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OFFICE OF NAVAL INTELLIGENCE



NAVAL INVESTIGATIVE SERVICE

This Newsletter
is intended for all persons concerned with
investigations. Sufficient copies are fur-
nished to allow distribution of individual
copies to each Naval Intelligence Agent.

NOT TO BE DISSEMINATED OUTSIDE ONI

"MR. ONI" RETIRES

Mr. Charles R. "Dick" Wilson, oftentimes referred to as "Mr. ONI", retired on 30 April 1966 after 30 years, 5 months, and 1 day Federal service, of which 20 years was as a civilian Special Agent of the Office of Naval Intelligence.

In honor of Mr. Wilson, a huge party was held at the Naval Officers' Club, Bethesda, Maryland on 29 April 1966. Gathered there to participate in the ceremonies were many Admirals and Captains whose names are celebrated in the annals of Naval Intelligence. Agents, Assistant Supervising Agents, Supervising Agents, security analysts and other personnel from the intelligence community throughout the world attended the gala occasion. Mr. Wilson received several gifts, awards, mementos, such as a handsome portrait from our Philippine contingent, an engraved cup from our Europe office, the Navy Superior Service Award, and a distinctive scroll signed by members of the Naval Investigative Service and set into a magnificent coffee table (designed and fashioned by S/A John W. Starke).

On the occasion of the retirement of this true gentleman, we wish to express our profound admiration and deep respect for his eminently outstanding professional performance, for his manifold contributions to the development of a "second to none" professional investigative service.

Mr. Wilson's services to the U. S. Navy and the nation have been characterized by the highest order of wisdom and selflessness, distinguished by a hallmark of equanimity and reason undisturbed by adversity and troubles. Special Agents everywhere join in wishing his retirement will be as pleasant and rewarding to himself as his contribution to his country has been great.



CHARLES R. WILSON

30 April 1946

30 April 1966

MEMORANDUM FOR ALL HANDS

Upon my retirement from the Government service, there is so much I would like to say to each of you. Indeed, I wish it were possible to write an individual letter to try and let each person know of my gratitude for his and her most loyal support and assistance.

One of the things that has always impressed me in our organization has been the team spirit. We have had the utmost cooperation from military and civilians alike; everyone has realized that there were jobs to be done and has turned to and done them. My thanks to all for your part in making things work so satisfactorily.

If I were to say many of the things I would like to, I would be accused of preaching to you. But you should all know that you are members of a fine organization with an outstanding reputation and that the organization acquired its reputation because persons like you compose it. Loyalty, integrity, ethics, responsibility, industry, initiative, judgment, tact, interest and a host of other factors are represented in you and are reflected in the image of the organization. So far as I am concerned, it is an excellent image and one which you will be interested in preserving. Another way to look at this picture is to realize that everything we do is the sum total of a collective effort and that what is accomplished as an office, is the result of a combined effort, not that of any one person. This composite effort bespeaks a spirit of comradeship which should be nurtured carefully. It can be an infectious quality; it can make work easier, more congenial, more productive.

Many of us have been together for many years. We have all shared many things. We have experienced official disappointments and triumphs; we have had personal tragedies and blessings. Through them all, there has been an ever present feeling of genuine concern. May it always be so

