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## Shield Contest

In last months contest we received no correct answers. The answer we were looking for was: Robert T. Horning was given a dermal nitrate test and it showed he hadn't handled a gun recently.

## Who Is The Real Witch

by Sgt. G. Langenderfer

We Americans have in the past always jealously guarded our national Holidays and national traditions. Yet it would seem that we are the same ones that are putting them all to ruin. We used to look forward to Christmas and Thanksgiving Days as a warm part of the year for us. Now, it turns out that is just an extra day for Commerce to fill their already overstuffed pockets and they all seem to take advantage of it. The remarks of today are, "Our Holidays are too commercial these days." This seems to be the truth. Some of us still look forward to the days when we can and do try to make others happy on Christmas and other holidays of the year, including Halloween. Many home owners are delighted to have these little "beggars" call at their home and receive their treats--just to see how the children are dressed and watch their eager little faces aglow with delight when candy and gum are placed in their bag.

There are some depraved persons who do not like this sort of amusement. Instead of doing the right thing by turning off their porch light or leaving the home for awhile or just telling the callers they don't wish to be bothered, they apparently take leave of their senses and take the time and expense to sabotage the candy and gum. They deliberately hand it out to the unsuspecting children with the hopes of hurting them. It is beyond the comprehension of this writer how anyone -- adult or juvenile -- would deliberately place razor blades in apples and candy, place pins and needles in candy bars, and spray various types of insecticides on candy and gum. All a person can do is shake his head in disbelief. Is it possible that we are reverting back to the days of loin cloths and club? Are we becoming so sick of mind that we cannot stand to see even the little children with smiles on their faces? There is not much to smile about in this country with all the evil that is about us. Why must we spoil for others all the good things that are left. These cruel persons have to be sick. They need medical help fast before they actually kill some

helpless little boy or girl.

As of this writing, this Bureau (Crime Prevention) has received 37 official complaints of adulterated candy, gum and apples from throughout the city. Thank God only a very few children have actually hurt themselves on these razor blades and pins stuck in their Halloween treats. Most of the parents are very wise to look over the treats before turning them over to their children. Twelve of these official reports have proved to be unfounded: the children themselves have placed pins and razor blades in the candy just for publicity and the thrill of having the police come to their homes. The rest of the reports are now under investigation and this writer feels sure that the guilty parties will be brought to justice. More reports are sure to come in to this Bureau as the children consume their treats and discover the hazards hidden inside. Some parents, though, are not even looking through these treats for tainted candy or disturbed fruits. They should, if they care for the welfare of their children.

A situation arose in one of our West Toledo stores. The Management knew that a special shipment of candy bars, ordered especially for the Halloween season, was spoiled by fuel oil. These candy bars were not to be sold to anyone. However, by accident, this bad shipment of candy found its way to the shelves and was sold to a countless number of people for distribution to the children on Halloween night. In all fairness to the store managers, they probably didn't know this candy was sold until some complaints started to trickle in. One would think when the mistake was finally realized, some sort of official notice to the public would be given to the Newspapers and the local radio and television stations warning of this mistake. To this writer's knowledge, however, there has been no such "official warning" to the public at all.

It seems rather a good time now with the Thanksgiving Season coming upon us to take stock in ourselves and our families. Is it so dif-

Too often it does. This article is directed, for the most part, toward the elderly person because they are the main victim in 90% of the cases reported to the police.

The following is a standard example of the scheme.

"I just found some money. It's too much for me and my husband. I think I'll share it with someone. Maybe I will share it with you. You have such a kind face but, you know, you can't judge a book by its cover. I'm sure you're honest, but just to satisfy my husband why don't you get me \$1200.00 just so we can prove to him your good faith."

"But I don't have that much money."

"Well, bring me all you can and meet me here at noon today. We'll show that doubting husband of mine. Oh, by the way, don't tell a soul about this or we will have everyone trying to share in our good fortune."

AT THE BANK: "I want to withdraw \$950.00 please." "Very well ma'am, do you have your passbook?" "Yes, here it is, and the withdrawal slip too." "I see that this withdrawal will close out your account with us."

"Yes, yes it will, but I need it desperately for my, my daughter's operation."

"Oh, I see. I'm sorry to hear that. May I give it to you in the form of a cashier's check?"

"Oh no, it must be in cash. The doctor said so."

"Would you like to tell our head teller about it? Maybe he can help."

"Young man, I don't need any help, all I want is my money and right now."

"Very well ma'am."

LATER AT THE PARK: "Did you bring the money?"

"Yes, but all I have is \$950.00."

"Well, I don't know. Let me ask my husband if it's OK. His office is just down the street. Let me show him the money so that he knows you are in good faith. Maybe he will say OK. I'm on your side be-

ficult to be nice or polite to our neighbors? Does it really make us truly happy to be at odds with those around us? Is it becoming a sign of personal weakness to use common decency? These few questions we should all ask of ourselves. A true answer just may frighten us. Then maybe, after personal improvements are made, next Halloween night may just be a little safer for our little "beggars". The true "Witches" of this year will have changed at least part of their outlook on life.

## It Can't Happen, But

cause I believe you. Now don't go away. I'll be right back in ten minutes."

An hour goes by and the person who has your money hasn't returned. You're beginning to get suspicious, and you call the police. It's too late. You have been the victim of the Pigeondrop racket. There is nothing to do now but give the police the description of the person who swindled you and go home.

You sit alone at home, you feel very sad, so sad that you could cry. All of your savings are gone, gone for nothing. Tears begin to fill your eyes.

SOUND RIDICULOUS? Maybe so to some of you, but each year thousands of dollars are lost by people in the pigeondrop swindle. With all the publicity about it, people are still taken in. They sound so

convincing and so honest. The scheme is so simple, you will say "It couldn't happen to me," or could it now?

Be very careful if you are ever approached with such a scheme. Many times it's very tempting to be offered \$10,000.00 for \$2000.00 but more often than not the only thing which happens is the victim losing all his savings. If you began to question the person who is offering you the bonanza you may be shown a package wrapped to look like real money, you may even be shown several bills from the top and bottom of the package and they may be real. Be careful -- the chances are 100 out of 100 that the rest of the "money" is nothing more than plain paper.

REMEMBER: Please call your police department and inform us of this get rich scheme so that in several days you can still laugh instead of being like the person in our story.

## School Safety Program

by OFF. R. Hogle

Following is the list of the Safety Guards and their schools that were selected as guards of the day in the month of October. These guards have been honored for their outstanding efforts as a member of the Safety Patrol and were recognized on WCWA Radio and will also receive a sweatshirt and letter of appreciation from the Toledo Police Patrolmens Association.

Oct. 2. Linda Romanoff, Lincolnshire School.

Oct. 3. Dave McGrew, Good Shepard.

Oct. 4. Billie Sol Rose, Chase.

Oct. 5. Cindy Warren, Jones.

Oct. 6. Tom Raab, Rosary Cathedral.

Oct. 9. Terence Kelley, Regina Coeli.

Oct. 10. Mark Zielinski, Longfellow.

Oct. 11. Doak Decker, Meadowvale.

Oct. 12. Dean Westbrook, Martin Luther King.

Oct. 13. Mary Nagy, Birmingham.

Oct. 16. Mark Cheatham, Ella P. Stewart.

Oct. 17. Thomas Waters, Olph.

Oct. 18. Joseph Burzinski, Hawkins.

Oct. 19. Chris Cheney, Beverly.

Oct. 20. Michael Schramm, St. James.

Oct. 23. Theresa Lewinski, Immaculate Conception.

Oct. 24. Ron Clapsaddle, East Side Central.

Oct. 25. Anthony Jordon, Martin Luther King.

Oct. 26. Paul Hollingsworth, Cherry School.

Oct. 27. Keith Le Fevre, Ottawa River

Oct. 30. Samuel Alonzo, SS Peter & Paul.

Oct. 31. Jenny Guinsler, Heatherdowns.

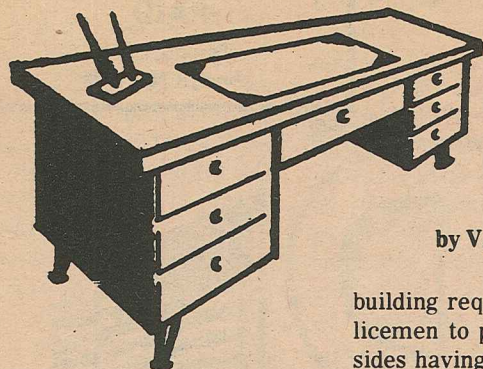
Congratulations to all of these guards for their outstanding service.

Also a reminder to our motorists that since Sept. 6, 1972, when school opened, to the present date we have had over 70 grade school children struck by automobiles. So please watch for the children - it could be your child, brother, sister, or grandchild.

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from the EDITOR'S desk



by V.J. Krajewski

In the past few years, the Toledo Police Department has been classified as a progressive department (?) by someone. Because of this classification, there have probably been many good suggestions which have gone by the wayside for lack of initiative in starting them

The latest one I am thinking of is the use of dogs within the Police Division. These animals have a valuable function to perform if given the chance to show the areas in which they can excel. When someone mentions dogs for police work, the first impression they have is of the German Shepherd or Doberman, teeth showing and viciously barking, being unleashed upon some poor citizen. True, Police Dogs are used in certain attack situations, but these dogs are trained to attack and hold (not bite or tear) an arm or leg. They are also used in crowd control, building search, locating lost or wanted people and drug work. These are only a few areas of police work in which a dog could be of immense help.

As a policeman you know how futile it is to be given an alarm at a

building requiring six or seven policemen to properly search it, besides having some men on the outside watching it. Many fewer police would be needed if one had access to a dog in this situation. How about looking for a lost child or escapee from jail? In the area of drug search, the dog has been used successfully in many large cities and has proven invaluable in finding drugs in much less time than a team of detectives would take.

With all the areas in which the dog has been used and has proven its worth, I wonder why this "progressive" department has failed to use dogs for its patrolmen. Could it be that some group of people are telling the administration what to do?

