking out the vehicle before leaving the garage.

1. Common sense dictates that ALL drivers make sure their vehicle is in proper condition before they drive it.
2. Don't ignore this just because it is a city vehicle and a city mechanic is supposed to keep it in proper running condition.
3. Few vehicles undergo rougher treatment than a police car. A car can be in top condition at eight o'clock in the morning and need major repairs at twelve midnight.
4. Apart from the fact that it is legally required, an officer should properly check his vehicle for the following reasons:
  - a. This is an emergency vehicle and is likely to be operated under emergency conditions.
    - 1) Faulty equipment or conditions may cost an officer his life.
    - 2) Automobiles take a greater toll of police officers than criminals.

- b. Slight damage can occur to a police vehicle while patrolling a beat.
  - 1) The officer, unaware of damage, returns vehicle to the police garage at the end of his shift.
  - 2) If next officer fails to check it out properly, he can easily be blamed and possibly charged for damage.
- 5. Check all emergency equipment; make sure it is in operating order.
- 6. When the officer has checked out the vehicle and found it to be in proper order, he should then do the following:
  - a. Check trunk - spare tire, jack, extinguisher, first aid kit, etc.
  - b. Adjust the seat, and rear and side-view mirrors.
  - c. Adjust the seat belt and fasten it.
  - d. Secure anything which is loose in the vehicle.
  - e. Record the speedometer mileage on the vehicle radio log.
  - f. Record the date, the beat assigned and the car number.
  - g. Notify radio that the vehicle is in service and ready for calls.

## VII. Observation and Perception

### A. Introduction.

The success of good patrol procedures rests heavily upon observation, yet few of us really observe the things around us. Observation is a skill, a skill that every police officer should accept as a personal challenge. Any field sergeant can verify that some patrol officers thoroughly cover their beat, and yet do not observe what takes place on that beat. The important thing is, that every single police officer, new and old, can improve his powers of observation. Observation can become one of the greatest skills of the patrol officer. It is one of the abilities that is first noticed by the new patrolman who is riding with an older officer as part of his "breaking in" period. As the experienced officer points out certain observations, the newer officer cannot help but marvel at what appears to him to be an unbelievable degree of perception. The new officer often fails to realize that through application and practice, he too, within as little as six months, can develop as comparable a degree of skill in observation as the experienced officer, whose skill now leaves him in awe.

### B. Definition of observation. "Observation" can be defined in the following ways:

1. The inspection or taking note of.
2. To watch and pay attention to.
3. The act or practice of taking notice.
4. The act of seeing or fixing the mind on anything.
5. To notice closely.
6. To scrutinize with the view of discovering or determining anything.
7. To perceive. The dictionary further describes perceive as:  
To have or receive knowledge through the five senses.

### C. The process of human observation.

1. We perceive some external stimuli through one or more of the five senses. The nervous system transmits these stimuli from that particular sense to the brain, where they are registered.

2. There is more to perception than the actual physical qualities of our individual senses. Should our nervous system become faulty, our perception could also suffer.
3. Too often we see the process of perception as being photographic, in that the external stimuli register on the brain exactly as they are in real life. This is far from true.
  - a. There is much in the external world that never registers on the senses, and what does register can be far from an exact duplication of these external stimuli. It is possible for something to be added to the perception when it reaches the brain and is processed and recorded.
  - b. It is also part of human perception for blank spots to be filled in. This enables us to see a movie as a moving perception when in reality it is a series of still pictures.
4. Because of past experiences, we can also add to a stimulus that is briefly or not fully perceived and record it as being the same as other stimuli we have received in the past if that stimulus was similar in many respects.

D. External factors to be considered in attention.

1. Whatever the stimulus may be, if it is loud enough or big enough, it will get our attention because it is not normal, and its intensity and size quickly stimulate our senses.
2. Contrast causes a very strong stimulus to register with our senses.
  - a. If we see a bum who is dirty and unshaven in a high class residential district, he seems to alert us automatically.
  - b. An officer who notices a young juvenile in old clothes and badly needing a haircut, driving a new, shiny Lincoln Continental, is immediately stimulated to the obvious contrast between the driver and the automobile.
3. As things repeat themselves, our attention is quickly focused on them.
  - a. This can be quick repetition such as a gun that is fired ten times, or slow repetition as the case of a person who is seen loitering on a corner for five straight nights.

- b. The first night he might not cause much attention, but each night that he repeats the act, the greater will the memory patterns in the brain react to the situation, causing us to be more alert to this particular stimulus.
4. Movement can cause stimulation of our attention because it is easier to notice movement from all parts of the eye, even from the periphery.
  - a. Stationary objects are not so easily noticed.
  - b. There is also a contrast of the moving object with the stationary background.
5. The closer something or someone is to us, the more we notice it. This is part of the man's basic animal nature. The closer anything is to us, the greater is the stimulus, whether it be caused by the fear of possible danger or by some positive feeling such as love.
6. Because similarities are generally unusual or significant, they stimulate our attention. This can be based on many motives; among them, curiosity and fear.
  - a. If we saw one person wearing a black suit, it might mean nothing. But if ten men were together in black suits, the similarity would cause a mental alert.
  - b. If an officer noticed a man wearing two pair of trousers, his memory would remind him of all the bums he had arrested who also wore two pair of trousers; and he would immediately be alerted to the possibility of this person also being a bum.

E. Internal reasons for attention.

1. Personal drives play a role in where the attention of a person might be directed.
  - a. When an officer sees an exceptionally well-built woman walking down the street, she receives his immediate attention because of his basic sex drive.
  - b. If he is hungry, and he passes a hamburger stand, it stimulates his attention.
2. Personal interests also could be significant in gaining and holding one's attention.

- a. An officer who has an interest in cars will be immediately stimulated when he sees a new custom-made car with special paint job. The officer who is adding a room on his house will pay particular attention to construction jobs on his beat.
  - b. An officer who raises flowers will be stimulated by certain gardens that he passes on his beat, but might not even notice the custom hot rod that is parked next door.
3. Police officers are especially subject to stimuli for which they have been trained to perceive.
- a. When an officer hears a car "peel out", or hears someone "rap his pipes", he is immediately alerted; the tinkling of glass is another signal.
  - b. The thing that amazes the average citizen is how an officer knows when his car is being called on the radio. It is simply a matter of conditioning.
  - c. The new officer who is not conditioned to the stimulus of the police radio may have to be called several times before he will answer.

F. The five senses and their roles in perception.

1. A police officer on patrol must use all five senses and sometimes a sixth. Yet of all the senses, sight is a patrol officer's greatest asset. Few people, including police officers, use their sense of sight to even a part of its full capacity.
- a. The rods and cones. There are two parts of the eye that are used for seeing; they are the rods and the cones.
    - 1) The rods are used for night vision and the cones are for day vision.
    - 2) The cones are located near the center and the rods around the edge of the eye. The rods cannot distinguish hues of color.
    - 3) Color is perceived only when the illumination is increased high enough to bring the cones into action.

- 4) Because of this, a visual observation at night will usually lack color identification. Thus the old saying, "When all candles be out, all cats be gray."
- b. True color blindness is rare.
- 1) Dichromatism (two colors) which is the most common, allows the subject to see only in two hues, yellow and blue. They confuse red, green and yellow with one another.
  - 2) This can be a very dangerous situation regarding traffic signals, whether the person is actually driving, or a witness to an intersection collision.
  - 3) Color blindness is not an all-or-nothing situation, but varying degrees of color weakness. About one out of twenty-five people suffer from some degree of color blindness.
  - 4) This should cause the police officer to be quite suspicious of color identifications during his investigations. Even normal eyes will see colors differently from the corner of the eye than they will from a front view.
- c. Visual acuity enables us to determine size and shape, but the best acuity is obtained from using the center or fovea rather than to the side of the retina.
- 1) The fovea is that part of the retina directly behind the lens of the eye. Staring or looking directly ahead increases visual acuity because the object becomes focused directly on the fovea.
  - 2) But staring causes a decrease in visual acuity just slightly to the right or left of the object stared at. For example, if an officer stares at the road straight ahead of him while driving, he will not be able to read the signs on either side of the road.
  - 3) At just 5 degrees off the fovea will reduce the acuity by one-half; at 45 degrees from the fovea the visual acuity will only be one-twentieth as good.
  - 4) During general patrol, an officer should not fix his eyes straight ahead nor should he stare, lest he lose part of his peripheral vision.

- 5) Peripheral vision is most important to a patrol officer, for there are times when he literally needs eyes in the back of his head, and any side vision that he might attain should be utilized to the fullest.
  - 6) Should an officer spot something that alerts him, he can then focus his fixed attention to this object to attain the best visual acuity.
- d. In the retina of the eye, there is a place that has no rods or cones. This is where the blood vessels enter the eyeball and the nerves leave.
- 1) Since there are no rods or cones, we cannot see from this spot. This is called the blind spot; it occurs about one-fourth of the distance from the fovea toward the nose.
  - 2) We do not normally notice this blind spot because our right eye sees the object when it is the blind spot of the left eye, and vice versa.
  - 3) This points up the need for an officer to use both eyes constantly for his observation. Both eyes are also needed for any judgment of depth.
- e. Recognition of persons. There are certain limitations in our ability to recognize one another, and a patrol officer should be aware of them when he is judging the statements of witnesses as to their observations.
- 1) At night, even during a full moon, a person must be within 30 feet to be recognized by features alone.
  - 2) During daylight hours, a well-known person may be recognized at about 130 feet.
  - 3) During the daylight hours, a relative, friend, or a person whom we know very well, can be recognized at 300 feet.
  - 4) During daylight hours, a little-known person may have to be within 90 feet in order to be recognized.
- f. At night or when there is less light, the rods of the eye are used to see with.

- 1) Since they are around the periphery of the retina, it would be wise not to look directly at the object since it would be focused on the center of the retina where the cones are; this would result in the object fading out.
  - 2) Therefore, if you were to look slightly above, below or to the side, the object would look sharper.
  - 3) When an officer is going from one room to another, and one room is dark and the other lighted, he should close one eye upon entering the lighted room. This will prevent his night vision from being destroyed in that eye.
  - 4) This technique involves a gamble in that safety might be lost by entering the lighted room with only one eye open.
- g. Since color changes from dawn to dusk, and under different kinds of lighting, such as mercury vapor and sodium vapor lights, it is wise to show witnesses a color chart under the same conditions in order to obtain the exact color description.
- h. Illusions are false or distorted perceptions. Optical illusions are caused by the relationship of objects to one another, or by background or the pattern or angle of lines.
- 1) Because vertical distances seem longer than equal horizontal distances, there is a tendency to overestimate height and to underestimate breadth or width.
  - 2) Background can be very important in judging tone and quality.
2. Next to sight, hearing is the most reliable sense. Hearing can be invaluable to both defensive and offensive action; it can warn the officer of impending danger, or give away the whereabouts of someone trying to evade police detection.
- a. Where it takes two eyes to perceive distance properly, and only one eye to determine direction, the ears are just the opposite.
- 1) It takes two ears to perceive direction properly and only one to determine distance.

- 2) This can be experimented with by closing both eyes and then covering up one ear, and then trying to judge the direction of a certain sound.
  - 3) When a guess has been ventured as to its direction, open both eyes and uncover the other ear to see how close the guess was.
  - 4) At night when we are deprived of our full visual perception, we can easily be fooled by sound direction if there is too much wax in one ear, or a head cold has affected one ear.
  - 5) Direction may be better determined by turning head so that one ear is closer to sound.
- b. When we suffer the loss of one sense, we usually make up for it by developing our other senses to a fuller capacity. This is usually the case with blind persons.
- 1) In the blind, the sense of hearing is very acute, and is responsible for what we often consider to be a sixth sense.
  - 2) Blind persons can often turn away before walking into a wall. This is because they can hear sounds reflected off the surface of the wall.
  - 3) The courts have accepted the testimony of blind persons as to what they have heard as proof of identification. Voice identification is a good example.
  - 4) Most blind persons can also identify a person by his or her footsteps.
- c. Although hearing is considered to be a fairly reliable sense, there are many common factors that will affect what we hear. They are:
- 1) Volume of the tone(s).
  - 2) Direction from the hearer.
  - 3) Acoustics in the particular environment.
  - 4) Quality of the sound emitted.
  - 5) Condition of listener's ears.
- d. Even if we properly perceive a sound as it actually is, human error can change it by the time it is

recorded in our mind. If it should be repeated it is subject to even greater error through reinforcement by repetition.

- e. One of the most dangerous forms of testimony is when a person is asked to repeat a conversation that was overheard. In law this is called Hearsay Testimony, and the courts will not accept it unless under very special circumstances.
3. The sense of smell is dependent on the olfactory nerves which are located high up in the nasal passages leading from the nostrils to the throat.
    - a. In normal breathing, little air passes by these receptors, but a sudden sniff will stir up the air in these passages and if the air contains any chemical substances, the olfactory receptors will detect them.
    - b. Although the sense of smell is unreliable, it can be extremely sensitive, actually beyond measurement. The olfactory receptors have been noted to detect an odor of a substance that was 400,000,000ths of an ounce when mixed with a liter of air.
    - c. Animals have an even higher degree of smell. The sense of smell is highly individual. It fatigues faster than any other sense.
  4. Taste is determined by small taste buds that are located below the surface of the tongue.
    - a. In order for them to detect taste, the substance must be in solution and penetrate the tongue to reach these taste buds.
    - b. There are basically four qualities of taste:
      - 1) Salty - detected on tip and sides of tongue.
      - 2) Sweet - detected on tip of tongue.
      - 3) Sour - detected on the sides of the tongue.
      - 4) Bitter - detected on the back of the tongue.
    - c. Taste is highly individual.
    - d. Taste is more sensitive to acids and bitter substances than it is to sweet and salty substances. This might



be for the purpose of self protection, since most poisons are acid or bitter.

- e. Both smell and taste lose their sensitivity because the nerves fatigue more rapidly than do the other senses. This is actually a good thing, for many times we are subjected to bad smells that would make us quite sick, if it were not for our olfactory senses fatiguing and for all practical purposes, causing the smell to disappear.
- f. Smell and taste are mentioned together because they are closely related. Taste is heavily dependent upon smell. Often we think we taste something, when in fact, it is mostly a matter of smelling it.
- g. Colds often ruin the taste of food, because they block up the nasal passages and make the food taste different due to the lack of its distinctive odor. There are certain substances that will deaden the sense of smell, such as gasoline, kerosene and ether.
- h. An officer must rely on his sense of smell combined with his memory to assist him in his job.
  - 1) Once he knows the smell of marijuana, or of chloral hydrate (knock-out drops) it will help him in his job.
  - 2) His smelling of natural gas or gasoline can save his own or someone else's life by locating the source or eliminating it, or just by stopping someone from lighting a match.
- 5. The sense of touch is actually four senses, and is often referred to as the skin senses.
  - a. The skin senses are:
    - 1) Touch of pressure - caused by bending of the skin surface or bending the hair.
    - 2) Pain - caused by injury or damage to the skin.
    - 3) Heat and cold - due to the variation of the temperature of the object touching the skin, and the temperature of the skin. A one or two degree variation from the temperature of skin can be noticed.

- b. The most sensitive parts of the body are the lips, top of tongue and fingertips.

G. Observation and its importance to the policeman.

- 1. Many police officers who make a large number of good arrests will often tell you that they know of no one thing that led them to the arrest or caused suspicion.
- 2. They just reply that they just sensed something was wrong and looked further into the matter. This amounts to a sort of sixth sense that develops after being in police work a while.
- 3. To deny the existence of a so-called sixth sense would be foolish in view of all the evidence on extra-sensory perception, and in view of how little we really know about the human mind at this time.
- 4. Yet much of the so-called sixth sense of policemen is really the use of the five senses without realizing it.
  - a. An officer may not be able to tell you exactly what it was that alerted him, because it was so apparently insignificant, or possibly a combination of small sensory perceptions.
  - b. He can't put his finger on it, so he calls it a sixth sense for lack of being able to identify it.
  - c. If an officer closely examines the situation right after it happened, he may find some clues to sensory perception that he could actually identify, and then he could use these clues to help him and his fellow officers in the future.
- 5. Observations from a patrol car.
  - a. Observation from a patrol car involves a paradox. The vehicle code requires that a person give his full attention to driving and the road ahead.
  - b. Yet the basic purpose of the patrol requires a police officer to give attention to what is going on on all sides of the police car.
  - c. In order to satisfy both requirements, the average officer settles for giving half of his attention to the road and driving, and half to beat observation.

- d. Two keys to this problem are the development of good peripheral vision, and the ability to make "split second" observations. Both require attention and practice.
- 6. Using the spotlight in patrolling.
  - a. The use of the spotlight is basically a mechanical skill. Just as important is the ability to know when to use it.
  - b. The purpose of the spotlight is to obtain concentrated illumination, but using the spotlight can do two things:
    - 1) Locate what you are looking for in the darkness.
      - a) Persons hiding or getting away.
      - b) Checking locks, safes and signs of forced entry.
    - 2) Give your position away, or make your presence known.
  - c. The spotlight should be used sparingly.
    - 1) With practice, an officer can aim the spotlight at something, press the button, and be right on the mark.
    - 2) With practice, an officer can develop a high skill in the use of the spotlight, and can develop the manual dexterity needed to follow a moving object without jerking the light.
  - d. In using the spotlight, the officer should be very careful not to shine it in the eyes of the drivers of oncoming cars. Any accidents that result from a driver being temporarily blinded in this manner would make the officer liable.
- 7. Attention and what things should attract attention in the police officer.
  - a. An officer can't stop everyone on the street at night to determine whether they might be up to something; in a busy city this is a physical impossibility. Yet there are many people who are out at night that bear watching or checking on.

- b. There has to be some definite suspicious action or behavior before the officer can legally search a suspect, but he is perfectly justified in stopping and talking to a person whose actions have aroused his keen perceptive nature in a way to make him concerned either about the suspect himself, or about the safety of the property and persons on his beat.
- c. The number of suspicion-arousers is unlimited, but the following list will give the new officer some idea of what he might look for:
  - 1) Cars parked with occupants inside them.
    - a) Parked cars may be a stakeout, casing a place for future crime, or they may be there for copulation and sodomy. It may also be a getaway car.
    - b) Be particularly alert if there is one person in the front seat and one in the back, as this arrangement usually means a robbery getaway or a sexual offense.
    - c) When preliminary observation indicates only one person in the car, but on driving closer, another head pops up, this should arouse suspicion of an act of oral copulation.
    - d) To confirm this suspicion, the officer should immediately use his flashlight to determine whether there are any zippers undone, or any obvious bulges in the trousers that would indicate a penis erection.
  - 2) Juvenile gangs loitering in an area.
    - a) Juvenile gangs or groups loitering around a corner or one special location very often evolve into some type of group action, which is often against the law.
    - b) A close eye should be kept on such groups, and if it can be tactfully done, they should move on.
    - c) If an officer untactfully rousts them on their way, it is quite likely that they will cause many acts of malicious mischief enroute to their next location, when they are sure that the police car is not around.

- 3) Persons moving from car to car.
  - a) A person who is moving from door to door, or from car to car, could be handing out advertising brochures, but possibly he is looking for an open door, valuables inside a vehicle, or keys in an ignition.
  - b) Even if he is handing out advertising brochures, it might be a violation of a local ordinance.
- 4) Clerks with frozen looks.
  - a) Whenever an officer observes a clerk in a store with a frozen look on his face, he should immediately suspect a possible holdup.
  - b) If it is his regular beat, the officer should make arrangements with the clerks of liquor stores, and other stores likely to be held up, to use a set of simple signals such as scratching the nose or pulling the ear, to indicate a holdup.
- 5) Persons whose faces show fear or are blank.
  - a) When a person has done something wrong, he often feels that everyone knows about it, and the expression of his face is often guilty. When he sees a police officer, the guilt reaction causes an expression of fear on the face, and he will often stare straight ahead.
  - b) Most people will look at a police car as it drives by. A criminal will seldom do this, but will have a poker expression on his face as though the police car were not actually there.
  - c) This is something that should arouse an officer's suspicion as much as the alerted face.
- 6) Cars driving without lights at night.
  - a) An automobile driving without lights can mean many things. It can mean that the driver is trying to get away without being seen, or having his license number taken.

- b) It can mean that the driver is drunk, or even sick.
  - c) Or it can simply mean that the driver was careless and forgot to turn them on. In any case, the car should be stopped and the driver questioned.
- 7) Cars being driven in damaged condition.
  - a) Cars with old damage should be checked out against the "wanted hit and run" file.
  - b) Those with fresh damage or leaking radiators should be stopped as possible hit-and-run vehicles fleeing the scene.
  - c) Cars with signs of bullet damage should always be stopped for investigation. Repairing bullet holes in a vehicle without first clearing with the police is a criminal offense.
- 8) Persons running at night.
  - a) Persons running at night may not only have committed a crime, but may be running from someone who is trying to assault them.
  - b) Of course, they may also be running to catch a bus, running to obtain medical help or call the fire department, and can be helped in all cases if the officer stops them.
  - c) Therefore, running persons should always be checked out.
- 9) Barking dogs in a residential neighborhood can be quite a headache to the patrol officer, but he should never overlook the fact that something criminal, such as a burglar or prowler, could be causing them to bark.
- 10) Flagrant traffic violators.
  - a) Flagrant traffic violators require the patrol officer's immediate attention. The safety of the public demands it. There are many reasons for this type of driving.

- b) The driver may be escaping the law; he may be drunk; the car may be stolen; the driver may be taking someone to the hospital; or it may just be a case of reckless driving.
- 11) A person who is not used to a particular car may have some trouble in driving it. His appearance may also not match the type of car he is driving.
- 12) Persons carrying things at night.
  - a) It takes only a minute to stop a person who is carrying things at night and determine what he has and where he is taking it.
  - b) During this process, the questions are not nearly as important as the expressions of the suspect or his answers to the questions.
- 13) Persons with some object concealed under their clothing. A person who has nothing to hide will seldom put an article under his clothing. Sometimes the object is small and requires close observation on the part of the officer.
- 14) Cars with the motor running while parked.
  - a) This is a vehicle code violation because it can cause property damage, injury and even death, should the gears accidentally engage.
  - b) It should also alert the patrol officer to the possibility that it might be used as a getaway car.
- 15) Persons wearing dark glasses at night.
  - a) Unless the person has a special eye defect which is rather rare, there is no need for wearing dark glasses at night.
  - b) A person who has been using narcotics and does not want a policeman to notice the tell-tale contraction or dilation of the pupils that accompanies the use of certain types of narcotics may use dark glasses.
  - c) There are certain groups, however, that wear them at night because it is "cool" and all the "cats" wear them.

#### H. Mechanics of faulty perception.

1. Human testimony involves three stages.
  - a. Perceiving it through the senses.
  - b. Fixing it in our mind.
  - c. Relating it.
2. Between all three steps lies an abyss of human error, and it is most important that all police officers be aware of this so they can better judge statements and testimony.
3. Between perceiving something and fixing it in our mind, we alter it to meet the following conditions:
  - a. We sense what we want to sense.
  - b. We sense what we already believe.
  - c. We sense what we already expect to sense.
4. In other words, we inject a part of ourselves and our environment into what we perceive. Our perception is conditioned to our desires, beliefs and expectations.

#### I. Other factors that affect observation.

1. To make an observation known, it must be expressed, and unless it is being related as it happens, it is a matter of recalling the observation from the brain or memory center.
2. Our memory picture will suffer change:
  - a. If it is given much thought.
  - b. Each time it is expressed orally.
  - c. Each time it is written.
  - d. If much time elapses between the observation and the telling.

#### J. Court testimony.

1. As all humans are different, so human testimony can be different.

2. Studies of experimental psychology show us that it is natural for a large group of people seeing a situation, to report it in many different ways.
3. Yet when ten people report something as being exactly the same, we are inclined to accept it as being the truth, when in fact it defies human nature and common error for ten people to see a single situation in exactly the same way.
4. Why does this happen? Basically it can be due to the witnesses discussing what they saw and to an insecurity of man's convictions when challenged by the testimony of others. When we hear someone else relate what happened, we might unconsciously change our testimony to meet that of the other witnesses.

#### VIII. Aggressive Patrol.

- A. Aggressive patrol can be defined as the active functioning of the patrolman - in contrast to passive patrol - in which the officer attempts to reduce the opportunities of crimes being perpetrated on his beat or in his district. This reduction of opportunities is accomplished through the officer's methods, his thoroughness, and the frequency with which he checks his district.
- B. The prevention of crime.
  1. In every crime there exists a combination of factors:
    - a. The desire of the criminal to commit a crime.
    - b. The opportunity - or the belief in the existence of the opportunity - to commit the crime.
  2. Police action cannot deal effectively with the DESIRE of the offender.
  3. It can and must deal directly with the criminal's belief that the opportunity for criminal activity is present.
    - a. To create the belief that the opportunity does NOT exist, the police take measures which place them most frequently in the locations of criminal activity at the times when that activity is greatest.
    - b. The criminal must be convinced that there is such continuous police coverage and in such strength that the risks involved are too great.
    - c. He measures his desire to commit a crime against the chances of being caught.
    - d. When the chances of arrest are low - when patrol coverage is weak or lacking - the crime will be committed and the criminal will escape.
    - e. When aggressive patrol constantly impresses upon the criminal the idea that his activity either will be observed or will result immediately in his pursuit and capture, the risks are often considered to be too great.
  4. Some crimes are not easily prevented or controlled by patrol, yet others are unquestionably reduced.

C. Basic methods of aggressive patrol and prevention of crime.

1. Check frequently the physical security of business premises to prevent burglary and robbery.
  - a. This amounts to more than just looking into occupied premises or just glancing at closed businesses after business hours.
  - b. This amounts to more than just shining a spotlight on doors and windows of businesses closed for the night.
  - c. The aggressive patrolman determines positively that doors and windows are not only closed but locked securely.
2. Check frequently the citizen - stop the suspicious person to question his identity and his activities, be constantly alert for persons within the beat who are up to no apparent good.
3. Crime prevention is the responsibility of more than just the police.
  - a. The citizen himself must be reminded of his obligation to make his store secure through the installation of proper locks, lights and alarms.
  - b. The citizen must be reminded to lock his car, to notify police of his extended absences from home, to avoid hazardous locations during certain hours.
  - c. The citizen must be interested in his own protection.
    - 1) The aggressive patrolman alerts citizens to hazardous situations in his district which might foment the rise of crime.
    - 2) The aggressive patrolman assists businessmen in determining the relative security of their establishments and brings to their attention situations which might make burglary or robbery more appealing for the criminal.
    - 3) He seeks out situations conducive to the growth of crime and advises citizens of dangerous practices which might make them victims of preying criminals.

4. Crimes against property - such as burglaries and larcenies from autos - can be reduced markedly by aggressive patrol tactics, in combination with a continuous appeal for citizen concern and cooperation.
    - a. The patrolman should vary his patrol patterns, so that he does not tend to check his district the same way each night.
    - b. He should occasionally double back on the area just covered to break any pattern and to re-check areas so that criminals will not know that because the officer has just checked an area, he will not return.
    - c. The smart patrolman will sit out of sight in his cruiser or step back in a dark doorway on his beat and occasionally do no more than observe his beat or district. He will prowl alleyways and side streets. He will do so in such a way as not to announce his presence in advance.
  5. The professional officer does more than ride about his beat waiting for calls for service from his radio. He actively engages in preventive patrol.
- D. The professional crime fighter - the police officer.
1. Early in his career, each officer must clearly understand that he will never fully accomplish total prevention - even when aggressive patrol makes the risks for the criminal considerably higher.
  2. The awareness that total prevention is an unattainable goal does not deter the professional officer from fully devoting his energies to as much prevention as is humanly possible - and this amount of prevention is considerable.
    - a. The officer fully intent upon providing the police service for which he was hired and trained can markedly reduce the purse snatchings, the muggings, the rapes and the thefts from autos on his beat.
    - b. He will force the burglars to give up attacks on the businesses and homes on his beat and he will put prostitutes and gamblers virtually out of business if he will engage actively in continuous, aggressive patrol.

3. Responding to radio calls for service is of vital importance and every officer is prepared to do so without hesitation.
  - a. The more difficult task which faces most police officers is that of keeping themselves busy between calls.
  - b. It is this self-starting activity which is of primary importance in the overall fight against the rising crime rates.
  - c. It is this constant movement and activity which has the greatest effect upon the criminal's belief that the opportunity to commit the crime is not present - or if it is present, it is an opportunity which is only a fleeting one which involves too great a risk of arrest.
4. Aggressive patrol cannot please all of the people all of the time. It can and must protect most of the people all of the time. Unfounded citizens' complaints should not deter the professional patrolman from continuing to seek out the criminals and the violators.
5. The officer follows leads, interviews people and evaluates the original information in terms of further developments and supporting information. Every call is investigated and the report submitted.
6. The professional officer knows that to pull away from the job, to lay back or to adopt an attitude of "stay clean by doing nothing" means defeat.
7. The product of inaction is crime. The product of action - or "aggressive patrol" - is crime prevention and control.

## IX. General Foot Patrol Patterns.

### A. Introduction to foot patrol patterns.

Foot patrol patterns vary according to the shift, since there are different things to do and look for during different hours of the day.

### B. The foot patrolman must be observant.

1. Without making a nuisance of yourself, look a store over for vulnerable spots that a burglar, thief, or stick-up man could use to advantage.
  - a. Are the windows and doors secured or barred at night?
  - b. Would it be easy for a burglar to climb to the roof and saw through?
  - c. Is the safe always visible from the street? Is a light left burning inside at night?
  - d. Do window or floor displays obstruct the view from the outside?
  - e. Are the cashier's cages visible from the street, and can the register be seen from other parts of the store to discourage till-tappers?
  - f. Does the merchant bank his money frequently, or remove the larger amounts from the till frequently?
  - g. Does he follow a pattern when he banks?
2. While you are inspecting the store or building, notice any fire hazards or unsanitary conditions.
  - a. Are fire lanes blocked and can fire exit doors be opened?
  - b. Is there any evidence of violations of the law, such as food adulteration?
  - c. Are his licenses valid and does he have a license for each operation requiring a license?
3. These inspections should not be made immediately after you take over a new beat, but should be done in easy stages after you have gained the confidence of the merchant.



4. To gain the merchant's confidence, ask him to ring up a certain number on the cash register at closing time or place something in front of the register that will have to be moved by a burglar attempting to open the till.
5. Explain to him that when you or another officer familiar with the system are on night patrol, a glance will tell if someone has punched the keys to the register, since another number has been rung up, or if someone moved the object in front of the till.
6. If electric cash registers are used, caution him always to leave the till open. The jimmying of such a register can cause more loss through damage than the few dollars' change it may contain.
7. Keep the business men informed of the activities of any short-change artists, till-tappers, "short con" men, bad check men, and so forth, operating in the city.
8. If you keep abreast of these things by reading the information supplied in the daily bulletin or reports of other officers, you will know when such men are around and the type of business being used as a target.
9. While you are talking to store keepers in particular, explain to them the procedure to follow when a shop-lifter is spotted.

C. Day shift foot patrol patterns.

1. The day shift is primarily a public relations shift. This is the time to chat with the merchants and make friends.
2. Friends mean sources of information vital to law enforcement, so listen to everyone's problems and make a sincere effort to help them.
3. While the merchants are talking and telling you their troubles, you can tell them some of yours that too often arise while you are trying to keep them from being robbed or becoming victims of a larceny.
4. A storekeeper will seldom refuse to follow your suggestions once he discovers that you are actually interested in his welfare.

D. Night observation by foot patrolmen.

1. By walking next to the buildings at night, and by standing motionless in doorways, the officer will be able to observe much more than he would by walking next to the curb as is advocated for day-time patrol when the object is to be conspicuous.

2. Although most cities have merchant patrolmen, paid by the merchants to check if the doors are locked and the lights are turned out in display cases, the checking of doors and windows is also part of the city policeman's job.
3. Although most display lights are on a time clock which turns the lights off at a particular time, a few cities require the patrolman to do this job.
4. In any event, checking doors and windows is always part of the officer's job.
5. In checking doors, flash your light at the latch and watch for the reflection from the brass bolt.
  - a. The doors of most business establishments do not fit tightly against the frame so that the bolt may be seen.
  - b. Keep in mind that the bolt is probably made of brass and easily cut with a hack-saw blade.
  - c. Anyone wanting to enter has only to saw the bolt to gain entrance; and a hack-saw will easily fit between the door and the frame.
6. It is always good policy to use your flashlight as sparingly as you can. Flash the light on the object of your attention and then turn it out.
7. Any light can be seen for a long distance at night, especially in dark alleys, and even a lighted cigarette could announce your approach.

# X. General Motor Patrol Patterns.

## A. Introduction to the types of motor patrol patterns.

There are generally three shifts in police work today - morning (or day) shift, afternoon (or second) shift, and night (or third) shift. In addition, some departments have special squads which work on a split arrangement, covering part of the second and part of the third shift, during peak crime hours. There are certain crimes which are usually committed during certain hours of the day. If the officer organizes his day, he can reap the most productive application of his time in terms not only of prevention but also in terms of arrests. Such an organization of work involves the officer's not only knowing the types of crimes committed in his district, but also what areas have the greatest potential for criminal activity.

## B. Organizing patrol operations in a district. In organizing his work day, the officer must take into consideration the type of district he is assigned to.

1. Business districts will be comprised mainly of mercantile and sales shops, manufacturing enterprises, and commercial buildings.
2. Residential districts will usually comprise houses - both owned and rented - as well as schools and small neighborhood stores and suburban shopping areas.

## C. The forms of enforcement will be contingent primarily upon what type of district he serves. For example:

1. If the district is laced with residential streets, the officer should be particularly alert to the presence of drivers who would drive in such a way as to endanger children and adult residents of the district.
2. If there are main arterial streets passing through a district, he should be alert to the types of vehicle traffic of a dangerous nature.
  - a. Drag racing might take place in school areas both before and after school.
  - b. Speeding on arterials usually occurs during peak traffic hours when workers are intent on getting to work or home from work.
  - c. Sometimes, if the arterial serves a large portion

of the city and is in constant use, speeding will occur at almost any time in the course of the day.

## D. Patrol patterns in business areas of a district. In business district patrols, the officers should be particularly aware of business establishments in the district, employees and vehicles.

1. Familiarization with the habits of businessmen in the district will increase the officer's chance of recognizing anything which is incongruous with previously established patterns.
2. Familiarization with the persons who work in shops, stores and banks in the district will alert the officer to the presence of anyone not normally there during periods just prior to, or just following, the normal business day.
3. Familiarization with the business establishments in the district will serve the officer in knowing which buildings are wired for burglary and holdup alarms, what types of safes and security arrangements are made by which businesses, and various means of access and exit in business houses.

## E. Patrol patterns in residential areas of the district.

1. Traffic enforcement is one consideration in the residential patrol. The following problems are handled by the patrol officer:
  - a. Drag racing and speeding vehicles which endanger life and property of residents.
  - b. Accident investigation for the district.
  - c. Parking control and citing of violators.
  - d. Accident prevention and selective enforcement.
2. Crime prevention and detection is another duty of the officers in residential areas of the district. The following factors must be considered in the officer's evaluation of crime prevention and detection.
  - a. Crime patterns as reflected by crime pattern maps.
  - b. District activity patterns determined from observation by the officers.

- 1) Times when schools begin during the day.
- 2) Times when schools dismiss in the afternoons.
- 3) Times and circumstances when buildings are used for activities other than those for which they are normally used.
- 4) Times when certain persons are at certain locations.
- 5) Familiarity with business practices of local neighborhood merchants.

F. General considerations in the motor patrol operations in a district.

1. The officers should concentrate their operations within an area in which they have determined there is a high probability of activity at a certain time of the day, or a certain time of the week. The officers can ask themselves if they are taking into consideration the following types of questions as they patrol:
  - a. Do I know what time schools let out and am I aware of the cars parked near the school-yards?
  - b. Does my patrol operation form a pattern which anyone could use to determine in advance where I would be at any given time?
  - c. Do I aimlessly cruise the streets or have I organized my patrol operation to benefit from patterns of others?
  - d. Do I habitually follow the same routes in my district or do I frequently double back on my route?
  - e. Do I eat at the same place in my district and at the same time each day?
  - f. During closing hours of stores in my district, do I keep close watch over cars in the area, as well as the interiors of stores, and personnel?
  - g. Am I conscientious in recording the license numbers of vehicles which appear to me to be in my district under suspicious circumstances?

- h. Do I take the time daily and/or weekly to check crime maps in order to determine the patterns of crime within my district and my city?
2. By asking themselves such questions during their patrols, the officers in a district will continue reminding themselves of the importance of being constantly aware of as many happenings within their district's confines as could reasonably be expected.

**CONTINUED**

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## XI. Principles of Investigation.

### A. Introduction to criminal investigation.

The basic police functions are the protection of lives and property and maintenance of the peace. When these fundamental tasks are not accomplished, a third basic job must be undertaken - the investigation aimed at bringing a violator before a court of law. Investigations by the police are conducted in many areas other than crime and traffic cases, but the fundamental principles which guide the officer in processing these cases may be applied with equal effectiveness in specialized inquiries, such as recruit applicant screening, security investigations, etc.

### B. There are several basic types of investigations or inquiries which the police undertake as a routine part of their job. They include:

1. Investigations of incidents which are violations of laws and ordinances.
2. Personnel investigations, applicant screening, and investigations of conditions or circumstances which if left unchecked would result in an increase in traditional crimes.

### C. Criminal investigations are conducted for two basic reasons.

1. When crimes occur, the police must discharge their responsibility to the community by immediately investigating the specific incident in order to bring the perpetrator before a court to answer for his behavior.
2. A second reason is that the investigation, detection and apprehension of a criminal or a traffic violator serves to help prevent crimes which would be committed in the future were the perpetrator to remain at large.

### D. Investigations, regardless of type, involve the task of gathering and evaluating information.

1. Information which subsequently is presented in court as evidence represents only a small fraction of the total information developed during an investigation.
2. Before a case ever reaches a courtroom, information related to it has been subjected to examination, evaluation and screening.

- a. Some information which the police gather is not acceptable to the courts, according to the rules of evidence.

- b. Rumors, tips, polygraph examinations, etc., are of great value in pointing the way towards what will be acceptable evidence.

### 3. The two basic sources of information are people and things.

- a. The field officer deals almost exclusively with the people involved in emotionally charged situations and with the problems of human weaknesses in perception and communication.

- b. The laboratory-based scientist deals with inanimate objects.

- c. Each job is different and requires different skills and techniques.

- d. The fact that the officer on the scene will eventually submit the physical things he discovers to a laboratory for scientific examination does not relieve him of the responsibility for becoming expert in the recognition, collection and preservation of physical evidence.

### 4. The officer's knowledge of what the laboratory can and cannot do forms the foundation upon which is built his appreciation for the value of the small bits and pieces of information represented by such items as glass fragments, blood spatters, dust, fibers and hair.

### 5. Every investigation of a crime or an accident serves a dual purpose.

- a. It is the means by which an individual is held responsible for his actions.

- b. It also serves as a way of measuring the crime or accident-producing conditions within the community.

### 6. The analysis of many incidents which are related in time, place, method of operation and the like, gives the law enforcement agency an indication of the general crime problems and patterns.

7. On the basis of this continuing evaluation, patrol coverage is adjusted to meet the changing quality and quantity of incidents requiring police action.

E. Relative weight of information.

1. The higher relative evidential value of information obtained from things as compared to information obtained from persons has been firmly established by trial and appellate courts throughout the world. Physical evidence cannot lie, it is not affected by emotions, and cannot be impeached.
2. Direct testimony of witnesses may be subject to all of these defects.
3. Courts therefore tend to give greater weight to scientific tests and to those objects which speak for themselves.

F. The theory of transfer.

1. Every officer should bear in mind that when two objects meet, some effect of that meeting can be established and verified at a later time. Some examples of the effect of contact between objects (be they people, things or a combination of the two) are:
  - a. Two automobiles collide, resulting in a transfer of paint, broken glass, dirt knocked loose by the impact. Indentations on one vehicle can be matched to the shape of the surface of the other vehicle.
  - b. Homicide victim beaten with a club. The club will pick up traces of hair, skin, blood, clothing fibers, while the victim's skull will reveal certain facts regarding the shape of the weapon.
  - c. A burglar walks through a flower bed, leaving an impression of his shoe and taking earth from the flower bed away in the nail holes and crevices in his shoes, etc.
  - d. Sexual assault. The suspect will leave semen, clothing fibers and hair on the victim while he will take away blood, clothing fibers and hair from the victim. If the victim scratches the suspect, skin will be left under the victim's nails while visible scratches will be taken away.

2. Every criminal or violent incident will result in the transfer of materials or an alteration of materials which later may be matched to the object causing the change.

G. Sources of information obtained through investigations:

1. Victims can give direct observation and personal experiences.
2. Witnesses can relate "hunches," ideas and theories based upon past experiences, etc.
3. Offenders can testify to direct observations, personal experience, and deliberate deception based upon imagination.

H. The offender comes into contact with the scene/victim resulting in physical changes and in the transfer of materials.

1. Physical changes may take place. Changes in victim's condition may be caused by weapons (gun, knife, blunt instrument), chemicals (poisons, acids, drugs), impact with vehicle, etc., resulting in the loss of blood, skin, hair, etc.
2. Changes may take place in the suspect's condition.
  - a. Physical injuries caused by a fight with the victim (scratches, bruises, wounds, etc.).
  - b. Physical injuries caused by impact of the collision or by other accidental means (cuts from broken glass, falls from high places, etc.).
3. Changes may also occur in scene's condition.
  - a. Things broken such as windows, locks, doors, headlights, bumpers, etc.
  - b. Things dented or marked such as fenders, window sills, door jams, earth, wet paint, soft putty, etc.
  - c. Things moved such as furniture, window shades, curtains, drawers, windows, doors, etc.

- d. Things destroyed such as a building burned, serial numbers on motors etched or ground away, etc.
- 4. Transfer of materials involves things taken from scene and/or victim.
  - a. Deliberately:
    - 1) Tools used in the commission of the offense.
    - 2) An automobile involved in a hit-and-run accident.
    - 3) The property of the victim.
  - b. Accidentally:
    - 1) From the victim - blood, hair, clothing fibers, etc.
    - 2) From the scene - rug fibers, dust, animal hair, paint chips, glass fragments, safe filler, twigs, wet paint, splinters, metal filings, etc.
- 5. Things left by offender on victim or at the scene.
  - a. Deliberately such as:
    - 1) Bad checks or other fraudulent documents.
    - 2) Bullets, tools, weapons, cigarette butts, matches, ransom notes.
    - 3) Debris from auto accident (glass, water, oil, dirt from under car, chrome), clothing, semen, etc.
  - b. Accidentally such as:
    - 1) Fingerprints, palmprints, foot, tire and cloth impressions, hairs, clothing fibers, toolmarks.
    - 2) Skin scraped off by victim's fingernails or by sharp objects at the scene, blood, parts of vehicle, tool fragments, etc.

## XII. Principles of Police Reports.

### A. Introduction.

Reports are vital to the running of a police department. It is the method of transmitting information from all the personnel as to activities and observation.

### B. Purpose of reports.

- 1. Written communications are the method of recording events.
- 2. They are a method of recording ideas or suggestions.
- 3. They are more permanent than many other forms of expression of events or ideas.

### C. Types of reports in police work.

- 1. One method of categorizing police reports is to view them as being either:
  - a. Operational reports.
  - b. Administrative reports.

### D. Operational reports and their functions.

- 1. Sometimes referred to as "line" reports or "functional" reports, these reports originate in the "doing" level of a department. They are related to the primary purpose of a department function, namely, the prevention and detection of crime.
- 2. Such reports include:
  - a. The report of a crime.
  - b. The report of an arrest.
  - c. Daily reports made by officers concerning routine duties.
  - d. Accident reports made by citizens to officers.
  - e. Investigation reports and progress reports.
  - f. A report which is directed from one police officer to another from one shift to one or more other



shifts or one bureau to another.

- g. A request for service or action from a phone call by a citizen.
- h. Reports on traffic signals and signs which are defective.
- i. Reports on conditions conducive to impaired safety of drivers, pedestrians, or citizens in other ways.
- j. Reports on conditions which endanger safety of the officer or his fellow officers.
- k. Potential trouble locations for juveniles or adults.
- l. Vice conditions which exist or are suspected.

E. Administrative reports and their functions.

- 1. These are reports which affect the administration of the department.
- 2. Such reports might be of the following kinds:
  - a. Purchase of supplies requests.
  - b. A report on disciplinary action recommended or taken by a bureau commander.
  - c. A report recommending a change of policy on towing procedures.
- 3. The report might be a simple one-paragraph report or an annual report of activities of a bureau.

F. Utilization of reports.

- 1. Administration's use of reports.
  - a. Crime prevention activities of the department.
  - b. Personnel distribution of bureaus of the department.
  - c. Requests for additional personnel or equipment in the future budget.
  - d. Permitting personnel certain activities requested by them.

- e. Elimination of efforts which are not really essential.
- f. Control and procedural changes necessitated by new conditions.
- g. A means of keeping the chief informed as to the manpower situation of his force on a day-to-day basis.
  - 1) This makes it possible to effectively assign personnel to those districts or beats which are in the greatest need of added assistance.
  - 2) Such reports keep the chief administrator aware of where the added manpower can be most easily spared.

2. Records division's uses of reports.

- a. Just as the administration must have information, so too must the record bureau or division. The better the reports, the more valuable the record system is to the department.
- b. It is necessary that reports be recorded if they relate to operations of criminals, arrests, recovery of property or outstanding warrants.
  - 1) Lack of such information destroys value of record keeping.
  - 2) Errors in information are compounded when received by the system since they can distort the crime picture and effectiveness or ineffectiveness of the line operations.

3. Supervision's uses of reports.

- a. Reports are valuable to the supervisor to gauge effectiveness of his subordinates.
  - 1) Ability to perform assigned tasks can be thus measured.
  - 2) Ability to reduce activities to written communications is possible.
  - 3) Assists supervisor in evaluating subordinates' adherence to department's philosophies, rules

and procedures.

b. Reports reveal errors requiring:

- 1) Additional training for his subordinates.
- 2) Changes in departmental organization structure.
- 3) Discipline which could range from oral reprimand to recommendation for dismissal.

c. In a positive manner the reports are of value to the supervisor to:

- 1) Recognize unusual or commendatory acts of his subordinates.
- 2) Evaluate unusual investigatory abilities of a patrolman.

4. Operation's use of reports.

a. An operational report has several purposes for administrative activities.

- 1) It advises personnel who should be informed, of actions taken by author of report.
- 2) It provides information necessary for news media.
- 3) It provides information which may be necessary to combat unwarranted criticism of the department or officer.

b. Such reports are vital to the success of criminal investigations.

- 1) Few, if any, officers can justify keeping information they have acquired in investigations whether preliminary or follow-up in nature.
- 2) What you know must be transmitted to others who may become involved in the case.
- 3) The single-handed investigations are antiquated and out-dated.

a' Don't keep secrets from other officers in your bureau or others.

b' Reports will make you a valuable player on the team.

4) Your reports will make the follow-up work easier and faster.

5. Outside agencies and their use of police reports.

a. Governmental agencies outside the department require police reports.

- 1) Prosecutors require investigation reports.
- 2) City attorneys require forcible arrest information.
- 3) Fire departments make valuable use of reports regarding fire hazards.
- 4) Public works or road commissions depend on notification of hazardous road and signal light defects.

b. Private businesses use department reports also:

- 1) Auto insurance firms depend on traffic accident investigations for information regarding traffic accidents.
- 2) General insurance companies depend on criminal complaints of larcenies, robberies, burglaries, fires and auto thefts to substantiate claims made by their clients.

G. Elements of a good report.

1. A report must be accurate if it is to be of value to anyone.
2. It must be thorough to maximize its value.
3. A report should not leave questions in the mind of the reader - it should answer them. Clarity is important.
4. A report should be chronological and follow step by step the actions of writer.
5. A report should answer the questions of who did what, when, where, how, and why, if possible.

6. A good report is concise and legible - if you don't type the report, print it unless your handwriting is excellent.
7. A report which is late is of little value and may lead to questions of the ability of the writer.

### XIII. Note-taking in the Field.

#### A. Definition of "note".

1. A note is a brief statement of a fact, experience, etc. written down for review.
2. It serves as a reminder of something which has occurred.

#### B. Purpose.

1. Its purpose is to act as an aid to the memory.
2. Also, it is valuable to assist in making an official report.
  - a. The memory banks of the brain often fail to record and to retain all that the eye sees.
  - b. Criminal cases may not go to trial for months or years.

#### C. Need for field notes.

1. Information for official report.
  - a. The field notes may be needed to substantiate official report.
  - b. The "little things" that may not seem to be consequential for the official report may later decide the outcome of criminal case.
2. They provide a memorandum of persons operating or moving on your beat.

#### D. Equipment required.

1. A notebook is an essential part of the note-taker's equipment.
  - a. The loose-leaf type is preferred.
    - 1) Loose-leaf notebooks provide for better organization of notes.
    - 2) Notes pertaining to the same incident, taken at different times, can be correlated.

- 3) This type is essential for courtroom testimony, as particular notes can be removed from the notebook, thereby maintaining the integrity of the remainder of the notebook.
2. The ink pen is another essential part of equipment.
  - a. It is advisable to use a pencil for sketches, as erasures are generally necessary at the time the sketch is being drawn.
  - b. The use of a pen for notes, however, is considered a way of eliminating questions of erasures.

E. When to take notes.

1. At any and every conceivable opportunity you should take notes.
  - a. All police incidents should be covered by complete notes since you never know when you will be questioned regarding an incident.
  - b. Crime scene observations of the officer should be noted.
  - c. Crime scene rough sketches and diagrams should be taken.
    - 1) Rough sketches and diagrams should be preserved to verify later scaled and detailed ones.
    - 2) Sometimes such sketches need reinforcement of facts or written observations.
  - d. Res gestai statements should be taken down verbatim, if possible.
    - 1) They must be spontaneous and instinctive declarations to be so classified.
    - 2) They must comply with latest Supreme Court rulings which restrict questions to obtain res gestai statements.
  - e. Witness's statements should be utilized and noted, even though eventually a formal statement is expected.
  - f. For identification of persons and things as to location, condition and other facts, notes must be clear and accurate.

F. All field notes should contain minimal information.

1. All essential information must be included by the note-taker.
  - a. It should include all actions taken by officers.
  - b. It should be used to substantiate information received by others.
2. Date and time of the occurrence should be noted, as well as:
  - a. Day of the week.
  - b. Exact minutes and hours.
3. The officer's name and case number must be included in field notes.
4. Weather conditions in the field notes should also be included.
  - a. They may or may not be important to the particular case in question.
  - b. This type of information does lend strength to testimony in court even where unimportant to prove facts in question.

G. Helpful suggestions.

1. Legibility of writing by author is important.
  - a. Penmanship is not an overriding factor, but field notes must be readable.
  - b. Can you read it when it's "cold"?
2. Make haste but don't make waste.
  - a. When time is a factor, list the most important information (facts) first. Later, while transcribing the official report, a word-by-word account should be written.
  - b. Be familiar with and use standard abbreviations and key words; don't use "spur of the moment" abbreviations.

## Example:

Chev. --- Chevrolet      Sed.----- Sedan

Lic.----- License      #----- Number

Yrs.----- years      D.O.B.--- Date of  
birth

- c. Don't be overly concerned about grammar when making field notes; this may cost valuable time.
    - 1) Your sentence structure is not vital since this is not a report to a superior.
    - 2) But these are important when you write your official report.
  3. Note first things first - chronological order.
    - a. Tire tracks or footprints during rain or snow are important to note.
    - b. Injured person who is leaving for medical treatment should be contacted.
    - c. Res gestae statements come before formal statements or those of witnesses who are secondary in knowledge.
  4. Draw rough sketches and diagrams in book.
    - a. This should be done when indications are that there may be a dispute about the crime scene or your testimony in court appears to be imminent.
    - b. When the crime scene may change before formal detailed sketch is drawn. Footprints in snow or mud must be sketched if weather will affect them before casts are taken. Sketch original placement of furniture which must be moved while assisting injured victim.
- H. Tests of admissibility.
1. The entry in notebook must have been made about the time of the event in issue.
    - a. The recollection must be fresh in the mind at the time notes were made.
    - b. The recollection must have been recorded at or near the time of the event.

2. The entry must have been made in the usual course of police business as part of a series of events.
  - a. A single isolated notation does not qualify as an exception to the hearsay rule.
  - b. A notebook should be "kept up" by the officer.
3. The entry must record the personal observation or knowledge of the officer.
  - a. The officer must be able to testify as to the accuracy of his written notes.
  - b. The notes must represent his knowledge of the facts at the time of writing.
    - 1) Notes must be presented in court and defense can use your notes to cross-examine the officer.
    - 2) Notes can be submitted to jury as evidence.
4. The book must contain original entries of the event.
  - a. This has caused many conflicts during trials. Questions frequently asked are:
    - 1) Can an officer testify from his official report or must he testify from field notes?
    - 2) If he testifies from his official report, must he produce original field notes?
    - 3) If he testifies from field notes which make sense only to him, can his official report be introduced as evidence?
  - b. Local courts decide these issues in different ways. So, to be safe, make intelligent factual field notes that meet the four tests of admissibility.

#### XIV. Emergency and Felony-in-Progress Calls.

##### A. Introduction to emergency and felony-in-progress calls.

1. An excellent yardstick which can be used to measure an officer's performance is the manner in which he responds to an emergency call.
  - a. The emergency call is the real test of the officer's training, courage, cool-headedness, and general competence.
  - b. Many officers can respond to "service" calls of a non-serious nature but do not function well on felony-in-progress calls for lack of preparation.
    - 1) This does not imply "service" calls are not important.
    - 2) They are, however, not as accurate in assessing a man's ability under pressure as a "man with a gun" is, for example.
2. Perhaps the officer should view all activities as warm-up practice for the felony-in-progress call.
  - a. Some patrol officers are lax in this type of practice.
    - 1) They ride in their cruiser with their minds closed to getting ready for emergency calls, believing, erroneously, that they are automatically prepared for action.
    - 2) They respond to calls but don't work at the police profession by review of possible problem areas and preparation for emergency calls.
  - b. The competent, well-trained, disciplined and alert professional officer is actively preparing for the important calls on his beat, such as those involving major crimes and incidents endangering life and property.
    - 1) He inspects doors, buildings and businesses in his district when he is not engaged in responding to a call.
    - 2) He warns businessmen of criminals operating in the city and of their methods, and gives them non-confidential information.

- 3) He makes a point of knowing how a robber will have to leave a business place in his area.
- 4) He studies the reports of felonies to determine which types of businesses are most likely to be attacked on his beat.
- 5) He knows the areas immediately surrounding his beat or district.
- 6) In short, he is constantly preparing for the felony-in-progress call.
- c. In summary, the safety of the officer is in direct correlation to the "conditioning" he has been given and continues to exert on himself through self-improvement efforts.

##### B. Complaint reception and its importance to the responding officer. The person reporting a major crime generally does so by telephone. The desk officer, radio operator or telephone operator will try to obtain the following information:

1. He will want to know if the crime is still in progress or if perpetrators have departed.
2. The questions to be asked in order to obtain vital information necessary for a response to the call would be:
  - a. Name of street.
  - b. Correct address or number of building and any special details.
  - c. Name of person calling.
  - d. Phone number if at the address of felony.
3. If perpetrators have departed, person receiving call should obtain any descriptive information available such as:
  - a. Types, colors and other pertinent facts about vehicles involved.
  - b. Number of persons involved, along with clothing descriptions.
  - c. What was taken, if crime is of that nature.

4. The receiver of the call should try to help the telephone caller while cars are being dispatched. The receiver of the call should:
  - a. Attempt to calm the caller down if necessary.
  - b. Determine if person is apparently rational.
  - c. Reassure the caller that officers are enroute and ask them to contact an officer on his arrival.
- C. Car dispatching as a police operation.
  1. The communication link between the caller and the patrol car is the dispatcher.
    - a. He or she is also the coordinator of the complainant's request and department's efforts to deal with the felony.
    - b. The dispatcher is responsible for providing adequate manpower and tactical strength to effectively and efficiently handle the particular situation.
    - c. Obviously he is generally dealing with limited information.
      - 1) You may, therefore, anticipate there will be an excessive number of officers at the scene.
      - 2) This principle in his operating procedures is safer and more logical than underestimating the needs for the call.
  2. Emergency broadcasts, such as felony-in-progress calls, are usually directed to district cars.
    - a. They will be sent after the air is cleared to prepare for emergency call.
    - b. Clearing the air is generally achieved by an alert indicating that a major felony is in progress.
    - c. Most departments then require that all other transmissions cease and the air be cleared for the time necessary for assignment of cars to the scene.
    - d. The regular district car will generally be the primary unit dispatched. As such, it will go directly to the scene to:
      - 1) Gather information for broadcasts to other police units.
      - 2) Initiate the preliminary investigation.

- e. The primary unit will generally be supplemented with an additional cover unit (which will probably cover rear of scene).
3. Police vehicles in surrounding districts may also be assigned and should be prepared to respond immediately. Surrounding district cars:
  - a. Will be assigned, generally, as required.
  - b. Should respond as speedily as possible.
  - c. Will serve as search, blockade, or back-up units.
- D. Safe driving is a constant duty of the patrol officer, even when on calls of an emergency nature.
  1. The first responsibility in responding to a felony-in-progress call is to get there safely and as quickly as possible.
    - a. Speed is no more important than safety.
    - b. Speed must not be used without reference to attendant conditions at the time.
    - c. There is no excuse for creating accident hazards for yourself or others.
  2. The use of sirens and flasher lights. There are certain principles and guidelines regarding the use of emergency lights and flashers and sirens.
    - a. The decision to use the emergency warning equipment depends upon many factors, but primarily upon the type of call to which the officers are responding.
      - 1) There are two general classes of major felonies
        - a) Those in which attacks are made upon structures.
        - b) Those in which attacks are made upon persons.
      - 2) With attacks on premises, buildings, structures, etc., one objective of the police is to catch the perpetrator at the scene of the crime. Use of the emergency lights and siren might frustrate this objective.



- 3) With attacks upon persons, it can be safely assumed that any means of deterring the progress of the crime - be it assault, murder, mayhem, etc. - will contribute to the protection of the victim. Therefore, use of the warning lights and siren may cause the attacker to cease his attack.
- b. Other determinants in addition to the preceding are:
  - 1) Distance to be traveled.
  - 2) Time of day or night.
  - 3) Volume of traffic.
  - 4) Type of roads being traveled.
- E. The approach to the scene should follow a plan.
  1. Maximize elements of surprise in approaching scene of felony-in-progress call.
    - a. Use parallel streets as far as possible.
    - b. Use any method to approach the scene to increase the chances of apprehending the criminal at the scene.
    - c. Do not park in front of scene unless notified that perpetrator has fled.
    - d. Park in a manner to minimize possible damage to cruiser.
      - 1) Leave your parking lights on.
      - 2) Turn off flasher lights.
      - 3) Close - don't slam - your door.
      - 4) Turn off headlights.
      - 5) Set emergency brakes.
      - 6) Remove keys from cruiser.
  2. It is essential that the officer know his partner's plans:

- a. So there will be no duplication of effort.
- b. So that each officer will know the approximate location of the other.
3. If felony is still apparently in progress, according to broadcast:
  - a. Avoid unnecessary noises.
  - b. Avoid unnecessary use of lights of any types.
- F. Procedures to be followed at the scene.
  1. There are immediate steps to be taken at the scene by the primary unit.
    - a. Seek information as to need for medical aid for victim - furnish necessary aid.
    - b. Communicate with station and furnish all the primary information available to assist in assignment of personnel and equipment regarding search of scene, blockades, and descriptions including:
      - 1) Vehicles used by suspects.
      - 2) A description of suspects as to clothing, race, size, and so forth.
      - 3) Loot (if any taken) with as much information as possible regarding its description.
      - 4) Any other important facts surrounding the incident.
    - c. Use telephone if possible to transmit the information.
      - 1) This frees radio waves.
      - 2) This also minimizes information distortion.
  2. The officer should not cock his gun when responding to an emergency call.
    - a. It should be fired only on double action.
    - b. The revolver should be cocked only if the officer plans to shoot at that very moment and at a definite target.
    - c. The time element is of little significance between double and single action.

- d. Danger of accident and misfire or shooting innocent bystanders is increased tremendously when the gun is used in single action operation.
- G. An area search for the suspect should be executed in a methodical way.
  1. A search of area is generally the responsibility of back-up units.
    - a. Remember that the culprit will generally have fled the scene.
    - b. The officers should watch for cars and people in the area or leaving it who could be involved.
  2. The manner of search is often the difference between success and failure in finding a hiding suspect.
    - a. Expanding-circle type of search is generally the best method.
    - b. Time between your arrival and perpetrator's flight will govern the most appropriate method to use.
  3. Officers will generally be kept advised of direction of flight, vehicles used, and so forth.
  4. The officer should not ignore bars, stores, gasoline station restrooms. They should canvass surrounding business places.

# XV. Types of Disturbances and Procedures.

- A. A party usually comes to the attention of the police department because of a breach of peace in a neighborhood. The complaint is usually made by a neighbor or someone living in the area.
  1. The common element of trouble in parties is alcoholic beverages, which reduce inhibitions, making people noisy and boisterous.
  2. In order to make any arrest in or around a noisy party, the officer in Michigan must witness the act, and be able to identify the person who committed the noisy act. Mass arrests for noise cannot be made, unless it is committed in the presence of the officer.
    - a. Secure the name of witnesses when arresting anyone on a breach of peace charge. It adds credence to the charge and also builds a better case for presentation in court.
    - b. In dealing with a party, the officer must remember that he is dealing with persons in a home, AND A MAN'S HOME IS HIS CASTLE.
  3. In quieting a party, the officer should use the utmost tact and diplomacy. If the proper psychology is used, it will accomplish more than the threat of force.
    - a. Most people at a party would ask that the officer join them, but the officer should decline most politely.
    - b. Tell the people politely that if you have to return, you will have no choice but to halt the party. Tell them that they are violating a law by making too much noise, which is a breach of peace.
  4. Enforcement action to be taken at juvenile parties. All comments about parties in general apply to parties for juveniles. At this type of party, it is good to advise everyone present about a curfew, if one exists, and this perhaps will spirit the party along to a faster conclusion.
- B. Social gambling and enforcement. If you receive a call concerning gambling in a private home, be careful. Many people gamble for small stakes for amusement and to be sociable. In fact, at least some church groups condone gambling in the form of "Bingo" and send out individual members to sell raffle tickets. All games of chance are violations of the law.

- C. Commercial gambling and enforcement by the patrolman. It is not the social gambling which creates a police problem. It is the commercialized gambling that is controlled by, and for, the benefit of one person or a small group of persons.
1. Raids conducted on gambling establishments. An arrest or search warrant is required to raid a gambling game in a private home, unless you see gambling through a window or hear the crime being committed by recognizing the terms being used and the clink of money.
  2. If chips are being used, it is difficult to prove that they represent anything of value and that the participants are actually gambling.
  3. Should the complainant be the wife of one of the players, don't be foolish enough to enter the house at her invitation, and then make an arrest without first finding out if it is her home. She cannot waive the constitutional rights of another.
  4. The best approach without a warrant is not to force an entry but to suggest to the home owner that the game be broken up. Should he refuse to comply, which is doubtful, there is little you can do, unless you were invited in by the householder and you actually see the gambling or devices used in gambling.
  5. You should jot down the license numbers of all the cars parked at the house.
  6. If the names of the players are not known, you can have the numbers checked to get the names of the car owners, then make a full written report to your superiors.
  7. Getting the names is good procedure at any time, for there are often "floating" card and crap games run by professionals. These games "float" from house to house, and your report may give the chief his first inkling that such a game is operating in the city.
- D. General noise complaints.
1. A policeman often has to settle a complaint that someone is making too much noise to suit the complainant.
    - a. Many of these are mostly imagination, or a desire to cause someone some trouble, using you as the instrument.

- b. During the daytime the complaint may come from a place where there is a sick person bothered by the noise of children playing.
  - c. If no violation is being committed, you have no legal ground to attempt to reduce the noise.
  2. A friendly approach with an explanation is usually enough to quiet children - especially if you ask them if they will cooperate with you instead of ordering them to be quiet.
  3. Should the friendly approach fail, you will have to rely on bluff. Most of the calls will be in the early morning or late in the evening when someone is hammering or sawing while working.
  4. Most people are not aware of the fact that what they are doing is causing other people to be irritated or annoyed, so a friendly approach is indicated.
  5. There is always the possibility that the noise is the result of some worthy project, such as sparetime work on a Boys' Club, and an explanation to the complainant can convince him to withdraw the complaint.
- E. Barking dog disturbances are often the most difficult cases to handle. The improper handling or disregarding of a case can seriously damage public relations in the neighborhood.
1. Often the neighbors want the barking stopped, but don't want to become involved in a neighborhood quarrel, so they refuse to give their names when calling in. They still feel entitled to receive satisfaction since the noise actually is a disturbance of the peace.
  2. Too many officers will drive by, and if they don't hear the dog barking, they forget about it. Many times the officer cannot locate the dog, and as soon as he leaves, it starts barking again. If the dog is found, and it is locked in the house and the owner is not home, it can become a very touchy matter. In cases like this, the officer should seek the advice of the supervising sergeant.

F. Vehicle disturbances such as a motorcycle, automobile, or go-cart that cause a neighborhood disturbance can be similar to the barking-dog complaint, in that few people want to give names and yet they feel very justified in demanding service.

1. Many citizens do not realize the legal processes of the law. They just want the noise stopped and don't care how it is done.
2. Even if the driver is not cited, the officer can stop him and read the riot act to him, and threaten to have his license taken away for making excessive noise.
3. Many of the perpetrators of this offense are juveniles, and a call to their parents will often result in the parent taking the juvenile's driving privileges away.

## XVI. Handling Disturbance Calls.

### A. Introduction to disturbance calls.

An element of uncertainty underlies each disturbance call, as it can mean anything. Assigning a police officer to quell a family dispute may require nothing more drastic than restoring order. It may also lead an unsuspecting officer to suffer serious injury or possible death from a gun triggered by an infuriated or highly intoxicated individual. The source of a call to the police department complaining of noisy neighbors may be only a loud television set or it may be the sounds of a criminal in the process of committing a burglary. The lethal nature of this police service is grimly registered in police statistics. In a three-year period (1960-1963), 21% of the police officers killed in the line of duty met their death handling family quarrels, street disturbances and other disturbance calls.

### B. Civil or criminal types of calls.

1. Disturbance calls represent one of the most frequent requests for police services.
  - a. Many of these are the result of criminal offenses.
  - b. Others are civil cases not within the area of police jurisdiction.
2. The average citizen has little knowledge or gives little consideration to the limits of police authority. Always remember this.
  - a. His only concern is that he has a grievance or believes himself to be victimized.
  - b. In his anger or frustration he turns to the police for assistance.
  - c. Even though the source of his concern may be of a civil nature, the citizen should never be embarrassed or criticized for calling on the police.
3. The manner in which this task is accomplished will be instrumental in preventing such an incident from deteriorating into a criminal case.

4. In other instances a disturbance may be of a criminal nature - that is a violation of an ordinance or a statute. The officer must then exercise the power of his office to restore order and to promote the peace and safety of the community by any other means.

C. The policeman's attitude is important.

1. When you respond to a disturbance call, be prepared for anything.
2. An attitude of indifference to such an assignment may cause carelessness and/or tragic consequences.
3. To perform responsibility effectively, the officer must maintain constant vigilance, critically survey and analyze the situation, and anticipate the unexpected. As in all police operations, strict objectivity must be maintained.
4. Before deciding on a course of action, consider all facts that may be determined by observation. Listen carefully and patiently to each person's version of the incident and, if possible, obtain information from disinterested parties.

D. General information on disturbance calls.

1. The primary objective of the police is to restore and preserve the peace and safety.
2. Always proceed on disturbance call as soon as receiving radio traffic; never waste time.
3. At the scene of the disturbance, park police cruiser as inconspicuously as possible.
4. Always survey the scene on arrival.
5. Do not stand in front of the door when knocking. Knock so that you may be heard plainly by the residents.
6. Always approach a disturbance call with due care and caution.
7. Always be courteous.
8. Avoid becoming excited on any call.
  - a. It adds to the confusion.
  - b. It is very unprofessional.

9. Calm everyone down. Hysterical or near-hysterical people are incoherent.
10. Do not rush into a decision.
  - a. Always be deliberative.
  - b. Make the best and most correct decision humanly possible.
  - c. Consider conditions and information available.
11. Always use common sense, ingenuity and imagination.
12. Listen to one person at a time. Having only one person talk at a time creates less confusion.
13. Each cruiser should have a man who is recognized by both officers as being the senior man, the man who is the "take-charge" man in the car.
14. Attempt to determine if there has been any criminal act, and take appropriate action.
15. In any matter which is entirely non-criminal in nature, try to secure an armistice.
16. In situations involving a breach of peace, the nuisance should be immediately stopped.
  - a. This task should be performed tactfully.
  - b. Many people do not believe they are violating the law as long as they are not profane or destructive.
  - c. If source of nuisance is not malicious, seek voluntary cooperation of offenders.
17. In a non-criminal matter and in some criminal matters (if appropriate), refer parties to prosecutor for further information on the matter.
18. Parties should be informed that:
  - a. The police are primarily interested in preserving the peace.
  - b. Enforcement action must be taken if they fail to comply voluntarily.

19. If unable to restore order on the scene without official action, resort to one of several courses of action:
  - a. Refer the disputing parties to local court or prosecuting attorney to obtain warrants.
  - b. Inform the parties of their right to sign a complaint.
  - c. If a criminal offense occurs in the officer's presence, exercise power of arrest.

20. In most instances do not give civil advice.

- a. A limited amount of advice about criminal laws of the city, county and state should be given upon request.
  - b. This is limited by the officer's knowledge and ability.
21. Always remember that the apparently simple and routine call may in reality end up being one of the most dangerous in your career.

E. Family disputes - domestic disturbances.

1. Few assignments are considered more distasteful to a police officer than a family dispute.
2. All parties tend to say and do things from which they would normally refrain.
3. Frequently they re-direct their anger against the police officer.
4. Police should not be the object of scorn or the object of anger by those arguing. Avoid placing yourself in a position where the family suddenly turns their hostility toward the police.
5. Make sure to inquire if the assistance of the police is required.
6. If police are not wanted then by all means leave, unless you know a crime is being committed.
7. In the process of the call evaluate the total scene, including the house and surroundings, and any individuals involved in the domestic trouble.

8. Remember that most of the time the entire matter is civil.
  9. Realize your place and limitations.
  10. The officer is there to preserve the peace.
  11. The key to peace is mostly separation of the disputing parties. It takes two to fight.
  12. Tension will be decreased by remaining calm. You must realize the tension and emotionalism involved in this situation.
  13. Strive for reasoning and calmness, always.
  14. Reduce emotional state by having only one person talk at a time.
    - a. Talk to the disputants separately.
    - b. Be sure that both sides of the story are heard.
  15. A family argument may require an officer to enter a home so one of the parties can remove certain personal belongings.
    - a. This may be accomplished only with the occupant's permission.
    - b. Once inside the home, your sole purpose is to preserve the peace and by your presence prevent the parties from committing a felony.
  16. Approach the situation with understanding and tact.
  17. Get an armistice if possible until the parties can seek other more competent assistance.
  18. You should know agencies to which you may refer a family for assistance, e.g. welfare, prosecutor, etc.
  19. The officer should not repeat anything of confidential information heard in a domestic disturbance since this is a professional confidence.
- F. Arresting quarreling family members.
1. Arrest should be executed only as a last resort when dealing with family disputes.

2. Avoid creating a police problem when only a family problem exists.
3. There are times, however, when it becomes necessary to arrest a member of the family.
  - a. A crime may have been committed in the officer's presence.
  - b. A warrant may have to be executed or one of the spouses will insist on signing a complaint.
  - c. In these situations you should be very cautious.
4. A strong familial bond may exist between members of the family.
  - a. Though one of the parties may have been the victim of a battery, or obtained an arrest warrant several days previously, this sense of solidarity may cause members of household to assist one another.
  - b. This creates a great risk to the officer.
5. It is not uncommon for a wife who wanted her husband arrested to suddenly turn and attack or verbally abuse the arresting officer.
  - a. If children are present in the home, request that they be removed from the room before announcing your intentions. This avoids shaming the parent being arrested in presence of his children.
  - b. Removing the children also protects them if the parent struggles to resist arrest.

#### G. Street disturbances.

1. A group may congregate at a particular location after school, after work and on weekends.
2. The original purpose for gathering may be simply to meet with friends and/or pass the time talking and joking.
3. Frequently the group may become loud or profane unintentionally.
4. When answering such a disturbance call, you should not make an officious or threatening approach.

5. Such a group, for the most part, will cooperate if the officer informs them of the fact that they are disturbing others. If the group refuses to cooperate, you must then act positively to disperse the group or take them into custody.
  6. If your first contact with the group is stern, you are likely to generate resentment.
  7. The aroused group will argue that they are in their own neighborhood and that they have the right to assemble.
  8. An officious and overbearing approach on the part of the officer tends to aggravate the situation and may lead to hostility. Arrests may have to be made which could have been avoided.
  9. Beware of domestic disturbances that wind up on the streets. They are dangerous.
- #### H. Street fights and brawls.
1. Give immediate attention to a call or a fight in progress occurring on the street or in a bar.
  2. There is always the possibility that the disturbance may be a struggle between an attacker and his intended victim.
  3. Prompt service can prevent serious injuries or the commission of a homicide, and might reduce the amount of property damage.
  4. A lone officer arriving at the scene of a brawl in which many persons are involved should wait for the arrival of a cover car before attempting to stop the fight.
  5. If the brawlers refuse to stop, the officers may have to resort to force to effect the arrest.
  6. If the fight has ended before your arrival and there are no serious injuries, no property damage, and no one present is willing to file a complaint, obtain the names and addresses of those involved and disperse the crowd.
  7. An officer not witnessing a misdemeanor is not empowered to make an arrest in Michigan.
  8. If a felony was committed and none of the parties involved is willing to sign a complaint or make a citizen's arrest, your efforts are limited to rendering aid and restoring order.



9. At the scene of a fight in progress, restore order and obtain all available facts.
10. Bystanders are more reliable than participants, for participants have a tendency to rationalize their action or deliberately twist the facts.
11. A complete investigation is necessary when one of the parties may have been in the process of defending himself or attempting to stop a fight.

I. Gang fights.

1. Upon receiving radio traffic concerning a gang fight, determine what other units are responding to the call.
2. Determine from which side the other units are converging and from what distance, since you will then know the proper procedure when arriving at the scene. (Preplanning)
3. Do not enter a large gang fight with less manpower than necessary. This may result in officers becoming seriously injured unnecessarily.
4. If you are the only cruiser responding, slow down a few blocks from the scene and sound the siren as loudly as possible, hopefully to disperse the fight with the siren.
5. Know various weapons covered by concealed weapons law - arrest accordingly.

J. Landlord-tenant disputes.

1. A landlord who owns property and rents or leases it naturally is concerned about the care and condition of that property. Many complaints are referred to the police where the landlord's interest is just snooping. A charge of trespassing is claimed.
2. In most cases the landlord has no legal right to enter rented or leased premises without permission, though he feels quite justified in his action.
3. Most of these cases can be mediated at the scene by the patrol officer.
4. If they cannot, refer the landlord to the prosecuting attorney's office.
5. Often a landlord calls police to force tenant to pay rent.

- a. Michigan has a law on defrauding proprietors.
  - b. One of the elements of this crime is that the tenant leaves without paying.
  - c. So unless the intent is quite obvious and the person tries to leave, it is best to refer these cases for civil action.
6. Equally as common is the request by a landlord for police to immediately evict tenants. Be very careful you are not being used as bouncers at whim of a landlord or businessman.

## XVII. Drunks and Related Problems.

### A. Some effects resulting from alcohol consumption are the following:

1. The drunk's reaction time slows in proportion to the amount of alcohol consumed.
2. Alcohol distorts perception:
  - a. The drunk has difficulty in focusing.
  - b. He is unable to see as clearly as when sober.
3. The drunk has a reduction of sensual awareness.
4. The drunk has a loss of ability to reason.
5. The drunk loses inhibitions - he may do things when drunk which he would not do when sober.
6. **IMPORTANT:** The problem is compounded by the individual's emotional problems which may have precipitated the drunkenness.

### B. Some general signs of drunkenness are manifested in the following ways:

1. Eyes: bloodshot, glassy, show difficulty in focusing.
2. Posture: stooped, staggering.
3. Coordination: a lack of it.
4. Odor of alcoholic beverages from the mouth.
5. Attitude: flippant, carefree, violent, uncooperative, belligerent, etc.
6. Speech: slurred, unintelligible.
7. Orientation: he often doesn't know where he is.
8. Clothing: disheveled, half-clothed, has spilled alcohol or urinated on clothes, etc.

### C. Definition of intoxication for general purposes.

1. Intoxication is defined as the condition of a man whose physical and mental powers are affected by the use of (intoxicating) liquors.

2. Drunkard or "dead" drunk is a person generally defined as one who uses alcohol to such a degree and to such an extent that he has lost a reasonable degree of self control.

### D. Scope of police problem.

1. Drunks range from chronic alcoholic derelicts to reputable people out for a one-night spree.
2. Drunks are encountered by every patrolman and are easy to detect.
3. If the drunk is seriously ill or commits crimes, the officer's duty is clear: he should call for medical assistance or arrest the suspect, as the case may be.

### E. The nuisance drunk.

1. Problems arise when the drunk is peaceful and healthy but, while in an intoxicated state, is causing a minor public nuisance such as:
  - a. Obstructing a doorway or a sidewalk.
  - b. Using off-color language.
  - c. Causing a crowd to gather.
  - d. Endangering himself.
  - e. Lying on the cold ground or in the gutter.
  - f. Stumbling across streets unaware of the danger from vehicles.
  - g. Strolling in unlit side-streets, easy prey for a mugger.
2. Every time the patrolman can handle the situation without requesting medical assistance, there is one more ambulance made available for emergencies.
3. If every officer arrested all drunks, the streets of the city would be devoid of a patrol force during the evening hours, to say nothing of the chaos in night court.
4. The practical patrolman should size up the situation.
5. If he can arouse the sleeping inebriates and quiet the disorderly drunks and move them along in safety, the officer is performing a public service.

## F. Troublesome drunks.

1. While intoxicated, the inebriate may not respond to the orders and requests of the uniformed officer; the drunkard's lack of cooperation may not be an act of willful disobedience but a result of his confused state.
2. The officer should use whatever reasonable force is necessary to make the arrest.

## G. Arousing dozing or sleeping drunks.

1. If you do decide to handle the situation without calling for assistance, there are some proven practical techniques of awakening drunks, moving them along and halting their disorderly conduct which can be used.
  - a. These techniques are effective and involve a minimum risk to the drunk and to yourself.
  - b. When employed with discretion, they should not arouse public disapproval.
2. Most dozing drunks can be aroused from their slumber by a firm shaking of their arm.
3. If this does not work, grasp the collar and shake the head back and forth.
4. Take care not to stand in front of an awakening drunk - he may vomit.
5. You have no way of knowing what he was dreaming about; he may come out of his stupor kicking, biting or punching.
6. When you are dealing with a derelict, be sure that only your nightstick or your hands come in contact with his body or clothing.
7. If you are not wearing gloves, remember to wash your hands thoroughly after you are finished with him, because of filth, lice, bacteria, etc.

## H. Awakening the dozing drunk.

1. Sometimes shaking a drunk is not enough to awaken him.
2. Most patrolmen carry spirits of ammonia (smelling salts).
3. A man assigned to a post on which sleeping drunks are a frequent nuisance may do well to carry a small bottle of spirits of ammonia.

4. A cloth dampened with ordinary household ammonia (obtainable in nearby stores) and placed under the nose of the inebriate, may be an effective substitute.
5. Don't splash the ammonia upon him lest some drops hit his eyes.
6. Cold water sprinkled on the head, face and back of the neck of the drunk sometimes has a sobering effect.

