

SPEECH BY:

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IT IS A PLEASURE FOR ME TO BE IN WISCONSIN TODAY AND TO HAVE THE OPPORTUNITY OF PARTICIPATING IN THE ATTORNEYS GENERAL'S 1974 LAW ENFORCEMENT CONFERENCE. THE FIRST REASON FOR MY PLEASURE IS THAT I HAVE BEEN ATTEMPTING TO GET A SIMILAR CONFERENCE ON VIOLENT CRIME SCHEDULED IN NORTH CAROLINA AND I HOPE TO GATHER SOME VALUABLE INFORMATION WHILE I AM HERE. THE SECOND - AND FOREMOST - REASON FOR MY PLEASURE IS TO BE IN WISCONSIN AND TO HAVE THE OPPORTUNITY OF PAYING TRIBUTE TO MY FRIEND AND COLLEAGUE ROBERT WARREN.

GENERAL WARREN'S OUTSTANDING ABILITIES HAVE BEEN RECOGNIZED BY HIS FELLOW ATTORNEYS GENERAL. WE HAVE GIVEN HIM THE HIGHEST HONOR AT OUR DISPOSAL BY NAMING HIM PRESIDENT OF THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL. UNDER HIS LEADERSHIP OUR ASSOCIATION HAS ENGAGED IN MORE SIGNIFICANT ACTIVITIES AND HAS HAD A GREATER IMPACT ON NATIONAL AFFAIRS THAN EVER BEFORE IN ITS HISTORY.

WE ALSO RECOGNIZE THE OUTSTANDING QUALITY OF THE DEPARTMENT OF JUSTICE WHICH HE HEADS. I SERVE AS CHAIRMAN OF THE COMMITTEE ON THE OFFICE OF ATTORNEY GENERAL, WHICH FURNISHES STAFF SERVICES FOR THE ASSOCIATION. WE PREPARE RESEARCH REPORTS, NEWSLETTERS, AND OTHER PUBLICATIONS ON A GREAT VARIETY OF SUBJECTS WHICH ARE OF INTEREST TO ATTORNEYS GENERAL. WE ALSO HOLD NATIONAL AND REGIONAL MEETINGS ON VARIOUS SUBJECTS.

THE QUALITY OF WISCONSIN'S DEPARTMENT OF JUSTICE IS SHOWN BY THE FACT THAT OUR PUBLICATIONS AND OUR MEETINGS INVARIABLY FEATURE WISCONSIN. NO MATTER WHAT THE SUBJECT, YOUR ATTORNEY GENERAL'S OFFICE SEEMS TO HAVE UNUSUAL EXPERTISE, AND A WILLINGNESS TO SHARE IT WITH OTHER STATES. MIKE ZALESKI IS ATTENDING A SERIES OF ORGANIZED CRIME CONTROL SEMINARS TO TALK ON ENFORCEMENT OF STATE ANTITRUST LAWS. MARY BOWMAN SPOKE TO A NATIONAL NAAG MEETING ON INDIAN RIGHTS. A RECENT NAAG MEETING ON CORRECTIONS FEATURED A SPEECH BY ALAN LEE ON WISCONSIN'S OMBUDSMAN SYSTEM, AND JAMES PETERSON AND ROBERT REPASKY ARE SCHEDULED TO SPEAK TO FUTURE MEETINGS ON PRISONER LITIGATION. RON SEMMANN SPOKE ON PERSONNEL EVALUATION TO A NAAG MANAGEMENT INSTITUTE. THEODORE PRIEBE HAS MADE AN OUTSTANDING CONTRIBUTION TO THE ENVIRONMENTAL CONTROL COMMITTEE, AS JIM JEFFRIES HAS TO CONSUMER PROTECTION.