We have been told that there are two policemen who have bought a dog, paid for its training, and then offered the dog to the city as a pilot program. Their offer has been turned down - WONDER WHY? The only condition both men insisted upon was that, since they trained the dog, they should be the handlers of him. One top police official said it would have to be agreed upon by the Top City Administration to use them. That Administration said that The Police Official would have to ask for the dog. As usual, any half-way decent idea is given the run-around until the idea is forgotten.

One of the officers was told that a dog program was in the planning stage. When it becomes reality is another question.

Letters To The Editor

Dear Sir,  
My name is Walt Mandry, "Membership Director". I'm writing this for The Shield, as a service to my many friends on the Toledo Police Force. I was surprised that the subject of free college education for children of deceased or disabled law enforcement people was unpublicized and virtually unheard of in the Toledo area. A fraternal organization The Knights of Columbus provides this for the children of its members.

A scholarship fund was set up by Knights at a convention in 1944, \$1,000,000 fund by 1956 it included Korea War Vet, in 1964 it included Vietnam Vets, in 1970 scholarship was granted to member, of K of C who lost their lives as a result of violence in lawfull performance of the duties as law enforcement.

This personnel includes (Police, State Highway Patrol, Sheriffs and their deputies and Firemen.)

We The Knights of Columbus of St. Jude Council No. 3904 would like to send you or anyone more information about our organization, you may contact me or our Grand Knight (Leo J. Zielinski) Grand Knight, 1932 Heatherlawn Dr., Toledo, Ohio 43614.  
Our Council is in South Toledo. We meet the first and third Tues. at the Holy Spirit Seminary, 5201 Airport Hwy., Toledo, Ohio.

P.S. St. Jude Council was made a Star Council last year by the Supreme Council and sixth in the State of Ohio.

Thank you  
Walt Mandry  
Membership Director  
2525 Densmore Dr.  
Toledo, Ohio 43606

Dear Sir:  
Recently one of your citizens aided me in a car accident. In times when: (1) "Most people

don't want to get involved" and (2) "Only bad deeds or bad people make the headlines" I would appreciate your efforts in honoring this couple publically in some way. The couple's name is: Mr. & Mrs. Karl P. Brugeman, 3054 Dorr Street, Toledo, Ohio. Telephone: Area 419-531-5950.

Here is what happened.  
My wife and I were traveling on route No. 41 near North Port-Charlotte, Florida at approximately 8:00 p.m. on 10/4/72 when two cars of girls were racing in the opposite direction of my travel. One car attempted to pass the other and the driver lost control, coming across the center line and hitting our car. No direct witnesses were at the scene, but the Brugeman's were passed by the girls previously and they realized that potential danger existed. Even though they were late for an appointment, they stayed to see that nobody was seriously hurt, and to see that the police received the facts.

Due to the Brugeman's doing what the average citizen does not do the girls were charged with the accident and will have to appear in court. In a state with "No Fault" insurance their statements aided us in getting our car repaired at the other insurance company's expense.

I have written and personally thanked the Brugeman's, but I need your help to get them the public appreciation for being outstanding citizens. Please feel free to call me at 703-591-6427 to get more details. Please find a photostatic copy of the Florida Highway Patrol Driver's Ecchange Information sheet enclosed.

Most sincerely,  
Mel & Dorothy Hubbell  
3220 Prince William Drive  
Fairfax, Va. 22030

Broadway's Comments

In a recent message Attorney General Richard G. Kleindienst said, "Crime declines in six major cities. The Attorney General said that the overall crime rate in the nation showed an increase of 17 percent in 1968 but noted that it had tapered off to 6 percent in 1971. He also noted L.E.A.A. grew from \$68 million in fiscal 1969 to \$850 million appropriated by Congress for fiscall 1973."

We hope our City Fathers will remember and keep in mind how long we have been short of men and doing the added work of 100 patrolmen we didn't have during these years.

Senate passed Bill No. 2087 giving Slain officers families \$50,000. Important also is your support H.R. 8389 "Victims of Crime Act of 1972." Policemen's Bill of Rights H.R. 7332.

Please give us your support on the above three bills write your congressman.

Court Decides Issue.  
"Lawyer for suspect not essential at police lineup. The 5-4 decision in a Chicago case runs counter to a series of earlier

(Con't. on Page 3; Col. 5)



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## High Court Rejects Death Penalty

Last June the Supreme Court held 5 to 4 that the death penalty, as it is now used in the United States, violates the Constitution and cannot be imposed. Although there hasn't been an execution in the United States in five years, the death penalty is legal in 39 states and the District of Columbia.

While the decision leaves the door open for legislatures to reinstate capital punishment in some circumstances, the immediate result is to remove the death sentences from 600 condemned inmates -- 329 blacks, 257 whites, and 14 of other ethnic backgrounds.

All nine justices filed statements of their views. In the majority were Justices William O. Douglas, William J. Brennan Jr., Thurgood Marshall and with some reservations, Potter Stewart and Byron R. White.

Dissenting were the four Nixon appointees -- Chief Justice Warren E. Burger, and Justices Harry A. Blackmun, Lewis F. Powell Jr. and William H. Rehnquist.

Reversed immediately by the decision were two death sentences for non fatal rapes in Georgia and Texas and a death sentence for murder in Georgia.

The five-man majority differed on the ultimate extent of the ruling. Two of them suggested capital punishment might be permissible if state legislatures more carefully defined the way it could be imposed by courts and juries.

This is how the decision was reached.

**Douglas** concluded capital punishment is incompatible with the concept of "equal protection" of the laws. That he found to be "implicit" in the Eighth Amendment.

**Brennan** based his judgment primarily on the theory that the death penalty "does not comport with human dignity." He also cited the Eighth Amendment.

**Marshall** found capital punishment to be "morally unacceptable" and "excessive" when measured against the Eighth Amendment's prohibition on cruel and unusual punishments.

**Stewart** concluded that the death

## Biddy's Bits

By Biddy Gilly

The County Jail usually gets all the publicity regarding the quarters they have for prisoners. It's about time the City Jail gets on the band-wagon. The County can always refuse to accept women prisoners by stating they have no room, but the City has to keep the prisoners regardless. Since the County is larger and was built for people who had to serve sentences, it makes people wonder.

The City Jail was not designed or planned for prisoners serving long sentences. They were to be kept at the City Jail until sentenced, then transferred to County. Whatever happened to this arrangement?

On the asset side, each cell in City Jail has a built-in lavatory,

penalty is now applied in a "wanton" and "freakish" manner.

**White** said the death penalty is invalid mostly because it is used infrequently and did not meet "any existing general need for retribution."

**Burger**, in dissent, said the decision leaves legislatures free "to carve out limited exceptions to a general abolition of the penalty." He said the court had gone "beyond the limits of judicial power," but added "while fortunately leaving some room for legislative judgment."

**Blackmun**, saying he yields "to no one in the depths of my distaste, antipathy, and indeed, abhorrence" for the death penalty, nevertheless dissented because "I fear the court has overstepped."

**Powell** said none of the five opinions by the justices in the majority "provides a constitutionally adequate foundation for the court's decision."

**Rehnquist** said: "The court's judgment today strikes down a penalty that our nation's legislators have thought necessary since our country was founded." He said the ruling had completely disregarded "judicial self-restraint."

The ruling came on three test cases which claimed the death sentence was "cruel and unusual punishment" which is barred by the Constitution.

wash basin and a bunk attached to the side of the wall. Each bunk has a mattress and 2 blankets, which are changed weekly. Now, when there is more than one prisoner in a cell, one must sleep on the floor. This prisoner is also given a mattress and 2 blankets. The space is then really limited.

Each cell is mopped and cleaned daily. The sanitary facilities are also cleaned daily.

The food is nourishing and in large portions. It is also very tasty and well planned. The menu is varied and well-balanced. The prisoners eat at 7:00 a.m. - 12:00 Noon - 5:00 p.m.

The complaints are that there is no place to sit unless one sits either on the floor or a bunk. The lights in the ceilings are not bright enough to read by or even to write a letter.

Women serving sentences are allowed hall privileges, and the hall is all they have. What privilege is it to have no place to sit and not enough light to read by?

Many of the floors at the Safety Building have candy and cigarette machines. But the fourth floor does not, so any prisoner will have to depend on someone bringing them. Any property brought in has

to be searched before the prisoner can receive it. Even after being searched, though, some things can get through.

Having a candy or cigarette machine would not cost the City any money, but we still don't have one.

Since Capital punishment was abolished it makes sense to realize more people will be confined in jails. Toledo should be well aware of this, but what is being done? Toledo should plan ahead -- not like they plan for a rain or snow storm.

At the work-house there is plenty of land and also some new buildings already built. Why couldn't some of these buildings be made into quarters for women prisoners? To fix the buildings would more than serve the purpose and we are sure it would not cost the 12 Million dollars that was needed for a new County Jail. It doesn't seem likely the City Officials would want to build a park in this area.

The tax-payers in Toledo realize money is a problem: some is wasted. But whenever a new position is created in the City, the money is somehow found to pay the salary. Obviously a reallocation is necessary.

## Know Your Driving Laws

### Section 21-3-3

No person shall fail or refuse to comply with any lawful order or direction of any police or fire department officer invested by law with authority to direct control, or regulate traffic.

### Section 21-3-8

Upon the approach of an emergency vehicle, equipped with at least one flashing red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to the edge of the curb of the highway clear of any intersection and shall stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer.

### Section 21-5-10

It shall be unlawful for any person or the operator of a vehicle to disregard the warning signals at a railroad crossing or bridge until the proper safety signal has been given. No person or vehicle shall remain on any draw bridge when the same is being swung.

### Section 21-6-4

No person shall operate a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

### Section 21-7-1

The driver of a vehicle intending to turn at an intersection shall do so as follows:

a) Approach for a right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.

b) At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line where it enters the intersection and after entering the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.

(Con't from Page 2; Col. 3)

rulings that expanded arrested persons right to counsel."

The decision is likely to have a nationwide impact. In at least 13 states, courts had ordered police not to place an arrested suspect in a lineup or show-up without a lawyer on hand, Ohio is one of these states.

Judge Crane Winton says "Police have have right to be upset, Felon back on street." Judge Crane Winton is a Hennepin District Court Judge.