## I. Moving drunks along.

1. When a drunkard is in the gutter or on the sidewalk, try to get him against a wall.
2. Keep away from store windows, since he could stagger into them and severely injure himself.
3. Order any curious onlookers to keep moving.
4. Any action or discussion should be between you and the drunk only.
5. If you need someone's assistance, ask for it.
6. If you can handle the situation by yourself, outsiders merely hinder your actions and may needlessly expose themselves to embarrassment, annoyance or injury.
7. When an intoxicated person is mumbling about wanting to go home but is not able to give you his address, don't go through his pockets in search of identification unless a superior officer or two reliable witnesses (shopkeepers will do) are present.
8. Note the names and addresses of the drunk and witnesses in your memo book.
  - a. An alcoholic who has consumed his weekly salary on payday and has to explain things to his wife may claim that he was robbed and accuse the person who awakened him of the theft.
  - b. The simple precaution of having a superior or witnesses present and recording their names and addresses may protect you from accusation, indictment or suspension.
9. Don't let a drunk go off by himself if there is a waterfront near your post.

- a. In his intoxication, the inebriate may fall or dive (on a whim of his own or another's dare) from a pier, bridge or bank.
  - b. Act similarly when there are other hazardous conditions nearby - an excavation, high tension wires, construction sites, etc.
10. It is good policy to allow a neighbor or relative of the intoxicated person to take him home.
- a. Make sure that the person who offers to accompany the drunk identifies himself to your satisfaction, especially at night.
  - b. A "lush worker," a mugger specializing in alcoholics, may attempt to make a monkey out of you and a victim out of his charge.
11. There are times in which a person who has imbibed a bit too much commits a public nuisance and the action need not call for arrest.
- a. Use your common sense and you will save the courts a lot of trouble and the inebriates quite a bit of "morning-after" embarrassment.
  - b. Move these people on.
  - c. Most of them will be sobered by the sight of your uniform.
12. An alcoholic can be persuaded to move along if you threaten to take his bottle away or break it with your nightstick.
13. Keep a watchful eye on younger, half-loaded drunks who attempt to commit a crime to get money for another bottle.
- a. When two or more of these people gather, disperse them immediately.
  - b. Even if they don't mug an innocent pedestrian, they may begin fighting among themselves.
- J. Feigning a drunken state for devious reasons.
- 1. Inebriation is sometimes simulated by a criminal desiring to avoid apprehension.

- 2. Let us say a mugging or burglary has been committed in the vicinity and a drunk answering the description is lying, apparently asleep, in a nearby doorway.
  - 3. Don't smell his breath; one drink or twenty will produce the same odor.
  - 4. It may also be the drunk who committed the crime.
- K. A noisy party most always involves a few drinks among friends.
- 1. You may be called to quiet a noisy party.
  - 2. Be considerate, at least on your first visit.
  - 3. The presence of a uniformed officer is enough to dampen the spirits of people celebrating a wedding, birthday or anniversary, so stay outside the door and ask the owner or tenant to come outside.
  - 4. Tell him about the lateness of the hour and how far noises carry in the night.
  - 5. Ask for his cooperation in toning down the party or ending it soon. Explain to him that should you have to come again, you will be forced to take more drastic action to secure the peace.
- L. Preventing the intoxicated driver from driving.
- 1. The intoxicated driver is a menace to himself and the people of the community, and a problem to the patrolman.
  - 2. If you see a drunk trying to get into his car, try to talk him out of driving.
    - a. When he is alone, call a cab for him.
    - b. When the inebriate is with another person who is sober and is a licensed operator, see to it that the companion drives the automobile.
    - c. Use any way you can to prevent the drunk from taking the wheel: quote the law, warn him of the danger to others and to himself, tell him of the suffering he may cause his family, or discreetly confiscate the ignition key.
    - d. The drunk will be grateful to you when he sobers up.

- e. By stopping him, you may have saved lives.
- f. If all else fails, arrest him for public intoxication.
- g. In some states, turning on the ignition key is considered to be driving the vehicle and arrest may be effected at that point.

M. Illegal alcohol - bootleg liquor.

- 1. All sorts of concoctions are prepared and consumed by alcoholics, particularly derelicts.
- 2. Others in the community, the poor and the young, may make or buy illegal alcoholic beverages, as well. These preparations, which can cause blindness and death, include:
  - a. Canned heat.
  - b. Paint thinner.
  - c. Wood alcohol mixed with water.
- 3. An arrest can halt a particular sale, but discovering the source of purchase or manufacture is more difficult.
- 4. It should be investigated by a plainclothes officer.

N. General information about drunks.

- 1. Persons under the influence of liquor have lost their ability to reason, so it is many times useless to appeal to their sense of common sense and reason.
- 2. Drunks are unpredictable, and an officer should never be lulled into a false sense of security by a drunken person's appearance or by his own sense of routineness regarding the arrest.
- 3. Arrests of drunks constitutes a major amount of all arrests made in either city or county.
- 4. Be alert for the possibility that the persons who outwardly appear to be under the influence, may actually be sick and in the need of a physician.
- 5. Note all of the different aspects of the persons which may indicate his drunken condition.

- 6. When a person is arrested for a felony, and this person when arrested appears drunk, a blood test should be taken, so as to dissipate any defense the suspect may use in this area at the time of the trial.
- 7. Use psychology in dealing with persons of this type, since it is always better than force.
- 8. Never take anything the drunken person says personally, because it is the liquor talking.
- 9. Generally speaking, persons under the influence are very susceptible to flattery and sympathy.
- 10. Normal inhibitions regarding the police uniform and the badge are lost when alcohol takes over the senses and reason.
- 11. Use the handcuffs when necessary, because the arrested person is the responsibility of the officer.
- 12. An officer should realize his legal responsibility toward a drunken person, for if he does not protect a drunken person as completely as possible from the first point of contact, he may be sued successfully and, if the situation warrants it, subsequently prosecuted for failure to perform legal duty.

O. Problems involving arrests for drunken women.

- 1. Experienced police officers everywhere agree that one of the most difficult arrests can be a drunk woman.
- 2. Human nature has created a situation where man by his very nature, as the sexual aggressor, is often tempted to take advantage of a woman who has lost control of herself through too much liquor.
- 3. Most women arrested for drunk are not only aware of this, but will take full advantage of it.
- 4. The officer must be firm, however, and let her know that he is in full charge of the situation.
- 5. An officer arresting a drunk woman should be constantly aware of public relations.
- 6. An officer should not be afraid to handcuff a drunken woman.
- 7. If he can obtain an extra pair of handcuffs, he might also handcuff her ankles, if she becomes violent.

- a. This saves a lot of wear and tear on the officer's shins.
  - b. If a woman is wearing shoes with pointed toes, she can cause considerable damage to whatever or whomever she kicks.
8. For protection, the officer should always radio in the location and mileage when he transports a female prisoner. This stops her from accusing him of stopping on the way to the jail.
- P. Drunks with "delirium tremens" ("DT's").
- 1. When a drunk has the DT's (delirium tremens), he is in need of medication.
  - 2. The most common type of medication for this particular condition is paraldehyde.
  - 3. He should be taken to a city or county doctor for this medication.
  - 4. Without it, the prisoner can present quite a problem in jail.
  - 5. In this condition, he is a danger to himself and the other prisoners.
  - 6. If possible, a "paddy wagon" should be used to transport the prisoner, since this will prevent his wrecking the police sedan and also eliminate the possibility of his vomiting all over it. It is easy to wash out the paddy wagon with a hose.
  - 7. When a prisoner has just received a shot of paraldehyde, it is wise to roll the windows down, as the fumes from this medication are quite powerful.

# XVIII. Drunk Drivers.

- A. Some effects resulting from alcohol consumption.
  - 1. Reaction time is slowed in proportion to the amount of alcohol consumed.
  - 2. Distorted perception - the drinker may experience an inability to see as clearly as when sober. This could result in:
    - a. Difficulty in focusing.
    - b. Distorted depth perception.
  - 3. Reduction in sensual awareness.
  - 4. Loss of ability to reason.
  - 5. Loss of common sense.
  - 6. Loss of inhibitions - the drinker might do things when drunk which he would not do when sober.
  - 7. IMPORTANT: The problem is compounded by the individual's emotional problems which precipitated the drunkenness.
- B. Some general signs of drunkenness are:
  - 1. Eyes - bloodshot, glassy, shows difficulty in focusing.
  - 2. Posture - stooped, staggering.
  - 3. coordination - lack of it.
  - 4. Odor of alcoholic beverages from mouth.
  - 5. Attitude - flippant, carefree, violent, uncooperative, belligerent, etc.
  - 6. Speech - slurred, unintelligible.
  - 7. Orientation - does he know where he is?
  - 8. Clothing - disheveled, half-clothed, has spilled alcohol or urinated on clothing, etc.
- C. Definition of intoxication for general purposes.
  - 1. Intoxication is defined as the condition of a man whose physical and mental powers are affected by the use of (intoxicating) liquors.

2. A drunkard or "dead" drunk is defined as a person who uses alcohol to such a degree, and to such an extent, that he has lost a reasonable degree of self control.

D. Definition of drunk driving.

1. 257.625 (MSA 9.2325) "It shall be unlawful for any person whether licensed or not who is a habitual user of narcotic drugs, barbiturate or any derivative of barbiturate, or any person who is under the influence of intoxicating liquor or narcotic drugs, barbiturate or any derivative of barbiturate, to drive any vehicle upon any highway or any other place open to the general public, including any area designated for the parking of motor vehicles within this state.
2. It is also illegal for anyone to permit a drug addict or intoxicated person to drive a vehicle. (Note the person permitting must have some control or charge over the person driving or this law does not apply.)
3. Note: Research strongly indicates that problem drivers (includes drunken drivers) are problem people or people with problems (problems which they often do not realize). Behaviour patterns evidenced by drunken driving may have a base in the individual's personality - emotional instability, trouble at home, trouble at work, etc. This can make a person potentially more dangerous.

E. The dangers of drunken drivers.

1. Because drunken drivers are potentially dangerous, society has enacted strict laws and punishment for this offense.
2. Because many of society's prominent citizens are often guilty of this offense, there are many instances of "not guilty" pleas, and more court trials for this particular offense.
3. The fact that the punishment increases greatly with each successive offense, often makes it worthwhile for the defendant to hire an attorney to take the case to court.
4. Added to this is the possibility that the defendant might lose his driver's license. In many cases, the defendant has little to lose by taking the case to court and before a jury.

5. Generally an officer must give more careful attention to the evidence and procedure in a drunken driving case than he would in some other misdemeanor case.
6. Attorneys have written volumes on ways to beat drunken driving cases, and the police officer has to be aware of these techniques so that in processing the case, he may counter any possible maneuver of the defense attorney in court.

F. When is a person under the influence?

1. When a person's blood-alcohol relationship is .15 per cent volume, then that person is technically considered to be under the influence of alcohol.
2. The best method of determining the blood-alcohol relationship is by obtaining a blood sample from the suspect. The next best method is to obtain a urine sample.
3. There are many other types of field tests.
  - a. They are usually based on the reaction of the suspect's alcohol-saturated breath on certain chemicals contained in a glass tube.
  - b. The reaction is determined by a change of colors in the chemicals which give an estimate of the degree of alcoholic influence.
  - c. These tests are not as accurate as the blood-alcohol test, but are a good means of testing a suspect in the field.
4. Many times a suspect has been involved in an accident, and the officer is not sure whether the suspect's actions are due to alcohol or a head injury as a result of the accident.
5. The simple field test can be of great assistance in this area.

G. The arresting of a drunk driver.

1. Most drunken drivers are arrested because they became involved in an accident, or because of their extreme erratic driving.
2. If an officer makes an arrest based on erratic driving, it is important to have detailed notes as to exactly what



the driver did that caused the officer to stop him. The defense attorney will dwell on this area, so the officer should prepare himself ahead of time by making adequate and detailed notes.

H. Tests given at the scene of a potential drunk driving arrest.

1. At the scene it should be determined whether or not the person is under the influence of alcohol.
2. This is done by administering one of the field tests, such as the "balloon test" or by a test of physical agility.
3. It is wise to use both if at all possible.
4. The most common type of field agility test is to have the suspect walk a straight line toe-to-toe.
5. When first talking to the subject, the officer should make sure he is not using anything for support.
6. There have been cases where the subject appeared to be quite steady due to the fact he had his hands behind his back and was pushing his extended fingers against his automobile. Under such circumstances, when removed from the proximity of the automobile, he would be likely to fall.
7. The officer may use a number of tests at the scene, provided that they are not so complicated that the average person would have trouble performing them.
8. Many officers have devised their own series of tests. This should be avoided; the standard tests are better.
9. The test is merely to determine if a person is too intoxicated to drive.
  - a. If he is, a simple test will do the job.
  - b. Some officers have been quite embarrassed in court when the defense has asked them to perform the same feat in court that they used on the defendant, and they were unable to do so.

I. Tests given at headquarters for the arrested drunk driver.

1. When a suspect is brought to headquarters, a further series of tests should be given to substantiate the officer's beliefs.

2. The officer should not be afraid to release the suspect at headquarters if he feels he was wrong in his first judgment.
3. Some officers will book the subject anyway because they fear a civil suit will result if they release the subject.
4. If he can show good reason for stopping him in the first place, he is completely within his rights to stop him and to conduct a test in the field and again at headquarters where the proceedings are not under the pressures of a watchful crowd.
5. He should have no doubts in his mind as to the degree of intoxication of the subject.
6. It should be remembered, however, that when a person is arrested in the field and taken to headquarters, he can be scared enough to cause the adrenalin glands to stimulate his body to the point where he does not appear to be as intoxicated as he was in the field.

J. Types of balance tests commonly given drunk drivers.

1. One of the most common balance tests is that of walking a straight line.
2. In the field the dividing line of a sidewalk can be used.
3. At headquarters there should be a special line for this purpose.
4. It should be wide enough so it may be seen by a person who has poor vision.
  - a. If a person wears glasses, he should be allowed to wear them during the test.
  - b. If the jury realized the defendant was not allowed to wear his glasses during the test, they would discount his inability to perform the test as being understandable.
5. When the officer is using this type of test, he should draw two lines on a sheet of paper. While the subject is walking, he should follow the movements on the paper with a pencil line in direct relation to the subject's path.
6. The officer should first perform the test he asks the subject to perform.

7. This not only shows him how it is to be done so that there is no misunderstanding, but it also shows the subject that it can be done.
8. The officer giving the test should have another officer present as a witness.

K. The Rhomberg test.

1. The Rhomberg test is a balance test where the subject stands with his feet together and his eyes closed, and then tilts his head back.
2. It can be done first by allowing the subject to use his arms for balance, and then with his arms at his side.
3. The officer giving the test should stand close to the subject in case the subject should fall and perhaps injure himself.
4. As long as the subject is in the custody of the officer, the officer is responsible for him and his safety.

L. The pick-up test.

1. In this test the officer drops something and asks the subject to pick it up.
2. If the subject is quite intoxicated, he might fall on the floor.
3. Again the officer should be concerned with the safety of his subject.
4. The use of coins on the floor is not the best test, because even a person who is very sober may have trouble picking up coins lying flat on the floor.
5. The defense attorney could make this test backfire by asking a member of the jury to try it.

M. Judgment test. Judgment tests are varied; they can run from asking the subject if he knows what time it is, or what day it is, to a test of his ability to touch the end of his nose with the tip of his finger.

N. Manual dexterity test.

1. In the manual dexterity test, the officer asks the subject to perform some feat involving the use of his hands.

2. One of the best and most common is to have the subject write his name, or draw a circle or a triangle. When the subject is released the next day, his signature is obtained in the return of his property, and it is used to compare with the signature taken at the time of the test.

O. Recording the subject's voice.

1. The use of a tape recorder may have advantages.
  - a. First of all, it can show the demeanor of the officer during the test.
  - b. Secondly, it will often show how vile the subject's language and behaviour was.
  - c. Thirdly, it will show by the subject's voice that he was in fact intoxicated.
2. The video recorder also is very useful for recording the voice and actions of the drunk.

P. Photographing the testing of the subject.

1. The subject can be photographed with both still and movie cameras.
  - a. The still camera will show the facial expression and the disorientation of clothing.
  - b. The movie will show the subject's lack of coordination and balance.
2. Those who do not advocate the use of the movie claim that in some cases the person has a very high degree of blood alcohol, and he does not appear to be intoxicated in the movie. This is true, but in only a small percentage of the cases.
3. Those who use movies as a part of their testing claim a very high degree of guilty pleas, and as a result save community a considerable sum that would normally be spent on trials.
4. In the performance of all these tests the officer should take detailed notes.
  - a. He should not indicate the subject either failed or passed the test.

- b. If the subject fell or wavered, it should be indicated on the notes.
- c. If he slipped or tripped it should be recorded.
- d. Details are important in trying to convince a jury by recreating the test scene for them in words.

Q. Obtaining blood from the arrested person.

1. Since obtaining blood is the most accurate way of determining the actual degree of intoxication, the officer should develop a technique in obtaining this sample.
2. A job of salesmanship may be needed to obtain the blood sample.
3. The law is quite clear on the right of a police officer to forcibly take blood from suspect, but most district attorneys advise against the taking of blood by force, on the ground that it will prejudice the jury against the officer, and in the long run it would be ill-advised.
4. The officer might ask permission to take blood.
5. He should approach the subject as if it were a routine matter, and show surprise if the subject even objects. A little psychology goes a long way.
6. If the subject refuses to give blood, the officer should try to get a urine sample.
  - a. Many times a person has been advised not to give blood if arrested for drunken driving, and he will refuse.
  - b. However, he may give a urine sample because he is unaware of its significance.

R. Procedure in regard to stopping and arresting drunken drivers.

1. Have a violation or series of violations committed by the driver before stopping the vehicle.
2. Stop the vehicle using the accepted procedure, and doing it in the safest manner possible.
3. Drunken drivers are sometimes hard to spot. Here are some indicators:

- a. Complete disregard for traffic laws, and erratic driving behavior
  - b. Being overly cautious in driving.
  - c. Remaining well under the speed limits.
  - d. Driving too close to the curb of the road, swinging out around parked cars.
  - e. Giving hand signals which would not normally be given.
4. The importance of enforcement of drunken driving violations.
    - a. Half of all fatal accidents, on a national average, involve liquor violations or drunken drivers.
    - b. The seriousness of the traffic problem is such that any impairment may constitute a hazard.
    - c. It is good police procedure; many criminals are apprehended on the lesser charge, and subsequent crimes or wanteds are determined as a result of the arrest.
    - d. Failure to make an arrest is poor public relations. Leniency may be interpreted by the citizens as meaning that traffic laws and regulations are not important and should not be enforced. The citizen forms a poor opinion of the officer and the department.
  5. Decision to arrest or not arrest. The safest bet is to follow the law and the departmental procedure. Any other procedures in dealing with drunken driving leaves the department and officers open to criticism and problems.
  6. In a criminal prosecution in relation to a motor vehicle with the driver being under the influence of liquor, the amount of alcohol in a person's blood at the time of the offense is shown by chemical analysis of a person's blood, urine, breath, or other bodily substances. The evidence of these tests shall be admissible in a court of law, and if taken, must be produced in court at the discretion of the prosecutor or upon demand of the defendant.
    - a. If there is less than 0.05 per cent up to 0.015 per cent by weight of alcohol in the blood of the defendant, he shall be presumed not to be under the influence of liquor.

- b. More than 0.05 per cent to 0.15 per cent by weight of alcohol in the blood of the defendant shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor; but such evidence, considered with other evidence, may be used in determining the guilt or innocence of the defendant.
- c. If there was at any time 0.15 per cent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.

7. Alcohol correlation chart.

- a. 0.05% equivalent to 2 ounces of 100-proof whiskey  
OR 2 twelve-ounce bottles of beer.
- b. 0.15% equivalent to 6 ounces of 100-proof whiskey  
OR 6 twelve-ounce bottles of beer.  
(UNDER THE INFLUENCE)
- c. 0.50% equivalent to 20 ounces of 100-proof whiskey  
OR 20 twelve-ounce bottles of beer.  
(DEAD DRUNK)

- 8. Blood may be withdrawn by a physician or under the direction of a physician, by a nurse, technician.  
Note: soap, not alcohol, should be used in cleaning the syringe in drawing the blood. The use of alcohol will nullify the evidence in court.
- 9. It is a good idea not to let the person eat, smoke, or drink from the beginning to the completion of the test, so that the most accurate reading may be obtained.  
Note: Mentholated cigarettes, especially, will throw the breathalyzer off.
- 10. Always search the vehicle at the scene of the arrest, and secure the vehicle for impounding.

S. General information regarding handling of drunks.

- 1. Drunks are unpredictable, and an officer should never be lulled into a false sense of security by a drunken man's appearance or the routineness of the call.
- 2. Arrests of drunken persons constitutes the majority of all arrests made by the police.

- 3. Never be lax on any call, particularly those dealing with drunkenness.
- 4. Be alert for the possibility that a person appearing drunk may be, in fact, seriously ill and in need of prompt medical attention by a doctor.
- 5. Be on the lookout for a man faking drunkenness trying to conceal something.
- 6. When a person is arrested for appearing to be under the influence, a blood test should be taken, so as to eliminate any defense the subject may use in this area at the time of the trial.
- 7. Use as much good, practical psychology as possible when dealing with a intoxicated person, since it is always better than force.
- 8. Normal inhibitions regarding a badge or the police uniform are lost when a person is drunk, so do not rely on the psychology of the uniform.
- 9. Use the handcuffs when necessary, because the protection and safety of the prisoner rests with the arresting officer.
- 10. The officer's understanding of human nature is of significant importance.
- 11. Never provoke an incident - use diplomacy always.
- 12. If you have to rouse a drunk, place your thumbs or fingers at the base of his ears just behind the ear lobes, and press GENTLY to arouse him. This never fails.
- 13. If he has a coat on and gives you trouble, pull the coat around his elbows.
- 14. Be particularly careful with a drunken woman - beware of the public viewing a wrongful action on the part of the officer.
- 15. An officer should realize his legal responsibility toward a drunken person, for imcomplete protection of a drunken person could result in a civil suit or prosecution for failure to perform a legal duty.

# XIX. The Residential Prowler.

## A. Introduction to prowler calls.

Events leading to the investigation of a prowler call may be the result of strange sounds heard by the complainant, a shadowy figure seen by the complainant, or a call from the victim. The question arises: Is this the product of a frightened and over-imaginative citizen or is there a criminal intent upon committing a crime? The answer to this question can be obtained by responding with uncommon speed and skill to the location of the call. Prowler calls usually have a very low apprehension rate for any number of reasons. First of all, there may never have been a prowler; or second, the person may have called for the police for a variety of reasons. Third, the prowler may have had a better knowledge of the place than the responding officers, since the prowler probably staked the place out prior to his prowling; and finally, the prowler may have been alerted to the arrival of the officers because the call was responded to improperly by the officers.

## B. The assignment - a prowler call.

1. All police assignments must be considered bona fide until proven otherwise.
2. Reduction of vigilance caused by:
  - a. Frequent lack of success.
  - b. Many false alarms.
3. A prowler call can mean anything. It may be:
  - a. A neighbor's boy walking through the yard.
  - b. The sound of branches scraping against a window.
  - c. An unlocked gate or porch door swinging in the wind.
  - d. A drunk trying to find his way home.
  - e. A vagrant looking for a place to sleep.
  - f. A "Peeping Tom" attracted to an unshaded window.
  - g. A burglar forcing his way into a home.

## 4. The citizen who calls fears the worst.

- a. Officers assigned should expect nothing less.
- b. Their action should demonstrate their awareness of the potential for risk.
- c. The lack of success in making an arrest cannot always be attributed to a false alarm.
- d. Improper field tactics minimize the opportunity for success.
- e. A prowler may not be located because he was warned by the sound of an approaching police vehicle.

## C. Approaching the scene.

1. In approaching the scene, it is important that the officer have a good idea just where the victim's house is located. Most communities have the even numbers of addresses on one side of streets and the odd numbers on the others.
2. If an officer knows his beat, he will:
  - a. Know what side of the street the house is on.
  - b. Have a pretty good idea of what block it is in.
3. During the last few blocks he should slow down to prevent:
  - a. The racing of the engine.
  - b. The screeching of brakes.
4. To assist in finding the exact address, he should use the spotlight on the opposite side of the street.
  - a. If looking for 1112, he should use the spotlight on the odd side of the street until he finds 1109 or 1107.
  - b. Then he knows the address he is looking for is almost across the street.
  - c. The spotlight does not give him away now.

## D. Arriving at the scene.

1. As you arrive a short distance from the victim's house:

- a. Cut the engine of the car.
  - b. Coast to within one or two houses from the victim.
  - c. Use the hand brake to stop vehicle since this does not cause the brake lights to go on.
  - d. Turn the radio down or off.
  - e. Open the car door slightly.
2. When stopped, remove the car keys.
    - a. You should then put them and your whistle in the pocket containing your handkerchief so they will not rattle.
    - b. When leaving the vehicle, leave the car door ajar.
  3. Approach the victim's house from the neighbor's lawn rather than the sidewalk where the footsteps can easily be heard.
  4. Hold the flashlight to the side away from your body and use it sparingly.
  5. Check the windows and screens and the rear door for pry marks or other indications of an attempted burglary.
  6. Scan the ground for footprints or other evidence pointing to the presence of a prowler.
  7. Direct the flashlight beam into shrubbery and the nearby trees and check the yard, garage, and outbuildings.
- E. Interviewing the complainant.
1. The complainant is interviewed after the first search is completed.
  2. Reassure the complainant that you have adequate assistance on hand and that the situation is under control.
  3. Never alarm the citizen by remarking that this must be a burglar or lunatic who is running wild in the neighborhood.
  4. After reassuring complainant action is being taken:
    - a. Obtain a description of suspect, if the prowler has been observed.

- b. Let the complainant give the description. Do not suggest wearing apparel, physical defects, etc.
  - c. Try to obtain outstanding characteristics to facilitate recognition.
5. If the preliminary search shows that a prowler was present or a crime was attempted, inform the complainant of your intention to conduct a more thorough search and tell him to remain indoors.
  6. If a description is available, relay it to the dispatcher to alert other units operating in the vicinity.
- F. The secondary search.
1. At least four officers should undertake the secondary search.
    - a. Two officers conduct a closer search of the premises.
    - b. Two undertake to cover the alleys and streets in the immediate vicinity.
  2. Before the search begins, the investigating officer should:
    - a. Brief men on the information already on hand.
    - b. Agree on a plan of action.
      - 1) Where to conduct the search.
      - 2) Type of signals to be used.
- G. Searching the premises.
1. This search is made by two officers.
  2. It also begins at the front of the house and proceeds toward the back.
  3. It is conducted primarily to:
    - a. Uncover any evidence which may have been overlooked.
    - b. Locate the prowler, who may still be hiding on the premises.

4. The search proceeds slowly and cautiously.
    - a. The gun is drawn and held uncocked.
    - b. The flashlight is held away from the body.
    - c. Light is directed into an area before advancing into it.
    - d. Stop, listen and move ahead again.
  5. Examine the basement windows for tampering.
  6. Direct the light into the branches of nearby trees, the roof, and exposed beams.
  7. Examine the shrubbery and the flower beds.
  8. Illuminate all shadows, stair wells and the area behind fences.
  9. Look for:
    - a. Freshly broken branches.
    - b. Bits of clothing caught in the shrubbery.
    - c. Abandoned burglar's tools.
  10. Footprints may indicate the direction of flight. Shine light obliquely on the lawn to detect any footprints left on the wet grass.
  11. Most backyards contain hazards. Direct the light on the ground and ahead of you before advancing.
  12. Maintain a crouched position - this will allow you to clear most clotheslines. Beware of low fencing that may trip you.
- H. The neighborhood search.
1. While two officers are conducting the search of the premises, the prowler must be sought out in the nearby streets and alleys.
  2. During this search the vehicle is never operated at a faster rate of speed than the normal traffic flow.

3. The officers must also frequently leave the vehicle to examine areas which cannot be illuminated by the spotlight.
  4. Investigate any person observed running, walking rapidly, or apparently hiding in the shadows.
  5. The spotlight is used extensively in this type of search.
    - a. It may reveal a suspect's hiding place.
    - b. It may also frighten him into running and revealing himself.
    - c. Move spotlight slowly and direct it into:
      - 1) Likely hiding places.
      - 2) Parked automobiles.
      - 3) Stair wells.
      - 4) Under porches.
      - 5) Between buildings.
  6. A suspect may hide behind a tree or post and slowly move around to escape detection as the vehicle passes. Be alert for an exposed foot, a hand, clothing, or tell-tale shadows as the light strikes such a potential hiding place.
- I. Checking the suspect.
1. When you are conducting your field inquiry, pay close attention to a suspect's hand, face, clothing and shoes.
  2. Fresh scratches on the neck, face, and hands may indicate he has been running through shrubbery.
  3. Fresh paint or whitewash stains on his clothing and hands also show the suspect may have leaned against a building or has been climbing fences.
  4. Check trouser cuffs for bits of vegetation.
  5. In dry weather, muddy or wet shoes may indicate the suspect has been walking through a garden.
  6. Be suspicious of grass stains or bits of freshly cut grass adhering to the shoes.



7. Check the forehead for beads of perspiration; watch for heavy breathing, indicating recent exertion.
8. Place your hand on the suspect's chest to detect an unusually rapid and strong heart beat, which is also indicative of physical exertion.
9. Persons who appear to be intoxicated should be questioned. Criminals have posed as drunks to avoid detection by inexperienced officers.
10. Check out the identity and address of a person observed walking his dog. Frequently a look-out will resort to this trick to throw the police off their guard.
11. A burglar or a person intent upon committing a serious crime recognizes that prowling is a minor offense, if a crime at all. He may admit being on the property by mistake, or that he had gone there to relieve himself; he should not be dismissed without being thoroughly investigated.

J. Checking vehicles.

1. Stop and question the driver and occupants of any vehicle which rapidly pulls away from the curb at the approach of a police vehicle.
2. As you search the neighborhood, look under parked vehicles. This is a common hiding place.
3. Any person found in a parked vehicle must be questioned to determine the reason he is in the neighborhood.
4. Place your hand on the hood of a parked automobile.
  - a. If it feels warm, obtain a registration check.
  - b. If a vehicle is not registered to an address in the immediate vicinity it may be necessary to stake out the auto.
  - c. Select a position that will give you a clear field of vision without being observed.
  - d. Park the police vehicle some distance to the rear and facing the same direction as the auto being watched.

- e. Inform the radio dispatcher of your actions. He will warn other police units to stay away.

K. Ending the search..

1. If a search of the neighborhood and the property proves unsuccessful, return to the complainant's house before leaving and reassure him you will maintain a close watch in the area.
2. Instruct him to call the police again in the event the prowler returns, or if he is alarmed by any suspicious noise or movement.

L. The use of dogs.

1. Dogs have a keen sense of smell and can be invaluable in locating prowlers.
2. Remember prowling is a misdemeanor. The officer should use a dog discriminately.

M. The stake-out.

1. When evidence is found to indicate that a prowler was in fact present but he has not been found, chances are he is hiding some place nearby.
2. In this case a stake-out is warranted.
  - a. One procedure is the following:
    - 1) The officers can loudly state that the suspect must have gone, and then noisily get into the car and slam both doors.
    - 2) One of the officers slams his door from the outside and then makes a dive for some bushes or some other type of cover.
    - 3) He then sits and waits until his partner parks a few blocks away.
  - b. Another procedure involves the following:
    - 1) The officers actually leave the scene, then one of them comes back on foot from around the corner and across the lawns until he finds a good hiding place.
    - 2) His partner, as before, parks the police car a few blocks down the street with the lights out and the radio down, preferably under a tree and as out-of-sight as possible.

## XX. Car Prowlers.

## A. Introduction to car prowling - the fastest-growing crime in the U.S.

One of the fastest-growing crimes in the U.S. is car prowling. This is usually thought of as merely a kid's trick, resorted to by boys with no money who steal accessories to beautify their own cars. To a certain extent this is true. Unfortunately, the public feels that this is the only problem, and as a result car prowlers are dealt with very lightly when caught. In fact, many thefts are attributed to children and are never reported at all. Even when reported, it is seldom that the owner can identify the articles stolen - whether stolen from the inside or the outside of the car. When the same juvenile stops stealing hub caps and begins stealing any article found inside a car to convert to cash, he is no longer an amateur wanting to beautify his car. The juvenile is on the road to becoming a professional, and it is but one more step before he is an ordinary burglar. It is usually only during routine police work, either when the thieves are caught in the act or the loot is found in a pawn shop, that such cases are solved, for it is seldom that anyone concentrates on a solution. Few persons have their homes burglarized as compared to the large number of persons who have found their cars looted or stripped; therefore, the lack of efficiency in not solving the car prowls far outweighs the show of efficiency in solving burglaries.

## B. The crime and the prowler.

1. Remember this - a prowler can open a car and remove the contents, including the radio, in a matter of a few minutes.
2. A good car prowler has been timed as having left his car, opened the car to be prowled, removed the radio, and started back to his own car in three minutes or slightly less.
3. The prowler has little chance of discovering this crime during its commission, for three minutes is not a very long period of time.
4. When the three minutes are broken down:
  - a. One-half minute for the car prowler to approach the car to be prowled.
  - b. One-half minute for him to open it.
  - c. One and one-half minutes to remove the contents.
  - d. One-half minute to return to his own car.

## 5. The time for a successful arrest is very short.

- a. Should you spot a car prowler in the actual commission of a crime, do not be in a hurry to apprehend him before all the elements that constitute a crime have been completed.
- b. Intent is usually the element most difficult to prove.
- c. If you should approach him before the car is moved, he can claim that he is sitting in the car for no other purpose than to admire the interior. How can you prove otherwise?

## C. Characteristics of the car prowler.

1. In watching for such cars, look for many of the same leads as you would in trying to identify a stolen car or the car of a burglar.
2. Unless the prowler is very experienced, he may give himself away by any one of the following:
  - a. The car prowler may turn off quickly after pulling up behind you.
  - b. The car prowler may refuse to pass you.
  - c. The car prowler may watch you too closely.
  - d. The car prowler may pull away from the curb and drive a short distance before turning on his lights so that no one can see his license plate.
3. Look for drivers who seem to be cruising around with no apparent destination.
4. Follow the car, if possible, for the car prowler may be looking for a particular model car to attack.
5. Although he may already have some loot in his car from a previous car prowl, assume that he doesn't and give him an opportunity to commit another theft.
6. If the circumstances are such that you may lose him or be seen by him, arrest him for some traffic violation and take a chance on finding stolen articles in the car. While issuing the citation, you can look his car over.

7. Be alert for any person making a repair under the dashboard. He may be stealing the radio or "hot wiring" the car.
8. Although many cars are now lowered in the rear end, watch for heavily loaded cars.
  - a. Car prowlers frequently put their loot in the trunk so that it cannot be seen by any officer who may happen to stop them for some minor traffic violation.
  - b. Cars that have been lowered by their owners have also had the headlights lowered. If an approaching car's headlight beams are too high be suspicious, for it would indicate a loaded trunk, possibly with stolen items.

D. Action to be taken with car prowlers.

1. Whenever you have reasonable grounds to believe that a felony has been committed, and that the driver is the one who committed it, a search of the car is entirely legal after an arrest, when made to support the arrest.
2. There are many city ordinances and state laws that, if known to you, will allow you to make a legal arrest when a violation is committed.
3. After a legal arrest has been made, the courts permit a search of the car.
4. A person may waive his constitutional right of freedom from illegal searches, so if he consents to the search you are on safe ground. This is also true of his person or home.
5. If you cannot look the car over while he is inside, and you have reasonable grounds to believe that he has some fruit of a crime in the car, you may book him while applying for a warrant to search.
6. The exact charge is determined by departmental policy and state law.

E. Identification of loot which has been stolen.

1. When loot is found in a car or, for that matter, anywhere, you must be able to connect it to the owner.
2. Check the complaints as they come into the station, and contact the complainant to see if he can identify the recovered property.

3. If the legal owner believes them to be his but cannot positively identify them, the identification will be up to you.
4. Pliers or wire cutters are usually used to cut the wires on a radio, and the end of the wire left in the car may match with the wire-end left on the radio.
5. If the wire cutters are found, remember that each tool leaves its own identifiable mark in the same manner as teeth marks are left on an apple.
6. A laboratory man can match these tiny imperfections with the marks left on the wires.
7. Should tires be found, the owner may have purchased two or more with the serial numbers running in sequence. The seller may have a record of the numbers.
8. Cameras, or any other item with serial numbers, may be registered by number at a repair shop, retail or wholesale store.
9. Don't forget the pawnshop ticket file. Many persons pawn an article and forget that the pawnshops must keep a record of the number and description of the article.
10. If the article stolen was purchased at a second-hand store, in all probability the police keep a record of such articles.
11. There is always the chance that the same article was stolen and recovered at a previous time. If true, the stolen property file may contain descriptions suitable in connecting the owners with the article.

## XXI. Fire and Bombs.

## A. First duties at the scene of a fire.

1. An officer has three duties at the scene of any fire:
  - a. First, the duty to rescue.
  - b. Second, to extinguish the fire.
  - c. Third, to control both traffic and people.
2. The National Board of Fire Underwriters requires that police aid firemen at any fire, before fire insurance rates are approved.
3. Should an officer receive a call of a fire or should he happen on a fire not yet reported, he should not hesitate to take prompt and swift action.
4. He should follow the above duties in the order of their importance.

## B. The on-view fire.

1. If you should happen on an unreported fire, report it immediately by radio, giving:
  - a. The location of the fire.
  - b. Type of building burning.
  - c. The seriousness of the fire as you see it.
2. If it is an occupied dwelling, turn on your siren and blow the car's horn to attract the attention of people, or to awaken them at night.
3. Neighbors may be a big help until the firemen arrive.
4. If you must go into a building to effect a rescue, open the doors and windows wide so that air can enter.
  - a. Although this action permits more oxygen to enter thereby aiding the fire, it will also permit you to breathe.
  - b. Be careful when you open the doors or windows that a blast of hot air and gas does not strike you in the face and sear your lungs.

5. Keep as low to the floor as possible, because the hot gasses will be above and the cool fresh air from the open door will be next to the floor.
6. Try to learn from any adults nearby if there are any children in the house.
  - a. If there are, keep in mind that children may hide in odd places when frightened.
  - b. Should you have to go to a second floor and the fire spreads to the floor under you, do not attempt to return to the lower floor by the stairway. Hot gasses rise and will be blowing up the stairs.
  - c. Make your way to a window and break it out.
7. If you remember how the house is constructed, the window may overlook a porch roof.
8. Make no attempt to extinguish the blaze as long as a human life is in danger.

## C. Protecting property at the scene of a fire.

1. Once you have made certain that all occupants are safe, close all doors and windows to keep air from entering the building.
2. If the building is unoccupied and the doors and windows are already closed, leave them closed until the fire department arrives.
3. Look for extinguishers, garden hose, faucets, ladders, etc.
4. A few minutes of time gained may keep the fire small.
5. Bear in mind that water or chemicals can cause more damage to some kinds of store stocks than the fire itself.
6. While you are trying to extinguish the blaze, make a note of the origin of the fire. Your observations may aid in any subsequent investigation of arson.

## D. Crowd and traffic control at the scene of a fire.

1. An officer's last duty is the directing of vehicular traffic and controlling of crowds at the fire scene.
2. Park the police cruiser where it will be helpful and not a hindrance.

3. If there is a need to block a street, use the cruiser for that purpose; but do not park it in such a manner that it will block the entrance of more fire rigs or other emergency vehicles.
4. On narrow streets, an officer may park on the sidewalk where the vehicle is out of the way but where the radio is available.
5. Two officers can usually handle all vehicular traffic when a fire is in the middle of a block, by standing at the street entrance to the block and moving traffic into the other adjoining streets.
6. At fires on or near an intersection, four men are usually required to seal off all four street entrances to the scene of the fire.
7. Do not permit any cars to be parked, or people to gather, in such a way that the approach of more fire trucks will be blocked.
8. Keep the people out of the firemen's way and be on the alert for anyone causing a disturbance.
9. Remove or arrest any drunk immediately.
10. Watch for any person overly anxious to help the fireman and anyone who may have a dreamy look as though enraptured at the sight of the fire. These may be pyromaniacs.
11. People do have an interest in fires, you must take this into consideration.
12. An officer will also find that at any disaster, people act with herd thinking.
13. Crowds need a leader, so take charge of them by being firm.
14. At any fire, the fire chief is in charge and has authority over the police chief concerning matters pertaining to the fire.
15. If you have no definite post and no superior is present, ask the fire chief what has to be done.

E. Protecting property at the scene of a fire.

1. After the fire you must protect the property that was taken from the building.

2. The firemen usually secure the premises if the owner is not present.
3. Where they do not secure the premises, stay with the building or property until all is secure.
4. Give all the aid you can to anyone left homeless by asking the neighbors to take them in, or by taking them to the station to be sent to some agency.
5. Take charge of any children whose parents may have been injured or who perished in the fire by contacting the juvenile officers for disposition.

F. Safety at a fire scene or other emergency.

1. When traveling to a fire or other emergency, be extremely careful at intersections to keep from having a collision with other emergency vehicles also traveling to the fire.
2. When following a fire truck, be sure to issue citations to drivers who fail to yield the right of way and to the "tail gaters" following too close behind the truck.

G. The problem of false alarms.

1. At all times be on the alert for persons turning in false alarms.
2. These are usually children, so watch for children running from the fire alarm boxes.
3. When too many false alarms are turned in from one box, the firemen will dust the handle of the box with a dye, such as methylene blue, which turns a bright color when moistened. In false-alarm calls, watch for this color on the hands of those, particularly juveniles, in the area.

H. Fire and infernal machines.

1. Fighting fires and deactivating bombs are highly specialized skills.
2. Most patrolmen, while they have some knowledge of these subjects, are not experts about getting a fire under control or disconnecting an explosive or an infernal machine.
3. If a patrolman detects a fire or suspects an infernal machine, he should call for assistance immediately.

4. Until assistance arrives - firemen or bomb experts - the patrolman's major concern is clearing people from the area of danger.
  - a. That means knocking on doors, rousing people, dropping fire escape ladders - anything and everything that will empty the premises of occupants.
  - b. Once the area is clear, the officer should establish lines such that no one will re-enter the hazardous zone.
5. If the scene of the fire or explosion danger is not plainly visible from the street or fire alarm box, the patrolman should remain there or station someone else so as to direct assistance when it arrives.

## XXII. Safe Driving Techniques for Policemen.

### A. Introduction.

The law enforcement officer, although trained in techniques of traffic enforcement and accident investigation, all too often becomes involved in traffic mishaps himself. Contrary to popular belief, only 10 per cent of accidents involving police vehicles occur during high speed pursuits or emergency runs. This shows that safe driving practices must be constantly followed, especially in those situations of apparent minimal danger. The police driver, as any road user, cannot afford the luxury of a false sense of security. This may compromise his driving alertness. Traffic safety must be constantly and conscientiously sought. If this search is to be successful the police driver must consider these interrelated elements: the driver; the vehicle; the external conditions, such as weather and road conditions; and correct operation of vehicle.

### B. The driver in general.

1. Most drivers find it difficult to acknowledge their driving deficiencies.
2. Bad driving habits of others are readily observed. They are often attributed to mistakes of other less capable motorists.
3. Few people are willing to recognize or admit that many of these emergency measures such as jamming of brakes and sudden changes of lane, were necessitated by their own poor driving.
4. In two-car collisions often both drivers have made driving mistakes.
5. Investigators have found that in many instances:
  - a. One driver was principally at fault.
  - b. The other could have avoided collision by quick and intelligent action.
6. Driving is a full-time job.
  - a. Driving habits are the product of individual characteristics.
  - b. The following have a profound influence on driving:
    - 1) A driver's ability to concentrate.

- 2) Tendency to be distracted.
- 3) Fears, worries and other emotions.
- 4) Attitudes.
- 5) Physical limitations.

C. The police driver.

1. A police officer generally reflects the same driving habits as the motoring public. Some examples of poor driving habits are:
  - a. He may insist on his right-of-way even at the risk of an accident.
  - b. He may get out on the traffic side of his parked automobile without paying attention to the oncoming cars.
  - c. He may try to use the police vehicle to force a lane straddler into line.
2. Poor and discourteous driving habits have poor results.
  - a. They result in accidents.
  - b. They help to develop public ill-will toward police.
  - c. They also may cause a financial burden to the police department or personnel.
  - d. Hidden costs are attached to careless operation of police vehicles and are reflected in:
    - 1) Remedial in-service training programs.
    - 2) Damaged vehicles.
    - 3) Lawsuits resulting from injuries or property damage.
    - 4) Loss of man hours.
3. There are many psychological factors that often affect a policeman's driving.
  - a. An unpleasant or shocking experience often occupies the mind for a long period of time and may be a distracting influence.

- b. Mental preoccupation may be brought about by several factors:
  - 1) A recent encounter with a particularly vocal and obnoxious traffic violator.
  - 2) The investigation of a heinous crime.
  - 3) Personal problems.
4. Physical conditions which can affect driving patterns.
  - a. Fatigue poses the greatest physical threat, because it:
    - 1) Lowers visual efficiency.
    - 2) Increases the reaction time in an emergency situation.
  - b. It most frequently occurs in the form of drowsiness.
    - 1) The reflexes slow up.
    - 2) The mind wanders.
    - 3) Eyelids become heavy and close for a longer period of time than safety permits.
  - c. This potential danger may appear any time the officer reports for duty without being well rested.
  - d. When drowsiness begins to set in, the officer may initiate several preventive measures to obtain temporary relief:
    - 1) Open the car window to allow circulation of fresh air.
    - 2) Talk out loud.
    - 3) Make frequent stops to conduct security checks of business and homes, or inspect trouble spots.
  - e. The use of the popular stimulant pills such as "caffeine pills" or other "stay awake" pills is not recommended.
    - 1) They place an undue strain on the nervous system.
    - 2) They disturb the reflexes.



## D. The vehicle.

1. "Know your vehicle" is one of the first rules of safe driving. The final responsibility must rest with the officer who will operate the vehicle during his tour of duty.
2. The following are recommended checks:
  - a. Check all lights including the tail lights and turn signals.
  - b. Check the horn, siren and emergency lights.
  - c. Check the gas, oil, and water.
  - d. Check the brakes to determine if there is enough pedal travel to permit safe braking.
  - e. Check the tires for proper inflation. Low tires weaken the sidewalls and increase the possibility of a blowout. If a slow leak is noticed, replace the tire.
  - f. Clean the windshield, windows and mirrors.
  - g. If the windshield wipers streak, obtain replacements.
  - h. Check the condition of the spare tire.
  - i. Check departmental equipment such as:
    - 1) Flares.
    - 2) First aid kit.
    - 3) Tire-changing tools.
3. Mechanical defects such as steering mechanism irregularities and defective muffler can be discovered only when the vehicle is in operation. Any such defect should be immediately noted and repaired.
4. The police vehicle is equipped with safety belts. They must be worn.
  - a. This safety device will not prevent a single accident.
  - b. It can, however, reduce the chances of injuries.
  - c. No other safety aid has had such careful scientific investigation.

## E. External conditions which affect driving.

1. Bad weather.
  - a. Inclement weather creates additional hazards.
  - b. During rainstorms or heavy snow:
    - 1) Visibility is reduced.
    - 2) Slippery pavement increases the stopping distance.
  - c. In Michigan where the climate is subject to snow and freezing temperatures, additional precautions must be taken.
  - d. Before starting on patrol, take a few minutes to clear the windshield and rear window of snow and ice.
  - e. Tires must be maintained at the recommended pressure.
2. Road conditions as hazards.
  - a. An alert driver learns the temperature traps that prolong icing conditions. Ice and snow last longer:
    - 1) In shady areas.
    - 2) Under overpasses.
    - 3) On bridges.
  - b. When the road surface is wet or snow-covered, remember that posted speed limits are for ideal conditions and the speed must be adjusted to meet road conditions.
  - c. Special precautions are necessary when driving on pavement which is wet from a rainstorm following a long dry spell.
  - d. Oil slicks tend to be more hazardous under these same conditions.
  - e. Occasional braking and stopping tests are a wise precaution to inform the driver of changing conditions.
  - f. The added danger of skidding or losing control confronts the police driver attempting to stop on slippery pavement.

- 1) When attempts are made to stop the vehicle, the brake pedal should never be jammed down. Slamming on the brakes results in loss of control.
  - 2) Instead, a pumping action - pressing and releasing the brake pedal rapidly once or twice a second - permits the wheels to roll for steering control and helps prevent skids.
- g. Attempts to slow down on snow-covered pavements must be made well ahead of time, especially when stopping at intersections. In such locations the snow is usually packed down by traffic and spinning wheels polish the ice, making stopping a great hazard.
- h. STOPPING DISTANCES \*

	S P E E D				
Road Surface	20	30	40	50	60
Dry Concrete	47	88	149	243	366
Gravel	70	135	232	374	561
Wet Pavement	78	147	252	404	607
Packed Snow	105	194	336	541	808
Ice or Sleet	235	480	745	1215	1830

\* Including average reaction distance and braking distance

#### F. Operating a vehicle correctly.

1. It is not enough for the police driver to observe all traffic regulations. His vehicle must be operated in a manner which will protect against accident-causing situations.
2. A good driver:
  - a. Makes allowances for reckless and careless actions of others.
  - b. Keeps constantly alert.
  - c. Thinks far enough ahead to be able to take necessary action before dangerous situations produce accidents.
3. He adjusts his driving to meet all hazards of weather, road conditions and traffic.

#### G. Routine driving operation.

1. During routine operation, the police driver must always remain alert, and direct his attention to the road ahead to observe when traffic may be forced to stop suddenly.
2. Speed must be adjusted downward to enable adequate observation of road conditions as well as incidents of interest in general patrol. Police officers tend to drive too fast.
3. A safe police driver never underestimates his stopping distance. Even with good brakes it takes a lot of room.
4. While following another automobile in traffic, the space of one car length for every ten miles per hour or more should be allowed. On wet or icy pavement a greater distance should be kept between vehicles.
5. Never assume the other driver will yield the right of way when approaching an intersection.
  - a. Each intersection is approached with the foot off the accelerator and poised over the brake pedal.
  - b. Assume the right of way only when you can safely proceed across the intersection.
  - c. Always expect the unexpected.
6. Common courtesy and concern for other motorists indicate that the police vehicle must use the extreme right lane of the roadway when it is traveling at a speed slower than the normal flow of traffic.
7. The police driver must also signal his intentions to turn, change traffic lanes, slow down and stop.
8. He should set the example - obey the law and follow the rules of the road.

#### H. High-speed driving.

1. A police officer can expect to engage in high-speed pursuits in the performance of his duty.
2. In these circumstances he must apply sound judgment and follow these accepted safety precautions:
  - a. Estimate the speed of the vehicle being overtaken and the distance of the oncoming traffic to determine the margin of safety before attempting to pass.

- b. Never pass on hills or curves.
  - c. Return to your traffic lane as soon as the passed vehicle is clearly seen in the rear view mirror.
  - d. Check the rear and the side traffic lanes before pulling out into traffic.
  - e. Keep both hands on the wheel at all times.
  - f. Slow down before entering a curve, then accelerate as the curve permits. Never cut corners.
  - g. Signal intentions well before stopping or slowing down by flashing the brake lights or by hand signal.
  - h. Stop gradually; don't wait until the last second.
  - i. When approaching a red traffic signal or a stop sign, stop and yield the right of way to all moving vehicles and pedestrians.
  - j. The intersection should be entered only after all traffic has stopped.
  - k. When approaching a green traffic light or an intersecting street controlled by a stop sign, slow down, remove foot from accelerator and be prepared to stop. Resume speed only when you consider it safe.
  - l. Avoid quick starts and stops unless in an emergency.
3. Acceleration controls of the police vehicle in pursuits.
- a. In anticipation of pursuit driving, always keep the engine warm so that it will not be damaged by the high speed operation.
  - b. It is not necessary to accelerate to maximum speed in low and second gear even in pursuit driving.
    - 1) Not racing the engines in low and second reduces wear and provides for a longer engine life.
    - 2) Use of lower gears on curves or crooked roads and in slowing down for intersections is advised because it saves the brakes should they be needed for a long chase, and gives faster acceleration from a slower speed.

- 3) Change gears only when necessary, as it detracts from driving ability when done to excess.
  - c. Spinning the wheels never serves a good purpose and it will arouse the antagonism and curiosity of the public.
  - d. The practice of good driving habits will enable a pursuit driver to drive at high pursuit speeds with ease, because of practice and confidence.
4. Making the basic pursuit turns.
- a. The decision to stop and turn a vehicle around must be made without any delay by the pursuit officer, because if two vehicles are traveling toward each other at 60 MPH, within a fifteen second period, one-half mile will separate the two vehicles after they pass.
  - b. The pursuit officer must be able to select the correct maneuver for turning in a given situation.
  - c. The four basic ways to turn safely are:
    - 1) The U turn is considered both the fastest and safest, and should be used whenever traffic conditions permit. In making this turn an area bigger than the radius of the turn will be needed, and an officer should be able to complete the turn in 10 - 14 seconds. This type of turn is not recommended for intersections because the hazards are too great.
    - 2) A right-hand road turn is considered to be the safest turn, where the width of the roadway and shoulder do not allow a U turn. This turn should be completed in 13 - 18 seconds.
    - 3) A left-hand road turn should be used when a right-hand side road is not available. When this turn is utilized, it should be executed by pulling into the side road and backing onto the shoulder. This turn should be completed in 13 - 18 seconds.
    - 4) There are times when it is impossible to make any of the above turns. In that case a Y turn is utilized. In this turn, an officer should first check traffic to the rear and signal for a stop. The officer should then bring his vehicle to a stop on the right shoulder of the roadway, at about a 15-degree angle from the center of the

road, shift into reverse, check traffic in all directions, and then back up. While backing up the steering wheel must be turned slowly at first, then faster so that the vehicle is facing the desired direction. After re-checking traffic, the officer may then proceed forward in pursuit.

- d. The ability to back a vehicle up fast and skillfully, is essential.
  - 1) The pursuit driver is expected to be able to keep both hands on the wheel of the vehicle and look back over his right shoulder.
  - 2) In pursuit driving, an officer should never back up while opening the driver's door for a better view, nor should he back up using only the rear view mirror because of limited visibility in such a maneuver.

#### 5. Traversing sharp curves.

- a. The ability of a driver to traverse a sharp curve successfully is related to and dependent upon his knowledge of the physical characteristics of the roadway, such as elevation, surface, degree of grade, slope, etc. Becoming familiar with the vehicle and knowing its capacities, is also essential.
- b. Braking should be accomplished prior to entering the actual curve. Riding the brake pedal will result in excessive heat and possible fading action.
- c. Acceleration should be carried out in traversing the curve.
- d. The practice of steering to the left of the center line is dangerous because of possible oncoming traffic.
- e. In traversing a curve, stay slightly to the right of the center, allowing for the use of the rest of the right hand side of the roadway, including the shoulder, for emergency purposes.
  - 1) Creeping toward the center in a right hand curve, or toward the edge in a left hand curve, means that too much speed is being used.
  - 2) Avoid sudden sharp turning in a curve, since it may cause a blowout, or structure failure, due to excessive stress on the metal and tires.

- f. If the pursuit driver feels that he is going to lose the vehicle in a turn, he must decelerate and use marginal space, to allow traction time to regain itself.
  - 1) If the rear wheels should ever slide, it is always best to turn the wheels in the direction of the slide.
  - 2. Whenever loose debris is seen on the curved roadway, it is best to steer straight through the debris, but do not pull on the steering wheel or steering control may be lost.
- g. Whenever a pursuit vehicle leaves the road at high speeds, the driver must not brake or it is possible to lose control. Rather, steer back onto the road after deceleration, and when it is feasible.

#### 6. Following vehicles.

- a. The practice of following several vehicles closely is very dangerous in both normal and high-speed pursuit driving, because of the pursuit driver's inability to predict the other person's reactions.
- b. The danger in this area increases considerably when another road intersects the roadway being used in the chase.
- c. Remember that reaction time when following a series of four or five vehicles closely is reduced, so that a quick stop by the front driver will result in the last driver striking the vehicle in front of him in the rear.
- d. Following trucks and tractor trailers is especially dangerous, because their air brakes stop more quickly than hydraulic brakes.
- e. The pursuit driver should stay just to the right of the center line, for best vision ahead.
- f. If he then needs to stop in an emergency, the left of the roadway is also open to him for avoiding a collision.

#### I. Emergency vehicle procedures.

- 1. Before taking a police vehicle into the field, the officer should have a good basic knowledge of emergency driving and laws.

2. Emergency driving presents a great danger to the police officer and can also present a danger to the general public.
3. Most recruits have the mistaken belief that the criminal is their greatest danger. They often learn the hard way that this dubious honor belongs to the motor vehicle and modern traffic and not to the criminal.
4. The motorist must yield the right of way to a police vehicle ONLY WHEN HE HAS KNOWLEDGE OF ITS APPROACH. He is under no obligation to anticipate its approach.
5. REMEMBER, A DEAF PERSON CAN OBTAIN A DRIVER'S LICENSE.
6. You must remind yourself of the true purpose of the red light and siren - to minimize traffic delay.
7. It is not a magic plow that creates a path in the traffic ahead of you, as some new officers believe.
8. The following are some factors that must be taken into consideration when driving a police vehicle in an emergency situation:
  - a. Siren audibility. Even with his window down, the average motorist can only hear an under-the-hood siren for about 1,000 feet IF HE IS STRAIGHT AHEAD. If he is to the side, the distance is cut by about half. The electronic external siren is over twice as loud as the under-the-hood siren. To increase the audibility, vary the cycle of the siren.
  - b. The noise of the siren decreases as the speed of the pursuit increases. At approximately 60 MPH a siren is practically of no use for warning motorists, because at that speed the vehicle is traveling almost one-tenth the speed of sound. By the time the motorist hears the siren, and is able to react to the sound, the police cruiser is past him.
  - c. Sound barriers. A modern city presents a multitude of barriers that will reduce the audibility of a police siren. Some of them are: buildings, background noises such as traffic, industry or even heavy rain, personal hearing limitations, automobile insulation (windows rolled up reduce audibility by about one-third), radio in automobile, especially if the music is loud, children playing or fighting in back seat, wife nagging, motor noise and vehicle body noise.

- d. Sudden use of the siren in the immediate proximity of another vehicle may cause an excited motorist to stop abruptly and cause an accident.
- e. Always pass on the left. The vehicle might hear your siren at the last minute and suddenly pull to the right.
- f. Do not follow too close to other emergency vehicles. A vehicle that has yielded for him might suddenly pull back into the lane when the other emergency vehicle has passed.
- g. Use the siren very sparingly when passing. Often the motorist will panic and cause a traffic hazard.
- h. Use the red light. If the motorist doesn't see that, use the horn, especially in the daytime.
- i. At night, use the spotlight, but don't leave it on the rear view mirror of the driver being approached as it might blind him and cause an accident.
- j. Caution is an essential part of emergency driving.
  - 1) A policeman can be sued when it is shown that he could have prevented the accident, even if he had the right-of-way.
  - 2) He owes it to the community and to his family to use extreme caution when driving an emergency vehicle under emergency conditions.
- k. Fleeing driver's tactics: five alternatives.
  - 1) Attempt to outdistance the pursuing cruiser, driving at high speeds, through red lights, stop signs, etc. Assistant may be required to secure eventual apprehension, provided that identify of the driver has been established.
  - 2) A violator may attempt to exchange positions in the car with another occupant, at the first opportune moment; he may have no license, for example, or might be drunk.
  - 3) A violator may weave in and out of traffic and attempt to escape down a side road.
  - 4) The fleeing driver may abandon the vehicle and attempt to flee on foot.

- 5) He may throw objects out of the window, in the path of the pursuing vehicle.
  - 6) He may attempt to deliberately wreck the police cruiser.
  - 7) He may possibly stop his vehicle and jump into the vehicle of an unsuspecting person stopped at a light. The officer arriving at the scene may well think that the fleeing driver is afoot.
1. Identifying the offender and the vehicle.
    - 1) A first duty of the pursuing officer is to identify the driver and the vehicle.
    - 2) This should be done as closely as possible. Identify by make, model, year, license, color or colors, and peculiar features, (e.g., damage, one headlight, etc.)
    - 3) An officer should practice careful observation of a driver for as complete a description as possible.
    - 4) This should include, if at all possible, race, sex, type and color of clothing, etc.
    - 5) Always try to note others who may be in the fleeing vehicle, and where they are seated.
  - m. Be careful when there is a chance that two vehicles are drag racing, for there may be two apprehensions necessary.
    - 1) Stopping two vehicles by one police cruiser will require the assistance of another policeman. By placing the police cruiser in between the two motorists' vehicles, the cruiser driver will move the front vehicle over to the side, while the partner will move the rear motorist over to the side with the arm signal or flashlight, etc.
  - n. Use of force in pursuit:
    - 1) An officer may always use sufficient force to effect and maintain a lawful arrest.
    - 2) The practice of ramming another vehicle to secure compliance with an order to stop is extremely dangerous.

- 3) This method of stopping another vehicle should be used only as a last resort, for several reasons:
  - a) It is extremely dangerous and difficult to do, but in some cases it is the only way another vehicle may be stopped.
  - b) In ramming a fleeing vehicle, the police cruiser will undoubtedly suffer damage. This places the officers in the cruiser in serious danger.
- 4) The best offensive weapon that a police officer has is his radio. Always radio ahead for assistance and/or a blockade.
- 5) The practice of shooting out tires is extremely dangerous. Accuracy is almost impossible to achieve.
  - a) A police officer should never shoot out the tires and/or at a fleeing vehicle unless there is a dangerous felon in that vehicle.
  - b) Shooting at another fleeing vehicle causes ricocheted pieces of lead to fly around, and could cause serious injury to those who are innocent bystanders.
- o. If the driver ignores the signal of the officer and attempts to escape, the officer should radio for assistance immediately. The pursuit officer should give identifying data to the radio operator - make of car, year, style, license, direction of travel on what street, number of persons in the vehicle, description of the driver, etc.

## XXIII. Field Interviewing.

## A. Introduction to field interviewing.

1. The recent trend in Supreme Court decisions indicates that field interviewing procedures might be condemned because of actions which often violate a citizen's personal liberty.
2. Most of these decisions that are adverse to law enforcement were brought about because of the indiscretions of police officers and the feeling of some that the end justifies any means.
3. There are strong efforts directed toward eliminating injustices for all citizens.
4. Some feel that this problem would have never developed if law enforcement officers had practiced more discretion in the performance of their duties.
5. Police officers are expected to check on suspicious persons in the community, since this is a basic obligation to the community which the officer has sworn to protect.
6. There is, however, a limit to these checks. They must not infringe upon the basic rights of the persons involved.
7. Herein lies the crux of the matter, infringement of rights.
8. If police officers infringe upon personal rights, they will bring adverse court decisions.
9. The patrol officer may have a profound effect upon the future decisions of the court with regard to the methods of obtaining evidence through field interviewing.
10. The use of field interviews has been abused throughout the country.
11. At night when things are slow, it has been common practice for police officers to use a numerical formula as a means of stopping vehicles and pedestrians for field interrogations. Those who practice this technique will make more arrests than those officers who don't, but this indiscriminate stopping of passersby causes much ill feeling among citizens of the community.
12. Citizens and residents do not seem ready to accept the number of arrests that result from field interviews as a justification for the practice.

13. The police officer must train himself to look for concrete foundations of suspicion. With training and effort this can soon be accomplished.

## B. The purposes of field interviewing.

1. There are four main functions of the field interrogation:
  - a. The developing of information and informants. An officer cannot possibly see everything that goes on all over his beat. The officer can use others to obtain much of this information.
    - 1) In this sense, field interviewing involves more than just talking to people who are suspicious, or who are suspects. It involves the talking to and obtaining information from those persons on the beat who might have had access to various types of information.
    - 2) Obtaining this information is a skill and can be done without damaging public relations if the officer has developed a basic knowledge of human nature.
  - b. Identification. A good patrolman learns to know the people on his beat. The officer learns to make their acquaintance in a friendly manner without their feeling that he suspects them of something.
    - 1) A field interview amounts to obtaining information; it need not be aggressive.
    - 2) When an officer knows the people on his beat, he is more aware of the presence of strangers and situations that are not normal.
    - 3) When an officer obtains the name of a person through normal conversation, the name should be checked through the records file to see if that person might have a criminal record.
    - 4) The officer should strive to obtain as much background information of the people on his beat as possible. All of this information should be put on 3 x 5 cards and filed by name.
    - 5) The patrol officer should make a list of who associates with whom on his beat. Every time he sees two known persons together, he should make out a card to that effect.



- 6) If he stops a car at night under suspicious circumstances and makes out field interrogation cards on the occupants, he should later list the associates on the back of each card.
  - 7) These cards can later be referred to if one of the suspects is arrested and his unknown associates escape the police. The beat officer will now have an idea who the associates might be.
- c. Development of suspects. When a crime has been committed and there are no suspects and few leads, the officer who is assigned to follow up the case will rely heavily on the field interrogation cards that have been turned in for the night on which the crime was committed.
- 1) The cards will also be checked for several days prior in the event that the suspect might have "cased" the job during that time.
  - 2) Traffic citations are also used for this purpose, since many times a perpetrator will be in such a hurry to leave the scene of the crime that he will commit traffic violations and will attract the attention of the beat officer who will either cite him or take his name.
  - 3) Whenever an officer cites a person for a traffic violation and the person arouses the officer's suspicion, he should make out a field interrogation card, in addition to the citation, and keep it in his personal field file for further reference, should the party be stopped again.
- d. Crime prevention. This comes under the heading of preventive enforcement.
- 1) When criminals "case a job", and they find out that the patrol officers in the particular area are not only thorough in covering their beat but are quick to check strangers and suspicious persons, they will be hesitant about committing crimes in that area.
  - 2) A criminal does not actually have to be stopped himself for this to have effect.

- 3) When friends and acquaintances tell him about being stopped, they usually exaggerate about the number of times stopped and the length of time stopped, in an effort to show the injustice of the situation.
  - 4) This, along with actually seeing a number of cars stopped for a field interview, will usually cause criminals to steer clear of the area.
2. Again this does not mean that the patrol officer is to engage in wholesale "shakedowns" of vehicles and pedestrians.
  3. The quality of field interrogations is of more value than the quantity.
- C. Selecting the subject to interview.
1. When there are hundreds of persons walking or driving back and forth on an officer's beat, it is physically impossible to stop them all for interviewing.
  2. Selection is important, and it should be justified by reasonable cause.
  3. With the increase in population and calls for police service, many patrol officers find little time for field interviewing unless it is during the quiet hours of early morning.
  4. Because time is becoming so valuable to the patrol officer, especially in the urban areas, it is important that he use it wisely.
  5. The officer should not stop a vehicle or pedestrian just because things are quiet, but because his trained eyes detect something suspicious.
  6. What, then, are the clues by which an officer will know whom to stop and when to stop him? Such a list would be endless, but some of the more common ones will be listed as follows:
    - a. A subject who is out of place. By knowing the people on his beat, an officer can be more cognizant of a person who does not fit the situation.
      - 1) The well dressed man on skid row is out of place, just as the well-known bum is out of place in a wealthy neighborhood.

- b. A subject who is carrying something suspicious. This is especially true if the object is hidden under his clothing.
- 1) An officer cannot stop every person carrying an object, but he can be alert to this situation when it is combined with other circumstances.
  - 2) The person who makes a special effort to conceal the object when he sees an officer or police car should definitely be stopped.
  - 3) Passenger cars that appear to be heavily weighted down in the trunk are worth stopping and checking out.
  - 4) It doesn't take but a minute to stop a person and quickly inquire about the nature of the object being carried.
  - 5) If the citizen becomes irate at being stopped, the officer can explain that he had just received a report from another citizen that someone had been going through parked cars in the neighborhood, and that it was his duty to check the area thoroughly.
  - 6) The officer's tone of voice often sets the mood of the interrogation and determines how the subject will accept it.
- c. A subject who acts strangely. A subject who acts strangely or whose clothes are in disarray would either be the victim of a crime or could be suffering from some mental derangement. The subject may also be sick or injured.
- 1) Such a subject should receive police attention. There are many cases of persons who have been victims of strongarm robberies and have been left in such a daze that they have walked in front of moving vehicles.
  - 2) It is important to remember that acting strange is not in itself a crime. Nor is it grounds for incarceration under the emergency commitment section for the mentally ill. The person may not be taken into custody unless he presents a danger to himself or to others.

- 3) Every beat has its simple minded and eccentric persons who act very strangely but who are not a danger to themselves or others. Every beat officer should be aware of these persons.
- d. Subjects who stay in the same place for quite awhile.
- 1) Many times a patrol officer will notice a person standing in a certain place as he drives by, and the next time he passes by, the person is still there.
  - 2) The same is true of a person in a parked automobile.
  - 3) The beat officer should park at a distance and observe the subject.
    - a) A person who is waiting for another, and has been waiting for some time will usually keep looking at his watch, although this act could be performed by the subject to throw off suspicion.
    - b) A short surveillance will often give clues to the reason for the person's being there and will provide a foundation for the interrogation if the officer decides to talk to the subject.
  - 4) The patrol officer should be alert to the following possibilities:
    - a) A lookout for some crime being committed.
    - b) The subject may be ill, physically or mentally. A catatonic state of psychosis can result in complete immobility.
    - c) The subject may be a "Peeping Tom".
    - d) The subject may be a private detective assigned to watch a certain place. They usually notify the local department, but not always.
    - e) The subject may be a sexual deviate waiting to meet someone.
    - f) If the subject is loitering near a playground or school, he may be a molester.

- g) The subject may be "casing" a place for a future crime.
  - h) The subject may be trying to pick up women that pass by.
  - i) The subject may be passing out political or religious leaflets to passersby.
  - j) He may be selling stolen property to passersby.
- 5) At times the patrol officer will notice a particular vehicle that is driving around the block or in one small area.
- a) In the downtown area, the driver may be looking for a parking place, but a short surveillance will usually verify or eliminate this possibility.
  - b) Many times his purpose is one of the prior ten reasons listed for loitering.
- e. Subjects who stop people on the street. Sometimes through a citizen's complaint, or from a short observation, the patrol officer finds that the subject is stopping people on the street. There can be many reasons for this action, such as:
- 1) Panhandling. Usually the panhandler is poorly dressed and often under the influence of alcohol. Most citizens are quite irritated by street beggars but won't complain directly to the police.
    - a) It is probable that the majority of the panhandlers are after wine money.
    - b) Most cities have soup-kitchens or similar institutions such as the Salvation Army where transients can obtain a meal, so an officer should not feel badly about arresting a person for begging.
    - c) If the subject is not trying to get wine money, then it is possible that he is a professional beggar. Professional beggars usually have some obvious physical affliction that will attract the sympathy of passersby, including the patrol officer.

- d) Begging by such professionals is quite profitable, and the officer who overcomes his sympathy and does arrest such a person for begging or loitering or as a disorderly person, is usually quite shocked at booking when he finds out how much money the subject has on his person.
  - e) Many officers will give a panhandler the "bum's rush" by telling him to get out of town before he is booked. They feel that they are saving the city money by not throwing the subject in jail.
  - f) In the majority of cases, the subject does not leave town, but goes to another beat to do his begging, and since his begging is frequently to obtain wine money, he is usually booked for drinking before the night is over.
  - g) By booking him when he was first observed begging, the patrol officer would have done several things.
    - i) First he would have helped public relations by clearing the streets of a person who would annoy citizens and give them the impression that the police department is not on the job.
    - ii) Secondly he would have prevented any injury or damage that often results when the subject does become intoxicated.
- 2) Pimping and/or pandering. When the vice squad in a community is active, and its raids have eliminated permanent houses of prostitution, those who continue their operation must constantly move about from room to room or from motel to motel, and must rely upon pimps to steer customers to their new abode.
- a) Most pimps hang out in bars and are selective as to their customers. Pimps usually watch for the big spenders, or those with large denominations of money.

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- b) There are those pimps who are after quantity rather than quality, and it is these people who ply the streets for customers, especially if there are a large number of servicemen in town.
- c) Since these operations are frequently fly-by-night, pimps are not the least bit hesitant about robbing the customer while he is with the prostitute.
  - i) It is common for someone to go through the customer's trouser pockets while he is in bed.
  - ii) The feeling prevails that the victim will not complain to the police because he is afraid to admit he was involved in something illegal.
- d) The prostitutes involved in this type of operation are often infected with a venereal disease, and this presents another reason why the patrol officer should be alert to possible pimping on his beat.
- 3) Selling stolen goods. It is common for habitual drunks to steal items and then peddle them on the street to passersby in order to get wine money.
  - a) When an officer books a drunk, he often finds the drunk's pockets full of small items that have been stolen from local stores for this purpose.
  - b) Drive-in restaurants that are frequented by juveniles are common places for selling stolen items.
    - i) The patrol officer should be alert to juveniles that go from car to car in the drive-in.
    - ii) This type of surveillance should be done with binoculars from a distance because they (juveniles) are very cautious when they see a patrol car.
    - iii) The favorite items to be disposed of at these establishments are automobile parts, tires, and alcoholic beverages.

- iiii) Although the conversation may not be heard, it may be noticed that when the subject approaches each car, the driver or the occupants will shake their heads indicating that they are not in the market for whatever he has to sell.
- v) The officer should write down the license numbers of those who have been approached as well as those who appear to be selling.
- vi) Later, when one of the vehicles that had been approached leaves the drive-in, the patrol officer may follow it for awhile.
- vii) If a minor traffic violation is observed, the vehicle could be stopped and the occupants interrogated regarding the suspected selling.
- viii) Often information can be gained that would later allow a legal search of the suspect's vehicle without violating any laws on search and seizure. From the license number of the suspect's car, his address might be obtained.
- ix) A stake-out on this residence might reveal that the suspect has many cars follow him home, and that they drive around to the back of the house and leave shortly after. This, plus information gained from the occupants of one of the cars approached in the drive-in, would be grounds for a search warrant for the suspect's residence.
- f. Older men in the company of young females. Older men in the company of young females sometimes means trouble.
  - 1) Many officers feel that until a statutory rape has actually been committed, there is little that they can do.
  - 2) Actually the laws on contributing to the delinquency of a minor, and those permitting the

taking of a minor into custody when she is in danger of leading an immoral life or in need of parental control, are quite broad.

- 3) A record check of the parties involved will often further substantiate any action taken.

D. The initial contact in field interviewing.

1. When the patrol officer has selected a good subject for field interviewing, the next problem is where to stop him.
  - a. The fact that the subject was selected by the officer is indicative that something appears to be wrong.
  - b. If the subject has just committed a crime, he might believe that the officer has information linking him with the crime, and the subject may run in an effort to escape arrest.
  - c. The patrol officer should take care in selecting the proper location at which to stop the subject.
  - d. The basic concern here is in finding a place that has the least number of escape routes, and the least number of people that could be injured or used as hostages.
2. The mere fact that the subject aroused the suspicion of officer should cause the officer to proceed with caution when approaching the subject.
  - a. Caution does not mean approaching with gun drawn or club in hand in all cases.
  - b. It does mean being mentally alert to every possibility and positioning oneself for tactical superiority if the occasion for defense arises.
3. Once the location for stopping has been selected and caution observed, the next problem is the proper conversational approach.
  - a. It is most difficult for a police officer to stop a person and not have that person be on guard.
  - b. It is possible to obtain a greater amount of information, and information that is more truthful, if the subject does not feel that he is under suspicion.

- c. A person who has done something wrong is usually reluctant to talk to the police, but if he feels that he is not under suspicion, he will often talk to them in an effort not to attract suspicion.
4. An officer should not spend too much time in talking to one person in the field.
5. When the subject makes an effort to deceive the officer or to lie to him, there is usually a good reason for it, and the officer should pursue the matter until he finds out why.
  - a. When a subject first lies or attempts to deceive, the officer should not call him on it, but rather let the conversation continue until the subject has told more lies.
  - b. If the officer were to jump on the subject after the first lie, he might be able to come up with some excuse or possible explanation.
    - 1) He might even state that the officer heard him wrong.
    - 2) The officer would have now exposed his suspicion, and could not return to the prior relationship with the subject on a mere conversational basis.
  - c. If the subject were allowed to tell several lies or make errors before he was called on it, they would be more difficult to explain. Most of us can come up with one excuse out of thin air, but not several all at once.
6. It is easy to change the conversation from one of simple inquiry to one of an aggressive interrogative nature, but the reverse is almost impossible.
7. For this reason, the officer should make sure that he has obtained as much information as possible from the simple inquiry relationship with the subject before he switches to an aggressive one.
8. A friendly approach is most important in establishing the simple inquiry relationship. The friendly approach causes the subject to lower his guard or defenses a little - not completely, perhaps, but enough to obtain information that might not otherwise be obtained.

9. The key to the preliminary conversation is use of the right technique. This is limited only by the officer's mental capacity and his ability to act.
    - a. When things are slow, an officer should develop various types of interviewing techniques as a means of mental exercise.
    - b. The key to acting, if not an oversimplification, is merely to live the part as though it were actually true. Since acting is an important skill for the patrolman to develop, he should take every opportunity to practice and improve his ability in this area.
  10. The minute an officer uses the "Hey you, come here" approach, a mental wall is set up between the officer and the subject. The stage is set for a "me-versus-you" mental engagement in which the subject will tell the officer as little as possible.
  11. The advantage of a developed technique is that it enables the officer to engage in a conversation with the subject without its appearing to be a deliberate effort, and without arousing the subject's defenses.
  12. Even a very short conversation with the subject or suspect will enable the experienced and alert officer to detect or sense that something is wrong and that the matter warrants further inquiry.
  13. In the short conversation that the officer has with the subject, one main objective is to detect some clue that will indicate criminal traits or patterns of behavior that are indicative of criminal activity.
- E. Criminal traits which may be found through field interviewing.
1. Humans are creatures of habit. Any person who has spent a long time in jail or prison, or is from the lower criminal element, has certain characteristics such as word usage and dress that may distinguish him from others.
  2. Sociologists and some criminologists are very sensitive about the term "criminal trait".
    - a. Some criminologists feel that there is no such thing as a criminal trait, because the biggest criminals in our society are not now, nor ever have been, in jail, and some of them are looked upon with great social favor.

- b. There is no doubt that some big businessmen in this country are guilty of greater crimes than many of those in our prisons, and that the prisons hold but a small percentage of what could be technically classed as criminals.
3. When law enforcement officers speak of criminal traits, reference is made to those traits practiced by the criminal who has spent much time in jail, or who has associated with those who have.
4. A person who is sent to a state prison has already formed a pretty solid criminal habit through the commission of many crimes and associations with other criminals.
  - a. It is more difficult for him to break this habitual pattern even if he actually wants to.
  - b. Through long association with other criminals, he has formed habits that are peculiar to that particular segment of society.
5. There are certain characteristics that are common to transients, that an officer soon learns when he has booked enough of them.
  - a. The transient will usually be wearing two pairs of trousers and two shirts to keep him warm at night.
  - b. In his pocket he will usually have an unassembled safety razor in a cloth tobacco bag such as the type containing Bull Durham smoking tobacco.
6. It is common for women to insist that they have never been arrested before in hopes that the officer will feel sorry for them and give them a break. Often their terminology will give them away.
  - a. They might ask what "charge" they are to be "booked" on, and ask what the "bail" will be.
  - b. These terms are uncommon to a woman who has never been arrested before.
7. Because prisoners are always passing secret messages back and forth, and because they do not want the guards to see whom they are talking to, they develop the habit of not looking at the person to whom they are talking.



- a. A person who has been in prison a long time becomes quite adept at talking through the side of his mouth.
  - b. An ex-con also develops a poker face expression that he assumes whenever something is happening or whenever he tries to hide some emotion.
  - c. It can be quite noticeable when a police officer passes this person on the street.
  - d. Where other people passing will at least give the officer a glance, the ex-con will walk by as though the police officer were not even there. The ex-con's effort to conceal his concern will actually give him away.
8. It is common for prisoners to tattoo themselves while in prison.
- a. These tattoos will often indicate the prison they were in, or the gant to which they belonged.
  - b. Prison tattoos are usually noticeable in that they are seldom in color, and are not professional looking.
  - c. Prison tattoos are made with a needle or a pin and the ink is a makeshift type that is sometimes made from newspaper print.
  - d. The lines in the prison tattooing are wider and rougher than professional tattooing.
  - e. Narcotic addicts will often use tattoos to hide the needle marks on their arm.
  - f. The wiggle scar on an addict's arm that is caused by the vein collapsing from the powerful narcotic is called a "snake" in narcotic terminology.
  - g. Some addicts with a sense of humor will have a snake tattooed over their needle scars.
- F. Paraphernalia encountered in field interviews.
- 1. The present search and seizure laws are such that any evidence obtained in a forced search will not be admissible in court, nor will that evidence alone be used as grounds for an arrest.

