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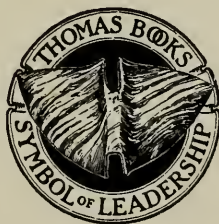
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DAILY TRAINING BULLETIN
OF
THE LOS ANGELES POLICE DEPARTMENT

DAILY TRAINING BULLETIN
OF THE
LOS ANGELES POLICE DEPARTMENT

Consisting of Bulletins 1-173

W. H. PARKER
Chief of Police



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Introduction

ROLL CALL training started rather spontaneously when some of our supervisors in the patrol divisions felt an obligation to pass on their experiences to the policemen under their supervision. This training was accomplished through short discussion periods during roll call time. Both supervisors and policemen agreed that training at roll call was an excellent method of assisting the field officer in the performance of his complex duties.

Later, the roll call period in all divisions was lengthened from 15 to 30 minutes to allow for a 15-minute training period daily. This roll call training was established in all of the patrol divisions. It soon became apparent that to do a good job of teaching, the supervisor had to spend considerable time in organizing adequate material.

In most cases, our field supervisors are too occupied with their regular duties to spend several hours each day in research. It, therefore, became obvious that if roll call training was to be of the best quality, the supervisor should be assisted by some central agency in the preparation of lesson material. So the Field Training Unit of the Training Division was created to assist the supervisor-teacher.

This Unit conducted a work problem survey, polling the opinions of 500 officers of all ranks within the Department. This survey gave us a clear picture of the problems of our personnel, both from the field and management viewpoint. After the survey, the Field Training Unit developed material to answer the problems of the field policeman.

Roll call training was conducted seven days each week. Five days a week, the line supervisor, acting as instructor, taught lessons based on materials furnished by the Field Training Unit. The other two days were devoted to reviews of previous lessons or to special divisional problems. A *Daily Training Bulletin* which contained the substance of the material taught in the scheduled roll call training periods was issued to each officer. To insure better understanding and retention of the *Bulletin* material, graphic illustrations were used.

In the search for information that would provide the police officer in the field with answers to some of his problems, it was necessary to go to many sources. Phases of law enforcement dealing with administration, evidence, criminology, scientific investigation, etc. have been excellently covered. Phases of law enforcement dealing with field tactics and problems have been less adequately dealt with. Little information on problems of this nature was to be found in written form. *Therefore, it was necessary to go directly to the police expert to obtain the answers to some of these problems.* The information that officers received on "how to repress crime" was developed primarily from conferences of some of our most successful officers and their supervisors. The information that officers received on how to improve their chances of apprehending an armed

robber originated in conference groups composed of men who had been very successful in this phase of our work. Problems requiring a legal answer were researched by policemen working in collaboration with the office of the City Attorney. All of the training material was carefully checked and approved before it was presented.

The *Daily Training Bulletin* was directed to the problems of the field officer. The coverage of a subject was generally limited to those things which the officer must know, or should know, to be able to do a professional job. No attempt was made to cover highly technical subjects, which are usually the concern of specialists; nor was any attempt made to cover supervisory or administrative problems.

The purpose of the roll call training program, from which the *Daily Training Bulletin* grew, was to provide a two-way channel of communication between the field officer and police management. The *Bulletin* itself was developed with two main objectives: to give the policeman a permanent reference which would assist him in knowing, understanding, and applying approved policies, rules, procedures, and techniques; and to enable individual officers to prepare for advancement.

W. H. PARKER
Chief of Police

Preface

THE *Los Angeles Police Daily Training Bulletin* is an outstanding contribution to police administration. It will be of inestimable value as a means of helping to improve the police service of the United States and of other countries. The *Daily Training Bulletin* demonstrates a simple method whereby any police department, regardless of its size, can pool the knowledge, experience, and wisdom of the department personnel and use the information thus obtained for purposes of instructing the entire membership of the organization. Moreover, as will be observed from a perusal of the *Bulletin*, assistance was solicited from experts in all fields of endeavor when their advice was needed to clarify a question regarding the procedure to be applied in situations requiring action by the police. Despite the magnificent advances which have been made in police training, no inservice police training program of the future will be complete unless it makes full and constant use of the idea developed for daily training by the Los Angeles Police Department.

A significant feature of the Los Angeles plan is that it encourages policemen to seek assistance from their superiors when they encounter difficult problems and are uncertain how to proceed. If the needed information cannot be supplied by their commander or supervisor, and their immediate superiors, then a specialist or a group of specialists will be requested to furnish the knowledge needed to cope with the specific problem. By this method of stimulating the policemen to seek aid when they are in doubt about the correct procedure to be followed in a given situation, the tempo of the department is quickened and the interest of the policemen is aroused in better police service.

The *Los Angeles Daily Training Bulletin*, presented in the instant volume, should be required reading for all law enforcement officers. Administrators, commanders, and supervisors will not only profit from the wealth of material contained in each lesson, but they will also learn how to implement and strengthen their teaching facilities; subordinates will find the answers to many of their perplexing questions; and all peace officers can find out for themselves whether or not they have learned the lessons contained in this volume by referring to the review questions and the answers to them. Police schools should adopt this volume as a text or reference work in their training courses dealing with police procedure, for much of the material is not to be found in any other source presently available.

Not the least of the values of the *Daily Training Bulletin* are the lessons that may be learned by the layman, providing that he will read carefully the instructions given in the *Bulletin*. The citizen will discover that the tasks assigned to the police department are extremely complicated; that all of the arts and

sciences are called upon to contribute their share toward a better understanding of the multiplicity of problems that confront the police; that untrained persons should never be entrusted with such grave responsibilities; and that no police department can discharge its obligations successfully without the active and undivided support of the public.

AUGUST VOLLMER

Berkeley, California

Acknowledgments

THE LOS ANGELES POLICE DEPARTMENT is deeply grateful to those persons whose enthusiastic and unselfish service made the *Daily Training Bulletin* possible.

The suggestions and advice of Dr. John G. Gerletti, School of Public Administration, University of Southern California, on the use of the problem survey to determine critical problem areas enabled us to concentrate the *Bulletin* information on the real problems of field officers rather than the imagined problems emanating from an "ivory tower." It was Dr. Gerletti who suggested the format and layout of the original Bulletins.

Before the *Daily Training Bulletin* was issued, extensive teachers' training sessions were attended by line supervisors who were to do the instructing of their men on matters covered in the *Bulletin*. These sessions were generally conducted by Dr. Melvin Barlow, Supervisor, Trade and Industrial Teacher Training, California State Department of Education, and Mr. Lee Ralston, Director, Division of Trade and Industrial Education, Office of the Los Angeles County Superintendent of Schools. Both Dr. Barlow and Mr. Ralston were most generous in contributing their time and energies in making good teachers of our supervisors.

In the teacher training sessions, rough drafts of proposed training bulletins were used for practice lessons. The constructive criticism offered by Dr. Barlow and Mr. Ralston aided greatly in improving the teaching and learning approach of the *Training Bulletin*.

We are grateful to the members of the Los Angeles City Attorney's Office who devoted hundreds of hours to the checking of the legal aspects of the *Bulletin*.

Deep appreciation is also expressed to the members of the Los Angeles Police Department who worked so enthusiastically to make the *Training Bulletin* and the roll call training program a success. Both the staff of the Field Training Unit and the hundreds of officers in the Department who contributed problems and solutions proved that roll call training is an exceptionally valuable device in the administration of a large public service agency.

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Chief of Police

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DAILY TRAINING BULLETIN
OF
THE LOS ANGELES POLICE DEPARTMENT

The material contained in this volume was specifically written by the Los Angeles Police Department and all legal and code references are applicable to California law, Los Angeles law, and departmental regulations.

Personal Aids

How to Use the Telephone

THE CITIZEN'S first contact with the Police Department is often a telephone conversation with an officer. The citizen's opinion of the whole department is often based on his conversation with that one officer. In face-to-face meetings, poor diction, harsh tones, or abruptness may often be overlooked because of a pleasant smile. Over the telephone, *the voice, and the voice alone, is the personality.* Care should therefore be exercised to speak courteously and distinctly and to indicate an attitude of cooperation and willingness to be of service. The *only* "product" the Police Department has to "sell" is service.


General Use

The telephone transmitter is so designed that best results are obtained when the user holds it within an inch of his mouth and speaks directly into it in a normal tone. Whispered words are indistinct. Shouting, which distorts the voice and may make it gruff or unpleasant to the listener, distracts other people who may be working near the speaker.

When a call is to be transferred, the speaker may attract the operator's attention by moving the hook up and down once each second. The rapid "banging" of the hook may cause the mechanism to by-pass the signal, resulting in failure to gain the operator's attention.

Incoming Calls: Satisfactory telephone service begins when the phone first commences to ring. If possible, the receiver should be lifted off the hook after the *first* ring. To avoid keeping the caller waiting unnecessarily or delaying an urgent call, the officer should not continue another conversation or task after the receiver has

**DID YOU
KNOW?**



THAT TODAY, ABOUT
95%
OF ALL DISTRESS
REQUESTS FOR A
POLICEMAN ARE
MADE BY TELEPHONE, AND THAT THE
PERSON CALLING IS PROBABLY MAKING
HIS FIRST PLEA FOR ASSISTANCE?

*what kind of a FIRST IMPRESSION
do you make?*

been lifted. Having a pad and pencil handy at all times is better than saying "Wait a minute till I get something to make a note with." The officer should make a note of the caller's name, address, and telephone number as it may be necessary to make a return call. When calling, a person usually identifies himself by title and name—Mr. Smith, Mr. Jones, Dr. Harris. The officer should note this reference and use the caller's title and name in subsequently addressing him.

Identification: Except when answering "outside" telephones which are not directly connected with the City Hall switchboard,¹ the speaker should immediately identify himself by giving his *division, rank, and name.* This prevents embarrassment which might arise through unknown or mistaken identity. The caller may be put

¹ "City Hall switchboard" includes branch city hall switchboards.

in contact with the proper party without delay.

Conversations: The whole attention should be devoted to the conversation. At times this requires considerable patience. However, the officer should bear in mind that, although the conversation may be uninteresting to him, it may be of great importance to the person calling. The tone of voice should never imply impatience or sarcasm. Offense is sometimes taken at *what* is said, but more often offense is taken at *how* something is said.

“Thank You” Is a Must: The officer’s attitude should always be courteous regardless of the type of call he may be handling. He should thank *everyone* for calling. A complaint about a police activity is as important to maintaining adequate service as information regarding criminal investigations. The person who complains about the service today may, if courteously treated, call in valuable information tomorrow.

Disposition of Calls

It is a mark of courtesy and efficiency to handle all calls to completion. This can be done in various ways and the nature of the call will usually indicate the best procedure. It may be necessary to ask several questions to determine the exact nature of the business; therefore, the officer should train himself to ask pertinent questions tactfully. If possible, a call should be handled by the first person who receives it. If the call cannot be handled by the person answering the phone or by his division, and it can be handled outside the division, the caller should be given this information and the call transferred to the proper division. The caller should not be told “You will have to . . .” or “You must call . . .” (another number). This does not constitute good service and makes it necessary for the caller to spend more time and money to get another number within the organization. When a call cannot be handled within the department, an effort should be made to provide the caller with the telephone number of the agency where the matter can be handled. The call should never be misdirected. The officer should never “brush off” a call. To do so to be relieved from an irritating interruption

may result in the loss of a future source of information.

Information Service

When an officer is unable to supply information regarding a police function and he is uncertain where to transfer the call, he should attempt to get the information for the caller and call him back. For example, in the case of a missing person the following places should be called to ascertain if there is any report on file:

1. The Master Booking Index at Main Jail.
2. Georgia Street Receiving Hospital.
3. The General Hospital.
4. The County Jail Booking Office. (A transfer to the Coroner’s Records should be requested here.)

Non-departmental Information: When information requested does not concern a police function and the officer does not know where it may be readily obtained, he may transfer the call to Station 2451, the Information Center located in the Spring Street Lobby, City Hall. This office is open Monday through Friday from 8:00 A.M. to 5:30 P.M. and on Saturday from 8:00 A.M. to 12:00 Noon. For his own information the officer should find out these sources at this time or later.

Officers’ Phone Numbers: An officer’s home phone number should be given out to only authorized police personnel. Other callers should be told to leave their phone numbers so that the officer concerned may return such calls.

Good Public Relations

In many respects, the Police Department resembles a large corporation. The success of both depends upon the nature and quantity of “business” they receive from the public. Use must be made of every opportunity to encourage this “business” and telephone contacts with the public present many excellent opportunities to do this. The information which the organization receives through voluntary public action and through solicitation is the “supply line” upon which the Department operates. To damage this “supply line” by rude or careless contacts with the public is to damage seriously Police Department operations. A police department can be

only as effective as the cooperation it gets from the public.

Outgoing Calls

Every person working in an office uses the telephone. To aid in preventing loss of time, and in creating good will, the following points should be kept in mind.

Whenever possible the officers should place his own calls.

A list of numbers frequently called should be kept. In most instances a list of departmental and related agency telephone numbers is available near the telephone. This list, the list kept by most officers in their field notebooks, or the telephone directory should be referred to in order to verify numbers before calls are placed. When the correct number is called, the officer saves his own time and avoids unnecessarily bothering someone else.

The time and effort consumed by getting wrong numbers may be reduced by a little attention and care in dialing. The finger should always be removed from the dial to allow it to come to a complete stop. Forcing or retarding the return of the dial also often results in a wrong number.

The conversation should be planned in advance, particularly before making long distance calls. The material pertaining to the call should be organized and the information to be given or received should be indicated on a memorandum.

In this way the transaction may be completed in one call.

Ample time—at least eight to 10 rings—should be allowed for the other party to answer the telephone. Important contacts may be missed if the caller hangs up too soon.

It is as important that the caller identify himself properly by giving his rank, name, and division when making calls within the department as it is when answering incoming calls. When calling other persons or agencies within the city, the officer should indicate his rank, name, and department. In addition, the officer should identify the department as the Los Angeles Police Department when calling persons or agencies outside the city. A greeting such as "Hello" usually is a waste of time, and places the party called in the awkward position of having to ask who is calling.

Use of "Outside" Telephones: A number of "outside" telephone which are not connected with the city hall switchboard are distributed throughout the department. These telephones bear independent numbers—some of which are confidential. As such, they *should not* be used in accordance with some of the principles which apply to the use of telephones connected with the city hall switchboard. When answering these "outside" telephones, the officer should *never* identify himself or inform the caller that he has



called the Police Department. *The officer should answer by repeating the telephone number only.* This is very important since publicizing the fact that these are police telephones may cause an important case to be "burned up." Although the numbers of "outside" telephones are occasionally given to private persons, this practice should be limited to keep these lines open for outgoing and confidential calls. Officers should refer the public to the city hall switchboard numbers for general calls to the Police Department.

Notifications: Some notifications made by the officer are of such nature that the person notified may be very excited and upset emotionally. For example, the parent (or guardian) of a juvenile must be notified when the juvenile is detained by the Police Department. When making such notification, the officer should keep in mind that the parent is not being detained and may not be responsible for the actions of the juvenile. Giving the necessary information in a respectful and courteous manner which does not cause undue anxiety may make a friend for the officer and the Department. Whenever possible, notifications of a very serious nature, such as those concerning death, injury, accident, and illness should be made personally rather than by telephone.

Personal Calls: Telephone lines are the arteries of a large organization and are designed to handle the "load" of business being transacted. Personal calls must be kept at a minimum to prevent overloading the lines and to help in providing the maximum service for which the facilities are designed.

Know Departmental Procedures

In many instances, the successful accomplishment of an objective is dependent upon speedy telephonic communications involving long distance or toll calls. So that the officer may place calls with maximum efficiency in accordance with established departmental procedures, it is imperative that he be familiar with these procedures.

Long Distance Calls

Any call outside the LOS ANGELES EXTENDED AREA as shown on Page 2 of all LOS ANGELES EXTENDED AREA TELE-

PHONE DIRECTORIES is a long distance call. The proper procedure for placing a long distance call is as follows:

1. Approval to make a long distance call must be obtained from the officer in charge of the Business Office Division prior to placing the call.
2. Calls originating in the metropolitan area shall be placed with the long distance operator, Station 20 of the City Hall switchboard. Calls originating in Harbor, Valley, Venice, or West Los Angeles Divisions shall be placed directly through the switchboards of these divisions.
3. No long distance calls shall be made over the trunk lines connecting the City Hall with Harbor, Valley, Venice, and West Los Angeles Divisions. Calls so placed would be in violation of the lease agreement with the Pacific Telephone and Telegraph Company. *Long distance calls should be made only when it is impracticable to use other methods of communications.*

Extended Area Calls

All toll calls made in the LOS ANGELES EXTENDED AREA are extended area calls. The proper procedure for placing extended area calls is as follows:

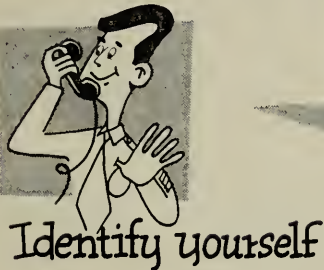
1. Approval to make an extended area call must be obtained from the concerned officer's commander either prior or subsequent to placing the call. A call may be of such an emergent nature that the securing of prior approval would be impracticable. For example, it is often important that other authorities be contacted as quickly as possible to effect the capture of a fleeing suspect.
2. All extended area calls are to be made over "outside" lines whenever these lines are available. When the call is made over an "outside" line, the call must be charged to the number from which it is made. Extended area calls are to be made over city hall switchboard stations *only* when "outside" lines are *not* available.
3. No extended area calls are to be made over the trunk lines connecting the City Hall with Harbor, Venice, Valley, and West Los Angeles Divisions. Calls so placed would be

How are Your "Telephone manners?"

by *dederick*



THESE TEN TIPS,
TABBED
"TIMELY TELEPHONE TACTICS"
TEND TO
TRANSMIT TRUST TO
TAXPAYERS!



1. ANSWER YOUR TELEPHONE PROMPTLY.
2. SPEAK DIRECTLY INTO THE TRANSMITTER.
3. ESTABLISH YOUR IDENTITY.
4. LISTEN INTENTLY.
5. AVOID TRANSFERRING CALLS UNNECESSARILY.
6. EXPLAIN DELAY IN OBTAINING INFORMATION.
7. OFFER TO TAKE MESSAGE.
8. ASK QUESTIONS TACTFULLY.
9. APOLOGIZE FOR MISTAKES.
10. REPLACE RECEIVER GENTLY.



in violation of the lease agreement with the Pacific Telephone and Telegraph Company.

Relay Service

When an officer is required to work overtime on some unexpected detail and wishes to have such information sent to his home which is in the extended area, he should notify his Watch Commander, who will relay the information to the officer's home.

Information Regarding Telephone Numbers

The Business Office Division will supply the

following information to an officer regarding a telephone number, *except when the number is unpublished:*

1. The telephone number and the name of the party to whom it is listed when only the address is known to the officer.
2. The address and the name of the party when only the telephone number is known to the officer.

This information should *never* be obtained for the officer's personal use. Such practice would be a breach of faith with the Pacific Telephone and Telegraph Company, through whose courtesy the information is available.

This information should *always* be requested from the Business Office Division—*never* from the telephone company.

How to Make an Officer's Daily Log

Officers sometimes feel that the Officer's Daily Log, Form 1.43, which is used by officers of the Patrol Bureau, is a "necessary evil" and that they obtain no benefit from it. However, this report, besides giving supervisors a "picture" of the officer's daily work, may serve as a basis for protecting him from an unjustified complaint. In many instances, when complaints were made that officers failed to take necessary action on calls, they were able to show by means of log entries that the calls were properly handled and that the complaints were groundless.

Maintenance of Log

When practicable, the log should be kept on a clip board. This will minimize smudging of the carbon copy and will provide a rigid writing surface.

Omissions: The required information should be recorded at the time the call is received or when an action is completed. Omissions may be avoided by having a partner "double-check" the entries.

Legibility: If officers receive a call while their vehicle is moving, it may be difficult to write legibly and neatly on the log at that moment. This may be overcome by recording calls on the back of an old "hot sheet" and transferring the information to the log when the vehicle is stopped. However, a foot patrol officer may record information from his notes, "shake" cards, or other reports made during his tour of duty.

Recap Portion of the Log

Name: The last name, followed by the first name and initial should be *printed* in this space; for example, "Smith, John B." When two officers are working together, both names may appear on each log. However, the name of the officer whose signature appears on the log should be underlined or a line drawn through the other name.

Division: If an officer is temporarily loaned to another division, he should place a dash after a notation of his assigned division followed by the name of the division to which he is loaned; for example, "Central—Univ."

Detail: The detail of assignment should be indicated by the correct symbol; for example, "R" for radio patrol, "F" for foot patrol, "FC" for felony car, and "Sp." for special detail.

Overtime: The actual total of hours and minutes of overtime worked, if any, should be shown with a clear explanation of the reason for the overtime, such as investigation, reports, court, special event, stakeout, or other activity. Regardless of whether or not credit is requested, the amount of overtime should be shown. However, in order to receive credit, the officer must complete Form 15.5.1 (),* Request for Overtime, and submit it to his supervisor.

Date: The date should be entered by abbreviating the name of the month and using numerals for the day and year, for example, "Dec. 19, 1949." If the officer commences his tour of duty on one day and the watch extends into the following day, the first date only should be entered.

Recapitulation of Activities

Citations: Officers often indicate that they have issued citations which were actually issued by their partners. This error usually occurs when the *total* number of citations written on the original is transferred through the carbon to the copy underneath. Each officer should record in the recap only those citations issued by *him*.

On the recap portion of the log an officer will credit himself with *only one* violation for each personal citation issued. If the violator is cited for both a moving and an "other" (non-moving) violation, credit will be taken for the *one* moving violation *only*. "Moving" violations should be distinguished from "non-moving" in accordance with departmental order contained in Bulletin No. 232, Vol. 42, December 2, 1949.

* Blanks are left after code numbers throughout this book so officers can insert their corresponding local code numbers.

Field Interrogations: The number of field interrogations of pedestrians and persons in vehicles should be indicated separately. For example, if five field interrogations of pedestrians and two of persons in vehicles were made during a tour of duty, they should be shown as "Ped. (5), Auto (2)." This information can be transferred to other records for statistical purposes.

Importance of Keeping the Log

Often, the Officer's Daily Log is the only record of an officer's activities during a tour of duty. Sometimes this information may have a bearing on a prosecution and the log may be subpoenaed to court. This occurred in an instance where a man who was arrested for carrying a deadly weapon stated that he had been "imprisoned" in his place of business for three hours by officers waiting outside to arrest him. The officers' logs were used to show that during the time the defendant claimed to have been imprisoned, they had answered five calls. This indicated that he could not have been imprisoned as he alleged. Two of the calls resulted from their own observation and the Communications Division had no record or knowledge of them.

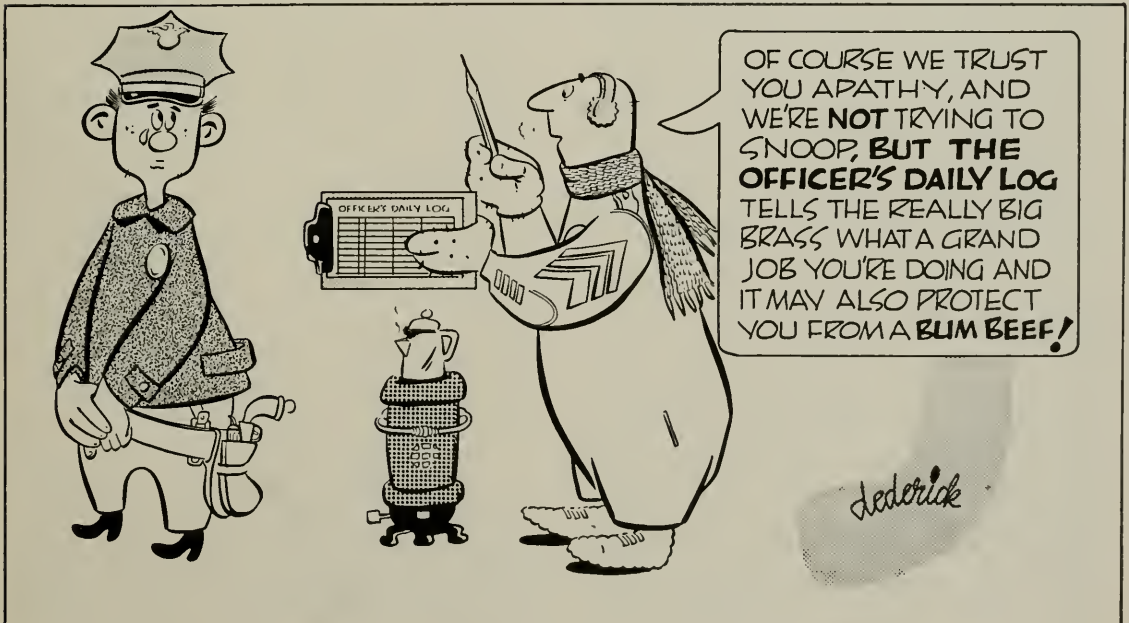
This example clearly shows the need for accurate recording of officers' activities. *A little additional time and effort expended in making*

the log may refute an unjustified charge that officers conducted themselves improperly.

Activities Recorded in the Body of the Log

An officer should record on his log any action which may later require an explanation. He should record all activities resulting from calls received from citizens, supervisors, or through the Communications Division. Activities involving police action such as the settling of a dispute or the giving of advice should also be entered. Routine activities such as time spent at roll call, "code sevens," and call box rings should be shown. Ordinarily, a separate entry for each bar, alley or door checked would be unnecessary unless an investigation disclosed some unusual circumstance. However, if an officer should check all the doors on a particular street, this should be shown as one entry. For example, an examination of the doors in the 5700 Block on North Figuera Street should be shown as one activity.

If two officers working together separate before the end of watch, their logs should show their individual activities. For example, if one officer goes to court and the other officer continues on patrol duty, specific information as to times and locations of activities engaged in by each officer should be shown on his individual copy of the log.



Time Call Received—Action Started—

Time Concluded: Officers are sometimes inclined to “round off” the time spent in an activity to the nearest five or 10 minutes. However, *time entries should be accurate to the minute.* An unfounded complaint by a citizen that he was unnecessarily detained while a citation was written or a field interrogation was made may be refuted by referring to this entry.

Each time entry on a log should indicate whether it is A.M. or P.M. Officers working the night watch often fail to do this when an activity continues into the early morning hours of the next day. The first entry on a log after noon or midnight indicate A.M. to P.M.

Location of Activity: The location of a call should be shown by indicating the *exact* address at which the activity takes place.

When reports are made in connection with an activity, the station or division in which they are made should be shown. Officers sometimes indicate only the word “station” when the reports are made in a division other than that to which they are assigned.

Source of Activity: Calls received via radio should be indicated by the symbol “R.” If the call is a “code three,” this should be so indicated after the symbol “R.” If the unit answers an “all units” call to which it is not specifically assigned, the symbol “A.U.” should also appear in this space. Calls resulting from observation or from a citizen’s complaint, should be shown by the abbreviations “Obs.” and “Citz.” When a call is made at the request of a supervisor or a desk officer, his name should be indicated. Transportation calls or calls to the station may be related to a previous activity; this should be shown by a small arrow pointing toward the prior activity.

The last entry on the log should show when and where the officer ended his tour of duty. If this entry is made, an officer will seldom omit his last call or his last activity from the log, such as making reports at the end of watch.

Abbreviations Minimize Report Writing

The increasing complexity of police work has caused further demands to be made upon the

policeman to report his activities. Report writing, however, can become such a burden to the field officer that it may detract from his effectiveness in doing police work in the field. To some extent, he may minimize this by using abbreviations in writing penciled reports. Abbreviations or remarks, however, should have sufficient meaning to be clear to others who might be required to read them.

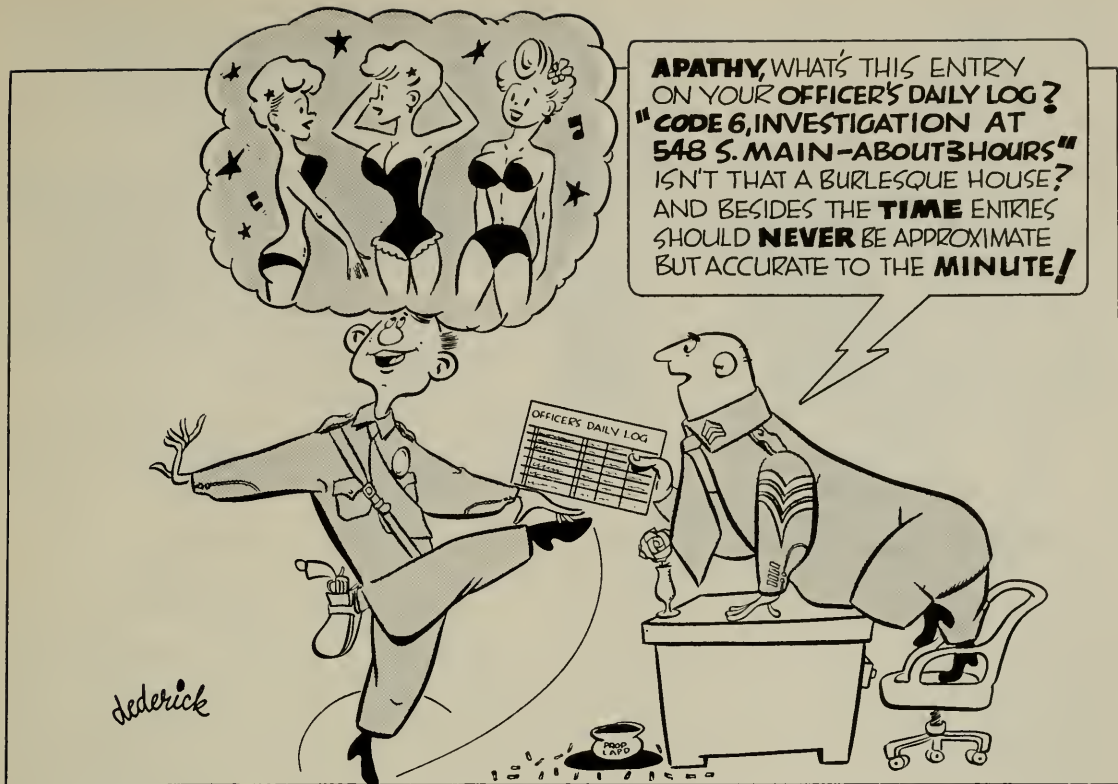
Recording Information in Body of Log

Type of Activity: Remarks written in the log should be in language similar to that used by the Communications Division. However, such entries as “Code 6,” “Investigation,” or “Interrogation” by themselves are incomplete and often meaningless. Instead of indicating an activity as simply “Code 6,” it should be shown as “Invest. prowler,” or “Code 6—invest. loiter,” or “Interr. 647.6 susp.”

Booking Numbers and Citation Numbers: When citation numbers are entered, the letter following the numerals should be included. This will eliminate the possibility of citation numbers becoming confused with booking numbers. If several persons are booked as a result of an investigation, all of the booking numbers should appear in the same space on the log or, if this is not possible, in succeeding spaces.

D.R. Numbers: D.R. numbers should be entered in the same manner as, and *in addition to*, booking numbers. However, in some instances it might be necessary to enter the D.R. number in two different places. For example, a D.R. number may be obtained in the field in connection with an activity, but before the officers are able to go to the station they are required to handle other calls. When the officers go to the station to make reports, the D.R. number should then be entered on the same line as the entry “Reports” to indicate that it relates to the previous activity.

Action or Results: Officers frequently indicate the action taken or result of a call in language so brief that it could not be understood by another person. Remarks such as “Did so,” “Advised,” or “Settled” are so vague in meaning



that a supervisor checking the log may find it necessary to question the officer about the exact nature of the disposition of the call. Brief comments such as "Advis. C. City Atty.," "Civ. case—advis. C. own atty.," or "Advis.—marital dispute," are usually sufficient. In most instances, these entries are the only record of the action taken and reference may be made to them to refute a complaint that an officer ignored a call or failed to take appropriate action. However, the log should not be used as a substitute for the notebook in recording detailed information which might be referred to in recalling circumstances of a call.

Recording Field Interrogations

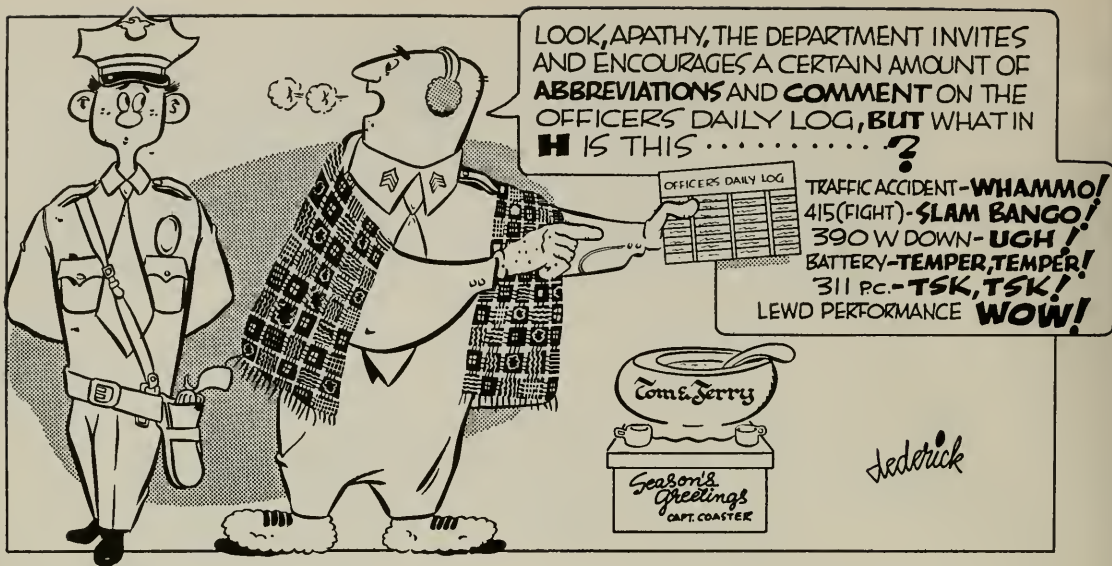
If persons are questioned in the field and released, any advice or warning that the officer has given should be indicated. An entry, for example, might read "2 F.I.'s—warned vag law."

When an arrest is recorded in the log, the specific booking section should be indicated. For example, "41.27a (Dk. Auto)" or "487.3 (G.T.A.)" may be used. The reason for impound-

ing a vehicle should be given as, for example, "Traffic hazard," "Safekeeping," or "Recovered stolen."

Depending on divisional procedure, officers should record the names of suspects on whom they have made field interrogation reports, either in the body of the log or on the back of the log. If they are written on the back of the log, other information as to times and locations should also be recorded. This information may be used to supplement that which is recorded in "F.I." files when the date of the field investigation is remembered but the suspect's name is not.

Suggested Abbreviations: Because of the limited space provided on the log, an officer should use abbreviations whenever possible. He should not, however, abbreviate words when it would be difficult for another person to understand them. Misunderstood remarks might cause embarrassment to police personnel should the log be shown to a citizen or used in court. Following are some abbreviations which are often used and contain no ambiguity.



Booking	Bkg.
City Jail	C.J.
Civil Case	Civ. Cs.
Court	Ct.
End of Watch	E.O.W.
Go to the Station	G.T.S.
Notification	Notif.
Observation	Obs.
Phone Station	P.S.
See Man Keep Peace	C.M.K.P.
See Woman Keep Peace	C.W.K.P.
Special Detail	Sp. Det.
Transfer Point	T.P.
Transportation	Trans.

Official Notebook

The department provides a standard size notebook for all officers. So that none of the pages will be mislaid or lost, these notebooks are bound rather than loose-leaf. After all the pages of a notebook have been used, it should be filed by the officer for future reference.

Identification of Notebook

For ease in later locating information in completed notebooks, they should be identified by dates and filed in chronological order. Inclusive dates during which the notebook was used should be recorded on the binding edge. In some activities where the officer has occasion to make many reports, he may desire to identify or file his notebooks by DR numbers. Immediately after an officer obtains a new notebook, he should write his name, rank, serial number, division of assignment, and station address on the face of the cover. In many instances, obviously valuable notebooks, forgotten or lost, have been difficult or impossible to return because they did not indicate the identity of the owner.

Useful Telephone Numbers

A list of useful telephone numbers should be recorded in the officer's notebook for his convenience. It is especially important that beat officers have ready access to numbers that they may need in checking a suspect in the field. These

How to Use the Memorandum Book (Field Notebook)

The purpose of this section is to emphasize the importance of proper use of the field notebook and to indicate methods of preparing it for use. The type of information which should be recorded and the use of the notebook will be discussed in subsequent bulletins.

A properly maintained notebook is an important aid in the accomplishment of good police work. Some officers have better memories than others, but no one, unaided, can readily remember all of the complex and important details of everyday police work. Accurate notes, made shortly after an incident, are an important adjunct to an officer's memory. An officer with a poorly kept notebook may well be likened to a police department with a "shoe box" records system.

numbers might include that of the divisional desk, detectives, and juvenile unit; Complaint Board, Sta. 2681 or MA-7911; "mike" room, Sta. 817; Traffic DR numbers, Sta. 836; Auto Records (and for DR numbers), Sta. 2661; Criminal Records and Identification, Sta. 2625; Warrants, Sta. 2651; Pawnshop Records, Sta. 2654; Forgery Division (for reporting blank checks taken in a burglary), Sta. 2514; Latent Fingerprints Section, Sta. 2557; and Business Office, Sta. 2504. These numbers may be recorded on the cover or within the notebook. One method is to type the numbers on a card the size of a notebook page and attach the card to the back page with tape. This card can be removed and re-used in a new notebook.

Divisional Information

Officers who are new to a division or radio district will find it useful to record field telephone box locations, beat numbers and their limits, radio district and divisional boundaries. The locations of local fire stations and other available telephone stations should be noted, so that an officer may know where a telephone is accessible

to him at all times. This data may also be typed on cards and attached to a back page of the notebook.

Notebook Cover

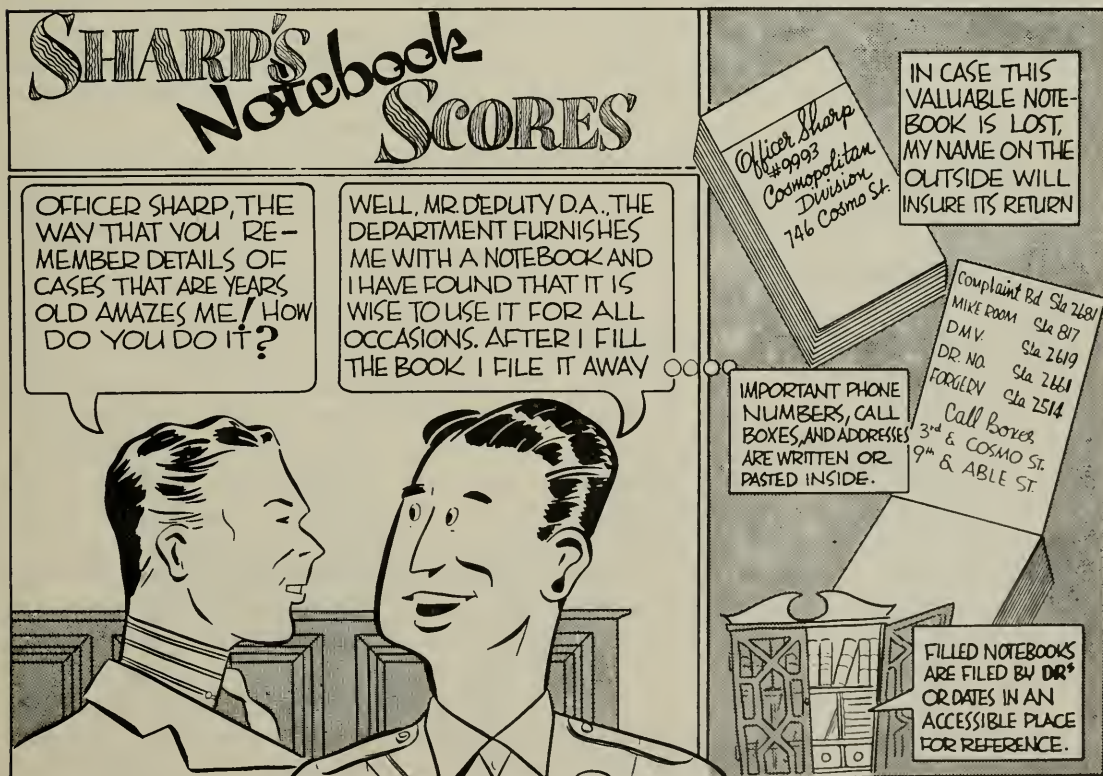
The use of a leather notebook cover is optional. Some leather covers have a pocket suitable for containing Field Interrogation Cards, Form 15.43. "Shake" cards, carried in this manner, are always available for use and do not become illegible, torn, or wrinkled. If a notebook cover is not used, an officer may round off the bottom corners of his notebook to prevent their wearing holes in his uniform pocket.

Required by Order

A notebook is a part of the equipment that an officer is required to carry while working either uniform or plain clothes duty.¹

Several types of information the officer will find beneficial if recorded in his notebook. A subsequent section will discuss in greater detail

¹ *Personnel Manual*, Div. 5, pg. 502, "Uniform and Personal Equipment," dated January 1, 1948.



what should be entered in the notebook.

The extent to which an officer will benefit from his notebook depends upon his initiative in maintaining it and his desire to do good police work. What an officer records in his notebook is determined largely by his assignment. He should record information which will assist him in making proper police reports, will tend to refresh his memory for purposes of testifying in court, and will give him ready reference as to when he worked, where he worked, with whom he worked, and what he did.

What Should Be Entered in the Notebook

Upon starting a tour of duty the officer should record the date, assignment, the name of his partner, and the name of his watch commander. In some divisions this information is maintained as a permanent record, while in others it is not.

Full names, addresses, and telephone numbers of all persons involved in an important incident should be recorded. The incident might be a call, a particular field interrogation, an investigation of a complaint, etc. Any data which may be useful for future reference should be recorded. Telephone numbers, even in cases of field interrogation or when a complaint is registered, often make it possible to contact concerned persons for additional information and avoid a long drive to a person's home by a supervisor.

All information which an officer records in his notebook should, so far as practicable, contain the who, what, where, when, why, and how.

Field Interrogations

When the officer is unable to record all information concerning a field interrogation on the "F. I." card, Form 15.43 (), he should include in his notebook the suspect's name and address, the location and time, and any supplemental information. If the officer feels that he might encounter the same person on a subsequent occasion, or if he believes that a subsequent interrogation might be warranted, for his own ready reference he should record the information in his notebook as well as on the "F. I." card.

"Wants"

A special section in his notebook, or a special "Wants" notebook, may be used by the officer

for descriptions of wanted persons. The extent to which the officer records these descriptions is entirely optional. However, there are three main advantages of a complete notebook.

1. The officer has ready reference when conducting a field interrogation, especially when the suspect is known only by description.
2. Recording this information in his notebook tends to fix the description in the officer's mind, so that he might more readily "make" the suspect on sight.
3. The officer can readily refresh his recollection of outstanding "wants."

In addition to this information on wanted persons, photographs may be obtained from the detectives or the Records and Identification Division when the wanted person is likely to be in the officer's own district or on his beat. These photographs can be kept in the notebook or, if the officer has one, in the pocket of the notebook cover.

Special "Wants" Notebook

The "luck" of some successful officers reputed to have "photographic memories" might be attributed in part to *thoroughness and work*. Some of these officers carry a separate notebook for "wants." This book, carried in addition to the regular notebook, is most useful when its pages are alphabetically indexed. Wanted persons are listed by name. When the only information available is a physical description, the outstanding oddities can be included on the proper, indexed page. EXAMPLE: MWA, 25 yrs., 5' 8", 170 lbs., brn. hair and eyes, lobe of rt. ear off. This "want" can be listed under "E" for ear with all the other descriptive data included. Teletype broadcast numbers and DR numbers which apply to the wanted person should also be included with the descriptions in this notebook. In cases where a name is not included in a description and there is no specific oddity information, the description can be listed on blank pages left for that purpose in the back of the notebook. Use of this method, especially in a "busy" district, will result in increased "luck."

Let us consider additional general information that should be recorded in an officer's field notebook.

Developing a good notebook might well be likened to building a good personal insurance program. Both should be developed to meet the needs of the individual. Few persons can afford the expense of insuring themselves against all the risks of modern city life; likewise, few officers can afford the time to record all the details of their complex duties. With the notebook, as with insurance, a safe approach might be: What is it that I cannot afford to leave uncovered?

Transportation of Female Prisoners

Officers who transport female prisoners or juvenile females should take every precaution to protect themselves from unjustified accusations of molestation. One of the best means of protection is a time-and-mileage check requested from the radio operator by the officers transporting a female prisoner. The officer should transmit the location of departure and the speedometer reading at that time. The location and speedometer reading should be transmitted again when the officers arrive at their destination. A "Roger" from the radio operator after each of these calls has been received will indicate that the location and mileage have been received and recorded *with the time* on the radio log sheets. These sheets are kept on file in the Communications Division. An officer should indicate in his

notebook the location, speedometer readings, and the time of departure and arrival. When properly recorded, this information greatly aids him in refuting unjust accusations by a female prisoner.

Accusations and Complaints

Whenever during the course of his police activities an officer feels that a complaint or accusation might be registered against him, it is to his interest to record in his notebook all of the pertinent circumstances of the incident. Witnesses who might be helpful in later relating the facts of the situation should be located and their identity recorded. A supervisory officer is obligated to make an impartial investigation of a personnel complaint. The concerned officer can be of great assistance to the supervisor and to himself if he has recorded the who, what, where, when, why, and how of the situation. It is often difficult to refute a "bum beef" if the officer has not recorded some of the facts.

New Procedures

When a new order or procedure is issued, the concerned officers should brief in their notebooks the new information they will need. This will not only give the officer a ready reference when he needs it, but will also tend to "fix" the information in his mind.



Vehicle Condition

Before taking out a vehicle, the officer should not only make the usual checks but should examine it for new damage. Any new damage should be reported to his supervisor and the officer should record the time, date, shop number, and a description of the damage in his notebook.

New Assignment and Duties

A new assignment often carries with it duties and responsibilities which are unfamiliar. The

officer should be aggressive in determining the details of the new job. For reference and to ensure his retention of this information, the officer should record the new duties in his notebook. A new jailer might record when the prisoners are to be fed, which trustees have the various station duties, when the misdemeanor prisoners must be ready for transportation to the Main Jail, etc.

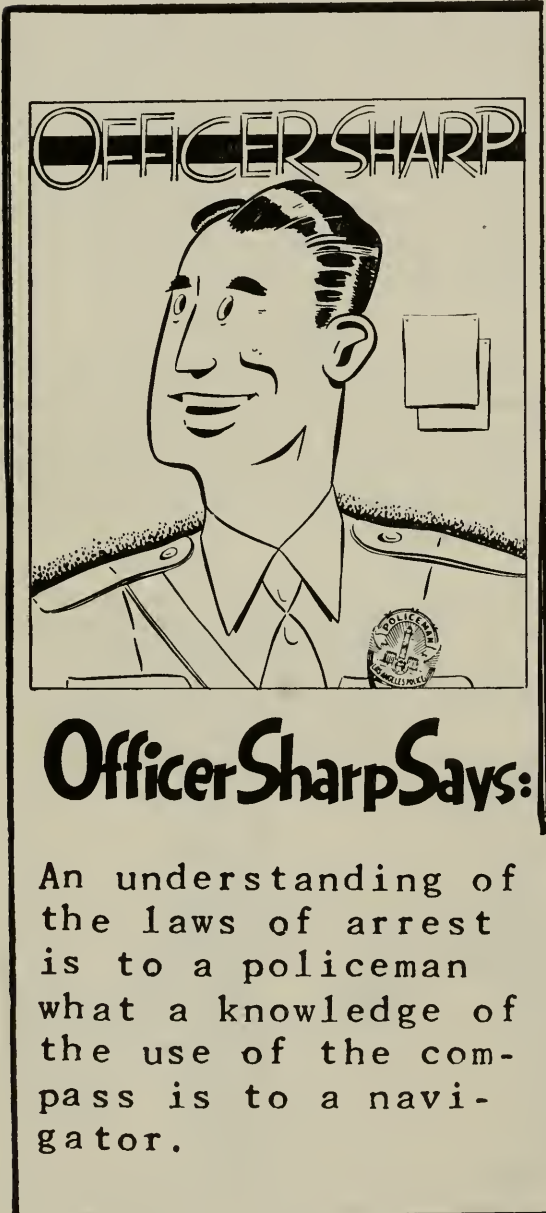
We point out the necessity for using the notebook to record details of involved investigations and to emphasize the importance of sketches.

Several Officers and Suspects

Recently, three police units arrived almost simultaneously at the scene of a call. They found that five suspects had broken into a closed cafe. When the officers entered the cafe, several of the suspects had in their possession articles taken from within the premises. Some of the suspects were attempting to leave through a door and windows. The three units participated in the actual arrest of the suspects and in the recovery of the articles. Two of the units transported the suspects and the evidence to the station and the other unit, which had received the call, booked the suspects and the evidence. Thinking this was a "dead-bang" case, none of the involved officers made any notes.

When later called upon by the investigating detectives to clarify the situation, none of the arresting officers could recall clearly what had taken place during the original confusion. They could not recall who had actually arrested each of the five suspects, nor could they connect the particular items of evidence with the suspect from whom it was taken. After considerable embarrassment to the concerned officers and the Department, the case was dismissed in court. A few carefully prepared notes after the original action was over would have resulted in an easy conviction of these burglary suspects.

The necessity for good notes increases with the complexity of an investigation. In all cases where two or more field units handle an investigation, or when one unit handles an investigation involving several suspects, each officer should note all pertinent facts in his notebook. It is especially important that the officers who must make the reports record the following information in



OFFICER SHARP

Officer Sharp Says:

An understanding of the laws of arrest is to a policeman what a knowledge of the use of the compass is to a navigator.

addition to the routine data prepared:

1. Names of other officers at the scene.
2. Who was arrested, and by whom.
3. What the suspect or suspects were doing.
4. What evidence was taken, and from whom.
5. How the evidence was marked.
6. Who handled the evidence from the time it was discovered until it was booked.
7. What the suspect or suspects said.

Sketches

Sketches of a crime or an investigation scene can be made easily in the officer's notebook and are one of the best methods of depicting a great deal of information in concise form. One sketch with a few captions and measurements will do more to record important facts than many hundreds of words. No special equipment is necessary for notebook sketches. A small celluloid ruler can be carried if desired. The officer should orient all sketches by indicating the four main compass points.

Crime Scenes

The type and circumstances of a crime will usually dictate when the officer should make a sketch in his notebook. When a sketch is made, it should represent the scene as it existed when first observed by the officer. The locations of all evidence should be included and measurements showing relative positions should be indicated. Tool marks and footprints should be sketched so that the officer can later identify these marks in court.

Scenes of Minor Offenses

In any investigation where location is a factor, a sketch should be made. For example, when an arrest or investigation is made for placing business signs on the sidewalk, it would be wise for the officer to sketch in his notebook the location of the sign and its relationship to the sidewalk, the store, the street, etc.

Accident Investigation

When investigating a traffic accident, the officer might sketch the following in his notebook.

1. Intersection of roadway or involved property.
2. Location of traffic markers, lane lines, marked crosswalks, etc.

3. Location of involved vehicles upon arrival of the officers.
4. Skid and brush marks.
5. "Place of impact."
6. Location of debris.
7. Location of control devices, signals, stop signs, etc.
8. Approximate location of witnesses at time of accident.
9. Measurements.

Use of the Accident Investigation Stamp

To assist officers making accident investigations in obtaining all of the information required on the Traffic Accident Report, form 4.1, the Traffic Bureau has developed a rubber notebook stamp. This stamp, the size of a notebook page, has abbreviated questions and blank spaces for answers and its use as a guide will assist the officer in obtaining all of the required information. An accident investigation officer might stamp every third or fourth page of his notebook for use in each investigation, patrol officers may benefit best by stamping a sample page for reference.

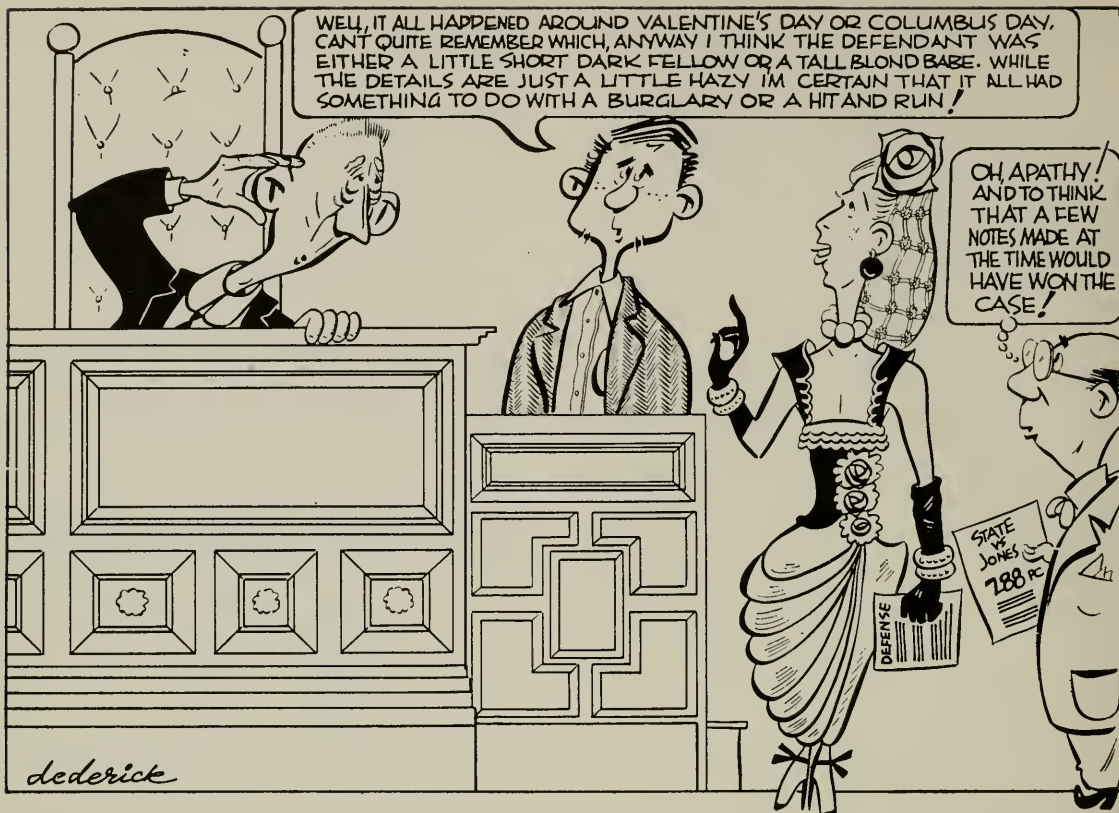
The Notebook Is "On-the-Scene"

The notebook should be used for purposes of recording the details of crimes, statements, and admissions and testifying in court. Previously we outlined the preparation of the notebook and the types of information which should be recorded in it.

In recording on-the-scene observations in his notebook, an officer should always consider the possibility that those notes may be brought to the attention of a defense attorney, court, or jury. In addition to aiding the officer in testifying, legible, orderly, and accurate notes will add weight to his testimony if they are read by the court or jury. The officer should not include in this notebook personal notes which may embarrass him if read by a defense attorney, court, or jury.

Physical Evidence

Before leaving the scene of a crime, an officer should record in his notebook the time and date, and a complete description of evidence and where it was found. Later, at the station, when the evidence is marked with identifying initials, the officer should also record how and where he



marked the physical evidence. An entry should indicate from whom he received the evidence and to whom he delivered it after booking in order to establish a chain of continuity. The outline of small bits of evidence, such as chips of glass, may be traced in the notebook by using the article as a pattern. Such physical evidence may later be identified in court by fitting it into the notebook outline.

Extra-Judicial (Out-of-Court) Statements

Statements, admissions against interest, or confessions generally should not be written while the suspect is first being interrogated as such a practice tends to cause the suspect to withhold information when he sees that his statements are being recorded. These statements should, however, be written in the officer's notebook as soon as possible thereafter either in substance or as close to verbatim as possible. Supplemental data such as time, place, witnesses to the statements, reaction of the suspect to any accusatory statements, his opportunity to deny accusations, failure to deny, nervousness, bribery, attempt to

escape, fictitious name, perspiration, conflicting stories should also be included.

Sometimes a defendant will inadvertently make an admission against interest while under pressure at the time of or immediately after a violation. These admissions, and the circumstances under which they were made, should be recorded. Whenever practicable the officer should obtain the defendant's signature to such a statement.

As a precautionary measure, in a citizen's arrest, a statement to the effect that the officer is merely receiving the prisoner may be signed by the citizen in the officer's notebook.

Testifying in Court

Sec. 2047 of the Code of Civil Procedures provides that: A witness is allowed to refresh his memory respecting a fact by anything written by himself, or under his direction, at the time when the fact occurred, or immediately thereafter, or at any other time when the fact was fresh in his memory, and he knew the same was correctly stated in the writing. In such cases the writing

must be produced, and may be seen by the adverse party, who may, if he chooses, cross-examine the witness upon it, and may read it to the jury. So also, a witness may testify from such a writing, though he retain no recollection of the particular facts.

If two officers are working on a case, it is permissible for one officer to keep the notes as long as the notes apply to what they have both seen, heard, and done while together. Both officers should read and initial the notes at the time they are made. Either may then testify from those notes.

All notes should be dated and kept in consecutive order to establish when they were written. In some cases it is not possible for an officer under oath to specifically answer a question. In these instances, the officer should state that he does not remember the detail but that it is recorded in his notebook, that the notes were made by him or under his direction while the details were fresh in his mind, that they do correctly state the facts, and that he would be able

to testify after refreshing his recollection from those notes. The officer should not attempt to read from his notebook if his memory is refreshed from the material in it. He should examine it, obtain the needed information, and then testify. However, should he have no recollection of the facts due to lapse of time, he may read his notes verbatim.

Acknowledgments

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Important Public Relations Services

How to Advise Citizens on Crime Prevention Techniques

OFFICERS often fail to utilize all the means available to gain the public's co-operation. Because of experience in combating crime, they have an excellent opportunity to teach techniques of crime prevention to the public. Merchants welcome friendly suggestions offered for their protection and will usually cooperate in any program intended to increase that protection. By suggesting these techniques to citizens, officers will help them realize that the police are concerned about their welfare. In addition, this will facilitate the officer's work.

Emergency Numbers

Merchants often post notices which indicate telephone numbers to be called in the event of an emergency, such as a fire or a burglary. Businessmen should be made aware of hazards connected with the display of emergency numbers. They should be cautioned to act prudently if a call is received to the effect that an emergency has occurred at their place of business, as criminals may use an improperly posted emergency notice for their own purposes. For example, five branch offices of a particular business were robbed during a six-month period. In each instance, branch managers had been called at emergency numbers. The caller had identified himself as either a police officer or fireman, told the manager that his store had been burglarized or burned, and persuaded him to come to his place of business. When the manager arrived, he was robbed after having been forced to open the store.

Merchants should be advised that, if they respond to a telephone call regarding an alleged emergency at their place of business, they should not go directly into the premises but should con-

tinue past without stopping if officers, radio cars, or fire trucks are not at the scene. They should park away from the area where they may subject the place to closer observation, or they may telephone the fire or police department for further information regarding the emergency. If circumstances warrant, they may call for a radio car to meet them at a place out of sight of the store.

Posting Emergency Numbers

At the discretion of the merchant, emergency numbers may be posted so they are visible from the street. Inside each place of business, however, a number should be posted in a conspicuous place, preferably near business licenses, telephones, or a cash register. If a fire or theft occurs, entrance to the premises may be necessary and numbers posted inside will aid firemen or policemen in notifying the proprietor.

Firearms

Shopkeepers who keep a gun on the premises will frequently state that they are prepared to resist criminals. Whether or not the merchant will resist a robbery or other crime against his property must be left to his own discretion, but he should be warned of the dangers involved in resisting many types of crimes. He should be advised that, in most instances, it would be safer to comply with the demands of the criminal.

Persons engaging in criminal activity often have little to lose in using all means at their disposal to avoid capture. They may even kill to escape.

In addition to personal risk involved, there is danger of shooting an innocent person or a suspect committing only a misdemeanor. If a citizen shoots a misdemeanant or fires "on suspicion," he may be held criminally and civilly liable

for his action. The merchant should be advised that, unless he is entirely familiar with all laws governing the use of force and can distinguish between a felony and a misdemeanor, he should allow a *possible* felon to escape rather than risk killing a person unjustifiably.

Citizens possessing firearms should be impressed with the necessity for registering these weapons. Realization that this registration serves to protect owners in the event guns are lost or stolen may aid in gaining co-operation.

Alarm and Private Patrol Systems

Merchants may request officers to recommend a particular burglar alarm or private patrol system which they may desire to utilize to protect their premises. Officers should refrain from suggesting any particular system, but should explain the general method by which such systems operate and indicate that the choice of equipment must rest with the merchant. It should be explained that not only doors and windows but walls, roofs, and all places of possible entry to a building must be wired if a burglar alarm is to be effective.

In determining whether to add the protection of a private patrol, merchants should be advised to consider that properly operated patrol systems afford some fire protection in addition to providing protection from burglars.

Personal Contact

Property and money stolen from the people of this City averages about \$6,500,000 per year. In many cases, the victims are powerless to prevent these crimes; in many others, the losses can be laid, in part, to the victim's carelessness. Many persons, in effect, invite thefts by permitting tempting conditions to exist in their homes and businesses.

Officers have, in their daily contacts with the public, many excellent opportunities to help reduce these losses. By discussing crime prevention techniques with those who might become victims of such crimes, officers can help them realize that the police are interested in their protection. Also, educating potential victims in these techniques, makes officers' own work easier.

Displays

Merchants often inadvertently aid criminals by unnecessarily obstructing the view to the store's interior. Window displays should be kept low, and other objects should be distributed in such a manner that as much as possible of the store area may be easily observed.

Whenever practical, dummy window displays should be used. If this is not possible, the display of expensive items should be avoided in order to minimize temptation to persons who might smash the window and steal an article.





At night, lights on displays should be placed so that they do not glare, thus preventing officers from seeing the store's interior.

Night Lights

If merchants are to benefit from police protection, they should not permit places of darkness in the store where a criminal might work concealed. Stores should be kept well-lighted whenever possible. If this cannot be done, lights should be placed so that articles of greatest value are easily seen from the street.

Safes

In determining what articles should be kept in a safe, a merchant should consider its limitations. If the articles are of great value, they should not be kept in a safe which might be easily opened. Conversely, it is seldom necessary to keep records, files, and office supplies in a safe which is "burglar-proof."

Floor safes, or those of some other immovable type, generally give the best protection to valuables. A properly equipped and experienced safe burglar can open any safe. Factors of size and weight alone do not determine the protection offered by a safe. In one case, a burglar, working alone, moved a five-hundred-pound safe from an office and opened it at his leisure.

Usually, safes should be locked completely. They should not be closed with the combination set so that one turn of the dial will permit the door to be reopened. The combination should be committed to memory and should not be written where a burglar could find it.

The safe should be placed where it can be easily seen from the street, and should be well-lighted. A safe which is located in a dark, concealed place is more tempting to a burglar than one which is in a well-lighted location visible from the street.

A safe may be left open or unlocked when it contains articles of little value. This may prevent theft of the safe itself. *However, merchants should seek the advice of their insurance agent to determine if items stolen from an unlocked safe are protected under the terms of the insurance policy.*

If business records and other papers are kept in fire chests, it may be suggested that these chests remain open and that a sign be attached to the outside to the effect that the chest is unlocked and contains nothing of value. This will frequently prevent theft of or damage to the chest.

Small Businesses

Operators of garages and service stations with more than one office entrance should keep all

but one entrance locked or blocked off when only one person is in attendance. The entrance to be kept open should be equipped with a device which will give a signal when the door is opened.

Mirrors may be placed about the establishment to permit constant watch on the entrance so that an attendant may see any person entering.

Cleaning establishments may, in addition to the above precautions, reverse alternate hangers on racks to prevent a quantity of clothing being easily removed in one operation.

Confidence Games

The public is frequently victimized by persons who falsely represent themselves as solicitors for some law enforcement agency or police-sponsored publication. The inference is often made that any funds obtained are to be used for the benefit of families of deceased or disabled officers. The citizen is given the impression that it is to his advantage to "cooperate," and, expects that by contributing he will receive immunity from minor laws and so loses his respect for the police.

The harm done to officers and the Department by these solicitors can be overcome to some extent by giving citizens a basis for determining the honesty of the purported agent.

Solicitations

The Police Department *does not solicit funds for police relief, advertising, or any organizational purposes.* Once each year, tickets are offered for the Annual Police Show. This show is well-publicized by newspapers and radio, and those who purchase tickets are not donors. Any other solicitations represented as being made on behalf of the Police Department are false.

Telephone Solicitations: There are many bunco schemes and rackets attempted in which the telephone is the principal means of soliciting. Callers sometimes represent themselves as being connected with the Police or Fire Department or other city agency. Citizens should never commit themselves to make donations as a result of telephonic solicitations. These are not made by any city agency.

Personal Solicitations: Periodic "drives" for funds made by known charitable organizations are well-publicized. Representatives of these agencies are provided with proper credentials and receipt forms. If a solicitor identifies himself as a "member" of any charitable organization or



states that he represents a well-known, respected person of authority, the citizen who is approached for a donation should carefully inspect the solicitor's credentials and demand a receipt if a contribution is made. Any person who solicits contributions must obtain and carry an Information Card from the Department of Social Service. In addition, he must display this card to the person solicited.¹

Reporting: All questionable soliciting attempts should be reported to the Bunco-Fugitive Division, Station 2572, for investigation. This may prevent the citizen being victimized as was a merchant who contributed twenty dollars per year for five years to a "police department publication" before he made a complaint. In each instance when the "subscription" was collected, the solicitor's only identification was his clothing which resembled the brown, summer uniform worn by officers of some police departments.

Obtaining Statement and Receipt: Before contributing to any cause which is not known to the citizen, he should obtain a written statement setting forth the name of the sponsoring organization and the purpose of the solicitation in addition to a written receipt including all representations made by the solicitor. Bunco artists will seldom incriminate themselves to the extent of furnishing such statements.

Businessmen of foreign extraction, for example Chinese, are often victimized by such solicitors, and officers should caution these merchants particularly to be wary of all solicitations.

Suspicious Persons

In any case where the actions of a person arouse a merchant's suspicions, he should not hesitate to call the police. Merchants often indicate that they do not like to "bother" the police or that they fear retaliation by the suspect if his activities are reported. Such reluctance may be overcome if officers emphasize that they are in the field for the protection of citizens and that well-founded calls are desired. It should be explained that many crimes can be prevented by the police if they are notified immediately of persons whose

actions arouse suspicion. In addition, merchants should be informed that sources of information are not divulged by officers even when known.

Small Retail Stores

There are many persons who manage to support themselves by preying upon retail stores. Their activities take many forms and are based chiefly upon the confusion which often exists in many of these establishments and upon the carelessness of busy salespeople and shoppers. The merchandise and money obtained by these thieves total well into millions of dollars annually. Large stores have developed techniques which, when properly used, materially reduced thefts.

The smaller merchant who employs one or two salespersons is at a disadvantage in combating thefts; he cannot afford protection services, nor can he always watch everyone who enters his establishment. By suggesting a few basic procedures, officers can assist these merchants in preventing thefts of money or merchandise.

"Till-Tappers"

Thieves who remove money from cash register drawers are known as "till-tappers" and operate most frequently during holidays and week ends. If displays are arranged on each side of a cash register and the register is placed where it is not readily accessible to customers, thefts committed by these persons may be minimized. Tills should not be placed near a telephone where they may be "tapped" by persons pretending to use the telephone.

A merchant should not allow large sums of money to accumulate in the till; he should keep only the minimum amount necessary to conduct normal business. Cash registers should not be left unprotected when strangers are near them. If a customer requests an additional item while the sale is being registered, the merchant should close the till before obtaining the merchandise. "Till-tappers" often work in pairs and while one diverts a merchant's attention the other takes money from the cash drawer.

Shoplifters

Valuable articles should be kept at the rear of a store and, if possible under glass so that shoplifters will not have easy access to them. Dis-

¹ L.A.M.C. See 44.12.

play racks should be low to permit as complete a view of the store as possible. Mirrors are a psychological deterrent to potential shoplifters and should be placed where they permit the merchant to see the cash register and other parts of the store.

Short-Change Artists

Some persons attempt to victimize merchants by one of several systems of "short-changing." Most methods begin by the suspect making a small purchase and then confusing the merchant through a series of rapid money-changing maneuvers. When the purchaser leaves, he often succeeds in taking some of the victim's cash in addition to his own. "Short-change" frauds are usually attempted when customers are pressing the merchant for service, at closing time, or when the register is being checked. Whenever merchants permit themselves to become involved in complex transactions, the chances are greatly increased that they will be victimized.

Bills received by merchants should not be placed in cash drawers until change due from the bill has been returned to the customer. Only

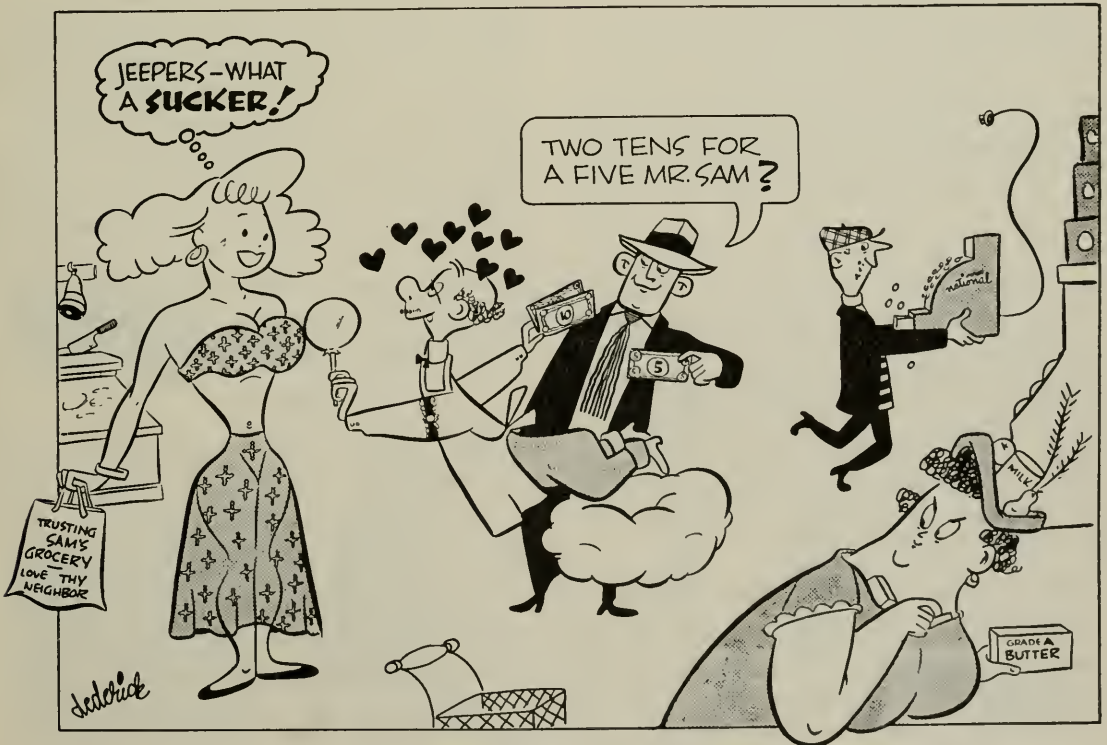
one transaction should be carried on at any time and should be completed before another is begun.

Serial Numbers

Many stolen articles, such as watches and typewriters, are recovered by police officers but cannot be returned to their owners because there is no way of positively identifying the property. All items of personal property and articles used in businesses should have their serial numbers, if any, recorded by the owners. If an article has no serial number, the owner should place an identifying mark on it. This will facilitate returning the property to him if it is stolen and recovered. Such marks will also aid in the prosecution of a suspect if stolen property is found in his possession. When serial numbers are kept by owners, many stolen items are traced, identified, and recovered through pawnshop records.

Worthless Checks

Worthless checks passed in this City totaled over a third of a million dollars in 1948. The checks averaged about fifty-five dollars. To many merchants, this represents a serious loss.



Many persons who pass worthless checks are opportunists motivated by a real or imagined financial need. Many of them might never think of committing a burglary or robbery, but will pass worthless checks as an easy way to obtain funds. A merchant usually has no means of recognizing these offenders as they come from many classes of people; however, by using a few simple techniques, he may reduce his losses from this source to a minimum.

Endorsements

When a merchant is requested to cash a check, he should require that the endorsement be made *in ink in his presence*. For example, if the person presenting the check is seen putting his pen back in his pocket but has not been observed making the endorsement, he should be required to re-endorse the check in the presence of the person cashing it.

Any misspelled words or inconsistencies in names, addresses, and amounts should be "suspicion-arousers." A personal check should not be accepted from a second endorser unless the merchant knows him.

Identification

Unless a person cashing a check is known, he should be required to present positive identification. Social Security cards, and cards sealed in plastic which contain limited information and may be obtained by anyone, should not be relied upon as a means of identification. Temporary operator's licenses, licenses which have been expired for a long period of time, or those which contain many address changes are of little use for identification purposes. However, those which are unaltered provide acceptable identification and should be thoroughly read and the description checked against that of the persons presenting the check. Signatures, addresses, and age should be compared. Complete operator's license serial numbers, including any letters, should be written on the back of the check.

Police Positive Check Protection Plan

A system which affords one of the most positive methods of check-passer identification is the Police Positive Check Protection Plan, developed in the Los Angeles Police Department, and com-

monly known as the "Doane Plan." Under this system, a merchant places a card in plain view, near the register, stating that the merchant reserves the right to require positive identification *and fingerprints* from all persons who cash checks. This card acts as a deterrent to persons who might attempt to cash worthless checks. When a check is presented to a store manager, he places his own name, together with the date and time, in the upper left corner on the face of the check. The payee is then required to endorse it *in ink*. The four fingerprints of the endorser's right hand should be placed on the back of the check. The hand should be prevented from moving to avoid smearing of the fingerprints. Persons who pass "no account" checks will seldom submit to fingerprinting, but if they do so, their fingerprints on the check will positively identify it and the suspect in court.

If, for any reason, the merchant doubts the validity of the check, he should follow the person from the store and obtain the license number of his automobile if possible.

Some opposition to this plan may be encountered from merchants. They may feel that they will lose customers who might be offended if they are required to place their fingerprints on checks; however, this objection may be overcome by an explanation that an honest customer will generally appreciate the necessity for positive identification. In addition, resistance encountered because of the taking of fingerprints need not involve staining the customer's fingers as there are two types of ink available in many stationery stores which will not remain on the skin but will give a clear, permanent impression on paper. In some cases, merchants have reduced losses from worthless checks by as much as 90 per cent.

Time-Place

Checks should not be accepted if the person requesting the check to be cashed does not live in the general area of the transaction. For example, a resident of Highland Park would not normally go to a grocery store in University Division, make a small purchase and offer a check in payment. If a check is accepted by a merchant, it should be for the exact amount of the purchase.

Most worthless checks are passed during holi-

days, week ends, and hours when banks are closed. Checks offered for cashing during these times should be carefully examined.

Reporting

Whenever it is discovered that any check is worthless, it should be reported immediately to the Police Department. This may prevent loss to other merchants and will aid in the apprehension of the passer. If such complaints are made promptly, part or all of the merchant's loss may be recovered and returned to him before the forger disposes of the proceeds from the transaction.

Robbery

The crime of robbery is one which often involves, in addition to the taking of property, a high degree of fear and excitement on the part of the victim, witnesses, or the perpetrator, or of all. Because of this emotional tension, a victim often does something which is interpreted as resistance and is shot or otherwise injured as a consequence. Victims and witnesses should concentrate on observing the criminal for purposes of future identification.

A victim of a robbery should not offer resistance, but should comply with deliberate, distinct motions to the directions he receives. He should avoid turning his back on a robber and, if possible, should stay out of the suspect's reach.

Large Sums of Money: Only the minimum amount of money necessary to conduct business should be kept on business premises. Whenever

possible, citizens should avoid carrying or displaying large sums of money in public. They should regard with suspicion any person who becomes overly friendly in bars or other public places.

Descriptions: When advising citizens who might become robbery victims, officers should emphasize the necessity for obtaining good descriptions of suspects. Physical characteristics similar to those of friends or relatives should be carefully observed so that by association of these characteristics the bandit's weight, height, build, hair, etc., can be remembered more easily and accurately.

Clothing, scars, tattoos, and physical deformities should be noted and remembered. If there are more than two bandits, their conversation and any nicknames they might use should be remembered and reported. The victim should make such observations in a casual manner so that he will not arouse the bandit's suspicion and resentment.

Descriptions of Vehicles Used: The bandit's method of departure from the scene should be noted. If a vehicle license number can be seen, it should be copied immediately. Officers should obtain this original notation and preserve it for future use in identifying the suspect's vehicle.

Counterfeit Money

While merchants should not resist armed robbers, active measures can be taken to prevent losses which result from the passing of counterfeit money.





The United States Secret Service issues warning notices pertaining to counterfeit bills currently circulating. The notices indicate serial numbers, Federal Reserve letter, check letter, and face and back plate numbers. Merchants may be placed on the Secret Service mailing list by making a written request to: United States Secret Service, 754 Post Office Building, Los Angeles 53, California. When a merchant is doubtful about the authenticity of a bill, it may be checked against Secret Service warning notices or those published by newspapers. This is the most effective means of protection against accepting counterfeit money.

Merchants may be able to recognize counterfeit bills by careful examination. Counterfeits frequently have poor, indistinct scroll work, while the scroll work around edges of genuine currency is always fine and clean. The portraits tend to merge with backgrounds and the eyes are not life-like. Portraits on genuine bills are distinct, particularly about the eyes, and do not blend into the background.

Fallacies: The authenticity of a bill cannot always be determined by the quality of ink or the presence of colored threads. Inks on both genuine and counterfeit bills will smear. Red and blue silk threads may appear on some counterfeit

notes. While most Federal Reserve notes in this area bear the letter "L" in the seal, some will be found bearing the letters "E," "I," "G," etc. Counterfeits cannot be distinguished by the reserve letter alone.

Notifying Police: Counterfeit bills are often passed when merchants are busy with customers. Generally, an attempt is made to distract the merchant's attention from the money while change is being made. If a merchant recognizes a counterfeit note, he should, by some pretext, attempt to delay the person passing the bill and notify the police. If this cannot be done, the merchant should not return the money. He should obtain the suspect's vehicle license number, record it with an accurate description of the vehicle and suspect, and notify the police.

Burglaries

Many persons have a large part of their worth invested in homes, businesses, and automobiles. They spend many dollars to maintain and preserve such investments and realize a great amount of personal satisfaction in the security and comfort obtained from them. At the same time, they exhibit carelessness in securing these belongings against attacks by thieves and burglars. Such neglect provides criminals with an open invita-

tion to commit thefts. The techniques of eliminating such temptations are basic, and if universally applied, could materially reduce losses by theft and burglary.

Merchants often unintentionally aid burglars by providing means of access to buildings. Proprietors should be cautioned against stacking boxes or crates where they may be used by burglars to climb into windows, onto roofs, etc. Windows barred from the outside, water drains, and some advertising signs offer convenient handholds and may be used by burglars in climbing to windows or roofs of business establishments. Therefore, skylights, transoms, and other open-

ings in the building should be fitted with substantial locks and barred on the inside.

Residences: When a residence is to be left unoccupied, the shades should be drawn and lights left on in one or more rooms to create an appearance of occupancy. Radios may be left on to add to this impression. Arrangements should be made with someone to remove papers, mail, etc., that may be delivered if residents are to be gone for more than a day. Keys should never be left in mail boxes, under rugs, flowerpots, or other "secret" places.

Windows on upper floors should be locked.

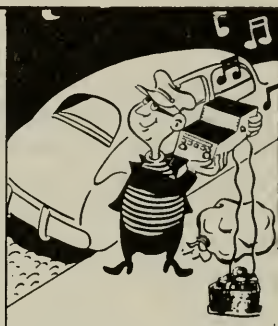


BURGLARS GOTTA EAT TOO...!

DUE TO INCREASED COSTS IN LIVING THE BURGLAR IS WORKING HARDER THAN EVER BEFORE! ARE YOU MAKING IT TOUGH FOR HIM?



When Mr. Robert Felony, the local burglar, finds the key under the welcome mat he saves a lot of valuable time. Chances are he won't even pay you a call if the key isn't handy.



Robbie Felony loves to browse around inside of lovely automobiles. A rolled down window is an open invitation and sometimes he leaves with a memento, sometimes the whole car!



Putting that note on the front door without officially notifying the milkman and paper boy was a waste of time. The milk bottles and papers scream "Come on in, no one's home!" and Robbie Felony can go to work un-molested.



The number of Mr Felony's hobbies is amazing. One of them is collecting knick-knacks and where could a better collection be found than in a garage with an open door and everyone away at the show?



Robbie is a gay character and usually gets more fun out of a party than any of the guests. People who leave purses and wraps in the bedroom may find that the little get-together was a real SURPRISE PARTY!



Mr Felony hates all gadgets with serial numbers because it's hard to peddle the stuff and it can land him on the rock pile. When you record all serial numbers, that is your best guarantee for safekeeping and identification.

Even those that are 12 to 15 feet from the ground may be reached easily by experienced burglars. Screens afford little protection. Loitering strangers should be reported to police if their actions arouse suspicion. Some burglars, in the guise of salesmen, approach homes to determine if residents are within or may drive about neighborhoods in vehicles resembling bakery or milk trucks while selecting homes to enter.

Party Burglars: When many people are being entertained in a home, coats, purses and all articles of value should, if possible, be kept in a room that will be occupied. If any other room is to be used as a cloak room, all articles should be placed in a closet, the windows of the room locked and the shades drawn.

Burglaries and Thefts from Autos: Packages and clothing left in vehicles offer great temptation to persons who might not otherwise tamper with cars. For this reason, packages and personal items left in cars should be removed from sight and the automobiles should be securely locked.

Auto Thefts

Windows and doors should be closed and securely locked when an automobile is left unattended. If it is necessary to leave the car unlocked, keys should be removed.

Vehicles should generally be parked only in well-lighted places. If a vehicle is left at night in a parking lot, a well-lighted one should be selected. Provisions should be made to lock an automobile or have it locked if it is to be left on a commercial parking lot after closing hours.

A car owner should always carry information on his person regarding his vehicle's license and motor number. If this information is not readily available when an automobile is stolen, much valuable time may be lost if it is necessary to teletype or radio Sacramento for this data.

A motorist may drop a business card down a window frame or scratch his name on the top of door jambs as an additional means of identifying a vehicle in case the motor number is obliterated and the license changed.

Reporting Auto Thefts: Thefts of autos should be reported immediately to the police.

Frequently a criminal will steal a vehicle for the purpose of using it in committing another crime. If the theft is reported immediately, the owner may protect himself from the embarrassment of being suspected.

How to Assist Tourists

Policemen often consider tourists a necessary evil. However, their presence in Los Angeles can only be considered an asset. This city, as the focal point of most Southern California vacationists, derives a considerable amount of revenue from these travelers. In fact, in dollar volume the tourist trade is second only to the aircraft industry. Since an officer's salary and working conditions are dependent largely upon the community's prosperity, he has a responsibility to himself and the community to encourage and assist visitors. Information about points of interest and local accommodations, given courteously and cheerfully, help make the visitor feel that he is welcome. A tourist who encounters such favorable treatment will, in time, be disposed to pass on his impressions to potential visitors.

Places of Interest

Travelers who are attracted to Southern California by descriptions of its unusual scenic beauty frequently become lost in its immensity and fail to locate places they wish to visit. An officer who is questioned by visitors should ascertain exactly what *they* desire to visit before giving any directions. If he knows the answer, it may be given directly; otherwise he should refer the person to an agency whose business it is to provide assistance to visitors.

Accurate information concerning road conditions is available from various automobile clubs which, in most cases, will assist tourists in arranging travel itineraries.

Travelers who have personal problems or need financial assistance may be directed to the Travelers Aid Society located in the Pacific Electric Building, Sixth and Main Streets. The Chamber of Commerce, 1151 South Broadway, will provide information about industrial, agricultural, and business opportunities. One of the outstanding facilities for dispensing all-around tourist information is the All-Year Club. This nonprofit organization conducts a nation-wide



advertising campaign to attract tourists to Southern California. It also operates a free tourist service center at 517 West Sixth Street. Here advisors known as "Welcomettes" are prepared to dispense information and service. They supply the tourist with maps, literature, and printed matter. Their advice is backed up by knowledge gathered from a compulsory annual scenic tour of twenty thousand miles.

Lodging Facilities

Questions concerning hotels can best be answered by determining the approximate amount the traveler expects to pay and by recommending several accommodations in that price range. Servicemen desiring temporary lodging may be directed to the Victory Service Club, 226 South Main Street, or to any of the local Y.M.C.A.s.

Entertainment

Visitors to Los Angeles frequently wish to visit famous entertainment centers. An officer may know the location of many of these, but may not be familiar with their billings. He should refer those who wish such information to the entertainment section of daily papers or to any of the larger hotels where free copies of *Key*,

This Week in Los Angeles, and other similar publications are available.

Eating Establishments

Information regarding restaurants should be given in accordance with the financial range and variety desired by the visitor. Tourists frequently may desire some specific foreign style of cooking. Officers familiar with the various restaurants featuring these foods will be able to make visitors feel welcome and at ease by directing them there when requested.

Conventions

In addition to those who come to this city as vacationers, there are many who come as delegates to the many conventions which meet here. The average conventioner, having been invited to the city, expects everybody to know of his organization and its meeting place. To him it is a big affair and he may not realize that in a city the size of Los Angeles, conventions meet daily. If he seeks directions to his meeting place and is ignored or rudely treated, he is certain to be resentful.

If an officer receives such an inquiry and does not know the answer, he may obtain the informa-

THEY ARE NOT MAD AT US SAM,
THEY ARE MAKING LIKE A
TOTEM POLE TO EXPLAIN
THAT THERE IS NO **LEFT**
TURN ON BROADWAY,
NO **PARKING** BEFORE **6 P.M.**,
AND THAT WE CAN GET
A NIFTY **BLUBBER** COCKTAIL
AT **CLIFTON'S SEAFOOD BAR!***



tion from the Convention and Visitors' Bureau of the Chamber of Commerce, RIchmond 2441. If it is impracticable for the officer to make the call, he should give this number to the visitor.

Tourists and visitors often come in contact

with the police because of a need for assistance and direction and an ignorance of local traffic laws. When approaching such persons, an officer should realize that they are apt to be extremely critical in their evaluation of the Police Depart-

ment. The opinions expressed by visitors upon returning to their own states may not affect the Department's reputation greatly, but comments made to friends while still here may materially affect local appreciation of police efforts. Therefore, officers should strive to give the same courteous service to tourists as is given to local citizens.

Local Transportation

Many tourists who come to Los Angeles, intending to visit the many places of interest, do not realize the tremendous size of the city. Often they have to depend upon public transportation, and, being unfamiliar with Los Angeles, turn to a police officer for directions. Although the officer may not be familiar with all the streetcar and bus lines, he may give accurate directions by referring to a pamphlet published by the Los Angeles Transit Lines which maps the routes of all public transportation systems in the city. The All-Year Club, 517 West Sixth Street, also has a free booklet containing fifteen various tours which can be made entirely by public conveyance. If the visitor wishes to make a conducted tour of the city, he may be referred to several companies whose business it is to organize such tours.

Traffic Enforcement

Tourists from other states are often unfamiliar with California traffic laws. For example, pedestrian regulations are virtually unknown in many states. Hand signals and turning requirements likewise are frequently unenforced, particularly in sparsely populated sections of the country. "Out-of-staters" may therefore feel they are being unfairly treated when they receive citations. However, traffic violations are a danger to life and property and must be discouraged. Where such violations are committed by an out-of-state driver, no particular consideration should be given *only* because of the foreign residence. Instead, officers should use the same discretion as

to the danger, intent, and common knowledge of the violation that is used in issuing all other citations. For example, it is possible that a visitor may not be familiar with regulations peculiar to Los Angeles. However, all motorists should be aware of basic driving requirements such as speed restrictions, traffic signals, and other regulations which safeguard life and property. If it is apparent that he is without knowledge of California traffic laws, he may be given a copy of the booklet, "Accidents Don't Happen," which explains the most frequently violated sections of the California Vehicle Code and may possibly prevent his becoming involved in a serious traffic accident.

Occasionally, an out-of-state driver who has received a citation will inform the officer that he will be leaving the state immediately and will not be able to appear within the required time. When this occurs, the officer should not imply in any way that the matter can be adjusted in a manner other than is indicated on the reverse side of the violator's copy. The defendant may seek advice concerning other processing from the court or the Traffic Violations Bureau if he so desires, but such advice is not within the scope of the Police Department.

Acknowledgments

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Appearance in Court

How to Testify Effectively in Court

AN OFFICER'S physical appearance and the manner in which he testifies often influence a court or jury more than the substance of his testimony. The judge, the jurors, and the attorneys are usually dressed conservatively—an officer should dress similarly. His actions, attitude, and appearance must reflect favorably upon the police profession.

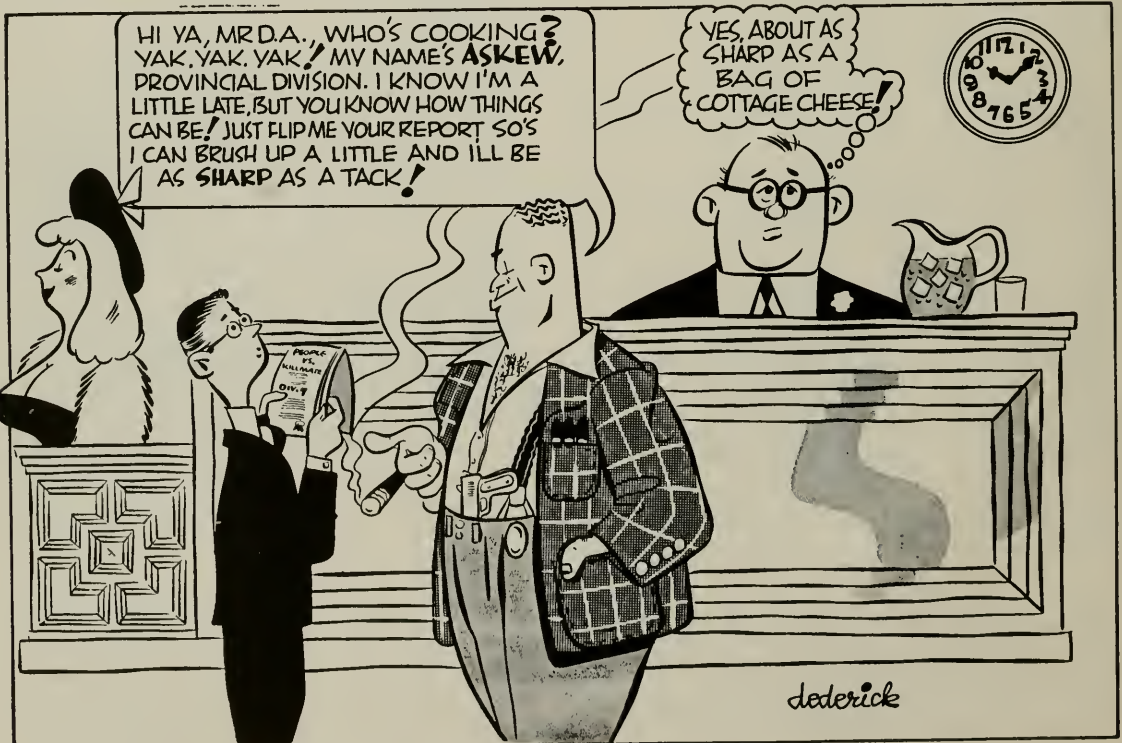
Personal Appearance

Either proper civilian clothing or the uniform is acceptable courtroom attire. If an officer dresses in civilian clothing, he should wear a shirt, a necktie, and a business suit. Sports cloth-

ing such as a sport shirt, T-shirt, jacket, or sweater should never be worn by an officer appearing in court. Pencils and cigars should not protrude from outside pockets. Because of possible prejudice by jurors, lodge pins should not be displayed. If civilian clothes are worn, firearms should be concealed. If the officer wears his uniform, it should be as neat as if he were appearing for inspection. *Uniform and civilian clothing should never be worn together.*

When and How to Appear

Before a case can be transferred from the master calendar court, all witnesses must be present; therefore, it is imperative that all officers appear in court and report their presence



to the court officer not later than the time indicated on the subpoena. The officer who reports late delays transfer of the case. Unnecessary delays to civilian witnesses may antagonize them and make them reluctant to become witnesses again.

Unexcused Absence

Occasionally, one or more officers subpoenaed to testify in a case disregard a subpoena and do not appear in court. Frequently this occurs as the result of a conference among them to decide who is and who is not to appear, or when one of the officers excuses himself as a witness because he believes he has no knowledge relevant to the case to be tried. These unexcused absences not only embarrass the Department but inconvenience the other witnesses and the prosecutor and may cause a case to be dismissed. If the officer wishes to be excused from appearing, he must obtain permission from the prosecutor's office. Unless he has been lawfully excused, the officer who fails to respond to a subpoena is liable to a charge of contempt of court and to disciplinary action by the Department.

Discussion of the Case with the Prosecutor

Whenever possible, investigating officers should, before the trial, discuss the case with the prosecutor. They should inform him of any pertinent information or developments not indicated in the concerned report. An indication of the order in which officers should be called to testify or that a particular officer's knowledge of the facts is limited may be of great value to the prosecutor.

Borrowing the Prosecutor's Reports

An officer should never borrow the prosecutor's copies of the police reports. Doing so upsets the prosecutor's routine and causes the additional work of sorting and resorting his case reports. To refresh his memory, officers should refer to copies of pertinent reports before going to court.

Presentation of Evidence in Court

Arresting officers should make certain that transportation of evidence is provided for so that

it may be available for presentation at the trial. Many times, evidence has been unavailable because one officer relied upon another to produce it in court.

Courtroom Demeanor

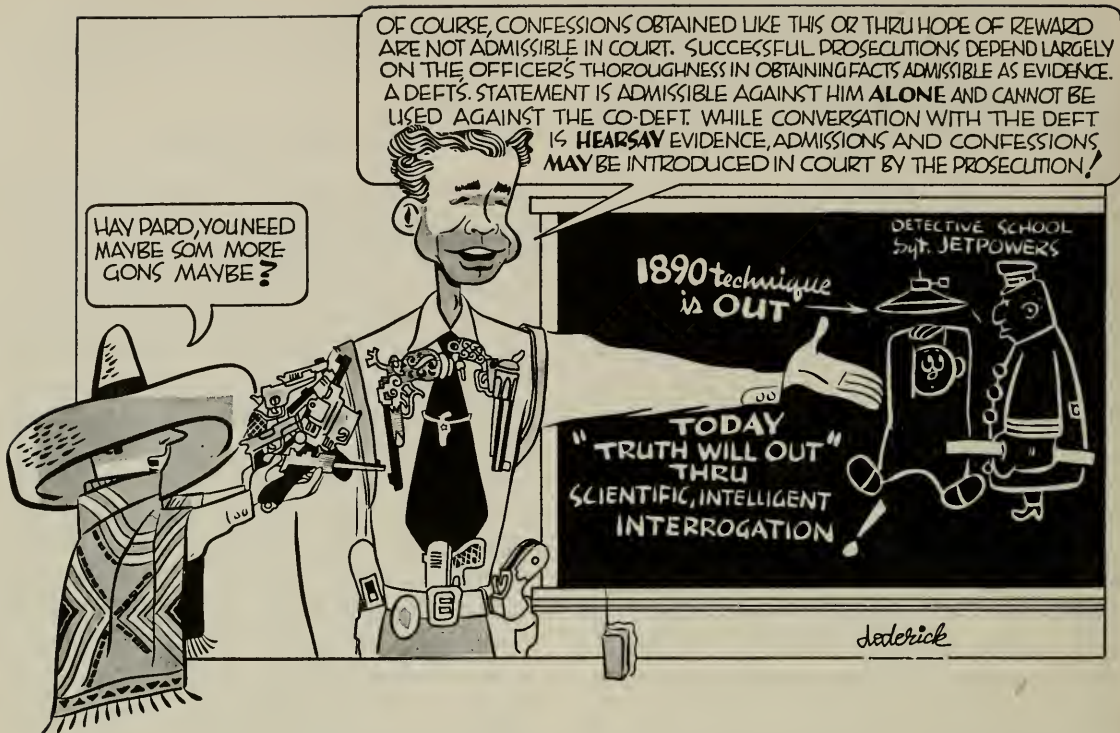
A juror's impression of a witness may be formed before the witness takes the stand. Therefore, the officer should be discreet in his remarks and actions outside as well as inside the courtroom. Prospective jurors in the halls and elevators may be prejudiced by an officer's lack of reserve, or by any brash or ill-advised remark made by him. This is especially true if the officer is in uniform. He should be quiet and attentive while waiting to be called to the stand. He should review specific dates, places, numbers, and other facts so he can testify without hesitation when he takes the stand. He should refrain from showing any anxiety or prejudice. If the officer reads newspapers, chews gum or tobacco, carries unlighted cigars or cigarettes in his mouth, or commits other acts of slovenliness, rudeness, or indiscretion, jurors may become so offended that the officer's testimony will be completely disregarded.

Continuances

When a continuance of a case is granted, the judge instructs the witnesses to return to court at a future date. This is the only notice issued by the court ordering witnesses to appear. The officer must regard these instructions as he would a subpoena. It is *his* responsibility to remember when his reappearance is required.

Successful Prosecutions

Successful prosecutions largely depend upon the officer's thoroughness in obtaining facts admissible as evidence. Many prosecutions are unsuccessful because officers fail to comprehend a fundamental rule of evidence that a confession or admission cannot be introduced until the corpus delicti of the offense charged has been established by other competent evidence. In the magistrate's instructions to the jury, corpus delicti is said to exist "when there is reasonable cause to believe the crime charged has been committed." A confession merely supplements a criminal investigation. To establish the corpus



delicti, sufficient evidence must be secured *independent of any confession or admission.*

Investigation

An officer should thoroughly investigate a crime before the date set for court appearance. He should keep in mind that the purpose of testimony is to furnish the court and jury with evidence for a just decision and disposition of the case. It will be difficult to select this evidence unless the officer has some knowledge of its admissibility.

Confessions

It is a favorite trick of defense counsel on cross-examination to lead the officer into a trap by asking him if he told the defendant that *it would be better to tell the whole story or it would be better to confess.* A careless answer to this seemingly unimportant question may cause the rejection of evidence or the loss of the case.

Courts have held that this statement by the officer constitutes giving a "hope of reward." The rule is that confessions must be made freely and voluntarily without the use of force or violence or promises of reward, advantage, or leni-

ency of punishment. For example, if a confession was obtained as the result of a promise to the suspect that his punishment would be reduced, it would be inadmissible. However, a confession, secured by a *promise* to the defendant that, following his confession, he would be permitted to see a relative, *would* be admissible.

Accusatory Statements

A defendant's confession is admissible against him alone; it cannot be used to establish a case against a co-defendant. If an officer fails to obtain *independent confessions* from co-defendants, admissible evidence may be obtained by accusing them of the crime. The rule is: If a person is accused of a crime and fails to deny it, the fact may be brought before the jury. However, he must have heard the accusation, understood it, and had the opportunity to deny it. He should not be asked to respond since his silence is admissible as a declaration. This accusation may be made by anyone. If the accusation of the defendant is heard by an officer, his testimony to this fact is admissible even though the accuser is not available to testify. It is not admissible if the suspect denies the accusation.

Questioning the Suspect

It is often necessary that an officer use vulgar or colloquial terms while interrogating a suspect. After obtaining a reply useful to the investigation, the officer should repeat the same questions, using proper language which the suspect understands. This will enable the officer to use acceptable expressions when testifying in court as the exact words of the initial interrogation might otherwise be embarrassing to relate. These conversations with the defendant are all *hearsay evidence*. Hearsay evidence ordinarily is inadmissible, however properly obtained admissions and confession of the defendant may be introduced in court by the prosecution.

Investigation Notes

The officer should keep notes of all conversations with the defendant in addition to all details of the investigation. The date, time, and locations of incidents, license and serial numbers, and descriptions of objects should be recorded. As soon as they are obtained, objects of evidence should be described in the notebook and properly "marked" so they may be easily identified in

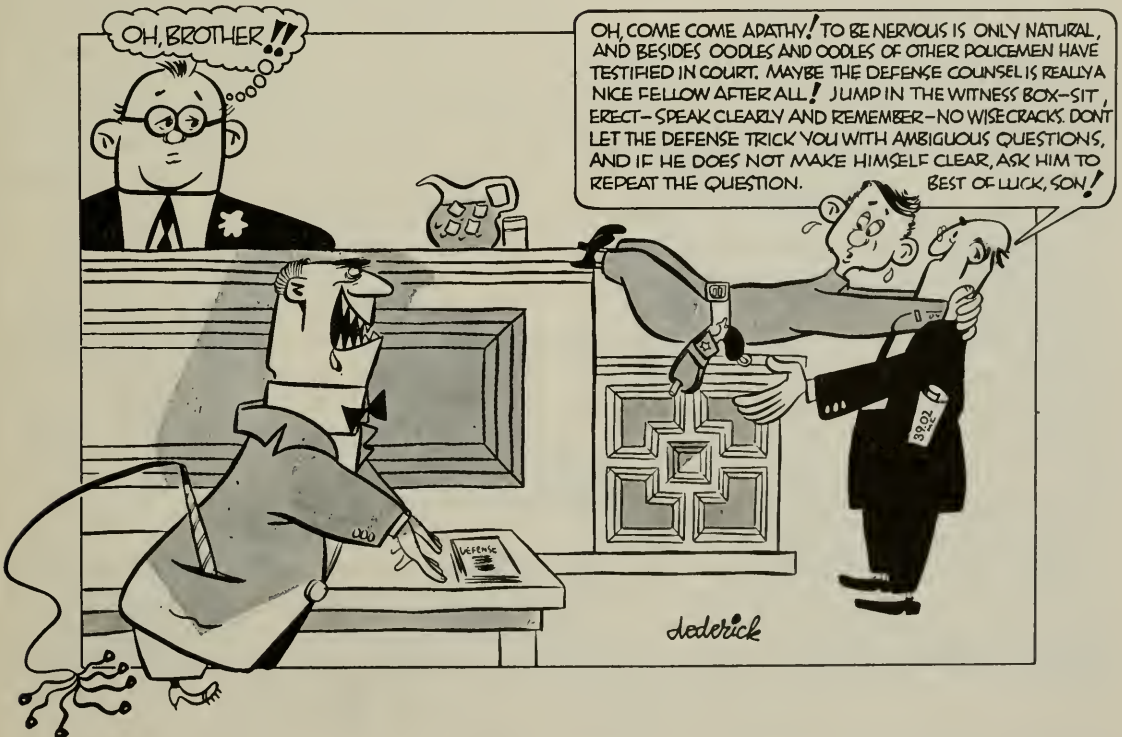
court. Notes should be recorded carefully as the omission of one pertinent fact may weaken a case. Minor details often "crack" big cases. If the officer refers to his notes on the witness stand, the defense counsel has the right to inspect them. Notes must be kept in such a manner that, when inspected by the defense, the information will not furnish injurious or embarrassing "ammunition" which may be used against the officer.

