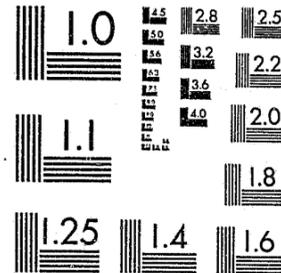


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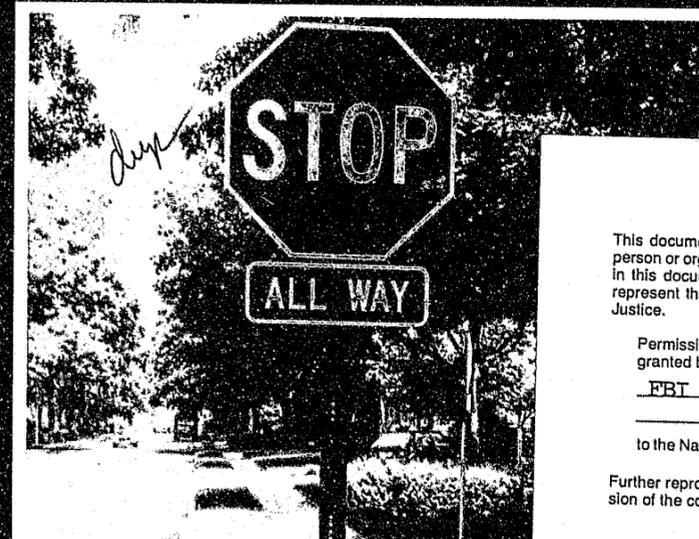
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National Institute of Justice  
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# FBI LAW ENFORCEMENT BULLETIN

MAY 1984



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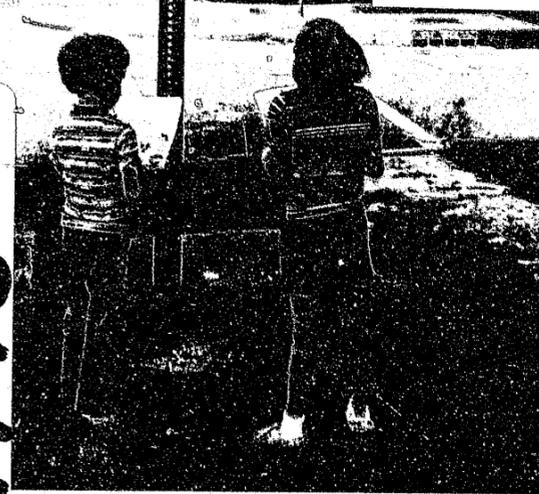
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## Safetyrama

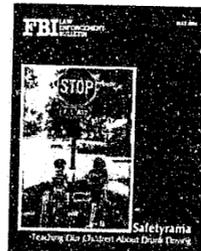
aching Our Children About Drunk Driving

# FBI LAW ENFORCEMENT BULLETIN

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## Contents

- Traffic** 1 **Safetyrama:  
Teaching Our Children About Drunk Driving**  
By Ernest J. Cipullo and Jim Bosco
- Crime Problems** 5 **Fighting Municipal Corruption**  
By Patrick W. McGinley
- Forensic Science** 10 **Fiber Evidence and the Wayne Williams Trial  
(Conclusion)**  
By Harold A. Deadman
- Law Enforcement Role** 20 **Managing Hazardous Roadblocks**  
By Dr. Robert M. Pockrass
- The Legal Digest** 24 **Interrogation after Assertion of Rights**  
By Charles E. Riley III
- 32 **Wanted by the FBI**



The Cover: Children can "talk" safe driving to their parents if they know traffic safety rules and regulations. See article p. 1.

Federal Bureau of Investigation  
United States Department of Justice  
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William H. Webster, Director