- 2. Sometimes the subject can be talked into allowing a search.
- 3. He may be asked, "Are you hiding anything from us?"
  - a. If he says no, he may then be asked if he would show what he has in his pockets to prove it.
  - b. If he does this voluntarily without any threats, any evidence that is observed is legal.
- 4. Like any tradesman, criminals need certain tools or equipment in order to perform their task. Some of the articles that the officer should be alert for are:
  - a. Hot wires or jump wires. There are two types of jump wires.
    - 1) The simple type is a wire with two small alligator clamps at each end.
    - 2) The more complicated type is used on automobiles that have a separate starter button. This jump wire has several alligator clamp wires that lead to a push button device so the starter may be activated by pushing the button when the clips are attached to the back of the ignition.
    - 3) There is an unlimited number of devices for starting vehicles such as chewing gum wrapped in tin-foil wrappers, fifty cent pieces, screwdrivers, etc. A recent device is a hypodermic needle filled with water which is injected into the keyhole, making the points at the rear of the ignition switch contact to start the engine. When it dries out, a new injection is inserted.
  - b. Glue-sniffing apparatus. A dangerous fad that is presently practiced by many juveniles and some adults is glue sniffing. It is used as an economical means of becoming intoxicated.
    - 1) Airplane glue is poured into a rag or handkerchief and then quickly rubbed between the hands to create heat which in turn creates fumes.
    - 2) The hands are cupped and then brought up to the face where the fumes are inhaled.
    - 3) Unfortunately, if this practice is continued, brain damage will result.

- 4) Some communities are concerned under which section to book an adult in a glue-sniffing case. If he is actually intoxicated from the fumes, he can be booked as a drunk.
- c. Narcotics. The officer might observe narcotics which have become so common, and also bottles of exempt narcotic cough medicine.
- 1) These contain codeine and can be obtained just by signing a register at the pharmacy.
  - 2) They have a large, light colored "X" on the face of the label.
  - 3) Addicts will sometimes go from drug store to drug store, using different names in order to obtain a large supply if they cannot obtain their regular narcotics. Ex-convicts will also use such cough medicine in place of alcohol.
  - 4) If the person has several bottles on his person or in his vehicle, chances are he used several names to obtain them, and this is a criminal offense.
- d. Lock-picking devices.
- 1) Lock picks that are professionally made for that purpose are illegal, and they can be used to show intent in a charge of burglary.
  - 2) There are many special car-opening tools that are commercially produced and are used by police officers and tow truck drivers. Anyone else carrying these items should be suspected of auto theft.
- e. Obscene pictures and materials. The possession of obscene pictures and materials, especially those depicting abnormal sex acts, are indicative that the possessor might be a sexual criminal.
- 1) In the case of juveniles, they might be carried out of curiosity.
  - 2) The descriptions of persons found carrying such paraphernalia should be checked against recent sexual offenses.
  - 3) Pictures showing sadistic tendencies, such as photographs of naked women who have their eyes

- blackened and have chains drawn on their arms and legs, or have pin and knife holes in the picture, should indicate to the officer that the subject could be a very dangerous person to society and, if such a person is arrested, a search warrant should be obtained for his room where further evidence may be found.
- f. Criminally associated calling cards. Calling cards for attorneys, bail bondsmen, parole or probation officers, and pawn tickets are items that are commonly carried by the criminal element.
- g. Gambling devices. Betting stubs, dice and decks of cards are often carried by the criminal element because they seem to be gamblers by nature; it is frequently part of their philosophy of life.
- G. Documents of identification in field interview.
1. Since one of the objectives of field interviewing is to detect deception on the part of the subject, the police officer should spend more time in the examination of documents of identification.
  2. It takes so little time to properly check out an item of identification, yet the average patrol officer will give it a cursory glance and then use it to fill out a field interview card, or to write a citation.
  3. If the card has a fingerprint, it will state under the fingerprint exactly what finger or thumb it represents.
    - a. An officer need not be a fingerprint expert to compare the fingerprint on the card with the subject's finger or thumb.
    - b. It does take a little practice to hold the finger at the right angle to the light so the ridge pattern becomes apparent. At night the flashlight will do a good job when held at an oblique angle to the finger.
  4. If the identification contains a photograph, it sometimes presents problems, in that identification photographs often do not look like the subject.
    - a. Rather than overall appearance, the officer should look for details such as the size and angle of the ears, the shape of the eyebrow, the width of the nose, and the shape of the chin and mouth.

- b. The most deceptive part of the head is the hair. It can and does change the person's appearance.
- 5. In checking any document of identification, the officer should never handle the wallet, or he might find himself accused of taking money from it. The officer should let the subject get the ID.

#### H. Particular documents used as identification.

1. The driver's license (operator's license). This is one of the most common types of identification.
  - a. There are various types of licenses according to the type of vehicle and the purpose for driving.
  - b. There are also various restrictions that are typed or printed on the license, and the officer should always examine the license for these restrictions.
    - 1) Restrictions pertaining to the wearing of glasses are on the front of the license.
    - 2) Restrictions that limit the holder to driving only to and from work, or only during the day-light hours, are usually typed on the bottom of special licenses.
  - c. In examining a license for alterations, the officer should look for differences in the size of the type.
    - 1) The type on a driver's license is smaller than normal.
    - 2) The major alteration is usually the birthdate so the holder can purchase alcoholic beverages.
  - d. Most large colleges and universities have forgers who will make up a new license that is the same as the original except for the date, for \$10 to \$25. This is done with a photographic process that makes detection almost impossible under cursory observation.
  - e. If the officer suspects that a college student does have an altered driver's license, he should take down the student's name and description, and the next day call the college records office and obtain the true date of birth.

- f. It is sometimes a good policy when stopping a suspicious vehicle to ask both the driver and the passenger for their driver's licenses.
  - 1) In many cases a driver who has had his license suspended will quickly borrow his friend's license if stopped by a police car.
  - 2) If the passenger states that he does not have a license, the officer should check the description on the license presented by the driver to see if the description also fits the passenger.
  - 3) If the description fits both, the passenger and the driver should be asked to step out of the car so their height can be checked against the driver's license.
- g. If the subject has a temporary driver's license, he should be more thoroughly checked out.
  - 1) Not only is the temporary license worthless as a means of identification because it is so easily obtained, but many persons who had their licenses suspended will keep applying for temporary licenses in order to continue driving.
  - 2) To obtain the regular driver's license, the subject must reside in one place for at least a couple of months until it is sent through the mail.
  - 3) The temporary license can be obtained immediately, and the subject can move immediately.
- 2. The Social Security Card. This is often the only means of identification that some people will normally carry on their person.
  - a. In booking vagrants, the officer will usually find no ID, but somewhere on his person there will usually be found a Social Security Card.
  - b. It is a very unreliable form of identification because it can be obtained just by applying for it.
    - 1) Criminals have been known to apply for and receive dozens of them under different names.

- 2) Check-passers will use different ones to back up other phony identification that they carry.
- c. It is quite common for the cards to be stolen and borrowed.
- d. The first element or three digits of the card number indicate where the card was issued.
  - 1) The numbers start in the New England states and go down to Florida.
  - 2) They then zig-zag across the United States and end up on the West coast in the 500's.
  - 3) The 600 and 700 series are for railroad employees who have a special retirement opt.
3. Armed Forces identification.
  - a. The identification card.
    - 1) The active-duty identification card is green in color and contains a photograph and all the basic identification information of the bearer.
    - 2) The reserve identification card is red in color and contains the same information as the active-duty card, but it has "Reserve Components" in the upper right hand corner.
    - 3) The main problem with these cards is that the bearer will occasionally try to alter the birthdate in order to get into bars.
  - b. The Armed Forces liberty pass.
    - 1) A white liberty pass should be in the possession of every active duty serviceman who is off a military reservation. It should be checked against the ID card.
    - 2) If there is a military base or reservation near the community, they usually provide a military patrol to assist the local police with servicemen, and this patrol should be consulted for any changes in identification or special regulations for that area.
4. Selective Service cards. There are two types of Selective

Service cards that must be carried at all times by those subject to the law:

- a. The registration certificate. When a person registers with the Selective Service System, he is mailed a 2½ " x 4" registration card.
  - 1) This card contains his name, Selective Service number, address, date and place of birth, when registered, and his signature. On the back is listed his physical description.
  - 2) The Selective Service number contains four elements. The first and the third are of importance to the patrol officer.
    - a) The first element, consisting of one or two numbers, indicates the state that the person is registered in.
    - b) The third, consisting of two numbers, gives the registrant's year of birth. Knowing what state the card was originally obtained in can provide valuable information for the field interrogation.
  - 3) Occasionally a person will change the birthdate on his registration certificate in order to purchase alcoholic beverages.
    - a) Because the card is typed with an ordinary typewriter, it is not too difficult to change.
    - b) However, few registrants are aware that the third element in the Selective Service number is their year of birth, and they will not change that number.
    - c) In cases of this type, there will be a noticeable difference between the year of birth listed on the card and the third element of the Selective Service number.
- b. The notice of classification. After registration, the subject is assigned a classification that is mailed to him.
  - 1) This card contains a minimum of information. Its basic purpose is to notify the registrant of his official classification.

5. Below is list giving the various first element of the Selective Service number, showing the states of registration that each number represents. Following this, there is another list giving the meanings of each classification.

STATE OF REGISTRATION INDICATED BY THE FIRST ELEMENT OF THE SELECTIVE SERVICE NUMBER

1....Alabama	20....Michigan	39....South Dakota
2....Arizona	21....Minnesota	40....Tennessee
3....Arkansas	22....Mississippi	41....Texas
4....California	23....Missouri	42....Utah
5....Colorado	24....Montana	43....Vermont
6....Connecticut	25....Nebraska	44....Virginia
7....Delaware	26....Nevada	45....Washington
8....Florida	27....New Hampshire	46....West Virginia
9....Georgia	28....New Jersey	47....Wisconsin
10....Idaho	29....New Mexico	48....Wyoming
11....Illinois	30....New York	49....District of Columbia
12....Indiana	31....North Carolina	50....New York City
13....Iowa	32....North Dakota	51....Alaska
14....Kansas	33....Ohio	52....Hawaii
15....Kentucky	34....Oklahoma	53....Puerto Rico
16....Louisiana	35....Oregon	54....Virgin Islands
17....Maine	36....Pennsylvania	55....Guam
18....Maryland	37....Rhode Island	56....Canal Zone
19....Massachusetts	38....South Carolina	

SELECTIVE SERVICE CLASSIFICATIONS

CLASS I

Class I-A:	Available for military service.
Class I-A-O:	Conscientious objector available for noncombatant military service only.
Class I-C:	Member of the Armed Forces of the United States, the Coast and Geodetic Survey, or the Public Health Service.
Class I-D:	Qualified member of reserve component, or student taking military training, including ROTC and accepted aviation cadet applicant.
Class I-O:	Conscientious objector available for civilian work contributing to the maintenance of the national health, safety, or interest.
Class I-S:	Student deferred by law until graduation from high school or attainment of age of 20, or until end of his academic year at a college or university.

Class I-W:	Conscientious objector performing civilian work contributing to the maintenance of the national health, safety, or interest, or who has completed such work.
Class I-Y:	Registrant qualified for military service only in time of war or national emergency.

CLASS II

Class II-A:	Occupational deferment (other than agricultural and student).
Class II-C:	Agricultural deferment.
Class II-S:	Student deferment.

CLASS III

Class III-A:	Extreme hardship deferment, or registrant with a child or children.
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CLASS IV

Class IV-A:	Registrant with sufficient prior military service or who is a sole surviving son.
Class IV-B:	Official deferred by law.
Class IV-C:	Alien not currently liable for military service.
Class IV-D:	Minister of religion or divinity student.
Class IV-F:	Registrant not qualified for any military service.

CLASS V

Class V-A:	Registrant over the age of liability for military service.
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## I. Techniques of field interviewing.

1. The key to interviewing is an understanding of human nature and the ability to use introspection.
2. If the average patrol officer were to attempt introspection he would see that if he were in the position of the subject, he would probably not respond to the various techniques used in the field.
3. Communication - transfer of word and thought.
  - a. Without proper communications, interviewing would be ineffective.
  - b. Since a large number of field interviews often involve subjects of a different ethnic and/or economic backgrounds than that of the patrol officer, there can be a great lack of understanding that will thwart successful communications.
    - 1) Even with those of similar education and backgrounds there are problems in semantics.
    - 2) The English language contains many words that have several meanings.
4. Meta-communications - the second message.
  - a. "Meta-communications" is the message that is transmitted apart from the actual words that are spoken.
  - b. Actually we can receive meta-communications without any words being spoken.
    - 1) In law enforcement we sometimes have a tendency to be overly word conscious.
    - 2) We want to get the exact wording down in our report because in court this is what will be demanded of us.
    - 3) Sometimes we are so anxious to get the exact wording that we miss the hidden or underlying message.
  - c. If an officer is observant and sensitive to meta-communications, he will know the subject is admitting guilt when he says nothing but slightly hangs his head, has an "oh, well" expression on his face, and shrugs his shoulders and sighs when asked a guilt-assuming question.

- d. This should be the key for the officer to let the subject know that he understands, and maybe give him a little pep talk to the effect that it takes a man to admit it when he has done something wrong, and that even though it is difficult, he is sure the subject is man enough or has courage enough to admit it.
  - e. At times a suspect stopped near the scene of a crime will have his alibi memorized, and when he is questioned, he will often recite his alibi from memory, but the undertone - or metacommunication - may be such that the alert officer may become aware of the real message.
5. Tone of the voice.
    - a. Through communications, a good actor can, by the tone of his voice, control the emotion of his audience.
    - b. The good actor can make the audience happy, sad, or angry by transmitting this feeling. A police officer can do the same during an interrogation.
      - 1) A smooth, low and relaxed tone of voice creates less of a danger reaction in the subject, and the subject is less likely to be on the defensive.
      - 2) When the officer wants the subject to become emotional, this can be accomplished through the officer's tone of voice becoming emotional.
    - c. Because emotion blocks our intellect and makes clear thinking more difficult, it can be advantageous to make the subject emotional.
  6. Salesmanship in interviewing.
    - a. Once the investigating officer senses or realizes that the subject is guilty or might be involved, the task becomes one of salesmanship.
      - 1) The officer must sell the subject on making a statement or confession.
      - 2) The interview must convince the subject that right at this minute the thing he wants more than anything else is to get this thing off his chest and give the officer a statement or confession.

- b. Salesmanship is a skill, a skill that all patrol officers should develop.
7. Make it easy for the subject to admit his wrongful deeds.
- a. One of the cardinal rules in interrogation is to make it easy for the subject to admit what he has done; yet every day of the year patrol officers and detectives violate this rule.
  - b. The suspect is often quite ashamed of what he has done. He has probably been fighting this urge for years. He might like to admit it and get it off of his chest, but the officer's scolding and tone of voice make it that much more difficult for him to admit it.
  - c. If the officer could only use introspection and put himself in the suspect's place, he would see the true effect of his approach.
  - d. The officer should control his voice, and if he feels that the subject might be the type of person who would feel remorse over his actions, he should consider the following approaches:
    - 1) Minimize the crime. It is common logic that if the crime is minimized, it will be easier for the subject to admit it.
      - a) This works quite well with juveniles who have committed acts of malicious mischief and have done considerable damage.
      - b) The sex offender who because of his religious background feels that he is some kind of a fiend will be more prone to admitting his acts if he is told that they are quite common and that some very prominent people have done the same thing.
      - c) By showing or pretending to show a little understanding, the officer can create the confidence that is often necessary for a sex offender to reveal his offenses.
    - 2) Sympathize with the suspect. The suspect will naturally admit his offense more readily if the interrogator sympathizes with him rather than condemns him.

- a) The officer can imply that the victim deserved what he or she got, that maybe under the same circumstances he might have done the same thing.
  - b) Once the statement has been obtained and the confession recorded, the true gravity of the offense can be brought home to the suspect.
- 3) Avoid sensitive words. The officer should avoid words that would interfere with the suspect's confession by making him sensitive to the gravity of the offense.
- 4) Avoid discussing punishment. The interrogator must never discuss punishment. If asked about what the punishment might be, he should say, "I'm glad you asked me that, because it shows me that ....." and he talks on and on but does not answer the question. If he does, it might cool the chances of obtaining the confession. In this respect an officer must be a politician. A good politician, when asked a very sensitive question, will talk about everything under the sun but will avoid answering that particular question.
- J. Don't give more information than you receive.
- 1. Unfortunately many officers give the suspect more information than they receive.
  - 2. When a suspect is stopped, he will naturally say, "What's this all about?" Rather than give him a complete rundown on what has occurred, the officer should reply, "I just want to ask you a few questions."
  - 3. If the suspect purportedly knows nothing about the crime, he might accidentally slip in his conversation and mention something that he could learn only by being at the scene or by participating in the crime.
  - 4. Another good reason for not giving information to the suspect is the fact that he may have just committed another related crime and assumes that he is being stopped about that offense.
- K. Use presumptive questions in the interview.



1. In questioning suspects, the officer should always use presumptive questions.
  - a. The officer should never ask the suspect if he committed the crime, but ask him why he committed the crime, or ask him what he did with the money.
  - b. The officer might even use flattery by stating, "Boy, you must be pretty brave. It took a lot of courage to pull a job like that."
2. When questions containing presumptive guilt are presented to the suspect, he might think that the officer has information linking him with the crime.
3. Sometimes a presumptive guilt question will catch the suspect off guard if it is asked in a normal voice that does not alert his defenses. Without thinking, the subject may answer it.

#### XXIV. Crowds.

##### A. Introduction to crowds and crowd control.

Police superiors learn the tactics of handling crowds because they must command the many officers necessary at the scene. They must learn where to deploy men, what events to anticipate and when to issue the proper orders. But it is the individual patrolman who must deal directly with the excited spectator pushing to gain a better vantage point from which to watch a parade, with the striker who is so emotionally involved in protecting his livelihood that he wants to assault a strikebreaker, or with the heckler who is taunting a speaker and inciting sympathizers and opponents to violence. Be he alone or under orders, it is to the individual officer at the scene of crowd action that we direct discussion.

##### B. The objectives of a patrolman's activities in crowd control.

1. The objectives of the patrolman's activity at a crowd scene are the same as at any other scene: the preservation of the peace and the protection of life and property.
2. The means by which he can attain these objectives differ when a mass of people is involved.
3. This is because the people in such group situations may not act normally. The group's opinions may inspire bravado, the crowd's emotionalism is so contagious that they are compelled into unthinking action, the mob's fury and each person's anonymity within it may tear away their normal inhibitions and convert them momentarily into unthinking animals.
4. A particular action by the officer, instead of restraining as it usually does, may provoke increased violence.
5. An officer on post has frequent contact with small groups, some harmless and others potentially or actually disturbing the peace.
6. The patrolman's action is different for each of these small groups.

##### C. The harmless group gatherings.

1. A group of neighborhood men or boys may gather at a particular location after work or supper.

- a. They may wait there until their companions have arrived and then go off for an evenings recreation.
  - b. Or they may remain at the site, talking and joking through the evening.
  - c. Because they may converse in loud tones or occasionally use profanity without realizing how far sounds travel at night, a resident may call the police and make a complaint.
2. Don't be excessively stern when you talk to the group. They may not have realized that they were causing a disturbance and may be only too glad to cooperate with you.
  3. Try a casual conversation; ask them to move down the block a bit or lower their voices.
  4. If you are firm to begin with, you may stir up resentment where non existed before.
    - a. The members of the group will become aroused and argue that they live nearby and are within their rights to assemble.
    - b. One thing may lead to another and before long an arrest may be necessary.
  5. Avoid bad feelings and unpleasantness if you can.
- D. The troublesome groups.
1. The patrolman who observes a potentially or actually troublesome group - one who members have gathered for immoral or illegal purposes - must use a different approach.
  2. The group of men congregating at a gambling spot or narcotics drop, a number of loitering prostitutes and pimps, or a gang of young toughs gathered to assault a youth residing on your post cannot be handled in the same way as the harmless group scene described above.
  3. Survey the situation from a location where you can observe without being seen, such as a nearby hallway.
  4. Depending upon what you see, you have to decide what sort of action to take.

- a. Sometimes you should refrain from taking any sort of action.
  - b. At other times you should call for police assistance before taking action - specifically when the number, size and armament of the gatherers requires additional patrolmen to handle the situation.
5. Should you decide to take action alone, think of the laws that apply to the scene you have observed: people may be obstructing the sidewalk, blocking vehicular traffic, or conducting themselves in a disorderly manner.
  6. As you approach the harmful group, remember that you must be in command of the situation at all times.
    - a. They will seize upon any hemming and hawing, any stammering and hesitancy as a sign of weakness.
    - b. In a confident tone address your remarks to whom-ever appears to be the key person, ringleader or boss or just the biggest one.
    - c. If you can overpower him verbally, the group will probably follow his example and you won't have to use physical action.
    - d. Tell him the law he and his pals were violating and that you want that action stopped and the group moved or dispersed.
    - e. If they do not respond to your orders the way they should, tell the key man that you will have radio cars on the scene in a few minutes and the whole group will be arrested and jailed if the condition is not cleared to your satisfaction. Inform him that he will be the first one to go.
  7. Sometimes an alternative tactic is better.
    - a. Choose the weakest link in the harmful group - a clean cut, hesitating, apparently responsible member - and take him aside.
    - b. Explain that you are talking to him because he looks like the most sensible man in the group and that you are "giving it to him straight."
    - c. The group had better comply with your orders or everyone will get into serious trouble.

8. At times, a group will not cause a disturbance when you are around, but as soon as you are out of sight they will go back to their disorderly behavior.
  - a. You can order them to disperse but, once you are gone, they will gather again. You cannot stand on that corner for eight hours.
  - b. If you cannot use a particular technique successfully on unlawful groups that become peaceful when a uniformed officer is present, request plainclothes assistance.

E. The passive-spectator crowds.

1. Almost any unusual occurrence will cause a crowd to collect in the street: a suicide-prone person at a window, a drunk lying in the street, or a traffic accident.
2. The people stant and gape and others, noticing the gathering, become curious and they, too, become spectators; and so the crowd grows.
3. The passive-spectator crowd presents certain dangers.
  - a. The injured party may not get sufficient air.
  - b. The persons lending assistance may not have enough room to work.
  - c. Emergency vehicles and personnel arriving to help may be hindered in their movements; the sidewalk may be obstructed.
  - d. Traffic may be halted.
  - e. Pickpockets may have a field day.
4. If not dispersed, other hazards develop: latecomers may get a distorted picture of what occurred and start trouble; fights may break out over pushing for elbow room, and traffic accidents may result from crowd spilling over into the street.
5. The crowd should be dispersed firmly and efficiently.
6. If that is not possible, people in the crowd must be moved so that the dangers cited above may be minimized.

- a. They should be far enough away from the focus of of attention so that they won't get in the way.
  - b. They must be kept out of the street so that traffic will not be impeded.
  - c. People must be kept away from store windows for their own safety.
  - d. They must clear a path for authorized personnel to enter and exit.
7. Your best weapons are your uniform and an authoritative tone of voice.
    - a. Most people will move at a patrolman's command, especially if he directs the command at them, personally, rather than in their general direction.
    - b. Do not use profanity or make insulting remarks or idle threats. These will hinder rather than help you as people will become uncooperative. Use your voice in loud and clear commands.
  8. Prodding with your baton will cause annoyance and resistance. Use it in exaggerated gestures to direct the crowd's attention and to emphasize your words.
  9. Keep a firm and continual verbal and physical pressure on the line.
    - a. If a few people stop while others are moving, causing a bulge in the line, get them going before you continue moving the line.
    - b. When a few people are allowed to halt while others are told to move, the others will feel that you are playing favorites and disrupt the procedure.
  10. Once the people are moved to the line of your choice, establish some sort of observable boundary and tell them not to cross it.
    - a. Enforce this boundary rigidly.
    - b. One exception will open the flood gates.
  11. Members of a passive-spectator crowd are not criminals.

- a. Their curiosity has just overcome their reason.
  - b. They do not realize the hazards they are causing to themselves and others.
12. To keep peace and protect them, you must disperse them, if possible, or move them and keep them beyond established lines.
  13. Do not get involved in an extended argument with the rare individual who refuses to cooperate or listen to a courteous explanation.
  14. When he is adamant in his refusal to obey your order to move, inform him of his violation of the law. If he persists, arrest him.
- F. The potentially active crowds.
1. Suppose there is a railroad tie-up. In a half hour, there will be hundreds or thousands of stranded people milling on the platform.
  2. People are hungry and tired of waiting and the press of the crowd is increasingly annoying. A spark may ignite tempers, then pushing, shoving and fist-fighting begin and suddenly panic may break out.
  3. The results of panic are trampled bodies - usually those of infants, children, the aged and women - in addition to extensive destruction of property.
  4. Keep in mind that as a uniformed officer, you are conspicuous. Your manner will be copied by others, so keep calm; be in good humor.
  5. The nervous, short-tempered officer is going to infect others with his nervousness and short temper, so keep up a good front. The public turns to the uniformed officer for guidance - you are the nearest and most obvious source of authority.
  6. A mass of people who lack knowledge of what is going on and desperately want to know are a fertile ground for the spread of rumor.
    - a. Rumor, twisted until it is totally removed from the truth, spreads like wildfire.
    - b. From rumor comes fear; from fear, hysteria; and hysteria triggers panic.

- c. Dispel ignorance - people who are informed can afford to be calm.
7. Give clear directions - people want to do the right thing and they look to you and the authority your uniform represents for direction.
  8. By your example and by your command of the situation, you can help to avert panic. You can keep a potentially active crowd passive.
  9. A possible hazard in dealing with potentially active crowds is that some people may verbally turn on the patrolman for want of something more constructive to do and try to "get his goat."
  10. The uniformed officer may be issuing unpopular orders, herding people beyond a boundary line, refusing them entry or moving loiterers on, and a few people in the crowd may try some verbal retaliation.
  11. Remember to keep calm. Seek out the instigator or leader with your eyes and focus directly upon him.
    - a. Such a person will torment you only when your back is turned, believing that his identity cannot be discovered in such a crowd.
    - b. Don't laugh at what is said and don't try to rebut his comments with those of your own or engage in a battle of wits.
    - c. That will merely provoke the tormentor, lessen your authority, and make his behavior seem permissible to others in the crowd, encouraging them to join in.
    - d. Don't let it be known that he is affecting you. Maintain a set facial expression.
  12. Should others be in the crowd mimic the leader almost to the point at which the crowd will be out of control, you must take action.
    - a. You can point at your tormentor and beckon him to you.
    - b. When he arrives, walk him a few paces away from the crowd and define your position to him, clearly stating your intention should he continue his harassment.

- c. If he will not come when you beckon, tell him you only want to talk to him. Should he still refuse, wait until he is as near to you as possible.
- d. Alert the officers on either side of you regarding your intentions so that they can move closer, showing all trouble-makers that they will converge into a united front should that be necessary.

13. Use arrest only as an extreme measure.

- a. As long as the crowd is peaceful, you want to keep it that way.
- b. That is your job - to keep the peace, not to break it.
- c. Use your head and act in an authoritative manner and refrain from using your power, if it is possible.

G. The active crowds and mobs.

1. Active crowds and mobs necessitate the presence of a unit of disciplined patrolmen under the supervision of a trained, responsible police superior.
2. The officer that is part of such a unit should obey the orders of his superior implicitly.
3. When assigned to a particular duty - like keeping an exit clear, removing those who are obstructing the sidewalk or holding a line of people - the patrolman must do exactly as he is told.
4. Such disciplined action is an assumption of the police superiors who are issuing the orders; the plan will not work if any of the men are lax.
5. The determined action of the police is not lost on the mob.
  - a. Firmness in command and the insistence on obedience to command, as demonstrated by the arrest of those who disobey, shows the mob that the authorities view their action in a most serious light.
  - b. This is dangerous business and the sooner the members of the mob are brought to their senses, the faster the hazards will be eliminated.

- c. Emotionalism runs high in the mob and inhibitions are removed by the unreality of the situation.
  - d. Proper police action will sober the people and bring them down to earth to face what they are doing.
6. When you deal with mob action as a member of a police unit, follow these practical suggestions:
- a. Don't make friendly overtures to members of the mob.
    - 1) Don't apologize for your actions.
    - 2) Don't give an inch. If you are friendly, apologetic or flexible, the mob members may get the idea that you won't stand behind your orders.
    - 3) They will feel free to do as they like because they don't think that you will use force.
    - 4) You are not one of them; you are a policeman keeping order.
    - 5) Should you give them the idea that you are in sympathy with the mob, this will provoke them, thereby possibly making the use of violence a certainty.
  - b. Don't bluff. If you order someone to do something or not to do something and that order is disobeyed, arrest the person.
    - 1) The mob must realize the certainty of arrest upon disobedience.
    - 2) Should one person get away with it through argument, threat or subterfuge, others will use the same tactics and the officer will lose control of the situation.
  - c. Don't use obvious and excessive force. While such force may immobilize one person, it may inflame many others nearby who formerly were neutral or passive.
  - d. Don't enforce minor laws. It is a hard enough job protecting life and property at the scene of civil disturbance without stopping to give a person a summons for peddling without a license, for example.

e. Don't go in the midst of the mob alone.

- 1) Should you be hit or narrowly missed by a missile and can see your assailant, grab him if he is within arm's reach.
- 2) When he is far from the perimeter of the mob, remember his face, keep an eye on him and wait until you have a better chance to apprehend him.

f. When an officer is attacked near you, go to his assistance immediately and use all necessary force to halt the assault.

- 1) If someone gets away with beating a uniformed officer, such assaults will increase, rendering the police incapable of controlling the situation without extensive bloodshed.
- 2) If you see such an attack but you are not assigned nearby, don't go rushing into the fray. Keep at your post.
- 3) Should you leave your post unattended, greater danger could result.
- 4) Hold the line and your superiors will maneuver men and move the line so that the assault upon the officer is isolated from the mob.
- 5) The assailants will then be dealt with.
- 6) In any case, do not leave your post without permission; it has a place in the plan of action and the assumption is that it is adequately covered.

H. The lone officer and active crowds.

1. A crowd may be active but, without direction, it is not yet a mob.
2. The patrolman who comes upon an active crowd should first call for assistance and then he should do all in his power to halt the activity before it gets out of hand, to stop the crowd from becoming a mob.
3. Alone, against so many people, you should refrain from using force unless attacked.

4. Instead, direct your attention to the loudest one, the agitator. It is the agitator who, if successful, will give the crowd direction.

- a. Dealing with one man is better than dealing with many.
- b. If you should succeed in making him impotent, the crowd may become passive or at least remain directionless.
- c. You are gaining valuable time while you deal with him, time enough to get determined men to the scene - policemen trained in coping with disorder.
- d. Use your head. Keep calm. Speak slowly but loudly. Act assured. Doing so, you have the edge on an excited agitator, who may be speaking too hastily to be understood and is worried least the crowd defect from him.
- e. Be firm, but use reason in talking to the agitator. Assure him that the police are in charge of the situation.
- f. If reason does not cause the agitator to desist, begin asking him questions in a voice loud enough to be overheard. Attempt to concentrate the crowd's attention, divert it from its original purpose, and disassociate the people from the agitator.
- g. If help has not come as yet, increase your verbal assault upon the agitator, speaking loud enough to be overheard by the crowd.
- h. Tell him that his irresponsible outbursts are endangering people and that he doesn't really care.
- i. Warn him that most of the people present are too sensible and law-abiding to be led by him.

5. By verbally attacking the agitator and complimenting the people in the crowd in a voice loud enough to be heard, you are attempting to concentrate their attention and cause them to hesitate.

6. You are trying to keep them leaderless, directionless and inactive.

- a. If the agitator or someone in the crowd threatens you with harm, turn your attention to him.
  - b. Tell him that attempting to harm a policeman in the performance of his duty is a serious crime.
  - c. Warn him that you will meet force with force, and the many officers who will arrive shortly will do the same.
7. Your objectives when dealing with an active crowd alone are: alienating the agitator from the crowd, thereby keeping it directionless, and provoking the people to think, thereby keeping them inactive and delaying them until police reinforcements arrive to quell the disturbance and disperse the crowd.
- I. The lone officer and mobs.
- 1. As soon as a patrolman detects a mob, he should call for police assistance.
  - 2. When a crowd takes on the earmarks of a mob intent upon interfering with your duty or doing you harm, take the following steps:
    - a. Get to a position in which no one can attack you from behind. Back up to a wall, if necessary. Don't stand your ground in the middle of the sidewalk and be encircled.
    - b. If you have a prisoner with you, place him in a location with a single, preferably small, opening like a hallway or telephone booth and handcuff him to an object there. When no such object is available, have him lie down, handcuffed from behind and put a foot upon his back.
    - c. Tell the crowd what you intend to do should they cross an identifiable boundary.
    - d. When you draw your gun, don't become frantic and threaten everybody. Choose your targets. Leave no room for doubt that six of them will go first before they get to you.
    - e. Should anyone pass the boundary, do not hesitate. Shoot and shoot straight. These people have been warned.

- 1) Warning shots are unnecessary. You can only get off so many shots before they get to you, so make them count.
  - 2) Don't fire in an attempt to wound superficially. You don't have time to take such careful aim and a superficial wound may enrage rather than stop the target.
  - 3) Each man down means one less to beat, kick and knife you.
- 3. In cities where there are all kinds of people, there are all sorts of fears and hates - including fear of arrest and hate for a police uniform.
  - 4. When these fears are combined with intense family or friendship loyalties, racial and ethnic tensions, and agitators fomenting trouble, the officer on post can become the focus of mob fury. If it happens, he must be prepared for it.
- J. Strike situations.
- 1. A patrolman on strike duty may have to deal with a harmless small group or an unruly mob, depending upon the duration of the strike, the attitude of the contending parties and the violence that one side or the other has allegedly committed.
  - 2. The police-planning for a strike situation is done by your commanding officer.
  - 3. The breaking up of tours into rest periods, coffee breaks, and so forth, is done by your sergeant.
  - 4. The work itself has to be done by you, standing at the scene.
  - 5. Many strikes start out as only a minor problem.
    - a. The men and women on the picket line sing songs, chant slogans and march with zeal.
    - b. As the weeks pass with no pay, the bank accounts grow small and tempers grow short.
    - c. Employees who have continued to work are cursed and spit at.



- d. With inclement weather and/or the return of some of the strikers to work, bitterness develops and violence may occur.
- 6. A policeman on strike duty is supposed to be impartial.
  - a. Don't get friendly with strikers or employers.
  - b. Refuse their offers of cigarettes, coffee and sandwiches.
- 7. When hostility develops as the strike continues, you are expected to keep the peace and protect life and property on both sides.
- 8. Neither party should expect favors or considerations. You should protect yourself against possible accusations of bias by being impartial from the start.
- 9. When someone on either side is annoying you with his actions, noises or words, do not get into an argument with him.
  - a. Go to the foreman (if he is an employee) or picket captain (if he is a striker) and tell him that you are performing your duty in an impartial manner.
  - b. Tell him it would be to his advantage to stop the heckler. As you are neutral, annoying you does not weaken the other side but, if the heckling does not stop, he will be minus an employee or a striker who will be in court answering disorderly conduct charges.
- 10. Be unbiased in your attitude, objective in your speech, and fair in your actions at the scene of a strike.

## XXV. Drug Addicts.

- A. An introduction to the understanding and handling of the drug addict.

Drug addiction is a special kind of police problem because the user may not be in a rational state, the user is endangering his health by continuing to use drugs without medical supervision, and the user's need to satisfy his craving may lead to the commission of crime. Unauthorized possession, manufacture and/or sale of drugs is against the law. The detection, investigation and apprehension of illegal drug manufacturers, middlemen, retailers or pushers is the primary responsibility of the police personnel who specialize in such cases, whether they are plainclothesmen or detectives of the city or state departments or federal investigators. The patrolman may occasionally arrest these violators but, more often, he reports his suspicions through channels to the specialists on the force, for appropriate action. The officer needs to know more about what is going on around him so that he can accurately observe and report suspected infractions in this area of illegal activity.

- B. Methods of detecting users and sellers.

- 1. Addicts can be of either sex and of any age, except the very young.
- 2. A few start on the road to addiction while under medical treatment.
- 3. Many are first exposed to narcotics on a dare: a companion offered them a marijuana cigarette or they took a highly diluted shot "just for kicks" at a party.
- 4. Repeated consumption may be a result of its being "the thing to do" among their associates.
- 5. Often use is continued because the sense of well-being produced by narcotics brings about a temporary release from chronic personal troubles.
- 6. Addiction becomes a physical demand so strong that it overpowers the will.

7. Once the user is "hooked," especially if the drug is expensive - and illegal drugs are very expensive - the victim may resort to criminal activity - usually prostitution or shoplifting for females and pimping, robbery, store burglaries, assault and petty larceny for males - to get money for the narcotics.

8. The opposite is also true: the life of the common prostitute, petty criminal and prison inmate may be so degrading that these people may chronically resort to using narcotics to bring about some temporary relief.

C. The effect of drugs on the user.

1. The effect of taking drugs varies with the individual using them.
2. It also varies with the kind of drug that is taken.
3. Contrary to the popular stereotype of drug-crazed addicts performing outrageous sex crimes or brutal assaults, the vast majority of American addicts are on opium derivatives which usually have a soothing effect upon the victim.
4. While under the influence of these drugs, the user generally withdraws from reality to the top of a floating fantasy world.
  - a. His ambition is gone, his energy is sapped.
  - b. The sex urge is greatly diminished or absent altogether.
  - c. Acts of physical aggression are furthest from his mind.
5. Cocaine has been known to agitate the user, driving him to perform dangerous acts without regard for his personal safety, but pure cocaine addicts are rarely encountered.
6. Addicts will, at times, mix cocaine with heroin or morphine "speedballs," but the sedative effects of the opiates tend to offset the energizing effect of the cocaine.
7. Marijuana, though not habit forming, has been known to "pep up" the senses and affects some people in the same way as a mild exposure to cocaine would.

8. Even the most experienced officers find it almost impossible to detect an addict who can sustain his habit without serious interruption.

9. Their suspicions are aroused when they observe certain symptoms exhibited by people in particular locales.

D. The symptoms of a known addict, commonly called a "junkie."

1. A "junkie" who cannot relieve his craving - who needs a shot or is in a withdrawal stage - will tend to exhibit watery eyes, running nose, nervous perspiration, continual yawning and constant scratching of his body.
2. A "mainliner," one who injects the drug into his veins, will show scars, usually on the arm, especially on the upper part of the left arm if they are right-handed. Sometimes these are on the leg, particularly on women and on men who wear short-sleeved shirts in their occupations, such as cooks and musicians.
3. A long-term addict may have a "rundown at the heels" look about him, due to mental and physical deterioration, poor eating and sleeping habits, frequent infections, especially at the site of the injection, colds, constipation and a general bodily listlessness and dullness. He has given up almost everything for the drug.
4. But these symptoms are not enough upon which to make a judgment regarding addiction.
  - a. A diabetic who just woke up with a cold will exhibit the same symptoms: yawning and scratching, nose running, needle scars and an unkempt appearance.
  - b. An allergy sufferer will also exhibit the same symptoms.
5. Addicts tend to gravitate toward one another. They usually congregate together in certain locations, be it a bar, pool room, jive-joint, restaurant, rooming house, or street corner.
6. The person who associates with known addicts and who exhibits these symptoms is probably an addict, also.
7. An addict may come to realize the futility of his condition and be willing to turn the "pusher" over to you so that others will not be victimized.

8. A friend or relative of a person being drawn into the habit may enlist your aid in preventing the user from going to far.
  - a. You may question the relatives of a person who shows the symptoms of withdrawal and discover that the relatives and the addict desire to cooperate with you in apprehending the pusher.
  - b. Be careful when you question a suspected addict or a friend or relative.
    - 1) There is an enormous profit in illegal narcotics traffic and criminals may kill to protect it.
    - 2) If word gets around that a particular addict is "talking," his life may be seriously endangered.
    - 3) His next "deck" may be pure undiluted heroin, enough to kill him, or it may contain a poisonous adulterant like roach powder.

E. The equipment that is used by a user of drugs.

1. Although plainclothes members of the department usually apprehend narcotics law violators, a uniformed patrolman in an area with narcotics traffic occasionally arrests a pusher.
2. As you approach the suspect, be observant lest he rid himself of the narcotics, thereby making conviction for illegal possession impossible.
3. Many pushers facing arrest will swallow the evidence. Others will throw it in a nearby sewer.
4. One retailer kept the deck in his palm with a taut rubber band around it; if he suspected that he was being followed, the pusher merely opened his hand and the deck shot far away from him.
5. Some pushers are addicts.
  - a. They may have a hypodermic syringe or a safety pin, with an eyedropper, a spoon and a piece of cotton in their possession, sometimes in an eye-glass case.
  - b. Lacking a hypodermic syringe, addicts will jab the safety pin or needle into their body.

- c. The cotton, a desired quantity of heroin and some water are placed on the spoon, which is heated over a match.
  - d. The drug dissolves in water, the cotton absorbs the liquid and the eyedropper is filled from the cotton.
  - e. By replacing the safety pin with the eyedropper and squeezing the rubber bulb, the addict injects himself with the narcotic.
  6. The pusher may have drugs in his possession.
  7. While the presence of narcotics must be proved by laboratory examination of the suspicious material, a patrolman must know something about narcotics in order to detect suspicious material and to safeguard it for scientific analysis.
- F. Methods of detecting narcotics.
1. Marijuana is obtained from a green or brown plant which can be grown on vacant lots or even in window boxes.
    - a. After harvesting and cutting, it looks like cigarette tobacco.
    - b. The user smokes it in home-made cigarettes or in pipes. Non-habit forming and relatively inexpensive, marijuana is oftentimes used by youngsters in search of "kicks."
    - c. Some users eventually find smoking the "weed" too tame for their taste and they turn to addictive drugs.
  2. Opium is plastic when fresh but it hardens if exposed to air.
    - a. Dark brown in its original state, opium takes on a lighter color after drying and grinding.
    - b. The drug is generally sold in thin metal cans called "toys" which contain the opium and adulterants (like gum and sugary fruits) in a gummy state.
    - c. Opium pills are smoked in pipes and sometimes, though rarely, eaten.
  3. Morphine and codeine are derivatives of opium.
    - a. They are sold in powdered (white) form or as clear liquids.
    - b. The addict sniffs or injects himself with these opiates.

4. Heroin is the favorite drug of addicts in America.
    - a. An opiate also, heroin is sold as white powder, frequently adulterated with milk sugar.
    - b. Usually taken by injection, the drug can also be sniffed or smoked in opium pipes.
  5. Cocaine, a white powder, often mixed with boric acid, is placed on the back of the addict's hand and sniffed up his nose.
- G. The policeman's role in stemming addiction.
1. Illegal possession of narcotics is grounds for arrest.
  2. Whether he makes an arrest himself, or detects addicts and transmits information concerning illegal narcotics traffic to other police authorities, the uniformed patrolman is contributing to ridding his post of a dangerous menace.
  3. The fewer the pushers, the fewer the addicts, the fewer the people who find it necessary to commit crime.
  4. By halting illegal traffic in drugs, the patrolman not only apprehends present criminals, but he prevents future crime.

## XXVI. Juveniles and Youths.

- A. Introduction to the relationship between the patrolman and the juvenile.

The patrolman who must come in contact with, arrest, detain and transport juveniles and youths should not treat them as he would adults. Juveniles and youths are in a special category under the law and in the rules of procedure of the police department.

- B. The handling of incidents involving children.

1. Children under four years of age may come to the attention of the police department if they are abandoned, neglected or lost.
  - a. The patrolman must remember never to divulge their names to any unauthorized persons, including newspaper reporters.
  - b. A lost child who is not known to people in the neighborhood should be brought to the station house. You might also ask the finder to accompany you.
  - c. Telephone the precinct first so that the parents can be notified immediately.
  - d. The traditional police kindness to lost children, expressed by gifts of ice cream and the relating of funny stories, is the best procedure known to calm a frightened child until his parents arrive.
2. Children from four to twelve are very impressionable.
  - a. How you treat these youngsters will have a lot to do with their attitude towards the police in later years.
  - b. Take a little extra time to talk with them. Answer their questions. Become their friend.
  - c. If you are assigned to a radio car, show the interested ones the intricate instruments.
3. If you come across a runaway child, try to gain his confidence.

- a. Soon he may be telling you of his life and his troubles. Before you know it, you may have the name of his school or church. From there, before long, you'll have his correct name and address.
  - b. The child may have some identification on him, such as a library card or a transportation pass.
4. When a child commits a minor violation that must be reported, such as damaging another person's property, get the complainant's name and address and fill out the appropriate juvenile reports.
- a. Taking the youngster home to his parents, explaining the circumstances to them and giving the child a warning, is often punishment enough.
  - b. When you take a child home, be sure that he lives within the boundaries of your precinct and that you notify your superiors where, when and why you are going.
- C. The patrolman's dealings involving teen-agers.
- 1. The adolescent years are difficult ones; the teen-ager is part child, part young adult, and each one only part of the time.
  - 2. Not only are adolescents often unsure of how they should act, but their parents and the rest of the adults in the community are often unsure of how to treat them.
  - 3. Modern juvenile courts operate on the theory that the community will benefit far more if the child is helped in solving his problems than if he is severely punished for his violations of the law.
    - a. Instead of punitive retaliation, the court may offer the juvenile and youthful offender diagnostic treatment, supervised probation, rehabilitation training and therapeutic services.
    - b. Many communities consider crimes (with the exception of capital crimes) committed by children under 16 years of age as offenses; they define the violators as juvenile delinquents rather than as felons.

- d. They perform their duty, as defined by law, by preventing disorder and by apprehending those who violate the law.
- D. The apprehension and transportation of youths.
- 1. The officer should be suspicious of juveniles carrying an expensive article, like a typewriter or tape recorder, especially at night.
  - 2. It is legal for a youth to carry tire chains - he may be taking them to or from his car - but keep your eye on him, as these chains can be effective gang fighting weapons.
  - 3. If in a short span of time you see several youths pass, each carrying an automobile radio antenna, baseball bat or other possible weapons of gang fighting, and all going in the same direction, telephone the station house and report your observations.
  - 4. If you come upon a scene of illegal activity in which a number of youths are involved, remember that you must be prepared to identify the particular youth who performed a particular violation.
    - a. It is not enough to say that "these kids had these weapons."
    - b. You must be able to testify that a particular boy or girl had a particular weapon.
  - 5. If you or someone in your presence is physically assaulted, you are justified in using any reasonable force to protect yourself and others.
    - a. When confronted with a gang of young toughs, armed with garrison belts, switchblade knives, tire irons or zip guns, you cannot ask for birth certificates to ascertain who is under 16 years of age and who is over, because you might be overpowered physically.
    - b. Even an exceptional lone teen-ager who is taller, heavier and stronger than you may be a serious menace to you and to those around you.
    - c. But suppose you and others in your presence are not in any immediate physical danger from the gang. You then might take the time to check the ages of each one.

- c. In these communities, the police departments usually have specialists to deal with juvenile delinquents and youthful offenders.
  - d. The officer on patrol can assist these specialists by noticing the potential trouble-makers on his post and notifying them.
4. There are some telltale symptoms of improper development for which the patrolman should be watchful:
- a. A continually dirty appearance, combined with ragged, ill-fitting clothes, may indicate that the child is not being properly cared for at home.
  - b. Frequent truancy, of which the parents may or may not be aware, is usually symptomatic of improper development.
  - c. Repeatedly exhibiting unusual cuts and bruises may suggest a gang fighter or a hot-tempered, overly aggressive or persecuted child.
  - d. Continually staying out late at night is suggestive of little parental care or control.
  - e. Any indication that the child smokes marijuana cigarettes, uses narcotics or repeatedly drinks alcoholic beverages on the sly.
  - f. Hanging out with others, adults or youth, who have criminal records or are disreputable characters.
5. By being alert to these symptoms of improper development and referring their occurrence to the specialists in his department, the patrolman may be helping prevent youngsters who may have strayed slightly from becoming felony statistics in the future.
- a. The patrolman is neither trained nor expected to be a social worker.
  - b. The responsibilities of the two professions are different.
  - c. The police are expected to protect life and property and preserve order.

- d. Even when you have reason to believe a felony has been committed, be very cautious about drawing your gun upon suspects who are apparently juveniles.
  - 1) Should you kill a juvenile or cripple him (when you are not acting in self-defense or in the defense of the lives of others), you will find yourself in a serious predicament.
  - 2) If a felony was not committed or if it was and the juvenile was not guilty of the crime, your situation will be very grave.
- e. Be extremely cautious about using your gun.
- f. Don't handcuff teen-agers unless it is necessary, as this can have psychologically bad effects not only on the child but on the public too.
- g. Hold and transport them separately from adult prisoners, for the reason that mixing youths with older offenders can do them harm and, if the youths are guilty, make their rehabilitation more difficult.

## XXVII. The Policeman's Dealings With Women and the Inherent Problems.

## A. Introduction to the handling and disposition of female offenders.

The problems inherent in the policeman's dealings with women derive from two main sources of difficulty - physical violence by the woman against the police officer, and possible allegations by the woman as to purported liberties taken by a police officer with her. The patrolman must recognize the hazards in dealing with women and take steps to protect himself from possible accusations while still doing his duty. In addition, he must adopt a sensible attitude towards the physical danger that women present to him and to others in his presence. These two types of problems, real though they are, should not deter the officer from dealing with the woman offender. He must prepare himself to do so effectively.

## B. Allegations of misconduct that may arise when dealing with the female offender.

1. When you handle a case concerning a female in a hotel room, lodging house or furnished apartment, have the manager, landlord or superintendent accompany you inside the room.
2. No matter how insignificant the case, these females may be transients with little social status to lose if they publicly accuse you of molestation.
3. Too many times such charges are used by women to cover up their illegal activity.
4. Protect yourself against this possibility by having another person in the room with you or, if you must be alone with the suspect, be sure to have the door open and the lights on.
5. If you have a female prisoner, intoxicated or not, call for a radio car or a patrol wagon to take her in.
  - a. Should the circumstances demand immediate removal from the scene, use a taxicab; but be sure the light is on over the rear seat so that the driver will have a view of what transpires at all times.
  - b. Note his name and number in your memo book just in case you need his testimony at a later date.
6. Never transport a female prisoner in a vehicle containing male prisoners. She is in your custody and you may not use

your authority to expose her to insults, embarrassment or assaults.

## 7. Plainclothesmen and detectives run the risk of public censure when they take a woman prisoner.

- a. The suspect may scream that she is being abducted and call for aid from chivalrous passersby.
- b. When you, a uniformed officer, come upon such a scene, stay with the arresting officers and their prisoner.
- c. Indignant males will be assured of the legitimacy of the operation by your presence.

## C. Physical assault by women upon officers.

## 1. Don't underestimate a female adversary, who can:

- a. Bite and scratch.
- b. Tear at your eyes with long, sharp fingernails in an attempt to blind you.
- c. Swing a high-heeled shoe.
- d. Kick to the groin.
- e. The weakest of women can still use a weapon, be it a gun, knife or razor, with the same fatal results as a man.

## 2. You must also adopt a realistic attitude towards women.

- a. Unlike men, women can sometimes get away with wrongdoing by feigning embarrassment, shedding sorrowful tears, exuding innocence and pitifully pleading for your sympathy.
- b. Females will lie, cheat, steal and kill just like men - only you may not expect it of them. Therein lies the danger.

## 3. Police rules and procedures and the attitude of the public make it difficult or impossible for you to frisk females, to restrain or forcibly lead them manually or mechanically.

- a. These precautionary procedures, routinely applied to males, either cannot be employed on females or can be used only in certain circumstances.



- b. Yet women can be as dangerous to you and to those around you as men.
- 4. You generally should not frisk a female prisoner - that's a job for a policewoman. But you can and should take other precautions:
  - a. Have the female suspect stand apart from everyone else and keep your eye on her.
    - 1) By doing so, you prevent her from suddenly injuring someone with a weapon hidden on her person.
    - 2) In addition, you prevent her from passing a hidden weapon on to someone else, arming an already frisked male prisoner, or disposing of a weapon before a policewoman arrives to frisk her.
    - 3) Allow no one near the woman.
  - b. Order the prisoner to open her handbag, place it on a table and step away.
    - 1) Don't allow her to place her hands inside the bag.
    - 2) Don't have her hand the bag to you or to stand close by as you inspect it; a violent woman may use her proximity to you to attempt a kick to the groin.
    - 3) To avoid allegations of theft or of planting evidence, keep the handbag in her view.
  - c. Have the prisoner slowly remove her coat, jacket or outer sweater, assuming she is decently dressed underneath, and place them, an article at a time, upon a table.
    - 1) Watch her as she does this lest she extract a weapon from her clothing.
    - 2) Order her to stand or sit away from the table while you frisk these garments.
  - d. If you have reason to believe that a female prisoner is armed, handcuff her behind her back, palms facing out.

- 1) If the nature of the felony she is alleged to have committed involves physical assault or the use of weapons, handcuffing her is good insurance.
- 2) Male accomplices, realizing that you cannot frisk her, may have given their weapons to the female just before you arrested them.
- e. Refuse a female prisoner's request to go to the lavatory. She may destroy evidence such as narcotics, betting slips and extortion notes by flushing them down the toilet.
  - 1) In addition, she may use this moment of privacy to dispose of any weapons she has hidden upon her person.
  - 2) Refer her request to your superiors and have them make the decision.
- f. Don't underestimate female assailants. Many women can competently kick to the groin. Their scratching can cause blindness and their biting can cause an infection leading to lifelong disability.
  - 1) A good technique to use on a female who is assaulting you entails grabbing a handful of her hair and pulling away from you and to the side until you have turned your assailant around, with her back to you.
  - 2) Once she is in this position, you are relatively safe from her kicks, scratches and bites and you can handcuff her from behind.
  - 3) This technique causes the woman some pain but it will not cause the serious injury or disfigurement that are possible resultants of other subduing methods.
- D. Police contacts with the intoxicated female.
  - 1. Otherwise respectable women, their inhibitions removed by the intoxicant, are a hazard to the police officer.
  - 2. If she is partially or fully disrobed, the officer should cover her.
  - 3. Move her to a sheltered doorway if she is out cold and lying on the ground. Then call for an ambulance if one is needed.

4. If she can talk, try to find out her trouble.
  - a. Sometimes the sternness of your voice will bring her to her senses.
  - b. When not too drunk, many women will become cooperative if they are reminded of the shame they are bringing on themselves and the embarrassment they are causing their loved ones.
5. Perhaps she is walking about, doing things she shouldn't.
  - a. Try to get another woman to talk to her, calm her and sit her down.
  - b. If she becomes too violent for this, hold her firmly by the arms.
  - c. Make sure not to grab in such a way as to suggest that you are taking advantage of her.
6. Have another person, preferably a woman, with you while you await transportation.
7. When it is necessary, call for an ambulance, or make an arrest and call for transportation.
8. The sooner you get an intoxicated female off the street the better.

E. Female impersonators.

1. A discussion concerning how a patrolman should deal with women would not be complete without a reference to the fact that males sometimes disguise themselves as females.
2. The officer must keep in mind not only that every woman is not a lady, but that she may not even be a woman.
3. Criminals, as well as sexual inverters, sometimes wear female garb.

XXVIII. Non-criminal Police Service.

A. General courtesy service.

1. The personal contact most citizens have with the police department is usually in the form of a citation received for a driving or parking violation and this often leaves them with a negative feeling toward the department. This feeling can in some way be compensated for through a conscious effort by the patrol officer to offer as many courtesy services as possible.
2. There seems to exist an attitude among many citizens that the police department will have the answer to any problem for which they seek an immediate answer, even though the problem may not be criminal in nature.
  - a. In many cases, the citizen is aware that in most cities the police department maintains phone communications on a twenty-four hour basis, and that he can at least talk to someone regarding their problem.
  - b. But deeper than that is the feeling that the police department is a service agency, and that information to the public is one of their basic duties. There are many types of non-criminal courtesy service calls that a patrol officer receives in the normal tour of duty.

B. Entering a locked house.

1. Although it seems that more elderly persons die and more persons commit suicide at night, it may not be until day-time that friends, neighbors, or relatives become alarmed when such persons living alone do not answer the telephone or knock on the door.
2. Since you will be the one who has to investigate, a few tips on how to enter a house may keep you from having to break down the door.
  - a. If you are certain that an emergency exists, you have little choice but to enter by the quickest means if to do so may save a life. Force the door or break a window.
  - b. However, if some doubt exists that the dweller is inside, but could be taking a walk or is away for some other reason, look the apartment or house over

- c. The locks on the doors of old houses or apartments are frequently the cheap variety which need no more than the old-style passkey to open. If you have not yet learned to carry one, any neighbor will probably oblige you by loaning you his.
- d. Sometimes the key is in the lock on the inside, but there is a crack under the door.
  - 1) Slide a sheet of newspaper through the crack into the room.
  - 2) Work the end of the key with the point of a pen knife or ice pick until it is in position where it can be pushed out of the key hole onto the newspaper.
  - 3) Gently pull the paper out from under the door and the key will come with it. You can then use the key to open the door.
- e. If the lock is the spring type and there is a crack between the door and the frame where the lock is, use thin strips of plastic or short pieces of flexible steel rule to wedge the lock open.
  - 1) By slipping the strip into the crack against the beveled edge of the lock, the bolt may slide open.
  - 2) If not, slip a second strip in by the side of the first, and so on, until the bolt slides back.
- f. Some doors or locks are so well built that it is impossible to use strips - especially the "dead locks" that are an unbeveled bolt with no spring behind them. Yet, in all probability, the lock will be the pin tumbler or cylinder lock that can often be picked by the use of a "rake."
- g. Drop into any locksmith and after he learns why you wish to know and that you will not be a competitor, he will show you how such locks are built and how to pick them.
- h. Most of these locks are built in two parts; the barrel containing the cylindrical plug the key fits into and

which actuates a cam to slide the bolt back, screws into the larger part of the lock from the outside of the door.

- 1) This outside part is secured to the inside, larger part by a soft setscrew.
- 2) A pipe wrench or a pair of vice-grip pliers can be used to grasp the outer rim of this barrel enough to put pressure on the setscrew until it shears off.
- 3) Once the setscrew is sheared, the barrel can be completely unscrewed and removed from the door. You can then reach into the hole and slide the bolt back.
- i. If the lock simply cannot be picked, check the door to see if it may be hung so that it opens outwards. If it does, the hinges may be visible and the hinge pins can be driven out, permitting you to pick the door up and place it to one side.
- j. In all probability you have seen the safety chains people place on doors to keep burglars out.
  - 1) The chain part with a disc on one end is screwed to the door frame. A long, slotted strip of metal is screwed to the door. When the door is closed, the disc can be placed in a hole at the hole at the end of the slot where the chain prevents the door from opening any further.
  - 2) You may have been told that these so-called safety chains are burglar proof, but this is assuredly not the case.
  - 3) Very frequently the slotted strip will be screwed to the door in a vertical position. All you need to do to open the door is to shove your hand through the crack and slip the disc up to the hole.
  - 4) Even though this type of device may have been properly installed, a solid push against the door may pull the screws from the soft wood used in so many doors and frames.

- 5) If the device has been properly installed and the screws are solid, all that is needed to unlock the door is a rubber band and a thumbtack.
  - a) Shove your arm through the door, keeping the door closed as much as possible, and attach the rubber band to the chain as close to the disc as you can.
  - b) Shove the thumbtack into the door as far back from the slotted strip as you think the rubber band will stretch without breaking.
  - c) Stretch the rubber band onto the thumbtack, pull your arm out, and close the door. The stretched rubber band will pull the disc back and out of the slot. You can then open the door.
- k. If you can't get through the door, make an inspection of the outside windows. Note the kind of locks on the windows, if no unlocked window can be found.
  - 1) The semi-circular type window lock, which rotates into a hook locking the upper sash to the lower sash, is usually very easy to unlock. Slip something thin, such as the blade of a dinner knife, into the crack between the two sashes and work the semicircular part of the lock back until it no longer engages the hook.
  - 2) There is an older style of this type lock, however, that cannot be unlocked this way since the semi-circular part itself locks once the handle has been turned to a position which locks the window.
  - 3) Whenever you see the very old windows with a pin on each side of the window in about the center of the pane, do not attempt to force the window. It cannot be done without breaking the glass or taking the frame apart.
  - 4) When all else fails, most of the older type windows can be jimmied very quickly (except the last mentioned window with a pin on each side) by using a variety of flat tools such as two screw drivers or tire irons. Although two

tools are not necessary in most cases, by putting pressure on the lower sash from both sides it will not bind in the frame.

- 5) By far the best jimmy for opening windows, and one which is usually available (to burglars too), is a shovel or spade.
  - a) Shove the point in the crack between the sash and the sill in the middle of the window and pry down. The long handle gives much better leverage, and the wide point gives a much better purchase than the narrow screw drivers.
  - b) If the window sash is made of the usual soft wood, the screws holding the lock will pull loose with no trouble.
- 6) The crank-open type of metal-framed windows can be opened unless there is a lock and the lock is pushed down.
  - a) Find a very stiff wire and make a hook in one end just large enough to slip over the crank handle.
  - b) Use a screw driver or similar tool to pry the window open a slit, then slip the loop of wire over the handle of the crank. Although the first turn will be difficult because there is a strain on the screw, it can be done.
3. Locked cars can be opened the same way by using flat, wide, spring-metal strips with slots in the end to slip over the crank handles on the door. The spring, being very thin and flat, will slip between the glass of the front door window and the rubber gasket of the ventilator window. Almost all wrecker-men have tools of this kind.
4. After you break into any house or apartment, the security of that house or apartment is your responsibility until the occupants or relatives take over. Be sure to secure the premises when you leave, by nailing a board over the hole you make and by notifying the next shift to watch the place to prevent any burglary.
5. The tips given here are only of value whenever you are undecided as to whether an emergency does exist, and

when you have time to try these various means of gaining entry. Whenever you know that there is an emergency and the windows are inaccessible and the door too sturdy to force, call the fire department and have them bring their axes to chop their way in.

#### C. Escorts.

1. It is quite common for a citizen to request a police escort when he has someone in the car who is ill or having labor pains. It is important to remember that this person is usually nervous and under strong emotional pressure, and cannot be expected to think in a rational manner nor follow instructions as he might do.
  - a. It is important that the officer decide whether the situation might better be handled by calling an ambulance, escorting the victim, or by transporting the victim in the police car. The latter is frowned upon by most departments because of the liability dangers involved.
  - b. By using introspection, an officer may understand the pressures and thinking of the citizen requesting the escort, and may make a greater effort to increase communications through semantics and patience.
  - c. Any instructions between the officer and the citizen should be short and to the point. This will reduce the possibility of the instructions becoming confused and forgotten.
2. Escorts are not normally permitted beyond the nearest hospital. The feeling is that if it is really an emergency, the nearest hospital is the best place for the victim.
  - a. Sometimes problems arise in cases where the victim is of a particular faith that operates its own hospital, and this hospital is some distance past the nearest hospital when the officer is asked for assistance.
  - b. Many doctors cooperate with certain hospitals, and want their patients sent to that particular hospital.
  - c. It places quite a responsibility on the officer when presented with such a situation. He must decide on need versus want, and whether the seriousness of the emergency would prohibit extending the escort beyond the nearest hospital.

3. An officer must remember that acting as an escort is different from driving his own police vehicle on an emergency call.
  - a. He must anticipate the possible dangers to both his own vehicle and that of the person being escorted.
  - b. Many times the person being escorted is not conditioned for fast driving and is fearful of its dangers.
    - 1) He can easily get left behind if the escorting officer has a heavy foot.
    - 2) The opposite can be true if the officer drives in a cautious manner and the person being escorted drives wildly due to his emotional condition.

#### D. Invalids.

1. A common courtesy service involves assisting elderly invalids who have fallen out of bed and cannot be lifted by the persons caring for them because they too are elderly and are not physically capable of performing this task.
2. This same type of case occurs occasionally when an invalid becomes ill while in the bathtub and cannot get out of the tub of his own accord, and the person assisting him does not have the strength to lift him out.
  - a. Too often an officer resents this type of call because he feels that he is being made a nursemaid.
  - b. His attitude and remarks can do much to hurt the victim who is usually embarrassed and humiliated by being in this sort of situation, especially if at one time he was quite physically agile.

#### E. Death messages.

1. One of the most difficult duties of an officer who has any compassion for his fellow man is that of delivering a death message.
2. When a person dies as a result of a criminal offense or a traffic accident, and the next of kin do not have a phone, or the next of kin are not immediately known, the

police in the city where the victim lived generally assume the duty of finding the next of kin and then notifying them of the death.

- a. The officer has the responsibility to see that the next of kin, especially if they are alone, receives some comfort or care.
  - b. A wise procedure is to contact the neighbors and ask them for their assistance.
3. It is well for the officer to write down the instructions as to who to contact in order to recover the body, and any other information that will assist the next of kin, realizing that their state of mind might be such that they would not remember or even in some cases perceive what is being said.
  4. As a parting gesture, the officer might call the family pastor so that he, too, might assist in the matter.

F. House checks and vacation checks.

1. A common courtesy service extended by most police departments is that of checking vacant houses when the occupants are temporarily away because of vacation or illness. Although this is classed as a courtesy service, it is also an important part of preventive enforcement.
2. In the summer, a patrol officer might have so many vacation house checks to make, that it would be physically impossible to check them all during one shift.
  - a. In cases such as this, the patrol officer should get together with the other officers who have the same beat but on different shifts, and then split the vacation houses up and alternate checking on them. In this way they may all be checked at least once a day.
  - b. If there are still too many, the officer can divide his list and alternate it by checking the houses on one list one night and then the houses on the other list the following night.
3. It is a good policy to make a personal contact when it is observed that the people have returned. They should be asked if everything is in proper order. It gives them a feeling of receiving good service and leads to better public relations.

G. Assisting other city agencies.

1. Since the patrol officer is constantly moving about his beat, he sees many things that are not criminal but that should be brought to someone's attention. This is particularly true of defects in equipment and in services that are handled by other city departments.
2. Even though it is not criminal in nature, it is the patrol officer's job to report these situations to communications or to his superior on the proper form, so they may be directed to the agency handling these matters. Some of the more common are:
  - a. Street lights out.
  - b. Fire hazards.
  - c. Leaking water mains.
  - d. Defects in the street and sidewalks.
  - e. Conducting business without a license.
  - f. Health hazards.
  - g. Illegal display of advertising or election posters.
  - h. Traffic signals out or defective.
  - i. Dead animals in the street.
  - j. Barricade lights out at construction sites.
  - k. Stopped-up or flooding drains and sewers.
  - l. Building or adding without a permit.
3. In some of these cases, the officer must use good judgment in estimating the seriousness of the situation, otherwise a public works employee can be called out of bed in the middle of the night for a matter that could just as easily be handled in the morning.

## XXIX. Security Guards And Special Police.

## A. Introduction.

1. Occupations which deal with the security of life and property are of three categories:
  - a. The municipal police officer.
  - b. The private detective.
  - c. The security guard.
2. Police officers provide security but they work for the public rather than for a private employer and are responsible for the overall security of the entire community.
3. Private detectives provide security in certain instances which come under the category of private security guard, but most of their work is in the investigative field.

## B. Objectives of private security work.

1. Persons engaged in private security work are concerned mostly with the protection of property, with emphasis on:
  - a. The prevention of robbery.
  - b. The prevention of burglary.
  - c. The prevention and detection of theft from a specific person or place.
2. They may work in uniform or in plainclothes.
3. They are designated in many ways, including:
  - a. Watchmen.
  - b. Patrolmen.
  - c. Alarm investigators.
  - d. Special agents.
  - e. Security officers.
  - f. Special police.

4. In this context we refer to them as "guards," an old and honorable term used for centuries, meaning to protect or defend.
5. The military considers guard duty as an honor and only the best soldiers are permitted to stand guard since the safety of an entire force may rest with them.

## C. Police responsibilities.

1. Although the responsibilities of a police officer and a security guard may be similar in that both are protecting life and property, a police officer's obligations are further spelled out by law.
2. Unlike the guard, he works for the public and is responsible for the entire community, not just one location and one particular employer.
3. A police officer is bound by law to perform certain duties.
4. Failure to perform these duties could result in a fine or a jail sentence.
5. A guard is not required by law to perform these duties and therefore his legal powers are not as great as those of a police officer.

## D. Duties of a guard.

1. Guards are watchmen, patrolmen, or other persons assigned to protect persons or property, both real and personal.
2. They prevent the theft or the unlawful taking of goods, wares and merchandise.
3. They prevent the misappropriation or concealment of goods, wares and merchandise, money, bonds, stocks, notes or other valuable documents or papers.
4. They can be any individuals hired to patrol, watch or guard any residential, industrial or business property or district.

## E. Guards - private citizens.

1. Guards are not generally considered by law to be police officers; rather they are regarded as private citizens.
2. Exceptions would be persons sworn as commissioned special policemen, who are considered as police officers when they are on duty at specified locations.



3. Guards are forbidden by law to wear an insignia, cap device, badge, button, or uniform similar to that of the local police.
4. Any guard, whether on or off duty, who represents himself as a police officer is in violation of the law on impersonating an officer.

F. Powers of arrest of a security guard.

1. A security guard in the capacity of a private citizen may make a legal arrest of any person when he has power as an ordinary citizen.
2. A security guard may make a citizen's arrest when he observes the crime being committed.
3. He may not arrest a person for a crime he did not see.
4. If he sees a man breaking into the factory he is guarding, he can make an arrest because a crime is being committed in his presence.
5. If he is told by another person that a certain person broke into the factory the night before, he cannot make an arrest.
6. In this case he must notify the police to make the arrest.
7. If he observes a person committing a violation of a city ordinance he cannot make an arrest. Here again he must call the police.

G. Laws of search with regard to guards.

1. The laws of search and seizure in connection with arrests made by a guard are the same as those which govern police officers.
2. Whenever a security guard makes a legal arrest, he may legally search the arrested person:
  - a. For the purpose of protecting himself from an attack from the arrested person.
  - b. To locate a gun, knife, or any other weapon which could aid the arrested person in escaping.
  - c. To locate the proceeds of the crime for which the person is being arrested.

- d. To find any tools, instruments, or other articles used to commit the crime or which constitute evidence of the crime for which the arrest is being made.
3. If the arrest is illegal, any subsequent search or seizure is illegal.
4. An illegal arrest cannot be justified by what a subsequent search may turn up.
5. The Constitution of the United States provides that all citizens are entitled to be free from unreasonable searches and seizures.
6. Evidence needed to justify an arrest made subsequent to the arrest is considered to be an unreasonable search and thus violates the person's constitutional rights.
7. The court will not allow evidence gained in this manner to be used to convict an arrested person.
8. Police officers should always remember that some employers do not want their guards to sign a formal arrest complaint.
9. The employer should be contacted and asked to sign the arrest complaint, except for a disorderly-conduct situation or an assault against the guard.
10. In most instances the property of the employer is involved and he or his agent is required in court in order to claim ownership of the proceeds or the property involved.
11. A guard cannot be made to sign a complaint, but he can be legally required to appear in court to testify.
12. The law prevents guards and watchmen from carrying a weapon while commuting between home and a place of employment, unless they have a permit.
13. Whether or not a guard should carry a gun while on duty is a question for the employer to decide. In order to legally carry a firearm, the guard must have the permission of his employer and must be performing the duties of a guard.
14. A guard is hired to prevent crime. You as a police officer are pledged to this end. Learn the locations where guards and special policemen are employed. Make certain they are legitimate.

### XXX. Summonses and Warnings for Violations.

A. A summons is a written order, signed by a police officer, which requires the recipient to appear in court. It is used in lieu of arrest.

1. Responsible people who have committed a minor offense, instead of being placed under arrest, are extended the courtesy of continuing their normal activity until they can plead their case in court.
2. The summons is issued to correct a condition which is causing, will cause, or has caused a danger to public order.
3. The recipient of a summons must appear in court to answer to the charges.

B. When a summons should be issued.

1. When a violation is committed that is the result of an understandable ignorance of the law and is easily corrected, a verbal or written warning is preferable to a summons.
2. Be sure your action of issuing a warning is recorded in your memo book, so that your supervisors will be aware of your efforts.
3. Courteously and briefly notify the party of the violation, when you expect it to be corrected, and the inherent dangers in not doing so.
4. Prolonged conversation is usually detrimental to persuasion. Be assured, be courteous, but do not say too much.
  - a. First, too much talk may lead to your arguing with the motorist and that leaves you open to a charge of using your position to bully or threaten citizens.
  - b. Secondly, your words may be distorted by the driver, who may add his own embellishments in court. The supposed quotes of what you say to him may be perverted into attempts at extortion, coercion, discrimination and so forth.
  - c. There are people who prefer a bawling-out to a summons.

- 1) They can easily forget an uncomfortable few minutes while glorying in the thought that they have "put something over on that cop."
- 2) They will repeat the same violation again because they know they have gotten away with it once.
- 3) But a court appearance, a fine, a mark upon the license and the possible loss of motoring privileges have a much more sobering effect upon law violators. They cannot afford to let it happen again.

5. In cases in which the perpetrator of the offense is here now and gone later, or in which the offense constitutes an immediate and serious hazard, an admonition will not suffice.
6. The offender should be stopped from what he is doing, the hazard removed and a summons issued.
7. Learn the various offenses for which summonses may be given.
8. Violators may be prosecuted under different laws, their cases tried before different courts, with varying interpretations and degrees of fine or imprisonment. This knowledge can be a most effective tool of the patrolman's trade.

C. How to issue a summons:

1. People who are generally law-abiding are often the ones to whom a summons is issued.
2. When they receive a summons for their rare misbehavior, some of the most respectable citizens become hurt, annoyed or angered and they waste little time letting you know it.
  - a. Although you may occasionally be in error, in most instances your observation that the law has been violated will be accurate.
  - b. Some people, recognizing that their action constituted an offense, will accept the summons without further discussion.

8. Issuing citations for non-traffic violations. When several people are involved in the commission of an offense, ask for the boss or person in charge. The person in charge is the responsible party and should receive a warning or summons.

- a. In some cases, no one will tell you who is in charge or where a responsible person can be contacted. In that event, select the man performing illegal acts at the moment and ask for his identification.
- b. His protest that he is just a laborer acting on orders should be answered by telling him:

- 1) That you have tried to secure the name of his boss, but so far you have been unsuccessful.
- 2) As he is the one actually performing the offense, he will receive the summons, but that you will write the firm's name in parentheses next to his name so that, in court, he may be considered an agent of the firm.

c. If the person refuses to furnish proper identification or if he becomes abusive, you should take him to the station house.

d. In most cases, he will tell you the name of his boss.

D. The issuing of the traffic summons.

- 1. In stopping a traffic violator, have the driver move the automobile to a place in which it will not hinder the movement of traffic and in which you will not be in danger of being struck by oncoming vehicles.
- 2. When issuing a summons for a traffic violation, obtain the driver's license and automobile registration.
- 3. Listen to the driver's complete story.
- 4. When you do allow a driver to go without issuing a summons, make a notation of that occurrence in your memo book. To counteract any inference of a bribe or favoritism, note the following in your memo book:
  - a. The name and address of the driver.
  - b. The date, time and location of the occurrence.

c. The reason you allowed the driver to continue without issuing a summons.

- 5. Whether you decide to issue one or more summonses or whether you decide that you were in error and issue none, you should assist the motorist in returning to normal traffic lanes after you are finished with him.
- 6. By spending a few moments to direct or halt traffic until the driver is able to gain a place in the stream of vehicles, you are continuing to act in the courteous manner of the professional police office.

E. The issuance of tag summonses.

- 1. In most cities, when a vehicle is parked in violation of the law and the owner or driver is not present, a tag summons is attached to the automobile.
- 2. If you come across a vehicle with a tag summons already upon it, inspect the summons to determine the date upon which it was issued.
  - a. Some violators attempt to circumvent the law by hanging a tag summons they once received upon their car whenever they illegally park, hoping that an officer will pass up an automobile that is already tagged.
  - b. In addition, a vehicle with an old tag summons may be a stolen car that has been abandoned by the felons.
- 3. Issue summonses in numerical order, even if your department does not require you to do so. This procedure makes it easier for you to avoid accusations of favoritism or bribery.
- 4. Complete as much as possible of the official written work related to issuing summonses while you are on the post.
- 5. If you run short of some particular form or affidavit, ask the radio car men for it.

- c. Some, after a smiling greeting, will become irritated as you begin to write. Others will become downright abusive.
  - d. Arguments, abuse, protestations about their innocence and your injustice, plus assorted fantasies concerning just about anything, are frequently part of a summons-issuing situation.
  - e. The known felon under arrest will rarely be as voluble as the otherwise peaceful citizen receiving a ticket.
  - f. If he argues but maintains a respectful tone, tell the violator that when he appears before the court, he will have the opportunity to explain his side of the story in full.
  - g. It is your job to halt violations of the law as and when you see them. You are not to judge his guilt or innocence - the court does that. This is the American way.
3. Some of the unpleasantness of summons-issuing can be avoided if you use the proper approach to the situation. A professional approach requires a courteous but assured attitude. Be courteous in addressing the violator.
  4. After a respectful salutation, you should inform the person of his violation.
  5. Don't write a ticket for one and skip the others.
    - a. Give law violators a summons (or summonses) for the particular violation (or violations) they have committed.
    - b. When issuing a summons for a condition in which more than one violation is involved, make the summons (or summonses) out for all violations.
  6. This is not meant to make the patrolman tough; it is sound police procedures.
  7. The police are not empowered to judge which portions of the law are to be enforced and which are to be overlooked.

# XXXI. The Preliminary Investigation.

## A. Introduction to the initial investigation.

The ultimate objective of a criminal investigation is to present to a court of law both physical evidence and the suspect. Success or failure is closely related to the actions initiated by the police at the time the crime is brought to their attention. What the officer does or fails to do in the critical early stages may well determine the course of the investigation. The facts that are obtained and the evidence that is uncovered and protected are instrumental in directing the investigating officer to a successful conclusion of the case. The sum total of this initial activity is called the preliminary investigation.

## B. Preliminary investigation as a function of patrol.

1. Police efficiency is measured often by the speed and safety with which an officer responds to requests for police services.
  - a. This is particularly true in criminal cases, as the opportunity to save a life or arrest a suspect decreases with the passage of time.
  - b. The field patrol units can best render these prompt and efficient services.
  - c. Working around the clock, with a direct radio link to the patrol car, enables the field officer to reach a crime scene with a minimum of delay.
2. Assigning patrol officers to conduct preliminary investigations offers additional advantages.
  - a. Such reliance upon the abilities of the patrol officer relieves detectives of time-consuming tasks and permits them to concentrate on the more specialized phases of investigations.
  - b. The patrol officer is capable of giving vital emergency medical aid to the injured, determining if a crime has been committed, or arresting a suspect if he is still in the vicinity, interviewing witnesses and the complainant and of doing the many other duties necessary to build a solid foundation from which the follow-up investigator will start.

- c. The preliminary investigation permits the patrolman to acquire investigative skills and to develop techniques of interviewing and obtaining evidence.
  - d. It also acquaints the officer with the trademarks of the various criminals.
- C. Procedural steps in a preliminary investigation.
1. Each criminal investigation presents the police officer with a new challenge and procedural steps must vary to fit the situation.
  2. Each preliminary investigation requires the performance of most - if not all - of the following tasks:
    - a. Proceed to the scene promptly and safely.
    - b. Render assistance to the injured.
    - c. Effect the arrest of the criminal.
    - d. Locate and identify witnesses.
    - e. Interview the complainant and the witnesses.
    - f. Maintain the crime scene and protect the evidence.
    - g. Interrogate the suspect.
    - h. Note all conditions, events and remarks.
    - i. Arrange for the collection of evidence.
    - j. Report the incident fully and accurately.
    - k. Yield the responsibility to the follow-up investigator.
  3. Proceed to scene promptly, but safely.
    - a. Although demand for police services must be promptly answered, expediency must never supersede safe driving practices.
    - b. Reckless and careless driving habits not only endanger others, but decrease the officer's chance of arriving at his assignment.