Testifying in Court

The officer should not be apprehensive of testifying. Appearing before the jury, court, and spectators may tend to make him nervous and self-conscious. To be nervous is natural. However, if he is prepared to testify clearly, concisely, and accurately, he need not be fearful of being embarrassed on the stand. The defense counsel is probably as concerned about the officer's testimony as the officer is of the defense counsel's cross-examination.

Manner of Testifying

The officer should sit erect in the witness chair. To slouch or sprawl, or lean forward with an attitude of tense excitement may denote indif-



ference or over-zealousness. Unusual mannerisms or gestures of the witness tend to distract the jury's attention from the testimony given.

The officer should speak in conversational tones in a strong, steady voice which is clearly audible to all jurors. Testimony is of little value if the jury is unable to hear and understand it. The microphone should be used if one is provided. Usually, remarks should be directed to the jurors. The weight of the testimony will be determined by them in reaching a verdict. If the case is not being tried by a jury, the officer should address his remarks to counsel who is conducting the examination. Before answering a question, the officer should allow time for objections. His statements should be frank, direct, and truthful. He should not gesture or "wisecrack"; the object of his presence is to give facts—not a speech. "Wisecracks" may cause embarrassment to the witness when he is cross-examined. The officer should choose his words carefully, never using complicated or technical phrases when simple ones may be used. Criminal jargon or slang should not be used except in repeating the exact words of a conversation.

Defense Tactics

Two types of defense attorneys which the officer often encounters in court are the friendly type and the "brow-beating" type. The former is the more dangerous. He may attempt to lead the officer into a feeling of false security by flattery and praise. If the officer is not cautious, he may unintentionally make incorrect statements which the defense may emphasize in an attempt to impeach the officer. When such tactics are employed, the officer should listen intently to the questions, think before answering, and answer truthfully. If the witness is unable to answer a question, he should state "I don't know." A defense attorney may attack an officer's credibility in an attempt to anger him and cause him to exaggerate facts. If the witness loses his poise, much of the effectiveness of his testimony will be destroyed. The jury may believe that the angered officer is overly-concerned with obtaining a conviction, rather than presenting the true facts. To overcome the "brow-beating" attorney's approach, the officer must maintain

self-control and answer all questions seriously and truthfully. Even though questions appear absurd, the defense attorney's motive may be to elicit an absurd reply and thereby discredit the testimony. Officers should never argue with counsel.

After an officer has answered a question, some attorneys will stare at him as if an additional reply is expected. This ruse is often used to encourage the officer to elaborate erroneously. In this case, he should not try to add to his answer.

Ambiguous Questions

Another trick of cross-examiners is to ask the officer if he has discussed the case with others. "Discussed" is an ambiguous word and implies that the officer was told what he should say. The officer should frankly admit that he has indicated to others what his testimony should be; however, he should explain that he was not told what to say. It is customary for officers to review their cases with other concerned investigators and the prosecutor before the trial.

Misleading Questions

The officer should never try to answer misleading questions. Before answering he should ask for a clarification. If the attorney attempts to twist an answer to his advantage by saying, "Do you wish the jury to understand . . .?" the officer should listen carefully. If he does not wish the jurors to understand the statement as made by the attorney, the officer should make clear what he does want understood.

Dual Questions

It is often difficult to answer a question properly when a "Yes" or "No" answer is demanded. The witness should state that he cannot answer "Yes" or "No" but should respond at the Court's direction. He then has the right to explain his answer.

Rapid Questions

When an attempt is made to confuse the officer by "rapid fire" questioning, he should think of his answer, then state it unhurriedly. He may ask to have the question repeated and obtain time to regain his composure while the court recorder reads the question.

Testimony in Court

The jury in a criminal case knows little of the details of the offense charged until they are brought out by testimony. The witness testifying in court must project to the jurors a clear and accurate picture of the circumstances of the case. The officer *must not* guess. He must describe what occurred in impersonal word pictures.

Method of Testifying

When the officer takes the stand, he will be asked to state his name, occupation, etc. The answer to these questions should not be made too quickly. If he answers too promptly, an obvious and awkward lapse of time may occur if an answer to the next question, in contrast to the first, requires forethought.

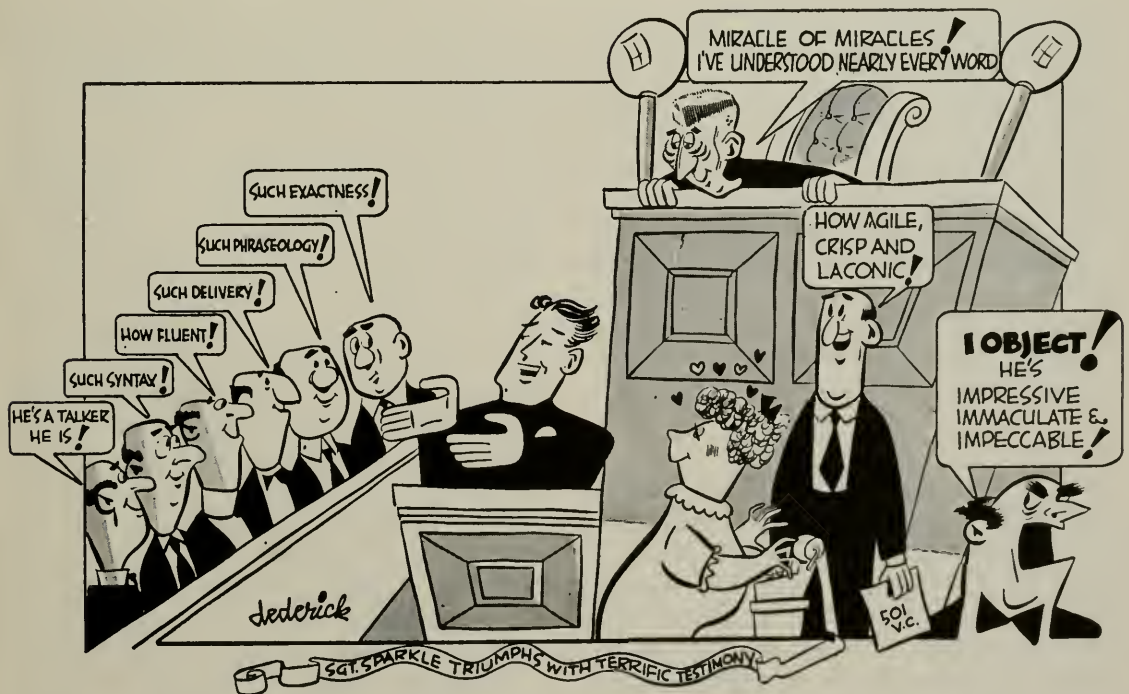
Answering Questions Detrimental to the Prosecution

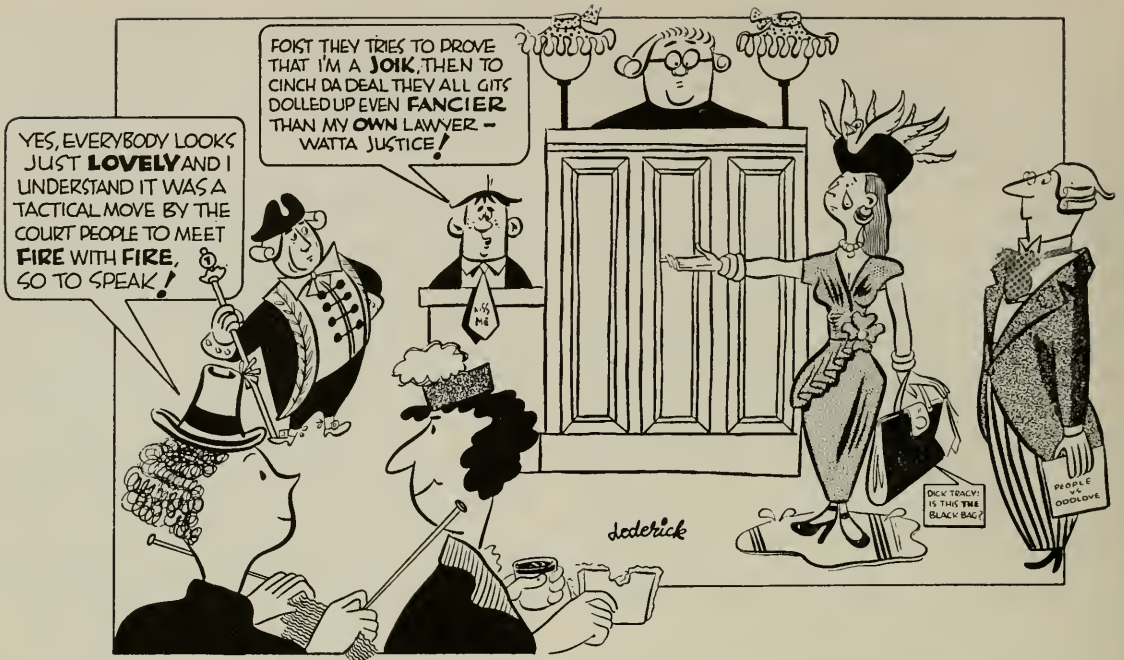
An officer is often hesitant in answering questions he knows are detrimental to the prosecution. He should be careful to avoid giving the impression that he is trying to "railroad" the defendant. The prosecutor should be forewarned of any weak or harmful elements of the people's

case so that they may be introduced on direct examination rather than on cross-examination. An officer should impress the jury that he is honestly relating facts of the arrest and the investigation.

Volunteering Information

The officer should rarely volunteer information. He should answer questions concisely and specifically. If he elaborates upon his answer and unconsciously violates a rule of evidence, an objection may be sustained causing valuable evidence to be stricken from the record. Even if he thinks an important point is being missed, he should not be concerned. Although it seems he will not be afforded the opportunity to tell all he knows, he should wait until he can state facts in answer to a relevant question. He should *trust the prosecutor* to ask the "key" question at the proper psychological moment when the response will have the greatest influence on the judge and jury. Upon leaving the stand, the officer may inform the prosecutor if an important question has not been asked. If the prosecutor considers it essential, he may recall the officer to the stand. When the officer is not on the stand and he





wishes to convey some information to the prosecutor, it should be written on a note and passed to him. An officer should never whisper or gesture to gain the prosecutor's attention.

Conflicting Testimony

Officers are sometimes fearful that their testimony will not correspond with that of every other officer. The manner and substance of the testimony of several officers need not be identical. However, the jury may discredit testimony which varies greatly among several witnesses. Usually some minor variations in the statements of several officers will add weight to the testimony. Whether their testimony is alike or different, the defense counsel is apt to criticize. The officer must restrict his testimony to facts known to him. Then he will not become confused but relate the facts as they actually occurred.

A Good Witness

To be a good witness, an officer must constantly review his techniques of preparing his case and testifying. This review enables him to increase his effectiveness by correcting weaknesses. He avoids embarrassment resulting from confusion and mistakes. He obtains the respect of persons present at the trial and gains the satisfac-

tion of knowing that he has done his job well. An unsuccessful prosecution should not be a source of concern to an officer unless the acquittal resulted from his shortcomings.

Conclusions and Opinions

With few exceptions, a witness cannot testify to conclusions or opinions. He should confine his testimony to matters of his own knowledge. He should not say, "I think," or "I believe," or "He admitted." He should not say, "He was trying to" or "He evidently intended." The officer can only testify to that information which he obtained through his senses. It is permissible to testify, "I heard a sound like a shot" or "... a scream coming from the direction of a certain house." When admissible conversations are related, the rule excluding conclusions or opinions does not apply. Such conversations contain many conclusions which the witness may repeat when testifying. In this instance, the witness is testifying to actual conversations. References to conversations with the defendant are limited to his *statements relating to the crime charged in the complaint*. Testimony relating to a defendant's statements about other "jobs" or other arrests or convictions is not admissible unless it is used as a foundation to establish plan, intent, design, etc.

The Use of Notes

While testifying, an officer may refresh his recollection from records made by him or under his direction and supervision when the facts were fresh in his memory. However, it is necessary to secure the Court's permission to review his notes in the event he is unable to remember a particular detail such as an exact time of an arrest. He should make the statement, "I do not recall the exact time; however, I made notes on the matter." He will then be asked if these notes were made by him or under his supervision and direction while the matter was fresh in his memory. If his answer is "Yes," he will then be asked if he needs these notes to refresh his recollection. If he does, the Court will grant permission. The defense counsel has a right to examine such notes and make any objections he thinks proper. The officer should then refresh his recollection of the detail he does not remember and testify without referring to the notes.

Recess Conversations

During recess periods some attorneys will attempt to place the officer off-guard by engaging him in a "friendly" conversation. Jurors who

observe these conversations may conclude that the defense and the officers are "bartering." After a recess period, officers on the stand have often been embarrassed by the defense counsel's asking, "Didn't you tell me during recess that you didn't care whether the defendant was convicted or not?" In a jury trial, the verdict is a prerogative of the jurors—any appearance of an agreement between officers and the defendant may adversely affect the jury's decision.

After Testifying

After officers testify, they should ask the prosecutor if they may be excused from further attendance. When excused by the judge, the officers should leave the courtroom. If they remain, the court and the jury may think that the witnesses are overly-interested in the disposition of the case. Even after a verdict of guilty, careless remarks of officers have been used as the basis for requesting a new trial.

Acknowledgments

Material used in writing this chapter was submitted by Judge LeRoy Dawson, Municipal Court; Mr. Boyd Taylor, Deputy City Attorney; Mr. Ralph Bagley, Deputy District Attorney; Lt. Thomas Reddin, Training Division.

Police Files

How to Develop a Good Oddity File

THIS SECTION is confined to a discussion of some information that should be recorded on the Identification Sheet (Form 5.5) (), i.e., scars and deformities. It will stress the importance of properly recording scars and deformities and will point out their value as a source of identification information. An additional lesson will describe the nature of the information desired after "Alias" and "Tattoos" on the "I" sheet. Other problems that may be encountered by the booking officer in completing the "I" sheet *will not* be included in this material.

The Oddity File

The oddity file is a specialized Records and Identification file containing records of "physical peculiarities" other than the general description of a person. This oddity file is broken down into subdivisions of *Monikers, Marks, Scars, Amputations, Deformities, and Tattoos*. Information contained in this file is secured directly from information recorded by the booking officer on the "P" sheet.

Use of the Oddity File

Daily use is made of the oddity file by detectives in searching for information regarding wanted suspects when oddity information has been secured from crime reports, teletypes, or other sources. A "want" on a suspect placed in the *Daily Police Bulletin* or elsewhere may include information secured from the oddity file. The uniformed officer may, when "running a make," include oddity information (description of a scar, etc.). Positive identification is thereby secured when the suspect has a common name as

John Jones and is of average height, weight, etc. The following is an illustration of the successful use of the oddity file in identifying a wanted suspect.

Practical Application of the Oddity File:

A department store operative observed a male negro take some merchandise from a counter and attempt to leave. In an effort to stop the suspect, the victim was struck, knocked down and stomped, resulting in her hospitalization. The suspect was described as a male Negro of average stature, 5' 10" or 5' 11", black hair and brown eyes, and a *pock-marked face*. Oddity file records revealed that only six persons of the above description having pock-marked faces had been arrested by this department. Mugs of these six persons were shown to the victim and witnesses, who were able to positively identify one suspect.

Description of the Oddity on the "I" Sheet

The booking officer or the officer taking a crime report should describe the particular oddity, giving attention to the following details if they apply:

1. Location on the body.
2. Size.
3. Type.
4. Details of description.

Scars—How to Describe on the "I" Sheet

(Ref. Line 11 of the "I" sheet.)

The proper description of a scar might be: *1" round burn scar inside L elbow*. Thus, *size* (1"), *type* (burn), and *location* (inside L elbow) thoroughly describe a scar which is described commonly but incorrectly on the "I" sheet by

booking officers as "scar L arm." (*Details of the description would apply to other types of oddities.*)

Marks—How to Describe on the "I" Sheet

(Remarks regarding marks are made on Line 11 of the "I" sheet, after Scars.)

Again, attention should be given to: (1) *Location on the body.* (2) *Size.* (3) *Type.* A birthmark might be described as follows: *2" long, 1/2" wide birthmark outside R forearm. Moles and birthmarks* are common marks that may be observed by the booking officer.

Deformities—How to Describe on the "I" Sheet

(Ref. Line 11 of the "I" sheet.)

Deformities are distinguished from amputations in that a deformity is an alteration of form

or shape. For the purpose of the "I" sheet, nervous disorders and physical impairments will be described after deformities. A deformed finger might be described as *"twisted index finger R hand."* "Blind R eye," "hunchback," "protruding ears," "dropped R eyelid," "twitching mouth" and "wears eye glasses" are descriptions of other deformities.

Amputations—How to Describe on the "I" Sheet

(Remarks regarding amputations are made on Line 11 of the "I" sheet after "Deformities.")

Applying the principles of (1), an amputation might be described as *"little finger R hand amp. first joint."* In this instance, the *particular finger*, the *particular point of amputation*, and the *particular hand* are indicated. This description narrows the field of suspects.

We will discuss the proper completion of information on the Identification Sheet ("I" Sheet)

FORM 5.S
REVISED OCT. 45

LOS ANGELES POLICE DEPARTMENT
IDENTIFICATION REPORT

SEE ADD'L. Bk. NO.
SEE REBOOKING NO.

1 CHECK IF: FELONY MISDEMEANOR MUNICIPAL CODE FEDERAL BOOKING NO. 17001

2 CHARGE 459 PC (BURG) (susp) DATE OF ARREST 10-24-48 TIME 9:15 pm

3 NAME OF PRISONER VALENTINE, JIMMY R ALIAS "ROBBIE"

4 ADDRESS 235 W. 77th ST. LOCATION OF ARREST 77th ST. IN ST.

5 ARRESTED BY KRIMEBUSTER 9998 - FOSDICK 9999 DIV. CENTRAL DETAIL F.

6 CITIZEN YES TIME IN CO. 40 STATE 15 U.S.A. 45 EDUCATION 2nd GRADE

7 EMPLOYED YES OCCUPATION WRANSACKER IN PAPER BAG CO. MARRIED YES

8 SEX M RACE WHITE HAIR BRN EYES BLUE HEIGHT 5'8" WEIGHT 140 AGE 45

9 COMPLEXION RUDDY TEETH 2 LOWER FRONT MISSING BEARD SS.

10 PREVIOUSLY ARRESTED WHERE ARRESTED CHARGE LAMC (4)

11 SCARS 1" ROUND BURN INSIDE L. ELBOW DEFORMITIES TWISTED INDEX FINGER R. HAND
ROCK MARKED FACE LITTLE FINGER R. HAND AMP. AT FIRST JOINT

12 CLASSIFICATION:

13 TATTOOS 1" HEART W/ DAGGER AND LOVE ON L. SIDE OF CHEST

14

15 CHECK TYPE OF CHIN: RECEDING SQUARE POINTED LONG ROUND PROTRUDING

16 APPROVED BY E. Walker DIVISION CENTRAL SIGNATURE Jimmy R. Valentine FULL NAME

THUMB RIGHT HAND

with reference to aliases, monikers (nicknames), an tattoos.

Tattoos—How to Describe on the “I” Sheet

(Ref. Line 13 of “I” sheet, Form 5.5.) ()

In describing a tattoo, the booking officer or jailer should give attention to four factors:

1. *Location on the body.*
2. *Size.*
3. *Type.*
4. *Details of description.*

The description of a tattoo, “*1” heart with dagger and ‘Love’ L side of chest,*” considers these four factors. An incomplete description of a tattoo recorded on the “I” sheet as “heart on chest” gives only a general location and fails to give a detailed description. Hundreds of suspects may have a 1” heart with a dagger and “Love” on the L side of their chests as a personal oddity. A narrowed field of suspects obviously expedites the identification process.

Practical Application of the Oddity File:

A civilian member of LAPD¹ was listening to the televised broadcast of missing persons. An MP was described as having the letters “CHOLE” tattooed on his left arm. Oddity file records revealed that the MP having this tattoo was in the custody of LAPD, on a felony charge, unknown to those who had made the missing report.

In a series of robberies on Temple Street two out of three victims described one suspect as having a bumble bee tattooed at the base of his right thumb. Knowledge of this oddity enabled beat officers to apprehend this suspect and his accomplices following the third robbery. Had this information been available in the oddity file, it is possible the suspect could have been identified and taken into custody following the first robbery.

Aliases (Nicknames)—How to Describe on the “I” Sheet

(Ref. Line 3 of “I” sheet, Form 5.5.)

An *alias* is correctly defined as another name, or an *assumed name*. This information may be recorded on the “I” sheet. However, the *nick-*

name or the *moniker* is also entered after “*Alias*” on the “I” sheet. The booking officer’s concern is to obtain the suspect’s nickname, or nicknames.

How to Secure the Suspect’s Nickname

An alert suspect may be averse to giving information to an officer. When the officer asks a suspect for his moniker, the request should be worded in a manner that indicates the officer knows the suspect has a moniker, and should be asked in a friendly, informal manner. Examples would be, “What do your buddies call you?” or “What’s your nickname?” Avoid the word “*alias*” in that it is commonly associated with matters of a criminal nature.

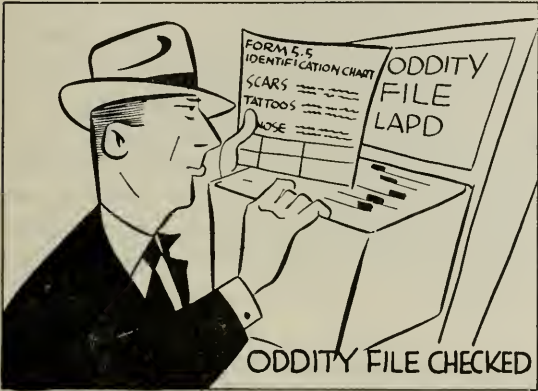
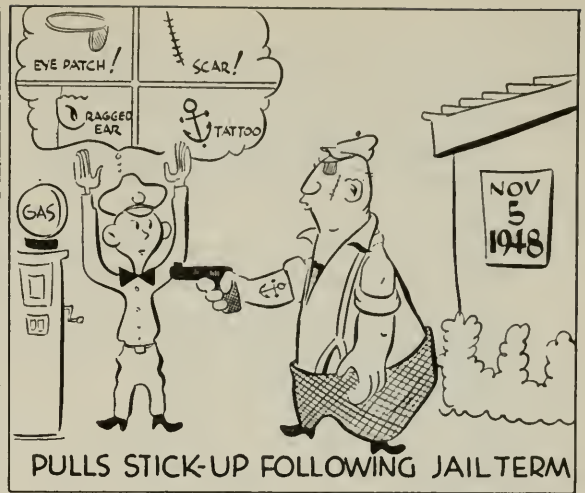
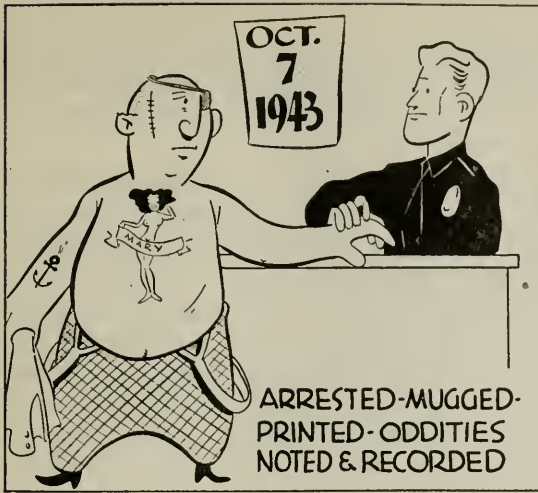
Use of the Oddity File

In a series of recent burglaries, two unknown suspects entered industrial buildings and removed checks from the backs of check books. The checks were later passed by these suspects, who received large sums in exchange. Intensive investigation led nowhere until, during a subsequent investigation, Forgery Division detectives learned from the proprietor of a liquor store that following the passing of a bad check, which he had unknowingly accepted, one suspect said to the other, “Well, let’s go, Chub.” “Chub” was successfully identified through the moniker division of the oddity file. He and his accomplice were taken into custody, clearing reported forgery crimes amounting to \$25,000.

Precautions in Recording Oddities on the “I” Sheet

Even when more than one oddity of the same type exists on a particular individual, all his oddities should be entered on the “I” sheet. If, for example, a suspect has several scars on his body, but only one is recorded on the “I” sheet, the undescribed scar may be the scar observed and reported by a victim of a crime. If space on the “I” sheet does not permit the recording of all additions, a notation should be made as “see back of form” and the oddity described on the back of the “I” sheet. Most important oddities are those which are easily observed and those most likely to be seen by the victim of a crime. Other oddities about the chest and legs are important in

¹ Mr. Francis J. Rafferty, Principal Clerk, Records and Identification Division, L.A.P.D.



the identification of mutilated and dismembered bodies which result from murders or major disasters such as the Texas City catastrophe.

How the Stolen Property File Is Used

The following paragraphs show how the Stolen Property File of the Records and Identification Division is used, and indicates the importance of properly describing stolen property. Subsequent bulletins will illustrate how to describe types of stolen property correctly.

The Stolen Property File

An object is indexed in the Stolen Property File according to the type of article and its identifying characteristics. Serial numbers and monograms on stolen property are cross-indexed in separate files, used in conjunction with the Stolen Property File. Subsequent lessons will describe their use. It is possible, therefore, to identify an article through the use of three separate files. For example, a lady's yellow gold

Elgin wrist watch, serial number 71416, 16 jewels, monogrammed with the letters "H.L.," would require three separate index cards: (1) Serial number 71416; (2) Monogram "H.L.,"; and (3) Elgin wrist watch, lady's, yellow gold, 16 jewels.

Stolen property information is obtained from the following reports: Robbery, Burglary, Burglary-Theft from Auto, Theft, Theft from Person, Worthless Checks, and Lost and Recovered (Found). Descriptions of property recorded on Recovered (Found) Property Reports are checked against the Stolen Property Files so that property may be returned to rightful owners.

Reasons for Complete Descriptions of Property

Accurate description of stolen property permits cross-indexing, which is valuable for the following reasons:

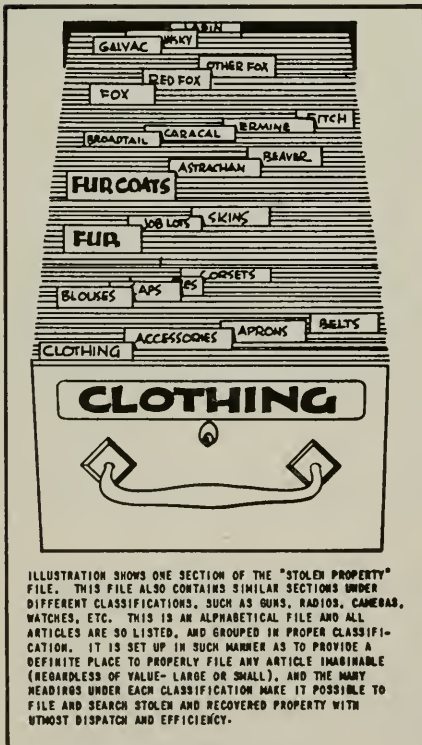
1. Articles are often altered after they have been stolen. A serial number may be removed or clothing dyed and labels removed. A properly described article may be identified under one of several indexed descriptions.
2. When several index cards give descriptive data on the same item, an error in description such as a serial number on one card does not exclude the possibility of positively identifying the item through one or more of the other cards.
3. Complete descriptions of insignificant and inexpensive items which are difficult or impossible to sell or pawn may lead to the apprehension of a suspect and the recovery of other valuable property.

Example: A book of matches monogrammed with the name of a night club was found in the possession of a person who was suspected of having committed several burglaries. From a "make" on the book of monogrammed matches obtained from the Stolen Property File, detectives learned that a quantity of matches and other items worth

hundreds of dollars were taken in a night club burglary. In the follow-up investigation, the suspect was successfully connected with this and several other burglaries.

Example: In another burglary investigation detectives were unable to connect a suspect with a clothing warehouse burglary until a bundle of pencils was found in the suspect's room. Stolen property listed on the crime report did not include these pencils and it was not learned that they had been taken in the burglary until detectives questioned the victim further. This additional information enabled the detectives to connect the suspect with a burglary involving several thousand dollars.

Success in identifying stolen property found in possession of suspects is often dependent upon the extent to which the Stolen Property File is used by officers making field interrogations. The Stolen Property File is used extensively to identify recovered property, so that it may be returned to its rightful owners, and so that pawnshop purchases may be compared to determine if they are stolen.



How to Describe Stolen or Recovered (Found) Property

Clothing

Because there are so many characteristics common to all clothing, identification is difficult without complete and accurate descriptions. If accurately described in reports, recovered clothing can be returned to rightful owners. Vaguely described property may require the opening of numerous packages by property clerks to establish positive identification of an item. This results in waste of clerical and police time. This lesson will show how to describe stolen or recovered articles of clothing properly.

The recovery of clothing may lead to the recovery of other more valuable property which is often stolen with clothing. A large percentage of the items listed on the approximately two hundred reports received daily from pawnshop dealers is clothing. These reports can be checked most effectively when record clerks are able to compare listed items against accurate and complete stolen property records.

How to Describe Clothing

When listing an article of clothing, the officer should indicate the following important characteristics in the description:

1. Whether *men's, women's, children's, or infants'* clothing.
2. *Color*. Examples: Black, black with white stripe, gray and white plaid, black and white check.
3. *Size*.
4. *Maker's label, owner's initials or name*—and their locations on the garment.
5. *Laundry's or cleaner's marks*.
6. *Kind of material*. Examples: Tweed, cotton, wool, silk, satin, velvet, rayon, nylon, orlon, and dacron.
7. *Type and design*. Examples:
 - a. *Men's suits*—Evening, street, sport; double or single breasted.
 - b. *Men's coats*—Top coat (including overcoat), jacket, raincoat; double or single breasted.
 - c. *Women's dresses*—Evening, street, house.
 - d. *Women's coats*—Full length, three-quarter length, short; Princess, box, swagger; evening, sport, dress.
 - e. *Women's suits*—Dress, tailored, swagger.
8. *Tears, patches, and burns*.
9. Descriptive characteristics of *specific types* of clothing. Examples:

- a. *Men's suits*—Two- or three-piece (coat, vest, and pants; coat and two pairs of pants), kind of lining.
- b. *Men's coats*—Trimming, lining, belted.
- c. *Men's miscellaneous clothing*—Shorts, shirts, sox, ties, sweaters, shoes, scarfs, pajamas, dressing gowns.
- d. *Women's dresses*—One- or two-piece, plain, flowered, figured, trimming (fur, lace, metallic, contrasting).
- e. *Women's coats*—Trimming, buttons, lining.
- f. *Women's miscellaneous clothing*—Underwear, pajamas, stockings, shoes, sox, sweaters, scarfs, shawls, waists, skirts, kimonos, housecoats, playsuits, slacks.
- g. *Women's suits*—Lining, number of buttons, trimming.
- h. *Furs* (coats, neckpieces, muffs, skins)—beaver, karakul, ermine, fox (blue, red, silver, grey, white), sable, squirrel, kolinsky.

In describing children's clothing, the same descriptive factors are used as in the case of clothing for adults.

Other articles of clothing indexed in the Stolen Property File are: Belts, blouses, costumes, gloves, handkerchiefs, hats, neckties, nightgowns, pajamas, rainclothes, robes, skirts, shirts, sweaters, swim suits, underwear, uniforms.

A victim should be advised that information not available at the time the original report is made should be included on a supplementary report.

Jewelry

Because of the value of most jewelry and the frequency of its theft, the Records and Identification Division has established an elaborate system of cross-filing. This system is invaluable for recording loss of and theft of jewelry, and is essential in the identification of found and recovered jewelry.

Pawnshop dealers usually submit accurate and complete descriptions of all jewelry purchased by them. If the police reporting of stolen jewelry is as complete and accurate as the description given by the pawnshop dealer, stolen jewelry can be immediately identified and returned to the victim. If, however, the descriptions of the jewelry on the police report are not accurate, stolen articles may be pawned without detection.

LOS ANGELES POLICE DEPARTMENT
BURGLARY REPORT

DR. NO. A 391 728

CHECK HERE IF
SAFE BURGLARY

VICTIM: Irving Lossall
 BUS. ADDRESS: 391 E. Marble
 RES. ADDRESS: 746 W. Cosmo St., L.A. DA 7341
 PHONE: SQ 21743
 OCCUPATION: Singing waiter
 RACE: Cauc.
 DATE AND TIME OCCURRED: Nov. 18, 8am/6pm
 DIV. OF OCCUR: Cosmopolitan
 RADIO DIST: 173
 LOCATION OF OCCURRENCE: 746 W. Cosmo St., L.A.
 BETWEEN: Neemo and Jeemo
 DATE AND TIME REPORTED: Nov. 19, 1948, 7pm
 DIV. REPORTING: Cosmopolitan
 CLERK:
 REPORTED BY: Victim
 NAME: above
 ADDRESS:
 INTERVIEWED BY: Ofcr. Sharp

TYPE OF PREMISES ENTERED (1 Story, 2 Story, 3 Story, etc.)
 STATEMENT (an identity, suspect, etc.)
 IS THE PROPERTY STOLEN COVERED BY INSURANCE? WILL THE COMPLAINANT SUITE?

FURTHER DETAILS OF COMPLAINT: (Also itemize, describe and give value of each article taken)
 Victim may be interviewed at home evenings, 6pm to 10pm except Dec. 4 and 5.
 Victim locked premises when leaving for work in the morning and upon his return that night discovered entry had been made and the following articles taken:

- 1 - Woman's Ranch mink coat - size 16 - 48" long - brn. satin lining - full sleeves w/tight cuff - round collar - "Pearl" embroidered on left inside pocket - June Co., Wilshire label..... \$2000.00
- 1 - Woman's 2-pc. solid Navy blue gabardine business suit - size 16 - long sleeves - "V" neck - no label..... 60.00
- 1 - Pink satin "Form Fitting" brassiere - size 38 - blk lace trim ... 5.00
- 1 - Man's 3-pc. solid brn. worsted single breasted suit (vest, pants, coat) size 38 - label inside coat "Five Tailors--New Orleans" - patch on inside left trouser cuff..... 75.00

Checked by

APPROVED BY: Sgt. Sage # 7777
 SIGNATURE: I. Lossall
 TOTAL VALUE: \$2140.00
 IF ADDITIONAL SPACE IS REQUIRED, USE CONTINUATION REPORT, FORM NO. 15.9.

Practical Application of the Stolen Property File

Approximately two years ago a victim reported a burglary in which more than \$20,000 worth of jewelry was taken. One item was incompletely described as a "period style diamond necklace (rose cut)." A month after this information was classified in the Stolen Property File, a pawnshop dealer reported that he had purchased a "diamond necklace, gold setting, from 10 points to 3/4 carat." An alert record clerk suggested that this necklace might be the same as the necklace described in the Burglary Report. When the victim was questioned it was learned that both descriptions were of the same necklace. In the ensuing investigation three suspects were apprehended and over \$20,000 worth of jewelry was recovered and returned to its rightful owner.

Valueless jewelry is often found on a suspect's person or in his room because such jewelry is difficult to pawn and the suspect is reluctant to throw it away. If this cheap jewelry is correctly described on the original report, a routine "shake-

down" and "make" may lead to the recovery of other more valuable property.

How to Describe Jewelry

When listing stolen or recovered or lost or found jewelry, the following characteristics should be indicated in the description.

1. *Color of metal or stone:* White, yellow, green, red, rose, etc.
2. *Type of metal:* Gold, platinum, silver, sterling silver, etc.
3. *Initials, inscriptions, and dates:* Quote the exact initials or name instead of describing the article by stating "owner's name on same."
4. *Name of stone or stones and number of each.*
5. *Shape or cut:* Shape or cut of stone, physical shape of watch, etc.
6. *Jeweler's inscriptions:* Quote exact inscription.
7. *Size:* Size of stone, i.e., 1/2 carat diamond, 1" by 1/2" brooch, etc.
8. *Serial numbers.*
9. *Emblems* (charms, pins, rings, watches, etc.)
 - a. Lodges (Masonic, Elks, Native Sons, Knights of Columbus).
 - b. Service clubs (Lions, Rotary, Kiwanis).

BURGLARY REPORT

DR. No. A 391 840

CHECK HERE IF
SAFE BURGLARY

VICTIM Ben Cleaned RES. ADDRESS 440 Manor St., L.A. PHONE DA 9431
 BUS. ADDRESS 4444 Goldbrick St., L.A. PHONE UP 56565 OCCUPATION Sanitation RACE Cauc.
 DATE AND TIME OCCURRED Nov. 20 9am/lpm DIVN. OF OCCUR. Cosmopolitan RADIO DIST. 173
 LOCATION OF OCCURRENCE 440 Manor St., L.A. BETWEEN Terra and Firma
 DATE AND TIME REPORTED Nov. 20, 1948 3pm DIVN. REPORTING Cosmopolitan CLEAR
 REPORTED BY Victim above INTERVIEWED BY Ofcr. Sharp
 NAME ADDRESS

TYPE OF PREMISES ENTERED Storage Room, 3 Story Bldg. etc.
 THE PROPERTY STORED COVERED BY INSURANCE

FURTHER DETAILS OF COMPLAINT: (Also itemize, describe and give value of each article taken)

DESCRIPTION	VALUE
1 - Woman's YG signet ring w/initial "B" on setting	\$20.00
1 - Woman's sterling silver solid bracelet-- $\frac{1}{2}$ " wide--no design--engraved "To Mother from Jane" on inside	40.00
1 - 19" platinum link chain necklace set with 100 10-point diamonds (rose shaped)--also set with 25 emeralds in "V" formation	1300.00
1 - Woman's platinum case Waltman wrist watch set with 50 10-point diamonds--Swiss movement--Case and ser. numbers unk	250.00

Victim advised to make a supplementary report indicating Waltman wrist watch ser. numbers.

APPROVED BY: Sgt. Sage # 7777 SIGNATURE: Ben Cleaned TOTAL VALUE: \$1610.00

IF ADDITIONAL SPACE IS REQUIRED, USE CONTINUATION REPORT, FORM NO. 15.9.

Checked by

- c. Schools and societies (fraternities, sororities, nurses).
- d. Patriotic, military.
- e. Commercial (Douglas, Lockheed, Ford, etc.)
- f. Foreign (family crests, etc.)
- 10. Design: Rings and pins (friendship, clasped hands, flowers, torches, hearts, skull and cross bones, animal heads, snakes, dogs, horses, etc.)
- 11. Descriptive characteristics peculiar to certain types of jewelry:
 - a. Rings: Man's, woman's, or child's; band, coin, engraved, or filigree.
 - b. Watches: Make (Elgin, Hamilton, Waltham, etc.), movement (Swiss), movement number, case number, type of case (open-faced, or hunting, etc.), number of adjustments, plain, engraved or set with stones, chain attached, type (pendant, lapel, wrist, pocket, ring), number of jewels.
 - c. Necklaces: Length—number, kind, and color of strands or chain—setting (plain or filigree), clasp.
 - d. Pendants: Stringing (chain, ribbon, cord; color and type), filigree or plain.
 - e. Brooches and bar pins: Plain, engraved, or filigree; safety clasp.
 - f. Stick pins: Plain or filigree, safety clasp.

- g. Bracelets: Width, type (link, solid, flexible, or half-clasp); safety chain or clasp; filigree or plain.
- h. Earrings: Type (screw, clasp, or pierce), length.

Stolen Property Files also contain index cards on the following: Badges, buckles, card cases, charms, clips and clasps, compacts, crosses, cuff links and studs, jewel cases, locket, pins, etc. An officer should assist the victim in the description of jewelry by pointing out and explaining the above factors as they apply to the stolen article. In some cases a victim cannot accurately describe jewelry at the time the report is taken. In such a case he should be instructed to make a supplementary report as soon as the information is available.

Acknowledgments

Material used in writing this chapter was submitted by Mrs. Gladys Lund, Principal Clerk, Crime Reports Section, Records and Identification Division; Capt. Ed Walker, Commander, and Lt. Frank Cunningham, Records and Identification Division; Capt. Warren M. Stilson, Commander, Burglary and Pawnshop Division.

Sickness or Injury Reporting

How to Report Sickness or Injury

Not Incurred in Line of Duty

THE FOLLOWING material summarizes the legal provisions and departmental procedure to be followed in cases of sickness or injury not incurred in line of duty, and sick leave for illness or death in the family. The next bulletin will treat "Injured on duty" status. An officer must comply with required procedures in reporting off-duty-sick to protect his status and to enable his division to anticipate his absence in man power deployment.

Sick Time

Immediately after an officer starts employment, he is entitled to 14 days "sick time" at full pay. On the first day of January of each succeeding year he is entitled to an additional 14 days. Any unused "sick time" accumulates to a maximum of 100 days. An officer is also entitled to an additional 16 "sick days" a year at 65 per cent of his base pay. These partial-pay "sick days" are non-cumulative if not used during the current year. Thus, it is possible for an officer who has taken little or no "sick time" during a period of more than seven years to remain on the payroll for a maximum of 130 days during an off-duty illness or injury occurring after that time.

Reporting Off-Duty Sick

It is solely the responsibility of the officer who becomes ill to make the required notifications. He must notify his watch commander and the Receiving Hospital. Should an illness or injury occur between the hours 8:00 A.M. and 4:00 P.M. while an officer is off-watch, he shall report in person to the Receiving Hospital unless his condition makes it impracticable. Officers residing

in the metropolitan area must report to the Georgia Street Receiving Hospital. Officers residing in the Valley, West Los Angeles, Venice, or Harbor Divisions may report to the Police Surgeons designated in those areas.

Between the hours 4:00 P.M. and 8:00 A.M., the officer shall make a telephonic notification to the Police and Fire Desk of the Georgia Street Receiving Hospital, Sta. 2335. The telephone at this desk is in operation on a 24 hour basis. The officer shall report his name, rank, serial number, division of assignment, home address and telephone number, and the nature of his illness or injury. Following this telephonic report, the officer shall report in person to the Receiving Hospital after 8:00 A.M. unless his physical condition makes it impracticable. If an officer is unable to complete a Sick or Injury Report, Form 1.30 (), at the station before going off duty, it will be made at the time of the first sick visit.

Sick Visit

A sick visit will ordinarily be made by a supervisor from the division in which the officer resides. If the Sick or Injury Report, form 1.30, is made at this time, the officer will sign the original and six report blanks. If the sick officer is physically unable to make and sign the report, the visiting supervisor shall complete the report from information available and indicate that the officer was unable to sign. A sick visit will also be made every seven days thereafter unless the Medical Records Section, Personnel Division, makes an exception. In addition to stating where he is at the time of reporting off-duty due to sickness or injury, an officer shall keep his watch commander informed as to where he may be located at any time during such absence.

SO HERE YOU ARE, AND SKIP THE SALUTING!

♪ DON'T YOU REALIZE THAT WE'VE MISSED YOU TERRIBLY AND THAT WERE ALMOST GRAY WONDERING WHAT HAPPENED TO YOU? ♪

BUT LISTEN, APATHY, YOU'VE GOTTA REMEMBER THAT WE'VE GOT A POLICY REGARDING SICKNESS!

IT IS YOUR RESPONSIBILITY TO MAKE THE REQUIRED NOTIFICATIONS. CALL YOUR DIVISION - REPORT IN PERSON TO THE RECEIVING HOSPITAL BETWEEN 8 AM & 4 PM OR CALL THE POLICE & FIRE DESK STA-7335 WHICH OPERATES 24 HOURS.

AND BEFORE RETURNING TO DUTY YOU MUST BE EXAMINED BY THE POLICE SURGEON AND IF HE GIVES YOU A RETURN TO DUTY SLIP-FORM 1-79-TAKE IT TO YOUR WATCH COMMANDER BEFORE YOU REPORT FOR DUTY.



In no event shall an officer absent himself from the city while off-duty due to sickness or injury without first obtaining permission from the Commander of the Personnel Division. A request for such permission must be accompanied by a letter of recommendation from the Police Surgeon or the officer's private physician.

Police Surgeon

Physicians at the Georgia Street Receiving Hospital and the Los Angeles City Branch Receiving Hospitals at the Valley, West Los Angeles, and Harbor Divisions are Police Surgeons under the direction of the Chief Police Surgeon. "Police Surgeon" as used in this and succeeding bulletins refers to the Chief Police Surgeon or any Police Surgeon.

Return to Duty

Before returning to duty, an officer must be examined by the Police Surgeon. This examination may be obtained at the Georgia Street Receiving Hospital between the hours 8:00 A.M. and 4:00 P.M. or, in the case of officers residing in the Valley, West Los Angeles, Venice, or Harbor Divisions, they may obtain the examination from the Police Surgeon designated in their respective divisions between the hours 10:00 A.M.

and 4:00 P.M. If the officer is fit for duty, he is given a Return to Duty Slip, form 1.29, signed by the Police Surgeon. This form must be taken by the officer to his division of assignment *before* he reports for duty.

Leave of Absence for Illness or Death in the Family

An officer who is absent from work because of illness, injury, or death of a member of his immediate family (father, mother, brother, sister, spouse, or child) may take a leave of absence with full pay for not to exceed five working days in any one calendar year. Subject to review by the Commander of the Personnel Division, it is within the discretion of the officer's division commander to approve or disapprove this leave, dependent upon the circumstances. An officer shall attach documentary evidence of death or illness in the family to a Request for Leave of Absence, form 1.36, addressed to his division commander. Such evidence may be in the form of a doctor's certificate showing the nature and extent of injury or illness sufficient to justify the officer's absence, or documentary proof of the occurrence of a death in the family. All such absences are deducted from the officer's "sick time" credits.

Incurred on Duty

These paragraphs distinguish between "Injured on Duty" and "Non-Injured on Duty" status and indicate a general procedure for reporting "IOD." The terms "injured" and "sick" are synonymous. It is essential that an officer injured on duty complete a Sick or Injury Report, Form 1.30 (), immediately. The report should be made even in cases of slight injury when the officer is not relieved of duty. There may be a need for this information to substantiate a later claim for "IOD" or disability pension arising out of a past injury. An "IOD" status is granted upon the basis of the facts contained in the report and the medical examination by a Police Surgeon. Reports of private physicians are not acceptable to substantiate "IOD" claims.

Compensation

An officer receives full pay while on "IOD" status, but in no event may he be so carried for more than one year in the aggregate for any one injury. The Police Surgeon will furnish all necessary medical and hospital care for officers who become ill or are injured in line of duty. At the discretion of the Police Surgeon, officers on "IOD" may be sent to outside specialists at city expense. After examination by the Police Surgeon, an officer may consult a private physician at his own expense. The Police Surgeon determines if the officer is fit to return to duty; and if, at any time before the expiration of the year, the Police Surgeon determines that the officer cannot be rehabilitated to return to duty, he so notifies the Chief of Police. The case will then be prepared by the Medical Section of the Personnel Division and presented to the Pension Commission.

Eligibility

To qualify for an "IOD" status it must be shown that the injury or illness was incurred in line of duty and that the officer was acting within the scope of his employment. Scope of employment must be determined by the facts of the individual case. If the officer was engaged in an activity reasonably related to the performance of the official business of the department, he is considered to be acting within the scope of his

employment. Officers are not acting within the scope of their employment when transacting personal errands, while en route to and from work, to and from meals, etc. Such acts have no relationship to the officer's employment. The following are examples of "IOD" and "non-IOD" status:

1. "*Non-IOD*"—An officer driving a private automobile to his division of assignment to report for duty is involved in a collision and injured. He would be carried on the payroll as "sick" and the days off-duty would be deducted from his sick time.
2. "*Non-IOD*"—A policeman attacked by an acute case of appendicitis while on duty may be taken to the Police Surgeon for a diagnosis but is not entitled to an "IOD" status unless there is a causal connection between his present illness and his official duties. In most cases appendicitis is not traumatic (caused by wound or injury) in origin and therefore is not considered as having been incurred in line of duty.
3. "*IOD*"—An officer had been working on a stakeout during the early morning hours and had been standing in the rain several hours. He had worked five hours overtime in wet clothing. He reported for duty the following day and was observed to be suffering from a head cold and a severe cough. He completed his tour of duty that night and the following morning called off-duty sick. Two days later he developed virus pneumonia. In this case, the officer is entitled to "IOD" status, provided he makes the proper notifications and report.
4. "*IOD*"—A Traffic Enforcement Officer operating an assigned city motorcycle to and from work, court, etc. has an "on duty" status if he assumes a route generally bearing toward these locations.

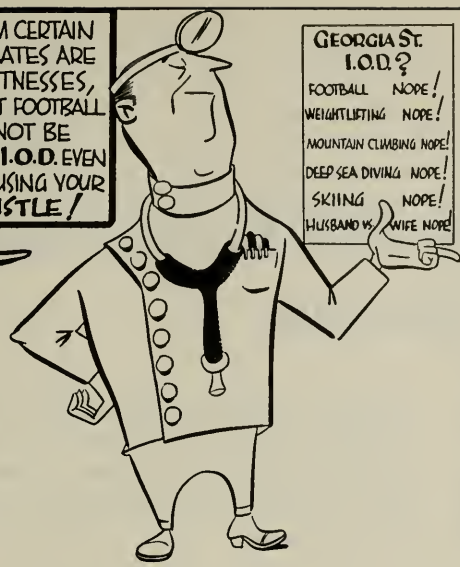
Departmental Athletic Activities

"IOD" status will be granted for an injury sustained while an officer is participating in any departmentally-sponsored, athletic activity, subject to the following conditions:

1. Any departmentally-sponsored, athletic activity must be approved by the Director of

YES, APATHY, I'M CERTAIN YOUR PLAYMATES ARE RELIABLE WITNESSES, BUT SANDLOT FOOTBALL INJURIES CANNOT BE CONSIDERED I.O.D. EVEN IF YOU WERE USING YOUR POLICE WHISTLE!

GEORGIA ST. I.O.D.?
 FOOTBALL NOPE!
 WEIGHTLIFTING NOPE!
 MOUNTAIN CLIMBING NOPE!
 DEEP SEA DIVING NOPE!
 SKIING NOPE!
 HUSBAND VS. WIFE NOPE!



Jedrick

the Personnel and Training Bureau. Football and weight lifting activities are not approved.

2. Before participating in any individual athletic activity at the Police Academy, officers shall sign the Athletic Activity Register, Form 13.14 ().
3. Prior to participating in any team games or practice, players must have their names entered on a Team Athletic Activity Report, Form 13.13 ().
4. There must be an immediate examination by the Police Surgeon.
5. A Sick or Injury Report, Form 1.30 (), must be completed by the officer. Four copies of the Receiving Hospital Treatment Card, Form 338 (), must be attached.

Reports

Before an officer may be granted "IOD," he must complete Form 1.30 (), giving a brief statement of the facts leading to the injury, particularly as to who, why, what, when, where, and how. He must be examined and his condition must be diagnosed by the Police Surgeon, who has the final authority in determining an officer's medical status. Whenever an officer is injured and is treated at the Receiving Hospital or branch, regardless of whether or not his injury requires his relief from duty, he shall attach the required

four copies of Receiving Hospital Treatment Card, Form 338 (), to the completed Form 1.30 (). In the event there are witnesses to the injury, they shall set forth their observations on a Form 15.7 ().

Examinations—Return to Duty

While officers may receive treatment from the Police Surgeons at the Valley, West Los Angeles, and Harbor Branch Receiving Hospitals in the case of *minor* injuries, "IOD" approval of their cases can be given only by the Police Surgeon at Georgia Street Receiving Hospital. Returns to duty may be obtained at these branch Receiving Hospitals unless treatment was obtained at Georgia Street Receiving Hospital. Clinical treatment may be received at the three branches listed above between the hours 10:00 A.M. and 4:00 P.M. The schedule at Georgia Street Receiving Hospital is as follows: Consultation with Police Surgeon, 10:00 A.M. to 2:00 P.M.; X-ray and laboratory work, 12:00 Noon to 2:00 P.M. (these treatments are not available at branch Receiving Hospitals); return to duty examinations, 8:00 A.M. to 4:00 P.M.

Acknowledgments

Material used in writing this chapter was submitted by Sgts. Joe Whitehead and Robert E. Burke, Medical Records Section, Personnel Division.

Lie Detector Tests and Preliminary Investigation

Lie Detector Tests and Preliminary Interrogations

THE SIGNIFICANCE and usefulness of the lie detector are almost universally misunderstood. There are many who regard it as a myth while others assume that it is an incredible instrument which will flash a light or ring a bell whenever a lie is told. Both are wrong. There is no machine capable of detecting lies, but there is a device which can record the symptoms of lying. An expert can read and interpret this record with amazing accuracy.

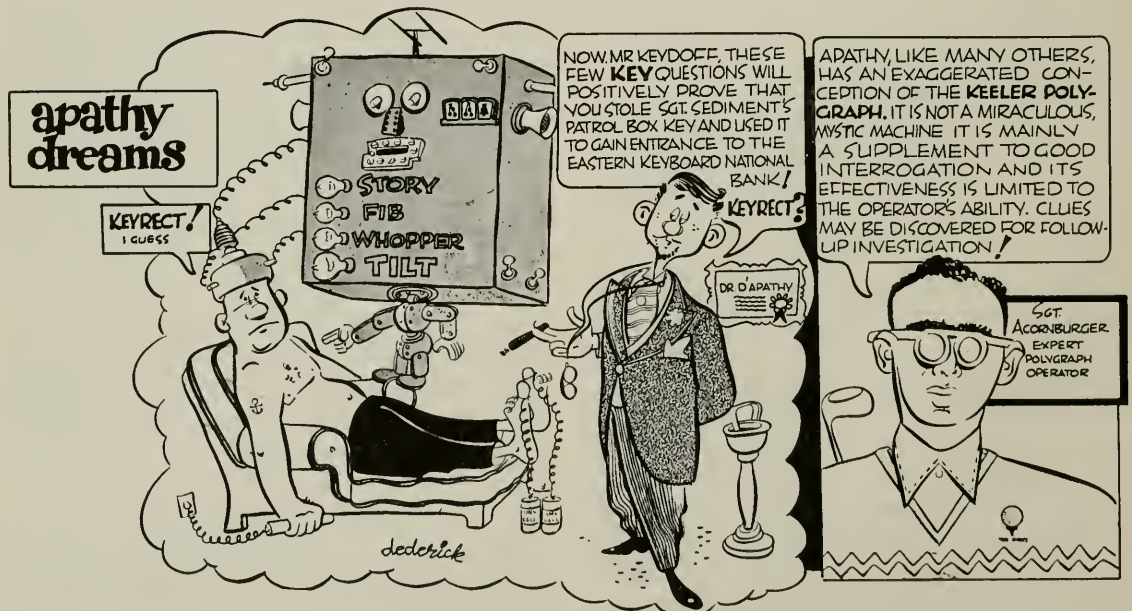
When questioned about a *publicized* fact of a crime, both an innocent and a guilty person may become emotionally disturbed and react similarly. The innocent person is disturbed because he *knows* the question is related to the crime;

the guilty person reacts because of a fear of detection. Therefore, certain facts upon which "KEY" questions may be based should be withheld from the suspect's knowledge prior to the lie detector test.

Lie Detector

The lie detector used by this Department is the Keeler Polygraph. This device consists of three instruments which record the subject's respiratory movement, his pulse rate and blood pressure, and the reflex activity of his sweat glands.¹ These recordings indicate internal body changes which are not outwardly apparent. The results are not valid unless the experiment has

¹ The Pneumograph, Cardio-Sphygmomanometer, and Galvanograph.



been conducted by a competent operator who has been supplied with "KEY" information not previously discussed with the suspect. By asking questions not pertinent to the crime, the operator is able to determine the suspect's norm reaction relative to the situation. In answering a "KEY" question, it is the deviation from a normal reaction which may indicate a suspect's guilty knowledge.

Interrogation and "Key" Questions

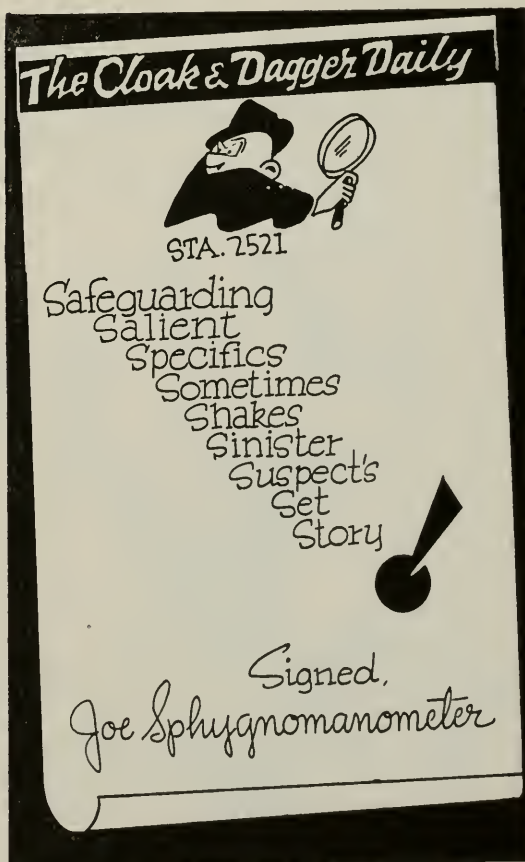
Facts incidental to a crime can be withheld from a suspect without hampering the preliminary interrogation. In the following burglary-rape case, a proper interrogation might be conducted without calling many of the details of the crime to the suspect's attention. A man entered a bedroom through an open window. From a top dresser drawer he removed a black metal case containing \$42 and a lady's gold wrist watch. He then approached an eighteen-year-old girl who was asleep in bed. After a struggle in which he bound her with certain undergarments, he committed rape. He then went to the kitchen and removed a quart of chocolate milk and a piece of cherry pie from a small white ice box. He ate half the pie, drank half the milk, and left the remainder on a white enamel table. He then forced the lock and left by the back door. Shortly after the crime, he was apprehended in the vicinity by patrol officers.

Any fact related to the means of entry, property taken, force used to commit the crime, evidence left at the scene, unusual acts of the suspect, and the means of exit would serve as the basis for "KEY" questions if the lie detector were used. In the preliminary interrogation, without disclosing the exact nature of the property taken, the suspect could be questioned about the burglary. He could be questioned about the forcible rape but the *particular articles of underclothing* with which the victim was bound need not be mentioned.

Investigation and the Lie Detector

All facts and statements of a defendant should be checked for authenticity before arrangements are made to administer the lie detector test. For example, an alibi that the suspect was at a given

location when the crime occurred should be verified by the investigator before arrangements are made for the lie detector test. It is not the purpose of a lie detector to verify or dispose facts, but to show that the defendant probably has a guilty knowledge of the crime. A suspect who might otherwise be prosecuted on circumstantial evidence may be released as the result of lie detector tests. Recently a robbery victim identified a suspect from a "mug" file. Later this suspect was apprehended by the police and "positively" identified by the victim. The suspect, who submitted to a lie detector test, was questioned regarding the amount and the denominations of money that was taken in the robbery. He was released after lie detector test results showed that the suspect had no guilty knowledge of the crime. The initial test results were verified when other suspects, who were later apprehended, admitted commission of the crime.



Initial Interrogation

From the moment a suspect is apprehended and through all preliminary interrogations, it should be considered that the lie detector might be used. The lie detector is merely a supplement to good interrogation. The purpose of using this instrument is to show probable innocence of a

suspect or his guilty knowledge and to provide a basis for additional interrogation and investigation.

Acknowledgments

Material used in writing this chapter was submitted by Lt. Leland V. Jones, Commander, and Sgt. O. K. Burger, Scientific Investigation Division; Sgt. John Powers, Robbery Division.

Evidence

How to Preserve Evidence at the Scene of a Crime

THE ACTIONS of the first officers at the scene of a crime can contribute materially to the apprehension and prosecution of the person committing that crime. There have been instances where curious onlookers, newsmen, and officers have unwittingly moved a body or evidence, destroyed footprints in soft ground, obliterated shoe and heelprints on hard surfaces, smudged fingerprints, etc. The officers who arrive first at the scene should make it their responsibility to determine where possible evidence might be

found and to prevent anyone from destroying that evidence.

Physical Evidence—What to Look for

Anything which might lead to the identification of the perpetrator of a crime, or to the manner in which the crime was committed, is physical evidence. The circumstances of the case will determine just what might be included as evidence. The following items are often important:

1. Fingerprints, footprints, tire tracks.
2. Tools, traces of tools.



3. Weapons, shells, bullets.
4. Personal property, clothing.
5. Broken headlamp glass.
6. Narcotics.
7. Blood, hairs, seminal stains.
8. Toothmarks on discarded foodstuffs.
9. Handwriting.

Any objects or substances may become valuable as physical evidence under the following conditions:

1. Matter otherwise common and widespread that has some individual or characteristic feature. EXAMPLE: A heelprint with accidental notches and grooves.
2. Matter which is uncommon or sparsely distributed. EXAMPLE: A rare pollen or a certain type of soil, peculiar to the scene of a crime, found on the clothing of a suspect away from the scene.
3. Matter, even though common, found in unexpected places. EXAMPLE: A crowbar or sledge hammer found in a bank after a burglary.
4. A number of individual observations, although singly of low evidential value, all pointing to the same conclusion. EXAMPLE: Cigarette butts, hair specimens, clothing threads, etc.

Latent Traces

An officer should bear in mind that possible latent or microscopic traces might exist in conjunction with lethal weapons, burglary tools, etc. A latent print on a weapon is often more important than the weapon itself. Any officer assigned to a preliminary investigation at the scene of a crime shall search for physical evidence. If the nature of the crime is such that uncommon types of latent or of microscopic evidence may be present, the assistance of detectives shall be requested.¹

When an officer at the scene of a crime observes objects having hard, non-absorbent surfaces such as glass, porcelain, enamel, bright metal, polished woodwork, or semi-absorbent surfaces such as paper, cardboard, wood (undersurfaces of windowsills), he should attempt to

¹ *Manual of Police Procedure*, Detective, Chap. 2, Sec. 42(d).

learn whether or not they have been touched by a suspect. The officer may determine this from an examination of a suspect's point of entry and by asking the victim which articles he saw the suspect touch, or what has been moved or thrown about by an unseen suspect. If there is a possibility that latent fingerprints may exist on certain articles at the scene, the officer should advise the victim to isolate those articles and should arrange for a fingerprint examination by the Latent Fingerprint Section.

Continuity of Evidence

To avoid a lengthy chain of continuity, the officer first observing evidence should book it after the preliminary investigation. The evidence should be booked to the defendant or, if there is no defendant, to the victim to facilitate its location by name. Detectives who make the preliminary investigation in major crimes (homicide, safe burglaries, burglaries over \$5,000, and other crimes coupled with an aggravated assault, etc.) will book the evidence. *In these instances, the officer should not touch or move any evidence, but should preserve the scene pending arrival of the detectives.* If certain physical evidence is given to the officer by another person, the officer should record in his notebook from whom, where, and when it was received, and to whom he delivered it.

Preventing Destruction of Evidence at the Scene of a Crime

The officer who arrives first at the scene of a crime may best contribute to the preservation of any possible physical evidence by recognizing it and protecting it from contamination, obliteration, or alteration while it is in his custody. Damage or contamination of evidence may prevent proper analysis and subsequent introduction in court.

Any officer at the scene of a crime shall safeguard potential evidence, protect it, and prevent handling of it until it is released to investigators or specialists. Every effort shall be made to prevent the contamination or alteration of evidence. The officer in charge at the scene of a crime shall exclude all persons not engaged in the

investigation from the area where evidence would most likely be found.²

One officer of the police unit to arrive first at the scene of a major crime should exclude onlookers, newspaper men, and other officers not actively engaged in the investigation. This may be accomplished easily by standing at the door of the structure in which the crime occurred. The other officer should immediately notify divisional detectives. To prevent the destruction of possible latent fingerprints, the officer should use a telephone other than the one at the scene of the crime, or summon the detectives by radio. A uniformed officer should not admit newsmen to the scene but should refer them to the detectives. Suspects or witnesses should be taken from the immediate vicinity of the crime—into another room when possible. An officer should always be present to prevent them from comparing stories.

The officers should determine where possible evidence may be found and prevent anyone from destroying it. Onlookers should not be permitted in areas adjacent to the scene of a crime because of possible identifying footprints in the soft ground outside an open window, bloodstains on the sidewalk, etc. No officer at the scene should touch or alter the position of a body or other physical evidence until after it has been measured and photographed. When a body or other evidence has moved, it might never be restored to its original position.

Duties of Other Field Units

Other radio units should search the area for possible suspects instead of going to or staying at the scene of a crime when no further assistance is required.

Marking of Physical Evidence

All physical evidence which does not possess identifying numbers must be marked by the officer in such a way that he will be able to positively identify it at a later date. Large objects such as clothing, tools, bottles, and clubs do not present a problem in this regard. Marks should not be made on the front of coats or shirts or on sleeves or cuffs. The use of an "X" as an identi-

² *Manual of Police Procedure, Detective, Chap. 2, Sec. 42.*

fying mark is unsatisfactory as such a mark is easily reproduced on a substitute object. The officer's initials, plus, where space permits, the date of discovery, are excellent identifying marks. Markings should be as small as possible. A notebook memorandum should be kept concerning the date, time, and place found, parties present, gun numbers, identifying marks, etc. Fired shell cases should be marked on the inside of the open end. If the opening has been crimped or is too small, the case should be marked on the outside near the open end.

Marking Bullets

A "story" is often impressed on the nose of an expended bullet. After a bullet has passed through a victim's clothing, identifiable cloth mesh marks are sometimes found on the bullet nose. It is not uncommon for a bullet, on striking or ricocheting from some surfaces, to "pick up" bits of that material on the nose of the bullet. This Department has a case on record where a particle of rock picked up in a ricochet was an important link in the evidence of the case. A bullet should be marked on the base to prevent destruction of this evidence. Impressions in the side of the bullet are made by the lands and grooves of the gun barrel. These impressions provide the basis for identifying a bullet with the gun from which it was fired.

Preserving Minute Evidence

Small bits of physical evidence, such as fingernail cleanings, hairs, paint scrapings, etc., which cannot be marked, should be placed in a paper bindle, envelope, or glass vial, and the containers marked with the name of the finder, where found, when found, nature of the crime, etc. Narcotics evidence must be sealed with sealing wax in which the imprint of the right thumb of the officer sealing the package must be placed.³

Preservation of Physical Evidence

Physical evidence may be presented in court most effectively if it has been properly handled and preserved. A scientific analysis of physical

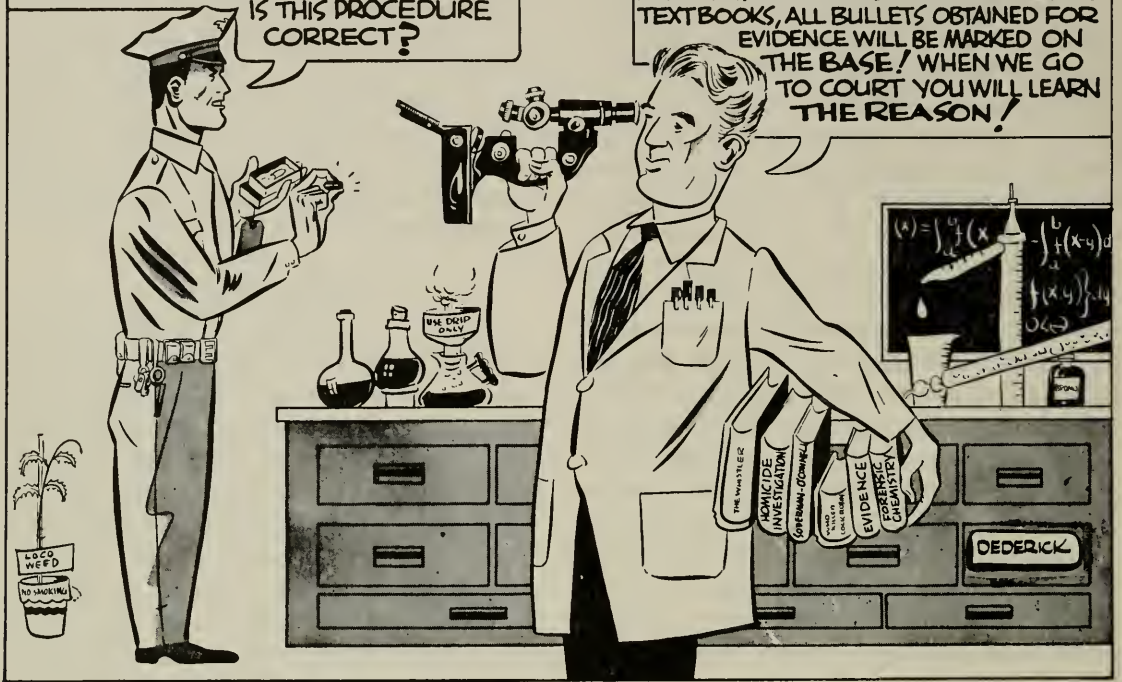
³ *Manual of Police Procedure, Detective, Chap. 2, Sec. 42(i).*

LIEUT. KRIMELAB, I FOUND TWO BULLETS AT THE SCENE OF THE HOMICIDE. AS THESE MAY BE THE CAUSE OF THE DEATHS I SCRATCHED MY INITIALS ON THE BASE OF EACH BULLET AND DESIGNATED EACH BY USING ROMAN NUMERALS I & II

IS THIS PROCEDURE CORRECT?

AH, IS THAT YOU OFFICER SHARP?

YES, YOUR PROCEDURE IS ABSOLUTELY CORRECT! WE WANT IT UNDERSTOOD ONCE AND FOR ALL THAT DESPITE CONFLICTING PROCEDURES FOUND IN VARIOUS TEXTBOOKS, ALL BULLETS OBTAINED FOR EVIDENCE WILL BE MARKED ON THE BASE! WHEN WE GO TO COURT YOU WILL LEARN THE REASON!



evidence which has been altered or contaminated may be impossible, or the conclusions drawn from such an analysis may be erroneous or invalid.

Every effort should be made to protect and preserve physical evidence in its original form and condition. In cases warranting an "on-the-scene" investigation by divisional detectives, the uniformed officer *should not attempt to touch or move any physical evidence* until the detectives complete their investigation.

Fabrics: Wet blood, semen, and chemical stains on bedding, clothing, etc. should be permitted to dry at room temperatures before packaging. Clothing containing semen or blood stains should be carefully folded and wrapped in clean paper so there will be no frictional rubbing to destroy the identifying characteristics of this evidence.

Spatter stains: Spatter stains of blood on walls and furniture should not be removed until examined by a laboratory technician.

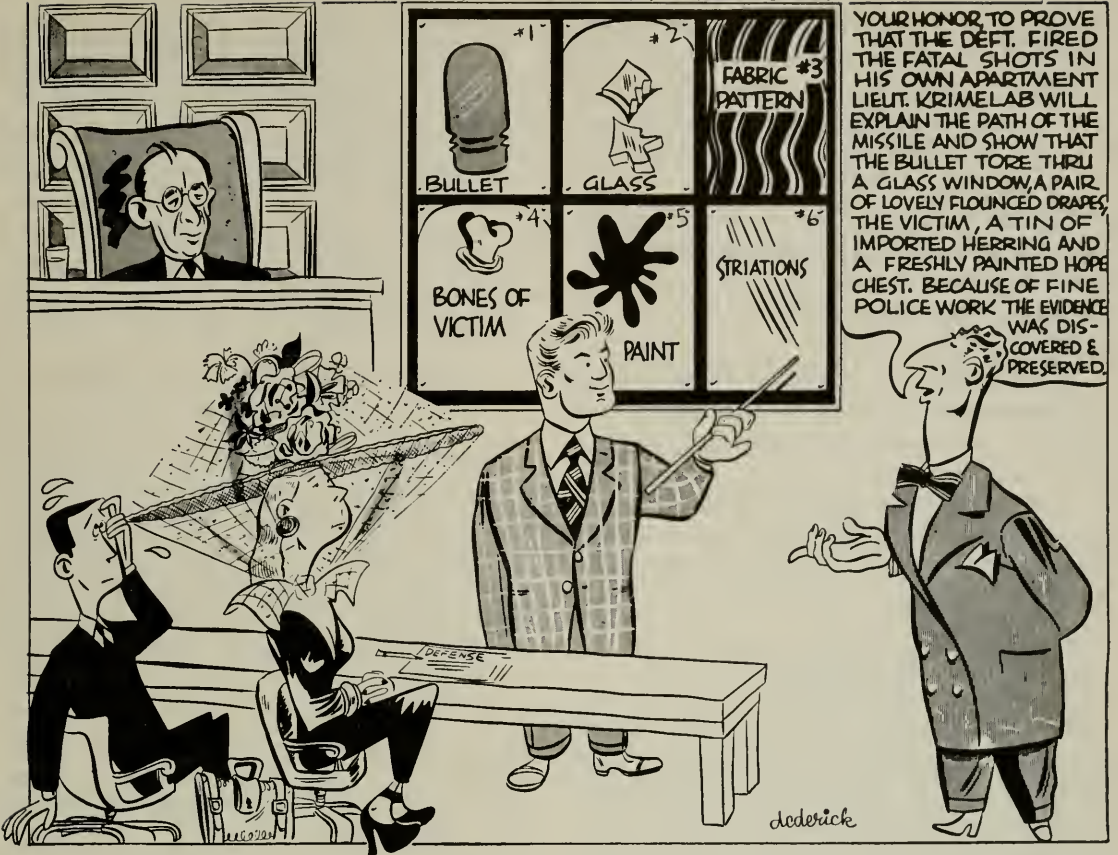
Separate packaging: Contamination of evi-

dence should be prevented by always separately packaging objects to be compared. For example, in forwarding evidence for comparison, a knife which is to be examined for traces of copper screen wire should not be placed in the same envelope with samples of the copper screen wire. The officer at the scene should not attempt to fit a "jimmy" into a tool mark for comparison. Refitting a burglary tool into a tool mark renders valid photographic comparison of the tool and its mark impossible.

Returning suspect to the scene: A suspect should not be permitted to walk in or about the scene of a crime where fingerprints or footprints may be present until a thorough search has been made for such evidence. Neither should a suspect be taken to the scene of a crime wearing clothing which might contain dirt, dust, and debris pertinent to the crime.⁴ Such a deviation from procedure may make it impossible to link the

⁴ *Manual of Police Procedure, Detective, Chap. 2, Sec. 42.*

MICROSCOPIC ENLARGEMENTS OF NOSE OF BULLET



suspect with the scene at the time the crime was committed.

Perishable evidence: So that it may be kept under refrigeration until necessary casts are made, perishable evidence, such as a half-eaten apple indicating tooth marks or a wax candlestick bearing chance imprints, should be booked directly at the Crime Laboratory. The uniformed officers should advise the detectives without delay of the existence of any perishable evidence at the scene of a major crime. The Business Office Division should be advised in the event such evidence is discovered during night or morning watches. This division will, in turn, summon a laboratory technician.

How to Look for Latent Fingerprints

These instructions present general procedures concerning latent fingerprints, How to arrange for fingerprint investigation, and What to advise the victim regarding fingerprints.

The value of latent fingerprints at the scene of a crime, their preservation, and development cannot be over-emphasized. Latent means "hidden" but it also denotes something which is hidden yet capable of being developed or rendered *visible*. Development of latent prints depends upon the nature of the surface on which they have been left. Latent prints *may not* generally be developed from a surface which is rough or has a texture approaching the size of the fingerprint ridge characteristics—coarse weave of cloth, checkered pistol grips, etc. Latent prints are usually thought of only in connection with burglaries. However, it is possible that suspect may leave prints in the perpetration of any crime.

Objects upon Which a Suspect May Leave Latent Fingerprints

The uniformed officer should check to see whether or not there are any of the following articles which a suspect may have touched.

1. Objects with hard, non-absorbent surfaces, such as glass, porcelain, enameled surfaces, bright metal, and polished woodwork.
2. Objects with semi-absorbent surfaces, such as paper, cardboard, wood (under-surfaces of windowsills, table tops, bureau drawers, boxes, etc.)

This may be determined by asking the victim what has been moved, or by noting those objects which have been thrown about by a suspect in ransacking the property attacked.

Preservation of Latent Fingerprints

Whenever the possibility of latent fingerprints exists, i.e., where there are objects upon which a suspect may have left prints, the officer should not attempt to verify the fact that latent traces do exist by handling objects at the scene, but should arrange for an investigation by the Latent Fingerprint Section.

Latent Fingerprints in Recovered Automobiles

Recovered automobiles often contain identifiable latent fingerprints left by a suspect. Such fingerprints are usually found on rear and side-view mirrors, windshield and side window glass, dashboard, glove compartment door, chrome-work on the steering wheel, and on the clean, bright, outer, painted surfaces around the door nearest the driver's seat. Uniformed officers impounding a recovered car should request a "hold for prints" in the following instances:

1. When the car is wanted in connection with another felony.
2. When the car has been stripped.
3. When there is a known suspect whose fingerprints can be compared.
4. Whenever conditions are favorable for obtaining latent fingerprints.

When an automobile is held for prints, the impounding officers should clearly instruct the tow truck operator to stay out of the vehicle and to tag it "hold for prints." The officers should exercise caution in "shaking down" the car and refrain from touching any surface capable of retaining latent fingerprints. The officers should also advise the Latent Fingerprint Section of the impound DR number and request that they make a fingerprint investigation on the car.

Single Print File

Ninety-five per cent of the latent prints found at the scene of a crime are made by either the thumb, or the index, or middle fingers of the right or left hands, or combinations thereof. For this reason the "mug room" takes a set of single prints (Form 5.11) () for these fingers on major felony arrests, sex crimes (male), and petty thefts with a priori. These single prints are also printed in outlying divisions at time of "mugging" a suspect.

How to Arrange for Fingerprint Investigation

Do not request fingerprint investigation by radio. An officer in the field may make all necessary notifications through one telephone call, transferring from station to station. First, obtain a DR number from the Records & Identification Division, Sta. 2661. Current procedure provides that DR numbers will be issued to field officers for this purpose. The call should then be transferred to Latent Fingerprint Section, Sta. 2557, advising them of the DR number, so that a photo identification tab may be prepared by the fingerprint man before he photographs fingerprints at the scene. Explain the details of the scene, so that the investigator will know what to expect, and so that he may establish the priority of the call. Fingerprint investigation should be requested *from the scene* immediately after secur-



ing the DR number. The fingerprint field man operates over the entire metropolitan area and he may be in the vicinity at the time. Radio crews of WLA, Harbor, Venice, and Valley should call their respective divisional detectives for fingerprint investigation. A delayed call might necessitate another trip for the fingerprint man.

What to Tell Victim

When in the officer's opinion there are possible latent traces, he should advise the victim that there *may be* fingerprints, so that he will not smudge or destroy them. He should not tell him there *are* prints—should it develop they are not identifiable it might appear there is conflict between the uniformed officer's opinion and that of the investigator. Clothing which may have been thrown about by a burglar will yield no latent fingerprints and need not be isolated for the fingerprint investigator. The officer should not advise the victim of the hour the investigator will appear; the investigator may be delayed.

Footprints—Tire Tracks

Casts of footprints, shoeprints, and tire tracks in soft earth are also developed by the Latent Fingerprint Section. Hard surface prints (dust heel prints on furniture, etc.) are handled by the

Photo Section, Sta. 2759. In instances where these traces are observed at the scene, it is of prime importance that the first officer on the scene preserve the evidence by isolating that area.

Responsibility for Fingerprint Investigation

In the final analysis, it is the judgment of the field officer that governs whether or not a latent print investigation shall be made. It is the responsibility of the officer to determine from a survey of the scene of the crime whether a further investigation is warranted. If there is a possibility that latent traces may be developed, it should not be overlooked.

Acknowledgments

Material used in writing this chapter was submitted by Mr. Ray H. Pinker, Chief Forensic Chemist, Scientific Investigation Division; Mr. Leonard Husar, Deputy City Attorney, Public Liability Division; Mr. Bertram E. Morse, Department of Animal Regulation; Deputy Chief Thad E. Brown, Director, Patrol Bureau; Capt. Charles R. Mesloh, Commander, Hollenbeck Division; Capt. Floyd A. Hays, Commander, University Division; Capt. Basil Starkey, Harbor Division; Lt. Robert A. Lohrman, Homicide Division; Lt. Leland V. Jones, Commander, and Sgt. Frank L. Ireland, Scientific Investigation Division; Sgt. Harland M. Stahl, Latent Fingerprint Section; Sgt. Merrill Duncan, Training Division.

The Use and Care of Firearms

How to Prepare the Shotgun for Use

IT IS OUR purpose to further acquaint the officer with the *Remington Model 31 12-Ga. Cylinder Bore Shotgun*,¹ by outlining procedures for loading and unloading the weapon and checking it for ammunition or obstructions. Subsequent lessons will cover the use of the safety, the care of the weapon, and the fire power and shot spread characteristics of the weapon. The nomenclature presented here is confined to those parts which are activated in loading and unloading.

Both the *Winchester Model 97* and the *Remington Model 31* shotguns are included among the various types of special weapons equipment in the geographical divisions. Since the *Remington Model 31 Shotgun* will soon be the only shotgun of this type in use by this Department, no attention is given here to any other model.

Nomenclature—Remington Model 31 12-Ga. Cylinder Bore Shotgun

1. *The safety* is a push type pin located at the rear of the trigger guard.
2. *The action release* is the triangular lever located at the right side of the forward end of the trigger guard.

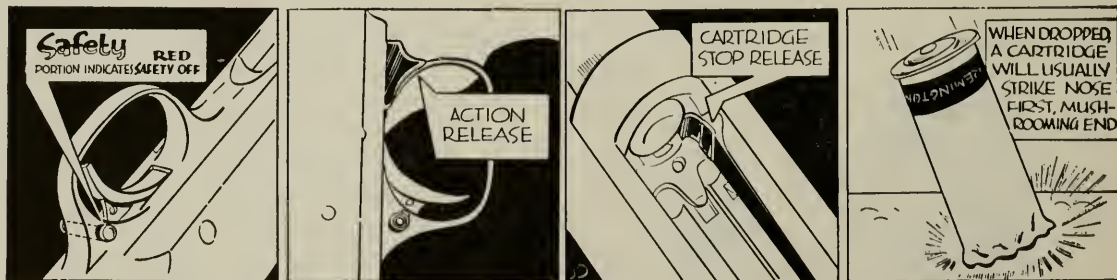
¹ War Dept. Tech. Manual "Shotguns, All Types," TM 9-285 (1942), pp. 137 to 160.

3. *The magazine*, which holds four rounds of ammunition, is the metallic tube located beneath the barrel.
4. *The magazine follower*, a smooth metal cap, is located in the magazine, and is under spring tension.
5. *The receiver* is that metallic portion of the gun, exclusive of the barrel and magazine, which contains the apertures for receiving and ejecting shells.
6. *The loading throat* is the aperture located on the underside of the receiver.
7. *The cartridge stop and release* is located adjacent to the magazine follower on the lower left inside portion of the receiver.
8. *The slide action handle* is the wooden grip assembled around the magazine.

Checking for Ammunition or Obstructions

Is the gun loaded? Is it free from obstructions? Is the safety on? When an officer picks up a shotgun these three important conditions should be checked immediately by following the procedure below, with the finger off the trigger.

1. Hold the weapon so that the muzzle is up. Check to see that the safety is at safety position by pushing it from left to right until the red portion is not visible. The safety can be put on only when the gun is cocked. If the



safety will not move, the gun is uncocked and step (2) can be taken.

2. Observe and feel the end of the magazine follower to be certain that the magazine contains no cartridges and to insure that there is no danger of working a cartridge into the chamber if the action is later opened and closed.
3. Depress the action release.
4. Open the action by pulling the action handle to its rearmost position.
5. If the safety would not go on in step (1), push the safety to the right to safety position. (The previous step of opening the action has cocked the gun.)
6. Look into and feel the inside of the chamber for ammunition or obstructions.
7. Before closing the action, look into the muzzle end of the barrel for obstructions.
8. Close the action by pushing the slide action handle forward until it locks.

Loading the Gun

1. Push the safety to the right to the safety position.
2. Check the ammunition carefully to be certain that it is 12 Ga. 00 or 0 Buck Shot, and the crimping or rim is not damaged.
3. Insert four cartridges, nose first, one at a time, into the magazine so that they are held in place by the cartridge stop.
4. Turn the loading throat away from the body.
5. Depress the action slide release.
6. To load the chamber—sharply, and in a continuous motion, pull the slide action handle to its rearmost position and push it to its foremost position.
7. **IMPORTANT:** There is a cartridge in the chamber, and the gun is cocked. *Check to see that the safety is on.*
8. Insert an additional cartridge into the magazine.

Unloading the Gun

1. *Check to see that the safety is on.*
2. With the muzzle pointed up, turn the loading throat toward the body.
3. Push against the cartridge stop and re-

lease with the thumb and remove the cartridges one at a time. Be careful that none are dropped as this tends to mushroom the crimp end of the cartridge, causing loading malfunctions.

4. Look into the magazine and feel the magazine follower to determine that the magazine is empty. This is done because the magazine may be dented, preventing the magazine follower from releasing the ammunition.
5. Turn the loading throat away from the body.
6. With the muzzle pointed up, place the stock under the right armpit, close to the body.
7. "Break" the action approximately 1½ inch.
8. Cup the right hand approximately one inch from the right side of the receiver.
9. Pull the slide action handle sharply rearward. The cartridge from the chamber will be ejected into the hand.
10. Look into and feel the inside of the chamber to see that it is empty.
11. Close the action, take off the safety, and depress the trigger. When the gun is not used, it should be left uncocked to relieve spring tension.

How to Remove the Barrel and Clean the Shotgun

The purpose of this lesson is to indicate how to clean and oil the *Remington Model 31 12-Ga. Cylinder Bore Shotgun*, and how to remove the barrel.

Normally the jailer, range master, or other specially assigned officers are responsible for cleaning divisional special weapons. However, every officer should know how to care for his own shotgun under emergency conditions. By removing the barrel of a shotgun, an officer can arrive at the scene of a "stakeout" with a less conspicuous package.

Nomenclature

A knowledge of the following nomenclature is helpful in understanding the procedure for removing the barrel:

1. *The barrel lock* is a knurled disc located

- at the forward end of the magazine.
2. *The barrel lug* is the projection located beneath the barrel five inches from the muzzle end. It is held to the barrel lock under spring tension.

How to Remove the Barrel

1. Check to see that the *safety is on*.
2. Check to see that the weapon is clear of *ammunition and obstructions*.
3. Depress the slide action release.
4. Pull the slide action handle $1\frac{1}{2}$ inches to the rear. When the action is closed, the barrel will bind against other parts so that it cannot be removed.
5. Turn the loading throat away from the body.
6. With the left hand grasp the barrel above the barrel lug.
7. Grasp the barrel lock (knurled disc) between thumb and index finger with the other hand.
8. Pull the barrel lock down and twist it clockwise.
9. Twist the barrel one-quarter turn counter-clockwise.
10. Lift the barrel from the receiver.

Additional Nomenclature

The following parts are visible when the barrel is removed:

1. *Two projecting pins* are located on the barrel lug.
2. *Two projecting pin holes* are located on the face of the barrel lock.
3. *The breech end of the barrel* is located at the rear end of the barrel.
4. *The chamber* is inside the breech end of the barrel.
5. *The face of the bolt* is located at the forward end of the inside of the receiver, with the firing pin projecting through the bolt.

How to Clean the Shotgun

To clean the weapon, only the barrel of the shotgun is removed.

Cleaning the Barrel: The "bevel" at the breech end of the barrel facilitates the insertion of the cleaning rod and patches.

1. Use a cleaning rod and clean rags or patches saturated with solvent.
2. Move the rod, with patches attached, back and forth inside the barrel until the powder residue disappears. If necessary, a brass brush may be used in addition to patches.
3. Dry the inside of the barrel with clean rags.
4. Oil the barrel inside and out.

Cleaning the Receiver

1. Clean the face of the bolt with solvent, dry, and oil lightly.
2. Move the action back and forth and oil lightly all moving parts.

How to Replace the Barrel

1. Pull the slide action handle rearward approximately $1\frac{1}{2}$ inches.
2. Turn the loading throat away from the body. With the butt of the weapon resting on a table or on the floor, grasp the small of the stock.
3. Grasp the barrel directly over the lug at the muzzle end.
4. With the barrel lug facing ninety degrees to the left, insert the barrel into the receiver. Be certain that the barrel is correctly seated.
5. With the thumb and index finger of the hand which was holding the stock, grasp the barrel lock and exert pressure downward and counter-clockwise.
6. Turn the barrel clockwise until the barrel lug is directly in front of the magazine. Be certain that the threads at the breech end of the barrel fit freely without forcing.
7. Release the barrel lock and be certain that the two projections on the lug fit into the recesses in the barrel lock.
8. Close the action and pull the trigger to release spring tension.
9. Removing fingerprints from the weapon with a lightly oiled rag prevents corroding. Use linseed oil only for oiling the stock.

How to Fire the Shotgun under Field Conditions

In this section the *Remington Model 31 12-Ga.*

Cylinder Bore Shotgun is discussed with reference to the use of the safety, the shot spread and the penetration power upon firing *00 Buck Shot*, as well as the practical application of the information given.

Importance of the Safety

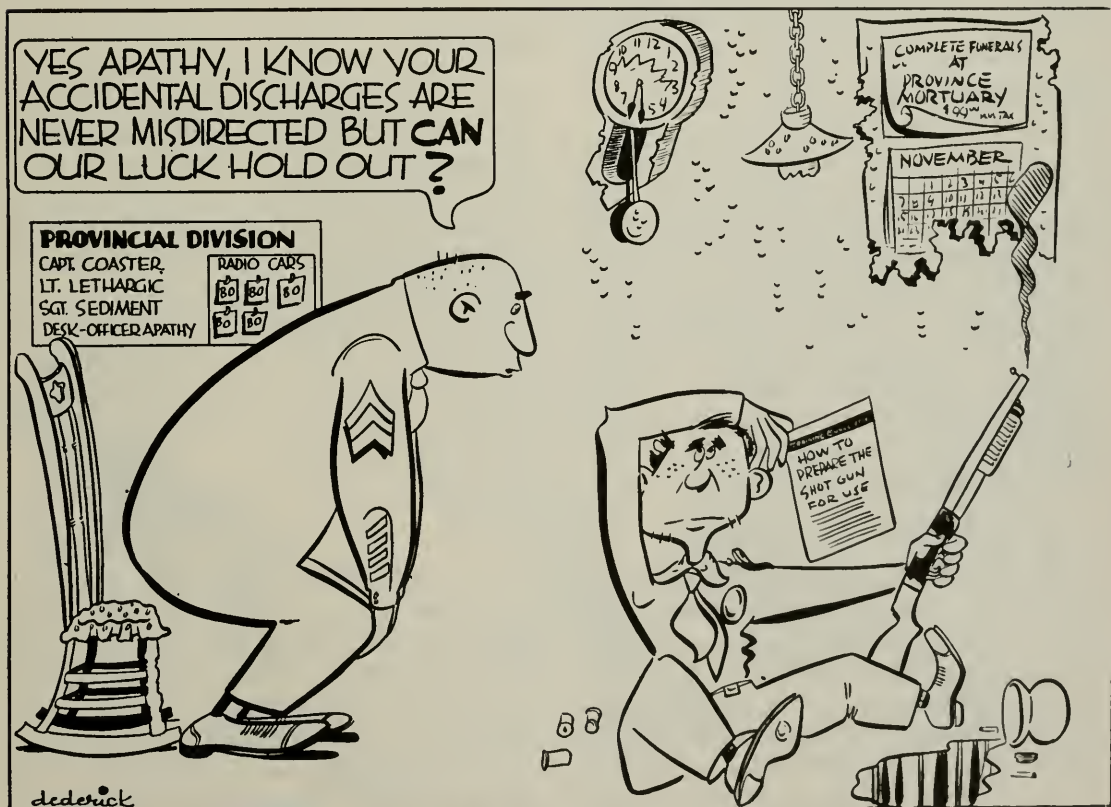
For the convenience of right-handed men, the shotgun safety, located directly behind the trigger guard, was designed to be moved to firing position from right to left. When the shotgun is held in firing position, the ball of the trigger finger contacts the trigger while the part of the finger just below the first joint contacts the safety. After the gun is sighted in, it is possible to fire by pushing the safety to the left to firing position without taking the finger from the trigger. The safety can be pushed to firing position a fraction of a second before the trigger is pulled. *This is important to remember in emergency situations.* As the finger is placed on the trigger, the safety can be pushed to firing position without any loss of time feeling for it. This feature is

especially advantageous for use in darkened surroundings.

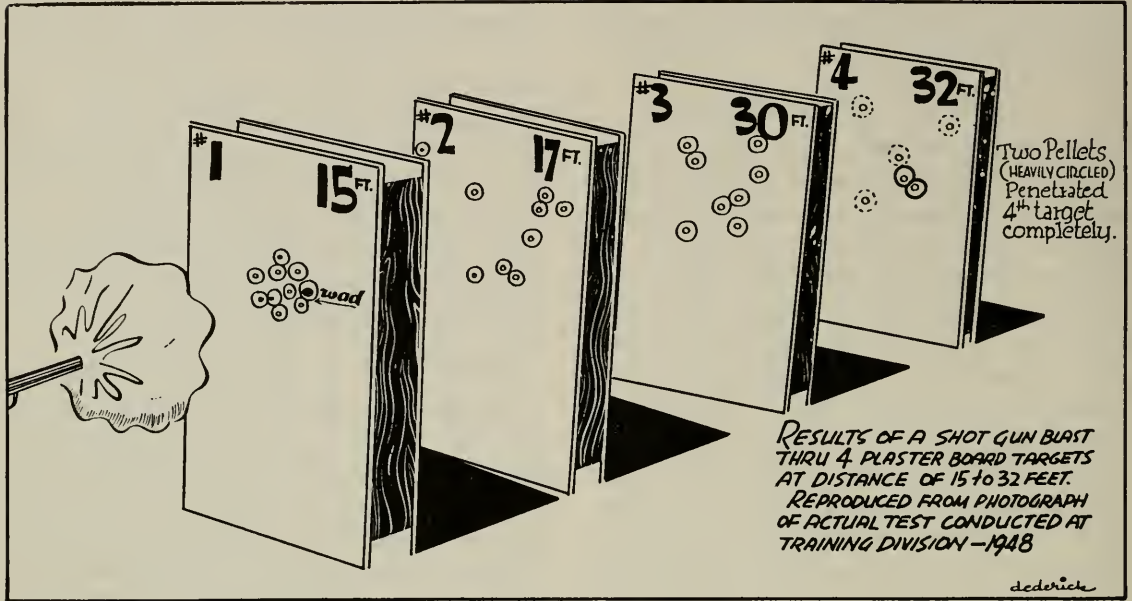
Decisions *when to fire* and *when not to fire* are of paramount importance. Aside from the legal aspects, these decisions are dependent upon the proximity and location of innocent persons. An understanding of the penetrating power and shot spread of *00 Buck Shot* fired from the Remington Model 31 Shotgun will enable an officer to estimate accurately the probability of danger to innocent persons. Experiments conducted under field conditions by members of this department have made this information available.

Penetrating Power of the Shotgun

Reference is made to the "*Shotgun Penetration Test*" results shown on the reverse side of this bulletin. The nine pellets of *00 Buck Shot* which hit an intended target are not a safety problem. Those pellets which do not strike the intended target do create a problem. As is indicated by the results obtained from the penetration test, the officer should have some knowledge



Shotgun Penetration Test conducted by Sgt. Merrill Duncan, Training Division at the Police Academy July 2, 1948.



WEAPON: Remington Model 31 12-Ga. Cyl. Bore Shotgun.
AMMUNITION: Winchester, Low Brass 00 Buck Shot (9 pellets).
TARGET: Four double plasterboard partitions separated by 2 x 4's.
RESULT: Of the nine pellets contained in 00 Buck Shot, 9 passed through the first partition, 9 through the second, 7 through the third, and 2 through the fourth.

of the type of building and partition construction in the area where the weapon might be fired. He should also know if innocent persons are beyond these buildings and partitions. An officer should consider these factors in locating himself in a favorable stakeout position in, for example, a liquor store adjoining a residence. 00 Buck Shot pellets from the above described weapon will penetrate four plasterboard partitions. They will penetrate a partition composed of two walls, each having plaster over buttonboard. They will not, however, penetrate a brick wall or a wall of similar construction.

Shotgun Shot Spread

Reference is made to the "Shotgun Shot Spread Test" results also shown on the reverse side of this bulletin. The maximum range at which a person may be killed if struck by one or more pellets from the shotgun is approximately 200 yards; however, the maximum effective range is 100 yards. Most combat firing occurs under 20 yards. Test results indicate that if the weapon

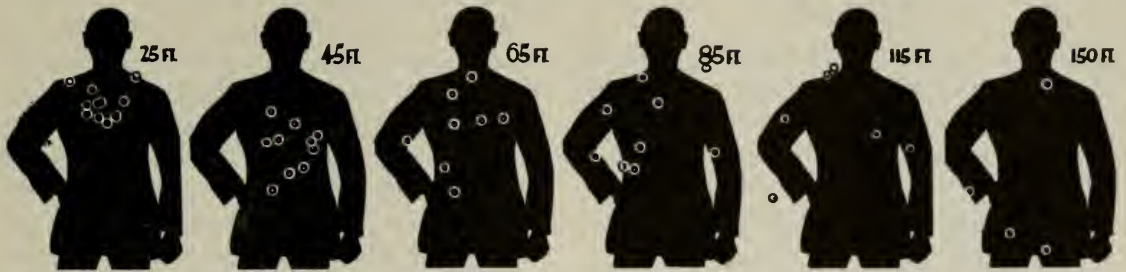
is fired accurately all of the nine pellets of 00 Buck Shot will strike a human target which is less than 20 yards away. Beyond 20 yards the area of shot spread increases. When firing from a greater distance, the officer must consider the proximity of innocent persons and the shot spread. Before firing to apprehend a fleeing suspect, therefore, the officer should consider the following factors: Distance, probable shot spread, proximity of innocent persons, and the type of construction and possible occupancy of buildings beyond the suspect.

When to Shoot

Legal Aspects

In addition to becoming proficient with his weapon, an officer must be aware of the legal and moral limitations governing its use. In some instances, he will be required to make a split-second decision as to whether or not he will use gunfire in overcoming force or in apprehending a criminal. While circumstances will prescribe the

Shotgun Shot Spread Test conducted by Capt. B. Starkey, Harbor Division on May 21, 1948.



WEAPON: Remington Model 31 12-Ga. Cyl. Bore Shotgun.
AMMUNITION: Peters High Velocity, 00 Buck Shot (9 pellets).
TARGET: Standard silhouette target.
RESULT: Pattern at widest point: 25'-6½"; 45'-13½"; 65'-15½"; 85'-20". Probable misses in a human target due to shot spread after 55'.

The reliability of these results was substantiated in similar tests conducted by Sgt. Merrill Duncan, Training Division.

proper action in most instances, a knowledge of the law pertaining to justifiable homicide is invaluable because of the many varying situations.

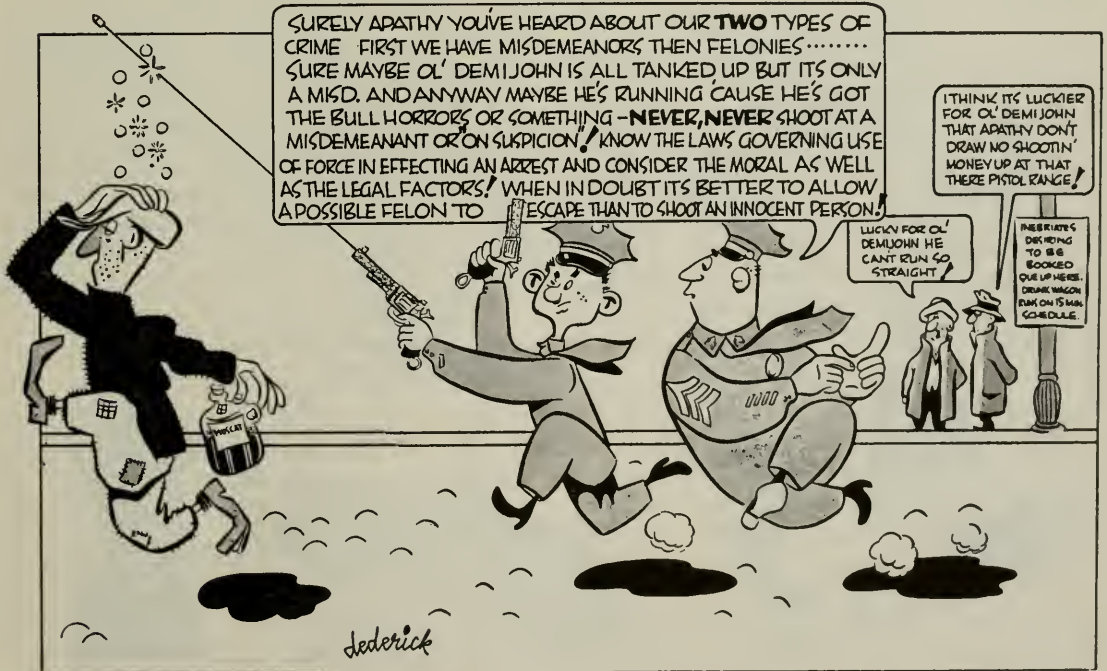
Justifiable Homicide by Peace Officers and Others

Sections 196 and 197 of the Penal Code provide that a homicide is justifiable in the following instances:

Preventing the Commission of a Felony:

A good example of justifiable homicide in pre-

venting a felony is a recent case in which two officers, armed with shotguns, were "staked out" in a liquor store which had been the scene of a series of robberies. A suspect entered the shop and demanded the day's receipts at gun point. The click of releasing the shotgun "safety" by the officers caused the suspect to whirl and face them with gun in hand. To defend themselves and to prevent the commission of a robbery, it was necessary for the officers to shoot. In doing so the suspect was killed. A coroner's inquest



readily decreed this to be justifiable homicide.