FROM THE ENFORCEMENT POINT OF VIEW, ASSISTANT ATTORNEY GENERAL PETER PESHEK WAS INSTRUMENTAL IN ALERTING THE NORTH CAROLINA STATE BUREAU OF INVESTIGATION TO ILLEGAL PRACTICES BY CERTAIN CHEMICAL COMPANIES IN GIVING GIFTS TO PURCHASERS. OUR INVESTIGATION FOUND SEVERAL PUBLIC EMPLOYEES WHO HAD PARTICIPATED. OUR PROMPT ACTION NIPPED THIS PRACTICE BEFORE IT BECAME A MAJOR PROBLEM IN NORTH CAROLINA.

OF THE FIFTY OFFICES OF ATTORNEYS GENERAL, WISCONSIN IS ONE OF THE FEW TO HAVE THIS KIND OF EXCELLENCE IN SO MANY FIELDS AND THIS DEGREE OF INNOVATIVE APPROACHES TO MEETING PROBLEMS IN CONSUMER PROTECTION, PUBLIC CORRUPTION AND SO MANY OTHER AREAS. I KNOW THAT YOUR ATTORNEY GENERAL IS RESPONSIBLE FOR THIS, AND I COMMEND HIM FOR HIS LEADERSHIP HERE IN WISCONSIN AND ON THE NATIONAL LEVEL.

THIS CONFERENCE ON "VIOLENT CRIME - INVESTIGATION THROUGH PROSECUTION" IS BUT ANOTHER EXAMPLE OF ATTORNEY GENERAL WARREN'S INSIGHT INTO THE PROBLEMS OF THE TIMES. IT DOESN'T TAKE A CONFERENCE, OF COURSE, TO DRAMATIZE THE INCREASE IN VIOLENT CRIMES IN OUR SOCIETY. THIS CAN BE DONE BY REVIEWING DEPARTMENT REPORTS, TRIAL DOCKETS, AND THE NEWSPAPERS. THE IMPORTANT THING IS TO BRING TOGETHER THE DISTRICT ATTORNEYS AND THE STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO REVIEW AND CONSIDER NEW WAYS OF MEETING THE CHALLENGES OF VIOLENT CRIMES.

THE THEME MIGHT WELL BE "APPREHENSION AND PROSECUTION THROUGH COOPERATION". THAT'S WHAT IT WILL TAKE IN THIS DAY AND AGE TO GET THE JOB DONE. MY EXPERIENCE IN NORTH CAROLINA - AND MUCH OF MY TALK WILL BE BASED ON THAT EXPERIENCE - HAS SHOWN THAT REGARDLESS OF THE PROFESSIONALISM OF OFFICERS, REGARDLESS OF THE SCIENTIFIC TOOLS AVAILABLE, REGARDLESS OF THE TRIAL EXPERTISE OF THE DISTRICT ATTORNEYS, THERE WILL BE LITTLE SUCCESS UNLESS THERE IS COOPERATION. THERE MUST BE RECOGNITION OF LIMITATIONS, AN INVENTORY OF ASSETS, AND A WILLINGNESS TO COMMUNICATE AND COOPERATE.

IN NORTH CAROLINA WE HAVE 100 SHERIFFS' DEPARTMENTS, ABOUT 350 POLICE DEPARTMENTS, AND 30 SOLICITORIAL DISTRICTS. THE EFFECTIVENESS OF SERVICES, OF COURSE, VARIES. ON THE STATE LEVEL THERE IS THE STATE BUREAU OF INVESTIGATION, WHICH IS A DIVISION OF THE DEPARTMENT OF JUSTICE. FOR CRIMINAL INVESTIGATIONS, IT HAS WELL QUALIFIED AND TRAINED AGENTS STATIONED ACROSS THE STATE, A SYSTEM OF MOBILE CRIME SCENE SEARCH VEHICLES, AND A CENTRAL CRIME LABORATORY AS GOOD AS ANY IN THE COUNTRY. ALSO IN THE DEPARTMENT OF JUSTICE WE HAVE A TEAM OF SPECIAL PROSECUTORS AVAILABLE TO ASSIST DISTRICT ATTORNEYS ON REQUEST.