Warrants needed in wiretapping.

Justice Lewis F. Powell Jr. speaking for the court, said "the bugging without judicial permission is unconstitutional as well as unauthorized by the 1968 Safe Street Act."

Marijuana Detection Test Developed.

L.S.D. can now be detected. L.E.A.A. Funds Program for speedy court appeals.

F.B.I. swears in first two women agents.

Law urged to aid ill stricken in public.

Our State Organization.

Ohio Union of Patrolmen Assoc. is sponsoring a Christmas Variety Show at Masonic Temple Auditorium Dec. 11 - 12.

T.P.P.A. is sponsoring a Holiday Seasonal Ball Nov. 25, 1972. 9 - 1.

Woody Herman and Orchestra.

Will see you at regular monthly meeting. Come and see our new game room.

Have a good Thanksgiving

Harry W. Broadway

T.P.P.A. President

c) At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to traffic moving in the direction of travel and such vehicle and after entering the intersection, as nearly as practicable in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

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# Protection of Rights of Policeman

by G. Royer, Att.

Historically and traditionally, a policeman's right to criticize has always been dampened. Back in 1892, Oliver Wendell Holmes enunciated the doctrine that while a person has a constitutional right to free speech, he does not necessarily have a constitutional right to be a policeman. This approach was generally followed until about 1967 when the United States Supreme Court overturned this doctrine in **Keyishian v. Board of Regents**. In this instance, the United States Supreme Court adhered to the view that when faculty members refused to sign loyalty oaths required by the Feinburg law, their public employment may not be conditioned on such matters regardless of how unreasonable. It is now recognized that public employees, including policemen, can no longer be forced to forego constitutional rights in order to take public employment. Furthermore, the United States Supreme Court has now ruled that policemen must be afforded the same constitutional rights as other public employees, and that these rights cannot be diluted.

In regard to a police department restricting the right of free speech of its members, there are three legitimate interests to be weighed. First, consideration must be given to the police department and its interest in maintaining and improving the public service, which presupposes certain disciplinary rights. Somewhat contrary to this

interest is the free speech right of the individual officer, and thirdly, society's interest in having a right to know. All of these interests must be weighed against one another to determine the paramount interests.

Basically it is not disputed that a public service agency may restrict an employee's first amendment rights when there is a rational basis for such restriction. If the prescribed conduct has an adverse effect on the public service agency, the restriction or prohibition is usually considered allowable. Accordingly, the courts have fashioned a test for determining the permissible extent of limiting constitutional rights of public employees. Generally, if all of the following requirements are met the rights may be restricted. First, the limitation must relate to the betterment of the particular public service involved. Second, the benefits which the public gains by the limitations must outweigh the resulting impairment of the constitutional right. Third, no alternatives less subversive of constitutional rights are available.

In one interesting case, **Brukiewa v. Police Commissioner**, involving a free speech matter, the Maryland Court of Appeals was faced with a situation involving criticism evoked by two Baltimore city policemen. One officer was also the President of the Baltimore City Police Department Local Union 1195, American Federation

of State, County and Municipal Employees (AFL-CIO), who, with another fellow policeman criticized the hierarchy of the Baltimore Police Department on a television appearance on station WJZ. As a consequence of this broadcast, Officer Brukiewa was charged with violating the regulations of the Baltimore Police Department for conduct "unbecoming a member of the Baltimore Police Department" and "conduct prejudicial to or tending to undermine good order, efficiency or discipline of the department." -- among other charges. The other officer was also charged with violating certain police regulations. One of the rules Brukiewa was charged with violating was Section 12 of the Department Rules, which read: "No member of the Department shall publicly criticize or ridicule the official action of any member of the Department, public official, judge, or magistrate."

Both officers were granted suspended dismissals. After a judgment of guilty, officer Brukiewa was found guilty for statements to the effect that "reporting and patrol systems were problems" and that "morale of the Department was at its lowest ebb" with the prophecy of "the bottom to fall out of the city." The finding of guilty for the other officer was based on a "no" reply to a question by the television interviewer as to whether Commissioner Pomerleau was a competent, effective administrator. Mr. Brukiewa was the only officer to press his appeal beyond the level of the Baltimore City Court.

The Appeals Court found that nothing Mr. Brukiewa said was false or inaccurate. His personal fitness to perform his duties was not found to be impaired, nor was

his conduct found to disrupt the general harmony of the Baltimore Police Department. The court continued: "The burden is on the state to establish that public utterances made the utterer unfit for public service." The suspended dismissal of Officer Brukiewa was thus dismissed.

The Baltimore rule was similar to some of the rules of other police departments that prohibit policemen from criticizing fellow officers. For example, **Rule 35 of the New Orleans Police Department** provides:

"A member shall not unjustly criticize or ridicule, or express hatred or contempt toward or indulge in remarks which may be detrimental to or cast suspicion on the reputation of, or otherwise defame any person."

This is typical of such departmental rules, although the exact wording may vary. It expresses clearly the exacting and circumscribing regulations which have restricted policemen in the exercise of their free speech rights. It is not surprising that this regulation was found unconstitutional by a United States District Court in **Flynn v. Giarrusso** as being too broad and sweeping.

Similarly, Chicago had a departmental regulation, Chicago Police Department Rule 31, which read: "A member shall not engage in any activity, conversation, deliberation, or discussion which is derogatory to the department or member or policy of the department." This regulation was held to be unconstitutional by a United States Circuit Court of Appeals in **Muller v. Conlisk**. Based on the holdings in these last two cases, it can be said that if the regulation is so broad as to approach a prohibition of "any conversation derogatory to the department" it would be clearly unconstitutional.

The Muller v. Conlisk case briefly mentioned deserves closer attention in connection with a po-

liceman's right of free speech. In this case, Jack Muller criticized the Chicago Police Department's Internal Inspection Division, which was responsible for investigating police misconduct. Muller's criticism was, in essence, that the division "whitewashed" everything. The disciplinary board of the Chicago Police Department ruled that Officer Muller violated departmental Rule 31. This rule, as stated above, prohibited a police officer from engaging in any activity, conversation, deliberation, or discussion which is derogatory to the department or any member or policy of the department. As a consequence of Mr. Muller's conduct, a written reprimand was placed in his personal department file. A lawsuit, asking for declaratory relief and injunctive relief, was filed in the United States District Court, but was dismissed on the grounds that the reprimand did not constitute sufficient harm to grant the plaintiff's standing. The United States Seventh Circuit Court of Appeals reversed the decision on the basis that the rule per se gave the standing to sue, and not the fact of the reprimand. The court held that Rule 31 substantially restricted plaintiff's constitutional right to free speech so as to give plaintiff standing to sue. The Court of Appeals went on to rule that Rule 31 was unconstitutional on its face because it was overbroad, proscribing protected areas of free speech. In essence, Rule 31 was held to be so broad as to prohibit all criticism of the Chicago Police Department.

There is thus a definite trend today to allow public service employees full right to criticize their department and policies. The courts, however, appear to circumscribe this right if the statements are defamatory, if the matter is obscene, or where it is unlawful as tending to incite a riot, or where the criticism tends to impair the operation of the public enemy. There are numerous examples of criticism which have been viewed as possessing a tendency to interfere with the efficiency of the public safety agency. One such example arose from an incident in the Panama Canal Zone in 1968, when a police officer wrote sarcastic poems and statements lampooning his superior officer. This act occurred during a period when

(Con't on Page 5; Col. 4)

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## Law and Justice by OFF. E. Fugate

There are many different meanings for the word law. Some of these are Natural Law, Human Law, Written Law, Positive Law, Statutory Law, Constitutional Law, Contract Law, Tort Law, Administrative Law, Canon Law, Civil Law, and Criminal Law.

In order that justice might prevail, the strict letter of the law is not always satisfactory; often equity must be considered, and legal justice corrected or supplemented by reference to the "SPIRIT" of the law rather than to the letter of the law. If laws do not have some measure by which they can be judged, no law could ever be resisted, no matter how unjust or injurious. Hence, the distinction between Hobbes, who stated: "All laws, written and unwritten, have their authority and force from the will of the Commonwealth ... nothing the sovereign representative can do to a subject on whatever pretense can properly be called injustice or injury," and Aquinas, who stated: "Every human law has just so much of the character of law as it has derived from the law of nature. But if in any point it differs from the law of nature, it is no longer a law but a corruption of law."

Thus, legislators, in deciding whether to make a law, or courts, in interpreting a law, do not primarily base their decisions on what is of local or popular opinion, the attitude of those in power or

community mores, but, instead, on universal standards of reason, right, and justice. So goes the theory.

We are all confused by the ideals of Civil Rights and Civil Liberties. The late President John F. Kennedy made a clear distinction between Civil Rights and Civil Liberties: "By civil rights we mean those claims which the citizen has to the affirmative assistance of government. In an age which insistently and properly demands that government secure the weak from needless dread and needless misery, the catalog of civil rights is never closed. The obligation of government in the area of civil rights is never wholly discharged.

By civil liberties, I mean an individual's immunity from governmental oppression. A society which respects civil liberty realizes that the freedom of its people is built, in a large part, upon their privacy. The Bill of Rights, in the eyes of its framers, was a catalog of immunities, not a schedule of claims. It was, in other words, a Bill of Liberties. The immunities defined in this Bill of Liberties were set forth in order that the promise of individual freedom might be made explicit. The framers dreamed that if their hope were codified, man's energies of mind and spirit might be released from fear.

When civil rights are seen as claims and civil liberties as immunities, the government's differing responsibilities become clear. For the security of rights, the energy of government is essential. For the security of liberty, restraint is indispensable."

Law is often defined as an ordinance of reason, directed to the common good, or, as a rule which should be obeyed and which can be disobeyed. In order to make the law effective it MUST be enforced. While it is true that the ruthless enforcement of the law can be tyrannical, it is also just as true that apathetic or indifferent enforcement of the law can make the law sterile and meaningless.

One hears the terms, "Police Authority," "Police Power," "Police Goals." These are not identical concepts, although often used interchangeable.

Police Authority: This means the right of the state to act relative to the general health, safety, and welfare.