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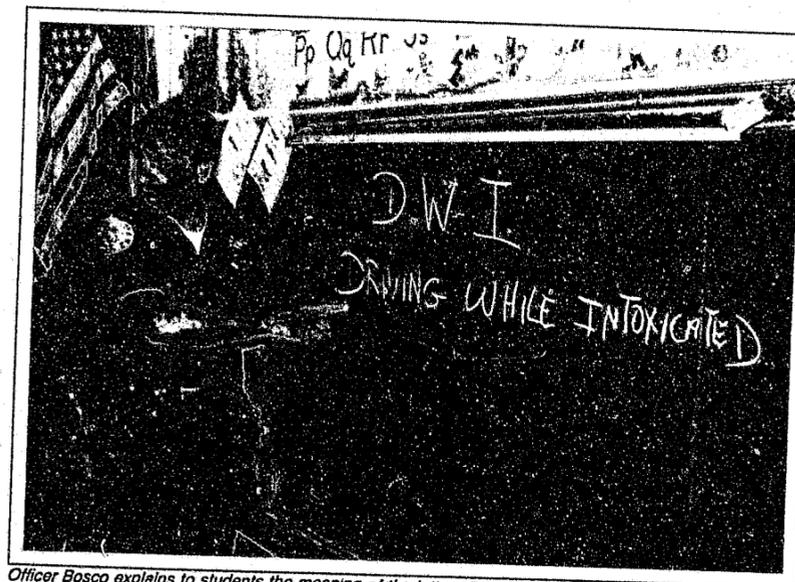
Traffic

# Safetyrama

## Teaching Our Children About Drunk Driving

By

ERNEST J. CIPULLO  
Commissioner  
and  
OFFICER JIM BOSCO  
Police Department  
Garden City, N.Y.



Officer Bosco explains to students the meaning of the letters D W I.

**"By teaching [children] about one of the problems of the real world—drunk driving—at an early age and making them aware of the seriousness of the problems, [they] can be influential in decreasing the number of traffic-related injuries and deaths that occur on our Nation's streets and highways each year."**

## Fighting Municipal Corruption

**"This system of investigating municipal corruption has been so successful that law enforcement officials from around the world have studied the Investigative Squad's methods and tactics."**

By  
**PATRICK W. MCGINLEY**  
*Commissioner of Investigation  
New York, N.Y.*

Corruption-related crimes have certain elements that set them apart from other crimes. They are almost always committed in secrecy with sophistication. Corrupt officials know the strengths and weaknesses of the system and exploit them to their own advantage. Furthermore, successful corruption produces a mutuality of benefit. Participants rarely complain and are unwilling to appear as witnesses.

The department encourages the cooperation of the public, whether they be city employees or private citizens, to report acts of wrongdoing. Similarly, DOI relies heavily on the experience and imagination of its own employees. A minor case will frequently provide subtle hints of a much larger systemic problem.

DOI's cases fall into several categories: Bribery and bribe receiving, theft of city money or property, forgery of checks or official documents, impropriety in the awarding of contracts, and gross mismanagement or negligence resulting in wasted city resources.

Such classifications are an oversimplification of the inventiveness and sophistication of the criminal mind.

In a city of 7 million people with a municipal workforce of close to 200,000 employees and an annual budget of more than \$16 billion, the forms that corruption or misconduct can take are unlimited.

The Department of Investigation (DOI) is the law enforcement agency responsible for the detection and elimination of fraud and corruption within the New York City government. It is an independent agency, separate from the police department and the various district attorneys, with its own enforcement powers under the laws of the City and State of New York.

Specifically, the department conducts investigations into the following areas:

- 1) Criminal conduct by city employees committed in the course of their official duties;
- 2) Criminal or fraudulent conduct by private companies or citizens doing business with the city;
- 3) Misappropriation of city money, either in the form of fraudulent cash grants or improper contracts;
- 4) Negligence or mismanagement by city agencies or employees that create an atmosphere in which corruption can take place;
- 5) Conflicts of interest or other violations of provisions of the code of ethics by city employees or private citizens who have entered into contractual relationships with the city; and
- 6) Compliance with Federal, State, and city regulatory mandates by city agencies and contractor/vendors.

### Origins of the Investigations

In a city of 7 million people with a municipal workforce of close to 200,000 employees and an annual budget of more than \$16 billion, the forms that corruption or misconduct can take are unlimited.

Officer Bosco explains the principle of a radar gun to elementary school students.



intoxicated. Students participate in a role playing simulation of a street test, being placed under arrest, handcuffed, and transported to the central testing unit.

In conjunction with the DWI role playing, there is a DWI slide film presentation, which consists of a series of slides on car crashes, broken bodies, morgue scenes, arrests, and methods of survival. The narrative is bold, hard-hitting, and readily makes the high school students stop and take notice.