- c. The importance of giving prompt service is especially significant in assignments of reported crimes of violence against a person.
- d. The possibility is always present that the victim may die if aid is delayed.
- e. The time required for police to arrive has a direct relationship to the preservation of evidence at the scene.
- f. The longer the wait, the greater becomes the opportunity of bystanders or well-meaning persons to destroy or contaminate the evidence unknowingly.
- g. An excessive waiting period also may affect the availability or reliability of witnesses.
  - 1) People have a tendency to leave after the shock and excitement subside.
  - 2) Some bystanders may realize that staying around means getting involved; others simply go about their business.
  - 3) Witnesses who remain are given ample opportunity to discuss the incident and to repeat their story to interested listeners.
    - a) Each repetition presents the possibility of distortion.
    - b) Facts become interwoven with assumptions or imagination.
  - 4) It is also while waiting that persons friendly to the criminal can prepare their alibis. The sooner the police arrive, the less rehearsed will be their stories.
- 4. Render assistance to the injured.
  - a. The officer's first responsibility is to the victim. He must immediately tend to the victim, administer first aid, call for an ambulance.
    - 1) The injured must receive the highest priority, even if it permits the suspect to escape.

- 2) Protecting and preserving a human life takes precedence over pursuit of the criminal.
- b. If other persons are on the scene, they may tend to the victim while the officer pursues the assailant.
5. First the victim - then the criminal.
  - a. Once the victim has been cared for, the officer must determine if a crime has been committed.
  - b. He briefly questions the victim, complainant or witnesses, then observes the physical traces of the criminal (forced window or door, tool marks, etc.). He then properly classifies the incident.
  - c. The officer conducting the preliminary investigation must go well beyond the simple practice of filling in the necessary spaces of a departmental form.
  - d. The officer cannot accept without question anything he is told. The preliminary investigation demands more than this.
  - e. The officer must be observant and quick to recognize discrepancies or unusual behavior on the part of those present. He does this tactfully but positively.
  - f. The officer must also take action to assure the arrest of a suspect who has fled. He obtains a physical description for the information of other field units.
  - g. This includes any identifying characteristics of the suspect's car, such as, make, body, type, color, license number, direction of travel, number of occupants and their description. The broadcast message will also list any detail which assists in the recognition of the suspect.
    - 1) Proceeds of crime - fruits of the crime.
    - 2) Type of weapon used in the crime.
  - h. The radio alert must be broadcast without any delay.
    - 1) There have been many instances of suspects arrested by officers en route to the crime.

- 2) Other officers far from the scene also have arrested wanted persons for a traffic violation or who have been identified as a result of a prompt and complete radio broadcast.
- i. In some cases the complainant may know the offender's identity and inform the police of the suspect's intended destination, or of his residence.
- j. If the offender is believed to be heading for a particular location some distance away, the investigating officer should ask for assistance. Other officers can then be dispatched to the suspect's address, or to relieve the officer at the scene. The crime scene should not be left unattended.
- k. Experienced officers develop the practice of recording the license numbers of automobiles parked near the scene, or leaving the crime scene area. This is especially true in major crime investigations.
- l. The neighborhood is also canvassed to obtain vital information that may lead to the arrest of the suspect.
4. Protect the evidence and the crime scene.
  - a. Except where there is a need to render aid to the injured or to arrest a subject, the actual crime scene should not be disturbed until an examination has been made to determine the extent of the crime scene area.
  - b. This caution must be exercised to prevent disturbing or destroying any of the evidence.
  - c. All unauthorized persons, including police officers not assigned to the case, must be barred from the scene.
  - d. The officer must apply all the safeguards which will enable him to maintain the crime scene in its original condition while photographs and sketches are being made and the search for evidence is being conducted.
  - e. All articles which are, or may be, of value as evidence must be collected. These items are those which may indicate a crime has been committed, or anything which may connect a particular person to the scene.

- 1) In some departments this phase is handled by specially trained evidence technicians.
  - 2) It is still the responsibility of the patrol officer to call for the assistance of these specialists.
- f. The officer must be able to recognize the potential value of the evidence he has at the scene.
5. Locate and identify witnesses at the scene.
- a. The cooperative citizen makes the officer's job much easier.
    - 1) The cooperative person not only provides an account of events but will often assist in the locating of other witnesses.
    - 2) The officer, therefore, should develop a practice of asking each witness if he would point out anyone in the crowd who was present at the time of the incident.
  - b. When an officer is unable to obtain voluntary accounts he must search out sources of information.
  - c. A witness may be a person who is describing what he has observed to a group of interested persons.
    - 1) Although this individual will readily share this experience with any available listener, he is reluctant to make any official statement.
    - 2) Such an individual tests the officer's skills in public relations.
    - 3) Success can be achieved by the officer who uses tact, courtesy, and patience.
  - d. The officer must not spend too much time with any one person when a large crowd has gathered and there are a number of witnesses present.
  - e. All witnesses must be properly identified in the officer's notes and reports.
    - 1) Names must be properly spelled, telephone numbers and address properly recorded.

- 2) Errors and omissions can result in loss of important testimony.
- f. All names and addresses should be verified by comparing them with identification cards.
  - g. The business telephone number should be recorded if the person is employed. This practice enables follow-up investigators to contact the witnesses at a later date.
  - h. The apartment number, floor, and location (front or rear) should also be noted as it will facilitate contacting the witnesses at a later date. Such information is especially time-saving when a witness lives in a large tenement, or rooming house.
6. On-the-scene interviews.
- a. Hysteria, belligerency, confusion and shock are common at the scene of a serious crime. Order must be restored quickly and tactfully.
    - 1) An effective method is to separate immediately all the witnesses and to reassure them the police are doing their utmost to arrest the criminal.
    - 2) Such a move will also prevent the exchange of information or discussions of the case.
  - b. Repetitions and listening to different versions may influence a witness to alter his own statements in order to conform with the accounts of the others.
  - c. Reassuring the victim and witnesses not only has a calming effect but also instills confidence in the department.
    - 1) Further anxieties must not be created by inferring that a solution to the case is an impossibility, or the crime appears to be the work of a criminal "running wild" in the community.
    - 2) The purpose of the preliminary interview is to obtain as much information as quickly as possible to determine the seriousness of the crime, to identify and locate the perpetrator and not to broadcast an alarm.



- d. The complainant who has come in close physical proximity with the criminal and shows no signs of reluctance to questioning should be the first person to be interviewed.
- e. The officer can then conduct the investigation with thought that the victim has sustained emotional shock, if not physical abuse.
- f. A lack of tact, especially in sex offenses, can cause the victim as much embarrassment as the crime itself.
- g. In the case of theft, the value of the property lost must not be ridiculed, and the victim should not be berated for his carelessness.
- h. The officer's job is to solicit the cooperation of the victim and the witness to obtain facts which will lead to the arrest of the criminal, not to pass critical judgment on the misfortunes of the citizens.

7. Interrogation of the suspect.

- a. It is unwise and detrimental to the success of the investigation to act impulsively before the facts have been obtained.
- b. The officer conducting the preliminary investigation must establish a pattern of procedure which will provide him with the most information in the least amount of time.
- c. The complainant is given priority, eye witnesses are interviewed next, and then any person having information of events immediately following and preceding the crime.
  - 1) Such a systematic approach provides the officer with a better insight into the crime.
  - 2) Armed with this information he is in a better position to determine if the suspect is answering the questions truthfully.
- d. The officer conducting the preliminary investigation should delay interrogating the suspect at the scene.
- e. The initial questioning is to determine particular facts relevant to the investigation, such as identity to other suspects, remarks or admissions of guilt.

- f. This information is noted and given to the follow-up investigators to be used during the full investigation of the suspect.

8. Note all important facts and pass them on to the investigator.

- a. The officer must begin to take notes as soon as practical. The longer he waits, the greater becomes the danger of omitting the small but important facts.
- b. These notations must be legible, understandable, accurate and complete, as they will serve as the officer's memory.
- c. All information pertinent to the case must be recorded in the officer's notebook.
  - 1) The time of arrival on the scene.
  - 2) The weather conditions.
  - 3) The approximate time of the crime.
  - 4) The approximate time the crime was discovered.
  - 5) The correct identity of other officers present.
  - 6) The results of interviews.
  - 7) The correct identity of witnesses and suspects.
  - 8) Identity of the victim.
  - 9) Any spontaneous remarks or chance remarks relevant to the case.
  - 10) Data about any physical evidence found at the scene.
- d. A field sketch of the crime should also be included to assist the officer in recalling the event at a later time.

8. Report fully and accurately information accumulated.

- a. The results of the investigation is difficult to establish. Normally the uniformed patrolman will conduct the investigation to a point where a lapse in investigation will not hamper or jeopardize the outcome of the case.

- b. Care must be exercised since reporting can effectively assist in the apprehension of the criminal.
  - c. Investigators constantly check offense reports, to obtain descriptions, M.O.'s and other vital information which will assist them in their work.
9. Yield responsibility to follow-up investigators.
- a. The extent of preliminary investigation is difficult to establish. Normally the uniformed patrolman will conduct the investigation to a point where a lapse in investigation will not hamper or jeopardize the outcome of the case.
  - b. If the arrest of the criminal cannot be immediately effected, the patrolman should yield the responsibility for further investigation to the detective.
  - c. The investigator and patrolman thus combine their efforts and depend on each other's skills to achieve ultimate success.

## XXXII. Crimes.

## A. Homicides and death cases and their preliminary investigation.

1. If the department is large enough to have a special investigative division, then the duties of the patrol officer at the scene of a homicide are quite limited. No matter how limited, his duties are extremely important.
2. Many of the cases that are reported as homicides and deceased persons are reported by persons who are highly emotional. Because of this, it is possible that the victim is really not deceased, but either injured or in a coma.
  - a. Therefore, the first job of the patrol officer on arriving at the scene of a reported homicide or deceased person is to establish whether the victim is, in fact, dead. This is not always easy, for there have been cases of medical doctors who have pronounced a person dead, only to have that person "come to life" at the mortuary.
  - b. In a case of suspended animation, it is most difficult to determine whether the victim is dead or alive. The following are examples of conditions that can cause suspended animation, and when there is evidence of their existence, the patrol officer should be very cautious in assuming death.
    - 1) In electric shock cases - look for wires or electrical appliances.
    - 2) Cases of prolonged immersion or drownings should be checked closely.
    - 3) If there is poisoning from drugs, look for bottles and containers nearby.
    - 4) In prolonged diseases such as typhoid, talk to relatives.
    - 5) If barbiturate poisoning is suspected, look for sleeping pill bottles.
3. Appearance of death.
  - a. If seemingly dead person is found inside the house, you will have to decide immediately what your next move is to be.

- b. The rule is that a corpse is not to be moved without permission of a coroner or medical examiner.
  - c. There is another rule, however, that says only a qualified medical doctor is qualified to pronounce a person dead.
  - d. At the scene of an accident, where heavy moving traffic is a hazard to the investigator and others, the common procedure is to send the corpse to a hospital by ambulance even though it is doubtful that there is any life remaining.
  - e. Unless the person is very obviously dead, such as a man with his head crushed, you can always explain your actions of ordering the corpse moved by saying that you are not a medical doctor; therefore you are not qualified to pronounce a person dead.
  - f. This practice is constantly used and is accepted by coroners with no argument since the cause of death is known and no mystery is involved.
  - g. The only time an argument may arise is if the accident could develop into a felony charge against some driver.
  - h. A person dying of unknown causes in quiet surroundings is another problem.
  - i. Even though the person you find is the victim of a crime of violence, your first duty is still to the victim.
  - j. Unless death is as obvious as was the above-mentioned traffic death, have someone call for a doctor or ambulance and then start looking for signs of death or life.
  - k. Several very detailed publications are available for those interested in criminal investigation on the subject of the investigation of death.
4. Breath stoppage, cessation of heartbeat, or coolness of the body are not positive signs of death.
- a. Drugs, drowning, or electrocution may cause breathing to stop or be so lessened that it is not possible to detect.

- b. A very slight movement of the chest or abdomen may sometimes be seen or felt with the hand.
  - c. If the person has stopped breathing only a few moments earlier, no movement may be seen or felt, yet the heart could be beating.
  - d. If the air is still, a burning cigarette or thread held very close to the mouth, with a very close observation of the air currents, may give you an indication that there is still respiration.
  - e. Feel for pulse by placing your fingers on the artery at the base of the thumb on the inside of the wrist, or place your hand gently on the chest over the heart.
  - f. Even though nothing is felt, do not take this as absolute.
  - g. There have been many occasions when even a doctor with a stethoscope could not definitely say whether or not a person's heart was beating.
  - h. If you do not know how to feel for a pulse, the nurse in any doctor's office can show you how in a few moments.
  - i. If you already know how to take a pulse, do not confuse the pulse in your own fingertips with the pulse you are feeling for.
  - j. Shock or poor circulation of blood in the extremities may cause a live person to feel cold.
  - k. On the other hand, a fat person, wearing heavy clothing, in a warm room, may stay warm for some time after death since cooling is delayed.
  - l. Since the extremities (hands and feet) lack the protection of layers of fat or clothing, they are the first to cool.
  - m. Feel the legs and hands and compare their temperature with the temperature of the body.
  - n. If the person is dead, the difference in heat may be of aid to the coroner in determining the approximate time of death.
5. Postmortem lividity, rigor mortis, and decomposition are, in that order, positive signs of death.

- a. When the heart stops circulating the blood through the body, gravity will cause the blood to settle to the lowest part of the body causing it to appear reddish blue.
- b. The upper part of the body from which the blood has drained will appear waxen since there is no blood present to give the skin the pinkish appearance associated with a live person.
- c. The lividity in the lower parts usually appears within one-half to three hours after death but does not reach the maximum for ten or twelve hours.
- d. If the blood has not yet coagulated but is still somewhat fluid, pressing the area with your finger will force the blood away, leaving a blanched-looking spot which will slowly turn red again. A bruised spot will not do this.
- e. Rigor mortis begins in from three to six hours and usually disappears in about forty-eight hours.
- f. This stiffening, although not completely understood, is the result of the action or reaction of enzymes.
- g. One enzyme causes the muscles to stiffen until another enzyme relaxes them.
- h. Most apparent in the small muscles first, rigor mortis will usually affect the jaw first.
  - 1) Try to open or close the mouth.
  - 2) Test the neck, elbows, or knees.
  - 3) Do not use too much force for if you move the joint the stiffness will leave and not return.
  - 4) Joints that have been moved are of no value to a coroner or pathologist in determining the time of death.
- i. Decomposition begins as soon as death occurs.
- j. Bacteria, previously held in check by the blood, begin to permeate the body, producing gas which swells the abdomen, and causes a greenish blue-yellow discoloration that appears in about twenty-four hours, depending on the temperature.

- k. If these positive signs of death are not apparent because death occurred so recently, one other test can be made - if there are no witnesses.
  - l. Hold a flame to a spot on the body. If the spot turns red or a blister forms, the person is alive. If he is dead, nothing will happen except a slight scorch.
  - m. Should there be any doubt at all in your mind as to whether or not the person is dead, begin artificial respiration at once and continue until a doctor pronounces him dead.
  - n. Once death is pronounced by the doctor, do not move the body until the coroner or medical examiner gives permission.
  - o. If there is any indication of any kind that the death was other than natural, do not move the body until pictures are taken, charts made or the death satisfactorily explained. There is no longer an emergency.
  - p. The next step is to determine the cause of death and to apprehend the murderer, if any, and to gather evidence to support a conviction or to prove that no crime has been committed.
  - q. This is best accomplished by leaving the corpse while a thorough investigation is made.
  - r. The position of the body may help determine what happened.
- 6.. Protecting the scene.
  - a. When death is obvious, the first duty of the patrol officer is to protect the scene.
  - b. Since he is usually the first man at the scene, this duty naturally falls on his shoulders.
  - c. The fact that he is in uniform also suits him for the task.
  - d. The importance of protecting the crime scene cannot be overemphasized.
  - e. From whom must the officer protect the scene?

- 1) Himself - by touching objects, and by walking over evidence, the officer can do irreparable damage to the crime scene.
  - 2) Fellow officers - whenever something big happens, there are usually many patrol officers who arrive at the scene just to satisfy their curiosity, and they can easily get in the way and destroy evidence.
  - 3) Relatives of victim - they feel that they have the God-given right to be there and to look around, since the case involves their relative.
  - 4) Neighbors and passersby - curiosity kills evidence when people are not kept away from it. It is not uncommon to have evidence stolen by some member of a crowd of onlookers.
- f. How can the officer protect the scene and the evidence? His first step is to evaluate the scene and determine whether more assistance is needed and what special equipment might be needed, such as rope and barriers.
- g. There are three ways that he can protect the scene:
- 1) Covering the evidence. This can be done by putting boxes over footprints and similar types of evidence, or by moving chairs and sawhorses in front of or around other evidence.
  - 2) Roping off the area. If the type of area is suited for the task, it should be roped off.
  - 3) Physically moving people away. Often the patrol officer has to be firm to the point of using physical force to remove sightseers or move them back. He should first try to be courteous and forceful, but if this doesn't work, then he can slowly change his tone of voice until people respond. Unfortunately, some onlookers may actually have to be arrested in order to remove them from the scene.
7. Other duties.
- a. Apart from protecting the scene, the officer should also try to obtain the names, addresses and phone numbers of as many witnesses as possible.

- b. He might also record the locations of various pieces of evidence, BUT NOT TOUCH OR REMOVE THEM.
  - c. He can take statements from witnesses, or possibly take a dying declaration from the victim.
  - d. In order for a dying declaration to be accepted in court, the following circumstances must prevail:
    - 1) The victim must believe that he is dying.
    - 2) The victim must believe that there is no hope of recovery.
    - 3) The declaration must pertain to the circumstances leading to his injury or the person causing it.
    - 4) He must be rational and have been a competent witness if he had lived.
    - 5) He must die.
8. Deaths reportable to the coroner. As a guide to law enforcement officers, the following deaths are immediately reportable to the coroner:
- a. When no physician is in attendance.
  - b. When the victim is in the continuous care of a physician. Those cases which come within the 24-hour to 10-day category of physician non-attendance, are reportable and are individually evaluated.
  - c. When the physician is unable to state the cause of death. (Unwillingness does not apply; nor does permission of a relative for an autopsy eliminate the necessity of reporting the death.)
  - d. Homicides.
  - e. Suicides.
  - f. Any degree of criminal action resulting in death.
  - g. Following an accident or injury (primary or contributory, occurring immediately or at some remote time).
  - h. Poisoning (food, chemical, drug, therapeutic agents).

- i. Occupational deaths.
- j. All deaths in operating rooms.
- k. All deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere.
- l. All solitary deaths (unattended by physician or family member in period preceding death).
- m. All deaths in which the patient is comatose throughout the period of physician's attendance, whether in home or hospital.
- n. All deaths of unidentified persons.

B. Stolen vehicles and their relationship to the patrol officer.

1. In taking stolen vehicle reports, the first consideration is whether or not the vehicle was actually stolen. The following are some of the situations where the vehicle was not actually stolen:
  - a. The vehicle was repossessed. This is a very common reason for a car to be missing. Determine if the complainant is making payments on the vehicle, and when the last payment was made.
  - b. The vehicle may have been taken by another member of the family without his notifying anyone.
  - c. Sometimes the victim knows who has the car, but won't mention it to the officer because he is angry and wants the vehicle driver thrown in jail.
  - d. The victim loaned the vehicle to someone, and he didn't bring it back when he said he would. This is a borderline civil case and the victim should be referred to the prosecuting attorney.
2. Prevention of auto thefts by positive patrol procedures.
  - a. Controlling auto thefts through prevention is good police work. It is accomplished by first of all making it difficult for a car thief to get into a car, and secondly, by making it difficult for a car thief to start the car.

- b. A national survey indicates that nine out of ten stolen cars either had the keys left in the car, or, the ignition was left in the unlocked position. Be alert to an unattended vehicle with its motor running.
3. Detecting stolen vehicles while on patrol is one of the officer's duties. There are many clues that will enable an officer to detect a possible stolen car. Being constantly alert to these signs and making good use of a "hot sheet" will greatly increase the number of stolen vehicles recovered each month.
    - a. The hot sheet is a list of stolen vehicles that is put out once every twelve hours. To be effective, it is usually put out on a countywide basis and distributed to the various police agencies within the county. The hot sheet is also used to list vehicles that are wanted for involvement in felonies other than auto theft.
    - b. Some clues may be present for the patrol officer to recognize a stolen vehicle.
      - 1) Actions of the driver or passengers often furnish clues. Often the driver, on seeing a police car, will stiffen up or have a scared look on his face, and will then give the impression that the police car is not even there. Many times one of the passengers will look back and see the police car, and will then quickly tap the driver and point to the direction of the police car. Other passengers will quickly look back with expressions of fright.
      - 2) At times the driver will seem to be unfamiliar with the car. He might drive off without the lights on because he cannot immediately find the light switch. On close examination the driver might not fit the car.
      - 3) If the driver is wearing gloves along with other aforementioned indications, he is a worthwhile suspect, especially if it is in the summer.
      - 4) Since the majority of vehicles are stolen by juveniles who are often below the legal driving age, and who do not own a car themselves, they will lack many of the driving skills that

the average driver has attained. The officer's attention may first be directed to the vehicle by the poor way in which it is being driven. Many times the juveniles are after a thrill, and will drive the stolen car in a reckless manner in order to get this thrill.

- 5) Condition of the vehicle can also be a clue. A new car in good condition will seldom have a window broken. The owner of the car would have the window fixed right away. Because of this, any damage to a new vehicle in otherwise good condition should be an indication that the car should be checked out.
- 6) Whenever a vehicle is stopped for a traffic violation, the officer should automatically look for the ignition keys. If they are missing, he should remove the occupants from the car and then check under the dashboard for a jumper wire or some form of hot wiring such as tinfoil or a gum wrapper wrapped around the back of the ignition plug. The hot wire - or "jumper wire," as it is sometimes called - can be simply a piece of radio wire with an alligator clip on each end.
- 7) License plate discrepancies may indicate a stolen car. To avoid being picked up because of the license number, many thieves will steal or borrow a set of license plates that they can exchange with the originals. This will allow them to drive around town without the average officer being alerted to the fact that the car is stolen. When different plates are attached to a stolen vehicle, there are usually certain characteristics that can alert an officer.
  - a) The condition of the license plates is not harmonious with the condition of the car. The plates are often stolen from a wrecking yard, and are in bad condition. The vehicle stolen is usually newer.
  - b) The plates are often wired on, rather than being bolted on, because it is a faster operation, and can be done quickly in the field.
  - c) Many times the new plate will be fastened on over the old one.

- d) Sometimes the perpetrators will attempt to alter the numbers on the license rather than change plates. They might do this as a temporary measure until they are able to obtain another set of license plates.
4. Confirming ownership should be a regular function of the officer stopping any suspicious vehicles.
  - a. When an officer stops a vehicle because he senses something wrong, his first objective is to find proof of ownership. There are many little ways in which an officer can find out whether the driver is lying when he states that the car is his own.
    - 1) Ask the driver when the car was last lubricated, and which station did the job.
    - 2) Ask the driver what articles are in the glove compartment.
    - 3) Ask him to step out of the car, and then ask him the approximate mileage of the vehicle.
  - b. If there are several people in the car when it is stopped, they should be separated and talked to individually. If something is wrong, it can soon be determined by the evasiveness of the answers and by the discrepancies in their stories. Whenever some action indicates that something is wrong, headquarters should be contacted via radio to do some checking by telephone to determine the ownership of the vehicle.
5. The use of statistics by the officer might assist him in apprehension of auto thieves.
  - a. When an officer is having a series of auto thefts on his beat, or having a large number of stolen cars abandoned on his beat, he should develop his own spot maps in order to work out a pattern.
    - 1) A person who steals a car is usually lazy, but not completely stupid. He tries to seek a happy medium. He doesn't want to abandon the car right in front of his house, and yet he doesn't want to walk too far. So he usually abandons it about a block from his house or where he is going, and the next time he abandons the car about a block away but in a



different direction. If the patrol officer plots the location of where each car was abandoned, he can get a good idea of where the suspect lives.

- 2) Plotting where the cars are stolen from will often give clues to the identity of the perpetrator. The times that they are stolen may also help. A little follow-up may reveal that there is only one place in the vicinity where the employees do not have a car, and which employees have been arrested on prior occasions.
- 3) They are also prone to stealing a car for transportation to sporting events such as boxing matches or hardtop racing, and then using the same car as transportation back home.
- 4) Patrol officers should always check cars parked near these sporting events for possibly being stolen.. When a stolen car is found at one of these locations, it should be staked out in hopes of catching the perpetrators when they return for it. To prevent their escape, the officer might detach a couple of the ignition wires.
- 5) When an officer finds a stolen car parked without anyone in it, he should immediately check the hood and exhaust pipe to obtain an idea of how long it has been there by the amount of heat present. This will greatly assist the officer in deciding whether to stake out the car or not.

6. There are five categories of car thieves (and "knowing the types helps to cut down the swipes"):

a. The "joyrider."

- 1) The majority of all cars taken are stolen by juveniles for the purpose of "joyriding." Because of this, the vehicles will remain in the immediate vicinity or will be en route to or at a nearby hangout for juveniles, such as a nearby beach.
- 2) Many times they will leave the vehicle for a while, and will return to it later for more

driving around. This happens frequently around schools where the perpetrators will give rides to their friends during the lunch hour and after school.

- 3) When the gas tank reads "empty" or when the fun is over, they will abandon the vehicle. Joyriders tend to act on the spur of the moment. A car with doors open, key in the ignition or motor running is just too tempting to pass up, no matter what the year or model.
- b. The professional auto thief. Usually part of a large operation, the professional car thief is in the business of stealing autos for the eventual resale. The auto theft ring may repaint the vehicle, alter the motor and serial numbers, falsify official documents and transport the stolen car to another area for resale.
  - 1) The professional preys upon late and more expensive models. Sometimes, he gets an order for a certain make, model and year car. He will tour the street until he finds an auto to fill the bill.
  - 2) The professional is expert in forcing front vent windows and opening car doors. He generally has a batch of auto keys to try in the ignition or he will cross the wires under the dashboard to start the car.
- c. The professional transportation thief. In this category are criminals who steal automobiles for use in committing other crimes. Many times the transportation thief is a young hanger-on of the criminal mob who is given the relatively minor chore of procuring the transportation.
- d. The amateur transportation thief. This category includes a person who has been to a party, taken a bit too much to drink and found himself in a strange and faraway location. Usually in a giddy state or tired of waiting for a taxi or bus, the amateur transportation thief takes the nearest automobile with an unlocked door and key inside.
  - 1) He will sometimes abandon the car near or even in front of his own house.

- 2) In his state the night before, he may have actually believed that the car was his or that it was perfectly all right for him to "borrow" any automobile he chose to drive home.
- e. The auto accessory thief. A petty professional or juvenile, the accessory thief steals a car for the purpose of removing and then selling or using parts or accessories, such as radios, tires, hub caps, etc.
  - 1) When resale is his motive, the thief concentrates upon newer, more expensive models.
  - 2) If the thief owns an older car for which no replacement parts can be bought, he may steal a like vehicle in order to scavenge.

C. Burglary alarms and their importance to the patrolman.

1. Should you hear an alarm bell ringing on the side of a store, you will have to determine if it is a fire alarm or a burglar alarm before taking any action.
  - a. Fire alarms are usually round with the word "Sprinkler" on them.
  - b. Burglar alarms are usually in a square, black box and the presence of an alarm can be further established by the presence of silver-colored tape on the window of the store.
2. Although there have been occasions where a burglar was caught by an officer very near the scene when the alarm sounded, such apprehensions are infrequent.
  - a. The purpose of the alarm is to frighten the burglar away by making a racket.
  - b. Not all windows with strips of silver tape have outside alarms, however.
  - c. In the larger cities an alarm is carried to a central office of the American District Telegraph Office which is a commercial agency specializing in alarm systems of various kinds.
  - d. When an alarm comes into the A.D.T. switchboard in the form of a red light, the police are notified and the A.D.T. agent is dispatched to the scene of the alarm.

3. In either case, whether it is an outside alarm or A.D.T., if you find that an entry has been gained, call for assistance and shake the building down.
  - a. One man is all that is needed to guard one entrance, and two men can cover the outside of any building if they stand at opposite corners of the building.
  - b. Since most men are right-handed, they should stand at a corner with the exit on their left to take advantage of the cover of the corner of the building.
  - c. The ground floor should be searched first.
  - d. Take care, as you enter each room, to open the door a crack and then give the door a kick; it will slam against anyone standing behind it.
  - e. Turn on all the lights and leave them on until you have finished your search.
  - f. Close each door behind you and lock it if possible. If it will not lock, place some object in front of it, if possible, so you can tell at a glance whether the door has been opened after you leave the room.
  - g. If searching alone, balance a chair against a door so that if the door is opened either in or out, the chair will hit the floor with a crash.
  - h. While searching a room, bear in mind that a room consists of more than the bottom six feet or so.
  - i. Look up at balconies, beams, shelves, and partition tops.
  - j. After shaking down the bottom floor, go to the top floor and work back down.
  - k. If you flush a burglar out, the men outside will get him.
  - l. Once the building has been searched, its security is your responsibility until the owner or manager arrives.
  - m. If your department is a large one, the detectives will have been sent to the scene to gather evidence for reports or trial.

#### D. Business burglaries.

1. The major type of business burglary is the late reported burglary.
  - a. This is the burglary that is usually reported by the owner or janitor when they arrive at the place of business in the morning.
  - b. The duties of the officer depend upon whether the case is to be handled by a team of investigators. If this is the case, the prime duties of the officer involve the protection of the scene, until the investigators arrive, and the writing of the offense report.
  - c. If the burglary is a safe burglary, the officer should have some idea of the various types of techniques used in perpetrating a safe burglary.
2. Types of safes.
  - a. Burglarproof. The burglarproof safe is expensive because it is made of solid steel. Because of this, it is usually small. Its main purpose is to protect money and small valuables.
  - b. Fireproof safe. The fireproof safe is made of two thin sheets of steel. Between the two sheets is placed about four inches of asbestos.
    - 1) The sole purpose of the fireproof safe is to protect the contents of the safe from fire.
    - 2) It is usually quite large and impressive, and because of this many businessmen fool themselves into thinking that it is burglarproof.
3. Some of the major types of safe jobs are as follows:
  - a. The punch job. The "punch job" or "drift job," as it is sometimes called, involves knocking the dial off the front of the safe with a sledge hammer. The spindle or pin that is attached to locking gears is then exposed. The perpetrator then uses a center punch to drive the spindle into the interior of the safe, disengaging the locking gears and permitting the safe to be opened.
  - b. The rip job.

- 1) In the "rip job," the perpetrator knocks or drills a hole in the back or bottom of the metal surface of a fireproof safe.
  - 2) He then takes a tool similar to a large blade type can opener, and inserts it in the hole, and, by lifting up and down, he rips the metal open just as a can is opened by a blade type of can opener.
  - 3) The perpetrator removes the asbestos, then uses the same technique on the inner wall. He can then reach inside.
  - 4) The patrol officer should be especially aware of this technique since the asbestos has a tendency to stick to the perpetrator's clothing.
- c. The chop job. The "chop job" is similar to the rip job, but instead of ripping the metal, the safe is pushed over, and an axe is used to chop the metal through on the bottom.
- d. The pull job.
- 1) The "pull job," or "drag job," as it is sometimes called, involves the use of a device similar to a wheel puller.
  - 2) It is attached to the dial on the surface of the safe, and screws are then tightened until the dial and the spindle are pulled out the front of the safe.
  - 3) The gears are then disengaged and the safe may be opened.
- e. The peel job.
- 1) The "peel job" is used on fireproof safes.
  - 2) The upper corner of the face plate is chiseled with a hard cold steel chisel. This will break it away from the corner rivet.
  - 3) A clamp device is then attached to the loose corner plate and the plate is forcibly peeled down like the top of a sardine can.

**CONTINUED**

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- f. The burn job. The "burn job," sometimes referred to as a "torch job," involves the use of an acetylene torch or similar type of cutting device. The safe is usually attacked in two ways.
  - 1) One is by cutting the locking mechanism out.
  - 2) The other is by cutting a hole large enough to reach through so the money or valuables can be removed.
- g. The blow job. The "blow job" or "soup job," as it is sometimes referred to, involves the use of dynamite or nitroglycerine in order to blow the door off the safe.
- 4. Investigation of a business burglary in progress.
  - a. Surround the area and block off all exits.
  - b. Look for a forced entry.
  - c. Have radio call the owner.
- 5. Elements of proof in burglary.
  - a. The most important element in burglary, and the one that would make the offense a felony, is the element showing intent to enter the building to commit theft or some felony.
  - b. When the burglar is caught inside, he often feels that all is lost, and it is very easy to obtain a statement from him as to why he broke in. Later when he talks to his attorney, his attitude will change.
- 6. Investigation of residential burglaries.
  - a. If the residence burglary report is a belated one, it will be handled the same as a business burglary of the same type.
  - b. If it is a burglary in progress, then the patrol officers must be careful to approach the scene quietly, and to have someone cover the back yard from the other street, since it is quite easy for the perpetrator to run out to an adjacent yard or street.

- 1) All persons in the area should be stopped and checked to determine their business in the area.
- 2) The police cars should not be parked in front of the residence, but at least one door down.
- 3) The complainant should be contacted immediately, since he might have vital information as to the exact location of the burglar.
- 4) When the patrol officer finds that a burglar is operating on his beat, he should pay particular attention to his "MO," or "method of operation," so that he might be able to establish the type of place that the burglar prefers to hit. The officer can then give extra attention to those places fitting the description.
- 5) It is important that the officer stop and question all strangers on his beat when there is a burglar operating.
- 6) If a field interrogation card is filled out on each person, it is possible that the detective might find some information to link one of them with the burglary.
- 7. Open door calls and their investigation.
  - a. When a citizen or a foot patrolman find an open door, they will call the police department, which should dispatch a patrol unit to the scene.
  - b. Because open doors are so common, officers have a tendency to treat them lightly.
  - c. Open doors present a potential danger to officers and the only way to guard against that danger is to establish a set procedure when checking out an open door. The following steps will help:
    - 1) Cover all exits and size up possible escape routes.
    - 2) Check all doors and windows around the building for any possible forced entry.

- 3) If signs of forced entry are found, call for more assistance and have one unit check the area for a vehicle that might belong to the perpetrator.
- 4) Park the patrol car in front of the entrance and put the spotlight on the door that was found open. The spotlight should be set at about shoulder height.
- 5) Assign areas of search for when the building is entered. This will prevent duplication of coverage and the possibility of some area being missed.
- 6) Enter through the door, keeping low and under the spotlight. Do not make a good silhouette at any time.
- 7) Once inside, spread out, stop for a minute and size up the inside area.
- 8) Do not talk. Communications should be through hand signals.
- 9) Try to turn the lights on. Keep low when they are turned on.
- 10) If after checking the building out, it is felt that it is a matter of the owner leaving the door unlocked, he should be called to come down and check the building out.
  - a) Sometimes the owner will not want to come down, and will ask the officers to lock up. This should never be done. Make the owner come down.
  - b) It is possible that someone did enter the building and had left before the officers arrived.
  - c) If the owner finds something missing in the morning, he will blame it on the police.

- d. Checking doors and windows is always part of your job.
  - 1) In checking doors, flash your light at the latch and watch for the reflection from the brass bolt.
  - 2) Windows can be checked by touching and/or trying them, or by flashlight or spotlight.
8. Burglaries committed by window smashing.
  - a. It is obviously simple to watch for evidence of prowlers when there is fresh snow, but the same principle can be used when it rains.
  - b. Watch for wet footprints leading from the sidewalk to the dry store entrance.
  - c. Should a window be found broken or a door jimmied, keep in mind that there are some burglars who will retreat to some observation post, after a window has been broken or a door jimmied, to wait to see if a burglar alarm has been tripped or the noise noticed.
  - d. If it is a door you find jimmied, you have little choice but to call for assistance and shake the place down.
  - e. But if it is a window you find broken, check the window display to see if anything is missing. This can usually be determined by the outline of the object in the dust of the display.
  - f. If nothing is missing, notice if the dust has been disturbed by someone crawling through the display.
  - g. If there is no evidence that any kind of entrance was gained, stand at the window and try to determine where the most logical place would be for someone to hide while watching you. Anyone found at that location should be taken to the station for questioning.

- h. Any other person found near the scene can legally be "frisked" and arrested if you can prove to a jury that the window was broken in an attempted burglary, and that you have reasonable grounds to believe that the one arrested was responsible.
- i. The question may arise in your mind as to how you can prove that the person stopped can be tied to a broken window.
- j. Sometimes this is difficult and may depend on several factors.
  - 1) If you have access to a laboratory or know of a technician who will help you, look for broken glass in the arrested man's clothing.
  - 2) Should glass fragments be found they have to be sent to a crime laboratory, such as the FBI laboratory, for comparison checks of refraction, density, and so on, using a piece of the window glass as the known material.
  - 3) Having an analysis made takes time, and even a positive identification may not give you enough evidence to get a conviction in court.
  - 4) But a few glass chips may be enough to use as a lever to get the suspect to talk.
- k. There are many things that can tie a suspect to the scene of a crime, as you will learn by reading a good book on criminal investigation.
  - 1) Fire clay is often found on the shoes of a burglar who has dug the clay from the so-called safes - which are actually fire resistant boxes.
  - 2) Leaves may be found in trouser cuffs from some unusual shrub at a burglarized house.
- l. There have been many occasions where a manager was called to the store by someone posing as an officer, and was then forced to open the store and safe by a stick-up man.
- m. You should caution storekeepers to post their numbers on a cash register or safe; or, if the numbers are left on the door, tell the storekeeper always to check with the station to verify a call that there is an emergency.

- n. To hold down the incidence of window smashing, ask the merchant to remove all the valuable articles from the windows before he closes at night.
- o. No matter how safe the owner imagines a window display to be, there are always those who are trying to find the vulnerable points.
- p. Even burglar alarms are of no value if an officer is some distance away and the thief works rapidly.
  - 1) The roof or ceiling is usually the most vulnerable part of a store, since a burglar can climb to the roof from the outside and saw a hole while comparatively free from detection.
  - 2) Night lights should be standard equipment in any store.
  - 3) If the usual type night light is being used, it will be shining down on the most valuable part of some display or on the cash register or on the safe.
  - 4) Although those things under the light can be seen, the rear of the store, and especially the rear ceiling, will be dark.
  - 5) Ask the owner to put in one of the flood-type lights. If it is installed in the front of the store so that it shines toward the rear, and is aimed at the rear part of the ceiling, you will be able to stand outside and see everything inside the store.
  - 6) Since the light is aimed rearward, you will not be blinded. And since it is aimed at the ceiling, the reflected light will illuminate much more of the interior.
- E. The robbery report.
  - 1. Robbery, like rape, is many times falsely reported.



2. Because of this, the patrol officer should be cautious of robbery reports, especially those in which his so-called sixth sense warns or alerts him.
3. Often a few well-directed questions can confirm the officer's suspicions.
4. There are many motives for falsely reporting a robbery.
  - a. The main motive is to cover up a loss of money.
    - 1) It is very possible that the complaint was filed because the complainant had acquired some gambling debts and is reluctant to face the consequences of his losses.
    - 2) It is also possible that the complainant has embezzled money from the employer and uses the trumped-up robbery complaint as a cover-up.
      - a) Under these circumstances, the so-called victim would just as soon the police not be involved.
      - b) His tone of voice will often transmit this message.
  - b. There have been cases reported just because the so-called victim wanted attention.
5. When the officer takes the report, he should listen for meta-communications.
  - a. Meta-communications is the term for the hidden message that we often transmit when we speak.
  - b. It is usually different from the spoken word.
6. The importance of verbatim testimony cannot be over-emphasized, yet we should also try to look behind the words into the person saying them, and try to understand what the true motivations for these words really are.
  - a. If you talk to a person long enough, you can often ferret it out.
  - b. By knowing what the general motives are, you can use them as bait.

7. The thing of immediate importance in a robbery call is the obtaining of a description of the perpetrator(s).
  - a. When a victim calls headquarters to report a robbery, the desk sergeant should first obtain his name and address, and then tell him to hold the line. The call should then be put out to the patrol car on the beat, so that he may immediately respond.
  - b. This will alert other cars to stand by for further information. The desk sergeant will then resume talking to the victim.
  - c. By using a description check-off sheet, he will obtain as many details as possible over the phone.
8. The approach and observance on a robbery call.
  - a. Should the officer hear a broadcast that a robbery, stick-up, or purse snatch has just been committed in his district, but he is not the one the call was given to, he should not rush to the scene out of curiosity to find out what happened.
  - b. The robber or purse snatcher will be gone before the crime is reported, unless the dispatcher says otherwise, so the officer's presence may not be needed at the scene.
  - c. In all probability, the dispatcher received some kind of a description to pass on, so try to estimate how far from the scene the wanted person could be; then, when approaching the outer edges of that area, slow down and start looking.
  - d. If he is in a car, he may reveal himself by some traffic violation such as speed, running a stop light or sign, or a fast right-angle turn when he sees you.
  - e. If you have a personal description, look in taxis, busses, or streetcars.
  - f. Should you be near the scene when the report is received, and you know that a car was used, travel with all legal speed to some place that is a bottleneck - where the other streets funnel into one.
  - g. In his attempt to get away, he may take the back streets until he is well outside the area.

- h. If he does, he cannot travel too fast and you may have time to get to a bottleneck ahead of him.
  - 1) Park in a conspicuous place and he may reveal himself by actions when he sees you.
  - 2) The previously-mentioned, quick, right-angle turn, a "U" turn, or ducking down while passing you are indications of guilt.
- i. Keep in mind that the presence of a woman or child in the car is not always a sign of innocence.
- 9. The getaway car.
  - a. Unless you are certain that a car was used, try checking nearby restaurants, theaters, taverns, and other public places.
  - b. If a car was used, and no attempt was made to cover the license plates, look for the car on a nearby side street, or at a railroad, bus, or airline depot.
  - c. It may have been stolen and "dumped."
  - d. If found on a nearby side street, there is a great probability that a second car was used.
  - e. Question the people in the houses nearby, and along the probable escape route, for any kind of a description that will aid the men in other cars.
- 10. Needed information.
  - a. Whenever you are dispatched to the scene of robbery, stick-up, or purse snatch, get a description as quickly as possible and ascertain the means of transportation from the scene and the direction of travel.
  - b. Transmit this information by radio, if you have a car, so as to permit the other prowl car men to hear you before it is repeated by the dispatcher.
  - c. Fewer mistakes will result than when a telephone is used, since the other cars can correct the dispatcher should he make a mistake.
  - d. After you have broadcast the description of the person or persons to be looked for, the description of

- the car, if any, and the escape route, return to the scene and get detailed statements at your leisure.
- e. When questioning witnesses, do not let the other witnesses hear what each witness tells you.
  - 1) All too often, being a witness to a crime is a moment of glory for an individual, since the spotlight of attention will be focused on him.
  - 2) Should some other person know more than he, he may color his own story to back up what the others say so as not to appear stupid or unobserving to the investigating officer.
  - 3) Do not ask leading questions which suggest an answer, nor put words in the witness' mouth in any way.
  - 4) You can, though, stimulate his memory by asking him to describe every article of clothing worn by the criminal, and for details of each separate feature.
- 11. The quadrant search.
  - a. In order to achieve maximum tactical efficiency in a hold-up, the quadrant search should be immediately set up.
  - b. Time is most essential in this respect.
  - c. That is why the senior radio operator should set up a quadrant search in the absence of the field sergeant.
  - d. The quadrant search involves a tactical division of the city into four parts or quadrants, originating at the immediate crime scene.
  - e. This division is usually along existing street systems rather than by north, south, east, and west.
  - f. One car is assigned to each quadrant.
  - g. If the apex of the quadrant does not make the division easily understood because of uneven or dead-end streets, the radio operator can quickly give the street boundaries of the quadrant.

- h. The duties of the quadrant car involve responding to the apex of the quadrant, and then a street-by-street search, in an outward direction, for the suspect vehicle.
- i. The reason for this is two-fold.
  - 1) It prevents three or four cars from covering exactly the same area, as too often happens. When this happens, it usually means that some areas are not covered at all.
  - 2) Many armed robbers will park their own car a few blocks away and use a stolen car to actually perpetrate the crime. They will then drive to the location of their own car and abandon the one used in the robbery.
- j. If the quadrant car driver can locate the car used in the hold-up, he can then question neighbors and possibly find someone who saw the perpetrators change cars, or someone who noticed the car that was parked where the stolen car is now parked.
- k. A description of this car can greatly assist those police units that are watching the escape routes from town.
- l. As soon as a patrol car has been assigned to the scene and to each quadrant, other available cars should be assigned to the major intersections and to the main roads leading out of town.
- m. While this is being done, another operator should be notifying the nearby police agencies of the hold-up and the available description of the suspects.
- n. Often a single stakeout by one of these agencies on the main route of travel will pay dividends.
- o. When the patrol units are responding to their quadrant and stakeout assignments, it is important that they hurry.
- p. As they are responding, they often observe cars that are suspicious, but do not fit the description of the suspect vehicle originally broadcast.
  - 1) When this occurs the officers should write down the license number and description of the car, and the direction it was last traveling.

- 2) Should the quadrant car discover that the perpetrators have switched cars, this information could be quite important.
- q. In the case of a "strong-arm robbery," the perpetrators usually remain in the vicinity because they have no transportation.
  - 1) Since most of these robberies occur in the lower section of town, a thorough search of the nearby bars and cheap hotels will often give results.
  - 2) Cafes and restaurants are good places to check out.
- 12. Purse snatches are usually perpetrated by a lone male juvenile, but in the majority of cases, there are several of his buddies nearby, and when searching for the perpetrator, the officer should look for groups of juveniles rather than just one.
  - a. If a vehicle is stopped, it should be thoroughly searched, because juveniles tend not to throw anything away.
  - b. Usually the purse and all of the contents can be found hidden in different places in the vehicle.
- F. Narcotic cases.
  - 1. Although the patrol officer is seldom assigned to any narcotic cases, he still has an opportunity to make many arrests in the field for offenses associated with narcotics.
  - 2. The patrol officer will still have occasion to come in contact with narcotic offenders because they do not confine their activities to narcotics alone.
    - a. They are often arrested for minor offenses, and it is on this occasion that the patrol officer should be aware of narcotic paraphernalia that might be found on their persons when they are searched during the booking procedures.
    - b. He should also be alert to the possibility of the suspect's disposing of any evidence en route to booking. When the patrol officer suspects that a person might be a narcotics offender, he should watch him very closely.

3. There are many signs that may alert the officer to this possibility.

a. One of them is the terminology used by the suspect.

1) Since narcotic offenders are a group by themselves, they have developed their own slang language.

2) The following is a list of the more common terms used; it is always undergoing a slight change, so the patrol officer should try to keep abreast of new terms:

#### MORE COMMONLY USED NARCOTICS TERMS

##### MARIJUANA (MARIHUANA)

BLAST: To smoke a marijuana cigarette.  
GRASS: Marijuana.  
HAY: Marijuana.  
HEMP: Marijuana.  
JOINTS: Marijuana.  
MANICURE: To prepare the marijuana for cigarettes.  
POD & POT: Marijuana.  
REEFERS: Marijuana.  
ROACH: The butt of a marijuana cigarette.  
STICKS: Marijuana cigarettes.  
TEA: Marijuana.  
WEED: Marijuana.

##### OPIUM

##### MORPHINE

JUNK: Morphine.  
STUFF: Morphine.

##### HEROIN

BINDLE: Small packet of heroin.  
CAP: Capsule, 1 grain of heroin.  
H: Heroin (also HORSE, SMACK, etc.).  
HARD STUFF: Heroin.  
HYPE: One addicted to heroin.  
JUNK: Heroin.  
HORN: To sniff heroin.  
MONKEY ON BACK: To be addicted to heroin. To have withdrawals.  
SPEEDBALL: Combination of heroin and cocaine.  
WHITE STUFF: Heroin.

##### COCAINE

BLOW SNOW: To take cocaine by sniffing up the nostrils.  
C: Cocaine.  
COKE: Cocaine.  
SNOW: Cocaine.  
CHARLEY: Cocaine.

##### GENERAL TERMS

ARE YOU HOLDING? Do you have narcotics?  
BENNIES: Benzedrine.  
BREAD: Money.  
CHIPPY: One who is not hooked. Takes shots in skin.  
CONNECTING: Making a buy.  
CONNECTION: One who sells narcotics.  
DEXIES: Injection of narcotics.  
FIX: Injection of narcotics.  
FUZZ: Policeman. The law.  
HABIT: Addiction.  
HIGH: Under the influence of narcotics.  
HOLDING: Has narcotics in his possession.  
HOOKED: Addicted.  
HOPHEAD: Addict.  
I'M FLUSH: I have money.  
JOY POP: An occasional injection.  
JUNKIE: Addict.  
KIT: Narcotic outfit.  
MAIN LINE: Main vein.  
MULE: One who sells drugs for the regular peddler.  
PAD: House or apartment.  
POP: Injection of drug.  
PUSH: To sell narcotics.  
PLANT: Cache of narcotics.  
READER: Prescription.  
SCRIPT: Prescription.  
SQUARE: Non-user.  
STRAIGHT: In possession of narcotics.  
TURKEY: Something substituted for narcotics. Sold in place of.  
SKIN POP: Injection in the fleshy part of the skin.  
WHEELS: Method of transportation.  
WHISKERS: A federal government officer.  
SPOON: About one dram or 60 grains of heroin.  
SCORE: To make a buy.  
SICK: In withdrawals.  
LAYOUT: Hypodermic kit (needle, bent spoon, eye dropper, cotton and tourniquet).  
GOOF BALLS: Barbiturates.  
DECK: Paper or bindle containing narcotic.  
COKE BUGS: Hallucinations of bugs under skin while under the influence of cocaine.

b. The main types of narcotics and associated equipment that the officer should be familiar with are as follows:

- 1) Heroin is a white powder like milk sugar. In the field, on the lower level it is found in capsules (caps) and bindles or folded papers. When arrested, the suspect will often try to swallow the evidence.
- 2) The kit or outfit is the paraphernalia needed to inject the narcotic into the subject's vein and to prepare it for solution. It contains the following items:
  - a) Eye dropper - this is preferred over the hypodermic syringe because it may be used with one hand. The corner of a dollar bill is used as a needle gasket. It is also easily available. Possession of a hypodermic syringe can be illegal.
  - b) Needle - sometimes a rubber band is used to hold it onto the eyedropper.
  - c) Spoon - the spoon is used to cook the heroin in because heroin will not dissolve in water without being heated. The spoon will be black on the bottom from the carbon of the match flames.
  - d) Match book - the match book is used to heat the heroin, and also to hold the needle.
  - e) Tie rag - the tie rag is used to tie off the circulation of the vein and make it swell. This makes injection easier. A handkerchief can be used.
  - f) Cotton - the cotton is used to filter the heroin solution before the injection. It is placed in the spoon, and the eye dropper is placed on top of it.
- 3) Goofballs is the term used for the many types of synthetic stimulants and depressants that are sold through prescription on the legitimate market.

- a) They are usually bright-colored and of many shapes. Most police departments have a sample board of these pills and capsules that can be used for comparison.
- b) Color charts may also be obtained from the Federal Food and Drug Administration.
- c) Suspected goofballs should be seized as evidence to be later checked out.
- 4) Marijuana (Marahuana).
  - a) The marijuana bush will grow in almost any climate except the arctic.
  - b) The patrol officer should be aware of its appearance.
  - c) The number of leaves is always odd, and the leaf is somewhat similar to the Japanese miniature maple.
  - d) The smell of burning marijuana is quite distinctive, and is often the first thing that arouses suspicion that a narcotics offense has been committed.
  - e) Every officer should learn this distinctive odor.
  - f) It has a tendency to stick to clothing and upholstery, so the odor will remain after the cigarette has been smoked.
  - g) When the marijuana cigarette is smoked, the seeds will pop out, and a careful examination of the floorboards in an automobile will often result in the finding of seeds. A conviction can be had on the seeds alone, but when the seeds are found, a more thorough search is warranted and usually a cigarette or two can be found.
  - h) Manicured marijuana is very loose, and will pour out of the end of the cigarette if the end is not twisted or tucked in. Because the marijuana is rough, two cigarette papers are needed in which to wrap it. The person who prepares the cigarettes usually rolls the cigarettes in brown paper.

## 4. Pointers to watch for in the field:

- a. A person who is apparently intoxicated without the odor of alcohol.
- b. Extremely bloodshot eyes without the odor of a hangover breath.
- c. Parked automobiles with small groups in them. Marijuana smokers like company.
- d. Cars that have the windows rolled up in the summer (to keep the smoke inside) or cars that have the windows rolled down in the winter when stopped by a police car (to get the smell of marijuana out of the car).
- e. Pupils that show no reaction to light.
  - 1) Heroin will cause the eyes to contract to a pinpoint.
  - 2) Marijuana and cocaine will cause the pupils of the eye to dilate. The officer should use his flashlight to check for these signs.
  - 3) When a heroin addict starts his withdrawals, his eyes will dilate.

## G. Larceny.

- 1. Stealing property by the use of stealth or trickery is larceny.
- 2. The patrolman generally comes into contact with the main types of larceny, petty theft - the stealing of small items - on his post. This includes small items stolen from shops.
  - a. In all large cities, there are complaints of the theft of articles which are delivered to and left at the door of homes or businesses during the early morning hours.
  - b. These complaints come to the police officer on the post.
  - c. Thefts of mail should be reported to the U. S. Post Office.

- d. The patrolman should interview the complainants and obtain information relevant to the theft.
- e. Then, he should alter his patrol procedure in accordance with this information. Petty thefts from in front of homes or stores can be halted by selective patrolling.
- 3. The key to theft investigation is talking to everyone connected with the case, and the proper interrogation of the suspects.
- 4. If fingerprints are used in determining the perpetrator, the officer should try not to let him know. Use other bluffs; otherwise, the next time he will use gloves.
  - a. The use of police records will often produce a suspect.
  - b. All persons connected with the case should be run through records.
- 5. The laws of arrest do not allow an officer to arrest for a misdemeanor not committed in his presence, yet this law is constantly violated in regard to theft.
  - a. The average citizen does not know the law, and when he observes someone steal something belonging to him, he will call the police and demand that they arrest the suspect.
  - b. The officer should explain the process of citizens and have the victim or complainant make the actual arrest when the officer is fully satisfied that the facts are true and that the case is a sound one.
- 6. When a petty theft has occurred and a witness has observed and recorded the license number, a local "all-points-bulletin" should be broadcast over the air.
  - a. If the car is spotted by a patrol unit, and the loot is found in the car, the officers usually make an arrest, and book the suspects; this process is strictly illegal. It is an arrest made for a misdemeanor not committed in the officers' presence.
  - b. The legal procedure would be to confiscate the evidence, identify the suspects and then obtain a complaint from the District Attorney.

- c. In most shoplifting cases, the officer is just a means of transportation.
  - 1) The store clerk or detective has observed the theft and has made the arrest.
  - 2) An officer should not overlook the possibility of clearing other cases by talking to shoplifting suspects about "turning over a new leaf and starting out clean."
  - 3) The kleptomaniac (a woman, in more than 90% of shoplifting cases) will be the person you will most often find stealing from department stores.

#### H. A man with a gun.

- 1. The report of a man with a gun presents special problems, for you must not only protect yourself but all other persons in the vicinity.
- 2. Contact the complainant as quickly as you can get to the scene and try to determine what the actual situation is.
  - a. Is the man with the gun making threats toward anyone?
  - b. Is he under the influence of alcohol or narcotics?
  - c. Is there any history of insanity?
  - d. What has he said and what is he doing at the present time?
  - e. Is there anyone with him?
  - f. What is the layout of the house or apartment?
- 3. If you learn that the man is vicious, clear the area and radio immediately for additional men and adequate firepower.
- 4. The location and construction of the building will be factors to consider in your next move, as will be the question of whether or not the man is alone.
- 5. Don't be in any hurry to get him out if no one is in any immediate danger.
  - a. If there is no superior present, have men with rifles cover the exits, and call to him, through a loud-speaker, if one is available, to come out.

- b. Although it is always better to try to wait him out, when it becomes evident that he will not come out and that he may kill someone at any time, you will have to go in after him.
- c. Here again the circumstances will govern your actions, as will the equipment available.
- 6. If your department has shields or bullet-proof vests, use them.
- 7. If the man is holding someone hostage, do not carry a shotgun; use only your revolver. The men entering with you should be picked for their proficiency with that weapon and by their experience in similar past situations.
- 8. Tell them all you know about the inside doors and the position of furniture, and determine in advance what each man's movement will be.
- 9. If gas is available, use tear or vomiting gas or a combination of both - and use plenty. (The reason gas is not effective in many instances is because not enough gas is used.)
  - a. Fill all the back rooms first to block any avenue of escape, and then fill the room where the man is.
  - b. It follows that if you enter after a house has been filled with gas, you must wear a mask.
- 10. Whenever a dangerous man is alone and you have to go in after him, a riot gun should be your choice of weapon.
  - a. Your ammunition should be 00 buck shot.
  - b. Such a gun is the most deadly weapon the police possess for use against a lone man or a group of men when there is no danger of hitting an innocent person.
  - c. It is especially effective in narrow quarters, such as alleys or hallways, where the nine slugs of the same diameter as the .38 special can ricochet off walls, ceilings, or floors to concentrate on a target at the other end.
  - d. To clear a hallway with a shotgun, do not fire it as you would at a skeet shoot.
  - e. You need not put it to your shoulder at all, for to do so will expose you to return fire.



- f. Stand behind the corner of an intersecting hall, or behind the frame of a door, or behind the corner of a building when you are in a street or alley.
- g. Point the gun in the direction you wish to fire, but hold it at arm's length and sideways to yourself.
- h. The angle of a hallway, or other corner, protects you completely so that the only portions of your body exposed to fire are your hands and wrists.
- i. You need not sight a shotgun, especially a sawed-off riot gun, because of the spread of the slugs.
- j. You might have to fire left-handed, and it is better, under such circumstances, with your left thumb. Do not worry about the recoil while firing in this position for it is taken up by your arms in a swinging motion instead of the usual jar.
- k. Fire two shots down a hallway: one low so that the slugs will ricochet up from the floor; and the second directly in line with the target.
- l. After the second shot, move fast to the end of the hall, keeping the shotgun in a ready position. Always reload at every opportunity.
- m. Where the man is in a room, the same procedure can be used as in the hallway.
- n. A lock can be blown from a door with one shot.
- o. Once the door is open, you can stand behind the frame, to one side of the door and rake the entire room with slugs without exposing yourself.

#### I. Malicious mischief cases.

- 1. Malicious mischief calls are common to the patrol officer, and are usually committed by juveniles who live somewhere in the vicinity.
  - a. The modus operandi of the offense will often indicate that it was perpetrated by juveniles.
  - b. Footprints and handprints might also indicate whether juveniles were involved.

- c. Sometimes a theft will accompany the malicious mischief, and the very nature of the item taken will indicate that the perpetrators were juveniles.
- 2. If it is obviously a juvenile case, the officer should go door-to-door in search of witnesses.
- 3. If this fails, he should go to the nearest school.
  - a. There are usually some boys that hang around the school yard, and if he is resourceful, he might obtain information from them.
  - b. If he cannot obtain any information, but trusts the boys, he can leave his card with them and ask them to call him if they hear of anyone bragging about the offense, or hear any rumors about who might have committed it.
- 4. In checking the neighborhood, the officer should always check the house directly behind where the offense occurred. Often a person in that house might be looking out the kitchen window when the offense occurred, or when a group of juveniles passed by.
- 5. If the offense occurred during the day, the nearest school should be contacted for a list of absences. This technique pays off quite well.
- 6. In talking to the juvenile suspects, it is important to minimize the value of the damage.
  - a. To the average juvenile, a hundred dollars is quite a lot of money, and if told that the damage amounted to a hundred dollars, he might be so afraid that he would never admit to the damage.
  - b. Minimizing the value makes it easier for the juvenile to admit his guilt.
  - c. After he has admitted his part in the offense, he should then be told the truth about the costs.
- 7. If the case appears to be one perpetrated by an adult, then the officer should look for a MOTIVE.
- 8. The victim usually has a pretty good idea who the suspect might be in a case of this sort.

- a. Many times the victim knows the reason for the offense, but because he has done something deserving of retaliation, he is reluctant to discuss the matter.
- b. If the officer watches the expression on the victim's face very closely when he asks him about who might have perpetrated the offense, he can often sense that the victim is holding something back.
- c. In a case of this sort, the victim should not be talked to in front of his wife. Ask him to come out to the patrol car for a minute.
- d. If the officer can convince the victim that he is an understanding person and can win his confidence, the truth may be obtained.
- e. He might, for example, admit that he has been seeing another man's wife, and that he is sure that her husband is the perpetrator, for the husband had threatened to throw a brick through the victim's window if he didn't stop seeing his wife.

J. Deadly weapons used in the commission of crimes.

- 1. The following weapons are defined as being deadly weapons that classify a person as armed during the commission of a crime.

They are:

- a. Blackjack: A small bludgeon-like weapon. A small leather-covered club or billy, weighted at the end, and having an elastic shaft.
- b. Slingshot: A small mass of metal or stone fixed on a flexible handle, or the like, used as a weapon.
- c. Billy: A bludgeon; a club.
- d. Sand bag: A sand bag, a ruffian's weapon.
- e. Sand club: A long cylindrical bag, filled with sand, used by ruffians as a club.
- f. Club: A weapon of wood or metal for delivering rough blows.

- g. Metal knuckles: (Brass knuckles, knuckle dusters) A metal weapon fitting over the front of the doubled fist. A metal covering for the knuckles of the hand, to protect them and aid in giving an effective blow; used by robbers.
- h. Dirk: A kind of dagger, formerly much used in Scotland, usually straight, coming to a fine point with ornate handle.
- i. Dagger: A short sword, of Celtic origin.
- j. Firearm: Any weapon which expels the charge by the combustion of powder or other explosive (usually applied to small arms).
- k. Razor: An exceedingly keen-edged instrument with a thin blade used for shaving.
- l. Knife: An instrument consisting of a thin blade, usually of steel and having a sharp edge for cutting, fastened to a handle, and having a blade longer than 3 inches.

## XXXIII. Lost or Missing Persons.

## A. The following is a general discussion of lost or missing children.

1. The assignment of a lost child should not be taken lightly by any officer.
  - a. It is easy to underestimate the danger because very few children fail to come home and only a few missing children cases have had disastrous results.
  - b. Treat all cases seriously because potentially you might be dealing with a serious incident.
2. A department can be subjected to great criticism by the public:
  - a. If a child is molested, or not located, or killed.
  - b. If the police have not instituted a search, or reassured parents of their efforts.
3. A full-scale search is not practical every time a child is reported lost or missing. Consideration must be given to the following facts:
  - a. Age of child.
  - b. His habits.
  - c. How long missing.
  - d. The time of day or night.
  - e. Where he was last seen.
4. Increase the tempo of the search with time; gradually increase the involvement of other officers in the search.
5. Start contacting the news media and other agencies.
6. Reassurance is very important. Let the mother know that you are interested and that every effort is being made to find the child.
  - a. However, don't minimize the possible dangers - the worst may happen.

b. Don't make empty promises.

c. Reassurance is important for public relations reasons. It is good public relations if everything is okay and it may minimize the criticism if the worst has happened.

7. After one hour has elapsed since the child was reported missing, the officer should increase units of patrol and notify the juvenile unit.
8. After two hours have elapsed since the child was reported missing, the news media should be notified and the officer should request a highly-intensified search.

## B. Lost or missing children under five years of age.

1. Children this age often take "cat naps".
  - a. Most children don't worry where they take a nap.
  - b. The officer should check the house first. Check the closets, pantries, hallways, rooms, basement and attic, check under the beds, dressers, tables, etc., check garage, yard, bushes, trees, on the roofs, and under the porch.
  - c. It could be embarrassing if a full search were conducted and the child was asleep in the house.
2. Check with the playmates of the lost or missing youngster.
  - a. Even if the playmates are alone, they may give clues as to the "haunts" or hiding places, and they may find the child themselves.
  - b. If playmates are not at home, start an inquiry for the location of playmates, for they may provide added information on the lost youngster's whereabouts or the lost youngster may be with the playmates.

## C. Lost or missing children over five years of age.

1. Secure the information before beginning of the search, such as:
  - a. Physical condition of the lost or missing youngster.

- 1) Any illness requiring medication or treatment.
- 2) If so, a more thorough search is needed at the outset - there will be no time to lose because of the possibility of medical emergency.
- b. Mental condition of the lost or missing child.
  - 1) Is the child mentally retarded?
  - 2) Is the child emotionally unstable?
  - 3) Is the child angry at any person?
  - 4) Is the child emotionally upset for any reason?
2. Obtain a list of the missing child's friends.
  - a. Close friends of the missing child - their names and addresses.
  - b. New friends of the missing child - their names and addresses.
    - 1) Check the nearby ones first.
    - 2) The distant ones may account for the child's failure to come home.
  - c. Contact all known friends of the missing child. Find out where the missing child plays, such as any new places recently discovered.
    - 1) Houses under construction - construction sites.
    - 2) Buildings vacant or boarded up.
  - d. Check all the hazardous spots in the area, such as the following:
    - 1) Wells.
    - 2) Tree houses, roofs, telephone poles.
    - 3) Excavations.
    - 4) Fishing holes and swimming holes.

## D. Missing adults.

1. Police are limited in many respects in the case of a missing adult, as it is not a crime to be missing.
  - a. Under the law you can't make an adult return home.
  - b. You are generally restricted to ascertaining whether or not the person is safe.
2. Reports of missing adults are not generally accepted immediately.
  - a. A 24-hour delay is the policy before accepting reports of a missing adult in most departments.
  - b. There are good reasons for such a policy.
    - 1) Most missing adults return in a few hours.
    - 2) Fewer than 10 percent of the missing adults fail to show up in 24 hours.
    - 3) Previously mentioned legal limitations.
    - 4) This procedure prevents the wife from "using" police in the following cases:
      - a) If husband is out drinking.
      - b) If husband is gambling away money.
    - 5) Paydays generally generate such reports.
3. Some exceptions are to be expected:
  - a. It will depend on the circumstances surrounding the person.
  - b. If a question should exist about propriety:
    - 1) Always take a report.
    - 2) It is better to be safe than sorry.
  - c. If a report is deemed advisable:
    - 1) Get all the available information from the complainant's family.

- 2) Check with neighbors for further information.
- 3) A recent photo should be obtained if possible.
- 4) Check the unidentified bodies recently reported.

E. Older adults who are missing.

- 1. Similar to children in their behavioral patterns.
  - a. Older people wander off from rest homes, and home.
  - b. Their mental faculties are often no greater than a child's in cases of senility.
- 2. They usually don't wander too far away from home.
  - a. It is usually physically impossible for them to do so.
- 3. Search for older adults who are missing.
  - a. The officer should check door to door.
  - b. The officer should check back yards, porches, parks, etc.
  - c. There is a danger, in winter, of freezing to death.

F. People who run away - usually juveniles.

- 1. This police problem is greater than with missing children, adults or older citizens.
  - a. The police must protect them.
  - b. The police must protect others from them.
    - 1) The runaway may resort to criminal activity for support.
    - 2) This might include immoral conduct which is criminal.
    - 3) The police should be checking juveniles constantly for the runaway.
- 2. When the runaway is located.
  - a. Returning the runaway home is not recommended.
    - 1) This will be governed by departmental policy.

- 2) Generally the runaway is taken, as a matter of policy, to the station.
- 3. Home conditions of the runaway should be checked thoroughly, seeking the reason for the juvenile to run. Generally the cause of running away can be found in the home environment.
- 4. The female runaway.
  - a. The female should be checked by a doctor for infectious diseases, including venereal infections, and also for evidence of sexual relations.
  - b. Protect yourself at all times in dealing with the female runaway.
    - 1) Keep radio advised of whereabouts, time of apprehension, etc.
    - 2) Call for policewoman if possible, to assist in transporting the female runaway.

## XXXIV. Evidence

## A. An introduction to a patrolman's responsibility in the handling of evidence.

At the scene of a crime, the patrolman's responsibility is to protect life and property. To accomplish this objective, the officer must stop illegal activity, arrest the perpetrator of the crime and care for the injured. After these most important duties are accomplished, he should do all in his power to safeguard and collect evidence, which could contribute to a successful investigation of the case and prosecution of the offender. Sometimes the patrolman arrives upon the scene after the crime has been committed and the criminals have fled; then the responsibility for safeguarding and collecting evidence becomes paramount.

## B. Methods of safeguarding evidence.

1. The officer should not leave the scene of a crime until properly relieved. There are two dangers in leaving a crime scene unattended:
  - a. Someone, possibly the perpetrator, may remove, mar, or destroy vital evidence or leave false evidence, seriously hampering the investigation of the case.
  - b. The possibility is introduced that someone may have done so, and in the hands of an able defense attorney, this possibility may endanger the effective prosecution of the offender.
2. The officer must notify the station house, but he must do so without leaving the scene.
  - a. Blow his whistle to get someone's attention.
  - b. Shout out of the window for assistance.
  - c. Knock on nearby doors, without losing sight of the room in which the crime occurred, and ask the tenant to call the police and say that he needs help.
  - d. Send any passing citizen for help.
    - 1) It is best to write a note and ask the citizen to read it over the telephone.
    - 2) In this way, important items of the message will be delivered.

- e. When children are the only ones nearby, ask them to deliver your note to the nearest adult.
3. The value of evidence found at the scene of a crime to trained technicians and experienced detectives is obvious. If the patrolman who first arrives upon the scene does not safeguard the evidence, the investigation will be seriously hampered.
4. Evidence may be destroyed by unauthorized persons who come upon the scene, by persons authorized to enter the scene or by yourself. The following are some suggestions to prevent the destruction of evidence by any of these sources:
  - a. Unauthorized persons must not be allowed to destroy evidence.
    - 1) Footprints, fingerprints, and bloodstains can be unwittingly obliterated by witnesses, curious neighbors or passersby.
    - 2) Some patrolmen use a line on the sidewalk, repeatedly referring to it when they tell people to stand back.
    - 3) With a uniformed patrolman on the scene and an observable boundary before them, most people will respect the line of no-trespassing.
  - b. Authorized persons - physicians, ambulance attendants and other officers - must be cautioned against disturbing evidence or moving a body from its original position. To prevent them from kicking or thoughtlessly picking up a weapon at the scene, place a chair or invert a waste paper basket over it.
  - c. As the first officer on the scene, you must not only caution others - authorized and unauthorized persons - about destroying evidence, but you must be careful lest you unwittingly obliterate clues yourself.
    - 1) While awaiting assistance, do not flush the toilet at the crime scene - you may flush down evidence.

- 2) Even if you are thirsty, have dirtied your hands in gaining entrance or have bloodied your hands examining a body, do not use the sink at a crime scene.
  - 3) Criminals have been convicted on the strength of evidence scraped from drains; technicians are skilled at emptying drains and gathering blood or semen specimens.
  - 4) If you do touch, use or move anything, inform the detectives assigned to the case.
5. Witnesses are a source of evidence and, to safeguard this evidence, witnesses may have to be detained.
- a. Their detention is the responsibility of your superiors, but, as the first officer on the scene, you must use your judgment regarding their initial detention.
  - b. In serious crimes, particularly in capital offenses, hold everyone with the case until a superior arrives and takes charge.
  - c. In a case of minor infractions of the law, detention should depend upon your estimate of the witnesses' future availability. Respectable businessmen with stores nearby will be available for questioning later on and do not have to be held at the scene.
  - d. Whether you detain them or not, witnesses should identify themselves to your satisfaction.
  - e. Their identities (name, address, residence, telephone number, occupation, business address and telephone number) and their versions of what occurred should be recorded in your memo book.
- C. The identification and collection of evidence.
1. Collecting evidence is primarily the responsibility of technicians and detectives of a police department and investigators attached to the office of the prosecuting attorney.
  2. As the first officer on the scene of the crime, you have a role in collecting evidence.

- a. If others are assigned to conduct the crime scene search, the first officer's responsibility involves maintaining the integrity of the crime scene.
  - b. If the first officer is to conduct the search himself, he should follow search patterns as established in instructions on the search of the crime scene.
3. The frisk and later search of a suspect may produce something of value to the investigation and prosecution.
  4. A search of the premises may also uncover evidence.
  5. Evidence can be anywhere: in obvious places - in closets or drawers, on shelves or tables, under mattresses or beds, behind mirrors or wall pictures; hidden in less obvious places - in a newspaper, book, package of groceries, fountain pen or cigarette case.
  6. The search of a premises must be thorough. It should not be undertaken until assistance arrives - a lone officer cannot guard his suspect, detain witnesses, prevent outsiders from intervening and search at the same time.
    - a. Start at a given point in a room and work from it, foot by foot.
    - b. Whenever possible, the searchers should be within view of the prisoner, owner, or occupant. This helps to protect the officers from allegations that evidence was planted or that valuables were stolen during the search.
  7. Searching the grounds and searching a car should be equally methodical.
  8. Whenever evidence is uncovered, mark it with your initial, tag it and, if possible, wrap it in a sealed envelope or package.
  9. Identify the object, its location and time of discovery, on the tag or envelope, along with your name.
  10. In cases in which a victim is dying, the officer collects valuable evidence when he records a dying declaration.
    - a. After he or a doctor has confirmed to the victim that death is imminent, an officer may ask the victim, in front of witnesses:



- 1) To identify himself.
  - 2) To acknowledge that he (the victim) knows he is dying and has no hope of recovery.
  - 3) To make a true statement of the circumstances surrounding the injury.
- b. These statements are the victim's dying declaration.
  - c. The officer records these data in his memo book, after which the witnesses sign their names and record their addresses and, if possible, the victim signs as well.
  - d. Remember the face of a dead victim; you will be required to identify it.
  - e. Record an accurate description of the scene, the body and the clothing in your memo book; you may have to testify in court about these facts.
  - f. Do not search a body unless you are under the immediate supervision of a superior officer.

## XXXV. Conducting Interviews.

## A. Introduction to interviewing.

A police investigation involves the task of gathering and evaluating information from people and things. Of the two, acquiring information from people is the more difficult. Physical things such as fingerprints, a weapon, a bogus check, when collected with proper caution, cannot be impeached. They cannot perjure themselves. People are affected by numerous physical and emotional factors which can color and raise questions about the validity of the information they give police. Emotions may cause a person to give prejudicial information, to lie or to forget events. Lighting, distance or other physical limitations may result in an inaccurate interpretation of the event observed. The officer seeking to arrive at the truth must evaluate very carefully the information obtained in interviews, must recognize individual differences and limitations and be aware of the personal motives which may be involved, and must possess the necessary skills to persuade the obstinate to cooperate.

## B. To interview or to interrogate - the decision that must be made.

1. There are two general techniques for gathering information from persons, depending upon the apparent willingness of the individual to cooperate.
  - a. Interviewing the witnesses to the crime.
  - b. Interrogating the suspects to the crime.
2. These terms are often used interchangeably, but each has a specific meaning.
  - a. Interviewing is the process by which an officer seeks, obtains and evaluates information given to him by persons who have personal knowledge of the events or circumstances of a crime, accident or other matter of police interest.
  - b. Interrogating is the process by which an officer endeavors to obtain information about a case from an individual who is a suspect and is unwilling to provide that information.
3. Generally, interrogation is a term which is connected most often with persons suspected of being responsible for the action under investigation. Reluctant witnesses or victims must be interrogated, rather than interviewed, because of their unwillingness to cooperate.

## C. Ability + training = successful interview.

1. The capable interviewer is aware of the feelings of others. The capable interviewer can read individual reactions and arrive quickly at an appropriate method for dealing with them.
2. When a witness is uncooperative his resourcefulness is tested.
  - a. The officer should try to find the reason for this reluctance so that he may obtain cooperation.
  - b. The officer may appeal to the person's pride - "You are the most important witness we have."
  - c. The officer may call upon civic or patriotic duty - "I'm sure you want to help us make this town a better place."
  - d. Interests in the family, children, nationality, emotions and motives - all are called upon to secure cooperation.
3. The officer should not only know how to keep the subject talking, but to keep him talking about things which are pertinent to the problem.
  - a. The officer should not allow himself to be led away from the information desired.
  - b. The officer must maintain control of the interview.
4. The officer should learn to answer a question with a question; to repeat or restate repeatedly the comments of the talkative subject, to encourage the untalkative by asking appropriate questions.
5. The individuality of people prohibits the standardization of interviewing techniques into a neat little package labeled, "What to say, how to act," and guarantee success.

## D. The importance of timing in an interview.

1. The most appropriate time to conduct an interview is as soon as possible after an incident.
2. The officer must recognize the need to delay questioning an emotionally upset person.

- a. If the officer's attempts to soothe the witness fail, he should proceed with the interview.
- b. Psychologists tell us there is a direct relationship between memory and emotion - when emotions increase memory wanes.
3. Any physical discomfort experienced by a subject will have a bearing on the interview.
  - a. A cold, sleepy, hungry or physically uncomfortable person, as a rule, will prove to be an unsatisfactory subject.
  - b. The interviewee is more interested in his own discomfort than in the interview.
  - c. To enhance the search for the truth, allow the interviewee time to rest, to eat or to obtain dry clothing.
  - d. Do not arouse a witness or complainant in the early morning hours. There is little advantage to be gained when the interview can just as well be delayed until a more reasonable hour.

## E. The proper setting for interviewing.

1. A proper setting is a major factor.
  - a. Officers often cannot select an ideal location and must conduct interviews under adverse conditions.
  - b. The officer investigating the traffic accident must obtain as much information as possible at the scene.
  - c. In more serious cases attracting a large crowd, on-the-scene interviewing may hamper the investigation by eavesdroppers and contradicting witnesses.
2. In situations laden with distractions and confusion, limit the interest to basic facts, including identification of the suspect, so other officers can be alerted. Additional information can be obtained in follow-up interviews conducted under more favorable conditions.

3. The officer cannot control the adverse conditions that may be found at a crime or accident scene; consequently the officer must make adjustments for the unfavorable setting.
  - a. When the interview is being conducted at the police station, insist upon complete privacy.
  - b. So often police officers overlook the necessity of being alone with a witness and attempt to conduct an interview over the desk counter, in a hallway or the squad room, where the normal operating routine of a police station presents almost insurmountable obstacles to the proper conduct of an interview.
  - c. When confusion abounds, the subject's attention is diverted.
  - d. The fear of being overheard will stifle any desire to talk freely.
  - e. Be firm but diplomatic; demand that the interview be conducted outside the presence of friends, relatives, or curious onlookers (who frequently are other officers).
  - f. Never hesitate to ask a fellow officer for privacy when you wish to conduct an interview.
4. In juvenile cases, tactfully explain to the parents what questions are going to be asked, the purpose of the interview and the reason you seek privacy.
  - a. When departmental policy requires a parent to be present, the distracting effect can be reduced by seating the parents at the opposite end of the room behind the child.
  - b. Or seat the child with his back to the door, leave the door ajar and have the parents seated just outside.
  - c. Routine follow-up interviews can best be handled at the home or place of employment of the subject, providing some semblance of privacy is available. The familiarity of the setting will not distract the cooperative individual or cause him concern.

5. The officer should make an appointment ahead of time. If the person is situated in an open office area with other workers, the interview can be postponed until the end of the business day or conducted at the person's home.
  - a. In more serious cases it is better to conduct the interview at the police station.
  - b. This is an especially desirable location for the uncooperative witness or the person known to be a friend of the suspect.
  - c. The unfamiliar surroundings can create anxiety and weaken the subject's resistance.
  - d. At home or in a location well known to him, the reluctant witness can be sustained by the psychological support of familiar surroundings which reinforces his resistance to truth.
- F. Eliminate physical barriers in the interview.
  1. Establishing a good relationship to facilitate communications is an immediate objective. Eliminating barriers that divide is one method of achieving this.
  2. Distance between the interviewer and the subject, whether maintained by a desk, counter top or by simply placing chairs too far apart, serves to increase the social distance and hamper communications.
  3. Since physical barriers psychologically separate people, the furniture arrangement must be considered when preparing for an interview.
    - a. Do not place the subject's chair too far away or across the desk from yours.
    - b. Seat the subject alongside your desk and move your chair to the same side.
    - c. In a follow-up interview conducted at the home or business address of a witness, do not seat yourself too far away from the subject.
    - d. As in the office interview, try to minimize the physical distance separating you.