Self Defense

A homicide would be justifiable if committed in self-defense against an assailant using a deadly weapon or a means likely to produce death or great bodily harm; otherwise firing a weapon in self-defense would not be justified.

Effecting the Arrest of a Person Accused of a Felony

In this instance, the officer must be reasonably certain that the accused has committed a felony. An officer would be justified in shooting only after all reasonable means to arrest the accused have been exhausted and have failed. While there is authority to make an arrest on reasonable suspicion that a person has committed a felony, an officer must not shoot "on suspicion." This does not mean, however, that he need in any way subject himself to gunfire. When an officer is in a position where his safety or that of another person is not endangered, the felon should be given an opportunity to surrender.

An officer would not be justified in shooting a person guilty or believed to be guilty of a felony merely because he attempted to flee. An officer may shoot only when other attempts to capture

the suspect have failed or when it is necessary to effect a felony arrest.²

An example of the exercise of good judgment in withholding gunfire is illustrated by an actual case wherein an off-duty officer, enroute home, heard a siren behind him and observed two men in a speeding automobile. The driver slammed on the brakes and both men jumped from the car and ran to the rear of a nearby church. The officer drew his gun and ordered the fleeing suspects to halt. One of the men stopped but the other continued running. From the circumstances, it would appear that both men were fleeing felons. However, later investigation revealed that the men were seeking a priest to administer last rites to their dying father. The siren sound came from an ambulance which happened to be passing coincidentally.

Preventing the Escape of a Person Arrested for the Commission of a Felony or Retaking Felons who Have Been Rescued or who Have Escaped

As used in this section, "escape" refers to the breaking away from lawful custody.³ When a

² 55 Fed. (2) 644.

³ People vs. Serrano, 123 Cal. App. 339.



person has been lawfully arrested for a felonious offense, he is "charged with a felony."⁴ In arresting or preventing the escape of a person charged with a felony, an officer may use such force as is reasonably necessary, even to the taking of a life. However, if the suspect could have been apprehended or his escape prevented without killing him and he is slain, the officer may be guilty of manslaughter. An officer may be criminally liable if his arrest or recapture of a person charged with a *misdemeanor* results in a homicide unless it is warranted in self-defense while making an arrest.

Practical Aspects

Even though firing at a felon may be legally justified under certain circumstances, there are other factors which an officer should consider before shooting. The nature of the offense for which he is making an arrest, his own safety, and the safety of innocent persons will generally indicate what action is warranted. In determining if he should shoot, an officer should base his decision on sound judgment rather than on strict interpretation of the statutes alone. If he considers the "over-all picture," he and the Department may be saved considerable embarrassment.

Warning Shots

An officer should not fire warning shots in an attempt to halt a fleeing suspect because of possible injury or property damage which might result from a falling or ricocheting bullet. A suspect should be orally commanded to halt. If he fails or refuses to stop after being given a reasonable opportunity, an officer may be legally justified in firing at the suspect who is a fleeing felon. An officer would not be morally justified in firing if it would endanger innocent persons.

Firing at "Hot Cars"

Officers are sometimes prone to shoot at apparently "hot cars" if the drivers do not immediately stop when directed. Since it is possible for a motorist to become confused and misunderstand an order to halt, the human element must always be considered. At the same time, however, an officer should remain alert so that he will not jeopardize his own safety.

⁴ Sec. 962, Calif. Jury Instructions.

Juveniles

In instances where officers are in pursuit of a fleeing person, apparently a juvenile who is believed to have committed a felony, they should not fire even though the suspect has been given an opportunity but refuses or fails to surrender. The courts and the public have recognized that juveniles often do not have the same moral responsibility for crimes they have committed as do adults. *However, an officer should never assume that a suspect is less dangerous merely because of his youth.*

Injured Animals

Should an officer observe a fatally injured animal, he should request field service of the Department of Animal Regulation. If this service is not immediately available, an officer may shoot the animal. It should not be shot because of minor injuries from which it might recover. When practicable, the owner's permission to dispose of the animal should be obtained. If this is not possible, the officer should secure names of witnesses who may later verify that the animal was fatally injured.

A fatally injured animal should be moved off the pavement or sidewalk so that in shooting the bullet will not ricochet. Caution must be used in moving an animal since viciousness often accompanies pain. An animal should be lifted by firmly gripping it by the nape of the neck. All the loose skin should be taken up so that the animal may not turn and bite or scratch. This often occurs when an officer attempts to lift an animal by its collar. An animal may be prevented from biting if muzzled with a handkerchief.

The shot should be fired directly above the eye and aimed down through the length of the animal's body. If there is any indication that a fatally injured animal is rabid, or if the animal has bitten any person, it should be shot through the side into the heart, so that the head can be analyzed; arrangements should be made for removal of the body by the Department of Animal Regulation. When the animal is not suspected of being rabid, removal of the body by the Refuse Collection Division should be requested.

Liability

While the City is not liable for property damage, personal injury, or death proximately caused

by police gunfire, a policeman may be criminally and civilly liable unless he exercises reasonable care and caution. Rather than jeopardize the lives of innocent bystanders, an officer should not fire even though a felon is permitted to escape.

Discharge of Firearms Report (Form 3.20)

Every officer who discharges a firearm, except at an established target range, shall without unnecessary delay inform the Commander of the Business Office Division by telephone, Station 2504. The circumstances surrounding the shooting may be incorporated in an arrest or crime report if either is applicable to the incident. Otherwise, a Discharge of Firearms Report (Form 3.20) must be completed indicating the details of the shooting.⁵

How to Shoot

Combat

Every officer should be sufficiently trained in combat firing so that in a gun battle the balance of fire power is in his favor. Familiarity with the basic techniques of combat shooting to the extent that he will automatically move away from the line of fire, draw his weapon correctly, take advantage of available cover, crouch to a minimum target size, and fire instinctively will afford him considerable advantage.

Minimizing Silhouette

When confronted with the possibility of a gun battle, an officer should move from a suspect's line of fire insofar as possible. The natural flinch or jerk of a right-handed gunman will cause his weapon to move to his left. Therefore, if an opponent is firing with his right hand, the officer should simultaneously twist his body sidewise in a clockwise direction, draw his weapon, and move slightly to the right of the gunman. This will reduce the officer's exposed target area one half. To confuse and unnerve an opponent, the officer should fire while moving to take advantage of any available cover. Any *substantial* object such as a telephone pole, street light standard, fire

hydrant, curbing, tree, or wall which will stop or deflect a bullet is good cover.

Drawing a Weapon

The little, ring, and middle fingers should be used to draw a weapon from its holster. Except in opening a clamshell holster, the fingers should be kept outside the trigger guard until the weapon's muzzle is pointed at the target. An officer should become adept at drawing his weapon either with his right or left hand. It may become necessary for him to shoot after his regular shooting arm is injured or while an assailant is holding it. Practice will enable him to develop a quick draw without catching the weapon on his shirt or in the lining of his coat. Drawing should be practiced when he is wearing plain clothes as well as when he is in uniform.

Taking Advantage of Cover

When preparing to fire from cover such as the corner of a building, an officer should place the palm of his free hand, with the fingers extended upward, flat against the wall. The thumb should protrude beyond the corner of the building to support the wrist of the shooting arm. The supporting thumb should be pulled against the wrist of the shooting arm to give it lateral as well as vertical support. The shooting arm should be fully extended. The foot *opposite* the shooting arm should be placed forward. This foot position, which is opposite that of target shooting, will afford better balance and reduce exposed body area. For greatest accuracy, the weapon should, when practicable, be fired single-action.

Combat Shooting Position

If cover is not immediately available, an officer should crouch to a combat shooting position. This will decrease his silhouette and increase his shooting accuracy. He should hold the weapon in a *direct* prolongation of his hand and arm as in target shooting. The weapon should be gripped tightly, with the thumb firmly pressed against the middle finger and with the wrist locked. The officer's feet should be 16 to 20 inches apart. One foot may be brought back slightly if desired, but no farther than the heel of the other foot. The officer should lean forward with his knees bent and his weight shifted to the balls of his feet

⁵ Los Angeles Police Department, *Manual of Reports*, p. 139.



without raising his heels. This will help to counteract his weapon's recoil and, if he is hit, he will be able to withstand the shock and drop forward into a prone shooting position.

Combat Firing

The officer should thrust the weapon forward and keep his upper arm vertical and his forearm horizontal. His elbow should be held away from his stomach directly below his chin. Any slight



deviation such as moving his elbow towards either side will cause him to fire to the opposite side of the target. If the elbow of his shooting arm is shifted towards the side of his body and his wrist is bent to compensate, it is weakened to the extent that the weapon's recoil will deflect his aim.

To attain proper balance, an officer should place his free hand or forearm on the corresponding knee. His eyes should remain focused on the target while he is shooting. The weapon should be thrust far enough forward so that he can see it without looking directly at it. This will assist him in correcting his aim and will prevent powder or lead particles from striking him in the face. An officer may adjust his aim by observing where the bullets strike and by moving his entire forearm to compensate for improper alignment—the wrist should not be bent. An officer should count the number of shots he fires, so that he will know when to reload.

With practice, accurate double-action shooting can be developed to a high degree of proficiency at distances ranging up to approximately 35 yards. Most gun battles involving law enforcement officers are fought within this distance. Although sighted, single-action firing may be more accurate than double-action firing, the circumstances of a combat usually do not permit an officer the luxury of fine sight alignment, target shooting stance, and trigger squeeze which are so necessary in target shooting.

Firing from a Prone Position

When an officer, without the protection of cover, is exchanging fire with a suspect at a distance greater than 35 yards, it is often to the officer's advantage to use a prone firing position. In firing from this position, an officer should lie flat on his stomach with his feet close together. His arms should be extended in front of him, with the hand gripping the weapon supported firmly in the palm of the other hand which rests on the ground. The weapon should be fired single-action if practicable.

Firing from a Motor Vehicle in Pursuit

Only the passenger officer should fire from a moving police vehicle. So that he may fire from

either side with greatest effectiveness, he should remove his hat, climb into the back seat, and roll down both rear windows. He may fire with his arm extended or he may support the weapon by resting it on the thumb of the opposite hand, which should grip the door frame for added support. If practicable, the officer should shoot single-action. The driver of the police vehicle should maneuver it to a strategic position behind and to the left of the fleeing car. The officer firing from the back seat should be extremely careful that his shots will not endanger the driver or other officers in the front seat.

Approaching a Gunman

If cover is available, it is advisable to reload an empty or nearly empty weapon before approaching a suspect who has surrendered or who has been or appears to have been shot. Before an officer leaves cover, he should command the gunman to drop his weapons and put up his hands. *The officer should keep his weapon uncocked*, but trained on the suspect while approaching him. If the gunman is unconscious, or feigning unconsciousness, and is lying prone on his stomach with his head turned to one side, an officer should approach from behind the suspect's head. This will enable the officer to anticipate movements of the suspect and make it more difficult for the gunman to fire suddenly if he is lying on a concealed weapon. After reaching the prone suspect, the officers *should not* immediately turn him face up. Pressure should be applied on the suspect's back so that he cannot whirl. After another officer has the prone gunman "covered" at close range, the suspect's hands should be examined and moved into view. He should be searched for weapons on his person or under him. It must also be considered that a gunman may be carrying more than one weapon. He should be searched carefully before he is allowed freedom of movement.

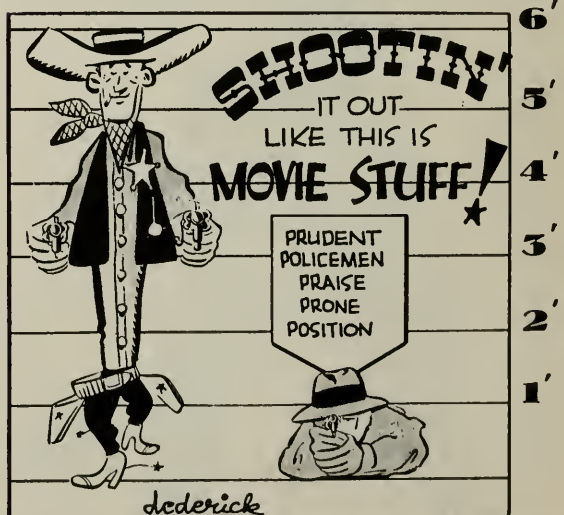
A policeman in the East was killed by a seemingly dead or unconscious gunman. The suspect was lying on an automatic pistol and, as the officer turned him over, the gunman emptied the weapon into the officer's chest. In a local shooting incident, another officer was fired on by a wounded suspect who, while facing away from



the officer, stated that he wished to surrender. As the officer approached, the suspect quickly whirled and fired. Luckily, the bullet struck the buckle of the officer's Sam Browne belt and ricocheted without causing a fatal injury.

Target

In the field, target shooting ability is as important as combat shooting ability. In many instances, there is a definite correlation between them. Officers who shoot well on the target range



Prone Position Pointers



WRONG!



RIGHT!

dedrick

generally shoot effectively on the combat course. Maintaining an efficient weapon and using the techniques employed by experts will generally improve an officer's shooting accuracy.

Holding the Weapon

The manner in which a weapon is held is an important factor in shooting proficiency. In holding the gun properly, *the web of the hand should be placed within one-eighth inch of the point of the frame.* The thumb should be placed on top of the cylinder latch; the middle finger, which supports the entire weight of the gun, should grasp the grip in a comfortable position. The

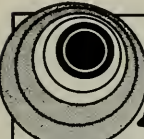
ring and little fingers should be placed loosely around the grip. If the weapon has been correctly gripped by a right-handed person, the middle joints of the fingers will be directly below or slightly to the right of the front of the trigger guard. The revolver should be aimed without bending the wrist, so that the weapon is a direct prolongation of the hand and arm.

Stance

The most common fault of many officers in target shooting is that they place their feet parallel to their line of fire. The resulting strain of twisting the waist or turning the head in an unnatural, cramped position is transferred to the shooting arm, causing it to become unsteady. As a result, the recoil will cause the weapon to move to the side. An officer should face the target, with his feet placed at an angle 30° to 45° from his line of fire. His body should be turned at the same angle as the feet and he should extend his shooting arm towards the target without hunching his shoulder. The elbow should be locked but not tense. His feet should be spread sufficiently far apart with his weight evenly distributed on both feet to maintain proper balance.


Sighting

An officer should move his weapon rather than raise or lower his head to obtain proper sight alignment. The sights should be aligned on the



**Only 1/3 OF THE
SWORN PERSONNEL DRAW
THE \$HOOTING BONUS.
Why?**

Just Keep 'em
within the \$even
Ring and you're IN



center of the bull's eye. For greater accuracy, the trigger should be squeezed only when the sights are properly aligned on the target. The "follow through" pressure on the trigger should be continuous after the hammer falls and the "sighting picture" should be maintained even as the weapon recoils. No attempt should be made to determine after each shot where the bullet strikes the target. The eye strain caused by the constant refocusing of the eyes from gun sights to bullet holes may result in inaccurate shooting. If one eye is used, the officer should be certain that it is the eye corresponding to the shooting arm.

Trigger Squeeze

The index finger should be formed into a hook and only that part of the finger between the tip and the first joint should contact the trigger. If the finger is placed too far across the face of the trigger, the gun muzzle will be pushed to the side as the trigger is pulled. To fire, that part of the finger contacting the trigger should be brought directly rearward with a slow, steady pull. The pressure of the other fingers on the grip should remain constant. In any phase of single-action firing which requires speed, an officer should not move his trigger finger outside the trigger guard between shots. After allowing for a "follow through" of the trigger pull, the finger should be relaxed so that the trigger may resume its forward position. If the trigger is held rearward, the weapon cannot be cocked and the cylinder

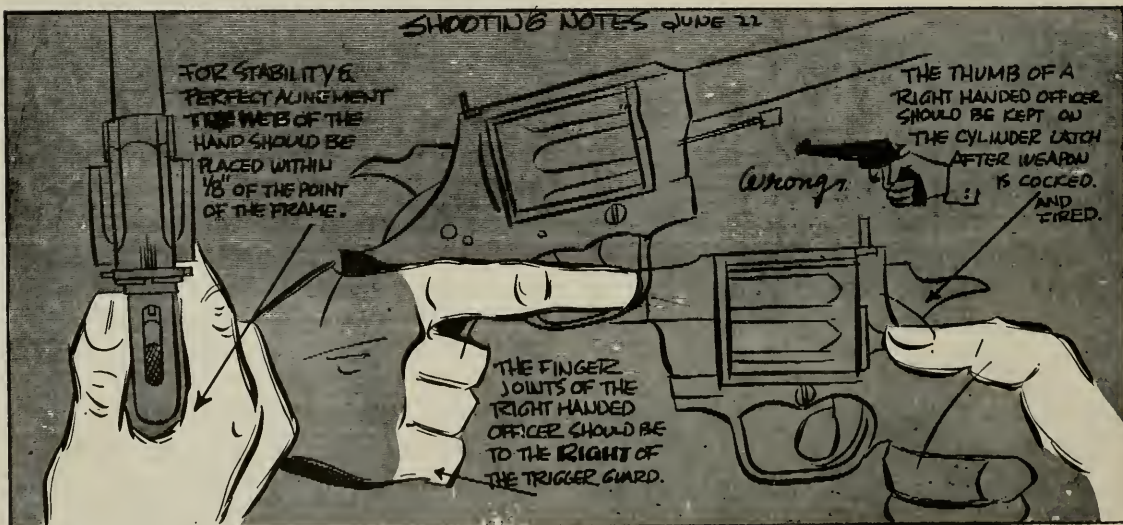
will fail to rotate in single-action firing; in double-action firing, if the trigger is not completely released, the firing mechanism will appear to lock.

Cocking

The weapon should not be rolled as it is being cocked. This can be avoided by contacting the hammer with the *tip* of the thumb, pulling the hammer back sharply, and allowing the tip of the thumb to roll down into the dished recess of the hammer. So that the hammer will not be touched during actual firing, the thumb should be immediately replaced above the cylinder latch after the weapon is cocked.

Relaxation

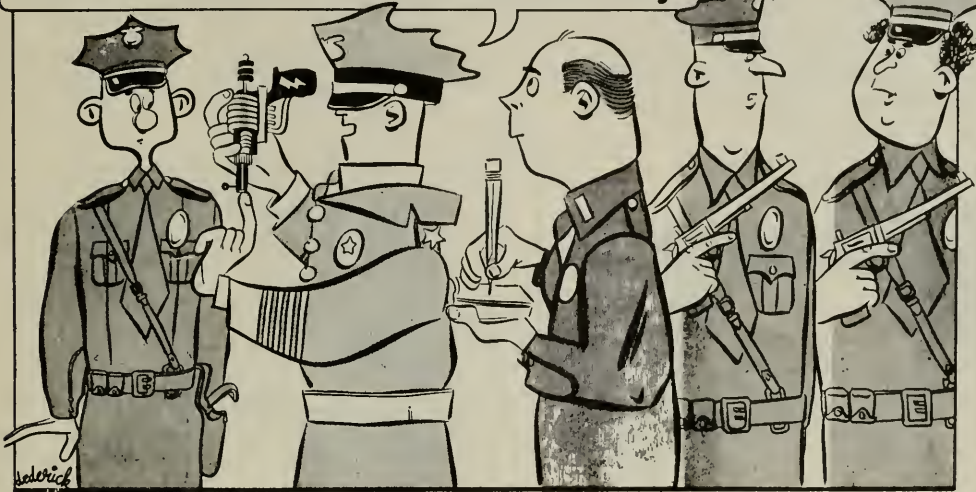
Before an officer engages in target shooting, he should place plugs or cotton in his ears. It is not advisable to use cartridge cases because ear infections may result. When firing, the officer should be relaxed. He should be free from tension insofar as possible. To alleviate apprehension of his shooting ability, he should consider that by firing within the seven ring in slow, timed, and rapid fire, plus a score of ninety in silhouette, he may achieve marksmanship status. The chest area of a silhouette and the seven ring are each eleven inches in diameter. The knowledge that he only need place all of his shots within an eleven-inch target should considerably reduce nervous tension. With proper sighting and trigger squeeze,



APATHY, I MUST ADMIT THAT YOU LOOK LOVELY FOR THIS INSPECTION—
BUT WHAT'S THIS THING? BEFORE CARRYING ANY NEWLY PUR-
 CHASED FIREARM ON DUTY YOU MUST SUBMIT IT TO THE COMMANDER
 OF THE **TRAINING DIV.** FOR INSPECTION AND APPROVAL! YOUR LIFE,
 YOUR PARTNER'S LIFE AND THE LIVES OF INNOCENT PEOPLE DEPEND ON
 YOUR GUN BEING IN FIRST CLASS WORKING ORDER! SUCH INSPECTIONS
 POINT OUT ANY PARTS WHICH ARE DEFECTIVE AND DO NOT FUNCTION
 PROPERLY. SUCH PERIODIC INSPECTIONS ARE FINE INSURANCE!

PSST! APATHY GOT A
MINUS THREE IN HIS
SERGEANT'S EXAM—
 MISSED EVERY QUESTION
 AND ALSO WROTE IN 3
 OTHER QUESTIONS HE
 DIDN'T KNOW THE
 ANSWER TO!

WHATTA BLOCKHEAD!
 AT LEAST I GOT THE
SAMPLE QUESTION
RIGHT! "LOS ANGELES
 IS A CITY IN CALIF."
 A B C D E



the majority of an officer's shots will be well within the seven ring.

Weapons Check

During the first two weeks of March 1949, an average period, there were 19 shooting incidents, exclusive of accidental discharges within the City of Los Angeles. Police officers were involved in nine of these situations. The importance of keeping his weapon in proper working condition is readily apparent to every officer in the field. A weapon which does not function properly may be useless when it is needed in an emergency.

Field Checks to Determine Mechanical Condition of Weapon

To determine whether his revolver is operating correctly, an officer may perform the following tests after unloading it.

Timing—Single Action: The hammer should be slowly cocked until the cylinder is in firing position. An attempt should then be made to rotate the cylinder manually. If the cylinder rotates slightly and there is an audible click caused by the cylinder lock dropping into place, the weapon is "out of time." Other indications

that the weapon may be "out of time" are misfires, bits of lead flying from the side of the weapon, and pin marks on the side of the cartridge primer after firing. If a gun is properly timed, firing pin marks will generally be in the center of the primer.

Timing, Main Spring—Double Action: In some instances, officers firing on the combat course have discovered that their weapons will misfire during double-action shooting. The weapon may be either "out of time" or have a weak main spring. To test the gun's double-action timing, the trigger should be pulled and held to the rear. When an attempt is made to rotate the cylinder, it will click into place if the weapon is "out of time." Malfunction is also often caused by a weak main spring which may be indicated by a light firing pin mark on the cartridge primer. A gunsmith can place greater tension against the hammer by adjusting the main spring or replacing it.

Hammer Knurling

The hammer of a new revolver should be re-knurled to prevent it from slipping from the thumb when it is being cocked or uncocked. To

provide better traction, the manufacturer's original criss-cross checking should be cut deeper.

Sighting—Fixed Sights

Revolvers with fixed sights are manufactured with rounded front sights. Holster friction removes the bluing in the sighting area of the front blade. This causes a light reflection which impairs sighting. To correct this condition, the front sighting blade should be ramped and notched by a gunsmith.



ENLARGEMENT OF FIXED SIGHTS SHOWING INEXPENSIVE METHOD OF CORRECTING LIGHT REFLECTION WHICH IMPAIRS SIGHTING.

Sighting—Adjustable Target Sights

All the set-screws of an adjustable target sight should be tightened and fixed in place with the sights in proper alignment. A light application of clear nail polish or shellac will prevent these screws from turning, or the sight from moving because of holster pressure.

Grip Size

Most guns come from the manufacturer equipped with grips for an average size hand. Since most policemen have large hands, it is suggested that the size of the grip be increased by an adapter or by adding a specially constructed grip of the approved type. A larger grip will fill the hand and substantially increase effectiveness in target and combat firing.

Initial Inspection

Before carrying a newly purchased firearm on duty, an officer must submit it to the Commander of the Training Division for inspection and approval.⁶ This inspection procedure has revealed that new weapons are frequently defective and do not function properly. Periodically all weapons carried by officers should be inspected carefully to determine if parts are defective or worn.

How to Register Firearms

The Second Amendment of the Constitution of the United States has given the people the right to bear arms; public safety, however, has necessitated the regulation of this practice. Laws requiring the registration of specific firearms assist in the control of crimes of violence.

A concealable firearm, in the possession of the "wrong" person tends to increase the problems of law enforcement. Often a firearm will be found at the scene of a felonious assault or homicide. This weapon may have been used by an unknown suspect in accomplishing the crime. If the weapon has never been registered, the job of apprehending the criminal is made more difficult.

Similarity of City and State Legal Provisions

The Los Angeles Municipal Code and the Dangerous Weapons Control Law of California each include two sections which are pertinent to the registration of concealable firearms. These are Sections 55.02 and 55.03 of the Los Angeles Municipal Code and Sections 8 and 9 of the Dangerous Weapons Control Law.

L.A.M.C. Firearm Registration Law

Sec 55.02, L.A.M.C. delegates to the Board of Police Commissioners the authority to issue permits for the carrying of concealed firearms. A permit must include the name, address, and general description of the person to whom issued. The kind and description of the firearm authorized to be carried must also be specified.

Sec. 55.03, L.A.M.C. requires the Chief of

⁶ Los Angeles Police Dept., *Manual of Police Procedure, Personnel*, Vol. 1: Div. 5, p. 525.



Police to keep a record of all such permits issued. This record contains all of the information required on the permit form.

Dangerous Weapons Control Law

Registration Required: *Sec. 8* authorizes a sheriff of a county or the head of the police department in any city to issue licenses for the carrying of concealed firearms. This section requires that the issuing authority keep a record of each license.

Dealers' Records: *Sec. 9* requires that a retail dealer must maintain, on an official state form, a record of the sale of any firearm capable of being concealed upon the person. On the same day a sale is made, the dealer must forward a completed copy of this form to the California Bureau of Criminal Identification and Investigation at Sacramento and a second copy to the local police authority. A violation of this section occurred recently when a retail firearms dealer sold a pistol to a man who later shot and killed a police sergeant. The dealer had NOT complied with the provisions of the Dangerous Weapons Control Law; had he done so, this killing might have been averted.

Firearm Sale or Registration Report (Form)

Persons desiring to report the sale of firearms or register them with the Department may do so on this form. It is essential that it be completed with exactness so that the possibility of confusing one weapon with a similar weapon may be avoided. The same care should be used when an officer makes a police report concerning a firearm or describes a weapon in a request for a "want." Every blank on the Registration Report should be filled in with correct information. If some information is unknown, that should be indicated. If a firearm has been given to one person by another, the giver should be listed as the "seller" and the "date of sale" should correspond with the date of gift. The present owner of the firearm as well as the person from whom it was obtained should be shown on this report when a firearm is registered.

Where to Register Firearms

A firearm may be registered with any police or sheriff's department within the state; however, a person desiring to register a firearm should be advised to do so with the police authority in the area of his residence. No reciprocal trading of

firearm registration information exists between the many cities of the county.

Departmental Personnel Firearm Registration Requirements

An officer is required to register with the Department, through the medium of a Firearm Sale or Registration Report, all of his firearms that are capable of being concealed upon the person. This applies to "off-duty" as well as "on-duty" firearms. An officer must also register on Form 1.20 any firearm which he carries on duty.

Describing Firearms

Two or more firearms which are similar in many respects might easily be classified as the same weapon if the model, serial numbers, part numbers, and distinguishing characteristics are not completely and accurately reported. For instance, a part number of one weapon might be the same as a serial number on another weapon of the same general description or serial numbers of two similar firearms may be identical. To avoid the confusion caused by faulty descriptions of pistols, it is essential that an officer be familiar with basic firearms nomenclature and the location and significance of weapon numbers.

In describing firearms for a "want" and in registration or other reports, officers should designate the *make, model, caliber, barrel length,*

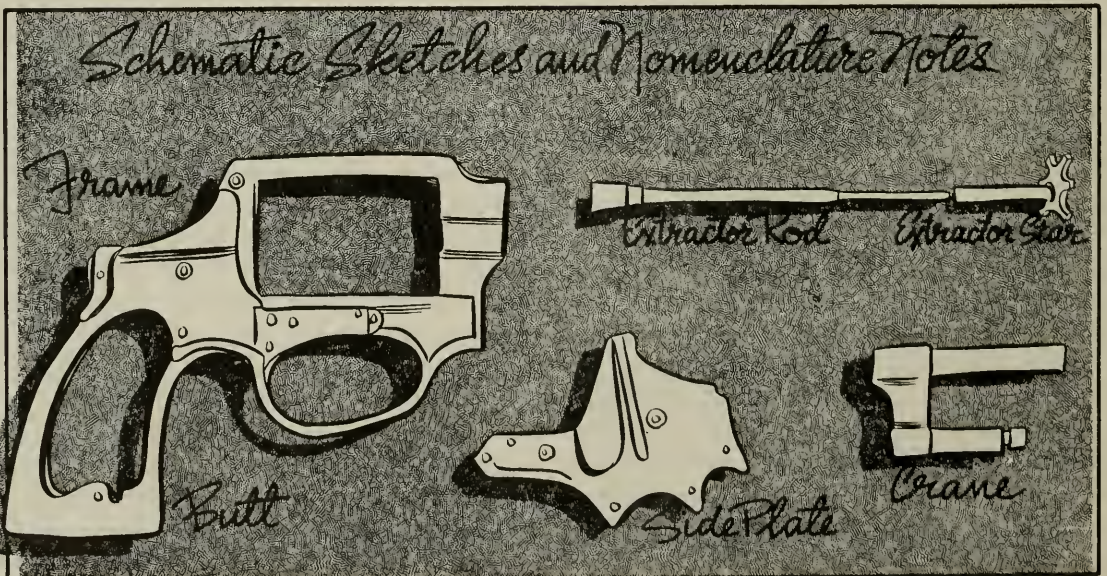
identifying characteristics of the weapon, and the serial and any part numbers. Most firearms made in the United States have the make, model, and caliber stamped at some place on the weapon, usually on either side of the barrel or frame.

Model

All modern Colt revolvers are manufactured with the model stamped on the left side of the barrel. For identification purposes, the value of reporting the *model* of a firearm cannot be overstressed. It is entirely possible for two Colt, .32 caliber revolvers with six inch barrels, to have duplicate serial numbers. The main identification feature in this case would be the *model* of the weapon. The serial number stamped on a firearm of a particular model will not be duplicated on another weapon of the same model, but *the number might be duplicated* on a similar weapon of a different model. For example; a .38 caliber Colt revolver, "Police Positive" model, with a four inch barrel is very similar in appearance to a .38 caliber Colt revolver, "Police Positive *Special*" model, also with a four inch barrel. Since these weapons are not of the same *model*, they might possibly have identical serial numbers which may cause an investigation to be misdirected.

Barrel Length

Barrel length is the length of the barrel as



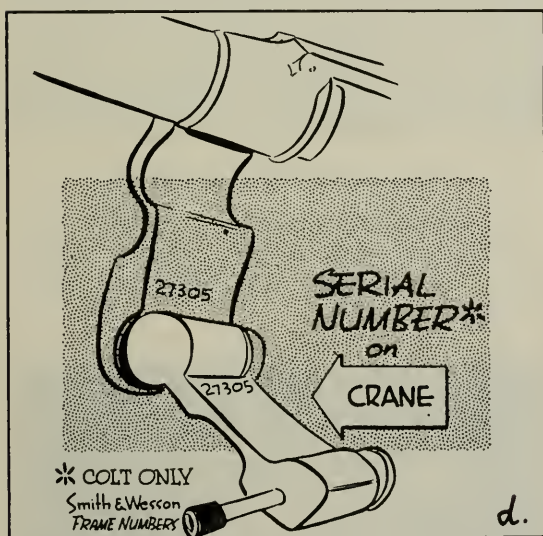
measured from muzzle to the front end of the cylinder. Quite often an officer will glance at a weapon and guess the length of the barrel to be two inches, three inches, four inches, etc. Because of barrel changes and alterations, accurate measurements should be made with a ruler. This will often reveal that the barrel length is $2\frac{1}{2}$ inches, $3\frac{1}{4}$ inches, etc. and may aid in the positive identification of the weapon.

Serial and Part Numbers

Care should be exercised in differentiating between serial and part numbers. Generally, the only factor distinguishing a part from a serial number is its location on the firearm. To assist in positive identification, any letter should always be included with the number.

Location of Numbers on Colt Revolvers

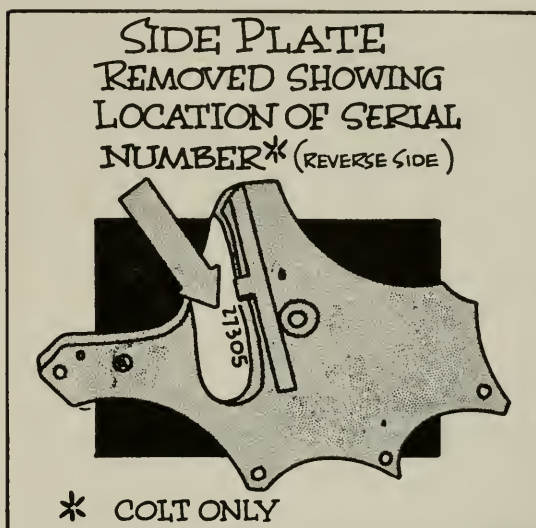
A serial number is stamped on three locations on most Colt revolvers. Two of these numbers are



visible only when the cylinder is open. One is on the inside surface of the crane; the other is on the frame opposite the number on the crane. A third serial numbers is on the inside surface of the side plate. The side plate is fixed to the left side of the frame just above and to the front of the hand grips. This plate can usually be removed by taking out the two screws which hold it in place. However, it is often necessary first to remove the grips of the weapon if they overlap the side plate.

Serial and Part Numbers on Old Models

A serial number may be found on the butt of some old model Colt revolvers. In such cases, the



numbers which are located on the inside surface of the crane and directly opposite it on the frame would be *PART NUMBERS* instead of serial numbers.

Army Serial Numbers

On other Colt revolvers that were at one time used by the Army, an Army serial number may be found in addition to the manufacturer's serial number. The Army serial number appears as two rows of digits, each row containing three numbers, one row above the other. This serial number should not be indicated merely as "the" serial number but it should be included as the Army serial number.

Serial and part numbers on most guns appear at two or more locations. On the Smith and Wesson .38 Caliber revolver, for example, the serial number is stamped at five different places and the parts number at two different locations.

When a criminal attempts to remove gun numbers, he usually obliterates those which are readily visible, but often misses those which are concealed. By properly examining a weapon, an officer will be able to discover any numbers which the criminal overlooked.

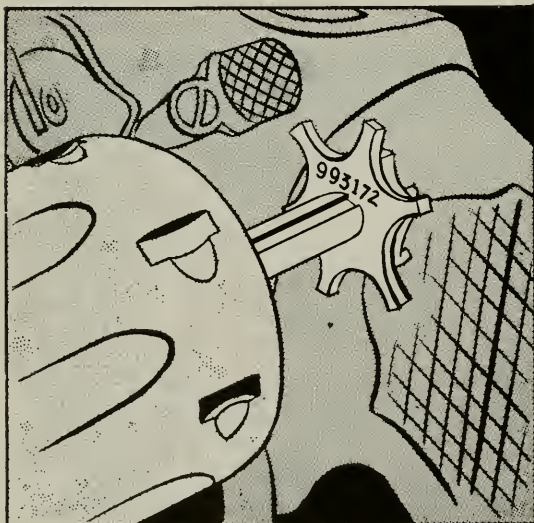
Sometimes a gun is disassembled and reassembled with parts taken from another gun of

the same make. Discrepancies in gun numbers may indicate that this was done.

Often, a report of a stolen gun will list only one number when the weapon actually contains two or more *different* numbers. For this reason, when they appear, part numbers as well as serial numbers should be indicated in an officer's description of a firearm in running a "make" or completing reports. In an officer's reports, only one of these numbers, the number which he omitted, may be the only number listed in police records to indicate the gun is "hot." His error might result in the release of a "good" suspect and important evidence.

Smith and Wesson Revolvers

When describing a Smith and Wesson revolver, care should be exercised so that a serial number will not be confused with a part number. The numbers on the inside surface of the crane and directly opposite it on the frame are NOT serial numbers, but are *part numbers*. Smith and Wesson PART numbers are in the same respective location as SERIAL numbers of late model Colt revolvers. In the manufacturing process, identical part numbers are placed at different locations on the same gun so that parts which are machined as mates may be assembled together. These part numbers may be as important as serial numbers for purposes of identification.

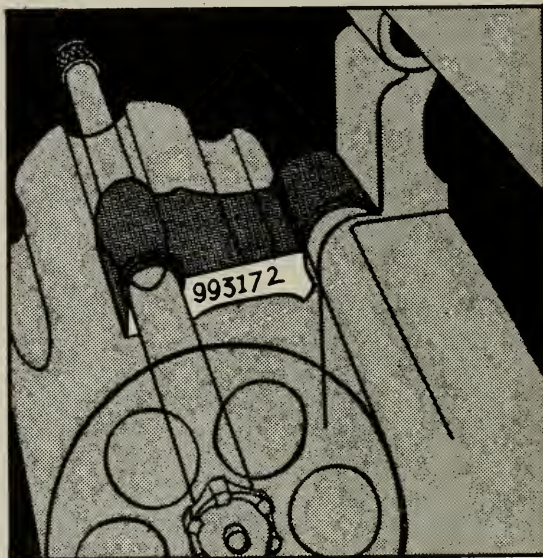


Location of Serial Numbers

The serial numbers on Smith and Wesson re-

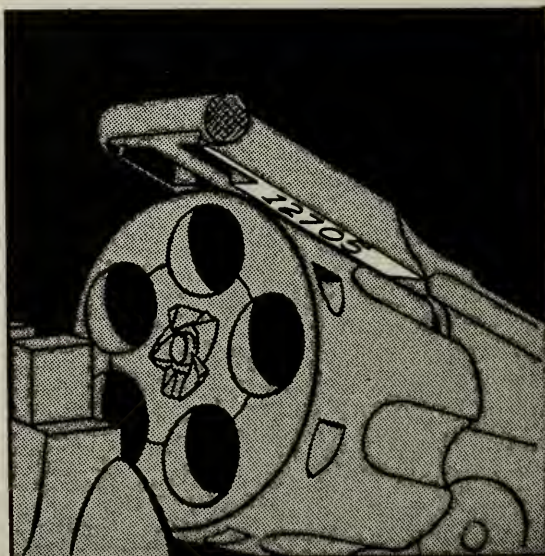
volvers are found in the following five locations:

1. On the gun butt.
2. On the under surface of the barrel just forward of the frame.
3. On the rear end of the cylinder.
4. On the inside surface of the extractor star.
5. On the rear surface of the crane between the extractor rod and the frame.



Letters with Serial Numbers

Letters might appear with the serial number on Smith and Wesson revolvers. These letters are part of, and should be included with, the serial number.



Breakdown Revolvers

Some firearm manufacturers, including Smith and Wesson, Harrington and Richardson, and Iver Johnson, make revolvers of the "break-down" type. These models are constructed to allow the breech end of the barrel and the cylinder to be tilted forward and upward away from the frame. On these weapons, serial numbers are generally stamped in the following locations:

1. On the gun butt.
2. On the rear of the cylinder.
3. Just above the rear of the cylinder on the under surface of the frame. In some instances it is necessary to remove the cylinder to view the number.

Foreign made firearms generally are identified in the same manner as are those made in this country. However, certain additional information should be included in a description of a foreign firearm so that it may be identified readily and accurately. If officers are familiar with the basic characteristics of foreign and U.S. models, they may be identified properly and handled with safety.

U.S. Made Semi-Automatic Pistols

Automatic pistols generally include the same identification features as do revolvers. The make, model, and caliber of a pistol are usually stamped on its slide. The serial number is generally stamped on the frame. The barrel length should be determined by measuring it from the muzzle to the breech.

Colt .45 Caliber Automatic Pistol

During the last war, many different manufacturers made .45 caliber automatic pistols in large quantities for the Army. Although the patents for this arm are held by Colt, each weapon carries the name of the company which produced it. In describing these Army weapons, the manufacturer's name should be indicated as the make, and the word "Army" or "Government Service" as the model of the gun. For example, a pistol might be described as a Remington, Model of 1911, U. S. Army, Caliber .45, automatic pistol.

Luger Automatic Pistols

When describing a German Luger automatic

pistol, it is important that all the inscriptions on its surface be listed. The date numbers which are stamped near the rear of the chamber are the principal means of determining the model of the gun. Its place of manufacture is indicated by the *lettering* on the slide. It is important that all such letters be included in any description of these weapons as they may have been manufactured in various places by different manufacturers who use individual serial numbers. These numbers are stamped on the front of the frame under the barrel and on the side of the weapon near the rear of the barrel. All letters which appear with the serial numbers should be noted. Numbers on two or more of these weapons may be identical, but the combination of numbers and letters are not duplicated on two weapons.

Walther P-38, 9mm., Automatic Pistol

In describing the Walther P-38 pistol, all letters and numbers appearing on the top of the weapon should be included. The entire equation should be reported in sequence as it appears on the left side of the slide. An example of this equation might be:

ac
1641a
P.38 43

Firearms without Serial Numbers

In examining a concealable firearm, an officer will sometimes discover that it contains no serial numbers. In this case, either they have been obliterated or a number has never been stamped on the weapon. In the first instance, the mere possession of the weapon would be a felony.⁷ Usually an obliterated number can be restored by the Scientific Investigation Division. Firearms not stamped with serial numbers are usually foreign makes which have been acquired by servicemen from arms factories before the weapons were completed. The possession of a pistol or revolver upon which there has never been a serial number is a misdemeanor.⁸

Stamping Unmarked Firearms

The California State Bureau of Criminal

⁷ Dangerous Weapons Control Law, Section 13.

⁸ Dangerous Weapons Control Law, Section 13.2.

Identification and Investigation has designated various individuals throughout the State to act as State Agents for the purpose of stamping numbers on firearms. The office of the State Agent for this locality is at the Los Angeles County Sheriff's Crime Laboratory, 508 North Spring Street.

Common Dangerous Malfunctions of Particular Firearms

Extreme caution should be exercised by all persons when handling the German Dreyse automatic pistol and the Japanese Model 94 automatic pistol. They are extremely dangerous to anyone not entirely familiar with them. As is characteristic of most automatic pistols, these weapons are cocked and loaded by retracting the slide. However, the unusual feature of the Dreyse pistol is that it has a hinge at the front of the frame. When the gun is dismantled for cleaning, the slide is tilted forward upon a hinge. If a cartridge is in the chamber when the pistol is "broken," it will be discharged.

The Japanese Model 94 automatic pistol is a dangerous weapon because its sear protrudes from the left side of the receiver. Slight pressure upon this part causes the weapon to fire although the trigger is not touched.

Permit to Carry a Gun

It is to the best interests of public safety that the number of persons carrying concealed firearms be kept at a minimum. However, many persons feel that it is necessary to carry a concealed weapon to protect themselves. While some requests warrant the issuance of a permit, the great majority do not. A citizen's desire to carry a gun may often be discouraged by an officer

through a proper and tactful explanation of the hazards involved.

Issuing Authority

Under an informal agreement between this Department, the Sheriff's Department, and many other police departments in Los Angeles County, applications are processed and permits to carry concealed firearms are issued by the local police authority in the city where the applicant resides. If such residence is in County territory or in a city which has no police department, the Sheriff's Department is the issuing authority under this agreement.

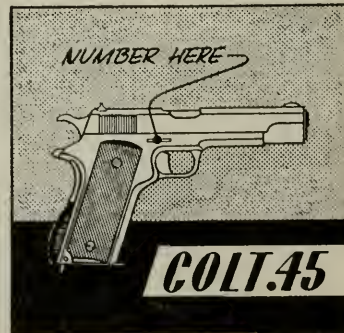
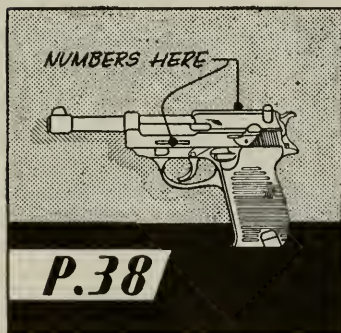
Permits—Where and When Valid

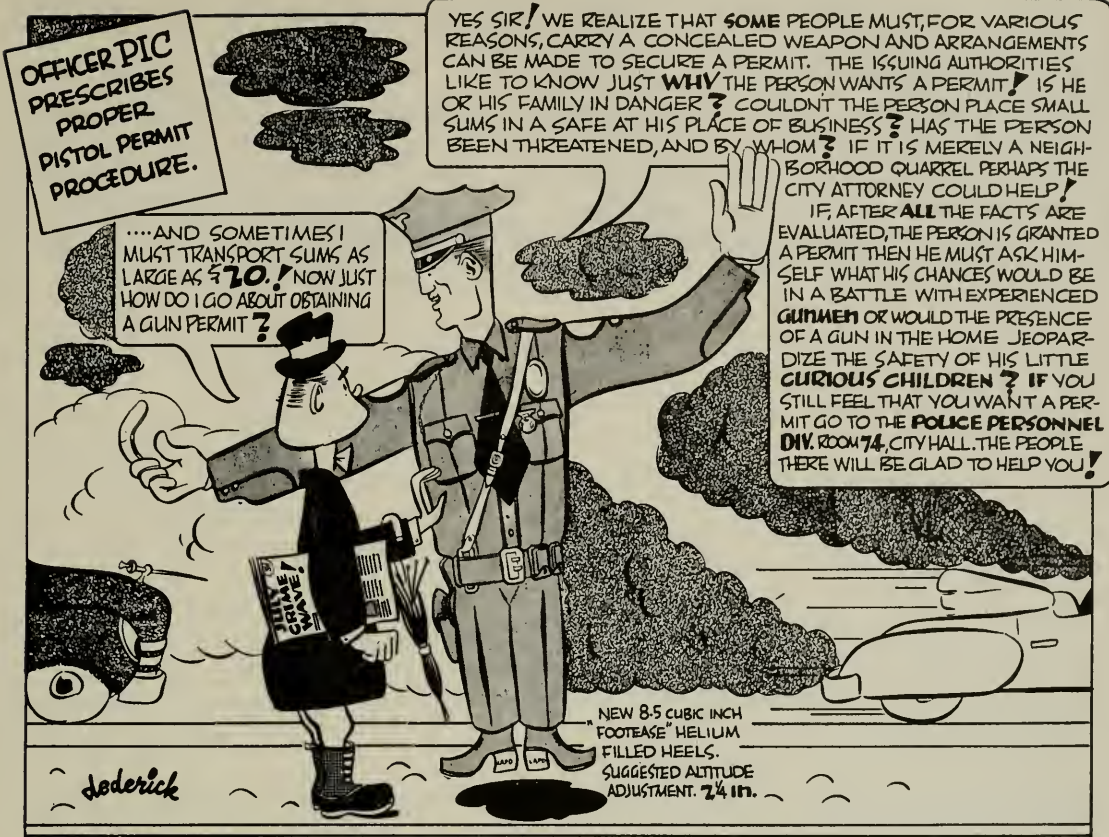
A permit to carry a concealed firearm is valid at any time of the day or night. "Limited" permits are not issued to allow a person to carry a firearm concealed at a certain time only, or between two specified locations.

Regardless of where in this State it is granted, a lawfully issued permit to carry a concealed firearm is valid throughout California. These permits expire at the end of one year but may be renewed at the discretion of the issuing authority.

Requests for Information Regarding Permits

Requests for information regarding the issuance of permits to carry concealed firearms are generally made for one of two reasons: first, a person desiring to carry a concealed gun feels that he or a member of his family is in danger of bodily injury; secondly, he may feel that it is necessary to carry a gun in order to safeguard his valuables while transporting them to and from a place of deposit. Jewelry salesmen often





insist that it is necessary for them to carry a gun to protect themselves from robbery while transporting samples to customers.

Threat of Bodily Harm

In many cases when a person complains that he has been threatened with bodily harm, an officer may, through adept interrogation, learn that the complaint is based merely on a minor neighborhood quarrel. In very few instances when a person has been threatened, do the circumstances justify the issuance of a permit to carry a gun. Generally, persons who allege that they have been threatened by an identified suspect should be referred to the City Attorney. However, consideration should be given to the circumstances of each situation, as a great many felonious assaults and homicides are precipitated by neighborhood quarrels. In determining if immediate police action is required, an officer should carefully evaluate the facts presented to him.

Safeguard for Valuables and Property

Quite often persons will request information relative to securing a permit to carry a concealed weapon for the purpose of safeguarding valuables or property. This request often comes from merchants who desire to protect themselves when taking the day's receipts home or to a bank. Because of the few successful safe burglaries in this City, an officer would be justified in advising a merchant to install a safe in his business establishment. A reasonable attempt should be made to dissuade the citizen from applying for a permit to carry a weapon by explaining the hazards of a gun battle with an armed bandit. This, and the fact that a weapon which is carried to and from work is more apt to be left within the reach of small children, should deter the citizen from seeking a permit. The merchant may be advised that there is no law which prohibits him from keeping a firearm at his place of business.

Issuing Agency within the Department

The Personnel Division, Room 74 City Hall, has been delegated the responsibility of screening gun permit applicants. Persons who cannot be dissuaded from applying for a permit should be referred to the Personnel Division. In many instances, applicants applying for gun permits have been erroneously directed to the Office of the Police Commission. Such misdirection wastes the

applicant's time and reflects on the officer's efficiency.

Acknowledgments

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Communications Equipment

How to Operate Mobile Radio Equipment

THE PURPOSE of this chapter is to acquaint the officer with the mobile and fixed transmitting and receiving systems of our department. Subsequent material will explain operation of mobile equipment and proper transmitting procedures.

The Radio Technical Division is located at the Main Jail and is the only all-civilian division in the department. This division performs the technical phases of the operation of police department radio communications.

Control Frequencies

The transmitter for metropolitan divisions is located on a hill in Elysian Park and operates on a frequency of 1730 kilocycles. A frequency of 2366 kilocycles is used in broadcasting to all outlying divisions (W.L.A., Venice, Valley, and Harbor). These divisions are sufficiently remote from each other's individual transmitters (KMA 785, KMA 786 and KMA 787) that the calls of one division will not normally interfere with those of another.

Fixed Transmitter Failure: *During a fixed transmitter failure* in an outlying division, the mobile units in that particular division may utilize the transmitter of another outlying division by turning up their signal strength (squench control in a clockwise direction). The same is true for metropolitan divisions in the event of a major catastrophe which might destroy the KMA 367 transmitter, in which case Communications would use a 100-watt mobile transmitter.

Fixed Receivers: All messages to metropolitan and outlying divisions are broadcast by re-

mote control from the downtown City Hall. Receivers for metropolitan frequencies are located on a hill in Griffith Park, near the Planetarium. There are also receivers at this location to pick up transmissions from outlying division mobile units which are temporarily in the metropolitan area. The Valley receiver is on top of the Van Nuys City Hall. In W.L.A. and Venice the receiver is on top of the W.L.A. Police Station. In the Harbor it is atop the City Hall. The receptions of these receivers are relayed by wire to Room 49, City Hall (Communications). A radio unit using old-type directional sending equipment (aerial in front and rear of car) that experiences difficulty in being received by the control board should head the car toward these fixed receiver locations. Cars equipped with antennas in the center of the top are not directional.

Mobile Frequencies (Radio Cars)

There are between 50 and 150 units on each of our mobile frequencies. While there are actually 12 frequencies, some are paralleled so that we have, in reality, only 10 channels.

Distribution of Mobile Frequencies: Assignment of frequencies to mobile units is based upon two factors: First, for technical purposes, to prevent certain frequencies from overriding, i.e., coming in at the control board over more than one frequency, they are assigned to divisions more remote than those immediately surrounding the control board area. Secondly, grouping of divisions on one frequency is based upon message load. The following frequency allocations became effective March 31, 1952.

- 1—77th Street, Highland Park
- 2—Wilshire, Newton
- 3—Hollywood, University
- 4—Central

- 5—Traffic
- 6—Ambulances, TSR, Reserve Units, Hollenbeck
- 7—W.L.A., Valley, Venice, Harbor
- 11-12-13—2 and 3 whl. motorcycles

Using the "Party Line"

The foregoing frequency arrangement may be readily compared with a telephone party line having 50 or more subscribers. Obviously only one person can talk over a circuit at a time and be understood by the control operator. Often when the officer fails to get acknowledgment the first time, it is simply because the circuit is already in use. Generally, all cars in a division are on the same frequency. Therefore, a 77th Street Unit (121) should not attempt to transmit while the operator is directing a message to a Highland Park Unit (111).

Use of Squelch Control

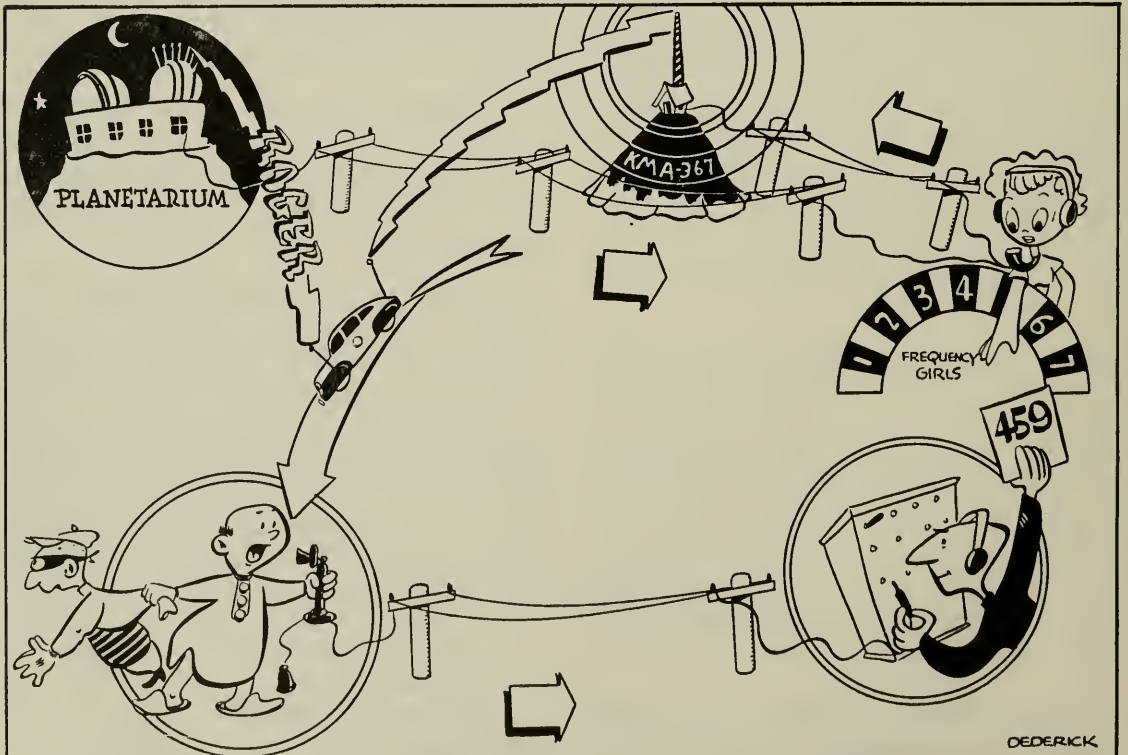
There are various techniques which will enable a radio car crew to obtain maximum performance from their mobile equipment. A previous lesson covered general information regarding fixed and

mobile frequencies. Subsequent instruction will treat proper transmission procedures.

A common reception difficulty is the improper adjustment of the squelch control. The new type Motorola equipment has the squelch control knob on the left side of the dash control panel. On older types of equipment this knob is on the receiver set proper, under the dash, and has a toggle switch which turns squelch "on" and "off." Adjustment on either of these models may be effected by:

1. Turning the volume control fairly high.
2. *With the station off the air*, turning the squelch knob clockwise until noise is heard.
3. Then reversing the rotation and turning the squelch knob counter-clockwise just past the point where the noise stops. If the squelch knob is rotated too far counter-clockwise, it will cause the station to cut out.

The same principle applies to receiving sets on motorcycle units. Old type (CEC) receivers for motor units have marked control knobs on the front of the set; new type equipment (Vetric) has marked control knobs on top of the speaker. There will be some locations where the noise will be stronger than the station, such as on car





tracks, under power lines, etc. It is not possible to eliminate all noise under these conditions.

Receiver Failure

If the control operator is not received, and no other calls are heard for a period of five or 10 minutes, the receiver is probably defective. The transmitter may be working, however, and repeated calling to control may interfere with other units on that frequency. If the receiver is dead due to a blown fuse, the transmitter will not work.

Foreign Object in Speaker: When some receivers are brought in for repair, it is found that pencils, matches, paper clips, etc. have been poked through the speaker grille. Metal objects especially will seriously interfere with the operation of the speaker as the metal will stick to the magnet in the speaker.

Vibrator Switch: The new Motorola re-

ceivers have a *two-position switch* located on the front of the receiver set under the dash. This is a two-position knob which changes the connection from one vibrator to another. Vibrators are a common cause of reception failure. In the event of failure to receive, switch vibrators by turning this knob. Do not attempt to force the knob past either stop.

Transmitter Failure

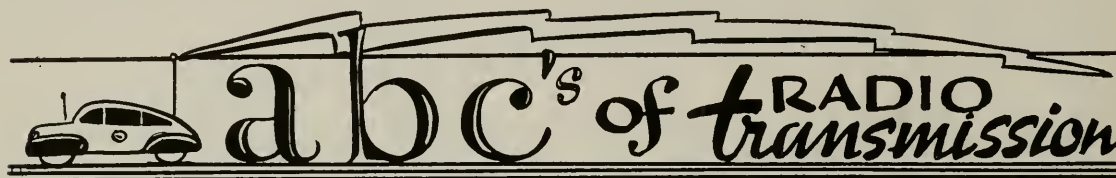
If the transmitter was working well before having a battery change, the battery may be improperly connected, establishing a reverse polarity which will operate the receiver but will not spin the transmitter motor in the proper direction.

Changing Location or Direction of Unit:

When contact cannot be established from one spot, the old type directional equipment may at times require heading the car toward the fixed receiver as an aid in sending. The new type FM

equipment (antenna on the center of the car top) is not directional and need not be headed toward the fixed receiver for maximum efficiency. How-

ever, in some rare instances a slight movement of the car (as little as 18 inches) has overcome a local barrier such as a guy wire, etc.



abc's of RADIO transmission

Radio Repairs

Any trouble with radio equipment should be reported on Request for Radio Repair Service, Form 7.14, unless the "BO" (bad order) condition is reported personally to the Radio Technical Division. This form, properly filled out, will assist the service man in making more satisfactory repairs. In the case of change of watch, change of cars, etc., this report is a great help in speeding service. Often the car is left at the station or brought to the shop by an officer not familiar with the type of trouble—and in the case of intermittent cutting out on radio equipment, the trouble might go undetected.

Duty of Desk Officer

The desk officer should notify the monitor (Sta. 2622) immediately after receiving a Form 7.14, giving the shop number of the car, whether it is still in use or out at the station. The monitor is the dispatcher for radio repair and can contact service cars by radio or telephone. Note the time the monitor was notified on Form 7.14.

How to Transmit Properly over Mobile Radio Equipment

The following material deals with broadcasting techniques to facilitate dispatching messages by a radio unit. Complete coverage of the subject is in two lessons. Previous instruction treated general information regarding fixed and mobile frequencies and technical operation of mobile radio equipment.

The Communications Division is a service unit whose function is to assist the line units in the performance of police work. The division is striving constantly to do the best possible job and needs the cooperation of the field. For the most efficient communication service to field radio

units, it is necessary that the men using mobile radio equipment understand certain communication problems.

To effect the most efficient service, the field operator should always adhere to three basic principles:

A
B
C

ACCURACY is necessary to get the desired information; a misspelled name may yield "no make" on a wanted man.

BREVITY is necessary because of the volume of messages. As many as 500 messages per hour are received by the control room on a busy night.

COURTESY is necessary for efficient, rapid service. A unit, after having been away from the car on a call or code six, should wait approximately two minutes before clearing in order to ascertain that the frequency is not in use. Remember, it is a "party line" and that there are as many as 55 units on one line.

Transmission Procedures

Speak directly into the "mike," holding it about an inch from and directly in front of the mouth.

Identification of Unit: 1. At the beginning of a transmission the unit should be identified in this manner: "12-A-1," then the message given. (The unit number need be given only once.) At the end of a transmission, by *metropolitan* and *outlying divisions* alike, add "KMA 367."

2. If transmitting during a change of watch, designate to which watch the unit is assigned, i.e., "12-A-1—night watch—clear. KMA 367."

3. It is unnecessary to verbally direct the message to "control one."

4. The addition of the call letters "KMA 367," after each complete transmission, is required by

the Federal Communications Commission. A complete transmission means the conclusion of an interchange of traffic with the control on one particular matter. One may make several separate transmissions on the same subject to the control room without stating the call letters each time.

Unit Not Readable

When a unit is told that it is not readable, it should change location before trying to transmit again. Directional radio equipment (units other than FM) should face toward the fixed control receivers, i.e., toward the Planetarium in Griffith Park for metropolitan units, and toward the city halls of Harbor and Valley and the police station in W.L.A. for those respective divisions.

Requesting a Clear Frequency

1. It is unnecessary to ask for a clear channel when running a single "make" or "DMV."

2. When requesting a clear frequency, state the reason, i.e., "for record and warrant," "for description of 211,"¹ etc. This expedites the work of the operator, who uses a different report blank for each type of request.

Requesting Information

When requesting information, make the message concise. Do not unnecessarily repeat words. Give the suspect's name, address, age, weight, height, etc., without repeating the word "suspect," and without including words such as "lives at," etc. If possible, phrase the request in the form of a question which can be answered "yes" or "no."

Broadcasting Information to Control:

1. Talk slowly and clearly, speaking directly into the "mike." Hold the "mike" about an inch from and directly in front of the mouth.

2. Spell names that are unusual or that have a difficult spelling. Do not spell common names such as Jones, Edward, William, etc.

3. Always repeat numbers (except the radio unit number).

4. In describing a suspect, follow the sequence

of a crime report relative to his physical description in order to facilitate the work of the operator in recording such information.

Requesting Assistance: 1. When asking for assistance, give the control operator some idea of what is needed.

a. Detectives and sergeants always want to know "what the unit has."

b. Hospitals require information as to the type of injury—traffic, industrial, etc.

c. The coroner requires the name of the deceased if possible, approximate age, race, apparent cause of death, and whether or not a doctor was in attendance.

d. The Fire Department wants to know the type of fire—whether a house, garage, apartment, brush, etc.

e. The Department of Water and Power wants to know if a leak is in the street or on private property.

2. Do not ask for "help" when only "assistance" is required.

Transmission During Chase

When a chase is in progress, all units on all frequencies are requested to stand by. At times a chase extends through two or more divisions, and a unit in a nearby division on a different frequency might need to transmit or request information relative to the pursuit. If a unit other than the one first involved has information regarding the pursued car, it is permissible to broadcast.

Code Three

Do not ask the control for "code three" on a call. If they have information which warrants a code, it will be given with your call. If, however, the officers have information, received by them from sources other than police radio, which warrants emergency procedure, they should so advise KMA 367 and proceed to the call code three using red light and siren.² If the officers respond, of their own volition to a *non-emergency* call with red light and siren, they are responsible for any criminal or civil action which may result therefrom.

¹ A list of Los Angeles Police Department Radio Codes is given in the Appendix at the end of this volume.

² From handbook *Operation of Motor Vehicles by Police Personnel*, L.A.P.D. February 1947, pages 10 to 13.

Cancellation of Ambulance

When a unit receives a call "Ambulance Injury" and finds no ambulance is needed, the officers should tell the control, "No ambulance is needed" instead of first asking, "Has an ambulance been sent to —?" This will save a telephone call to Georgia Street Receiving Hospital and help in keeping available an ambulance for some needed purpose.

How to Use the Police Field Telephone

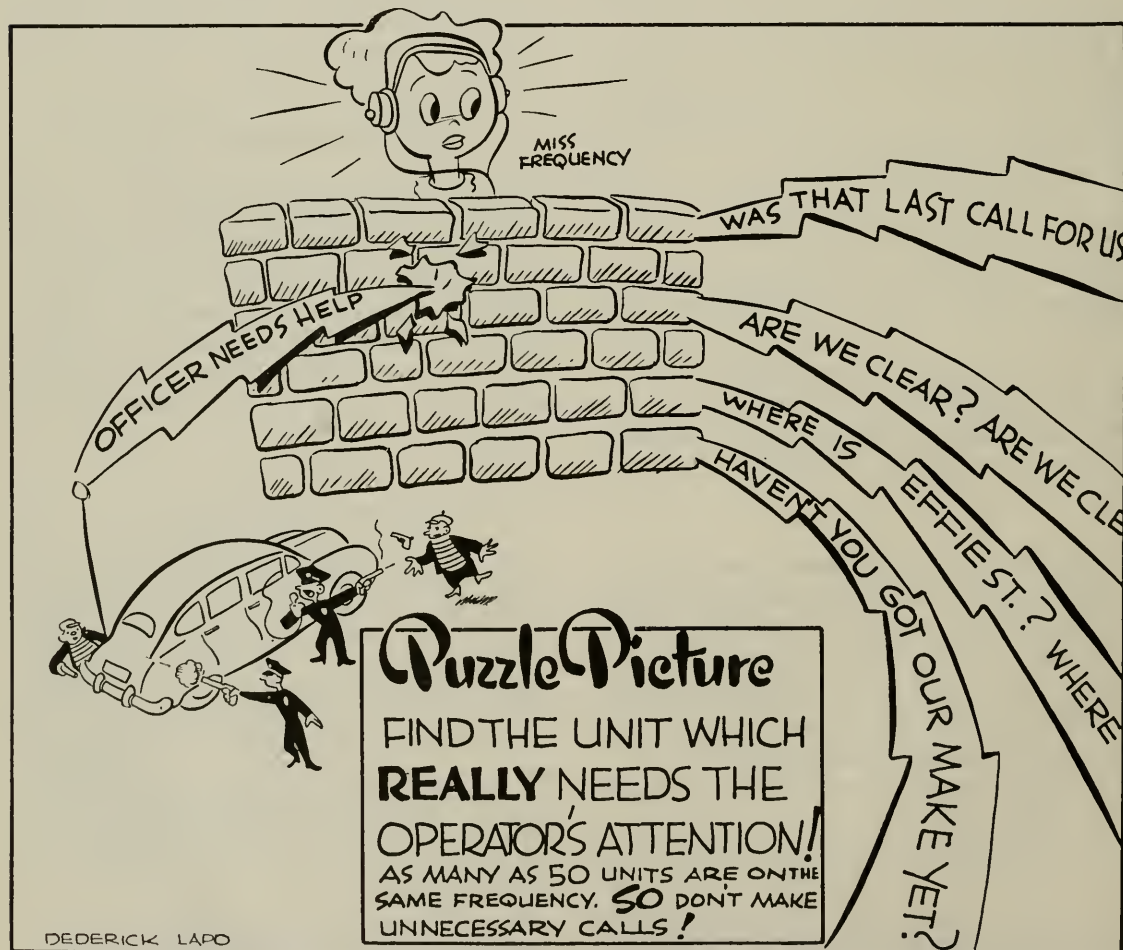
There are several techniques which might render use of the police field telephone more effective.

The field officer should thoroughly familiarize himself with the locations of all call boxes on his beat or in his radio district. This means of communication may be effectively used in requesting assistance, summoning aid, reporting fires, and in

giving dispositions of calls. There are approximately 600 L.A.P.D. call box locations at the present time. The old equipment is being replaced continually to strengthen transmitting and receiving. New disc microphones and receivers are being installed in the old telephone shells. The chief advantages of the police call box system are immediate and direct connection and accessibility at all hours. At the present time only about 15 per cent of the system is Gamewell Company equipment; the balance was supplied by Western Electric, Kellogg, and others. Hence, the term "Gamewell," as applied to the police field telephone, is actually a misnomer.

General Use of the Field Telephone System

There is an average of eight field telephone circuits in each geographical division, and each circuit has an average of six telephones. It is im-



portant to realize, then, that each circuit closely approximates a rural party line—and that while an officer is communicating, five other call boxes on the same circuit are tied up. The “party line” circuit, however, offers the advantage of the officer’s being able to interrupt a routine call over the field telephone in an emergency. If a phone is left off the hook, the entire circuit, six boxes, is made inoperative because the operator’s light is left on, making it impossible to further draw his attention. In order to keep the line open a maximum amount of time for all officers, foot patrolmen should, whenever possible, run “makes” over public telephones, utilizing telephones in park offices, bus depots, hotels, and business houses when these offices are available.

Ring Time: Making beat “rings” as close as practicable to assigned ring times will keep the

protective measure for the field officer, and a desk officer recording hourly calls should bring to the watch commander’s attention any decided deviation from normal.

Overcoming Street Noises: When telephoning from a noisy intersection, the officer should place his free hand over the telephone *mouth-piece*, while listening, rather than over his other ear. Noises picked up by the mouthpiece “feed back” through the earphone.

Call Box Station Selector: Call boxes bordering between different geographical divisions are equipped with two- or three-position selector knobs, so that the field officer may manually select the station he desires.

Central Trunk Line: Central Station has trunk lines to all metropolitan geographical divisions, also to Traffic, Juvenile, and Records and Identification divisions, to the Business Office, and the Complaint Board. It is possible, therefore, for the officer in the field in any metropolitan area to contact any other metropolitan division through inter-connection between his station and Central Station.

Outlying Divisions

Venice, WLA, and Harbor divisions have individual field telephone systems, which cannot be inter-connected with other divisions. Valley Division has public telephone equipment installed in its call boxes, and the field officer dials the outside number to call his station. The same system is in use in the Watts district.

Lost Call Box Keys

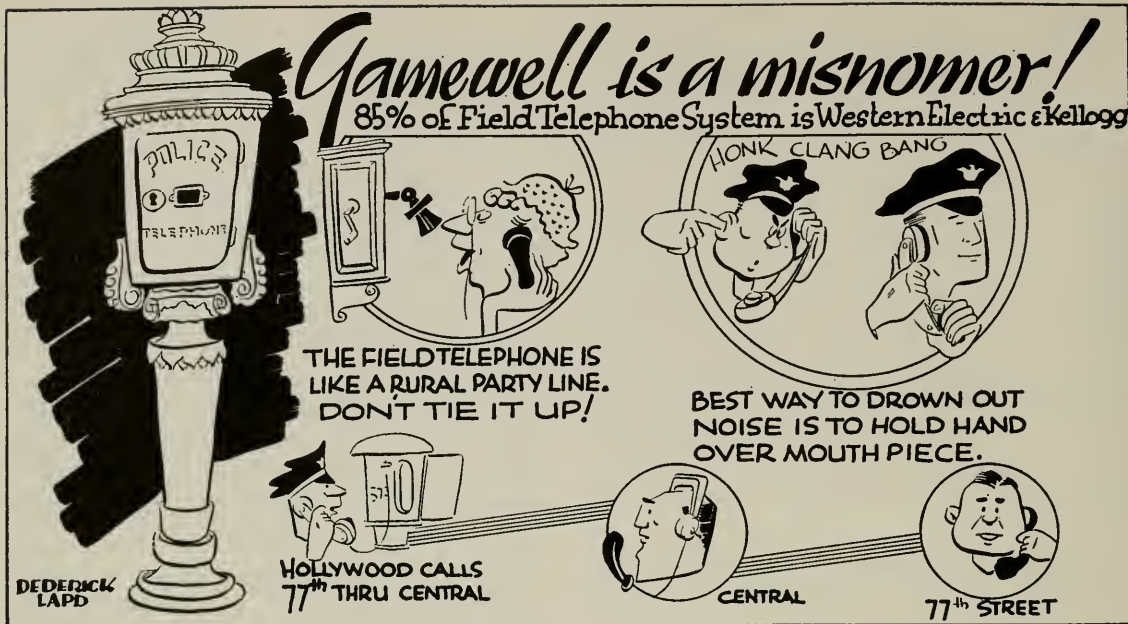
Broken or lost call box keys may be replaced by applying during the day watch to Personnel Records Section, Room 60, City Hall.

“Bad Order” Equipment

An officer discovering “bad order” field telephone equipment should report the box number, the location, and the specific trouble (broken lock, weak reception, hum, etc.) to his desk officer. The desk officer should, in turn, telephone this information to the Fire and Police Signal Division of the Department of Building and

Did you know?
that the field
telephone or call
box equipment is
maintained by the
**FIRE & POLICE SIGNAL
DIV. of the DEPT. OF
BUILDING & SAFETY!**

call box available to other officers when their “ring” times occur. However, routine calls should not interfere with other important police activities in which the officer might become involved. Ring on “one” means make the call every hour on the hour, “two” every hour on the quarter-hour; “three” every hour on the half-hour; “four” every hour on the three-quarter hour. The hourly “ring” schedule is an important pro-



Safety, Station 792. Field telephone repairmen work out of this division from 8:00 A.M. to midnight, seven days a week. There is also an emergency repairman on call from midnight to 8:00 A.M. to repair "bad order" equipment which might create a hazard because of inoperation.

Acknowledgments

Material used in writing this chapter was submitted by Mr. C. G. Keeley, Chief, Fire and Police Signal Division; Mr. Fred Crowder, Chief Radio Engineer, Radio Technical Division; Lt. William H. Durham, Commander, Communications Division.

Police Automotive Equipment

How to Care for Automotive Equipment

THIS CHAPTER consists of information on the care of automotive equipment. It covers the responsibilities of the Central and divisional garages, and the *responsibility of the officer for checks prior to and during the operation of the vehicle*. An additional bulletin will include information regarding the Motor Vehicle Trouble Ticket (Form 11.3), and *how to secure emergency automotive service in the field*.

Police Department Vehicles

The Los Angeles Police Department has 570 automobiles which are driven approximately 1,250,000 miles per month. These figures do not include the 449 two- and three-wheeled vehicles of the Traffic Divisions. It is expected that a large number of additional cars will be made available to the department in the near future, consistent with departmental expansion.

Did you know?
 that the LADD
 operates and
 maintains 570
 automobiles which
 are driven over
 15,000,000
 miles yearly!

Appropriations for Equipment

Appropriations for the purchase and maintenance of police equipment are made annually. Unexpected needs *do not* alter the *total of yearly allotments* or of the *specific monthly allocation of funds* for purchases of cars or parts. These appropriations permit the annual replacement of approximately one-third of the Police Department automobiles. The average life of a police car, therefore, necessarily must be three years.

Responsibility of the Supply and Transportation Division

The functions of the Supply & Transportation Division, 134 No. Central include the preparation of all new cars for service and the preparation of old cars for resale. The following are specific functions: *Wreck repairs, painting, glass installation, upholstery, and maintenance of a departmental automotive parts department*. In addition, the Transportation Section acts as a servicing unit for Central Division and the City Hall.

Responsibility of Divisional Garages

The divisional garage does its own automotive maintenance with the *exception* of major engine overhauls, wreck repairs, and rebuilding of mechanical parts.

Responsibility of the Officer

Divisional procedure governs the delegation of responsibility for general maintenance to a particular watch as to time, etc. *Supervisors* check the condition of cars before they are turned over to the new watch. However, the *final responsibility to check the condition of the car* before the beginning of the tour of duty *rests on the individual officer*. The following checks are recommended:

Checks Prior to Operation: (It is well to remember that all of these maintenance items

are accomplished by disinterested trustees.)

1. Check gas, oil and water. (Check oil pressure after the engine is warmed.)

2. Check lights, including the tail light.

3. Check to see that the clutch pedal has $\frac{1}{2}$ " to 1" free travel, when it is depressed, before resistance is felt. This permits the clutch release bearing to clear itself from the clutch fingers, eliminating gear wear.

4. Check the car for need of lubrication. Figures on the grease sticker inside the door cannot be totally relied upon, therefore the officer should know the mileage reading at the time of the last lubrication. Automobiles should be lubricated every 1,000 to 1,500 miles, depending upon division policy. Driving the vehicle after lubrication is due often results in mechanical breakdowns.

5. Check tires for proper inflation.

6. Check to see that the red light and siren operate.

7. Check to see that the car is equipped with a spare tire, a jack, wrench, and screw driver. (The importance of carrying these items will be discussed later.)

Driving Errors Which Result in Car Breakdowns: 1. When the car is parked, use the hand brake only. If the car is bumped *while in gear*, a fracture is started on the contacted gear, resulting eventually in transmission failure. (This

of course does not apply when parked on a steep grade.)

2. Drive in second gear at high speeds *only* under emergency conditions. Excessive speed in second gear overheats the engine and causes transmission failure, especially if the gears have been previously damaged or fractured.

3. Clutch riding results in clutch slippage and affects the rate of car acceleration. The driver's foot should be on the clutch only when shifting gears.

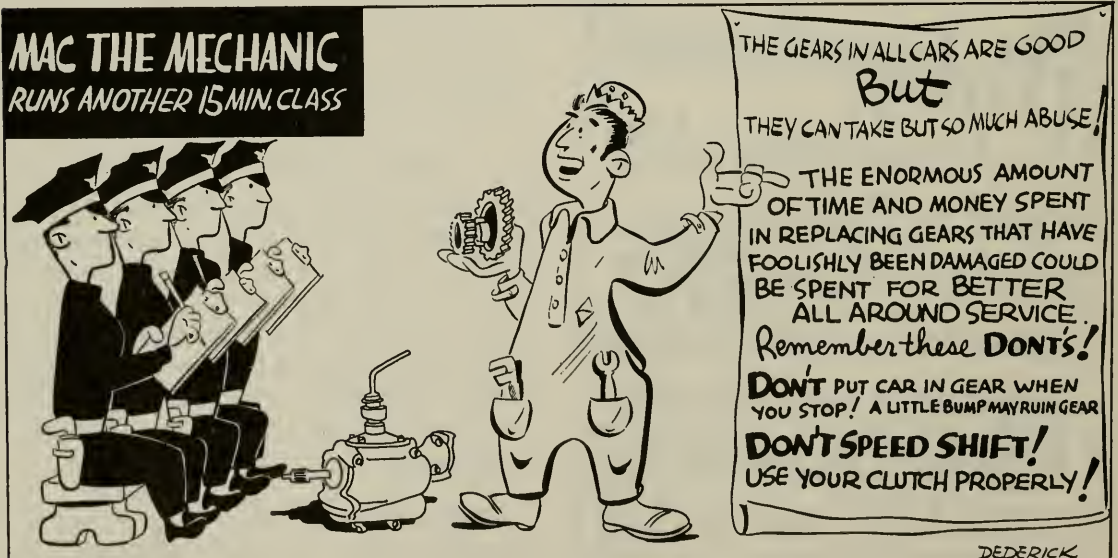
Attitude of the Officer Toward Equipment

The Supply and Transportation Section is limited by specific appropriations for automotive equipment. Even if a car becomes a "wreck" before an appropriation is available, some officer must drive it. The attitude "as soon as this thing wears out we can get another" does not hold. The officer, therefore, directly benefits by a personal interest in the care of the equipment.

The Motor Vehicle Trouble Ticket (Form 11.3)

We now propose to more fully acquaint the officer with the use of the *Motor Vehicle Trouble Ticket* (Form 11.3) (), and advise him *when and how to secure emergency automotive service in the field.*

The officer uses this form when it is necessary that maintenance work requiring the attention of



a mechanic is to be performed. The officer completes the form in *duplicate, checking, and describing the particular malfunction*. He then *signs and dates the form, and gives a copy to the desk officer*. The *remaining copy and the car are delivered to the mechanic at the garage*. If the

Did you know?
that the average
LAPD automobile
MUST be used
3 years and will
be driven approx.
100,000 miles!

trouble is minor (example, a slow leak in the water pump, or a foreseen need for a lubrication) and the car is to be used for the remainder of the watch, *both copies of the form are given to the desk officer*. This enables the desk officer to see that the car is taken to the garage at the earliest possible time. The copy which the desk officer retains serves as a record of cars unavailable for assignment, and acts as a check to determine whether or not repairs have been made. At the present time divisional orders may provide for additional procedures for the maintenance of equipment.

How and When to Secure Emergency Automotive Service in the Field

When emergency service is necessary during the tour of duty, a definite procedure is followed.

Flat Tire: Departmental procedure requires that the police officer replace the flat tire with the spare, using the tools which should be available as part of the car equipment.

Requesting Repair Service via Radio or Telephone: If the officer has determined that all or part of this equipment is not available during the *prior-to-operation check*, he will be governed by the following radio or telephone procedure in a request for assistance:

1. *Identify the unit* (regular radio procedure).
2. *State the exact nature of the trouble*. (This enables the garage to be prepared for a specific job.)
3. *State the location*.
4. *State the shop number*. (The police garage identifies a particular car by its shop number and not by its unit number or license number.)
5. *State the make of automobile*. (For the same reason as item 2 above.)
6. *State that no tool set and/or no spare tire are in the car*. (If this information is not in the original communication, KMA 367 will lengthen the communication by requesting it.)

Mechanical Breakdown or Other Need of Garage Service: If a major breakdown occurs, call for assistance rather than "limp" the car in to the garage. Use the same *radio or telephone* procedure used in a request for service for a flat tire. *State the specific nature of the trouble* (wheel broken, transmission out, out of gas, dead battery, etc.) instead of stating "out of service."

To Expedite Service

In addition to notifying Communications, when it is possible the officer should telephone the divisional garage to expedite service. If the divisional garage is closed, call the Transportation Section Sta. 3000, giving details of the mechanical breakdown. It is possible that the mechanic can advise the officer of minor repairs which can be made in the field without assistance. The following is an example of an apparently serious mechanical failure which can be rectified by the officer in the field.

Mechanical parts of the car may *lock*, making it impossible to move the car either in neutral or in gear. This is caused by more than one gear being engaged at the same time. The two shift arms at the base of the steering column will be sprung from their normal parallel

YES, YOU MUST DRIVE IT! IF YOU BOYS WILL THINK BACK-A YEAR AGO IT WAS LOVELY AND NEW. INCONSIDERATE DRIVING IS THE ANSWER, AND IT MAY SURPRISE YOU TO KNOW THAT WE MUST KEEP THIS PIECE OF IRON FOR 2 MORE YEARS!



dederick

setting. They are accessible by lifting the hood. The shift arms may be easily squeezed by hand into their correct position parallel to each other. This operation unlocks the gears so that only one gear is engaged at a time.

Minimizing Time Out of Service

A request for emergency service by the officer in the field may not receive prompt response because of simultaneous demands by other units. When such a situation arises, a unit *may be out of service for a considerable length of time*. For this reason it is required that officers make their own tire changes, and telephone for information when advisable, as in the above instance.

How to Conserve Vehicle Fuel

Departmental vehicles now in use, excluding motorcycles, average only 11.2 miles per gallon of fuel. If this average could be increased to 12.3 miles per gallon, an increase of only 1.1 miles, a 10 per cent saving in gas consumption would result. This saving, amounting to approximately \$30,000 a year, probably could be made available for the improvement of existing vehicles and the purchase of new departmental equipment. In

addition to the advantages which may be derived from the proper operation of departmental equipment, an officer will personally benefit if he applies the principles of fuel conservation in operating his own vehicle.

Use of Hand Choke

The hand choke should not be used in starting a motor, although it may sometimes be necessary in cold weather. Unnecessary use of a choke may flood the carburetor, waste fuel, and make starting difficult. A motor can be started more efficiently by fully depressing the accelerator once or twice before the starter is engaged, instead of using the choke.

The choke should not be used to increase idling speed. If an engine does not idle properly, it may be out of time. Improper idling should be indicated on a Vehicle Trouble Ticket, Form 11.3 ().

A cold engine should be allowed to idle for approximately two minutes so that it will be warm before the vehicle is driven. This will result in a smooth, efficient start and reduce engine wear. During the warm-up period, officers should check the foot and hand brakes, the clutch pedal, and the instruments for oil pressure, engine temperature, and fuel level.

Effect of Tire Inflation on Fuel Consumption

Before an officer drives a vehicle, he should examine the tires to determine if they are properly inflated. If a vehicle is driven on "low" tires, the sidewalls will be weakened, increasing the possibility of a blowout. In addition, the greater resistance to road surfaces may reduce the mileage per gallon by as much as one mile.

Quick Starts and Stops

"Jack-rabbit" starts and high speed shifts should be avoided as they frequently result in a stalled engine or an unsuccessful gear mesh which consumes additional time, gas, and rubber. In addition to wasting fuel, "gunning" an engine in this manner damages tires and transmissions.

If possible, stops should be anticipated. When approaching an intersection or a boulevard stop, the speed of the vehicle should be reduced as abrupt stops do not permit efficient burning of the fuel in the carburetor.

Even Acceleration

A vehicle should be smoothly accelerated and, whenever practical, driven at an even speed. Fluctuating foot pressure on the accelerator pedal will increase fuel consumption as much as two miles per gallon.

Periodic Stops

The greatest single saving of fuel can be effected by turning off the engine whenever the vehicle is stopped for two minutes or more. When an officer is writing a personal service citation, when he is engaged in field interrogations, or when he is out of service on a call or an investigation, the motor should be stopped. If it is allowed to run at idling speed for long periods, it soon becomes over-heated, moisture accumulates within the crankcase causing sludge to form and, because of the poor combustion, gasoline leaks into the oil and dilutes it.

Contrary to general belief, frequent starting of an engine will not injure the battery or the starter as the "starting kick" required is slight when the motor has been stopped for only ten or fifteen minutes. An idling engine generally does not charge a battery but may actually discharge it.

Fuel Evaporation

When a vehicle is parked, it should be placed in the shade, whenever possible. This will limit evaporation of fuel that might be caused by direct heat from the sun.

How to Operate a Motor Vehicle under Emergency Conditions

Legal Provisions

In many instances, an officer must make a "split second" decision based upon a legal term which may have taken a court several months to interpret. It is, therefore, imperative that the officer be familiar with the interpretations of those terms which commonly pertain to his duties.

Terms and Definitions

Emergency vehicle: All motor vehicles furnished by the City for police work are "authorized emergency vehicles" within the meaning of this term as used in Sections 401 and 454 of the Vehicle Code, but this fact alone does not relieve the driver from the duty of complying with all the "rules of the road."

Emergency call: The term "emergency call" as it applies to police work cannot be defined with exactness; an act or an event may reasonably be an emergency under a given set of circumstances and not be an emergency under different though similar circumstances. With few exceptions, emergency calls received by officers are dispatched by radio from the Communications Division. The officer to whom the call is directed is fully protected in accepting the Communications Division's conclusion that the facts justify emergency action. When emergency calls are based upon information received from any other source by the officer he must have sufficient information to justify his conclusion that a *situation exists which requires immediate police attention for the protection of persons or property*. The officer has the right to believe the information he receives is true and to act accordingly.

Suspected violator: To establish that the person pursued is a suspected violator of the law, the officer must be able to show *more than mere suspicion*. There must be reasonable cause to believe that some felony has been committed by the

ANOTHER IDLING CAR WASTING PRECIOUS FUEL!
 THE PITCH THE NEW CAR SALESMEN GIVE ABOUT
 28.7 MILES PER GALLON IS A LOT OF **HOT AIR**, BUT OUR
 ANNUAL AVERAGE OF **11.2** MILES PER GALLON FOR ALL
 POLICE CARS IS **MUCH TOO LOW**.¹ IF THIS MILEAGE
 COULD BE RAISED TO MERELY **12.3** M.P.G. WE WOULD SAVE
 OVER **\$30,000** EACH YEAR!¹ BESIDES IDLING,
 GASOLINE IS DEVOURED BY THE HAND CHOKE, LOW TIRE
 PRESSURE, JACK RABBIT STARTS AND LINEVEN ACCELERATION!



person suspected. An officer who sees a car being driven in a lawful manner at an early hour of the morning, coupled with no facts other than a "hunch," would not be justified in concluding that such person is a suspected violator. However, should the officer have received a call that a felony had been committed in the general area of his patrol, and a short time thereafter see an automobile answering the description of the car in which the perpetrator of the felony escaped, these facts would justify a conclusion that the driver of the vehicle is a suspected violator of the law, even though the vehicle was being driven in a lawful manner.

Fire alarm: Normally a fire alarm call will be dispatched from the Communications Division and a code three *will not* be assigned unless there are circumstances warranting immediate police action.

Due care and arbitrary exercise of privilege: An arbitrary exercise of privilege exists when the officer does an act or fails to do an act which, but for the existence of facts which bring him within the exemption of Section 454 of the Vehicle Code, would constitute negligence, and while so driving and "after seeing that some other person has not heard or heeded the warning given, or seeing that no one is in charge of property in his path that otherwise might be moved, or seeing that there is no way in which any other person can reasonably be expected to prevent a collision, the driver of the emergency vehicle, nevertheless, having both the means and reasonable opportunity to avoid such a result, proximately causes an accident producing injury to another."¹

¹ 215A BAJI: Calif. Jury Instructions—Civil.

Motorist's Duty to Yield Right of Way

A motorist's duty to yield the right of way to an authorized emergency vehicle is based upon his knowledge of its approach. Unless he has such knowledge, he is under no obligation to anticipate its approach.²

Emergency Calls

In responding to an emergency call, an officer should get to the scene as quickly as possible with safety. He should keep his vehicle under control at all times and drive at a speed which will enable him to avoid hazards he should reasonably anticipate by being alert and exercising due care. It is important that he *properly use the red light and siren* so that all persons using the highway will be given adequate warning of his approach.

Requirements Qualifying Use of Emergency (Code Three) Equipment

Section 454 of the Vehicle Code provides that the driver of an authorized emergency vehicle

² Rogers vs. Los Angeles, 6 CA (2) 294.

shall be exempt from the provisions of the Vehicle Code contained in Chapters 6 through 13 of Division IX. By other provisions of the Vehicle Code, Sections 475 and 476 (obedience to official traffic signals) are also included within this exemption. These chapters and sections of the code contain those provisions commonly referred to as the "rules of the road."

The exemptions apply only when the authorized emergency vehicle is being operated under one or more of the following circumstances:

- (1) In responding to an emergency call,
- (2) In the immediate pursuit of a suspected violator of the law,
- (3) In the immediate pursuit of an actual violator of the law,
- (4) In responding to but not returning from a fire alarm,

and when

- (1) A siren is being sounded in a manner which gives reasonable warning of the approach of the vehicle, and
- (2) One lighted red lamp which is visible in normal atmospheric conditions for a

GENTLEMEN, IT IS BELIEVED THAT THE ACCIDENT IN WHICH OFFICER APATHY WAS INVOLVED COULD HAVE BEEN AVOIDED HAD HE READ AND DIGESTED THE INFORMATION IN THIS LITTLE BLUE BOOK 'OPERATION OF MOTOR VEHICLES'. APATHY SAYS THAT HE HAS THE BOOK ALONG WITH ABOUT 45 OTHERS AND THAT HE IS WAITING UNTIL A WEEK BEFORE THE SERGEANT'S EXAM TO READ THEM!

ACCIDENT REVIEW COMMITTEE

Today
9 AM
Officer Apathy

DEP CHIEF
NINAMHOH

CAPT.
NAVILLUS
TRAFFIC

OBSERVER

CAPT.
MODSIW

RALPH T. YESROOD
STREET
TRAFFIC ENG.

DEDERICK

REALLY, CAPT. COASTER, I DON'T THINK OUR BOY APATHY REALLY MEANT TO BE SO DESTRUCTIVE! YOU KNOW HOW DARING YOUNG FOLKS CAN BE, YOU SEE HE HAD ASKED FOR CODE 7 THREE TIMES, AND WHEN HE FINALLY GOT IT, HE SCURRED DOWN HERE, RED LIGHT AND ALL, BEFORE THEY CHANGED THEIR MIND.

THE GUY FROM THE GARAGE PLACE SAID THAT THE TIRE IRON AND THE TUBE REPAIR-KIT ARE SALVAGABLE!

THANK GOODNESS NO-ONE WAS INJURED, AND APATHY PROMISES SCOUTS HONOR THAT WHEN HE'S WELL AGAIN HE WILL OBSERVE THE RULE REGARDING OPERATION OF MOTOR VEHICLES UNDER EMERGENCY CONDITIONS.



distance of five hundred feet is displayed to the front of the vehicle.

It is indicated then that three things must always exist simultaneously before the exemptions provided by Section 454 of the Vehicle Code are applicable:

- (1) The vehicle driven must be an authorized emergency vehicle.
- (2) One or more of the four circumstances listed above must exist.
- (3) A siren must be sounded and a red light displayed.

No privilege to operate a vehicle in disregard of the "rules of the road" can be established unless all of these facts can be proved. After

having complied with all these conditions, the benefits of the privilege are still denied if the driver of the vehicle fails to show due regard for the safety of all persons using the highway, or arbitrarily exercises his privilege.

Exemption from Civil Liability

When the driver of an authorized emergency vehicle meets all the conditions imposed by the provisions of Section 454 of the Vehicle Code, he cannot be held to be negligent because of his failure to comply with the provisions of the code pertaining to "rules of the road." Since liability of the City and of the officer is based upon negligent operation of a motor vehicle, neither the

City nor the police officer is liable in damages for injury to persons or damage to property proximately caused by failure of the officer to observe those "rules of the road."

Section 401 of the Vehicle Code relieves a police officer from civil liability for personal injury to or death of any person, or damage to property resulting from the operation, in line of duty, of an authorized emergency vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to, but not returning from, a fire alarm. Sounding a siren and displaying a red light are not required by this section. This section *does not*, however, relieve an officer from possible criminal liability such as manslaughter. Neither does it relieve the City from civil liability. The City is protected only when the siren is sounded, the red light is displayed, and the vehicle operated under those conditions and in the manner prescribed by Section 454 of the Vehicle Code.

An officer's exemption from civil liability, as provided by Section 401 of the Vehicle Code, is based upon sound public policy in recognition of which the Court in *Lossman vs. City of Stockton* (6 Cal. App. 2d 324) stated:

The legislature recognized the members of the police and fire departments in the performance of their duties are often called upon to exceed the ordinary speed limit and take the right of way. If such employees were compelled to weigh the chances and assume a personal responsibility, speed and efficiency would be affected. . . . If, too, an employee is unduly reckless or careless in the operation of the vehicle under his control, the municipality still retains its rule-making and disciplinary powers and can . . . exercise restraint over its employees.

Where a judgment is obtained against the City based upon negligent operation of a motor vehicle, and the City pays the judgment, the City is subrogated (may substitute itself in place of the claimant) to all the rights of the person damaged and may recover from the officer—if the person damaged has a cause of action against the officer—the total amount of such judgment to-



gether with all costs.³ The City is not liable for damage proximately caused by the negligent operation of a motor vehicle owned by it, where at the time of such negligent operation a police officer is not acting within the scope of his employment. Therefore, if the city vehicle is being used for some purpose which is personal to the officer, or for some purpose which is not within the duties of the employee, such officer alone is liable.

Speed

An officer is seldom, if ever, justified in traveling at a speed greater than the district speed. Certain circumstances might justify higher speeds; however, they must decidedly outweigh the additional hazard. When pursuing an actual or suspected violator of the law, the speed is largely determined by the violator being pursued.

Police Escort

Vehicle Code Section 672 expressly prohibits every police officer from using a siren or driving at an illegal speed when serving as an escort.

Reports of Accidents While Driving City Equipment

Any employee of the police department involved in a traffic accident resulting in any damage or injury whatsoever while operating a city-owned vehicle or other vehicle while acting within the course of his employment, is required to immediately notify the complaint board so that the required investigation and reports may be made. While standing by awaiting the Accident Investigation Division unit and the sergeant's car, the officers should refrain from an outward discussion of the facts contributing to the collision. Experience has shown that a relatively unimportant statement may be misconstrued and later used to support a liability claim. The officers may best direct their efforts toward obtaining names and addresses of witnesses to the collision and, where practicable, request that they remain pending the investigation. Automobile license numbers of all possible witnesses, even though they may disclaim knowledge of the

collision, should be recorded for later follow-up by the City Attorney's Office.

Field Tests

Field tests were conducted under varying conditions by this Department to determine the comparative audibility of the eight-inch electrical siren. A sound level meter was used to measure the varying intensity between a siren mounted on a fender and one mounted under the hood of a police vehicle. In the audibility tests, however, three persons were used to indicate the receptivity of the human ear to the sound of the siren. Background noise similar to that of a busy downtown intersection was simulated in the tests. To compensate for the differing insulation factors, separate tests were completed, one series with observers inside a car having all the windows closed and another series with the driver's window open. Inter-car radio communication was used to coordinate measurements after two out of three observers were able to hear the under-the-hood siren.

Directional Sound Output

Periphery tests showed that sound waves set up by a siren have a greater intensity ahead than at either side or at the rear of a police car. Sound waves measured at forty-five degrees to the left rear of the emergency vehicle were only a third as effective as those measured directly in front. These results indicate that motorists at right angles to an emergency vehicle using a red light and siren will not normally hear the siren at the same distances as will motorists directly ahead. An officer must, therefore, anticipate that a motorist approaching an intersection from a side street may not stop his vehicle as soon as more distant motorists directly ahead.

Maximum Audibility

Best sound-carrying efficiency was obtained during "straight-away" tests in which two of three observers were able to hear an under-the-hood siren at an average distance of 918 feet from the emergency vehicle. This was with the driver's window of the observer's car open and with the same background noise level as that of a busy downtown intersection. There were no cars, streetcars, or busses between the vehicles. This

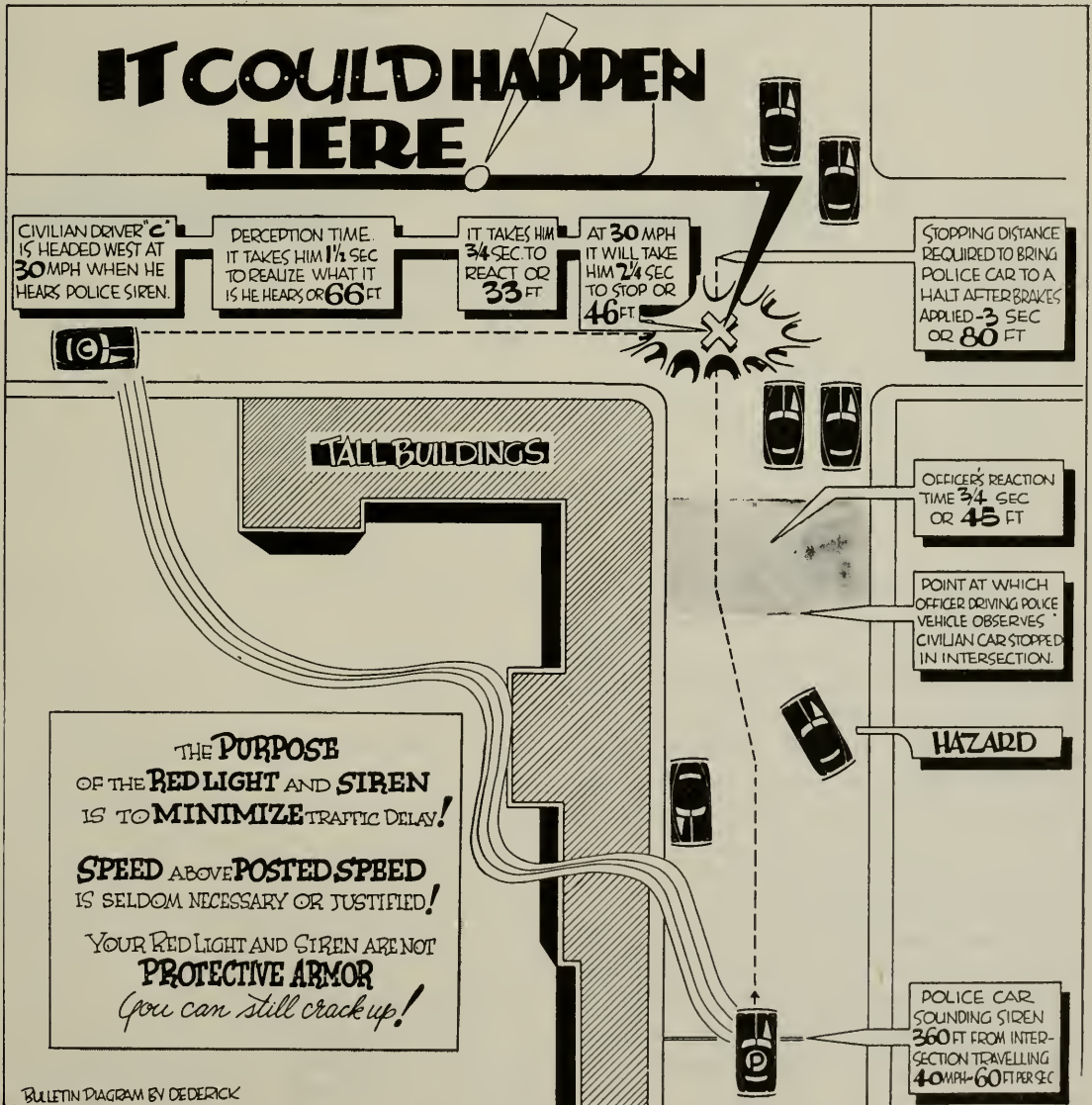
³ Clemens A. Lossman vs. City of Stockton, 6 Cal. App. (2d) 324.