Police Power: This means the force which is utilized by the state in acting relative to the general health, safety, and welfare.

Police Goals: These refer to two major objectives: 1. The prevention of crime and disorder and the preservation of the peace (for community security); 2. The protection of life and property and personal liberty (for individual security).

Many police executives are frustrated today because of the heavy pressures brought to bear upon them, and their agencies, to eliminate crime and to successfully solve cases. Particularly is this true with reference to anti-social activities such as are exemplified by the narcotic addict, homosexual and others.

Unfortunately, sometimes, frustrated police executives and directors accept and implement policies and procedures that are illegal, or render their resignations because of these pressures. THE ULTIMATE RESULT IS NEVER SATISFACTORY.

Police agencies cannot afford to be overly secretive, uncommunicative nor in a continuous hypersensitive sulk, if public support is to be engendered and maintained.

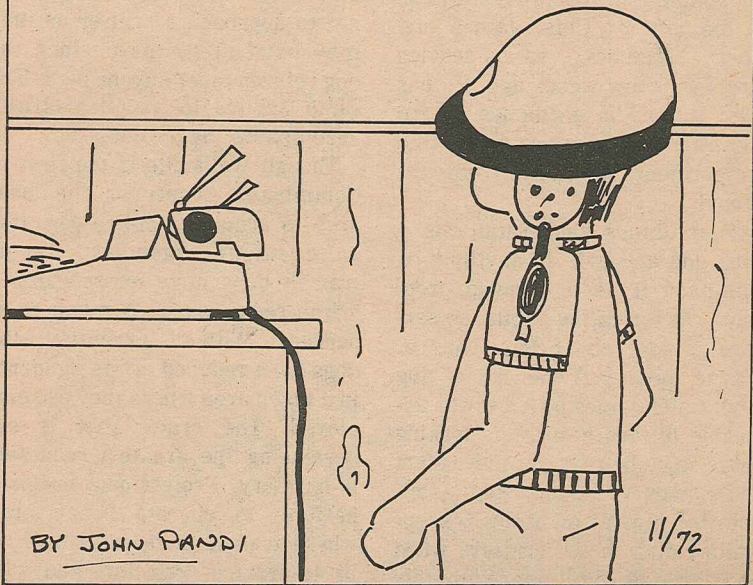
As O.W. Wilson, former Superintendent of the Chicago Police Department puts it: "In many communities, police agencies have assumed the burden and responsibility for all that is criminal. It is high time that we in the law enforcement field get off the defensive. Crime is a community problem and stands today as one of the most serious challenges of our generation. Our citizens must be forced to recognize their responsibilities in its suppression. Law enforcement agencies are obligated to keep local citizens informed as to the magnitude of the crime problem, to point out weaknesses in the system for the administration of criminal justice, and to advocate those changes and state laws which will facilitate law enforcement without interferences with the rights of individuals. A community which is well informed of the problems and which is unwilling to tolerate crime will succeed in its efforts to reduce it. Community intolerance of crime can best be reflected in the form of support, (material and spiritual), for its local law enforcement agencies. The agencies must in turn earn this support."

Citizens of our nation and cities, if your metro units and local police agencies have earned this support, did you give yours? Without your help and cooperation, your Law Enforcement agencies will just be a useless expense to all of us. However, with your help we are the mightiest and most feared right arm that your community could

## SMALL FRY by Pandi

ARE YOU GOING TO  
BE A COP LIKE  
YOUR DAD WHEN  
YOU GROW UP?

NO! I'M GOING  
TO BE A POLICE  
MAN.



(Con't from Page 4; Col. 5)

the Canal Zone was experiencing severe riots. The Circuit Court of Appeals for the District of Columbia, in this case, **Meehan vs. Macy**, held that the utterances impaired the efficiency of the department and upheld the disciplinary action.

All of the foregoing free speech cases must be viewed in light of the pronouncement of the United States Supreme Court in **Sullivan v. New York Times**. In here, the Supreme Court held that untrue accusations against public officials does not give rise to a cause of ac-

tion for defamation unless it can be shown such statements were made with the knowledge of their falsity, or if actual malice can be shown. While the ruling may not bear directly on the problem of discipline as a result of critical utterances, it does present an interesting parallel and reveals the general trend of thinking in these first amendment areas.

It can thus be readily seen that significant strides have been made in opening the first amendment areas of free speech to police officers. For a considerable period, police officers have been fearful of making critical remarks for fear of disciplinary action. This has changed, and now the typically outspoken police officer can offer his remarks as any other citizen, subject to the understandable qualifications imposed by the courts.

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—The Editors

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## Canine Cop On Duty In Wellsville From FOP Inc.

Satan, Wellsville's newest addition to the city police force, was recently introduced to local citizens who contributed funds for his purchase as well as other interested persons.

Satan is the name of the police dog acquired by the force, who is already proving his worth, according to Chief Ed James.

The canine, a doberman, purchased from Llewellyn Kennels, Lehigh, Pa., was brought by car to the city by Chief James and Glenn Mathess, safety-service director, a few weeks ago. He has been trained in obedience, guard and attack and carries a life-time temperment warranty from the kennel.

Chief James said Satan "is a good dog and will do anything on command if he is handled properly." As for eating habits, he eats once a day, about four cups of Wayne meal and one can of dog food. Chief James added it was advisable to feed him after working hours since he may act more alert while on duty. Water is kept available for him at all times, except while riding in the cruisers when he is offered water approximately every two hours.

Satan's training is rather unique. He has been trained to attack and has been taught power and control. A vicious dog is of no use to a police department. Chief James pointed out.

His basic obedience commands consist of heel, sit, stay, down and come, and attack commands, watch and get-em. Watch is to bring the dog to a general alert-

ness, although, according to Chief James, Satan doesn't need it. He is watchful at all times. Get-em is used when the dog is definitely expected to bite. The Command "out" is given when the dog is to stop biting.

Satan is to be used as an extension to the police department and not as a police officer, working under command and never by himself, Chief James said. He added that residents should be warned not to approach a cruiser as they may have in the past, since the dog refuses to let anyone near. The same applies to a police officer accompanied by the dog.

Though Wellsville is the first in Columbiana County or the local area to acquire a police dog, law enforcement agencies having trained dogs have experienced a crime reduction of as much as 92 percent. Without exception, the dogs have reduced crime incidents in a given area where they are employed. The crime that is experiencing the greatest reduction is burglary. Professional burglars hesitate to operate in an area where trained dogs are known to be in service. Prowlers and window-peepers are also minimized when trained police dogs are at hand.

An apprehension with the trained canine is more humane than any weapon used in law enforcement, Chief James pointed out. When commanded to attack the dog does so. He bites and holds the offender and does not slice or tear him as is sometimes believed. If the offender gives up and stops resis-

tance, the dog releases his grip and stands by while his handler finishes the apprehension.

Patrolmen Ron McCauley and Bill Pease will be Satan's handlers, Chief James said.

Satan will be used only for night duty, Chief James added. The dog is 18 months old and weighs 90 pounds. He will weigh approximately 120 pounds when he reaches maturity. The dog was obtained primarily to be used in cases of breaking and entering and riot control.

## INSIDE THE Child Study Institute

On the second floor of the Child Study Institute there is a school named Lottie S. Ford. This school was named after a teacher who taught in the Detention Home and at Child Study Institute from September 1929 to June 1944. At present, the school program is operated by the Toledo Board of Education in conjunction with the Ohio State Department of Education.

The school has three standard size classrooms and an industrial arts room. One of these classrooms houses the grade school pupils from grades 1 to 8. You will find the grade school teacher, Mrs. Leone Hine, teaching just about all subjects to a group of children which may run as large as fifteen. Much of the school work is remedial. However, many of the pupils are doing work at the proper grade levels of achievement for their ages. This, of course, takes quite a bit of professional preparation to say nothing of the experience necessary to conduct such a program.

The other two classrooms contain high school level pupils. Grades 9 through 12 are represented throughout the year. Much of the work at this level is also remedial. Here too, you will find some pupils who can do top quality academic work with regular high school subjects. The high school pupils take general science, basis mathematics, social studies, and English. The science classes are very general. They cover general principles in health, biology, chemistry, conservation, and so forth.

The teaching staff consists of Mrs. Leone Hine, Mr. Stephen Kolinski, Mr. Tom Daniels, who teaches the First Offender Classes each evening, Mr. Wayne Haefner, who teaches industrial arts each Saturday from 8:00 to 12:00, and Mr. Joseph Christen.

The children detained at Child Study Institute are kept going to school with the idea in mind that the habit of regular school attendance is a valuable habit to form. Even those children who did not attend school regularly in the past

## I Am the Nation

I was born on July 4, 1776, and the Declaration of Independence is my birth certificate. The bloodlines of the world run in my veins, because I offered freedom to the oppressed. I am many things, and many people. I am the Nation.

I am 200 million living souls -- and the ghost of millions who have lived and died for me.

I am Nathan Hale and Paul Revere. I stood at Lexington and fired the shot heard around the world. I am Washington, Jefferson and Patrick Henry. I am John Paul Jones, the Green Mountain Boys and Davy Crockett. I am Lee and Grant and Abe Lincoln.

I remember the Alamo, the Maine and Pearl Harbor. When freedom called I answered and

must attend daily in this situation. The teachers attempt to give work at the learning level of the individual pupil and thus insure a modicum of success. Many of these pupils have never known any type of success in a school situation. On the other hand, if they are found to be capable of doing regular grade-level work according to their age level, work from their regular neighborhood school will be obtained for them. In this manner, some pupils can keep up with their neighborhood school classes.

Lottie S. Ford School experience is related to the Court and is a factor in the Court's study program for each child. Academic progress and observation reports are made out on each pupil after 15 days in C.S.I. school.

Achievement is related to accepting responsibilities, work habits, and the discipline essential in any group learning situation. We always keep in mind that some success is necessary on the part of the child if they are to benefit from a school situation. Thus, they are graded according to their individual capabilities and work habits. Our hope is to enable the child to perform better when he returns to his regular school. The accent is largely on work habits, courtesy, self-respect, respecting the rights of others, pride in a job well done, and the need for such behavior in our type of democratic society.