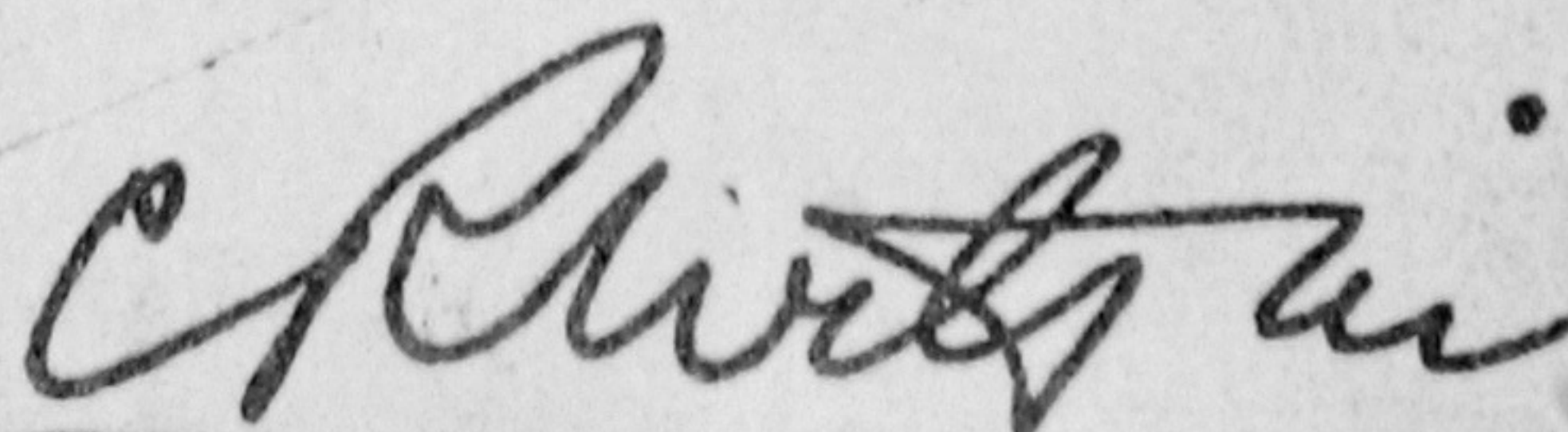
I find that my heart is very full and that mere words fail to convey what I would like. But I do want to say "Well done" to each and to let you know of my eternal gratitude for much labor and many kindnesses.

To the finest group of governmental employees anywhere my personal thanks.

It is my earnest hope that each of you may prosper in the days ahead and that your dreams, aspirations and ambitions may come to a joyous fruition. May the Lord bless you and keep you; may the Lord be gracious unto you.

With every expression of esteem, admiration and respect, I am

Most sincerely,



C. R. WILSON

REAR ADMIRAL EUGENE B. FLUCKEY, USN, TO BECOME DNI

On 22 July RADM Eugene Bennett Fluckey will become Director of Naval Intelligence, relieving CAPT Maurice H. Rindskopf, USN, who has held that exalted post since VADM Rufus L. Taylor departed for DIA. RADM Fluckey was born in Washington, D.C. on 5 October 1913. He attended Western High School in Washington and Mercersburg Academy, Mercersburg, Pennsylvania, and prepared for the Naval Academy, Annapolis, Maryland, at Columbian Preparatory School, Washington. Commissioned an Ensign in 1935 upon his graduation from the Academy, he progressed to the rank of Rear Admiral, to date from 1 July 1961.

After serving aboard USS NEVADA, USS McCORMICK, USS S-42, and USS BONITA, he returned to Annapolis for graduate instruction in Naval Engineering (Design) and later attended Commanding Officers' School at the Sub Base in New London. After one war patrol as Prospective Commanding Officer of USS BARB (her seventh), he assumed command of that sub on 27 April 1944. For heroism during the eighth, ninth, tenth, eleventh and twelfth war patrols of USS BARB, he was awarded the Medal of Honor, the Navy Cross and Gold Stars in lieu of three additional awards, and is entitled to the Ribbons for the Presidential Unit Citation and Navy Unit Commendation awarded USS BARB.

After outfitting USS DOGFISH in 1945, he worked directly for Secretary James Forrestal with plans for unification of the Armed Services and later became the Personal Aide of FADM Chester W. Nimitz, Chief of Naval Operations. Subsequent to a command tour with USS HALFBEAK he was ordered to the Staff of Commander Submarine Force, Atlantic Fleet, charged with the responsibility of setting up the Submarine Naval Reserve in June 1949. A year later he became Flag Secretary to Admiral James Fife, Commander Submarine Force, Atlantic Fleet. From 1 October 1950 to July 1953 he served as U.S. Naval Attache and Naval Attache for Air to Lisbon, Portugal. The Portuguese Government, for his distinguished services while there, decorated him with the Medalha Militar, noting that this was the first time this decoration had been awarded to a Naval Attache from any other country.

In September 1953 he took command of Submarine Division 52, and on June 11, 1954, became CO, USS SPERRY. Under orders of March 7, 1955, he next served as Commander Submarine Squadron FIVE, and after a year in that command returned to the Naval Academy for duty as Head of the Department of Electrical Engineering. He attended the National War College in 1958-1959 and upon completion of the course in June 1959, was assigned to the National Security Council, Washington, D.C.