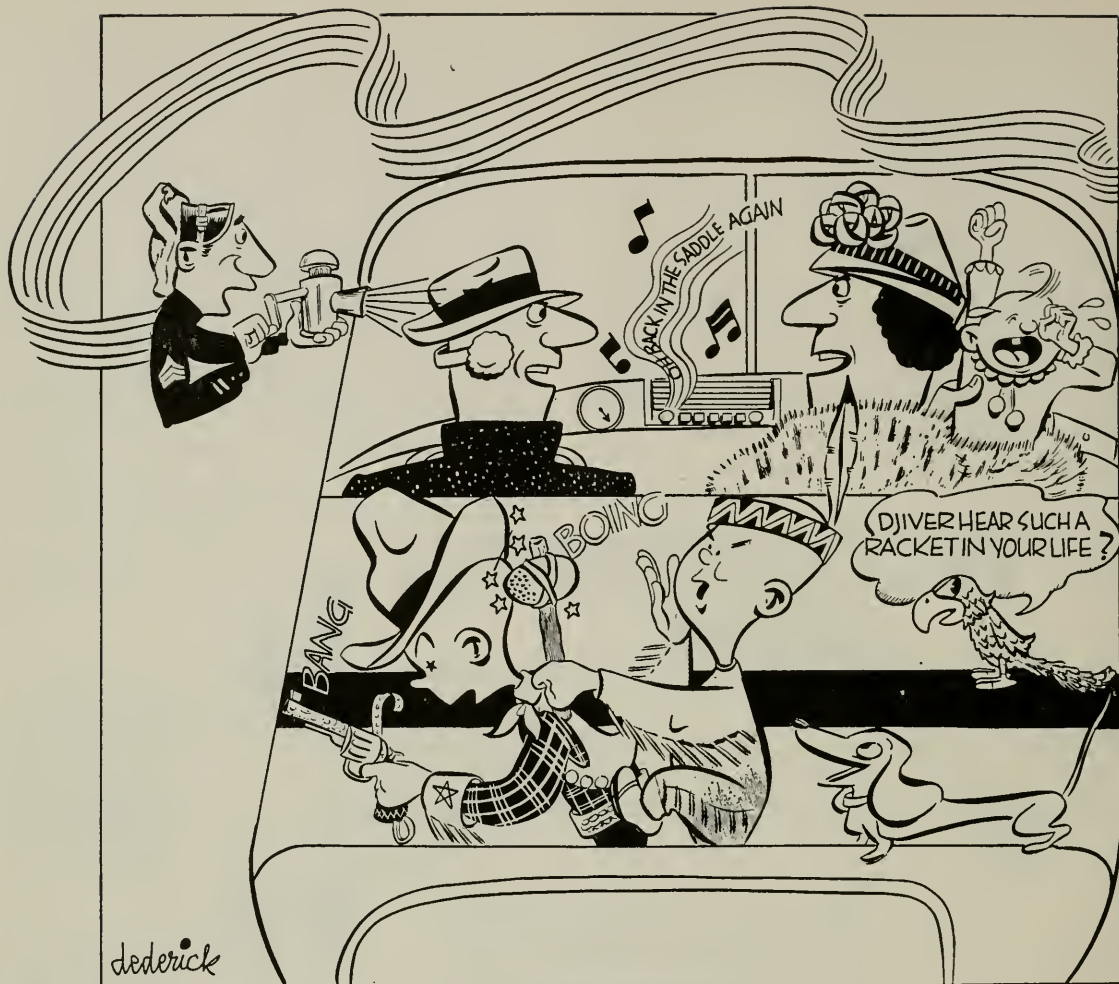
is a maximum effective distance seldom actually attained because of other cars on the street acting as sound barriers, streetcars creating loud noises in passing over track crossings, large truck acceleration noises, etc.

Sound Barriers

Buildings deflect sound waves set up by a siren. This is particularly true where a motorist is around a corner and at right angles to an emergency vehicle. Tests were conducted wherein three observers were stationed in a fixed-position sound truck located at right angles to the path of the emergency vehicle and 125 feet from an

intersection. The window on the driver's side of the truck was open and background noise at the same level as that of a busy downtown intersection was simulated. Two of three observers were able to hear the siren when the emergency vehicle was at an average distance of 357 feet from the intersection. This indicated that "around the corner" audibility is approximately two-thirds less than on a "straight-away." A similar test with all the windows in the sound truck closed reduced siren audibility within the truck by one-third. This brought the emergency vehicle within 238 feet of the intersection before the siren was heard by the observers.





Conclusions

(Field tests with under-the-hood siren)

(1) The siren is most audible to motorists directly ahead of the emergency vehicle. The distances at which observers heard the warning was only 918 feet under ideal conditions, when they were expressly listening for the warning.

(2) The siren sound waves are directional. Motorists approaching an intersection from right angles to the path of the emergency vehicle do not receive the same signal strength as those more distant though directly ahead.

(3) Sound barriers such as buildings greatly diminish siren noise. To reduce the possibility of conflict, an emergency vehicle proceeding against a traffic control device should decelerate to approximately fifteen m.p.h. through a blind intersection.

Interference Factors

The effectiveness of the siren under many of the varying field conditions is not as great as might be expected. As an added safety factor, an officer operating an emergency vehicle should assume that all other motorists are partially deaf, that they are inattentive to their driving and to other traffic, that the windows of their vehicles are closed, that a radio is playing and conversation is taking place within their vehicles, and that they will become confused if and when they hear a siren. These conditions and the background noises of the district through which an officer is driving should determine the extent to which he relies upon his siren to clear traffic.

A series of field tests conducted by this Department indicated several elements which influence the audibility of a police siren. Those

most apparent were background noise levels, sound barriers, personal hearing limitation factors, automobile insulation, and motor noises

Background Noise Levels: Obviously, areas producing greater background noises reduce individual reception to sound waves set up by a siren. As indicated by tests, the noise level at a busy downtown intersection during hours of heavy foot and vehicular traffic was approximately the same as that of a fender mounted police siren 400 feet from the sound-measuring instrument. A siren would still be audible over these traffic noises, but only because of its different pitch.

Personal Hearing Limitations: Individual hearing ability is probably the most variable factor. Some persons cannot hear the higher frequencies within the human hearing range while others are unaware of the lower tone scales. The Department of Motor Vehicles will issue a restricted operator's license to a totally deaf driver. The restriction requires only that his car be equipped with rear and side view mirrors.

Automobile Insulation Factor: Officers using the siren should also consider the sound insulation factor prevalent in cold weather when motorists have all their car windows closed. Test averages showed that audibility is diminished by one-third inside a vehicle when the windows are closed as compared to the audibility when the driver's window is open.

Fender vs. Under-the-Hood Siren: Comparative tests between a fender mounted, eight-inch, electrical siren and another installed under the hood of an emergency vehicle indicated that at 300 feet the outside siren was approximately 60 per cent louder to the human ear than the under-the-hood siren. This was detected by sound level measurements recorded by the Physics Department of a local university.

Motor Noise Factor: Motor noises registering within an automobile also detract from a motorist's awareness of outside noises. The intensity of noise inside a new sedan running at

little more than idling speed is equivalent to the noise at a downtown intersection. This factor, coupled with other common contributing noises such as a radio playing and conversation within the car, will greatly reduce a driver's perception of the signal of an approaching police siren.

Analysis

An analysis of the foregoing should impress upon the officer who operates emergency equipment that a police siren used in conjunction with a red light to obtain immediate use of the road has measurable limitations. The purpose of the red light and siren is to *minimize traffic delays* such as might be occasioned at intersections or other points of conflict and by traffic signs and signals. An officer is seldom justified in operating a vehicle under emergency conditions at a rate higher than district speed.

Use of the Siren

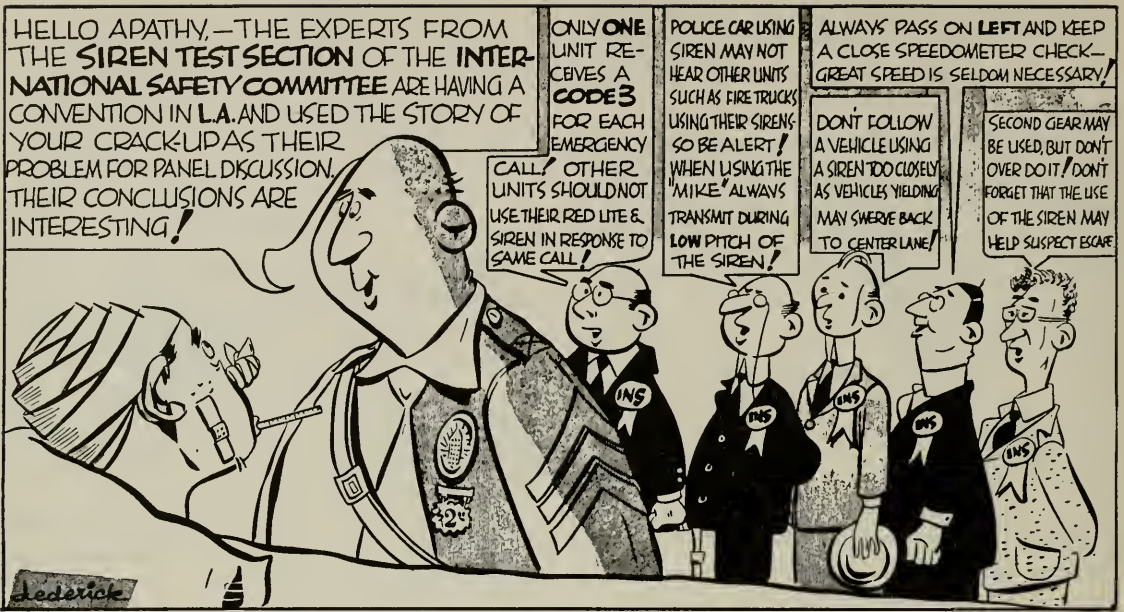
Experience has shown that use of the siren and red light does not always assure an officer of immediate right-of-way. Conflict has occurred many times because a motorist was unable to hear the siren. The human element is always present and under emergency conditions various motorists and pedestrians will react differently. Certain techniques in the use of the siren and in driving will compensate to some extent for the shortcomings of persons who are excited or inattentive to their driving.

Stopping a Moving Vehicle

Generally, a driver will stop his vehicle in response to an officer's oral command. The horn and, at night, the red light or flashlight should be used to attract the driver's attention to the officer's directions. The siren should be used sparingly for this purpose because it may confuse other motorists.

Operation of the Siren

The siren should be operated throughout its entire tone scale, fluctuating from a high to a low pitch. Where the possibility of traffic conflict is present, the siren should be actuated sufficiently in advance so that pedestrians and motorists may have adequate warning of the approach of an emergency vehicle.



Sudden use of the siren immediately behind another vehicle may cause an excited motorist to stop so abruptly that his car will be struck by the police vehicle. Officers should recognize the fact that the siren will cause other motorists to yield the right of way to a fleeing suspect as well as to an approaching emergency vehicle. Sometimes, therefore, it will be advisable to stop a fleeing suspect without use of the red light and siren when this can be done without violating the rules of the road. Regardless of the emergency nature of a call, *a driver of an emergency vehicle must always drive with due regard for the safety of all persons using the highway.* The red light must always be used in conjunction with the siren when an officer is attempting to obtain immediate use of the highway. This applies during the day or night.

Transmitting

Whenever possible, officers should acknowledge an emergency call before operating the siren. A transmission made while the siren is in use is difficult to receive by the radio operator and may be the cause of the emergency vehicle's receiving requests for acknowledgment. During a chase the proper timing of transmissions to coincide with low siren pitch will facilitate reception by the radio operator. When this is im-

practical, the open face of the microphone held against the side of the throat below the jaw will greatly reduce siren noise picked up during transmission.

Conflict with Other Emergency Vehicles

The Communications Division will assign a "code three" to only one radio unit for each emergency call. This procedure has been established to reduce the possibility of collision of two police controlled emergency vehicles at an intersection. When a police unit has been assigned a call designated "code three," other units in the vicinity should not use their red lights and sirens in responding to that call. There is always the possibility, however, that a police unit using a red light and siren will not hear the siren of a conflicting fire engine, ambulance, railway repair truck, etc. Officers should be alert for siren noises of a pitch different from that of their siren. Both officers should be alert for red lights of other emergency vehicles.

Passing Other Vehicles

A police unit using a siren should pass traffic on the left even though it is necessary to drive across the center line of a roadway. A motorist will often swerve to the right at the approach of an emergency vehicle. Therefore an officer should

cautiously pass on the right *only when no other course is open.*

A police car should not closely follow an emergency vehicle which is using a red light and siren. In yielding to the emergency vehicle, a motorist may drive in or near the curb lane. Immediately after the emergency vehicle has passed, he may swerve into a police vehicle following it.

Maneuverability

In some cases where an emergency vehicle is being driven at a reduced speed through a congested intersection where the possibility of conflict is high, the use of second gear is a safety factor. A vehicle in second gear has a much faster deceleration rate during "braking" and a greater acceleration rate during starting. This does not mean that the vehicle should be operated over long distances or at excessive speeds while engaged in second gear. Its practical use would be in entering a blind intersection

or a confining area where quick stopping or starting may become necessary.

Speed

There is a tendency on the part of many officers operating "code three" emergency equipment to become so absorbed in the use of the siren and in watching the roadway that they are unaware of the high speeds they attain. An officer should maintain a close speedometer check and, whenever practicable, keep within the district speeds.

Acknowledgments

Material used in writing this chapter was submitted by Mr. Edwin Shinn, Deputy City Attorney, Civil Division, City Attorney's Office; Mr. Fred Crowder, Chief Radio Engineer, Technical Division; Capt. W. R. Hagenbaugh, Business Office Division; Lt. Chas. G. Reineke, Traffic Enforcement Division; Lt. John D. Brady, Communication Division; Sgt. Marvin Ivers, Supply and Equipment Division; Sgts. H. E. Nuttman and H. S. Ostrander, Supply and Transportation Section; and cooperation of Newton Street Division.

Vehicle Impounds

How to Impound a Vehicle

ALTHOUGH an impound may be authorized, it is not always mandatory. When an officer causes a vehicle to be impounded, however, he must take all steps necessary to protect the property which has thus come under his care. An accurately completed Form 2.7 (), Record

of Car Stored or Towed, will aid the officer in making other required reports. It also may be used as a basis for additional investigation or for refuting a just allegation that neglect or carelessness of the officer resulted in property damage or loss.

Notification to Communications Division

Before tow service is requested, the officer should be certain that it is required. When a tow truck is unnecessarily summoned to a scene, another police unit may be deprived of this service when it is actually needed. Since tow trucks are not equipped with police radio receivers, a call cannot be cancelled after the truck leaves the garage. Requests for tow service may be made either by radio or telephone, but must be made through the Communications Division. The request must indicate the location, the license or motor number of the car to be impounded, and whether special towing equipment is needed. For example, in towing a vehicle with front and back wheels damaged or removed, a double dolly would be required. When it is learned that there will be a delay in tow service, this information will automatically be relayed to the officer.

Citizen's Request for Tow Service

As a courtesy and a public service, an officer may call for tow service on a *citizen's request*. This might occur when a person involved in a traffic accident requests assistance in removing his vehicle which is *obstructing highway traffic*. Before the officer requests tow service, he should inform the citizen that an authorized private garage will be called and a tow fee fixed by law will be charged. This tow service is not furnished by or at the expense of the City. The tow truck

Did you know?

*The law requires the drivers involved or the concerned tow truck attendant to remove from the street debris resulting from a traffic accident.**

*SECTION 85.00 L.A.M.C.

will move the vehicle only to a safe position at the curb or to the garage furnishing the service. The extent of tow service is limited so that it may be available with the least delay to other police units.

Completion of Form 2.7

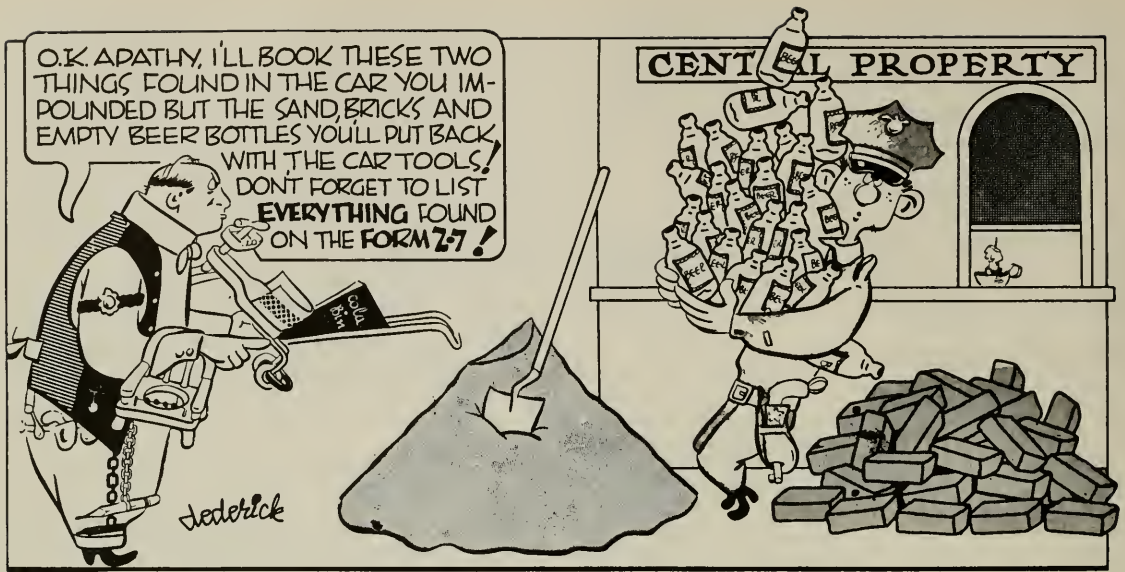
It is the officer's responsibility to complete the Form 2.7 (), Record of Car Stored or Towed.¹ In completing it, however, he may

¹ Daily Police Bulletin, No. 260, Nov. 4, 1939.

accept the assistance of the tow car attendant. Information for other reports is obtained from this form. It serves as an officer's receipt showing the condition of the vehicle at the time it was released to the garage attendant. This form also indicates to the owner the condition in which he may expect to find his vehicle when it is released from the garage.

All tow trucks are supplied with these forms. However, if a police unit carries them and completes them *in triplicate* pending the arrival of tow service, the impound procedure may be expe-





dited. The report should be checked for accuracy and signed by the concerned officers and the tow truck attendant. Although the officer is not expected to appraise expertly the condition of a vehicle, he should make a reasonably accurate estimate of any damage.

Driving the Vehicle to Be Impounded

The impound of a vehicle deserves the same attention as the handling of any other type of property. The officer should consider that the vehicle in his custody is worth hundreds of dollars. A thorough investigation may reveal that the car, or the property found in it, has evidentiary value. The manner in which this property is handled and the thoroughness with which the officer makes the related reports reflect good police work.

To expedite the impound procedures and to relieve officers of the responsibility for the care and handling of a vehicle, tow service has been made available. However, sometimes it may be practicable to drive a vehicle directly to an impound garage if it is located in the immediate vicinity or if tow service is not available.

If an officer drives a vehicle *with due care* under circumstances in which he is authorized by law to make an impound and a civil suit arises from any damage to the vehicle occurring during such driving, the City Council may authorize the City Attorney to represent the officer. The offi-

cer must be certain that any vehicle he intends to operate, particularly one that has been involved in a traffic accident, is in "driveable" condition. He is responsible for any damage which might occur to the property as the result of his *negligence*. "Where judgment is obtained against the City, based upon *negligent operation* of a motor vehicle, and the City pays the judgment, the City may recover from the officer, if the person damaged has a cause of action against the officer, the total amount of such judgment, together with all costs."²

Hold for Investigation

When a vehicle is to be held for further investigation, a notation should be made in large letters at the top of the Form 2.7 (), Record of Car Stored or Towed, and the "hold" should be indicated on any other related reports. When there is a danger of destroying or contaminating evidence, the garage attendant should be so warned. As an added precaution, a "hot sheet," on which a "hold" for the detail concerned has been written, may be placed under the windshield wiper.

Disposition of Property

Every item of physical evidence, as well as articles of personal property taken into custody

² "Operation of Motor Vehicles" by Police Personnel, L.A.P.D., 1948, p. 6.

by the concerned officers, must be booked.³ Tools such as a jack, hammer, tire irons, etc. which are ordinarily found in a vehicle may be left in it. Booking such property as a load of empty bottles in cases or many sections of pipe is impractical; they may be left in the vehicle. A record of any property left in the vehicle should be noted on the Form 2.7 ().

The car ignition key should be left in a vehicle so that a garage attendant may remove it from the garage in case of fire. That the ignition key and registration papers are left in the vehicle should be indicated on the Form 3.8 (), Vehicle Recovery and Impound Report, as well as on the Form 2.7 (). If names and addresses appearing on these papers are different from the name and address of the registered or present owner, this should be noted on the Form 3.8 ().

Station Procedure Preliminary to Report Writing

When a stolen car has been recovered, the officer must contact the "DR desk," give the clerk the license plate number, and obtain a DR number before making the necessary reports. When it is available, the following information should be obtained from the DR clerk:

1. The name, residence and business addresses, and Telephone number of the present owner.⁴
2. The name and address of the legal owner.
3. The date and time stolen.
4. The location and division of theft.

When a vehicle is impounded for reasons other than recovery, the officer should endeavor to learn the name and address of the *present owner*. The name of the registered owner (not always the present owner) may be obtained from the Department of Motor Vehicles. The following information should be given to the DR clerk when a DR number is obtained:

1. The year, make, model, and license and motor numbers of the vehicle.
2. The owner's name and address.
3. Date and time impounded.
4. Location from which the vehicle was impounded.
5. Division reporting and division of impound.

³ Daily Police Bulletin, No. 232, Wednesday, Dec. 5, 1945.

⁴ Manual of Reports, L.A.P.D., p. 226.

It is the officer's obligation to notify the *registered owner* (or present owner) that his car has been impounded.⁵ By mailing him the post card, Notice of Automobile Impoundage, Form 15.23 (), which is completed by the record clerk, the officer complies with this requirement. The officer should inform the DR clerk when a Vehicle Recovery and Impound Report, Form 3.8 (), carries a traffic DR number or when the DR number is obtained from an "old" crime report. To establish that all of the above procedures have been complied with, the name of the DR desk clerk should be obtained and recorded on the impound reports.

When to Impound a Vehicle

Legal Provisions

Section 585 of the Vehicle Code places a limitation upon police authority by specifically indicating those instances in which an officer *may* remove an *unattended* vehicle from a highway. This section does not provide for the mandatory impound of a vehicle; it indicates when an officer "may" and not necessarily when he "shall" make an impound. Good judgment and discretion must be exercised by the officer in determining whether to impound, issue a citation, or move a vehicle to a place of safety on the highway. When an illegally parked vehicle is impounded or moved to a place of safety, a citation should be issued to substantiate the action taken.

Obstruction on a Bridge

A vehicle may be impounded when it is left *unattended* on any bridge, viaduct or causeway, or in any tube or tunnel where such vehicle constitutes an *obstruction* to traffic⁶ An obstruction need not constitute a traffic hazard dangerous to life or property; a hindrance to the normal flow of traffic is sufficient to warrant an impound. Individual circumstances, however, will indicate what action should be taken by the officer. For example, a disabled car which does not create a traffic hazard is observed parked on a viaduct, traffic is light, and the vehicle can be easily seen by other drivers. If the officer has reason to be-

⁵ California Vehicle Code, Sec. 585, sub. (c).

⁶ Section 585(b) (1), Vehicle Code.



lieve it will be moved within a short period of time, he need not make an impound.

Blocked Driveway

Under authority of Section 585(b) (2), Vehicle Code, a vehicle may be impounded when it is illegally parked so as to *block* the entrance to a private driveway, and when it is impractical to move such vehicle from in front of the driveway to another point on the highway. This section requires that *the entrance to the driveway be blocked before an impound may be made.* A vehicle which is only *partially obstructing* the entrance to the driveway, making it difficult for another vehicle to enter or leave, is not *blocking* the driveway. An officer may not impound in this instance if there is a lawful parking location available in the vicinity.⁷ However, he may issue a citation for violation of Section 586(e) of the Vehicle Code as the vehicle is parked “*in front of a public or private driveway.*”

A police car should not be used in an effort to move an illegally parked automobile. It is only necessary that the officer make a *reasonable*

effort to move it to a place where it will be readily observed by the driver upon his return. In determining what action should be taken, it is generally advisable for an officer to interview the person whose driveway is blocked to learn if immediate access to or from the property is desired.

Citation in Lieu of Impound

Section 583(c) of the Vehicle Code provides that an officer may impound a vehicle for any violation of Section 586, V.C. *only if a location on the highway where parking is permitted is not available in the vicinity.* For example, a locked vehicle is parked in a bus zone. There is a lawful parking location available on the highway in the vicinity. The officer is not authorized under Sec. 583(c), V.C. to make an impound even though he is unable to move the vehicle. *If, however, the locked vehicle constitutes an obstruction to the normal flow of traffic, an impound may be made under authority of Sec. 585.2, V.C.*

The officer should consider that he may in some cases do good police work by issuing a citation rather than by making an impound. The fol-

⁷ Section 583(c), Vehicle Code.

lowing violations, when obstructing the normal flow of traffic is not an element, would generally warrant a citation rather than an impound even though an impound may be authorized:

1. Parking in a crosswalk.
2. Parking at a curb adjacent to a safety zone, or in the "No Parking" area of the curb at the approach to a safety zone.
3. Parking within fifteen feet of the driveway entrance to a fire station.
4. Parking *in front of*, but not blocking, a driveway or parking within the parkway portion of a driveway.
5. Parking on a sidewalk.
6. Parking alongside or opposite any street or highway excavation or obstruction when such stopping, standing, or parking would obstruct traffic—it is not necessary that the excavation be posted with "No Parking" signs.
7. Double parking.
8. Parking in a bus zone which is marked by a sign or by red paint on the curb.

When an impound is not authorized, due to legal limitations, a citation may sometimes be issued. A thorough knowledge of the law and departmental policies regarding vehicle impounds will not only expedite an investigation, but will assure an officer that he is acting within the scope of the statutes which limit his authority.

Stolen or Embezzled Vehicles

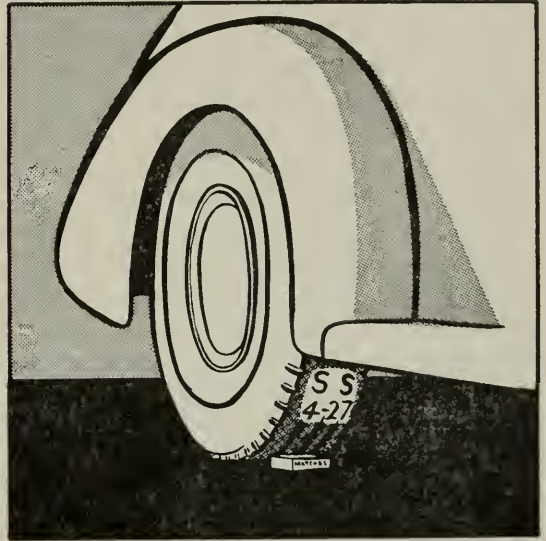
A car should be impounded when it is found upon a highway and a report has been previously made that such vehicle has been stolen, or a complaint has been filed and a warrant issued charging a person with the embezzlement of such vehicle (Sec. 585(b) (3) V.C.). A mere report of an alleged embezzlement is not sufficient grounds to impound a vehicle. An officer may encounter a situation in which a legal owner of a vehicle wishes to repossess it because of the purchaser's failure to make payments. Inasmuch as repossessions are strictly civil matters, the only action an officer should take would be to keep the peace. Even though a purchaser is concealing a vehicle from its owner, the Police Department does not have authority to impound unless a complaint has been filed for embezzlement and a warrant has been issued upon such complaint.

Vehicles Left Standing on the Street

Sec. 80.77, L.A.M.C. provides that an officer

may impound a vehicle which has been parked or left standing on a street or highway for 120 or more consecutive hours.

An officer may establish a prima facie case by placing small, crushable objects behind and in front of a wheel in addition to marking and initialing the tread of the tire with chalk. Remarks pertaining to the time of the investigation, the location and description of the vehicle, and the names of complainants, if any, should be recorded in the officer's notebook. Periodic checks of the vehicle during the 120 hour period should



be made to substantiate the violation. The officer is *not empowered to impound* the vehicle should it be driven during this period.

There is a violation, however, if a vehicle remains parked upon any *street or alley* for more than *120 hours in the aggregate, during any 121 consecutive hours*. An officer may issue a citation if he has evidence that the vehicle has not been moved or driven for more than an hour during a 121-hour period (Sec. 80.73.2, L.A.M.C.). It is not necessary that a vehicle be returned to the exact location from which it was moved. A defendant may not avoid prosecution by merely moving the car to another location on a street or alley. This statute enables an officer to take action when a defendant attempts to avoid punitive action by pushing a vehicle a few feet.

The officer should consider that many persons

are uninformed of parking ordinances. Generally, instead of making an impound, a reasonable effort should be made to locate the owner through the registration or through inquiry and warn him of the violation.

Tire Marking

The City Attorney has rendered an opinion that the specific act of erasing or destroying a chalk mark placed on a tire by an officer is not a violation of the law. It is clear that such marks are not evidence of an offense already committed, even though they may have evidentiary value. They are merely an aid to the officer in identifying the vehicle in the event of overtime parking. Erasure of a chalk mark does not eliminate the existing violation and the officer may impound or cite as may be warranted.

Disabled Vehicle an Obstruction to Traffic

In addition to understanding those instances when he may legally take property into custody, an officer should appreciate his duty and moral responsibility to protect and care for property when an owner is unable to do so. In most cases when a driver is injured in a traffic accident and the officer impounds the vehicle, he renders a public service by removing from the street an obstruction to traffic. He also renders a personal service by caring for and protecting the property of an injured person.

A disabled vehicle may be impounded when

it constitutes an obstruction to traffic on a highway, and the person or persons in charge of the vehicle are injured and unable to provide for its custody or removal (Sec. 585(b) (5), V.C.). The legality of an impound under this section depends upon the presence of three elements:

1. A disabled vehicle is on a highway.
2. The vehicle is obstructing traffic.
3. The person in charge is injured to such an extent as to be unable to care for the vehicle or to provide for its care.

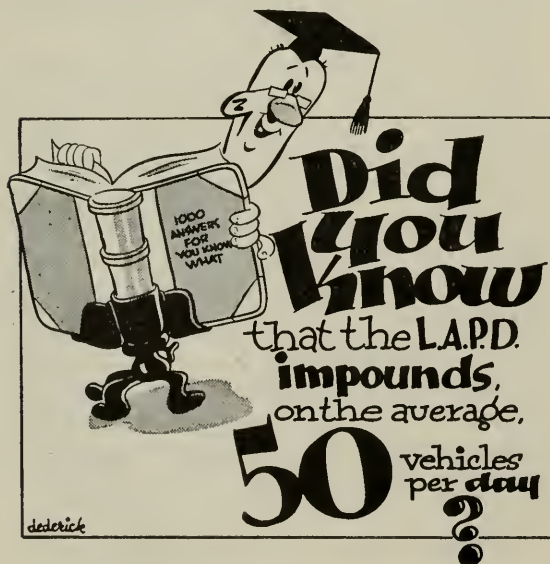
An officer is justified in impounding a disabled vehicle even though it is not a traffic hazard when the person in charge is removed to a hospital and unable to otherwise provide for the safekeeping of his property. When practicable, the officer should obtain verbal permission from the injured person to impound his vehicle for safekeeping.

Dismantled "Vehicles"

A "vehicle" which ceases to be a vehicle as defined by the Vehicle Code is no different from any other property which the owner may leave on the street and the penal provision of Sec. 585, V.C. or Sec. 80.77, L.A.M.C. do not apply. An apparently abandoned "car" with the wheels or engine removed is no longer a vehicle. Although the officer cannot impound it, he may request its removal by the Department of Public Works by addressing a Form 15.7 () containing the following information to his division commander:⁸

1. Location of dismantled car.
2. Dismantled condition. The car should be completely described so as to enable a disinterested person to place an evaluation upon it.
3. Length of time abandoned—the length of time that the car has been abandoned may be ascertained from the statements of witnesses.
4. History of attempts to locate the owner—a reasonable effort must be made to locate the owner through the registration, license plate or engine numbers, or witnesses in the vicinity.
5. Release from the owner (if obtained)—a release signed and dated by the owner indicating that he has given up all claim to the vehicle.
6. Names and addresses of witnesses—witnesses may be

⁸ *Manual of Police Procedure, Traffic, Ch. 7, Sec. 227.1, p. 158.*



persons, offended by the unsightliness of the car, who can testify to its condition and to its apparent abandonment.

7. Conclusion that the dismantled car can no longer be considered a vehicle.
8. Recommendation for removal—this is a statement by the officer that he recommends the removal of the car for reasons indicated in the report.

Illegal Parking on Private Property

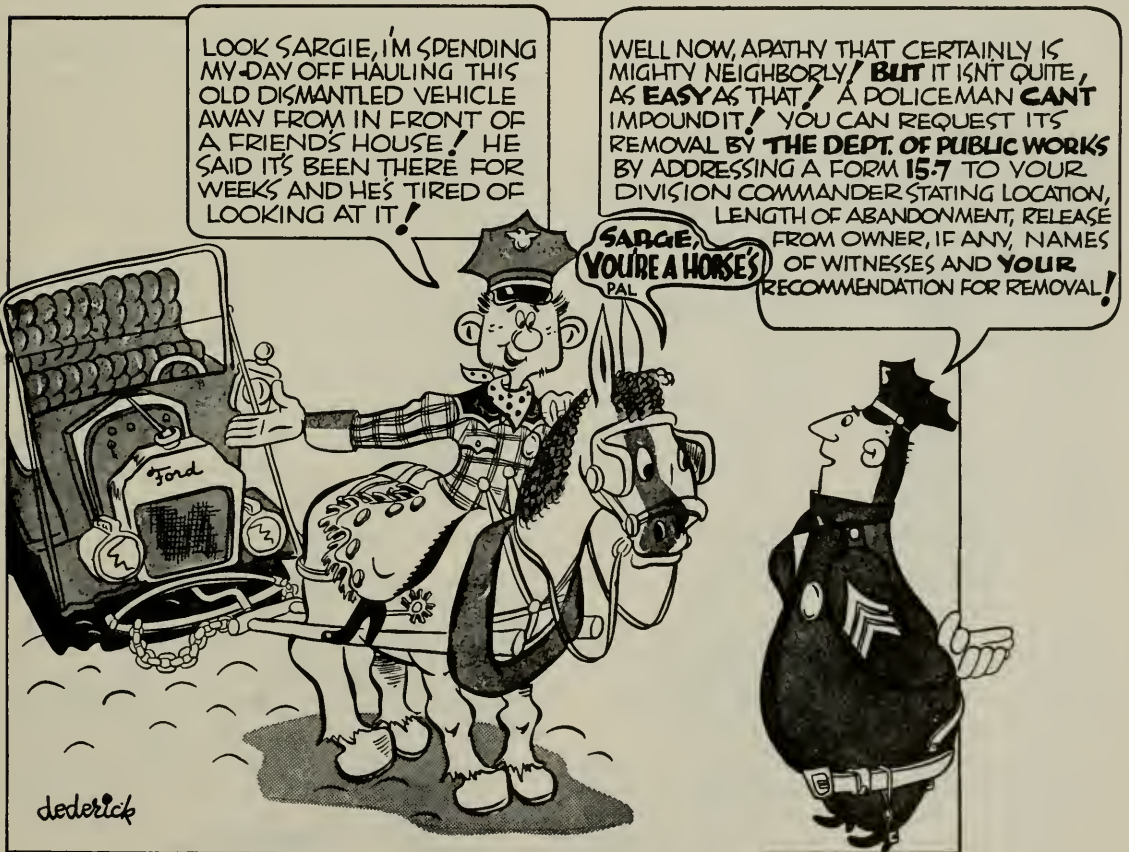
A complaint that a vehicle is illegally parked on private property will often come from a citizen who requests removal of the car. The citizen should be informed there are no statutory provisions which authorize an officer to make an impound in this instance. However, a citation may be issued charging violation of Section 80.71.4 L.A.M.C. after it has been determined that the owner or person in custody of the property did not give direct or implied consent to the parking. The name and address of the complainant should be included in the body of the citation in order that this witness might be sub-

poenaed if necessary. A person who parks a vehicle on a service station lot, a department store lot, etc., where other cars are customarily allowed to park, does not violate this ordinance as permission to park is implied.

Removing Traffic Obstructions

The purpose in removing a vehicle which is a traffic obstruction is to clear the roadway to permit the normal flow of traffic—not to inconvenience the car owner and penalize him for a violation of the law. When a vehicle is impounded unnecessarily, police time which might better be devoted to other police activities is wasted. To impound a vehicle merely because the authority exists is not only inefficient, but is an arbitrary exercise of police power. The officer *does* have an obligation, however, to remove from the street a vehicle which is a traffic hazard and an obstruction to traffic flow.

Under the provisions of Section 585.2, Vehicle Code, an officer may impound a vehicle which



is *left standing* upon a street or highway in such a position as to *obstruct normal traffic movement*.

1. A vehicle which is *left standing* is one unattended by a person capable of moving it upon request.
2. The *obstruction* referred to in this section is a vehicle which is left standing so as to create a traffic impediment.
3. The *normal movement* of traffic is that traffic flow which would exist at a particular time and location except for the presence of an illegally parked vehicle.



Parking Violation Required

An impound under Section 585.2, V.C. is not authorized unless the vehicle left standing is obstructing traffic and is *illegally parked*. A sign which merely reads "No parking" does not necessarily prohibit private or commercial vehicles from parking for the purpose of loading or unloading passengers or materials. Private or commercial vehicles may stop for *actual* loading or unloading unless a sign or marking prohibits *parking, stopping, or standing at any time*, or unless such loading or unloading takes place during prohibited hours as indicated by the sign.

Obstructions to Traffic

When a vehicle constitutes an obstruction comparable to those indicated in the following examples, an impound is warranted under authority of Section 585.2, V.C.:

1. A vehicle is illegally parked in the narrow, remaining traffic lane during "off center" traffic movement such as on West First Street in Central Division between 4:00 P.M. and 6:00 P.M. Vehicles which

would normally use this lane are forced to move around the illegally parked car. The result is congestion and a delay in the normal traffic movement because of the diversion of vehicles into the face of oncoming traffic.

2. A vehicle is illegally parked at 5:30 P.M. on South Figueroa Street in a curb lane which is intended to be used to expedite traffic flow. Other cars which are traveling in this lane are forced to move around the illegally parked vehicle by merging into the heavy traffic.

When an officer encounters a vehicle which is illegally parked at the curb where temporary signs are posted because of an existing or expected heavy flow of traffic in connection with a special event, parade, or celebration and it is essential to obtain the use of the street, he should be governed by the instructions of the field commander or a field supervisor at the event as to the advisability of removing the vehicle.

Arrests and Impounds

Sometimes when taking a person into custody the arrest procedure may be expedited by releasing the defendant's vehicle to his spouse. In other instances, it is imperative that an officer impound the vehicle for evidence. The Vehicle Code merely authorizes impound and does not make it mandatory. A consideration of the part a vehicle plays in an offense and the responsibility for protecting property will indicate whether or not an impound is necessary.

An officer may impound a vehicle when he arrests any person driving or in control of it for an alleged offense and the officer is required to take the arrested person immediately before a magistrate.⁹ An officer would not be authorized to impound a vehicle in those cases where the law provides that, instead of taking the arrested person into custody, he shall be given a citation to appear in court at some later date.

Drunk Arrests and Impounds

When an element of a driving offense is intoxication, the arresting officer is responsible for the care of the vehicle in the immediate physical custody of the defendant. If a person arrested for being drunk in public view has a vehicle

⁹ Section 585(b) (6), Vehicle Code.

parked in the near vicinity, the arresting officer may under some circumstances protect the vehicle through impound or other adequate means. Disposition of a vehicle *will not* be made at the direction of a defendant when an element of his arrest is intoxication. The faculties of an intoxicated person are considered to be so impaired as to make him unable to exercise reasonable care of his property. Evidence that the defendant directed the disposition of his vehicle would be a good defense to a charge of intoxication. The vehicle of an intoxicated arrestee may, when practicable, be released to his spouse *except when it has been involved in a felony.*

Impounds in Connection with Narcotic Arrests and Seizures

The purpose of impounding a vehicle which is in any way connected with narcotics is to facilitate seizure and confiscation through the State or Federal laws. The State law provides that a vehicle used to unlawfully transport any narcotic, or in which any narcotic is unlawfully kept, deposited, or concealed, or in which any narcotic is unlawfully possessed by an occupant thereof,

shall be forfeited to the State.¹⁰ A vehicle should be seized and impounded whenever any passenger is in possession of narcotics, whether or not the owner or driver is also arrested.

The Federal law provides that any vehicle which is used for the transportation or concealment of any narcotic drug, or which is used to *facilitate* the transportation or sale of any narcotic drug, is subject to seizure.¹¹ The Federal Courts have held that the word "facilitate" means any use of a vehicle which aids, assists, or implements a narcotics transaction. It is not necessary to establish that narcotic drugs have ever been in the vehicle in order to sustain the legality of a seizure. No vehicle which is marked "Hold for Narcotics" shall be released until such time as the releasing officer has in his possession a teletype releasing order from the Narcotics Division.

In a recent case a Narcotics Division officer met a dope peddler for the purpose of discussing the terms of a "buy." The officer observed that the peddler was driving a 1946 Ford when

¹⁰ Health and Safety Code, Div. 10, Ch. 7, Art. 1, Sec. 11610.

¹¹ Federal Law No. 357, Act of Aug. 9, 1939.



he arrived at the meeting place. Two days later the officer met the peddler and received a package of narcotics which the peddler had obtained from the rear of the 1942 Ford he was then driving. The peddler was arrested and booked on Suspicion of the Narcotics Act (a felony). The 1942 Ford was seized and impounded at the time of the arrest. Shortly thereafter, the 1946 Ford used earlier in the transaction was seized and impounded. Following a successful prosecution, the 1942 Ford was confiscated by the State because it had been used to transport narcotics. The 1946 Ford was also confiscated under Federal law because it had been used to *facilitate* the sale, although at no time had it contained narcotics.

Searching the Vehicle

A discussion of methods of thoroughly searching a vehicle suspected of containing narcotics is

beyond the scope of this lesson. However, when an arrest is made in connection with narcotics, any vehicle involved should be searched prior to its impound. Narcotics found in a vehicle at a later time may become inadmissible as evidence because they were not found in the presence of the defendant or defendants, and the car had been in charge of persons other than the defendants for a period before the narcotics were found.

Acknowledgments

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Field Tactics — Preliminary Investigation

How to Respond to a "459 There Now" Call

THE FOLLOWING deployment techniques, representing opinions of several veteran patrol officers and supervisors, were recorded during a conference on field deployment and tactics. These techniques are intended as general procedures which must necessarily remain flexible, depending upon varying circumstances.

During 1947 burglaries represented the second most common crime in Los Angeles. Despite the increase in population during this period, burglaries were four per cent less than in 1946. This reduction might be attributed to increased police personnel and equipment.

Deployment—Residence Burglary

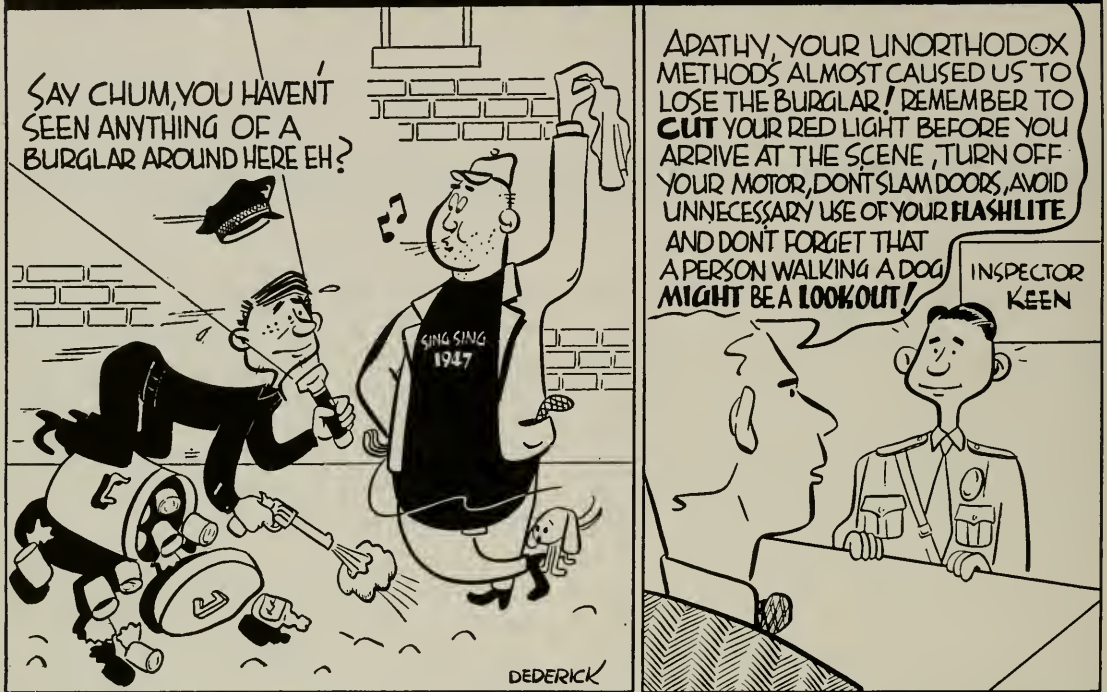
The unit receiving a "Burglar There Now" call should go to the scene as soon as practicable. If the call is "code 3," the siren and red light should be "cut" when sufficiently distant from the scene so that possible suspects will not be warned. If possible, the officers should coast up to the immediate area, and park several doors away from the address of the call. The officer driving should turn off the motor, remove the keys, and depress the catch lever on the emergency brake when setting it, to avoid an audible clicking. The car doors should not be slammed. To readily identify themselves to other policemen, plain-clothes officers should pin their badges on their coat lapels.

Approach to the scene should be made quietly with necessary conversation kept in low tones and precautions taken that keys on the officers' belt loops do not jingle. Avoid unnecessary flashing of lights. The two officers arriving first at the scene should place themselves at diagonally opposed corners of the house—this is standard

deployment procedure on any similar call, making it possible for each officer to cover two sides of the structure and remain out of the line of fire of the other. Additional units responding to the call should not overlook the possibility of checking likely suspects, i.e., persons fleeing the scene, one unfamiliar with the district, a person wearing gloves, sneakers, etc.

Interior Search: Additional units arriving should aid the unit handling the call. Exterior guard should be maintained while the interior premises are being searched. Normally, the unit receiving the call will conduct the inside search, aided by other units at the scene who are not maintaining the exterior guard. Before searching the house the officers should prepare themselves mentally—they should have an impersonal, objective, alert approach—and should consider all possible situations which might arise. The fact that there may be more than one suspect, or that the person in the house may be the home-owner, must be remembered. Only uniformed officers should conduct the search; each officer should know the number of officers inside the building and their general locations. To avoid confusion and possible cross-fire, a definite direction of search—front to rear or vice versa—is ordinarily most advisable. Take maximum advantage of cover; use caution in going around corners. The officer should hold his flashlight away from and in front of his body, taking care that none of the side rays of light illuminate him. He should have his gun drawn, but not cocked. In searching a residence at night it is *usually* best to use flashlight illumination rather than to turn on the house lights because an officer is silhouetted in going from a lighted room to a darkened room. Furthermore, the officer's eyes are not accustomed

APATHY in ACTION



to seeing in a darkened room after leaving a lighted one, while the suspect has the advantage of being accustomed to the darkened surroundings.

Deployment—Business or Industrial Burglary

When answering a "Burglar There Now" call at a business or industrial location, use the same general approach as indicated for residence burglaries. If possible, do not park in front of the business. It is generally advisable for the passenger officer to be dropped in front while the driver takes the police car to the rear. The officers should take positions at diagonally opposed corners of the building, or any other positions which ensure adequate coverage in the event the suspect attempts to escape through any of the exits of the building. When sufficient additional units have arrived, adequate protection of the exterior should be arranged and the interior searched in a manner consistent with the principles outlined above.

A thorough check of the roof should be made, inasmuch as about one-half of all business bur-

glaries are "roof jobs." Special attention should be given to skylights and attic doors. Entry in many "roof jobs" is accomplished by boring augur holes and sawing between them until a hole of sufficient size is made. The roof surface should be checked thoroughly and carefully—mere flashing of the light around is not enough. Other common points of entry include cutting through walls or ceilings from adjacent structures or upper stories. The officers should not hesitate to break down a door, or force whatever entry is necessary if there is good reason to believe that a burglar is inside. They should be alert for lookouts who may be assuming the guise of persons working on a car and signalling by horn or racing motor; a person walking a dog, who may signal by whistling; one explaining his presence in a yard or darkened area for the purpose of urinating. They should watch for simulated drunks, "neckers," etc.

How to Proceed with a Preliminary Burglary Investigation

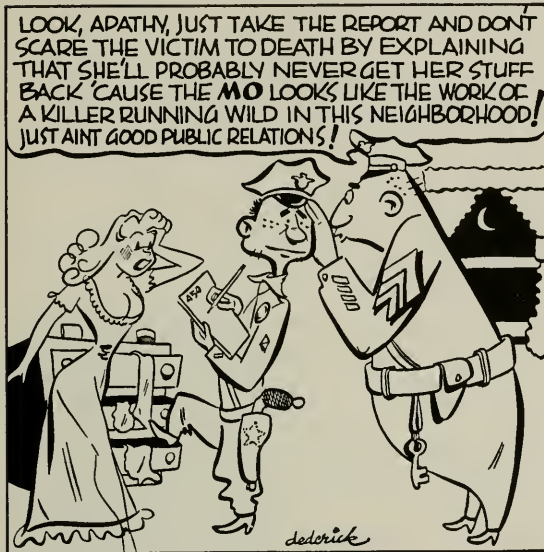
The material contained herein indicates on-the-scene preliminary investigation procedure for

uniformed officers. Previous instruction treated the deployment on a "burglar there now" call. The next lesson will cover preliminary investigation of a safe-burglary.

Burglary is one of the most difficult crimes to solve as the perpetrator is seldom seen. Convictions are generally obtained only on circumstantial evidence.

Public Relations

Officers responding to a burglary report call should show a noticeable interest in the victim's



loss and by their actions during the preliminary investigation reflect that they, as well as the entire police department, will make every effort to recover the victim's property and apprehend the suspect. An officer after recognizing a particular "MO" should not tell the victim that the suspect is "running wild" in a certain neighborhood. The victim should also be advised that, if he later discovers additional property is missing or if he learns of information regarding a possible suspect, he should contact the divisional detectives instead of calling back the uniformed policemen.

Difference between Theft, Burglary, and Related Crimes

Since burglary is a crime requiring a specific intent, it is sometimes difficult to determine when a burglary has in fact been committed. The

following classifications do not limit but reflect general examples of burglaries and crimes which might be mistaken for burglaries:

1. Burglaries:

- a. Where the property attacked is a dwelling and there is evidence of ransacking or where property has been taken.
- b. Where the property attacked is a business or industrial concern and there is evidence of ransacking or where property has been taken *after closing hours*.
- c. Where the property attacked is a business concern and a suspect, possessing a "booster box" or wearing special clothing to enable him to conceal merchandise, has been apprehended in the building *during business hours*.
- d. Where the property attacked is a *locked automobile* and property has been taken from inside the vehicle.

2. Thefts:

- a. When a suspect has entered a business establishment as a customer *during store hours* and carried away merchandise, and has no "booster equipment" in his possession.
- b. Where the property attacked is an unlocked vehicle.
- c. Where an invited guest takes the victim's property.

3. **Other Crimes:** When the suspect has entered a structure to commit a nuisance or damage property or premises, a Malicious Mischief Report (Form) should be taken.

At the Scene

A radio unit arriving at the scene of a "459 Report" call should check the premises thoroughly to determine if the burglar is still there. At the same time the officers should look for footprints, fingerprints, tool marks, or other evidence that may have been left by the burglar, and prevent such evidence from being destroyed. If there are footprints, or there is a possibility of latent fingerprints, the officers should arrange for a scientific investigation. Ordinarily, tool

marks left by a suspect are described only in the Burglary Report. However, where a suspect who has been taken into custody by the officers has in his possession a tool corresponding to the marks, they should request the Crime Laboratory, Sta. 2643, during the day watch, to make an investigation and comparison. During the night and morning watches the Business Office may contact laboratory technicians when warranted. Under no circumstances should the field officer place possible burglary tools in contact with, or even in the near vicinity of, the tool marks in attempting to effect a comparison.

General Procedure

If the burglary involves a loss of \$5,000 or more, if it is a safe-job, or if at the scene there is obvious physical evidence requiring scientific investigation, the radio unit should request the assistance of divisional detectives for evaluation of such evidence. Where the detectives are not handling the preliminary investigation and there is physical evidence that is movable without alteration or contamination, it should be booked with the divisional property clerk. The occupants of the premises should be instructed not to destroy any possible latent fingerprints, footprints, or tool marks until after a follow-up investigation by the detectives has been made. Otherwise, after searching the premises, one officer may proceed with the Burglary Report (Form) while his partner completes the preliminary investigation. The following should be noted and included in the report:

Modus Operandi

1. The officer should first determine the means of entry. Often when there has been no apparently forced entry, a burglar may have gained entry by using a heavy needle to unlock a screen, or a celluloid or thin metal shim to open a spring lock. The officer should not attempt to demonstrate how entry was made and in so doing destroy tool marks left by the burglar.

2. Determine whether the victim had any recent visitors or telephone calls by any potential suspect, who may have been "casing" the premises.

3. Ascertain whether the victim left his shades

down or up and if they were moved by the suspect.

4. Ask the victim if he left a hall or porch light burning during his absence, and if the doors and windows were locked when he left. If this was the case, the victim should be advised that bedroom or living room lights left on and a radio playing will more effectively simulate occupancy during absence if the shades are down.

5. An officer should look around for evidence of ransacking, sex perversion, bowel movement, or evidence of any other unusual acts committed by the burglar.

Business Burglary

In the preliminary investigation of a business burglary, the person making the report should be advised to look carefully through all pages of the company check book to determine if any checks have been removed. If blank checks have been taken in a burglary, the officer should immediately notify the Forgery Division by telephone, Sta. 2514, advising them the name of the company, the bank on which the checks were drawn, and the check numbers. When the Forgery Division is closed, this information should be telephoned to the Business Office, Sta. 2504.

How to Proceed with a Safe-Burglary Call

The following material pertains to "on-the-scene" procedure for a radio patrol unit assigned to a "burglary—safe job" call. Previous instruction related to preliminary investigation of a burglary and subsequent material will cover burglary reports.

Safe-burglaries will usually occur during the early morning hours within commercial and industrial areas. Anticipating these occurrences and concentrating patrol in these areas during the early hours of the morning watch will aid in repression of these crimes and in the apprehension of suspects.

Types of Safe "Jobs"

1. "Punch Job"—The dial knob of the safe is pounded off and the spindle driven free of the tumblers in the lock mechanism.

2. "Drag Job"—A drag plate (heavy metal plate with three adjustable bolts) is used to pull the knob and spindle from the safe.
3. "Lock Shot"—Explosive is packed into the spindle hole and is exploded by an electric detonator to break the lock.
4. "Blow Job"—Nitroglycerine is induced around the door steps and the seams sealed with putty or soap. The explosion blows out the door of the safe.
5. "Rip Job"—The door plate is pried off with a bar.
6. "Drill Job"—Soft spots in a safe are drilled out and the lock bar is broken with a center punch and hammer.
7. "Chop Job"—The bottom metal plate and fireproof material are chopped out of a safe with an ax.

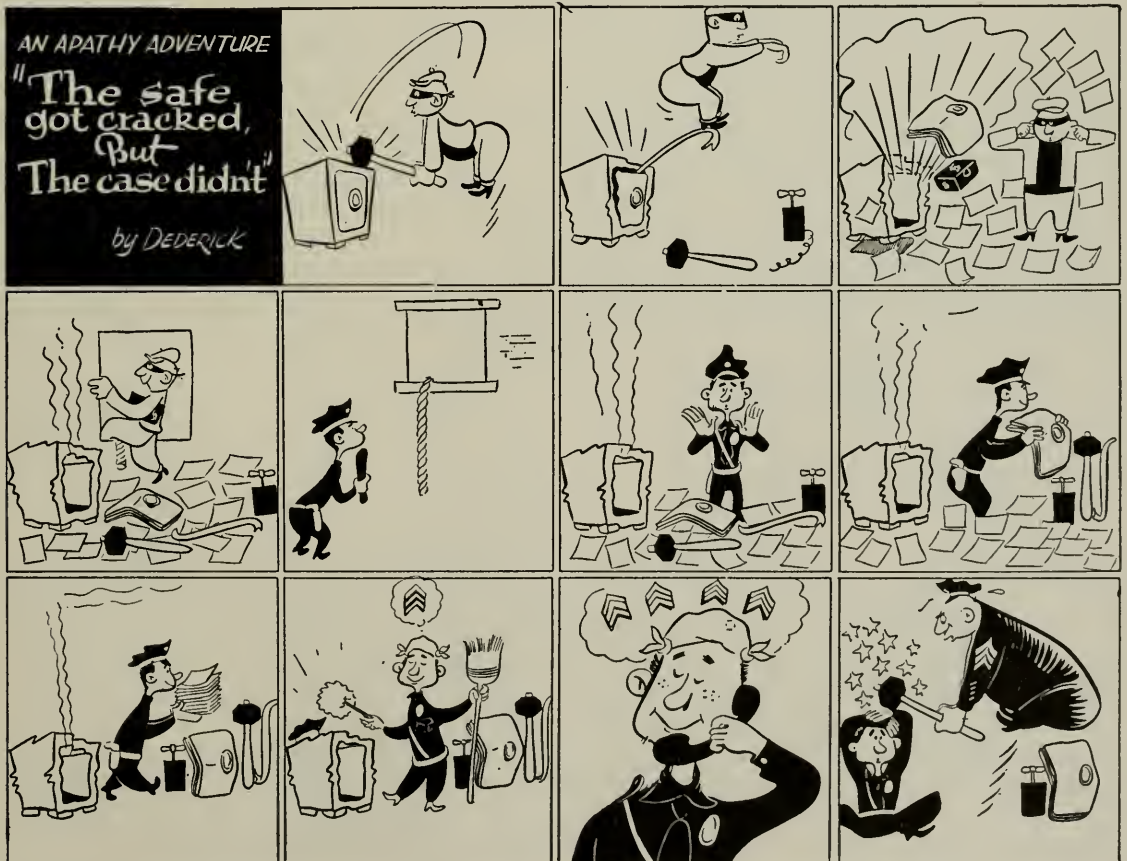
involving a safe-burglary should not walk about the immediate area of the attacked safe. Generally, in every type of safe-burglary except "punch jobs" and "drag jobs," dust from the fireclay lining the safe is deposited around it. Often an identifiable foot or heel print is left in the dust. Also, heel prints are often found on papers scattered by the burglar. Tools left at the scene or found on premises where they do not belong should be protected, pending an examination by investigators. The officers should determine if there are tire tracks outside the building. Should such evidence be found, it should be protected until examined by an investigator.

Notification of Detectives

In addition to taking the Burglary Report, officers making a preliminary investigation in which a safe has been attacked shall immediately notify the Burglary Division, Sta. 2524. The Business Office Division, Sta. 2504, shall be noti-

Preservation of the Scene

A radio unit responding to a "459 Report" call



fied if the Burglary Division office is closed. Divisional detectives should also be summoned to the scene.¹

Difference between Burglary and Burglary-Safe Job

For purposes of reporting, a safe may be considered as a receptacle or a vault designed to resist attack by burglars and is generally constructed of heavy steel plating. A filing cabinet or a fire chest should not be considered a safe, even though they may have combination locks. These containers are constructed of a light sheet metal which can be pierced easily. Whenever the reporting officers are in doubt as to whether a burglary is in fact a safe-burglary, or if the type of job is questionable, they should discuss these points with the investigators before making a report.

Safe-Burglary Suspects

Anyone who has on his person or in his automobile any keyhole saws, braces and bits, power drills, jumper wires, punches, hammers, welding equipment, or electric detonators may be a burglary suspect. Electric detonators are round, tubular devices, having the appearance of radio condensers, approximately three-eighths inch in diameter, one and one-half inch to two inches in length, copper plated, with two wires coming out of one end. One punch and a hammer are all that is needed by an experienced safe-burglar. Officers checking a suspect should examine the trunk of his automobile for indentations, impressions, and bits of fireclay which may have been left by smaller safes on "carry out jobs." The bumpers and turtleback of a suspect's car should be checked for evidence of paint scraped from a safe.

How to Answer an "ADT" Alarm Call

The following material is offered to familiarize the officer with the various types of ADT (American District Telegraph) equipment and procedures which, in some instances, become the basis of police calls.

The American District Telegraph Company,

¹ *Detective Manual*, p. 44.

741 South Flower Street, monitors, through a central office alarm system, over 2,000 local alarm installations. This organization investigates 80 per cent of all alarms registering in their offices, referring only 20 per cent (those calls most likely to represent criminal action) to the Police Department. To expedite dispatching, ADT communicates these calls to the LAPD complaint board by means of a direct telephone line.

ADT Hold-Up Alarms

These systems are installed in most banks, jewelry and fur stores, and other concerns having highly concentrated values such as cashier's offices of large retail stores. Through the use of hidden buttons, the devices are operated manually by the victim of a robbery.

ADT Burglar Alarms

More than 80 per cent of all ADT alarms are burglar alarm signals and occur at night. The devices described below are installed on the merchant's premises to actuate a signal in the ADT offices:

1. *Metallic foil*, with associated contacts, is most generally used on doors and windows. This device is usually obvious to a burglar.

2. *Wooden dowels* in the form of lattice on doors and windows conceal wires which, when broken, interrupt the circuit and actuate a signal.

3. *Invisible photo-electric beams* are projected inside enclosed premises. A circuit is broken and a signal actuated whenever an object passes through these rays.

4. *Floor traps*, consisting of an insulated black electric wire strung across aisles or in front of safes, are not noticeable in darkened areas. An alarm is set off when an intruder walks into such a trap.

5. *Bell-ringing alarms* are used in conjunction with about fifty out of more than two thousand ADT burglar alarms. This is the customary on-the-premises bell-ringing equipment. Most of these devices, however, also actuate a signal on ADT's control board.

6. A recent development of ADT is a *heat detector* installed within a safe. In the event the safe is being subjected to a torch job, this device registers on the ADT control board.

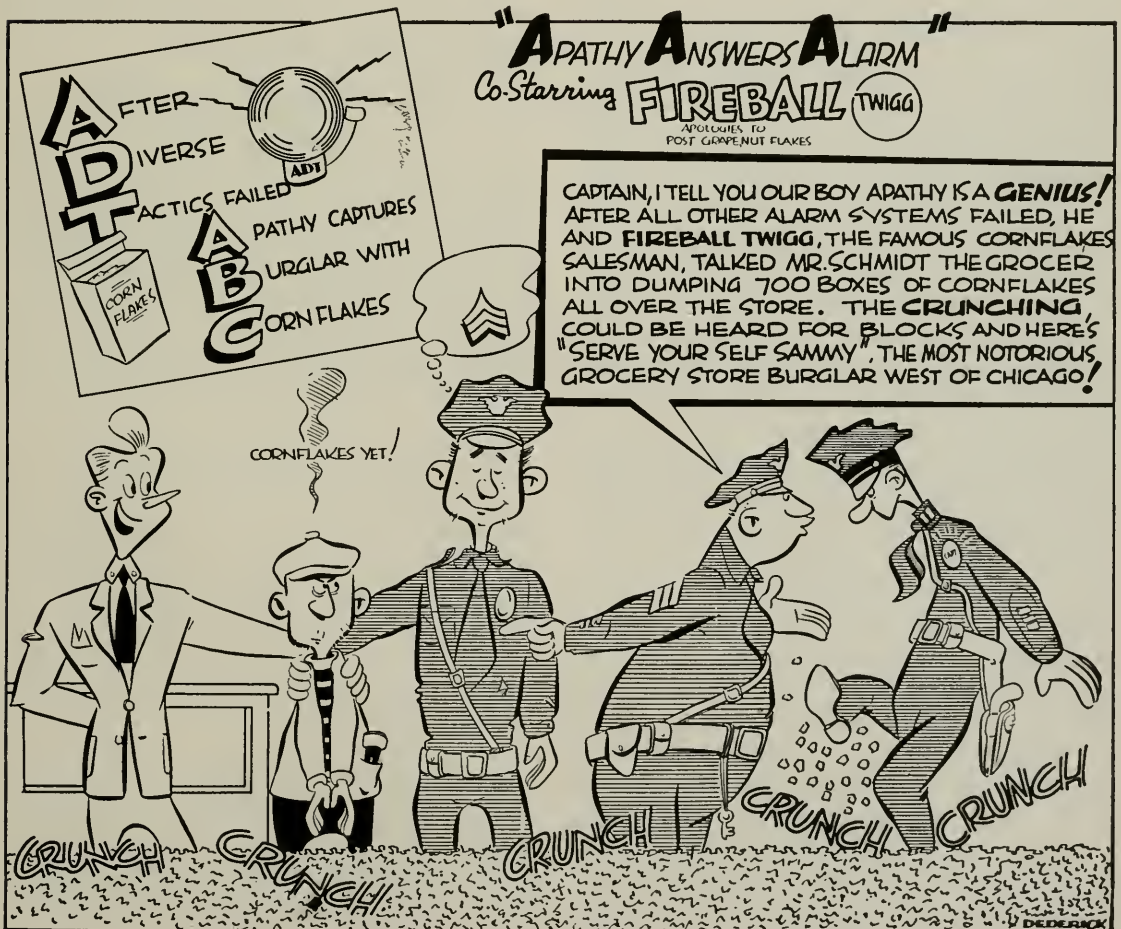
Deployment in Answering an ADT Alarm Call

In excess of 50 per cent of the attacks against ADT-protected premises are accomplished by entry through a roof or skylight, or by cutting through walls or ceilings. It is important, when investigating an alarm, to determine if entry has been made through some secluded part of the building not easily seen by casual outside observation. Other points of entry include air vents, iron grille doors, sliding doors pried off the bottom rail, and upper story windows attacked from a fire escape reached from the top of a car.

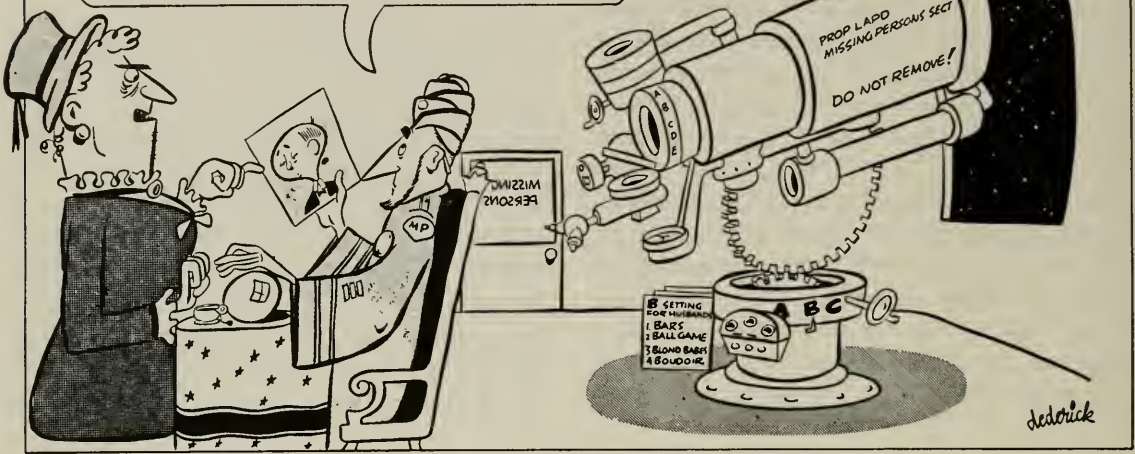
The unit getting the "ADT" call should go to the scene as soon as possible. If the call is "code three," the officers should "cut" the red light and siren sufficiently in advance to avoid warning possible suspects. Upon reaching the scene,

the car doors should not be slammed or directions shouted. Other units responding to the call should not overlook the possibility of checking likely suspects, i.e., persons fleeing the scene, those unfamiliar with the district, persons wearing gloves or sneakers, etc.

So that each man can observe two sides of the building, one of the officers in the first car to arrive should cover one corner by going to the rear of the building; the other officer should cover the opposite corner, at the front of the building. The first and second units should coordinate cover and search of the premises. If the premises are those of a large industrial establishment, the officers should wait for additional units so that an effective search can be made. If forced entry has not been made, the officers should wait for the ADT man, who in most cases has a key.



..... SO YOUR LOVING HUSBAND DREW \$20 FROM THE SAVINGS AND "DISAPPEARED FROM THE FACE OF THE EARTH" LAST NIGHT? WELL MADAM, IF OUR CRYSTAL BALL OR THE TEA LEAVES OR THE TELESCOPE DOESN'T WORK WE CAN ALWAYS CHECK WITH THE RECEIVING HOSPITAL, THE GENERAL HOSPITAL, TRAFFIC RECORDS AND THE JAILS! **POOR SOUL!**



How to Handle Missing Person Calls

Adults

Over 3,200 missing person cases were handled by this Department in 1948. Some of these people leave home because they are unable to live compatibly with their spouses or relatives; others slip out of sight to escape responsibility. A small percentage are victims of foul play. Others, due to mental illness, wander aimlessly until they come to the attention of the police and are returned to relatives or are placed in an institution for care and treatment. A very few are real, or pretended, victims of amnesia.

Not all of these situations warrant an investigation; however, this cannot be determined until some inquiry has been made.

Initial Interview

In determining what action should be taken regarding a missing person, the officer interviewing the citizen reporting the incident should attempt to learn the circumstances surrounding the disappearance. By "screening" the facts through careful questioning, it may be learned that a report, a broadcast, and a search should be made without delay. Often a written report is not warranted; however, to relieve the anxieties of the concerned persons, an officer should

ascertain that the missing person has not been arrested or injured in an accident.

Aged or Mentally Incompetent Missing Persons

When a request is made for assistance in locating a missing person who is aged or mentally incompetent, the interviewing officer should attempt to determine, if possible, whether the missing person is in a hospital or in police custody. If he is not located, a Missing Person Report, Form 3.16, must be taken regardless of the circumstances or the length of time he has been missing.

Unusual Circumstances

If the missing person has received threats or warnings, or is known to be carrying an unusually large sum of money, a complete investigation should be made. In all cases in which there is any indication of an intent to commit suicide, a report should be made. In addition, officers should take whatever action may be dictated by the circumstances.

Unfounded Requests for Aid

Many persons will solicit aid in locating a husband, wife, or adult relative who has not arrived home at the usual time. Often these cases involve an irresponsible person who intermit-

tently leaves home for short periods of time, or one who is delayed for personal reasons and has failed to notify his family. Unless the person is missing under unusual circumstances, no investigation other than determining whether the missing person is in a hospital or in police custody would be warranted.

Preliminary Action by a Field Officer

When circumstances indicate cause for concern about a person reported missing, action should be taken which might relieve the anxieties of the person reporting and possibly eliminate the necessity for taking a Missing Person Report. By telephoning certain agencies directly from the scene, a nearby field telephone, or the station, or by having it done through the desk officer, the officer can determine whether the missing person is in a hospital as a result of an injury, under arrest, etc. The following agencies should be called.

1. The Missing Persons Section, Homicide Division, Station 2548, or if that section is closed, the Business Office Division, Station 2504.
2. The dispatcher at Georgia Street Receiving Hospital, Station 2335. The missing person's name and the time that he was first known to be missing should be given.
3. The General Hospital, Station 449; or CApitol 3161. Before requesting information about the victim, the officer should request to be connected with the identification section which corresponds to the first letter of the victim's last name. For example, the name "Smith" should be referred to "Identification S."
4. Traffic Records, Station 2386.
5. The Master Booking Index at the Main Jail, Station 2549.
6. County Jail Booking Office, Station 2670 or MUtual 9211.
7. The Coroner's Office, MUtual 9211, Station 3286 8 A.M. to 5 P.M.; Station 3766 after 5 P.M. or on Saturday, Sunday, and holidays.

If the circumstances do not warrant a report or follow-up investigation at that time, the reporting person should be advised that, if after a lapse of 24 hours the missing person has not returned, a Missing Person Report should be made at the nearest police station. The citizen should also be advised of efforts which have been or will be made to locate the missing person. The

officer should keep in his notebook a description of the missing person and a record of the calls made. These calls should also be noted on the Officer's Daily Log for future reference regarding the action taken.

Cooperation Is Essential

Successful police work is dependent upon the active co-operation of a number of units. This is particularly true when the work involves a search for a wanted person or one who is reported missing. Much of the success of these searches depends upon the broadcasting of accurate and complete information. Whether or not this information is available depends upon the initial efforts of the interviewing officers as the reporting person will seldom volunteer all the pertinent information he has unless he is asked for it. If complete information is secured from the citizen, it will help assure him that every effort will be made to locate the missing person.

Report Taken in Field

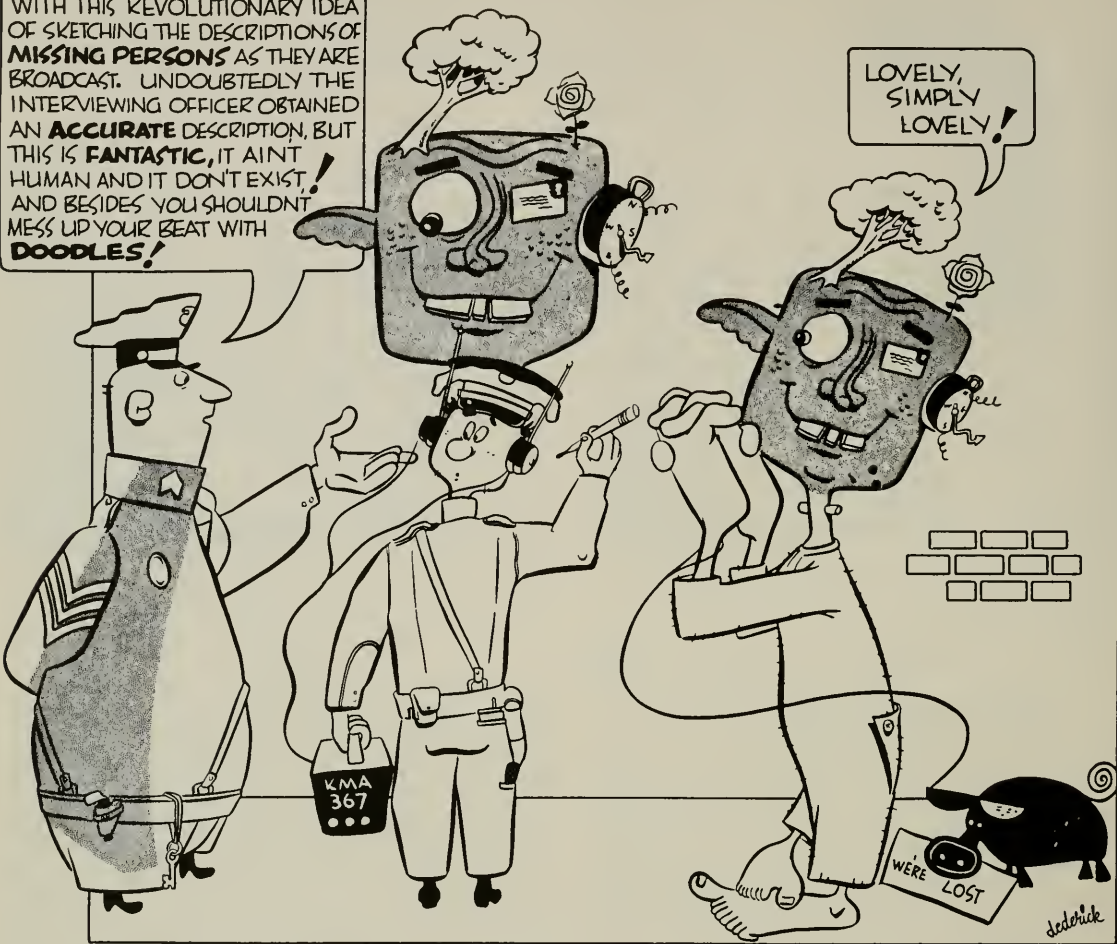
In many cases, because of the circumstances under which a person is missing, an officer may be required to take a Missing Person Report, Form 3.16 (), and make an immediate search in addition to calling hospitals, jails, etc. To facilitate the investigation, the information contained in the report should be as complete and detailed as possible. Emphasis should be upon physical description, and the type and color of clothing worn. The report should include any additional information pertaining to the missing person's habits, such as where he usually goes when taking a daily walk, where and with whom he spends his leisure time, close friends or relatives he may desire to visit, and any serious or prolonged illness. Easily identifiable oddities, such as scars, blemishes, etc., should also be described. If he has had access to a motor vehicle, it should be described in detail. A statement indicating the telephone calls which officers have made and other action they have taken should be included to provide a complete record of the attempts to locate the missing adult.

Broadcast Procedure

In determining if a police radio broadcast is advisable, the Missing Persons Section should be

NO APATHY, I CAN'T GO ALONG WITH THIS REVOLUTIONARY IDEA OF SKETCHING THE DESCRIPTIONS OF MISSING PERSONS AS THEY ARE BROADCAST. UNDOUBTEDLY THE INTERVIEWING OFFICER OBTAINED AN **ACCURATE** DESCRIPTION, BUT THIS IS **FANTASTIC**, IT AINT HUMAN AND IT DON'T EXIST! AND BESIDES YOU SHOULDN'T MESS UP YOUR BEAT WITH **DOODLES!**

LOVELY, SIMPLY LOVELY!



contacted whenever the missing adult has disappeared under unusual circumstances.

Search Procedure—Mentally Incompetent and Aged Adults

When a missing aged or mentally incompetent adult is reported to a field unit, the officers should make a search of the streets surrounding the person's home; they should check nearby parks, playgrounds and community shopping centers. Information which might aid in locating him may be obtained by questioning neighbors, workmen on the street, and shopkeepers in neighborhood stores.

Lost Adults

Frequently, aged, senile, or mentally un-

balanced adults become a police problem when they are unable to find their way home. Generally, officers are able to establish the identity of a lost person from articles on his person or by interrogating him. If it is determined that the person lives in the same division in which he is found, he should be taken to his home. If the person lives outside the division in which he is found, he should be taken to the station and relatives should be notified to call for him. When a lost adult is encountered, the concerned officers should notify the Missing Persons Section so that any outstanding reports and teletype notices may be cancelled.

Unidentified Lost Adults

When officers are unable to identify a lost

person by interrogation, by articles on his person, or by calling the Missing Persons Section, he should be taken to the Hospital Division, Room 5, Georgia Street Receiving Hospital. They will advise what is to be done with the person.

If either the Missing Persons Section or the Hospital Division authorizes a booking, he should be transported to the Main Jail and booked as a "lost person." In such case, a booking number and an Arrest Report are required.

Juvenile

The movements of small children are unpredictable, and the variety of places where they may be found after having wandered away from home is unlimited. Seldom do they go far, but if they cannot be readily found, the parents become alarmed and, in their distress, search only the most obvious places. For this reason, officers should carefully search every place where a missing child might be concealed.

Responsibility of Assigned Unit

Before a call regarding a missing juvenile is assigned to a police unit, it is usually "screened" by the Missing Juveniles Unit which has determined that the services of the police are warranted. The officers assigned the call are responsible for making a thorough preliminary investigation and reporting pertinent information or the disposition of the call to the Missing Juveniles Unit which acts as a "clearing house" in such cases. If any doubt exists regarding the necessity for taking a report or conducting a search, officers

should be guided by instructions of the Missing Juveniles Unit.

Notifications

If the initial investigation reveals evidence of a possible crime in connection with the child's disappearance, the Watch Commander of the Juvenile Division and the division responsible for the investigation of the type of crime involved must be notified immediately. If there is no evidence of a crime but other circumstances indicate that an immediate and *extensive investigation* should be made, the officers must notify their division commander and the Commander of the Juvenile Division. Until they are relieved, the officers assigned to the call are responsible for the investigation.²

When to Take A Formal Report

If a search is indicated, it should be made immediately. A formal written report can be made later. However, information concerning the child's physical description, clothing, interests, habits, playmates, and nearby play areas should be obtained, and any information which might be helpful to other units assisting in the search should be relayed to the Communications Division for broadcast. The officers should determine where the child was found if he has disappeared on previous occasions. This information may save time and effort in locating him. If the

²Los Angeles Police Department, *Manual of Police Procedure, Juvenile*, Vol. 4, p. 57, 1948 (Unpublished).



child is found during the preliminary search, no written report is necessary. However, the assigned officers are responsible for reports if the search is temporarily discontinued or if they are relieved by other officers.

Search of the Home and Yard

Although the parents may insist that they have thoroughly searched their premises for the child, officers should personally search the area. Because the parents usually are emotionally upset, they quite often dismiss a search of their home and the immediate area after calling the child's name and looking only in obvious places. On several occasions, after parents have insisted that they have made a complete search, officers have found the missing child asleep under a box, step, barrel, the house or an outbuilding, or in a closet, attic, or basement of the house.

Neighborhood Search

When neighbors offer to assist in the search, they should be directed so that it may be made efficiently and thoroughly.

Attractive Hazards: After the missing child's home and yard are checked, the locations which attract young children should be investigated. Such attractive hazards include open or unfenced pits, wells, or sinks, drainage ditches or open storm drains, steep cliffs or heavily wooded areas, and buildings under construction.

Questioning Children: Small children, particularly those in groups, should be questioned as the missing child may have been attracted to them. They often are more observant than adults and may be able to offer suggestions as to the child's whereabouts.

Expanding the Search Area: Usually the child will be found near his home. If not, the searchers should fan out in a methodical search which will eliminate duplication of work, loss of time, and will result in a larger number of persons learning of the child's disappearance.

Attitude of the Officer

Sometimes, anxious relatives of a missing child will show impatience with an officer's attempts

to conduct a systematic search. Although these persons may actually hinder the officer, he should not show irritation, but should make every effort to alleviate their distress by assuring them that the child's description has been broadcast and that every effort is being made to find him.

Coordinate All Efforts

Many officers have had the experience of stopping a person in a car reported to be stolen only to learn that the driver was the real owner who had recovered his car but failed to cancel the want. A similar waste of effort may result from a failure to disseminate information concerning a found or missing juvenile.

In one instance, two officers found a three-year-old child and for three hours tried unsuccessfully to obtain his address. They did not notify anyone that he had been found. In the meantime, the Missing Juveniles Unit received a report that the child was missing and a search was initiated. Considerable time was wasted before the officers who had found the child notified the Missing Juveniles Unit. This lack of coordination resulted in much unnecessary police work in addition to the undue anxiety suffered by the child's parents.

Action by the Desk Officer

Often juveniles are reported missing to a desk officer by telephone. If the divisional juvenile officers are at the station, the call should be referred to them. In their absence the desk officer should record the circumstances of the child's disappearance, his age, description, address, and phone number on a Telephonic Report of Missing or Lost Child, Form 9.7 (). This information should be telephoned and teletyped to the Missing Juveniles Unit immediately.

When a person comes to the Station to report a missing juvenile, a Form 9.7 () should be prepared and the information telephoned to the Missing Juveniles Unit. Officers should be guided by instructions of this unit regarding reports and other police action which may be warranted.

Dispatching Patrol Car

In all cases of missing juveniles under the age of eleven years, a patrol car *must* be dispatched immediately. If the child is from eleven to eight-

een years of age, a car may be dispatched if the information appears to warrant such service or if it is demanded by the reporting party.³

Advising the Reporting Person

When information regarding a missing juvenile eleven years of age or older is relayed to the Missing Juveniles Unit, an officer will frequently be advised that a search and a Missing Person Report should not be made. In accordance with this advice, the concerned persons should be instructed to make a written report if the missing juvenile does not return within a reasonable time, depending upon the juvenile's age, the hour, and the circumstances surrounding his disappearance. They should be assured, however, that the Department does have a record of their telephonic report, and that they will be notified if the juvenile is found.

The reporting person should always be ad-

³ Los Angeles Police Department, *Manual of Police Procedure, Juvenile*, Vol. 4, p. 57, 1948 (Unpublished).

vised to notify the Juvenile Division if the missing child returns home or is located. Quite often a police investigation has been unnecessarily continued because this was not done.

Found Children

In attempting to learn a found child's address, officers should first call the Missing Juveniles Unit to determine whether the child has been reported missing. If this unit has no information regarding the child, and he was found in a residential district, his home might be located by cruising the vicinity and questioning children. However, officers should not spend time making a *random* search of a large area in the hope that the child's home will by chance be located.

If a child is found in a business district, he should not be immediately taken from the area. Quite often, parents will find the child if he is kept from wandering from the place where he was found.

If the child's home or parents are not located,





he should be taken to the divisional station and left with the juvenile unit or the desk officer. However, whether the child is returned to his parents or left at the station, the Missing Juveniles Unit should be notified of the action taken.

Publicity and Missing Persons

The locating of missing juveniles may be occasionally expedited by the use of publicity such as television, radio, and the press. Some parents, however, are reluctant to use these facilities because they feel that the reputation of the child might suffer as a consequence. Because these means are available and publicity would be appreciated by many parents, officers taking formal missing juvenile reports should discuss possible publicity with the reporting person. This action by the officer will indicate the Department's sincere desire to be of service.

Authorization to Televis

When a formal written report of a missing juvenile is taken and the parents wish to have

the juvenile's disappearance publicized on television, the following procedure applies:

1. A clear, black and white photograph of the subject should be obtained and his name should be written in pencil on the back.
2. An extra copy of the missing report should be forwarded with the photograph to the Public Relations Unit, 21st fl., City Hall.

If the missing report is taken at the station, the authorization may be typed on the bottom of the report. If the report is taken in the field, the authorization should be included on the penciled copy, preferably in the following form:

I hereby give permission to the Los Angeles Police Department to televise a picture of my son (or daughter) (name)

..... who is missing.

(Signed)

The reporting person's signature must appear on the authorization as well as on the report.

If at the time a report is taken the parents do

not wish to have the picture of a missing juvenile televised but request it at a later date, an authorization should be obtained on a Supplemental Report, Form 3.19. This authorization should be forwarded to the Juvenile Division for permanent filing, and the subject's description and picture sent to the Public Relations Unit.

Other Publicity

If newspaper or radio publicity is desired, the Missing Juveniles Unit should be notified by telephone and arrangements will be made by that unit.

Information about Publicity

Requests for information regarding dates and times of telecasts and regular radio broadcasts should be referred to the Public Relations Unit.

Contacting Other Jurisdictions

When a report of a missing juvenile is taken, there might appear to be circumstances indicating the advisability of a teletype message. For example, the juvenile may be known to have left the city for an unknown destination. In this case, an All Points Bulletin is warranted. When it is learned that a juvenile is en route to a specific destination, an All Points Bulletin may make it possible to intercept him. If a missing juvenile is known to be in another jurisdiction, a direct message to the chief law enforcement officer in that locality would be warranted.

Under these circumstances, the interviewing officer should telephone the Missing Juveniles Unit for advice regarding the proper type of message and he should obtain approval to send a teletype. This approval is confirmed by the record clerk sending the teletype by a three-way teletype connection between the sending division, the Communications Division, and the Juvenile Division. No attempt to send a teletype should be made until approval has been obtained, as the Communications Division will delay the message until approval is obtained. It is imperative that the Juvenile Division receive these messages for purposes of information, co-ordination, and future cancellation.

When approval has been obtained, the type of message to be sent should be indicated on the

Approval to Make Report, Form 3.25 (), or in the case of a penciled report, on the Missing Person Report.

How to Advise in Landlord-Tenant Disputes

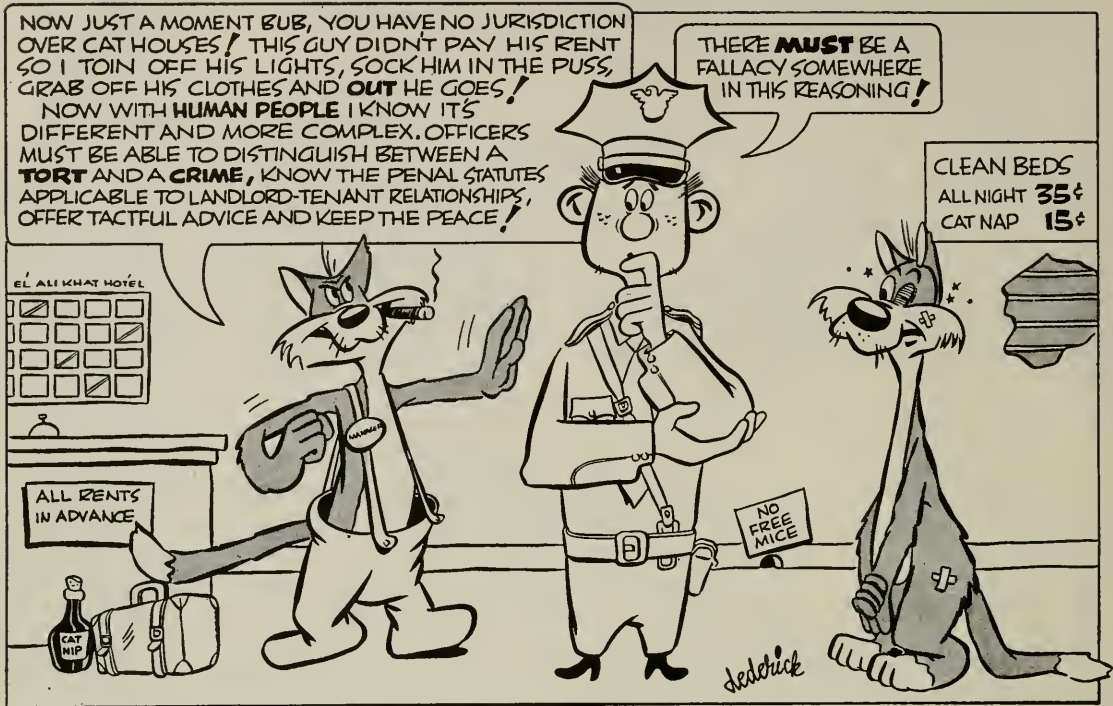
In the City of Los Angeles, nearly a million persons live in rented dwellings. Many landlord-tenant relationships exist which are the source of numerous disputes. Usually such controversies involve civil law only, but occasionally criminal acts may be committed which may warrant some police action.

When a police officer is called to the scene of such a dispute, the parties involved frequently expect him to resolve the problem immediately. So that the officer may take appropriate action, he should be able to distinguish a tort from a crime and be familiar with penal statutes applicable to landlord-tenant relationships.

Civil Aspects

Civil law pertaining to landlords and tenants is extremely complex. The Baggage Lien Law, for example, gives the keepers of certain establishments the right to seize, *for non-payment of rent*, the baggage and certain other property of a person residing in such premises. Exactly what would constitute the type of establishment defined in the law is usually a matter for a court or an attorney to decide, as would be the kind of property which can be seized.

Officers are frequently called upon to take theft or burglary reports when the proprietor of an establishment has removed property from the complainant's room in execution of a baggage lien. In these cases, an officer should interrogate the complainant as to the payment of rent, and should interview the proprietor. If the property was taken in the enforcement of a lien, no theft has occurred because the intent to permanently deprive the owner of the property is lacking. Thus, since the taking of the property is a matter of civil law, no police action other than keeping the peace is indicated. If the tenant insists that action be taken under criminal procedures, he should be referred to the Criminal Division of the City Attorney's office. At no time should an officer attempt to give civil legal advice.



Criminal Aspects

Some criminal acts other than an assault or a battery will occasionally be committed during landlord-tenant disputes, but will usually not be committed in an officer's presence. The participants will often be excited and angry and it may be difficult to obtain a clear, unbiased statement of the facts. When there is not a clear-cut criminal case, the officer should attempt only to calm the parties and should suggest that they defer positive action until the complainant can arrange a hearing with the City Attorney's office.

Cutting Off Heat, Lights, Etc.: L.A.M.C. Section 41.33 prohibits any person other than a duly authorized officer acting under the authority of legal process, from interfering with the peaceful enjoyment, use, possession or occupancy of any premises by the lawful lessee or tenant of such premises, either:

1. By threat, fraud, intimidation, coercion, duress, or
2. By the maintenance or toleration of a public nuisance, or
3. By cutting off heat, light, water, fuel or free communication by anyone by mail, telephone or otherwise, or by restricting trade or tradesmen from or to any such tenant.

Advisability of Citizen's Arrest: Sometimes a private person, whether he be a landlord or a tenant, will inquire as to the advisability of his making an immediate arrest. If there is any indication that an arrest would be unlawful, the officer should indicate this to the citizen and advise him that an officer could not accept the other party as an arrested person. The citizen may be advised that the possibility of making a false arrest may be averted by securing the advice of an attorney.

If there is clear-cut evidence that a criminal act has been committed, the officer may be obliged to accept a person who has been lawfully arrested under the provisions of the law covering arrests by private persons.

Since there are innumerable acts which could constitute a violation of Section 41.33, a complaining tenant should usually be referred to the Criminal Division of the City Attorney's office.

Officers are often consulted by persons seeking advice on problems arising from landlord-tenant disputes. Because most of these controversies fall within the realm of civil law, the officers are usually unable to do more than preserve the peace. However, the participants in these con-

flicts are often found to be in an extremely emotional state, because the tenant is in fear of losing his family's shelter, and the landlord is concerned about possible financial loss. Generally, neither will be satisfied with a "hands off" attitude on the part of the officer.

Therefore, when it is determined that no direct police action is feasible, the parties should be referred to an agency that is properly qualified to resolve their difficulties. By becoming familiar with such agencies, officers, may handle these complicated situations with more efficiency and with better service to the involved parties.

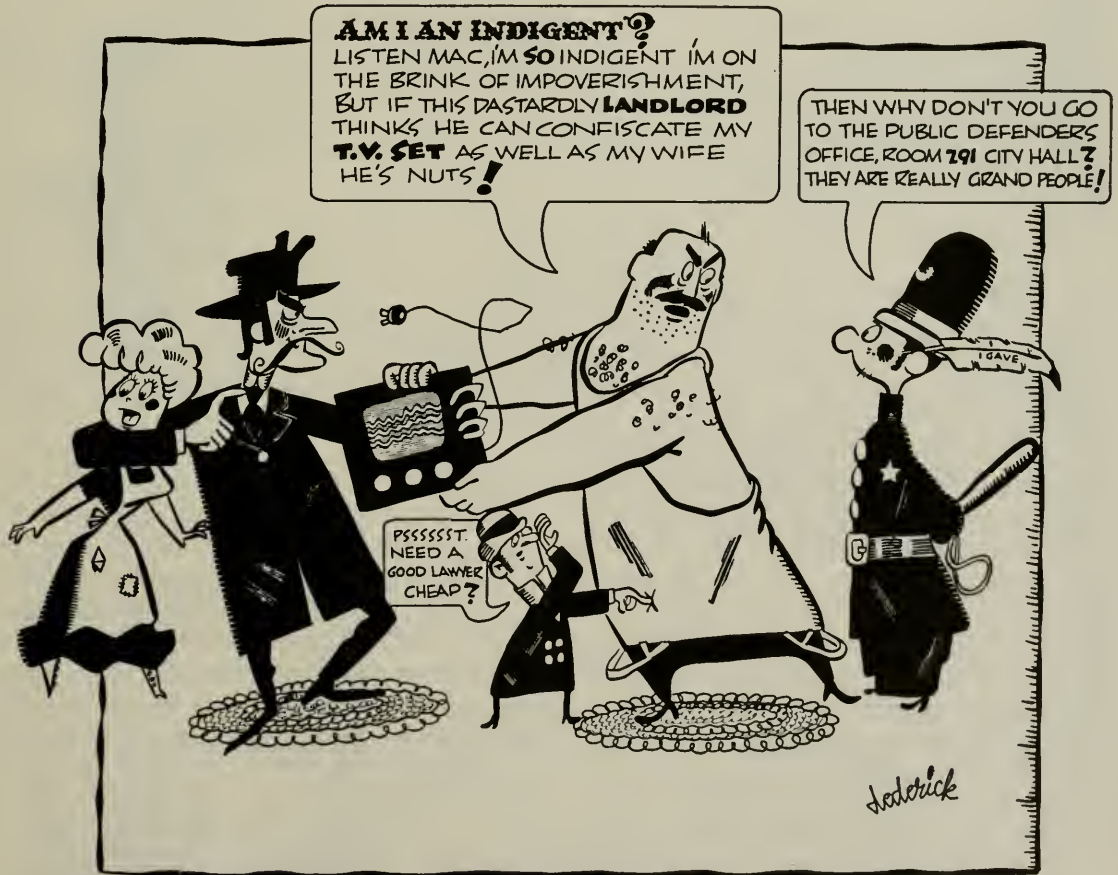
Referral of Civil Matters

Some persons attempt to justify contemplated questionable actions by getting an officer's opinion. Others attempt to solicit civil legal aid from police officers when they could well afford the

services of an attorney. Any person seeking advice on a civil matter which has arisen out of a landlord-tenant dispute should be referred to his own attorney. Those persons who are without sufficient resources to pay for private legal counsel may be referred to the Office of the Public Defender, Room 291, City Hall, for assistance.

Free Legal Advice to Indigents: As provided by ordinance, the Public Defender *shall, upon request*, give legal counsel and advice on civil matters to any indigent person residing within the City of Los Angeles. In addition, the Public Defender *may* represent "indigent persons" in the civil divisions of the Municipal Court of the City of Los Angeles.

Indigent Person: To indicate those persons who are entitled to the services of the Public



Defender's office, the City Attorney has defined an "indigent person" to be any person who, in the judgment of the Public Defender, is financially unable to secure the services of competent counsel out of his present or reasonably anticipated resources, considering the financial necessities of the applicant and of his family. This definition of an indigent person would not exclude an individual merely because his monthly income appears ample. A person whose financial necessities are excessive due to unexpected expenses might be entitled to receive necessary legal assistance from the Public Defender. However, whether or not an individual is an "indigent person" must be determined by the Public Defender.

In some instances, the Public Defender might be unable to furnish legal counsel on a particular subject because it is in a specialized field of law with which he is not familiar. In situations of this type, the Public Defender will refer the citizen to one of several attorneys who will render the necessary advice at little or no cost.

Referral in Criminal Matters

It is sometimes difficult for an officer to ascertain whether or not a criminal act has occurred. This problem may arise when either a landlord or a tenant is slightly injured in an attempt to take possession of some property. For example, a guest in a hotel is overdue in his rent. The hotel keeper enters the guest's room to seize some baggage in execution of a lien. The guest, who was absent when the hotel keeper entered, returns to the room and resists the keeper's attempts to remove a suitcase. In the scuffle, the guest receives a cut on his hand from a piece of metal on the suitcase. Whether this is a case of assault and battery, or of the hotel keeper using reasonable force to execute his baggage lien may not be apparent, either from the evidence of an injury or from statements of the excited parties. As a rule, in instances of this type neither person has an actual intent to assault nor injure the other. In similar cases, an officer should attempt to calm the participants and refer them to the Criminal Division of the City Attorney's office, where they may air their grievances. A Deputy City Attorney will conduct a hearing, and if the facts warrant, a criminal complaint will be issued against the offender.

How to Handle Calls Involving Dead Bodies

Accurate records of detailed observations at the scene of a dead body are invaluable. A scene may not be later reconstructed. Good reporting is an important link between an incident and any future need for information. Complete reports are necessary in supplying proper information to relatives or agencies insuring the deceased.

Approach

Officers approaching a scene in response to a "dead body" call should be alert for any unusual conditions or activities in the area. They should not overlook the possibility that the death may have resulted from a criminal act and that persons fleeing the scene, persons with freshly inflicted injuries or torn, or bloody clothing may be involved. In the less congested districts, where practicable, license numbers of vehicles parked near the scene should be noted. Such numbers may be useful in case a homicide suspect is later linked with a particular car which was in the neighborhood.

Entering the Room

Upon entering a room in which there is a dead body, the officers should carefully observe the details of the scene. Notes should be made indicating the identity of persons present, the position of the body in relation to objects in the room, whether there is evidence of a struggle, existing blood patterns, whether lights are burning, etc.

Conversations

Uniformed officers may arrive at the scene of a dead body before detectives, and, in some instances in a homicide case, a suspect may make a statement or admission which he will later deny. The officers should memorize as nearly as possible any conversation pertinent to the case. Written notes, which may later aid them in recalling conversations, should be made as soon as practicable.

General Procedures

The first officers to arrive at the scene of a

"dead body" call shall, without unnecessary delay, notify their divisional detectives of the circumstances. When available, detectives will be dispatched to the scene of all "dead body" calls, except in the case of traffic accidents.⁴ If an officer cannot contact the concerned detectives, he should notify the Detective Headquarters. If detectives are not immediately available and the call involves a homicide, suicide, or accidental death, or if there is any doubt that the death resulted from natural causes, the officers should preserve the scene pending arrival of the detectives. The officers should keep all persons a reasonable distance from the area surrounding the body in order to prevent the obliteration or

destruction of evidence. If the death resulted from natural causes and the detectives are not available, the officers should handle the call in accordance with instructions from the concerned detectives.

Natural Death—Dead Body Exposed to Public View

In the case of an apparently natural death when the deceased is exposed to public view, one officer should, wherever possible, obtain the names of persons who witnessed the death or who might have any information concerning it. The other officer should notify the concerned detectives of the circumstances. If detectives are to be dispatched, the officers should remain at the scene until they are relieved. If detectives

⁴ Manual of Police Procedure, Detective, Chap. 8, Sec. 99.

BELIEVE IT OR LEAVE IT

by **DEDERICK**

LOVE TO TAKE CARE OF YOU MR. MORTIS, BUT YOU'LL JUST HAVE TO WAIT YOUR TURN

BESIDE **DEAD BODIES,**
HOMICIDE
HAS ITS HANDS FULL WITH
22 OTHER MAJOR CRIMES!
Including

POISON

EXPLOSIONS

BIGAMY

LYNCHING

RAPE

KIDNAPING

TREASON

MAYHEM

ABORTION

ASSAULT

BATTERY

RIOTING

SEDUCTION

INCEST

ILLEGAL WEARING OF UNIFORMS OF THE ARMED SERVICES

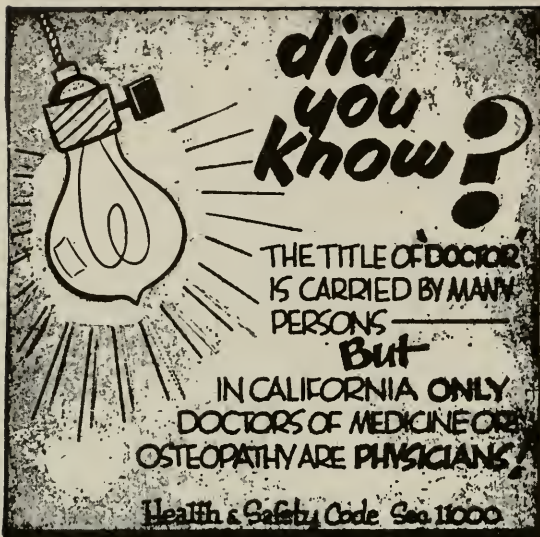
WIFE BEATING

UNLAWFUL ASSEMBLY

MISC. INJURY

ATTEMPT SUICIDE

TRAIN WRECKING



instruct the officers to handle the case, the officers should request a receiving hospital ambulance to expedite removal of the body to the morgue. The officers should not attempt to learn the identity of the deceased by searching his pockets. If his identity cannot be established by other information at the scene, the officers may obtain this information when it is made available at the office of the coroner. If the body cannot be identified, the coroner will issue a John Doe number which the officers should use in their report. Photographs and fingerprints shall be ordered and mention of the request shall be included in the report.

Outlying Divisions

In outlying areas, dead bodies that are coroner's cases are usually transported by local undertakers who have been designated by the coroner. Where there is evidence of death resulting from a criminal act, a coroner's hearse will be dispatched from the coroner's office.

Handling Dead Body Calls

The proper handling of a dead body call by the officer provides an excellent opportunity to establish good public relations within a family group. Because of the grief and shock attending a death, the officer should maintain a respectful attitude and an efficient manner. A personal notification of next of kin should be made wherever practicable to reduce the shock which might result from a telephonic notification.