Joseph Christen, Principal

stayed until it was over, over there. I left my heroic dead in Flanders Fields, on the rock of Corregidor, on the bleak slopes of Korea and in the steaming jungle of Vietnam.

I am the Brooklyn Bridge, the wheat lands of Kansas and the granite hills of Vermont. I am the coalfields of the Virginias and Pennsylvania, the fertile lands of the West, the Golden Gate and the Grand Canyon. I am Independence Hall, the Monitor and the Merrimac.

I am big. I sprawl from the Atlantic to the Pacific...my arms reach out to embrace Alaska and Hawaii...3 million square miles throbbing with industry. I am more than 5 million farms. I am forest, field, mountain and desert. I am quiet villages -- and cities that never sleep.

You can look at me and see Ben Franklin walking down the streets of Philadelphia with his breadloaf under his arm. You can see Betsy Ross with her needle. You can see the lights of Christmas, and hear the strains of "Auld Lang Syne" as the calendar turns.

I am Babe Ruth and the World Series. I am 130,000 schools and colleges, and 320,000 churches where my people worship God as they think best. I am a ballot dropped in a box, the roar of a crowd in a stadium and the voice of a choir in a cathedral. I am an editorial in a newspaper and a letter to a Congressman.

I am Eli Whitney and Stephen Foster. I am Tom Edison, Albert Einstein and Billy Graham. I am Horace Greeley, Will Rogers and the Wright brothers. I am George Washington Carver, Daniel Webster and Jonas Salk.

I am Longfellow, Harriet Beecher Stowe, Walt Whitman, Thomas Paine, John Kennedy, Robert Kennedy and Luther King.

Yes, I am the Nation, and these are the things that I am. I was conceived in freedom and, God willing, in freedom I will spend the rest of my days.

May I possess always the integrity, the courage and the strength to keep myself unshackled, to remain a citadel of freedom and a beacon of hope to the world.

This is my wish, my goal, my prayer in the decade of the 70's, some 200 years after I was born.

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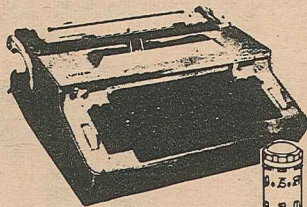
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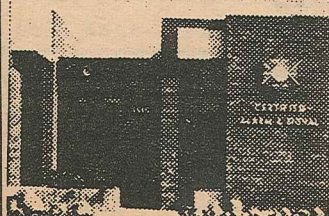
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# The Hottest Day Ever

by R. Morrissey

August the 15th, the hottest day of the year. It's a humid 95 degrees. Inside a pool room in the back sit six men huddled around a round card table. Over their heads hangs a wire; dangling at its end is a light bulb with a funnel type shade. In the corner is a large fan straining to make a breeze. Getting closer, the men resemble characters from the movie "Godfather." The owner of the pool hall looks up from his cards and

glances at the other men. He pauses then says "What do you guys think: we've been playing for twenty six hours, may be we might think about calling it quits." No one says anything; they just stare at him. Sam finally breaks the silence. "Listen to him! He's twenty five hundred dollars ahead and he wants to quit." Silence again -- the men keep staring. Tony squirms a little and says, "Now don't get me wrong. I'll play till you guys want

to quit. I'll give you a chance to get back some of your losings." Big Ben continues to stare and then says "You better". The only noise now is the shuffling of the cards.

Everyone's head quickly turns to the front of the hall. A loud knocking noise is coming from the front door. "Who the hell is that?" "The only guys I know who knock like that are the cops." "Where is the back door Tony?" "Wait a minute you guys - I'll see who it is. Just sit tight." Tony make his way to the front window. He slips his finger into one of the slats in the Venetian blind and pulls down. "It's not the police - it's just a couple of young boys." Tony grasps the lock and pulls the door open slightly. The young boy on the outside pushes it open all the way. "What do you guys want?" "We want to play pool. This is a pool room, isn't it?" Tony looks at them and says, "Get lost. We're not open". One of the boys pick up the challenge in Tony's voice. "Listen, you fool: We said we came to play pool so get out of our way." Tony immediately comes back. "Listen, punk, the only pool you will be playing is when I break this pool stick over your head." The young man now has his fists drawn and is ready to make the dispute physical. The other men in the rear of the hall hear the commotion and come forward and stand behind Tony. The boys see the looks on the mens faces and begin their retreat. As the boys go back outside, Tony slams the door shut and locks it again.

The two boys are now across the street staring at the pool room. Tim looks down at the street and pick up a large brick. "I ought to throw this thing right through that big bay window." "You better not, Tim, them guys look pretty tough. I bet if they caught you they would put cement shoes on you and throw you in the Maumee river." "I don't care how tough they are, Bill. I could take any one of them, one at a time." As Tim contemplates whether or not to throw the brick, he comes up with another idea. He slams the brick to the pavement and yells out. "Come on Bill we'll fix them." Bill follows Tim to the side of the pool room. Tim reaches down and pulls the basement window open. "What you up to Tim?" "Be quiet Bill. Everything is going to be alright." Tim climbs through the window and drops to the basement floor. "Come on Bill." Bill hesitates but finally climbs inside. "Go over there, Bill, and get all the paper and wood you can." Bill goes to the far side of the base-

November-December, The Police Shield/Page 7

ment and finds a pile of kindling wood. He grabs an arm full and some paper and goes back to where Tim is standing in front of the furnace. "What are you going to do, Tim, start a fire in that furnace?" "Now you've got the idea Bill." "But why, Tim it must be 100 degrees out!" "You'll find out, Bill." Tim places the paper and wood in the furnace. He strikes a match and put it to a paper. The flames dance all over the inside of the furnace. "Hurry, Bill. Bring over some shovels of that coal." Bill grabs the shovel and follows orders. He makes four trips with coal. "Get more, Bill, we need more." "That's enough, Tim, it's going to get too hot." "Give me that shovel, Bill. I'll show you how to do it." Bill runs to the open window and climbs out. Tim continues to shovel coal into the furnace. Bill sits on the curb across from the pool room for about five minutes and finally Tim comes crawling out. He runs to the curb and sits next to Bill. "Now we just sit back and wait."

Meanwhile, back in the pool room, Tony is pulling his handkerchief from his pocket. He wipes the large beads of sweat from his forehead. "Wow! I bet this is the hottest day ever." "What's the matter, Tony you want to quit again?" "No, man. I don't want to quit-it's just warm." About ten minutes pass with no conversation. Sam stands up and takes off his dress shirt. The other men all stand up and take off their shirts. Tony gets his handkerchief out again and rolls it up. He then wraps it around his head and ties it. "This place is like a steam bath! I can't ever remember it being so hot!" "Quit the talking, Tony. Just deal the cards." The cards hit the table and Tony wins another large pot. The men all stare at him as he pulls in his winnings. Sam again stands up and this time he removes his trousers. The rest of the men stand up and remove their trousers. It is quite a sight seeing the big men sitting at the table in their undershorts!

Tony sees the perspiration streaming down the men's faces. He runs behind the counter and grabs some towels. He passes one to each man. The men continue to play and wipe their brows with the towels. The cards are becoming soggy from the perspiration of the men's hands. The game continues but a silence comes over the players. All at once Sam jumps up and grabs his hair. "I can't stand it! I think I'm being cremated! I'm getting out of here!" He starts running for the door. As he passes over the large register in the floor he feels the heat forcing it's way up. He stops immediately and turns around. He points his finger at Tony and yells out. "That dirty Son&&&&&&&) set a fire in that furnace! He's trying to run us out of the game." The other men are now on their feet. Tony is backing away from them. Both of his hands are out in front going up and down. "Wait a minute you guys! I don't know what you're talking about! Honest." Tony sees an escape route to the front. He makes a quick dash and he is outside. The other men see him run and the chase is on.

"Unit No. 4. Bush and Baker - five men chasing one. There is a disturbance and they are all in their under shorts." "Unit No. 4 - O.K."

## Commendation

PATROLMAN DANIEL CHRISTIAN  
PATROLMAN ALBERT MORELAND

Patrolmen Daniel Christian and Albert Moreland are hereby commended for the arrest of a suspect wanted on numerous charges of molesting.

On February 2, 1970, at 5:15 p.m., these Officers observed a young man fitting the description of a suspect wanted for numerous molestings. While under their surveillance, this subject attempted another molesting of a young girl and was apprehended after a chase

(Con't. on Page 11; Col. 5)

## The Badges And Shields Of The Toledo Police

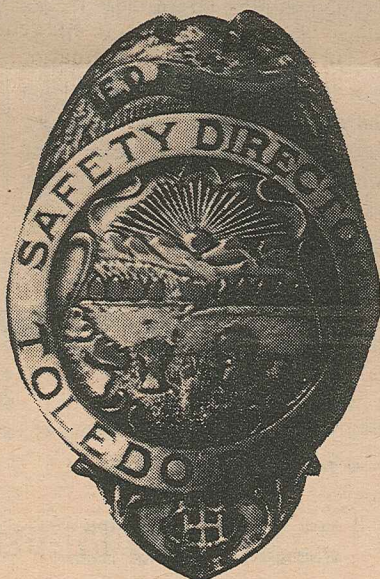
by John J. Connors  
Bailiff's Office

The position of Director of Public safety was created in 1909 to replace the Board of Public Safety. The Director took charge of the Toledo Fire Department and Toledo Police Department which became divisions of the city government on January 1, 1916. The first Safety Director was John Joseph Mooney who served from August 2, 1909 through December 31, 1913.

Edward A. DeAngelo served as the 15th and 17th Safety Director from November 1, 1939 to December 15, 1945 and from January 1, 1947 to November 3, 1952. His badge is gold plated and has blue enamel lettering.

Allen J. Andrews, now a Judge of the Municipal Court of Toledo, served as the 22nd Safety Director from March 18, 1963 to April 15, 1968. His badge is gold plated with blue lettering.

Donald R. Shanteau, the 24th and present Safety Director, began his duties on April 7, 1972. His badge is gold plated with blue enamel and it has a colored enamel Seal of Ohio in the center.