LET ME EMPHASIZE THAT IN NORTH CAROLINA LAW ENFORCEMENT IS BASICALLY A LOCAL RESPONSIBILITY. THE SBI IS THERE TO ASSIST THE SHERIFF'S DEPARTMENT OF THE POLICE DEPARTMENT. IN MOST CASES AGENTS ARE REQUESTED TO PARTICIPATE IN AN

INVESTIGATION. I FEEL THIS IS THE PROPER APPROACH AND THAT THE SBI SHOULD NOT BECOME A "STATE POLICE". HOWEVER, I ALSO FEEL THAT LOCAL DEPARTMENTS NEED TO BE AWARE OF THE RESOURCES AVAILABLE TO THEM ON THE STATE LEVEL AND THAT THEY SHOULD NOT BE HESITANT TO REQUEST ASSISTANCE WHEN NEEDED.

FOR YOUR COMPARISON, LET ME DESCRIBE A PARTICULAR CASE WHICH OCCURRED IN NORTH CAROLINA SOME MONTHS AGO. IT WAS A TRIPLE HOMICIDE AND UNFORTUNATELY HAS NOT YET BEEN SOLVED. IT DOES DEMONSTRATE, HOWEVER, THE INTERRELATIONSHIPS OF VARIOUS DEPARTMENTS. THE SHERIFF'S DEPARTMENT IN THE COUNTY RECEIVED A CALL LATE ON A SNOWY NIGHT, REPORTING THAT A MAN, HIS WIFE AND SON HAD BEEN FOUND, STRANGLER, AND WITH THEIR HEADS SUBMERGED IN A BATHTUB. IN THIS CASE THE SHERIFF CALLED THE RESIDENT SBI AGENT AND THEY ARRIVED AT THE SCENE AT ABOUT THE SAME TIME.

THE RESIDENT AGENT IMMEDIATELY CALLED FOR HELP FROM A NEARBY AGENT AND FROM THE MOBILE LAB. BOTH, OF COURSE, RESPONDED. A WORD HERE ON THE MOBILE LAB: AS I STATED, IT IS REALLY A CRIME SCENE SEARCH VEHICLE, LARGE ENOUGH TO WALK AROUND IN, AND EQUIPPED WITH SUCH THINGS AS A GENERATOR AND LIGHTS, RUNNING WATER, A NUMBER OF CAMERAS, A KIT FOR LIFTING AND EXAMINING LATENT FINGERPRINTS, A BLOOD TEST KIT, A DRUG TEST KIT, VARIOUS TYPES OF CONTAINERS FOR COLLECTION AND PRESERVATION OF EVIDENCE, ETC. EACH IS STAFFED BY A SPECIALIST. AT PRESENT WE HAVE EIGHT SUCH UNITS AND PLANS TO DOUBLE THE NUMBER WITHIN THE NEXT TWO YEARS.

AFTER THE INITIAL CRIME SCENE WORK AND INVESTIGATION, ADDITIONAL HELP WAS REQUESTED FROM THE BUREAU. BY EARLY MORNING SIX ADDITIONAL AGENTS WERE ON HAND TO ASSIST IN THE INVESTIGATION. A COMMAND CENTER HAD BEEN SET UP TO BETTER UTILIZE RESOURCES IN CHECKING OUT LEADS. THE DISTRICT ATTORNEY HAD BEEN ADVISED AND ONE OF HIS ASSISTANTS WAS ON HAND. THE REPRESENTATIVES OF THE NEWS MEDIA WERE REFERRED TO THE SHERIFF FOR ANY STATEMENTS ON THE CRIME AND THE PROGRESS OF THE INVESTIGATION.