Determining if Victim Is Dead

In the metropolitan area the ambulance crew, normally dispatched on all "dead body" calls, will issue a Dead on Arrival Slip, Form 345 (), to the officers at the scene. In the outlying divisions where private ambulance service is used, the officer should determine that death has in fact occurred. When there is the remotest possibility that life remains and no doctor is in attendance, the victim should be immediately taken to the receiving hospital by ambulance.

Natural Death—Doctor in Attendance

If responsible relatives are present to take charge of the deceased and a doctor is willing and qualified to sign the death certificate, a Dead Body Report is not required. A doctor is qualified to sign the death certificate if he had attended the deceased during his last illness, had seen him within thirty days preceding death, and had been in attendance for a sufficient time to form a professional opinion as to the cause of death. The officer should record in his notebook the doctor's name, address, telephone number, and the length of time he had been treating the deceased.

Natural Death—No Doctor in Attendance

When it is apparent that death resulted from natural causes, but there has been no doctor in attendance who is qualified or willing to sign the death certificate, the officer must perform the following duties:

1. Complete the Dead Body Notification Report, Form 3.11.1().
2. Notify the divisional detectives of the circumstances. The divisional detectives will then inform the coroner of the circumstances or advise the uniformed officer to telephone the coroner's office, MUtal 9211 (Station 3286 8 A.M. to 5 P.M.; Station 3766 after 5 P.M. or on Saturday, Sunday, and holidays).
3. Complete the Dead Body Report, Form 3.11().
4. Remain at the scene until a deputy coroner arrives.

Notification

Personal notification of next of kin should be made wherever practicable. If they live in another division, a request should be made for a police unit in that division to make a personal

notification. If the relatives live out of the city, the coronor will make the notification.

Dead Body Search

The officer in charge at the scene of a dead body shall prevent anyone, other than a deputy coroner, from searching the body. Until the coroner arrives, a relative of the deceased or a member of the household should be present at the scene with the officers. The name and address of this person and a statement verifying his presence during the interval, should be included in the Dead Body Report. A receipt should be obtained from the deputy coroner for the personal effects in possession of the deceased. This receipt should be attached to the Dead Body Report.

An officer should not overlook the possibility that a death which appears to have resulted from natural causes might be a suicide or a homicide. Any indication, no matter how slight, that an apparently natural death might be a suicide or a homicide should be called to the attention of detectives. Divisional, Homicide, or Business Office detectives will always be made available for "dead body" calls where homicide, suicide, or accidental death is involved except in cases of traffic accident fatalities.

Homicide

It is the duty of the officers who arrive first at the scene of an outdoor homicide to block off the area in the vicinity of the body as quickly as possible. All curious onlookers, newspaper men, and other officers not actively engaged in the investigation should be kept out of the area. This is to prevent the destruction or obliteration of vital evidence such as footprints, tire marks, fingerprints, and minute bits of physical evidence which might connect a suspected perpetrator with the crime. Where the victim of a homicide is inside a building, the officers should control entry to the structure by standing at the door or doors.

General Procedures at the Scene of a Homicide

1. The scene should be blocked off immediately by the first officers to arrive. The public, relatives, newsmen, and officers not engaged in the investigation should be excluded from the immediate area.

2. An officer should be alert for persons who might have knowledge of the crime. He should use tact and diplomacy in questioning all witnesses. Their names and addresses, both residence and business, should be obtained and recorded.



3. Everything at the scene should be left in its original position and the body should not be touched or moved. The scene must be protected against alteration and all evidence must be preserved. Weapons, shells, or other evidence should not be touched or moved by anyone prior to the arrival of investigators.

4. Divisional detectives should be summoned, or, if they are not available, the officer should notify the Homicide Division during the day and night watches or the Business Office Division during the morning watch.

5. Should the coroner arrive at the scene prior to the arrival of detectives, the uniformed officers should request that he delay removal of the body until after the "on-the-scene" investigation is completed.

6. All officers at the scene should refrain from expressing their opinions as to the probable cause of death. A seeming homicide may prove to have been an accidental death and a premature, erroneous supposition on behalf of the Department is not conducive to good public relations.

7. The officers should be alert for suspects and suspicious acts of persons at the scene.

8. Complete and accurate notes should be made to aid the officer in making the required reports and testifying in court.

9. The officers should remain at the scene until they are relieved by the investigating detectives. The uniformed officers should cooperate with the detectives so that the case may be investigated with maximum efficiency.

10. A Dead Body Report is required for all coroner's cases.

Suicide

The same general procedures which apply to homicides should be followed at the scene of a suicide. Murders have been committed where the perpetrator arranged the body and evidence to mislead the police into concluding that the death was a suicide. An officer should, therefore, exercise great care in preserving any evidence and the original position of the body. If an officer is requested by the detectives to handle a call involving a suicide, he should search for notes, articles, or weapons pertaining to the act. That portion of the note which pertains to the act itself

should be quoted in the Dead Body Report. Weapons of the deceased are normally borrowed from the coroner until a ballistics comparison can be made by the Crime Laboratory in an attempt to link the weapon with prior crimes. With the permission of the deputy coroner, lengthy suicide notes may be kept for photostating when it becomes necessary.

Cause of Death

An officer may be assigned a "dead body" call where the cause of death cannot readily be classified as natural, suicide, or homicide. This occurs most frequently in cases of poisoning. If the death is apparently a murder or suicide, and an effort has been made to conceal or destroy the evidence, the officer must use great caution in locating and preserving all articles at or near the scene.

Traffic Deaths

When a police unit is dispatched on an "ambulance traffic" call and it is determined that there is a death as a result of the traffic accident, the officers should immediately request the Communications Division to dispatch a sergeant of the Accident Investigation Division to the scene. In the event that there is no Accident Investigation Division sergeant available, the investigating officers will assume the responsibility for releasing the body to the ambulance crew as soon as practicable. Investigating officers shall complete a Dead Body Report and, if required, a Traffic Accident Report. In instances where a Traffic Accident Report is made, the DR number is obtained from the Traffic Records Unit and the same DR number is used on the Dead Body Report.

How to Recover Stolen Bicycles

Bicycles properly licensed can be checked easily and rapidly. Recently, officers on a call at a residence noticed a bicycle frame in back of a neighboring house. A check revealed that the frame was "hot." When the boy who lived there was questioned, he told the officers that he had obtained it from a friend. The officers were directed to the home of the friend, where they found eight partially dismantled bicycles. An investigation revealed that this friend's father,

a junk man, had stolen the bicycles. Without an adequate registration system, it would have been almost impossible to determine that the bicycles were stolen and to return them to the owners.

Licensing

The present bicycle license plate series covers registrations from January 1, 1948 to December 31, 1950. Plates of this series are valid only to the expiration date of the three-year period. Current license plates are red with white characters, consisting of the license number, the expiration date, and the letters "LABL."

License plates may be obtained between the hours 8:00 A.M. and 12:00 midnight, including Sundays and Holidays, at any patrol division or at the Bicycle Unit of the Juvenile Division. Plates can also be obtained from approximately 50 authorized bicycle dealers throughout the City. The registration and plate fee is 50 cents.

When a license plate is issued for a bicycle

not previously registered in Los Angeles, the letters "LA" are stamped on the frame for identification purposes. To prevent tampering with the license plate, it is attached to the frame with a seal.

Bicycle Report—(Stolen-Recovered-Found), Form 3.12 ()

To facilitate recoveries and to keep bicycle records current, it is essential that reports of stolen, recovered, found, or lost bicycles be made accurately. All such reports are made on Form 3.12 (). Errors and omissions are more often made in Recovered, Lost, or Found Reports than in Stolen Reports. These errors cause an unnecessary delay in returning property to owners.

When officers report the recovery of a bicycle, a complete description of its *present* condition should be made. A Recovery Report containing a description copied from the Stolen Report is of limited value to the Bicycle Unit if a bicycle has been stripped. The description should include

THERE COMES INTO EVERY POLICE AUCTIONEER'S LIFE, A MOMENT OF SADNESS—WHEN HE HAS TO AUCTION OFF SOME POOR LIL MISERABLE KID'S BIKE! DESPITE THE FINE SYSTEM SET UP BY THE JUVENILE DIVISION, ONLY 61% OF REPORTED LOST OR STOLEN BIKES ARE RECOVERED! OH HAPPY DAY WHEN EVERY BIKE CAN BE RECOVERED AND RETURNED TO ITS RIGHTFUL OWNER! SOB

OFFICERS! ENCOURAGE KIDS TO REGISTER BIKES!

OFFICERS! ENCOURAGE KIDS TO LOCK BIKES!

THERE THERE

POLICE AUCTION
Buys! Buys! Buys!
BRICA-BRAC

BEBOP HATS	BINDLES (ASSORTED)
BAG PIPES	BOOMERANGS
BED PANS	BADGER GAMES
BICYCLES	BAGATELLE
BAGELS	BIPLANES
BRASSIERES	BAY RUM
BOLO KNIVES	BROMO BOTTLES

J. J. Sederrick

all frame or serial numbers. Recovery Reports should show the time and date of recovery and the location of occurrence (where recovered), *not the date, time, and location of occurrence of the theft as indicated on the Stolen Report*. If the license plate is missing when a bicycle is recovered, the license number should be obtained from the Stolen Report. This number, followed by the word "missing" in parentheses, should be listed on the Recovery Report.

Frame Numbers

When a Bicycle Report is made, all numbers on the bicycle should be noted. Model numbers are similar to frame numbers; personnel of the Bicycle Unit can readily make the distinction. Most frame numbers are stamped on the under side of the hanger bracket near the pedal sprocket. They may be located on the top, right side of the hanger bracket, behind the sprocket, on the end of the rear stay, or on the seat post mast or stay. Numbers on bicycles bearing the same name may not be in the same location as some retailers sell under one label bicycles made by several different manufacturers.

Release to Owner

The disposition of a recovered or found bicycle should be clearly stated in the report. For example, the report should indicate whether the bicycle was released to the owner or booked at a particular division. A bicycle may be released to its owner at the station or in the field. Officers should obtain a Property Receipt, Form 10.3, signed in duplicate by the person to whom the bicycle is released. The original receipt is sent to the Bicycle Unit; the duplicate is retained at the division desk. Property Receipt blanks should be included among the officer's field supply of report forms. A Found Bicycle Report is made when a bicycle reported stolen in the county or in another city is recovered in this City. The city or county from which the bicycle was stolen should be indicated in the body of the report.

Locating Stolen Bicycles

To many officers the recovery of stolen bicycles seems to be a petty police activity. The youngster who has lost his bicycle, however, probably feels his loss more keenly than an adult whose car has

been stolen. Since children are impressionable, the nature of their contacts with police officers will greatly influence their opinions of all law enforcement agencies. Each time a stolen bicycle is restored to its youthful owner the Police Department wins another friend.

Most stolen bicycles are taken by juveniles. To effect recoveries, officers should give particular attention to areas where juveniles gather. Many stolen bicycles have been recovered in the immediate vicinity of schools. It is the practice of the Bicycle Unit personnel to make impromptu visits to school yards to look for stolen bicycles. Juvenile bicycle thieves realize this and often leave in nearby alleys, vacant lots, or behind signboards stolen bicycles which they have ridden to school. Other locations from which stolen bicycles may be recovered are public parks, neighborhood theaters, business districts during the evening, and in or near playgrounds during week ends. Some officers have been very successful in recovering stolen bicycles by observing the area around a house while on a routine call. A collection of bicycles, stripped frames, or spare parts such as extra wheels and handlebars would warrant an investigation.

Altered or Defaced Frame Numbers

A bicycle should be held for further investigation when the frame number has been filed away or an attempt has been made to alter it. Section 537e of the Penal Code provides that any person who knowingly has in his possession a bicycle from which the frame number or any other distinguishing number has been removed, defaced, covered, altered, or destroyed is guilty of a misdemeanor. If an arrest is made for a violation of this section, in addition to other required reports, a Found Bicycle Report should be made. It should indicate that the bicycle is to be held for evidence. If no one is in possession of the bicycle, a Found Bicycle Report should be made. It should indicate that the bicycle is to be held for investigation.

Defaced numbers can be detected if a special process is used. When practicable, the bicycle may be taken directly to the Crime Laboratory or to the Bicycle Unit to be processed for number restoration. Otherwise, reports should indi-

cate that this service is necessary, and the Bicycle Unit should be notified by telephone.

Characteristics of Stolen Bicycles

In an effort to avoid detection, often a thief will repaint a bicycle and remove its nameplate, or change a license plate from one bicycle to another. Therefore, a freshly painted bicycle, which bears indications of tampering, should be investigated. In order to assure compliance with the bicycle registration ordinance, Sec. 26.01, L.A.M.C., and to assist in recoveries, a regular citation should be issued when no license plate is displayed.

Checking

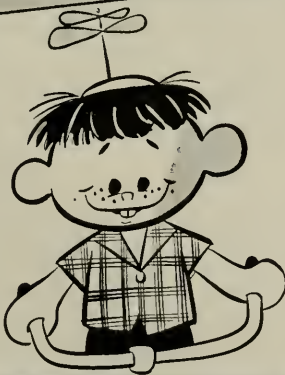
When juveniles with bicycles are stopped for questioning and there is any doubt about the bicycle ownership, Field Interrogation Cards, Form 15.43 (), should be completed. License and frame numbers should be recorded on the cards. A "make" may be run at the time of the

interrogation or later. However, when a suspect's name and address cannot be verified, a "make" should be run over the air while the juvenile remains in the officer's presence. If a juvenile is released before it is discovered that his bicycle is "hot," further investigation may be made at his home. A telephonic "make" may be obtained by calling the Bicycle Unit, Sta. 2696. This unit has a person on duty from 8:00 A.M. to 12:00 midnight daily. Between 12:00 midnight and 8:00 A.M. a bicycle "make" may be obtained by calling the Bicycle Unit, Sta. 2568. County license makes may be obtained from Mutual 9111, Sta. 3571. This office is not open on the night or morning watch, or on Saturday afternoons or Sundays.

How to Recognize Stolen Vehicles

The recovery of abandoned stolen vehicles is not, in the majority of cases, mere chance occurrence. Certain officers consistently recover more stolen vehicles than do other men assigned to

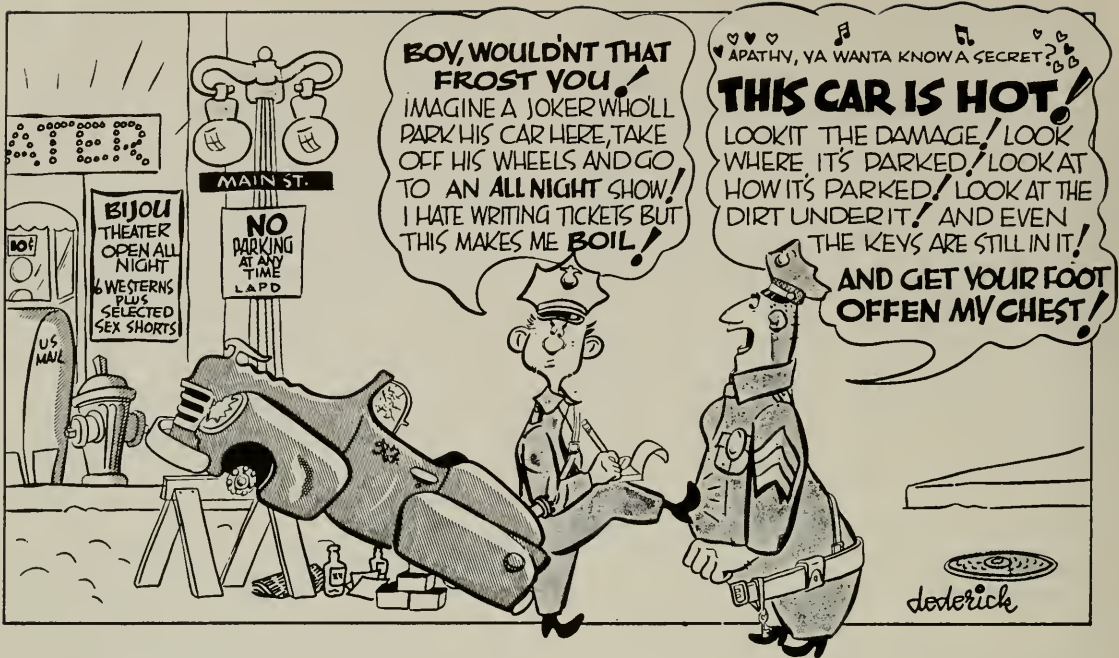
Meet
Charlie Weedmark
World's Greatest
Bicycle Detective!
University Division



Charlie has checked
75,000
Bicycles with
SENSATIONAL RESULTS!

NOTHING IN POLICE WORK IS MORE GRATIFYING THAN TO SEE THE BEAMING FACE OF A KID WHOSE BIKE HAS BEEN RECOVERED! CHILDREN ARE IMPRESSIONABLE AND **YOUR** EFFORTS WILL GREATLY INFLUENCE THEIR OPINION OF **ALL** LAW ENFORCEMENT OFFICERS. RECOVER HIS BIKE AND YOU'VE MADE ANOTHER **REAL FRIEND** FOR THE DEPARTMENT!





comparable districts. Some reasons for the larger recovery rate are that the successful officers keep themselves well informed by up-to-the-minute "write-ins" on their "hot sheets"; they know the locations where "hot" cars are most often abandoned, and are familiar with those characteristics which tend to indicate that a car may be stolen.

Preparation

Before leaving the station to go on patrol, each officer should have a current "hot sheet" complete with last-minute "write-ins." Descriptions of cars wanted in connection with crimes other than auto theft should also be listed. While on patrol, officers should continue to list on their "hot sheets" the license numbers of stolen or wanted vehicles. When an officer goes to the station during his tour of duty, a check of the latest teletypes will provide him with information regarding any broadcasts he may have missed while "off the air." Since more than one-half of all vehicles reported stolen are recovered in a day or less, the importance of late "write-ins" is readily apparent.

Special Equipment

The use of an illuminated box on the dashboard to hold "hot sheets" is an invaluable aid

to night and morning watch officers. Checking motor numbers can be made easier if a scraper, such as an old pocket knife, or a rag or wire brush are carried and used.

Selective Patrol

The bulk of an officer's patrol activities should take place in the areas in which crimes most often occur. In determining these locations, individual officers often overlook two sources of information which are available to them. These are the divisional pin maps and the daily crime reports. A study of this data will show the locations and times at which auto thefts and recoveries are occurring and will enable officers to apportion their patrol activities accordingly.

Places of Abandonment

The majority of stolen automobiles are taken either for "joy" rides or for temporary transportation. Those cars taken for transportation are sometimes used in the commission of other crimes; for example, the "get-away" car in a robbery or a car used to carry loot from the scene of a burglary. They are generally used for short periods of time and are disposed of when out of gas or no longer needed. Stolen cars are often abandoned in relatively secluded locations where the possibility of the thief being seen and

later identified by witnesses is greatly reduced. Such places are ideal for the thief who steals a car, strips it, and then abandons it. Many recoveries are made in front of vacant lots and houses, on side streets which have no houses fronting on them, on dead end streets, and in river beds or other out-of-the-way locations such as large parks and bridle trails. Cars are often abandoned on free parking lots such as theatres and grocery stores maintain. A vehicle remaining on such a lot after hours warrants investigation.

Illegal Parking

Cars taken only for "joy" rides and those which have not been stripped will not always be found in secluded spots. In many cases they are "dropped" without regard for parking regulations at a location most convenient to the thief. Examples of "drop spots" are downtown areas where parking time is limited, in front of driveways, in alleys, or in red, yellow, or white zones.

Characteristics of Parked "Hot" Cars

The general condition of a car is a good indication as to whether or not it has been stolen. Car thieves have no interest in the appearance of an automobile and often willfully damage it. The following are some specific conditions which indicate that an investigation is warranted:

1. Debris under a car indicates that it has been in the same place for several days.
2. Forced ventilators or broken car windows may have been used as points of entry by car thieves.
3. Open car windows in the rainy season show a disregard for property damage. An owner is not apt to be this careless.
4. An extremely dirty windshield shows a lack of care and indicates the possibility of abandonment.
5. Leaving keys in the ignition when he has no further use for a car is a common practice of a car thief.
6. An old citation on a car is an indication that it has probably been in the same location for several days.
7. Improper parking shows carelessness and lack of concern for the safety of the car.
8. A new car with dented fenders or other obvious signs of neglect may be stolen. The owner of a new car is usually careful to preserve its appearance.
9. A possible stolen vehicle is an older model with the externally mounted spare wheel or tire removed. Car thieves often sell easily removed accessories.

The "Stakeout" for Vehicles

The "stakeout" is one of the most effective techniques used in capturing criminals. However, like other worthwhile methods, it has its limitations. Every stolen vehicle found abandoned does not justify a "stakeout." The ability of officers to recognize the common characteristics of stolen vehicles may result in a high recovery rate; however, the apprehension of the thief must also be considered. So that appropriate action may be taken to effect an arrest, officers should be alert for indications that a thief may return to an unoccupied "hot" car.

Verifying "Want"

When officers find a car bearing a license number listed on the "hot sheet," a check should be made with the Communications Division. Even though the car is listed as stolen, it may no longer be wanted. This may be due to a recent recovery not yet broadcast or to a cancellation of the "want." In the event the car has a "hold" for fingerprints or for the detectives, the officers verifying the "make" will be so advised by radio.

When information is received that the car is wanted, officers should check for any evidence which might indicate that a "stakeout" is advisable. If an officer is in doubt, he should communicate with his watch commander or the divisional detectives for advice.

Determining Whether to "Stake Out"

An unoccupied, stolen vehicle often bears certain characteristics which show that the thief *may* return. Following are some common factors which should be considered in determining if a "stakeout" is warranted.

Warm Radiator, Motor, or Exhaust Pipe:

If a stolen vehicle has been driven shortly before it was observed by the officer, there is a good possibility that the thief may return. Although the length of time the cooling or exhaust systems of a vehicle remain warm will vary depending upon the weather, when warm they generally indicate that the car has not been left standing very long. Checking radiator heat on late model vehicles is often difficult because of grilles and locked hoods. However, in some models the heat indicator on the dash will show the temperature of the engine.



Motor Running: This is an obvious sign that the thief intends using the car further. It might also be a “get-away” car for a crime in progress.

Recent “Write-Ins”: Often the thief does not realize that the car has been reported stolen and he may return to it.

Valuable Articles Left in the Car: Thieves generally will not permanently abandon a stolen vehicle and leave behind valuable articles such as furs, jewelry, cameras.

Weapons Found in the Vehicle: Firearms, blackjacks, and brass knuckles are usually difficult to obtain and are not often left in the vehicle if the thief does not plan to return.

Vehicles Near Sporting Events: A stolen vehicle parked in the vicinity of a large gathering is often used only for transportation to and from the event. The thief will probably return to it at the conclusion of the event.

Vehicles Near Schools: Stolen vehicles parked near schools during class hours have often been taken by juveniles for “joy” rides. The

offenders may return to the vehicle at noon, recess time, or at the end of the school day.

Code Five

Before “staking out” on a stolen vehicle, officers should so notify the Communications Division and indicate their location. To prevent “burning up” the “stakeout,” other police units should avoid the immediate area.

Removal of Spark Plug Wires

Before “staking” a car, the officers should disconnect two or three spark plug wires. This will effectively reduce the car’s potential speed and forestall a “chase.” If the thief returns, he should be allowed to drive the vehicle a short distance before an arrest is made. The officers will then be able to verify the elements of the offense.

Be Alert for Tell-Tale Signs

Recognizable characteristics of an auto thief or a “hot” car are not always readily apparent. Yet there are many minute peculiarities of automobiles and their drivers which indicate that a car may be stolen. An officer must be ever alert for any evidence which might show that a vehicle has been broken into or an attempt made to alter

its identity. Likewise, unusual behavior of a driver, nervousness or bluster, often identify him as a criminal.

Actions of Driver

The actions of the driver of a stolen car are at times the only indication that a crime has been committed. The ability to "spot" such actions is a developed skill. Keen observation and alertness are the basic essentials. The following examples of suspicious actions have led to many arrests.

Refusing to Pass: Drivers who approach from the rear and suddenly slow down so that they will not pass a police car should be checked. They usually turn onto the first available side street to avoid being interrogated.

Driver Who Does Not Fit Car: Generally, a vehicle reflects its owner's economic status and personal characteristics. Therefore, a juvenile driving a limousine, a shabbily dressed person in a new car, a conservatively dressed person in a "flashy" vehicle, etc. warrant an investigation. Any exceptionally young juvenile driving a vehicle should be interrogated.

Unfamiliarity with Vehicle

Jerky starts, sudden stops, clashing of gears,

etc. indicate that the driver is not familiar with the vehicle. A suspect's actions may reflect this lack of familiarity in other ways. For instance, he usually will not know what information the registration certificate contains and will try to look at it when the officer does.

Drivers Wearing Gloves

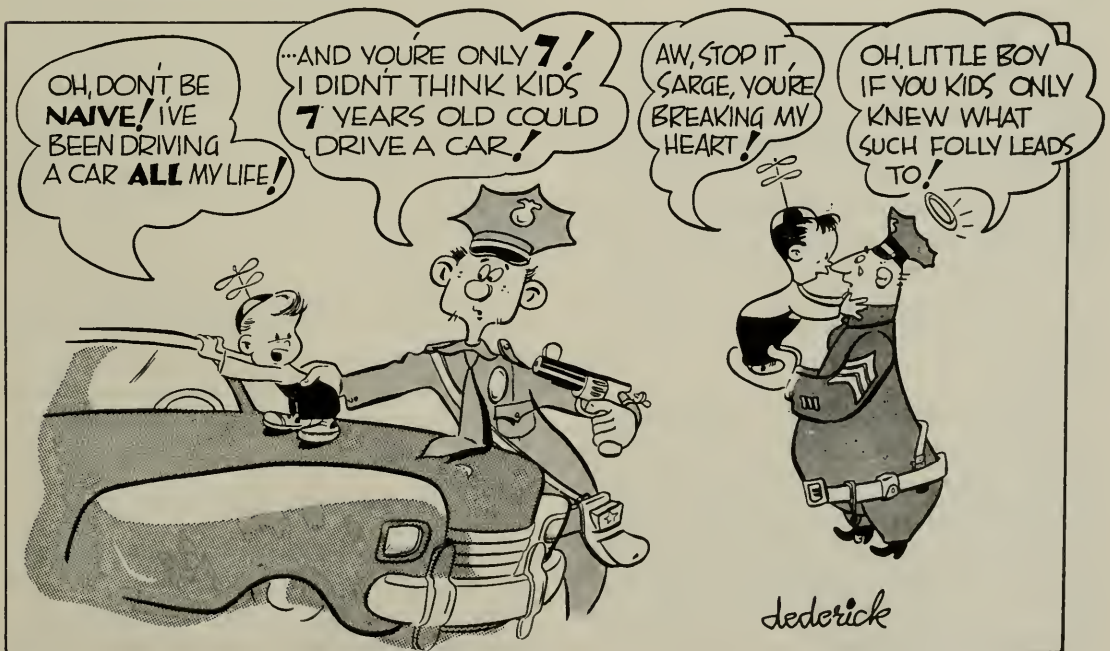
Male drivers rarely wear gloves in warm weather. Those who do might be wearing them to avoid leaving fingerprints on the car. Many good arrests have been made by officers who observed this seemingly insignificant detail.

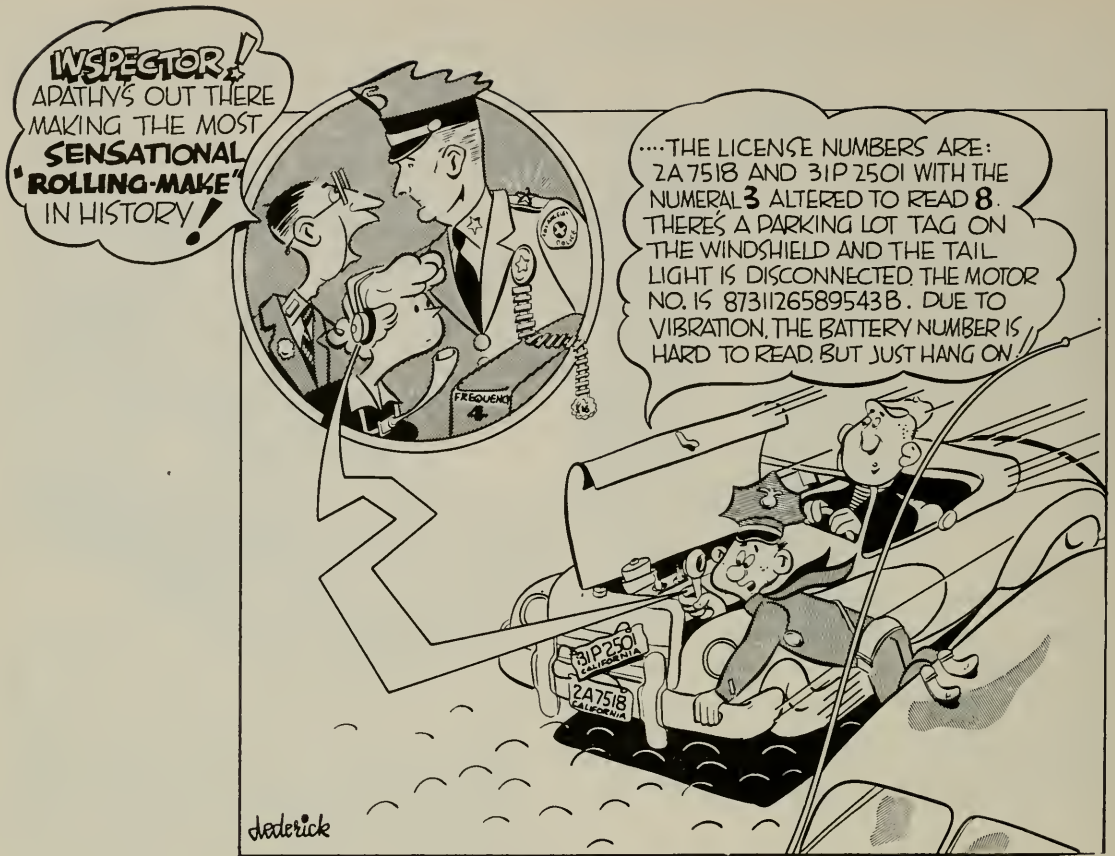
Nervousness

The actions of drivers who are obviously nervous and watch a police vehicle very closely should arouse the officer's suspicions.

Attempts to Divert Officers' Attention

The operator of a stolen vehicle, when he is observed by officers, will often attempt to divert attention from the car to himself by shouting "Your lights are out!" or "Your rear tire is low!" etc. If stopped, this aggressive thief may further try to distract the officers by going back to the police car and volunteering more information or identification than is required, or he may assume





an overly friendly or highly indignant attitude when stopped for a traffic violation.

Reckless or Careless Driving

Car thieves have no interest in protecting a stolen car from damage, nor are they concerned with the safety of other persons using the highway. Many of the worst "hit and run" cases involve drivers of stolen vehicles. These drivers, when involved in an accident, leave the scene to avoid being apprehended for auto theft. They also, in many cases, will try to escape if an attempt is made to stop them for minor traffic violations.

Changing Seat and Mirror Adjustments

Generally, the seat and mirror in a car will be adjusted to the person who customarily drives it. The car thief uses the rear view mirror to watch for police vehicles approaching from the rear. As soon as he steals a car, he will usually adjust this mirror to his vision. He will also adjust the seat for greatest comfort.

Driving without Lights

Many car thieves neglect to turn on the lights of a stolen vehicle when it is first taken from its parking place, because of nervous tension and their lack of familiarity with the car.

While the individual techniques in recognizing a "hot" car may vary among officers, the opinion of eight veteran officers and supervisors noted for their success in recovering stolen vehicles indicates that there is a noticeable "habit pattern" of the car thief. That a car has been stolen cannot be conclusively established by a single peculiarity. However, even minor variances should serve to attract the officer's attention so that he may, through investigation, determine the car's "status."

License Plate Discrepancies

In addition to unusual driver behavior, there are other clues which will enable officers to "spot" rolling "hot" cars. These clues center about the peculiarities of the car and its acces-

sories. The quickest and easiest means of "spotting" a "hot" car is by the license plates. For this reason, many car thieves alter the plates on the cars they steal. When the following discrepancies are observed, a further inquiry is warranted. These conditions apply to both rolling and abandoned "hot" cars:

1. New plates on an old car or bent, weather-beaten plates on a new car.
2. Plates loosely attached with wire or cord.
3. One plate fastened over another.
4. Expired out-of-state plates.
5. Altered plate numbers, i.e., a "3" changed with paint or black tape to an "8."
6. Front and rear plates that do not match.
7. Cars with only one plate—when the loss or theft of one license plate is reported, the number is seldom put on the "hot sheet"; however, if both plates are reported stolen, the number is listed.
8. Cars without plates or emergency stickers.
9. Cardboard plates which are obviously home made.
10. No rear plate illumination—common practice among car thieves is to break the taillight. This is easier to detect at night but where the lamp frame has been bent it can be noted during the day.

Other Peculiarities

The presence of a parking lot tag on the windshield of a car may prove to be a good lead. Most drivers take the time to remove these tags; a car thief is in too great a hurry to bother with such details. A thief has no interest in the upkeep of a car he has stolen. An owner, however, generally tries to keep the car looking as new as possible. Therefore, new cars with broken or fluttering wind wings or other damaged parts are good "shakedown."

Methods of Checking

Noting only the last three digits of a license number of a parked car will often require unnecessary back-tracking in the event of the partial license appears on the "hot sheet." Therefore, when checking license plates an officer should repeat the *entire* number to his partner. To facilitate a "hot sheet" check, the last three digits should be repeated first, i.e., "four six nine—eight Paul two." This method requires a little more time to master but is more effective. The time required for the passenger officer to ask his partner for the balance of a partial license num-

ber may mean the difference between apprehending a "hot car" suspect and losing him in traffic.

Rolling "Make"

When conditions warrant, the Communications Division will expedite a request for a "make" on moving vehicles. This is known as a "rolling make" and should *not* be requested in checking license or motor numbers of parked cars. A case justifying a "rolling make" might be a prolonged chase of a traffic violator. Unless there are unusual circumstances, the officer should stop a vehicle and run a routine "make."

"Field Shakedown"

The "field shakedown" of the suspected auto thief will in many instances either make or break a case. Rather than indulge in premature accusations, the officers, through intelligent questioning, should allow a suspect to incriminate himself. This may be effectively accomplished by comparing stories if there is more than one suspect, or by diligently checking the driver's knowledge of the many small details of the car.

Stopping the Suspect

A car should always be approached with caution, regardless of the number of occupants. Officers should not drive in front of a vehicle when stopping it. Not only is this practice dangerous, but it places the officers in a position from which it is difficult to maneuver and may allow a suspect to escape. The driver should be halted at a place where the possibility of a "chase" is minimized. After a car has been stopped, it should be approached in such a manner that officers will not be in each other's line of fire if it becomes necessary to shoot.

Interrogation

Before the occupants of a car are interrogated, they should be *separated* to prevent their concocting a uniform alibi. The *first statements* of a suspect are often of great value in the prosecution. Such statements should be remembered by the interrogating officer and recorded in his notebook as soon as practicable. A suspect's name and address, the name and address on his operator's license, and the name and address on the registration slip should be obtained separately.



This gives the officer an opportunity to check discrepancies in the suspect's identity without his being aware of it. Where the registration slip is not in the car, other methods can be used to "trip" a suspect.

Mileage

A car thief is often prepared with good answers to routine "shakedown" questions. To counteract this, officers should use several different techniques. Generally, car thieves are unprepared to answer questions about small or apparently insignificant details. As a casual inquiry, an officer might ask a suspect how long he has owned the car and how far he has driven it. Any mileage figure the suspect gives can be readily checked against the speedometer reading.

Lubrication

Questions about the lubrication of the car often provide good leads for the interrogating officers. A suspect might be asked when the vehicle was last lubricated and who did the work. Since it is the practice for service stations to place lubrication stickers on the car, this information can be easily checked.

Contents of Trunk and Glove Compartments

The owner of an automobile usually is familiar with the contents of the trunk and glove compartment. His knowledge, or lack of it, can be used effectively in the interrogation. After a suspect has enumerated the specific contents, they should be checked carefully. The officers should be especially alert for receipts, letters, or other papers bearing names different from that given by the suspect. When he is asked to open the trunk compartment, he should be watched closely. If there are several keys to choose from, a person who is not familiar with the car will have difficulty in selecting the proper key.

Lights

When conducting a "shakedown" at night, officers can use another method of determining the suspect's familiarity with the car. Under the pretext of checking the lights, one officer can station himself at the front of the car while his partner remains in a position to observe the suspect. When the suspect is asked to turn his headlights or dashlights on and off, dim them, or turn on the foglamp, any uncertainty or clumsiness

can be detected. When the car being checked is equipped with special backup lamps or spotlights, a thief is not apt to know the location of the switches.

Demeanor

The occupants of a car should be treated courteously when they are stopped for questioning. Minor traffic violations afford officers a good opportunity to "shake down" suspicious vehicles and still maintain good public relations. If neither the car nor the occupant is wanted, a reasonable explanation should be offered for the interrogation. When a citation is not warranted and only a warning is given, the citizen is more apt to feel that the officers are doing their job well.

A knowledge of pertinent little details to watch for is an invaluable aid to the field officer. Familiarity with the slight numerical variations in license plates will afford many leads to possibly stolen cars and form the basis for intelligent interrogation.

Requests for Registration Information

When only a motor number is available, registration information cannot be obtained from the local office of the Department of Motor Vehicles. Unless registration information, based on a

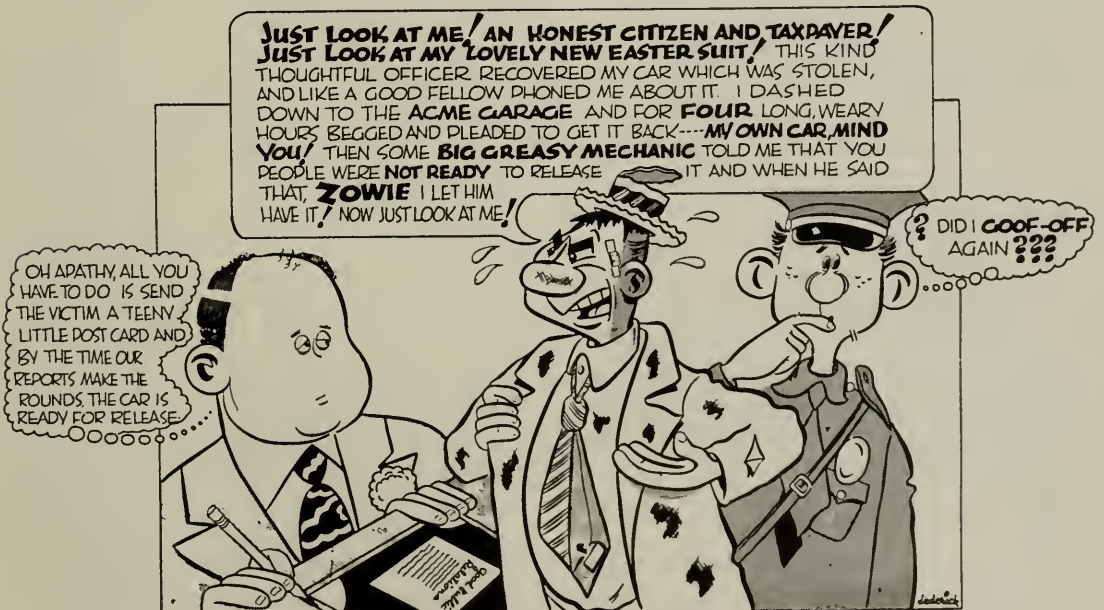
license number, is required by officers while they are in the field, they should obtain a "DMV" by telephone at the station when making reports.

License Numbers

A brand new automobile with an old, marred plate may be a stolen car. Likewise, an old vehicle with new plates also warrants investigation. In the latter case, however, it is possible that a car owner may have recently replaced lost, expired, or out-of-state plates. Plates bearing the letters A through L are issued in Northern California. The M through Z series of plates is issued in Southern California; however, some local car owners have obtained the lower series by mail from Sacramento.

Motor Numbers

In addition to license plate numbers, motor numbers should be carefully checked during a field investigation. A motor number is always stamped. Raised numbers are casting numbers and are valueless in determining the identity of a car. When checking a motor number, officers should be alert for any signs of its having been altered. This is evidenced by gouges, file marks, grind marks, or discoloration of the block due to heating. Where letters or numerals have been added to the motor number, the addition will



usually differ in size or shape from the original stamping. On certain makes of cars, the motor numbers are stamped on milled surfaces. These surfaces bear impressions which should not be confused with grind marks. However, any sign of an altered motor number should be noted on the Vehicle Recovery or Impound Report, Form 3.8 (), and a "hold" for detectives placed on the car.

Fingerprints

When an abandoned stolen vehicle is located by officers and there is a probability of fingerprints, it should be noted on the Vehicle Recovery or Impound Report, Form 3.8 () and a "hold for prints" placed on the car. When a door glass or ventilator has been broken to gain entry, the surrounding glass and door handles often bear fingerprints. On certain makes of automobiles, the ventilators are adjusted manually and may bear latent fingerprints. Rear view mirrors and ash trays are objects frequently handled by the driver of a stolen car and should be inspected. When a "jumper wire" has been used, underhood parts may be handled by the thief in attaching it, or, if connected inside the car, he may leave fingerprints on the dashboard. If a "hold for prints" is placed on a car, officers should instruct the tow truck operator to avoid touching it unnecessarily.

Notifications

When a stolen car is recovered, officers *should not* notify the owner by telephone except when it is necessary to obtain a crime report from him, or when the detectives advise such notification. The owner often goes immediately to the garage to claim his car when he has been notified that it has been recovered. It is necessary for him to obtain a release from the detectives and they may not have knowledge of the case and cannot authorize the release if reports have not yet been distributed. Premature notification creates poor public relations, the citizen loses valuable time, and the victim's delay is a source of embarrassment to the Department.

Out-of-State Vehicles

When the records of this Department contain no information regarding the motor or license

number of an apparently abandoned out-of-state vehicle, an officer should report on Form 15.7 the year, make, model, color, and the license and motor numbers. This information is sent to detectives of the Auto Theft Division, who make a follow-up investigation to determine if the vehicle is stolen.

How to Make a Burglary Report

The object of this section is to point out common errors and omissions occurring in the preparation of Burglary Reports. Subsequent sections will cover the function of pawnshop records and proper description of stolen property.

A Burglary Report forms a basis of pawnshop and statistical records. Detail and accuracy are of prime importance, particularly with regard to "MO" and description of property. The Pawnshop Detail conducts daily investigations of pawnshop "buys" for the purpose of linking them with articles taken in burglaries, thefts, robberies, etc. The Statistician's Office records the "MO" and individual characteristics of a suspect as indicated on the report. With this information, it is possible for an investigator to get data on other reported burglaries with like peculiarities.

Burglary Report (Form 3.1) ()

In a business burglary, the space headed "VICTIM" should be filled in with the name of the business. The name of the person making the report, usually the manager, may be listed under "REPORTED BY." If there is more than one victim in a single burglary, one person should be listed as "VICTIM" and the others as "VICTIM #2," "VICTIM #3" under "FURTHER DETAILS OF COMPLAINT." For purposes of reporting, hotels and lodging houses are regarded as single units. For example, if several individual hotel rooms are entered by the same burglar or burglars in the same series of operations, one Burglary Report under one DR number is taken, listing the victims by name as "VICTIM #1," "VICTIM #2," etc. Each apartment in an apartment house and each suite in an office building, however, are treated individually and separate reports under different DR numbers are taken for each unit. For example, if three separate apartments in an apartment house are

entered by two burglars in the same series of operations, three separate reports are taken.

“Date and Time Occurred”

Where date and time of occurrence are unknown, indicate the entire period during which the crime may have occurred. For example, Nov. 18/19 5pm/8am.

“Entered Through”

Indicate point of entry, such as “rear door,” “side window,” “ventilator,” and “back wall.” If the building is higher than one story, the floor number should also be indicated.

“Instrument Used”

List any instruments used to gain entry, such as “brace and bit,” “celluloid strip,” “hook and pole,” or “jimmy—1/2”.

“Other Acts of Suspect”

Include specific descriptions of how a suspect assaulted the victim, what food he ate on the premises, any perversions or indecencies committed by the suspect, any evidence of smoking including cigarette brand, etc. Cigarette butts

left by a suspect should be booked as evidence.

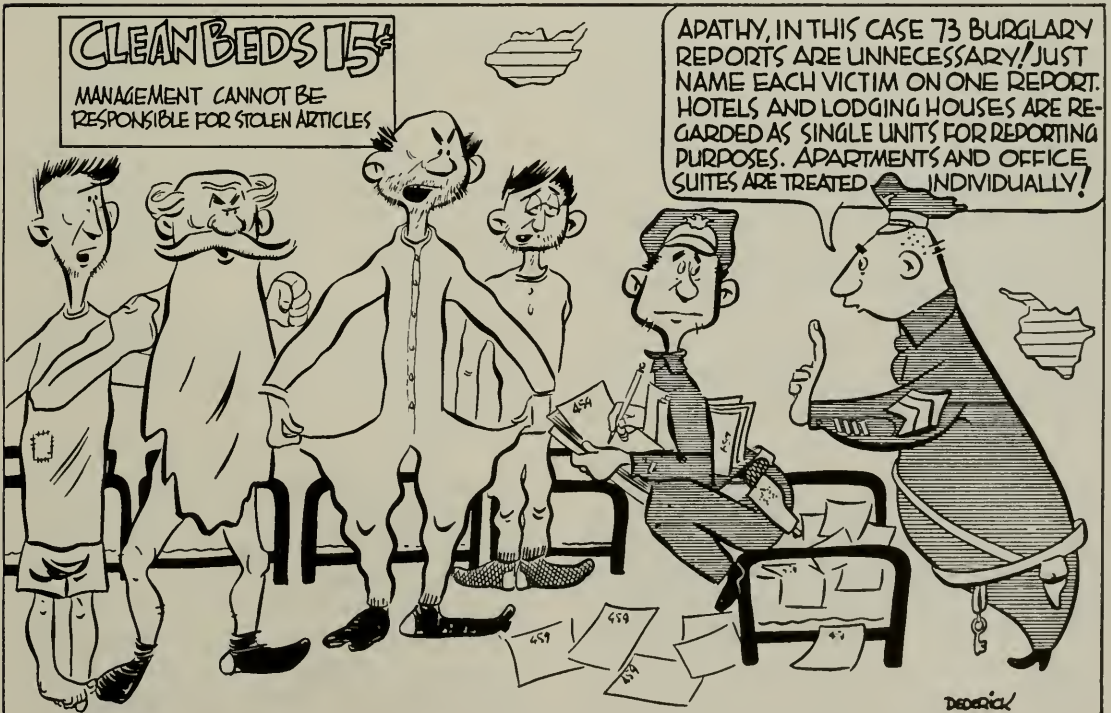
“Further Details of Complaint”

Indicate when and where the victim may be contacted by the detectives, who closed the attacked premises, and who discovered the crime. It is unnecessary to repeat in this section information which has been previously contained in the “MO” section. However, if the circumstances warrant, additional information about “Method Used to Gain Entrance” or “Other Acts of Suspects,” etc. may be included under “Further Details of Complaint.” A complete and accurate description of the property taken, set up in tabular form, should appear in this section.

When the amount of property taken in a burglary exceeds \$5,000, an extra copy of the Burglary Report is sent to the local office of the FBI.⁵

In a crime report where stocks, bonds, or similar documents are to be listed as stolen property, a separate grouping of such papers should be made, including description and a statement as to whether or not they are negotia-

⁵ *Manual of Reports*, p. 99.



HOW NOT TO PREPARE FOR A STAKEOUT featuring OFFICER APATHY

BESIDES CIGARS AND MAGAZINES, I'LL NEED SOME CANDY & BUBBLE GUM, AND BY THE WAY, IF YOU SHOULD HAPPEN TO NEED A COP I'LL BE ACROSS THE STREET ON A STAKEOUT - PROBABLY BE THERE FOR DAYS - BIG GANG OF CROOKS IN THE NEIGHBORHOOD, BUT KEEP IT UNDER YOUR HAT!

Bill's SMOKE SHOP & ATHLETIC CLUB



ble. The value of such papers should not be included in the extension column. If they are later negotiated, a supplemental report is made.⁶

The actual value of the articles at the time of theft should be the basis of the reported value. Estimated values may be used when the actual value is unknown. Depreciation must be allowed. If the victim insists upon the purchase price, or upon an inflated value, the purchase price should be listed after the description of the article, but should not be placed in the extension column.⁷

Stolen blank checks should be listed under "Further Details of Complaint." The name of the company, the bank upon which they are drawn, and the check numbers should be indicated.

When the property attacked in a burglary is a locked automobile, a "Burglary—Theft from Motor Vehicle Report," Form 3.3 () is used.

How to Work a Stakeout

The following material treats stakeout preparation and approach procedures. Subsequent material will include at-the-scene techniques.

The success of a stakeout, which may be de-

⁶ Ibid.

⁷ Ibid.

fined as watching and waiting, often depends upon the training and preparation of the officer. It is not possible to calculate the number of good stakeouts that have been "burned up" through carelessness of officers. However, observation of some instances where unnecessary mistakes were apparent resulted in some sound conclusions as to what good stakeout policy should be.

Preparation for Stakeout

1. The officer should be prepared for a stakeout by eating in advance and dressing comfortably, taking into consideration climatic conditions and the type and location of the premises to be covered.

2. An officer should obtain the suspect's complete description, "MO," and all other available information before taking up a stakeout or making a relief.

3. The officer should be thoroughly familiar with any special weapons he might be called upon to use. He must know how to load and unload the weapon and how to operate the safety device under all conditions, including complete darkness. It is also important that the stakeout officer be aware of the weapon's effective range and, in the case of a shotgun, its shot spread. This will enable the officer to readily judge whether or not

he will endanger passers-by in the event it is necessary to open fire at a suspect.

Approaching the Stakeout Site

1. A subject's intelligence should not be under-rated. Wherever practicable, the officers assigned to stakeout duty should wear plain clothes and enter the scene one at a time. Their approach should be unobserved, if possible. The police car should be parked in such a manner and location as to afford maximum concealment and should contain no "hot sheets" or other identifying material. A shotgun should be carried with the barrel removed and both pieces concealed in a shopping bag or other wrapping.

2. Any alarm devices the suspect may have set up to warn him that someone has entered the room during his absence, for example, a match stick wedged in the door jamb, should not be disturbed.

Probably the greatest fallacy in stakeout duty is for an officer to regard it as routine. Stakeout duty is a hazardous assignment requiring constant diligence. A hunted felon realizes that his very freedom and life depend upon his alertness. A stakeout team should, therefore, be equally wary in order to apprehend a wanted criminal.

Stakeout in a Suspect's Room

1. The officers staking out on a suspect should remain constantly alert and maintain an impersonal, objective outlook. All situations that might possibly occur and every likely approach by a suspect, or someone sent by him to detect a stakeout, should be considered. The officers should prepare themselves psychologically for action under any of these circumstances. An officer should not hesitate to open fire at an armed suspect when it is necessary in self-defense or in defending other persons, or when it is necessary to prevent a felon's escape.⁸

2. The shades or windows in a suspect's room should not be moved.

3. The entire premises should be thoroughly searched for weapons, with particular attention to overstuffed furniture.

4. The officers should not smoke or cook while staking out in a room as any unexpected odors might indicate their presence.

5. Officers at the scene of a stakeout should not talk in loud tones; conversation should be whispered.

6. When a policeman is staked out in a suspect's room and the suspect enters, the officer obtains a psychological advantage in calling the suspect by name in a loud, clear tone, meanwhile covering him with a gun. If the suspect has his hands in his pockets, the officer should command him not to move and should carefully search him the same as any other dangerous suspect.

7. Any weapon the suspect may have on his person should be immediately removed by the arresting officers. This is also true in the event of gunplay in which a suspect is wounded or killed.

8. After a suspect is apprehended in a stakeout, the officers should always bear in mind that an accomplice, acting as a lookout or a driver, may be in the vicinity. Such persons should be approached cautiously and taken into custody whenever possible. In any event, the officers should safeguard against being taken by surprise by a suspect's accomplice.

9. After the suspect's apprehension, stakeout officers should notify the detective division responsible for the investigation before the suspect is brought to the station. Stakeout officers should not hesitate to call for assistance from other officers when it is needed.

Stakeout in a Place of Business

1. Officers staking out in a place of business during business hours should conceal themselves where they are afforded every possible advantage in observing and apprehending a suspect, always considering the safety of innocent persons in the store and on the street. The people working in the store should be advised to keep out of the line of fire insofar as possible and they should be assured that if gunfire would be dangerous to them the suspect will not be fired upon. They should also be instructed not to give an obvious signal in the event they are confronted by a gunman. The employees should be advised not to disclose the presence of the officers if a telephone call is received for them.

2. An officer should be alert for other suspects and for crimes occurring independently of the

⁸ Penal Code Sections 196 and 197.

original stakeout crime. However, petty misdemeanors which have no relationship to the stakeout should be disregarded.

3. An officer staked out in a store or business concern should not accept gratuities, nor should he in any way damage other people's property.

How and When to Make a Miscellaneous Injury Report

Facts recorded in a Miscellaneous Injury Report, Form 3.15 (), assist in a follow-up investigation when an injured person later dies, or when a liability suit against the City results from the injury. A thorough investigation, accurately reported on this form, helps protect the officer should it be claimed that the injured person received inadequate care or treatment, or that the injury was sustained at the hands of a police officer.

When to Take a Miscellaneous Injury Report

The Miscellaneous Injury Report is made only when *no other report* records the injury and treatment, *except* when an epileptic seizure occurs in conjunction with other circumstances which require an additional report. The following situations require Miscellaneous Injury Reports:

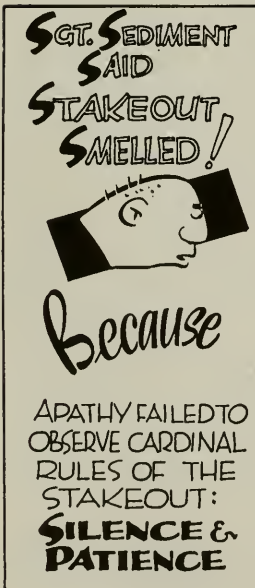
1. An attempt suicide.
2. An injury requiring further investigation.

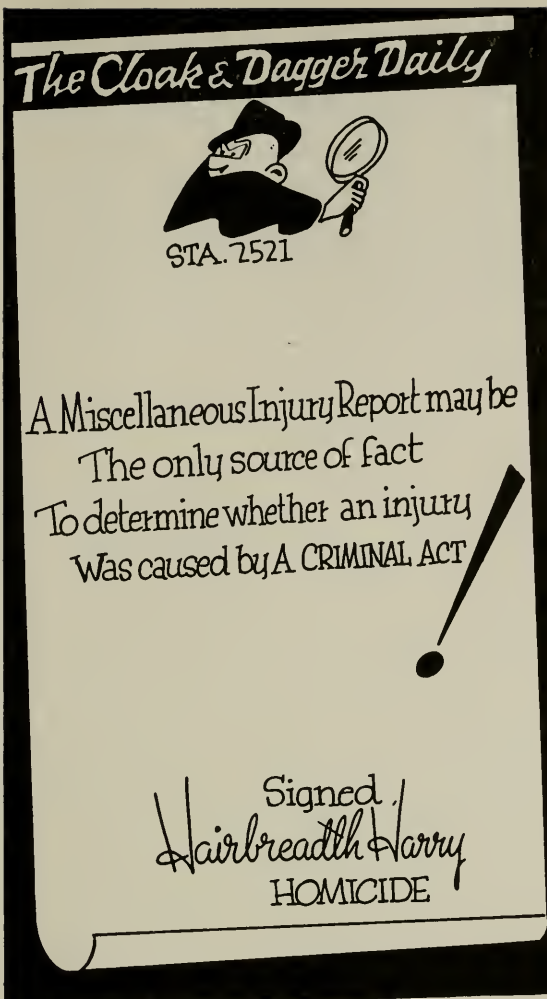
Examples: Accidents involving shooting, asphyxia, poisoning, etc. If the officer has the slightest suspicion that the "accident" involves a criminal act, divisional detectives should be consulted before a report is taken. When a shooting is allegedly accidental, a complete description of the gun and its number should be included in the body of the report for the information of detectives and the Records and Identification Division.

3. An "ambulance follow-up" call when the patient is removed to the Georgia Street Receiving Hospital or one of its branches as the result of serious illness or an injury. Although the ambulance may have left for the hospital with the patient before the investigating officers arrive at the scene, they should obtain names of witnesses and other required information before proceeding to the hospital. Particulars at this time may be unobtainable later.

4. An injury which may result in liability to the City:

- a. Injuries resulting from a fall or slip due to any defective or unusual condition of city-owned buildings, sidewalks, parkways, playground, curbs, or streets.
- b. Injuries due to defective or open manhole covers.
- c. When persons are rescued from drowning or are injured in public pools, beaches, storm drains, etc.





- d. Injuries proximately caused by flood, earthquake, landslide, or other catastrophe involving city-owned property.

When a reported injury involves city-owned property, the officer *should never discuss* any of the circumstances with an attorney or other unauthorized person without first conferring with the City Attorney.

5. An epileptic seizure that is a police problem such as an epileptic down in the street. A Miscellaneous Injury Report is made *in addition* to any other report which may be required. Copies of all Miscellaneous Injury Reports relating to epileptics are forwarded to the Department of Motor Vehicles so that it may revoke any driver's license issued to an epileptic. When it is known that an epileptic has a driver's license, this in-

formation should be included in the body of the report.

Witnesses

Every effort should be made to obtain names and addresses of witnesses, regardless of the extent of the injury. Information obtained from witnesses is essential to an investigation by detectives when an injured person later dies. An injured and hysterical person, or a person given medical treatment while in a semi-conscious condition may claim later that he was abused by officers. Witnesses can protect officers from these invalid claims and assist the City Attorney in investigating claims against the City.

Description of the Injured Person

If the patient gives an alias, or if his real name is unknown and he has been reported missing previously, his physical description may assist in making a positive identification.

Address of the Injured Person

If the patient is a transient and has no local address, the officer should obtain his last permanent address. If he has no permanent home address, his last known address or place of employment should be secured. Where this information is not available, the address of a friend through whom the patient might be reached should be noted. Such data is essential to follow-up investigations.

Body of the Report

Since an officer is unable to determine the possible implications at the time the injury is reported, he should make the Miscellaneous Injury Report complete and detailed. Diagnosis and treatment of the injury as set forth in the Receiving Hospital Record, form RH 340, ("MT Slip") should be included in the Miscellaneous Injury Report, and a copy of the Receiving Hospital form attached. When the injury is serious and the attending doctor states that death might result, the name and address of the patient's nearest relative should be placed in the body of the report for the convenience of the detectives making the follow-up investigations. In these cases the responsible detectives should be notified immediately.

Acknowledgments

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Grover H. Armstrong, Burglary Division; Lt. John Jesse and Sgt. Ralph Drummond, Bureau of Internal Affairs; Sgt. E. F. Holmes, Commanding, and Sgt. Paul J. Ketcherside, Missing Persons Section; Sgt. John Powers, Robbery Division; Sgt. J. L. Halloran, Records and Identification Division; Sgt. Aaron J. Borden, Valley Juvenile Unit; Ofcr. Roland Hotchkiss, Bicycle Unit; Ofcr. Adelbert A. St. John, 77th Street Juvenile Unit; Policewoman Margaret B. Groth and Mrs. Bessie Ortiz, Missing Juvenile Unit; letter from American District Telegraph Company, August 2, 1948; and notes taken at Field Tactics Conference at the Police Academy, July 19-21, 1948.

Arrest

Private Person's (Citizen's) Arrest

Some Practical Considerations

CITIZEN'S ARREST" is actually a misnomer as the laws governing arrest apply to private persons and peace officers. The term "private person" includes non-citizens as well as citizens. Correct legal terminology would be "private person's arrest;" however, when "citizen's arrest" appears in this text it shall be understood to refer to an arrest by a private person.

A survey recently conducted within this Department indicates that the problem of proceeding with arrests made by private persons confuses more field officers than any other single police activity. Considerable research of this subject has been made. The confusion in procedure concerning arrests by private persons usually arises when misdemeanor rather than felony offenses are involved. Arrests by private persons, and the duty of officers to receive arrested persons, can be divided into three major considerations: practical, legal, and procedural. This lesson and the one which follows deal with some of the practical considerations.

The officer's part in receiving a prisoner as well as the complaining party's limited knowledge of the law are discussed in this bulletin. Stressed is the importance of *considered judgment* on the part of the complaining party as opposed to the undesirable and usually prevalent emotional judgment.

Misdemeanor Offenses

The problem of arrests by private persons usually arises when a private person has witnessed a misdemeanor violation and wishes action taken against the perpetrator. If the officer has not witnessed the violation, he cannot make the

arrest when summoned by the private person.

Felony Offenses

When a crime complained of by the private person is a felony, the officer can usually make the arrest under his own authority to make felony arrests. A private person, however, has even broader powers of arrest on felony cases than in misdemeanor cases, and the peace officer has the same obligation to receive the prisoner.¹ This lesson and the other lessons in this series will deal mainly with misdemeanor offenses.

Receiving Arrested Person

While the officer has no authority to arrest for misdemeanors not committed or attempted in his presence, he does have an obligation to accept a prisoner legally arrested by another person. In cases where the officer cannot make the arrest, he should remember that he *merely receives* an arrested person; he does not *assist* in the arrest. The officer should make clear to all parties concerned that he is not making the arrest. An officer's duty to *assist* in a private person's arrest, when the arrest is being *resisted*, and when the arresting person summons assistance, will be covered in a subsequent bulletin on legal considerations. All police reports connected with a case in which an officer receives an arrested person from a private person should clearly indicate that the private person made the arrest, and that the officer *merely received* the arrested person.

The Private Person

Most persons are reluctant to have another arrested. Policemen are constantly made aware of this by the difficulty they experience in obtain-

¹ Penal Code, Sec. 836 and 837.

HOW MUST I HANDLE THIS BATTERY SITUATION?

1. **SIZE UP THE SITUATION!** HOW LONG HAS TROUBLE BEEN BREWING - IS IT AGGRAVATED?
2. **CALM THESE PEOPLE!** GET FACTS AND BOTH STORIES **BUT** USE DIPLOMACY!
3. **INFORM VICTIM WHAT CAN BE DONE.** I CAN'T MAKE THIS MISDEMEANOR ARREST BUT VICTIM CAN. HOW WILL VICTIM FEEL ABOUT IT TOMORROW?



ing witnesses. However, when an offense affects the citizen's person, property, or his loved ones, it stimulates his emotions and affects his judgment. When emotionally upset, a person will usually demand action against an offender. It is wise for an officer to try to calm the complaining person before the unalterable decision to arrest is made. The officer should try to make the complaining person see things in the same light that he will see them "tomorrow."

The Private Person's Knowledge of Law

Most persons have but a meager knowledge of the laws of arrest. They are not sure of their powers of arrest, and they have an exaggerated opinion of the powers of a peace officer. They feel that the officer should "Arrest that person!"—and that if the officer does not do so he is not doing his duty. The average person knows but little of post-arrest procedure, i.e., detention, complaints, and court appearances. Therefore, it is the duty of the officer called to make a misdemeanor arrest not committed in his presence to inform the complainant of the laws of arrest. He should also inform the complainant of the post-arrest procedure.

It is indicated, then, that the officer answering

a citizen's arrest call should include the following three steps in his preliminary handling of the case. He should survey the facts, calm the concerned persons, and inform all parties of proper arrest procedure.

Two major practical considerations connected with arrests by private persons are competency of complaining persons and physical arrest versus formal complaint procedure.

Competency of Persons to Make Arrests

An officer requested to accept a prisoner from a private person should consider the competency of the complaining person to qualify as a witness. If the case depended on the testimony of the complainant, who would not be a competent witness, obviously no arrest should be made.

Husband and Wife: Except for crimes against their persons, property, or children, wives and husbands are not competent as witnesses against one another.² The following crimes are excepted under this rule but they seldom arise as a citizen's arrest case: Bigamy, adultery, non-support, or any provisions of the "Juvenile Court

² Penal Code, Sec. 1322.

Law." In cases where the wife's person, property, or children are not the subject of attack the officer should avoid receiving the husband as an arrested person. The officer should not "brush off" all husband and wife complaints because, in many cases, when the offense is of a serious nature, police action is indicated.

Juveniles: Age alone, except in the case of very young children, is not necessarily a factor that would bar a person from making an arrest. In the case of minors, one determining factor is whether or not the child could qualify as a witness. It is not unusual for the courts to admit the testimony of six- and seven-year-old children. Many successful prosecutions have been made where the arresting person was as young as twelve years of age. This type of case is not infrequent when the juvenile has been the victim of a battery, indecent exposure, etc.

Intoxicated or Mentally Ill Persons: Obviously, an officer should not accept an arrestee from a person who, at the time the act was allegedly observed, was mentally ill or intoxicated to the extent that he would not be a competent witness.

Arrest vs. Complaint Procedure

Justice can often be served in a misdemeanor

case without the physical arrest of the offender. This depends on circumstances, however. The wording of the statute³ governing arrests by private persons is permissive, not mandatory. The officer can inform the complainant that the matter can be presented to the court either by an arrest and complaint procedure, or by first signing a complaint and obtaining a warrant.

Some Cases Where the Complaint Procedure Is Preferred

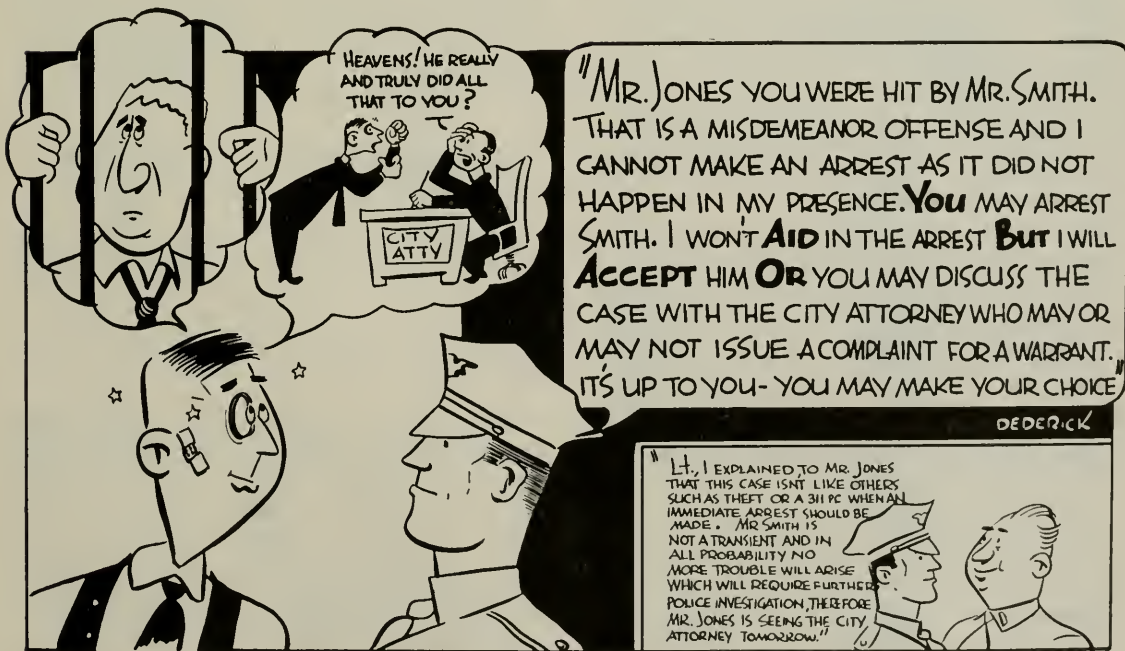
The case can well be handled by the private person seeking a complaint from the City Attorney's office when the misdemeanor is of a minor nature, such as dumping rubbish, etc., if:

1. The perpetrator of the offense is not a transient.
2. The public peace will not be further disturbed.
3. No further police investigation is necessary.

Some Cases Where the Physical Arrest Procedure Is Preferred

A physical arrest should be made by a private person when the misdemeanor is of an aggravated nature, for example, in cases of indecent exposure, petty theft, drunk on private property, etc.:

³ Penal Code, Sec. 837.



1. When the public peace and safety might further be endangered.
2. When the offender should be immediately investigated for connection with similar offenses.
3. When it is indicated that there is stolen property to be recovered.

When Private Person Insists That Officer Accept Arrested Person

It should be borne in mind that, when a private person makes a *valid* arrest and insists that an officer accept an arrested person, the officer is bound to do so.⁴ When a private person wishes to take action on a misdemeanor that he alone witnessed, *he must make the final decision as to whether he will make a physical arrest or apply to the City Attorney for a complaint.*

CITY ATTORNEY'S OFFICE HOURS:

Main Jail, 411 North Avenue 19—7:00 A.M. to 2:30 P.M.

(Closed Saturdays and Holidays)

West Los Angeles, Valley, and Harbor—8:30 A.M. to 4:30 P.M.

(Closed Saturdays, Sundays, and Holidays)

Room 260, City Hall—8:30 A.M. to 4:30 P.M.

(Closed Saturdays, Sundays, and Holidays)

Legal Provisions

The office of the City Attorney reports that over a million dollars in lawsuits have been filed against Los Angeles police officers, and that several of these suits were based on actions taken by officers at the scene of a citizen's arrest. So far there have been no successful recoveries for damages against officers in such suits, but neither the good work of the City Attorney's office, nor the good faith of the officer involved, can stop this unnecessary litigation unless we know the procedure to follow in handling this type of case and comply with the demands of the law. The officer should not be frightened by the possibility of civil suit; rather he should be armed with enough knowledge on this subject so that he can do good police work with confidence.

This bulletin discusses the authority of peace officers and private persons to make misdemeanor arrests. The term "in his presence" as used in Penal Code Sections 836 and 837 is defined.

⁴ Penal Code, Sec. 142.

Authority of Peace Officers

Penal Code Sec. 836, sub (1) is the only section which gives authority to peace officers to make arrests in misdemeanor cases, and is quoted below:

"A peace officer may, without a warrant, arrest a person for a public offense committed or attempted in his presence."

This section states that a peace officer can make an arrest for a misdemeanor only when all of the elements of the misdemeanor have been committed in his presence. This holding was reaffirmed in the latest case of the People vs. Perry, 79 Cal. 2d. Sup. 906 (May 7, 1947) wherein the court said:

"As to misdemeanors, Sec. 836 contains no authorization for an arrest, without a warrant, on reasonable or probable cause, all of its provisions of that sort being expressly *limited to arrests for felonies. Under it the power and duty of an officer to make an arrest for a misdemeanor without a warrant are limited to a case where the offense is committed or attempted in the officer's presence . . . moreover, if an arrest is unlawful (an arrest upon a misdemeanor which has not been committed in the presence of the officer) either the person being arrested or others acting in his behalf may resist the arrest, using no more than reasonable force for that purpose.*"

The court also pointed out by way of dictum that, if the officer makes a misdemeanor arrest unlawfully, the officer would be guilty of violation of Penal Code Sec. 236, False Imprisonment, a misdemeanor or a felony depending upon the force used by the officer.

Authority of Citizens (Private Persons)

Penal Code Sec. 837, sub (1) is the only section which gives authority to private persons to make arrests in misdemeanor cases, and is quoted below:

"For a public offense committed or attempted in his presence."

It is obvious that a private person has as much right and authority to arrest for a misdemeanor as an officer. Consequently, when a citizen witnesses a misdemeanor offense and then asks an officer to make the arrest, it is obvious that the officer cannot do so, but that the citizen, having witnessed the crime, may make a legal arrest. At this point the officer should inform the private

person as to his legal rights, and as to the legal limitations placed upon the officer.

"In His Presence"

Misdemeanor arrests can be made only for offenses committed in the presence of the person who makes the arrest. "In his presence" is defined as follows: The corpus delicti, or essential elements of the offense, must have been ascertained through the use of the senses, namely, sight, hearing, taste, touch, or smell. An example of this is the case of *Roynan vs. Battin* (1941, 55 Cal. App. 2d. 861) where a peace officer at a distance of two and one-half miles used a telescope to watch some men, without license, hunting burros. This was held to be "in his presence" because the crime was witnessed by the officer through his sense of sight.

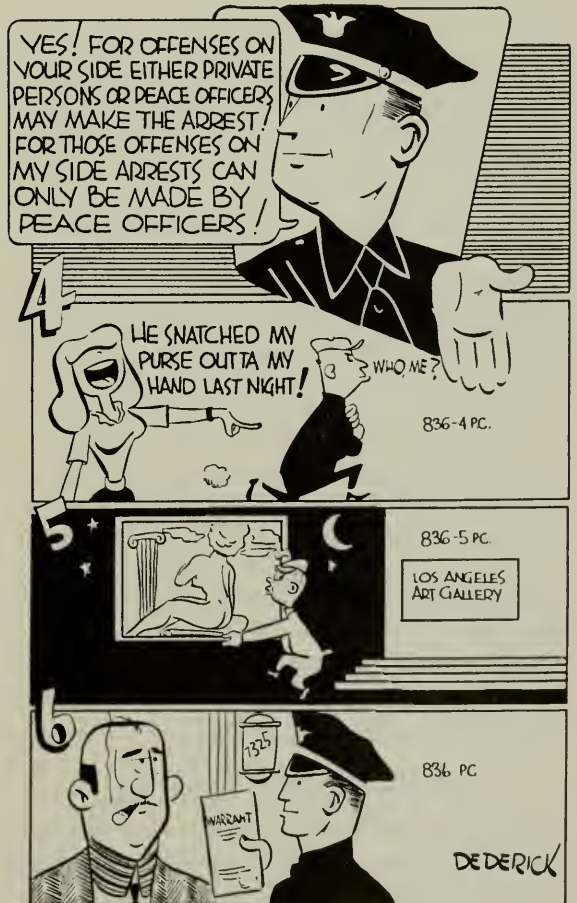
Under Penal Code Sec. 142 an officer is under duty to receive an arrested person into custody

upon being directed or ordered to do so by the party making the arrest. The section states:

"Every sheriff, coroner, keeper of a jail, constable, or other peace officer, who willfully refuses to receive or arrest any person *charged with a criminal offense*, is punishable by a fine not exceeding five thousand dollars, and imprisonment in the county jail not exceeding five years."

Investigation of Alleged Offense

Under Penal Code Sec. 142 it has been ruled that an officer is not required to conduct a complete investigation to ascertain whether or not the arrest made by one citizen upon another is justified. However, the officer should make a reasonable inquiry as to the facts of the case. An officer is not required to participate in conjecture as to what crime has been committed. The private person making the arrest must charge the person arrested with a criminal offense.



“Charged with a Criminal Offense”

Charged with a criminal offense, as used in Sec. 142 of the Penal Code, means that a person has been lawfully arrested, or indicted, or that a formal complaint has been issued against him.

“Charged with” Defined

The word “charged” imports a formal complaint, information, indictment, or arrest upon a criminal charge and does not include mere general rumors and common talk that a person has committed a felony. (People vs. Garnett 129 Cal., 364 and People vs. Serrano 123 Cal. App. 339.) In California Jury Instructions, Superior Court, Judge Charles Fricke defined “charged with” as follows in Sec.962:

“To be charged with a felony or misdemeanor . . . a person must be accused of such an offense in a formal complaint, information, or indictment filed against him, or he must have been taken into custody under a lawful arrest and be lawfully held.”

Lawful Arrest

A lawful arrest by a private person is one that is made under authority of Penal Code Sec. 837, and is made in the manner described in Penal Code Sec. 841, quoted below:

“The person making the arrest must inform the person to be arrested of the intention to arrest him, of the cause of the arrest, and the authority to make it, except when the person to be arrested is actually engaged in the commission of or an attempt to commit an offense, or is pursued immediately after its commission, or after an escape.”

Therefore the officer, before accepting a prisoner from another person, should determine from the arresting person that he (the arresting person) has proceeded according to these provisions. Penal Code Sec. 841 states that the arresting person should inform the arrestee “of the cause of the arrest.” This does not mean that the exact legal description of the offense must be used. A simple statement of facts that constitute a violation is sufficient.

Arrests without Authority

In the case of Abbott vs. Cooper, *et al.* 218 Cal. 425 (1933), the plaintiff Abbott, who operated a private patrol system, was arrested by two

deputy constables, Carson and Worsham, who also operated a private patrol system. Upon being requested by the deputy constables to lock Abbott up, Macy, the jailer, inquired as to the nature of the charge. Carson replied, “Damned if I know. Damned if I believe he is allowed out in the county. We will leave him here over night and let Sheriff Cooper decide it in the morning.” *Thereupon Abbott was locked up without any charge being placed against him.* The plaintiff was held in jail about eight and one-half hours and then released. He then sued Cooper, Sheriff of the County of San Diego, and Macy, Deputy sheriff and Jailer, and others and recovered



Officer Sharp Says:

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\$2,000 in damages for unauthorized arrest and imprisonment.

In discussing the merits of the suit the Supreme Court of the State of California stated:

“ . . . We think it must be held that such a jailer has no authority to receive and place in custody a person brought in by another when the information furnished to the jailer affirmatively shows that the arrest has been made without authority, and that the person making the arrest neither knows what the charge is nor makes the claim that any offense has been committed, either in his presence or otherwise. We think the information here conveyed to the respondent, Macy, was such that he knew, or would have known, that the arrest was illegal, and was such as to inform him that he had no right to imprison the appellant. It follows that, so far as shown by this evidence, the respondent, Macy, was himself liable for his wrongful act, whether done officially or otherwise.”

The Cooper case makes it clear that when the officer *knows* that a private person has made an *illegal arrest*, he, the officer, should not accept the prisoner.

Liability of Officers

We can see from the Abbott vs. Cooper case (218 Cal. 425, 1933) quoted in the preceding bulletin, that an officer should not accept an arrested person from another person unless an offense has been charged against the person arrested. Even so, the question sometimes arises as to the legal position of an officer who receives an arrested person, “charged with a crime,” into custody, and it develops that the private person’s arrest was illegal. The answer to this may be found in the Abbott vs. Cooper case, which quotes from Moaz vs. Tate, 43 Ind. 60, wherein the court said:

“We have said that the marshal had authority to arrest when the offense was committed in his view, and under certain circumstances, commit to jail; that such authority necessarily conferred upon the jailer the right to receive and imprison the prisoner. If he had the right to receive the prisoner when brought to him by the marshal with the declaration that he had been arrested for any offense committed in view, that declaration would stand in the place of a *mittimus* (court commitment) in other cases, and it would be the duty of the jailer to receive him as a prisoner, without regard to the question of his guilt or innocence.”

Thus an officer is protected in cases where a private person makes an illegal arrest, but *only if the citizen states that he arrested the prisoner*

for a public offense—on a charge for which he (the citizen) has authority to make an arrest. An officer should not rely upon a simple narration of facts from which he is supposed to determine whether or not an offense has been committed. The Cooper case makes it clear that in *cases where the arresting person indicates, in any manner, that the arrest is illegal, the officer should not accept the arrested person.*

Summoning Assistance

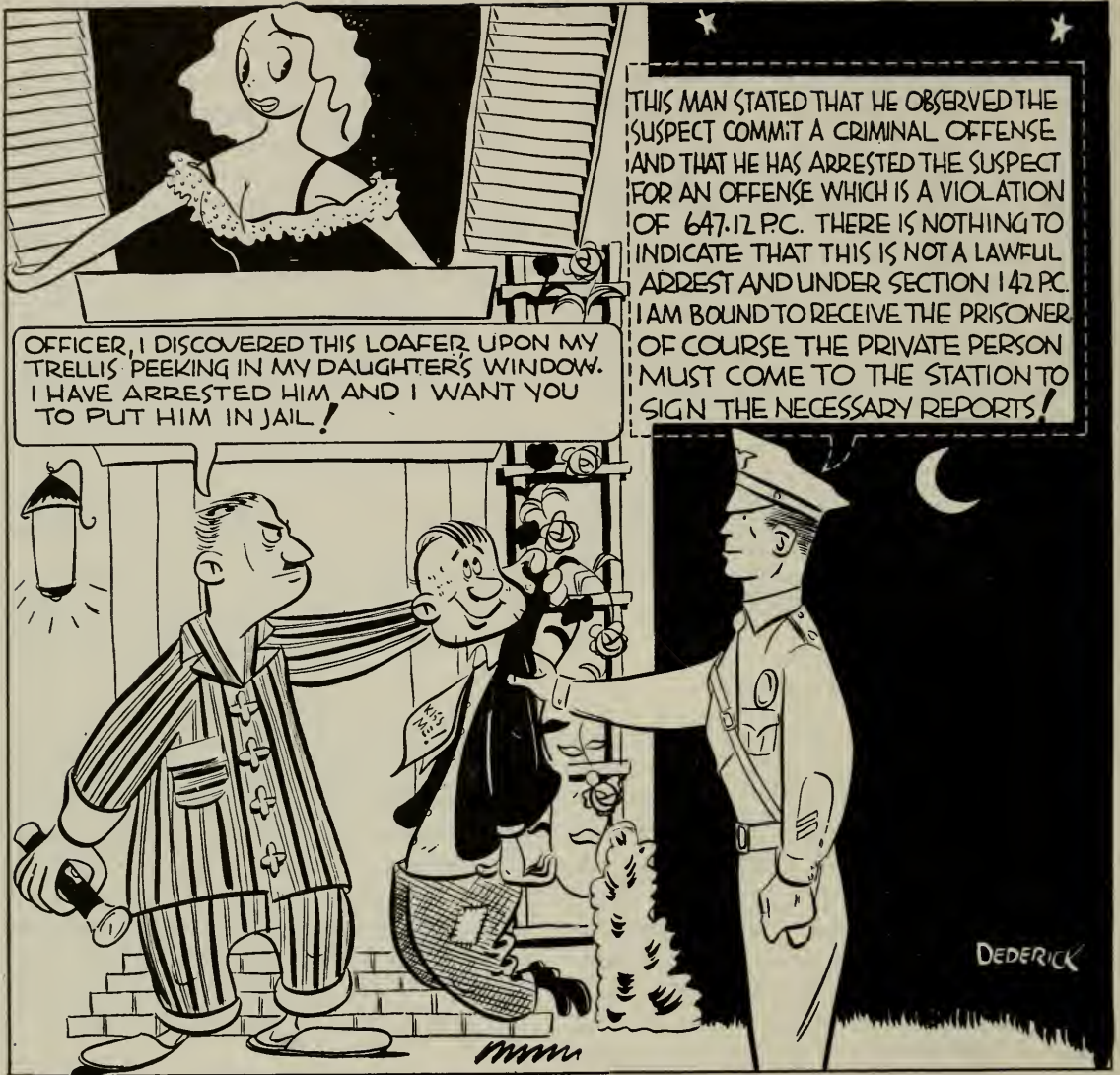
When a person resists arrest by a private person, the question arises as to the duty of an officer to aid in subduing the arrested person. Penal Code Sec. 839 states:

“Any person making an arrest may orally summon as many persons as he deems necessary to aid him therein.”

This means that an officer is under legal duty, upon demand, to come to the aid of the citizen whose arrest is being resisted. An officer should attempt to stay within the capacity of “*receiving*” the prisoner rather than “*assisting*” in the arrest. Furthermore, an officer always has the authority to preserve the peace. If an altercation takes place in his presence, it is usually necessary that the officer preserve the peace, and at least temporarily restrain the involved parties. This will usually give the officer an opportunity to make a cursory investigation. Thus, under the authority of Penal Code Sec. 839 the officer is under obligation to render assistance, even though the arrest may be found to be unlawful.

How to Make Misdemeanor Arrests on Private Property

An officer spends a large portion of his time in quelling backyard quarrels and settling neighborhood problems. These are often non-criminal matters not warranting punitive action. They can usually be quieted by a common sense explanation, or a referral to their attorney or to another public agency. Other situations require more positive action. At times, it is difficult for the officer to determine what procedure he should follow. Frequently he can settle a dispute by acting as a mediator. This often occurs when he is called upon to take action on private property. Here, to perform his duties adequately and efficiently, without incurring the criticism and



hostility of the persons involved, he must not only be diplomatic, but must be familiar with the laws of arrest and be able to apply them with discretion.

Arrests for Drunkenness

Ordinarily the moral, religious, or social concepts of drunkenness need not be considered by the individual officer. However, he is immediately concerned with how this condition affects public safety and the maintenance of order. One of the most troublesome problems encountered is the proper handling of complaints regarding drunkenness on private property.

The Officer's Authority on Private Property

The mere fact that an offense is committed on private property seldom prohibits an officer from taking action. In most cases an officer has as much authority to arrest on private property as he does on public property. The laws authorizing arrest do not qualify arrest powers as to location of the arrest. *Otherwise lawful arrests* can be made on private property as well as on public property, or in a private place as well as in a public place. Location is sometimes an element of the substantive offense. For example, *in any public place* is an element of Sec. 41.27(a), L.A.M.C.

Before making an arrest or receiving an arrestee, an officer should ask himself: Is the arrest lawful? Is the arrest warranted? If he can answer these questions in the affirmative, the arrest may be made on either private or public property.

Section 41.27(a), L.A.M.C.

The wording of this section is as follows:

No person shall be or appear in a state of drunkenness or intoxication upon any public street, sidewalk, highway or alley, or in any public place, or in any place open to the patronage of the public, or in any place open to the public view. . . .

Sec. 41.27(a), L.A.M.C. is primarily used as the authority to remove drunken persons from the public streets. Broad interpretation of this section is often an aid to an officer in keeping his beat "clean" and keeping peace in a community.

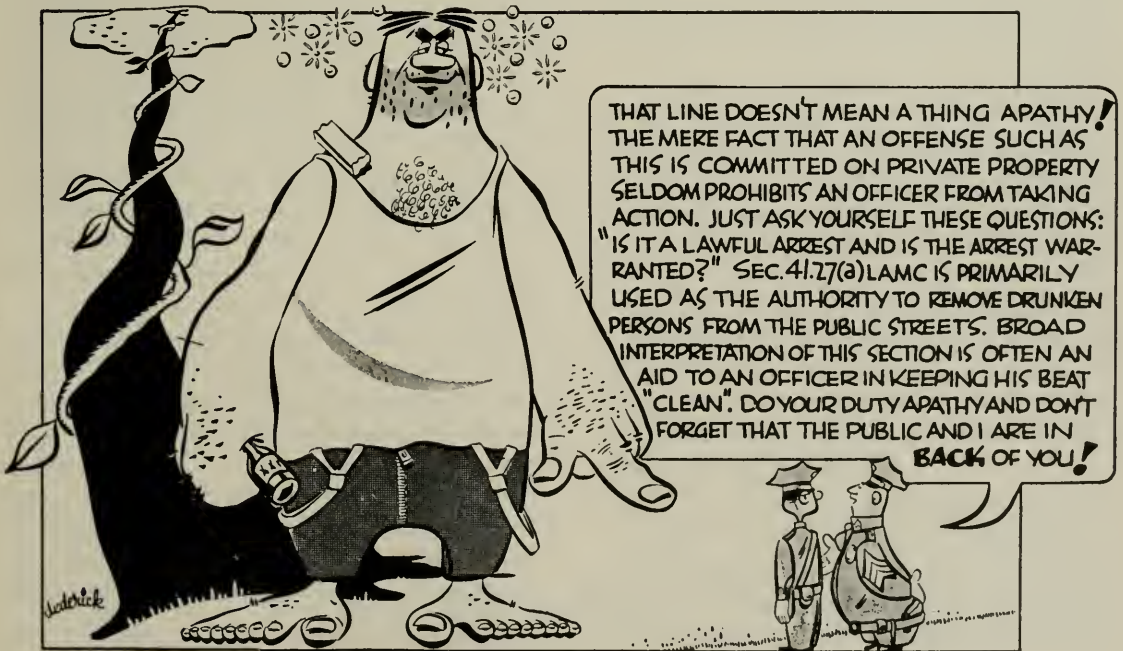
Public Places: The problem encountered in the interpretation of this section arises from the determination of whether or not a place is private or public and whether open or closed to public view. *The determination cannot be based upon ownership of the property except where drunkenness occurs in publicly owned buildings.* For the purposes of this section, privately owned

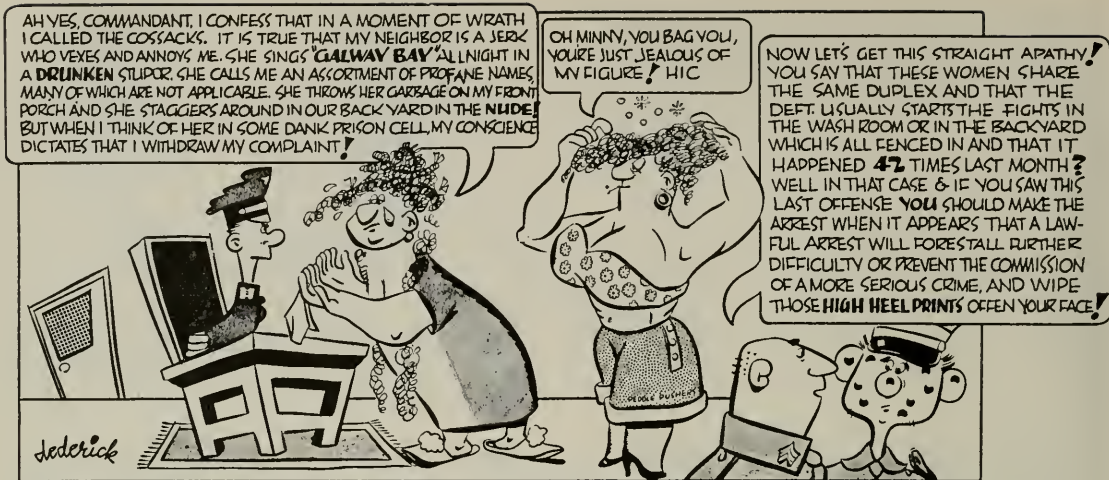
property becomes a public place while being used by the public or open to public view. A department store, for example, is a public place during its business hours. City owned property is not necessarily a public place. Municipally owned power plants, for example, are not open to the public. It is the City Attorney's opinion that a place *open* to public assemblage or public patronage is a public place. It may be public at one time of day and not at another.⁵ Hotel lobbies and hallways generally are public places because they are usually open to unrestricted public entry.

Residence May Be Public Place: For the purpose of Sec. 41.27(a), L.A.M.C. arrests, a private residence may at times be considered a public place depending upon its use. For example, an owner of a private residence may cause that residence to become a public place by opening it for a large party for which indiscriminate invitations were given out or which was attended by anyone without invitation.⁶ An arrest on this property for a violation of Sec. 41.27(a) would be legal. However, in court each

⁵ Parker vs. The State, 21 Tex. 204.

⁶ Tooke vs. State of Georgia, 61 S.E. 917. White vs. State of Texas, 45 S.W. 702.





case would be judged on its own merits. It would be necessary to prove that the place was in such a way that it in fact did become a public place. Because of the necessity for establishing this element, in most instances it would probably be more practicable to obtain the names of witnesses and arrest under Sec. 41.27(b), L.A.M.C.

Public View: If an offender is visible to persons on the street who are able to form an opinion of his condition, he may be considered in public view although he is on the premises of a private residence or on the porch, in the yard, in the garage, or even in a house and in front of a window.

After a few hours of reflection, complainants in domestic and neighborhood altercations are often reluctant to testify against an arrestee. However, even though the possibility of a conviction appears slight, it is sometimes necessary to make lawful arrests when a satisfactory solution to a problem cannot be reached by any other means. If possible, a private person, rather than a witnessing officer, should make the arrest. Practice indicates that more successful prosecutions result if a "citizen's" arrest has been made.

Arrests Under Sec. 41.27(b), L.A.M.C.

This section reads as follows:

No person shall be on any private premises or in any private house in a state of drunkenness or intoxication to the annoyance of any other person.

Private Premises: Arrests for drunkenness in locations which are not public places or open to the public view are made under this section. It might be used to make arrests in a private club where the right of attendance is restricted to members. One member, for example, is annoyed by the intoxication of another member and wishes to have him arrested. If the complaint is justified, Sec. 41.27(b) would be applicable.

Annoyance of Any Other Person: To successfully prosecute under this section, it must be proved that the defendant was drunk and that his conduct annoyed another. The element of annoyance is sometimes difficult to establish. The word "annoy" has been defined as follows: To disturb or irritate, especially by continued or repeated acts; to vex, harm or injure. "Unless the defendant's condition of intoxication and resulting conduct are such as to annoy a reasonable person and another person present is in fact annoyed, thereby, no violation of the ordinance appears."⁷

The annoyance must be more than some fancied distaste or whim; it must be a substantial annoyance to establish the element. In one instance, a woman was found guilty of a violation of Sec. 41.27(b), L.A.M.C. after the following facts were proved. While drunk in a rooming house in the presence of and to the annoyance of the landlady and other persons, the defendant committed a number of offensive acts. She talked

⁷ People vs. Beifus, 22 Cal. App. 2nd. (Supp.), 755-757.

in a loud and boisterous manner, cursed, used profane and obscene language, struck matches on the woodwork and threw them on the carpet.⁸ Although this example implies that a number of persons were annoyed, it is not necessary that they all testify.

Private Person or Officer May Make Arrest: Arrests for violations of Sec. 41.27(b), L.A.M.C. may be made either by a private person or by a peace officer who has witnessed a person drunk on private premises to the obvious annoyance of another person. However, practice indicates that prosecutions are usually more successful when a citizen makes the arrest.

Obtaining Witnesses: When making arrests under Sec. 41.27(b), L.A.M.C. an officer should obtain the names of witnesses who could testify to the defendant's drunken condition and the fact that this annoyed them. The officer may testify to accusations made in his presence to the defendant if they are not denied by him, even though such accusations were made by the defendant's spouse or by a witness not available at the trial. When the arrest is made by officers, they should have the complaining party make and sign a statement in the officer's notebook. This statement should indicate that the arrestee was intoxicated and that the complainant was annoyed thereby.

When a prisoner is accepted as a result of a citizen's arrest, the officer must require the person making the arrest to go to the station and sign the necessary reports *before* the arrestee is booked. Sometimes, after reaching the station and reflecting a few minutes, a citizen will change his mind about making an arrest.

Arrest by Officer to Prevent Further Difficulty: In the case of *People vs. Hupp*, 61 Cal. App. 2nd. 447-450, the court stated, "It is the duty of peace officers not only to make arrests for the commission of crime but to prevent the commission of additional crimes and protect the lives of citizens." An officer may witness a crime, but be reluctant to make an arrest because he is uncertain that a successful prosecution will

⁸ *People vs. Johnson*, 22 Cal. App. 2nd. (Supp.), 755-757.

follow. However, when it appears that a lawful arrest would forestall further difficulty or prevent the commission of more serious offenses, it may be advisable to make an arrest. If, for example, a complainant does not wish to make a private person's arrest for violation of Sec. 41.27(b), L.A.M.C. and the officers feel that the complainant may be seriously harmed by the intoxicated person, they may be protecting life and saving police time by making a lawful arrest themselves. The mere fact that witnesses or complainants may be incompetent or reluctant to testify against a defendant should not deter an officer from making a *lawful arrest* when it is necessary to prevent further difficulty.

Drunkenness Before Children

The parent who is frequently drunk in the presence of his children presents a serious problem. This problem, which is often coupled with child neglect and a general deterioration of family life, contributes to juvenile delinquency. Usually, these cases are investigated by the Juvenile Division, but in some instances a patrol officer is confronted with the necessity of taking immediate action. In attempting a solution to such situations, many officers have experienced difficulty in enlisting aid from the family or neighbors. It is, therefore, of utmost importance that the officer know what he can do to effect a temporary solution to such a problem.

Arrests under Section 273g, P.C.

This section reads:

Any person who in the presence of any child indulges in any degrading, immoral or vicious habits or practices, or who is *habitually drunk* in the presence of any child in his care, custody or control, is guilty of a misdemeanor.

Contact the Juvenile Division

When making arrests under this section it is advisable to contact the watch commander of the Juvenile Division. He may have information about the parties concerned that will aid the officer in making the arrest.

Offender Must Be Parent or Guardian

The person to be arrested for habitual drunkenness in the presence of children must be the parent or guardian of the children involved or

some other person who has the care, custody, or control of them. For example, an administrator of a nursery school is subject to the provisions of Sec. 273g, P.C.

Offense Must Be Habitual

To prosecute successfully under this section, *habitual* drunkenness must be proved. An arrest under this part of the section would have to be made by a witnessing citizen unless the officer could testify that *by his own knowledge* he was aware of the habitual nature of the offense.

The number of separate incidents necessary to constitute an offense is not clearly defined. However, it is safe to assume that there is sufficient evidence to establish the habitual nature of the offense if an officer witnesses a defendant in a drunken condition in the presence of his children on three or more occasions during the period of a week or ten days and there is circumstantial evidence or the testimony of neighbors, even though reluctant witnesses, that the condition has existed over a longer period.

When Officers May Make the Arrest

In some instances, when it is impossible to make a lawful arrest under Sections 41.27(a) or (b), L.A.M.C. or when the case is aggravated, officers may find it practicable to arrest under Sec. 273g, P.C. For example, *on each of several calls* to a residence, they have found a man drunk in the presence of his young children. The man's wife insists that she is not annoyed by her husband's conduct. Neighbors, who placed the calls, state that the case is aggravated but are unwilling or unable to make a private person's arrest. Since, in such a situation, it is imperative that some action be taken to eliminate the nuisance as well as to protect the concerned children, it might be advisable for the officers to make an arrest under 273g, P.C.

Obtaining Witnesses

In arrests for drunkenness under Sec. 273g, P.C. officers should attempt to obtain the names of witnesses who can testify to the habitual nature of the offense. Child victims may some-



times be used as witnesses. Unless they are very young, their age alone does not disqualify them as witnesses. The test of their competency to testify, generally, is whether or not they are capable of understanding the oath and distinguishing between right and wrong. The courts have often admitted the testimony of six- or seven-year-old children.

Photographic Evidence of Drinking

In many cases where arrests are made for violation of Penal Code Sec. 273g, the dwelling where the offense is committed will contain evidence that will be useful in presenting an accurate case in court. This evidence might consist of a great number of empty or partially filled alcoholic beverage bottles or other indications of excessive drinking. When such conditions exist, the arresting officers should arrange to have this evidence photographed by the Photographic Section of the Scientific Investigation Division. Between midnight and 7:30 A.M., the Photographic Section might be closed; in such an event, contact the Business Office for photographic service.⁹

Mistreatment of Children

The average citizen is deeply concerned, not only with the welfare of his own children but with that of his neighbor's children, especially if they do not receive adequate care. When an officer answers a call involving the improper treatment of children, it is probable that the person who placed the call is very upset and will not be satisfied unless some action is taken in behalf of the children. Under such circumstances, an officer who does not take some action may be subjected to severe criticism.

Every officer should familiarize himself with the courses of action which may enable him to handle effectively problems involving neglect or mistreatment of children. By taking proper action, he will derive considerable personal satisfaction and gain the respect of citizens concerned with such problems.

Arrests under Penal Code Section 273a

This section states in part “. . . whoever, hav-

ing the care or custody of any child, causes or permits the life or limb of such child to be endangered, or the health of such child to be injured, . . . is guilty of a misdemeanor.”

This part of Section 273a is generally applied to persons who maintain “unfit” homes in which conditions exist that would be likely to endanger the welfare of children living there. Violators of this section include parents, guardians, or persons who maintain boarding homes for children.

Contact the Juvenile Division

When officers make an arrest under this section, it is advisable that they contact the watch commander of the Juvenile Division. If it is necessary to place the children in Juvenile Hall, he will obtain authorization and will also arrange for medical examinations and treatment for them if they are suffering from malnutrition, body parasites or traumatic injury.

Evidence of the Offense

In prosecutions for violation of this section, it is *not* necessary to prove that the children were actually harmed, but it *is* necessary to prove that they were *likely* to be harmed. Therefore, it is advisable for an arresting officer to observe and record on the Arrest Report the following conditions which could be of value as evidence:

1. The unclean condition of the children and symptoms of malnutrition, illness or injury.
2. Indications of neglect of the home, such as filth, spoiled food, and an overabundant collection of empty liquor containers; however, mere untidiness does not necessarily establish neglect.
3. Unclean beds occupied by the children and insufficiency of bed clothing.
4. The amount and edibility of food.
5. Probable hazards such as children locked in rooms that would be inaccessible in case of fire.
6. The amount and suitability of clean clothing available for the children.

Admissions of the parents regarding time spent away from home and their means of providing a livelihood for the family should also be noted.

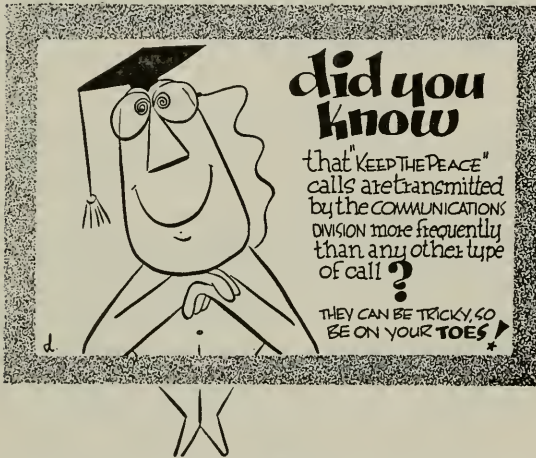
⁹ Los Angeles Daily Police Bulletin, Photographic Service, Vol. 42, No. 123, June 8, 1949.

Photographic Evidence of Home Conditions

Arresting officers should arrange to have evidence of "unfit" home conditions photographed. Photographers may be requested in the same manner as indicated in the discussion of arrests for violations of Penal Code Section 273g.

Obtaining Witnesses

Although it is not necessary to prove that neglect is *habitual* to establish a violation of Section 273a, arresting officers should, if possible, obtain witnesses who can testify to the continuing nature of the offense and the conduct of the children's parents or guardian. This is especially important if the arresting officers have not observed the home conditions on previous occasions. It is also important to determine whether the children have begged for food or whether neigh-



bors have considered it necessary to feed or care for them on any occasion.

Drunkenness as a Contributing Factor to the Offense

Drunkenness is often a contributing factor to a violation of Section 273a. In many instances, arrests can be made under this section when all of the elements for an arrest under Los Angeles Municipal Code Sections 41.27(a) or (b), or Penal Code Section 273g would be relatively difficult to establish. A violation of Section 273a is not restricted by such elements as "in the public view," "annoyance to another person present," or "the habitual nature of the offense." Therefore, this section may be used as an additional "tool" to facilitate the handling of prob-

lems involving drunkenness or neglect of children.