## G. Prepare for each interview.

1. It may appear to the uninformed that preparing for an interview is unnecessary. The individual who assumes that his ability to use a favorite technique supersedes any preparation, reveals his lack of knowledge about interviewing.
2. Nothing happens by itself; planning is essential to any venture - and the interview is no exception.
3. Before the officer can proceed with the interview, he must have all available information at hand. Random questioning lacks direction and merely indicates unpreparedness and lack of information.
4. The reluctant witness can quickly recognize that he has you at a disadvantage and he will not volunteer any more information than he thinks you possess.
5. Regardless of your ability to "talk their language," unless you are prepared you will be unable to control and direct the interview, let alone be able to evaluate the information received.
6. There are occasions which call for an immediate interview of a subject, leaving little time for preparation.
  - a. Obtain information concerning what happened, the date, the time and the names of the parties involved.
  - b. Even in the most pressing situations, it is better to delay the interview 10 or 15 minutes and be successful than to begin immediately without control of the situation.

## H. Background material needed for an interview.

1. The amount of background information required will relate to the seriousness of the case, the type of information desired and the attitude of the person interviewed.
  - a. The cooperative witness needs little prodding and the background information will be minimal.
  - b. When a person shows reluctance to give information, the more information you possess, the easier will become the task.
2. The officer should review all the case reports and evidence.

- a. The officer should study the entire case carefully until thoroughly familiar with the scene, the evidence and earlier statements.
- b. He should know what occurred and the names of all the parties involved.
- c. In more serious cases in which you have ample time to prepare, personal information about the subject should supplement facts regarding the incident.
- d. This material will not only serve to impress the subject with your thoroughness but will also assist in evaluating his personality.
- e. The officer should know the information possessed and the information needed from the interview.

## I. Basic requirements of witnesses.

1. The officer conducting an interview must first determine that the person to be interviewed meets the three essential requirements of a witness:
  - a. That he was present during the event or a portion of it.
  - b. That he was conscious (in auto accidents, a passenger who was sleeping in the back seat will be unable to offer much of value).
  - c. That he was attentive to what was happening.
2. The final element is the most difficult to establish.
3. People often admit that they were present and conscious but then will deny having been paying attention to avoid "becoming involved".
  - a. The skillful officer must face this challenge by careful questioning, as well as with various appeals to civic pride.
  - b. Many a reluctant witness has been made to live up to his obligations as a citizen by an alert officer.
  - c. The fact that a witness was not paying full attention to an entire incident does not mean that his story is worthless for court presentation.

- d. Most cases which go to court are made up of bits and pieces which many witnesses provide.

#### J. Sources of witness error.

1. Factors which affect a witness's ability to acquire and to relate information about a matter under investigation are:
  - a. External physical factors: these include the distance of the person from the event and the presence or absence of things or conditions which might reduce or interfere with his ability to perceive.
  - b. Physical ability: it is common knowledge that humans vary greatly in their ability to see, to hear, to smell, to taste and to feel. When any one of the sensory organs is used by a witness, the officer should obtain some indication to the witness's basic innate ability in that area.
  - c. Emotional condition at the time of the event: this factor is the most important to determine and the most difficult to evaluate.
    - 1) Persons who are under stress can perceive only a small fraction of what they normally might observe when calm.
    - 2) The victims and witnesses involved in violent incidents often are unable to provide adequate descriptions of suspects or events.
    - 3) Emotions tend to filter, distort and generally reduce perceptions.
    - 4) Severe emotional reactions to situations can result in an almost total loss of memory.
    - 5) Part of this loss is due to the psychological need to protect oneself from thinking about an unpleasant experience.
    - 6) Another reason is that people tend to focus or narrow their attention on some very small detail, causing them to miss other elements or events in their immediate vicinity.

- d. Previous experience and learning: this factor does not play an obvious part in a witness's ability to observe, but it is basic in determining the amount of information he will be able to bring away from any experience. The more familiarity an individual has with what he is viewing, the better he will be as a witness.

- e. Prejudice and bias: people tend to see what is expected, or what they want to see. Prejudice or bias can be two-directional - either in favor of or opposed to someone or something. The investigator's job here is not one of attempting to correct or change a witness' attitude or viewpoint but simply of becoming aware of its effect upon his ability to obtain a reasonably true picture of what he saw.

#### K. Many factors hamper the success of the interview.

1. As the interviewer develops an appreciation for the various factors which affect a witness' ability to observe an event, he also must undertake to evaluate the ability of the witness to discuss the event.
  - a. The many things which tend to distort or diminish an individual's observance of an event also affect his ability to talk about it.
  - b. The potential errors in what a witness SAYS are much the same as those which are at work to determine what a witness SEES.
2. Various factors also play an important part in determining how much information the witness communicates.
  - a. External factors: these are important to the extent that they interfere with the officer's ability to hear what the witness is saying to him, and vice versa. Use a reasonably quiet place for an interview.
  - b. Physical factors: language difficulties resulting from strokes, speech defects and deaf mutes also hamper an interview.
    - 1) In some of these cases interviews must be conducted by paper and pencil.
    - 2) A witness should never be ignored because he is deaf or mute.

- c. Emotional condition at the time of the interview: in addition to determining the subject's emotional condition at the time of the accident, his emotional state during the interview can be important.
  - 1) Persons who are upset or still in shock should be allowed to calm down before being interviewed.
  - 2) Many persons become anxious about the interview, and steps must be taken to remove the anxiety to increase the subject's ability to provide the most possible information.
  - 3) The effect of emotions on one's ability to remember things is extremely important to bear in mind.
- d. Experience and education: the ability of a witness to use precise words to describe events or conditions will depend in large measure upon his intelligence, his education and his experiences.
- e. Prejudice and bias: just as this factor will cause a focusing of a witness' attention during an event, his version of what he observed will be subject to conscious and unconscious slanting.
  - 1) The officer can normally detect this by the tone of voice as well as by the types of words and phrases used to describe individuals and events.
  - 2) Terms such as, "nice old lady," "that young punk," and the like are warnings to the officer that he is receiving a story which is not completely objective.
  - 3) The personal feelings, attitudes and opinions which a subject expresses all tend to demonstrate the extent to which this element colored his original observations.
  - 4) The communication by the witness may be subject to further distorting conditions.
    - a) One is the possibility that the person is deliberately attempting to deceive.
    - b) Still another is the individual's desire to occupy the center of attention.

## XXXVI. Crime Scene Protection.

### A. Introduction to crime scene protection.

- 1. The success or failure of a criminal investigation depends upon both the thoroughness and the immediacy of the preliminary investigation.
  - a. Positive and effective actions at this initial stage are important factors that may affect the outcome of a case.
  - b. The officer must arrive at the scene quickly since it is usually the source of the most productive evidence. The principals were there or may still be present.
- 2. Physical evidence in the form of weapons, tool marks, fingerprints, footprints, tire marks and fibers may also be waiting to be examined by investigators and technicians.
- 3. Speed becomes an essential element as the value of the crime scene rapidly deteriorates.
  - a. The victim may die.
  - b. Rain, snow or wind may destroy traces of the criminal.
  - c. A margin of a few minutes may be the difference between gathering overwhelming evidence or an unsuccessful and frustrating hunt by the investigators.

### B. Preserve the scene.

- 1. Preserving the crime scene means to keep the site of the crime in the same physical condition in which it was left by the perpetrator.
- 2. Normally, the first officer to arrive at the scene of a reported crime is the patrol officer. The officer must prevent the obliteration or deterioration of tangible clues. Touching objects, walking on stains, footprints or tire marks will destroy the value or reliability of otherwise good evidence.
  - a. The crime scene protection usually begins at the focal point of the incident and extends out toward the perimeter. Having secured the room in which a crime was committed, the protection should be

- b. The first phase of protection provides the officer responsible for collecting evidence time to arrive and begin his work.
- c. Continuing preservation permits the investigative team freedom of movement and affords protection against the destruction or contamination of evidence by both authorized and unauthorized personnel.

C. Do not disturb the crime scene.

1. The criminal leaves traces of his actions. These easily may be obliterated by permitting persons to wander about the area before the investigators have completed their work.
  - a. If contamination has occurred in any way, investigators and technicians may reach false conclusions or may develop blind leads which can delay or prevent successful solution of a crime.
  - b. Protection and preservation must be maintained while the investigators and technicians sketch, photograph and search the area.
2. Extreme security must be exercised, as only a sketch or photograph accurately representing the scene's original condition will be acceptable as court evidence.
  - a. All unauthorized persons must be kept from entering the area. The officer must prevent anyone, including, from picking up or moving objects which appear to be in disarray.
  - b. If the defense is able to show that some object has been tampered with before the sketch or photographs were made, or that persons or objects are present which were not there originally, the reliability of the evidence and testimony is questioned and its value diminished.
  - c. Often, in stores or homes, the owner will want to "clean up" the place. This must be prevented until after the scene has been thoroughly processed for evidence.

D. The evidence which might be expected to be found at a crime scene could include:

1. Fingerprints.

- a. Individuals present at the crime prior to, during or immediately after the offense often leave fingerprints. These may be found in the search, developed and photographed to firmly establish the presence of certain persons at the scene.
- b. The officer guarding the scene must be particularly careful to avoid handling a weapon. He should also avoid touching any smooth surfaces which might have been touched by the suspect.
- c. If the officer finds it necessary to handle any objects, he should so advise the men who are searching for evidence. Too often, investigators have developed clear fingerprints from glasses, windows, bottles or other surfaces - only to find the fingerprints were left by officers assigned to protect the scene.

2. Footprints and tire marks.

- a. Security measures must be extended to the fringes of the actual location of the crime. Protect the area adjacent to a building or to the hallways leading to any apartment or room in which a crime occurred.
- b. These precautions will increase the probability of locating, photographing and making plaster casts of footprints, ladder marks, or other impressions.
  - 1) Rubber soles and heels may leave identifying imprints on smooth floor covering, on the ground itself, or on dust covered surfaces.
  - 2) The area in the immediate vicinity of a crime scene also may contain indications that a vehicle was used by the criminal.

- c. Tire marks left on the soft ground may be photographed and preserved by plaster casts.

3. Tool impressions.

- a. Tool markings which may be found at points of entry into buildings, rooms, safes or vehicles must be sought and protected.



- b. Any tool will leave identifying markings on any substance softer than the tool. Such tools include a:
  - 1) Jimmy.
  - 2) Hatchet.
  - 3) Hammer.
  - 4) Drill.
  - 5) Chisel.
  - 6) Screwdriver.
  - 7) Cutter.
  - 8) Knife.
- c. Markings found at the scene can be matched against test markings made by the tool found at the scene with the same high degree of accuracy used in matching latent fingerprints with those of a suspect.
- 4. Bullets used in a crime.
  - a. Spent bullets found within or in close proximity to a crime scene can determine the caliber and type of weapon the criminal used. Closer analysis may permit positive identification of the weapon, linking it to the crime.
  - b. The officer must protect glass fragments and broken panes from tampering or handling to give the investigating team the opportunity to collect, preserve and analyze such evidence.
- 6. Stains at the crime scene.
  - a. Of all the discolorations found at the scene of a crime, bloodstains probably are the most common and provide the investigator with valuable evidence.
    - 1) Not all bloodstains found at the scene are necessarily those of the victim.
    - 2) An intruder may have injured himself in forcing entry or sustained a wound at the hands of the police or his intended victim.

- 3) Bloodstains may be easily obliterated, smeared or carried by careless footsteps from one part of the scene to others. The officer must guard against this hazard.

#### E. The search of the crime scene.

- 1. An officer guarding a crime scene must always be mindful that nothing within the crime area can be overlooked or be considered too insignificant to protect. So-called "trivia", properly guarded and handled, has many times offered the key to the successful conclusion of a case.
- 2. After the crime scene is secured, it must then be thoroughly searched to obtain all available physical evidence. Any investigative leads may help track down the criminal and help bring about a successful conclusion to the case. Some typical articles are:
  - a. Weapons left by the culprit.
  - b. Clothing of the culprit inadvertently left behind.
  - c. Fingerprints detected by the officer.
  - d. Footprints in an surrounding the crime scene.
  - e. Tire or tool marks which indicate modus operandi or identify the culprit.
- 3. The search, though called the crime scene search, is not confined to this specific area. It may extend along the path of approach and follow the line of flight of the perpetrator. A search extended in this manner will quite frequently uncover an item dropped or discarded by the criminal.
- 4. The crime scene search is conducted to uncover any physical evidence that will:
  - a. Determine the facts of the crime.
  - b. Identify the criminal.
  - c. Aid in his arrest and conviction.
- 5. The methods of search vary with the crime, the type of evidence sought, and the purpose of the search.

#### F. Tips on the search.

1. Definite plans for searching a scene must be made before undertaking the task.
  - a. the searching officer must be instructed as to what to look for and within what area.
  - b. Too often a searching officer has destroyed or overlooked substantial material because he had not been properly briefed or no plans had been prepared.
2. The officer conducting a search must not touch, handle, or disturb any evidence.
  - a. Touching and handling does not assist or expedite matters.
  - b. On the contrary, it usually establishes a roadblock obstructing the investigative process.
3. Careless walking about may destroy evidence. The searcher should always proceed with caution. He should never move until he has examined his pathway. Movements should not be haphazard but rather should follow a predetermined course.

#### G. Basic methods in searching.

1. Point-to-point search - the officer enters the crime scene from the point of entrance and goes to the first apparent item of evidence. After visually observing the item he then moves to the next closest item.
  - a. This process is repeated until the room or area has been systematically and carefully scrutinized.
  - b. In conducting this type of search the officer should avoid jumping aimlessly from one point to the other but should carry out a very methodical search, such as working in a clockwise or counter-clockwise direction.
2. Sector search - the crime scene is subdivided into areas or sectors, a building into rooms or floors. Each officer is then assigned to a specific search area. This method of search is normally employed when there is a large area to cover, such as an open field.

3. Concentric circle search - the method employed in this search may be compared to the ever widening ripples radiating from the point of impact of a pebble thrown into a pond.

- a. Such a search is useful when there is a belief that evidence which had been centrally located has been moved or hidden some distance from the scene of the crime.
- b. Tactics call for searching the central area first.
- c. As soon as this location has been thoroughly combed, a new and larger circle is drawn.
- d. As each new circle is drawn, the size of the area expands.
- e. At times the opportunity to uncover the physical traces of a criminal may appear to be very remote, if not entirely lacking.
- f. Regardless of apparent adversities the officer must undertake the crime scene search with determination and alertness.

#### H. Uncovering clues.

1. The search is serious police work.
  - a. There is no room for a defeatist or a lighthearted attitude.
  - b. This phase of the investigation is extremely essential to uncover clues.
2. Often the search may prove to be a tiring or unpleasant function.
3. But alert police work, time and again, has uncovered small and unimportant objects which have injected new hope into a case.
4. A broken match, a discarded match book, a comb, a crumpled package of cigarettes are all apparently insignificant items by themselves.
5. But each of these articles has, at one time or another, given a direct lead to the identity of a criminal or added weight to the amount of evidence compiled against a suspect.

6. A complete and methodical search is not unlike the efficient protection afforded the crime scene.
7. Each in its own way plays its important role in the course of a criminal case.

# XXXVII. Sketching and Drawing the Crime Scene

## A. The purpose of sketching.

1. Many patrolmen feel photographs are all that are necessary in order to record the crime scene properly.
2. Photographs are excellent scene-recording devices.
  - a. They do have shortcomings.
  - b. Sketches have some advantages.
3. The advantages of sketches are as follows:
  - a. They do not distort the crime scene.
    - 1) Photos give distortion of depth.
    - 2) Clarity may be lacking in a photo.
    - 3) Evidence must be free of distortions.
  - b. It can be as simple as or complicated as the need requires.
    - 1) The sketch may record only that which is essential.
    - 2) The sketch may have transparent overlays that will allow the addition of items at will.
    - 3) Certain points or objects in the sketch can be brought to the viewer's immediate attention.
  - c. The sketch can show direction. The direction of North can be accurately shown on a sketch because it is usually an overhead view.
  - d. It can show the view from more than one direction.
    - 1) The photograph will show the view from only one direction.
    - 2) The sketch will show all directions at once or even show the ceiling in certain types of cross-projection sketches.

- 3) Sketches will allow the jury to obtain an overall picture this way.
  - e. The sketch and the photograph should go together, just as the skeleton and the flesh of the body are part of a whole.
  - f. Sketches can complement the photograph.
    - 1) They can strengthen one another.
    - 2) They are not, and need not be, mutually exclusive.
- B. Utilization of a sketch.
1. The crime scene sketch has many uses.
  2. The following are some of the more common uses:
    - a. Sketches help investigators obtain a permanent view of the scene.
      - 1) Sketches aid them in putting cases together and seeing relationships long after the crime scene has changed or been destroyed.
      - 2) Pressures make it difficult to see relationships at the scene.
      - 3) Later a complete sketch will enable the investigators to:
        - a) Re-enact the crime.
        - b) Check out statements and alibis against certain obvious facts.
    - b. It can greatly aid witnesses in explaining where they were standing when they observed certain happenings, or exactly where a certain object was when they entered the room. Police officers can better explain the duties that they performed when they have a sketch to use as a guide.
    - c. It can help the judge and the jury in more clearly understanding the relationships of the crime scene, and in understanding the testimony regarding the crime.

- d. It can actually help the prosecution by creating a feeling of respect in the jury for the abilities of the police and the extent to which they go in order to prove facts.
- C. The materials.
1. The materials needed for the sketch are broken down into two categories:
    - a. First, there are those needed at the scene.
    - b. There are those needed for the final sketch.
  2. The patrol officer will be concerned with the first group, but not necessarily the second.
  3. Some small departments will, of necessity, allow the patrol officer to make the final sketch if he has talents in this area.
  4. It is often best to turn the rough sketch, made at the scene, over to the city engineering department, where they have both the materials and the qualified personnel to draw such a sketch.
- D. The rough sketch.
1. The rough sketch is the first step in preparing a drawing.
  2. The rough sketch will require the following materials:
    - a. A hard-back clipboard.
    - b. Graph paper.
    - c. A soft pencil (number 2B).
    - d. A small hand pencil sharpener (or a pocket knife).
    - e. A steel tape measure.
    - f. A directional compass.
- E. The type of sketch best used for crime scenes.
1. The type of sketch used naturally depends upon the location of the crime.

## b. Verify all measurements.

- 1) No human being, including the best police officer, is infallible.
- 2) We all make mistakes, and not only is it embarrassing to an officer to have his mistakes brought out in court, it can also lose the case.
- 3) When two officers can verify that they both made the measurements on different occasions and arrived at the same conclusion, not only will the jury more readily accept the measurements, but chances are that they will, in fact, be more exact.

c. If the measurement is to be made outdoors, and there are not many permanent objects to measure from, then it is best to bring in a professional surveyor.

d. In measuring bodies, two measurements should be made - one of the head, and another of one foot. This will better show the exact angle of the body. In the rough sketch, all bodies should be shown as stick figures.

e. Always show North on the rough sketch.

f. Identify all objects in the rough sketch with a letter or number, and then in the notebook, describe that object in detail. Don't clutter up the sketch with these details.

g. If the photographs are taken, show the position of the camera on the sketch.

## G. Methods of measuring.

1. There are four basic types of measurements made at the crime scene. They are as follows:

- a. Rectangular coordinate - the rectangular coordinate involves two measurements at right angles from the object being measured to the nearest permanent objects, usually walls.

2. In outdoor areas, the outdoor plan type of sketch is best.

3. Inside a house there are two major types of sketches:

- a. If there are several rooms, the floor plan type of sketch is best.
- b. If there is one room, the cross-projection type of sketch is best. This is also referred to as the exploded sketch by the FBI.

4. The cross-projection sketch shows the walls as an extension of the floor plan. In some cases the ceiling is drawn as an extension of one of the walls.

5. The cross-projection sketch can also be made into a three-dimensional display by scoring the underside of the cardboard and cutting out the cardboard so that the walls fold up.

6. This makes the sketch into a sort of doll house, and gives the jurors a more complete picture of the scene.

7. Usually one wall is left down so the jurors can look into the room.

## F. Rules of measurement.

1. In crime scene sketching, there is a cardinal rule: Decide WHAT is to be sketched before taking measurements and drawing objects.

2. When the officer has decided on what is to be sketched, he should follow these rules:

- a. All measurements should be made from permanent objects.

- 1) If measurements are made from temporary objects, such as furniture, it is possible that they might be moved should someone wish to re-measure the scene.
- 2) Outdoors, the officers should use fire plugs, lamp standards and trees.
- 3) Inside a room, the walls or the corners of the room should be used.

- b. Plane line, or thrust line - in the plane line or thrust line measurement, an imaginary or real line is drawn between two permanent objects such as the corners of a room or between the corner of a house and a tree. To obtain the measurement, the officer starts at one of the permanent objects and follows the line for a set number of feet, and then goes at right angles to the right or left to the object in question.
- c. Polar coordinate - in the Polar coordinate, one permanent object is chosen, and with the use of a compass, the direction of the object to be measured is determined. The officer then measures the number of feet to the object when following the bearing of the compass.
- d. Triangulation - in triangulation, the officer uses a compass to obtain bearings of two noticeable permanent objects. Later it is easy to locate these objects on an engineer's map, and by using the reverse bearing, lines are drawn in the direction of the object to be measured; when they intercept, it marks the location.

#### H. Scales used in measurements.

- 1. The following scales are those most often used in crime scene sketching, but they are not mandatory.
  - a. Small rooms.....1/2" equals 1 foot.
  - b. Large rooms.....1/4" equals 1 foot.
  - c. Small building.....1/8" equals 1 foot.
  - d. Large buildings or outdoor scenes .....1/2" equals 1 foot.
- 2. If the situation demands another scale, or the officer can justify it, another scale may be used.

#### I. The format of the crime scene sketch.

- 1. There are six major parts to the crime scene sketch. They are as follows:
  - a. The drawing of the scene - this is the immediate scene, room or building, and includes the essential environment.

#### b. The legend - the legend has two main purposes:

- 1) It identifies the numbered articles in the drawing.
- 2) It can describe the articles and give the locations of measurements if these measurements would clutter up the drawing.

#### c. The title - the title identifies the drawing with the scene and the investigators. It includes:

- 1) The case number.
- 2) The type of offense.
- 3) The identification of victim or the scene.
- 4) The detailed location of the scene.
- 5) Date and hour that the sketch was made.
- 6) The name of the sketcher and witnesses, if any.

#### d. The compass heading - North should always be at the top of the sketch.

#### e. The scale.

#### f. Other pertinent data - this would include the slope of the ground, or the floor, or the composition of the soil, such as mud or gravel.

#### J. Photographing the crime scene.

- 1. Photography is a valuable investigative tool.
- 2. There is no quicker way to record the crime scene than to photograph it.
- 3. Nothing can add more realism to a court presentation than to supplement the verbal delivery of testimony with adequate photographs.
- 4. Because of this, every officer should familiarize himself with the basic elements of the use of standard police photographic equipment.

5. Whenever a crime scene sketch is made, there should also be photographs taken of the same scene.

K. Types of photographs.

1. There are two basic types of photographs that are taken at a crime scene. They are:
  - a. The overall shot - the overall shot is taken to show relationships of certain evidence to the crime scene as a whole. Otherwise it might not be shown that the particular piece of evidence came from a particular crime scene.
  - b. The close-up - the close-up is taken to show detail and possible words or numbers of identification either on the object or identification card.

L. Exposure data.

1. Because an officer has so many things on his mind during an initial investigation and because of the lack of photographic experience of most officers, the department should print a list of suggested lens openings and corresponding speeds that an officer should use at varying distances.
  - a. This would vary with the film and type of flash bulbs used.
  - b. Generally a department has one type of film and one type of flashbulb, so they would only have to print up one list.
2. This list should be pasted to the cover of the camera box so it will always be handy when the camera is used.
3. Consideration should be given to the new automatic cameras.

M. Common errors in the field use of the camera.

1. There is a high percentage of failures when patrol officers take photographs in the field, and these are usually due to the camera's being complicated, and the fact that the officer does not normally use the camera a great deal.

2. Some of the more common errors with the Graphic film-holder type of police camera are:

FAILURES

RESULTS

- |   |                                |
|---|--------------------------------|
| a. Failure to remove lens cap.                          | Transparent negative.          |
| b. Failure to remove film holder slide.                 | " " " "                        |
| c. Failure to cock shutter.                             | " " " "                        |
| d. Failure to put flashbulb in holder.                  | " " " "                        |
| e. Failure to attach cord from camera to flashgun.      | Very light negative.           |
| f. Allowing flashcord to hang in front of lens.         | Black line thru picture.       |
| g. Failure to replace flashgun batteries regularly.     | Weak flash and thin negatives. |
| h. Failure to turn film holder around for next picture. | Double exposure.               |

3. A patrol officer should always use a flashbulb in the field even though it is daylight. This will reduce the number of shadows and result in a better picture.

N. Admissibility of photographs.

1. The admissibility of photographs in a trial is usually dependent upon several basic rules. They are:
  - a. Is the photograph relevant to the case?
  - b. Will it cause undue prejudice or sympathy?
  - c. Is it properly identified?
    - 1) The proper identity would include the identification of the photo as being taken at the scene.
    - 2) All the details of the processing should also be included.



## O. Notebook information.

1. Whenever a photograph is taken, the officer should include in his notebook certain information regarding the photograph and the conditions under which it was taken.
2. This information should include the following items:
  - a. Date and time the picture was taken, in addition to the name of the photographer.
  - b. Location of scene as to address, etc.
  - c. Exact location of camera for each photograph taken.
  - d. Compass bearing indicating the direction that the camera is facing.
  - e. Complete description of the camera.
  - f. Description of camera lens.
  - g. Exposure data.
  - h. Type of film.

## XXXVIII. Identification and Description of Persons and Property.

## A. Introduction.

1. The description of persons had not been a problem in history until man formed communities and then propagated his kind to a degree where one member of the community was not known by another member of that same community. As trade developed among people, and cities were formed near bodies of water, the number of strangers and foreigners increased in these cities.
2. To this was added the migration of those persons who left or were forced to leave their own community because of certain criminal transgressions that they had committed. There were also those persons who were attracted to the city to "seek their fortune."
3. Since this increased the possibility of one person not knowing the other, there was the tendency not to feel bound by tradition; nor was there the fear that every move was being watched by someone who knew you.
4. Naturally this resulted in an increase in crime, and also an increase in the possibility of getting away with criminal actions because of the general anonymity of the population. It was this anonymity that brought about the need for a good system of criminal identification; for crime had always been part of man's lot, but not anonymity.

## B. History of criminal identification.

1. Early criminal identification took several forms; one was to identify all criminals in general.
2. The first amounted to a complete physical description of the person, and the second involved branding or scarring the cheek or forehead of the criminal with a symbol indicating the type of offense committed.
  - a. The ancient Egyptians had a well developed system of identification by personal description that they used in identifying their criminals.
  - b. This inhumane system of branding criminals remained in our Christian world until the nineteenth century, when it was replaced by a system of personal description.

3. About the same time, the Rogues' Gallery was developed where criminals recently arrested were paraded in a gallery or courtyard for the public to view, in hopes that some citizen might recognize one or more of them as being responsible for some criminal action in which the citizen had been the victim or a witness. This later developed into a display of criminal photographs or "mug shots."
  4. In 1840, photography was introduced as a means of criminal identification, but due to a lack of control and standardization, it was not a very valid means of identification. There was no set position for the criminal to assume, and many times the subject would make faces or fight the process and would have to be held down by jailers while the picture was being taken.
  5. It was not until about 35 years later that Alphonse Bertillon standardized criminal identification photography, by setting up strict rules of position for the subject's head so that it would always be photographed at the same angle and from the same direction. Because of his work in this area, and in crime scene photography, he has often been referred to as the "Father of Criminal Photography."
- C. The Portrait Parle was a system of personal description which was also developed by Bertillon.
1. In his observations of prisoners and people in general, Bertillon noticed that there are more variations to the parts of the face and head than would be normally assumed.
  2. He took the main parts of the head such as the face, forehead, nose, ear, mouth, lips, chin, eyes, neck, hairlines, and the general shape of the head itself, and by closely examining them from both side and front views, found that there was a great variation in the particular parts of each section of the human head when one person was compared with another.
  3. By giving definitions to each peculiarity, such as the shape, angle, slope, color or relationship to something else, he developed his "Portrait Parle" or "speaking picture."
  4. The key to the use of Portrait Parle is the development in the officer of an awareness of the many differences that each part of the face has, and how it can be used to assist in making visual identification.
  5. When the author would begin a class in facial identification, he would have each student in the class write down the

description of another member of the class, and then hand the paper in with his name and the name of the subject. On the average, the paper would contain one paragraph.

6. After as little as four hours' training in Portrait Parle, the same students would fill out two full pages of physical description on one of their fellow students.
  7. Bertillon developed his breakdown of features into an almost infinitesimal degree; he classified the human eye as having 54 different color breakdowns.
  8. He was able to break the human ear down into so many different classifications that he claimed he could make identification of a person from just the ear alone. Recent scientific investigations have indicated that the human ear remains the same throughout life except if changed by injury or atomic radiation.
- D. The general breakdown of Portrait Parle is as follows:
1. The forehead.
    - a. The slope of the forehead.
    - b. The height of the forehead.
    - c. The width of the forehead.
    - d. The peculiarities of the forehead (wrinkles, etc.).
  2. The nose.
    - a. The root or bridge of the nose.
    - b. The line or curvature of the nose from the side view.
    - c. The base of the nose. The slant of the underpart.
    - d. The length of the nose, from root to base.
    - e. The projection of the nose - how far out from the face.
    - f. Width of the nose from the front view.
    - g. Peculiarities of the nose - marks, breaks, twists, etc.

## 3. The ear.

- a. Separation of the ear from head from the front view.
- b. Size of the ear compared to the head, from the side view.
- c. Shape of the ear from the side view - round, square, triangular.
- d. Position of the ear in relation to the eye, from a side view, whether high or low.
- e. Vertical set of ears, from side view.
- f. Lobes of the ear - their shape and how they connect to head.
- g. Slope of the ear - what angle is it on its axis.
- h. Peculiarities of the ear - scars, curls, deformation.

## 4. The mouth.

- a. Length of lips - from nose base to lip and from chin to lip.
- b. Thickness of the lips.
- c. Peculiarities of the lips.
- d. Width of the mouth.

## 5. Teeth.

- a. Size.
- b. Peculiarities.
  - 1) Discoloration.
  - 2) Spaces or missing teeth.
  - 3) Crooked teeth.
  - 4) Noticeable decay.
  - 5) Protruding teeth.

## 6. The chin.

- a. Slope of the chin from side view.
- b. Size of the chin.
- c. Shape of the chin.
- d. Peculiarities of the chin - dimples, scars, etc.

## 7. The face.

- a. Shape of the face.
- b. Peculiarities of the face - expression, boniness, high cheeks.
- c. The eyebrows and mustache - color, slant, thickness.

## 8. The head.

- a. Shape of the head - round, egg shaped, pointed, square.
- b. Size of the head in relation to the body.

## 9. The neck.

- a. Length of the neck.
- b. Width of the neck.
- c. Adam's apple shape - protruding, flat.

## 10. The shoulders.

- a. The slope from the neck down.
- b. The width.

## E. General description of persons.

- 1. The description of persons should follow a standard form. The purpose of this particular form is to make automatic the officer's procedure in obtaining information as to the description of persons.
- 2. When an officer takes a report where the description of a person is involved, and he uses a system, he can quickly see if he has forgotten to obtain a particular piece of

information. He simply runs down a list that he has memorized and checks it off in his notebook.

3. It is very important that this be a habit reaction, because at many crime scenes an officer is under great pressure from the victim and witnesses, and the excitement of the scene can easily lead him to forget something. When emotion blocks our thinking, we have to rely on good habits.

#### F. General forms for persons.

1. Name (nickname).
2. Sex.
3. Race.
4. Age.
5. Height.
6. Weight.
7. Hair.
8. Eyes.
9. Complexion.
10. Physical marks (scars, limp, mustache).
11. Clothing from head to foot.
  - a. Cap or hat.
  - b. Shirt and tie.
  - c. Jacket or coat.
  - d. Dress or trousers.
  - e. Shoes.
12. Jewelry and glasses.

#### G. Breakdown.

1. To help in remembering the particular order, a memory aid might be of some assistance. Since the form is basically broken down into two sections, two aids can be used:

- a. N-S-R-A (Name, sex, race and age).

Numb-Skulls-Rarely-Agree

- b. H-W-H-E-C-P-C-J (Height, weight, hair, eyes, complexion, physical marks, clothing and jewelry).

Have-We-Had-Escaping-Criminals-Pull-Cunning-Jobs

2. Filling in the form.

- a. Name: the name can be the full name if known, or the first name if overheard, or the nickname.
- b. Sex: although this would seem simple, there are many cases where one sex had dressed as a member of the opposite sex to throw off detection. In these cases there is usually something about the perpetrator that makes the victim a little unsure.
- c. Race: race should include apparent race and also nationality if it is noticeable through accent or dress. Sometimes terminology will reveal nationality.
- d. Age: age presents one of the greatest problems in identification, and is an area where much error is found.
  - 1) If the perpetrator is of another race, it makes it more difficult.
  - 2) Probably the best method of determining age is to find another person who looks about the same age as the perpetrator and ask him what his age is.
  - 3) Otherwise it is best to stick to general age groups such as middle-aged or elderly.
- e. Height: most people, including police officers, are bad judges of height. The best way to determine height is to establish approximate height by the officer's moving his hand up and down in front of him

until the victim indicates an approximate height. Another way is to have the victim point out another person of the same or approximate height.

- f. Weight: weight is similar to height in regard to difficulty of judgment. Probably the best method is by comparison of the perpetrator to another person of similar build.
  - 1) Weight-guessing can become very accurate as is evidenced by carnival weight guessers, but the average citizen has not developed this skill.
  - 2) An officer should be satisfied if he can obtain a general description such as thin, medium or fat.
- g. Hair: the description of hair should be detailed. The average police officer will accept a description of "Blond" as sufficient. The description of the hair should contain the following:
  - 1) Color, including streaks.
  - 2) Thickness and baldness. It should include exact location of baldness.
  - 3) The texture such as kinky, curly or straight.
  - 4) The style and part. Crew cut, or location of part, if any.
- h. Eyes: the description of the eyes should contain more than just the color. If the eyes protrude or bulge, it should be included in the description, along with size of the eyes, bags under the eyes, watery eyes, or bloodshot eyes as accompanies a cold; cross-eyes, missing eye, slant of eyes or squinting eyes.
- i. Complexion: complexion should include the color of the skin, such as fair, dark, ruddy, chalky, pale, and with negro, should contain the degree of darkness, such as black or chocolate. It should also include presence of birthmarks, freckles, pockmarks, blackheads, and pimples, and should list their location, number and degree.
- j. Marks: physical marks should include scars, limps, deformities, mustache, beard, teeth, etc., and should

include a detailed description as to exact location and degree.

- k. Clothing: the description of clothing should include the color, style, shape, condition and arrangement and type of material.
    1. Jewelry and glasses: the jewelry should include color, material, stones, where worn and design; and glasses should include the description of the frame, such as style, color, and material, and the lenses should be described as to thickness and, if it is noticed, whether they are bifocal or not. Sometimes glasses have designs on the frame; this should also be noted.
- H. Description of property.
1. Quantity of the article.
  2. Kind of article.
  3. Physical description.
    - a. Model.
    - b. Style.
    - c. Design.
    - d. Shape.
    - e. Size.
  4. Material (gold, silver, wool, etc.).
  5. Color.
  6. Condition, including age.
  7. Value.
  8. Trade name.
  9. Identifying numbers, initials, marks.

## I. Reports.

1. If this description were adhered to, it is estimated by some that recovery rates of stolen articles would be greatly increased.
2. Every year police departments auction off huge supplies of stolen and lost items that cannot be returned to the rightful owners due to lack of description in the reports that could possibly identify the articles with the owner, who may be in another part of the state.
3. All such reports go to the State Police and if the description were complete, this central organization would be able to notify the owner or the reporting police department that the property might possibly be at a certain location.
4. Should there be a number of articles that must be described in the report, the officer should give each one a number. Should it ever be located in another part of the state, it may be referred to by report or case number, and then the item number. This would save the finding agency's listing the whole description when referring to it.

## J. Description by article.

1. Firearms:

- a. Manufacturer's name and model.
- b. Type, such as single or double action revolver, semi-automatic, etc.
- c. Caliber, or gauge.
- d. Barrel length.
- e. Serial number.
- f. Finish (nickel plated, blued)
- g. Stock (pearl, ivory, wood and color)
- h. Engravings.

2. Watches:

- a. Manufacturer's name.
- b. Movement (e.g., Swiss).

## c. Type of watch:

- 1) Men's or women's.
- 2) Wrist, pocket, lapel, pendant.

## d. Case numbers.

## e. Marks or initials - monograms.

## f. Metal or material.

## g. Number of jewels.

## h. Number of stones and description.

3. Rings:

## a. Man's, woman's, or child's.

## b. Kind of metal or other material.

## c. Mounting and setting.

## d. Plain or engraved.

## e. Jeweler's or manufacturer's code mark.

## f. Engraved initials or inscriptions.

## g. Size of ring.

## h. Weight of stones and value.

4. Silverware:

## a. Kind.

## b. Trade name.

## c. Number of articles.

## d. Design.

## e. Code marks.

## f. Solid or plated.

## g. Engraving or initials.

h. Condition.

i. Value.

5. Cameras:

a. Name of manufacturer.

b. Type and model.

c. Size of film used.

d. Still or movie.

e. Serial number.

f. Color.

g. Covering materials.

h. Attachments (e.g., light meter as part of camera).

i. The lens description (the most valuable part of the camera).

1) Serial number.

2) Make.

3) Size.

4) Type.

6. Clothing:

a. Kind (suit, dress, hat, undergarments, overcoat).

b. Man's, woman's, or child's.

c. Manufacturer's name.

d. Trade name.

e. Size.

f. Style.

g. Material.

h. Color.

i. Age and condition.

j. Where purchased.

k. Laundry or cleaners where clothing was taken (to obtain their ultraviolet marking).

l. Any repairs or alterations.

K. Property lists.

1. Every citizen should keep a list of all the valuables owned and the serial numbers for those articles, along with a description of each article. Very few people actually do this, and when some of their articles are stolen, they frantically try to obtain the serial number from some other source, which is extremely difficult if not impossible.

2. A carbon copy of the list should be made so that one copy may be placed in the home, and the other at work or in a safe deposit box. This procedure doesn't take long and might eliminate any problems in the event the original list is misplaced or destroyed.

L. Photographs or pictures of property.

1. Because the average citizen who has been victimized by theft or burglary seldom knows the exact model number or style of most of the items taken, the officer might suggest to him that he try to obtain a photograph or magazine picture of the same model.

2. Most of the items that we buy today are advertised in one way or another, and usually with an accompanying picture or photograph. If the victim can find an advertisement in a magazine, newspaper, or catalogue, he could bring it, or mail it to the police department, and it can then be stapled to the offense report.

3. Many times a burglar is arrested, and in searching his home or garage, hundreds of items are discovered that have been stolen from numerous places.

4. In talking to the burglar, he might state that he has committed so many jobs, he can't honestly remember where each item was taken.



5. Without a full description from the victim on the offense report, it is difficult to identify the items with their rightful owners.
6. However, if a picture of the article was attached to the offense report, the task of matching the recovered articles with those reported stolen would be much easier. The Chinese proverb which states that "one picture is worth a thousand words" could well apply here.

## XXXIX. Sources of Information.

- A. An officer cannot possibly see everything that goes on in his area of patrol, but he can use other people to obtain more information.
- B. Every effort should be made to obtain information from those people in the area of patrol who will have various types of information.
- C. Obtaining information is a skill and can be done without endangering public relations if the officer has a basic knowledge of human nature.
- D. The following is a list of those persons in the field who should be developed as sources of information. Get to know these people. They see many people and things.
  1. Theater doormen and cashiers.
  2. Restaurant waitresses and cashiers.
  3. Hotel doormen and clerks.
  4. Cab drivers.
  5. Shoeshine boys.
  6. News vendors.
  7. Bartenders.
  8. Milkmen, mailmen, and other delivery personnel, including paper carriers.
  9. Children in the neighborhood.
  10. Security police.
  11. Gas station attendants.
  12. Older or retired people.
- E. When you contact your sources of information let them know a little of your problem and how they can help you. Be courteous and respectful.
- F. A good police officer should have the ability to converse with all types of persons, at any time and on any subject, with the ultimate purpose of gathering information useful to himself and/or the department.

## XL. Surveillance Techniques.

- A. Definition. Surveillance is the secretive and continuous watching of persons, vehicles, places or objects to obtain information concerning the activities and identities of individuals.
- B. Types. There are two general types of surveillance. They are:
  - 1. Moving surveillance - the investigator follows the subject on foot or in a vehicle.
  - 2. Stationary surveillance - the continuous watching of a place, object or person from a fixed point.
- C. Objectives. There are certain objectives in surveillance. They are:
  - 1. To obtain evidence of a crime.
  - 2. To locate persons by watching their haunts and associates.
  - 3. To obtain detailed information about a subject's activities.
  - 4. To check on the reliability of informants.
  - 5. To locate hidden property or contraband.
  - 6. To obtain probable cause for obtaining search warrants.
  - 7. To prevent the commission of an act or to apprehend a subject in the commission of an act.
  - 8. To obtain information for later use in interrogation.
  - 9. To develop leads and information received from other sources.
  - 10. To know at all times the whereabouts of an individual.
  - 11. To obtain admissible legal evidence for use in court.
- D. Desirable general qualities for surveillance officers:
  - 1. Ordinary appearance. Any outstanding physical characteristics may attract the subject's attention.

- 2. Ability to act natural under all circumstances.
- 3. Alertness.
- 4. Resourcefulness.
- 5. Good powers of observation and memory.
- 6. Patience and endurance.
- E. Preparation for surveillance should be made by the officer.
  - 1. The officer should study related files for information leading to:
    - a. Subjects.
      - 1) Names and aliases.
      - 2) Detailed description, including photos if available.
      - 3) Identifying characteristics and mannerisms.
      - 4) Identities and descriptions of known or suspected contacts or associates of subjects.
      - 5) Habits and normal routines.
      - 6) Subjects' probable suspicions and estimated ability to elude surveillance.
      - 7) All other background information on subjects.
    - b. Type, scope and extent of crimes known or suspected to be involved in the case.
    - c. Type of neighborhood.
      - 1) Type of inhabitants.
      - 2) Dress of inhabitants.
      - 3) Language and dialects.
    - d. Specific locations and places known or suspected to be involved in case.
      - 1) Meeting places and hangouts.
      - 2) Caches.

- 3) Hideouts.
- 4) Addresses frequented by subjects.
- e. Vehicles involved in case.
  - 1) Descriptions and license numbers of vehicles.
  - 2) Subjects' driving habits.
  - 3) Garage and repair facilities frequented.
  - 4) Streets and routes frequented.
- 2. Reconnaissance (should be used to supplement file information).
  - a. If practical, the subjects should be pointed out to the surveillance officers by someone familiar with their identities.
  - b. Make a physical survey to determine:
    - 1) Geography.
    - 2) Background information on neighborhood and inhabitants not available in files.
    - 3) Suitable vantage points.
    - 4) Traffic conditions.
    - 5) Familiarity with names and locations of streets in area, including locations of dead-end streets, etc.
- 3. Appearance of surveillance officers is important to the success of the operation.
  - a. Must maintain dress and demeanor of local people. Appear natural at all times.
  - b. Avoid conspicuous jewelry or other distinctive articles.
  - c. Beware a bulging of concealed weapons.
  - d. Avoid a sleuthing manner, grotesque disguises, jumping behind trees, quick movements in traffic

while in sight of subject or peeking around corners; don't get caught staring at the subject and avoid meeting his eyes.

- e. A slight change in surveillant's appearance from time to time may prevent recognition by the subject.
  - 1) Changing headdress.
  - 2) Glasses.
  - 3) Jackets.
- 4. Funds will be needed periodically by the officer, depending on the case.
  - a. Always carry sufficient money to defray contemplated living, transportation, etc., expenses.
  - b. Maintain a standard of living in keeping with the area concerned.
  - c. Carry a reserve of funds for emergencies.
  - d. The denominations and Federal Reserve Bank issuing paper money should be in keeping with the local conditions.
- 5. Orient all personnel with the entire background of the investigation and proposed surveillance.
  - a. Set hours of surveillance.
  - b. Weekly meetings.
- 6. Discreetly arrange for rooms or locations needed for observation or as listening posts.
- 7. If several officers are to engage in surveillance, a system of tactics should be agreed upon to determine the duty of each officer in any eventuality.
- 8. Signals suitable for communicating information between the surveillance officers should be devised and thoroughly understood by all participants.
- 9. When more than one officer is engaged in a surveillance, one of the participants should be designated as "officer in charge".

10. If the surveillance is likely to be lengthy, arrangements should be made for suitable reliefs.
11. A secure system of communicating with headquarters or superiors should be prearranged and a central coordination point should be established to enable officers to keep in touch with each other.
12. If dogs may be encountered, place shavings from the frog of a horse's hoof in pants cuff to pacify them or carry scraps of meat for this purpose.
13. Prepare explanations for being at a particular place at a particular time, if accosted by the subject.

F. Surveillance methods. There are generally five accepted means of conducting surveillance. They are:

1. One-man foot surveillance.

- a. Surveillance is extremely difficult for one man and should be avoided if possible.
- b. The subject must be kept in view at all times.
- c. One-man surveillance will usually be very close and somewhat dependent on pedestrian traffic and physical characteristics of the area.
- d. When walking on the opposite side of a street, the officer should keep almost abreast of the subject.
- e. It is necessary at all times to be close enough to observe the subject immediately if he enters buildings, turns corners or makes similar sudden moves.

2. Two-man surveillance.

- a. The use of two officers affords greater security against detection and reduces the risk of losing the subject.
- b. On streets crowded with pedestrian and vehicular traffic, both surveillants should normally remain on the same side of the street as the subject.
  - 1) The first officer trailing the subject fairly closely.

- 2) The second officer trailing the first agent some distance behind.
  - c. On less crowded streets, one officer should normally walk on the opposite side of the street nearly abreast of the subject.
  - d. In order to avoid detection, the two officers should make periodic changes in their position relative to the subject.
3. Three-man surveillance (ABC) method (see figure 1).
- a. The use of three officers reduces still further the risk of losing the subject and under ordinary conditions affords still greater security against detection.
  - b. The three-man method permits a greater variation in the position of the officers and also permits an officer who suspects he has been spotted by the subject to drop out.
  - c. Use of the ABC method under normal traffic conditions:
    - 1) The "A" officer keeps a reasonable distance behind the subject.
    - 2) The "B" officer follows "A" and concentrates on keeping "A" in view.
    - 3) The "C" officer walks on the opposite side of the street slightly behind the subject.
    - 4) The "B" officer is also responsible for detecting any confederate of the subject being utilized to detect surveillance.
  - d. Use of the ABC method on streets with little or no traffic:
    - 1) Two officers may be on the opposite side of the street.
    - 2) Or one officer may be in front of the subject.
  - e. Use of the ABC method on very crowded streets.
    - 1) All three officers should generally be on the same side of the street.

- 2) The leading officer should follow very closely to the subject to observe his actions at intersections or if he enters buildings.
- f. As in the two-man method, the officers should frequently alter their positions relative to the subject.
- g. Under normal traffic conditions, when the subject approaches a street intersection, the "C" officer (across the street) should lead the subject and should reach the intersection first. By pausing at the corner, or crossing the street and turning in the same direction as the subject, the "C" officer can watch the subject and signal to "A" and "B" the subject's actions after he has passed from sight. If he signals that the subject has stopped, the "A" officer should cross the intersection before proceeding in the direction the subject did when he turned the corner. If the subject pauses several moments, both the "A" and "B" officers may have to proceed to a point out of his view and rely on the "C" officer to signal them when the subject continues on his way. Regardless of whether the subject stops or not, his turning a corner can be utilized for rotating the position of the officers.
4. Progressive or "leap frog" method of surveillance.
  - a. Use of this method is not too common because of the time involved and the poor chances of obtaining good results.
  - b. It involves the observation of the subject as he progresses along a certain route, with the officer stationing himself at a fixed point until the subject disappears from view.
  - c. If the subject follows the same route each day, his destination can be determined without following him if the officer stations himself each day at the spot where the subject disappeared the previous day.
  - d. Disadvantages:
    - 1) No assurance that subject will follow same route each day.
    - 2) No assurance that subject will go to same destination each day.

- e. This method may be of value in locating hideouts or meeting places where the risk of actually trailing the subject is too great.
5. Combined foot-auto surveillance.
  - a. This method involves surveillance on foot by one, two or three officers and additional surveillance at the same time by one or two officers in an automobile.
  - b. By use of this method, officers will always be assured of transportation if the subject should board a bus, streetcar or taxicab.
  - c. Several officers can also ride in the car, and the officers on foot can change frequently to avoid detection.
  - d. Caution must be exercised in the operation of the automobile as a slow-moving car may become conspicuous.
- G. Foot surveillance problems commonly encountered by the officer.
  1. Subject enters building.
    - a. Ordinarily, at least one officer should follow the subject unless the building is of such a type that the entry would expose the officer. (Private home, small shop, etc.)
    - b. In the case of large public buildings with many exits, all officers should follow the subject into the building.
    - c. In some buildings where the subject might be lost easily, it may be advisable for one officer to remain in the lobby or at a door to spot the subject as he leaves the building.
  2. Subject enters an elevator.
    - a. If the subject is the lone passenger and has reason to suspect surveillance, it may be best not to accompany him into the elevator, but rather watch the indicator for the floor stop and then proceed to that floor to try to pick up the subject's route.
    - b. In other cases, one or two officers may accompany the subject, wait for him to announce his floor and

then ask for a higher or lower floor and use the stairs to get to the subject's floor and attempt to pick up his trail.

- c. At all times one officer should be left in the lobby since the subject may be using the elevator in an attempt to elude surveillance.

3. Subject enters restaurant.

- a. At least one officer should enter behind the subject, order approximately the same amount of food and be alert to note any contacts made by the subject.
- b. If possible, the officer should pay his check before the subject does so that he can be ready to leave with him.
- c. In some cases it may be desirable for the officer to leave shortly before the subject and wait for him outside.

4. Subject boards a streetcar, bus or subway.

- a. At least one officer should board the same car or bus and sit behind or at least on the same side as the subject.
- b. If an officer should miss the streetcar or bus or should fear that by boarding it he might make the subject suspicious, he may hire a taxi to follow the car for the full distance or follow by taxi for a few blocks, overtake and then board the vehicle.
- c. The ideal practice is for one officer to board the car or bus and for the others to follow in a surveillance automobile.

5. Subject takes a taxicab.

- a. If trailing by another taxi or by surveillance automobile is impossible or impractical, the officer should make a note of the time, the place, the name of the cab company and the license number or cab number.
- b. The subject's destination can be determined later by checking with the driver or the company office.

- 6. Subject enters a telephone booth. One officer should endeavor to overhear the conversation by pretending to make a call from an adjacent booth or by pretending to look up a number in the directory.

7. Subject takes a train, boat, plane or long-distance bus.

- a. Whether an officer will follow his subject on any trip usually depends upon the indicated length of the trip and the instructions he has received from his superior.
- b. The subject's destination may be learned by listening while he is buying his ticket, by questioning the ticket agent or by contacting the conductor of the train.
- c. The possibility of examining the subject's luggage in the railroad station or on the train should not be overlooked.

8. Subject enters a theater, race track or amusement park.

- a. All officers should normally follow the subject.
- b. The regular admission charges should be paid and credentials should be used only as a last resort.
- c. Officers must follow the subject closely in order not to lose him in the crowd.
- d. In darkened theaters, the subject must be closely watched and, if possible, one agent should sit directly behind subject to avoid losing him. The exits should also be covered to avoid losing him.

9. Subject meets a contact.

- a. A complete, detailed description of the contact should be noted, together with time and place of the meeting.
- b. If possible, the contact should be photographed.
- c. If practical, attempts should be made to overhear the conversation.
- d. The subject's attitude toward the contact should be noted.

## 10. Subject registers at a motel.

- a. The subject's room number may be obtained from the manager, house detective or room clerk.
- b. If the hotel management is cooperative, it may be possible to procure a room near the subject's which can be used as a base for technical surveillance.
- c. All outgoing telephone calls made by the subject will normally be recorded by the hotel's switchboard operator, and such records should be examined for leads.
- d. The possibilities of trash coverage and surreptitious entry should not be overlooked.

## 11. Officers lose subject.

- a. The officer in charge should be immediately notified.
- b. Known hangouts or addresses frequented by the subject should be placed under observation immediately in an effort to find him.
- c. It is generally advisable to station an officer in the area where the subject was last seen, as he may reappear there after a short time.
- d. Phone calls may be made to subject's home or places frequented by the subject under a pretext and will often yield information of subject's whereabouts.

## 12. Subject discovers officer.

- a. If an officer is recognized by the subject as a surveillance agent, he should normally drop out and be replaced by another officer.
- b. In some cases where concealment of any investigative activity is paramount, surveillance should be stopped as soon as the subject is known to suspect surveillance.

## 13. Decoys may be employed by the subject being followed.

- a. A clever subject who has discovered that he is under surveillance may not reveal his discovery to his surveillants, but may attempt to "shake" them from his trail by means of false contacts or decoys.

- b. For example, a subject may leave a briefcase or package full of worthless papers or materials with a contact and thus cause unwary officers to redirect or discontinue their surveillance, thus leaving him free to make his real contacts unobserved.

## 14. Traps may be laid in an effort to abort any surveillance operations.

- a. A subject may attempt to lure an officer into a trap.
- b. A thorough knowledge of the locality, coupled with good judgment and the alertness to realize when trailing becomes suspiciously easy, is a good defense against traps.

## H. Detection of foot surveillance by one being followed.

- 1. A subject who is suspicious of being under surveillance may resort to trickery in order to verify his suspicions.
- 2. When a subject resorts to such trickery, it is good policy to change officers, for the subject may have spotted one or more of his followers.
- 3. Common methods used by suspects to test for trailing.
  - a. Stopping abruptly and looking at people in the rear.
  - b. Casually looking around.
  - c. Reversing course and retracing steps.
  - d. Boarding buses and streetcars and alighting just before they start.
  - e. Riding short distances on buses and streetcars.
  - f. Circling the block in a taxi.
  - g. Entering a building and leaving immediately via another exit.
  - h. Stopping abruptly after turning a corner.
  - i. Using convoys.
  - j. Watching reflections in shopwindows.



- k. Walking slowly and rapidly at alternate intervals.
- l. Dropping a piece of paper to see if anyone retrieves it.
- m. Stopping to tie shoestring, meanwhile looking around for surveillants.
- n. Arranging with a friend in a shop, tavern or other places to watch for surveillants.
- o. Observing from a window or roof across street with spyglasses to see if equipment or likely persons are visible in rooms adjacent to subject's room.
- p. In hotel lobbies and similar places, watching for persons peeking over or around newspapers and watching in wall mirrors to see who is unusually observant of persons coming and going through lobby.
- q. Starting to leave a hotel lobby or similar place quickly, then turning around suddenly to see if anyone else has jumped up without any apparent reason or objective.
- r. In hotel room where doors do not go all the way to the floor, looking for suspicious wires or equipment when passing rooms adjacent to his.
- s. The subject or an associate may attempt to be near enough to the hall doors of rooms adjacent to his in order to get a quick look inside when someone happens to open the room door.
- t. Subject may open and close his hotel room door to indicate that he has left the room, then wait inside the room with the door ajar. If anyone leaves an adjoining room, the subject then actually leaves his room in an ordinary manner and rides down the elevator with his neighbor while committing his appearance to memory.
- u. Subject may pretend to leave his hotel room, then remain quiet for a while to see if typewriting, talking or other noises begin to occur in an adjoining room and then suddenly disappear or change to whispers upon evidence that subject is in room.

- I. Eluding foot surveillance - common methods used by cunning subjects to elude followers.
  - 1. Jumping off a bus, streetcar or subway just as the doors are about to close.
  - 2. Leaving a building through the rear or side exit.
  - 3. Losing oneself in crowds.
  - 4. Entering theaters and leaving immediately through an exit.
  - 5. Pointing out one's surveillant to a policeman, who will generally require the officer to explain his actions.
  - 6. Using decoys.
  - 7. Using traps.
  - 8. Taking the last taxi at a stand.
  - 9. Changing clothing.
- J. Methods of automobile surveillance commonly used in an operation.
  - 1. One-car surveillance.
    - a. If only one car is available for surveillance, its position should be behind the subject's car, the distance varying with the amount of traffic in the area.
    - b. In city traffic, not more than two vehicles should be permitted to come between the subject's car and the surveillance vehicle.
    - c. The surveillance car should keep toward the right rear of the subject's car in order to minimize the chance of attracting the subject's attention.
    - d. In rural areas, it is wise to give the subject a good lead and if intersections and road forks are few and far between, the lead can be extended to a point where the subject may even be lost from sight over hills or around curves. When practical, keep another car between officer's car and subject's car.

- e. At night, the surveillant's car should not ordinarily have its headlights on high beam, and all other unnecessary lights on the car should be extinguished.
- 2. Two-car surveillance.
  - a. In city areas during daylight hours, both cars should ordinarily be behind the subject's car.
  - b. Occasionally one car may operate on a known parallel route, timing itself to arrive at intersections just before the subject in order to observe his route at the intersections.
  - c. This method is recommended for use at night and in suburban areas.
- 3. Three-car surveillance.
  - a. By the use of three surveillance cars, more use can be made of parallel routes, and the positions of the cars can be changed frequently enough to prevent discovery of the surveillance.
  - b. One car may be used to lead the subject and can observe the latter through the rear-view mirror.
- 4. Leapfrog surveillance with cars (see figure 2).
  - a. Cars are stationed at intervals along a known route and after the subject's car has been observed to pass a surveillant's car, the officers proceed and pass the subject's car at sufficient speed to permit them to take up a new position beyond the other official cars and thus keep progressive checking on the suspect without actually following his car.
  - b. This method has the disadvantage that the subject may not take the expected route or may turn off a route between the observation points of the surveillant cars.
  - c. This method may be useful in locating hideouts, stills, counterfeiting plants, etc., where tailing by car is not practical.

## 5. Techniques of moving surveillance.

- a. Keep in constant radio communication with other surveillants. Officer with primary observation post should keep a steady stream of information on the air.
    - 1) Provide one man per vehicle if possible.
    - 2) Two men give a first impression of being police officers and sometimes distract each other from the mission at hand.
    - 3) A second or "jump" man is desirable in some cases.
  - b. Explain "caravan method" of moving surveillance.
    - 1) First car behind subject should not make any turns.
    - 2) Second car has primary responsibility for maintaining observation.
    - 3) Other cars may parallel or make turn behind subject.
    - 4) Change first car often.
    - 5) Surveillants change appearance after moving from primary position.
    - 6) Do not pass subject.
    - 7) Drop out of surveillance temporarily if the subject makes direct visual contact.
  - c. In lonely residential areas a "bracketing" method should be used. This consists of driving on intersecting streets without getting behind the subject.
- ## 6. Tampering with subject's automobile.
- a. Occasionally it may not be possible to secure a surveillance car capable of matching the speed of the subject's car, and the subject's car may be slowed down by:

- 1) Cutting the supply of gas into the carburetor.
  - 2) Loosening the spark plugs.
  - 3) Bending the exhaust pipe until it is partially closed.
- b. The subject's car can also be more easily distinguished at night by inserting a stronger bulb into its taillight or by removing the red lens from the light.
7. Use of radio equipment in car surveillance.
- a. Two-way shortwave radio communication between two surveillance cars affords an ideal means of conducting auto surveillance.
  - b. It facilitates the use of parallel routes by vehicles and the interchange of positions.
  - c. Surveillance cars with radios should be equipped with antennas that appear to be standard commercial automobile radio antennas.
- K. Detection of automobile surveillance by the followed subject. As in the case of foot surveillance, a subject who believes he is being followed may resort to trickery in order to verify his suspicions, as follows:
1. Alternate fast and slow driving.
  2. Committing flagrant traffic violations, such as making U-turns, driving against traffic on one-way streets and running through red lights.
  3. Frequent parking.
  4. Driving into dead-end streets.
  5. Stopping suddenly around curves or corners.
  6. Pulling into driveways.
  7. Speeding up a hill, then coasting slowly down.
  8. Possibly having a sweeping pattern.

- L. Eluding automobile surveillance and how it's done - common methods used by suspicious suspects:
1. Committing traffic violations.
  2. Using double entrance to driveways - in one and out the other.
  3. Cutting through parking lots.
  4. Driving through congested areas.
  5. Using decoys and traps.
  6. Deserting the vehicle beyond a blind curve or corner, but permitting the driver to drive on as a decoy.
- M. Fixed surveillance and methods of conducting an operation of this type.
1. During observation from a "plant," surveillance agents must be extremely careful not to reveal their activity.
    - a. Observation through a window or other aperture should be conducted so as to be unnoticed from the outside.
    - b. Venetian blinds afford the best coverage, but may appear to be out of place in some buildings.
    - c. An alternative is to lower the roller of draw shades another inch from the top of the window, thereby providing a small slit through which surveillants may observe without being noticed from the outside.
    - d. Officers should not peer around curtains or shades.
  2. Binoculars are generally essential equipment in the plant, as they facilitate positive identification of persons entering or leaving a place under observation.
  3. A still or a motion picture camera with a telephoto lens can also be used effectively.
  4. A snooper-scope may be of use for important surveillance after dark.

**CONTINUED**

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## 5. Notes.

- a. Take careful notes of observations including detailed descriptions of all individuals entering the target.
- b. A chronological log is usually the best method of recording pertinent occurrences.

## N. Surveillance of premises.

- 1. A surveillance of a premise usually entails the use of a base of operation or "plant," such as a room, apartment, house or camouflaged outdoor fixture located near the base of operation.
- 2. A fixed "plant" should afford a maximum observation of all entrances and exits of the premises under observation and should have an exit to permit officers to enter or leave without coming under observation from the observed premise.
- 3. The "plant" should be so set up that other occupants of the same building are not aware of the use to which the "plant" is being put.
- 4. If a fixed "plant" cannot be set up, a camouflaged outdoor fixture such as a vendor's stand may be set up, or officers with an appropriate "cover" may be sent into the area.

## O. Use of equipment in surveillance.

- 1. May be a great asset under appropriate conditions.
- 2. Additional devices and aids.
  - a. Microphone installations will often produce information of great value.
  - b. Use of fluorescent powders and other telltale chemicals may help to establish the presence of a suspect at the crime scene or identify persons handling certain property.
  - c. Reflecting sunglasses will enable an officer to observe the actions of a subject behind him without arousing suspicion.
  - d. In some cases, the use of airplanes or helicopters may be advantageous in a surveillance operation.

## e. Automobiles for surveillance.

- 1) Should not be conspicuous.
  - 2) Should have two-way radio.
  - 3) Should carry binoculars (7 x 50 preferred).
  - 4) Should be occupied by two men.
    - a) One to drive.
    - b) One to observe and take notes.
    - c) Second officer may also take over surveillance on foot if needed.
  - 5) Avoid accidents.
  - 6) Change seating arrangements from time to time.
  - 7) Carry woman's hat and scarf for disguise.
  - 8) Change license plates from time to time. Have suppressed plates.
  - 9) Install switch for darkening taillight.
  - 10) Carry reserve supply of gas.
  - 11) Carry a bottle for urination.
  - 12) Prepare for emergencies by carrying food, raincoats, tire chains, etc.
  - 13) In some cases, fluid or powder leaking from the subject's car trunk or a container under the car may be helpful in following the automobile route taken by the subject.
  - 14) Drive and park naturally.
- f. Personal kit - duffle bag containing change of headress, including caps, babushkas, wigs, etc., and other paraphernalia.

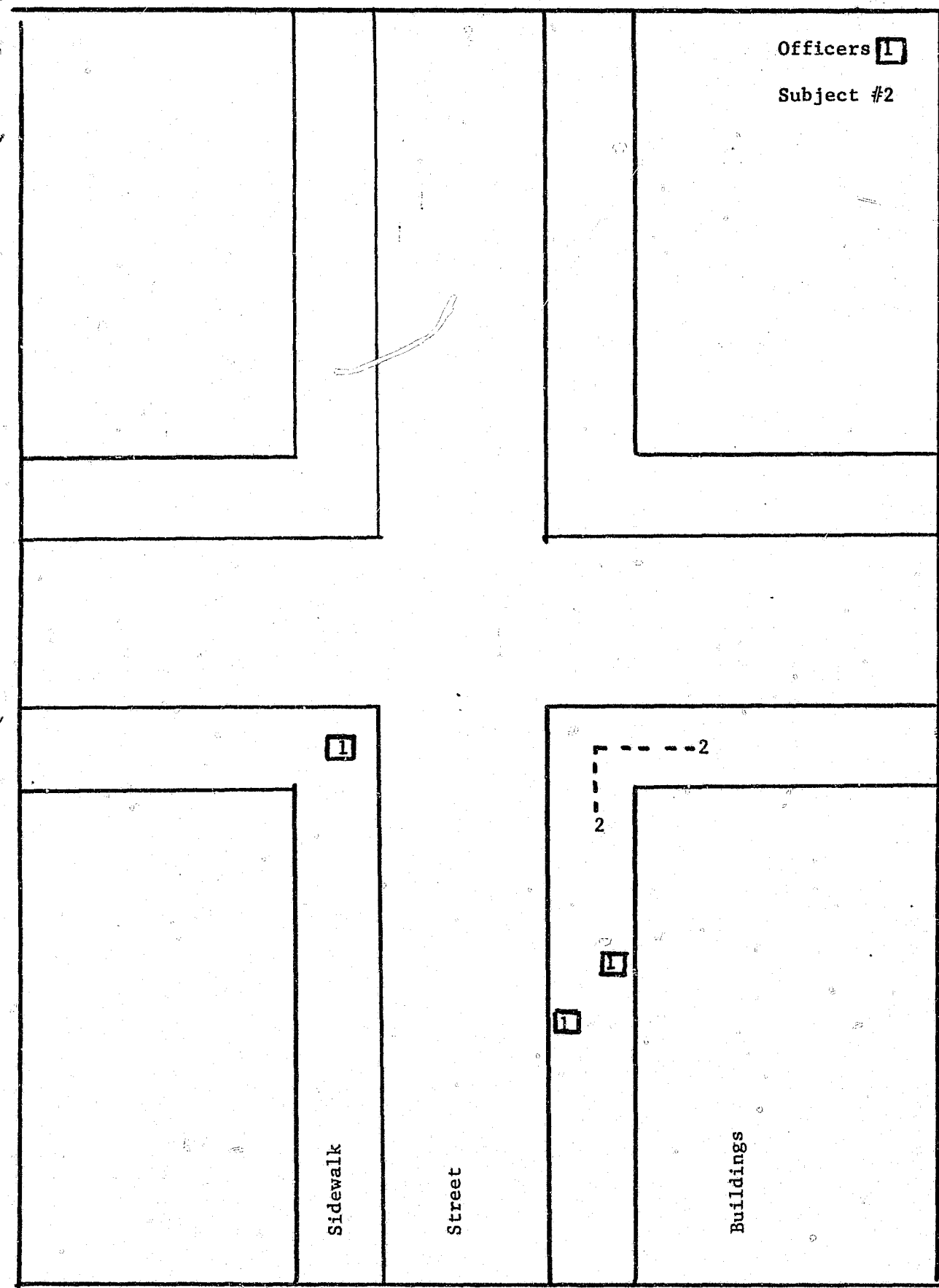


Figure No. 1 Foot Surveillance

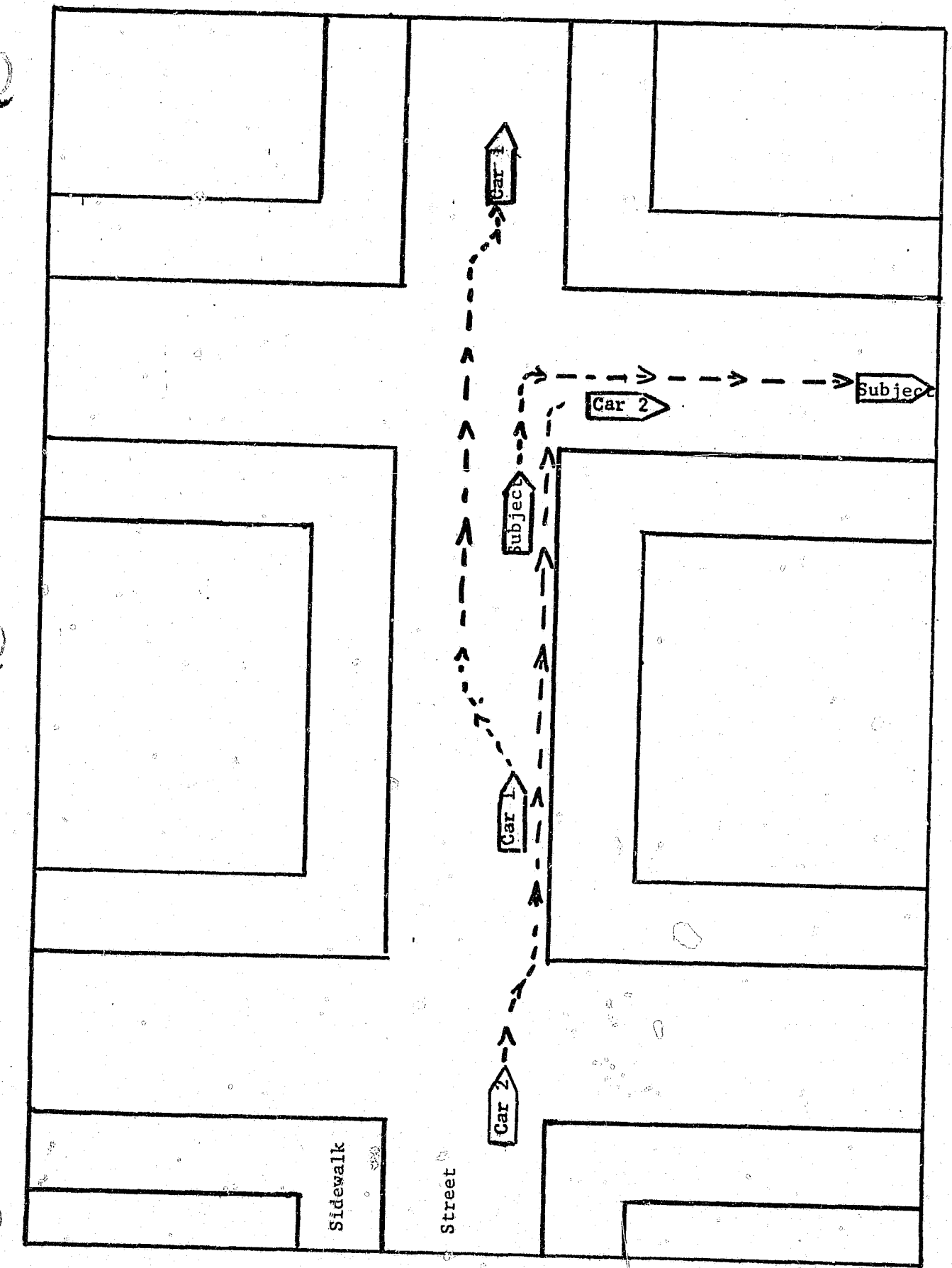


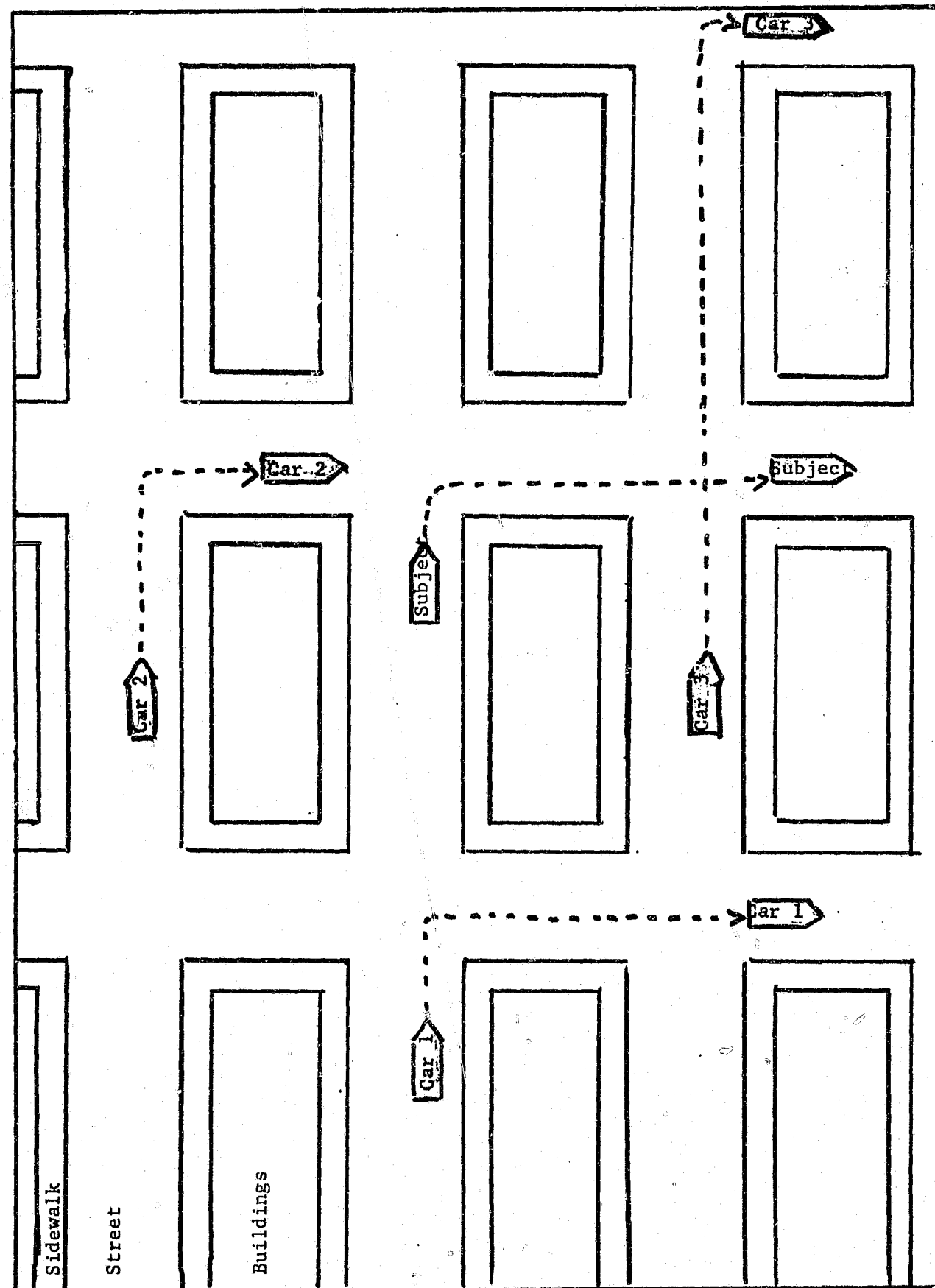


Figure No. 2 Leap Frog Method

Subject   
Officers 





Officers.   
 Subject 

Figure No. 3 Parallel Method

## XLI. Courtroom Testimony and Demeanor.

### A. Introduction.

Police officers are often called upon to testify in the courtroom. This testimony amounts to sensory perception on the part of the officer. Court testimony is the giving of evidence before a judicial magistrate in a civil or criminal trial or hearing. The officer's testimony will often indicate the quality of his work in the field, for it will be subject to cross-examination by the defense attorney. As an active participant in the American system of jurisprudence, the modern police officer should not fear his role in the constant search for justice. He must realize that true justice will never be attainable, yet he must strive for true justice as though it were attainable. The courtroom is a stage and a police officer must know that a good performance may well affect the verdict.

### B. Problems in courtroom testifying for the officer.

1. The officer may feel he has a personal or vested interest in the outcome of the case.
  - a. It is natural for the officer to take a personal interest in the case.
  - b. It is also natural for the officer who has worked on a case to believe firmly in a conviction.
  - c. The officer must not forget that justice is not the product of one person's opinion and that the democratic court system is designed to protect persons and their rights from the opinions and the convictions of one person or one group.
2. The officer might experience fear in testifying.
  - a. Court testimony is an essential part of the officer's job but is usually not a pleasant task because of the pressures and tensions an officer finds himself subjected to when on the stand.
  - b. Testifying can be even more unpleasant when the officer finds himself in the position of being ignorant of his true role in the proceedings, and lacks the understanding of court procedures.



- c. The officer will probably experience certain physical reactions which are instinctive in nature, preparing him for two types of actions:
- 1) Fight - fighting the things causing the impending danger.
  - 2) Flight - fleeing the things causing the impending danger.
- d. These reactions are caused by instinctive bodily changes which take place.
- 1) The body becomes alert. Adrenal glands pour adrenalin into the bloodstream, stimulating muscular reactions and developing extra energy.
  - 2) Blood starts draining from the extremities toward the vasocenter of the body, which is a protective reaction that prevents bleeding to death in the event of injury to the limbs and extremities.
  - 3) This reaction, in addition, causes dryness in the mouth and a dropping of body temperature because of the lack of blood in the extremities to warm the tissues. There may be slight chills.
  - 4) Without an active outlet, this bodily reaction is expressed in nervousness and alertness.
  - 5) The inexperienced officer often does not realize that these bodily reactions are common to everyone despite their outward appearances and that these reactions can help him in the long run by making him more alert.
- e. These reactions and their symptoms can be controlled by the officer to some degree.
- 1) In order to dissipate some of the accumulated energy, the officer might practice tensing his muscles, using the system of exercise termed "isometrics." In this form of exercise, the practitioner contracts sets of muscles to their maximum and holds them for about 10 seconds, then releases them.
  - 2) In addition to the normal release of tension from this type of exercise, there is an added

- benefit that this release of tension after the contraction will have a very relaxing effect on the body.
- 3) It would serve the officer - new or experienced - recruit or veteran - in not only his court appearances but in all other phases of his personal and conflict situation contacts with other persons, to learn to develop systems for achieving relaxation, such as controlled breathing, etc.
- f. An understanding of the role of the officer in the courtroom is also helpful to the officer.
- 1) He should remember that he is not the person being judged and that any remarks directed to him in that vein are merely tactics of the defense attorney in an attempt to increase the officer's nervousness.
  - 2) The officer must at all times remember that if his actions, dress, and general demeanor are inoffensive, then the only concern he need have is the relating of his testimony. He is merely conveying to the judge or jury his observations and nothing more. Realization of this fact is sometimes sufficient to quell any emotional involvement and unduly high nervous reaction in the officer.
- C. Officer's preparation for court appearance. There are certain things each officer should plan to do as soon as he is notified of a pending court appearance on a certain case.
1. He should mark his calendar, both at work and at home, with the date of the court appearance, including the time and exact location, and judge. The location should include the courtroom.
  2. He should obtain copies of all reports from the Records Division, including a mug shot. The officer may need it later in identifying the defendant.
    - a. Many times the officer makes an arrest having never seen the defendant before, being with the defendant a very short time under conditions that may make him appear different.
    - b. The mug shot will help him make identification of the defendant just before the trial. The defense

attorney may ask the officer on the stand if he can point out the defendant in the courtroom. It would be very embarrassing should the officer be unable to do so.