His selection to the rank of Rear Admiral was approved by the President in July 1960, and in October of the same year he reported as Commander Amphibious Group FOUR. In November 1961 he became President of the Naval Board of Inspection and Survey, Washington, D.C., and in March 1964 was assigned temporary duty as Task Force Director of the Ship-yards Appraisal Group. In June 1964 he reported as Commander Submarine Force, Pacific Fleet and in January 1966 was ordered detached for duty as Assistant Chief of Naval Operations (Intelligence) and Director of Naval Intelligence, Navy Department.

VADM RUFUS L. TAYLOR DESIGNATED DEPUTY DIRECTOR OF DIA AND BECOMES
HONORARY SPECIAL AGENT

In May 1966, VADM Rufus L. Taylor relinquished his assignment as Director of Naval Intelligence and assumed duties as Deputy Director of Defense Intelligence Agency. The notable accomplishments of ONI, the increased posture of our personnel security investigation workload, the prestige of our elite investigative corps among DOD agencies, and the effective establishment of the Naval Investigative Service have all resulted from VADM Taylor's guiding policies and his superlative administration. At a ceremony in honor of VADM Taylor's elevation to his high post in DIA, Captain Jack O. Johnson, Director of Naval Investigative Service, presented VADM Taylor with a scroll artfully inscribed with an ONI badge and bearing the following sentiments:

"Whereas, VICE ADMIRAL RUFUS L. TAYLOR has advanced the readiness of Naval Counterintelligence farther than any other DNI in history; and whereas, he has become a leading authority on the value of fact-finding, threat analysis and security policy as an essential support to the profession of arms; and whereas, he has shown genuine interest in all ONI Agents, their families, and the work they do at home and abroad, from Saigon, WESTPAC to Bremerhaven, NAVEUR; therefore, in recognition of the above, he is hereby officially designated as an honorary SPECIAL AGENT ONI."

A CHANGE OF COMMAND

CAPT J. O. JOHNSON will be relieved as Director, Naval Investigative Service on 26 July 1966 at 1330 hours by CAPT E. G. RIFENBURG. CAPT JOHNSON, who retires on 29 July, will depart the Washington D.C. area for Bartow, Florida, where he will be working with a legal firm. To CAPT JOHNSON, the first Director, NIS, go our best wishes for the continued success which we know he will enjoy. CAPT RIFENBURG, who comes to NIS with a most distinguished Naval Career, is currently serving as Acting Deputy Director of Naval Intelligence.

CAPT G. S. BLAKE who is the Head, Administration and Support Department, NIS, designate, reported aboard NISHQ on 27 June and is currently serving as Acting Deputy Director, NIS. CAPT BLAKE comes to NISHQ from his most recent tour as Commanding Officer, Naval Investigative Service Office, Norfolk.

CAPT T. L. STEVENS has arrived in the Washington D.C. area and after locating a home is expected to report to NISHQ around the last week in July. CAPT STEVENS will then assume the duties of Deputy Director, NIS. CAPT STEVENS was formerly the Commanding Officer, U.S. Naval Investigative Office - Pacific Fleet Area and also has served as the Officer in Charge of the District Intelligence Office, NINTH Naval District.

We are happy to report that CDR G. W. ROBERTS has returned from the hospital and assumed his duties at NISHQ as Head, Personnel Division. Welcome back, Commander!

CDR LEROY K. JORDAN, USN, RETIRES

CDR L. K. JORDAN retired on 30 June 1966 and plans to remain in the Washington, D.C. area for the next month before returning to his native home in Providence, Rhode Island. To CDR JORDAN, who served the last several years as the Head, Investigations Department, NCISC, and most recently as Head, Administration and Support Department, NIS, go our most sincere thanks for a job "well done" and our best wishes for the future.

SUPERVISORY SELECTIONS

The following supervisory assignments have been effected:

S/A John F. Donnelly, Supervising Agent, NISO-Philippines has been assigned to NIS-HQ and will report in July 1966. He will relieve S/A Sherm Bliss (scheduled for a sabbatical) as Assistant for Special Operations.

S/A Jack I. Guedalia, who was SRA at NISRA-Long Beach, has been designated as Supervising Agent, NISO-Philippines. Jack will be on board in early July.