"Keep the Peace" Calls

"Keep the peace" calls are transmitted by the Communications Division more frequently than any other type of call. In answering such calls, an officer usually has an opportunity to solve the problem by serving as a "court of human relations." He should listen carefully to the versions of both sides of a disagreement before deciding if any police action should be taken. If the difficulty consists of a mere battle of words, he may be able to effect a compromise. If no satisfactory settlement can be reached, he may advise both parties to see the City Attorney. When practicable, if neither of these approaches is successful, he may, with consent of the parties involved, take them to the City Attorney's office for an immediate hearing. In more serious cases, when the offense is committed in his presence, the officer may make an arrest or he may advise a citizen of his right to make a private person's arrest.¹⁰

Arrests under Sec. 415, P.C.

Under this section:

Every person who maliciously and willfully disturbs the peace or quiet of any neighborhood or person by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight, or fighting . . . , or who uses any vulgar, profane, or indecent language within the presence or hearing of women or children in a loud or boisterous manner, is guilty of a misdemeanor.

Officer May Make the Arrest

The majority of arrests made under Sec. 415, P.C. are made by private persons; however, an officer may have the same authority to arrest for a violation of Sec. 415, P.C. as does a private person. The belief that an officer's peace cannot be disturbed has led some officers to assume that they cannot arrest a person for "disturbing the peace." There have been successful prosecutions for "disturbing the peace" when the only testimony given was by the arresting officers. Their testimony, however, clearly indicated that other persons were present during the commission of the offense and that they had been disturbed. Although the law gives an officer authority to

¹⁰ For a further discussion of private person's arrest, refer to pages 19 to 27 of this volume.

make arrests for misdemeanor offenses committed in his presence, it is *seldom* advisable for him to make an arrest under Sec. 415, P.C. unless he knows the names and addresses of persons who have been disturbed so they may be subpoenaed for trial and unless, from the very nature of the offense, their disturbance is obvious.

Disturbance at a Residence

The advisability of an officer making an arrest under this section should always depend upon the aggravated nature of the violation. An arrest might be warranted in the following circumstances. Officers have on several occasions received calls to investigate disturbances at the same residence. On each occasion from the outside they witnessed loud and boisterous behavior of the occupants. They warned violators and made several unsuccessful attempts to obtain the names of persons who had placed the calls or who were being disturbed. Under such aggravated conditions, officers witnessing the breach of the peace may make lawful arrests.

Evidence in Residence Cases

When these circumstances result in an arrest, reports should indicate any conditions which tend to show that the peace and quiet of a neighborhood had been disturbed. Facts which should appear on an Arrest Report might be the number and frequency of the calls answered, homes in the vicinity lighted at unusual hours, evidence of the annoyance to persons who would normally be asleep and, if obtainable, pertinent statements from them. The number of calls answered and warnings given are important evidence. Since malice is one of the elements of "disturbing the peace," indication that the offense was a continuing one would tend to establish the element. An officer should be alert for any statement or other evidence that would tend to prove malice, and incorporate this information in his reports.

Entry to Private Premises

An officer *cannot* enter private premises upon mere suspicion that a misdemeanor is being committed. For an entry to be lawful, he must, through his *own* knowledge, be aware that such an offense is being committed or has just occurred. However, to be of his own knowledge, it is not necessary that he *see* the commission of

all the elements of an offense; he may be aware of the fact through other senses. Smelling marijuana smoke or hearing the discharge of a firearm would in most cases justify an officer's entry into private premises.

Should an officer make an unlawful entry to private premises and then see the commission of an offense, he still has the authority to make an arrest. In the case of Lucio Ajuria, *et al.* for a Writ of Habeas Corpus, 57 Cal. App. 667, the court stated:

The fact that officers were unlawfully on the premises of the defendant does not divest them of their statutory authority to arrest for an offense committed in their presence while they were there.

Forcible Entry

Sec. 844 of the Penal Code states:

To make an arrest, a private person, if the offense be a felony, and in all cases a peace officer, may break open the door or window of the house in which the person to be arrested is, or in which they have reasonable grounds for believing him to be, after having demanded admittance and explained the purpose for which admittance is desired.

Although an officer may, after warning has been given, make a forcible entry to effect an arrest for a *misdemeanor* which has been committed in the officer's presence, a private person cannot. Therefore, it would be *unlawful* for an officer even to assist a citizen to make a forcible entry if it is the citizen's intention to make merely a misdemeanor arrest.

How to Apprehend Prowlers

Few occurrences frighten the average person as does the sudden discovery that someone is prowling at his door, in his yard or peering in a window. It is only natural for the victim to fear that his life, property or family is in jeopardy and that the intruder is a dangerous criminal. Usually, the victim's first impulse is to call the police. In doing so, he may act in such an excited manner that the suspect may leave the premises. Often, the intruder does not have the opportunity to leave the area if the police arrive promptly.

Officers answering such calls have no means of knowing what type of offender might be encountered. He might be a burglar, a sexual psychopath or a "peeping tom"; he may be an



intoxicated person or one seeking a sleeping place. In some cases, the suspect is a jealous suitor or an ex-husband; he may be a person committing malicious mischief or petty thievery; he may only be a neighborhood boy taking a short-cut through the back yard or someone relieving himself of physical discomfort.

In taking precautions to protect themselves, the officers should consider a prowler a potential burglar; however, in determining the amount of force which may be used to effect an arrest, the fact should be weighed that many of these suspects are guilty only of a misdemeanor.

Generally, prowlers are extremely canny and

are "wise" to routine police methods. For this reason, techniques which the suspect does not expect must be used to outwit him.

Familiarity with the District

Knowledge of street locations, house numbers, alleys, etc., is essential in planning the approach to the scene and will enable officers to anticipate possible avenues of flight which the prowler might take from a given location.

Approaching the Scene

When a "prowler" call is broadcast to all units, those in the vicinity should proceed toward the scene quickly but as safely as possible.

Checking Addresses: The location of the call should be determined by checking with a flashlight rather than a spotlight, house numbers on the *opposite side of the street*. Shining a bright light directly at the side of the street where the prowler may be might warn him of the officers' approach.

Speed: Officers should, when they are a short distance from the scene, reduce their speed to 15 or 20 miles per hour. This will enable them to observe persons on the street and will lessen the possibility of "overshooting" the address. In turning corners near the scene, the police vehicle should be driven at a speed which will not cause "tire squeal."

Investigating Suspect in Vicinity: Every person on the street in the vicinity of the call should be closely scrutinized. Persons running or walking rapidly should be stopped and questioned. If the officers assigned the call are unable to proceed to the scene because of the investigation of a suspect in the vicinity, the Communications Division should be immediately notified of the delay.

Planned Action: Officers responding to a call should plan their actions before arriving at the scene. They should agree upon which side of the house each man will search or watch, what signals will be used, and who will talk to the occupants of the house. If these actions are planned, a quick and complete search can be made most effectively.

Arrival at Scene

Usually a prowler will be alert for arrival of

the police. Officers may avoid "announcing" their presence to the suspect by avoiding certain errors.

Car Lights: When close to the scene, the driver should turn off the lights and, if possible, coast to a stop within a few doors of the call. However, if the street is heavily traveled, the lights should be left on until it is safe to travel without them.

Minimizing Noises: To minimize noise, the driver should avoid running over manhole covers and should not permit the radio antenna to brush against low branches.

In stopping a car, the hand brake should be used and should be applied in a manner which will not cause ratchet noise. If the foot brake is used, the flash of the stop light may warn a suspect of the officers' approach.

Car doors should be opened or closed carefully to prevent unnecessary noise. The rattling of an officer's keys and whistle can be prevented by tucking them into a hip pocket.

Leaving Police Car: Before leaving the car, the driver should remove the ignition key. The

radio should be left on but turned low so that it will remain "warm" to enable officers to broadcast a description of the prowler without delay. If the investigation becomes lengthy, one officer may return to the car and turn off the radio.

Although many complaints about prowlers are made to the police, relatively few of these offenders are caught. Some of the calls are made by persons who hear an unidentifiable noise which may have been caused by an animal or the wind. Because many of these complaints are "false alarms," some officers consider all of them unimportant. Those officers who have been extremely successful in apprehending prowlers have had "good luck" because they consider every prowler call bona fide until they prove otherwise.

Initial Search

The first officers to arrive at the scene should make a quick search of the premises in an effort to surprise and apprehend the prowler before he can leave. If, for example, the complainant indicates that the prowler is still on the premises, each officer should rapidly search one side of the house and move to the rear. However, when the exact location of the prowler is not known, one



SO YOU'RE TALKING TO A MAN IN HIS BVD'S - SO WHAT? A LOT OF PEOPLE WEAR BVD'S! OH, YOU MEAN THERE'S A PROWLER IN HIS BVD'S! BOY, WHAT CONFUSION! WELL, KEEP ON YOUR TOES, DON'T BE AFRAID TO USE YOUR FLASHLIGHT AS IT IS HANDY IN FLUSHING OUT PROWLERS. AVOID LIGHTED BACKGROUNDS WHICH WILL SILHOUETTE YOU! NOT ONLY WILL THE PROWLER SPOT YOU, BUT THE OCCUPANT OF A NEIGHBOR MIGHT TAKE A POT SHOT AT YOU! GET ALL DETAILS AND DESCRIPTIONS AND RELAY PERTINENT INFORMATION TO COMMUNICATIONS! IF YOU WITNESS THE SUSPECT PROWLING YOU MAY BOOK UNDER SEC 647.12 P.C.



officer should do this, while the other takes a position where he can observe the opposite side of the house, the front and the street. This will enable him to intercept a prowler who attempts to escape from the back yard or a neighboring front yard and, without delay, direct other units as they arrive.

Use of Flashlight: Some officers are reluctant to use a flashlight because they believe that they may become clearly visible to an armed prowler. However, since a suspect's eyes are probably accustomed to the darkness, the officer will be visible to him in any case. An officer can minimize the possibility of making himself an easy target by holding his flashlight away from and slightly in front of his body.

Proper use of the flashlight will aid in moving rapidly without stumbling. It may cause a suspect to hide close by where he can be easily found or it may frighten him into the open where he can be seen. Sometimes the light can be used to "blind" and confuse the suspect.

Avoiding Silhouette: In conducting the search, an officer should avoid lighted backgrounds and should keep low when passing windows so that he is not silhouetted. This is a precaution against being seen by the suspect or shot at by the occupant of the house or a neighbor who may mistake an officer for the prowler. If one side of the house is obstructed by shrubbery, a wall, or a fence, a neighboring driveway or walk may be used to gain access to the rear.

Back Yard Search: Upon reaching the rear of the house, the officer should "sweep" the yard with his flashlight while listening for any noise which might indicate the suspect's location or route of flight. If it is ascertained that there is no movement in the yard, the officer should search it carefully.

Interviewing Occupant or Complainant

When interviewing the complainant any information regarding the description, actions or movements of the prowler should be obtained first. Pertinent information should be relayed immediately to the Communications Division

for broadcast to all other units responding to the call.

Arrival of Second Unit

When additional officers arrive, they should be informed that an officer is searching the back yard. One of the members of the second unit should then assist in searching the back yard while the other searches neighboring front yards and the street.

Prowler Arrests

When a prowler suspect is apprehended and the actual prowling is witnessed by the citizen or officer who makes the arrest, the offender may be booked for violation of Penal Code Section 647.12 if a felony arrest is not advisable.

Penal Code Section 647.12: To substantiate a charge under this section, the following circumstances must be present:

1. The prowler must have been observed on the private property of the occupant.¹¹
2. A statement must be obtained from the *occupant* of the property that the prowler had no visible or lawful business there. A statement from a neighbor to this effect would not be sufficient.
3. The prowling or peeping must occur in the *nighttime*.

In answering prowler calls, officers may find no suspect even though they apply all of the proved techniques of approaching the scene and deploying in the vicinity.

Questioning of captured prowlers has revealed that, on many occasions, officers have searched the premises and departed, never suspecting that they had passed within a few feet of the concealed suspect. One team of alert officers captured their man while he was hiding in a large incinerator. He boasted that he had eluded arrest on many other occasions by the use of such hiding places. This incident, as well as others, indicates that many clever prowlers conceal themselves in places that are so simple and so obvious that they may easily be overlooked.

¹¹ People vs. Everett, Cr. A. 2445.

Search of Yard

Back yard lawn should be examined for evidence of any recent movement across it. If dew has settled on the grass and a light is shown across it from a low angle, footprints will appear as dark streaks and may indicate the direction taken by the suspect. Damp footprints may also appear on sidewalks or paths.

Windows: The windows and screens should be checked for holes, tool marks, fresh smudges on the sills or other evidence of an attempted entry. The ground below each window should be carefully examined for footprints. Any marks in the ground or disturbance of spider webs around crawl holes may indicate that the suspect has hidden under the house.

Vegetation: Branches of trees should not be overlooked and all shrubbery, hedges and flower beds, particularly heavy vegetation near fences or outbuildings, should be thoroughly searched.

Outbuildings: Sheds, garages, arbors and the roofs of all outbuildings should be checked in a search. The walls of many garages extend above a flat roof and provide a place of concealment for an intruder. Prowlers have even been apprehended after concealing themselves in unusual places such as incinerators, barbecue pits, and rubbish barrels.

Fences: A suspect who attempts to escape over a wall or fence will sometimes damage it or leave some evidence, such as cloth shreds or smudges. If he leaps from a fence into soft dirt, deep foot marks may show where he landed.

Hazards: Before going over a fence, an officer should know what is on the other side. He may be seriously injured in jumping if the ground is lower on the outside, or if he jumps onto stakes, briars, or rubbish.

Clotheslines: Low branches and wire clotheslines which are not readily visible at night might cause a serious injury if an officer runs into them. He should take precautions to avoid these and other hazards.

Dogs: Officers should be alert for unleashed dogs, which might be trained to attack without warning. Usually, however, a dog will make his whereabouts known and can be avoided. The progressive barking of several dogs and, in rural areas, the noises of fowls and other livestock may indicate the direction taken by the suspect.

Advice to Complainant

If officers are able to locate the complainant while they are at the scene, he should be advised to keep the light out if the prowler returns and to dial the Operator or 116 and wait quietly in the house until officers arrive. It should be explained how such a procedure will assist in the apprehension of the prowler.

Assurance should be given the victim that the search for the suspect will be continued, and that periodic checks will be made in the neighborhood. An attempt should be made to return to the scene before going off duty. Flashlights or spotlights used in the area will give the complainant a feeling of security and may reveal the prowler's presence if he has returned.

Officers of the next watch who work the district of the prowler call should be informed of the circumstances. This may be done by contacting them personally at the change of watch or by relaying information to them through the supervisor inspecting vehicles or the watch commander.

Most suspects who enter private premises merely to prowl or "peek" are opportunists and do not plan their actions in advance. They will walk along the street until they notice a residence that suits their purpose. If discovered on the premises, they will seldom leave by the same way they entered. Instead, they will go over back fences and through yards until another street is reached.

Although units at the scene may not apprehend the prowler, they may accomplish their objective by "flushing" him into the hands of other units deployed in the area.

Search of Adjacent Streets

Two units are usually sufficient to handle the search at the scene. A search of nearby streets and alleys should be conducted by other officers. They should drive at a speed which is "normal"

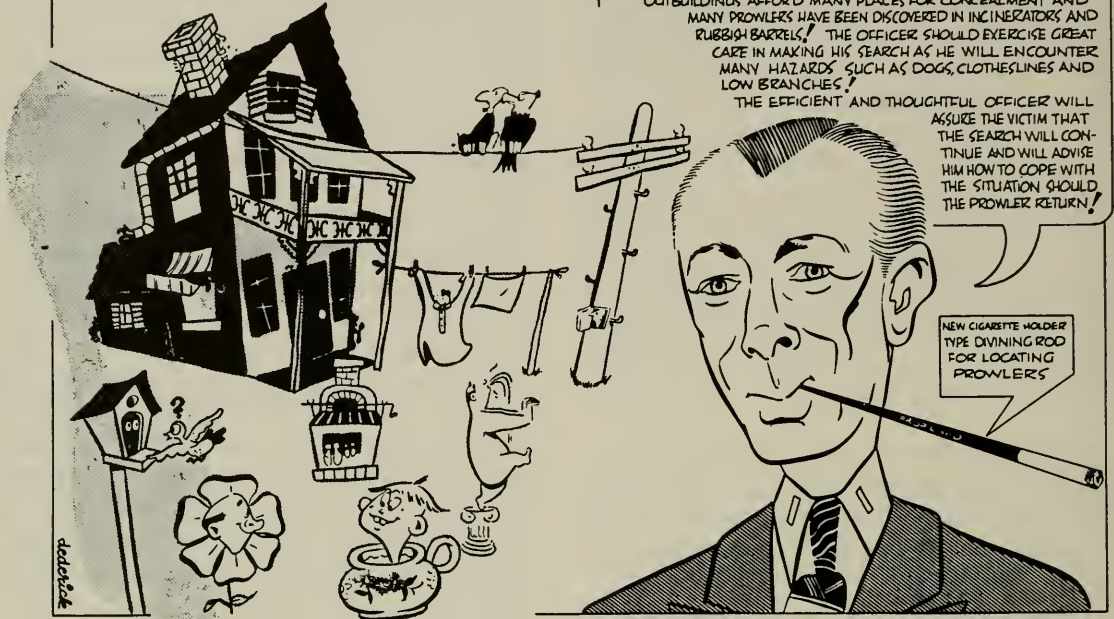
LT. GUMSHOEMAKER, Burglary, ASKS:
HOW MANY PROWLERS CAN YOU
FIND IN THIS PICTURE ?

EACH PROWLER IS A POTENTIAL BURGLAR AND BECAUSE OF HIS CUNNING, OFTEN EVADES EVEN THE MOST EXPERIENCED OFFICERS. A CLEVER PROWLER MAY CONCEAL HIMSELF IN PLACES THAT ARE SO SIMPLE AND OBVIOUS THAT HE MAY EASILY BE OVERLOOKED! FOOTPRINTS ON A DAMP LAWN OR THE BARKING OF DOGS MAY INDICATE THE DIRECTION TAKEN BY THE FLEEING PROWLER. CHECK WINDOWS AND SCREENS FOR HOLES, TOOL MARKS AND SMUDGES. THE GROUND BELOW WINDOWS AND SHRUBBERY, HEDGES AND FLOWER BEDS SHOULD BE THOROUGHLY SEARCHED.

OUTBUILDINGS AFFORD MANY PLACES FOR CONCEALMENT AND MANY PROWLERS HAVE BEEN DISCOVERED IN INCINERATORS AND RUBBISH BARRELS! THE OFFICER SHOULD EXERCISE GREAT CARE IN MAKING HIS SEARCH AS HE WILL ENCOUNTER MANY HAZARDS, SUCH AS DOGS, CLOTHESLINES AND LOW BRANCHES!

THE EFFICIENT AND THOUGHTFUL OFFICER WILL ASSURE THE VICTIM THAT THE SEARCH WILL CONTINUE AND WILL ADVISE HIM HOW TO COPE WITH THE SITUATION SHOULD THE PROWLER RETURN!

NEW CIGARETTE HOLDER TYPE DIVINING ROD FOR LOCATING PROWLERS



for that street, as a wise prowler will readily recognize a police vehicle if it is moving unusually fast or at a very slow speed. In determining where they should begin their search, the officers should consider how long it takes them to reach the area, how long it takes for the call to be broadcast, and the prowler's possible avenues of escape.

Initial Search

The initial search of the street surrounding the scene should be made quickly. Persons running or walking rapidly, or vehicles starting hastily away from the curb should be investigated. The spotlight should be used extensively. This may either force the prowler into hiding and limit his movements, or may cause him to become frightened and reveal himself by running from his place of concealment. A suspect on foot will often readily be able to see and hear an approaching police car. He may stand motionless in the shadows or hide and easily avoid being seen by the patrolling officers if they fail to use their flashlights or spotlight. A suspect may move slowly around a tree or post so that officers will

be unable to see him as they pass. They should, therefore, be alert for an exposed foot or hand, or part of the suspect's clothing.

Checking of Vehicles

Officers should check in and under cars parked in the vicinity. Persons seated in these vehicles should be interrogated to determine their reasons for being in the neighborhood.

A vehicle with a warm motor, parked in front of a darkened dwelling, should be investigated. If it is registered at an address outside the neighborhood, a "stake-out" may be warranted.

"Staking Out" on Suspected Vehicles

The police vehicle should be parked in an inconspicuous place and headed in the same direction as the vehicle which is being "staked." However, officers should take a position where they can observe it. The Communications Division should be notified of the "stake-out" so that other units may be warned.

"Staking Out" on an Adjacent Street

If the suspect is not found when the surround-

ing streets are searched, the officers should make it apparent that they are leaving, then quietly return after a few minutes and park at a nearby intersection. While one officer remains in the car, the other should remove his hat and take a position in the shadows where he can observe the intersecting streets. He should be within sight of his partner in order to exchange signals if necessary. Signaling can be done with a flashlight shielded so that no light escapes to the side. Generally a period of from fifteen to twenty minutes is long enough to determine whether or not the prowler intends to use that street.

Suspects

If a suspect is found away from the scene, a careful inspection should be made of his face, hands and clothing. Splinters and scratches on his hands and face might indicate that he has been climbing fences or going through hedges. Clothing, particularly trouser cuffs and shoes, may have bits of shrubbery, spider webs, or foxtails adhering to them or the shoes may be wet or muddy. These conditions indicate that the suspect has probably been going through back yards or vacant lots. Perspiration or heavy breathing might indicate that he has been running. While nervousness often indicates a feeling of guilt, it should be considered that many innocent persons will display nervousness when questioned by a police officer.

Many burglars know that prowling is merely a misdemeanor. If caught, they may admit being on the property unlawfully; they may admit that they were "peeping" or may claim that they stopped to urinate. These admissions are often made to mislead officers so that they will overlook evidence of a burglary.

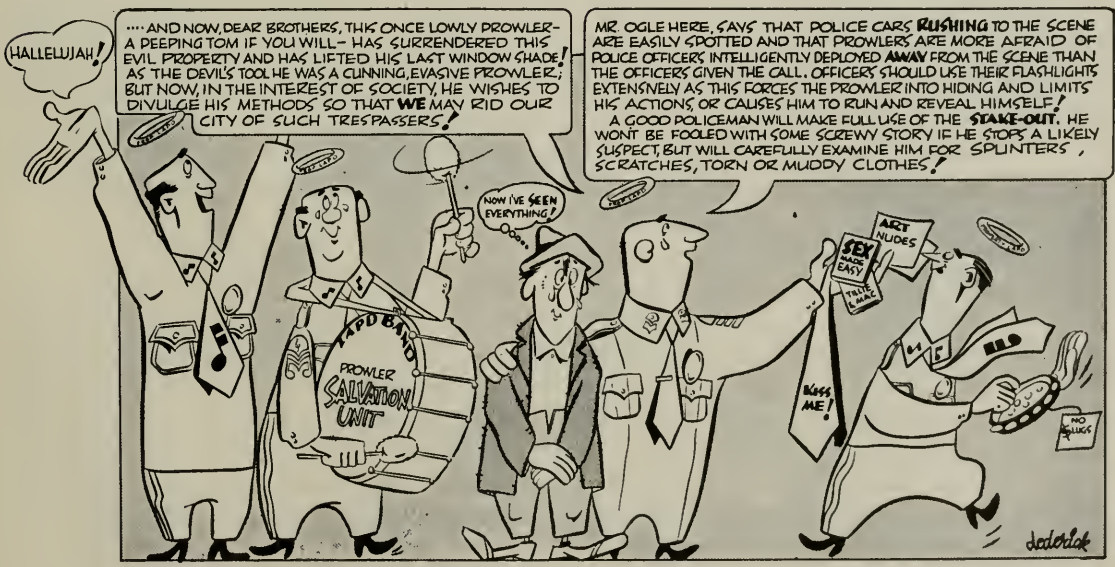
Lookouts and Accomplices

If the suspect is a burglar, a lookout or accomplice may be in the area, apparently working on a car, walking a dog, or engaging in some innocent-appearing activity.

Report the Investigation

Although officers may answer many "prowler there now" calls, they frequently fail to report the results of their investigations. They may feel that the offense itself is not serious enough to warrant a report, or that it is not necessary if the prowler is not found.

Prowler reports serve two puposes. The accumulated information obtained may not only establish a suspect's description and MO, but might assist detectives in "making" him on other crimes, and may serve as a basis for the deployment of personnel in an area where prowlers are known to be operating. However, if prowler reports are to be of value they must be complete and accurate.



neighbor who reports a prowler should only be listed as a witness. If the address where the offense was committed is incorrect, an amended complaint becomes necessary.

Statement of Owner or Occupant: When an arrest is made under Penal Code Section 647.12 (peeping tom), the report should clearly describe all elements of the offense which will establish a prima facie case, *including a statement from the owner or occupant of the property to the effect that the person arrested had no lawful business there.* A statement from a neighbor would not be sufficient to establish this element.

Additional Information on Report: When the reporting officers know that crimes involving a similar MO have been committed in the area, this should be indicated in the body of the report with DR numbers, if any.

Burglary Arrests: Unless officers are satisfied that an apprehended suspect is "merely a prowler," it may be advisable to book him on suspicion of burglary. If this booking is made, the reports should include elements that will enable

detectives to secure a complaint and establish a violation of Section 647.12 (peeping tom) in the event the burglary charge is reduced.

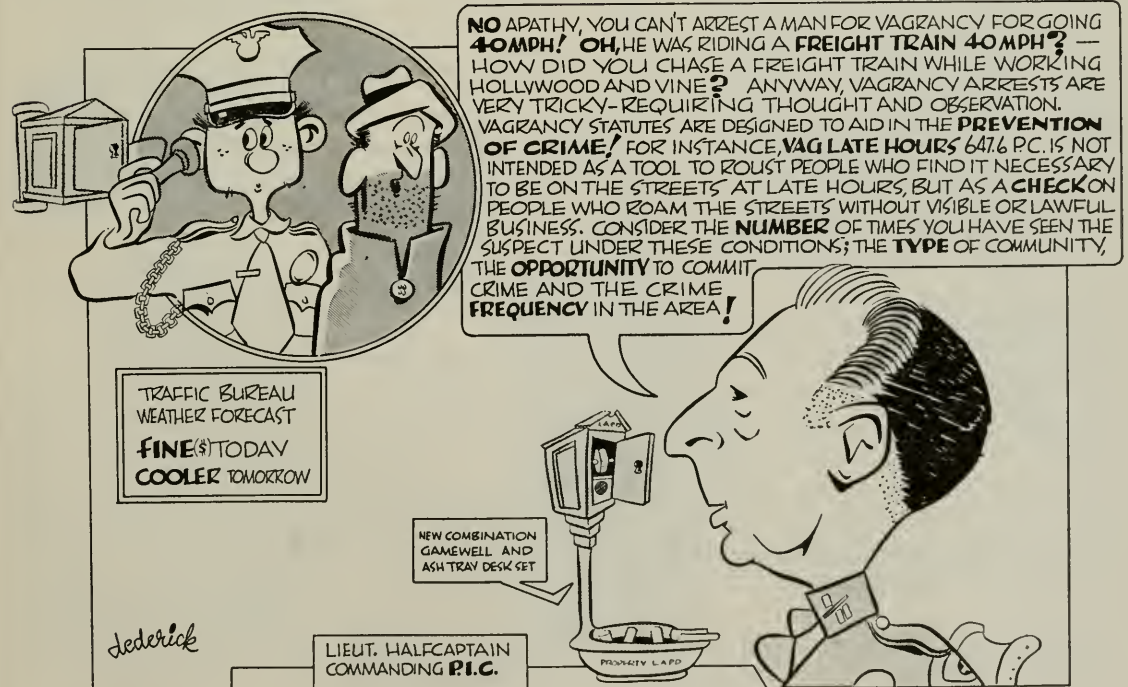
How to Make Vagrancy Arrests

The statutes declaring certain persons vagrants and authorizing their arrest are public regulations for the prevention of crime, as distinguished from other laws prohibiting specific criminal acts.

Police officers, in addition to their other duties, have an obligation to prevent crime. Penal Code Section 647.6, commonly known as "Vag late hours," provides them with one means of discharging this obligation. This section is not intended to be used to suppress the activities of those persons who find it necessary to be on the streets at night for legitimate reasons, but to restrain individuals who would be tempted to engage in criminal activities.

Penal Code Section 647.6 (Vag Late Hours)

This section reads: "Every person who wanders about the streets at late or unusual hours of the night without visible or lawful business is a vagrant." Two elements must be proved to establish this offense. The person must be (1)



on the streets at late or unusual hours of the night, and (2) without legitimate business.

Late or Unusual Hours: The determination of what is a late or unusual hour should be based on the type of community where the offense is committed, the opportunity to commit crime, and the frequency of crime in the area. For example, at night in some parts of the downtown area, a person might be considered a vagrant who loiters without a "good or sufficient reason" even at an hour when there are many persons on the street.

Without Visible or Lawful Business: This phrase refers to the reason a person is on the streets; *it does not refer to his employment or occupation.* The offense is complete if a person wanders about the streets without a good or sufficient reason, regardless of his means of livelihood.¹² If a defendant relies upon lawful business as a justification or excuse for being on the streets, the burden of proving such lawful business is upon him.¹³

Establishing Elements of the Offense: Generally, to support a charge of vagrancy under Section 647.6, a person should have been observed loitering about the streets *on at least a half dozen occasions* during a period of a month or more. If an arrest is made after fewer observations over a shorter period of time, the judge or jury may not be convinced beyond a reasonable doubt that the defendant's status or character is that of a vagrant. A record of observations should be kept, indicating specific dates, times, locations, what the person was doing, and what he said when interrogated. Statements or admissions of a suspect which clearly indicate that he is not occupied with any lawful business may be used in court to refute a defense that he was engaged in lawful business. For example, a statement by a suspect that he was employed in another part of the City and that he had left work several hours before he was questioned might be good evidence to support the element of "no visible or lawful business."

¹² Ex. Parte McLaughlin, 16 Cal. App. 270.

¹³ People vs. McLain, 2 Cal. App. 2d 751.

When to Arrest

Even though officers may have considerable background knowledge of a suspect's activities and intend to arrest him, he should not be arrested at a time when he is engaged in some lawful activity such as eating in a restaurant, making a purchase, or returning home from work or an errand. Rather, the arrest should be made when the suspect is engaged in an act that is in violation of the section.

One of the many duties of the officer in the field is that of keeping his beat free from disreputable persons. He can do this to some degree by enforcing those laws which provide for the arrest of beggars, drunks, panhandlers, and other minor offenders. However, often there may be persons on his beat who loiter about, committing no overt criminal acts, but awaiting an opportunity to commit some serious crime.

The Legislature, recognizing that these conditions often exist, has enacted the vagrancy statutes, which provide officers with a means of coping with such situations. Many law-abiding citizens may occasionally be in "technical" violation of these statutes; therefore, considerable discretion is necessary in their enforcement to prevent injustice to citizens and criticism of the Department.

Penal Code Section 647.3 (Vag Roamer)

This section reads: "Every person who roams about from place to place without any lawful business is a vagrant." Two elements must be proved to establish an offense. The person must:

1. Roam from place to place,
2. Without lawful business.

Roaming from Place to Place: *This phrase refers to persons who roam from place to place within a city, as well as to persons who roam from one city to another.* In the latter case, persons who aimlessly "float" from one city to another by hitchhiking or riding freight trains would be offenders under this statute. However, evidence of such roaming might be very difficult to obtain. A suspect's admissions of the offense probably would not be sufficient evidence to obtain a conviction.

Without Lawful Business: As interpreted in "Vag late hours," the element of "without lawful business" refers to the reason a person roams and not to his occupation or employment.

Some Practical Considerations

Generally, to convict a person as a "Vag roamer," considerably more evidence is required than would be necessary for a violation of Section 647.6 (Vag late hours), although the elements of each section may be established in essentially the same manner. Therefore, before arresting a suspect as a "vag roamer," officers should have observed him wandering pointlessly

about the streets 10 or 12 times during a period of a month or more. Prosecutions have been successful when the offenses were committed over a period of more than six months.

Daytime and Nighttime Arrests: "Vag roamer" arrests may be made at any time. Section 647.6 is applicable only at night since it contains the restriction of "late or unusual hours." Because it is easier to prove a violation of this section, it should be used whenever possible instead of "vag roamer."

The Arrest Report: When arrest is made for "vag roamer," or "vag late hours," the Arrest



Report should contain all available information regarding the arrestee's activities.

Field Interrogation File: The divisional Field Interrogation file should be thoroughly searched. If this search discloses that the arrestee has been interrogated about recent similar activities by other officers, their names should be included in the Arrest Report so that they may be subpoenaed to court if necessary.

Record of Arrests: If the arrestee has a record of prior convictions or arrests for similar violations, this information and the names of the officers who made the arrests should also be indicated in the Arrest Report.

Immoral Behavior

Every large city has a number of persons who, because of their immoral behavior, are a cause of concern to the decent majority of people in the community. Many disreputable persons congregate in parks, bus depots, bars, or in any place where they might find others who are willing to participate in immoral acts. Others may give or attend indecent exhibitions. Although many of the persons who participate, either actively or passively, in lewd or dissolute acts do so willingly, the police are expected to control such activities in the interest of good public morals. Section 647.5, commonly known as "Vag Lewd or Dissolute" gives an officer a means of combating the influence of persons of lewd or dissolute character.

Penal Code Section 647.5 (Vag Idle, Lewd, Dissolute)

This section reads in part: "Every idle, or lewd, or dissolute person . . . is a vagrant."

Idle Persons: Although the portion of the section which enumerates idleness as an offense has been held valid by the courts, the type of idleness constituting a violation of this law has not been specifically defined. Since the courts have given no interpretation that can be effectively applied, this portion of the section is rarely used. The offense of idleness includes elements of one or more other vagrancy sections. These are more easily proved and should be used instead of "vag idle."

Lewd or Dissolute Persons: For the purpose of practical enforcement of this section, there is no distinction between "dissolute" and "lewd." Acts of homosexuality or acts such as the immoral fondling of animals, not amounting to a felony, or attendance or performance at immoral parties, are examples of lewd and dissolute conduct which are offenses under this section.

It is not necessary that an officer observe a person commit a lewd or dissolute act on more than one occasion before an arrest may be made for "vag lewd." The Appellate Court has held that the existence of vagrancy, as it applies to lewd and dissolute persons, *may be indicated by the commission of one act*. In one case, a defendant was convicted as a vagrant where the evidence showed that she danced in the nude before a large group of men. There was no evidence to show that she had done so on other occasions. The court stated, "There are . . . acts which are of such nature as reasonably to justify the inference that no one not of a lewd or dissolute character would do such an act even once."¹⁴

Words and Actions of the Defendant May Be Sufficient: The majority of arrests under this section are made under circumstances similar to those in the following example. In the case of *People vs. Stein*, CR A 1603, the evidence showed that the defendant offered to participate in an act of perversion and then walked across the street to an alley with the police officer to whom the offer was made. The court stated, "The evidence of the defendant's words and acts clearly warranted the inference that he was a person of lewd character, although the course of his conduct was interrupted so that he had not committed either a lewd act or attempt."

Evidence of Prior Acts Is Admissible: In a recent case, the arresting officer testified that he saw the defendant, a woman, leave a cafe, followed by a man, and enter a hotel. The officer then observed them engage in an act of sexual intercourse. He testified that he arrested the defendant for resorting and that she pleaded

¹⁴ *People vs. Scott*, 113 Cal. App. 778.

guilty. Several weeks later, he saw the defendant leave the same cafe, again followed by a man and again enter a hotel. The officer met the defendant as she was leaving the hotel and found the man in a hotel room arranging his clothing. The man in each instance stated that he had paid the defendant five dollars. The defendant was found guilty under Section 647.5.¹⁵

Few crimes cause as much public indignation as do offenses of a sexual nature committed upon small children. Many of these crimes occur each year. However, as they seldom come to the attention of the public, few persons realize that their own children could easily become the victim of a sex degenerate.

A parent who learns that his child has been

subjected to the advances of a person of abnormal sexual tendencies often does not understand that the child has been in real danger. Because most parents are apprehensive of the publicity which might follow the making of a complaint, many of these crimes are never reported to the police. As a result, the perpetrators remain free to continue their unnatural sex activities. Eventually, they may commit more violent sex crimes and may even kill to prevent a victim from making an outcry or complaint.

Penal Code Section 647a provides a means by which the police officer may curb some of the activities of those who molest young persons.

Penal Code Section 647a(1)

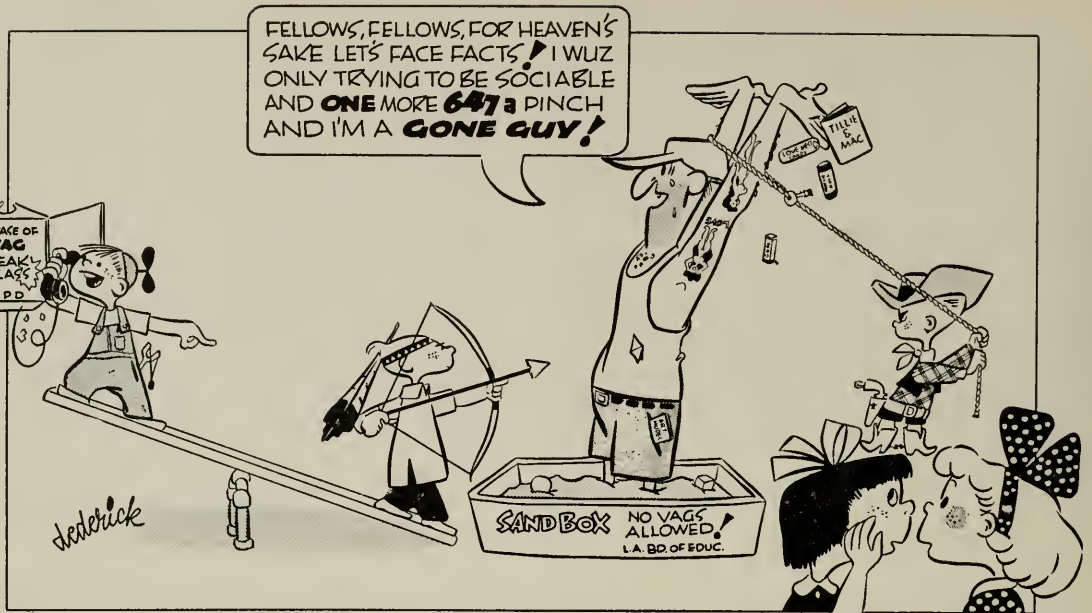
This section reads in part: "Every person who annoys or molests any child is a vagrant. . . ."

¹⁵ People vs. DeLao, Cr A 2311.

OFFICER NOVICE, SINCE YOU'VE JUST BEEN ASSIGNED TO VICE, YOU SHOULD KNOW THAT EVERY LARGE CITY IS PLAGUED WITH A NUMBER OF INDIVIDUALS WHO, BECAUSE OF THEIR IMMORAL BEHAVIOR, ARE A CAUSE OF CONCERN TO THE DECENT PEOPLE IN THE COMMUNITY. PARKS, BUS STATIONS AND BARS SEEM TO BE HUNTING GROUNDS FOR THESE DISSOLUTE CHARACTERS WHO OFTEN LURE OTHERS INTO PARTICIPATING IN THEIR IMMORAL ACTS. THE POLICE DEPARTMENT IS COMMISSIONED BY THE PEOPLE TO CONTROL SUCH IRREGULAR, EROTIC ACTIVITIES IN THE INTEREST OF GOOD PUBLIC MORALS. PENAL CODE SEC. 647.5 (VAG LEWD OR DISSOLUTE) AIDS THE OFFICER IN FIGHTING THESE DEPRAVED ELEMENTS. CONTRARY TO POPULAR BELIEF THE ELEMENTS OF A "VAG LEWD" OFFENSE CAN BE ESTABLISHED BY JUST ONE ACT!

OH, SGT ADVICE, IT ALL SOUNDS LIKE SUCH FUN - LET'S CLEAN UP THE WHOLE COUNTRY!





The section also provides that a first offense is a misdemeanor and that a subsequent offense is a felony.

Annoy or Molest

The phrase *annoy or molest* pertains to any act, especially if repeated, which tends to trouble or irritate a child or make him fearful or uneasy. There are many acts which may constitute a violation of this section and may or may not involve physical contact. For example, the suspect may put his arm around a child in a theater against the child's wishes or may insist that the child accept money for candy; he may make a lewd gesture or an indecent proposal; he might place a child on playground equipment while using lewd language; or he may annoy children by attempting to "pick them up."

Who Is a Child

Technically, a violation of Section 647a(1) may be committed against any person under the age of twenty-one years; however, for purposes of practical enforcement, this section should not be used if the victim is over the age of eighteen years.

Use of Penal Code Section 288

A suspect may be guilty of a felony under

Section 288 (Crime against child) if he wilfully committed a lewd act *with or upon the body, or any part thereof, of a child under the age of fourteen years*, with the intent of arousing the passions or sexual desires of himself or the child. If, in addition to committing any of the acts which are violations of Section 647a(1), the suspect lewdly fondles a child under fourteen years of age, a felony booking under Section 288 should be made.

Private Persons' Arrests

Since a violation of 647a(1) is a misdemeanor, an officer cannot make the arrest unless he witnesses the act; the victim or a person witnessing the offense may make the arrest as provided under the laws concerning arrests by private persons. Arrests under this section have been made by children as young as eleven years.

Consulting Juvenile Division

Because statements by victims of "sex" crimes are often inaccurate, incomplete, or based on imagination, it is often difficult to prosecute successfully. Therefore, officers investigating such offenses should confer with divisional juvenile officers or the Watch Commander of the Juvenile Division for advice regarding the booking and reports.

Reports: Officers answering calls concerning "child molesting" should take an appropriate crime report. Violations of Section 647a(1) and (2) are made on Form 3.10 (), Miscellaneous Complaint or Crime Report. Information which will in any way help establish the suspect's identity, his description or that of his vehicle or MO should be included. If the suspect is arrested, a crime report should be taken if one has not been previously made.

Persons who loiter about schools or other places where children gather are often potential sex offenders. In many instances, it has been found that perpetrators of violent sex crimes have had records of indecent exposure, child molesting, and loitering about schools.

Numerous complaints are made about the activities of suspects who loiter around schools, playgrounds, and other places where children congregate. Officers patrolling areas where such places are located may, by alert observation, be able to apprehend a dangerous degenerate before he has had an opportunity to harm some child.

Penal Code Section 647a(2)

This section reads in part: "Every person who loiters about any school or public place at or near which school children attend, is a vagrant. . . ."

Loitering: In a recent court case, the court defined the term "loiter": "To linger idly by the way, to idle."¹⁶

It would be unreasonable to penalize anyone for mere inaction; however, a person who is in the habit of loitering about places where children congregate is often a potential child molester, and as such, must be deprived of the opportunity to commit any degenerate acts.

Who May Be Offenders: This section applies to *all* persons, although most of the offenders are adults. Juveniles who violate this statute often are part-time students, recent high school graduates, or truants from one school who loiter about another.

Since this statute could be used against any

person, considerable discretion must be exercised in making arrests. A determination of the action to be taken must be based upon a careful investigation of the circumstances in each individual case; for example, persons should not be considered offenders if, because of innocent curiosity, they stop to watch children playing.

Public Place: A public place at or near which school children attend includes such places as malt shops, theaters, playgrounds, and even a public street where children gather to play.

School Children: The term "school children" refers to minors under eighteen years whether enrolled in school or not.

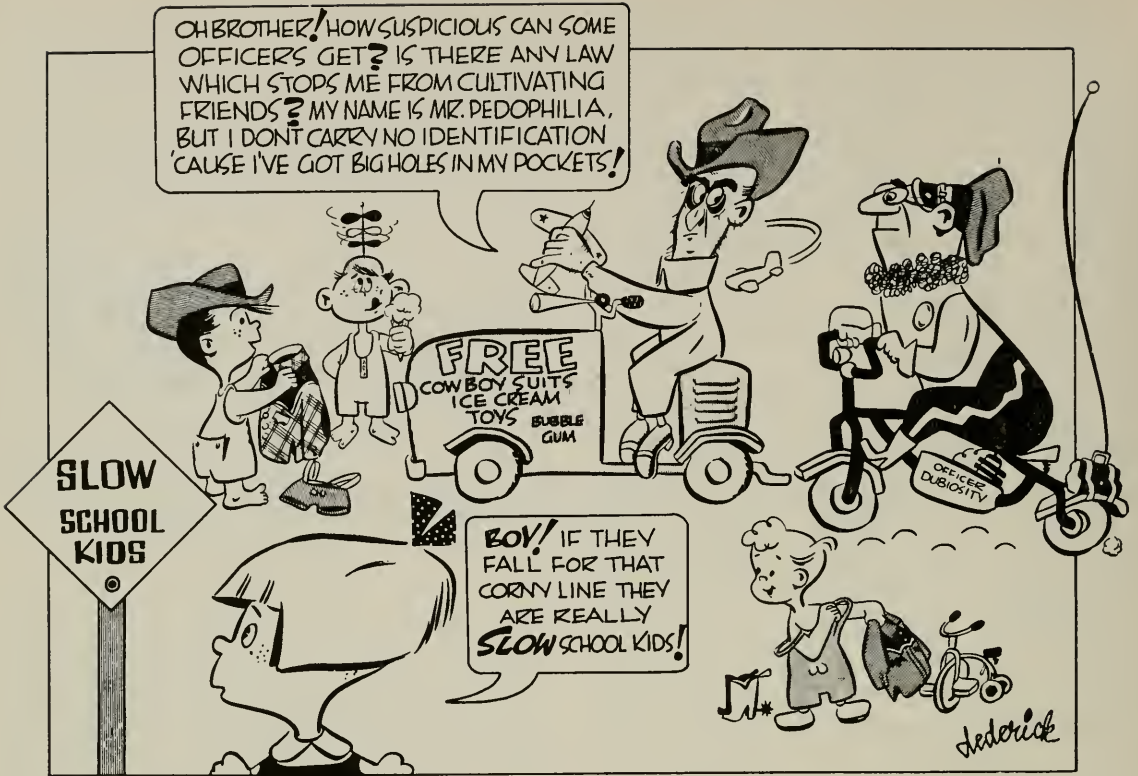
Observation

A suspect who loiters about a group of children will often exhibit actions or unusual physical appearances which may indicate that he has an immoral reason for loitering there. Such circumstances as a suspect sitting in a car with a newspaper covering his lap, standing with his hands in his pockets, wearing trousers from which the pockets have been removed, etc., may be symptoms of sexual stimulation. In the investigation of suspects, officers should be alert for these conditions and should describe them in any reports that may be made.

Contact the Juvenile Division: By conferring with divisional juvenile officers, if they are available, or the Watch Commander of the Juvenile Division, an officer may receive advice and information that will aid him in determining whether or not a booking is advisable.

Information from Crime Reports: Crime reports of all sex offenses against children which have occurred within a division are filed and maintained by the divisional juvenile unit. In addition to these reports, many juvenile units maintain a file for use as a ready reference to check the locations of unsolved sex crimes and descriptions of the suspects and their cars. By referring to these files, an officer will know where he may expect to find sex offenders in any particular district.

¹⁶ Phillips vs. Municipal Court, 24 Cal. App. 2d 453.



Indecent Exposure Cases

An arrest may be made under Section 647a(2) in cases of indecent exposure in which the victim is unwilling to make a citizen's arrest, but an officer, although he did not witness the actual exposure, observed the suspect loitering at or near a place where children gather.

How to Recognize Peddler Violations

Business districts in any large city are usually areas of congestion. They have a concentration of stores which are patronized by large numbers of people. For the protection of these persons, merchants are required to obtain licenses and to conduct their businesses under certain controls placed upon them by local government. It is reasonable, therefore, that peddlers who desire to sell their wares within the city also be controlled. Officers should have a knowledge of the laws pertaining to peddlers so that appropriate action may be taken when necessary.

Definitions

A peddler is defined by Los Angeles Municipal Code Section 21.08(o) as:

... any person ... who sells or offers for sale goods, wares or merchandise ... or solicits orders for future delivery of goods ... from a pack, stand, or vehicle in any street upon or along any sidewalk or parkway, or in any doorway or entranceway of any building, or upon any unenclosed lot. ...

A street as used above is defined as: "... all streets, avenues, highways, alleys, courts, curbs, sidewalks, or other public ways in the City ..."¹⁷

Licenses

The license laws, in addition to being revenue measures, result in compulsory registration of all persons who make a business of selling merchandise or rendering certain services in the City. All City licenses are obtained from the City Clerk. Salaried employees of businesses which are incorporated in other states, and which are licensed to do business within this City, need not be licensed. Usually, licenses are issued for a specific type of business to be conducted at a specific location. However, in the event the nature of the business does not permit a permanent loca-

¹⁷ L.A.M.C. Sec. 21.08(r).

tion, any person engaged in business in this City, but not operating from a fixed location, is required to keep his license upon his person at all times while engaged in business.¹⁸

Peddlers, such as flower vendors, who set up a semi-permanent stand and return day after day to the same stand cease to be itinerant sellers and become subject to the restrictions of the zoning ordinances.

Permits

Persons who engage in certain businesses must have one or more permits in addition to a license. These permits, issued by authorized city boards or departments, designate the particular business which may be conducted by the holder. For example, peddlers of souvenirs, balloons, and other novelties must obtain written permission from the Board of Police Commissioners before engaging in business.¹⁹

Disabled Veterans and Blind Persons

An honorably discharged, disabled veteran may obtain a peddler's license without fee.²⁰ Blind persons receive this same consideration.²¹ However, these persons must comply with all other requirements of the Code pertaining to peddlers. The Los Angeles Municipal Code states:

Any police officer . . . shall summarily take away the free license of any person holding such a license who is observed to violate any provision . . . relating to "Soliciting-Begging." Any license so taken up shall be delivered to the City Clerk. . . .²²

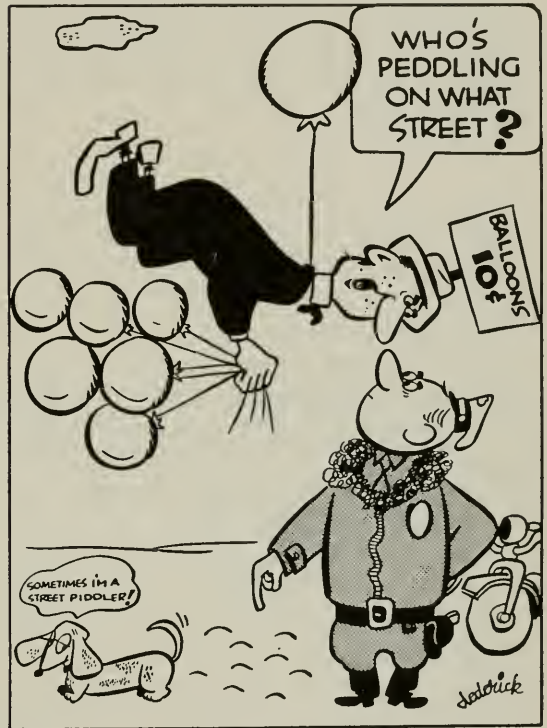
Sales on Private Property

A licensed peddler may have a merchant's written permission to use a store entranceway or a part of the lot for the sale of merchandise, but he may solicit patronage only from those who traverse that particular doorway or lot. For example, one who demonstrates a carburetor attachment on a parking lot may appeal only to those who enter the lot and may not call to passers-by.²³ He is prohibited from allowing his

merchandise to extend over or rest upon the sidewalk.²⁴

Enforcement

Each act performed in violation of the restrictions placed upon peddlers by the Los Angeles Municipal Code is a misdemeanor. An officer may deal with these violations in the same manner as he would with any other misdemeanor. Fre-



quently, a warning to the offender may suffice in lieu of a physical arrest. However, if a peddler persists in prohibited acts, a physical arrest may be warranted.

Although a large portion of a city's revenue comes from its businessmen, it has an obligation to protect its residents from annoyance by merchants who might trespass on a person's privacy. Los Angeles Municipal Code Section 42.09 prohibits merchants from stopping passers-by or from laying hands on them for the purpose of promoting sales. These tradesmen are restricted to conducting business on their own property and under certain conditions.

Peddlers are businessmen and as such must

¹⁸ L.A.M.C. Sec. 21.16(b).

¹⁹ L.A.M.C. Sec. 25.03.

²⁰ L.A.M.C. Sec. 22.11.

²¹ L.A.M.C. Sec. 21.25.1.

²² L.A.M.C. Sec. 22.11.1.

²³ L.A.M.C. Sec. 42.09.

²⁴ L.A.M.C. Sec. 56.11.

conduct their businesses under similar restrictions. Officers frequently receive complaints about peddlers becoming nuisances. Shopkeepers often complain about vendors blocking the entrance to shops and interfering with customers. Knowledge of the Los Angeles Municipal Code sections that pertain to peddlers will assist an officer in handling such complaints properly.

The material in this bulletin pertains to specific districts and locations indicated in Section 42.00 of the Los Angeles Municipal Code. Reference should be made to this section in the study of this bulletin.

Places of Sale

The sale of goods is prohibited in any park or upon any street or sidewalk within the districts or at the locations indicated in Section 42.00.²⁵ Reference must be made to the Los Angeles Municipal Code as these locations are too numerous to be discussed in this bulletin. Peddlers are further restricted within the Central Traffic District, in that they may not obstruct passage of pedestrians on any space *intended* for sidewalk purposes which extends back eighteen feet from the curb line of the street.²⁶

Advertising

The manner in which a peddler may advertise his wares is limited. He may not cry out or shout for the purpose of calling attention to any of his wares. For example, if a peddler of mechanical toys advertises them by shouting to passers-by, he is committing a misdemeanor. He may have his license and may have permission to display his toys in the doorway of a store, but he may sell only to persons on the store property.²⁷

Signs: Peddlers may not advertise their wares by wearing or carrying any cards or placards.²⁸ For example, persons who sell corsages from bar to bar cannot have a sign on their tray announcing that they have these flowers for sale while on the street. Also, the wearing or carrying in public view of any device, sign, clothing, etc., adver-

tising any merchandise, business, or event while on a street or sidewalk is prohibited.²⁹

Newsboys

Newsboys and news vendors are exempt from the provisions of the sections pertaining to peddlers, in that they may sell their wares on streets and sidewalks without licenses or permits. They are also permitted to cry out or hawk their papers to the public and solicit patronage from passers-by. They may only make "on the spot" sales, however, and may not solicit subscriptions for future delivery. They may not erect a *permanent* display or storage structure which rests or projects into a public street or alley.³⁰

Magazine Solicitors

The solicitation of magazine subscriptions *on any public street or sidewalk* is specifically prohibited.³¹ Usually, violations of this section are committed by girls who travel from city to city in groups, and whose method is to stop male pedestrians and ask them to subscribe to a magazine.

Public streets and sidewalks are intended for free and unobstructed use by the public. People who use these streets and sidewalks have a right to expect that their passage will not be unnecessarily hindered or that they will not be annoyed by sidewalk salesmen or by the merchandise offered by these vendors. In addition, parents have a right to know that their children will not be victimized by unscrupulous peddlers who might operate near schools or public parks.

Some of the municipal ordinances pertaining to peddlers are designed to offer protection from these annoyances. By becoming familiar with these sections, officers may render a better quality of service to the public by taking whatever enforcement action is indicated.

Blocking Sidewalk

Peddlers are not permitted to set their signs and stands up on sidewalks or parkways. The leaving of any goods upon any sidewalk, park-

²⁵ L.A.M.C. Sec. 42.00(d).

²⁶ L.A.M.C. Sec. 42.01.

²⁷ L.A.M.C. Sec. 42.00(e).

²⁸ L.A.M.C. Sec. 42.00(h).

²⁹ L.A.M.C. Sec. 42.00(i).

³⁰ L.A.M.C. Sec. 42.00(j).

³¹ L.A.M.C. Sec. 42.19 (Los Angeles City Ordinance 94,612, March 3, 1949).

way, or street within the City is prohibited, except upon the sidewalks of Los Angeles Street between Third Street and Aliso Street.³² A flower vendor, for example, who places bouquets on a parkway or places signs advertising his flowers upon a sidewalk would be in violation of this section.

Walking in the Streets

Flower and souvenir peddlers, or persons selling anything other than newspapers may not walk in the street to offer their wares to passing motorists.³³ For example, peddlers who walk in the street between passing vehicles, offering bunches of violets, do so illegally.

³² L.A.M.C. Sec. 56.11.

³³ L.A.M.C. Sec. 42.00(n).

Sales Near Amusement Parks

Merchandise of any kind may not be sold on any public street or sidewalk within two hundred feet of any entrance to any *private* or amusement park.³⁴

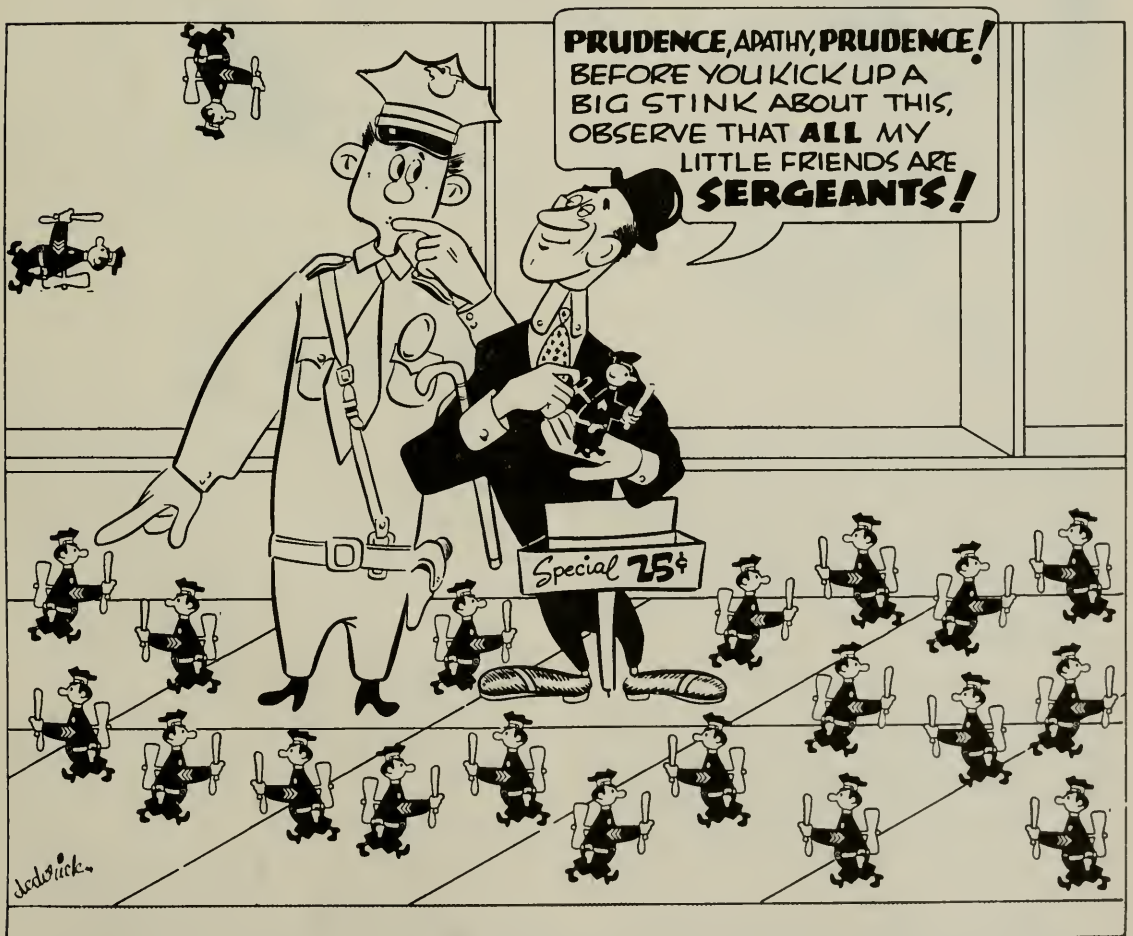
Sales Near Schools and Parks

Goods and wares may not be offered for sale upon any street or thoroughfare which adjoins any public park, nor may such wares be sold within two hundred feet of a public park upon any street that approaches such park.³⁵ Before a peddler may sell within the park itself, he must have a written permit from the Board of Recreation and Park Commissioners.

Similar limitations are placed upon the sale of

³⁴ L.A.M.C. Sec. 25.04.

³⁵ L.A.M.C. Sec. 63.56.





merchandise in the vicinity of any *public* school. Peddling is prohibited within two hundred feet of the property lines of public schools. Sales within the school ground are further limited in that the seller must obtain and have in his possession written permission from the school principal or vice principal.³⁶

Beach Peddling

Vendors may not peddle or hawk any goods upon any public Los Angeles beach lands or beach properties that adjoin the Pacific Ocean nor may they use the sidewalks or public ways that are immediately adjacent to the ocean.³⁷

³⁶ L.A.M.C. Sec. 80.73(g).

³⁷ L.A.M.C. Sec. 42.15.

Solicitation for Charitable Organizations

There are numerous charitable and patriotic organizations which are partially or wholly dependent upon public subscription for financial support. In order to obtain this assistance, they frequently bombard a community with radio, newspaper, and street publicity. Their efforts cannot generally be criticized.

Unfortunately, there are occasionally unscrupulous persons who take advantage of this publicity. Under the guise of soliciting for bona fide charitable organizations, they seek to obtain funds for themselves. To protect the public and legitimate solicitors, certain restrictions have been placed upon all such appeals. By knowing

the provisions of the sections of the Municipal and Penal Codes establishing these limitations, officers may take proper enforcement action, rendering the honest organizations, as well as the general public, a valuable service.

Patriotic Emblems

The sale upon the public streets and sidewalks of poppies, flags, buttons and articles that display the national colors is permitted by local ordinance if persons selling such articles are authorized solicitors for charitable organizations.³⁸ They must have upon their persons *valid information cards* issued by the Board of Social Service Commissioners.

Information cards are for the current year and are for information only; they are not a permit or an endorsement. They bear the City seal, the expiration date, the name of the solicitor and information about the organization sponsoring the solicitations. It is a violation to sell rosettes, patriotic shields or ribbons without a valid information card.³⁹

Persons who sell any poppy or badge which is falsely represented, either directly or indirectly, as being sponsored or endorsed by any veterans' organization are in violation of Penal Code Section 538c, a misdemeanor.

Novelty Peddlers

Peddlers must obtain written permission from the Board of Police Commissioners before they may sell or offer for sale any novelties such as balloons, canes, or noise makers upon any street or sidewalk in the City. As an example, it is a misdemeanor to follow a parade route or stand at intersections selling balloons and pennants without a permit to do so.⁴⁰

Street Advertising

No person may paint, mark, write or affix by any method a sign or handbill to any sidewalk, curb, or street lamp post anywhere in the City.⁴¹ Street or traffic signs, power or telephone poles may not be used in this manner. For example,

³⁸ L.A.M.C. Sec. 42.00(m).

³⁹ L.A.M.C. Sec. 42.00(1).

⁴⁰ L.A.M.C. Sec. 25.03.

⁴¹ L.A.M.C. Sec. 28.04.

flower vendors who suspend a sign "Roses, 50¢" from a telephone pole do so illegally.

Vendors may not solicit patronage, in a boisterous manner or tone, upon any street or sidewalk within the City, and they are prohibited from laying hands upon, obstructing the movement of, or following another without express consent of the one whose patronage is sought.⁴²

Food and Drink Peddlers' Licenses and Permits

Food and drink peddlers are required to obtain a permit from the City Health Department before they apply for a City sales license. When a peddler has obtained all necessary permits and licenses, he may offer his merchandise for sale.

Vehicles are classified, for the purpose of issuance of Health Department permits, as sandwich vehicles, box lunch vehicles, and fruit and vegetable vehicles. Other classifications are made but do not often become police problems.

Peddlers who sell peanuts and popcorn from a pushcart and those who sell packaged ice cream generally do not have Health Department permits. However, if they stand at a specific location, a Police Commission permit is required.

Peddlers who operate a sandwich, box lunch, or fruit and vegetable vehicle must post their license and permit in a conspicuous place on their vehicle. Failure to display the required permits is a violation. In addition, each vehicle which is required to have a health permit must also have printed or painted upon the side an appropriate identification in letters at least three inches high which will indicate the type of permit under which the vehicle is operated, the name, and the address of the permittee.⁴³

If a food *retailer* obtains a business license from the City, bona fide employees of that retailer need not be individually licensed. If, however, peddlers operate their own vehicles and purchase food from a retailer or processor, each peddler must obtain his own license. In either case every peddler's vehicle must have posted in it a written permit from the Board of Health Commissioners.

⁴² L.A.M.C. Sec. 42.09.

⁴³ L.A.M.C. Sec. 35.06(f).



Public health and welfare demand that certain regulatory measures be maintained over the sale of foodstuffs. For this reason, restaurants and food markets are required to maintain high standards of sanitation. It is also reasonable that these standards should apply to persons peddling food and drink from vehicles. Officers in the field should be aware of restrictions imposed upon food and drink peddlers so that violators can be prevented from jeopardizing the health of persons in the community.

Box Lunch Vehicles

All foods offered for sale at a box lunch vehicle must be prepared away from the vehicle and sold in unbroken containers. If coffee is sold, it must be brewed away from the vehicle but may be sold in open containers. Sales may be made from properly licensed box lunch vehicles on public streets and ways or, with the owner's permission, on private property. They are considered as service vehicles, somewhat like milk trucks, and may visit industrial plants.

Sandwich Vehicles

These differ from box lunch vehicles in that hot dogs, hamburgers, and coffee may be pre-

pared on equipment carried on a sandwich vehicle. Other food items must be sold in unbroken containers.

Fruit and Vegetable Vehicles

It is not permissible to sell prepared food from fruit and vegetable vehicles. All produce for sale must be kept upon the vehicle itself. If boxes and racks are placed upon the ground the operator is exceeding privileges granted by a fruit and vegetable sales permit.⁴⁴

Places of Sale

The Board of Police Commissioners may issue written permits designating specific locations other than on State highways where a peddler may sell from a vehicle. It is a violation for a vendor to stop or park his vehicle or pushcart on any public way within the City for the purpose of selling any merchandise, drinks, or foodstuffs without this permit.⁴⁵ However, upon request of customers, the vehicle may be stopped for a period of time not to exceed ten minutes at any one place.

⁴⁴ L.A.M.C. Sec. 35.06(k).

⁴⁵ L.A.M.C. Sec. 80.73 (b).

Fruit and vegetable vehicles may be operated on the public streets or they may stand on private property if the property owner gives his permission. If a fruit and vegetable vehicle is to be parked more than thirty minutes at any one location, the operator must have written permission to use hand-washing and toilet facilities located within three hundred feet of the vehicle.⁴⁶ Sales may be made from fruit and vegetable vehicles on public streets only between 8 A.M. and 8 P.M.⁴⁷

Parks and Schools: Food and drink may not be sold on any street or thoroughfare adjoining or approaching any public park in the City within 200 feet of that park.⁴⁸ The same restrictions apply to sales of food and drink on a street, sidewalk, or parkway within two hundred feet of any *public* school. The sale of foodstuff *on the school grounds* is further restricted in that peddlers must possess written permission from the school principal or vice principal.⁴⁹

Properly licensed peddlers may sell from sandwich vehicles operated on public streets or ways. They may not stand on private property to sell except at temporary attractions, such as carnivals and circuses. They may operate at such attractions only with the written permission of the property owner, and for a period not to exceed thirty days.⁵⁰ They may *not* stand at any location on a public street or at a temporary attrac-

tion for more than thirty minutes unless hand-washing and toilet facilities are within a distance of 150 feet and available to the vendor.⁵¹

Suggested Enforcement Action

An officer who observes a violation of the ordinances pertaining to food and drink peddlers may refer the matter to the Housing and Sanitation Division, City Health Department, Station 464, for further investigation and enforcement.

Acknowledgments

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⁵¹ L.A.M.C. Sec. 35.05(c).

⁴⁶ L.A.M.C. Sec. 35.06(j).

⁴⁷ L.A.M.C. Sec. 42.13.

⁴⁸ L.A.M.C. Sec. 63.56.

⁴⁹ L.A.M.C. Sec. 80.73(g).

⁵⁰ L.A.M.C. Sec. 35.05(b).

Traffic Violations

How to Recognize Traffic Violations

THE SUCCESS of police efforts to secure traffic safety and to relieve traffic congestion largely depend upon public support. The public's opinions, based on observations of officers' activities and behavior, have considerable influence on the degree of this support. The average person seldom has an opportunity to observe the many routine services performed by the police. Rarely is he in a position to observe officers engaged in suppressing major criminal activities. However, most persons have either received a citation or have observed an officer issue one. The least a citation means to the motorist is an economic loss. Because being cited is a blow to his pride as well as his pocketbook, he is keenly sensitive to methods used by the police in apprehending him and the officer's conduct while issuing a citation. If the violator is favorably impressed, he will usually not comment. However, if the violator is irritated by the officer's actions or attitude, usually he will publicly express his disapproval at every opportunity.

Many persons complain that they have received a citation for a "technical" violation of the law. They state that in his eagerness to cite, an officer stopped them for a "border-line" violation. They argue that he resorted to insignificant legal technicalities instead of adhering to the purpose of the law.

Effective traffic control and enforcement do not necessarily result from enforcing the letter of the law. In fact, this may hinder a traffic enforcement program. Careful consideration of the public's viewpoint will help gain its support and acceptance.

Purpose of Traffic Enforcement

The purpose of traffic enforcement is to prevent traffic accidents and to expedite traffic flow.

Accidents are occurrences which usually result from traffic law violations. An officer's enforcement activities, therefore, should be principally directed towards those violations from which most traffic accidents result.

Selective Enforcement Information

Efficient traffic enforcement and control depend upon accurate information regarding accident causes. Personnel of the Analytical Unit of the Traffic Bureau carefully analyze all reported traffic accidents, as to the who, what, where, when, why, and how of the collision. The results of these analytical studies are reported in daily and monthly summaries, which are compiled and distributed by the Statistical Section to the concerned divisions doing traffic enforcement work. To reduce traffic accidents in their particular districts, it is essential that officers study and apply information contained in these summaries.

Selective Enforcement Bulletins

These monthly bulletins indicate the location and time of accidents and the violations which caused them. Information which pertains to a particular radio district appears on a separate summary. Selective enforcement bulletins are usually attached to clip boards and hung on the wall near the pin map in the assembly room of each patrol division.

Divisional Pin Maps

These maps are pinned from accident information received daily from the Traffic Bureau. This information includes the location and time of accident, whether pedestrians were involved and the basic cause of the accident. Pins of different colors are used to indicate this information and are explained on the legend of the maps.

By a daily reference to the accident and enforcement information and traffic pin map, an officer will be able to familiarize himself with accidents which are occurring in his district, the locations at which they are occurring, and the time of day they are happening. It is reasonable to expect that, when a pattern of accidents becomes obvious, enforcement is needed for certain violations at a certain location at a certain time.

A large part of the patrol officer's time during his tour of duty consists of routine patrol and observation. The very nature of vehicle patrol brings an officer face-to-face with the necessity for traffic law enforcement. Motorists, seeing an officer witness a traffic violation, expect him to take appropriate action. They will be less likely to obey the laws themselves if they observe that he is indifferent to violations.

Each patrol officer has an obligation to do his part in furthering traffic safety. Intelligent use of traffic enforcement information will enable him to do his part in reducing the economic and human life loss caused by traffic law violations. He should remember, however, that his actions in traffic enforcement must be *reasonable* to be effective.

Accident Frequency Information

It is impossible for a police unit to patrol effectively all potential accident locations in its district. Officers, therefore, must allocate their available time to patrolling areas which should receive

the most attention. Information which will best aid in traffic enforcement can be obtained from pin maps or selective enforcement bulletins. By using this information as a guide, officers will more efficiently be able to use time devoted to traffic enforcement.

Patrolling an Accident Frequency Area

Usually more effective enforcement results from cruising an area of high accident frequency during certain periods than by waiting in one location for violations to occur. Motorists who become accustomed to the presence of a parked patrol car will improve their driving habits only while in that particular area. If a police vehicle continues to cruise, it is observed by a large number of drivers who will recognize that the area is well patrolled. While cruising, officers have an opportunity to observe a greater number of, and possibly more serious, violations.

"Sitting in" at Intersections

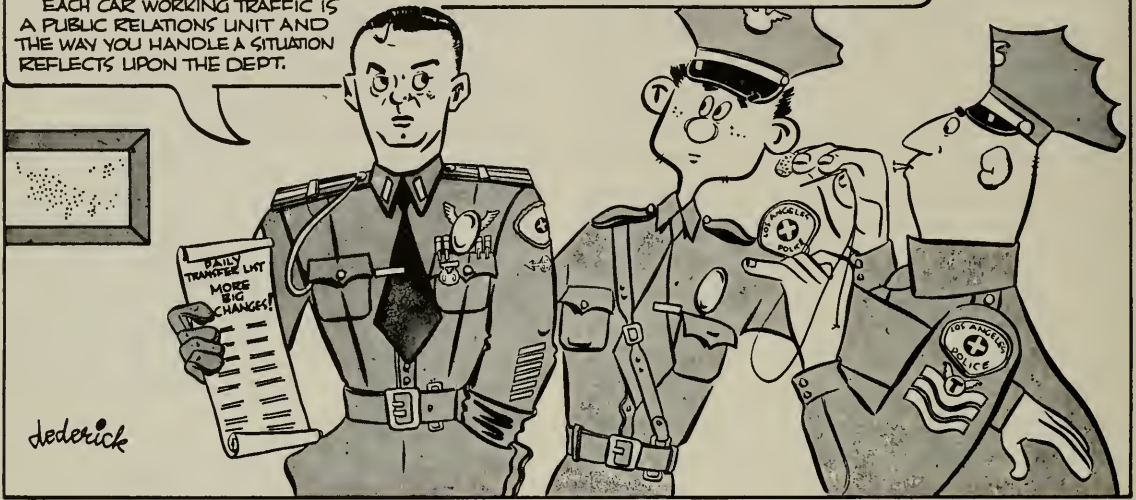
If officers stop near an intersection to observe violators, the patrol car should be parked in plain view and moved after one or two signal changes. The advantage of "sitting in" is often offset because officers can see only part of the intersection and they may be blocked by other traffic when attempting to pursue a violator. The greatest disadvantage of this method of enforcement is that it is vigorously protested by most persons. Motorists consider it unsportsmanlike



GENTLEMEN, I'M OVERJOYED ABOUT YOUR TRANSFER INTO THE TRAFFIC BUREAU! OURS IS A HAPPY DIVISION AND A GREAT BRANCH OF THE SERVICE AND WE EXPECT EVERY OFFICER TO UPHOLD ITS TRADITIONS AND HONOR! AS PATROL OFFICERS YOU HAVE GREAT RESPONSIBILITY AND OBLIGATION IN FURTHERING TRAFFIC SAFETY. DON'T BE INDIFFERENT TO TRAFFIC VIOLATIONS. STUDY THE PIN MAPS AND SELECTIVE ENFORCEMENT INFORMATION AND USE THAT KNOWLEDGE TO PATROL POTENTIAL ACCIDENT LOCATIONS.

REMEMBER THAT MOTORISTS CONSIDER "SITTING IN" AT INTERSECTIONS UNSPORTSMANLIKE AND A CALCULATED EFFORT TO ENTRAP THEM.

EACH CAR WORKING TRAFFIC IS A PUBLIC RELATIONS UNIT AND THE WAY YOU HANDLE A SITUATION REFLECTS UPON THE DEPT.



and a calculated effort to entrap them. To many people it appears that officers are giving undue attention to minor traffic violations while ignoring other police work. Usually more effective enforcement will result from approaching an intersection slowly from each direction rather than "sitting in."

Although "sitting in" is generally resented by the public, they are more likely to accept it by motor officers than when it is engaged in by radio patrol units. However, the officer should park his vehicle in a position plainly visible to motorists. Where traffic violators are known to be deliberately avoiding apprehension, an exception may be made to this principle.

Since the public readily identifies an officer by his uniform, his conduct is subject to either considerable criticism or commendation. Therefore, to a large degree, the activities of officers observed by the average motorist influence his opinion of the entire police department. If an officer's actions and methods of operation *meet with public approval*, the Department can better accomplish successful, over-all law enforcement.

Visible Patrol

A motorist checks his driving habits at the

instant he sees motor or patrol car officers upon the highway. By maintaining visible patrol during the times collisions are expected to occur, these officers can effectively decrease traffic accidents. In addition to causing the motorist to become more conscious of his driving, enforcement of this type is most favorably accepted by the public.

An officer should operate his vehicle in a manner which tends to create the impression that he is *on patrol*. His speed should be slightly slower than the normal flow of traffic to enable him to observe moving violations. However, he should not drive in a manner which will cause traffic to become congested in a "parade" behind him. If this occurs, he should turn onto a side street.

Traffic Lights

Each year official traffic control signals are being improved and used more extensively. The present three-color light signal device is a vast improvement over the manually operated "Stop" and "Go" signals which were first used here to assist in controlling traffic. Most motorists and pedestrians recognize that obedience to traffic signals is necessary to their safety. There are some motorists, however, who regard traffic con-

instead of a means to protect them. They are constantly seeking an opportunity to assert what they consider their right to do as they please. It is this type of individual who is one of the greatest traffic problems.

Right to Proceed on the "Go" Signal

Each of the two sentences of Section 476(a)-1 of the Vehicle Code defines a distinct and separate law regarding signals. So that these separate laws will not be confused, and for the purpose of citing or obtaining complaints, the law contained in the first sentence is referred to as Section 476(a)-1-1.¹ The law in the second sentence is referred to as Section 476(a)-1-2.²

Section 476(a)-1-1 gives the driver the right to proceed on the green, or "Go," signal. He may either proceed straight ahead, turn right or left, or make a "U" turn unless any such turn is prohibited.

Right of Way Granted to Delayed Vehicles: Section 476(a)-1-2 states that on green,

¹ Los Angeles Police Dept., Manual of Police Procedure—Traffic, p. 137.

² Ibid.

or "Go," vehicular traffic facing the signal, 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. Thus, to constitute a violation of this Section, the following elements are necessary:

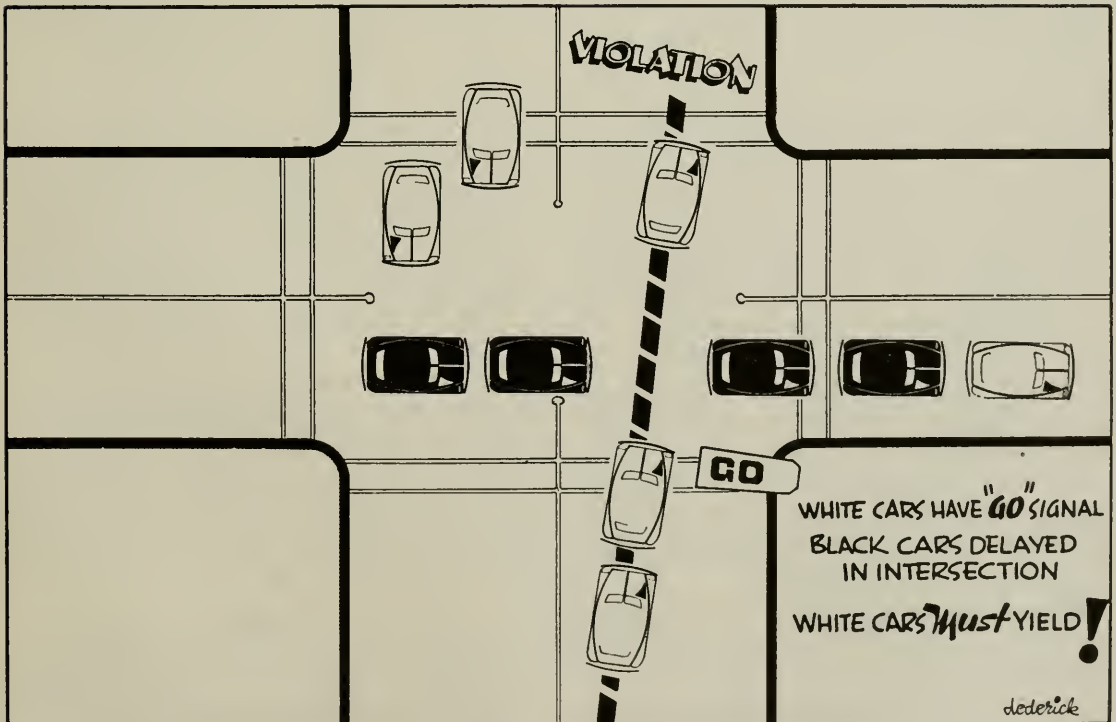
1. A vehicle must be lawfully within an intersection at the time the signal changes.
2. The right of way of this vehicle must be violated by another vehicle proceeding on the green signal.

Right of Way Defined

A proper interpretation of Section 476(a)-1-2 depends in part upon an understanding of what is meant by "right of way," which is defined in Vehicle Code Section 87, as "the privilege of the immediate use of the highway." The courts have held that the question of right of way arises only when there is a *danger of conflict* between two users of the highway when they both proceed on their way without delay.³

Right of way as referred to in Section 476(a)-

³ People vs. McLachlan, 36 Cal. App. 2nd 754.



1-2 is often misunderstood by the public. Motorists will often assume that because they have received the "Go" signal they have the right of way over other vehicles which are lawfully within the intersection. However, vehicles which have just received a "Go" signal *do not* have the right of way over other vehicles which previously had the green signal but were delayed in the intersection.

For example: *Black vehicle*, which started east with a "Go" signal, is delayed in the intersection by another car. *Black vehicle* is forced to remain in the intersection by *White vehicles* which moved north with the "Go" signal and took the right of way. Both *White vehicles* would be in violation of Section 476(a)-1-2 for failure to yield the right of way to *Black vehicle*.

Pedestrians in Adjacent Crosswalks

At signal controlled intersections, the driver of a vehicle proceeding on a "Go" signal, who intends to turn either right or left or go straight ahead, is usually more absorbed in observing vehicular traffic than pedestrians. Pedestrians may be crossing in the crosswalk when the signal changes.

Part of Section 476(a)-1 grants the right of way to pedestrians who are lawfully within a crosswalk when the signal regulating their crossing changes from "Go" to "Stop." They may proceed to the opposite curb, and vehicles turning right or left or going straight ahead are required to yield to them. When a motorist proceeding with a "Go" signal is cited for violating the right of way of a pedestrian lawfully within an adjacent crosswalk, the citation shall be issued for a violation of Section 476(a)-1-2, V.C.

The development of traffic control devices has contributed much to relieving traffic congestion and facilitating safe traffic flow. While failure to obey traffic signals contributes to many accidents and provides one of the easiest methods of traffic law enforcement, officers should not concentrate their enforcement activities on this particular violation to the exclusion of other traffic offenses which also cause accidents.

That officers have emphasized the enforcement of signal regulations is indicated by enforcement statistics and numerous complaints received from motorists. Many of these complaints are unjusti-

fied; however, most drivers deeply resent being cited for what they feel is a "border-line" or minor violation. Often, they honestly feel that they have not committed a violation. Unless an officer is able to establish a "clear cut" offense, he should resolve any doubt *in favor of the motorist*. A common public misconception is that officers arbitrarily issue citations for violation of those traffic regulations which may be enforced with the least effort, merely to fill a "quota for the day."

Violations of Section 476(c)-1, V.C.

Section 476(c)-1 states:

When a red or "Stop" signal is shown, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection or, if none, before entering the intersection and shall remain standing until the green or "Go" is shown. . . .

The yellow or "Caution" light always precedes the red or "Stop" light on a three-light signal. At most four-lane intersections, the "Caution" signal is exhibited continuously for a three-second interval and is merely a warning that a red signal will follow. The yellow light is not a signal that a driver moving into an intersection must immediately stop. To do so may be dangerous to himself or the vehicle behind him. Entering the intersection when the yellow light is showing is not a violation. To constitute a violation the driver must enter on the red light. However, in an attempt to enter the intersection before the signal turns red, many drivers will deliberately increase speed when they see a yellow signal. Any such action might indicate that the driver deliberately attempted to "run" a red light should be noted if a citation is issued for violation of Section 476(c)-1, V.C.

Some drivers violate this Section by "creeping" into the intersection while awaiting the "Go" signal, or when the yellow light is displayed for traffic traveling at right angles to them, they start moving into the intersection. These actions often create a hazard to vehicles lawfully crossing the intersection.

Right Turn against the Signal

Section 476(c)-2 of the Vehicle Code permits the driver of a vehicle to make a right turn

trol devices as a personal affront to their liberty against the red or "Stop" signal if a sign does not prohibit such a turn, and if the driver

- (1) makes a *complete* stop at his side of a marked crosswalk or, if none, before entering the intersection;
- (2) is in the curb lane;
- (3) signals his intention to turn; (if other vehicle affected, 544V.C.)
- (4) yields the right of way to pedestrians lawfully within an adjacent crosswalk;
- (5) yields to all vehicles within the intersection or so near to the intersection that his turning would interfere with their normal progress; and
- (6) is outside the Central Traffic District, the boundaries of which are Los Angeles Street on the east, Pico Street on the south, Figueroa Street on the west and Sunset Boulevard on the north.

A driver, failing to comply with any of these conditions, is in violation of Section 476(c)-2, V.C.

Pedestrians Crossing against the "Caution" Signal

A pedestrian is prohibited by Section 476(b)-2 of the Vehicle Code from crossing the roadway against the yellow or "Caution" signal. However, if he is in the roadway when the signal changes, he may proceed across to the opposite curb. *He is not required to return to the curb from which he started, although that curb may be closer.*

Pedestrians Crossing against the "Stop" Signal

Section 476(c)-3 of the Vehicle Code prohibits a pedestrian from entering or crossing any part of the roadway or, to or from a safety zone, against a red or "Stop" signal. The City Attorney has held that the area which is controlled by the signal includes the roadway adjacent to the entire safety zone. Persons who proceed into an intersection in violation of this section are responsible for a large number of traffic accidents. Officers should pay particular attention to such violations when there exists a possibility of conflict between a pedestrian and a vehicle.

Reasonable Enforcement

Arrests are authorized by Penal Code Section 836. This authority applies to the breach of traffic regulations as well as other penal statutes. Section 836 states that a peace officer *may* make an arrest; it does not state that he *shall* make an arrest. This legislation implies that peace officers should exercise discretion and judgment in determining whether or not an arrest should be made. It is only with the exercise of reasonable judgment that any law enforcement can be truly effective. If all of the penal statutes were unrelentingly enforced, law enforcement would break down and be subject to severe public criticism.

NOW THAT THEY'VE GOT US WORKING TRAFFIC APATHY, WE'VE GOTTA FIGURE OUT WHAT IT'S ALL ABOUT! SO LET'S PLAY LIKE YOU ARE A DRIVER AND I AM A PEDESTRIAN. EVERYBODY KNOWS THAT TRAFFIC CONTROL DEVICES ARE PEACHAROO GADGETS TO HAVE TO RELIEVE TRAFFIC CONGESTION AND TO SPEED UP THE FLOW OF TRAFFIC BUT ONCE IN A WHILE SOMEBODY GETS ALL FOULED UP AND TROUBLE BEGINS! WE UNDERSTAND THE GO AND STOP SIGNALS BUT IT'S THE YELLOW LIGHT THAT CAUSES THE CONTROVERSIES! THE YELLOW LIGHT SHINES FOR 3 SECONDS AND IS A WARNING THAT THE RED LIGHT IS GONNA POP UP. SOME DRIVERS SLAM ON THE BRAKES WHEN THEY SEE THE YELLOW LIGHT - THAT'S DANGEROUS! SOME DRIVERS SPEED UP LIKE A BAT OUTTA HADES - THAT COULD LEAD TO A VIOLATION OF SEC 476(C)-1 VC! SOME CREEPS WATCH FOR THE YELLOW LIGHT THEN START CREEPING INTO THE INTERSECTION AND BOY THAT'S BAD! BONE UP ON SEC 476(C)-2 WHICH TELLS ABOUT TURNING, AND DON'T FORGET THAT A PEDESTRIAN MUST NAVIGATE WITH THE SIGNALS JUST LIKE MOTORISTS BUT HE CANT START ACROSS ON THE YELLOW!

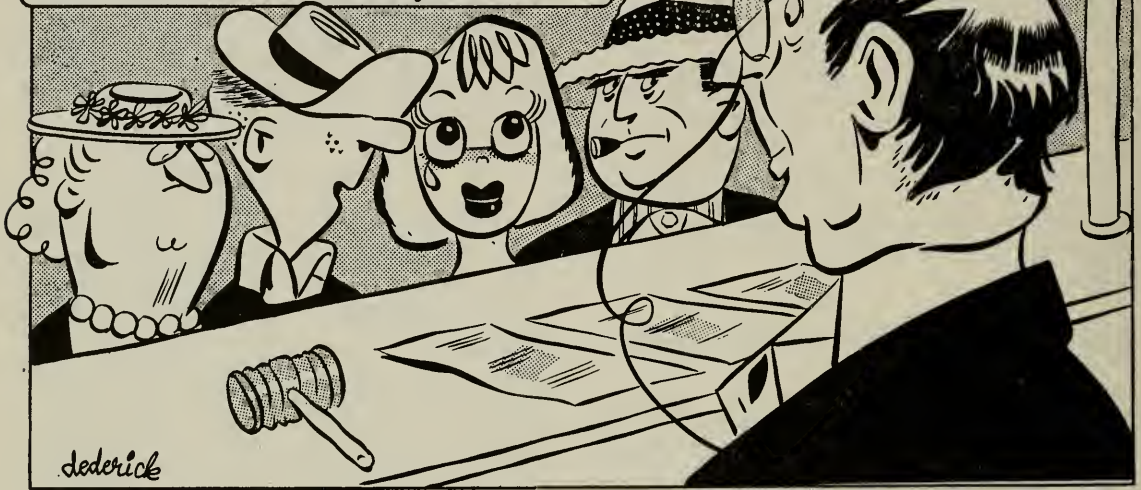
Jederick



YES FOLKS, SECTIONS 551(a)-(b) HAVE PRESENTED A UNIQUE PROBLEM DESPITE THE FACT THAT THE LAWS IN THESE SECTIONS HAVE BEEN WIDELY PUBLICIZED AND EXPLAINED. UNDOUBTEDLY YOU PEOPLE ARE ALL EXPERIENCED AND EXCELLENT DRIVERS AND IT IS UNDERSTANDABLE THAT YOU MIGHT BE SOMEWHAT CONFUSED ABOUT THE CITATION YOU HAVE RECEIVED. I KNOW THAT THE OFFICER'S WHO ISSUED THE CITATIONS ARE CONSCIENTIOUS AND EXPERTS IN JUDGING SPEED AND DISTANCE WHICH ARE **THE BIG FACTORS** IN SUCH VIOLATIONS!

IN MAKING LEFT TURNS, SOMEONE **MUST** YIELD AND I AM UNABLE TO CITE ANY HARD AND FAST RULE WHICH SAYS **WHO** MUST YIELD AS CIRCUMSTANCES PRESENT MANY CHANGING SITUATIONS- **BUT COURTESY AND LOGIC** ARE OUR CHAMPIONS!

SOME ILL-MANNERED DRIVERS RUDELY, PURPOSELY AND DANGEROUSLY VIOLATE ANOTHER'S RIGHT OF WAY BY BLOWING HORNS, SWERVING AND INCREASING SPEED TO BEAT OUT THE OTHER FELLOW, OTHERS ARE MORE SUBTLE BUT JUST AS MENACING TO PUBLIC SAFETY!



Enforcement of traffic regulations must be just as reasonable as the enforcement of other laws. If a high degree of public co-operation is to be attained in traffic enforcement, all violations should be acted upon with the same reasonable judgment that an officer uses for other offenses. It is especially important, because of the lack of public understanding of right of way law, that reasonable judgment be exercised by officers handling violations of Vehicle Code Section 551.

Vehicle Code Section 551(a)

This section provides 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.

Entering the Intersection in a Position to Turn

A motorist's privilege to turn is partially dependent upon his actions just before the actual turn is made. He must be in a position within

the intersection to make a lawful left turn after having properly signaled his intention to do so. *It is at this instant only that the right of way of involved parties is determined; it is dependent upon their distance from each other and their respective speeds at that particular moment.* If the danger of conflict then exists, the oncoming vehicle is an immediate hazard and a duty is imposed upon the turning vehicle to yield.

Court Interpretation

It is impossible to apply a hard and fast rule to a law in which the relative distance and speeds of two or more vehicles are involved. For example, there is no legal basis for the conclusion that a motorist attempting to make a left turn has the right of way after he has allowed a specified number of approaching vehicles to pass. The Department publication, *Whose Turn Is It?*, has in many instances been misinterpreted to mean this. In the case of *Washam vs. Peerless Automatic Co.*, 45 Cal. App., 2d, 174, it was held that the turning motorist must "cautiously esti-

mate" whether or not the oncoming motorist is a hazard. It is apparent from this decision that a correct application of the law in Section 551 depends upon the circumstances of each instance.

Vehicle Code Section 551(b)

This section states that:

(the) driver turning left having so yielded and having given a signal when and as required by this code 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 driver making the left turn.

The question of right of way in this section, as in Section 551(a), is determined at a particular instant. A violation depends upon the assumption that the motorist turning left has lawfully attempted to do so, but that his turn was unlawfully prevented by an approaching motorist who was not an immediate hazard at the moment the right or way was determined. Evidence that this was intentional may be indicated when the driver sounds his horn, swerves his car, or increases speed to "beat out" the turning motorist.

Evaluation of Circumstances

When an officer observes what he considers to be a violation of Vehicle Code Section 551, he should carefully evaluate all the circumstances connected with the suspected violation. If in his judgment, the objective of traffic law enforcement can be best attained by a warning and explanation, rather than by a citation, he should follow this course of action. This does not mean, however, that an officer should fail to cite a violator who, by his actions, indicated that he rudely, purposely and dangerously violated another motorist's right of way.

Crosswalks

A collision between two vehicles may not result in an injury to, or the death of, any of the passengers even though the vehicles may be moving at high speeds. However, if a vehicle traveling at a moderate speed, strikes a pedestrian, in all probability the person on foot will be seriously injured or killed. Crosswalks, whether marked or unmarked, are designated to give a pedestrian some measure of protection and to channelize his movement in crossing the street.

These crosswalks have come to be accepted by pedestrians as sanctuaries where their right to use the street cannot be contested. Their right has been upheld in many court decisions.

Pedestrian Right of Way

Vehicle Code Section 560(a) states:

The driver of a vehicle shall yield the right of way to pedestrians crossing the roadway *within any marked or unmarked crosswalk* at an intersection except as otherwise provided.

When Motorist Must Yield

The question is frequently asked, "Does a motorist have to stop in every instance for a pedestrian in a crosswalk?" The answer is not apparent in Section 560(a), but depends upon its interpretation by the courts.

In the case of *People vs. McLachlan*, 36 Cal. App. 2d Supp., 754, it was held that: "when a pedestrian is crossing a roadway in a crosswalk and is so far from the path of an approaching automobile and proceeding in such a manner that no interference between them is reasonably to be expected, the driver of the automobile need not wait for it to develop." This decision clearly indicates that a motorist *need not* yield to a pedestrian in every instance.

Danger of Conflict

When the pedestrian and motorist are proceeding their respective ways within the roadway and a situation arises where one may be struck by the other if neither slows, stops, or alters his course, then a possibility of conflict exists for the purpose of determining a right of way violation.

Pedestrian May Waive Right of Way

When a pedestrian is in a crosswalk and, upon seeing a vehicle approaching, signals to the driver by means of gestures that the driver may pass, the pedestrian has relinquished his right of way. In the case of *People vs. Noland*, 83 Cal. App. 2d Supp., 819, it was held:

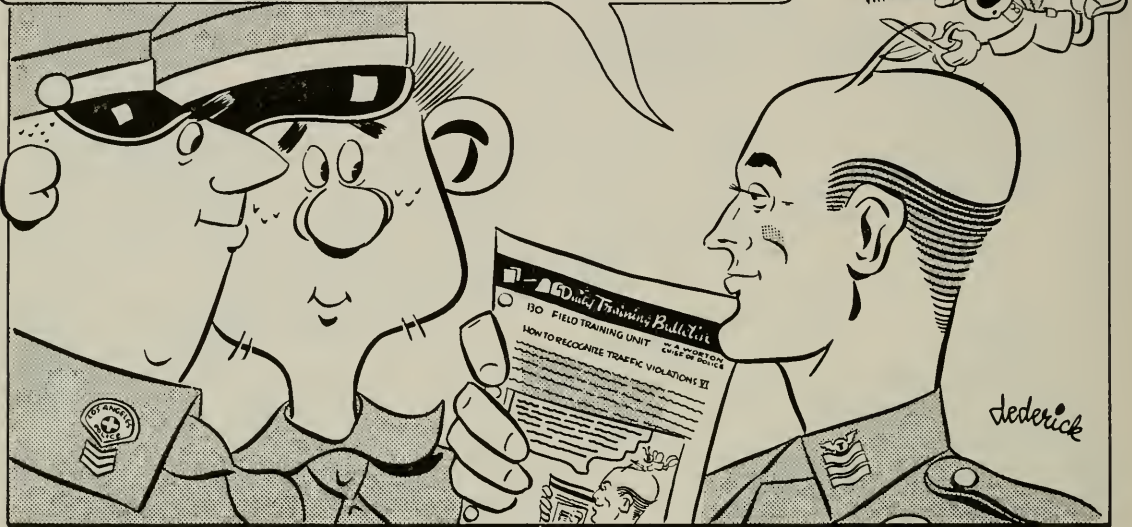
The right of way is not, then, a duty which the pedestrian must exercise, but something which may be waived; it comes within the rule of Section 3513, Civil Code, that "anyone may waive the advantage of a law intended solely for his benefit. . . ."

However, if the forward progress of a pedes-

WELCOME TO THE TRAFFIC BUREAU GENTLEMEN! I'M SGT. CREWCUT, COMMANDING THE TRAFFIC EDUCATION UNIT. ONE OF OUR BIG PROBLEMS IN TRAFFIC IS AUTO VS. PEDESTRIAN. LAST YEAR OVER 3000 WERE STRUCK, MANY OF WHOM DIED. IT DOESN'T TAKE MUCH OF A JOLT TO KILL A PEDESTRIAN SO THEREFORE CROSSWALKS, MARKED AND UNMARKED HAVE BEEN DESIGNATED TO GIVE A PEDESTRIAN SOME MEASURE OF PROTECTION AND TO CHANNELIZE HIS MOVEMENTS IN CROSSING THE STREETS. THESE CROSSWALKS HAVE COME TO BE ACCEPTED BY PEDESTRIANS AS A SANCTUARY WHERE THEIR RIGHT TO CROSS CANNOT BE CONTESTED!

IF YOU WILL READ DAILY TRAINING BULLETIN # 130 MANY MIS-CONCEIVED IDEAS CONCERNING RIGHT OF WAY MAY BE CLARIFIED.

HOWUDJA GIVE CREWCUT A CREWCUT?



trian is interfered with and he has not waived his right of way, the driver who does not stop or yield is in violation of Section 560(a), V.C.

Passing Stopped Vehicles

Vehicle Code Section 560 (b) states: "Whenever any vehicle has stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle."

Reasonable Stopping Distance

Frequently a driver of one vehicle which is traveling slightly ahead of another in an adjacent lane, will stop suddenly to yield the right of way to a pedestrian in a crosswalk. Because the law does not require a person to perform an impossible act, the driver of the other vehicle must have had adequate opportunity to stop before he could be in violation of Section 560(b).

Practical Considerations

Apart from the failure of a driver to yield the right of way to a pedestrian within a crosswalk, the driver's manner of operating his vehicle may have considerable bearing upon the violation. Such actions as sounding a horn, increasing speed or swerving to either side, which force the pedestrian to hesitate, stop, or move hastily out of the vehicle's way indicate a deliberate violation of the pedestrian's right of way.

How to Issue a Traffic Citation

The manner in which an officer directs a traffic offender to park will usually color the violator's attitude for the duration of the citing or warning procedure. An air of confidence without belligerence, a courteous manner of speech without an appearance of apology and a businesslike approach will all indicate to the driver that he is to be treated fairly. Much of his bewilderment may be avoided and much of the confusion to other motorists may be eliminated if he is stopped quickly, quietly, and safely.

When to Stop the Violator

Sometimes an officer will allow a traffic violator to drive some distance from the scene of the violation instead of stopping him as soon as practicable after the offense was committed. An unreasonable delay may cause controversy. The offender may admit the offense, but will question why he was not immediately stopped for it; or he may feel that he was followed so that he could be "trapped" into another violation. If the violation was unintentional, he may not recall the circumstances.

Safety Precautions

In consideration of the safety of others, sometimes it is more practical to allow a traffic violator to escape than to pursue him in violation of the rules of the road. If, however, it becomes necessary to violate these rules in the pursuit, the red light and siren must be properly used.

Stopping the Violator

Officers using black and white vehicles are easily recognized; however, officers driving ve-

hicles without distinctive markings may have to rely solely on positive actions to secure a motorist's attention.

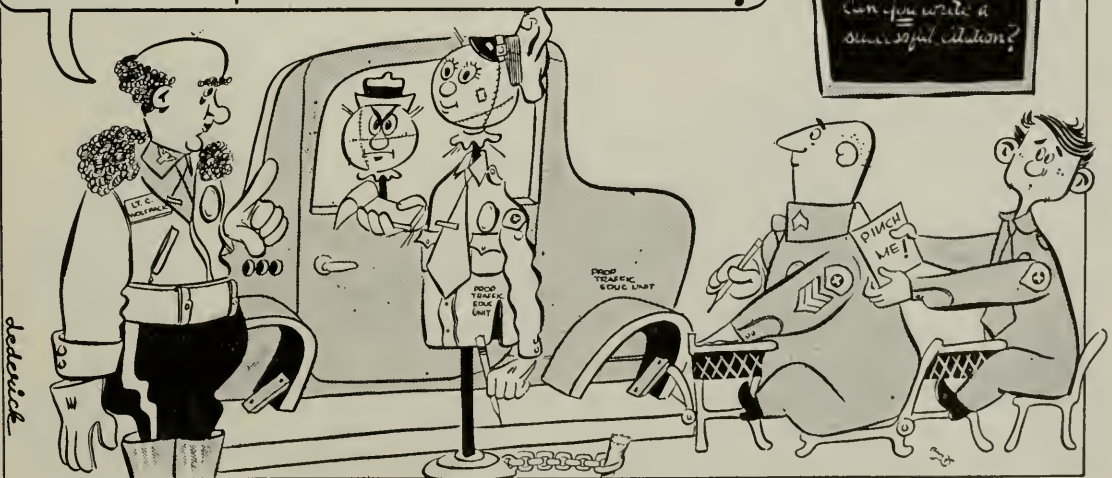
Providing it can be done safely, a motorist's attention may be attracted best by driving alongside and slightly to the rear of his vehicle. Brief instructions given to him at this time will usually be heard and understood. If they are not, his attention may be secured by sounding the horn and displaying the red light. Oral instructions should then be repeated, supplemented by a distinct gesture such as pointing an arm at the curb.