3. The officer should check his field notebook and the station's radio log for the case in point. These records may contain information not found in offense reports and for this reason they may be important.
4. He should make a list of all the evidence in the case and its location and storage numbers so he can obtain it quickly when needed. It would be wise to check with the property officer ahead of time to make sure that the evidence was still there. If it were not, he would have time to trace it down. If he tried to pick up the evidence just before the trial, and found it missing, the case might be dismissed.
5. He should find out what other officers, if any, are involved with the case so he can have them go with him to see the Prosecuting Attorney. If other officers are on vacation, have the Prosecuting Attorney try to obtain a delay in the case, if such is necessary.
6. He should make arrangements for a conference with the Prosecuting Attorney or the Assistant Prosecutor assigned, so he can plan maneuvers in court. This will give the officer an opportunity to discuss the case.
7. He should make a list of witnesses, including their addresses and phone numbers. If the officer feels the Prosecuting Attorney should listen to their testimony, he should apprise him as to their names and addresses.
8. He should have the authorized person sign the copy of the trial notice or subpoena and return it to the Prosecuting Attorney's office so they know he has been notified.
9. He should make sure subpoenas are made out for the witnesses. Some officers talk to witnesses and receive their verbal agreement to appear, and do not obtain the subpoenas. If the witness should fail to show up under these circumstances, there is nothing that can be done to the witness, and the case might be lost. The subpoena is a safety measure, and proper procedure.

D. The officer's preliminary preparation on the day before the trial.

1. He should call the court or Prosecuting Attorney to see if the trial has been postponed.
2. He should pick up any evidence from headquarters. One officer should be assigned this task so that there is no misunderstanding.
3. He should pick up any witnesses that do not have transportation, or arrange for the district car to bring them to court, if this is his department's policy.
4. He should check to see if there have been last minute changes in the courtroom assignment. With the large number of cases in our courts today, many changes have to be made at the last minute.
5. He should check to see if the assigned prosecutor has been changed at the last minute. If so, it is important that a short conference be held, even if it is outside the courtroom, so he can read the offense report and discuss points of the case with the officer.
6. He should locate witnesses and try to make them feel more comfortable and at ease.
  - a. He can give them moral support and confidence. Humor and laughter are outlets for nervousness.
  - b. He can let them know that he will be there watching and for them not to worry. Many times the whole case can rest on one witness, so it is important that proper care and attention be given this witness.
  - c. If a witness has never testified in court before, he might briefly go through the procedures for him, and tell him that his nervousness is natural, that he has been on the department many years and still has that feeling.
  - d. It could be a terrifying experience for him and he needs any encouragement the officer can give him.
7. He should try to locate the defendant in court. He may appear quite different than he did when he was arrested.
  - a. If the officer can't locate him, the prosecutor might be able to help out. The prosecutor should know the defense attorney and should be able to point him out.

- b. Usually the attorney for the defense will be coaching the defendant, or the defendant will be sitting close to him.
  - c. If the defendant still can't be identified, the prosecutor can go over to the defense attorney on the pretense of seeing if he has changed his plea, and while there try to make identification of the defendant.
  - d. The mug shot of the defendant could also be used here.
8. The officer should let the prosecutor know that everything is in order, and that all the evidence and witnesses are in court.
- E. The officer's personal appearance.
- 1. The officer's appearance is often more important than his testimony.
  - 2. People are judged by appearances in addition to facts. We see evidence of this every day.
  - 3. The defense attorney is well aware of this and will take great pains to groom his client properly for the trial.
  - 4. The defense attorney will personally see that the defendant has a haircut, and is wearing a conservative suit with a clean or new shirt. He will see to it that his shoes are shined. The defense attorney knows that all this could be interpreted as a sign of neatness, pride in possessions and responsibility, and might go far in convincing the jury that the defendant is not deserving of the charge that the prosecution and the state of Michigan has lodged against him.
  - 5. Many times it is said that the police are often more on trial than the defendant.
  - 6. The following are suggestions for the officer appearing in court.
    - a. Don't wear sport clothes or clothes that are too loud in color. A conservative suit is best.
      - 1) If the department requires that a uniform be worn, make sure that it is clean and neat.

- 2) The shoes should be conservative and well shined. The socks should not be loud.
  - 3) Cigars in the lapel pocket are often offensive.
- b. No badges, rings, or pins should be worn that represent a particular lodge or religion. It is possible that a member of the jury has strong feelings against that particular organization, and would discount the officer's testimony because of it.
  - c. Don't be visibly armed. The effect on the jury is a negative one. It makes them receptive to suggestions from the defense that police brutality was used, or that the defendant was intimidated.
  - d. Be clean shaven with the hair properly cut, and the fingernails clean. Nothing can ruin an otherwise good appearance like noticeably dirty fingernails.
  - e. Don't smoke or chew gum.
- F. The officer takes the stand to testify.
- 1. When the officer's name is called, he should walk to the bench and face the court clerk.
  - 2. The officer's posture should be erect.
  - 3. The officer must not appear too casual, but sincere and interested in the oath.
  - 4. The officer must give the jury the impression that he would be no more concerned if he were being sworn in as President of the United States.
  - 5. All eyes of the jury will be on the officer at this time. If they were to sense that the officer was not too concerned with the oath, they might discredit his testimony.
  - 6. The clerk will raise the right hand and recite the oath. The officer will raise his right hand in a military manner.
  - 7. The upper arm should be parallel to the floor with the forearm at right angles to it. The palm should be flat and facing the clerk.

8. When the clerk has finished reciting the oath, the officer should repeat, "I do" and should say it in a manner that indicates a firm conviction.
  9. Because the court clerk recites the oath so often, there is a tendency to run through it in a speedy and bored manner. It could set the tone for the officer's answer, but it shouldn't.
  10. The prosecutor will ask the officer to be seated, and then introduce the officer to the court by means of basic questions as to name, occupation and department worked for, and length of employment.
  11. To qualify the officer, the prosecutor will ask him if he was working at the particular time that the crime was committed or when the defendant was arrested. When the officer replies "Yes," the prosecutor will usually ask him to relate his part in the investigation or happenings.
  12. On the preliminary question, the officer should direct the answers to the court recorder who might ask for the correct spelling of the officer's name and other pertinent information.
  13. While on the stand, the officer should keep his feet flat on the floor, and curb nervous habits. The officer should sit up straight in the chair and not scratch or rub his face or pick at his nails. The officer should lay his hands in his lap or on the arm of the chair.
- G. The problem of communicating with the judge or jury.
1. The sole purpose of the officer's being on the stand is to serve as a witness, and to communicate certain facts to the judge and jury. It is important to be heard and understood.
  2. To be heard, the officer must gauge voice volume by watching the expression on the faces of the jury. If they are straining to listen it will be obvious; however, the officer should avoid shouting.
  3. If volume is too low, he should increase it without yelling, by concentrating on speaking from with his stomach rather than with his mouth.
  4. Enunciation should be clear and the modulation controlled.

5. The officer may face the attorney during the question, and then turn halfway between the attorney and the jury to give the answer.
6. Should the officer be asked to repeat a statement that contains vulgarities, he should make this known with an apology to the ladies and gentlemen of the jury before actually repeating the words.
7. "Yes sir, I can tell you exactly what he said. But first I would like to apologize to the ladies and gentlemen of the jury for the vulgarities contained."
8. The officer should never use vulgarities in testimony that are not part of the verbatim statements.
9. The officer should try not to use terminology with which the jury is not familiar.
10. It is easy for an officer who uses police terminology as part of his normal conversation to interject it unconsciously into his court testimony.
11. Some officers do this intentionally in order to impress the jury. All it does is break down the communications, and make the testimony ineffective.
12. Say "yes sir" and "no sir" to the defense as well as the prosecuting attorney. Being respectful to both sides indicates to the jury your personal qualities and your interest in justice. When talking to the judge, refer to him as "your honor." Always give him the respect that is due him. This can be done using the term "with your honor's permission" whenever appropriate.
13. If the question presented is not clear, or if the officer feels that the prosecutor is asleep on the objection, he may state, "I don't fully understand the question, sir; would you mind repeating it?"
14. Answer only the question at point. Often an attorney for the defense will stare at the officer in anticipation, after he has answered the question put to him, as though there should be more to the answer. If the officer falls into this trap he will continue to talk, feeling that it is expected, and the more he talks the more he increases the possibilities of confusing the facts, or clouding the issues.

15. If the defense asks the officer if he discussed the case with anyone, and uses a gruff tone of voice, the officer could mistakenly assume that this must be a very terrible thing, and state that he didn't discuss the case with anyone.
- The officer should state that he did discuss the case with the District Attorney.
  - The defense could then suggest that this was a big plot or conspiracy in which all sorts of evil lies were conjured in order to convict the defendant.
  - The officer may then reply that the facts that he discussed with the District Attorney are the same as those brought out of court, and that they have not been altered.
16. Notes may be used in court with the judge's permission if the court is satisfied that they were made when the material was fresh in the officer's mind.
- The notes should be on loose leaf paper only.
  - Only those notes to be used in the trial should be brought to court. If looseleaf notes are not removed from the book then the whole book would have to be submitted into evidence, and could be read by the defense attorney.
  - The defense attorney may be handling another case referred to in the notebook, and could obtain special information from reading the officer's notes.
  - There have also been cases where the defense attorney found items in the notebook that were personally embarrassing to the officer, and served to impeach him in the eyes of the jury.
  - If the officer has rewritten the notes for clarity, he should keep the originals so that the defense cannot accuse him of purposely destroying the old notes because they contained the "truth" that the officer is trying to keep from the jury.
17. Don't violate court rules at the expense of the defendant. Court rules are for a purpose. They protect the rights of the defendant during the trial, and insure justice.

- Probably the most common violation of court rules concerns the rule on undue prejudice, where it is forbidden to bring in the past record of the defendant.
  - Because a person has committed a crime before, it is not a one hundred percent sure sign that he has committed the offense now charged.
  - In its effort to protect the rights of its citizens, the law has made it illegal to bring in past criminal offenses during a trial, except under special circumstances.
  - In the past, certain officers would devise various schemes to bring this past record out in court. The defense would object, and the judge would instruct the jury to forget what the officer had said, and that it should be stricken from the record.
  - The officer would smirk to himself, and say, "Let them try and forget it," and the officer would be right; the jury could not wipe this from their minds, and the trial would continue with one strike against the defendant.
  - Such tactics in court can diminish the judge's impression of the officer who is testifying, and it can and will affect the future decisions that the judge will make in cases where the officer is involved.
  - Recent trials have indicated that this tactic will no longer be tolerated.
  - In several recent cases, the defense has asked for a retrial, and the judge has granted it. This has cost the public an unnecessary expense, and it has not helped the prosecution, nor has it helped the officer.
  - If by all the questions presented, an officer has the opportunity to slip the defendant's past offenses into the record, he should explain to the attorney questioning him that he cannot answer the question right away without causing undue prejudice against the defendant, and that he would like time to think about the answer so as to correct this fault.
18. During the recesses, stay clear of the members of the jury. Many times the officer will find himself out in the foyer at the same time as the members of the jury.

- a. A jury member not properly instructed may want to ask a question of the officer, and if the defense attorney sees the two talking, he may ask for a mistrial on the grounds that the officer tried to influence a juror.
  - b. The officer should not even talk to the defense attorney. There have been cases where the defense attorney purposely struck up a conversation with one of the testifying officers when he knew that the members of the jury were watching.
  - c. Later under cross-examination, the attorney would ask the officer, "When you were talking with me outside the courtroom during the recess, didn't you offer to change your testimony for certain considerations?"
  - d. The officer would deny it, and the defense attorney would drop the matter, but some members of the jury might wonder why the question was asked in the first place if there were not some truth to it.
  - e. Fortunately, this form of character assassination is becoming less frequent in our courts today, but an officer still has to be on his toes against any such possibility.
19. Leave the courtroom when finished. When the officer has finished his testimony, the attorney will tell him that he may step down.
- a. If it appears that this testimony is finished, he may quietly ask the prosecutor if he may leave. The prosecutor will in turn ask the defense, and will then give the officer permission to leave.
  - b. Hanging around the courtroom might indicate to the jury that the officer can hardly wait to see the defendant found guilty. This could very well have a negative effect on some members of the jury.
- H. Officers properly answering questions on the stand.
- 1. When asked questions on the stand, the officer must remember that HE IS JUST A WITNESS AND NOT THE PROSECUTOR.
  - 2. As a witness, the officer must answer all the questions in a manner that is fair to both sides. All answers should be brief and to the point.

- 3. Many times the prosecution will be saving a particular piece of testimony for the right moment, when it will have the best psychological effect, and the officer will volunteer the information ahead of time because he was afraid that the prosecutor would forget it.
- 4. If the officer is afraid that the prosecution has left something out, he may quietly notify him after leaving the stand, and can be recalled to the stand later if the prosecutor feels that it is necessary.
- 5. Many times the defense will ask questions that put the officer on the spot.
- 6. The officer should slightly hesitate as though he is thinking of the answer, and then reply to the best of his ability.
- 7. Hesitation gives the prosecution a chance to object should the question be out of line.
- 8. The officer should not engage the defense in a battle of wits. He should rely on the prosecuting attorney to come to his rescue.
- 9. Should the defense attorney ask questions that are unfair and make the officer look bad, the prosecuting attorney can later put the officer on the stand and allow him to explain the circumstances of the unfavorable answer.
- 10. An officer should always tell the truth, even if it means losing the case. The officer's reputation is worth far more than just winning the case. It means the officer's own self-respect, and that can't be measured.
- 11. When an officer lies on the stand, he is taking the chance of being caught in his own lie. An officer who is caught lying in court is not only subject to criminal prosecution, but he might as well get out of the police business.
- 12. The word would soon get around among the judges that this particular officer lied under oath, and even if it could not be proved, the judge in his own mind would discount this officer's testimony in all future cases, and the officer could just as well forget going to court.
- 13. Occasionally the defense attorney will catch the officer in an innocent mistake. If the officer becomes defensive and tries to justify the error, he might impeach himself in the eyes of the jury.



14. It is very difficult for humans to say they are wrong, and because of this, when a person admits he is wrong, people respect him more because they know how difficult such an admission is.
15. When an officer makes a mistake on the stand, he should frankly admit that it was an error and apologize. If he does this in a sincere manner, he will find that it will work in his favor, since it can convince the jury that he respects truth at the expense of his own embarrassment.
16. There are times when the defense attorney will purposely re-word the officer's testimony in an effort to distort its meaning or confuse the officer into thinking that he had said the wrong thing.
17. If the officer is sure that this is the case, he might say, "I'm sorry sir, but I believe you misunderstood me. I don't believe that I said that because it is not true. May we have a recorder read that statement back?" Should the court recorder read it off just as the defense attorney stated it, the officer has no choice but to apologize by saying, "I stand corrected, and want to apologize for misstating the fact the first time."

I. Using the chalk board.

1. Since the basic purpose of court testimony is communications between an officer and the jury, the use of a blackboard can be most beneficial.
2. The Chinese proverb, "One picture is worth a thousand words" could never be more true than in a courtroom where every effort must be made to transmit ideas properly.
3. The following pointers can assist the officer in getting his point across:
  - a. Stand to one side so the jury can see the board.
  - b. Draw straight lines by laying the chalk on its side and then sliding it across the board. This makes it much easier to draw straight lines.
  - c. Use colored chalk for clarity.
    - 1) Whenever it is important to show difference in objects close together, draw each object a different color.

- 2) Colored drawings will help with this task. Look for expressions on the faces of the jurors. They will often indicate whether the message is getting across or not.
- 3) Identify everything with either letters or numbers, so they can be referred to without having to give the full description again. Always show north by an arrow. "N" should be on the top.



## XLII. The Police Officer and the News Media.

### A. Introduction to press relations.

The press performs a vital service in America, that of keeping the citizenry informed. The role of the press is so important that its freedom is guaranteed in the Constitution. The police department, as a public agency, recognizes the necessity of keeping the public informed of happenings in the community. The communication media are: Newspapers, magazines, radio, and television. They can be used to aid the police department directly, by publicizing campaigns designed to prevent violations of the law, such as, anti-speeding, littering, and jaywalking drives, and by informing the people of particular dangers, publishing descriptions of escaped prisoners, counterfeit money, and hazardous traffic conditions. Indirectly, they can aid police departments by editorial pressures for a decent and healthy community, and by helping to promote good public relations for the department. They thereby assist the department in accomplishing its objectives of protecting life and property and keeping the peace.

### B. Objectives of the communications media are business-oriented.

1. At the same time, it must be remembered that the communications media are private organizations.
2. They are in business to make money by attracting:
  - a. Readers.
  - b. Listeners.
  - c. Viewers.
3. Remember that:
  - a. A scandal appealing to the baser nature of man sells newspapers.
  - b. An expose' attracts listeners.
  - c. A series of dramatic charges makes better viewing than the detailed report, prepared after intense investigation, which refutes these charges months later.

### C. The department's objectives in seeking an equitable balance.

1. Balancing the press' public function of communicating

information with its commercial functions of making a profit, so as to decide what facts to make known to reporters and how best to do so, is a job for police superiors. They have had many years of experience in dealing with such matters.

2. The individual uniformed officer should not desire publicity for himself.

### D. The role of the individual police officer.

1. As far as you are concerned, all police business is to be considered confidential.
  - a. Don't be interviewed, make statements or speeches, or permit yourself to be quoted for publication unless you are permitted to do so by your superiors.
  - b. Let your superiors deal with the representatives of the press.
  - c. Referring reporters to your superiors is your best protection against those who are overly ambitious or unscrupulous, are racing to make a press deadline, or who may print half-truths.
  - d. Even if these are later retracted, the damage has already been done.
2. While you can refer reporters to your superiors, you cannot stop photographers from snapping your picture.

### E. Photographers and the police officer's duty.

1. Here are some practical suggestions concerning your behavior while pictures are being or are about to be taken:
  - a. When subduing a criminal or restraining a person, don't let the fact that photographs are being taken deter you from doing your job.
    - 1) Keep your mind on your work or you may lose your life and/or your prisoner.
    - 2) After the action is over, if you think the picture will do harm to you, the police department, or the public, speak to your superior about it. He may request the photographer's editor to destroy it.

- b. Don't bunch up with the other officers at the scene of a crime or a serious accident. A photograph of many patrolmen standing around with nothing to do does not aid the department's public relations.
- c. When pictures are being taken, don't slouch with your hands in your pockets and/or a cigarette dangling from your lips.
  - 1) When in civilian clothes, have your collar buttoned, and tie and jacket on, if it is at all possible.
  - 2) There are times when the citizens must carefully read the caption below the photograph to determine which man is the arresting officer and which is the hoodlum.
- d. Don't smile while holding prisoners, especially if they are bloodied or bandaged.
  - 1) Pictures should not give the impression that crime is a joke or that injuries sustained in resisting arrest are a laughing matter.
  - 2) The photograph records you acting in your official capacity, so have your uniform buttoned and your hat on.
- e. Avoid being posed in positions which the photographer may desire but which are contrary to police regulations and practices. Such pictures do not truthfully record the activities of the police department.
- f. Don't allow photographers to take pictures of your family at home.
  - 1) This needlessly discloses information about about your loved ones, which a relative or accomplice of someone you arrested or injured may use in an attempt to gain revenge.
  - 2) A patrolman who has killed a person in the line of duty should not allow his family and himself to be photographed in a gay mood.
  - 3) The public may get the impression from such a picture that the officer views the taking of a human life quite lightly.

- 2. Of course, sometimes, no matter what you do, you cannot avoid difficulties resulting from a newspaper photograph.
  - a. The department desires to maintain good relations with the press and the public.
  - b. For that reason, it is best to leave press relations to police superiors - those who are closer to policy-making than you, and who are more experienced in handling representatives of the communications media.

## XLIII. Police Personnel.

## A. Proper relationship with fellow officers.

1. Police work is not for the overly sensitive man, one who is so insecure that he must continually get reassurance from others that he is well liked. Popularity polls and the police profession don't mix, because policemen deal with the "deviant minority" in a conflict situation.
2. Officers must at times subordinate their emotions and maintain a fixed expression and neutral attitude while performing their duty.
3. A fellow who constantly worries lest his brother officers' lack of friendly response is indicative of some real or imagined grievance should not plan for a police career.
4. But every man has feelings and the patrolman who injures his fellow officers' feelings, by some action or comment relating to the job or concerning personal characteristics, is creating an unnecessary gulf between himself and the men who work beside him.
5. To avoid this unfortunate circumstance, all a patrolman need do is to use common sense.

## B. Relationship to the job.

1. A man who has just completed eight hours on the street wants to be relieved on time. Repeated lateness is grossly inconsiderate and will result in repercussions.
2. Related to tardiness is neglect of duty at another officer's expense.
3. Should you justifiably be away from your post and another officer must come to the scene to handle your work, be sure to thank him.
4. If you get back in time, resume your post immediately, particularly if it is a difficult duty or time-consuming job.
5. When you work with another patrolman and you feel the action is not being handled to your satisfaction, speak up then and there.
  - a. Make sure no one else hears your conversation - officers or civilians; you don't want to embarrass

your partner if he is wrong or make yourself look ridiculous if he is right.

- b. When you cannot talk about the action at the scene, speak to him after it is over, so that the two of you can reach a mutually satisfactory decision as to how to act in the future.
  - c. Whatever you do, don't let your annoyance boil up inside of you until it spews over in complaining, degrading or slanderous remarks about your colleague, made in front of your fellow officers, superiors or civilians.
6. When you speak to the other patrolman about a complaint you have against him, don't "fly off the handle."
    - a. He may become defensive and, as the two of you are of equal rank, reject your ideas and suggestions just because you offered them, without considering their merit.
    - b. Approach him when both of you are calm.
    - c. It is best to offer a compliment about something he did before you bring up the action that you think should be corrected; he becomes more receptive that way.
  7. You should not reject a fellow officer's advice. He may have had previous experience with situations very much like the one you have experienced.
    - a. Listen to him. You may learn something.
    - b. If you don't, you can still do whatever you originally planned and there is no harm done.
  8. But should you rebuff a friendly overture with a snide remark, you may find that you have made an enemy unnecessarily.
  9. Don't be afraid to ask questions when you are given a new assignment.
    - a. The policy in this particular precinct may vary somewhat from the procedure you learned in recruit school or on your previous assignment.
    - b. A new man barging in and upsetting established routine while quoting regulations will create ill feeling.

10. Seek advice from men in the station house, from the officer you are relieving or from your immediate superior when you are in doubt.
11. Don't be too inquisitive when another patrolman gets into departmental difficulties.
  - a. A superior or a citizen may have made a complaint about an action in which he was involved.
  - b. Ask if there is anything you can do, but don't probe any further into the circumstances of the affair just to satisfy your curiosity.
  - c. He will tell you about it if he wants to.
12. When an officer achieves some recognition, such as a promotion or a good arrest, he may tell about it in the station house.
13. He is not bragging; rather, he is sharing his joy with his fellows.
14. Don't throw cold water on his triumph by offering a sarcastic remark. Envy has no place in a good working relationship.

C. Relationship with immediate superiors.

1. A patrolman must obey the lawful orders of his superiors and he is answerable to them for his actions.
2. To accomplish its objectives, the police department is, of necessity, a very large and complex organization of which each officer is a part.
3. For every part of this organization to function properly and for the many parts to function as a unified network, there must be a hierarchy of superiors.
4. Each superior is held responsible for the actions of his subordinates and they, in turn, are held responsible for their subordinates and so on down the line of command.
  - a. Orders given to a few men are communicated to many men who see to it that the orders are carried out by many thousands of men.
  - b. Superiors cannot very well be held responsible for actions of men without having authority over them.

c. Authority and responsibility go together.

5. Police rules and regulations delegate certain authority to police superiors, depending upon their rank and the nature of their commands, and this authority must be obeyed by the officers subordinate to these superiors.

D. Relationship to authority.

1. Don't "buck" the authority of your superior.
2. Neither challenge his right to give you legal orders nor question his authority to pass judgment on what you have done.
  - a. He will resent it because you are interfering with the performance of his duty.
  - b. The superior will be backed by the entire department because disobedience to authority can destroy the organization of the department and make the fulfillment of its objectives impossible.
3. Ask any questions you have and respectfully present alternative courses of action at the time you are given an assignment, assuming it is not an emergency situation.
4. You must obey the superior's lawful orders.
  - a. At times you may believe that your superior is making a mistake. Obey his order, regardless of whether or not it is a mistake.
  - b. He is more qualified on several bases to make the judgment.
    - 1) First of all, your superior may know the law better than you do. In situations to which many complex laws, regulations and codes pertain, the superior may possess sufficient knowledge to choose the appropriate action. This choice is vitally important in particularly delicate situations, such as those involving civil rights, state and federal jurisdiction and department jurisdiction.
    - 2) Secondly, your superior may have far more practical experience than you do. He has been through situations before and may be better able to anticipate difficulties. His

familiarity with the personnel and practices of other municipal departments, accumulated over many years on the job, may prove invaluable. Your superior may know when to call for specialized personnel.

- 3) Thirdly, your superior, by the very nature of his rank, may be better acquainted with the "big picture." That is, he may know more about departmental policy and the police operations being conducted in or planned for your precinct and adjacent precincts. This factor may play a part in making wise decisions.
5. In the police force, the adage, "You salute the rank, not the man who possesses it," applies.
6. Sometimes a fellow officer may ask about your superior - what kind of man he is to work for, how he treats his men, and so forth.
  - a. When you have something positive to relate, say it; when you don't, say nothing.
  - b. Even if your relationship with the superior is strained, don't be a carrier of tales.
  - c. Men talk, and your words will be repeated and twisted until a distorted version is heard by the wrong person.

E. An officer's relationship to responsibility.

1. Consulting your immediate superior when you are in doubt about a course of action, especially when difficult legal questions arise and serious repercussions may result, is good policy.
2. Because he is usually better qualified to make decisions, calling for his assistance tends to protect the department from criticism and the city from lawsuits. It protects you as well.
3. Once under a superior's order, you are relieved of much of the responsibility as the responsibility is his, but he should not resent your calling for his assistance.
4. Your superior is responsible for your actions, anyway; if you go ahead on your own and create a needlessly difficult or hazardous situation, his superiors may regard this as an example of poor supervision on his part.

- a. Even if your superior does not personally make a mistake, your errors reflect poorly upon him.
  - b. It is to his advantage to confer with you.
  5. Because the public, the press and the supervisors of the police department consider him responsible for the actions of his subordinates, your superior must be kept informed of any serious actions you handle.
    - a. There is nothing more infuriating to a desk sergeant or lieutenant than to be bombarded by queries from newspaper editors and the police chief's office about a happening in his precinct about which he knows nothing.
    - b. If you are involved in an important occurrence, notify your superior as soon as possible.
    - c. Others expect him to know what is going on and he expects you to tell him so that he will know.
    - d. Your alertness reflects most favorably upon him.
  6. Your superior should welcome even the routine reports of conditions in the precinct that warrant attention.
    - a. He refers these reports to higher authorities, to special squads and to other municipal agencies, or he makes plans with them in mind and makes decisions accordingly.
    - b. In so doing, your superior is fulfilling his responsibility.
    - c. He will receive the recognition and rewards for a supervisory task well done only if you, his subordinate, observe and report.
  7. The efficient performance of his duty depends upon the efficient performance of yours. You should keep that in mind because he always does.
- F. Relationship with higher superiors.
1. The higher their rank, the more formal you must be in your relationship to your superiors.
  2. Most uniformed patrolmen have little contact with police officials above the rank of captain - they are seen on rare occasions and they should be treated in a most official manner.

3. At times, a high police or other public official in civilian clothes whom you do not recognize may arrive at the scene and begin issuing orders.
  - a. Don't hesitate to ask politely for his identification.
  - b. If you are still in doubt as to the person's authority, ask your immediate superior for instructions.
4. A patrolman does have occasion to see his captain and here, too, certain formality is called for.
  - a. He will seek you out and send for you when he wants to see you.
  - b. If you want to talk to him, see your captain in his office.
5. To gain some element of privacy, you may attempt a whispered conversation, but that may be misinterpreted by your brother officers.
6. Ask the clerical officer when you may see the captain.
  - a. Be present at the designated time, presenting a correct appearance.
  - b. Knock on his door whether it is open or closed.
  - c. Wait for his invitation to enter.
  - d. When in uniform, walk in a military manner, holding your hat in your left hand, salute and stand at attention before his desk.
  - e. If in civilian clothes, be dressed neatly and appropriately; dungarees and a sweatshirt are inappropriate.
  - f. Speak only after he has addressed you and state your business.
  - g. Do not sit until he invites you to.
  - h. Do not smoke unless he says that you may.
  - i. Do not chew gum under any circumstances.
  - j. When you have finished your statement, wait until he has completed his question or answer before speaking again. Don't interrupt him.

- k. After the conversation is concluded, thank the captain - even if the discussion did not end to your satisfaction. It is good procedure, good manners and very good policy.

G. Relationship with the plainclothesmen and detectives.

1. It is important for you to get to know the plainclothesmen and detectives who work in your area.
2. A big man loitering in a hallway may be a detective on the job.
  - a. If he is, pass him by without any sign of recognition.
  - b. Your wink, wave or greeting may spoil weeks of undetected shadowing of a suspect.
3. A street argument, brawl, or gun battle between apparent civilians may really be a fight between police personnel, dressed in civilian clothes, and criminal suspects.
4. You will be able to recognize which side is which sooner, if you are acquainted with the plainclothes officers and detectives of your command.
5. When you are involved in an action and a person dressed in street clothes comes up behind you, it may be another officer coming to your assistance. Being able to identify him instantly as such, aids you in avoiding fatal errors.
6. You should also familiarize yourself with the forms of identification - badges, identification cards, license plates, etc. - of other non-uniformed people: peace officers, be they county, state or federal employees, or personnel of other municipal departments, as well as civilians who are entitled to receive certain legitimate privileges.
7. This knowledge may aid you in avoiding costly mistakes even in the routine activities of patrolling.
8. The patrolman may feel it rather unfair that, although the detectives investigating the crimes have worked for weeks on the case, it should be he who luckily apprehended the prime suspect.
  - a. With this in mind and because he would like to avoid staying overtime and going to court, the officer may offer the detectives the arrest.

- b. Don't think this way. The detectives have done a good job in identifying the prime suspect and accumulating evidence which enables the state to charge and prosecute the offender. And you have done a good job patrolling the streets.
- 9. The police department is made up of a network of specialized functions - each person doing his work as well as he can - and it is the organization as a whole that accomplishes the objectives. It is all in a day's work for the police organization.
- 10. Fighting crime is too much for one man - it is done by organizing the efforts of many men, each doing his job.

#### XLIV. Professionalism.

##### A. The police image and its effect on professionalization.

##### 1. Confidence in and effectiveness of an agency.

- a. Effectiveness of law enforcement is determined by public cooperation and support.
- b. Loss of confidence of citizens means:
  - 1) Effectiveness is curtailed.
  - 2) Integrity and ability are questionable.
- c. Confidence in the police by public provides:
  - 1) Public support.
  - 2) Public trust.
- d. Officers instill confidence in the public by not overstepping the safeguards of individual liberty.
- e. Law enforcement must be able to project sincerity, ability and willingness to serve. It must protect with integrity and effectiveness.
- f. This is a departmental effort, but the individual officer has an integral part through contacts with individual citizens.

##### 2. The officer and the profession.

- a. The reputation of a department stems from the relationship existing between individual police officers and the public.
- b. Always act in a professional manner. Always act as though someone is watching you. Someone probably is.
- c. Your uniform makes you conspicuous. The police must be conspicuous to prevent crimes.
- d. Your uniform makes you one of the group - not an individual. Your actions reflect on all policemen everywhere.



- e. Individual misconduct or incompetency certainly reflect on your department and also on the police profession.
  - f. One act of discourtesy or misconduct in public reflects the attitudes of the department, or so the public thinks.
  - g. An officer who reflects confidence and courtesy will develop a favorable opinion for the agency he represents and the police profession will be enhanced.
  - h. Good officer-citizenship relationships can eliminate stereotypes and misconceptions.
  - i. The police officer must:
    - 1) Not consider himself alone to be the law.
    - 2) Always show respect for the law.
    - 3) Never break a law - a good law enforcement officer must first be able to obey the law.
3. Forming citizen attitudes.
- a. The respect and acceptance of a law enforcement agency must always be earned.
  - b. A small segment will always resent the police because of the social control and authority which the officer represents. The vast majority of people:
    - 1) Realize the need for law enforcement and protection.
    - 2) Want to be protected from the criminal element.
  - c. The police should never complain if the public wants or expects higher standards.
  - d. The professional officer strives to serve those who understand and appreciate the police work necessary to maintain law and order.
  - e. The public will recognize deficiencies and assess them for what they really are - just poor police work.

- f. The officer must dedicate himself to:
    - 1) Public service.
    - 2) Impartial law enforcement.
    - 3) Fulfilling his responsibilities.
      - a) Fully.
      - b) Promptly.
      - c) Resolutely.
      - d) Justly.
4. Image projection to the public.
- a. The police provide public safety and protection.
  - b. When a person requests police service:
    - 1) He is entitled to prompt and courteous service.
    - 2) Poor initial contact, such as on a call for police service, cannot be overcome by secondary public relations.
  - c. Always seek to create good will through positive human relations.
  - d. Analyze your behavior - always seek to improve it.
  - e. Avoid:
    - 1) Abruptness.
    - 2) Harsh, vulgar language.
    - 3) Impudent, irritating conduct. Always be professional.
  - f. Be positive in your attitudes.
  - g. Voice or telephone impressions are important:
    - 1) Be calm; don't be excited or appear excited.
    - 2) A calm, reasonable voice can often project calmness and compassion.

- h. Remember, most people only contact the police when they are in trouble. Be reassuring in your attitude.
- i. Listen to the problems of the people that you contact:
  - 1) Advise them as best you can.
  - 2) Indicate the law and procedure to be followed.
- j. Advise properly and sympathize with the problems:
  - 1) Most problems are situations that would annoy you or cause you problems if positions were reversed.
  - 2) Do not minimize the problem.
- 5. Perfecting the image.
  - a. Necessary ingredients and positive qualities which reflect professionalism:
    - 1) Competence.
    - 2) Dedication to duty.
    - 3) Courtesy.
  - b. Professionalism - the objective toward which all law enforcement officers should strive continuously.
  - c. The department should actively strive to shape:
    - 1) Good conduct.
    - 2) Conducive skills.
    - 3) Attitudes for professionalism.
  - d. Any officer who portrays the professional image reflects the high standards of his department and is a true credit to law enforcement.

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TRAFFIC LAW ENFORCEMENT

LESSON PLANS

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A Report to  
The  
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by

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Project Consultant

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TRAFFIC LAW ENFORCEMENT

I. State of Michigan - Motor Vehicle Laws.<sup>1</sup>

A. State traffic laws concerning driver's license.

1. The law states that no person shall drive any motor vehicle upon a street or highway in this state unless he is first licensed as an operator or chauffeur, or is authorized by a specific permit duly issued by the Michigan Department of State. All first Michigan Driver's License Fees are \$5.00
2. Driving license, holding one license only (approved 4-21-67, immediate effect).
  - a. No person, except those hereinafter expressly exempted, shall drive any motor vehicle upon a highway in this state, unless such person, upon application, has been licensed as an operator or chauffeur by the Department under the provision of the chapter. No person shall be permitted to have more than one valid operator's license at any time.
  - b. No person shall drive a motor vehicle as a chauffeur unless he holds a valid chauffeur's license. No person shall receive a chauffeur's license until he surrenders to the Department any valid operator's or chauffeur's license furnished to him by any state or an affidavit that he does not possess any such valid operator's or chauffeur's license.
  - c. Any person holding a valid chauffeur's license need not procure an operator's license.
3. Driving license, application, false statements (approved 6-2-67).
  - a. It is unlawful for any person:
    - 1) To display or cause or permit to be displayed or to have in possession any operator's license or chauffeur's license, knowing the same to be fictitious or to have been cancelled, revoked, suspended, or altered.

<sup>1</sup>The information contained in this section, for the most part, has been taken verbatim from the Michigan Vehicle Code, 1966. Reference should be made to this document, should additional information be desired.

- 2) To lend to or knowingly permit use of, by one not entitled thereto, any operator's or chauffeur's license issued to the person so lending or permitting the use thereof.
- 3) To display or to represent as one's own any operator's or chauffeur's license not issued to the person so displaying the same.
- 4) To fail or refuse to surrender to the department upon demand, any operator's or chauffeur's license which has been suspended, cancelled, or revoked as provided by law.
- 5) To use a false or fictitious name or give a false or fictitious address in any application for an operator's or chauffeur's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any application.
- b. Any license for any operator or chauffeur issued under the provisions of this chapter upon an application which is untrue, or which contains any false statements as to any material matters, shall be absolutely void from the date of issuance, and said operator or chauffeur shall be deemed unlicensed and said license so issued shall be at once taken upon request or order of the department.
- c. The department may suspend the license of any operator or chauffeur upon conviction of a violation of one of the prohibited practices related to driver's licenses described above, for not more than one year.
4. Driver license fees, increase, disposition (approved 8-15-67, eff. 9-1-67). The amendment raises the fee for original driving licenses to \$5.50, operator's license renewal to \$4.00 and chauffeur's license renewal to \$3.50. The refund by the state to political subdivisions having examination stations has also been increased.
5. Types and requirements for driver's license.
  - a. Operator's - issued for three years, minimum age, 16 year. Renewal - \$3.50.

- 1) Requires signature of father, mother, or guardian of an applicant under 18 years of age, or, if applicant has no father, mother or guardian, another responsible adult may sign.
  - 2) Must complete course in driver education if under 18 years of age, unless he has had a valid license in another state for one year.
- b. Chauffeur - license expired now on the licensee's birthday. This amendment was approved 6-21-67, effective 1-1-68. Minimum age, 18. Renewal - \$3.00.
- 1) All school bus drivers, and their substitutes, must be at least 21 years of age, have a chauffeur's license and subject to a physical examination annually. The driver of a public passenger carrying vehicle must be 21 years of age and have a chauffeur's license.
  - 2) The statute defines a chauffeur as: every person who is employed for the principal purpose of operating a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property. A person shall be deemed to be employed for the principal purpose of operating a motor vehicle when such employment customarily involves the necessary use of a motor vehicle for hire or transporting for gain or hire any merchandise for display, sale or delivery; provided that a farmer or an employee of such farmers operating a vehicle exclusively in connection with the farming operations of such farmer shall not be deemed a chauffeur.
- c. Special restricted - issued for one year, minimum age, 15.
- 1) A special restricted operator's license may be issued to drive a motor-driven cycle developing not more than 5 maximum brake horsepower.

- 2) No person shall operate any motor-driven cycle on the highway during the night hours, unless the cycle is equipped with lights meeting the requirements and limitations set forth in State Law, the person has received written approval from the Chief of Police of the City, Township, or County in which he resides, and the cycle is operated at speeds not to exceed 35 MPH, or as fixed by local ordinances, whichever is lesser.
- d. Minor's restricted license - issued for one year. Renewal, \$2.50
- 1) A minor's restricted license may be issued at age 14 or 15, upon showing of extenuating circumstances and need. The parent or guardian must sign application.
  - 2) A letter of authorization must be obtained from the Department of State before an application can be made.
- e. Driving license - exchange of information between states (approved 7-10-67).
- 1) The amendment provides for the receipt of the driving record of a license applicant from another state and the incorporation of that record into this state's record of the applicant's driving experience. Provision is also made for forwarding the record of a Michigan driver to another requesting state.
  - 2) Other changes eliminate the thumb print from the chauffeur's license, allow the licensee to place blood type information on the reverse side of his license, and require anyone wishing to modify the state uniform traffic citation to first obtain permission from the statutory committee having the responsibility for implementation of Act 235 of the Public Acts of 1966.
6. When one's driver's license must be suspended.
- a. Upon conviction of driving while under the influence of liquor, drugs, or permitting an intoxicated person to drive.

- b. By making untrue statements in getting the driver's license.
- c. Upon conviction for failing to stop and identify oneself when involved in an accident in which someone is injured or killed.
- d. Upon conviction for manslaughter, negligent homicide, or any felony in which a motor vehicle is used.
- e. Upon conviction or forfeiture of bail on three charges of reckless driving within a period of 12 months.
- f. Upon failure to pay a judgment rendered in civil court for personal or property damage resulting from a motor vehicle accident.
- g. Upon failure to report to the Secretary of State an accident involving personal injury, death, or property damage in excess of \$200.00, or if one owns or operates a motor vehicle that is involved in such an accident in which he is not covered by public liability and property damage insurance and is not able to post a security deposit up to \$25,000.00 or file a settlement affidavit.
  - 1) In addition to losing his license, one may also be fined or sent to jail, and one must file proof of financial responsibility for a period of three years.
  - 2) Six (6) points must be added to the driving record, in addition.

7. Michigan traffic violation point system.

- a. Each conviction for a moving traffic violation is recorded in the control file maintained by the Division of Driver and Vehicle Service.
- b. When an abstract or conviction is filed and the record shows that the driver has accumulated 12 or more points for moving violations within two years, counting back from date of last conviction, the record is removed and the driver is cited to appear before a member of the Department for re-examination.

- c. The re-examination may result in the suspension or revocation of the driver's license.
- d. Points charged are as follows:
  - 1) Manslaughter, negligent homicide, or other felony resulting from operation of a motor vehicle - 6 points.
  - 2) Operating a motor vehicle while under influence of intoxicating liquor - 6 points.
  - 3) Failing to stop and disclose identity at the scene of the accident when required by law - 6 points.
  - 4) Reckless driving - 6 points.
  - 5) Exceeding the lawful speed limit by more than 15 MPH - 4 points.
  - 6) Exceeding the lawful speed limit by more than 10 MPH - 3 points.
  - 7) Exceeding the lawful speed limit by 10 MPH or less - 2 points.
  - 8) Disobeying a traffic signal, stop sign, or improper passing - 3 points.
  - 9) All other moving violations - 2 points.

8. Accidents.

a. Driver's responsibility.

- 1) Report to police if damage is \$200.00 or more, anyone is injured, or a car is disabled.
- 2) Shall stop and render to any person injured reasonable assistance in securing medical aid or transportation of injured.
- 3) Give name, address, and registration number of vehicle he is driving, also name and address of owner, and exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of any vehicle collided with.

- 4) When there is no insurance on vehicle a financial responsibility form must be submitted to Secretary of State.
- b. Accident reports, retention, completion, etc. (approved 3-9-67, immediate effect).
- 1) The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such accident, and of his name and address and of the registration number of the vehicle he is driving, and shall upon request exhibit his operator's or chauffeur's license and, if such owner cannot be found, shall forthwith report such accident to the nearest or most convenient police officer.
  - 2) The officer receiving such report, or his commanding officer, shall forward each individual report to the Director of State Police on forms prescribed by him, which shall be completed in full by the investigating officer. The Director of State Police shall analyze each report relative to the cause of the reported accident and shall prepare for public use the information compiled from the reports.

Sec. 622 provides that the driver of every motor vehicle involved in an accident resulting in injury or death of any person, or total damage to all property to an apparent extent of \$200 or more, shall forthwith report such accident to the nearest or most convenient police station or police officer. The officer receiving such report, or his commanding officer, shall forthwith forward each individual report to the Director of State Police, on forms prescribed by him, which shall be completed in full by the investigating officer. The Director of State Police shall analyze each report relative to the cause of the reported accident and shall prepare for public use the information compiled from the reports. A copy of the report required under sections 621 and 622 of this act shall then

be retained for at least three years at the local police or sheriff's department or local state police post making the report.

- c. Collision with other vehicle - duty of driver, public or private property (approved 6-21-67). Sec. 620 states that the driver of any vehicle which collides upon either public or private property with any vehicle which is attended or unattended shall immediately stop and shall then and there either locate or notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking same, or if such owner cannot be located, shall forthwith report it to the nearest or most convenient police officer.
  - d. Police vehicle accidents, officer's personal insurance (approved 8-1-67). The amendment to Section 3020 involves vehicle insurance cancellation in general, and is of little significance to law enforcement. New Section 3262 does affect peace officers, and reads as follows: No insurer shall cancel, or refuse to renew a policy or insurance of any peace officer on his private automobile, due to accident rate statistics compiled by the peace officer while driving police automobile in the pursuit of his duties as a peace officer.
9. Offenses for which arrests can be made.
- a. Felonious driving. The elements of felonious driving are:
    - 1) Driving a vehicle.
    - 2) On highway.
    - 3) Willful and wanton disregard for the rights or safety of others.
    - 4) At a speed or in a manner to endanger or be likely to endanger any person or property.
    - 5) Injuring so as to cripple, but not causing death.



b. Negligent homicide. The elements of negligent homicide are:

- 1) Driving a vehicle.
- 2) On highway or other property (public or private).
- 3) Immoderate rate of speed.
- 4) Careless or negligent manner.
- 5) But not willfully or wantonly.
- 6) Causing death of another.

c. Involuntary manslaughter. The element of involuntary manslaughter are:

- 1) Driving a vehicle.
- 2) On highway or other property (public or private).
- 3) Immoderate rate of speed.
- 4) Careless or negligent manner.
- 5) Willful and wanton disregard of the rights or safety of others.
- 6) Causing death of another.

d. Driving while under the influence of intoxicating liquor or narcotic drugs. The elements of DUIL or DUND are:

- 1) Driving a vehicle.
- 2) Upon a highway or any other place open to general public, including any area designated for parking of motor vehicles.
- 3) Under influence of intoxicating liquor or narcotic drugs.

e. Reckless driving. The elements of reckless driving are:

- 1) Driving a vehicle.
- 2) On a highway or a frozen public lake, stream, or pond, or other place open to the general public, including any area designated for the parking of motor vehicles.
- 3) In willful or wanton disregard for the safety of persons or property.

f. No operator's license. The elements of the charge of no operator's license are:

- 1) Driving a vehicle.
- 2) On a highway.
- 3) Not having in one's immediate possession a valid operator's license or chauffeur's license, unless released at the officer's discretion.

10. Driving while license revoked - increased penalty, confiscation of registration plates (approved 6-20-70).

- a. Section 904 provides that any person whose operator's or chauffeur's license or registration certificate has been suspended or revoked or whose application for license has been denied, as provided in this act, or who has never applied for a license, and who shall drive any motor vehicle upon the highways of this state or who shall knowingly permit any motor vehicle owned by such person to be operated by another upon any highway, except as permitted under this act, while such license or registration certificate is suspended or revoked, or whose application for license has been denied as provided in this act shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment in the county or municipal jail or Detroit House of Correction, for a period not less than three days nor more than 90 days, and there may be imposed in addition thereto a fine of not more than \$100. Unless the vehicle was stolen or used with the permission of one who did not knowingly permit an unlicensed driver to operate the vehicle, the registration plates of the vehicle shall be confiscated.

- b. Any person convicted of a second or subsequent violation of this section shall be guilty of a misdemeanor, and upon conviction thereof will be punished by imprisonment in the county or municipal jail or in the Detroit House of Correction for not less than five days nor more than one year, and there may be imposed in addition a fine of not more than \$500. Unless the vehicle was stolen, the registration plates of the vehicle shall be confiscated.
  - c. The department, upon receiving a record of the conviction of any person upon a charge of unlawful operation of a motor vehicle while the license of such person is suspended, revoked, or denied, or of the conviction of any person for a violation of the motor vehicle laws of this state while the license of such person is suspended, revoked, or denied, shall immediately extend the period of such first suspension or revocation for an additional like period, or if no period has been determined, then for at least 30 days but not more than one year.
  - d. Before the plea of the person accused of violating this section shall be accepted, the arresting officer shall check with the department to determine the record and status of the person according to department files, and shall so inform the court.
11. Vehicle equipment - outside rear view mirror required (approved 6-21-67, effective 1-1-68). Section 708 provides that no person shall drive a motor vehicle on a highway, if that motor vehicle is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless the vehicle is equipped with a mirror located to reflect to the driver a view of the highway to the rear of such vehicle. In addition, all motor vehicles shall be well equipped with an outside rear view mirror on the driver's side, which shall be positioned to give the driver a rear-viewing angle from the driver's side of the vehicle. Every commercial vehicle of one-half ton capacity or more operating upon the public highways of this state shall be equipped with two mirrors, one on each side, adjusted so that the operator shall have a clear view of the highway behind his commercial vehicle.

- 12. Implement of husbandry - agricultural operation redefined (approved 6-21-67). Section 21 provides that an "implement of husbandry" means every vehicle which is designed for agricultural purposes and used exclusively in agricultural operations. The transportation of seeds, fertilizers, or sprays between a place of storage or supply and farms in a trailer is an agricultural operation when those materials will be used to plant, fertilize or spray.
- 13. Stop at railroad crossings, highways, freeways, and other crossings.
  - a. Section 669 states that the driver of any passenger-carrying motor vehicle for hire, or of any school bus, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within 50 feet but not less than ten feet from the nearest rail of the railroad, and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein, and upon proceeding when it is safe to do so, the driver shall cross only in a gear which will not need to be changed while traversing the crossing; he shall not shift gears while crossing the track or tracks.
  - b. No stop need be made at any crossing where a police officer or a traffic control signal directs traffic to proceed.
  - c. No stop shall be made at any crossing on a freeway or limited access highway where the crossing is protected by a clearly visible signal, crossing gate, or barrier, if the signal, crossing gate, or barrier is not activated.
- 14. Use of tire studs during winter months permitted (approved 6-27-67).
  - a. Section 710 states that no vehicle or special mobile equipment shall be operated on the public highways of this state on metal or plastic track or on tires which are equipped with metal or plastic which comes in contact or partial contact with the surface of the road, except as provided in subsections "c" and "d."

- b. No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, or spike, or any protuberances of any material other than rubber, which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires which have protuberances which will not injure the highways, and to use tire chains of reasonable proportions upon any vehicle, when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid, and except as also as provided in subsections "c" and "d."
  - c. A pneumatic tire may have embedded in it wire not to exceed .075 inches in diameter, if it is so constructed that under no conditions shall the percent of metal in contact with the highway exceed five percent of the total tire area contact with the roadway, except that during the first 1,000 miles of use or operation of any such tire, the metal in contact with the highway shall not exceed 20 percent of such area.
  - d. Pneumatic tires may have inserted in them ice grips or tire studs of wear-resisting plastic or metal material, installed in such a manner as to provide resiliency upon contact with the road, with projections not to exceed 3/32 of an inch beyond the tread of the traction surface of the tire, and constructed to prevent any appreciable damage to the road surface. Pneumatic tires so equipped may be used on motor vehicles between November 1 of each year and May 1 of the following year. Copies of this subsection shall be posted in all places at which tires are sold.
  - e. A printed or written warning on the time limitation for the use of such studded tires shall be furnished each buyer, purchaser, or user by the seller of such studded tires.
15. Driving while intoxicated - implied consent to chemical test (approved 7-19-67).
- a. Section 625a provides that in any criminal prosecution for driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in such person's blood at the time alleged, as shown by

chemical analysis of the person's blood, urine, breath, or saliva, shall be admissible into evidence and shall give rise to the following presumptions, and in the event any such tests are given, the results of such tests shall be made available to the person so charged or to his attorney upon written request to the prosecution, with a copy of the request filed with the court. The prosecution shall furnish the report at least two days prior to the date of the trial, and it shall be offered as evidence by the prosecution in a criminal proceeding; failure to fully comply with such request shall bar the admission of the results into evidence by the prosecution:

- 1) If there was at that time 0.05% or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor.
  - 2) If there was at that time in excess of 0.05% but less than 0.10% by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.
  - 3) If there was at the time 0.10% or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant's ability to operate a motor vehicle was impaired within the provisions of section 625 (2) of this act, due to the consumption of intoxicating liquor.
  - 4) If there was at that time 0.15% or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.
- b. Samples and specimens of urine, breath, and saliva, shall be taken and collected in a reasonable manner, but only a duly licensed physician, or a licensed nurse or medical technician under the direction of a licensed physician duly qualified to withdraw blood, acting in a medical environment at the request

of a police officer, can withdraw blood for the purpose of determining the alcoholic content therein under the provisions of this act. No liability for a crime or civil damages predicated on the act of withdrawing blood and/or related procedures attaches to a qualified person who withdraws blood or assists in the withdrawal in accordance with this act, unless the withdrawal is performed in a negligent manner.

- c. A person charged with driving a vehicle while under the influence of intoxicating liquor who takes a chemical test administered at the request of a police officer as provided in paragraphs "a" and "b" hereof, shall be informed that he will be given a reasonable opportunity to have a person of his own choosing administer one of the chemical tests as provided in this section within a reasonable time after his detention, and the results of such test shall be admissible and shall be considered with other competent evidence in determining the innocence or guilt of the defendant. Any person charged with driving a vehicle while under the influence of intoxicating liquor shall be informed that he has the right to demand that one of the tests provided for in paragraph "a" shall be given him, and the results of such test shall be admissible and shall be considered with other competent evidence in determining the innocence or guilt of the defendant.
- d. The person so charged shall be advised that his refusal to take a test as herein provided shall result in the suspension or revocation of his operator's or chauffeur's license or his operating privilege.
- e. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether or not the defendant was under the influence of intoxicating liquor.
- f. Notwithstanding any other provision of this act, a person requested to take this test shall be advised that he has the option to demand that only a breath test shall be given, in which case his refusal to submit to any other test shall not constitute a refusal for the purposes of sections 625d and 625f.

- g. Section 625c states that a person who operated a vehicle upon the public highway of this state is deemed to have given consent to chemical tests of his blood, breath, urine, or other bodily substances for the purpose of determining the alcoholic content of his blood if:
  - 1) He is arrested for driving a vehicle while under the influence of intoxicating liquor, or while his ability is impaired to operate a motor vehicle due to consumption of intoxicating liquor.
  - 2) Any person who is afflicted with hemophilia, diabetes, or any condition requiring the use of an anticoagulant under the direction of a physician shall not be deemed to have given consent to the withdrawal of blood.
  - 3) The tests shall be administered at the request of a law enforcement officer having reasonable grounds to believe the person was driving a vehicle upon the public highways of this state while under the influence of intoxicating liquor.
- h. Section 625d states that a person under arrest shall be advised of his right to refuse to submit to chemical tests, and if he refuses the request of a law enforcement officer to submit to chemical tests, no test shall be given. A sworn report shall be forwarded to the department by the law enforcement officer stating that he had reasonable grounds to believe that the person had been driving a motor vehicle on the public highways of the state while under the influence of intoxicating liquor, or that he had been driving a vehicle while his ability to operate a vehicle had been impaired due to the consumption of intoxicating liquor, and that the person had refused to submit to the test upon the request of the law enforcement officer and had been advised of the consequences of such refusal.
- i. Section 625e states that upon receipt of such sworn statements the department shall immediately notify the person in writing, mailed to his last

known address, that such sworn statement has been received and that within 14 days of the date of the notice he may request a hearing as provided in section 322.

- j. Section 625f states that if the person does not request a hearing within 14 days of the date of such notice, the Secretary of State shall suspend or revoke such person's operator's or chauffeur's license or permit to drive, or any non-resident operating privilege, for a period of not less than 90 days nor more than two years. If the person is a resident without a license or permit to operate a vehicle in this state, the Secretary of State shall deny to that person the issuance of a license or permit for a period of not less than three months nor more than two years.

- 1) If a hearing is requested, the department shall hold such hearing within ten days of receipt of such request in the same manner and under the same conditions as provided in section 322. Such hearings shall cover only the following issues:
  - a) Whether the law enforcement officer had reasonable grounds to believe that the person had been driving a motor vehicle upon the highways of this state while under the influence of an intoxicating liquor, or while his ability to operate a vehicle had been impaired due to consumption of intoxicating liquor.
  - b) Whether the person was placed under arrest for driving a motor vehicle upon the highways of this state while under the influence of an intoxicating liquor or while his ability to operate a vehicle had been impaired due to the consumption of intoxicating liquor.
  - c) Whether the person reasonably refused to submit to the test upon the request of the officer.
  - d) Whether the person was advised of his rights as set forth in sections 625a, 625c, and 625d.

- 2) After the hearing, the Secretary may suspend, revoke, or deny issuance of a license or driving permit or any nonresident operating privilege of the person involved for a period of not less than 90 days nor more than two years. If the person involved is a resident without a license or permit to operate a motor vehicle in this state, the Secretary may deny to that person the issuance of a license or permit for a period of not less than three months nor more than 24 months. The person involved may file a petition in the appropriate circuit court to review the suspension, revocation or denial in the same manner and under the same conditions as provided in Section 323.
  - 3) When it has been finally determined that a non-resident's privilege to operate a vehicle in this state has been suspended or revoked, the department shall give notice in writing of this action to the motor vehicle administrator of the state in which he has his residence and of any state in which he has a license to operate a motor vehicle.
16. Uninsured motorist's fund - clarification and penalties (approved 7-20-67). Numerous minor and technical changes in the Accident Claims Fund Act have been made. Some of the more significant are:
- a. The state, political subdivisions of the state, municipal corporations, and corporations owned by the state or any political subdivision thereof are not now included within the meaning of the term "person" for the purpose of the act.
  - b. An owner allowing someone to drive an uninsured motor vehicle, or driving the vehicle himself, is guilty of a misdemeanor, and may have his vehicle registration revoked until such time as he pays the uninsured motorist fee, as demanded by the Secretary of State.
  - c. An owner requested by a peace officer to produce his evidence of insurance now has 72 hours in which to do so.

- d. One who is convicted of failing or being unable to produce proof of insurance, etc. will now have his license plates and registration forwarded by the court to the Department of State.

17. Motor vehicles - parking, weight restrictions, turns, etc. (approved 7-20-67).

- a. Section 67a states that "tandem axle assembly" means two axles spaced more than three feet, six inches apart and less than nine feet apart, one axle in front of the other and so attached to the vehicle that an attempt is made by a connecting mechanism to distribute the weight equally between the two axles.
- b. Section 644 states that whenever any highway has been divided into two roadways by leaving an intervening space, or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway, and no vehicle shall park or be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier or dividing section or space or at a cross-over section or intersection established by public authority. Cross-overs on limited access highways shall not be used except by such vehicles as provided in section 603, and by road service vehicles while going to or returning from servicing a disabled vehicle and by those otherwise permitted by authorized signs. "Road service vehicles" means vehicles clearly marked and readily recognizable as a vehicle used to assist disabled vehicles.
- c. Section 647 states that the driver of a vehicle intending to turn at an intersection shall do so as follows:
  - 1) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.
  - 2) Approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line, in such a manner as

not to interfere with the progress of any streetcar. After entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.

- 3) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and clear of any existing car tracks in use, bypassing to the right of such center line where it enters the intersection. Approach for a left turn from a one-way roadway into a two-way roadway shall be made as close as practicable to the left curb or edge roadway and by passing to the right of the center line of the roadway being entered.
- 4) Where both streets or roadways are one-way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway.
- 5) Local authorities in their respective jurisdictions may cause pavement markers, signs or signals to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, signs, or signals are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, signs or signals.
- d. Section 674a states that no person shall park a vehicle in any area purchased, acquired or used as a clear vision area adjacent to or on a highway right-of-way, nor shall any person conduct vending or other commercial enterprises in a clear vision area.
- e. Section 675.
  - 1) Except as otherwise provided in this section, every vehicle stopped or parked upon a highway shall be so stopped or parked with its wheels parallel to the roadway and within 12 inches



of any existing right-hand curb, except as otherwise provided in this chapter.

- 2) Local authorities may by ordinance permit parking of vehicles with the left-hand wheels adjacent to and within 12 inches of the left-hand curb of a one-way roadway.
- 3) Local authorities may by ordinance permit angle parking, but it shall not be permitted on any state trunk line highway.
- 4) The State Highway Commission with respect to state trunk line highways and the county road commission with respect to county roads, acting jointly with the commissioner of the Michigan State Police, may place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where, in the opinion of said officials as determined by an engineering survey, such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs. Such signs shall be installed only after a proper traffic code is filed with the county clerk. Upon the application to the State Highway Commission by any home rule city affected by such order, opportunity shall be given to such city for a hearing before the State Highway Commission (pursuant to Act No. 97 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948), except when an ordinance of the home rule city prohibits or restricts the parking of vehicles on a state trunk line highway; or when the home rule city by lawfully authorized official action requests the Department of State Highways to prohibit or restrict parking on a state trunk line highway; or when the home rule city enters into a construction agreement with the Department of State Highways providing for the prohibition or restriction of parking on any state trunk

line highway, during or after the period of construction. Traffic control orders, so long as they affect parking upon a state trunk line within the corporate limits of a home rule city, are deemed "rules" within the meaning of Act 197 of the Public Acts of 1952, as amended, and upon application for hearing by a home rule city the proceedings before the state highway commission shall be considered a "contested case" within the meaning of such act.

- 5) Any veteran who has been honorably discharged from any of the armed services of the United States and who has a service-connected disability equivalent to the disabilities as prescribed in section one of Public Law 187 of the 82nd Congress, First Session, and any physically handicapped person who possesses material incapacity for ambulation, shall be entitled to receive, and the Secretary of State is authorized to issue under such rules and upon such application as he shall prescribe, a serially numbered certificate of identification for the personal use of the veteran or physically handicapped person. The veteran or physically handicapped person shall be entitled to courtesy in the parking of an automobile so identified which shall relieve him from liability for any violation with such automobile with respect to parking, other than in violation of this act. Any local authority may, by ordinance, prohibit parking on any street or highway for the purpose of creating a fire lane or to provide for the accommodation of heavy traffic during morning and afternoon rush hours, and the privileges extending to veterans and physically handicapped persons hereunder shall not apply on streets or highways where and at the time such parking is so prohibited. Any certificate issued as provided herein shall be displayed prominently upon the automobile while being parked by or under the direction of such veteran or physically handicapped person pursuant to this section. Upon conviction of any offense involving a violation of the special privileges hereby conferred upon holders of such special certificates, a magistrate or judge trying such case shall be



authorized, as a part of any penalty imposed therein, to confiscate the serially numbered certificate herein provided and to return the same to the Secretary of State together with a certified copy of the sentence so imposed. Any person, other than the veteran or physically handicapped person to whom it was issued, who shall use any certificate of identification for the purpose of parking an automobile as permitted by this section shall be guilty of a misdemeanor. As for any applicant for a certificate hereunder, any official finding or rating as to disability within the requirements of this section by the United States Veteran's Administration shall be sufficient evidence of the qualifications of the applicant.

- f. Section 722 states that in no case shall the maximum axle load exceed the number of pounds designated in the following provisions which prescribe the distance between axles:
- 1) When the axle spacing is nine feet or over between axles, the maximum axle load shall not exceed 18,000 pounds for vehicles equipped with high pressure pneumatic or balloon tires.
  - 2) When the axle spacing is less than nine feet between two axles but more than three and one-half feet, the maximum axle load shall not exceed 13,000 pounds for high pressure pneumatic or balloon tires.
  - 3) When two axles are spaced less than three and one-half feet apart the combined weight thereof shall not exceed the maximum weights as specified for a single axle when spaced nine feet or more apart.
  - 4) The foregoing shall be known as the normal loading maximum.
  - 5) When such normal loading is in effect, the State Highway Commission, and local authorities with respect to highways under their jurisdiction, shall have the authority to designate certain highways or sections thereof where bridges and road surfaces are adequate for heavier

loading, which designation may be revised as needed, on which the maximum tandem axle assembly loading shall not exceed 16,000 pounds for any axle of such assembly.

- 6) On any legal combination of vehicles, only one tandem axle assembly shall be permitted on such designated highways at the gross permissible weight of 16,000 pounds for any such axle and another tandem axle assembly, if such a combination of vehicles shall exceed a gross weight of 13,000 pounds for any such axle. When the maximum gross weight of a tractor semi-trailer combination of vehicles with load does not exceed 73,280 pounds, two tandem axle assemblies shall be permitted on such designated highways at a gross permissible weight of 16,000 pounds for any such axles.
- 7) The normal size of tires shall be the rated size as published by the manufacturers and in no case shall the maximum wheel load permissible for any wheel exceed 700 pounds per inch of width of tire.
- 8) During the months of March, April, and May in each year the maximum axle load allowable on concrete pavements, or pavements with a concrete base, shall be reduced by 25 percent from the maximum axle loads as specified heretofore in this chapter, and the maximum axle loads allowable on all other types of roads during those months shall be reduced the 35 percent from the maximum axle loads as herein specified. The maximum wheel load shall not exceed 525 pounds per inch of tire width on concrete and concrete base or 450 pounds per inch of tire width on all other roads during the period the seasonal road restrictions are in effect.
- 9) The State Highway Commission, or county road commission with respect to highways under its jurisdiction, may suspend the restrictions imposed by this section when and where at their discretion conditions of the highways so warrant, and may impose the restricted loading requirements of this section on designated highways at any other time that the conditions of the highway may require.

- 10) For the purpose of enforcement of this act, the gross vehicle weight of a single vehicle and load, or a combination of vehicles and loads, shall be determined by weighing individual axles or groups of axles and the total weight on all the axles shall be the gross vehicle weight.

g. Section 724.

- 1) Any police officer or any duly authorized agent of the State Highway Department or a county road commission having reason to believe that the weight of a vehicle and load is unlawful may require the driver to stop and submit to a weighing of the same, by means of either portable or stationary scales approved and sealed by the State Department of Agriculture as a legal weighing device, and may require that such vehicle be driven to the nearest weighing station of the State Highway Department for the purpose of allowing said officer or agent of the State Highway Department or county road commission to determine whether such conveyance is loaded in conformity to the provisions of this chapter.
- 2) Whenever the officer or agent upon weighing a car and load determines that the weight is unlawful, the officer or agent may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is shifted or removed as may be necessary to reduce the gross axle load weight of such vehicle to the limit permitted under this chapter. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator. Any judge or magistrate imposing a fine and costs under this section which are not paid in full immediately, or for which a bond is not immediately posted in double the amount of such fine and costs, shall order the driver or owner to move the vehicle at his own risk to a place of safekeeping within the jurisdiction of the judge or magistrate; inform the judge or magistrate in writing of the place of safekeeping; and

keep the vehicle there until the fine and costs are paid or sufficient bond furnished, or until the judge or magistrate shall be satisfied that the fine and costs will be paid. The officer or agent who has determined, after weighing a vehicle and load, that the weight is unlawful, may require the driver to proceed to a magistrate within the county. If the magistrate is satisfied that the probable fine and costs will be paid by the owner or lessee, he may allow the driver to proceed after the load has been made legal. If the magistrate is not satisfied that the owner or lessee, after a notice of a right to be heard on the merits is given, will pay the amount of the probable fine and costs, the magistrate may order the vehicle to be impounded until trial on the merits is completed, under conditions set forth in this section for the impounding of such vehicles after the fine and costs have been imposed. Removal of the vehicle, and forwarding, care or preservation of the load shall be under the control of and at the risk of the owner or driver. Vehicles impounded shall be subject to a lien, subject to any prior valid bona fide lien of prior record in the amount of such fine and costs, and if the same are not paid within 90 days of such seizure, the said judge or magistrate shall certify such unpaid judgment to the prosecuting attorney of the county in which the violation occurred, who shall proceed to enforce the lien by foreclosure sale in accordance with procedure authorized in the case of chattle mortgage foreclosures. When such duly authorized agent of the State Highway Department or county road commission is performing his duties under this chapter, he shall have all the powers conferred upon peace officers by the general laws of this state.

- 3) Any owner of any vehicle as defined in this act, or any lessee of the vehicle of an owner-operator, who causes or allows a vehicle to be loaded and driven or moved on any highway, when the weight of that vehicle violates the provisions of section 722, is

guilty of a misdemeanor, and upon conviction thereof shall be assessed a fine in an amount equal to two cents per pound for each pound of excess load when the excess is over 2,000 pounds but not over 3,000 pounds; six cents per pound for each pound of excess load when the excess is over 3,000 pounds but not over 4,000 pounds; eight cents per pound for each pound of excess load when the excess is over 4,000 pounds but not over 5,000 pounds; ten cents per pound for each pound of excess load when the excess is over 5,000 pounds.

- 4) Any driver or owner of any vehicle who knowingly fails to stop at or who knowingly bypasses any scales or weighing station is guilty of a misdemeanor.
- 5) No agent or authorized representative of the State Highway Department or a county road commission shall stop any truck or vehicle in movement upon any road or highway within the state for any purpose, unless the agents or authorized representative are driving a duly marked vehicle, clearly showing and denoting the branch of government they represent.
- 6) Any driver or owner of any vehicle who knowingly fails to stop when requested or ordered to by any police officer, or any duly authorized agent of the State Highway Department, or a representative or agent of a county road commission authorized to require the driver to stop and submit to a weighing of his vehicle and load by means of a portable scale, is guilty of a misdemeanor.

18. Motor cycles, motor driven cycles - safety insurance (approved 7-11-66).

Honda	Tail 55 CA-105T	5	HP
	Super Sport, C-110	5	HP
	50, CA-102	5	HP
Harley-Davidson	M/50	2½	HP
Yamaha	Model 55 (Discont) less	5	HP
	Model 60 (new model) less	5	HP
Suzuki	Suzi, Model M 31	5	HP
	Collegian, Model M 15	5	HP
	Varsity, Model M 15	5	HP

Sears	Allstate Mod-Ped	2	HP
	Allstate Sport "60"	4½	HP
	Allstate Cruisair	4.6	HP
Wards	Allstate Compact	3.9	HP
	Riverside Sport Bike	4.5	HP
	Riverside Mo-Ped	2	HP
Spiegel	Riverside Scooter	3	HP
	Motobi 48	4½	HP
	Motobi 125 Scooter	4½	HP
Jawa	Surf-rider "sportster"	4.2	HP
	05	3½	HP

- a. Section 251b states that a dealer shall not rent, lease or furnish a motorcycle or motor driven cycle to any person for use on public streets and highways who is not licensed to operate a motor vehicle by the state, if a resident, and by the state of which he is a resident, if a non-resident.
- b. Section 251c states that the dealer shall maintain in safe operating condition all motorcycles and motor driven cycles rented, leased or furnished by him. The dealer, his agents or employees shall explain the operation of the motorcycle or motor driven cycle being rented, leased or furnished and if such dealer, his agent or employee believes the person to whom the motorcycle or motor-driven cycle is to be rented, leased or furnished is not competent to operate such motorcycle or motor driven cycle with competency to himself and to the safety of persons or vehicles on public streets and highways, he shall refuse to rent, lease or furnish the same.
- c. Section 251d states that it shall be unlawful for a person to whom a motorcycle or motor driven cycle is rented, leased, or furnished, to rent, sublease, or otherwise authorize the use of the motorcycle or motor driven cycle on public streets and highways by any person who is not licensed to operate a vehicle in this state.
- d. Section 251e states that any dealer renting, leasing or furnishing any motorcycle or motor driven cycle shall carry a "motor vehicle liability policy" of the same type and coverage as that outlined in section 520 of this act for each motorcycle or motor driven cycle so rented, leased or furnished,

or, as an alternative, demand and be shown proof that the person renting, leasing or being furnished a motorcycle or motor driven cycle carries a motor vehicle liability policy of at least the type and coverage as specified in section 520 of this act.

e. Section 658.

- 1) A person propelling a bicycle or operating a motorcycle or motor driven cycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- 2) No bicycle or motorcycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
- 3) No motor driven cycle shall be used to carry more than one person at any one time.
- 4) A person operating or riding on a motorcycle or motor driven cycle shall wear a crash helmet approved by the Department of State Police. The Department shall promulgate rules for the implementation of this section in accordance with the provisions of Act No. 88 from the Public Acts of 1943, as amended, being sections 24.71 to 24.80 of the Compiled Laws of 1948, and subject to Act No. 197 of the Public Acts of 1952, as amended, being sections 24.101 to 24.110 of the Compiled Laws of 1948.

f. Section 660.

- 1) Every person operating a bicycle, a motor driven cycle or motorcycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- 2) Persons riding bicycles, motor driven cycles or motorcycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of such vehicles.

- 3) Wherever usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
- 4) No person operating a motor driven cycle, a motorcycle or a bicycle shall pass between lines of traffic, but may pass on the left of traffic moving in his direction in the case of a two-way street, or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.

- g. Section 661 states that no person operating a bicycle, motorcycle, or motor driven cycle shall carry any package, bundle or article which prevents the driver from keeping both hands upon the handle bars of said vehicle.

19. Litter law - accident debris - removal (approved 7-1-66).

Section one states that it is unlawful for any person knowingly, without the consent of the public authority having supervision of public property or the owner of private property, to dump, deposit, place, throw or leave, or cause to permit the dumping, depositing, placing, throwing, leaving of litter on any public or private property or waters other than property designated and set aside for such purposes. The phrase "public or private property or waters" includes, but is not limited to, the right of way of any road or highway, any body of water or watercourse, or the shores or beaches thereof and including the ice above such waters; any park, playground, building refuge or conservation or recreation area; and any residential or farm properties or timberlands. It is unlawful for a person who removes a vehicle, wrecked or damaged in an accident on a highway, road or street, to fail to remove all glass and other injurious substances dropped on the highway, road or street as a result of the accident.

20. Traffic violations - failure to halt vehicle upon command of police (approved 7-11-66, effective 9-1-66). Section 602a states that a driver of a motor vehicle who is given by hand, voice, emergency light or siren a visual or audible signal by a police officer acting in the lawful performance of his duty, directing the driver to bring his vehicle to a stop, and who willfully fails to

obey such direction, by increasing his speed, extinguishing his lights, or otherwise attempting to flee or elude the officer, is guilty of a misdemeanor. The officer giving the signal shall be in uniform, and a vehicle driven at night shall be adequately identified as an official police vehicle.

21. Temporary vehicle and driver check lanes. Department of State Police (approved 7-11066). Section 715.
  - a. Equipment on motor vehicles as required under this act shall be maintained as herein provided, and any uniformed police officer shall be authorized on reasonable grounds shown to stop any motor vehicle to inspect the same, and if any defects in equipment are found to arrest the driver in the manner prescribed in section 727 and to order the driver to have the same repaired forthwith. In case of accident any police officer may make inspection of the cars involved.
  - b. The Director of the Department of State Police shall cause inspection to be made of motor vehicles operating on the public highways to detect defective equipment or other violations of law governing the use of public highways by motor vehicles, operators and chauffeurs. For such purpose he may establish temporary vehicle check lanes at appropriate locations throughout the state for checking such inadequacies and violations. A county, city, village or township police department may also operate such a temporary check lane within its limits with the express authorization of the Director and under the direct supervision of a designated representative of the Director.
22. Vehicle operator - ability impaired voluntarily (approved 7-11-66). Section 625b.
  - a. It is unlawful and punishable as provided in this section for any person to operate a vehicle upon a highway or any other place open to the general public, including any area designated for the parking of motor vehicles, within this state when, due to consumption of intoxicating liquor, narcotic drugs, barbitol or any derivative of barbitol,

he has visibly impaired his ability to operate the vehicle. Where a person is charged with violating section 625, a finding of guilty shall be permissible under this section.

- b. Any person convicted of a violation of this section may be imprisoned in the county jail for not more than 90 days or fined not more than \$100 or both, together with costs of the prosecution. On a second and subsequent conviction under this section or a local ordinance substantially corresponding thereto, he may be imprisoned for not more than one year or fined not to exceed \$1,000 or both. The Division of Driver and Vehicle Services, within ten days after the receipt of a properly prepared abstract, shall record four points for each conviction under this section.
23. Speeding. Speed restrictions; assured clear distance ahead. Section 627.
    - a. Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other condition then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.
    - b. Business or residence districts; public parks, posted speed limits. Subject to the provisions of paragraph one of this section and except in those instances where a lower speed is specified in this chapter, it shall be prima facie lawful for the driver of a vehicle to drive the same at a speed not exceeding the following, but in any case when such speed would be unsafe it shall not be lawful:
      - 1) 25 miles per hour on all highways in a business or residence district as defined herein.
      - 2) 25 miles per hour in public parks unless a different speed is fixed and duly posted.

- 3) It shall be prima facie unlawful for any person to exceed any of the foregoing speed limitations, except as provided in section 629 of this chapter.
  - c. Vehicles with trailers. No passenger vehicle drawing another vehicle or trailer shall exceed a speed of 50 miles per hour, unless the vehicle or trailer is two wheels or less and does not exceed the combined weight of 750 pounds for the trailer and load, or a trailer coach of not more than 26 feet in length with brakes on each wheel and attached to the passenger vehicle with an equalizing or stabilizing coupling unit.
  - d. Trucks and combinations weighing over 5,000 pounds. No truck, tractor with trailer, nor any combination of such vehicles, with a gross weight, loaded or unloaded, in excess of 5,000 pounds, shall exceed a speed of 50 miles per hour, which shall be reduced to 35 miles per hour during the period when reduced loadings are being enforced in accordance with the provisions of this chapter.
  - e. School buses.
    - 1) No school bus shall exceed the speed of 50 miles per hour.
    - 2) Bus drivers when stopping to allow passengers to leave the bus must have flashing stop lights working.
    - 3) All vehicles must stop in both directions, except in cases of expressways divided by a median.
    - 4) Unless a local ordinance is in effect, many cities do not enforce the state laws when school buses are within the city limits.
24. Stop signs. Section 649b. Stop sign, driver's duty.
- a. The driver of a vehicle in obedience to a stop sign shall come to a full stop before entering of crossing the intersection being controlled by the stop sign and shall proceed with caution after

yielding right-of-way to all vehicles in the intersecting street or highway which have entered the intersection or are so close as to constitute an immediate hazard.

- b. A full stop is an important element of proof in the violation. A shifting of gears without a complete stop or slowing down is in violation.
25. Traffic signals. Obedience to traffic-control devices (257.611).
- a. Section 611 states that no driver of a vehicle or motorman of a street car shall disobey the instructions of any traffic control device placed in accordance with the provisions of this chapter unless at the time otherwise directed by a police officer.
  - b. Traffic control signal legend; signals over traveled portion of highway (257.612). Section 612 states that whenever traffic is controlled by traffic control signals, such signals shall be located over the traveled portion of the roadway so as to give drivers a clear indication of the right of way assignment from their normal positions approaching the intersection. Other mounting positions approaching an intersection may be utilized only when a signalized direction is served by one or more traffic control device signals mounted over the traveled portion of the roadway. The vehicle signals shall exhibit different colored lights successively one at a time, or with arrows. The following colors shall be used and said terms and lights shall indicate and apply to drivers of vehicles:
    - c. Green indication - vehicular traffic facing the signal, except when prohibited under section 664, may proceed straight through or turn right or left unless a signal prohibits either such turn. But vehicular traffic including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.



- d. Steady yellow indication - vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.
- e. Steady red indication - vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection, or if none then before entering the intersection and shall remain standing until a green indication is shown.
- f. Arrow indications.
  - 1) Green arrow (steady): Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Vehicle traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
  - 2) Red arrow (flashing): When a red arrow is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a time limit when marked and shall then be privileged to make the movement indicated if no interference is offered pedestrians or vehicles lawfully on the highway.
- g. If a traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any sign or marking the stop shall be made at the signal.

- h. Same; pedestrians (257.613). Section 613 states that whenever special pedestrian control signals are not utilized, the regular traffic control signals as indicated in section 612 shall apply to pedestrians as follows:
  - 1) Green indication. Pedestrians facing such signal may proceed across the roadway within any marked or unmarked crosswalk.
  - 2) Steady yellow indication. Pedestrians facing such signal are advised that there is insufficient time to cross the roadway and any pedestrian then starting to cross shall yield the right of way to all vehicles.
  - 3) Steady red indication. Pedestrians facing such signal shall not enter the highway unless they can do so safely and without interfering with any vehicular traffic.
  - 4) Red with arrow. Pedestrians facing such signal shall not enter the highway unless they can do so safely without interfering with any vehicular traffic.
- i. Whenever special pedestrian control signals are installed they shall be placed at the far end of each crosswalk and shall indicate a "walk" or "wait" interval. These special signals shall apply to pedestrians only to the exclusion of any regular traffic control signals or signals which may be present at the same location.
  - 1) Walk interval - pedestrians facing such signal may proceed across the highway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.
  - 2) Wait interval - pedestrians shall not start to cross the highway in the direction of such signals, but any pedestrian who has partially completed his crossing on the walk interval of such signal shall proceed to a sidewalk or safety island while the wait interval of the signal is showing.