S/A Cecil G. Boggs, after a brief stint in NISHQ in the Special Activities Group, has been selected as Assistant Supervising Agent, NISO-Washington.

S/A John F. Foran, former SRA at NISRA-Boston, was elevated to Assistant Supervising Agent, NISO Boston.

S/A Wesley W. Howe, attached as SRA at NISRA-Minneapolis now functions as Assistant Supervising Agent at NISO-New Orleans.

S/A Robert L. Almy, SRA at NISRA-Sacramento, was chosen to be Assistant Supervising Agent of NISO-Japan.

S/A Patrick P. Daly, formerly performing duties at NISO-San Diego, has been transferred to NISO-San Francisco as Assistant Supervising Agent (Operations and Training).

The following agent personnel have been designated as Senior Resident Agents:

S/A Donald E. Roberts, SRA-NISRA El Toro.
S/A John M. Stevens, SRA-NISRA-Naha.
S/A Earl L. Johnson, SRA-NISRA-Minneapolis
S/A Lionel A. Barker, SRA-NISRA-Garden City
S/A Raymond W. Magill, SRA-NISRA-Boston
S/A David L. McDonald, SRA-NISRA-Sacramento
S/A William D. Coleman, SRA-NISRA-Seattle
S/A George E. Reis, SRA-NISRA-San Diego
S/A Arthur R. Arrigo, SRA-NISRA-Long Beach

CAPTAIN JOHNSON ESTABLISHES THE DIRECTOR'S CUP

Captain Jack O. Johnson, Director of Naval Investigative Service, has established a trophy to honor those civilian agents attending Agents' Basic Training School who singularly distinguish themselves by attaining the highest scholastic mark in each class. Details of administering this award are presently being formulated. It is anticipated that a hallowed niche at Headquarters will be located where the Director's Cup will be displayed, along with a correlating plaque of name plates inscribing the honor man in each Agents' Basic Training Class. Plans also include the provision that each top scholar will be photographed holding the trophy and presented with a print suitable for framing. It is gratifying to all that Captain Johnson, always a champion of the cause of "The Agent-on-the-street," has now initiated a splendid plan to commemorate the achievements of basic agent trainees.

S/A SHERM BLISS TRANSFERS TO STANFORD UNIVERSITY.

Special Agent M. Sherman Bliss has been selected as a 1966-67 recipient of a Public Affairs Fellowship under the terms of the Career Education Award Program. Administered by the National Institute of Public Affairs, these distinguished awards are granted to mid-career Government executives in federal, state, and local governments who are chosen in national competition on the basis of demonstrated ability, outstanding performance, and high potential for future leadership. The Fellowships provide for a full year's graduate study related to problems of public policy and the management of public programs at seven of the nation's most eminent universities. S/A Bliss will commence his studies at Stanford University in California in September.

S/A "MAC" WOODS, NISRA-NEW ORLEANS, AND WIFE RETIRE FROM NAVAL RESERVE

The Sunday, 15 May 1966 issue of THE TIMES-PICAYUNE, New Orleans, La., carried an interesting article concerning the dual retirement of LCDR John M. Woods, Jr., (Senior Resident Agent at NISRA-New Orleans) and LCDR Mary M. Woods after a total of forty-seven years of faithful and loyal performance of duty in the Naval Reserve Program. This unique retirement ceremony involving a man and wife team, was attended by Captain Robert P. Jackson, former Deputy Director of the Office of Naval Intelligence, now retired. Their shipmates in U.S. Naval Intelligence, NRIU-8-1-2, presented them with an inscribed plaque commemorating their duty and wishing "Mac" and Mary "fair winds and smooth sailing." Besides this full career in the U.S. Naval Reserve, S/A J.M. "Mac" Woods, Jr., has more than twenty-years dedicated service as an ONI Agent.

NIS-HQ "VIP" BIOGRAPHICAL FOLDER

From time to time the thought has projected itself that it would be most opportune if at Headquarters there was a repository of biographies delineating our Supervising Agents and Assistant Supervising Agents. All Supervising Agents and Assistant Supervising Agents, therefore, are requested to submit to Headquarters (NIS-20Z2 - Agent Training Unit) appropriate autobiographies covering their careers with ONI, former employments, military reserve affiliation, schools attended, graduate work completed, future plans upon retirement, and so forth. NAVPERS 2669 (Officers' Biography) could be used for this project. Please comply as convenient.