### Conclusion

Children can "talk" safe driving to their parents or other adults if they know traffic safety rules and regulations. By teaching them about one of the problems of the real world—drunk driving—at an early age and making them aware of the seriousness of the problem, these children can be influential in decreasing the number of traffic-related injuries and deaths that occur on our Nation's streets and highways each year. **FBI**

**Footnote**  
U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States—1982*, pp. 167-181. More than 1,750,000 total estimated arrests were made in 1982 for driving under the influence of alcohol or narcotic-related substances. Of those arrested, over 25,000 were under the age of 18 and 1 out of 10 were females. The number of males arrested under the age of 10 was 69; the number of females under 10 was 13.

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the police and their safety functions. Children score points for knowing the traffic regulations they are taught and obeying them in simulated drills. Upon successful completion of the course, each child receives a safety license, or as Officer Bosco states, "an official backseat driver's license."

Unlike most traffic safety programs designed for children, Safetyrama also teaches the youngsters the meaning of driving while intoxicated and the menace drunk drivers create.<sup>1</sup> The students of the program may be too young to drive, but they are old enough to learn that drinking and driving don't mix. Safetyrama teaches this old message with a new approach.

To help educate young people to the realism that alcohol and driving are dangerous, the program includes a special storybook on "The Misadventures of Wags, Freckles, and Spot," three dogs who find some spilled cans of beer in an alley. Two dogs drink the beer and become drunk and disorderly. These two dogs are found "sleeping it off" by the police and are eventually hauled away to the city pound, leaving their "sober" friend behind. The story is used to stress the effects of alcohol on judgment and physical movement and is followed by a question-and-answer period to make sure the message is clearly understood. It is especially important for the child to learn to distinguish what is safe and what is dangerous and what can happen to someone who is driving while intoxicated. When asked what beer can do

to you, one second grader commented, "While you're driving, it can hurt your eyesight and you could hit another person or hit a tree and kill yourself."

As with the traffic safety portion of the program, the driving while intoxicated phase also includes role playing on the DWI course. The road course is set up in the classroom, and two students are selected to act as a truck driver and a driver who is intoxicated. Both students start on different roadways and go through the course at the same time. The DWI driver fails to obey the traffic signs, turning into the path of the truck. A discussion about the results of driving while intoxicated follows, including an explanation of why it is against the law to drive in such a condition. As one student stated when asked what he learned, "Drunk driving on the road is really dangerous and it can damage your brain."

At the end of the program, each student receives a STOP DWI safety pet that he can place on his bicycle or on the dashboard of his parent's car.

The DWI program does not stop at the elementary school level. At the high school level, an intensive DWI program starts with a procedure for a vehicle stop, relative to driving while



Commissioner McGinley

organized pattern of corruption involving a caseworker who is subsequently arrested.

\*An agency commissioner is concerned with increased thefts of inventory and asks the department for assistance. An undercover officer assigned to the warehouse gathers the necessary information.

\*The Board of Ethics asks the department to investigate a possible conflict of interest involving a former commissioner now working for a company receiving contracts from his former agency.

#### Specialized Units

In order to combat corruption-related crimes effectively, the department is organized into a number of specialized units that reflect the variety and diversification of the cases the agency handles.

#### Investigative Squad

DOI's criminal investigations are conducted by the 52 members of the Investigative Squad. The majority of these persons are assigned to the department from the New York City Police Department and other city law enforcement agencies; others are special investigators recruited directly from colleges and universities.

The squad is involved in both overt and covert operations, ranging from the apprehension of a single bribery suspect to the gathering of evidence against organized crime

groups. Since secrecy is a key element in corruption-related crimes, the squad relies heavily on the use of undercover tactics and surveillance activities, both visual and electronic. Members of the squad frequently work undercover, sometimes posing as private businessmen to gather evidence against city employees seeking bribes. Others are assigned to city agencies to gather information on thefts of city property or money. In such cases, the squad uses concealed recording equipment to document evidence. While such operations are frequently time consuming and costly, they are often the only reliable way to gather the necessary evidence in white-collar crimes.

The deployment of the squad's investigative resources reflects the department's attempt to develop innovative and advanced tactics that will produce credible evidence to be presented in court and in administrative hearings. In the past 7 years, the investigative section has undertaken 10 long term major operations against organized crime and fraud-related groups that have led to the arrest and conviction of over 100 individuals in the business and government sectors. Many other individuals have been arrested and convicted of corrupt activities using more routine investigative techniques. Between 1978 and 1982, the squad was involved in the arrest and/or indictment of 559 individuals. The combined dollar amount from thefts and bribery attributed to these individuals was close to \$9 million.