ADDITIONAL FORENSIC ASSISTANCE WAS DISPATCHED FROM THE CENTRAL CRIME LABORATORY. INITIALLY THESE INCLUDED CHEMISTS LOOKING PARTICULARLY FOR HAIRS AND FIBERS, A FIREARMS EXAMINER TO RECOVER AND EXAMINE A BULLET FOUND IN THE WALL, AND LATENT PRINT EXAMINERS TO PROCESS THE HOUSE FROM CEILING AND BASEMENT. A VAST AMOUNT OF EVIDENCE WAS TAKEN BACK TO THE LABORATORY FOR PROCESSING AND, OF COURSE, THE CLOTHING FROM THE VICTIMS, ETC. WAS SENT TO THE LAB FROM THE OFFICE OF THE MEDICAL EXAMINER.

THE CONCENTRATION OF AGENTS REMAINED ON THE CASE FOR SEVERAL WEEKS, TRACKING DOWN LEADS THROUGHOUT THE STATE AND INTO OTHER STATES. OUR ORGANIZED CRIME CONTROL DIVISION PROVIDED AN INTELLIGENCE FUNCTION, COMPARING THIS CASE WITH OTHER HOMICIDES IN THE STATE AND CHECKING WITH OTHER STATES. COOPERATION WAS EXCELLENT IN THE BEGINNING. SUSPECTS WERE

DEVELOPED BUT NOT ENOUGH EVIDENCE WAS DEVELOPED TO ARREST THEM. FINALLY, AGAINST THE ADVICE OF THE SBI SUPERVISOR, THE SHERIFF MADE ARRESTS BUT NO ONE WAS CONVICTED. THE SBI CONTINUES ITS INVESTIGATION.

LET ME INSERT HERE ANOTHER EFFORT THAT WE ARE MAKING IN NORTH CAROLINA TO GET AT THE UNSOLVED HOMICIDE CASES. WE HAVE CREATED A "MURDER SQUAD" TO WORK ON UNSOLVED HOMICIDES OF MORE THAN A YEAR OLD. TWO AGENTS IN EACH DISTRICT ARE PICKED AND ASSIGNED SPECIFIC CASES. WE SELECTED SIX CASES IN MARCH AFTER GIVING THE AGENTS SPECIAL TRAINING. TO DATE, ONE OF THE CASES HAS RESULTED IN THE ARREST OF TWO INDIVIDUALS, ANOTHER HAS BEEN CLOSED AS A TRAFFIC FATALITY, AND TWO OTHERS ARE CLOSE TO SOLUTION. WE ARE PRESENTLY EVALUATING THE ENTIRE EFFORT.

FOR COMPARISON WITH OUR EFFORTS IN THE TRIPLE HOMICIDE, LET ME READ FOR YOU A REPORT ON THE INVESTIGATION OF A DOUBLE HOMICIDE IN WORTHING, SUSSEX COUNTY, ENGLAND. THE REPORT WAS WRITTEN BY ONE OF THREE FORENSIC SPECIALIST WHO RECENTLY VISITED LABORATORIES IN ENGLAND AND SCOTLAND LOOKING FOR BETTER METHODS OF DOING OUR WORK. THEY WERE PARTICULARLY INTERESTED IN THE THINGS BEING DONE WITH BLOOD IN ENGLAND AND WITH A TECHNIQUE FOR LIFTING FINGERPRINTS FROM HUMAN FLESH BY X-RAY. THE TRIP WAS FINANCED, I MIGHT ADD, BY PRIZE MONEY ONE OF OUR CHEMISTS RECEIVED FOR DEVELOPING A NEW METHOD OF HAND WIPINGS FOR GUN POWDER RESIDUE.

THE REPORT FROM ENGLAND: "APPROXIMATELY THREE AND ONE-HALF WEEKS PRIOR TO OUR VISIT IN WORTHING THEY HAD A DOUBLE HOMICIDE. AN ELDERLY COUPLE HAD BEEN FOUND DEAD IN THEIR RESIDENCE. THEY HAD BEEN BEATEN AROUND THE HEAD WITH SOME TYPE OF BLUNT OBJECT, AND THEIR PET DOG HAD BEEN STABBED NUMEROUS TIMES WITH A SCREWDRIVER. THE SCENES OF CRIME OFFICERS WERE THE FIRST TO ARRIVE AT THE SCENE. THEY PRESERVED THE SCENE PROPERLY, DIRECTED THE PHOTOGRAPHER IN TAKING THE PROPER PHOTOGRAPHS, AND DID A THOROUGH SEARCH OF THE CRIME SCENE AREA. . . .