- 3) In addition to the foregoing devices authorized for use by this section, the following additional devices may be used, in each case with due regard for the rights and safety of pedestrians: "don't walk"(flashing); "don't walk"(steady burning).
- j. Flashing red or yellow signals (257.614). Section 614 says that whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:
  - 1) Flashing red (stop signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
  - 2) Flashing yellow (caution signal). When a yellow lens is illuminated by rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.
- k. Signs or lights resembling traffic control devices; commercial advertising prohibited on traffic signs. (257.615). Section 615 states that except with authority of a statute or of a duly authorized public body or official, no person shall place, maintain, or display along any highway or upon any structure in or over any highway any sign; signal; marking; device; blinking, oscillating or rotating light or lights; decoration, or banner which is or purports to be or is in imitation of or resembles or which can be mistaken for a traffic control device or railroad sign or signal, or which attempts to direct control of movement of traffic, or which hides from view or interferes with the effectiveness of any traffic control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising.

1. Emergency vehicles; distinguishing lights; prohibited lights. No person shall place, maintain or display along any highway any blinking, oscillating or rotating light or lights sufficiently similar in color or design that they may be mistaken for the distinguishing lights authorized by law for emergency vehicles or that creates a hazard for the safety of drivers using said highways.
- m. Prohibited signs; public nuisance; removal. Every such prohibited sign, signal, marking, device, decoration or banner is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause to be removed without notice.
- n. Placement of street decorations and banners; obstruction of traffic lights and signals.
  - 1) Decorations or banners which may be placed over the traveled portion of any street or highway shall be placed not closer than ten feet on either side of traffic lights or signals.
  - 2) They will be placed so as not to obstruct a clear view of traffic lights or signals.
26. Emergency vehicles.
  - a. Authorized emergency vehicle (257.2). Section two states that an "authorized emergency vehicle" means vehicles of the fire department, police vehicles, ambulances, emergency vehicles of governmental departments, or such vehicles of public service corporations and privately owned motor vehicles of volunteer and paid firement as are authorized by the commissioner.
  - b. Vehicles in pursuit of criminals, fire patrols, ambulances (257.632). Section 632 states that the speed limitation set forth in this chapter shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected

vehicle on the right except as otherwise provided in section 651: Provided, however, where signs bearing the message "yield right-of-way" are erected upon the approach to an intersection, a driver approaching such sign shall slow to a reasonable speed for existing conditions of traffic and visibility, yielding the right-of-way to all traffic on the intersecting street which is so close as to constitute an immediate hazard. The driver of any vehicle traveling at an unlawful speed shall forfeit any right-of-way which he might otherwise have hereunder.

- 2) Stop sign, driver's duty. The driver of a vehicle in obedience to a stop sign shall come to a full stop before entering or crossing the intersection being controlled by the stop sign and shall proceed with caution after yielding right-of-way to all vehicles on the intersecting street or highway which have entered the intersection or are so close as to constitute an immediate hazard.
- c. Same, left turn (257.650). Section 650 states that the driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required by this chapter, may make such left turn, and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn: Provided that at an intersection at which a traffic signal is located, a driver intending to make a left turn shall permit vehicles bound straight through in the opposite direction which are awaiting a go signal to pass through the intersection before making a turn.
- d. State trunk line highways; intersections; stopping; yielding right-of-way; margin traffic signs (257.651). Section 651 states that except as otherwise provided

- b) Upon the approach of an authorized emergency vehicle, as above stated, the motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized vehicle has passed, except when otherwise directed by a police officer.
- c) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.
- 2) Section 350d states that any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof.
27. Failure to yield right-of-way (257.53). Section 53 states that "right-of-way" means the privilege of the immediate use of the highway.
  - a. Driver of vehicle; signals for starting, stopping or turning; commercial vehicle equipped with signal lamp or device (257.648). The driver of any vehicle upon a highway before starting, stopping or turning from a direct line shall first see that such movement can be made in safety.
  - b. Right-of-way at intersections; simultaneous entrance; yield right-of-way signs; forfeiture of right-of-way (257.649).
    - 1) Section 649 states that when two vehicles enter an intersection at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the

of any such violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to public or private ambulances when traveling in emergencies. This exemption shall not, however, protect the driver of any such vehicles from the consequences of a reckless disregard for the safety of others.

- c. Any lamps or reflectors on a vehicle other than those expressly required or permitted by the provisions of this chapter shall, if visible from the front, display or reflect a white or amber light; if visible from either side, display an amber light; and if visible from the rear, display or reflect a red light, except as otherwise provided by law. Flashing, oscillating or rotating red lights may be used only as follows: By authorized emergency vehicles as provided by section 603 of this chapter. State, county, or municipal vehicles engaged in snow removal or ice control operations will be equipped with flashing, oscillating or rotating amber lights placed in such a position on the vehicle as to be visible throughout an arc of 360 degrees.
- d. Authorized emergency vehicle; right-of-way yielded by other vehicles (257.653). Section 653.
  - 1) Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted flashing, rotating, or oscillating lamp exhibiting a red or blue light visible under normal atmospheric condition from a distance of 500 feet to the front of such vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell:
    - a) The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb in the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

in this section, all vehicles approaching the intersection of a state trunk line highway shall come to a full stop before entering or crossing such highway and shall proceed with caution after yielding right-of-way to all vehicles on the intersecting highway which have entered the intersection or are so close as to constitute an immediate hazard. It shall be the duty of the State Highway Commissioner to erect "stop" or "yield right-of-way" signs at every entrance to a state trunk line highway from intersecting highways or streets. No "stop" or "yield right-of-way" signs need be installed at intersections where approved traffic signals are used to control traffic. Whenever a vehicle approaches the intersection of a state trunk line highway from an intersecting highway or street, which is intended to be, and constructed as, a merging highway or street, and is plainly marked at such intersection with appropriate "merging traffic" signs, such vehicle need not come to a full stop, except to avoid a collision, but shall adjust its speed so as to enable it to merge safely with the trunk line traffic. If the intersecting traffic highway or street, in the opinion of the State Highway Commissioner, is no longer suitable as a merging highway or street, he shall remove the "merging traffic" signs and erect traffic signals, "stop" or "yield right-of-way" signs, whichever he determines to be proper. Where two or more state trunk line highways intersect or cross, the State Highway Commissioner and the Director of the Michigan State Police, acting jointly, shall determine which traffic, if any, shall be given preference, and appropriate traffic signals, "stop" or "yield right-of-way" signs shall be erected.

- e. Entry on highway, stopping, yielding right-of-way (257.652). Section 652 states that the driver of a vehicle about to enter or cross a highway from an alley, private road or driveway shall come to a full stop before entering such highway and shall yield right-of-way to all vehicles approaching on the highway.

## 28. Turns.

## a. Right turns.

- 1) Intersections; position for turning (257.647). Both the approach for a right turn and a right shall be made as close as practicable to the right-hand curb or edge of the roadway.
- 2) Section 257.648 states that the signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by a mechanical or electrical signal device which conveys an intelligible signal or warning to another driver approaching from the rear, except as otherwise provided in paragraph "c." Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop or turn by extending the hand and arm horizontally from beyond the left side of the vehicle.

## b. Left turns.

- 1) Section 257.647b states that the approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof in such a manner as not to interfere with the progress of any street car, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered.
- 2) Section 257.647c states that the approach for a left turn from a two-way street into a one-way street shall be made in that portion of the right half of the roadway nearest the center line thereof and clear of any existing car tracks in use and by passing to the right of such center line where it enters that intersection. A left turn from a one-way street into a two-way street shall be made by passing to the right of the center line of the street being entered upon leaving the intersection.

- 3) Section 257.647d states that where both streets or roadways are one-way both the approach for a left turn and a left turn shall be made as close as practicable for the left-hand curb or edge of the roadway.

- 4) Section 257.647e states that local authorities in their respective jurisdictions may cause pavement markers, signs or signals to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, signs or signals are so placed that no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, signs, or signals.

- 5) Section 257.648b states that the signal herein required shall be given either by means of the hand and arm in the manner herein specified, or by a mechanical or electrical signal device which conveys an intelligible signal or warning to another driver approaching from the rear, except as otherwise provided in paragraph "c." Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop or turn by extending the hand and arm horizontally from and beyond the left side of the vehicle.

## 29. Registration plates. Same; attachment, display.

- a. Section 257.225a states that registration plates issued for a motor vehicle shall be attached thereto, one in the front and the other in the rear and where one plate is issued for a motor vehicle it shall be attached to the rear thereof. The registration plate issued for the other vehicles required to be registered hereunder shall be attached to the rear thereof.
- b. Section 257.225b states that every registration plate shall at all times be securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging, and at a height of not less than 12 inches from the ground, measuring from the bottom of such plate,

in a place and position to be clearly visible and shall be maintained free from foreign materials and in a condition to be clearly visible.

- c. Section 257.225c states that license plates or the expiration date thereon shall be of a different color designated by the Secretary of State for each year. There shall be at all times a marked contrast between the color of the number plates and the numerals or letters thereon. The Secretary of State may provide such distinctive number plates for commercial vehicles, manufacturers and dealers as he may deem advisable.
- d. Section 257.225d states that it shall be unlawful to attach to any motor vehicle license plate any name plate, insignia or advertising device.

### 30. Lights.

#### a. Head lamps for motor vehicles; number, height.

- 1) Section 257.685a states that every motor vehicle other than a motorcycle or motor driven cycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this chapter.
- 2) Section 257.685b states that every motorcycle and every motor driven cycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this chapter.
- 3) Section 257.685c states that every head lamp upon every motor vehicle, including every motorcycle, shall be located at a height measured from the center of the head lamp of not more than 54 inches nor less than 24 inches above the level surface upon which said vehicle stands.
- 4) Section 257.685d states that whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary

lamps or a spot lamp or any other lamp on the front thereof, projecting a beam of an intensity greater than 300 candlepower; not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

#### b. Spot lamps; auxiliary driving lamps.

- 1) Section 257.696a states that any motor vehicle may be equipped with not to exceed two spot lamps, except that a motorcycle shall not be equipped with more than one spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed into the eyes of the approaching driver. Spot lamps may not emit other than either a white or amber light.
- 2) Section 257.696b states that any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 24 inches above the level surface on which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth in this chapter.

#### c. Permissible additional lights; flashing, oscillating or rotating lights.

- 1) Section 257.698a states that any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.
- 2) Section 257.698b states that any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side thereof which shall emit a white or amber light without glare.
- 3) Section 257.698c states that backing lights of any color may be mounted on the rear of any motor vehicle if the switch controlling such light be so arranged that it may be turned on only when the vehicle is in reverse gear. Such backing lights when

unlighted shall be so covered or otherwise arranged as not to reflect objectionable glare in the eyes of drivers of vehicles approaching from the rear.

- 4) Section 257.698d states that any lamps or reflectors on a vehicle other than those expressly required or permitted by the provisions of this chapter shall, if visible from the front, display or reflect a white or amber light; and if visible from the rear, display oscillating or rotating red lights, which may be used only as follows:
  - a) By authorized emergency vehicles as provided by section 603 of this chapter. State, county or municipal vehicles engaged in snow removal or ice control operations shall be equipped with flashing, oscillating or rotating amber lights placed in such position on the vehicle as to be visible throughout an arc of 360 degrees.
  - b) By public utility service vehicles, ambulances, authorized emergency vehicles, automobile service cars and wreckers engaged in removing or assisting vehicles at the site of traffic accidents, and state, municipal and county vehicles actually engaged in the maintenance or repair of the highway.
  - c) By school buses only when said school bus is stopped on the highway for the purpose of permitting school children to board or alight therefrom.
  - d) By farm tractors only when operated on the highway after dark or when visibility is poor.
- 5) Section 257.698e states that a flashing red light may be mounted and used on any motor vehicle operated by rural letter carriers when actually engaged in delivering mail on their mail routes, but only when brakes are applied.

d. Multiple-beam road lighting equipment; color, intensity, indicator (257.699) Section 699.

- 1) Except as hereinafter provided, the head lamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be arranged so that selection may be made between distributions of light projected to different elevations, subject to the following requirements and limitations:
  - a) Head lamps shall in all cases emit a white light; auxiliary lamps may emit either a white or amber light.
  - b) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading.
  - c) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead, and under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.
  - d) Every new motor vehicle, except motorcycles and motor driven cycles registered in this state after



the effective date of this act, which has multiple-beam road lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the headlamps is in use and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

e. Same; rise, oncoming traffic.

- 1) Section 257.700a states that whenever a motor vehicle is being operated on a highway or shoulder adjacent thereto during the times specified in section 684, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations.
- 2) Section 257.700b states that whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, specified in section 699 paragraph "c," shall be deemed to avoid glare at all times regardless of road contour and loading.

31. Non-resident procedure.

a. Arrest without warrant for misdemeanor; notice to appear.

- 1) Section 257.728a states that whenever a person is arrested without a warrant for any violation of this act punishable as a misdemeanor, or of a provision of any ordinance substantially corresponding to any provision of this act, under conditions not referred to in sections 617 and 619 and subdivisions 1, 2, and 3 of section 727, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of such person, the offense charged, and the time when and place where such person shall appear in court. If such arrested person so demands, he shall be taken before a magistrate or probate court as provided in section 727 in lieu of being given such notice.
- 2) Section 257.728b states the time to appear. The time specified in the notice to appear shall be within a reasonable time after such arrest, unless the person arrested shall demand an earlier hearing.
- 3) Section 257.728c states the place of appearance. The place specified in the notice to appear, shall be before a magistrate within the township or county, or probate court of the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense.
- 4) Section 257.728d requires appearance in person, by representation or mail. When appearance is made by representation or mail, the magistrate may accept the pleas of guilty or not guilty for purposes of arraignment, with the same effect as though the person personally appeared before him. The magistrate, by giving 5 days' notice of the date of appearance, may require appearance in person at the time and place designated in the notice.
- 5) Section 257.728e - Non-residents; guaranteed appearance certificate. When any person not a resident of this state shall be arrested without warrant for any violation of this act under conditions not referred to in section 727, or



of a provision of any ordinance substantially corresponding to any provision of this act, the officer making such arrest shall upon demand of such arrested person forthwith take such person before a magistrate of the vicinity to answer to the complaint made against him. If no magistrate is available or such immediate trial cannot be had, the person so arrested may recognize to such officer for his appearance by leaving with him a guaranteed appearance certificate or a sum of money not to exceed \$25.00.

- a) The officer making such arrest shall give a receipt to the person arrested for the guaranteed appearance certificate or the monies so deposited with him together with a written summons as hereinbefore provided.
  - b) If the offender fails to appear as therein required, such guaranteed appearance certificate or deposit shall be forfeited as in other cases of default in bail in addition to any other penalty provided in this chapter.
  - c) The officer taking a certificate or deposit shall within 48 hours thereafter deliver the same to the magistrate named in the summons together with a report of the facts relating to such arrest; and failure to make such report and deliver such deposit shall be deemed embezzlement of public money.
  - d) Guaranteed appearance certificate means any card or certificate containing a printed statement that a surety company authorized to do business in this state guarantees the appearance of the person whose signature appears on the card or certificate, and that such company will, if such person fails to appear in court at the time of trial, pay any fine or forfeiture imposed on such person in an amount not to exceed \$200.00.
- 6) Section 257.728f - Fees. Notwithstanding any provision of law to the contrary, any officer making an arrest under this chapter without a

warrant, except under paragraphs 1, 2, and 3 of section 727, shall not be entitled to any fees for making such arrest, and the magistrate shall be entitled to a fee of \$2.00 where no trial on the merits takes place in proceedings under sections 223, 225, 228, 311, 315, 672, 673, 674, and 675.

- 7) Section 257.728g states that any officer or magistrate violating any of the provisions of this section shall be guilty of misconduct in office and shall be subject to removal from office.
32. Drag, racing, speed contests - defined, prohibited (approved, 7-1-66).
- a. Section 626a states that it shall be unlawful for any person to operate any vehicle upon any highway, or any other place open to the general public, including any area designated for the parking of motor vehicles, within this state, in a speed or acceleration contest or for the purpose of making a speed record, whether from a standing start or otherwise over a measured or unmeasured distance, or in a drag race as herein defined.
  - b. "Drag racing" means the operation of two or more vehicles from a point side by side at accelerating speeds in a competitive attempt to out-distance each other over a common selected course or where timing is involved or where timing devices are used in competitive accelerations of speeds by participating vehicles. Persons rendering assistance in any manner to such competitive use of vehicles shall be equally charged as participants. The operation of two or more vehicles either at speeds in excess of prima facie lawfully established speeds or rapidly accelerating from a common starting point to a speed in excess of such prima facie lawful speed is prima facie evidence of drag racing and is unlawful.
33. Slow moving vehicles, reflectorized warning device (approved 7-1-66). Section 688 states that in addition to other equipment required in this chapter, the following vehicles shall be equipped as herein stated under the conditions stated in section 687 of this chapter.

- a. On every bus or truck, whatever its size, there shall be the following: On the rear, two red reflectors, one on each side, and one red or amber stop light.
- b. On every bus or truck 80 inches or more in overall width, in addition to the requirements in paragraph "a":
  - 1) On the front, two clearance lamps, one at each side.
  - 2) On the rear, two clearance lamps, one at each side.
  - 3) On each side, two side marker lamps, one at or near the front and one at or near the rear.
  - 4) On each side, two reflectors, one at or near the front and one at or near the rear.
- c. On every truck tractor: On the front, two clearance lamps, one at each side; on the rear, one stop light.
- d. On every trailer or semi-trailer having a gross weight in excess of 3,000 pounds:
  - 1) On the front, two clearance lamps, one at each side.
  - 2) On each side, two side marker lamps, one at or near the front and one at or near the rear.
  - 3) On each side, two reflectors, one at or near the front and one at or near the rear.
  - 4) On the rear, two clearance lamps, one at each side, also two reflectors, one at each side, and one stop light.
- e. On every poletrailer:
  - 1) On each side, one side marker lamp and one clearance lamp which may be in combination to show to the front, side or rear.

- 2) On the rear of the poletrailer or load, two reflectors, one on each side.
- f. On every trailer or semi-trailer weighing 3,000 pounds gross or less: On the rear, two reflectors, one on each side. If any trailer or semi-trailer is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, then such vehicle shall also be equipped with one stop light.
- g. When operated on the highway, every vehicle which has a maximum potential speed of 25 miles per hour, implement of husbandry, farm tractor or special mobile equipment shall be identified with a reflective device as follows:
  - 1) An equilateral triangle in shape, at least 16 inches wide at the base and at least 14 inches in height, with a dark red border, at least one and three-fourths inches wide, of highly reflective beaded material.
  - 2) A center triangle, at least 12 1/4 inches on each side, of yellow-orange fluorescent material.
  - 3) The device shall be mounted on the rear of the vehicle, broad base down, not less than three feet nor more than five feet above the ground and as near the center of the vehicle as possible. The use of this reflective device is restricted to use on slow moving vehicles specified in this section, and use of such reflective device on any other type of vehicle or stationary object on the highway is prohibited.
  - 4) On the rear, at each side, red reflectors or reflectorized material visible from all distances within 500 to 50 feet to the rear when directly in front of lawful upper beams or headlamps.

B. Hit and run accident laws.

- 1. Traffic laws relative to hit and run investigations; excerpts from Michigan Vehicle Code.

- a. (249) 257.617 Motor vehicle accident on property open to public, personal injury or death, stopping (MAS 9.2317). Section 617 states that the driver of any vehicle who knows or who has reason to believe that he has been involved in an accident upon either public or private property, when such property is open to travel by the public, resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident and shall remain thereat until he has fulfilled the requirements of section 619. Every such stop shall be made without obstructing traffic more than is necessary.
- b. Penalty. Any person failing to stop or to comply with said requirements under such circumstances shall upon conviction be punished by imprisonment in the county or municipal jail for not less than 30 days nor more than one year, or in the state prison for not less than one nor more than five years, or by a fine of not less than \$100 nor more than \$5,000 or by both such fine and imprisonment.
- c. Suspension of license. The Secretary of State shall suspend the operator's or chauffeur's license of the person so convicted as provided in section 319 of this Act (amended 1958, Act 35).
- d. (250) 257.618. Same; damage to vehicle, stopping, penalty (MSA 9.2318). Section 618 states that the driver of any vehicle who knows or who has reason to believe that he has been involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident and shall remain thereat until he has fulfilled the requirements of section 619. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements under such circumstances shall be guilty of a misdemeanor (amended 1958, Act 35).
- e. (251) 257.619. Same, giving information and rendition of aid (MSA 9.2319). Section 619 states that the driver of any vehicle who knows or who has reason

to believe that he has been involved in an accident resulting in injury or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address, and the registration number of the vehicle he is driving, and also the name and address of the owner, and exhibit his operator's or chauffeur's license to the person struck or the driver or occupants of any vehicle collided with, and shall render to any person injured in such accident reasonable assistance in securing medical aid or transportation of injured person or persons (amended 1958, Act 35).

- f. (252) 257.620. Same; unattended vehicle report (MSA 9.2320) approved 6-1-27; effective 11-2-67. Section 620 states that the driver of any vehicle which collides upon either public or private property with any vehicle which is attended or unattended shall immediately stop, shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the vehicle, or if such owner cannot be located, shall forthwith report it to the nearest or most convenient police officer.
- g. (243) 257.621. Same; fixtures on or adjacent to highway, report (MSA 9.2321).
  - 1) Section 621 states that the driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such accident and of his name and address, of the registration number of the vehicle he is driving, and shall upon request exhibit his operator's license or chauffeur's license, and if such owner cannot be found, shall forthwith report such accident to the nearest or most convenient police officer.
  - 2) It shall be the duty of the officer receiving such report to forward the same to the Commissioner of State Police on forms prescribed by him.

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- h. (254) 257.622. Same; report (MSA 9.2322). Section 622 states that the driver of every motor vehicle involved in an accident resulting in a vehicle or vehicles becoming so disabled as to be incapable of being propelled in the usual manner, or resulting in personal injury or death of any person shall forthwith report such accident to the nearest or most convenient police station or police officer. The officer receiving such report shall forthwith forward the same to the Director of State Police on forms to be prescribed by him.
  - i. (255) 257.623. Same; report of garagekeeper or repairman (MSA 9.2323). Section 623 states that the person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident or having been struck by any bullet shall report the same to the nearest police station or sheriff's office immediately after such motor vehicle is received, giving the engine number, registration number, and the name and address of the owner, and/or operator of such vehicle.
  - j. (256) 257.624. Same; use of reports (MSA 9.2324).
    - 1) Section 624 states that the reports required by this chapter shall not be available for use in any court action, but it shall be for the purpose of furnishing statistical information as to the number and cause of accidents.
    - 2) Hit and run accident defined. "Hit and run accident" is a traffic accident in which a driver fails to comply with any of the laws regarding stopping, giving aid, and revealing his identity.
2. Types of hit and run accidents - classification.
- a. Death, injury, or striking of an attended vehicle caused by hit and run vehicle.
  - b. Striking object (or unattended vehicle, parked) by hit and run vehicle.

- 3. Reasons for person leaving scene.
  - a. He may have no valid operator's license.
  - b. He may be drunk and/or have been drinking heavily.
  - c. He may be reacting to fear or panic.
  - d. He may have no insurance.
- 4. Procedures to follow when investigating hit and run accidents.
  - a. Ascertain if accident involves a hit and run driver. It is possible that the driver could have left the scene to call police or go to a hospital.
  - b. Type of hit and run accident (see section 2). If injury, render first aid and call an ambulance. If a serious injury or death, notify Hit and Run Squad and traffic supervisors.
  - c. Hit and run vehicle.
    - 1) If the vehicle has left the scene, obtain, if possible, (1) a description of the vehicle as to year, model, make, color, license number; (2) probable damage to vehicle; (3) a description of the driver (race, clothing, etc.); (4) the number of passengers in the hit and run vehicle.
    - 2) If identification is not possible, give any available information to the radio dispatcher to alert other patrols. Take an accident report.
    - 3) Positive identification is possible in cases where:
      - a) Vehicle was left at the scene by the hit and run driver.
      - b) The driver is recognized or recognizable by witnesses and/or other drivers.
      - c) License number of the hit and run vehicle was obtained by witnesses and/or other drivers.

- 4) The investigator may, under such ideal circumstances, clear the case within a matter of minutes or hours himself.
5. Investigator may eventually have to turn information available over to others to continue the investigation because:
  - a. The violation was out of his jurisdiction.
  - b. He cannot leave his present assignment.
  - c. He might have other more urgent duties, such as an investigation of another accident, etc.
  - d. He may have run out of leads in the case.
  - e. There may be a special squad to handle the hit and run cases for his department.
6. Statements regarding the hit and run accident. In taking the statements, the hit and run investigator should satisfy himself of the following:
  - a. That all statements contain descriptions of vehicles (description of the vehicle is most important, no matter how vague). Description of the driver and passengers should be included, if possible. Include all information, no matter how vague.
  - b. That the statement includes descriptions of witness(es) giving the cause of the accident.
    - 1) The mere fact that a driver does not stop at the scene does not mean that he committed the violation which was the actual cause of the accident.
    - 2) It is possible that one driver could be cited for causing the accident and the other cited or arrested for hit and run.
    - 3) If possible, have a complaint signed by a witness if identification of the driver is possible.
7. Evidence and marking evidence from a hit and run accident.

- a. The best piece of evidence is the hit and run vehicle, if left at the scene or found after the accident. Have any such vehicle towed in and checked for prints (it is possible that the owner will claim that his vehicle was stolen). Have a hold placed on the hit and run vehicle for subsequent investigation. It is important that the vehicle is not released until the case is cleared.
- b. Pieces of the hit and run vehicle left at the scene are valuable evidence. They make it possible to:
  - 1) Establish the make of the hit and run vehicle by parts identification.
  - 2) Establish the color of the hit and run vehicle by parts identification.
  - 3) Identify the hit and run vehicle through a comparison of parts or pieces found at the accident scene against the hit and run vehicle.
  - 4) They should be marked as any other evidence and turned in to the property clerk.
- c. Scientific aids. The proper examination and correct evaluation of physical evidence is a responsibility of the technician or the expert, who by reason of his training and experience is qualified in the particular fields involved.
  - 1) Policemen should know, however, what scientific aids are available.
  - 2) They should be sufficiently familiar with basic principles of the techniques common to scientific examination so that they will know:
    - a) What materials to look for.
    - b) How to preserve the materials.
    - c) How and where to present the materials for examination.
    - d) Where to look for expert aid.

- 3) The Michigan State Crime Laboratory is available twenty-four hours a day to assist in investigations of this nature.
- 4) The usual immediate objectives of scientific aid in hit and run investigation are:
  - a) To identify a vehicle as having been at the scene of an accident.
  - b) To establish conclusively that a suspected car has been in an accident.
  - c) To corroborate or to disprove statements of persons involved.
- 5) It is obvious that all materials found at the scene of a hit and run accident are of the utmost importance in the case, and the evaluation of these materials will involve procedures ranging from simple comparisons or tests to very complicated procedures and analyses.
- 6) Most common materials found at the scene of a hit and run accident will be:
  - a) Glass fragments.
  - b) Paint spots and particles.
  - c) Dirt, dust or other accumulations.
  - d) Bits of fabric or fibers.
  - e) Blood, hair, body tissue, etc.
  - f) Broken parts of the vehicle.
- 7) All materials found at the scene which cannot be satisfactorily explained as having no bearing upon the investigation at hand should be considered as physical evidence until such time that their importance can be definitely determined.
8. "Follow up" investigation involving hit and run vehicles. The follow up of a hit and run accident should involve the following steps:

- a. Checking hit and run accident report made by the officer at the scene.
- b. Checking out the registration and other available information.
- c. Checking of evidence - canvas of garages, parking lots, etc.
- d. The issuance of any summonses.
- e. The ultimate clearing of the case.



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## ACCIDENT INVESTIGATING, TRAFFIC SIGNALS AND RELATED SUBJECTS

### I. Traffic

#### A. Introduction to the problems associated with traffic.

The traffic problem goes back to the days of the earliest roads and of travel by foot, horse and animal-drawn carts. Early problems consisted of very poor roads, obstacles such as rivers, lakes and mountains and the presence of bandits and other hostile groups. The modern day problem is in moving traffic swiftly and safely, often with the handicap of horse and buggy roads and traffic control systems. Traffic has been defined as "The movement of people and goods from one place to another". This movement has been called "the life blood of commerce and industry".

From a safety standpoint, the traffic problem consists of the fact that almost one-half of all accidental deaths in the United States are caused by motor vehicle accidents. Many thousands of people suffer from injuries each year and untold millions of dollars of property damage result from traffic accidents. Congestion of traffic in our cities and urban areas result in millions of dollars in lost time and in inefficient operation of business.

#### B. The history of traffic.

The history of traffic goes back to the earliest roads which were built soon after the invention of the wheel. Our word "road" comes from the Middle English word "rode" which meant "a mounted journey".

1. Early roads were built in the near east about 3500 B.C. One of these roads or routes stretched from China to Rome and is known as the "old Silk Trade Route". Roads in this early era usually connected small settlements with each other and with larger populated areas.

- a. These early roads were usually little more than paths formed from much usage.
- b. The first road markers were blaze marks on trees or small piles of stones to mark the route.

2. The first great road builders were the Romans. They built over 50,000 miles of roads.
  - a. Roman roads were built in straight lines, over hills, and rivers, instead of following the natural contours of the land as did earlier roads. These roads were designed and built primarily for the fast movement of military units and supplies from Rome to its far-flung territories.
  - b. Some of the Roman roads were so well engineered and built, that they are still in use today.
3. In the Middle Ages, European roads were little more than clearings in the forest.
  - a. Clearings were made wide enough so that bandits could not jump out on travelers from behind trees.
  - b. Roads were, however, not surfaced and in rainy seasons were mud holes.
4. From 1200 A.D. to 1500 A.D., the Inca Indians built a system of first roads connecting their cities in South America. These roads were sometimes hard-surfaced and had causeways across lakes and swamps.
5. Transportation in early America was often by water with roads leading from settlements to the nearest source of water transportation.
  - a. The first extensive hard-surfaced road in America was the Lancaster Turnpike (in Pennsylvania). It was 62 miles long and was surfaced with hand-broken stone and gravel.
  - b. Many early American roads were constructed of logs laid cross-wise of the road and then covered with dirt. These "cordoroy" roads were often extremely rough, but did overcome the problem of being mired with mud.

- c. Extensive building of roads in early America was discouraged in the 1830's by the advent of the railroad. Many people decided that due to its swiftness of movement that the railroad was the ideal way to travel long distances. As a result of this, most road building in the mid-1800's was of a local nature.
- d. Modern American roads date from the construction of the first concrete road in Detroit in 1908.
  - 1) The greatest surge in American road building, prior to the present, was in the 1920's. This was brought on by the greatly increasing use of the automobile.
  - 2) The first traffic signal was installed in Detroit in the early 1920's and the Wayne County Road Commission introduced the white center line during the same period.
  - 3) During the 1930's and the 1940's, road building came to a virtual halt, due to the Depression and World War II.
  - 4) The great increase in the number of vehicles and the resulting greatly-increased congestion on the roads led, during the 1950's, to the demand for better roads. This has led to the present surge in road building. A few Turnpikes and Limited Access Highways were designed and built in the 1930's and these formed the foundation for our present Interstate Highway System.

#### C. The traffic problem today.

The total traffic problem continues to grow along with the rise in vehicle registrations and the number of licensed drivers.

1. The two-car family has created increased demand on our roads that has been further

increased by movements to suburban areas.

2. The development of the Freeway System has made it possible to travel great distances in a short time, but once off these modern roads and on conventional streets, the driver is likely to find himself faced with traffic congestion that has become a normal part of life in many cities.
3. Congestion, caused by inadequate streets and traffic control systems, is a major problem in most large cities, possibly the most important problem facing the community.
4. Americans average over 1,000,000 miles of travel on streets, roads, and highways for every minute of the day.
  - a. One out of every three miles of this travel is on trips within the limits of the city and one trip in three is less than five miles in length.
  - b. An average automobile is now driven in excess of 10,000 miles each year.
5. Congestion could be greatly lessened by:
  - a. Better use of our existing streets;
  - b. The use of modern traffic control devices;
  - c. The use of one-way streets and by the elimination of on-street parking;
  - d. The construction of off-street parking, in commercial areas, for loading and unloading facilities for trucks;
  - e. The scheduling of truck deliveries to less busy times of the day.
6. The effort to improve our highway system, traffic controls and the people who use them can be divided into 8 areas, as follows:
  - a. Legislation - setting up the laws, ordinances and regulations to define

and govern traffic movement, behavior of users and conditions of road use.

- b. Accident records - obtaining, processing and analyzing facts of accidents so that all agencies interested in and responsible for traffic safety and convenience will be better informed.
  - c. Education - teaching drivers and pedestrians how to behave in traffic.
  - d. Enforcement - supervising road users. The police part includes accident investigation, traffic direction, and traffic law enforcement. The traffic courts must adjudicate the charges.
  - e. Engineering - includes automotive design and manufacturing, design and construction of highways, and development and installation of traffic controls or "traffic engineering".
  - f. Motor vehicle administration - controlling and improving drivers through examinations and licenses, controlling vehicles through registration and inspection and maintaining useful driver records.
  - g. Organized public support - getting people working together to support safety and the official agencies and their programs.
  - h. Public information - keeping the public (especially road users) aware of traffic problems and dangers, and of progress being made against them, through all available support groups and public information media.
- D. The role of the police in traffic safety.
1. The police came into the picture early in the development of highway traffic, when it was first necessary to enforce the rules of the road.

2. Later, the concept of the "three E's" developed for engineering and education and enforcement. Much of the direct work of traffic engineering and safety education was taken on by the police, since there were no officially constituted agencies to do the job in most communities.
3. The public generally does not understand the limitations of police authority and responsibility, much less the complexity of highway traffic management. It is no wonder that, to the average motorist, the traffic policeman symbolizes the practical aspects of the traffic problem.
4. It is both natural and proper that the police exert leadership in solving traffic problems; but they must take steps to clarify their position in relation to the work of other traffic safety agencies and seek to do the best possible job in their own areas of responsibility.
5. The most common contributions of the police toward the solution of the traffic problem are:
  - a. The supervision and education of the driver by enforcement contacts.
  - b. The gathering of information by accident investigation and compilation of statistics on traffic violations by type of violation, time of day and area. This information is necessary for good legislation and engineering.
6. Accident causes - most accidents result from several causes, direct and indirect. These generally can be related to the driver, the highway, and the motor vehicle.
  - a. The driver - in 1965, more than 3 out of 4, or 77 per cent of the fatal accidents in Michigan, involved one or more drivers who were violating some traffic law when the accident occurred. The most common contributing violations reported include:

- 1) Speed too fast for conditions, or in excess of established limits.
- 2) Failed to yield right of way.
- 3) Drove left of center.
- 4) Disregarded stop sign or signal.
- 5) Drove while under the influence of intoxicating liquor.
- 6) Improper passing.
- 7) Driver shortcomings that are not necessarily violations are:
  - a) Lack of skill.
  - b) Lack of proper knowledge.
  - c) An irresponsible attitude.
  - d) Inattention.
  - e) Fatigue.
  - f) Physical disabilities.
  - g) Failure to compensate for the mistakes of other drivers.
- b. The highway - the type, location and design of the highway or street can have a decided effect on the number and severity of accidents. The following statistics indicate the number of fatal accidents per 100 million vehicle miles during 1965.
  - 1) Urban----- 3.7
  - 2) Rural----- 6.6
    - a) Rural trunk lines excluding the interstate highway system----- 6.8
    - b) The interstate highway system----- 3.4

## c) Other rural roads----- 7.0

c. The vehicle - because of difficulties encountered in routine accident investigation and reporting, it is not possible to identify all vehicles defects which contribute to accidents.

- 1) Research studies indicate that vehicle defects may contribute much more to accidents than revealed by general statistics.
- 2) Common vehicle defects reported in accidents in 1965 were:
  - a) Defective brakes.
  - b) Defective lights.
  - c) Defective tires.
  - d) Defective steering.
  - e) Less than 3 per cent of vehicles involved in accidents during 1965 were listed as having defects.

E. General procedures to be followed in directing traffic.

1. The posture and bearing of the officer can affect his success in directing traffic. You should:
  - a. Place yourself where you can see all traffic and pedestrian movement.
  - b. Place yourself where you can be seen by all traffic - vehicular and pedestrian.
  - c. Let people know that you are in command of the traffic situation.
  - d. Stand erect, with a commanding air, maintaining an equal weight on each foot. When not signalling, let both hands hang at your sides.

2. Methods and signals for traffic control.

- a. When you wish to stop traffic movement, you should stand with your sides to the moving traffic, with your body width parallel to the traffic flow.
- b. Stop initial traffic by:
  - 1) Pointing your arm and index finger at the driver you wish to stop;
  - 2) When he sees you, raise your pointing hand so that the palm is toward the driver;
  - 3) Hold this position until he stops.
  - 4) After halting this direction of traffic, turn to the other side and repeat this process.
  - 5) Do not lower either arm until vehicles approaching from both directions have stopped.
- c. Stop one direction of traffic at a time. Since you cannot look both ways at once, you should stop traffic from one side and then the other.
- d. When you wish to start traffic moving, you should:
  - 1) Place yourself so that your side is toward the line of traffic to be started, by making a 90 degree turn from the position used in stopping the traffic lane.
  - 2) Point your arms and finger toward the vehicle you want to start. Hold this position until you get the attention of the driver. Then, with the palm up, swing your hand up and over to your chin. The arm should bend only at the elbow.

- 3) After starting the flow of traffic from one side, repeat this process to start the other side. Repeat the signals for slow or hesitant drivers.
- e. When you wish for drivers to execute turn movements, the procedure to follow involves these directions:
- 1) For right turns, point your finger at the driver who is to make the right turn, then point where he is to turn. Keep pointing in this direction until he begins to turn.
  - 2) For left turns, use this method:
    - a) Left turns for those coming from your left: Point to a position approximately six feet from your left foot, using your index finger of your left hand to indicate this spot to the driver. They are to wait on their own side of the road at this spot until you direct them to make their turn.
    - b) Left turns for those coming from your right: Point to them similarly with the index finger of the right hand, placing them in a corresponding position approximately six feet from your right foot.
    - c) Do not permit them to execute their turns until all through-traffic has cleared the intersection, or you have stopped all traffic flow.
- f. Two officers can direct traffic at one intersection. This is normally used when there are too many factors for one man to handle adequately and efficiently. However, one of the officers should

- be in charge of the operation, and initiate all commands and movements of traffic. One leads the operation, the other assists.
- g. The whistle and its use in directing traffic. The whistle is used to get the attention of drivers and pedestrians. It is to be used as follows:
- 1) One long blast is used with the stop signal.
  - 2) Two short blasts are used with the start signal.
  - 3) Several short blasts are used to get attention of a driver or pedestrian who does not respond to a given signal as executed by the officer.
- h. The voice is rarely used in traffic direction for any number of reasons, the most obvious being:
- 1) The voice usually does not carry enough volume to be heard by passing motorists or pedestrians;
  - 2) The use of voice communications increases the chances of the officer's being misunderstood.
  - 3) When commands are shouted, this tends to antagonize drivers and pedestrians; and mild commands can sound harsh when shouted to others.
- i. Use of the illuminated baton in directing traffic
- 1) Stopping traffic through use of the illuminated baton is accomplished by:
    - a) Facing the moving line of traffic;
    - b) Hold baton in your right

hand, with the elbow bent.

- c) Swing or wig-wag the baton from the left to the right side of your body in an arc of about 45 degrees.
- 2) Starting traffic through the use of the illuminated baton.
  - a) Turn your body parallel to the traffic to be moved and give the normal "Go" arm movement.
  - b) This movement should be repeated in an exaggerated manner because of the limited visibility of night-time.
- 3) Directing turning movements with the illuminated baton.
  - a) For the left turn, after stopping the conflicting traffic, point the baton at the vehicle which you want to turn, swing your baton in an arc in the direction of the turn.
  - b) For the right turn, repeat the same movements as for the left turn.

#### F. Traffic enforcement and its relation to the patrol officer.

- 1. Larger police departments have special traffic divisions, but the majority of the departments are small, and have only the patrol division to handle traffic enforcement.
- 2. Even in the large departments with traffic divisions, they cannot handle all the accidents and traffic enforcement during rush or peak hours. Because of this, traffic remains basically a patrol function.
  - a. The investigation of an accident involves considerable knowledge and skill.
  - b. The patrol officer cannot escape the responsibility of accident investigation.
  - c. It falls upon the department and the officer to see that he acquires this knowledge and skill.
- 3. Traffic enforcement is strongly dependent upon personal contact between the officer and the violator.
  - a. The important thing is that the violator is stopped and the violation brought to his attention.
  - b. There is great preventive enforcement value in stopping traffic violators on a main thoroughfare, where the situation can be observed by all passing vehicles. This makes traffic enforcement a valuable part of the patrol officer's duties.

#### G. Selective enforcement of traffic violations.

Selective enforcement involves directing the application of enforcement through patrol assignment and violator apprehension in such a way that the enforcement effort is generally proportional to the problems that exist in terms of time, type of violation, type of violators, degree of seriousness and type of area, as indicated by the accident experience.



1. The administrative objective - the traffic administrator has his objectives clearly defined for him by the nature of his assignment.
  - a. Broadly defined, his dual purpose is to "reduce accidents and expedite traffic flow" by forecasting the future accident expectancy as a basis for planning distribution of enforcement and personnel by:
    - 1) Analysis of past accident experience, and;
    - 2) Estimation of new future conditions that may develop.
  - b. The administrator's knowledge of the "Where" and "When" and "Why" and his ability to give that information to the men in the field is the keystone of a proper traffic program.
2. Practical difficulties to selective enforcement.
  - a. All manpower cannot be placed exactly on the accident frequency plan.
    - 1) To maintain good morale and proper esprit-de-corps, the officers must have reasonable working hours and adequate days off. To figure the actual operating personnel available, it is necessary to deduct approximately 22 per cent from the total assigned personnel, or, more simply, one man lost for every five assigned.
    - 2) To give adequate protection for the entire area, it is necessary to have at least some officers on duty at all times, and in many cases it is impossible to place enough officers in bad areas at all times. Selective enforcement consists in proportioning effort to problems, with modification of proportioning

- insofar as special concentration is required at certain times.
- b. It is possible to over-concentrate and cause the problem to change from one area to another without gaining the desired control.
    - 1) This may cause one area or surrounding areas to become worse.
    - 2) The public, or at least those that really need the tight enforcement, may become aware of the concentrated enforcement and change their route of travel during the time of strongest enforcement.
  3. Three "musts" in planning a selective enforcement program.
    - a. First, every accident must be thoroughly investigated, primarily to find the law violations, and to have complete reporting of all accidents.
      - 1) It is generally accepted that accidents are caused by a chain of circumstances and it is important to know what occurred prior to the violation which allegedly caused the accident.
      - 2) The importance of this is apparent when one considers that the right-of-way violations are indicated as the cause of a large percentage of accidents, when we know that illegal or unsafe approach speeds are really the basic cause of such collisions.
    - b. Secondly, it must justify the collection and analysis of accident records; the information concerning accident causes must reach the enforcement personnel in such form that it can be readily understood and used. This may be accomplished in several ways:

- 1) In smaller departments a great deal can be done by having regular meetings of all officers, where the information is given orally or in bulletin form.
  - 2) In medium-sized departments it has been found more workable to have staff conferences of supervising officers, who in turn pass on the information either orally or in bulletin form to the men who work under them.
  - 3) In large metropolitan departments, it is necessary to have staff conferences of administrative officers in charge of the various divisions, who in turn relay the information down the chain of command they are responsible for.
- c. Third, to be successful, selective enforcement requires interested, informed, and capable supervision.
- 1) Sergeants or squad leaders should be conversant with the methods and function of accident investigation, accident record control and record analysis.
  - 2) The uniformity of action and adherence to policies and tolerances established by competent authority is a prerequisite to progress.
    - a) Officers may or may not cite violations as instructed. The temptation to gravitate to places where "easy" violations are plentiful is very great.
    - b) Conversely, in some places, violations causing accidents may be also inadvertently overlooked and/or deliberately thrust aside, as being "petty" or otherwise dismissed.

4. Three factors to keep foremost in mind in applying a selective enforcement program.
  - a. The first of the three factors involves only the time element or the distribution of enforcement personnel to conform to the time of occurrence of accidents.
    - 1) Plotting an hourly frequency curve will graphically demonstrate the need for men by time. EXAMPLE: If 35 per cent of the accident frequency occurs between 4:00 P.M. and 8:00 P.M., then ideally 35 per cent of the available personnel should be on duty at least assigned that time.
    - 2) It must be appreciated that regular time losses such as court appearances, meals, special details, report writing, etc., will materially affect the orderly distribution of manpower.
    - 3) A large city will require a 24-hour span of enforcement coverage, with overlapping shifts at peak hours. Smaller communities could probably be adequately covered by less than a 24-hour span of such effort.
      - a) If the accident experience falls below 5 per cent of the total for any given period, that period may be disregarded in our planning. The enforcement at those times may be left to the accident investigation and regular patrol units.
      - b) The most important element that must be watched is that sufficient enforcement personnel are on the street at the high accident frequency times to insure adequate deterrent effect. If the enforcement is

left entirely up to the accident investigation squads, a check will indicate that most of the investigators' time is taken up with investigations instead of needed enforcement.

- 4) Similar studies must be made on the day-of-week and month-of-year basis. This will give a definite indication of what days off and vacation times can be given without impairing the enforcement strength.
- b. The second factor to be considered in good enforcement planning is where the enforcement personnel should work to get the maximum results with the available manpower. A good set of spot maps showing all of those natural boundaries and barriers which are a part of every community, as well as the location of every accident is the administrator's most valuable guide in the development of this factor.
- 1) The establishment of beats or patrols is the first step involved in area control and can be done in several ways - lines, district or combination.
    - a) A line patrol is one on which the officer rides a designated street or series of streets during his tour of duty.
    - b) A district patrol is one which the officer has a prescribed district within which he covers all streets and roads.
    - c) There may be a combination of both districts and line patrol wherein an officer may cover also a district for a portion of the tour and cover a line patrol during the remainder.

- d) In some localities it is necessary to superimpose a line patrol over a district patrol in order to cover some excessively heavy-traveled highway through an otherwise normal district.
- 2) An enforcement patrol system should be flexible enough to be altered as circumstances warrant. Constant checking of the spot maps will show when it is advisable to extend, shorten or even develop a new patrol area.
- c. The third and most difficult factor to cope with in the development of the selective enforcement program involves the violations causing the accidents. It is essential that the men assigned to enforcement know what the accident-causing violations are in order to deal effectively with the problem.
- 1) From the initial investigation of an accident to the officer in the field arresting subsequent violators, the interpretations of what constitutes a violation differ greatly. This variation is proof of the great need for more training and uniformity of understanding regarding the elements of a violation.
  - 2) A set of spot maps showing a comparison of violations involving accidents to violations as cited by officers will give a good indication of the quality of enforcement and show whether the type of enforcement that is needed is being applied at the proper location.
  - 3) This can also be shown for monthly, quarterly, semi-annually or annually by bar, line or graph charts broken down to percentage-

by-violation.

5. Re-checking to determine the effectiveness of the program. A selective enforcement program takes time to develop and considerable time to maintain, and should not be undertaken unless adequate provisions are made for constant checking of its effectiveness.
  - a. The administrative tools of records and analysis already set up can be used as a measuring stick to indicate the need for changes from time to time.
  - b. Many times, unless a problem is checked and cross-checked, the action decided on by the administrator may prove to be treating only one of the symptoms needing care rather than furnishing a workable cure.
- H. Traffic violations and officer procedures in contacting and citing the violator.
  1. When you observe a traffic violation, have the offender pull over to the curb. Ordinarily, use of the emergency light will apprise the offending driver of the intentions of the officer.
  2. Once the offending driver has pulled to the curb, you should alight from your vehicle and request his license and registration.
    - a. By requesting his license and registration, you immediately put him on the defensive.
      - 1) First of all, regardless of the offense, failure to possess a valid license is, in itself, an offense. Lack of a registration might indicate that the vehicle is stolen.
      - 2) Secondly, if he drives away out of anger or fear while being questioned, these papers might insure that he can be located at a later date.

- 3) Lastly, searching for the proper identification may cool a hot-tempered driver.
  - b. A person on the defensive, instead of spouting abuse, is usually hesitant or cooperative.
3. After finding his papers in order, you should inform the driver of the violation.
4. Then you should courteously listen to his side of the story, if he has one.
5. Get the necessary information from the driver and return to the police car, with his license and registration, to complete the summons.
6. If the offending driver comes to you and talks courteously, you should reciprocate by listening to his story.
7. If he becomes abusive toward you or injects innuendoes about you in particular or policemen in general, hold your temper. Ask him to return to his car. Tell him that as soon as you complete the summons, you will bring it to him.
8. On those occasions when the abuse continues, do not answer the offender; just roll up your window. Few people will talk to someone who will not listen and cannot hear them.
9. By completing the summons inside the police car, you are making maximum use of the facilities your vehicle provides. This is a good principle to follow at all times.
10. Whenever a motorized patrol stops a driver for a routine offense, the operator should pull the police car up behind the halted vehicle.
  - a. While the partner is questioning the offending driver, the operator should remain in the car, behind the wheel with the motor running.

- b. He should make a written note of the license plate number and observe what goes on in front of him.
- c. If he sees that his partner is in difficulty or apparent danger (it's good to have a prearranged signal for just such an occurrence), the operator should follow the accepted procedures for stopping vehicles and occupant control.

#### I. Accident investigation.

##### 1. Approaching the scene of a traffic accident.

- a. Should you receive a call to go to an accident involving injuries, use your red lights and siren.
- b. The scene should be protected to prevent any further injury or property damage.
- c. The injured should be cared for immediately.

##### 2. Protecting the scene and the injured.

- a. Protection may consist of nothing more than the parking of the police car in such a manner that it can be seen by an approaching car, without being any more of a hazard than the wrecked cars are, and the turning on of the left turn signal and red lights.
- b. At night, however, you should park in such a fashion that the car's headlights will illuminate the scene, and red flares should be placed several hundred feet in advance on the approach to the scene.
- c. If the accident can be seen in time, the flares can be placed on your approach to the scene.
- d. If you cannot see the accident until you are almost upon it, give some flares to a bystander and ask him to take them

back to a safe distance and wave them at on-coming traffic, as waving attracts more attention than fixed light.

- e. When two cars are dispatched, as is usually the case on serious accidents where one-man cars are used, it should be the policy of the man in the second car to take the responsibility for flares.
- f. Should the accident be in the center of the highway, flares must be placed on both approaches.

##### 3. Assisting the injured.

- a. Once the car is parked, ask if any injuries were sustained.
- b. Should there be any injured, radio immediately for an ambulance. If there are no injuries, report that an ambulance is not needed.
- c. At the same time call for the number of wreckers you will need, and have them stand by until you have completed your investigation.
- d. A fatality will require discretion on your part as to whether or not the body should be moved, though this is usually governed by departmental policy. Your decision should be determined by the location of the accident, the character of the traffic, and the weather.
- e. If there is any indication of criminal causes of death, a body should never be moved until the coroner or medical examiner arrives.
- f. After the ambulance has been called, apply first aid where needed.
- g. Do not move a victim unless it is imperative, and then only if you are thoroughly familiar with first aid. There have been many instances where a

person with a broken back has been paralyzed for life because an untrained man moved him in such a way as to sever the spinal cord.

- h. If the injured person has any property scattered about, gather it up and place it on the stretcher for the ambulance men to place in the hospital vault.

- 1) If the property belongs to a dead person, gather it into a pile for the coroner or medical examiner.
- 2) It is usually advocated that an officer should stay out of the pockets of a victim. Experience may teach you that you will have more trouble following such advice than you will by going through the pockets.
- 3) When a victim is unconscious or dead, or cannot remember his name, ask someone to witness your actions and look through a billfold for identification.
- 4) Count the victim's money in the presence of witnesses.

#### 4. Identifying the persons involved.

- a. Once the injured have been cared for, ask the driver of each vehicle to identify himself. After they have been identified, ask each one to give you his driver's license.

- 1) Put the respective licenses in your pocket until the investigation has been completed.
- 2) By having some means of identification should a driver leave the scene, the difficulty in locating him will be minimized.
- 3) As the drivers are taking their license from their billfolds

(never handle the billfold of a person who can do it himself), scrutinize each man carefully to determine if he is injured or could be under the influence of alcohol or narcotics.

- a) The manner in which he takes his license from his billfold is usually an excellent indication of his condition.

- b) Should he fumble, being unable to coordinate his fingers, it is a good indication that he may be intoxicated or injured; in other words, slow, awkward movements associated with alcohol and not the quick, jerky movements caused by excitement.

- b. Try to get close enough to determine if there is an odor of alcohol on his breath.

- 1) Look at his eyes to see if the pupils are either contracted or dilated, possibly indicating the use of a drug.

- 2) If only one eye has a dilated pupil, however, it is a possible indication that the man may have sustained a bad concussion or skull fracture.

- 3) If any of these indications of abnormal physical conditions are noticeable, call them to the attention of other persons who may act as witnesses.

- c. Ask the drivers if they are injured or hurt in any part of their body, asking especially about a head injury, and govern your actions according to their answers.

- d. Should a driver say that he has no

license, or has left it home, make him furnish you with some other means of identification, such as a draft card or other official paper, for there have been many occasions when a driver has claimed to have no license in the hope that he can leave the scene without being identified.

- e. If one driver is missing, determine if it is a case of hit-and-run and, if so, give the description to radio as quickly as possible so that the other cars and other agencies can begin looking for it.
  - 1) Be certain, however, that the missing driver actually left the scene before reporting him or his car to the dispatcher. He may only have driven to a spot where he can safely park before returning to the scene.
  - 2) If the driver is missing but the car is at the scene, the driver may be wandering in a dazed condition.

5. The investigation of a traffic accident.

- a. If the accident is minor, with no need to take pictures or to make the cars constitute a traffic hazard, mark the location of each tire on the pavement and then tell the drivers to move the cars to a safe parking place at the curb.
- b. If the accident is serious, or the cars not driveable, after you have taken each driver's license, tell them to sit in the back seat of the patrol car until you have finished with their cars.
- c. When two men are dispatched to an accident and are working together, the first man dispatched should be in charge of the investigation and responsible for its successful completion.

- d. While one man is caring for the injured and looking for drivers, the second should be taking pictures, taking measurements, and looking for witnesses.
- e. When pictures are taken, it is always best to take them before anything is moved and before any marks are made on the pavement with chalk so that there can be no question in court as to whether the pictures truly represent the scene.
  - 1) This may not always be possible since heavy traffic or the location of the accident may force you to remove the bodies or automobiles before pictures can be taken.
  - 2) If such a removal is necessary, mark the outline of the body and all four wheels of a car where they are resting on the pavement, in chalk, before the removal is made.
    - a) These marks may then be used as reference points when measurements are made.
    - b) Pictures can be taken of such chalk marks which may then be used as evidence in court, even though they do not truly represent the scene, if the judge permits their entry as evidence.
- f. Witnesses should be identified before any attempt is made to interview the drivers or other principals because witnesses may leave the scene once the excitement has died and everything is under control.
  - 1) Their leaving may be unintentional because they are in a hurry, or don't want to become involved.



- 2) If you notice any cars leaving the scene, jot down the license number to use as a lead in case there are not enough witnesses left at the scene to furnish you with a complete picture of what happened.

#### 6. Traffic accident photography.

a. The purpose of taking photographs of the accident scene. There are a number of reasons for the taking of photographs at the scene of an accident. They are:

- 1) Photographs can locate the accident, as to place.
- 2) They can show damage caused by the accident.
- 3) They might indicate weather and lighting conditions which prevailed at the time of the accident.
- 4) They can show the skid marks and the paths taken by the vehicles involved.
- 5) They can be used to verify testimony.
- 6) They are usually easily understood by untrained observers.
- 7) They record permanently things which have been missed at the time of the initial investigation.
- 8) Some photographs of the accident scene might suggest possible causes of the accident.

b. For pictures taken at the scene of the accident, there are certain objectives which the photographer should attempt to attain. The following list includes some of the photographic objectives to be sought in accident investigations:

- 1) An attempt should be made to show

any identifying landmarks, such as street signs, building fronts including their addresses, etc.

- 2) License numbers should be included in the photographs. In the event a plate is crumpled, two photographs should be made; one with the condition of the plate as it was originally and the other with the plate straightened for recognition purposes.
- 3) Names on vehicles - such as firm names, etc. - should be included, as well as any interstate and/or Federal licensing indications, such as those used on buses and trucks.
- 4) Photographs should be taken showing the driver of each vehicle involved near his respective vehicle, if possible, as this puts them at the scene of the accident.
- 5) Photograph witnesses, if possible, without posing them and preferably without their knowing about it.
- 6) In hit-and-run investigations, include any parts of the hit-and-run vehicle left at the scene of the accident.
- 7) Photographs should be taken at some distance from the accident scene since close photography will tend to convey a distorted view of the scene.
- 8) Photograph the scene from four compass points if the accident occurred at an intersection; otherwise two or three general scene photographs should suffice.
- 9) The photographer might need elevation for particular shots of parts of the overall scene. He

may have to climb on some up-raised footing in order to get the proper elevation for the shot.

c. Guidelines in accident investigation photography. There are certain guidelines which, if followed, should result in better overall coverage of the accident scene by the investigator. They are:

- 1) Photographs should be taken as soon after arrival as practical, so as to capture any details which might in a short time be obliterated.
- 2) In the event that pictures are needed only of a general view of the accident scene, this can be done later in the investigation.
- 3) Photographs should be limited to only those needed.
- 4) The best possible positions should be used to get photographs.
- 5) Photographs should be taken of all fatal accidents, all serious injury accidents, and all hit-and-run injury accidents, as well as in any accidents in which there is extensive property damage.
- 6) Photographs should be taken of all accidents involving public transportation vehicles in which there is injury or any possibility of injury, or where public property has been destroyed.
- 8) When photographs are taken, the following information should be included on the back of the photograph or in the notes of the photographer:
  - a) Shutter speed of the camera,
  - b) Shutter aperture of the

camera used.

- c) Time and date of each picture taken.
- d) Distance from which each picture was taken.
- e) Police case number involved.
- f) Note should also be made as to the position of the camera, such as the height from the ground, the direction the shot was taken, etc.
- g) This information should all be added to the back of the photograph when the prints are developed.
- 9) Camera sizes considered acceptable for taking police photographs. The following camera and film sizes are considered acceptable and adequate for the purposes of police photography:
  - a) Speed-Graphic 4x5 Press Camera.
  - b) Kodak Instamatic.
  - c) Polaroid Land Cameras.
  - d) Any 35 millimeter camera.
- 10) The preceding cameras are all considered acceptable for photographing accident scenes.
  - a) It has been found that b) through d) are generally preferable since they are cheap in initial prices and require the least amount of officer training.
  - b) The Speed-Graphic takes excellent pictures; however, it is quite complicated in operation and requires extensive

training and constant use by the photographer so that he might remain familiar with its operation, in order for the photographer to get consistently acceptable photographs.

7. Procedure for making of official State of Michigan Accident Report.

a. Identification of report.

- 1) Indicate the total number of sheets attached whenever extra ones are needed to complete report.
- 2) Insert the complete name of the department submitting the report.
- 3) Insert the department complaint number, whenever a complaint number is used.

b. Department and time.

- 1) Insert date (month, day and year accident happened).
- 2) Insert day of the week.
- 3) Insert the hour of the day the accident happened.

c. Location information.

- 1) Name of county in which accident happened.
- 2) Name of city in which accident occurred.
- 3) Name of township (urban areas should use section number of township).
- 4) Name of state or highway in which accident occurred.
  - a) Number of state trunkline or interstate trunkline.

b) If county road, give number.

5) If an intersection accident give intersection of state highway or railroad crossing.

6) If not intersection accident, number of feet, miles or fractions thereof from the closest intersection.

a) Mark direction box as needed.

b) If roadway runs northeast, southwest, etc., two squares should be checked.

7) Use special references when available and necessary to pinpoint the location of accident.

d. Damage to property, other than vehicles.

1) Insert name of object of objects and nature of damage.

2) Give location of object struck. (In roadway of "X" number of feet from edge of road.)

3) Full name and address of property struck.

e. Code of injuries - self explanatory. Refer to form UD-10C.

f. Information on vehicle, driver, occupants, etc.

1) Total number of vehicles involved.

2) Year of vehicle.

3) Make of vehicle.

4) Type of vehicle (i.e., passenger coach, passenger sedan).

5) Vehicle license number and year of license plate issue.

- a) If vehicle is licensed by Interstate Commerce Commission, insert license number.
- b) If vehicle is licensed by Michigan Public Service Commission, insert license number.
- 6) Indicate parts of vehicle damaged.
- 7) Name of garage vehicle taken or if taken to owner's home, specify "owner's home."
  - a) Name of wrecker service that removed vehicle.
  - b) If vehicle was driveable, indicate same.
- 8) Full name of registered owner and address of same.
- 9) Full name of driver as it appears on driver's license.
  - a) Complete address of driver.
  - b) Include county in which driver resides.
- 10) Insert driver's license number, also, state in which issued.
  - a) If license is regular license, with or without restriction, mark regular license box.
  - b) Any other type license insert "chauffeurs, financial responsibility, etc."
  - c) List type of restrictions, if any.
- 11) Insert month, day and year of driver's birthday.
- 12) Insert full name of each car occupant, if indicated.

- a) Complete address of occupant.
- b) Age in term of years as of last birthday.
- c) Male or female.
- d) Check code of injuries.
- g. When section is used for another vehicle, follow instruction in section "f." (This section also to be used to indicate pedestrian, bicycle, trains, etc.)
  - 1) Injuries to bicycle riders, pedestrians and railroad employees is to be coded the same as drivers and occupants of other vehicles.
  - 2) If pedestrian, insert full name in the driver's section and include the pedestrian's full name.
  - 3) If bicycle is involved, insert rider's name in the driver's section, if possible;
    - a) Indicate bicycle by year, make, license or serial number.
    - b) Include owner's name.
  - 4) In railroad accident insert the name of the engineer in the driver's section and fill in the name of the other attendants there at the time.
  - 5) It is recommended from experience that Vehicle No. 1 be listed as driver at fault to simplify investigation.
  - 6) In railroad accidents it is not necessary to list a driver's license number for the engineer.
- h. Insert where the injured were taken and by whom.
- i. Weather.

- 1) Check only one item.
  - 2) In the event it is clear or cloudy, check square provided, but do not cross off both clear and cloudy.
- j. Light conditions.
- 1) Check only one item.
  - 2) In the event it is either dusk or dawn, check square provided; do not cross off both dusk and dawn.
- k. Kind of locality. Check only one item which described district in which accident occurred.
- l. Roadway.
- 1) Type of construction - check only the appropriate box.
  - 2) Surface - check only item which applies at accident location.
  - 3) Character - check two boxes which describe same.
  - 4) Condition - check one item, in the event of defect, describe same.
- m. Witnesses. Insert complete name of witness(es).
- 1) Insert complete address and phone number.
  - 2) Insert age in terms of years as of last birthday.
  - 3) Insert the sex by using the letters "M" or "F".
- n. What drivers were going to do before accident.
- 1) Indicate the direction of travel the driver was going.

- a) Street or highway designated must correspond with previous designation.
  - b) Insert the speed in terms of miles per hour. The speed specified shall be the officer's opinion based on his investigation. Whenever the driver's version differs from that of the officer, explain in remarks.
- 2) Check one item for each driver - the information needed must point out what the driver intended to do just prior to the accident.
- o. Road type - self explanatory. Refer to the form UD-10C.
- p. What pedestrian was going to do.
- 1) Pedestrian's direction of travel. Indicate whether pedestrian was going along, across or into street or highway.
    - a) Insert name or number of street or highway.
    - b) Indicate by direction the point from where pedestrian started, to the point where he intended to go.
  - 2) Reveal then what pedestrian was actually doing.
- q. Violation indicated.
- 1) Violation must be checked whether or not enforcement action is taken.
  - 2) "No violation indicated" should be checked only when a thorough investigation fails to reveal any violation of the traffic law or a traffic ordinance.

- r. Physical condition - self-explanatory.  
Refer to form UD-10C.
- s. Drinking condition - self-explanatory.  
Experience has shown that the officer should not use the box "Not under the influence" but should use the box "Influence not known" as this saves an officer from judging whether a person is drunk or not drunk.
- t. Vision obstruction.
  - 1) Windshield or windows.
    - a) Whenever a driver's view is obstructed by any condition involving the windshield and windows, frosted glass, steam, snow or dirt, it should be indicated.
    - b) Packages piled within the car obstructing the driver's view should be indicated in this section, specifying the nature of obstruction.
  - 2) Buildings, signs, bushes, crops, embankment, parked cars, etc.
    - a) Check when any of these or similar items are involved.
    - b) Specify the object causing the obstruction.
  - 3) No vision obstruction - check when driver's vision was not obstructed.
- u. Vehicle condition - self-explanatory.  
Refer to form US-10C.
- v. Traffic control - self-explanatory.  
Refer to form US-10C.
- w. Accident diagram.
  - 1) North should at all times point

- to top of the report.
- 2) Select the section of the diagram that most nearly corresponds to the street or highway at the accident scene.
- 3) Number each vehicle to the number assigned on the front of the report.
- 4) The diagram shall show the position of each vehicle at point of impact and where they finally came to rest.
- 5) Give or label street or highway by name.
- x. Remarks and recommendation.
  - 1) For use if scene needs inspecting in relation to traffic engineering; must be explained in remarks.
  - 2) Used if driver needs re-examination for license competency.
  - 3) If remarks take more than the allotted space an additional report sheet should be used, rather than an additional piece of paper.
- y. Police record.
  - 1) Insert names of all persons arrested or issued a summons in connection with the accident.
  - 2) Insert full name of person reporting the accident.
  - 3) Insert the date the accident was reported.
  - 4) Insert time of day the accident was reported.
  - 5) The name of the person who received the report on behalf of the police agency.
  - 6) The investigating officer preparing

report shall sign his name and give his rank.

- a) Badge number of officer preparing report.
  - b) The name of the department or station where investigating officers are assigned.
- 7) Check whether or not the accident was investigated at scene of its occurrence.
- 8) Check whether or not photos were taken in connection with the accident.
- 9) Do not check this section unless the accident investigation is completed.
- a) Check closed by arrest, when a person involved in the accident was arrested or issued a summons.
  - b) Check closed by other, whenever the accident complaint is closed for any reason other than person being arrested or given a summons.
- 10) Insert the date the accident complaint was closed whether it be by arrest, summons, or other disposition.
- 11) Not to be used except by Michigan State Police.
8. Procedure for investigation of fatal accidents. A fatal accident is any motor vehicle accident that results in death from injuries to persons at time of accident or up to twelve months after such accident, if the cause of death is attributed to the accident.
- a. Procedure is the same as described in property damage and injury accidents.

STATE OF MICHIGAN  
OFFICIAL TRAFFIC ACCIDENT REPORT

UD-10C

No. of sheets attached.....1.....	Department.....2.....	Complaint No. ....3.....
		File Class Number.....a.....

## A. IDENTIFICATION OF REPORT

1. Insert the total number of sheets attached whenever extra ones are needed to complete the report. Extra sheets will be necessary whenever more than two vehicles are involved, more than five occupants in one vehicle, more than one pedestrian, more than three witnesses, an enlarged diagram, or when more space is needed for remarks and recommendations, and whenever more than two persons are arrested.
2. Insert the complete name of the Department submitting the report, i.e., Ingham County Sheriff, Lansing Police, Michigan State Police, etc.
3. Insert the Department complaint number or other identifying number if such a number is used.
  - a. Insert the complaint classification number when such numbers are used for filing purposes.

This section causes very little trouble and the number of mistakes made are negligible.

The biggest mistake made in this section is under File Class Number.

The officers put the wrong file number because the accident has been classified wrong.

NOTE: The material in this section pertinent to the various interpretations of the State of Michigan Official Traffic Accident Report was provided by Trooper Richard Dragomer, Training Bureau, Michigan State Police, East Lansing, Michigan. The author gratefully acknowledges his assistance.



TIME	Date <u>1</u> 19 <u>2</u> Day of Week <u>B</u> at <u>3</u> A.M. P.M.
------	--

#### B. DATE AND TIME

1. Insert the date (month, day and year) the accident happened.
2. Insert the day of the week. It must coincide with the date.
3. Insert the hour of the day the accident happened.

This section causes little trouble and is cross-checked with sections H and W.

Section H is checked to assure that the light conditions correspond with the time of the accident.

Section W is checked against Section B to make sure the time of the accident corresponds with the time received.

Some officers list the time received before the accident happened. Mistakes like this are caught at the Safety and Traffic Division, East Lansing if overlooked at the post level.

LOCATION	County <u>1</u> City <u>2</u> Twp. <u>3</u> Sec. <u>a</u>
	Highway or street on which accident occurred (Name) <u>4</u> Trunkline No. <u>a</u> County Road No. <u>b</u>
	AT ITS INTERSECTION WITH (street, highway or R. R. crossing) <u>5</u>
	OR
	IF NOT AT INTERSECTION: (feet or miles or fractions thereof) <u>6</u> <u>C</u> <u>6</u> N <u>a</u> S <u>a</u> E <u>a</u> W
Special reference <u>7</u>	Use to indicate more precise location: (alley, house number, stream, mile-post, underpass, or other landmark)

#### C. LOCATION INFORMATION

The location must be given in such a manner that it can be located on a standard State Highway or County Road map for rural accidents, and on a standard map of the City in urban accidents.

1. Insert the name of the county in every case. Whenever a motor-vehicle accident occurs near a boundary line, whether between two cities, townships, counties, states, or between a city and a rural area, the accident should be allocated to the jurisdiction in which the collision or overturning occurred. The direction of travel of the vehicle (or vehicles) involved is immaterial; likewise, the position of the vehicle (or vehicles) after the accident is unimportant. If the point of impact, overturning, etc., was exactly on the boundary line, the accident should be allocated to the jurisdiction from which the vehicle was traveling; or, if one vehicle was coming from one jurisdiction and the other vehicle from another jurisdiction, the accident should be allocated to the jurisdiction from which the driver most at fault was proceeding.
2. Insert the name of the village or city whenever the accident occurs within the incorporated limits.
3. In reporting accidents occurring in a rural unincorporated area or within an incorporated area having a population of less than 2,500 people, insert the name of the township. Cities of fewer than 2,500 population should be considered the same as villages for the purpose of this report.

Names of unincorporated villages may be shown if such unincorporated communities are identified on a standard county map. However, in these instances the name of the township must also be given.

- a. In all accidents occurring outside of an incorporated city or village, insert the section number of the township.
4. Insert the name of a street or highway whenever it has an official name. In the event the accident occurs at intersecting highways, the most important highway shall be designated first.
    - a. In the event the accident happens on a State Trunkline or Interstate Trunkline Highway, the

highway numbers also shall be used, i.e., US-27, M-78, US-23 & M-47, US-23 B.R., etc. In the event the Highway is posted with more than one route number, all such numbers will be listed.

- b. In the event the accident happens on a county road which has an official number, such number also shall be used, i.e., 25, CO-574, etc.
5. Whenever the accident happens at an intersecting street, highway or railroad crossing, insert the official number of the street or highway, or official name if it has no number, or the name of the railroad.
  6. If not at an intersection, give feet or miles and tenths of miles from the nearest intersecting street or highway, city or village limit, state line, county line or railroad crossing, and identify the reference in space provided.
    - a. Mark the "direction" squares as needed. If, however, the roadway runs northeast, southwest, etc., two squares should be checked.
  7. Fill in special references when available and necessary to pinpoint the location of the accident. Special reference points used may or may not be shown on maps of the location. They are intended to assist in locating the exact place the accident occurred from an on-the-scene inspection.

-SEE NEXT SHEET-

### SECTION C

This section accounts for 23 per cent of the errors made on the Official Traffic Accident Report.

Section C is cross-checked against section L, U, V, to make sure the exact location is obtained.

Many errors are made by recording the wrong county.

Many times the section number will be wrong.

It is very important that the information in Section C be correct because the information from this section is used in many ways.

Damage to property other than vehicles		Name object and state nature of damage					
In roadway	<input type="checkbox"/> 2 or <b>D</b>	feet from	<table border="1"><tr><td>N</td><td>S</td><td>E</td><td>W</td></tr></table> edge of roadway	N	S	E	W
N	S	E	W				
Name and address of owner of object struck		3					

### D. DAMAGE TO PROPERTY OTHER THAN VEHICLES

1. When property other than vehicles, including a domestic animal, is struck, name the object or objects and state the nature of damage or injury. If object struck is not damaged, indicate no damage.
2. Fill in sections giving location of objects struck. (Refer to instruction "V" on page 10).
  - a. Mark the "direction" squares as needed. If, however, the object is southeast, southwest, etc., from the roadway, two of the squares should be checked.
3. Insert the full name and address of the owner of the property struck.

Few errors are found in this section.

E

CODE OF INJURY

(Use only the most serious one in each space for injury.)

K - Dead.

A - Visible signs of injury, as bleeding wound or distorted member, or had to be carried from scene.

B - Other visible injury, as bruises, abrasions, swelling, limping, etc.

C - No visible injury but complaint of pain or momentary unconsciousness.

O - No indication of injury.

# E. CODE OF INJURY

For every driver, pedestrian, and passenger, show the degree of injury by the appropriate code letter given on the form. An injury shall be classified on the basis of the condition observed at the time of the accident or known at the time the report is submitted.

1. K - Killed
2. A - Apparently serious injuries. *Bleeding wound* is a cut or laceration of skin or flesh from which blood flows or drops freely or saturates clothing. It is not an injury that merely oozes blood. A *distorted member* is a hand, foot, arm, leg, or finger that is out of shape or position usually because of a fracture or serious sprain. *Had to be carried from the scene* is a condition in which a person was unable to walk or drive away from the scene of the accident. It does not include persons who were carried away but could have walked or driven.
3. B - Apparently minor injuries: *Bruises* are discolored or swollen places where the body has received a blow. Bruises include black eyes and bloody noses. *Abrasions* are areas of the skin where the surface is roughened or broken by scratches or rubbing. A little blood generally oozes from abrasions. "Skinned" shin, knuckles, knees, and elbows are abrasions. *Swelling* is any lump, bump, or distended area often combined with a bruise or abrasion. Limping is the inability to move a limb without sign of pain. It does not include mere complaint of pain.
4. C - Complaint of pain not accompanied by visible signs of injury. This classification is for

those who say they want to be listed as injured but do not appear to be so and persons who seem dazed, confused, or incoherent unless such behavior can be accounted for by intoxication, extreme age, illness, great sorrow, or mental infirmities. Classify in this group any person who is known to have been "knocked out" by the accident although he seems to have recovered. In this group may be both fraudulent claims of injury and internal injury which will prove to be serious later.

5. O - No injury apparent or suspected.

VEHICLE NO. 1

Year 2

Make 3

Type 4

Year, No., & State of Reg. 5

ICC No. a

MPSC No. b

Parts of vehicle damaged 6

Vehicle removed to: 7

By: a

Owner (FULL Name) 8

Street or RFD

City a

State

Driver (FULL Name) 9

Street or RFD

City, County, State

Driver's License 10

State

Number

Regular Operator's License ☐

Other Type License ☐

Specify Type and/or Restrictions

Date of Birth 11

Month, Day, Year

OCCUPANTS

Front Center

Address

Front Right

Address

Rear Left 12

Address a

Rear Center

Address

Rear Right

Name

Address

Street or RFD

City and State

AGE

SEX

INJURY

b

c

d

# F. INFORMATION ON VEHICLE, DRIVER, OCCUPANTS, ETC.

1. Insert the total number of vehicles involved.
2. Insert the model year of the vehicle as assigned by the manufacturer.
3. Insert the vehicle name, i.e., Ford, Chevrolet, Plymouth, etc.
4. Insert the body style of the vehicle, i.e., Fordor Sedan, Coupe, Convertible, etc.
5. Insert the year, number and state of registration. (59 WK 23-68 Mich)
  - a. Whenever the vehicle is licensed by the Interstate Commerce Commission, insert the license number.
  - b. Whenever the vehicle is licensed by the Michigan Public Service Commission, insert the license number.
6. Indicate generally the parts of the vehicle damaged.
7. Insert the name of the garage to which the vehicle was taken, or if it was taken to the owner's home, specify "owner's home".
  - a. Insert the name of the wrecker service that removed the vehicle, or if driven away by owner or driver, so indicate.
8. Insert the full name of the registered owner.
  - a. Insert the full address of the registered owner.
9. Insert the full name of each driver.
 

If the driver is licensed, the name should be exactly the same as shown on the operator's or chauffeur's license. However, if the driver's true name is known to be different from that shown on the license, the difference should be explained in the remarks.

If the driver is unlicensed, record the first, middle and surname. A married woman's own name should be given, i.e., Mary Jane Smith - not Mrs. Russell R. Smith.

  - a. Insert the complete address of the driver, including the county in which the driver resides.
10. Insert the name of the state from which the license was issued and give the complete number with special attention to accuracy.
  - a. If the license is a regular license (either with or without restrictions) check the "Regular License" block. If it is any other type license, i.e. Chauffeurs, Financial Responsibility, etc., check "Other Type License" block and indicate the type in the space provided, such as (Chauf.), (R.R.), etc. Also list the type of restrictions, if any, for the regular operator license or other type license, i.e. Vision (V), Hearing (H), Special Equipment (Spec. Equip.) etc.
11. Insert the month, day and year of the driver's birth.
12. Insert the full name of each car occupant as indicated.
  - a. Insert the complete address of each occupant.
  - b. Insert the age in terms of years as of the last birth date.
  - c. Insert the sex by using the letters "M" or "F".
  - d. Check one for each occupant as indicated in section "E". (Code of Injury)

This section (F) accounts for 10 per cent of the errors made on the Official Traffic Accident Report.

This section is checked with Section U and W.

VEHICLE NO. 2, Pedestrian or Bicycle	Year..... Make..... Type.....		Year, No., & State of Reg.....		ICC No. ....	MPSC No. ....
	Parts of vehicle damaged.....		Vehicle removed to:.....		By:.....	
	Owner(FULL Name).....		Street or RFD.....		City..... State.....	
	Driver(FULL Name).....		Street or RFD.....		City, County, State.....	
	Driver's License.....		Regular Operator's License <input type="checkbox"/>		Date of Birth.....	
	State..... Number.....		Other Type License <input type="checkbox"/>		Specify Type and /or Restrictions..... Month, Day, Year.....	
	OCCUPANTS		F1			
	Front Center.....		Address.....			
	Front Right.....		Address.....			
	Rear Left.....		Address.....			
Rear Center.....		Address.....				
Rear Right.....		Address.....				
Name.....		Street or RFD.....		City and State.....		

F-1. When this section is used for another vehicle, follow the instructions in section "F". This section shall also be used to identify pedestrians, bicycles, trains, animal drawn vehicles, etc. Injuries to bicycle riders, pedestrians, railroad employees, etc., should be coded the same as drivers and occupants of motor vehicles.

In the event a pedestrian is involved, insert the name in the driver section, and include the pedestrian's full address.

Whenever a bicycle is involved, insert the rider's name in the driver section. Identify the bicycle by year, make and license number, if available. Also include the name of the owner.

In railroad accidents, insert the name of the engineer in the driver section, and fill in any other items which tend to identify the train.

Injured taken to.....	F2	By.....
-----------------------	----	---------

F-2. Specify where the injured were taken and by whom.

G. WEATHER

Check only one item. In the event it is clear or cloudy, simply check the square provided, but do not cross off either clear or cloudy. Under conditions such as: Cloudy and raining, check "raining" only. Specify any condition other than those listed by writing in the conditions under "other", i.e., sand-storm, hailstorm, etc.

WEATHER (Check one)	
<input type="checkbox"/> Clear or cloudy	G
<input type="checkbox"/> Raining	
<input type="checkbox"/> Snowing	
<input type="checkbox"/> Fog	
<input type="checkbox"/> Other (specify).....	

LIGHT CONDITION (Check one)	
<input type="checkbox"/> Daylight	H
<input type="checkbox"/> Dusk or dawn	
<input type="checkbox"/> Darkness	

H. LIGHT

Check only one item. In the event it is either dusk or dawn, simply check the square provided. Do not cross off either dusk or dawn.