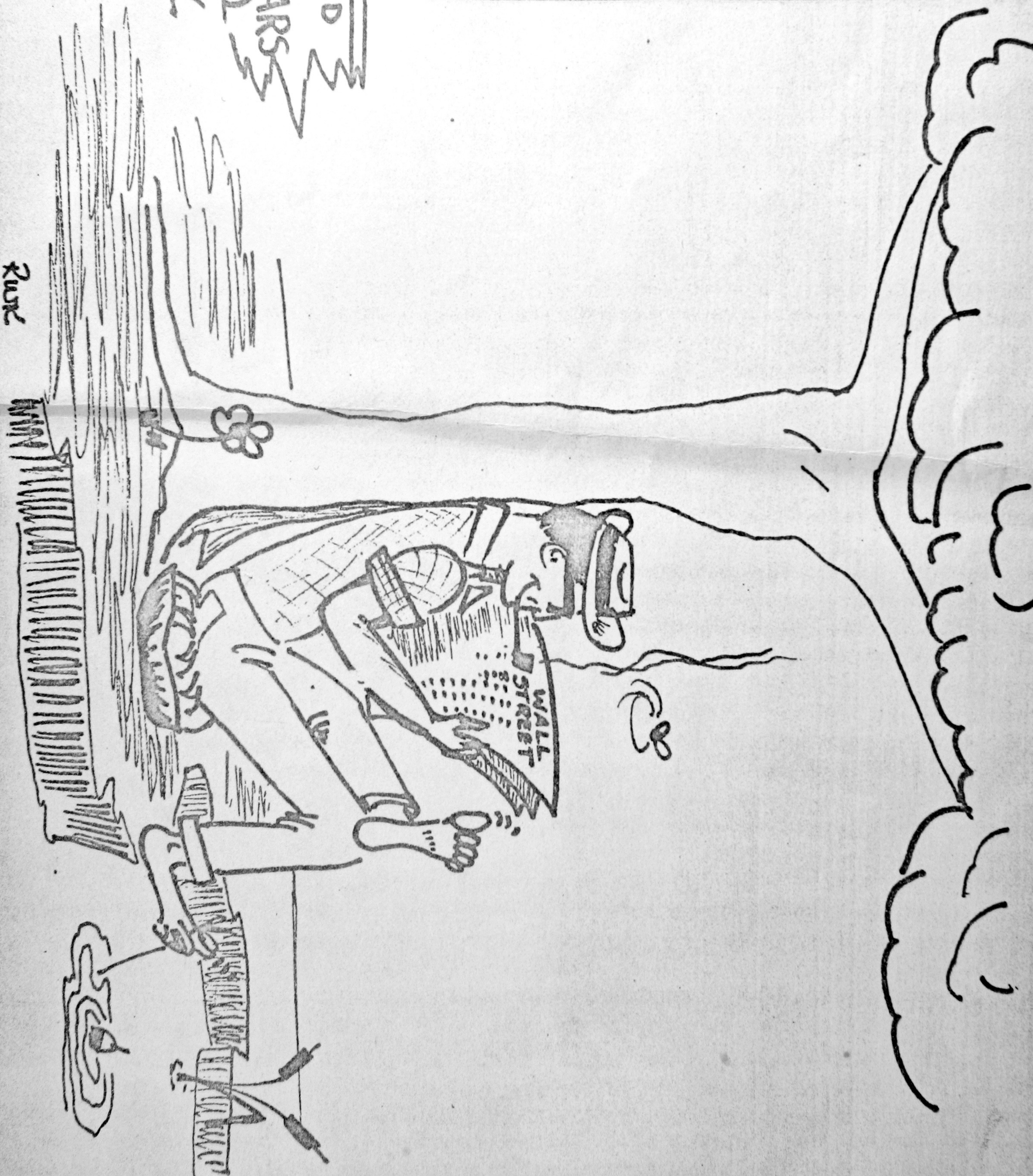
RESULTS OF THE "DICK" WILSON GOLF TOURNAMENT

A golf tournament was held in honor of Mr. Wilson's retirement, with forty-four participants teeing off at the Montgomery Country Club, Olney, Maryland. Based on a blind bogey scoring system, Loren Gingell, NISHQ, captured first place; Chief Gary Hall, NISHQ, S/A E.B. Duffee, NISRA-Baltimore, and Bob Kennemur, FBI, gained a three-way tie for second; S/A Con Tuza, NISHQ, had the longest drive; LT Beth Coye, NISHQ, came closest to the par-3 sixth hole; and S/A Cecil G. Boggs, now of NISO-Washington, scored low gross with an 84.