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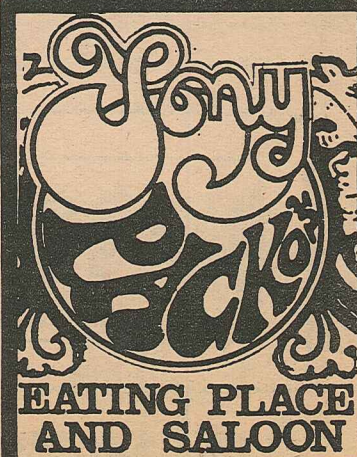
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# Police In Trouble

Are the police of today really in trouble, as so many individuals are claiming, or is it a myth and popular cliché? If the answer to this question is that the police are in trouble, they are not the only ones. Society as a whole is also in trouble. Police are in trouble and it is going to take more than just writing a few lines on a piece of paper and implementing a few new ideas.

Society should ask itself what is ailing its police and how they can assist in correcting those areas which need correcting. To paraphrase from the book "Police in Trouble" the following is offered. "We must turn the police departments upside down if we are to save them. Before anyone can offer solutions, that person must be taken into the police station, put into a squad car, let that person walk a beat, expose that person to the successes, the failures, the violence" and let that person get a good taste of what police officers face day after day and maybe -- just maybe -- he will offer some practical solutions that can be implemented. After this he can be subjected to the political interference that is interjected very often.

What can be accomplished by taking the person into the police stations? The person will be able to see the inadequate facilities the police have to work with day after day. He would see how police offi-

cers assigned to the various detective divisions have to share one desk with four or five men. He would see how reports are typed on one typewriter that is shared by the same number of men. It is no wonder there is a backlog of cases that are assigned to a detective.

Put that idealist who has all the answers into a police car if he wants to take his life into his own hands. Some police squad cars leave a lot to be desired. Any automobile can function effectively for so long, but after 100,000 miles anything can happen as you go speeding down the road in answer to an emergency call.

Expose this person to the many long days and nights of chasing that robber, burglar, rapist, or any one of the other criminals running loose. After chasing him and finally catching him, let our citizen see how the courts respond. This is one area where a majority of police are in agreement. This one criminal may have committed a large number of crimes, but he will go into court charged with just one offense because the prosecutor wants expediency. Once into court, the plea bargaining begins and chances are that the criminal is let off on a lesser included charge. Here is where the person can get that taste of bitterness for the prosecutor.

What can this person do to change this sort of routine? He can start by demanding that the prosecutor's office prosecute the criminals to the fullest and keep a very watchful eye on what is going on in the courts. Look and see for yourself how the majority of those convicted are let to plead to the lesser included offense. It will stagger your imagination at times.

To add a little something to spice up the every day activities, there are new orders coming out of the chief's office. One of the latest was that a police officer had to count the number of flares in his squad car and not exceed a certain num-

ber. Then, every time he used one he had to make out a report. Or a special order to a district crew to check garbage cans at a local school as kids in the neighborhood were continuing to tip them over. Orders such as these could go on and on. Some of the police crews have so many special items to check that it makes one wonder how they can adequately patrol their district or answer calls, much less answer nature's calling during the eight hour work shift.

It seems like the higher echelon of police departments try to think of ways to demoralize the police officer. These same high-echelon men should be planning, researching, and implementing new ways to get the utmost of efficiency out of the men on the streets. Every time a young patrolman suggests a change in daily operating ways, a high-echelon officer makes the remark that we did it this way back ten years ago and it's still good enough to do it now. That would be fine and good, if only the criminal element would think the same way. Then the police could be operating on the same level.

Police are in trouble, also, in recruiting new men to come into their ranks. Sure - there are a number of men who want to be police officers, but do they all possess the qualifications? In just about every area of the country, police departments have raised their educational requirements to college level; not here in Toledo, however. This city even has a few individuals who want to lower certain requirements! Will this enable the citizens to have the best possible police department? Not really, because all they will have is a number of warm bodies in blue uniforms.

Political interference is interjected more often than not. With the manpower shortage so acute here in Toledo, the police department still has to find men to watch over the Art Museum. Where do these men come from? From dis-

# The Flight

by T. R. Villa

I am helplessly trapped within the thin metal walls of the cylinder, slowly revolving into position, where I, too, will become a statistic.

A number: to be referred to by policemen, defense and prosecuting attorneys, judges and others too numerous to mention. My number will be repeated until they no longer need me, then ..... the files. Cold and lonely I will await the day I'm hunted and needed again, only to be exposed for a fleeting moment.

The fourth explosion interrupts my thoughts and again I am aware

strict crews, of course, and then their district is left unprotected - except for necessary calls that require another crew to answer. No other place that has social functions gets police protection like the Art Museum. Why?

Ladies and gentlemen, the items that have been mentioned are not fiction or the imagination of the writer. They are facts which can readily be proven. The police department is there to serve you but not when you are part of the silent majority. Whenever there is something in the news concerning the police, don't just read the evening newspaper (if that's what you want to call it) - ask the police officers and their organization leaders, then decide whom to believe.

The police are in trouble, and it is only if the public actively supports them can the change to a better department be forthcoming. This is not a new idea dreamed up by a young idealist, but proven by responsive police departments throughout the nation. The Police know their jobs and how to do them; when politicians can interfere, however, the police will not and cannot do their jobs. It's your police department, ladies and gentlemen, and which way do you want your police department to go?

of reality. My excitement must be showing, as I feel a tingling sensation all over my body. To think I have waited for years for this moment. And now that I am so close to being born, I am afraid. I know what is expected of me and know the penalty for failing; but it doesn't seem fair. For all the work I will be performing my life is short, a scant second at the most.

I am fifth in line and my circular jail begins its rotation again. No!! I cry out and struggle in an attempt to stop the movement. I am scared and so alone. My efforts are all in vain; and slowly, the light creeps through the long tunnel. The light is blinding and I close my eyes to it.

As I open my eyes I find that my cell is now completely open and unattended. If only I could move; I could then drop through the tunnel and into the space ahead, never to be found. But I am weak and unable to move....

"What was that"?

There in front of the tunnel something moved. Something huge, yet swift. Wait! The tunnel is moving and I have nothing to hold on to.

Behind me I hear a clicking noise and a ray of light shines through on my back.

In the next thousandth of a second the tunnel flinches and the noise behind me becomes a moving sound, like the wind rushing past your face. The ray of light becomes darkness and the tranquility that prevailed is ruptured by shouting and yelling and the explosion that rocks the tunnel renders me deaf and hurdling forward at a speed of 1800 feet per second.

The hills and valleys within the tunnel are miles apart, yet each valley spins me forward over the next hill and closer to the end of my journey.

The vastness that engulfs me as I exit the tunnel is frightening. Open space for as far as one can see. The ground is rushing by and objects are blurred together. Less one-the

(Con't. on Page 11; Col. 1

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## From The Acting Director of the FBI

by L. Patrick Gray III

The 40-year history of the FBI Law Enforcement Bulletin traces an eventful period of the law enforcement profession. It spans an era of dynamic change in which the incidence of crime, among many other social tensions, often proved to be a painful national concern and an everthreatening challenge to the talents of local, State, and Federal law enforcement agencies. The fact that our profession has endured these struggles to now stand stronger than ever before is a comforting measure of its maturity. Moreover, the experiences of these four decades reinforce the premise that unity and cooperation are vital keystones in the law enforcement effort.

It was an awareness of these essential elements in effective law enforcement duties that heralded the inception of the Bulletin. As the late FBI Director J. Edgar Hoover wrote in the first issue of the Bulletin in September 1932, its publication was "... an effort to amplify and render of increased value the current exchange of criminal identification data among ... law enforcement officials in this country and abroad ...". With many other programs initiated or stimulated by the FBI in the years immediately preceding or just following its first issue, the Bulletin represented an intensified commitment to aid local and State law enforcement agencies.

There was then an urgent need to revitalize the exchange of information among peace officers. This need again loomed large in the decade of the 1960's when lawless-

ness surfaced in menacing proportions. The ability of the law enforcement profession to cope with a soaring growth of crime had, sadly, depreciated. This was not a case of simple internal neglect. Technology, unwittingly, had provided many advantages to the criminal. Legislation had responded haltingly to vastly changed conditions of society which required new approaches in protecting persons and property. In spite of mounting evidence of rampant criminality, the attention of the public was slow in moving from concerns other than its own safety.

Certainly, there can be no victory over crime when it continues to increase to any degree, nor can any reassurance come from anything other than a substantial decline in the volume of serious crimes. Considering the magnitude of criminality in this country during the past decade, however, the trend of crime in the past few years breathes new life into the hope that this social disease that has plagued our society for far too long may soon be on the wane.

History has shown us that crime rises or subsides in relation to the vigor of its opposition. The energy of that opposition is growing with superior law enforcement performance and a renewed public concern for its first priority -- safety from the anarchy of lawlessness.

The causes of resurgent crime are obscured by their numbers, but the remedy is clear: determined law enforcement effort supported by strong national programs and leadership. Serious crimes increased 147 percent in the decade of the 1960's. With few exceptions, the rate of increase in that period rose each year until 1969 when it began to decline. Following a

## Where Will It End

By Reverend R. Joseh Dooley,  
ICPA Chaplain

Already this year, there have been 53 police officers murdered across the nation; and untold numbers injured through shootings and assaults.

It is shocking, perhaps, that throughout the country last year 126 law enforcement officers were killed on duty -- most of them while engaged in routine police activities and all but five of the 126 died of gunshot wounds. The sharp increase in the number of officers slain from ambush is particularly alarming.

As the late J. Edgar Hoover, distinguished Director of the FBI said in April of this year, "The murdering of a police officer from ambush is a shocking, unconscionable act." In most instances, of course, it is because of the officer's availability that he is gunned down by some deranged and cowardly hoodlum.

The law enforcement officer, as the front-line symbol of justice in our society, has become a primary target of assassination.