I. KIND OF LOCALITY

Check only one item which describes the district in which the accident occurred. In cases of mixed areas, check the section which most nearly applies. All expressways should be checked as "Not Developed" even if they are in cities because limited access puts them in this type of district. If the area combines business, residential or industrial, check the predominant one.

KIND OF LOCALITY (Check one)	
<input type="checkbox"/> Mfg. or industrial	I
<input type="checkbox"/> Shopping or business	
<input type="checkbox"/> Apartments	
<input type="checkbox"/> School or playground	
<input type="checkbox"/> One family homes	
<input type="checkbox"/> Farms, fields	
<input type="checkbox"/> Not developed	

J ROADWAY			
CONSTRUCTION (Check one)	SURFACE (Check one)	CHARACTER (Check two)	CONDITION (Check one)
<input type="checkbox"/> Concrete <input type="checkbox"/> Blacktop <input type="checkbox"/> Gravel <input type="checkbox"/> Dirt or sand <input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Snowy or icy <input type="checkbox"/> Other (specify) _____	<input type="checkbox"/> Straight road <input type="checkbox"/> Curve  <input type="checkbox"/> Level <input type="checkbox"/> On grade <input type="checkbox"/> Hillcrest	<input type="checkbox"/> Defect (describe) _____ _____ Low shoulder, slippery when wet, etc. <input type="checkbox"/> No defect

#### J. ROADWAY

1. Construction. Check only one item. Indicate the type of road surface at the point of impact by checking the appropriate square. If the surface is partly one type and partly another, check the condition that is least favorable to safety. In the event the type is different than those listed, specify under "other". If the roadway is dirt or sand, check the square provided, but do not cross off either dirt or sand.
2. Surface. Check only the item which applies at the accident location. When the condition is snowy or icy, check the square provided, but do not cross off either snowy or icy. In the event the surface conditions differ from those listed, specify under "other".
3. Character. Check two items -- such as: Straight road and level, curve and grade, etc.
4. Condition. Check only one item. Check and describe any unusual conditions -- such as: Bumps and ruts in roadway, low shoulders, etc. In the event the highway or street is in good condition, simply check "no defects".

No major problem; Section J-1 is cross-checked against Section M.  
The roadway construction must agree with the Road Type of Section M.

WITNESSES	Name	K	Address		Age		Sex	
	Name		Address	a	Age	b	Sex	c
	Name		Address		Age		Sex	

#### K. WITNESSES

Exclude those listed under "occupants" in sections F & F-1.

1. Insert the complete name of the witnesses.
  - a. Insert the complete address.
  - b. Insert the age in terms of years as of the last birth date.
  - c. Insert the sex by using the letters "M" or "F".

No major problem.

More time should be spent at the scene by the investigating officer in locating witnesses.

WHAT DRIVERS WERE GOING TO DO BEFORE ACCIDENT			
Driver No. 1 was headed <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W on _____ at _____ MPH			
Street or Highway			
Driver No. 2 was headed <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W on _____ at _____ MPH			
a b			
DRIVER 1 2 (Check one for each driver)			
<input type="checkbox"/> Go straight ahead	<input type="checkbox"/> Make U turn	<input type="checkbox"/> Back	
<input type="checkbox"/> Overtake	<input type="checkbox"/> Slow or stop	<input type="checkbox"/> Remain stopped in traffic lane	
<input type="checkbox"/> Make right turn	<input type="checkbox"/> Start in traffic lane	<input type="checkbox"/> Remain parked	
<input type="checkbox"/> Make left turn	<input type="checkbox"/> Start from parked position		

# L. WHAT DRIVERS WERE GOING TO DO BEFORE ACCIDENT

Complete one section for each driver.

1. Indicate the direction of travel by checking the appropriate square. In the event the driver was headed northwest, northeast, etc., check two appropriate squares.
  - a. Street or highway designation must correspond with section "C" items "4" and "5" of this outline.
  - b. Insert the speed in terms of miles per hour. The speed specified shall be the officer's opinion based on his investigation. Whenever the driver's version differs from that of the officer, explain in remarks.
2. Check one item for each driver. Bear in mind that the information needed must point out what the driver intended to do just prior to the accident and before executing any evasive maneuver.

Section L and U account for 22 per cent of the errors made.  
Section L is cross-checked against Sections C, U, and V.

Driver action must correspond to the diagram and the remarks section.

The street on which the driver was traveling must correspond with the location of the accident.



M. ROAD TYPE

Use this section to check number of lanes (free from parked vehicles) and kind of roadway available to each driver approaching location of accident. A divided roadway is a highway which is separated into two roadways by an intervening space or physical barrier constructed to impede traffic from crossing from one roadway to the other. Check all applicable items for each driver and refer to explanations below for guidance in checking such items.

**One Driving Lane.** This item should be marked when the highway upon which the vehicle approached the location of the accident had only one paved lane free from parked vehicles available for travel.

**Two Driving Lanes.** Same except two lanes available for travel.

**Three Driving Lanes.** Same except three lanes available for travel.

**Four or More Lanes.** Same when four or more lanes are available for travel.

On a divided highway, traffic is required to drive upon the right-hand roadway and in one direction only. In such cases record only the number of lanes available for traffic approaching location of accident.

**A Divided Roadway (Limited Access).** This refers to a divided highway where owners or occupants of abutting lands and other persons have no legal right to enter or leave roadway except at entrances and exits and in such a manner as determined by public authority having jurisdiction over the roadway. In such cases, record only the number of lanes available for traffic approaching the location of the accident.

**A Divided Roadway (Other).** This refers to a highway having divided roadways where access to roadways is not limited. In such cases record only the number of lanes available for traffic approaching the location of the accident.

**One-Way Street (Highway).** A one-way street or highway is one on which traffic may legally move in one direction only.

**Unpaved - Any Width.** A gravel or dirt roadway of any width is indicated by checking this item.

ROAD TYPE (Check one or more for each driver)	
DRIVER	
1	2
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

M

Section M is checked with Section J and results in very few errors.

WHAT PEDESTRIAN WAS DOING	
Pedestrian was going	<input type="checkbox"/> Along <input type="checkbox"/> Across or into <b>a</b> From <b>b</b> To <b>b</b> <small>Street Name, Highway No. N.E. corner to S.E. corner, or west to east side, etc.</small>
(Check one)	
<input type="checkbox"/> Crossing or entering at intersection <input type="checkbox"/> Crossing or entering not at intersection <input type="checkbox"/> Getting on or off vehicle	<input checked="" type="checkbox"/> <b>N</b> <input type="checkbox"/> Walking in roadway - with traffic <input type="checkbox"/> Walking in roadway - against traffic <input type="checkbox"/> Standing in roadway
	<input type="checkbox"/> Pushing or working on vehicle <input type="checkbox"/> Other working in roadway <input type="checkbox"/> Playing in roadway
	<input type="checkbox"/> Other in roadway <input type="checkbox"/> Not in roadway

#### N. WHAT PEDESTRIAN WAS DOING

- Indicate the direction the pedestrian was headed by checking the appropriate square. In the event the pedestrian was headed southwest or northeast, etc., check two squares.
  - Check one of the squares provided to indicate whether the pedestrian was going along, across or into the street or highway. Also insert the name or number of the street or highway.
  - Indicate, by direction, the point from where the pedestrian started, to the point to where he intended to go.
- Check one item only to reveal what the pedestrian was actually doing. If, however, the items stated do not cover the situation, check "other in roadway" and explain in remarks.  
 (Refer to Michigan Vehicle Code for definition of "Roadway").

No problem experienced with this section. The number received is small compared with the amount of other accidents.

# O. VIOLATION INDICATED

After the investigation is completed, check all violations indicated even though no enforcement action is to be taken. When violations, other than those listed, exist, check "other improper driving" and describe in the space provided. "No violations indicated" should be checked only when a thorough investigation fails to reveal any violation of the traffic law or a traffic ordinance.

VIOLATION INDICATED (Check one or more for each driver)	
DRIVER	
1	2
<input type="checkbox"/> Speed too fast	<input type="checkbox"/> Made improper turn
<input type="checkbox"/> Failed to yield right of way	<input type="checkbox"/> Improper or no signal
<input type="checkbox"/> Drove left of center	<input type="checkbox"/> Improper parking location
<input type="checkbox"/> Improper overtaking	<input type="checkbox"/> Other improper driving (describe)
<input type="checkbox"/> Passed stop sign	
<input type="checkbox"/> Disregarded traffic signal	
<input type="checkbox"/> Followed too closely	<input type="checkbox"/> No violation indicated

The section should be filled out regardless of whether enforcement action is taken.

The officer should give his opinion of a law violation.

# P. APPARENT PHYSICAL CONDITION

Check one or more items for each driver and pedestrian.

1. Ill - Check when a driver or pedestrian is ill in any way or has a health condition which may affect his driving or walking. Explain the illness or condition in the "remarks" section.

2. Fatigue - Check whenever a driver or pedestrian appears to be unusually tired from physical or mental strain.

3. Asleep - Check when a driver or pedestrian appears to have dozed or fallen asleep.

4. Other impairment - Check when a driver or pedestrian has any handicap or other impairment, either temporary or permanent, which could have contributed to the accident. Explain the handicap or impairment in the space provided.

5. Normal - Check when no abnormal condition existed at the time of the accident. When a person's physical condition appears normal in all respects, even though having been drinking, check "normal".

6. Condition not known - Check only when unable to determine the condition of a driver or pedestrian at the time of the accident because of serious injury, death, or being unable to contact the person within a reasonable length of time after the accident.

7. Restriction on license complied with - Check when a driver is driving in accordance with the restrictions on his license.

8. Restriction on license not complied with - Check when a driver is not driving in accordance with the restrictions on his license. For example: A person who is deaf and is driving a car without an outside rear view mirror, or a person with one leg and is driving a car without an automatic transmission.

APPARENT PHYSICAL CONDITION (Check one or more as applicable)	
DRIVER	PED.
<input checked="" type="checkbox"/> 1 Ill	<input checked="" type="checkbox"/> 5 Normal
<input checked="" type="checkbox"/> 2 Fatigued	<input checked="" type="checkbox"/> 6 Condition not known
<input checked="" type="checkbox"/> 3 Asleep	<input checked="" type="checkbox"/> 7 Restriction on license complied with
<input checked="" type="checkbox"/> 4 Other impairment	<input checked="" type="checkbox"/> 8 Restriction on license not complied with
(describe) _____	complied with (describe) _____

Thirteen per cent of the errors made on the Official Traffic Accident Report are made in this section.

Section P is checked against Section F, Driver Information.

If "Ill" is checked in Section P-1, the investigating officer should explain the nature of the illness.

If restriction is listed in Section F, it should correspond with the appropriate box in Section P.

NOTE: DO NOT INDICATE THE DRINKING CONDITION OF A DRIVER OR PEDESTRIAN IN SECTION P.

#### Q. DRINKING CONDITION

Check only one of the items in Section 1 through 5. Check section 6 when applicable.

1. Under the influence - Check, if in your opinion, the driver or pedestrian's condition and behavior at the time of the accident was influenced by drinking intoxicating liquor.
2. Not under the influence - Check when a driver or pedestrian has been drinking, but not to the extent that his ability is impaired.
3. Influence not known - Check whenever it is known that a driver or pedestrian had been drinking but the officer is unable to determine whether or not his ability was impaired because of serious injury, death or being unable to contact the person within a reasonable length of time after the accident occurred.
4. Had not been drinking - Check when it is evident that the driver or pedestrian had not been drinking.
5. Not known if drinking - Check when unable to determine whether a person had been drinking. In

DRINKING CONDITION (Check one)	
DRIVER	
1	2 PED. HAD BEEN DRINKING:
<input checked="" type="checkbox"/> 1	<input type="checkbox"/> Under the influence
<input type="checkbox"/> 2	<input type="checkbox"/> Not under the influence
<input type="checkbox"/> 3	<input type="checkbox"/> Influence not known
<input type="checkbox"/> 4	<input type="checkbox"/> HAD NOT BEEN DRINKING
<input type="checkbox"/> 5	<input type="checkbox"/> NOT KNOWN IF DRINKING
CHECK IF APPLICABLE:	
<input type="checkbox"/> 6	<input type="checkbox"/> Chemical test given

most instances, careful investigation will disclose whether or not drivers or pedestrians "had been drinking" prior to the accident. This item should be checked only when it is not reasonably or practically possible to determine the drinking condition.

6. Chemical tests given - Check when any type of chemical test is made to determine the extent of intoxication.

If the investigating officer checks Section Q-5, an explanation must be submitted in Section V under "Remarks," giving reasons his (driver's) condition is not known.

See Next Sheet

## R. VISION OBSTRUCTION

Check one or more items. Vision obstructions may be any condition or object that will keep a driver from seeing another vehicle, a control device, or a hazard.

1. Windshield or windows - Check whenever a driver's view is obstructed by any condition involving the windshield or windows. Defective glass, frost or steam, rain or snow, dirt, etc., should be indicated. (*Packages piled within the car obstructing the driver's view should be included in this section*). In each instance, specify the nature of the obstruction in the space provided.
2. Buildings, signs, bushes, crops, embankment, parked cars, etc. - Check when any of these or similar items are involved. In each instance, specify the object causing the obstruction in the space provided.
3. No vision obstruction - Check whenever the driver's vision was not obstructed.

VISION OBSTRUCTION (Check one or more for each driver)	
DRIVER	
<input type="checkbox"/> 1	<input type="checkbox"/> 2 Windshield or windows
(describe) _____	
<input type="checkbox"/> 2	Bldgs., signs, bushes, crops, embankment, parked cars, etc.
(describe) _____	
<input type="checkbox"/> 3	No vision obstruction

## S. VEHICLE CONDITION

Whenever inspection and testing of vehicles shows that defects in equipment were present at the time of the accident, check the applicable items whether the defect contributed to the accident or not. In the event the specific defect is not listed, check "other defective equipment" and specify the condition in the space provided. When you are unable to determine because of damage, that vehicle defects existed, indicate by checking "not known if defective". Check "no defect" only when you are certain that no defects existed.

VEHICLE CONDITION (Check one or more)	
VEHICLE	
1	2
<input type="checkbox"/>	<input type="checkbox"/> Defective brakes
<input type="checkbox"/>	<input type="checkbox"/> Defective lights
<input type="checkbox"/>	<input type="checkbox"/> Defective steering
<input type="checkbox"/>	<input type="checkbox"/> Defective tires
<input type="checkbox"/>	<input type="checkbox"/> Other defective equipment
(specify) _____	
<input type="checkbox"/>	<input type="checkbox"/> Not known if defective
<input type="checkbox"/>	<input type="checkbox"/> No defect



#### T. TRAFFIC CONTROL

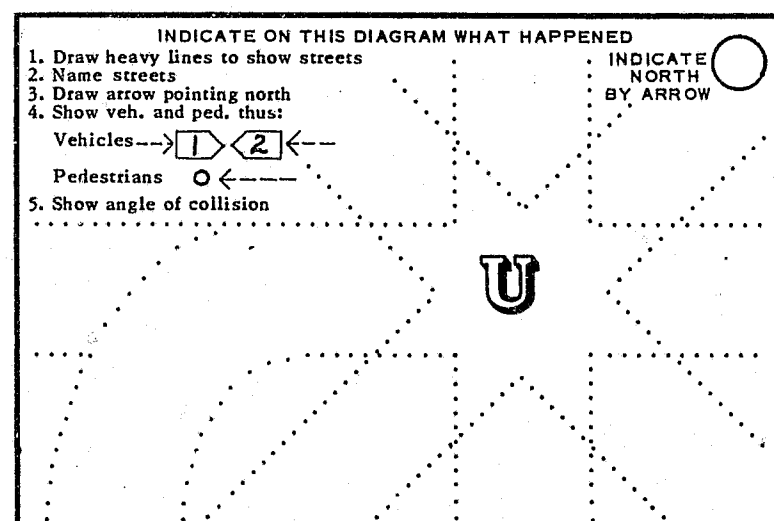
Check one or more items. Check the proper square to indicate the type of traffic control present. Consider "traffic control devices" present if one is installed which should have influenced the drivers involved. Under "other", consider pavement markings, warning signs, signals and special speed limit signs, etc. (A special speed limit sign is one which requires a speed of less than 65 miles per hour in the daytime and 55 miles per hour at night). When special speed limit signs are posted, specify the legal speed. Whenever the existing control is not functioning, inadequate or obscured, check the appropriate square and explain in the space provided. When there is no control present, check the proper square.

TRAFFIC CONTROL (Check one or more)	
<input type="checkbox"/>	Stop sign
<input type="checkbox"/>	Stop and go signal
<input type="checkbox"/>	Officer or watchman
<input type="checkbox"/>	R.R. gates or signals
<input type="checkbox"/>	Other (specify) _____
<input type="checkbox"/>	Control not functioning, inadequate or obscured (describe) _____
<input type="checkbox"/>	No traffic control present

When listing a traffic control under Section T, it is checked against Section U. The control should be present in the diagram.

## U. ACCIDENT DIAGRAM SECTION

Always complete the diagram in the space provided unless a more detailed diagram is submitted with the report. Whenever possible, indicate north by an arrow pointing to the top of the report (*within the circle located at the top right corner of the diagram*) as is usual on standard maps. Select the section of the diagram that most nearly corresponds to the street or highway at the accident scene. Number each vehicle to correspond with the number assigned on the front of the report. The diagram shall show the position of each vehicle at the point of impact and where they finally came to rest. The direction from which the vehicles came shall be shown by an arrow. From the point of impact to where the vehicles came to rest shall be shown by a broken line. Include and identify in the diagram any physical feature of importance such as a view obstruction, traffic signal, warning sign, fixed objects, etc. Also give any important measurements such as road width, skid marks, or the distance a fixed object was from the roadway. Indicate if a vehicle turned over and, if possible, the number of times. Whenever vehicles are indirectly involved (*whether moving or parked*) indicate their actions or positions in the diagram and remarks sections.



Twenty-two per cent of the errors made on the Official Traffic Accident Report are made in Sections L and U.

Section U is cross-checked with Sections B, F, L, C, T, and V.

## V. REMARKS AND RECOMMENDATIONS

Relate briefly what happened so the information coupled with the diagram, will describe the main events of the accident. A brief description is required in each instance, even though the accident is described in greater detail on additional sheets. Refer to vehicles by number as indicated on the face of the report. What drivers said may be entered in this section. However, if the officer's opinion differs from what the drivers and witnesses said, the officer's opinion should be entered also.

The remarks should include information to indicate the type of accident. Accidents are classified by type according to the first event occurring within the roadway or shoulder area. For example,

when the first event which causes damage or injury results from a collision with a stationary object within the roadway or on the shoulder, it is a "Fixed Object" type of accident. However, when injury or damage results after one or more wheels of a vehicle run off the roadway and shoulder, either accidentally or to avoid a collision on the roadway, it is a "Ran off Roadway" type of accident regardless of objects struck after leaving the roadway.

In pedestrian accidents make certain that comments are made in remarks concerning the following pedestrian actions when they apply: crossing roadway with signal, or against signal; crossing not at intersection, from in front of, from rear of, or between parked cars; crossing from in front of or from rear of stopped school bus.

Also report when the slowing, stopping or starting of school buses directly or indirectly contributed to accidents even though school buses were not physically involved.

1. Inspect scene for need of traffic engineering - Check "Yes" if a hazardous condition exists at

the scene which the officer feels should be brought to the attention of the department or commission having jurisdiction over maintenance and engineering. Explain the condition in the "remarks" section.

2. Re-examine driver for license competency - Check this section to indicate your recommendation that a driver be re-examined for competency to operate a motor vehicle. Explain the reason in the "remarks" section.

Thirty-two per cent of the errors made in the Official Traffic Accident Report are made in Section V.

Section V is checked against and most correspond with Sections L, P and U.

REMARKS AND RECOMMENDATIONS	
Inspect scene for need of traffic engineering?	<input checked="" type="checkbox"/> Yes (explain)
Re-examine driver for license competency?	<input checked="" type="checkbox"/> #1 <input type="checkbox"/> #2 (explain)
<div style="text-align: center;">V</div>	
Use complaint form or sheet of paper for more extensive remarks or diagram	

POLICE RECORD	Arrest: Name <u>1</u>	Charge <u>a</u>
	Arrest: Name <u>2</u>	Charge <u>a</u>
	Reported by (name) <u>3</u>	Address <u>5</u>
	Date received <u>6</u>	Time <u>4</u> <input type="checkbox"/> AM <input type="checkbox"/> PM Report received by (officer) <u>5</u>
	Investigator <u>6</u>	Signature and Rank <u>a</u> Badge No. <u>b</u> Station or Department <u>10</u>
	Investigated at scene? <input type="checkbox"/> Yes <input type="checkbox"/> No Photographs taken? <input type="checkbox"/> Yes <input type="checkbox"/> No Complaint closed by: <input checked="" type="checkbox"/> Arrest <input type="checkbox"/> Other Date <u>10</u> Post No. <u>11</u>	

# W. POLICE RECORD

1. Insert the names of all persons arrested or issued a summons in connection with the accident.
  - a. Insert the nature of the offense for which the persons were arrested or issued a summons. Do not list the offense by code number.
2. Insert the full name of the person reporting the accident.
  - a. Insert the complete address of the person reporting the accident.
3. Insert the date the accident was reported.
4. Insert the time of day the accident was reported.
5. Insert the name of the person who received the report on behalf of the police agency.
6. The investigating officer preparing the report shall sign his name and give his rank.
  - a. Insert the badge number of the officer preparing the report.
  - b. Insert the name of the department or station where investigating officers are assigned. This space may be used to indicate precinct stations, etc.
7. Indicate whether or not the accident was investigated at the scene of its occurrence.
8. Indicate whether or not photographs were taken in connection with the accident.
9. Do not check this section unless the accident investigation is completed.
  - a. Check "closed by arrest" when a person involved in the accident was arrested or issued a summons.
  - b. Check "closed by other" whenever the accident complaint is closed for any reason other than a person being arrested or issued a summons.
10. Insert the date the accident complaint was closed whether it be by arrest, summons, or other disposition.
11. This section is to be used by the Michigan State Police only to indicate the number of the post closing the complaint.

Section W causes little difficulty. This section must correspond with Sections B, H, F, F-1.

- 1) Always have the victims removed to hospital from scene. Police officers are not doctors and should not take the responsibility of pronouncing death.
  - 2) The exceptions involve decapitation or when rigor mortis has set in.
- b. After a competent authority has declared that death has occurred, the following procedure should be followed. This is over and above the routine accident investigation:
- 1) Witnesses should be located, their names, addresses and phone numbers obtained. Informal statements should be taken by assisting officers at this time.
  - 2) Photographs should be taken to prove and record observed facts on which you or someone else bases opinions reconstructing accident. These should show:
    - a) Where vehicles came to rest after collision.
    - b) The damage to vehicles.
    - c) Debris or marks on road.
    - d) Paths of vehicle before and after collision. This can be determined by: skid marks, tire prints, pavement gouges, scuffed turf or curb.
    - e) View the driver had approaching the key point of accident can be recorded on film, and should include obstructions of view, as well as position and conditions of signs, signals or street lights.
    - f) Special details of damage either to vehicles (broken

parts) or to the roadway  
(which might have contributed  
to the accident).

- 3) Measurements are very important for recording certain facts, such as:
  - a) The places where vehicles came to rest after collision.
  - b) Anything to indicate point of collision or running off pavement or shoulder.
  - c) The places where dead or injured persons were lying after collision.
  - d) Anything to show position of vehicles in road before collision (skid marks and gouges are most common).
  - e) Also, such recordings are important in order to secure measurements for scale drawing.
- 4) What to look for on the road. In many investigations there has been someone to tell the investigators what happened and therefore they sometimes fail to look for themselves to see for themselves. In some fatal accidents, nobody is left to tell you anything; all you know about what happened must be learned from what you can see. In any accident investigation, the investigator should always look for:
  - a) Paint chips, glass fragments, etc.
  - b) Vehicle fluids.
  - c) Liquid.
  - d) Cargo.
  - e) Road materials.

f) Blood.

c. Duties away from scene.

- 1) The medical examiner studies the cause of violent or accident deaths. Therefore he should be notified immediately.
  - a) He is then technically in charge of body after such notification.
  - b) Therefore, the investigator must not release body unless he has medical examiner's permission.
  - c) At all times, handle body with respect and safeguard the valuables of the deceased.
- 2) Identification of body must be provided for.
  - a) This is usually done by the closest relative. Have body identified to you, preferably in front of a witness. You should leave short report regarding this identification to accompany fatal folder.
  - b) Friends of long standing can also be used for this purpose. However, the prosecutor should be consulted regarding this.
- 3) The prosecuting attorney should be consulted and given facts pertaining to accident.
  - a) From these facts he determines if an autopsy is to be conducted.
  - b) If an autopsy is ordered, the investigator should contact pathologist and arrange autopsy.



- 4) Statements constitute a permanent record of what is said.
  - a) Take formal statement from witnesses, and, if possible, have defendant present at time of statement.
  - b) When taking a statement from a person to be charged, you must advise him of his constitutional rights.
- 5) An autopsy is an examination of a body to determine the cause of death. The investigator should:
  - a) Identify the body to pathologist.
  - b) Have prosecutor's office authorization for autopsy properly filled out and give it to pathologist.
  - c) Attend the autopsy in its entirety.
- 6) Scale drawings are complete drawings of an accident scene, to scale, and should indicate the following:
  - a) All of the area encompassed by the action that led up to or caused the accident.
  - b) The places where vehicles all came to rest after collision, if vehicles were present at the scene when measurements were taken for drawing.
  - c) The places where dead or injured persons were lying after the accident, if victims were present when measurements were taken.

- d) Measurements that were taken to determine point of impact.
- e) The location of the vehicle(s) prior to the impact; there is usually evidence such as skid marks, gouges in roadway or curb, etc.

9. Abbreviations used in accident report and teletype information.

a. Abbreviations used in response to accident and criminal response.

- 1) DUIL - Driving While Under Influence of Intoxicating Liquor.
- 2) F - Felony in Commission of Which a Motor Vehicle is Used.
- 3) FD - Felonious Driving.
- 4) LSA - Leaving the Scene of a Personal Injury Accident.
- 5) M - Manslaughter.
- 6) ND - Driving While Under Influence of Narcotic Drugs.
- 7) NH - Negligent Homicide.
- 8) P - Perjury, false statement on application of license.
- 9) PDD - Permitting a Drunk to Drive.
- 10) 3RD - Three convictions of Reckless Driving within 12 month period.
- 11) UDAA - Unlawfully Driving Away a Motor Vehicle (with intent to steal).
- 12) UJ - Unsatisfied Judgment.

b. Abbreviations used for driver improvement.

- 1) DWLS - Driving While License Suspended.
- 2) DWLR - Driving While License Revoked.
- 3) MI - Mentally Incompetent.
- 4) PI - Physically Incompetent.
- 5) UPT - Unable to Pass Test.
- 6) UDR - Unsatisfactory Driving Record.
- 7) VLR - Violation of License Restrictions.

c. Termination of action abbreviations.

- 1) Date - (Example, 9-15-56) suspension termination date.
- 2) Indef. - (Indefinite) suspension until certain driver qualifications have been fulfilled.
- 3) Rev. - (Revocation) license terminated and application for new license may be acted upon after one year.
- 4) FR - (Financial Responsibility) suspended until compliance has been made with Financial Responsibility Law.

10. Witnesses to an accident.

a. In searching for witnesses, a certain amount of psychology must be used to get witnesses to identify themselves.

- 1) There is little advantage in standing in the middle of the street and asking, "Who saw what happened?" as few people wish to attract the kind of attention they will receive by stepping forward.
- 2) It is much better to circulate in

**CONTINUED**

**6 OF 8**

the crowd and say, "How do you do? I understand that you saw . . . . .," in a courteous, well-modulated voice. He will usually tell you what he saw or point to someone who is a witness, when he didn't actually see anything himself.

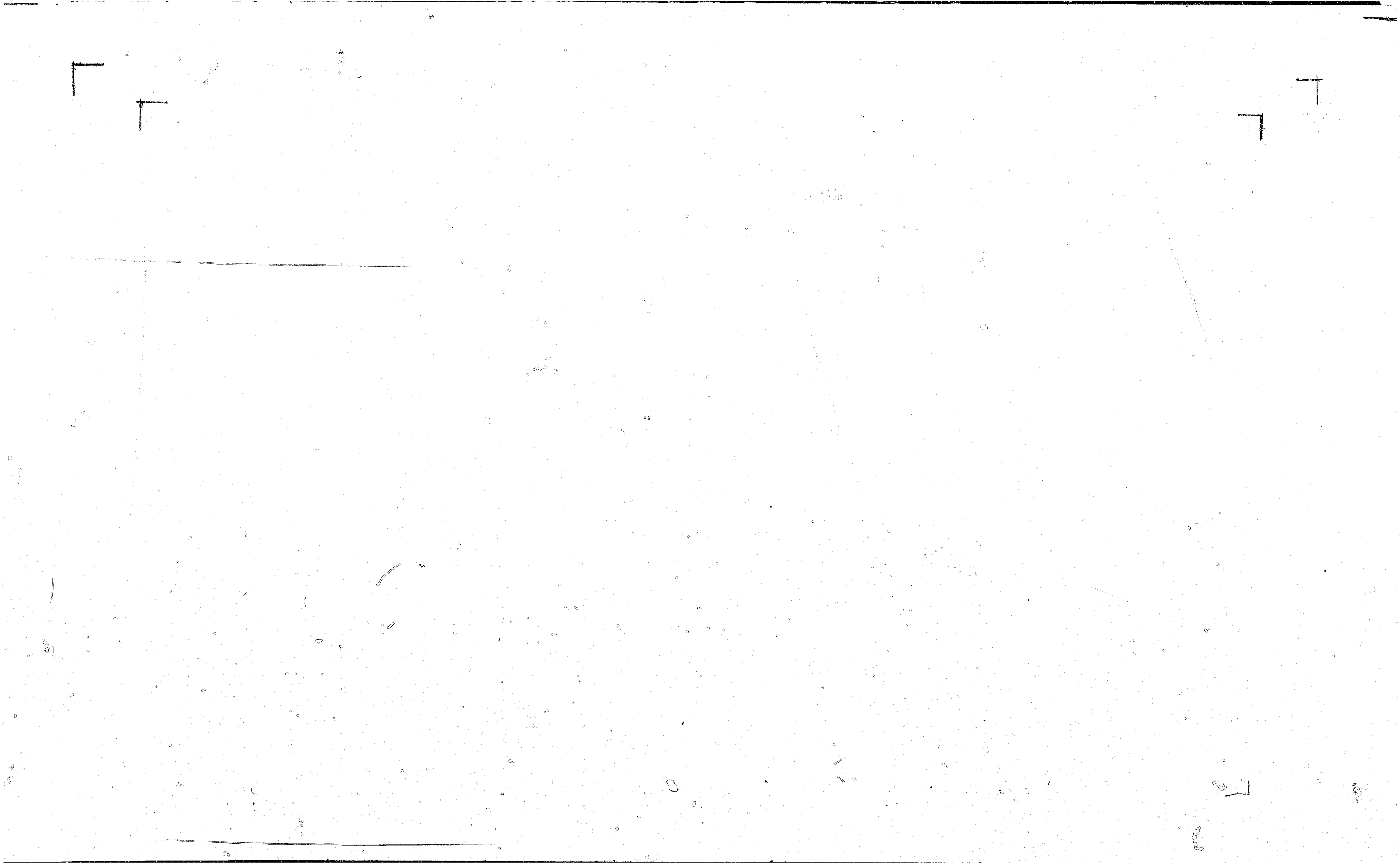
- 3) If any person seems to hesitate before giving you a negative reply, take his name and address anyhow. When witnesses are lacking, you may have to contact these reluctant witnesses and break them down to get a story.
- 4) Watch for both those who are trying to attract your attention with their eyes, and those who are trying to remain unnoticed. When only a few witnesses are found, you can get their stories immediately.
- 5) Be sure to ask where they were at the time of the accident; and when they make a statement, ask them how they know that what they are saying is true. A good policy to follow is to ask each witness if he can drive a car.
  - a) If the answer is in the affirmative, ask how long they have been driving.
  - b) More attention is ordinarily given the story of an experienced driver.
- b. When there are many witnesses, the weather is bad, or traffic dangerous, jot down the names, addresses, place of occupation, and telephone number of the local residents and allow them to leave. You can contact them later.
- c. The stories of transients, or those who live some distance away, must be taken down before they leave the scene.
- d. With any witness, write down what they

have to say word for word, when possible, then ask them to read what has been written and sign it.

- e. Don't use a negative approach in asking them to sign. Hand them a pencil and say, "If it is correct, sign at the bottom, please", and act as though it is expected of them.
- f. Don't be perturbed if someone refuses since they don't have to sign. However, in case of a fatality, have all the witnesses and drivers go to the station to give notarized statements.
- g. Passengers as witnesses. Don't overlook the passengers as witnesses. Although they are usually biased in favor of their driver, there are occasions when they are the best of witnesses.
  - 1) The passengers are only of value in determining who was actually driving the car.
  - 2) There are always three things to prove in the prosecution of any person on any criminal charge:
    - a) That the crime has actually been committed, in this case a traffic violation.
    - b) That the defendant committed the crime, the driver.
    - c) The degree of the crime.

11. Measurements and notebook information. After the witnesses have been discovered and their stories taken, turn your attention to the cars and to pertinent measurements.

- a. If you are working alone and want pictures, take them at this time before the wrecked vehicles are removed.
- b. Measure all skid marks, where the





vehicles came to rest, where the dead or injured were lying, and the approximate point of collision, which can usually be found by the pile of dirt jarred loose from the cars, or where the glass from the headlights dropped, or water drops from a punctured radiator, etc.

- c. The cause of running off the road, and, if possible, the position of the vehicles before the collision should be determined.
- d. If a measuring tape is used, have someone hold one end and, after you have read the distance, have the helper exchange places with you so that he can read the measurements himself.
  - 1) If this is not done, but you merely tell him what the distance is, he cannot testify in court to the distances measured.
  - 2) What you may tell him is only hearsay evidence and is not admissible in court because he didn't actually see the measurement himself.
- e. If a roll type measuring device is used, be certain that the helper sees that it was set on zero and reads the numbers after the measurement.
- f. If you have no tape, you can pace the distance.
  - 1) Try to keep your stride as near to three feet as possible.
  - 2) Although measurements by pacing are not as acceptable in court as are measurements made by some measuring device, they are better than no measurements at all.
  - 3) Do not put down distances as feet when measuring by paces. Put in your report that the distance was paced and the number of paces.

- g. It should be pointed out that if a tape is used, it should be a steel tape. A cloth tape will stretch so that a defense lawyer can cast some doubt as to the exactness of measurements made with such a tape.
12. Faulty equipment. After all measurements are taken and noted in your notebook, check each car for faulty equipment or causes contributing to the accident.
- a. Check the brake pedal pressure and note how far from the floorboard the pedal stops.
    - 1) If there is no pressure, look under the car for evidence of a broken hydraulic brake line.
    - 2) See if there is any brake fluid on the pavement at or near the point of impact.
    - 3) Since doubt may be cast on your mechanical ability in court, ask the wreckermen to inspect the brakes, if they should appear faulty.
  - b. When a car is involved in an accident during a turn, check the turn signal devices to see if they are operating. If not, notice if the window on the driver's side was down.
  - c. Check the hand brake and the position of the gear-shift lever to determine what gear the car was in.
  - d. If at night when lights may be a contributing factor, check to see if they are on high or low beam, and if both are burning.
  - e. When a headlight is found to be broken, see if it can be determined whether the light was burning at the time it broke by looking at the element.



- 1) If the element is broken cleanly, it was not burning at the time it broke.
  - 2) If the element is melted to the post, it indicates that the light was burning when the lens cracked.
  - 3) This is easily seen in sealed beam headlights, for when oxygen strikes a burning element, the element melts.
- f. Check the stop lights and tail lights, if these could have had anything to do with the accident, and notice the amount of visibility the driver had. For instance, check to see if the windshield was covered with frost or stickers.

13. Estimating speed.

- a. Whenever the element of speed is involved, and the cars are still driveable, the best possible way for you to determine if the speed limit was being exceeded is to drive the same car, on the same place on the road, and skid the tires.
- b. Attain the legal speed, slam on the brakes so that the wheels lock, then measure the skid marks left on the road. The brakes must be locked, however. Whoever is helping you should also watch the speedometer in order to verify your findings.
- c. Although there are charts available which give estimates of how far cars will skid under varying conditions, they are often not accurate because of the many variables.
  - 1) Whether the surface is consistent (a surface spotted here and there with oil, frost, gravel, or even smooth spots) will throw the charts off.

- 2) A clogged hydraulic brake line or unevenly adjusted brakes, can also cause a difference.

d. Skid marks.

- 1) All that is necessary for you to determine is the length of the skid marks left while traveling at the legal speed. There is no need for you to experiment until you find the exact speed the car was traveling at the time of the collision.
- 2) If the skid marks are longer than those made at the legal speed, you can safely say that the car was exceeding the limit. There is a formula available for use by the police in determining speed.

14. Interrogation of driver.

- a. After each car has been checked, return to your own car and interview the drivers.
- b. It is much easier to talk to the drivers while they are seated in the police car, because:
  - 1) The windows can be rolled up to discourage eavesdroppers.
  - 2) It is warm.
  - 3) It is close.
  - 4) It is quiet so that you can hear every word and do not have to strain your ears to hear above traffic and crowd noises.
  - 5) Each driver's actions can be noticed by the others.
  - 6) There are proper forms handy for the use of the officer.
  - 7) Rain, wind, snow or other element

does not damage the paper of the report.

- c. It is usually advocated that each driver be questioned separately with a repetition of questioning with both drivers present later.
- 1) There are important advantages in interrogating the drivers together, after they have been questioned separately.
  - 2) By keeping them separated during the initial interrogation, their stories can be broken down. They are on opposite sides of the fence, and at least one is usually responsible for the accident, if not both of them.
  - 3) The two drivers should eventually be questioned in the presence of each other.
    - a) A driver telling his story where no one can contradict him when he lies, will often deny any responsibility for the accident.
    - b) He may refuse to admit that he committed any act that could have contributed to the accident.
    - c) This seldom happens when the other driver is listening, for the driver responsible for the accident is well aware that the others know when a lie is being told.
    - d) When the story is told by one in the presence of the other, the violator may admit his violation and may try to rationalize his actions.
    - e) Any statement made by one



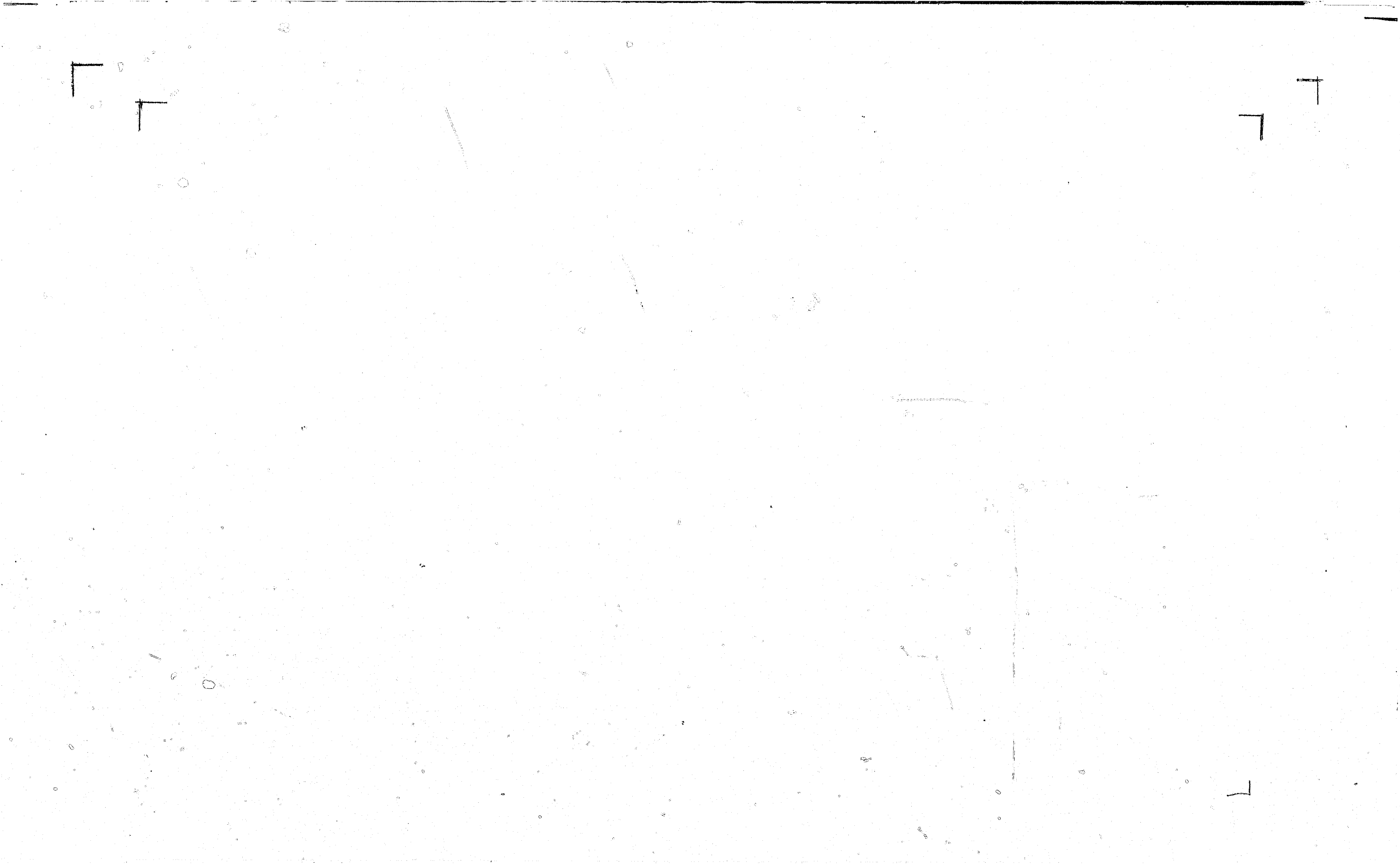


driver which is against the interests of the second, which is not denied by the second, is admissible in court as an admission and is an exception to the "hearsay" law.

- d. Be alert for any indication that a violation was committed by making certain that you learn which direction each car was traveling, which car struck the other, which had the right-of-way, and so forth. If these points are not brought out by the driver voluntarily, ask him about them later.
- e. It is usually better to question the driver you feel to be at fault first; for if the innocent party fails to mention some important fact, the driver at fault may deliberately fail to mention it.
- f. Do not overlook the obvious. Very frequently when a suspect in a crime is frankly asked if he committed a crime, he will just as frankly admit his guilt.
- g. Try the same procedure on drivers. Ask them how fast they were traveling or if they are responsible.
- h. Check and investigate any extenuating circumstances.
  - 1) If a violation is admitted but an excuse is given that a sign in the street could not be seen, a traffic signal was not working, there were holes in the street that had to be dodged, etc., check these excuses.
  - 2) In fact, even though no excuse is given for the violation, check all possibilities anyhow, in case the driver attempts to use one as an excuse in a future trial.
    - a) If you do not make an inspection of all the variables, you

may do a man an injustice by issuing a citation when he is not at fault, or may fail to get a conviction at any subsequent trial of a legitimately arrested person, should he plead "Not Guilty."

- b) An officer appears very stupid to a judge or jury when he is asked if a light was working at an intersection, a sign torn down, and so on, when he has to admit that he doesn't know because he failed to do his job by inspecting those things.
  - 3) There have been many occasions when a driver could not recall the reasons for an accident immediately after it occurred, but remembered the reason later after he calmed down and had time to think.
  - 4) Ask for the names, ages, and addresses of each passenger and where they were sitting in the car. You may be able to discredit the testimony of a passenger, who may claim that the driver was driving at a legal speed, if you can show that the passenger was sitting in such a position that the speedometer could not be read.
  - 5) After you have all the details as they were given you, ask the driver to read it for accuracy and to sign it at the bottom. He does not have to sign, so act as though it is expected of everyone involved in accidents.
15. Information exchange for the drivers.
- a. To save time and eliminate confusion, write down the information each driver will need in making out accident reports.
  - b. Tell them when and where an accident



report must be made.

- c. Some officers use carbon paper when they make out the original report, then tear off the part each driver needs containing the information pertaining to the others.

16. Enforcement in traffic accident cases.

- a. It is at this time that a traffic citation should be issued, if one is deemed necessary.
- b. By now you have heard the stories of the drivers, and the witnesses. By comparing the statements made by the drivers and witnesses to the results of the examination of all physical evidence found at the scene, possibly a decision can be made as to which driver was at fault and a citation can be issued.
- c. If you are at a loss as to whether a violation has actually been committed, submit all the facts to your agency prosecutor who can then determine if a warrant should be issued.
- d. In serious accidents where there is either a personal injury or a large amount of property damage, notarized statements are usually taken from all witnesses and drivers before there is an opportunity to forget details.
- e. It is usually not good policy to issue a citation to one driver when the other driver has not been interviewed.
- f. The citation should be for a specific charge you believe can be proven by all available evidence, rather than a general charge that may be difficult to prove - such as reckless or negligent driving. Several citations could be issued if you believe you can prove each one.

- 1) Under common law, if the offenses

were of the same degree there was no merger of offenses.

- 2) Statutory provisions sometimes permit the merger of traffic misdemeanors into other misdemeanors so that two or more of the above offenses may merge into reckless driving. The prosecutor will then try a driver for only one offense.
  - 3) If it is felt that the reckless driving charge cannot be proved, the charge of careless or negligent driving may be placed. These offenses are included in reckless driving as lesser offenses.
  - 4) A prosecutor may drop all charges except one. This will not be a merger of offenses but will merely be a prosecution for one of the more serious offenses for which the driver can be convicted in court.
- g. If you have issued a citation for each of the several offenses, the driver will be found guilty of the one charge, and the others will be either dropped or the person found guilty of each with the sentences suspended. Several citations need not, however, be issued by you.
- h. If the report you make of the accident is complete, the prosecutor can tell by the report how many violations were committed and can prosecute each one separately, if he wishes.
17. Driving under the influence of drugs and/or alcohol.
- a. If there is some question as to whether or not one of the drivers is under the influence of alcohol, ask him if he will submit to an examination by a doctor or to have his breath analyzed, or both.
  - b. If he consents, either test will take the guesswork out of whether or not to

arrest him for this offense.

- c. Do not forget the fact that even though a man may be guilty of driving while under the influence of alcohol, he may not be at fault as far as the accident is concerned.
    - 1) His condition may have in no way contributed to what happened.
    - 2) He may have been obeying all the driving laws, when the second car failed to stop at an arterial, or whatever.
  - d. In writing your reports of the accident, bear in mind that the police are not interested in civil suits for damages. What you are interested in is if any laws were broken, the cause of the accident, and whether the city, county or state you work for could be liable.
  - e. In making a report of your investigation, ask yourself, "Am I reporting only the obvious results of this accident, or am I reporting the facts that brought about the results?"
  - f. Usually the right-of-way laws have been broken either deliberately or unintentionally, and it is your job to determine which, and why.
  - g. If the information you gather is not used to prevent other accidents of the same nature, it is valueless to you in your primary job of protecting lives and property.
18. Guidelines for drawing the accident scene.
- a. The drawing must be made to scale, and it must be made as near as possible to the time of the event (accident).
  - b. Drawing must indicate the directions of the compass (put at top of drawing). It is not necessary to be accurate within





a compass degree, but should show the direction as a road map would show the same street.

- c. The name of the drawer must be indicated on the drawing as well as the police department case number, as well as the date and time the drawing is made and the scale to which the drawing is made.
- d. The drawing perspective should be made as though the draftsman was about 100 feet directly above the accident scene and looking down on it (bird's eye view).
- e. The artist or draftsman should read all dimensions from roller type measuring devices and measuring tapes. The name of the person holding the other end of the tape should be included on the drawing.
- f. Enter all pertinent measurements on drawing as well as explanatory notations, examples are: length of skid marks, width of streets, articles that obstruct vision.
- g. If a rough sketch has been made at the scene, it must be preserved if a later drawing is made from it, but the procedure is to take the portable drafting kit to the scene and not to make any preliminary drawings or sketches.
- h. Recheck the drawing at scene when you are finished, to make sure it is accurate.
- i. What to include in drawing.
  - 1) All of the area encompassed by the action that led up to or caused the accident.
  - 2) The places where vehicles came to rest after the accident (if they are at the scene when drawing is made).

- 3) The places where dead and injured persons lie after the collision.
- 4) Anything that is visible that would indicate point of collision.
- 5) Anything to indicate location of vehicle prior to collision, such as skid marks, gouges in the road or on curbs, etc.

j. Notes and precautions:

- 1) Do not leave steel measuring tapes across the pavement for traffic to run over.
- 2) Watch traffic when making drawing, and taking measurements; don't cause another accident.
- 3) Do not touch measuring tape to any charged electrical circuit.
- 4) Wipe water and moisture from instruments then so that they will not rust or deteriorate after using.
- 5) Do not forget to reset rollatape before making the next measurement.
- 6) Do not read 9 or 6 upside down and get the wrong measurement.
- 7) Do not lose count of tape lengths if it takes more than one to complete a measurement.
- 8) For night measurements use warning red fuses for your own safety.

k. Description of portable traffic drafting kit. The portable traffic drafting kit consists of a black suitcase, large enough to hold the following:

- 1) A 13" x 20" drafting board.
- 2) One T-square.
- 3) One 12" ruler.



- 4) Two 3-cornered draftsmen scales.
  - 5) French curve.
  - 6) Variable degree triangle.
  - 7) Protractor.
  - 8) Two spikes with chalk lines attached.
  - 9) Two lettering guides.
  - 10) Two sizes print.
  - 11) One compass set.
  - 12) One drawing cleaning pad.
  - 13) Supply of ink heads.
  - 14) Different size points.
  - 15) Gum erasers.
  - 16) Drawing pencils.
  - 17) Sandpaper sharpener (for pencils).
  - 18) Two draftsman ink pens.
  - 19) Points for preceeding ink pens.
  - 20) Supply of drawing ink.
  - 21) Chalk.
  - 22) Drawing paper.
  - 23) One small whisk brush.
  - 24) Masking tape.
  - 25) A legal pad for making rough drawings.
  - 26) A 100 ft. measuring tape.
1. Note that this paper does not tell you how to make the drawing. This is a

separate problem and requires outside training in drafting procedure. Perspective drawing is not mentioned because of the extensive training needed.

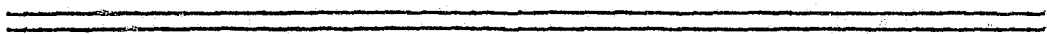
NOTE: Attached is a sheet giving accepted symbols for traffic accident reporting for use on accident scene sketching.

J. Motor vehicle traffic accidents in Michigan in 1966: A summary and comparison with previous years.

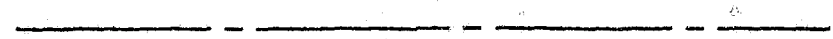
1. Introduction: There were 2,296 persons killed and 156,694 injured in 302,880 reported motor vehicle traffic accidents in Michigan in 1966. Compared with the final record in 1965 deaths increased 7 per cent, injuries increased 1 per cent, while total reported accidents show a decrease of 2.5 per cent.
  - a. Deaths for 1966 set a new record for persons being killed on Michigan streets and highways. The year 1966 was the sixth year in which the death toll exceeded the 2,000 mark.
  - b. Total casualties (deaths and injuries) were the highest ever in 1966 and were up for the eighth successive year.
  - c. Exposure factors were also up in 1966. Compared with 1965, motor vehicle registrations climbed 1.5 per cent and estimated vehicle mileage rose 6 per cent and licensed drivers increased 6 per cent.
  - d. Despite the increase in exposure factors in 1966, the death rate of 5.2 per 100 million vehicle miles of travel remained the same as the 1965 rate.
  - e. The economical loss in Michigan traffic accidents amounted to 415,000,000 dollars. This estimate was the highest ever in Michigan and up 35,000,000 dollars over 1965. Actual comparison of 1966 accident and related data with

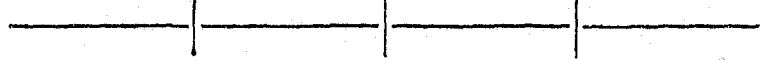
ACCEPTED SYMBOLS FOR TRAFFIC ACCIDENT REPORTING

PAVEMENT EDGE: 

CURB: 

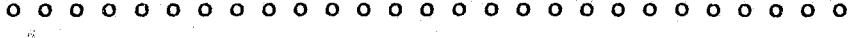
PAVEMENT CRACK: 

MARKED CENTER LINE: 

NO PASSING CENTER LINE: 

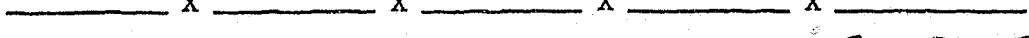
UNMARKED CENTER LINE: 

OTHER MARKINGS: 

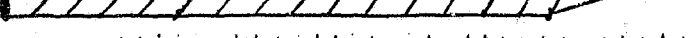
MUSHROOM BUTTONS: 

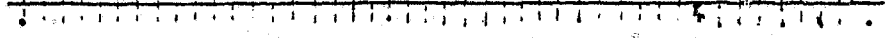
SHOULDER EDGE: 

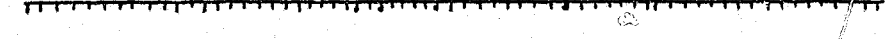
GUARD FENCE OR RAIL: 

FENCE: 


EMBANKMENT: 

ABUTMENT OR WALL: 

RAILROAD TRACK: 

STREETCAR TRACK: 


PROPERTY LINE: 

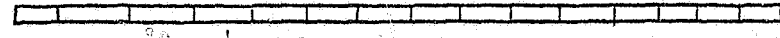
TREE: 

SHRUBS: 


BUILDING, VIEW OBSTRUCTION: 

UTILITY POLES: 

STREET LIGHTS: 

DRAIN OUTLET OR INLET: 

HYDRANT: 

FURROW: 

SKID MARKS: 

TIRE PRINTS: 



similar information for 1964 and 1965  
are shown below:

	<u>1964</u>	<u>1965</u>	<u>1966</u>
Deaths	2,122	2,129	2,296
Injuries	144,623	155,258	156,694
Accidents	284,444	310,598	302,880
Motor Vehicles*	3,860,791	4,066,826	4,133,199
Drivers	4,369,477	4,540,367	
Mileage (Millions)**	38,617.6	40,856.4	43,940.1
Deaths (Per 100 Million Vehicle Miles)	5.5	5.2	5.2
Estimated Cost <sup>(1)</sup> (Millions of Dollars)	\$370	\$385	\$415

\*Excluding trailers and trailer coaches; \*\*Deaths per  
100 million miles of travel.

NOTE: Total accidents would have been substantially higher  
if all occurring had been reported.

2. Accident and exposure trends - In recent years,  
1956 through 1966, total casualties have  
shown a much greater percentage increase than  
have exposure factors.

- a. The death rate per 100 million vehicle  
miles generally has shown a downward  
trend except for occasional upward  
reversals such as occurred in 1963 and  
1964. The lowest mileage death rate  
in the past thirty years was 4.6 in  
1962, while the highest was 15.9 in 1937.
- b. During the intervening years, many  
thousands of lives have been saved as a  
result of the reduction in the mileage  
death rate. For example, in 1966 alone,  
had the 1937 death rate of 15.9  
prevailed, there could have been 6,980  
persons killed, or more than three  
times the number who actually died as  
a result of traffic accidents.
- c. Some of the many factors contributing to  
the reduction in the mileage death rate  
can be related to the driver, highway,  
motor vehicle, or other special environ-  
mental conditions, sometimes to the  
combination of each.



# CONTRIBUTING FACTORS IN TRAFFIC ACCIDENTS, 1966

<u>VIOLATIONS</u>	<u>ALL ACCIDENTS</u>		<u>FATAL ACCIDENTS</u>		<u>INJURY ACCIDENTS</u>	
	Number	% of Total	Number	% of Total	Number	% of Total
Speed too fast	64,343	21.0	818	37.7	25,966	25.1
Failed to yield ROW	59,211	19.3	264	12.2	19,023	18.4
Drove left of center	11,318	3.7	214	9.9	3,802	3.7
Improper overtaking	10,629	3.5	62	2.8	2,186	2.1
Passed stop sign	6,111	2.0	76	3.5	2,532	2.5
Disregarded signal	9,370	3.1	75	3.5	4,997	4.8
Followed too closely	30,799	10.0	15	.7	11,728	11.4
Made improper turn	16,506	5.4	19	.8	3,440	3.3
Improper or no signal	57,959	18.9	113	5.2	12,404	12.0
Improper parking	3,189	1.0	22	1.0	1,213	1.2
Improper lights	1,222	.4	8	.4	439	.4
Had been drinking	35,690	11.7	484	22.3	15,578	15.1
TOTAL:	306,347	100.0	2,170	100.0	103,308	100.0



- d. Routine investigation and research, however, continue to indicate that driver failure is the greatest contributing cause of accidents and a high per cent of the total involve driver violations, as shown in the chart on the following page.
- e. Other common driver shortcomings contributing to accidents include: Lack of skill, lack of knowledge, irresponsible attitude, inattention, fatigue, physical disabilities, failure to compensate for the mistakes of other drivers and pedestrians.
- f. Drivers in the combined age group, 15-24, represent 23.1 per cent of the driver population, but they are involved in 34.5 per cent of all accidents and 33.3 per cent of all fatal accidents. Comparison with the other ten-year groupings only re-emphasizes their high risk position.
- g. Yet, the possibility of reducing accidents through driver education and improvement are tremendous.
  - 1) This is substantiated by the records of some professional and other drivers who travel many hundreds of thousands of miles (sometimes well over a million) without becoming involved in an accident or receiving a violation notice.
  - 2) These excellent records are achieved even though such drivers accumulate their mileage on all kinds of highways, during all kinds of weather, and under the same varying traffic conditions confronting all other motorists.
- h. Current research indicates that vehicle defects and highway deficiencies contribute substantially more to accidents than revealed by routine investigation. Such action is important, but a well-rounded program is needed, including much greater emphasis on the training, supervision of the ordinary driver, and on driver licensing administration phases of the Highway Safety Action Program.
  - 1) The current record again emphasizes the urgent need to greatly accelerate accident prevention activity if it is to keep pace with increasing traffic demands.

- 2) Investigation and research undoubtedly will find new and better ways to control the traffic problem, and the Action program provides a good blueprint for approaching it when adequately and properly implemented.
  - 3) Fortunately, much greater concern is being registered in regard to many aspects of the problem, and it is hoped that action now being taken and planned by local, state and federal jurisdictions will reverse current accident trends.
    - i. Approximately two out of every three deaths in 1966 occurred in places classified as rural, in urban areas, one-third of the victims were pedestrians and in rural areas 90 per cent of the victims were occupants of motor vehicles. Fifty-five per cent of all deaths occurred in night accidents.
3. Registration of motor vehicles.
- a. There was one motor vehicle registered in Michigan during 1966 for each two persons residing in the state. Total motor vehicle registrations, excluding trailers and trailer coaches, climbed to 4,133,199, a new high, and 1.6 per cent increase over 1965.
  - b. A breakdown of the type of vehicles registered is as follows:
 

TYPE	REGISTRATIONS	PER CENT CHANGE 1965-1966
Passenger Cars	3,496,179	+ .5
Commercial Vehicles	468,019	+ 6.5
Farm Vehicles	34,308	- 10.3
Motorcycles	81,136	+ 24.9
Municipal Vehicles	53,557	+ 22.6
TOTAL:	4,133,199	+ 1.6
  - c. Trailer registrations for 1966 totaled 392,511, a 5.8 per cent increase over 1965. Trailer coach registrations for 1966 totaled 50,657, a 21.2 per cent increase over 1965.
  - d. Three counties, Wayne, Oakland and Macomb, accounted for 46 per cent of the state's total registrations, the same as 1965.

4. Locations and deaths and injuries.

- a. There were 1,548 rural and 748 urban deaths in 1966, compared with 1965; rural deaths increased 8 per cent, injuries increased 4.8 per cent, and total accidents increased 6.3 per cent as compared with 1965.
- b. Rural areas accounted for 29 per cent of all accidents and for 67 per cent of all traffic deaths. Urban areas accounted for 71 per cent of all accidents and for 33 per cent of all traffic deaths.
- c. Likewise, there have been slight changes in the distribution of deaths, injuries and accident by general highway type in rural and urban areas during the past five years, 1962-1966, as shown in Table A on the following page.
- d. Nevertheless, when 1966 is compared with 1965, there was some substantial percentage changes as summarized and qualified in Table B on the following page.
- e. Death distributions for selected areas of the state remained about the same as recent years - 89 per cent in the 41 counties south of the Oceana-Bay County Line, 8 per cent in the remaining 27 counties in the Lower Peninsula north of the above designated line, and 3 per cent in the Upper Peninsula.
  - 1) These percentages relate quite closely to the percentage distribution of registered motor vehicles for the three areas, except the death per cent ratio for the upper part of the Lower Peninsula is somewhat higher than the 5 per cent of the cars accounted for by this area.
  - 2) As a result, the 27 counties had the highest death rate per 10,000 registered vehicles and the 1965 death increase in this area more than offset decreases in the other two areas. This high death rate and increase no doubt can be attributed largely to the sharp increase in recreational traffic passing through these areas.



TABLE A

	DEATHS		INJURIES		ACCIDENTS	
	COUNTY AND TRUNK LINES LOCAL ROADS		COUNTY AND TRUNK LINES LOCAL ROADS		COUNTY AND TRUNK LINES LOCAL ROADS	
1962	1104	470	39,509	68,634	59,285	173,973
1963	1293	594	45,460	81,436	65,662	196,131
1964	1424	698	51,795	92,828	73,493	210,951
1965	1428	708	56,033	99,225	82,507	228,091
1966	1548	748	58,711	97,983	87,708	215,172

TABLE B

CLASSIFICATION	Per Day	DURING 1966		YEARLY COMPARISONS		CHANGE 65-66
		Per Week	Per Month	1965	1966	
Traffic Deaths	6.3	44	191	2,136	2,296	+7.5
Injuries	429	3,013	13,058	155,258	156,694	+1.0
Accidents	830	5,825	25,240	310,598	302,880	-2.5
Cost of Accidents	1,136,986	7,980,769	34,583,333	385,000,000	415,000,000	+7.8
Drivers Involved	1,433	10,061	43,597	537,335	523,164	-3.6
Vehicles Involved	1,536	10,780	46,715	574,606	560,576	-2.4

- 3) Traffic deaths were heavily concentrated in the Detroit Metropolitan area. This might be expected because of the density of the population and high percentage of the total registrations in this area.

5. Time of accidents.

- a. Many factors contribute to variations of the frequency, type and severity of accidents by hours of day and day of week. These include traffic density, kind of traffic (vehicles and pedestrians), kind of highway, travel speed, visibility, attention, fatigue, incidence of alcohol, and weather and road conditions, to name only a few.
- b. Generally, however, the time patterns for all accidents change little from year to year, since they seem to be influenced so much by the amount of traffic generated by work, social and recreational habits of motorists and pedestrians.
- c. The following tabulation shows the percentage of fatal accidents by primary type for four years' combined experience, 1963-1966.

<u>PERSONS KILLED, BY TYPE</u>	<u>1963</u>	<u>1964</u>	<u>1965</u>	<u>1966</u>
Ran off Road	413	519	507	517
Overtuned on Road	36	46	42	34
Collision of Motor Vehicle with:				
Pedestrian	330	376	370	386
Motor Vehicle in Traffic	827	927	936	1,034
Parked Motor Vehicle	27	25	25	21
Railroad Train	75	51	74	80
Bicyclists	31	38	40	43
Animal	2	3	2	2
Fixed Object	130	122	103	159
Other Object	4	7	10	2
Other Non-Collision	12	8	27	18
<b>TOTALS:</b>	<b>1,887</b>	<b>2,122</b>	<b>2,136</b>	<b>2,296</b>





- d. Invariably, the fatal accidents rate in relation to traffic is much higher during the hours of darkness and this is especially true of accidents involving running off the road, or collisions with fixed objects, and are the type of fatal accidents which generally reach their peak in the hours just before and after midnight.
  - e. Excluding pedestrian accidents, the worst single hour for all other fatal accidents is between 2 a.m. and 3 a.m. This is the hour following the normal legal closing time for places selling intoxicating liquor.
  - f. Approximately two out of every three deaths in 1966 occurred in places classified as rural. In urban areas, one-third of the victims were pedestrians and in rural areas 90 per cent of the victims were occupants of motor vehicles. Fifty-five per cent of all deaths occurred in night accidents.
6. Drinking and accidents.
- a. Drinking is a factor in 29 per cent of fatal accidents but may be a factor in as many as half of the fatal accidents, according to special studies which have been designed to determine the blood-alcohol level of drivers and pedestrians involved in accidents.
  - b. Routine accident reports indicate a lower incidence of drinking among drivers in accidents than do special studies. It is believed that in such reports the importance of drinking is partially obscured by differences in the interpretation of drinking and its contribution as an accident cause and by differences in the completeness and thoroughness of accident investigation and reporting.
  - c. According to one study under way in California, continuing analysis of victims in motor vehicle accidents shows well over half of fatally injured drivers had been drinking. Among responsible drivers, two-thirds had been drinking, and in one-car accidents in this group, seven out of ten had been drinking. In contrast, in those

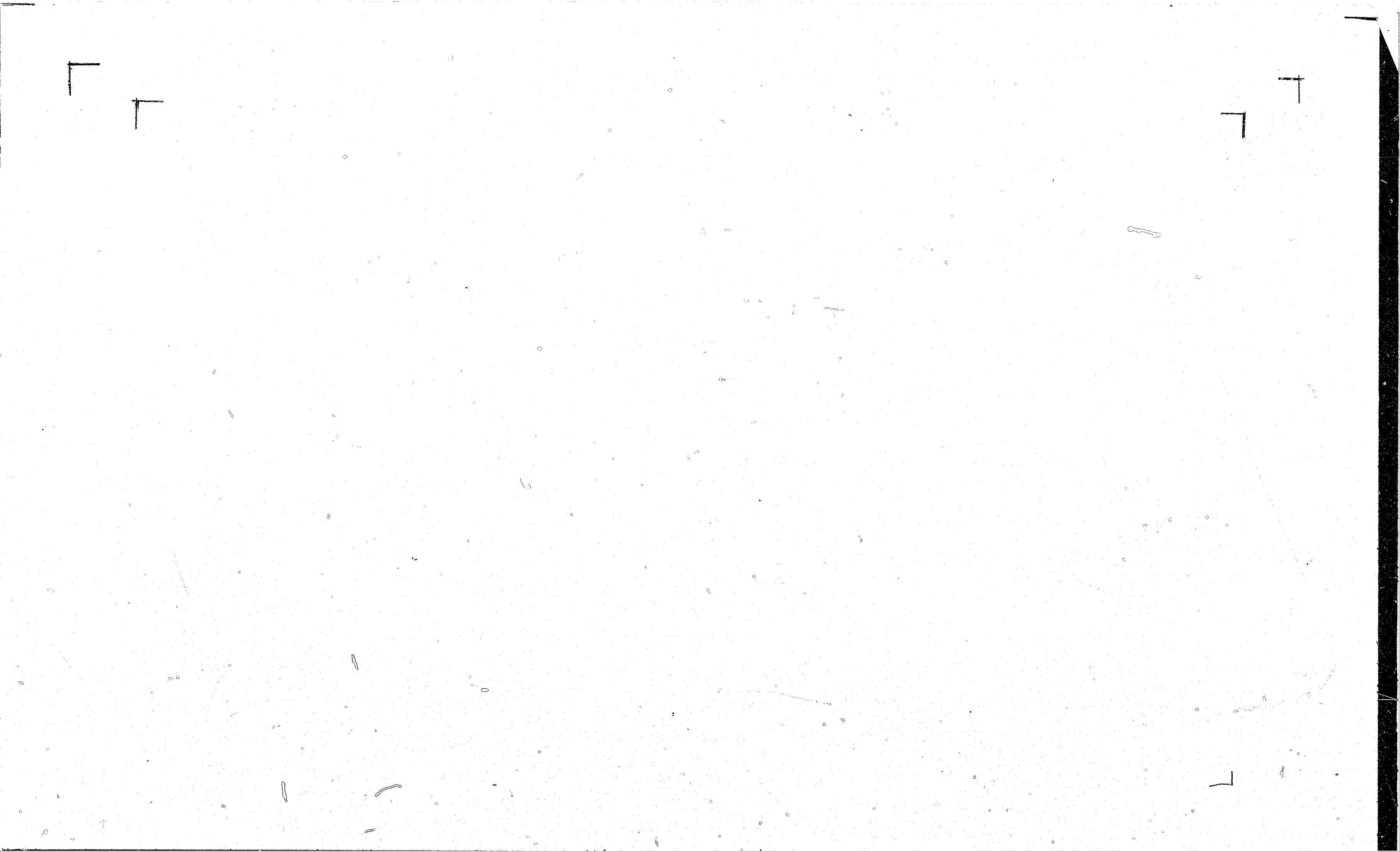
accidents in which drivers were not responsible for the accidents, less than one out of five had been drinking.

DRINKING IN ACCIDENTS	FATAL	PER CENT	NON-FATAL	PER CENT
Had been drinking	568	28.9	9,981	22.7
Had not been drinking	642	32.6	29,822	67.9
Not stated	757	38.5	4,110	9.4
TOTALS	1,967	100.0	43,913	100.0

7. Holidays and accidents. The following table shows the traffic death tolls in Michigan for the period 1963-1966 for the five major holiday weekend.

	<u>RURAL</u>	<u>URBAN</u>	<u>TOTAL</u>
Memorial Day			
1966	34	9	43
1965	17	10	27
1964	16	8	24
1963	19	5	24
Fourth of July			
1966	26	2	28
1965	18	5	23
1964	33	10	43
1963	20	18	38
Labor Day			
1966	32	7	39
1965	15	10	25
1964	18	8	26
1963	33	2	35
Christmas			
1966	18	12	30
1965	26	11	37
1964	26	12	38
1963	8	9	17
New Years			
1966	20	6	26
1965	19	14	33
1964	18	4	22
1963	13	3	16

The worst single month for traffic deaths in 1966 was October, with 221, and October still has the highest average for any month during the thirty-three year period.





- a. Of the five major holidays, average daily deaths were highest on Labor Day weekends with 9.3 deaths per day. The next highest average daily death tolls were on the Christmas weekends with 8.7 followed by the Fourth of July with 8.6 deaths per day.
- b. Based on 1966 experience, the average daily deaths were highest on Memorial Day weekend with 13.2 deaths per days, followed by Labor Day with 12.
- c. The probably death toll on any 54 hour weekend, Friday 6 p.m. to Sunday, midnight, in 1966 was 9.2 deaths per day. The death average toll for each day of 1966 amounted to 6.3 persons.
- d. From prior experience, it is evident that "Death Takes No Holiday" on Michigan highways; every day has its share of traffic tragedies.

#### 8. Motorcycles, motorbikes and accident statistics.

- a. There was a sharp increase in the number of motorcycles in accidents in 1966 over 1965, as well as in the number of registered motorcycles. However, the percentage increase in accidents was much greater than the percentage increase in registrations as shown in the following tabulation, which covers the period 1963-1966.

	1963	1964	1965	1966
Registration	31,212	39,041	64,948	81,136
Deaths	35	51	64	104
Death Rate*	11.3%	13.1%	9.8%	12.8%
Estimated Mileage**	93,636	117,123	194,844	243,408
Death Rate	37.4%	43.5%	32.8%	42.7%

\* Based on 10,000 cycle registration

\*\* Based on 3,000 miles per cycle.

- b. Since 1963, the number of motorcycles in the state has been increasing at a rapid pace, as shown in the table above. Compared with an 18 per cent increase in the total motor vehicles between 1962 and 1966, the number of motorcycles increased 179 per cent.
- c. Deaths of motorcycle riders have increased at a more accelerated rate than have the number of motorcycles over the entire five year period,







1962 through 1966, the number of deaths having increased 247 per cent, while deaths from all motor vehicles increased 46 per cent during the same period.

- d. Based on deaths per 10,000 registrations for the five year period, the average mortality rate for motorcycles is 11.5, while deaths for all motor vehicles is 5.2 per 10,000 registered.
- e. There are no accurate mileage figures for motorcycles but estimates range from 3,000 to 5,000 miles per year for personal cycles. Such figures indicate that the mileage death rate, based on rider deaths only, may range between 19.7 and 43.5 (deaths per 100 million vehicle miles of travel). This can be compared with the 1966 death rate for all motor vehicles of 5.2, which includes pedestrian and other non-occupant deaths as well as occupant deaths.
- f. Records indicate that motorcycle riders are much more likely to suffer injury in accidents than occupants of other vehicles. It is also probable that the motorcycle involvement rate in accidents per mile of travel is substantially greater than for the other vehicles, although comparative mileage data for different classes of vehicles is not available.

9. Drivers and their roles in accidents.

- a. As previously reported, most accidents result from several cases, direct and indirect. These generally can be related to the driver, the highway, the motor car and other special environmental conditions, sometimes to each.
- b. Routine investigation and research, however, continue to indicate that driver failure is the greatest contributing cause of accidents and a high percentage involve driver violations. In 1966, more than three out of four, or 77 per cent, of the fatal accidents in Michigan involved one or more drivers who were violating some traffic law when the accident occurred and the most common contributing violations reported included:

- 1) Speed too fast for conditions or in excess of established limits
  - 2) Failed to yield right of way.
  - 3) Drove left of center.
  - 4) Disregarded stop sign or signal.
  - 5) Drove while under the influence of intoxicating liquor.
  - 6) Improper passing.
- c. Differences in roadside development, street and highway design, kind and amount of traffic and traffic controls are some of the factors which cause the distribution of traffic violations to vary between rural and urban areas.
- d. Other common driver shortcoming contributing to accidents include lack of skill, lack of knowledge, irresponsible attitude, inattention, fatigue, physical disabilities, and failure to compensate for the mistakes of other drivers and pedestrians.
- e. Current research likewise indicates that vehicle defects and highway deficiencies contribute substantially more to accidents than revealed by routine investigation.
- 1) As a result, much greater attention is being given to three phases of the problem. Such action is important.
  - 2) But a well-rounded program is needed, including much greater emphasis on the training and supervision of the ordinary driver, on driver licensing, administration and on other phases of the Highway Safety Action Program.
- f. There is substantial evidence that most accidents are caused by ordinary drivers who manage to stay out of trouble most of the time, but occasionally become involved through some driving error and the combination of circumstances at a given time and place.





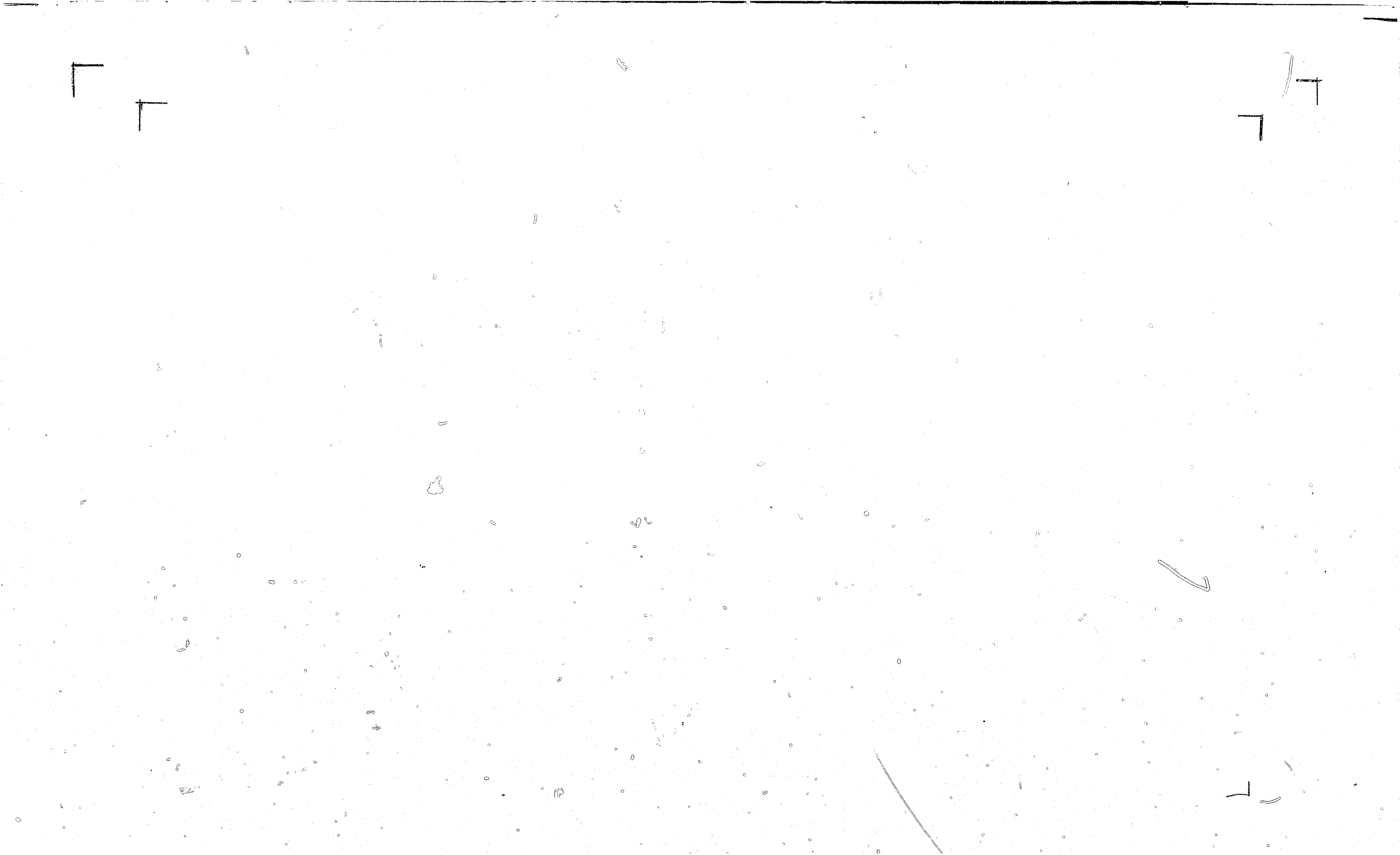
g. The possibilities of reducing accidents through driver improvement are tremendous.

- 1) This is substantiated by the records of some professional and other drivers who travel many hundreds of thousands of miles (sometimes well over a million) without becoming involved in an accident or receiving a traffic violation notice.
- 2) These excellent records are achieved even though such drivers accumulate their mileage on all kinds of weather and under the same varying traffic conditions confronting other motorists.

10. Vehicle defects. The present method of accident investigation does not permit an in-depth examination of the vehicle after the accident. Because of the damaged condition of the vehicle, there is no positive way to determine if the vehicle was defective before the accident or that the defect was created as a result of the accident.

- a. According to the latest study report and plan for periodic motor vehicle inspection prepared by the Highway Traffic Safety Center, Michigan State University, conducting inspection as part of their accident prevention programs consistently report deficiencies that must be corrected in from 30 to 60 per cent of the vehicles inspected.
- b. Data compiled for the Michigan Association of Chiefs of Police by the Highway Traffic Safety Center between November 11, 1966 and December 18, 1966, showed that of a sampling of 2,070 vehicles stopped, 58.7 per cent of the vehicles had a defect.
- c. The above data compared very favorably with the first statistical report made as a result of vehicles stopped in the vehicle check lanes. Of 3,226 vehicles inspected, 59 per cent were found with defects. The defects noted that could result in an accident were as follows:
  - 1) Thirty-three per cent had defective tires.
  - 2) Six per cent had defective tail lights.





**CONTINUED**

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- 3) Eight per cent had defective stop lights.
  - 4) Twelve per cent had defective rear turn signal indicators.
  - 5) Four per cent had defective steering.
  - 6) Three per cent had defective brakes.
- d. There should be no question that many accidents that are reported as "ran off roadway" or "failed to stop" in the assured clear distance ahead could be avoided if the above defects could be corrected.

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