This system of investigating municipal corruption has been so successful that law enforcement officials from around the world have studied the Investigative Squad's methods and tactics.

## "In order to combat corruption-related crimes effectively, the department is organized into a number of specialized units that reflect the variety and diversification of the cases the agency handles."

While the investigation of criminal corruption is a major part of the department's focus, DOI is much more than a police agency. The work of the other units of the department reflects the agency's multidisciplinary approach.

#### Examining Attorneys

The most important and vital area of responsibility for the examining attorneys is the legal supervision they provide to the other members of the investigative team. Since many of the department's criminal investigations are covert operations using electronic surveillance and undercover officers, examining attorneys are assigned to work closely with the investigative team to ensure that all procedures are conducted within the statutes and case law. During the course of the investigation, the examining attorney may be required to obtain subpoenas and conduct formal hearings in which testimony is elicited from witnesses and other concerned parties.

Once the investigation is completed, the case is turned over to the appropriate prosecutor for trial. Our cases are usually prosecuted by one of the five district attorneys in New York City or by a U.S. attorney. Cases are also referred to the IRS, the FBI, and the Secret Service.

#### Corruption Prevention and Management Review Bureau

Most cases of graft or official misconduct occur when there is a defect in the system. Ineffective policies and procedures, inadequate supervision, or poor security controls help create the opportunities for corruption.

The prosecution of corrupt individuals is an important part of the department's mission; however, it is only a short term solution. The elimination of programmatic defects is the long term goal.

To assist in this effort, the Corruption Prevention and Management Review Bureau was created. The bureau was the first of its kind established by a city government in this Nation.

The Corruption Prevention Bureau staff is composed of men and women with degrees in public or business administration. Essentially, they serve as internal management consultants to the city. They determine how a corrupt activity happened and what can be done to prevent its recurrence.

The Corruption Prevention Bureau focuses on three specific areas:

- 1) When things of value are generated by an agency or program, i.e., money, tax abatements, or exemptions;
- 2) When there is a singular relationship between a city worker and a member of the public, such as in public assistance cases and inspectional services; and
- 3) When a breakdown in the system leads to delays in providing a service. For example, delays in the issuance of building permits may lead to soliciting or offering bribes to expedite the process.

The Corruption Prevention Bureau evaluates the regulations, procedures, legal mandates, and day-to-day operations of an agency or program. By focusing on these areas, the bureau attempts to identify inadequacies and lack of controls in order to correct them before widespread abuses occur.

Over the past 5 years, the Corruption Prevention Bureau has identified over \$40 million worth of preventable monetary losses to the city due to corruption and has successfully blocked opportunities for fraud or mismanagement in the city's collection of revenues, the purchase of goods and services, and the administration of social programs.

The diversity of the bureau's work is reflected in some of its projects in the past several years.

\*After numerous arrests by DOI's Investigative Squad of clients and employees participating in food stamp frauds, the Corruption Prevention Bureau undertook a joint study with the Human Resources Administration's (HRA) Office of Loss Analysis Prevention to assess the fraud vulnerability of the food stamp program. This study found numerous procedural weaknesses in the program, including failure to document the financial condition, family composition, and true identity of clients adequately. Furthermore, no efforts were being made to determine whether the client was receiving similar benefits from another welfare center, and the forms which authorized the issuance of the food stamps were left in unguarded and unsecured areas of the centers where they

could easily be stolen. Among the study's recommendations were increased and improved security, the creation of a central clearing system, and the establishment of an online computer information system.

\*The Industrial and Commercial Incentive Board was established to encourage construction and reconstruction of industrial and commercial buildings through exemptions from real property taxes. The board grants millions of dollars worth of exemptions a year. The bureau study found that the program was operating under vague unwritten policies and procedures, the financial analyses of the projects were inconsistent and poorly documented, and policy decisions were often made by the chairperson without public discussion or majority vote. Among the recommendations of the study were that the board develop written objectives, guidelines, and procedures, increase the number of inspections of the construction sites, and improve its methods for evaluating projects.

\*The city is legally responsible for ensuring that foster children placed under its care are safeguarded from further neglect and abuse. In the face of rising complaints that foster children were being mistreated by those responsible for their care, the bureau reviewed the HRA's procedures for investigating these allegations. The study found significant breakdowns in the system from improper selection of foster parents and child care workers to inadequate detection

of abuse, untimely and incomplete investigations, and lack of enforced sanctions to punish offenders and protect children from further abuse. In response to the report, HRA formulated a corrective action plan that included many reforms, including improved training of investigators, stricter screening of foster parents and child care workers, and prompt referral of serious cases to appropriate prosecutors.