SUPERVISING AGENT ALLAN ROBERT SHEARS, NISO-SEATTLE, RETIRES

S/A Allan R. Shears, affiliated with ONI continuously since 6 May 1946, retired at the close of business on 6 May 1966, having acquired 26 years, 2 months total Federal service. "Al," an insurance investigator for American Service Bureau from 1936 to 1941, served with the U.S. Navy during the war years, attaining the rank of LCDR in an intelligence billet in 12ND. "Al" was assigned as a Special Agent to the TWELFTH Naval District Headquarters at San Francisco, California from 6 May 1946 to 7 December 1957 when he was transferred to the THIRTEENTH Naval District upon his appointment as Supervising Agent. "Al's" career in Naval Intelligence has been marked with superlative achievements within the field of investigations and naval careers; and agents everywhere are well aware of S/A Allan Shears' enthusiasm, competency, and dedication in all assignments. "Al," in retiring from his labors at NISO-Seattle, forwarded a card to Headquarters indicating he had "GONE FISHING." The card depicts "Al" ensconced on a pillow at the base of a tree, reading the WALL STREET JOURNAL while fishing alongside a creek. A jagged sign, staking out the scenic spot, reads: "RESERVED FOR AL SHEARS (RETIRED)." We at NISHQ have reserved a red welcome mat for Al, hoping that he can visit with us from time to time during his lesiure moments as an honored retired Special Agent.

RESERVED
for
AL SHEARS
(RETIRED)
WALK



RUC

QSI AWARD MERITED BY S/A J. M. LANKFORD, JR., NISRA-DALLAS

The last issue of the ONI NEWSLETTER, through an editing inadvertence, omitted a newsworthy item which called attention to the outstanding performance of S/A J. M. Lankford of NISRA-Dallas, who gained a Quality Salary Increase at the close of calendar year 1965. The commendatory letter of Rear Admiral Rufus L. Taylor, Director of Naval Intelligence, adjudged S/A "Mack" Lankford's performance to be "extremely meritorious and worthy of especial recognition," authorized a pay increase, and bestowed upon him a well-deserved "Well Done."

Admiral Taylor's letter reads in part:

"Having been employed in the District Intelligence Office, Eighth Naval District since 12 February 1951, and in the Dallas Resident Agency since 21 September 1953, you have continuously performed your duties in an outstanding manner. You have been repeatedly assigned complex investigations and your attention to detail, organization, and planning demonstrates skill in the application of sound investigative techniques. Your abilities in report writing and interrogation are also commendable and further exemplify your outstanding professional ability."

S/A THOMAS E. BRANNON ACCOMPLISHES MISSION IN VIETNAM

S/A Thomas E. Brannon, now attached to NISO-Philippines, received in March 1966 a letter of appreciation from the Commanding General, III Marine Amphibious Force, Military Assistance Command, Vietnam, for his outstanding performance of duty while assigned duties at DaNang. The following paragraph aptly delineates S/A Brannon's splendid efforts in accomplishment of our mission in the Republic of Vietnam:

"On 17 October 1965 you were assigned to DaNang, Republic of Vietnam, from Saigon to establish an Office of Naval Intelligence. Facing many problems such as lack of adequate office space, insufficient clerical help, and limited transportation facilities, you were still able to establish the permanent Office of Naval Intelligence in the amazingly short period of one week. During the period 17 October 1965 through 5 February 1966 you have brought more than forty cases to a successful conclusion. Your support of the III Marine Amphibious Force has been exemplary. The record and reputation you left behind are evidence of the high personal standards you maintain and of your devotion to your profession."