There is a kind of "civilian brutality" in our midst today -- born out of the permissiveness of our

steady rise over the preceding 3-year period, the rate of increase dropped to 12 percent in 1969 and to 11 percent in 1970. This heartening trend continued with a substantially further decline to 7 percent in 1971. Prospects for the future appear even more encouraging. Recently compiled reports of serious crimes for the first quarter of 1972 disclosed they registered the lowest percentage increase in 11 years -- 1 percent.

present day society and the leniency of our judicial process. "Civilian brutality" will remain with us until the proper respect for law and order is restored. Moreover, the respect for parents, that vanished during the past decade, must return to the family unit. Today's young people must be taught the discipline and the regard for the rights of others that made this nation prosper.

The murderous attacks on police officers are only the beginning of an attack upon the corner-stone of our laws and their enforcement.

The increasing frequency of these tragic incidents makes it imperative that each police officer be constantly alert to the planned terrorism directed against him by extremists. No complaint or call for POLICE SERVICE should be handled as "routine."

The blood of every slain law enforcement officer is on the hands of those who, by word or action, condone, encourage, minimize, or excuse the terrorist tactics of extremists.

Unless we return to a system of justice for the victims of crime, and punishment for its perpetrators, our system of criminal justice will continue to deteriorate and we will all suffer. The attacks on police officers are only the beginning! Where will it end?

## Corrections Today An Overview

Although the nation has neglected its criminal justice system as a whole, there is growing evidence of a new interest on the part of the public to improve the entire system, especially corrections. For example, the Congress has begun to allocate additional monies for corrections through the Law Enforcement Assistance Administration of the Department of Justice.

The President has indicated a direct interest in the improvement of corrections and demonstrated this interest by convening the recent National Correctional Conference in Williamsburg, Virginia. Attorney General John Mitchell announced at that correctional conference that a federal program is being initiated to assist state and local governments in modernizing their correctional systems. The program calls for a National Corrections Academy to train federal, state and local corrections personnel, a National Clearinghouse for Criminal Justice Architecture and Design, and a National Clearinghouse for Correctional Education.

(Con't. on Page 12; Col. 1)

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# Minority employment In Police Work

by G. Royer, Att.

Recently a Master's Thesis was submitted to the Case Western Reserve Law School by Attorney George R. Royer of the Toledo Bar entitled **Police Associations and Their Assistance to Policemen**. This scholarly pioneering work of Mr. Royer's contains several segments of great interest to Ohio police officers. The portion on minority groups' hiring and promoting in police departments is presented below:

A very frequent subject of labor difficulties is the promotion problem. Within the police department of a given city ohly so many officers can be promoted. The difficulty is that there are frequently many more qualified officers than positions to fill, who are eligible for promotion. Complicating the problem is the often recurring problem of civil service regulations, equal opportunity laws, and the problem of "politics." The problem is one of the most critical to policement and review will be made into some of the developments in this general area. Policemen are subjected to both the rigors of a tight and competitive promotional system as well as the frequent intentional oversights of a politically run system. This naturally results in an inefficient system if carried to any length. Some courts, as will be seen below, have operated to correct some of the more abusive practices.

One of the most difficult problems confronting police departments, and of equal perplexion to police associations, is the problem of making promotional examinations nondiscriminating relative to minority groups. As a result of the many court challenges, police examiners have been nudged into a pattern dictated by the courts. This pattern is simply that the test must be "job related" in content and further must not be "culturally biased."

A recent United States Supreme Court case, which will be important in the promotion field, is Griggs v. Duke Power Co. This case concerned personnel testing in the job entry and promotional area. The Supreme Court held that notwithstanding good intent in Civil Rights practices, the most important criteria is the actual consequences. Here a group of black people brought suit against the Duke Power Company, alleging a violation of Section 703 of Title VII of the Civil Rights Act of 1964, resulting in discriminatory

employment practices. After a history of discriminatory practices and with the passage of the 1964 Civil Rights Act, the Duke Power Company embarked with good faith on a nondiscrimination route in hiring practices. However, Duke Power Company still had imposed job entry requirements which included the Wonderlic Intelligence Test and Bennett Mechanical Aptitude Test. This testing procedure was also implemented for promotional purposes but plaintiffs claimed that this testing practice was discriminatory. The Court of Appeals upheld the findings of the United States District Court that since there was no intent to discriminate there was no violation of the Civil Rights Act. However, the United States Supreme Court reversed, stating that consequences, and not intent, were the main factors to be examined. The Court referred to a study made by the Equal Employment Opportunities Commission in which it was found that a particular battery of tests, including those used by Duke Power, resulted in an unproportionally greater percentage of white passing the tests than blacks. The Court further held that the tests must be demonstratedly job related, using the recommended guidelines of the Equal Employment Opportunity Commission. This "job related" gauge is thus now important in both the private and public labor sector. At this point, any challenges made to testing procedures in the police area would apparently be upheld if

the particualr questions on an entrance or promotional examination were not job related. Further, the employer may bear the burden of proof that a certain test is job related to police work. The question that arises is just how can one determine what are job related factors that can be tested for police candidates? Future litigation may be necessary to clear the matter.

Several lower courts had already used the pattern of the Griggs case in finding a burden of proof on the employer to show a test is job related. In Western Addition Community Organization vs. Alioto (330 F. Supp. 536; 1971), at issue was a test for "firemen class H2 Civil Service." This was a promotion test with heavy stress on mathematics, verbal skills, and reading comprehension. The United States District Court for the Northern District of California held, in a ruling before the Griggs decision, that the burden shifts to the public agency to justify the use of such generalized tests by showing some rationale connection between the qualities tested and particular job performance requirements.

Yet another case which is more directly concerned with police promotions involved the procedure of the Mobile, Alabama Police Department. Plaintiffs, who challenged the promotional practices charged that the tests were culturally biased against black persons, as attributes such as memory, verbal skills, language, and reading comprehension were used. The court upheld the challenge, viewing the general practices as culturally discriminatory.

Aside from the testing area which impinges on both the hiring and promotion areas, there is the problem of physical and educa-

tional prerequisites. Minority groups have for years attempted to obtain a lowering of the physical and educational requirements. The usual argument is that some minority group members cannot make the minimum height requirement because of their natural limited size. Also, challenge is often made against the educational requirements on the basis that cultural deprivation has made it difficult to obtain such educational levels. A recent example of such an attack developed in Toledo, Ohio, where a public interest law firm attacked, among other requirements, the minimum height and educational requirements. One request was to lower the minimum height from 5'9" to 5'8" or to waive height requirements for certain minorities. The President of The Toledo Police Patrolman's Association, Harry Broadway, expressed some sympathy with the lowering of height limitation. Toledo has a one year college educational requirement for all entering policemen. As to the waiving of the educational level requirement from one year of college to a lower requirement for such minority groups, President Broadway was vehemently opposed. Officer Broadway insisted that if anything the educational level of policemen should be increased and not decreased. Otherwise, Mr. Broadway asserted, the department would end up having second rate policemen. (On December 3, 1971, at the International Conference of Police Associations winter convention in Miami, Florida, a resolution was passed condemning the practice pressed and promoted by the Federal Model Cities Program, of appointing police officers who have not qualified for appointment

as a policeman under the regular training and education procedures. The resolution condemned the practice as a threat of possible diminution of the quality of police training. The matter has yet to be resolved, but it typifies the type of battles that are looming in this area.)

In a general sense, before any person or group can successfully challenge a hiring practice by a public agency to be discriminatory, it must proceed pursuant to the Fourteenth Amendment of the United States Constitution, which requires that a state shall not ".... deny to any person within its jurisdiction that the equal protection of the laws." It must be shown that the class has been discriminated against or that the particular hiring requirement operates to the detriment of that particular class. Proof must be made that the practice discriminates generally against the class of persons; and that the employment practice which is challenged has a specific discriminatory effect. In the usual tact, first challenge is made that the particular minority group has an unproportional representative in the department.

Heavy use is made of the 1964 Civil Rights Act as a basis for a claim of discrimination in an employment practice lawsuit. The provisions of this law prohibit an employer from engaging in any conduct which discriminates against job applicants on the basis of race, color, creed, or sex. By virtue of a 1972 amendment, called that Equal Employment Opportunities Act, this law now covers state and municipal employers. The executive agency responsible

(Con't. on Page 11; Col. 3)



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## We Can All Fight This War

By Lester Terry

From time to time, many well-meaning politicians -- and this goes way back in American history -- have declared war on poverty. Nobody knows how many politicians, from Alderman to Congressman to President, have been elected because they promised to do something about poverty. If a government could do something about poverty, there would be no poverty in the world. But the fact is, government cannot create prosperity (the opposite of poverty); only the people themselves can do it.

One of the main reasons the United States has been successful in its "shooting" wars is because, whenever our country is threatened by a foreign power, every man, woman and child in the nation goes to war. When you're in a real war, a "shooting" war, your first thought is "what can I do to help?"

You don't expect to go on as you have before and let the government win the war for you. You would consider it ridiculous if a politician ran on a ticket which said, "Elect me and I'll win the war for you." We have been fighting a war against poverty in this land since the day the first pilgrims landed.

We've won this war to such an extent that millions of people all over the world would give ten years of their lives to come here and live. Millions of our present citizens moved here so that they could forget poverty, and millions are descended from people who followed the same course. Yes, we have our pockets of poverty. They exist in every city in the land, and

in some sizable areas of the nation. I don't think there's a sane human being in the country who doesn't deplore the situation and want to do something about it, and there is something each of us can do about it.

We can win the war against poverty the same way we've won every war we've ever fought when we've been given the chance. We can win the war against poverty by getting in the fight personally, every one of us. And in the same way we'd win a shooting war -- through production -- by giving more of ourselves to our work, by producing more which will increase profits, which will be reinvested in new plants and machines, new expansion, new prosperity. We can win the war against poverty by making sure we've got the best education we can possibly get and not trying to take short cuts or settling for less than we're capable of. By not dropping out of school because we find the work difficult or boring, by not being idle, but actively seeking work -- work of any kind, by not waiting for someone to come to our door and say, "I've found you a job if you'll take it.", but by actively going out into the world and trying to reduce by one, the number of our unemployed, and in the evening and during our spare time studying, learning, upgrading ourselves and our value to ourselves and our country. By never sitting down and relaxing, unless we've first earned the right to do so with the same sweat that has made this country the richest in the world.