\*A joint study conducted by the Corruption Prevention Bureau and the department's Investigative Squad documented evidence that officials of the New York City Transit Authority's Car Maintenance Department had entered into oral agreements that allowed scrap metal dealers to take possession of valuable equipment (i.e., subway car motors) in exchange for services rendered beyond the dealer's original contract. The investigation revealed that the Transit Authority lacked proper controls over its inventory and that the alleged "excess services" may not have been performed. The investigation recommended the rewording of the scrap metal contracts, upgrading the physical security at the car yards, and full use of the authority's computer system to keep track of inventory.

#### Computer Security Services Unit

The city relies on its electronic data processing system to meet its operational, financial, and informational requirements. However, these computer systems are vulnerable to substantial losses from both intentional and unintentional abuse. Therefore, the department created the Computer Security Services Unit to help city agencies reduce the vulnerabilities of their computer system to such losses.

The unit has citywide responsibility for developing policies, procedures, and standards to meet this objective. It also has the direct responsibility for conducting audits and investigations where computer-related abuse or misuse is suspected. In addition, the unit provides technical assistance to other units within the department and to other city agencies.

#### Inspector General Program

Clearly, with a staff of fewer than 150 professionals, the department alone cannot monitor a city workforce of approximately 200,000 employees. However, since 1978, the department has had a strong ally in the inspector general (IG) program.

In 1978, an Office of Inspector General was established in all 24 mayoral agencies to investigate "corrupt or other criminal activity, conflicts of interest, unethical conduct, misconduct and negligence within their respective agencies." The IG's report directly to the commissioners of their agencies and to the commissioner of investigation. In this respect, the program has extended DOI's investigative authority to every city agency.

Most IG's are experienced attorneys backed by a staff of professional investigators and support personnel. In many instances, an allegation originates in an IG's office and is then turned over to the department for criminal investigation. Similarly, some of the complaints received by DOI are forwarded to the IG's for investigation. Frequently, investigations are pursued jointly by DOI and IG staffs.

Because of their intimate knowledge of their own agencies, the IG's have conducted management studies that have saved the city significant sums of money and have complemented the work done by the department's Corruption Prevention Bureau.

In addition, DOI maintains a Marshals Bureau which regulates city marshals, a background section which conducts preappointment investigations of management personnel, a complaint bureau which processes phone and mail complaints from the public, and an accounting section which supplies support for all units.

#### Conclusion

Our staff of approximately 140 comprises one of the smallest New York City agencies; yet, our jurisdiction and influence are extensive. In many ways, we are an anomaly—an agency answerable to the mayor yet empowered to investigate the top

levels of government.

In the final analysis, however, we are only as effective as the public permits us to be. It is the public's interest in corruption-free government and the public's retreat from the "business as usual" refrain that will prompt complaints and cooperation. **FBI**

## Decline Recorded in Number of Law Enforcement Deaths

In 1983, fewer law enforcement officers were killed feloniously in the line of duty than in any other year of the past decade. This is according to preliminary figures compiled by the FBI's Uniform Crime Reporting Program. The number of law enforcement officers slain last year was 79, which was 13 less than the 1982 total.

Firearms were the weapons used in 73 of the slayings—53 murders were committed with handguns, 12 with rifles, and 8 with shotguns. The murder weapons in the remaining 5 incidents were vehicles, knives, or a blunt object.

Forty of the victims were city policemen, 25 were county officers, 11 were employed by State law enforcement agencies, and 3 were Federal officers. Law enforcement agencies cleared 73 of the 79

slayings.

Ten officers were attempting to thwart robberies or were in pursuit of robbery suspects when slain; 4 were handling burglary-in-progress calls or were pursuing burglary suspects; 11 were attempting other arrests. Fifteen officers were murdered upon responding to disturbance calls, 12 while enforcing traffic laws, and 9 while investigating suspicious persons or circumstances. Nine were ambushed, 5 were investigating drug-related matters, 3 were handling or transporting prisoners, and 1 was dealing with a mentally deranged individual.

Geographically, 37 officers were slain in the Southern States, 18 in the Western States, 13 in the North Central States, 5 in the Northeastern States, 4 in Puerto Rico, 1 in Guam, and 1 in the Mariana Islands.

**END**