"ALMOST IMMEDIATELY 60 DETECTIVES FROM ALL OVER SUSSEX COUNTY WERE BROUGHT TO WORK ON THE INVESTIGATION. THESE 60 DETECTIVES HAD BEEN DEVOTING THEIR FULL TIME TO THIS ONE CASE ALONE FOR THE THREE AND ONE-HALF WEEKS AND WERE EXPECTED TO REMAIN THERE UNTIL THE CASE WAS SOLVED OR UNTIL IT WAS OBVIOUS THAT THEY WOULD NOT BE ABLE TO SOLVE IT. THEY KNEW THAT THEY WOULD BE ON THE CASE AT LEAST SIX MORE WEEKS.

"A MURDER ROOM HAD BEEN SET UP AT THE WORTHING POLICE DEPARTMENT. IN THIS ROOM THEY HAD EIGHT TO TWELVE PEOPLE FILING AND INDEXING REPORTS BROUGHT IN ON THE CASE. EVERY PERSON WITHIN A RADIUS OF ONE MILE AROUND THE RESIDENCE HAD BEEN INTERVIEWED. REPORTS ON THESE INTERVIEWS WERE HANDWRITTEN. THESE REPORTS WERE BROUGHT TO THE MURDER ROOM AND TRANSFERRED TO INDEX CARDS AND FILED. THE INFORMATION HAD BEEN INDEXED



INTO TWENTY-FIVE MAJOR CATEGORIES. THE TYPED REPORTS WERE FILED IN A NOTEBOOK. THERE WERE ABOUT FIFTEEN NOTEBOOKS COMPLETELY FILLED WITH INVESTIGATIVE REPORTS.

"IN ADDITION TO THIS FILING SYSTEM, BULLETIN BOARDS WERE SET UP ALONG THE WALLS AROUND THE MURDER ROOM. THERE WERE TIME TABLES LISTING THE PROBABLE ACTIVITIES OF THE VICTIMS AND ANY ACTIVITIES WHICH HAD BEEN CONFIRMED. THERE WERE TIME TABLES ON THE SUSPECTED AND CONFIRMED ACTIVITIES OF THE MAJOR SUSPECT. IT IS INTERESTING TO NOTE THAT THE SUSPECT HAD A GAP OF TIME FOR WHICH HE COULD NOT ACCOUNT. THE ONLY CONNECTION WHICH REMAINED FOR THE POLICE TO DEVELOP WAS SOME TYPE OF PHYSICAL EVIDENCE THAT COULD CONNECT THE PERPETRATOR WITH THE CRIME."

UNFORTUNATELY FOR US, WE HAVE MORE VIOLENT TYPES OF CRIME IN THIS COUNTRY THAN THEY DO IN ENGLAND. AND WE DON'T HAVE THE MANPOWER TO CONCENTRATE ON SUCH CRIMES AS THEY DO. THEIR POLICE STRUCTURE IS SOMEWHAT DIFFERENT, IN THAT THEY DO NOT HAVE THE NUMBER OF DEPARTMENTS AND JURISDICTIONAL BOUNDARIES. BEYOND THIS, THEY HAVE A MORE SPEEDY TRIAL PROCESS THAN WE HAVE IN THIS COUNTRY. STILL I THINK WE HAVE ADVANTAGES HERE. THESE ADVANTAGES MUST BE CAPITALIZED UPON IF WE ARE TO SUCCESSFULLY GET AT THE PERPETRATORS OF VIOLENT CRIMES IN OUR SOCIETY.