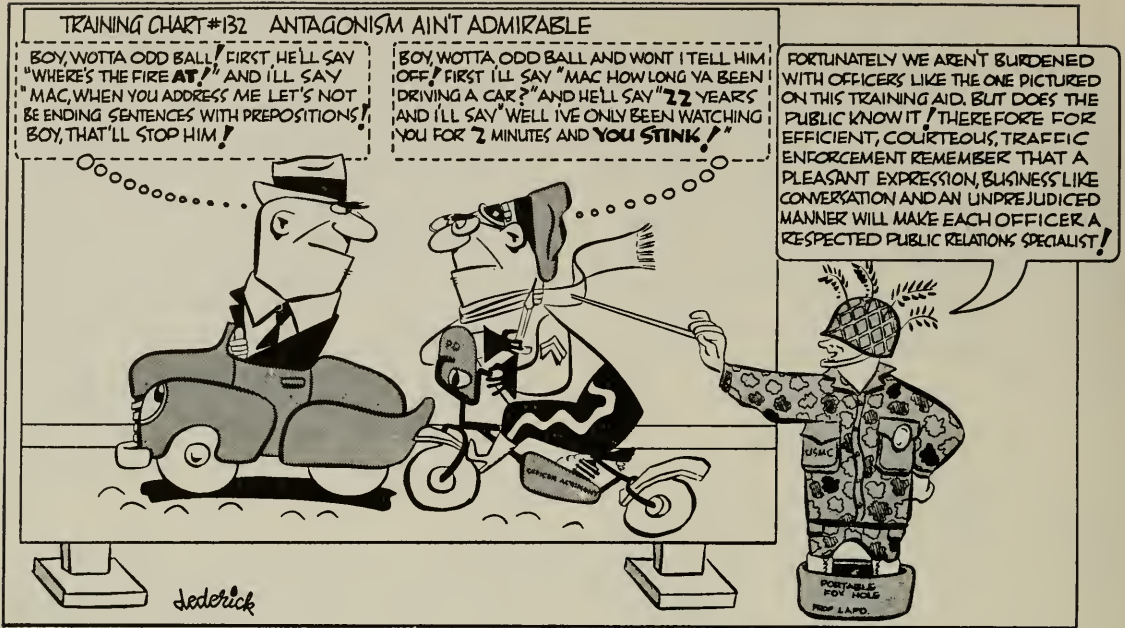
Instructions which sound like a "command" may be resented. They should not be shouted, nor should the police car door be pounded to attract attention.

Approaching Violator at a Signal

If a violator is approached at a red signal, oral directions such as, "When the signal changes, stop at the curb across the intersection, please," should be sufficient. If the violator is not given these specific instructions, and is merely told to park at the curb, he may become confused and move into the intersection against the signal.

GENTLEMEN, ISSUING A TRAFFIC CITATION IS ONE OF THE MOST DELICATE JOBS AN OFFICER MUST PERFORM. YOUR INITIAL ACTIONS AND ATTITUDE IN DIRECTING THE OFFENDER TO STOP WILL MAKE YOUR TASK AN EASY, OR AN UNPLEASANT ONE. YOUR MANNER SHOULD NOT BE APOLOGETIC OR BELLIGERENT, BUT CONFIDENT, COURTEOUS AND BUSINESS LIKE! THE TRAFFIC OFFENDER MAY BE EXCITABLE, DRUNK OR UNAWARE THAT HE HAS COMMITTED A VIOLATION, SO REMEMBER THAT IN STOPPING THE OFFENDER, INDIRECTING HIM TO THE CURB AND IN PARKING, SAFETY FOR YOURSELF AND OTHERS IS THE IMPORTANT THING!





Stopping Intoxicated Drivers

A driver who is apparently intoxicated should be stopped immediately. If he is allowed to drive any distance after he is first observed, he may successfully defend himself against a charge of driving while under the influence of liquor by contending that, although alleged to have been intoxicated, the officers permitted him to drive.

Maintaining Contact

If possible, other motorists should be prevented from coming between the violator and the police vehicle from the time he is first instructed to stop until he has parked his vehicle. This "contact" is necessary to enable the officers to give instructions properly and to prevent the violator from parking illegally.

Parking the Police Vehicle

Whenever possible, the police vehicle should be parked to the rear of the stopped vehicle and in a manner which will not create a traffic hazard. The red light should be turned to the rear to protect the officer in the roadway.

Erratic Maneuver While Parking

Although a motorist has apparently parked his car and is waiting for the officer to approach, he may become excited and make some erratic maneuver. For example, he may mistakenly think

that he has stopped his engine and may release his clutch while the car is in reverse gear. There have been instances when police officers were seriously injured while passing behind the violator's car when this occurred.

Officers Frame of Mind

An officer stopping a motorist for a traffic violation has a frame of mind which may conflict with that of the violator. The officer may be tense from having had to pursue the offender at a high speed for an unreasonable distance; he may have had a recent unpleasant experience or he may be tired. Similarly, the violator is thinking of his own personal problems. He may not believe he has committed any violation. He may think regulations are only for careless or reckless drivers, and that he is a good driver; he may be angry because he was apprehended; or he may actually be in fear of a fine or jail sentence. If these conditions exist, neither the officer nor violator is in a proper mood to effect an understanding. However, it is the officer who must take the initiative so that the issuance of the citation or warning may be as "painless" as possible.

The Officer's Bearing

Even before he is spoken to, a violator may have framed an opinion of the officer who has

stopped him. An alert, businesslike manner and a fair, reasonable attitude may favorably impress the offender and reduce the possibility of verbal conflict.

Many people feel ill at ease when they are unable to *look* into the eyes of persons with whom they are talking. If the officer is wearing dark sunglasses or goggles, it is suggested that he remove them, if practical, before conversing with the motorist.

Salutation

An opening statement which might irritate the violator should be avoided. A courteous greeting such as "Good Morning," "How do you do," or "Hello" is desirable. The exact words of the salutation should depend upon what is most natural for the officer. However, he should avoid using a greeting which the violator might consider flip-pant or "cocky."

An officer should be particularly careful in greeting a woman so that his remarks will not be misinterpreted. Familiarity, which often does

not offend her until it becomes apparent that she is to receive a citation, is a common basis for a complaint regarding an officer's conduct. Any impression that she was stopped for social purposes must be avoided.

Reason for Stopping Violator

Immediately after greeting the violator, the officer should briefly explain why he stopped him. A motorist usually knows when he has committed a violation, but he frequently would like to have the officer who stopped him believe otherwise. If the officer asks, "Do you know why I stopped you?" or "Do you realize what you did?" he has in effect invited a denial from the driver. A statement implying that both the officer and offender are fully aware of the violation will tend to prevent a pretense of innocence by the offender. He is usually more receptive to a statement which simply indicates the violation for which he was stopped. A tone which indicates that an officer has merely stated a fact will not create the resentment that an accusation will. For



example, a statement such as "I stopped you because you were driving too fast," indicates to the driver the reason for his having been stopped, but does not provide a basis, during the initial conversation, for argument about the specific speed involved. However, the driver should subsequently be informed of the speed at which he had been "clocked."

Use of Title

Until the officer has an opportunity to learn the violator's name, the word "Sir," "Madam," or "Miss," should be used. These need not be spoken in a patronizing or subservient manner, but merely as a substitute for the driver's name. Once the name is learned it should be used thereafter. When the person is addressed by name the correct title should also be used—as Doctor, Mr., Miss, or Mrs. Circumstances may dictate the use of other less formal titles when addressing juveniles.

If the officer has been careful to preserve a businesslike manner, has kept his approach neutral, and his remarks unprejudiced, he has laid a good foundation toward securing the co-operation of the violator.

Because receipt of a traffic citation usually means a loss of money, as well as personal inconvenience, officers who stop traffic offenders may encounter some resentment. A violator may inwardly resent a citation but accept it as a "necessary evil" and say nothing at the time. Some violators, however, may become incensed. Their resentment may be directed toward the officer personally, and the incident might easily degenerate into a clash of personalities, thwarting the officer's attempt to issue the citation peacefully and hampering the long range purpose of traffic law enforcement generally. Through the use of a few simple techniques, these clashes may be held to a minimum.

Obtaining the Operator's License

After indicating the reason for stopping the violator, the officer should request to see the operator's license. "May I see your driver's license, please?" is a recommended method of asking for it. The officer is authorized under Vehicle Code Section 274(b) to examine the

license. In order to forestall a complaint that money or papers were lost or taken from a billfold or container, *only the operator's license should be accepted.*

Although interrogation techniques may vary with each case, the officer should attempt to determine if the violator's correct address is indicated on his operator's license.

Explanation of the Offense

An explanation of an offense should not be volunteered unless a violator requests it. A voluntary explanation might be interpreted as preaching and may be resented. If it is requested, however, it should be brief and to the point so as not to arouse controversy and may be supplemented by available Departmental literature explaining the violation.

The Argumentative Driver

Some drivers will deliberately try to lead an officer into an argument by either disputing the violation, or insulting the officer. Irritating and abusive remarks *must be disregarded* no matter what rebuttal the officer feels may be justified. If he shows that he has been antagonized, the writing of the citation then becomes a personal issue between officer and violator. Harsh language used by the officer may be referred to in court to discredit his testimony or might be the basis of a complaint to the Department.

In many instances the driver will attempt to "save face" by justifying his actions. This is a natural reaction and the officer should expect it but he should not make it a point of discussion.

Correcting Errors

Sometimes an officer may stop a motorist and learn that the wrong person has been stopped or that a violation had not actually been committed. When such a mistake occurs, no attempt should be made to "bluff it through" since such action will only bring discredit to the officer and to the Department. If a mistake has been made, it should be admitted without reservations or excuses, and if an unjustified citation has been issued, it should not be marked void but a request for its cancellation should be made on a Form 15.7.

Quoting Bail

Frequently an offender will ask about the bail on a particular citation. Because bail or method of disposition is based on a violator's previous record of traffic violations, a Departmental order⁴ prohibits officers from suggesting bail amounts or any method of adjusting the citation other than as is indicated on the violator's copy.

Out of Town Violators

When a transient receives a citation and his itinerary or place of residence is such that an adjustment of the citation by mail appears to be the only reasonable method, he should be advised *on request* that any correspondence with the Traffic Violations Bureau should be immediate and should include the citation and a stamped, self-addressed envelope. Factors such as prior record, severity of the violation and the inconvenience of appearance are considered by the court and the Traffic Violations Bureau before bail is accepted by mail and the defendant is released from his written promise to appear.

Citations Should be Accurate

The police reports most often seen by citizens are traffic citations. These indicate to the citizen an officer's ability to report accurately and clearly. When a violator receives a citation, he will usually read and examine it many times, and may even show it to his friends. An officer may consider minor errors on a citation insignificant, but they are *glaring* errors to an offender. Incorrect spelling and careless handwriting may not only irritate him but may cause him to believe that the officer is incompetent.

The violator is not the only person to whom an inaccurate or poorly written citation is a source of annoyance. Judges refer to citations in reaching decisions and attorneys may use them in preparing cases. Mistakes reflect upon an officer's competence and his ability to do his work properly and create additional work for the persons who must correct these errors.

Citation Errors

Numerous errors, often considered unim-

⁴ *Manual of Police Procedure*, Traffic, p. 117, Sec. 210.

portant by officers, are made on citations. Some of the most common mistakes are: improper date, inaccurate use of a.m. and p.m. after the time, wrong Vehicle Code or Los Angeles Municipal Code section, and incorrect date of appearance.

Most frequently omitted on citations are: license number and year, business address, speed and zone, date of appearance, and a complete description of the elements of the offense.

Not only is time wasted in correcting these errors and omissions, but they may either invalidate a citation and require its cancellation, necessitate an amended complaint, or result in a dismissal of the charge by the court.

Writing the Citation

By placing himself in a safe position where he will not be endangered or distracted by passing vehicles, an officer may concentrate on preparing a citation accurately. He should stand off the roadway, preferably on the curb adjacent the police vehicle when writing. If a violator leaves his vehicle and stands in the street, he should be asked to step to a safe place on the curb.

At no time should an officer place his foot or lean upon the offender's vehicle. Complaints indicate that passing motorists, as well as the owner of the vehicle, resent this. Their opinions of the police are often adversely influenced when officers sit in the police car writing citations.

Business Address

The violator's business address should be obtained whenever possible and included on the citation to aid in locating a violator who fails to appear as directed.

Multiple Violations

If several violations have been committed they should be recorded in the order of their seriousness. If the citation is for two or more violations of the same Vehicle Code section, the locations of their occurrence should be recorded in order, beginning with the first violation committed.

Citing to Court

When a violator is cited to court, not less than seven nor more than fourteen days should be allowed for his appearance. The Court Citing Days Card should be checked to insure that the

violator is cited to appear on a *court day*. A violator who asks for more time in which to appear should be referred to the Traffic Violations Bureau, or, if cited in outlying divisions, to the court of jurisdiction.

Notes on the Citation

Notes recorded on a citation should completely describe the violation. This description should indicate all the elements of the violation as well as events which may have led to it. Citation notes alone may be the basis from which a judge makes a decision.

Attitude of Driver

It is to be expected that a violator may resent having received a citation, but the fact that he disagrees with an officer is not sufficient in itself for his attitude to be described as unco-operative. However, when an offender refuses to sign a citation until after he has been taken to the station, his attitude should usually be indicated as "argumentative."

Verification of Signature

When the citation is completed, it should be carefully checked for omissions. After the violator has written his name and address, they should be compared with the name and address on the operator's license.

Returning Operator's License

The license should be returned in a manner that will impress the driver that it was returned and it should be noted where he places it. Such information may be valuable later should a violator complain that his license was not returned.

Concluding Remarks

The conversation should be concluded with a remark such as, "Thank you for your co-operation," or "If you wish, I will assist you in getting back in a traffic lane." The officers should not follow the motorist but should change direction or wait until he has departed before they resume patrol unless he shows an inclination to remain at the scene.

How to Determine When to Take a Traffic Accident Report

This section concerns policies which require

that Traffic Accident Reports be taken by police units. It is beyond the scope of this lesson to fully cover all of the technical questions which may arise in determining if a Traffic Accident Report is required. These technical questions will be the exception rather than the rule. If doubt arises regarding such questions, the officer may obtain advice from the Analytical Unit of the Traffic Bureau, Ext. 808. Subsequent bulletins will include additional information on traffic accident reporting.

Accident reporting is an essential part of police duties. It enables the department to prosecute for law violations that have caused traffic accidents. It makes possible an intelligent job of traffic control and provides information for effective enforcement, engineering of roadways, and placement of traffic control devices. It provides data for public education on traffic safety and furnishes the answers to the questions of who, when, where, what, how, and why of one of the major police problems.

When Traffic Accident Reports Are Necessary

Traffic Accident Reports are required when traffic accidents occurring on either public or private property involve one or more of the following: fatalities, personal injuries, city property, hit and run, appreciable property damage, and any amount of property damage when there is sufficient evidence to justify a prosecution for a traffic offense not witnessed by a police officer. There are two notable exceptions to this basic rule; first, only appreciable property damage occurring on *public property* is investigated and reported; second, traffic accidents occurring *entirely* upon private property involving street cars or railroad trains in collisions with other street cars or railroad trains, pedestrians, bicycles, or fixed objects, or in non-collisions. In this latter event, however, in case of injury or death either a Miscellaneous Injury Report, Form 3.15 (), or a Dead Body Report, Form 3.11 (), must be made and distributed as provided in the Manual of Reports.

If doubt exists regarding the presence of any of the elements which would require a Traffic Accident Report or whether the accident occurred on public or private property, a report should be

taken. These elements will be discussed in subsequent bulletins.

Instructional Chart

Whether the traffic accidents involves a *vehicle* or *non-vehicle*, and whether the accident occurred on a *street* (public property) or a *non-street* (private property) must be considered in deciding if a Traffic Accident Report is required. The following definitions are used for *chart instructional purposes* only:

1. *NON-VEHICLE* refers to a street car or a railroad train.
2. *VEHICLE* includes both motor vehicles and other vehicles.
3. *STREET* refers to a street or highway (Sec. 81 V.C.).
4. *NON-STREET* refers to any place other than a street or highway.
5. *TRAFFIC REPORT* means a Traffic Accident Report (Forms 4.1, 4.2, 4.3, 4.4 and, when required, 4.5)().
6. "*D.B.*" means a Dead Body Report (Form 3.11) ().

484 "Uniform Definitions of Motor Vehicle Accidents"; Federal Security Agency; U. S. Public Health Service; National Office of Vital Statistics; U. S. Printing Office, Washington, D.C., 1947, First Revision.

Departmental policies pertaining to the reporting of traffic accidents involving the elements of "Personal Injury," "Fatalities," and "Appreciable Property Damage" were introduced in the previous lesson. This lesson will discuss these terms in further detail.

Injuries and Fatalities

Section 484 of the Vehicle Code requires that the driver of a vehicle involved in an accident resulting in injury to or death of any person shall make or cause to be made a written report of the accident. Such reports made by officers investigating the accident comply with this requirement.

For reporting purposes, a "personal injury" is defined as *any* physical injury which occurs in a

	S T R E E T		N O N - S T R E E T	
	VEHICLE	NON-VEHICLE	VEHICLE	NON-VEHICLE
TRAF. ACCIDENT				
FATAL	Trf. & D.B. Rpt.	Trf. & D.B. Rpt.	Trf. & D.B. Rpt.	D.B. Rpt. only
INJURY	Trf. Rpt.	Trf. Rpt.	Trf. Rpt.	Misc. Inj. Rpt. only
CITY PROPERTY INVOLVED	Trf. Rpt.	Trf. Rpt.	Trf. Rpt.	Trf. Rpt.
HIT AND RUN	Trf. Rpt.	No Rpt.	Trf. Rpt.	No Rpt.
APPRECIABLE PROPERTY DAMAGE	Trf. Rpt.	Trf. Rpt.	No Rpt.	No Rpt.

Bicycles—Animals

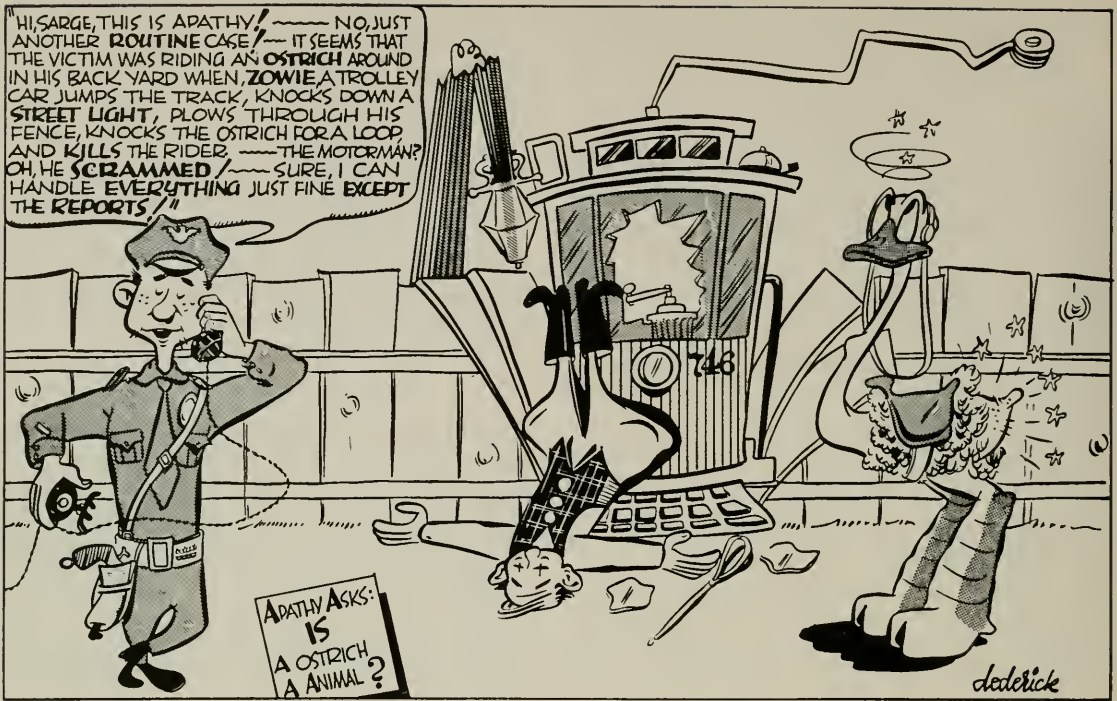
For the purpose of taking Traffic Accident Reports (with reference to the chart), a bicycle or an animal ridden or driven will be considered to be a vehicle except that no traffic report is taken when *only* the element of falling from a bicycle or an animal is present. (A Misc. Injury Report, Form 3.15 (), is taken if treated at Receiving Hospital or branch thereof.)

Recommended References

"Traffic Manual," pp. 62 through 72; Vehicle Code, State of California, Sections 31, 32, and

traffic accident and results in the NEED for first aid or the attention of a physician. It is not necessary that first aid or medical attention be *received*. A physical injury not apparent or diagnosed at the time of the accident must be classified as such when discovered and a Traffic Accident Report made. Departmental reporting policy requires a Traffic Accident Report if a person involved in a traffic accident *complains* of an injury, even though the injury is not visible or apparent.

In addition to the procedures followed in the investigation of traffic accidents, when accidents



involve fatalities the investigating officers shall summon a traffic supervisor or special traffic investigator to the scene.

Appreciable Property Damage

For the purposes of traffic accident reporting, “appreciable property damage” is property damage, other than minor, resulting from traffic accidents on public property (streets). Examples of minor property damage are a slightly dented fender or bumper or a smashed hub cap. Whenever doubt or dispute develops through interpretation of the term “appreciable property damage,” the presumption shall be that the element does exist and an investigation conducted and reports made.

Police Unit Investigating

The police unit assigned to a traffic accident is responsible for any necessary investigation and reports. Accident Investigation Units may be summoned by other police units to ASSIST in the investigation. Even though an Accident Investigation Unit is dispatched to ASSIST in the investigation, the originally assigned unit is not relieved of the responsibility for completing the investigation and making the required reports.

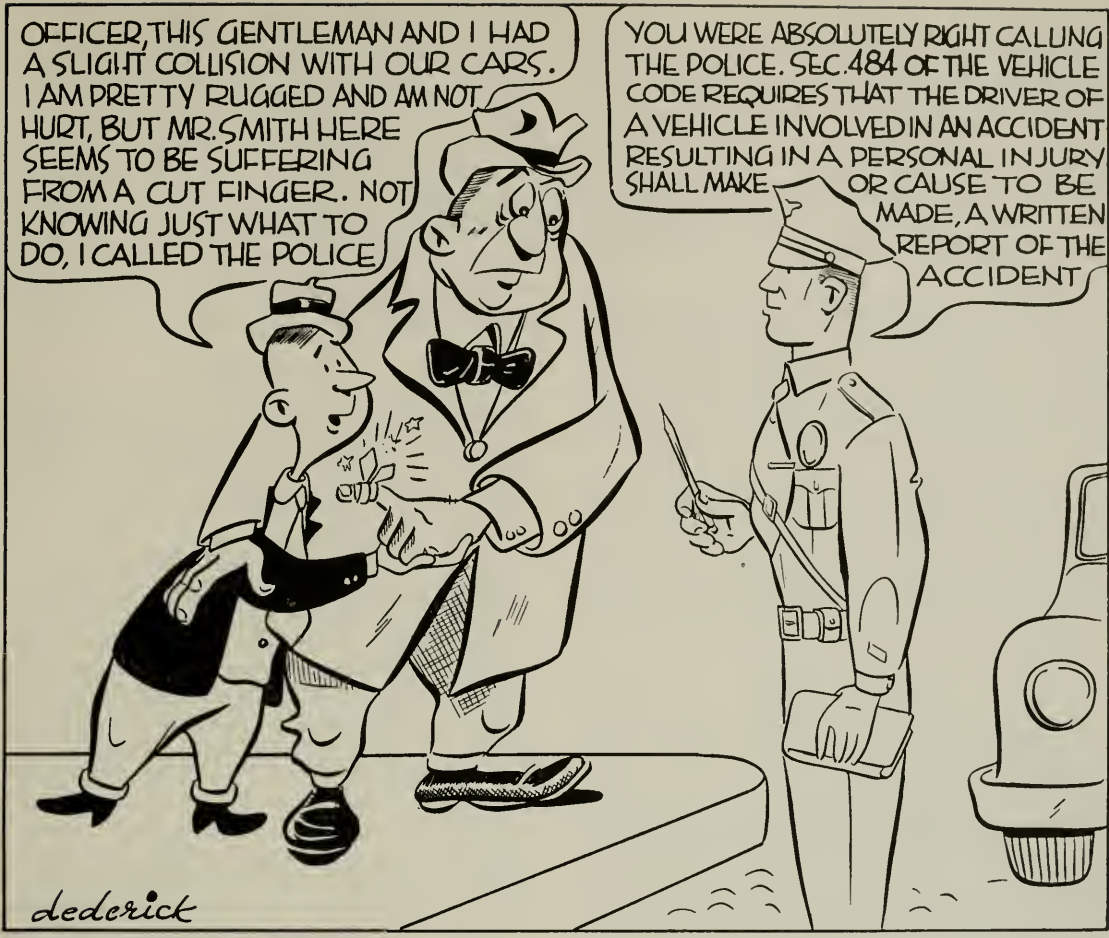
Police units responding to traffic accidents not requiring reports should keep the peace, cause any traffic hazards to be removed, assist in restoring traffic to its normal flow, and inform the parties involved that a police report is not required.

City Property

Traffic accidents involving “city property” and “hit and run” are discussed in this lesson.

Traffic accidents involving city property have resulted in an alarming increase of civil lawsuits against the City of Los Angeles. It is, therefore, of the utmost importance that all traffic accidents involving city property be investigated and reported, no matter how slight the damage to any property involved.

City property for accident investigation and reporting purposes includes any vehicles or other property owned or maintained by the City of Los Angeles, except vehicles and property of the Los Angeles City School District, Department of Water and Power, Harbor Department, and The Housing Authority of the City of Los Angeles. Traffic accident reporting policies regarding city property are extended to city employees acting within the scope of their official



OFFICER, THIS GENTLEMAN AND I HAD A SLIGHT COLLISION WITH OUR CARS. I AM PRETTY RUGGED AND AM NOT HURT, BUT MR. SMITH HERE SEEMS TO BE SUFFERING FROM A CUT FINGER. NOT KNOWING JUST WHAT TO DO, I CALLED THE POLICE

YOU WERE ABSOLUTELY RIGHT CALLING THE POLICE. SEC. 484 OF THE VEHICLE CODE REQUIRES THAT THE DRIVER OF A VEHICLE INVOLVED IN AN ACCIDENT RESULTING IN A PERSONAL INJURY SHALL MAKE OR CAUSE TO BE MADE, A WRITTEN REPORT OF THE ACCIDENT

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BUT HANDSOME-ER, LIEUTENANT, YOUR SILLY LITTLE OL' FIRE-PLUG ISN'T EVEN HURT AND MY POP WILL FIX UP MY FENDER, SO WHY CAN'T I JUST SCRAM? YOU CAN HAVE A NICE LONG CHAT ABOUT IT WITH MY LAWYER!

MISS, ANY ACCIDENT INVOLVING CITY PROPERTY, HOWEVER SLIGHT, MUST BE INVESTIGATED AND REPORTED PHOTOGRAPHS MUST BE TAKEN AND FURTHERMORE I WILL NOT DISCUSS THE ACCIDENT WITH UNAUTHORIZED PERSONS!

DON'T YOU JUST LOVE THE WAY OFFICER SHARP OPERATES? DOESN'T TALK TOO MUCH, AND KNOCKS HIMSELF OUT PROTECTING OUR INTERESTS!

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duties, except employees of the four agencies mentioned above. This reporting policy applies whether the city employee is driving a city-owned vehicle, a private vehicle, or is on foot. The test shall be—"acting within the scope of official duty." The reporting policy also applies to members of the Police Reserve Corps while they are actively engaged in police work on an assigned tour of duty.

Traffic accidents involving vehicles or property of Federal, State, and County agencies, or vehicles or property of a public utility such as street cars, busses, and taxi-cabs, are not reported as "city property" accidents. Traffic accidents involving property of these agencies are handled like traffic accidents involving any other privately owned vehicles. However, if doubt exists as to whether the property involved is city property, the presumption shall be that it is and a Traffic Accident Report made.

Photographs

Regardless of their evidentiary value, photographs shall be taken in every case of city property damage indicating the extent of damage to vehicles or other property involved. If the car assigned to the call does not contain photographic equipment, investigating officers shall notify the Communications Division that city property is involved and that equipment to secure photographs is needed.

City Attorney's Recommendations

It is of vital importance that investigating officers refrain from expressing verbal opinions regarding the dangerous or defective condition of city property involved in a traffic accident or that the city in any way is responsible. Under no conditions should officers discuss a traffic accident involving city property with an unauthorized person without first conferring with the City Attorney.

Hit and Run

Regardless of the extent of damage to property, as long as some damage exists, reports are taken in all cases when a vehicle is involved in a "hit and run" traffic accident.

Acknowledgments

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Intoxication

How to Determine Intoxication

Procedures

MANY VALID cases against persons charged with offenses of driving while under the influence of intoxicating liquor have been lost because the arresting officers failed to preserve properly the physical evidence found upon the person of the driver or in his vehicle. All evidence which may be of value in substantiating a charge against the intoxicated driver should be carefully identified and preserved. The officer should make an accurate record of its description, where it was found, and its disposition so that it may be introduced properly in court as evidence.

Evidence

The Departmental order relating to "drunk driving" arrests states:

All intoxicating liquor found on the person of, or in the vehicle driven by, the accused shall be sealed and booked as evidence, and shall be *produced* in court at the trial.¹

The openings of partially filled bottles or cans of intoxicating liquor should be covered and sealed with adhesive or scotch tape. Sealing wax should then be placed upon the tape and an impression of the ridge pattern of the officer's right thumb made in the wax. If no sealing wax is available, the officer should place his initials on the tape. Such evidence should then be booked at the division of arrest. When the case is called, it is the officer's responsibility to ensure that the evidence is in court at the time of the trial.

Driving—Not Observed by an Officer

A defendant may be apprehended under cir-

¹ *Daily Police Bulletin*, March 14, 1944, "Drunk Driving Arrests," Sec. 3. Copyright, 1949, Los Angeles Police Department.

cumstances and conditions indicating that he had been driving a vehicle while under the influence of intoxicating liquor, although not so observed by the arresting officer or by any witnesses obtained at the time. The fact should not be overlooked that additional investigation might disclose witnesses who actually observed him drive the vehicle immediately prior thereto. When all the elements of driving under the influence of intoxicating liquor can be established, but not by the arresting officers, the accused should be charged with a violation of Section 41.27(a) (drunk) with the word "auto" in parentheses added to the charge, e.g., 41.27(a) (drunk) (auto). This booking should be used only in those cases where witnesses are able to establish the driving elements.² In those cases where a vehicle is involved but there are no witnesses to the defendant's driving, he should be booked 41.27(a) (drunk). The Arrest Report, Form 5.2 (), should be used and a complete report of the circumstances of the arrest recorded in the report.

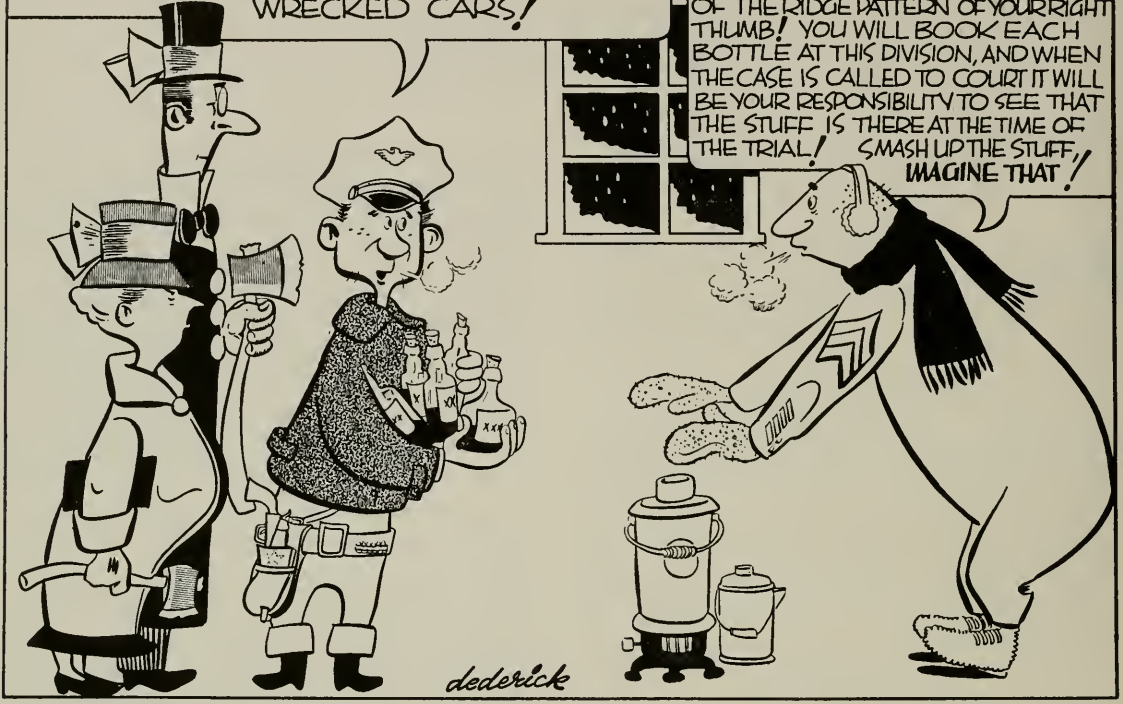
Witness Cards

When an officer has not observed the act of "driving while under the influence of intoxicating liquor," witnesses to the elements of the offense should be obtained whenever possible. A Witness Card, Form 4.12 (), should be completely filled in by the officer and witnesses in accordance with the instructions printed on the card and then signed by the witnesses. The number of witness cards secured should be indicated on the Arrest Report, and all the cards attached to the Arrest Report for forwarding to the City Attorney. Should any witnesses decline to sign a Witness Card, the name and address of such witness should be included in the Arrest Report.

² *Daily Police Bulletin*, June 7, 1945, Drunk (Auto) bookings Sec. 41.27(a) L.A.M.C.

HI, SARGE! THESE FOLKS ARE FROM THE LLLLLLL LEAGUE, THE "LET'S LIBERATE LOATHSOME LIQUID LOVERS' LUST FOR LIQUOR LEAGUE" AND WOULD LIKE TO PUBLICLY SMASH THIS BOOZE WHICH WE FOUND IN THE WRECKED CARS!

WHAT! IN WEATHER LIKE THIS? I SHOULD SAY NOT! THOSE BOTTLES ARE VALUABLE EVIDENCE! YOU WILL CAREFULLY SEAL, PRESERVE, AND IDENTIFY EACH BOTTLE BY USING SCOTCH TAPE, SEALING WAX AND BY MAKING AN IMPRESSION OF THE RIDGE PATTERN OF YOUR RIGHT THUMB! YOU WILL BOOK EACH BOTTLE AT THIS DIVISION, AND WHEN THE CASE IS CALLED TO COURT IT WILL BE YOUR RESPONSIBILITY TO SEE THAT THE STUFF IS THERE AT THE TIME OF THE TRIAL! SMASH UP THE STUFF, IMAGINE THAT!



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Corroborating Officer's Testimony

In those instances where an officer working alone makes an arrest of an intoxicated driver, the name of the officer responding to the wagon call, or the name of the booking officer or the jailer must be included in the Arrest Report as a corroborating witness to the intoxicated condition of the driver.

Bail Slips

When any of the forms pertaining to bail are used in conjunction with a charge of 41.27(a) (drunk) (auto), the parenthetical word "auto" is part of and must be included with the charge.

Legal Aspects

This section deals with the elements necessary to establish a charge of driving while under the influence of intoxicating liquor as set forth in Section 502a of the Vehicle Code. Following bulletins will discuss recognizable characteristics

of the intoxicated driver, the Alcoholic Influence Report, coordination tests, and procedures.

The drunk or intoxicated driver and the driver "under the influence of intoxicating liquor" are responsible for approximately 15 per cent of the accidents occurring during the day and approximately 25 per cent occurring at night.³

The mere act of driving a vehicle upon a public highway while under the influence of intoxicating liquor is sufficient to constitute a violation of Section 502a of the Vehicle Code. It is not necessary that the driver of such vehicle be drunk or intoxicated. "Drunk" or "intoxicated" refers to the condition of a person who is under the influence of intoxicating liquors to such an extent that he has lost control of his faculties and is unable to perform safely the acts in which he is engaged at that time.⁴

³ As shown by recent "spot checks" made by the Analytical Unit of the Traffic Bureau.

⁴ Gordon Wilson, M.B., *The Police Journal*, Vol. I, No. 4, October, 1928, p. 595.



Officer Sharp Says:

Remember that all driving is not done on a Highway and that a booking may sometimes be made under Section 367d P.C. when Section 502a V.C. does not apply.

“Under the Influence of Intoxicating Liquor” Defined

The term “under the influence of intoxicating liquor,” while not defined in either the Vehicle Code or the Penal Code, is the very basis of a violation of 502a V.C. In the case *People v. McKee* (80 Cal. App. 200) the court has defined it as follows:

The words “under the influence of intoxicating liquor” refer to that degree of influence which loosens the bonds of self-restraint and causes the driver to operate his car in a manner different from that in which it would be operated by an ordinarily cautious and prudent person.

In the case *People v. Dingle* (56 Cal. App. 445) the court said:

If intoxicating liquor has so far affected the nervous system, or muscles of the driver of an automobile as to impair, to an appreciable degree, his ability to operate his car in the manner that an ordinarily prudent and cautious man, in full possession of his faculties, using reasonable care, would operate or drive a similar vehicle under like conditions, then the driver is “under the influence of intoxicating liquor” within the meaning of the statute.

These interpretations indicate that “under the influence of intoxicating liquor” means what common usage has attached to the term. It is not that the driver is intoxicated to the extent that his faculties are completely impaired, but only to that degree where his driving efficiency is definitely lowered.

Vehicle Defined

Section 31 of the Vehicle Code defines a vehicle as a device in, upon, or by which any person or property may be propelled, moved, or drawn upon a highway, except a device moved by human power or used exclusively upon rails.

Persons Riding Bicycles or Animals

Section 452 of the Vehicle Code subjects every person riding a bicycle or riding or driving an animal upon a highway to all of the traffic laws applicable to the driver of a vehicle except those provisions which by their very nature have no application. In the case *Wright v. Sniffin* (80 Cal. App. 2nd 358, 362) it is held:

The appropriate provisions of the Vehicle Code, with respect to the operations of vehicles on the public highways, unless by their very nature they have no application, apply to bicycles.

Thus an intoxicated person riding a bicycle or riding or driving an animal upon a highway is in violation of Section 502a of the Vehicle Code the same as an intoxicated driver of a vehicle.

Driving Defined

Section 69 of the Vehicle Code defines a driver as:

A person who drives or is in actual physical control of a vehicle.

In the case *Fairman v. Mors* (55 Cal. App. 2nd 216, 219) it was held that a car which was



being towed and became involved in an accident was not being driven by any of its occupants. A person who applies the force which impels the vehicle and who directs and controls its movements is the driver. In the case *People v. Kelley* (27 Cal. App. 2nd 771) the defendant, who was intoxicated, was involved in a traffic accident. There was no proof of his having driven the car prior to the accident; however, after the accident he was observed moving the car a few feet off the highway. The court held that the act of moving the car under these circumstances by a person who was intoxicated and in no condition to drive did not amount to driving a car upon a highway.

Driving—Not on Highway

Section 367d of the Penal Code states:

Any person operating or driving an automobile, motorcycle, or other motor vehicle who becomes or is intoxicated while so engaged in operating or driving such automobile, motorcycle, or other motor vehicle, shall be guilty of a misdemeanor.

The elements necessary to sustain a charge under this section are:

1. Driving or operating—limited to a motor vehicle *not on a highway*.
2. The driver or operator must be intoxicated.

This section can be used only when the motor vehicle was driven or operated on private prop-

erty and when the accused was not subject to a charge of violation of Sections 501 or 502a of the Vehicle Code.

It is indicated then that a driver is the person who applies the force which impels or directs a vehicle. "Under the influence of intoxicating liquor" refers to that degree of influence which causes the driver to operate his car in a manner different from that of an ordinarily cautious and prudent person.

Recognizable Characteristics

This section discusses general characteristics which distinguish the driver who is under the influence of intoxicating liquor from the "normal" driver. The techniques and procedures presented represent the opinions of a number of officers and supervisors in various divisions throughout the city.

The driver who is so intoxicated that he is physically incapable of driving his car is not difficult to recognize. The serious problem is the driver, under the influence of intoxicating liquor, who presents an appearance of normalcy. Such a driver believes himself entirely capable of driving safely and is not aware that any of his actions are influenced by the liquor he has consumed.

Officers who observe any deviations from normal driving should investigate thoroughly to de-

termine if the driver is under the influence of intoxicating liquor or if his actions are due to some other cause.

Indications of Intoxicated Drivers

The following examples do not limit but describe general actions of drivers who may be under the influence of intoxicating liquor:

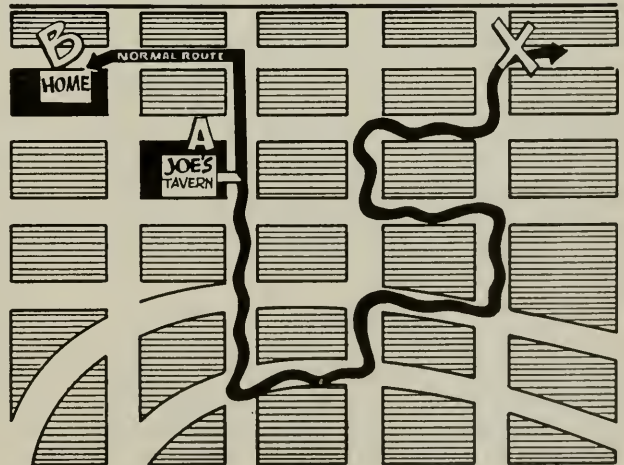
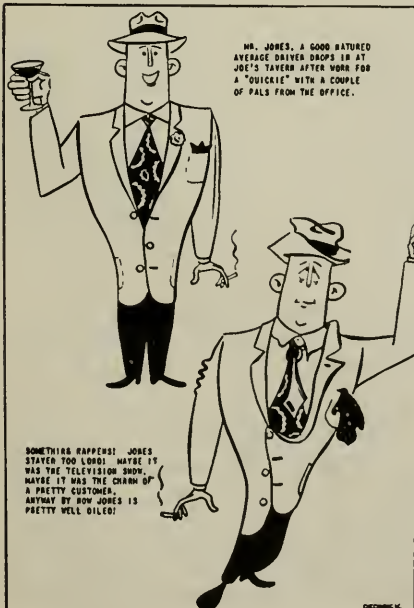
1. The person who drives slowly in the center lane of traffic and is heedless of all other drivers.
2. The person who drives in or as close to the curb lane as possible, is very intent upon his driving, and seems to direct his whole attention straight ahead.
3. The driver who approaches a boulevard stop or traffic signal very slowly and, by a series of jerky motions, finally stops in or beyond the crosswalk.
4. The driver who fails to see a stop signal in time to stop without skidding his tires.
5. The driver who is consistently slow in starting from a traffic signal or boulevard stop and starts in a jerky manner.
6. The driver who swerves farther than is necessary when passing another car and takes an unusually long time in regaining his line of traffic.
7. The person who drives erratically at a higher rate of speed than the rest of traffic and constantly changes lanes, causing other cars to swerve or make sudden stops.
8. The driver who repeatedly has difficulty engaging the gears of his car or finally does so with a loud clashing.

Stopping the Intoxicated Driver

Officers observing erratic driving should approach the driver with the same caution due any

person suspected of a crime. The officer who is driving should be certain that he has adequate room to maneuver his vehicle in case of unexpected actions by the other driver. When instructing the suspected intoxicated driver to drive to the curb and park, the officers should be certain that they are recognized as officers and that their instructions are easily understood. Care should be taken to bring the police vehicle only as close to the suspect's car as is necessary to convey these instructions. Should the driver fail to heed or understand the instructions it may be necessary to emphasize them by using the siren and red light. The officers should follow the suspect's car to the curb and keep constantly alert to any unexpected actions by the suspected driver. The police vehicle should be parked directly behind his car, bumper-to-bumper, to preclude possibility of his ramming the police car or officers.

If the driver should stop in a traffic lane, the officers should not permit him to drive the vehicle to the curb. This procedure should be followed to prevent the suspected intoxicated driver from damaging other vehicles which are parked at the curb and to forestall a possible defense which he may introduce in court later. *He may successfully defend himself* by contending that the officers permitted him to drive even though they alleged he was intoxicated.



JONES FINALLY HEADS FOR HOME, BUT BECAUSE OF HIS ERRATIC DRIVING IS STOPPED BY TWO ALERT OFFICERS

SHOULD JONES BE DRIVING? HOW CAN THE OFFICERS TELL? DON'T MISS THE NEXT THRILLING EPISODE!

Circumstances, in many instances, will dictate different procedures in approaching and stopping a suspected intoxicated driver. The officers should always bear in mind, when stopping a car, that they do not know the extent of the driver's intoxication nor his probable actions upon being approached by police officers, and they should be constantly alert for any unexpected actions by him.

Alcoholic Influence Report

There are many different defenses which may be raised to a charge of driving while under the influence of intoxicating liquor. Proper interrogation of an intoxicated person and an accurate record of his responses will forestall many of these defenses. The Alcoholic Influence Report, Form 5.20 (), which contains questions based on previous defenses, has been provided by the Department to aid the officer in conducting a systematic interrogation. The information which may be obtained by proper use of this form is important in sustaining a prosecution.

When to Use

The Alcoholic Influence Report is used not only in cases involving violation of Section 502a of the Vehicle Code but in all cases where the element of intoxication is coupled with "driving" or "operating"; however, this does not limit the extent to which this form may be used. The results of the officer's interrogation, the observed conditions of the driver, and the results of the coordination tests given at the scene should be recorded on the form at the time an intoxicated driver is stopped. Tactful and considerate handling of an intoxicated person will make it easier for the officer to obtain the necessary information and cooperation.

Interrogation

Proper interrogation of an intoxicated person and an accurate record of his responses to questions will greatly aid the officer in establishing for the court or jury the elements of the offense. The interrogation should be based on the questions on the Alcoholic Influence Report; however, these questions do not limit the extent of the interrogation. The officers should be familiar

with the questions so that a complete interrogation may be made before any answers are recorded. This is necessary to obtain spontaneous answers from the intoxicated person before he realizes that his remarks are being recorded. Any unusual statements made by the driver during the interrogation or coordination tests should be added to the report.

Time and Identification: The exact time the intoxicated driver was stopped should be the first notation made on the report. His name and address should be verified from his operator's license and, if possible, from his vehicle registration slip. His exact occupation, the concern he works for, and the length of time he has been employed there should be determined and recorded. This information is important in helping the prosecuting attorney establish the credibility of the officer's testimony to the court or jury.

Mental Confusion: The answers to the following questions are important in determining the extent of the intoxicated driver's mental confusion: "Where are you going?" "Where did you start from?" "When did you leave?" "What time is it now?" A question "*How far have you driven since your last drink?*" should be asked the driver to gain an admission of driving. Each answer should be carefully recorded on the Alcoholic Influence Report.

Drinking: In addition to asking the driver if he has been drinking, it is important to find out what he has been drinking, how much, when he commenced, and when he stopped. An admission by the driver to these questions is admissible in court and helps substantiate the charge against him.

Sickness or Injury: If the driver states he is ill or has been to a doctor or dentist recently, the officer should obtain from him and record the name of the doctor or dentist and the date of the visit. This is also an additional point in helping establish the credibility of the officer's recordings. If the driver states that he is taking insulin and if he has an odor of alcohol upon his breath, the officer should take him to the Receiving Hospital for an examination by the doctor. The questions

“Are you hurt?” and “How much sleep did you have last night?” should be asked for the purpose of determining the possible cause of any irregular driving and forestalling any possible defense that it was caused by an alleged injury or the lack of sleep. Should the driver complain of an injury that may be the cause of or may have resulted from his irregular driving, he should be taken immediately to the Receiving Hospital. The officer should note the nature of the injury, its location, and the driver’s statement as to how he received it.

Mouth Wash: If the driver states that he has used a mouth wash recently, he should be asked the kind and when he last used it. Tests conducted by officers of the Traffic Bureau show that certain mouth washes will leave an alcoholic odor for 10 to 15 minutes after they have been used. This should be kept in mind by the officer so that he is not misled into concluding that a driver has been drinking alcoholic liquor merely because his breath has an alcoholic odor.

Refusal to Answer Questions: If the driver refuses to answer any questions asked him, the officer should record all of the information he can obtain from the operator’s license, then write “driver refused to answer questions” across the questions on the Form 5.20 (). He should then be asked why he refuses to answer the questions and his exact reply should be recorded. In the remarks, the officer should indicate that the driver was asked all of the questions on the form and the answers he gave. The exact statement made by the driver in refusing to answer any specific question should be recorded. The officer also should indicate the accusations made to the driver as to his driving while intoxicated, by whom they were made, and the driver’s admissions, denials, opportunity for denial, or his failure to reply.

Coordination Tests

The coordination tests indicated on the Alcoholic Influence Report are used as a means of ascertaining the extent to which a driver’s physical reactions are impaired by intoxicating liquor. Conclusions regarding the driver’s intoxication

should be based on his responses to questions, his ability to follow instructions, and his reactions to these tests. Results of the coordination tests will aid the officer in describing to the court or jury the extent of the driver’s intoxication.

Administering the Tests

The driver should be given only those tests which he is willing to take. As each test is given, the officer recording the results should encircle the word which most accurately describes the driver’s reaction and check the square at the left of the test in the space provided on the form. If no tests are given, only the observed condition of the driver should be recorded.

It is important that the officer demonstrate to the driver how the test is to be performed. This is necessary to present to the recording officer and the witnesses a standard of performance by which to gauge results. If possible, the officers should obtain witnesses to observe the coordination tests. The testimony of such witnesses will add weight to the evidence against the intoxicated driver. The manner in which the driver received the instructions and the manner in which he carried them out should be carefully noted and recorded. The officer’s conclusions should be based on the driver’s reactions generally to the entire test. At no time should the impression be conveyed to the driver that success or failure in the test will determine innocence or guilt.

Testing the Intoxicated Driver

Balance: The driver should be directed to stand erect with his heels together and toes pointed straight ahead, with his head back and his eyes closed. Such actions as swaying, jerky motions used in attempting to recover balance, and shifting of the feet should be noted.

Walking and Turning: The driver should be asked to walk a straight line (sidewalk line or an imaginary line between two points) with the heel of one foot placed against the toe of the other. He should be directed to continue in such a manner for approximately twenty feet and, at the end of the assigned distance, he should be directed to turn and walk heel to toe back to the starting point. Particular attention should be paid to the manner in which the turn is made.

LOS ANGELES POLICE DEPARTMENT

ALCOHOLIC INFLUENCE

REPORT FORM

DR No.
Booking No.
Charge
Case No.

- (Check) (Check)
 Driver Accident
 Pedestrian Violation
 Passenger Other

A.M.
P.M.

Date and time of Accident or Violation

NAME ADDRESS

Age Sex Race Approx. Weight Occupation

QUESTIONS: NOTE: Get witnesses to prove driving.

Were you operating this vehicle? Where were you going?

Where did you start from? When did you leave?

Where are you now? What time is it now? A.M.
P.M.

Have you been drinking? What? Where?

How much? Commenced A.M. P.M. Stopped A.M. P.M.

Are you ill? Have you been to a doctor or dentist recently? If so, when?

Who? (Name of doctor or dentist) For what?

When did you last eat? What?

Are you taking medicine? If so, what? Last dose A.M.
P.M.

Do you have diabetes? Are you taking insulin? Have you used a mouth wash recently?

Are you hurt? Did you get a bump on the head?

How much sleep did you have last night? How much today?

Have you been drinking since the accident? What? How much?

EXAMINATION:—(Draw circles around words describing observed conditions. Add other words of your own.)

BREATH	Odor of alcoholic liquor — Apparently none faint moderate strong						
COLOE OF FACE	Apparently normal Flushed Pale (Other)						
CLOTHES	Orderly	Mussed	Soiled	Disarranged	Disorderly	(Describe)	
ATTITUDE	Polite Cooperative	Excited Indifferent	Antagonistic Hilarious	Cocky Talkative	Care-free Combative	Stupeous Insulting (Other)	
UNUSUAL ACTIONS	Profanity	Hiccough	Belching	Vomiting	Fighting	(Other)	
EYES	Apparently normal Watery Bloodshot						
CHECK SQUARES IF THESE ARE MADE	<input type="checkbox"/> PUPILS	Apparently normal Dilated		Contracted		Poor reaction to light	
	<input type="checkbox"/> BALANCE	Fair	Sure	Swaying	Wobbling	Sagging Knees Falling (Other)	
	<input type="checkbox"/> WALK &	Fair	Sure	Swaying	Stumbling	Staggering Falling (Other)	
	<input type="checkbox"/> TURNING	Fair	Sure	Swaying	Uncertain	Staggering Falling (Other)	
	<input type="checkbox"/> FINGER-TO-NOSE TEST	Right—Sure		Uncertain	Left—Sure		Uncertain (Other)
	<input type="checkbox"/> PICKING UP COINS	Sure		Slow	Uncertain		Unable (Other)
<input type="checkbox"/> SPEECH	Fair	Slurred	Stuttering	Confused	Incoherent (Other)	Choice of words Clearness and correctness of enunciation	

What first led officer to suspect alcoholic influence?

Unusual actions or statements

Signs of illness or injury

REMARKS:

(See Reverse Side)

CONCLUSION OF OFFICER

Was person under influence of intoxicating liquor?.....

Was person intoxicated?.....

Examined by

Officer-Signature

Serial

Division

Date

Time Completed

A.M.
P.M.

Witnesses to Examination:

Name

Address

Name

Address

Name

Address

Name

Address

CHEMICAL TESTS

Sample No.	Material	Date and Time Collected	Taken in Presence of	Sample Sealed by	Date and Time Analysed	Percent Alcohol

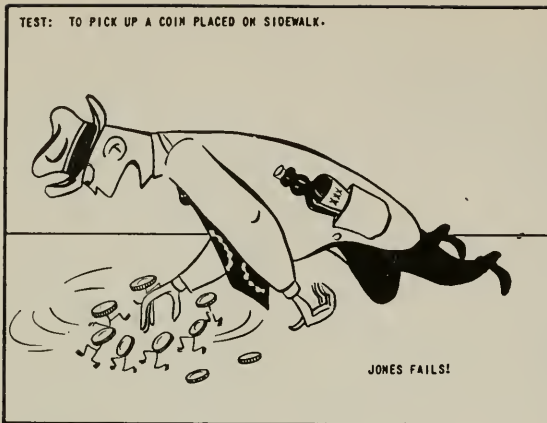
Tests made by: NAME

Witnesses

INSTRUCTIONS FOR COORDINATION TESTS

Do not have suspect perform any test action unless he is willing. When tests are made, record results and check squares on other side. When tests are not made, record conditions from general observations but do not check the squares. A square is to be checked only if test is made.

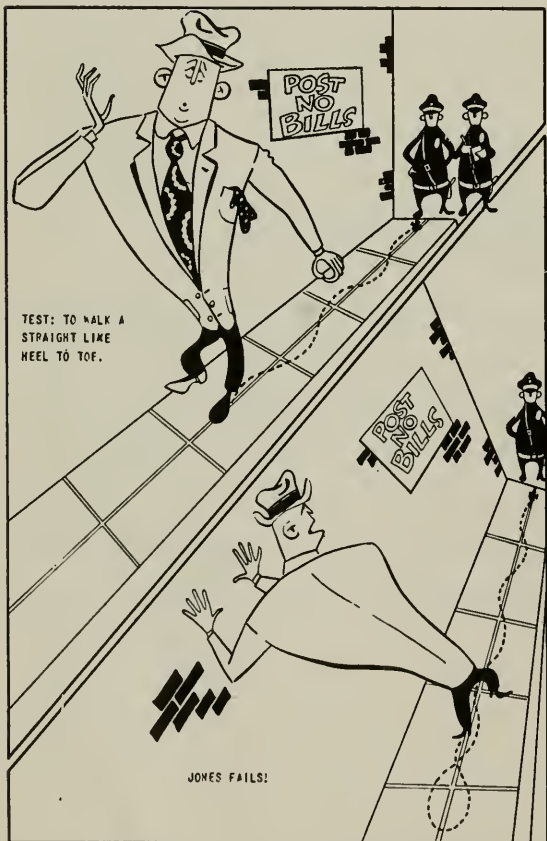
- 1. Pupils of eyes**—Flash a bright light in the eyes of the suspect and compare the reaction of his pupils with the reaction obtained when a light is flashed in the eyes of another person. There should be the same reaction.
- 2. Balance**—Stand erect with heels together, eyes closed, and head back, to observe balance.
- 3. Walking and Turning**—Walk a straight line, toe of one foot against the heel of the other, then turn and walk back again. Watch closely for evidences of incoordination, especially when turning around.
- 4. Finger-to-Nose Test**—Stand erect, eyes closed, extend arms horizontally to side, then, one arm at a time, touch the tip of the nose with the tip of the index finger.
- 5. Coin Test**—Pick up coins from floor. (If desired have suspect place coins on table and arrange in order, with the largest sized coins on right. Identify heads or tails. Observe ability.)
- 6. Speech**—Repeat the following test phrases: ELECTRICITY, METHODIST EPISCOPAL, AROUND THE RUGGED ROCK THE RAGGED RASCAL RAN.
- 7. Handwriting**—Copy a sentence, or several words (such as the test phrases in No. 6 above), or sign name, so handwriting can be compared. Space at top of this sheet may be used for this purpose.



Finger-to-Nose: The driver should be directed to stand erect with his eyes closed and extend his arms horizontally to the sides. He should be asked to describe an arc with one arm at a time and touch the tip of his nose with the index finger. This procedure should be repeated with the other arm, and in each instance it should be noted where the finger touched his face and the time taken to complete the operation.



Picking up Coins: The driver should be asked to pick up a number of coins placed on the sidewalk or floor by the officer. Particular attention should be given to the ease or difficulty with which the driver performs this operation. Any difficulty he has in maintaining his balance should be noted. This portion of the test should not be given if the driver has any missing or bandaged fingers.



Responses Can Be Confusing

In many cases an intoxicated driver's responses to questions and his physical reactions to the coordination tests are deceptive. The officer should obtain all information possible to aid him in reaching a conclusion regarding the extent of the driver's intoxication. Such information, in addition to the driver's responses to questions and his physical reactions to coordination tests, often aids the officer in sustaining a prosecution.

Physical Appearance

The description of the driver's appearance, as observed by the officers, is important in establishing for the jury or court a mental picture of the intoxicated driver at the time he was stopped. This description adds further weight to the officer's statements and helps the court or jury to determine the extent of the driver's intoxication.

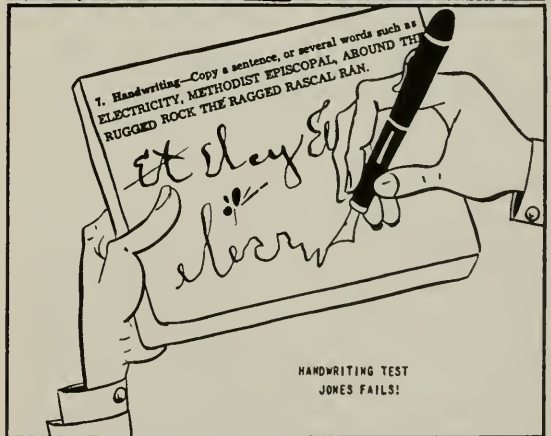
In filling out the Alcoholic Influence Report, the officer should encircle the word or words which most nearly describe the driver's condition. The officer should add necessary descriptions.

Speech

The officers should have gained a sufficient knowledge of the coherency of the driver's speech while talking to him that further testing may be unnecessary. If there is doubt as to his ability to speak clearly and coherently, the officers should ask him to repeat such words or phrases as are considered necessary to determine the extent of speech impairment.

Handwriting

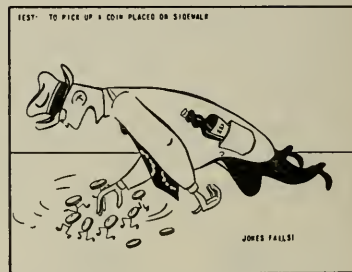
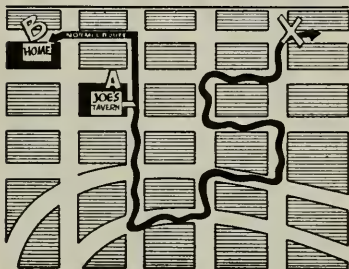
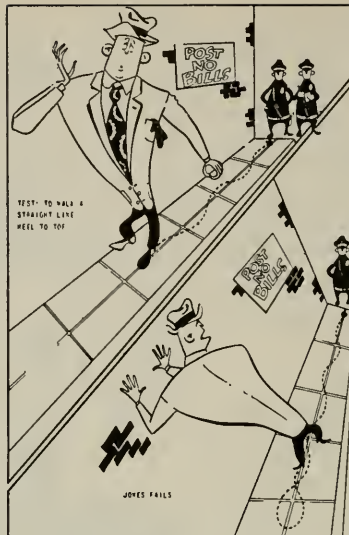
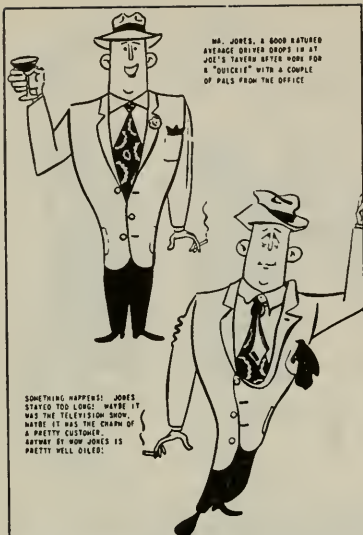
A handwriting specimen should be obtained from the driver whenever possible. It is essential to have a smooth surface upon which to write this specimen. It will be of little value if it is written on a rough, uneven surface or if it is written from an awkward position. It is important that the driver's signature be obtained so that a comparison can be made in court with the signature on his operator's license. If possible, a phrase or sentence of some length written by the driver should be obtained. If no smooth writing surface is available at the scene, this handwriting specimen should be obtained from the driver at the station while he is being booked. The specimen



should be written on the Alcoholic Influence Report or on other paper which should be identified with the arrest and securely attached to the Alcoholic Influence Report.

Reaction of the Eyes to Light

This test should be performed last. If given with a flashlight at night before the other tests,



it offers the driver a good defense in that he may claim he was unable to see properly to perform the other tests. A bright light flashed into the eyes of an intoxicated person generally will cause the irises to contract slightly and more slowly than those of a non-intoxicated person. The officer should flash a light into the eyes of the suspected intoxicated driver then, by flashing the same light into the eyes of his partner or of another person who is not intoxicated, compare the reaction with that of the driver's eyes. If the test is given during the daytime, the officer should hold a cupped hand over one eye of the driver, and, upon removing the hand, note the reaction of the iris to light. The operation should be repeated on another person, not intoxicated, and the difference noted. The iris is the colored portion of the eye. The pupil is the aperture in the center of the iris. An expanded iris results in a larger or dilated pupil and a contracted iris results in a smaller pupil.

Unusual Statements or Actions

The officers should note on the form what first

led them to suspect the driver was under the influence of intoxicating liquor. Any unusual acts or statements of the driver during the interrogation or coordination tests should be recorded. The officers should record on the report the exact time the examination was completed and their conclusions as to whether the driver was intoxicated or under the influence of intoxicating liquors.

The Alcoholic Influence Report is thus used to record the officer's observations and the intoxicated driver's responses to questions. As the City Attorney uses this information and the Arrest Report as a basis for filing the complaint, it is important that the information be recorded as accurately and completely as possible.

Acknowledgments

Material used in writing this chapter was submitted by Mr. Boyd Taylor, Chief Deputy City Attorney; Mr. Roland Wilson, Deputy City Attorney, Criminal Division, City Attorney's Office; Sgt. Sid Mills, Traffic Training Unit; Sgt. Tom Reddin, Training Division; Sgts. Don Martin and Merrill Tripp, Analytical Unit, Special Services Section, Traffic Bureau.

The Mentally Ill

How to Handle Mentally Ill Persons

Legal

THIS section treats of the legal provisions of calls involving mentally ill persons. Subsequent material will cover *field procedures* in responding to mental case calls.

Today science recognizes mental illness as a condition which can result from the rigors of everyday life just as easily as it can from organic disturbances. Mental illness is not necessarily inherited, any one of us under certain conditions might become mentally ill just as readily as we might become physically ill.

Civil Cases

The Welfare and Institutions Code, Sec. 5040a describes mentally ill persons as those who are of such a mental condition that they are *in need of supervision, treatment, care, or restraint*. They do not necessarily come under police regulation, but as a matter of public relations the Hospital Division can advise concerned relatives of the civil action that may be taken.

Police Cases

Welfare and Institutions Code, Sec. 5040b applies to mentally ill persons who, without supervision, treatment, care, or restraint, *may be or might become DANGEROUS to themselves or to the person or property of others*.

Criminal Actions by Mentally Ill Persons:

Whenever a mentally ill person commits a felony he must be charged with the appropriate Penal Code violation and must be booked at the division of arrest. In this instance the suspect *should not* be transported to the Hospital Division as this would strengthen any plea of not

guilty by reason of insanity he might make later. It is not within the province of the policeman to adjudge a felon's sanity—that is within the jurisdiction of the court only.

Filing a Mental Petition

Welfare and Institutions Code, Sec. 5047 provides that anyone may file a petition in the Superior Court (locally through the Psychopathic Division of the County Clerk's Office, 205 South Broadway) alleging that there is a mentally ill person in the county who is in need of care. *If acting with good intent* when filing a petition, the following persons *cannot be rendered liable, criminally or civilly*:

1. Any peace officer.
2. Probation officer.
3. Physician attending a patient.
4. Physician attached to a public hospital or institution where the person is a patient.
5. Legal guardian.

Obtaining a Mental Petition

Petitions may be issued by.

1. Any magistrate.
2. Psychopathic Division of the County Clerk's Office, 205 South Broadway.
3. Hospital Division between 5:00 P.M. and 8:00 A.M. (when the Psychopathic Division of the County Clerk's Office is closed). For the purpose of signing mental petitions, the members of the Hospital Division are Deputy County Clerks.

Filing a Stimulant Petition

Any alcoholic, who has lived in California for two or more years and wishes rehabilitation, may obtain treatment from the State by voluntarily signing his own stimulant petition at the Psychopathic Division of the County Clerk's Office, 205

Field Procedure

This material reflects general field procedure in the actual handling of mentally ill persons. The previous lesson covered legal aspects of the same subject.

The proper handling of a mentally ill person by the officer provides an excellent opportunity to build up good public relations within a distraught family group. The officer should treat a patient the same as he would a person suffering from a physical illness, remaining constantly alert, however, because a mentally ill person's actions cannot be predicted and he may suddenly become very violent.

Answering a Call

Upon receiving a call regarding an alleged mental case, the officer should first survey and analyze the situation. If the mentally ill person is one who, without supervision, treatment, care, or restraint, *may be or might become DANGEROUS* to himself or to the person or property of others, it is the officer's duty to bring him to the Hospital Division, Room 5, 1335 Georgia Street. If the officer is undecided at the scene, he may telephone Station 2680 for advice.

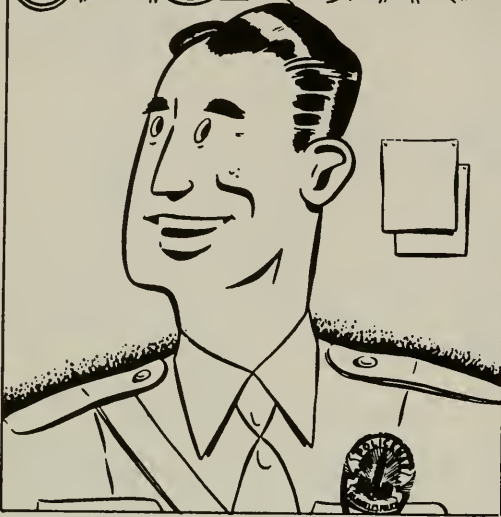
Private Property: In answering a call regarding a violent mental case, the officer should not hesitate to enter private property. It is the duty of a policeman to protect life and property, regardless of whether that property is private or not. Make a forced entry if necessary when it is *known* that a *violent* mental case is locked inside.

Render Assistance

An officer may render assistance by means of restraining the mental patient when necessary to assist a qualified physician and surgeon in the administration of a hypodermic injection.

Mentally Ill Person on the Street: When an officer observes an uncared for, mentally ill person on the street, he should attempt to locate a relative or other person to whom the patient may be known. When the mental case is obviously not a police problem, he should be released to such persons. However, if it appears that the mentally ill person *is, or might become,*

OFFICER SHARP



Officer Sharp Says:

An officer's attitude and demeanor in cases involving mentally ill persons leave a lasting impression.

An understanding considerate, and efficient manner reflects credit upon the policeman and his profession.

South Broadway. Petitioners should be screened by the Hospital Division before being referred to that agency, however.

DANGEROUS, he should be brought to the Hospital Division, accompanied whenever practicable by a relative. The case history which the relative may be able to furnish is invaluable for purposes of identification and diagnosis, and it expedites the release of the patient if he is not a police problem.

Cases Which Should Be Brought to the Hospital Division

A. Any person, not properly cared for, whose actions are not normal, and who appears to be in such a mental condition that he needs assistance.

B. The following persons, not properly cared for, who by their actions indicate that they may be mentally ill:

1. Those sustaining a serious injury, severe head blow, etc.
2. Those having a high fever.
3. Those suffering from amnesia.
4. Aged persons suffering from travel fatigue.
5. Epileptics.
6. Escapees from mental hospitals.
7. Parolees from mental institutions and probationers from the Psychopathic Division of the Superior Court whose mental behaviour is questionable.

Epileptics

Epileptics are usually not mentally ill persons. Epilepsy is a nervous disorder. It is, in some cases, coupled with a mental disorder. In handling an epilepsy call, loosen the victim's clothing and prevent his injuring himself against hard surfaces. See that he has not swallowed his tongue. If he has, pull his tongue back into his mouth so that he will not strangle, using care to avoid being bitten. Insert a stick or rolled handkerchief into his mouth to prevent him from biting his tongue. See that his nasal passages are clear. An epileptic may become violent, therefore handle him with as much restraint as possible. Remove the victim from the street as soon as possible and *always transport by ambulance*. If the epileptic is carrying a driver's license, the Department of Motor Vehicles should be notified by their receipt of a copy of the Miscellaneous Injury Report, Form 3.15 (), with a note thereon indicating that the epileptic has a driver's license. Do not take his license. It will be later revoked by DMV.



Officer Sharp Says:

An alert policeman anticipates the unpredictable thoughts and actions of a mentally ill person. He treats the patient with understanding and consideration, remembering, however, that the use of protective restraint is often necessary.

Transporting Mental Patients

The officer should avoid hurting mentally ill persons, but at the same time he should prevent their injuring him. The actions of such persons

are unpredictable and the officer must be constantly alert. A policeman may use as much force as is necessary in restraining a mental patient. If an officer needs assistance to get the patient under control, he should not hesitate to call for aid. Whenever restraining straps are not available, handcuffs may be used to prevent the mentally ill person from injuring himself or others—care should be exercised, however, to prevent the “cuffs” from unnecessarily bruising. A mental patient should never be allowed to ride in the car in a seat by himself. If he is accompanied by a relative, the relative should sit in the front, while the patient rides in back with an officer.

Disposition

When required, a mental petition will be issued by the Hospital Division (night and morning

watches when the Psychopathic Division of the County Clerk's Office, 205 South Broadway is closed). The officers who have taken a mentally ill person into custody should transport him to the Psychopathic Ward of the General Hospital, 1100 North Mission Road. During the day watch (8:00 A.M. to 5:00 P.M.) the transporting officers should secure the petition from the Psychopathic Division of the County Clerk's Office while enroute to the General Hospital from the Hospital Division.

Mentally Ill Juveniles

Procedure same as for adults.

Acknowledgments

Material used in writing this chapter was submitted by Lt. Joseph F. Quinn, Commander, Hospital Division.

Civil Disturbance Control

How to Control Civil Disturbances

Legal Aspects

ONE OF the primary responsibilities of the police is the preservation of life and property. Every citizen has an equal right to this protection without regard to his race, creed, political view, or whether he represents management or labor. Police action at the scene of any civil disturbance must be non-partisan. The law must be enforced equally against all violators. In the control of civil disturbances, one of the basic requisites of the peace officer is a thorough understanding of his powers, duties, and limitations. The following statutes are basic essentials for this understanding.

Civil Disturbances

Civil disturbances are displays of mass unrest or tension which take the form of demonstrations or rioting. Such disturbances may be caused by agitators, racial strife, controversies between employees and employers concerning wages or working conditions, unemployment, lack of housing or food, or other economic or social conditions. Such demonstrations may be in the form of a crowd or a mob. A crowd is a large number of persons in a close body without organization. A mob is a crowd whose members, under stimulus of intense excitement, have lost their sense of reason and respect for law and order.

Statutory Provisions—Penal Code

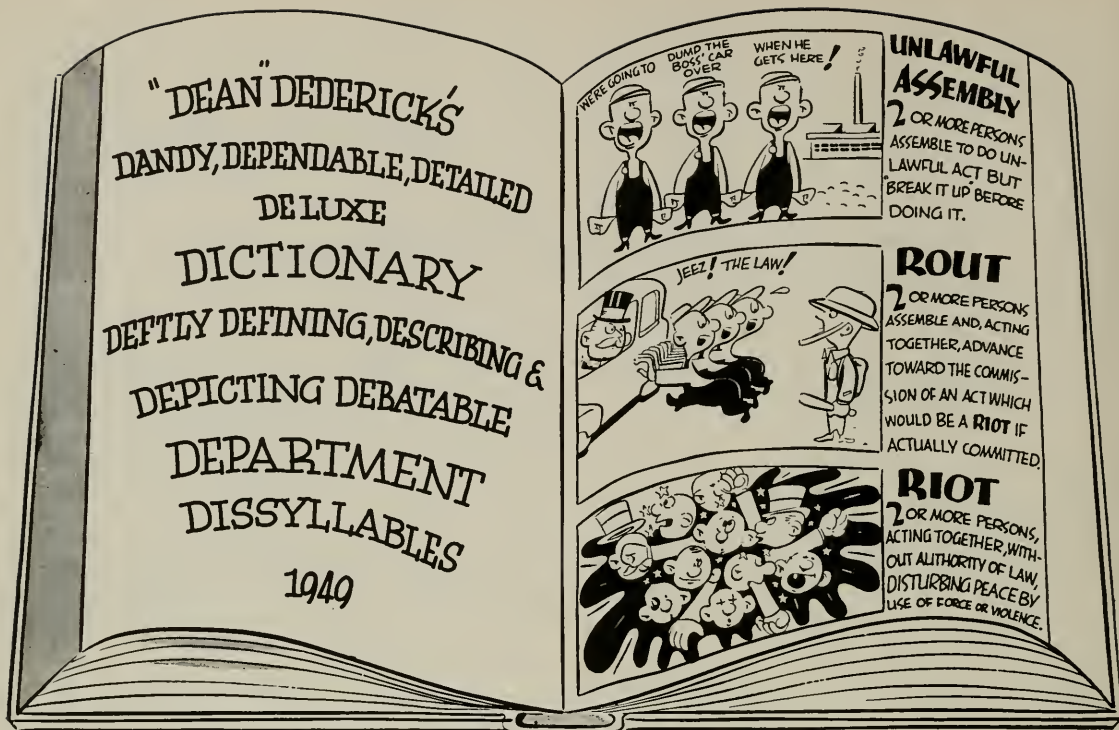
Unlawful Assembly: "When two or more persons assemble together to do an unlawful act, and separate without doing or advancing toward it, or should they do a lawful act in a violent, boisterous, or tumultuous manner, such assembly is an unlawful assembly." (Section 407 P.C.)

Rout: "Whenever two or more persons, assembled and acting together, make any attempt or advance toward the commission of an act which would be a riot if actually committed, such assembly is a rout." (Section 406 P.C.)

Punishment—Rout and Unlawful Assembly: "Every person who participates in any rout or unlawful assembly is guilty of a misdemeanor." (Section 408 P.C.)

Riot: "Any use of force or violence, disturbing the public peace, or any threat to use such force or violence if accompanied by immediate power of execution, by two or more persons acting together without authority of law, is a riot." (Section 404 P.C.) It is a misdemeanor for any person to participate in a riot. (Section 405 P.C.) "Every person remaining present at the place of any riot, rout, or unlawful assembly after the same has been lawfully warned to disperse, except public officers and persons assisting them in attempting to disperse the same, is guilty of a misdemeanor." (Section 409 P.C.) "If the persons assembled do not immediately disperse, the officers must arrest them, and to that end may command the aid of all persons present or within the county." (Section 727 P.C.) The fact that the civil disturbance occurs upon any private property does not prohibit the officer from taking the same action that he would if the disturbance occurred on public property.

Lynching: Lynching is the taking by means of a riot of any person from the lawful custody of a peace officer. Every person who participates in any lynching is guilty of a felony. (Section 405b P.C.)



Disturbing the Peace: Every person who maliciously and willfully disturbs the peace or quiet of any neighborhood or person by loud or unusual noise, or by tumultuous or offensive conduct, or threatening, traducing, quarreling, challenging to fight, or fighting . . . or uses any vulgar, profane, or indecent language within the presence or hearing of women or children, in a loud and boisterous manner, is guilty of a misdemeanor. (Section 415 P.C.)

Civil Disturbances

The possibility of civil disturbances getting out of control is as great in this city as in any other major metropolitan area. However, a review of the manner in which they have been restrained is convincing proof that this department has been exceptionally successful in handling the problem efficiently and effectively. This success may be attributed to expert leadership and qualified policemen.

Nothing is more important to each officer at the scene of a major disturbance than an adequate knowledge of the law and a good understanding of human behavior. It is essential that every officer be familiar with and understand the

legal provisions that dictate the scope of his authority and responsibility at the scene of a civil disturbance. In those cases which result in criminal trials, it is important that the policeman display a fair and unbiased attitude.

Statutory Provisions—Penal Code

Restraining Order: Any person who willfully disobeys any process or order lawfully issued by any court is guilty of contempt of court—a misdemeanor. (Section 166-4 P.C.)

Dispersal Order: In dispersing an unlawful or riotous assembly, an officer must go among the persons assembled, or as near them as possible, and command them in the name of the people of the state immediately to disperse. (Section 726 P.C.) A proper dispersal order is:

This is John Doe (officer's name), a peace officer of the State of California and a police officer of the City of Los Angeles. I do hereby declare this an unlawful assembly and, in the name of the people of the State of California, I command you immediately to disperse.

It is necessary that an order to disperse be given as provided by Section 726 P.C. before a person can be guilty of violation of Section 409 P.C.

**Statutory Provisions—Los Angeles
Municipal Code**

Blocking of Sidewalk: "No person shall stand or sit in or upon any street, sidewalk or crosswalk in any manner so as to hinder, or obstruct the free passage of pedestrians thereon, or to annoy or molest such pedestrians." (Section 41.18a L.A.M.C.)

Blocking Entrance, Exit, or Approach: "No person shall block, impede or obstruct any public place or any entrance, exit or approach to any place of business in or upon any public place in a manner calculated or with the intent to prevent, delay, hinder or interfere with the free passage therealong or therethrough of any other person who is entering, occupying or leaving any place of business, or who is performing any

services or labor, or who is seeking of obtaining employment, or who is purchasing, selling, using, delivering, transporting or receiving any goods, wares, merchandise, services, entertainment, accommodations or articles, or who is attempting or seeking to do any of the foregoing, or to prevent delay, hinder or interfere with the free passage therealong or therethrough of any vehicle or conveyance operated by or in the custody of any such other person or in which any such other person is riding or attempting to ride." (Section 10, Los Angeles City Ordinance 80, 170.)

Court Testimony

Strikes generally are indications of conflicting issues between two different interests. Those concerned, as well as large sections of the public, often *do* have strong emotional feelings regarding





the facts in dispute; therefore, it is essential that the officer testifying in court convey his unbiased observations of circumstances related to an arrest. Whenever such issues of public interest are in dispute, the courts are particularly sensitive to testimony which appears prejudiced.

"Major 415"

A disturbance caused by a *group* of persons unlawfully assembled or fighting is described by the Communications Division as a "major 415." These disturbances might range from a small barroom "brawl" to a race riot involving hundreds of persons. These calls are assigned to all police units in the vicinity and to one unit specifically. While individual circumstances will indicate what measures should be taken by the officer at the scene, he should be thoroughly familiar with the basic principles of mob dispersal. The initial actions of the first police unit to arrive are of extreme importance and, if proper procedures are followed, may prevent a riot.

General Procedures

Before approaching the immediate scene and taking action to control a "major 415," the first police unit to arrive should survey the situation

from a strategic location. When a course of action has been decided upon, officers should not become engaged in argument with members of the group but should disperse it with dispatch or make arrests. If arrests are to be made, attention should be given first to taking the leaders of the disturbance into custody. By this action the source of agitation is generally eliminated. A leaderless group can usually be readily controlled.

Requesting Assistance

If few persons are involved, one or two police units should take action without delay. However, when a large mob is engaged in hand-to-hand fighting, it would be unnecessarily dangerous for two members of a police unit to attempt to effect a dispersal. In this instance, the first officers to observe the disturbance should stand by, away from the immediate scene, and request the Communications Division to dispatch assistance. The officers should use the radio to summon aid rather than expect other units to arrive in response to the "all units" call as there may be no other cars available in the area. The Communications Division should be informed immediately of the nature of the disturbance, the approximate number of persons involved, whether or not any weapons are evident, and any other

information which may indicate what measures may be required to control the mob. Communications Division should also be informed when no further assistance is needed.

Procedures at the Scene

After sufficient units arrive to handle a "major 415," the officers should proceed to the scene, leaving the police vehicles together where they may be protected by an officer (or officers) detailed to guard them. The approach should be made in a close group and batons should be drawn. Such a "show of force" by well-trained, determined, confident body of policemen will have a deterring effect upon a mob or riotous assembly. An officer's demeanor must be *rational*, *reasonable*, and *impartial*. Force should be used only when necessary to overcome force. To keep the conflict from spreading, that part of it actually engaged in fighting should be isolated from the spectators insofar as possible. In some instances, officers have effectively controlled a major disturbance by directing their actions toward individuals rather than toward the entire mob. A mob, feeling secure in numbers, is less apt to cooperate than is an individual of the group. Mob hysteria may develop to such a degree that the use of gas may be necessary to effect dispersal.

Source of Disturbance

The officers must be quick to sense the cause of dissension and the group response, and to determine which individuals are the agitators. Should mob violence be directed toward a relatively few individuals, their removal from the area may, in some instances, overcome the disturbance more effectively than would a dispersal order. In some cases, arresting or removing the agitators who "by tumultuous or offensive conduct, threatening, traducing, quarrelling, challenging to fight, or fighting, willfully disturb the peace or quiet of any neighborhood or person,"¹ will prevent a riot.

Resisting an Officer

Section 148 P.C. provides that every person who willfully resists, delays, or obstructs an

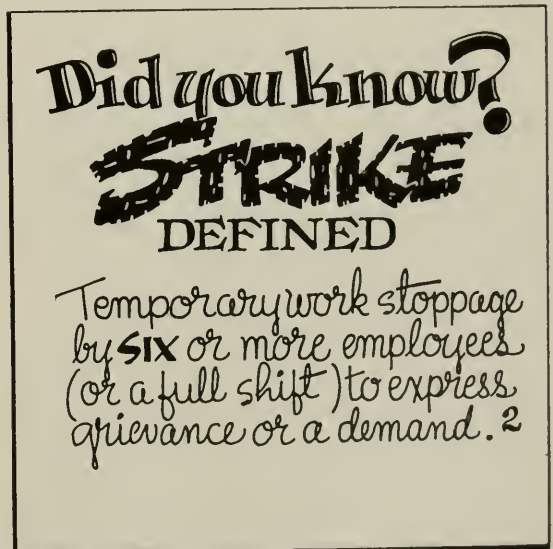
officer in the discharge or attempt to discharge any duty of his office is guilty of a misdemeanor. Arrests may be made under this section in instances where persons impede an officer by preventing or attempting to prevent his making a valid arrest, etc.

Riot

If a mob becomes riotous and the officers are unable to restrain it, the field supervisor, or senior officer if no supervisor is present, should declare it to be an unlawful assembly and command the rioters to disperse immediately in the name of the People of the State of California. The officer giving the dispersal order should speak in a loud, clear voice so that each rioter will be aware of and fully understand the command. An officer stationed at the farthest fringe of the group can later corroborate that the order was given in such a manner that it was easily understood by him. After a reasonable time has elapsed, those who remain present at the scene, particularly the leaders, should be taken into custody and booked for violation of Section 409 P.C., "Remaining Present at Place of Riot After Warning to Disperse."

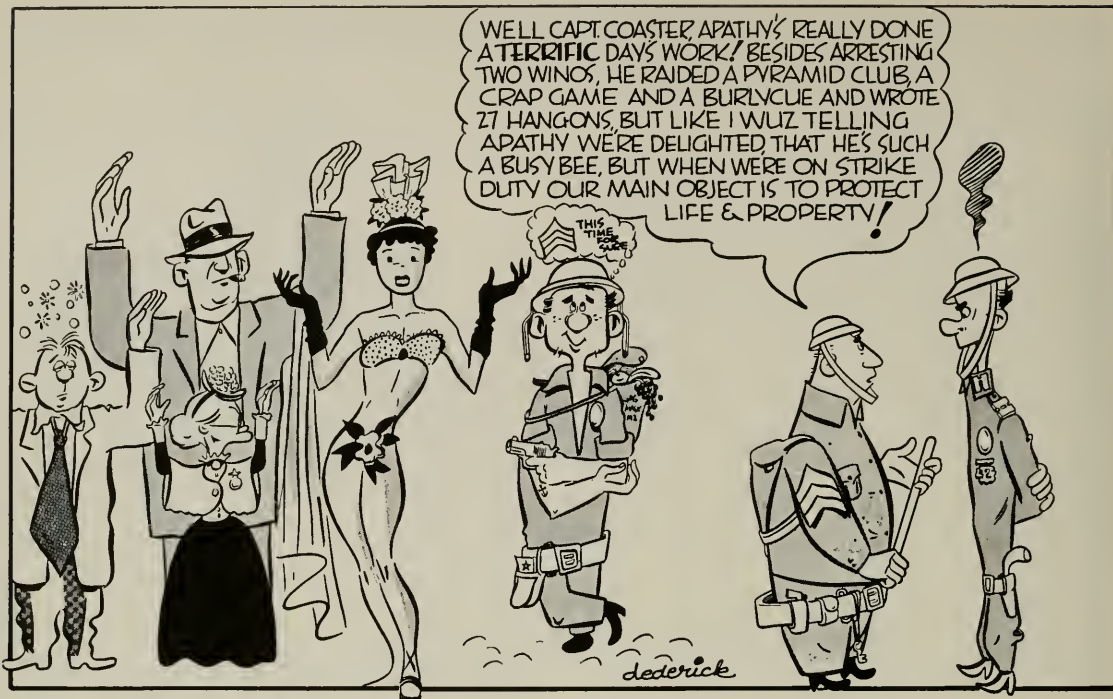
Strikes

To peaceably assemble for their common good is an inalienable right of a free people. Unfor-



² *Handbook of Labor Statistics*, U.W. Bureau of Labor Stat., 1947, p. 134.

¹ Penal Code, Section 415.



tunately, sometimes there are forces at work which attempt to incite a crowd to mob action. An officer at the scene of a civil disturbance must be alert constantly to the temper of the group. Whenever a domestic disturbance becomes an unlawful assembly, rout, or riot, it is mandatory that a police officer use all lawful means to suppress it.

Preparation for Strike Duty

An officer assigned to strike duty shall have in his possession a gas mask, helmet, and baton and, in inclement weather, rain equipment. Neckties and shoulder straps may be removed only at the direction of the field commander; however, the shirt shall be fully buttoned at all times.³

Attitude and Demeanor

Policemen working a strike over a long period of time tend to fraternize with either pickets, management, or both. This practice should be avoided so that the officer's perspective will at all times be entirely objective and impartial. Because of the adverse effect it would have on the opposite group, the officers should not accept even a small gratuity such as coffee and dough-

nuts from either faction. Uniformed officers should refrain from smoking, eating, or card playing while they are in public view at the scene of a picket line. These acts imply relaxation, and the public expects a policeman to have an alert, military bearing when he is on duty. Taunts, curses, or other minor annoyances directed at an officer should be disregarded. However, a policeman should be alert constantly for missiles thrown at him or others by someone in the vicinity. In the event an assault is witnessed by the officer, he should arrest the perpetrator immediately. If property damage results from a striker's actions witnessed by an officer, an immediate arrest should be made, and the violator should be booked for malicious mischief. The victim should be interviewed at once and all information necessary for a crime report and complaint secured. If practicable, the victim should be the complaining witness.

Duty

One of the primary duties of officers at the scene of an industrial strike is to keep plant entries and exits open. Anyone wishing to enter or leave should be able to do so. Policemen stationed between the picket line and the building

³ *Personnel Manual, L.A.P.D., Sec. 514(b).*

being picketed will normally be able to maintain a clear passageway. When it is necessary to part a picket line to permit entry, officers should stand between the pickets and the persons entering. Workers' cars or delivery trucks should be directed through the picket line so that an incident may not be willfully provoked. This method of deployment and conduct of officers usually prevents property damage and personal injuries that may be caused by panic-stricken drivers.

Officers assigned to strike duty should keep in mind that their main objective is to keep the peace and to protect life and property. Petty grievances, illegal parking, etc. should usually be overlooked. If necessary, the traffic or patrol unit in that district may be summoned to handle minor violations. If a picket has been drinking, and because of his condition may cause trouble, the picket captain should be advised that the picket will be arrested for being drunk in public view if he is not removed and taken home.

General Instructions

Officers working strike duty should:

1. Obey all lawful orders and execute them with snap, confidence, and precision.
2. Remain calm and quiet.
3. Disregard taunts, curses, and other minor annoyances.
4. Treat all problems in an unbiased and unprejudiced manner, and enforce laws equally and fairly.
5. Use only necessary force. Unjustified acts of violence will bring discredit and embarrassment to the Department.
6. Continue with the principal police objective of effecting a dispersal rather than stop to administer first aid to rioters who may have minor injuries.

Officer's Attitude Is Important

Mob response to any real or fancied grievances has been quick to turn against officers working strike duty. The actions of both factions in an industrial dispute are affected by feelings of frustration, loss, persecution, and insecurity. The officers should, therefore, take pains to see that none of their actions may be misinterpreted to indicate any trace of partiality. Likewise, grouping to talk, or smoking in public view, by policemen at the scene indicates relaxed vigilance and might influence a desperate mob to attempt violence against the person or property of the opposition.

Altercation between Police and Strikers

If an officer is attacked by strikers, other policemen should go immediately to his assistance. Care should be exercised, however, that the over-all tactical deployment is not seriously weakened.

Force

The use of *excessive* force by officers in dispersing a group of rioters or in effecting arrests is not only unlawful but poor strategy. Such actions often result in spontaneous and active resistance by the mob. Unnecessary force used against rioters antagonizes them and decreases the officers' effectiveness in accomplishing their objectives.

Altercation Resulting in Death or Injury

In all instances where an officer or a rioter is killed or seriously injured in a civil disturbance, the following procedures must be followed.⁴

1. All persons whose proximity to the scene would enable them to witness the event shall be contacted, immediately separated, and taken to the reserve post which will normally be established a few blocks from a major disturbance. If a reserve post has not been set up, these witnesses should at the direction of the field commander be taken to the police station of the division in which the death or injury occurred.
2. All physical evidence shall be collected and marked for future identification. To prevent contamination or loss, it should whenever possible be personally delivered to the reserve post by the concerned officer. So that an object may be introduced properly in court as evidence, each officer who has possession of it should give attention to tracing its "chain of custody." He should record sufficient information which will enable him to establish where, when, and from whom he received the evidence.
3. When possible, photographs and accurate measurements of an evidentiary nature shall be taken by *police personnel* at the scene. Photographs taken by newspaper photographers or other persons may not be admissible in court.
4. Members of the Department who are material witnesses must report to the reserve post.

Violation of Court Order

Temporary injunctions and restraining orders directed to strikers are served by a Sheriff's civil deputy. Immediately before a restraining order is broadcast over a police amplifier, officers should

⁴ *Civil Disturbance Control Training Manual, L.A.P.D., Sec. VII.*

deploy in a manner which will permit individuals to leave but not enter the area. Other officers should be stationed approximately fifty feet beyond this area, farthest from the amplifier, to verify that the broadcast can be heard. The restraining order should then be read in its entirety. Following the broadcast the pickets should be given a reasonable time (about 10 minutes) to comply with the order. After the designated time limit has elapsed, an announcement should be made that the time is up. This will refute a defense that strikers did not have sufficient time to leave the area. Arrests should then be made so that only the number of persons authorized by the injunction are permitted to remain in the picket line.

Arrests—at Strike Scenes

Minor crimes against the person and profanity in the presence of women or children should be handled by a citizen's arrest whenever possible rather than as an arrest by a witnessing officer. Practice indicates that prosecutions are most successful when a citizen makes the arrest. Whether or not mass arrests are to be made will be indicated by the field commander.

So that an arrestee may be properly identified

later, two officers should effect an arrest when it is made for rioting, violation of a court order, etc. When so ordered by the Chief of Police, the Field Arrest Report, Form 5.2.2 (), will be used. In cases of mass picketing, officers will be detailed to receive and transport arrestees. Whenever possible, two officers should make each arrest and their names should appear on the Arrest Report. As a further means of identification, the arresting officer shall cause plain, inked impressions of the fingers of the arrestee's right hand to be made on the reverse side of the original Field Arrest Report. One of the arresting officers shall place his own right thumbprint below the fingerprints of the arrestee. Inking equipment will usually be furnished in the field for this purpose. Arresting officers should be particularly observant of the physical characteristics of a defendant so that he may be later identified in court.

Reports

In addition to the elements of a specific offense, all other related facts should appear on the arrest report. Departmental procedure prohibits multiple bookings of the same individual; however, facts obtained from the arrest report are a basis upon which the City Attorney may issue additional complaints.

Evidence

Frequently, officers at the scene of a riot lose sight of the necessity for adequate proof to support each arrest. The excitement and confusion of a major disturbance make this task most difficult. Proper physical evidence and admissions secured at the time of arrest are of great importance in a later criminal prosecution of a defendant. This same evidence may be used in defending a possible civil suit against an officer for false arrest.

Types of Evidence of Violations Arising Out of a Strike

The type of evidence that will prove a violation at the scene of a strike depends upon the circumstances peculiar to each case. The following list indicates general violation evidence:

1. Signs, banners, and placards carried by pickets.
2. Armbands worn by pickets.

Form 5.2.2
6-12-47

LOS ANGELES POLICE DEPARTMENT
FIELD ARREST REPORT

Charge: (Print) PC 166-4 (WILLFUL DISOBEY TO CT. ORDER)

Time: 11:35 AM Date: 24 MAR. 49 Bkg. No. _____

Person Arrested: (Print) MALLKONTENT MALCOMB R.

Address: 164 FOMENT ALLY City LA.

Arrested at: 415 PICKETT (FRONT) Radio Dist. 151

Arresting Officer: STONEWALL SHARP Serial No. 2345


Officer: KUFFWORTHY KATCHEM Serial No. 3443

Division: COSMOPOLITAN Detail: F.

Statement of Arrestee: "SURE I WAS IN THE LINE -- IF I WASNT THE B.W.V. WOULD FINE ME."

Names and Addresses of Victims and Witnesses: _____

Details: OFFICERS OBSD DEFT. IN PICKET LINE AT ABOVE LOCATION DURING READING OF RESTRAINING ORDER. HE MADE NO ATTEMPT TO LEAVE & WAS TAKEN INTO CUSTODY TWENTY MINUTES AFTER THE ORDER WAS BROADCAST.



Evidence: PICKET INSTRUCTION PAMPHLET, TAKEN FROM DEFT'S RT. HAND; I.W.V. ARMBAND REMOVED FROM DEFT'S RT. ARM.

Medical Treatment? NONE

Where Treated? NONE

Received by Unit No. 151-B Time 11:45 AM

Transporting Officer: J. HALLEM Serial No. 2938

3. Picket instruction leaflets found on a striker's person. During a recent major strike, innumerable papers containing printed instructions to pickets were found on the street. These instructions were in direct violation of a previously issued injunction and if found in possession of a violator would have been excellent physical evidence to establish willful disobedience of the court order. However, none of the arresting officers booked any leaflets found on the persons of arrestees, and, since it was impossible to connect the discarded leaflets with any of the defendants, it was later held that this evidence was improperly admitted in court.
4. Weapons found on the person of a striker.
5. Newspapers which report a temporary injunction or restraining order, when found on the person of an arrestee. Any evidence is useful which might indicate the defendant's knowledge of his unlawful acts or his preparation to participate in them.
6. Photographs. In most cases the officers in charge will have photographs of the scene made by a police photographer. A photographic record is invaluable in establishing a defendant's presence. It also provides the officer with a means of refreshing his memory of the appearance and actions of the individual. A photograph must be identified by the cameraman or by someone who is qualified to state from his own knowledge that the picture is an accurate representation of the scene.
7. Admissions and confessions. Some officers in making an arrest for violation of a court order merely book the offender without even a casual conversation with him about the reason for his presence. In response to an indirect question such as "When you knew there was an injunction against your being here, why did you participate?" the arrestee might make a valid admission. He might indicate by his reply that if he had not attended he would have been fined by the union. Such a statement is relatively easy to obtain and may prove very useful in a later prosecution.
8. Statements, threats, conversations, or acts of pickets so closely related to an offense as to become a part thereof (res gestae).

Identification of Evidence

A particular item of evidence is valueless unless it may be connected with a specific individual. Therefore, all evidence should be marked by the officer so that he will be able later to determine from whom, where, and under what circumstances he obtained it. This marking should be sufficiently complete so that a transporting officer may properly tag the evidence at the division in which it is booked. Those items of evidence which are the property of the arrestee

should be listed on the Field Arrest Report, Form 5.2.2 ().

Field Notes

The most common criticism of police activities in the field during a civil disturbance is that the officers do not make an adequate record of the occurrence. An arresting officer should be able later to identify the defendant and recall the details of the offense. To assist in identifying a defendant in court, one of the arresting officers in each instance should record in his memorandum book the name and physical description of each arrestee. Other notes should indicate where, when, and why the defendant was arrested, what physical evidence was obtained, the defendant's pertinent statements, his demeanor, when and where the officer observed the defendant in the picket line, and any other applicable information. Conversation which takes place between two or more persons prior to their arrest and which indicates an intent to commit an unlawful act is admissible as evidence.

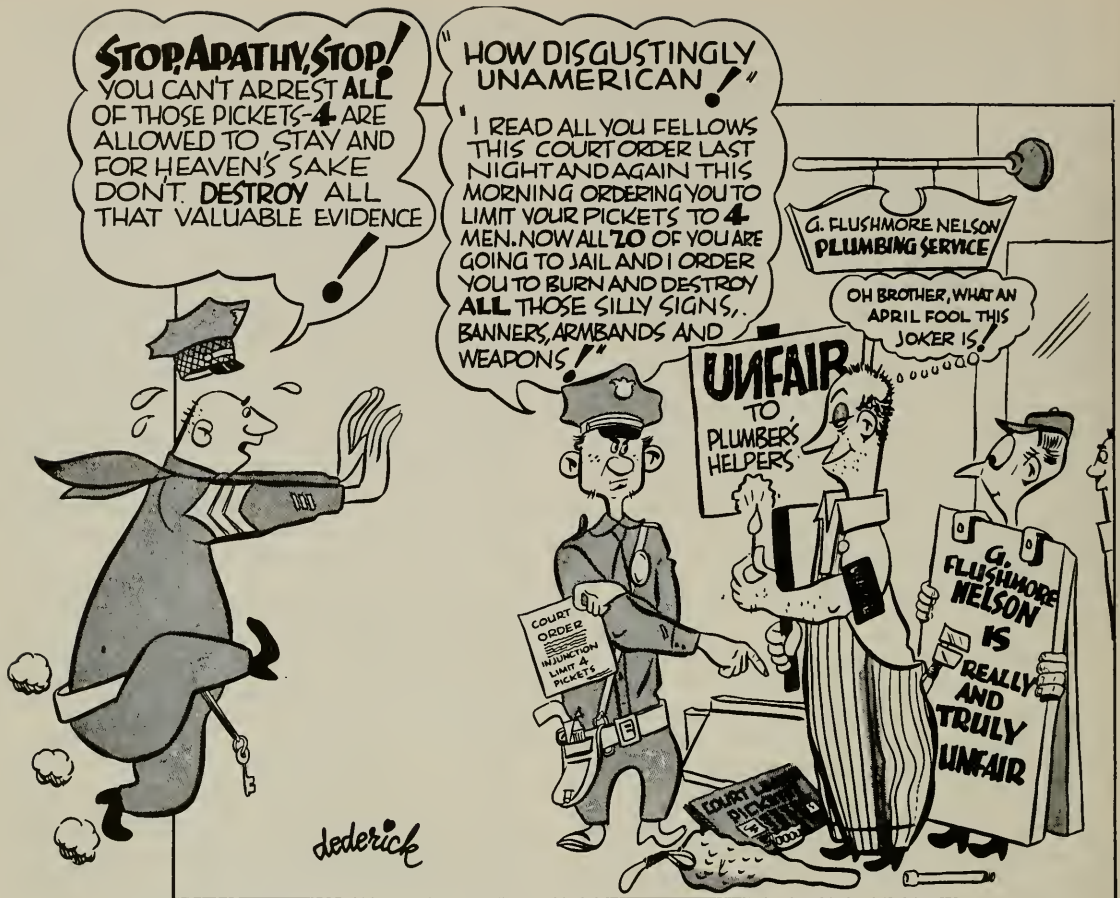
Chemical Agents

The object in using gas in controlling large disturbances is to create confusion among the rioters, disperse them, and facilitate the making of necessary arrests. The most humane method that may be employed by law enforcement agencies in breaking up unlawful assemblies which cannot be dispersed without the use of force is the proper and timely use of tear gas. It is a particularly effective method of preventing extensive property damage, serious injury, and bloodshed. The hazards of hand-to-hand encounters between police and strikers may be minimized or avoided by this method of riot control.