So ask yourself, "What can I do to help win the war against poverty?" You'd be surprised, or maybe you wouldn't at how much you can help win the war against poverty by doing the best job of which you're capable -- no matter what that job happens to be -- going to school -- raising the kids or looking for work.

(Con't. from Page 10; Col. 5)

for supervising and overseeing the implementation of the provisions of this act will be the Equal Employment Opportunity Commission. The law and the courts in this regard have recognized some discrimination in this regard as permissible.

One interesting case in which the 1964 Civil Rights Law was used as a basis recently came before the United States District Court, Dis-

(Con't. from Page 8; Col. 5)

trict of Minnesota, namely, Carter vs. Gallagher. In a decision rendered on March 9, 1971, the court held that minority hiring by the Minneapolis Fire Department was not up to an acceptable level. The court found the testing procedure to be culturally biased. It also ordered the department to desist from using a high school education requirement, and further terminate the procedures of asking applicants whether they had arrest records. The court also ordered elimination of consideration of an applicant's felony or misdemeanor connection record if there was no incarceration and the conviction for a felony or misdemeanor took place more than five years to two years respectively prior to the application. This decision was upheld by the United States Court of Appeals for the Eighth Circuit, except that the court rejected a minority preference hiring list as being discriminatory against white persons.

In 1971, a matter involving the Boston police hiring practices, *Castro v. Beecher*, the United States District Court in Boston held that the Massachusetts Civil Service Commission had, among other matters, validly and rightfully created a high school education requirement of a 5'7" minimum height requirement, and a requirement that applicants pass a swimming tests. However, the Massachusetts District Court did find that the application test was racially discriminatory and ordered a new test. This general holding was upheld by the United States Court of Appeals, First Circuit, on April 26, 1972, and this circuit court also ordered a remedy of quota hiring.

These cases reveal the problems that are just beginning to emerge in the practice of hiring policemen. Gradually, each major police department in the country will be confronted with requests, and ultimately lawsuits in some cases, challenging the particular hiring practices. Most such challenges will be made as against the existing Civil Service regulations, which in themselves have been situated as particular restraints with which a police applicant must deal. Also, Civil Service Regulations present a problem in the promotion process. While many rights are to be bargained for there are many restrictions by nature of the Civil Service Regulations which hold back the bargaining process. One positive factor concerning the usage of Civil Service Regulations in both hiring and promotion procedures is that they do substantially eliminate the political influence.

By and large, most states have rigid civil service requirements pertaining to police personnel so as to avoid "politics." For instance, in New York state, Article 6 of the State Constitution and Section 52 of the Civil Service Law guarantee that "whenever practicable" promotion of policemen should be by a competitive examination process. This is one of the few problem areas in the police bargaining process where there is not any significant variation from one state to another.

(Con't. from Page 7; Col. 5)

on foot.

Officers Christian and Moreland had been patrolling the area of the previous molestings as much as possible and were well aware of the problem which was of great concern to the residents. By this apprehension, nine (9) Molesting complaints and two (2) robbery complaints have been cleared.

Patrolmen Daniel Christian and Albert Moreland are hereby commended for their initiative, diligence, and tenacity which culminated in the arrest of this subject. This is an excellent example of proper patrol by a district unit.

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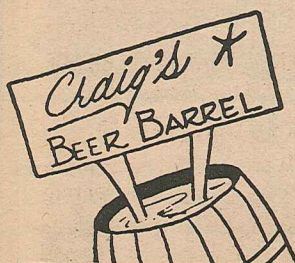
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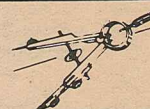
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The Attorney General, Secretary of Labor, and Secretary of Health, Education and Welfare recently communicated with the 50 governors, emphasizing that the highest priority be placed on the importance of correctional reform and the key role to be played by the individual states.

All these efforts indicate that we can look forward to a better correctional system in the future. However, we must realize that much more needs to be done now for the following reasons:

Beyond any rational dispute, the Nation's correctional system is ineffective.

In reality it is a "non-system" -- a potpourri of facilities and programs which handles about 1.3 million offenders on an average day.

Correctional operations are administratively fragmented among federal, state, county and local governments.

By any standard, correctional facilities, programs and personnel are badly overburdened.

**Legacy of Neglect**

Correctional improvement efforts are mired in two centuries of neglect and, too often, face open hostility by the public and legislators.

Overloaded, antiquated, underfunded correctional institutions have created problems of near desperation for the administrators and personnel who man them. The degree of this desperation has been intensified by the recent wave of disturbances and inmate rebellions in institutions across the country. Of approximately 460 State and Federal institutions for offenders sentenced to long terms, there are 25 over 100 years and 61 that opened before 1900.

State institutions are often expected to be largely self-supporting through their farming and prison industries, most of which involve only repetitive and underproductive work with obsolete equipment. Few correctional industrial programs provide skill development opportunities or training experience relevant to the industrial requirements of the community. In many states, prisons are prohibited from training inmates or making products that will compete on the market with local industry.

**Juvenile Offenders**

Most crime in the United States is committed by youth.

Over 350,000 children, or about 30% of all offenders, are under the custody and supervision of juvenile correctional institutions or agencies on any given day.

Although 70% of all funds spent on juvenile corrections now goes toward supporting juvenile institutions rather than juvenile probation, these institutions are still inadequate.

For example, standards recommended for the size of juvenile institutions call for facilities to accommodate 150 or less, with individual living units housing no more than 20 youngsters. Yet, according to survey data collected by the Task Force on Corrections of the President's Commission on Law Enforcement and the Administration of Justice, only 24% of all institutions meet this living unit standard, and the traditional feeling is toward building larger units.

**Probation and Parole -- Unfulfilled Promises**

A person who is found guilty of a crime will often receive a suspended sentence, provided that he remain on good behavior and that he be placed under special supervision. Such a person is said to be on "probation".

A person who has served part of a given sentence in prison may be released under certain conditions, including special supervision. Such a person is termed to be on "parole".

Though the effectiveness of properly implemented parole and probation programs has been demonstrated many times, their full cost/benefit potential is yet to be achieved on a nationwide basis. A major weakness in probation and parole services is that they have never received adequate funds for the number of offenders under supervision. Two-thirds of all offenders are under probation or parole supervision, but these services receive less than one-third of the monies allocated for correctional efforts.

The President's Commission on Law Enforcement and the Administration of Justice notes that "probation and parole services are characteristically poorly staffed and often poorly administered." Of the 250 counties surveyed by the Commission, one-third provided no probation services at all. Average probation and parole caseloads vastly exceed the recommended standards of 35 cases per officer. Over 76% of all persons convicted of a minor offense, and 67% of all those convicted of a major offense who are on probation are in caseloads of 100 or more. Less than 4% of the probation officers in the nation carry caseloads of 40 or less.

Despite the far-from-ideal conditions existing in the probation and parole fields, studies indicate that roughly 55-65% of parolees are not returned to prison during the period of their parole supervision. Of those that are, about two-thirds are returned for parole violations, not for new crimes. 60-90% of probationers complete their probation terms without revocations.

**The Jail Mess**

County and local jails are the first contact with the correctional world for most offenders. Most people in jails are awaiting trial and have not been sentenced or convicted of any crime. Some are serving short sentences for minor offenses. The need for the rights of inmates to be considered and protected in all levels of correctional facilities is evident, but the situation in jails is particularly poor. Yet, the initial and often lasting impressions toward corrections and our system of criminal justice are formed in these institutions.

In most city and county jail facilities for adult offenders (with a few outstanding exceptions) inmates are kept under maximum security, and general services and conditions are considered to be the worst of all penal institutions. The National Crime Commission's Task Force on Corrections states that: "In the vast majority of city and county jails ... no significant progress has been made in the last fifty years."

**Correctional Planning: By Guess and By Golly**

Corrections in the past has suffered from piecemeal and patchwork programming and crisis-oriented planning.

Plagued with a lack of resources and adequate planning for handling present and future problems, corrections has too often operated on the basis of coping with problems as they arise, reacting to situations rather than planning ahead for them.

New federal funding programs and the emerging emphasis on comprehensive criminal justice planning by the Law Enforcement Assistance Administration of the U.S. Department of Justice, should

help improve the long-range planning and management of the nation's correctional system.

**Correctional Personnel: Manpower Development and Training Problems**

Surveys conducted by the Joint Commission on Correctional Manpower and Training in 1967-68 revealed widespread personnel recruitment and retention problems created by low pay, heavy workloads, insufficient training and lack of merit system employment in the correctional field. These problems have deprived the system of essential professional services and have resulted in programs often manned by personnel with little or no educational preparation for correctional work.

The Joint Commission also revealed that minority groups, females, and young people are underrepresented in the nation's correctional work force. The Commission urged a comprehensive nationwide recruitment program with particular emphasis on enlisting more qualified young people, women, Blacks, Spanish-surnamed Americans, and other minority group members.

The recent availability of federal funds for college and university programs designed to prepare students for careers in corrections (and other areas of criminal justice) could help provide the kind of correctional personnel the country needs.

**Contradictory Goals and Public Uncertainty**

The average citizen does not know what is to be expected of correctional services. This attitude has created a paradox in handling offenders.

Confusion over whether corrections should be punishment-oriented, rehabilitation-oriented, or both, brings public accusations that the system brutalizes offenders, on the one hand, or coddles them on the other. Manifestation of this confusion is the existence, side-by-side, of correctional facilities intended primarily for punishment and detention, and others designed to help rehabilitate offenders.

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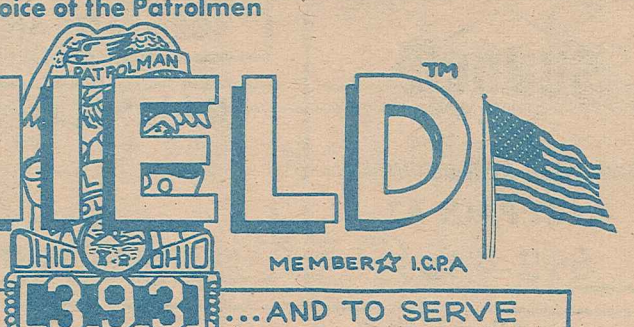
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