I WOULD EMPHASIZE AGAIN THE NEED FOR COOPERATION BETWEEN INDIVIDUALS AND BETWEEN DEPARTMENTS. IT MAKES NO DIFFERENCE THE COLOR OF AN OFFICER'S UNIFORM OR THE SHAPE OF HIS BADGE, HE MUST BE A PART OF THE TEAM. AND, NO ONE INDIVIDUAL CAN PLAY ALL OF THE POSITIONS. ANY OFFICER TODAY NEEDS TO MEET MINIMUM STANDARDS, PARTICULARLY IN THE AREA OF TRAINING. HE SHOULD BE TAUGHT WHAT TO DO AND, EQUALLY IMPORTANT, HE SHOULD BE TAUGHT WHAT NOT TO DO. HE SHOULD RECOGNIZE HIS LIMITS AND CALL FOR THE APPROPRIATE ASSISTANCE WHEN THOSE LIMITS ARE REACHED.

WE HAVE A GOOD MINIMUM STANDARDS PROGRAM UNDER WAY IN NORTH CAROLINA AND IT IS OF BENEFIT TO ALL OFFICERS. IT TAKES MORE THAN A GOOD BASIC TRAINING PROGRAM AND A COUPLE OF YEARS EXPERIENCE TO BE A QUALIFIED INVESTIGATOR, HOWEVER. SPECIALIZED TRAINING IS NECESSARY. IN NORTH CAROLINA SBI AGENTS ARE REQUIRED TO SUCCESSFULLY COMPLETE A TWELVE WEEKS BASIC INVESTIGATORS COURSE AND THEN SUCCESSFULLY COMPLETE A PROGRAM OF ON-THE-JOB TRAINING. EACH AGENT ALSO RECEIVES ABOUT TWO WEEKS OF IN-SERVICE TRAINING A YEAR.

NORTH CAROLINA IS MOVING NOW TO PROVIDE THIS SAME TYPE OF PROGRAM FOR ANY LOCAL DEPARTMENT THAT DESIRES IT. WE HAVE CREATED A CRIMINAL JUSTICE ACADEMY ON A FORMER COLLEGE CAMPUS THAT SOON WILL PROVIDE FOR SUCH SPECIALIZED PROGRAMS, AS WELL AS SUPERVISORY AND MANAGEMENT PROGRAMS. DOWN THE ROAD

UNDERSTAFFED. THIS SPECIAL UNIT OF THREE ATTORNEYS IS THERE TO ANSWER LEGAL QUESTIONS ON CRIMINAL MATTERS FOR OFFICERS AS WELL AS DISTRICT ATTORNEYS. THEY WILL HELP IN THE PREPARATION OF A CASE AND WILL, UPON REQUEST, ASSIST IN THE PROSECUTION. IN THE THREE YEARS IT HAS BEEN ACTIVE, THE UNIT HAS RENDERED INVALUABLE ASSISTANCE TO DISTRICT ATTORNEYS AND HAS LOST ONLY ONE CASE IT HAS TRIED IN COURT.

WELL, SO MUCH FOR WHAT WE ARE DOING IN NORTH CAROLINA. I HOPE THAT I HAVE GIVEN YOU SOME IDEAS, SOME THOUGHTS FOR CONSIDERATION. I LOOK FORWARD TO VISITING WITH YOU TODAY AND HEARING YOUR SUGGESTIONS AND OPINIONS. IN CLOSING, LET ME SAY THAT MANY THINGS ARE ESSENTIAL IN THE INVESTIGATION AND PROSECUTION OF VIOLENT CRIMES: DEDICATED AND WELL-TRAINED OFFICERS AND PROSECUTORS; THOROUGH CRIME SCENE SEARCHES; PROMPT AND EXPERT EVIDENCE ANALYSIS; ETC. NOTHING, HOWEVER, IS MORE IMPORTANT THAN COOPERATION BETWEEN OFFICERS, BETWEEN DEPARTMENTS, BETWEEN LAW ENFORCEMENT AND DISTRICT ATTORNEYS.