The public often associates any gas with the toxic agents employed in warfare; therefore, the indiscriminate use of non-toxic gases may arouse resentment to otherwise acceptable police procedures.

General Use of Chemical Agents against Mobs

An entire mob must be subjected to a concentration of gas which is sufficiently heavy and prolonged to accomplish dispersal. The size of



the group, the area occupied by it, and the strength and direction of the wind are factors which should be considered in determining the amount of gas to be used. Sufficient gas must be released to cover the entire area occupied by the mob which must be routed. Rioters affected by gas will offer a minimum of resistance to the follow-up arrest actions of officers equipped with batons and gas masks.

Wind currents may be used advantageously to spread the gas effectively, to cause it to penetrate buildings, and to move it around corners and over barricades. In many instances, a mob will be in an open area with no stabilized position and may attempt to reassemble after moving away from the gassed area. If each individual in the group is to be eliminated from participation, he should be made to suffer the discomforts of the gas. Sometimes, however, a group not yet affected by the gas may disperse when a gaseous cloud appears. The mere smell of an ineffective, light

mixture of gas may have the desired effect upon some individuals.

Tear Gas (CN)

Tear gas has a blue-white, smokish appearance and a strong, sweet odor. It causes the eyes to smart, burn, and water and affects the nose and throat. The effects last from five minutes to half an hour, depending upon the length of time a person has been exposed to the gas and its concentration. Should an officer become gassed, he should leave the contaminated area, face the wind, and *refrain* from rubbing or wiping his eyes. An eye wash of one-half teaspoon of baking soda in a glass of warm water may be used for relief.

Effective Use of Tear Gas

Several years ago tear gas was effectively used in dispersing a riot inside a large downtown auditorium. Members of a certain organization

had leased this auditorium for the purpose of holding a meeting but their lease had been cancelled prior to the day of the meeting. They entered the auditorium by means of force and a riot ensued which resulted in property destruction and the injury of several persons. Fixed seats made it impossible for the police to disperse the mob by physical contact alone. However, after tear gas was used, the mob was quickly dispersed and the disturbance was brought under control. This action by the police prevented the serious injury of additional persons and averted further property damage.

Sickening Gas (DM)

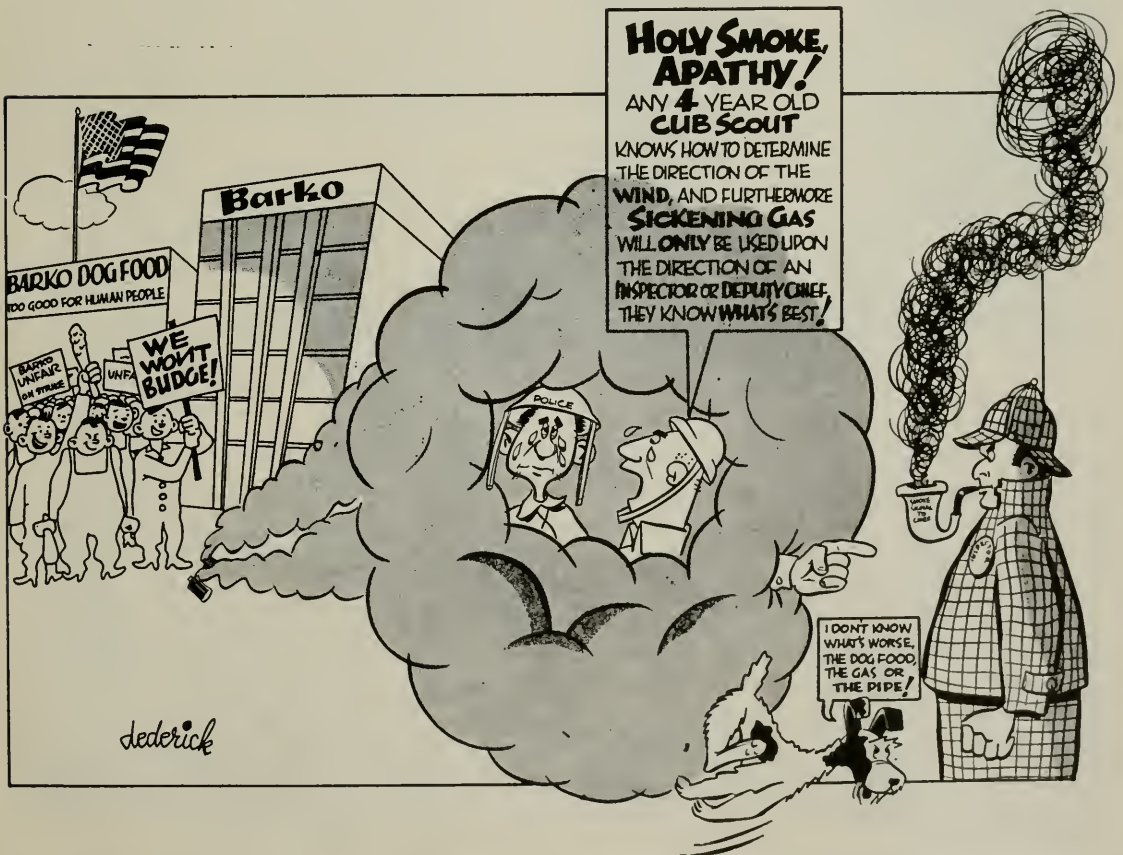
Sickening gas has a cloudy, yellow appearance and a smokelike odor. At the onset, it causes sneezing and coughing, then choking and gasping, and finally nausea and uncontrollable vomiting and diarrhea. Severe exposure will frequently cause collapse and fainting. The disabling effect of this gas lasts longer than that of tear gas, and

complete recovery requires from 24 to 72 hours.

Sickening gas should be used *only upon the direct order of the field commander*, who usually is a Deputy Chief or an Inspector. It should never be used where innocent persons are apt to become victims. The seriousness of the disturbance and the length of time the rioters must be disabled are factors which must be considered in determining when this gas should be used.

A victim of sickening gas should be removed from the contaminated area. He should be placed in a prone position, with his face turned to one side. Artificial respiration *should not* be applied. The victim should remain absolutely quiet and rest with no physical exertion whatever. A weak solution of salt and water will relieve throat and nasal irritation.

It is essential that the officer know the purpose for which each type of gas grenade is designed. He should be familiar with its construction and operation. A carelessly used gas grenade may provoke a riot rather than disperse a mob.



Spede-Heat Jumbo Grenade

There are tear gas (red metal casing) and sickening gas (green metal casing) Spede-Heat Jumbo grenades. They are equipped with an instantaneous fuse which, when fired, causes the gas to be discharged immediately through openings in the top, sides, and bottom of the container. All of the gas is discharged after twenty seconds. It is difficult for unprepared rioters to throw these grenades back as they heat to a very high temperature quite rapidly after they are activated. Care should be exercised so that they do not cause fire by coming into contact with inflammable materials.



Triple Chaser Grenade

The Triple Chaser is also manufactured for both tear gas (red metal casing) and sickening gas (green metal casing). The container for this grenade is encircled by two metal bands in contrast to the smooth surface of the Spede-Heat Jumbo grenade.

The Triple Chaser is equipped with a two-second time delay fuse and separates into three sections when the grenade is activated. The end sections scatter laterally about forty feet apart. Each section becomes very hot as it discharges gas. To prevent unnecessary injury to persons against whom it is used, the grenade should be thrown so that the triple chaser action occurs at their feet. In order to achieve maximum spread, however, when it is necessary to place a grenade amid or to the rear of a mob, it should be thrown so that it will separate in the air above the rioters.



Blast Dispersion Grenade

A Blast Dispersion grenade is now available. This grenade, packaged in a silver colored cardboard container with "TEAR GAS" printed in red letters, is made of cardboard with light weight tin ends. The Blast Dispersion type is used only for tear gas. While the tear gas spread by other grenades has a blue-white, smokish appearance because of an added chemical, this type dispels invisible tear gas. A two-second time delay fuse *explodes* the grenade, so that it cannot be thrown back by rioters. It does not generate heat and is non-inflammable.

Recently an officer threw a gas grenade into a group of rioters without removing the arming pin. With the pin properly removed, the grenade was thrown back at the police. It rolled under a bus containing a number of rioters who had been previously arrested. Several of the arrestees were seriously affected by the gas before the grenade could be removed. In a subsequent prosecution, the defendant who had been held in the bus claimed that they had received inhumane and brutal treatment at the hands of the police. Not only did the Department receive adverse publicity, but the rioters related this incident to influence the jury.

Throwing Grenade

The spoon (bouchon), under spring pressure, is locked in place by the arming pin. Pulling the pin allows the spoon, when it is not otherwise held in place, to be thrown from the grenade, permitting the firing mechanism to be actuated. When a grenade is about to be thrown, the officer should, therefore, hold down the spoon with the palm of his throwing hand and remove the arming pin with his other hand. At this point the pin may be replaced and the grenade kept for later use. To avoid the danger of its becoming activated while it is in the officer's hand, care should be exercised that the spoon is held snugly in place when the arming pin is pulled. A grenade is automatically discharged when it is thrown and hand pressure on the spoon is released. An officer should use an underhand throw in tossing a grenade, allowing it to roll off his finger tips. This will cause it to travel through the air without tumbling, and thus assure better placement.

The Gas Grenade as a Counter Weapon

The gas grenade, properly used by an officer who understands its operation and tactical use, can be an effective weapon in assisting police officers in controlling a riot. However, these



grenades may be used as weapons against the police. Officers should be alert for persons equipped with shovels or with leather or asbestos gloves. Persons so equipped are able to throw discharged grenades back at police forces.

Gas Riot Gun

Members of this Department have used the gas riot gun successfully many times in control-





GAS RIOT GUN

ling riots. By using it in conjunction with gas grenades, the greatest tactical advantage can be obtained. Sometimes the mere display of the gas riot gun will have the desired psychological effect of creating confusion and indecision within a mob.

The gas riot gun, which is an essential part of the police arsenal, is designed primarily as a weapon to be used against rioters. Without endangering the lives of innocent persons, it has been successfully employed in capturing armed criminals barricaded in buildings. Use of this weapon to render helpless such criminals, who have an advantage of "cover" and position, has greatly reduced the personal danger to police officers involved.

The 1½" bore, double-action riot gun fires every type of gas shell used by this Department. The gun has an adjustable sight which may be set for 50, 75, and 100 yards. The breech is gas tight and is equipped with an ejector.

As soon as practicable after the gun has been used, it should be cleaned by placing the barrel into a solution of bi-carbonate of soda and boiling water. Nitro solvent or benzine may be used if hot water is not available. After the gun has been dried, it should be well lubricated with gun oil.

Normally, a fired shell can be easily removed manually after the action of the gun has been "broken." A shell which cannot be removed in this manner may be ejected by forcing a baton through the barrel from the muzzle.

Short Range Shell (CN)

The short range shell discharges a heavy cloud of tear gas from the muzzle of the gun. There is no projectile and only the wadding and gas are discharged. The extreme range of the



SHORT RANGE SHELL

under still, dry air conditions is approximately 40 feet. The blast spreads to a width of 20 to 30 feet. To avoid the possibility of blinding a rioter by part of the blast, it should not be discharged so that it will strike him above the waist. For the greatest effectiveness, the blast should be fired at the "target" from a distance of not more than 15 feet.

During a recent riot, 60 police officers were confronted by 2500 rioters who defied attempts by the police to keep order. Several Triple Chaser gas grenades were thrown beyond the middle of the mob to cause it to disperse and to afford persons in front an avenue of escape. When the rear ranks broke, several blasts of the gas

riot gun loaded with short range shells were fired into the front ranks of the mob. In pairs, the officers then entered the confused and disorganized group. Within seven minutes after the gas had been used and with a minimum of physical combat between the police and rioters, the mob was completely dispersed and 26 arrests were made.

Long Range Shell (CN DM)

Long range shells containing tear or sickening gas are standard departmental equipment. The projectile has an extreme range of 200 yards. Because the light, aluminum projectile has no weighted balance, it begins to tumble in flight after approximately 50 yards. When used against mobs at distances less than 200 yards, the projectile should be ricocheted off the ground toward



**LONG
RANGE
SHELL**

the group. It should not be fired directly into the crowd. Each projectile is time fused to discharge gas one and one-half seconds after firing.

Gas Mask

The Army training masks, which are in current use by this Department, will filter both tear and sickening gas provided the masks are properly fitted to the wearers' faces. These masks were designed to be used in open spaces where the concentration of gas is seldom above two per



**GAS
MASK**

Important!
**HEAD STRAPS
MUST BE
PROPERLY
ADJUSTED.**

cent. They are not a protection against monoxide or ammonia gases, nor do they facilitate breathing where the oxygen content of the air has been greatly reduced. This gas mask will not, for example, afford the wearer protection against a high concentration of carbon monoxide gas resulting from smoke and fire in a confined area. Although it gives protection against both tear and sickening gases, the officers should avoid heavy concentrations of these gases as they will remain in his clothing in sufficient quantities to affect him after the mask has been removed.

Acknowledgments

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Major Disaster Control

How to Control a Major Disaster

Definitions

IN THE opinion of some authorities, much of the damage resulting from the Texas City disaster of April 16 and 17, 1947 could have been prevented if Texas City had possessed a well organized disaster plan.¹ Unless a well formulated plan exists, huge unnecessary loss of life and property may result from a disaster before control work can be adequately organized.

Los Angeles has a well organized plan, designed to make possible swift and efficient mobilization of a force capable of coping with a disaster. To understand and execute his duties should a disaster occur in this City, it is essential that an officer comprehend certain fundamentals of the plan.

Major Disaster

A major disaster is any condition that actually threatens the safety of the City or any area of the City to such an extent that it is necessary, in the opinion of the Commander of the Department, to activate the Provisional Disaster Force or to cause the Mayor to activate the Citizen's Emergency Corps. *Emergencies resulting from strikes or labor disputes are not considered major disasters.*

Provisional Disaster Force

During the first six hours or more following a local disaster, the impact of relief and control work will probably be borne by this Department the Fire Department, Department of Public Works, the Receiving Hospital, emergency crews

¹ Report on the Texas City Disaster—by the Texas Bureau of Fire Prevention and Engineering and the National Board of Fire Underwriters.

of public utilities of the City, and by persons engaged in unorganized "self-help."

Initial disaster control work will be carried on by the Police Department functioning as a Provisional Disaster Force. This Force will be activated by the Commander of the Department and will be composed of those members of the Department assigned to disaster control duties, Police Reserve Corps personnel, and members of other auxiliary groups ordinarily associated with the Department who can be mustered during the first hours *following occurrence of the disaster*, or until the Citizen's Emergency Corps is activated. The Force will be augmented by off-duty officers as they report. Some members of the Department will not be assigned to the Provisional Disaster Force, but will be assigned to policing



the areas of the City where disaster control work is unnecessary. This group will be known as the *Remainder*.

Citizen's Emergency Corps

Ordinance 89,469 provides for the formation of a control group in the event a major disaster occurs in this City. This group will be known as the Citizen's Emergency Corps which will be activated when the Mayor proclaims a disaster.² The Department will then function as the Police Division. The organization of the Police Division is essentially the same as that of the Provisional Disaster Force. Under both organizations an officer's responsibilities and duties will be the same, with two exceptions. When he performs his duties as a member of the *Force*, he has no greater power than when he is engaged in performing his regular duties. When he is working as a member of the *Division*, his duties are extended to include authority to enforce the disaster control rules and regulations that may be issued by the Mayor. As a member of the *Division*, an officer may also be required to direct volunteers engaged in control work. These volunteers may be accepted only by the Chief of Police or specific persons he may delegate.

Command Components

During a major disaster, police personnel will be deployed in areas under the following commands:

Theater of Operations: The immediate disaster area, or the area into which the disaster may be expected to extend if it is of a progressive nature, will be termed the Theater of Operations. Control work in this area will be administered by the Director of the Patrol Bureau.

Traffic Zone: That designated area adjacent to and surrounding the Theater of Operations will be termed the Traffic Zone. Control of all pedestrian and vehicular traffic moving into, from, or around the Theater of Operations and within the Traffic Zone is the responsibility of the Director of the Traffic Bureau.

² *Manual of Major Disaster Control*, the Los Angeles Police Dept., Sec. 19, p. 27.

Disaster Investigation Service: In the Traffic Zone and Theater of Operations, the Director of the Detective Bureau is responsible for the investigation of all crimes, cases in which unconscious persons and dead bodies are not readily identifiable, cases in which the cause of injury or death warrants a police inquiry, and cases in which persons are lost or missing as the result of the disaster. In the Theater of Operations, the Director of the Detective Bureau has the additional responsibility of traffic accident investigations.

Camps: Sites or facilities established in any area to serve the needs of control personnel, refugees, evacuees, and casualties of the disaster are referred to as Camps. Until other agencies, such as the American Red Cross, assume these responsibilities, the Camps will be under the control of the Director of the Technical Services Bureau.

Deployment: The Director of the Personnel and Training Bureau will be responsible for the mobilization and deployment of personnel.

Procedures for Officers on Duty

Officers on duty when disaster strikes will be utilized as a field intelligence reporting force while off-duty officers are being mobilized. Field intelligence reports will indicate the proportion of officers to be deployed to the Theater of Operations, Traffic Zone, and Camps. Specific and informative reports of occurrences furnish the only basis from which those in command can determine the extent of the disaster and what control measures will be necessary. Planned action can be only as adequate as the field intelligence reports on which it is based. Therefore, the initial action of officers in the field is of prime importance to effective control of the disorder resulting from a disaster.

Organization

Most officers on patrol duty when a disaster occurs will act as a reconnaissance service within the geographical division in which they are working. Their function is to gather and report factual data relative to the extent and intensity of the disaster. In the absence of the division com-

SO YOU'VE BEEN SEEING MILLIONS OF LITTLE ENEMY FLYING DISKS ALL AFTERNOON! NOW APATHY, INSTEAD OF CHARGING IN **HERE** LIKE A MAD MAN, YOUR JOB, SHOULD A MAJOR DISASTER OCCUR, IS TO **STAY** IN YOUR DISTRICT! ACT AS A RECONNAISSANCE OFFICER AND SHOOT US THE FACTS, FROM **YOUR** INFORMATION **THE** PEOPLE DOWNTOWN CAN DETERMINE WHAT TO DO!

POUR YOURSELF A LEMONADE AND COOL OFF AND IF THAT DOESN'T WORK CALL STA. 2680.AND DON'T BRING THOSE SILLY THINGS IN **HERE**!

MAJOR DISASTER!
KMA
WILL SAY:
"13 FRED"
 AND THAT MEANS THE DEPT. IS MOBILIZED!
"13 DANIEL"
WOW! ITS BIG!
 THE DEPT IS MOBILIZED AS THE POLICE DIV. OF THE CITY'S EMERGENCY CORP.
KMA 367



POLICE WORK
 OF
MAJOR IMPORTANCE
swing
MAJOR DISASTER!
 ① **ARREST** AND HOLD FELONS UNDER OBSERVATION!
 ② **KEEP** ARRESTED FELONS IN CUSTODY!
 ③ **CONTINUE** DETENTION OF ALL ARRESTED PERSONS!

Jedrick

mander, the watch commander of the geographical division in which a disaster occurs will be the supreme commander until relieved by a superior.

Activation and Mobilization

The order activating the disaster plan will be broadcast over the police radio by the code signals, "THIRTEEN FRED" or "THIRTEEN DANIEL." The code word "FRED" refers to the Force and indicates that control work will be carried on by the Provisional Disaster Force. "DANIEL" refers to the Division and denotes that the Police Division will carry on the control work. The proper code indicating the activation order will be broadcast from all of the Department's fixed radio stations at five-minute intervals for the first hour, at fifteen-minute intervals for the second hour, and at thirty-minute intervals for the next four hours of the disaster's duration.

Radio Reception

A major disaster may cause a fixed transmitter failure in an outlying division. Mobile units in that division may receive transmissions originating in other divisions by turning the radio receiver squelch control knob in a clockwise direction to increase signal strength. Police

units in the metropolitan area should follow this same procedure in the event the regular KMA-367 transmitter is rendered inoperative. In this case, the Communications Division would broadcast from a 100-watt mobile transmitter.

Officers on Duty

Upon hearing an announcement of "Code Thirteen," all radio patrol units *not then engaged in police work of major importance* shall make a rapid reconnaissance of their respective districts to determine the extent and intensity of any disaster damage. These units shall report this intelligence to the watch commander of the geographical division and thereafter be guided by his directions. Radio patrol units are those equipped with two-way radio and *engaged in either uniform or plainclothes patrol*. All other officers in the field must call or report in person to the watch commander of the geographical division in which they are working. Officers on duty at a police station or other fixed post for routine operation of the Department shall continue work until assigned to other duty.³

³ Manual of Major Disaster Control, the Los Angeles Police Department, Sec. 12, p. 20.

Police Work of Major Importance

In time of disaster, the term *police work of major importance* means:

1. The continued custody of felony arrestees then in actual physical custody.
2. The arrest and continued detention of felony suspects under actual observation at the time.
3. The continued detention of all booked persons in the jails of the Department.

Officers working within the Theater of Operations during and immediately after a major disaster will bear the brunt of police activity until a working force is organized. The ease or difficulty with which subsequent control measures may be carried out will depend, in many instances, upon the actions of officers obtaining field intelligence and isolating the Theater.

"All Unit Code Twelve"

When the Commander of the Department is aware that a disaster has occurred, but is not certain that the Force ought to be mobilized, he may order an "All Unit Code Twelve" broadcast to ascertain the disaster's extent. This broadcast will be repeated at five-minute intervals for not more than thirty minutes for the purpose of gain-

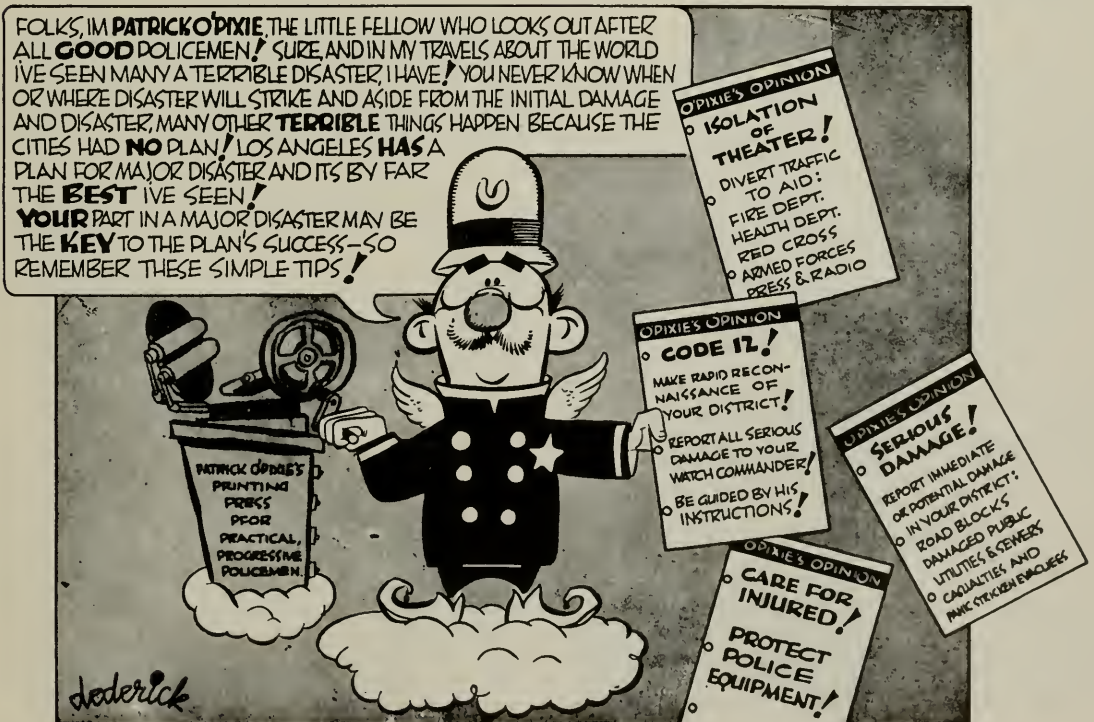
ing field intelligence reports. Radio patrol units, upon hearing this broadcast, should make a rapid reconnaissance of their respective districts. They shall report *all serious damage* in the same manner as they would in response to a "Code Thirteen" broadcast.

"Code Twelve" Information

Reports shall be made by radio of all serious damage as it is encountered. The code signal, "Twelve," should precede such reports. After reconnoitering briefly and reporting, radio officers shall telephone or report in person to the watch commander of the geographical division, summarize the situation, and thereafter be guided by his instructions.

Serious Damage: *Serious damage* refers to the apparent disaster results which are of immediate or potential danger to persons present or apt to be present in a damaged area. Examples are road blocks, damaged public utilities, damaged sewer systems. The presence of large numbers of casualties or evacuees who are panic stricken or in need of first aid should also be reported.

FOLKS, I'M PATRICK O'PIXIE, THE LITTLE FELLOW WHO LOOKS OUT AFTER ALL GOOD POLICEMEN! SURE, AND IN MY TRAVELS ABOUT THE WORLD I'VE SEEN MANY A TERRIBLE DISASTER, I HAVE! YOU NEVER KNOW WHEN OR WHERE DISASTER WILL STRIKE AND ASIDE FROM THE INITIAL DAMAGE AND DISASTER, MANY OTHER TERRIBLE THINGS HAPPEN BECAUSE THE CITIES HAD NO PLAN! LOS ANGELES HAS A PLAN FOR MAJOR DISASTER AND IT'S BY FAR THE BEST I'VE SEEN! YOUR PART IN A MAJOR DISASTER MAY BE THE KEY TO THE PLAN'S SUCCESS—SO REMEMBER THESE SIMPLE TIPS!



Isolation of the Theater

Theater boundaries will be established by the Director of the Patrol Bureau as soon as practicable after disaster occurs. One of the most important duties of officers in the field will be the isolation of the Theater. Non-essential traffic must be diverted and streets must be kept free of obstructions to allow emergency vehicles to move with the greatest possible freedom. *Sight-seers must be kept out of the Theater.* However, after displaying proper identification, members of the following organizations should be admitted: Fire Department, Health Department, hospitals, the Red Cross, assigned Armed Forces personnel, and representatives of the press and radio.

The Texas City disaster furnished good examples of the necessity for keeping unauthorized persons out of the Theater. The explosion of the first ship in Texas City's harbor killed 512 persons and injured 3500. Many of these casualties were spectators who had crowded into the area to watch the ship burn. After the first explosion, the dock area was roped off and all unauthorized persons were prevented from entering. Consequently, no one was killed and only two persons were injured in the second explosion, which was of approximately the same intensity as the first.

Care of the Injured

An officer's care of the injured will mainly consist of performing emergency rescue work and summoning assistance and first aid equipment. In addition, it may be necessary for the officer to assist in moving injured persons to places of safety. The Red Cross will set up field stations to care for the injured who cannot be moved.

Care of Equipment

Officers should exercise care when driving police vehicles in danger areas. Equipment should be parked so that it will not be damaged or disabled from explosions, cave-ins, etc.

Procedures for Officers off Duty

Knowledge of the existence of a disaster should be sufficient notice to all officers off duty to report for control duty. Mobilization of officers in the Theater of Operations when a disaster strikes will be comparatively easy. The mobilization of

officers who are elsewhere will be relatively difficult.

It is the responsibility of every able and available off-duty officer of the Department to report for duty at a place of assembly when he learns by any means that the City has been struck by a major disaster. It is, therefore, essential that an officer know where he is to report and what he is to do.

Commercial Broadcasts

The Commander of the Department will request all commercial radio stations within the City to broadcast the disaster alarm code signal, "Code Thirteen," every half hour for the first two hours following the occurrence of a disaster, or for a longer period if necessary. This announcement over commercial radio stations will contain a phrase denoting authentication by the Police or Sheriff's Department. The announcement will also briefly describe the type of disaster, i.e., flood, fire, earthquake, etc. An officer should not disregard a broadcast merely because the words "Code Thirteen" are excluded, since the announcer might conceivably overlook using the code.

Procedure

When disaster occurs, an officer off duty must report to his division of assignment if it can be reached within thirty minutes; otherwise, he shall report to the nearest and most available police station within the City. The thirty-minute time factor should be based on prevailing transportation conditions at the time of a disaster. When they learn of the disaster from any source, officers must report for duty. The Department may be unable to contact them immediately because of disputed telephone communications.

Preparation for Control Duty

An officer should eat prior to reporting for disaster control duty. He should dress suitably, considering climatic conditions and the probable nature of his assignment. Where practicable, all officers, except detectives, should report in uniform. For example, some police activities, such as training, minor investigations, and vice work, may be suspended and other activities, such as juvenile work, may be reduced during a major

disaster. Officers assigned to these activities should report in uniform even though they ordinarily work in plain clothes. The uniform provides ready identification and thereby makes control work easier.

Special Problems

An officer might confuse a minor disaster incident with the whole disaster and cause his work efforts to be misdirected. Some citizens are apt to become quite helpless in an officer's presence, when in his absence they would probably be quite self-sufficient. If an officer has become unnecessarily involved in rescue work which could just as well be performed by citizens, he may be neglecting more important duties. He should direct his efforts toward controlling those situations which threaten the welfare of all persons in the area. An officer assigned to a "dull" post may consider this a waste of time and effort when there is considerable activity at a nearby location. He should, however, remain at his assigned post until he is properly relieved.

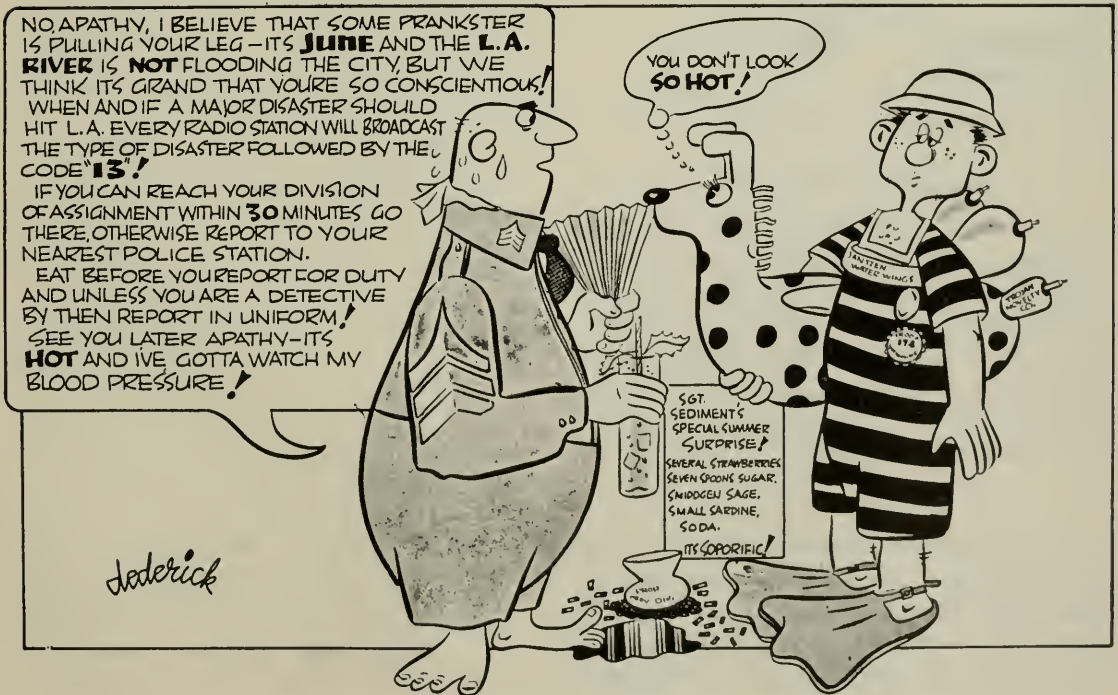
Police Functions

During a major disaster, a police department's

principal activity is the preservation of law and order within the stricken area and its isolation to prevent unnecessary interference by persons from outside the area. In addition, there is the problem of serving many other human needs which arise when people become separated from their families, are rendered homeless, or are unable to care for themselves. To do this and to be able to proceed on his own initiative in meeting the problems which will arise, the officer must have knowledge of some of the police functions in disaster control.

Panic and Hysteria Control

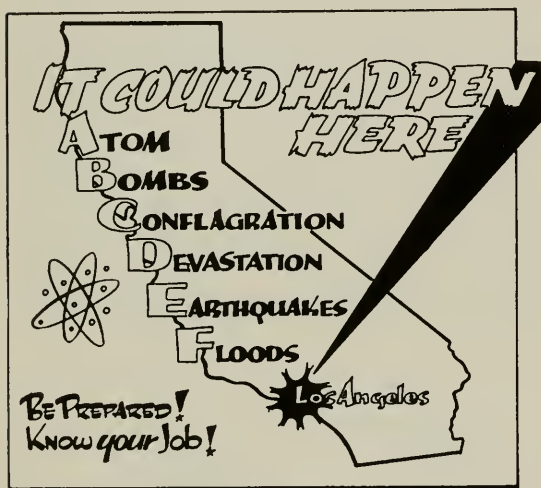
Mass panic and hysteria are more easily controlled if the people are kept informed of the circumstances of an emergency. Loud speakers should be used to broadcast pertinent information. Officers should discourage rumors by giving out only verified and reliable information. Attitudes of self-assurance and self-control are contagious. By his demeanor and actions, an officer should do everything possible to create these attitudes among disaster victims. If their fears are dispelled and they are led to engage in self-help, panic may be prevented. Disaster victims who are directed to perform some task, regardless of



its importance, are less apt to become panic stricken.

Information and Relief Control

Individuals seeking information about missing persons should be referred to the American Red Cross, which will set up a clearing house for all such information at their Main Chapter. If an officer has not received specific information regarding places where disaster victims may be sent for aid and shelter, he should contact the field supervisor and determine what sites have been established. Usually, the Police Department and the Red Cross will establish field headquarters at schools to register, shelter, and aid disaster victims.



Handling Dead Bodies

The care of dead bodies is a function of the detectives, but, under their direction, it may be carried on by uniformed officers. This function is very important. A corpse and personal property found with it must not be separated until provision is made to identify them with each other. Careless handling or separation of the two may make identification impossible.

Dead Body Tag

The Emergency Identification Tag (FORM 12.25), should be used to identify bodies. All available information which will aid in an investigation or in the identification of a body, should be *printed* on the tag. If the name of the victim

is unknown, he should be reported on the tag as "John Doe" or "Jane Doe" with an identification number obtained from the coroner.⁴

Removal of Bodies

Temporary morgues will be set up in suitable places. After bodies are removed to the morgue, they should be segregated according to sex. Children should be separated from adults. However, bodies that obviously belong together, such as the members of one family, or bodies which will aid in identifying each other, should not be separated. The bodies should be placed on cots or stretchers and covered with blankets. A strict guard must be constantly maintained to keep out all unauthorized persons and to prevent the looting of personal property.

Identification of Bodies

Attempts to identify dead bodies through recognition should be supervised by a police offi-

⁴LOS ANGELES POLICE DEPT., "EMERGENCY IDENTIFICATION TAGS," *Daily Police Bulletin*; Vol. 41, No. 136, July 19, 1948.

1. These tags are to be used where a number of people meet their death at the scene of a major disaster or in any catastrophe where the making of the usual reports is impracticable at the time.
2. They will be procured by the commander in charge of homicide investigations at the scene and distributed at the time of the disaster or catastrophe to the detectives assigned to investigate the dead bodies.
3. It shall be the detectives' duty to PRINT as much information as possible on both sections of the tag. The top section of the tag shall be attached to the body; the bottom or file copy shall be detached at the perforated line and retained by the detective to be turned in where and when he is ordered to do so at the time of the disaster or catastrophe.
4. As a matter of city-wide convenience, these tags are stored at the following locations: the Business Office, Room 21, City Hall, and the Desk Sergeant's Office at University, Hollenbeck, Harbor, Hollywood, Wilshire, West Los Angeles, Valley, Highland Park, 77th Street, and Newton Divisions, so as to be readily accessible to the commander of homicide investigations at the scene of the disaster.
5. These tags shall remain sealed in the boxes in which they are now stored until actually in the hands of the officer in command of homicide investigations at the scene of the disaster or catastrophe who is hereby authorized to break the seal and distribute the tags or as many of them as he deems necessary to the officers then under his command.

cer. An officer should obtain a complete description of a missing person, his clothing, and his personal effects from his relatives or friends before showing them a body. After seeing a body, a person attempting identification may be so shocked that it may be impossible to obtain the desired information from him without considerable delay. If possible, a nurse should be present when relatives attempt to identify a body as they may collapse when they see it.

Prevention of Looting

In addition to the functions discussed above,

the Police Department must protect property against looting in the Traffic Zone, as well as within the Theater of Operations. People may vacate their homes in both these areas, thereby leaving unprotected property.

Acknowledgments

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Review Questions

Chapter I

True—False (Circle T or F)

- T F** 1. An officer working plain clothes duty is not required by departmental order to carry a notebook. (Page 13)
- T F** 2. Because of the difficulty with which they are made, the infrequency of their use, and the time consumed in making them, sketches should be seldom made in the notebook to indicate the details of a scene. (Page 17)
- T F** 3. The Code of Civil Procedure provides that an officer may use his notebook on the witness stand to refresh his memory respecting a fact. (Page 18)
- T F** 4. According to the Code of Civil Procedure, a defendant is *not* entitled to read an officer's notes pertaining to the case even though the officer testifies from such notes. (Page 19)
- T F** 5. When a telephone call is to be transferred, the speaker may best attract the operator's attention by moving the hook up and down rapidly. (Page 3)
- T F** 6. When answering an "outside" telephone, the officer should immediately identify himself by indicating his division, rank, and name. (Page 5)

Multiple Choice:

7. Before making a long distance telephone call, the officer must obtain the approval of one of the following: Check the *right* answer. (Page 6)

- 1. his commander.
——2. the officer in charge of the Business Office Division.
——3. Station 20 of the City Hall switchboard.
——4. none of the above.
8. An officer must secure approval to make an extended area telephone call from: Check the *right* answer. (Page 6)
- 1. Station 20 of the City Hall switchboard.
——2. the officer in charge of the Business Office Division.
——3. the officer in charge of the Communications Division.
——4. his commander.

Completion (Fill in blanks)

All information which an officer records in his notebook should contain, so far as is practicable, the (9) _____, (10) _____, (11) _____, (12) _____, (13) _____, (14) _____ (Page 14)

The "luck" of some successful officers reputed to have "photographic memories" might be attributed in part to (15) _____ and (16) _____ (Page 14)

As a precaution to protect himself against unjustified accusations of molestation by a female prisoner who is being transported, the officer should record in his notebook the (17) _____, (18) _____, and the (19) _____ at the point of departure and again when he arrives at his destination in addition to the date, name of prisoner, and information regarding the arrest. (Page 15)

Chapter II

True—False (Circle T or F)

- T F** 1. If a merchant requests advice on installation of an alarm system, an officer should recommend the company which he knows gives the best service. (Page 21)
- T F** 2. Merchants should be advised to go directly into the premises when they receive notification of an alleged fire or burglary at their store. (Page 20)
- T F** 3. To reduce temptation to a burglar, safes should be placed where they may not readily be seen from the street. (Page 22)

- T F** 4. Thefts by "till-tappers" can be minimized by arranging displays on each side of the cash register. (Page 24)
- T F** 5. To avoid being victimized by "short-change artists," a merchant, when making change for a customer, should place the money he receives in the cash drawer before returning change to the customer. (Page 25)
- T F** 6. You should advise a merchant that Social Security cards sealed in plastic are usually reliable as a means of identification. (Page 26)
- T F** 7. You should tell citizens that they can

distinguish a counterfeit bill by the absence of colored threads in the paper. (Page 28)

T F 8. Inks on both genuine and counterfeit bills may smear. (Page 28)

T F 9. A merchant should be advised that skylights, transoms and other openings in his building should be barred on the inside. (Page 29)

Multiple Choice:

10. Persons who solicit contributions for charities must have in their possession (Page 24)

- _____1. an Information Card from the Department of Social Services.
- _____2. a license issued by the City Clerk.
- _____3. a permit from the Board of Police Commissioners.
- _____4. all of the above.

11. You should advise citizens that warning notices pertaining to counterfeit bills currently circulating are issued by (Page 28)

- _____1. the Federal Bureau of Investigation.
- _____2. the United States Secret Service.
- _____3. the United States Mint.
- _____4. the Better Business Bureau.

Chapter III

True—False (Circle T or F)

T F 1. A defendant's confession taken out of court is generally admissible to establish a case against a co-defendant. (Page 36)

T F 2. Even though a suspect denies an accusation, it is admissible against him. (Page 37)

T F 3. The prosecutor should be forewarned of any weak or harmful elements of the people's case so that they may be introduced on direct examination rather than on cross-examination. (Page 39)

T F 4. An officer cannot testify to conclusions or opinions. (Page 40)

Multiple Choice:

5. If an officer wishes to be excused from appearing in court as a prosecution witness, he must obtain permission from: (Page 35)

- _____1. his division commander.

- _____2. the court clerk.
- _____3. the prosecutor's office.
- _____4. the court liaison officer.

6. If a witness is unable to answer a question, he should state: (Page 38)

- _____1. "I am not sure, but I think . . ."
- _____2. "I don't know."
- _____3. "I think . . ."
- _____4. "I believe . . ."

7. One of the following statements is false. Check the *incorrect* statement. (Page 40)

- _____1. In testifying, the officer should not say "I think . . .," "I believe . . .," or "He admitted . . ."
- _____2. Hearsay evidence may be admissible.
- _____3. A witness may only testify to information he obtained through his senses.
- _____4. A defendant's statements which do not relate to the crime charged in the complaint are never admissible as evidence.

Chapter IV

True—False (Circle T or F)

T F 1. Even when more than one oddity of the same type exists on a particular individual, all his oddities should be entered on the "I" sheet or crime report. (Page 44)

T F 2. Complete descriptions of insignificant and inexpensive stolen articles are unimportant and are not listed in the Stolen Property File. (Page 46)

T F 3. Stolen clothing is easy to identify even though its description is inaccurate and incomplete. (Page 47)

T F 4. Pawnshop dealers usually submit accu-

rate and complete descriptions of all jewelry purchased by them, and if descriptions of stolen jewelry are not accurate and complete on police reports, it is extremely difficult for "R and I" to determine if the pawnshop "purchases" are stolen. (Page 47)

Completion (Fill in blanks)

An officer describing a particular oddity on a crime report or "I" sheet should give attention to the following details: (5) _____, (6) _____, (7) _____, (8) _____. (Page 42)

Chapter V

True—False (Circle T or F)

T F 1. If an officer reports that he is unable to report for work because of illness, it

is the watch commander's responsibility to make the required notifications. (Page 50)

- T F 2.** In no event on any one injury may an officer be carried on "IOD" status for more than four months in the aggregate. (Page 52)

Multiple Choice:

- 3.** In no event shall an officer absent himself from the city while off-duty, due to sickness or injury, without first obtaining permission from one of the following: Check the *correct* answer. (Page 51)
- _____1. Watch Commander.
 - _____2. Division Commander.
 - _____3. Commander of the Personnel Division.
 - _____4. Director of the Personnel and Training Bureau.
 - _____5. None of the above.
- 4.** An officer who is absent from work because of illness, injury, or death of a member of his immediate family may take a leave of absence with full pay. One of the following represents the maximum number days the officer may take. Check the *correct* answer. (Page 51)
- _____1. One day.
 - _____2. Three days.
 - _____3. Five days.
 - _____4. One week.
 - _____5. None of the above.
- 5.** With reference to question number 15, the officer

must obtain the approval of one of the following: Check the *correct* answer. (Page 51)

- _____1. Watch Commander.
 - _____2. Division Commander.
 - _____3. Commander of the Personnel Division.
 - _____4. Division Commander, subject to review by the Commander, Personnel Division.
 - _____5. Director of the Personnel and Training Bureau.
- 6.** "IOD" status will be granted for an injury sustained while an officer is participating in any departmentally-sponsored athletic activity, subject to all of the following conditions except one. Check the *incorrect* statement. (Page 53)
- _____1. The officer will sign the Athletic Activity Register before participating in any individual athletic activity at the Police Academy.
 - _____2. Prior to participating in any team games or practice, players must have their names entered on a Team Athletic Activity Report.
 - _____3. Football and weight lifting activities must be approved by the Commander of the Training Division.
 - _____4. A Sick or Injury Report must be made and an immediate examination obtained from a Police Surgeon.

Chapter VI

True—False (Circle T or F)

- T F 1.** As the lie detector will indicate the authenticity of statements made by a defendant and the facts pertaining to the offense committed, it is not necessary

- T F 2.** The lie detector used by this Department does *not* measure the reflex activity of a subject's sweat glands. (Page 54)

Chapter VII

True—False (Circle T or F)

- T F 1.** If the opening of a fired shell case is crimped or too small to mark on the inside, the case should be marked for identification on the outside near the base. (Page 59)
- T F 2.** Evidence such as a coat or shirt should not be marked for identification on the front. (Page 59)
- T F 3.** Evidence such as a coat or shirt should be marked for identification on the sleeves or cuffs. (Page 59)
- T F 4.** If a person breaks away from lawful custody, he is considered to have "escaped." (Page 69)
- T F 5.** The City is not liable for property damage, personal injury, or death proximately caused by police gunfire. (Page 71)
- T F 6.** A fully loaded Remington Model 31 shotgun holds five cartridges. (Page 64)
- T F 7.** The safety on the Remington Model 31

Shotgun can be put "on" only when the gun is cocked. (Page 64)

Multiple Choice:

- 3.** Perishable evidence found at the scene of a crime should be booked at one of the following places: Check the *right* answer. (Page 61)
- _____1. at the division of occurrence.
 - _____2. at the Property Division.
 - _____3. at the refrigerator room in the Main Jail.
 - _____4. at the Crime Laboratory.
- 9.** Under statutory provisions pertaining to justifiable homicide, a person is "charged with a felony." (Page 69)
- _____1. only after a complaint has been issued.
 - _____2. only after he has been convicted of a felony.
 - _____3. when he has been lawfully arrested for a felony.
 - _____4. only after a warrant for his arrest is issued.

10. If an officer is involved in a shooting incident while effecting an arrest, the circumstances surrounding the shooting must be reported on: (Page 71)
- _____1. only the Arrest Report and the Discharge of Firearms Report.
 - _____2. the Arrest Report and to the Commander, Business Office Div.
 - _____3. only the Arrest Report.
 - _____4. Form 15.7.
11. In a shotgun cartridge (*00 Buck Shot*), there are: (Page 67)
- _____1. two pellets.
 - _____2. four pellets.

- _____3. seven pellets.
- _____4. nine pellets.

Completion (Fill in blanks)

12. When an officer picks up a shotgun, he should check it immediately to determine that: (1) _____, (2) _____, (3) _____.
(Page 64)
13. Before firing the shotgun at a fleeing suspect, the officer should consider the following factors: (1) _____, (2) _____, (3) _____.
_____. (Page 68)

Chapter VIII

True—False (Circle T or F)

- T F 1. The natural flinch or jerk of a right-handed gunman will cause his weapon to move to his left. (Page 72)
- T F 2. When shooting from a combat position, an officer should bend his wrist rather than move his entire forearm to compensate for improper sight alignment. (Page 73)
- T F 3. In order to obtain greater fire power, both driver and passenger officer should shoot from their vehicle during a pursuit. (Page 73)
- T F 4. The most common fault of many officers in target shooting is that they place their feet parallel to their line of fire. (Page 75)
- T F 5. If an officer's revolver is "out of time," the firing pin mark will generally be on the side of the cartridge primer. (Page 77)
- T F 6. Malfunctions caused by a weak mainspring may be indicated by a light firing pin mark on the cartridge primer. (Page 77)
- T F 7. When a Firearm Sale or Registration Report is taken, the present owner of the firearm as well as the person from whom it was obtained should be shown. (Page 79)
- T F 8. Because there are so many different types of Colt revolvers, the model should not be included in descriptions of such firearms. (Page 80)
- T F 9. Letters which may appear with serial numbers on Smith and Wesson revolvers are not part of the number and should be omitted to prevent confusion when a weapon is described. (Page 82)
- T F 10. The mere possession of a pistol on which the serial numbers are obliterated is a felony. (Page 83)
- T F 11. A lawfully issued permit to carry a concealed firearm is valid for three years. (Page 84)

Multiple Choice:

12. When shooting in combat, an officer should: (Pages 72, 73)
- _____1. unnerve his opponent by remaining upright in a fixed position, thus showing courage.
 - _____2. if shooting from cover, fire single action when practicable for greater accuracy.
 - _____3. always drop to a prone position before firing.
 - _____4. in a crouched position, extend his arm as in target shooting.
13. In firing from a prone position, an officer should: Indicate the *incorrect* answer. (Page 73)
- _____1. lie flat on his stomach.
 - _____2. keep his heels close together and feet flat on ground.
 - _____3. spread his legs as far apart as possible for greater stability.
 - _____4. extend his arms in front of him.
14. If a gunman appears to have been shot and is lying on the ground, an officer should: Indicate the *incorrect* answer. (Page 74)
- _____1. keep his weapon uncocked but trained on the gunman while approaching him.
 - _____2. immediately turn the gunman face up.
 - _____3. examine the suspect's hands.
 - _____4. search the suspect for weapons.
15. In holding the revolver while sighting in target shooting, one of the following is *not* correct: (Page 75)
- _____1. grasping the grip tightly.
 - _____2. aiming without bending the wrist.
 - _____3. placing the thumb on the cylinder latch.
 - _____4. moving the gun rather than the head when changing sight alignment.
16. In target shooting while qualifying, an officer should: (Page 75)
- _____1. squeeze the trigger with steady pressure even though the sights are not properly aligned on the target.
 - _____2. stand with his feet together.
 - _____3. try to determine where the bullet strikes the target after each shot.

- 4. face the target with his feet placed at an angle 30° to 45° from his line of fire.
17. Before carrying a newly purchased firearm on duty, an officer must submit it for inspection and approval to: (Page 78)
- 1. his immediate supervisor.
 ——2. his watch commander.
 ——3. his divisional commander.
 ——4. the Commander of the Training Division.
18. With reference to the registration of firearms, all of the following statements are true except one. Indicate the *incorrect* statement. (Pages 79, 80)
- 1. Under State law, all concealable firearms must be registered with the local police authority in the county.
 ——2. A dealer is required to keep a record of all concealable firearms sold by him.
 ——3. A private person living outside the City and desiring to register a firearm should be advised to do so with the police authority in the area of his residence.
 ——4. An officer is required to register with the Department, all of his firearms that are capable of being concealed upon the person.
19. On most late model Colt revolvers, numbers are located at three places—on the inside surface of the crane, opposite it on the frame, and on the inside surface of the side plate. Indicate which one of the following statements is *true*. (Page 81)
- 1. All of these numbers are serial numbers.
 ——2. Only the numbers on the crane and opposite it on the frame are parts numbers.
 ——3. Only the number on the inside surface of the side plate is a parts number.
- 4. All of the numbers are parts numbers.
20. On most late model Smith and Wesson revolvers, *serial numbers* are stamped at all of the following locations except *one*. Check the *incorrect* answer. (Page 82)
- 1. on the gun butt.
 ——2. on the inside surface of the extractor star.
 ——3. on the rear surface of the crane between the extractor rod and the frame.
 ——4. on the inside surface of the crane.
21. If a person told you that he had a pistol which was never stamped with a number and stated that he wanted to have a number placed on the gun, you should direct him to: (Page 84)
- 1. the L.A.P.D. Crime Laboratory.
 ——2. the Police Commission.
 ——3. the State Agent at the Sheriff's Crime Laboratory.
 ——4. the Records and Identification Division.
22. A lawfully issued permit to carry a concealed gun is: (Page 84)
- 1. valid at any place in the State.
 ——2. valid only in the county of issuance.
 ——3. valid only between darkness and daylight.
 ——4. valid in any state regardless of place of issuance.
23. If a person residing in Los Angeles had a valid reason for carrying a concealed firearm and insisted on applying for a permit, you should direct him to: (Page 86)
- 1. the Office of the Police Commission.
 ——2. the Personnel Division.
 ——3. the divisional detectives.
 ——4. the Records and Identification Division.

Chapter IX

True—False (Circle T or F)

- T F 1. In police vehicles which have antennae in the center of the top, mobile radio equipment is directional. (Page 87)
- T F 2. When telephoning from a noisy intersection over a police field telephone, the officer should place his free hand over his other ear rather than over the telephone mouthpiece. (Page 93)

Multiple Choice:

3. With regard to the transmission procedure when an officer is broadcasting information to the control, one of the following statements is *incorrect*. Check that statement. (Page 91)

- 1. Talk slowly and clearly.
 ——2. Always repeat numbers except the radio unit number.
 ——3. Spell such names as Jones, William, Edward.
 ——4. Speak directly into the "mike."
 ——5. Hold the "mike" about an inch from the mouth.

Completion (Fill in blanks)

4. Three common causes of reception or transmission failure are: (1) _____, (2) _____, (3) _____. (Page 89)
5. The "A B C's" of radio transmission are: (1) _____, (2) _____, (3) _____. (Page 90)

Chapter X

True—False (Circle T or F)

- T F 1. All motor vehicles furnished by the City for police work are "authorized emer-

gency vehicles." (Page 99)

- T F 2. The mere fact that a vehicle is an "authorized emergency vehicle" exempts it

from the provisions of the Vehicle Code commonly referred to as the "rules of the road." (Page 99)

- T F 3.** The Vehicle Code expressly prohibits every officer from using a siren or driving at an illegal speed when serving as an escort. (Page 104)
- T F 4.** The City is liable for damage proximately caused by the negligent operation of a motor vehicle owned by it even though the officer operating it was not acting within the scope of his duties. (Page 104)
- T F 5.** Siren tests conducted by this Department indicated that sound waves set up by a siren have a greater intensity to the sides than to the front of the police car. (Page 104)
- T F 6.** The Department of Motor Vehicles will not issue an operator's license to a totally deaf person. (Page 107)
- T F 7.** During a chase, the proper timing of radio transmissions to coincide with low siren pitch will facilitate reception by the radio operator. (Page 108)
- T F 8.** A police unit using a siren and red light when responding to an emergency call should pass other vehicles to the right rather than drive across the center line of a roadway. (Page 108)
- T F 9.** For greatest effectiveness, the siren should be operated at a continuously high pitch because of the great intensity of high tones. (Page 107)

Multiple Choice:

- 10.** "Authorized emergency vehicles" are: Check the *incorrect* answer. (Page 99)
- 1. City-owned vehicles used by detectives for police work but not equipped with red light and siren.
 - 2. only those motor vehicles used for police work and equipped with red light and siren.
 - 3. all motor vehicles furnished by the City for police work.
 - 4. motorcycles used in traffic enforcement.
- 11.** An officer operating a police vehicle in response to an emergency call is exempt from the "rules of the road" only when he complies with one of the following requirements. Check the *correct* answer. (Page 102)
- 1. During the daytime, the siren must be sounded but it is not required that the red light be displayed.
 - 2. The siren must be sounded and the red light displayed only.
 - 3. The red light must be displayed, the siren must be sounded, and the operator must drive with due regard for the

safety of all persons using the highway and must not arbitrarily exercise his privilege.

- 4. The red light must be displayed only.
- 12.** Officer "A," who was driving a police vehicle but was *not* using the red light or siren when pursuing a felony suspect, "ran" a stop signal and was involved in a collision causing extensive property damage to another vehicle. Investigation proved that "A" was not driving negligently and that he was not arbitrarily exercising his privilege. Under these circumstances, only one of the following statements is *correct*. Check that one. (Page 103)
- 1. "A" is civilly liable for damages.
 - 2. "A" is not civilly liable for damages.
 - 3. The City is not civilly liable for damages.
 - 4. The City and "A" are civilly liable for damages.
- 13.** If Officer "A" had displayed a red light and sounded his siren properly under the same circumstances as in question 12, only one of the following statements would be *correct*. Check that one. (Page 103)
- 1. "A" is civilly liable for damages.
 - 2. The City is civilly liable for damages but cannot collect from "A."
 - 3. The City is civilly liable for damages and can collect from "A."
 - 4. Neither "A" nor the City is civilly liable for damages.
- 14.** With regard to the effectiveness of the siren, one of the following statements is *false*. Check that one. (Pages 106, 107)
- 1. The siren sound waves are directional.
 - 2. Sound barriers such as buildings greatly diminish siren noise.
 - 3. The sound from a fender-mounted siren is about 10 per cent louder to the human ear than the sound from an under-the-hood siren.
 - 4. Background noises tend to reduce the effectiveness of the siren.
- 15.** In operating departmental vehicles, officers can generally effect the greatest single saving of fuel by (Page 99)
- 1. turning off the engine whenever the vehicle is stopped for two minutes or more.
 - 2. keeping tires properly inflated.
 - 3. parking the vehicle in the shade whenever possible.
 - 4. anticipating stops at boulevards and intersections, rather than stopping abruptly.

Completion (Fill in blanks)

- 16.** Prior to operating departmental automotive equipment, the officer should check: (1) _____, (2) _____, (3) _____, (4) _____, (5) _____, (6) _____.
(Page 96)

Chapter XI

True—False (Circle T or F)

- T F** 1. Generally a citation should not be issued when an illegally parked vehicle is impounded. (Page 113)
- T F** 2. An officer may issue a citation but he is not authorized to impound a vehicle which has been parked on a street for 120 or more consecutive hours. (Page 115)
- T F** 3. An officer may issue a citation but he is not authorized to impound a vehicle which is illegally parked on private property. (Page 117)
- T F** 4. Private or commercial vehicles are not permitted to park at any time in a zone where a sign is posted indicating merely "No Parking." (Page 118)
- T F** 5. Federal law provides that a vehicle which is used to facilitate the sale of any narcotic drug may be seized even though narcotic drugs have never been in the car. (Page 119)
- T F** 6. It is the tow truck operator's responsibility to complete the Form 2.7, Record of Car Stored or Towed. (Page 111)
- T F** 7. When an illegally parked vehicle is impounded, the ignition key should be booked as found property. (Page 113)

Multiple Choice:

8. Section 585(b) (1) of the Vehicle Code indicates that a vehicle may be impounded when it is left unattended on any bridge, viaduct, or causeway, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic. To be an *obstruction* as used in this section, a vehicle must be: (Page 113)
- _____1. a traffic hazard dangerous to life and property.
 - _____2. a hindrance to the normal flow of traffic.
 - _____3. a traffic hazard dangerous to life and property and a hindrance to other traffic.
 - _____4. a traffic hazard dangerous to life or property.

9. If you observe a citizen erase a chalk mark which you had placed on his tire to establish a violation for "overtime parking," (Page 116)
- _____1. You should arrest him for destroying evidence.
 - _____2. You should proceed as though the chalk mark had not been erased.
 - _____3. You should make an application for a complaint against the citizen.
 - _____4. It is necessary to re-mark the tire and attempt to establish a violation from that time.
10. A dismantled "car" which is not a vehicle as defined by the Vehicle Code is found apparently abandoned on a street. The owner cannot be located. The officer should: (Page 116)
- _____1. impound it.
 - _____2. issue a citation.
 - _____3. request its removal by the Department of Public Works.
 - _____4. notify the Traffic Bureau.
11. Under California law, a vehicle shall be forfeited to the State in all of the following cases except one. Check the exception. (Page 119)
- _____1. When the vehicle is used to transport any narcotic.
 - _____2. When narcotics are unlawfully kept, deposited, or concealed in the vehicle.
 - _____3. When the vehicle is used to facilitate the transportation or sale of any narcotic drug although such drug has never been in the vehicle.
 - _____4. When any narcotic is unlawfully possessed by an occupant of the vehicle.

Completion (Fill in blanks)

12. No vehicle which is marked "Hold for Narcotics" shall be released until such time as the releasing officer has in his possession a teletype releasing order from the _____. (Page 119)
13. Requests for tow service must be made through the _____. (Page 110)

Chapter XII

True—False (Circle T or F)

- T F** 1. In excess of 50 per cent of the attacks against "ADT" protected premises are accomplished by entry through a roof, ceiling, skylight or walls. (Page 127)
- T F** 2. An officer "staked out" in a place of business should disregard petty misdemeanors which have no relationship to the stakeout. (Page 158)
- T F** 3. An officer who kills or injures a suspect should leave any weapon on his person

so that its use as evidence will not be destroyed. (Page 157)

- T F** 4. In the interests of good public relations, the officer working a stakeout should accept small gratuities offered him by the proprietor in appreciation of services rendered. (Page 158)
- T F** 5. Even though an epileptic seizure may be a police problem, as long as no physical injury results from the seizure, a Miscellaneous Injury Report is not

required. (Page 159)

- T F 6.** Officers should not attempt to learn the identity of a deceased person by searching his pockets. (Page 140)
- T F 7.** If a body cannot be identified, the officers making the Dead Body report should secure a John Doe number from the "DR" desk. (Page 140)
- T F 8.** More than one half of all vehicles reported stolen are recovered in a day or less. (Page 146)
- T F 9.** When the theft of one license plate is reported, the number is generally put on the "hot sheet." (Page 151)
- T F 10.** If officers make a routine "shakedown" and neither the car nor the occupant is "wanted," no explanation of the reason for the interrogation should be made. (Page 153)
- T F 11.** An automobile motor number is always stamped. (Page 153)
- T F 12.** When uniformed officers recover a car which has been reported stolen, they should, in the interest of good public relations, immediately notify the owner. (Page 154)
- T F 13.** A person who knowingly possesses a bicycle from which the frame number has been removed is guilty of a misdemeanor under provisions of the Penal Code. (Page 144)
- T F 14.** It is permissible for an officer in the field to release a stolen bicycle to its rightful owner when the owner signs a Property Receipt in duplicate. (Page 144)
- T F 15.** If a person is reported missing and the circumstances do not warrant an immediate report or follow-up investigation, the reporting person should be advised that if the missing person does not return within 12 hours, a Missing Person Report should be made at the nearest police station. (Page 129)
- T F 16.** An immediate Missing Person Report should usually be taken when the person reported missing has indicated an intent to commit suicide. (Page 128)
- T F 17.** When officers find a person wandering who has not been reported missing and he is booked as a "lost person," a booking number should be obtained and an Arrest Report made. (Page 131)
- T F 18.** If a lost adult is found by radio officers and it is learned that he lives in the division of the officers' assignment, the person should usually be returned home. (Page 130)
- T F 19.** Officers assigned to a call regarding a missing juvenile are responsible for re-

porting the disposition of the call to the Missing Juveniles Unit. (Page 131)

- T F 20.** When officers are given a child found by a citizen, and the child's address is unknown, officers should first attempt to locate his home by cruising the neighborhood. (Page 133)
- T F 21.** Approval to send an All Points Bulletin concerning a missing juvenile is obtained from the Watch Commander, Communications Division. (Page 135)
- T F 22.** Before a person may be considered as "indigent" for the purpose of receiving free legal advice from the Public Defender's office, he must be without visible means of support. (Page 138)

Multiple Choice:

- 23.** In all of the following instances except one, a Burglary Report should be taken. Check that *exception*. (Page 123)
- 1. When an invited guest takes the victim's property.
 - 2. Where the property attacked is a business concern and property has been taken *after closing hours*.
 - 3. Where the property attacked is a business concern and a suspect has been apprehended therein *during business hours* possessing a "booster box."
 - 4. Where the property attacked is a dwelling and there is evidence of ransacking.
- 24.** Officers making a preliminary investigation at the scene of a burglary where a safe has been attacked shall immediately notify one of the following. Check the *correct* answer. (Page 125)
- 1. The watch commander.
 - 2. The Business Office Division at all times.
 - 3. Burglary Division, or if that division is closed the Business Office Division.
 - 4. Divisional detectives only.
 - 5. None of the above.
- 25.** When indicating the value of articles taken in a burglary, the officer should proceed in accordance with all of the following statements except one. Check the *incorrect* procedure. (Page 156)
- 1. The actual value of the article at the time of the theft should be the basis of the reported value.
 - 2. The cost of replacement should be used when the actual value is unknown.
 - 3. Depreciation must be allowed.
 - 4. If the victim insists upon the purchase price or upon an inflated value, the purchase price should be listed under the description of the article but should not be placed in the extension column.
- 26.** When more than one police unit deploys on an "ADT" call, officers should adhere to all of the following procedures except one. Check that *in-*

correct procedure. (Page 127)

1. So that each man can observe two sides of a building, one of the officers in the first car to arrive should cover one corner by going to the rear of the building; the other officer should cover the opposite corner at the front of the building.
 2. The officers who arrive first should immediately check doors and windows to determine if an entry has been made.
 3. Car doors should not be slammed or directions shouted by the officers who arrive first.
 4. Units other than the first responding to the call should assist in covering and searching the premises.
27. With reference to a stakeout in a suspect's room, all of the following procedures are correct except one. Check the *incorrect* procedure. (Page 157)
1. The shades should be raised to afford the officers a view of the approach.
 2. The entire premises should be searched thoroughly for weapons.
 3. The officers should not smoke or cook as any unexpected odor might indicate their presence.
 4. The officers should not hesitate to fire upon a felon to prevent his escape.
28. A Miscellaneous Injury Report is required in all of the following cases except one. Check the *exception*. (Page 158)
1. An accidental injury requiring further investigation.
 2. An injury due to a defective manhole cover.
 3. A drowning in a city-owned swimming pool.
 4. Injuries resulting from defective equipment on a city-owned playground.
29. An officer may be assigned a "dead body" call where the cause of death cannot be readily classified as natural, suicide, or homicide. This occurs most frequently in case of: Check the *right* answer. (Page 142)
1. shooting.
 2. poisoning.
 3. knife wounds.
 4. strangulation.
30. A receipt should be obtained from the deputy coroner for the personal effects in a deceased person's possession. Officers responsible for making the Dead Body Report should: Check the *right* answer. (Page 141)
1. retain the receipt for one year.
 2. forward the receipt to division detectives.
 3. attach the receipt to the Dead Body Report.
 4. forward the receipt to relatives of the deceased.
31. If officers "stake" an unoccupied "hot" car which they find and the thief returns to it, generally he should be: (Page 148)
1. arrested before he enters the car.
 2. arrested after he has entered the car and driven a short distance.
 3. allowed to enter the car and arrested before he starts the motor.
 4. allowed to enter the car and arrested after he starts the motor but before he moves the car.
32. When checking a motor number, officers should be alert for any signs of its having been altered. On certain makes of cars, officers will most likely be confused by the presence of: (Page 154)
1. grind marks.
 2. file marks.
 3. gouges.
 4. discoloration of the block due to heating.
33. When a bicycle reported stolen in another city is recovered by an officer in this City, he should make a: (Page 144)
1. Bicycle Report (Found).
 2. Bicycle Report (Recovered).
 3. Bicycle Report (Stolen).
 4. Recovered Property Report.
34. Bicycle license plates are issued in any patrol division or at the Bicycle Unit of the Juvenile Division. (Page 143)
1. 24 hours a day.
 2. From 8:00 a.m. to 4:00 p.m.
 3. From 10:00 a.m. to 6:00 p.m.
 4. From 8:00 a.m. to 12:00 midnight.
35. Parents reporting a missing 13-year-old child should be advised: Check the *incorrect* answer. (Page 133)
1. that no report is necessary until the child has been missing for 24 hours.
 2. to notify the Juvenile Division when the child returns.
 3. that they will be notified if the child is located.
 4. that every effort will be made to locate and return the child.
36. If the initial investigation of a call regarding a missing juvenile reveals evidence of a serious crime in connection with his disappearance, which of the following should be notified? (Page 131)
1. Commander, Communications Division, and Commander, Business Office.
 2. Officer's division commander and division responsible for investigation of that crime.
 3. Division responsible for the investigation and the Commander, Juvenile Division.
 4. Commander, Communications Division, and officer's watch commander.
37. When a parent indicates a desire to have a missing child's picture televised, (Page 134)

- 1. he should be referred to the Public Relations Unit.
 - 2. an authorization to make the telecast, signed by the parent, should be obtained along with a picture of the child and forwarded with a copy of the report to the Public Relations Unit.
 - 3. officers should not attempt to obtain the picture and authorization in the field, but should refer the parent to the Missing Juveniles Unit.
 - 4. the child's picture is all that is necessary to be sent to the Public Relations Unit.
38. If a tenant is behind in his rent and the landlord complains to the police, officers should (Page 135)
- 1. tell him that the Baggage Lien Law permits him to seize the tenant's baggage for non-payment of rent.
 - 2. advise him that the tenant may sue if he is locked out.
 - 3. direct the landlord to the Criminal Division, City Attorney's office, for a com-

- 4. do none of the above.
39. If a landlord seizes a tenant's baggage in execution of a lien and the complaining tenant insists that criminal action be taken, (Page 135)
- 1. he should be advised that he may arrest the landlord for burglary.
 - 2. he should be advised to file suit against the landlord.
 - 3. the officers should assist him in getting his property back.
 - 4. he should be referred to the Criminal Division, City Attorney's office.
40. A complainant in a landlord-tenant dispute involving an attempt to execute a baggage lien states that he is not financially able to retain an attorney. He should be referred to the (Page 137)
- 1. Legal Aid Society.
 - 2. Housing Expediter's office.
 - 3. Office of the Public Defender.
 - 4. None of the above.

Chapter XIII

True—False (Circle T or F)

- T F** 1. A private person has as much right and authority to arrest for a misdemeanor committed or attempted in his presence as an officer. (Page 161)
- T F** 2. A private person has broader powers of arrest in felony cases than in misdemeanor cases. (Page 161)
- T F** 3. The fact that a child is under 14 years of age is prima facie evidence that he is not competent to make an arrest. (Page 163)
- T F** 4. If a person is being unlawfully arrested, he has the right to resist the arrest, using no more than reasonable force for that purpose. (Page 164)
- T F** 5. Under Sec. 41.27(a), L.A.M.C., the only basis for considering whether a place is a public place is the *ownership* of the property. (Page 169)
- T F** 6. If an intoxicated person is in his own home in front of a window where he is visible to persons on the street who are able to form an opinion of his condition, he may be lawfully arrested under Sec. 41.27(a), L.A.M.C. (Page 170)
- T F** 7. To establish a violation of L.A.M.C. Sec. 41.27(b), it is only necessary to prove that the person accused was drunk or intoxicated and that he was on private property. (Page 170)
- T F** 8. That part of Sec. 273g, P.C. pertaining to habitual drunkenness in the presence

- of a child applies only to parents. (Page 171)
- T F** 9. Should an officer make an unlawful entry to private premises and then see the commission of a misdemeanor, he cannot make a lawful arrest because he is a trespasser. (Page 175)
- T F** 10. Malice is an element in an offense of disturbing the peace of any neighborhood by loud or unusual noise. (Page 174)
- T F** 11. Officers arriving at the scene of a "Prowler call" should turn off their radio before leaving their vehicle. (Page 177)
- T F** 12. Generally, when no information is available regarding a prowler's location, each officer of the first unit at the scene should rapidly search one side of the house and move to the rear. (Page 177)
- T F** 13. If officers are able to locate the complainant at the scene of a prowler call, he should be advised to turn on his lights if the prowler returns and try to obtain a description of the suspect. (Page 179)
- T F** 14. Officers making the initial search of streets surrounding the scene of a prowler call generally should use their spotlights extensively. (Page 180)
- T F** 15. Mr. A complains to the police that a suspect is prowling the premises of Mr. B, a neighbor who is absent. Mr. A should be shown on the crime report as the victim. (Page 182)

- T F 16.** If an arrest is made under Penal Code Sec. 647.12 (Prowler), a crime report should not be made as all the details of the offense may be included in the Arrest Report. (Page 182)
- T F 17.** The phrase "without visible or lawful business," as used in Sec. 647.6 P.C. (Vag late hours) refers to a person's employment or occupation. (Page 184)
- T F 18.** If a person is arrested for "Vag late hours," the burden of proving that he was without lawful business at the time he was arrested is upon the arresting officer. (Page 184)
- T F 19.** "Vag roamer" arrests under Sec. 647.3 P.C. may be made only in the daytime. (Page 185)
- T F 20.** In Sec. 647.3 P.C. (Vag roamer), the phrase "roams about from place to place" refers to persons who roam from place to place within a city as well as from one city to another. (Page 184)
- T F 21.** To establish a condition of vagrancy under Sec. 647.5 (Vag lewd), it is necessary to show that the lewd or dissolute act had been committed on several prior occasions. (Page 186)
- T F 22.** The offense of annoying or molesting a child can be committed under Sec. 647a(1) P.C. only if the child is under the age of 14 years. (Page 188)
- T F 23.** To establish a violation of Sec. 647a(1) P.C., it is necessary to prove that the suspect committed a lewd act which involved physical contact with the child. (Page 188)
- T F 24.** An offense of prowling in violation of Sec. 647.12 P.C. may be committed only during the nighttime. (Page 178)
- T F 25.** If you observe a person possessing a free peddler's license who is violating the law pertaining to "Soliciting-Begging," you must take up his license and deliver it to the City Clerk.
- T F 26.** All business permits are issued by the Board of Police Commissioners. (Page 191)
- T F 27.** Salaried employees of businesses which are incorporated in other states and which are licensed to do business within this city need not obtain a peddler's license. (Page 190)
- T F 28.** Magazine solicitors may sell subscriptions on the street or sidewalk if they obtain a permit from the Board of Police Commissioners. (Page 192)
- T F 29.** It is unlawful for any person to cry out or hawk his wares or to solicit patronage from passers-by. (Page 192)
- T F 30.** Before a peddler may sell within a

public park, he must have a permit from the Board of Police Commissioners. (Page 193)

- T F 31.** Persons selling novelty items upon the streets must have a permit from the Board of Police Commissioners. (Page 195)
- T F 32.** Authorized solicitors for charitable organizations who sell patriotic emblems must have upon their persons valid information cards issued by the Board of Social Service Commissioners. (Page 195)
- T F 33.** Permits designating specific locations other than on state highways where a food and drink peddler may sell from a vehicle are issued by the Board of Police Commissioners. (Page 196)
- T F 34.** If you observe a violation of the ordinances pertaining to food and drink peddlers, you should refer the matter to the Sanitation Bureau of the Department of Public Works for further investigation and enforcement. (Page 197)

Multiple Choice:

- 35.** With regard to citizens' arrests, one of the following statements is *incorrect*. Check that statement. (Pages 162, 163)
- 1. An officer has no authority to arrest without a warrant for a misdemeanor not committed or attempted in his presence, even though a citizen demands that an arrest be made.
 - 2. An officer has a legal obligation to accept a person legally arrested by a private person.
 - 3. The officer should survey the facts, calm the concerned persons, and inform all parties of the proper arrest procedure.
 - 4. The officer must remember that a wife is never a competent witness against her husband.
- 36.** A physical arrest by a private person is desirable when a misdemeanor has been committed or attempted in his presence in all of the following cases except one. Check that *exception*. (Page 163)
- 1. The misdemeanor is of an aggravated nature.
 - 2. The perpetrator of the offense is a transient.
 - 3. The offense is indecent exposure.
 - 4. The offense involves the dumping of rubbish by one citizen on a neighbor's property.
- 37.** Citizen "B" summoned Officer "A" and said, "Last night my wife told me that Mr. 'D' exposed himself indecently in front of her. I have thought it over and have decided that I want to

arrest Mr. 'D,' who is standing across the street now." Officer "A" should proceed in accordance with one of the following statements only. Check the *correct* procedure. (Pages 163-164)

- 1. Advise the citizen that because this offense was aggravated, an immediate arrest should be made.
 - 2. Inform Citizen "B" that a physical arrest would be illegal at this time and that his wife should proceed by making a complaint at the City Attorney's Office.
 - 3. Receive Mr. "D" after he has been arrested by Citizen "B."
 - 4. Assist Citizen "B" in making the arrest.
38. A mother of a one-year-old child complains that her husband, the child's stepfather, has inflicted unjustifiable punishment on the child. She demands that the officers assist her in arresting him. The officers should: (Page 161)
- 1. refuse to assist her in the arrest as she is not competent to testify against her husband.
 - 2. inform her that, inasmuch as the child was not injured, no arrest can be made.
 - 3. assist her in making a citizen's arrest of her husband.
 - 4. arrest the husband and charge him with battery.
39. One of the following generally is *not* considered a public place for purposes of arrest under Sec. 41.27(a), L.A.M.C.: (Page 169)
- 1. a department store during business hours.
 - 2. a street.
 - 3. a house party where admissions are by invitation only.
 - 4. a hotel lobby when public entry is not restricted.
40. A lawful arrest may be made under Sec. 41.27(a), L.A.M.C. if a person is: Indicate the *incorrect* answer. (Page 169)
- 1. intoxicated or drunk, on a public street.
 - 2. drunk in an alley.
 - 3. drunk in any place open to public patronage.
 - 4. drunk in a private place and annoying someone.
41. Except when divisional detectives provide photographic service in outlying divisions, if an arrest is made for habitual drunkenness in the presence of children under Sec. 273g, P.C., the arresting officers should arrange to have evidence of the "unfit" home conditions photographed by: (Page 173)
- 1. an Accident Investigation unit.
 - 2. divisional juvenile investigators.
 - 3. Photographic Section of the Scientific Investigation Division, or if this Section is closed, the Business Office Division.
 - 4. special investigators of the Juvenile Division.
42. In an arrest under Penal Code Sec. 273a for the neglect of children, all of the following statements are true except one. Check the *false* statement. (Page 173)
- 1. It is necessary to prove that the children were likely to be harmed.
 - 2. It is necessary to prove that the neglect is *habitual*.
 - 3. It is not necessary that the offender be a parent or guardian of the child.
 - 4. It is *not* necessary to prove that the children were actually harmed.
43. Generally, the location of a "Prowler call" should be determined by checking house numbers near the address: (Page 176)
- 1. on the opposite side of the street with a spotlight.
 - 2. on the same side of the street with a flashlight.
 - 3. on the opposite side of the street with a flashlight.
 - 4. on the same side of the street with a spotlight.
44. To establish a condition of vagrancy as it applies to lewd or dissolute persons, (Page 186)
- 1. an officer should have observed a series of lewd acts committed which show the perpetrator's "state of mind."
 - 2. an officer should have observed at least a half dozen offenses during a period of a month or more.
 - 3. an officer should have observed at least 10 or 12 offenses during a period of several months.
 - 4. the commission of one act may be sufficient.
45. The term "school children" as used in Sec. 647a(2) (Loitering about school), refers only to (Page 189)
- 1. minors under the age of 14 years enrolled in school.
 - 2. minors under the age of 16 years enrolled in school.
 - 3. minors under the age of 18 years enrolled in school.
 - 4. minors under the age of 18 years, whether they are enrolled in school or not.
46. An offense under Penal Code Sec. 647a(2) (Loitering about school), may be committed by (Page 189)
- 1. adults only.
 - 2. adult males only.
 - 3. male persons only.
 - 4. any person.
47. All city licenses are obtained from (Page 190)
- 1. the City Treasurer.
 - 2. the City Comptroller.
 - 3. the City Tax Collector.

- 4. the City Clerk.
48. To be able to sell within the grounds of a school, a peddler must obtain written permission from (Page 194)
- 1. the Board of Education.
- 2. the Department of Recreation and Parks.
- 3. the school principal or vice principal.
- 4. the Board of Police Commissioners.
49. A food and drink peddler is required (Page 195)
- 1. only to obtain and display on his vehicle a city license.
- 2. only to obtain and keep in his possession a city license and Health Department permit.
- 3. to obtain and display a City sales license and Health Department permit.
- 4. to obtain and display a city license and a Police Commission permit.
50. Operators of fruit and vegetable vehicles are:

Check the *incorrect* statement. (Page 196)

- 1. not allowed to sell prepared food.
- 2. allowed to place produce for sale on the ground if boxes or racks are used.
- 3. allowed to sell on public streets only between 8 a.m. and 8 p.m.
- 4. required to keep all produce on the vehicle.
51. The sections of the Los Angeles Municipal Code pertaining to box lunch vehicles provide that (Page 196)
- 1. coffee, if sold, must be prepared on equipment carried on the vehicle.
- 2. all food offered for sale must be prepared away from the vehicle.
- 3. all food offered for sale must be prepared on equipment carried on the vehicle.
- 4. coffee, if sold, is the only food that must be prepared away from the vehicle.

Chapter XIV

True—False (Circle T or F)

- T F 1. Only officers assigned to the Accident Investigation Division are required to make Traffic Accident Reports on accidents which occur on public property and involve only "appreciable property damage." (Page 212)
- T F 2. A Traffic Accident Report is not required when a person falls from a bicycle on a public street and is seriously injured. (Page 213)
- T F 3. If a person involved in a traffic accident complains of an injury, even though the injury is not visible or apparent, a Traffic Accident Report is required. (Page 213)
- T F 4. Traffic Accidents involving vehicles or property of Federal, State, or County agencies are reported as "city property" accidents. (Page 214)
- T F 5. The purpose of traffic enforcement is to prevent traffic accidents and to expedite traffic flow. (Page 198)
- T F 6. Generally, officers "sitting in" at an intersection for the purpose of traffic law enforcement should park their vehicles where they cannot be seen readily by motorists. (Page 199)
- T F 7. The question of right of way arises only when there is a danger of conflict between two users of the highway if they both proceed on their way without delay. (Page 201)
- T F 8. A pedestrian cannot lawfully start across a street against a yellow signal. (Page 203)

- T F 9. When one motorist makes a left turn in front of an oncoming vehicle, the right of way of the parties can be determined at any time while the turn is being made. (Page 204)
- T F 10. The courts have held that a motorist attempting to make a left turn has the right of way after allowing three approaching vehicles to pass. (Page 204)
- T F 11. Before an apparently intoxicated driver is stopped, he should be followed until officers are able to establish the element of careless driving. (Page 208)
- T F 12. An officer should quote bail amounts only if the violator resides out of town and is unable to appear to post bail. (Page 211)
- T F 13. If several different sections of the Vehicle Code have been violated, the most serious violation should be indicated first on the citation. (Page 211)
- T F 14. When a violator leaves his car and stands in the street to argue, he should be directed to return to his vehicle. (Page 211)
- T F 15. For safety reasons when writing a citation, an officer should stand between the police car and the violator's vehicle. (Page 211)

Multiple Choice:

16. While on a private right-of-way, two pedestrians were struck by a streetcar. One was killed and the other was seriously injured. Check one of the following statements which indicates the reports

- the officers responding to the call must make. (Page 212)
- 1. Traffic Accident Report and Miscellaneous Injury Report.
 - 2. Traffic Accident Report and Dead Body Report.
 - 3. Dead Body Report and Miscellaneous Injury Report.
 - 4. Dead Body Report, Miscellaneous Injury Report, and Traffic Accident Report.
17. Traffic Accident Reports are required in all of the following cases except one: Check that *exception*. (Page 212)
- 1. An automobile is involved in a "hit and run" accident on private property.
 - 2. Appreciable property damage results from an accident involving a streetcar and a bicycle on a highway.
 - 3. A streetcar strikes and damages a city-owned lamp standard on private property.
 - 4. A passenger falls from a streetcar on private property and is injured.
18. The definition of "right of way" as given in Section 87 of the Vehicle Code is: (Page 201)
- 1. "The right to proceed on the green or GO signal."
 - 2. "The privilege of the immediate use of the highway."
 - 3. "The right to proceed when there is no 'danger of conflict.'"
 - 4. "That part of the roadway allotted for use by public transportation systems."
19. If a pedestrian intending to cross the street enters a crosswalk on a green signal, (Page 202)
- 1. he is required to return to the curb if the signal changes to red before he is halfway across.
 - 2. he may lawfully proceed across, even though the signal changes to red while he is in the crosswalk.
 - 3. he may proceed across, but must yield the right of way to vehicles which are lawfully within the intersection.
 - 4. he is required to return to the curb or stop at the nearest safety zone if the signal changes to red after he enters the street.
20. Under Vehicle Code Section 560(a), the courts have held that a motorist must yield the right of way to a pedestrian in a marked crosswalk, (Page 205)
- 1. even though the pedestrian waives his right of way.
 - 2. even though there is no danger of conflict.
 - 3. only when there is a possibility of conflict.
 - 4. in every case.
21. Under Vehicle Code Section 560(b), when a vehicle stops at a marked crosswalk to permit a pedestrian to cross the roadway the driver of a vehicle approaching from the rear, (Page 206)
- 1. may proceed past the stopped vehicle only if this can be done with reasonable safety.
 - 2. shall not overtake and pass the stopped vehicle.
 - 3. may overtake and pass the stopped vehicle if there is no danger of conflict with a pedestrian.
 - 4. may carefully follow other vehicles past the stopped vehicle.
22. Of the following, choose the best method of indicating the reason for stopping a motorist who was "clocked" at 50 miles per hour in a business zone: (Page 210)
- 1. "Do you know why I stopped you?"
 - 2. "Do you realize how fast you were driving?"
 - 3. "I stopped you because you were driving 50 miles per hour."
 - 4. "I stopped you because you were driving too fast."
23. When adjustment of a citation by mail appears to be the only reasonable solution, the violator should be told, on request that any correspondence with the Traffic Violations Bureau: Check the *false* statement. (Page 211)
- 1. should be immediate.
 - 2. should include the citation.
 - 3. should include a stamped, self-addressed envelope.
 - 4. should contain cash as checks are not acceptable.
24. An officer should make an explanation of the offense to a traffic violator: (Page 210)
- 1. only when the offense is a minor one.
 - 2. only if the violator requests it.
 - 3. in all serious cases.
 - 4. in all cases.
- Completion (Fill in blanks)**
- "City property," for accident investigation and reporting purposes, includes any vehicles or other property owned or maintained by the City of Los Angeles, except vehicles and other property of the following departments: (25) _____, (26) _____. "City property" does not include the property or vehicles of the (27) Los Angeles City _____, or (28) the _____ of the City of Los Angeles. (Page 214)

Chapter XV

True—False (Circle T or F)

- T F** 1. In determining if a driver is "under the influence of intoxicating liquor," the officer must be guided by the definition of this term in the Vehicle Code. (Page 219)
- T F** 2. The test to determine the reaction of the irises of an intoxicated person's eyes to light should be given before other coordination tests. (Page 227)

Multiple Choice:

3. Only one of the following is a "vehicle" as defined by Section 31 of the Vehicle Code: Check that one. (Page 219)
- _____ 1. Trolley coaches.
 - _____ 2. Bicycles.
 - _____ 3. Streetcar.
 - _____ 4. Pushcart.
4. Only one of the following statements contains all of the elements necessary to establish a violation under Section 376d of the Penal Code: Check the *correct* statement. (Page 220)
- _____ 1. An intoxicated person is apprehended riding a bicycle on a street.
 - _____ 2. A person who is under the influence of intoxicating liquor is apprehended driving an automobile on a street.
 - _____ 3. An intoxicated person is apprehended driving a motorcycle on private property.
 - _____ 4. An intoxicated person is apprehended riding a bicycle on private property.
5. To establish a violation of Section 502a, V.C., it is necessary to prove all of the following elements except one: Check the *exception*. (Page 218)
- _____ 1. The person must be driving a vehicle.
 - _____ 2. Driving must be on a highway.
 - _____ 3. The person must be driving a motor vehicle.
 - _____ 4. The driver must be under the influence of intoxicating liquor.
6. Coordination tests should be given to the intoxicated driver in accordance with all of the following statements except one: Check the *incorrect* statement. (Page 223)
- _____ 1. The driver should be given only those

- _____ 2. The officer should demonstrate how the test is to be performed.
 - _____ 3. Witnesses should not be allowed to observe the coordination tests.
 - _____ 4. At no time during the tests should the impression be conveyed to the driver that success or failure in the test will determine innocence or guilt.
7. A handwriting specimen should be obtained from the intoxicated driver wherever possible. All of the following statements are correct except one: Check the *incorrect* statement. (Page 227)
- _____ 1. The driver should be provided with a smooth surface on which to write.
 - _____ 2. The driver's ability to coordinate his actions may best be tested by having him write from an awkward position.
 - _____ 3. The specimen should be written on the Alcoholic Influence Report where practicable, or on other paper which should be identified with the arrest and securely attached to the Alcoholic Influence Report.
 - _____ 4. If no smooth writing surface is available at the scene, it is best to wait until the driver is brought to the station where he may write on a smooth surface.

Completion (Fill in blanks)

The Alcoholic Influence Report should be used in all cases where the element of intoxication is coupled with (8) _____, or (9) _____. (Page 222)

(10) When all of the elements of driving on a highway while under the influence of intoxicating liquor can be established by the arresting officers, the proper booking would be _____. (11) When the elements of driving can be established by witnesses, but not by the arresting officers, the proper booking would be _____. (12) If the intoxicated arrestee had undoubtedly driven a vehicle but the elements of driving could not be established by witnesses or arresting officers, the proper booking would be _____. (13) To preserve properly the contents of a partially filled beer can, the opening should be covered with _____ before sealing wax is applied. (Pages 217, 218)

Chapter XVI

True—False (Circle T or F)

- T F** 1. Whenever a mentally ill person commits a felony, he must be charged with the

appropriate Penal Code violation and must be booked at the Hospital Division. (Page 229)

Chapter XVII

True—False (Circle T or F)

- T F** 1. The fact that a civil disturbance occurs on private property does not prohibit

the officer from taking the same action that he would if the disturbance occurred on public property. (Page 233)

- T F 2.** An officer on duty at the scene of a strike may, at his own discretion, remove his necktie and shoulder strap. (Page 238)
- T F 3.** If ties and shoulder straps are not worn by officers at the scene of a strike, their shirts may be unbuttoned at the neck. (Page 238)
- T F 4.** Practice indicates that prosecutions are more successful when a citizen makes an arrest for a minor crime against his person at a strike scene than when a witnessing officer makes the arrest. (Page 240)
- T F 5.** Conversation which takes place between two or more persons prior to their arrest is not admissible as evidence even though such conversation indicates an intent to commit an unlawful act. (Page 241)
- T F 6.** Sickening gas should be used *only* upon the direct order of the field commander. (Page 243)
- T F 7.** Sickening gas has a cloudy, yellow appearance and a smokelike odor. (Page 243)
- T F 8.** In treating a victim of sickening gas, he should be immediately removed from the contaminated area and given artificial respiration. (Page 243)
- T F 9.** Tear gas emitted from the Blast Dispersion grenade has a blue-white, smokish appearance and a strong, sweet odor. (Page 244)
- T F 10.** The Blast Dispersion grenade is used only for tear gas. (Page 244)

Multiple Choice:

- 11.** One of the following offenses is a felony. Check that one. (Page 233)
- _____1. Riot.
 - _____2. Rout.
 - _____3. Unlawful assembly.
 - _____4. Lynching.
- 12.** If a picket has been drinking, and because of his intoxicated condition may cause trouble, one of the following statements indicates the proper procedure which should be followed. Check that statement. (Page 239)
- _____1. The picket should be arrested immediately for being drunk in public view.
 - _____2. No action should be taken until he causes trouble.
 - _____3. He should be humored so that he will not cause trouble.
 - _____4. The picket captain should be advised that the picket will be arrested for being drunk in public view if he is not removed from the line and taken home.
- 13.** The Spede-Heat Jumbo grenade is equipped with:
- (Page 244)
- _____1. an instantaneous fuse.
 - _____2. a two-second time delay fuse.
 - _____3. a three-second time delay fuse.
 - _____4. a four-second time delay fuse.
- 14.** The Blast Dispersion grenade has a: (Page 244)
- _____1. green metal casing.
 - _____2. red metal casing.
 - _____3. silver-colored cardboard container.
 - _____4. red cardboard container.
- 15.** The projectile in the Long Range Shell is fused to discharge gas: (Page 247)
- _____1. instantaneously after firing.
 - _____2. one second after firing.
 - _____3. one and one-half seconds after firing.
 - _____4. two seconds after firing.
- 16.** If rioters do not immediately disperse after having been lawfully commanded to do so, (Page 233)
- _____1. the rioters may be arrested but officers are not required by law to make the arrest.
 - _____2. an officer must give a second dispersal order.
 - _____3. officers are required by law to arrest the rioters.
 - _____4. officers are required to issue a City Attorney's summons to every rioter.
- 17.** If a person is arrested for rioting and the Field Arrest Report is used, (Page 240)
- _____1. a plain inked impression of the arrestee's right thumb should be made on the lower right corner of the Field Arrest Report.
 - _____2. a plain inked impression of the arrestee's right thumb should be made after his name on the Field Arrest Report.
 - _____3. plain inked impressions of the fingers of the arrestee's right hand should be made on the rear side of the original Field Arrest Report.
 - _____4. plain inked impressions of the fingers of the arrestee's right hand should be made immediately below the arrestee's name on the front of the original Field Arrest Report.
- 18.** The Spede-Heat Jumbo grenade containing tear gas has (Page 244)
- _____1. green metal casing and an instantaneous fuse.
 - _____2. green metal casing and a two-second time delay fuse.
 - _____3. red metal casing and a two-second time delay fuse.
 - _____4. red metal casing and an instantaneous fuse.

Completion (Fill in blanks)

- 19.** Whenever two or more persons, assembled and acting together, make any attempt or advance toward the commission of an act which would be a riot

- if actually committed, such assembly is called _____ . (Page 233)
20. Whenever two or more persons assemble together to do an unlawful act, and separate without doing or advancing toward it, or should they do a lawful act in a violent, boisterous, or tumultuous manner, such assembly is called _____ . (Page 233)

21. The symbol for tear gas is _____ . (Page 242)
22. The extreme range of gas discharged under still dry air conditions from a Short Range Shell is _____ . (Page 246)
23. For greatest effectiveness, the blast from a Short Range Shell should be fired at the "target" from a distance of not more than _____ . (Page 246)

Chapter XVIII

True—False (Circle T or F)

- T F 1. Under the Major Disaster Plan, radio patrol units are considered to be those equipped with two-way radio and engaged in either uniform or plainclothes patrol. (Page 250)
- T F 2. An "All Unit Code Twelve" broadcast automatically activates the Provisional Disaster Force. (Page 251)
- T F 3. At the onset of a major disaster, "police work of major importance" includes continued custody of unbooked misdemeanor arrestees. (Page 251)
- T F 4. If the name of a victim of a major disaster is unknown, the space for the name on the Emergency Identification Tag should be left blank. (Page 254)

Multiple Choice:

5. Responsibility for the investigation of traffic accidents occurring in the Theater of Operations during a major disaster lies with the: (Page 249)
- _____1. Director of the Traffic Bureau.
 _____2. Director of the Patrol Bureau.
 _____3. Director of the Personnel and Training Bureau.
 _____4. Director of the Detective Bureau.
6. In the event a major disaster occurs in this City and the Mayor proclaims a disaster, the Police Department will function as: (Page 249)
- _____1. Provisional Disaster Force.
 _____2. The Citizen's Emergency Corps.
 _____3. The Police Division.

- _____4. The Remainder.
7. The code indicating activation of the Provisional Disaster Force is: (Page 250)
- _____1. Code Twelve.
 _____2. All Units Code Twelve.
 _____3. Thirteen Daniel.
 _____4. Thirteen Fred.
8. As soon as practicable after the occurrence of a major disaster, the boundaries of the Theater of Operations will be established by the: (Page 252)
- _____1. Director of the Technical Services Bureau.
 _____2. Director of the Patrol Bureau
 _____3. Director of the Detective Bureau.
 _____4. Director of the Personnel and Training Bureau.
9. When a major disaster occurs, an officer off duty must report to his division of assignment if, under prevailing transportation conditions, he can reach it within: (Page 252)
- _____1. 10 minutes.
 _____2. 15 minutes.
 _____3. 30 minutes.
 _____4. 45 minutes.
10. Emergency Identification Tags shall remain sealed in the boxes in which they are now stored until actually in the hands of: (Page 254)
- _____1. The Director of the Technical Services Bureau.
 _____2. The officer in command of homicide investigations at the scene of a disaster.
 _____2. The Red Cross Director at the scene.
 _____4. None of the above.

Answers to Review Questions

Chapter I

- | | |
|------------------------|-----------------------------------|
| 1. False | 11. where (or location) |
| 2. False | 12. when (or time) |
| 3. True | 13. why (or motive, reason, etc.) |
| 4. False | 14. how (or method, etc.) |
| 5. False | 15. thoroughness |
| 6. False | 16. work |
| 7. (2) | 17. time |
| 8. (4) | 18. location |
| 9. who (or names) | 19. mileage |
| 10. what (or incident) | |

Chapter II

- | | |
|----------|----------|
| 1. False | 7. False |
| 2. False | 8. True |
| 3. False | 9. True |
| 4. True | 10. (1) |
| 5. False | 11. (2) |
| 6. False | |

Chapter III

- | | |
|----------|--------|
| 1. False | 5. (3) |
| 2. False | 6. (2) |
| 3. True | 7. (4) |
| 4. False | |

Chapter IV

- | | |
|----------|---------------------------|
| 1. True | 5. location on the body |
| 2. False | 6. size |
| 3. False | 7. type |
| 4. True | 8. details of description |

Chapter V

- | | |
|----------|--------|
| 1. False | 4. (3) |
| 2. False | 5. (4) |
| 3. (3) | 6. (3) |

Chapter VI

- | | |
|----------|----------|
| 1. False | 2. False |
|----------|----------|

Chapter VII

- | | |
|----------|---------|
| 1. False | 6. True |
| 2. True | 7. True |
| 3. False | 8. (4) |
| 4. True | 9. (3) |
| 5. True | 10. (2) |

- | | |
|---------------------------------|--|
| 11. (4) | probable shot spread |
| 12. It is unloaded | proximity of innocent persons |
| It is free from obstructions | type of construction and possible occupancy of buildings beyond the suspect distance |
| The safety is on | |
| 13. Any three of the following: | |

Chapter VIII

- | | |
|-----------|---------|
| 1. True | 13. (3) |
| 2. False | 14. (2) |
| 3. False | 15. (1) |
| 4. True | 16. (4) |
| 5. True | 17. (4) |
| 6. True | 18. (1) |
| 7. True | 19. (1) |
| 8. False | 20. (4) |
| 9. False | 21. (3) |
| 10. True | 22. (1) |
| 11. False | 23. (2) |
| 12. (2) | |

Chapter IX

- | | |
|--------------------------------|--------------------------------------|
| 1. False | in |
| 2. False | battery improperly connected |
| 3. (3) | local barrier such as guy wire, etc. |
| 4. Any three of the following: | |
| blown fuse | 5. accuracy |
| foreign object in speaker | brevery |
| vibrator not work- | courtesy |

Chapter X

- | | |
|----------|--------------------------------|
| 1. True | 15. (1) |
| 2. False | 16. Any six of the following: |
| 3. True | ing: |
| 4. False | gas |
| 5. False | oil |
| 6. False | water |
| 7. True | lights |
| 8. False | tail lights |
| 9. False | clutch clearance of 1/2" to 1" |
| 10. (2) | need for lubrication |
| 11. (3) | tire inflation |
| 12. (2) | red light and siren |
| 13. (4) | spare tire and tools |
| 14. (3) | |

Chapter XI

- | | |
|----------|--|
| 1. False | 9. (2) |
| 2. False | 10. (3) |
| 3. True | 11. (1) or (3) |
| 4. False | 12. Narcotics Division |
| 5. True | 13. Communications Division (or Complaint Board) |
| 6. False | |
| 7. False | |
| 8. (2) | |

Chapter XII

- | | |
|-----------|-----------|
| 1. True | 21. False |
| 2. True | 22. False |
| 3. False | 23. (1) |
| 4. False | 24. (3) |
| 5. False | 25. (2) |
| 6. True | 26. (2) |
| 7. False | 27. (1) |
| 8. True | 28. (3) |
| 9. False | 29. (2) |
| 10. False | 30. (3) |
| 11. True | 31. (2) |
| 12. False | 32. (1) |
| 13. True | 33. (1) |
| 14. True | 34. (4) |
| 15. False | 35. (1) |
| 16. True | 36. (3) |
| 17. True | 37. (2) |
| 18. True | 38. (4) |
| 19. True | 39. (4) |
| 20. False | 40. (3) |

Chapter XIII

- | | |
|-----------|-----------|
| 1. True | 27. True |
| 2. True | 28. False |
| 3. False | 29. False |
| 4. True | 30. False |
| 5. False | 31. True |
| 6. True | 32. True |
| 7. False | 33. True |
| 8. False | 34. False |
| 9. False | 35. (4) |
| 10. True | 36. (4) |
| 11. False | 37. (2) |
| 12. False | 38. (3) |
| 13. False | 39. (3) |
| 14. True | 40. (4) |
| 15. False | 41. (3) |
| 16. False | 42. (2) |
| 17. False | 43. (3) |
| 18. False | 44. (4) |
| 19. False | 45. (4) |
| 20. True | 46. (4) |
| 21. False | 47. (4) |
| 22. False | 48. (3) |
| 23. False | 49. (3) |
| 24. True | 50. (2) |
| 25. True | 51. (2) |
| 26. False | |

Chapter XIV

- | | |
|-----------|--------------------------------|
| 1. False | 17. (4) |
| 2. True | 18. (2) |
| 3. True | 19. (2) |
| 4. False | 20. (3) |
| 5. True | 21. (2) |
| 6. False | 22. (4) |
| 7. True | 23. (4) |
| 8. True | 24. (2) |
| 9. False | 25. Harbor Department |
| 10. False | 26. Department Water and Power |
| 11. False | 27. School District |
| 12. False | 28. Housing Authority |
| 13. True | |
| 14. False | |
| 15. False | |
| 16. (3) | |
- } In any order

Chapter XV

- | | |
|--------------|---------------------------------------|
| 1. False | 10. 502 ^a V.C. |
| 2. False | 11. 41.27 ^a (Drunk) (Auto) |
| 3. (1) | 12. 41.27 ^a (Drunk) |
| 4. (3) | 13. adhesive or scotch tape |
| 5. (3) | |
| 6. (3) | |
| 7. (2) | |
| 8. driving | } In any order |
| 9. operating | |

Chapter XVI

1. False

Chapter XVII

- | | |
|----------|-----------------------|
| 1. True | 13. (1) |
| 2. False | 14. (3) |
| 3. False | 15. (3) |
| 4. True | 16. (3) |
| 5. False | 17. (3) |
| 6. True | 18. (4) |
| 7. True | 19. rout |
| 8. False | 20. unlawful assembly |
| 9. False | 21. CN |
| 10. True | 22. 40 feet |
| 11. (4) | 23. 15 feet |
| 12. (4) | |

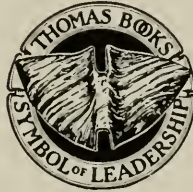
Chapter XVIII

- | | |
|----------|---------|
| 1. True | 6. (3) |
| 2. False | 7. (4) |
| 3. False | 8. (2) |
| 4. False | 9. (3) |
| 5. (4) | 10. (2) |

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