AGENT TRAINING ACTIVITIES

Photography School Established

A basic photography course has been established within the Agent Training Unit and the first school class will convene at Headquarters during the period of 16 August - 2 September 1966. Another class is slated for 23 November - 18 December 1966. Candidates for photographic training should be in PG-10 or 11, have completed at least two years service with NIS, possess a pronounced interest in photographic work, but need not have had prior formal photographic training. S/A John W. Starke, who has worked long and planned hard making the Agents' Photography School a reality, will be the principal instructor in this training program. At the present time he is busily engaged in procuring the necessary cameras and equipment, in readying the dark room, and in formulating the curriculum.

Indoctrination/Orientation Program Delayed

The Indoctrination/Orientation Program for NISO's envisioned as a reality by 1 July 1966, now has a target date of 1 September 1966. The recommendations and training schedules recently advanced by the various NISO's, now being scrutinized and collated by the Headquarters Training Staff, undoubtedly will be utilized in the formulation of the standardized course.

Progress Report #3: ONI-63-1B

THE MANUAL FOR INVESTIGATIONS (ONI-63-1B) has been submitted to the printers. Various details relating to the indexing and the table of contents have to be worked out, but the bulk of the material has been readied for printing commitments. Galley proofs are to be returned for editing within a few weeks. The estimated date of completion and promulgation is tentatively listed as "latter part of September." The estimated cost of this publication with a distribution of 2,500 copies, exceeds \$14,000.00.

The Agent Training School's XYZ Affair

A critique of one of the basic agent trainees at Class 4B(66) offered a beneficial suggestion as follows: "As Agents enter upon their first day, let them pick their own seats. We poor guys whose last names begin with 'W' and on have been in the back of the room for twelve years of public schooling, four years of college, three years of service, one year of private business schools, etc.; have slowly but surely become hard of hearing, developed crow's feet from squinting eyes, and have inferiority complexes from seeing nothing but the back of classmates' heads. There are too many distractions back here and, as a result, we have to work harder to gain the knowledge and get the grades that the 'A' to 'K'ers' get. I'm not all gripes, however; in the four weeks I've been here, I've never been beat in that line for coffee."

AGENT TRAINING ACTIVITIES (cont'd)

Special Supervising Agents' Seminar

The special seminar for Supervising Agents conducted at Headquarters during the period of 23-27 May was a most busy session. In attendance were:

Mr. William G. Mendelson
Mr. Henry C. Durand
Mr. David V. Planton
Mr. Thomas J. Nolan
Mr. Veikko E. Levander
Mr. Vernon A. Bonney
Mr. William R. Andrews
Mr. Joseph C. Oulahan

Mr. Earl S. Richey
Mr. William R. Clayton
Mr. David J. Kerr
Mr. Lloyd G. Beck
Mr. Richard L. Vollrath
Mr. James L. Hannah
Mr. Jack "I" Guedalia

An in-depth analysis of the seminar discloses that much has been accomplished. Policy was discussed; guidelines were formulated; and operational force, direction, and management controls were brought to bear on the needs of the Naval Investigative Service. Far-reaching results of this seminar are being compiled and will be promulgated by separate correspondence.

Schedule of Training Courses for Fiscal Year 1967

<u>Course</u>	<u>Course Number</u>	<u>Convening Dates</u>
In-Service Seminar	1/ISS(67)	11-15 Jul 66
In-Service Seminar	2/ISS(67)	18-22 Jul 66
Basic Photography Course	1/P(67)	15 Aug - 2 Sep 66
Agents' Basic Training Course	1/B(67)	12 Sep - 7 Oct 66
Agents' Basic Training Course	2/B(67)	10 Oct - 4 Nov 66
Basic Photography Course	2/P(67)	28 Nov - 18 Dec 66
Agents' Basic Training Course	3/B(67)	9 Jan - 3 Feb 67
Agents' Basic Training Course	4/B(67)	27 Feb - 24 Mar 67
Agents' Basic Training Course	5/B(67)	3-28 Apr 67
Basic Electronics Course	1/T(67)	1-19 May 67
Agents' Basic Training Course	6/B(67)	5-30 Jun 67

AGENTS' BASIC TRAINING COURSE 5B(66) - 18 April - 13 May 1966

Gordon F. McKenna	01	John P. McMullen	09
John W. Hajosy	03	Donald L. Yeo	09
Lionel A. Barker	04	George R. Reis	11
Lance M. Arnold	05	William A. Andre	11
Ronald L. Snyder	06	Jay L. Minor	11
William R. Cushen	08	Keith A. Farnsworth	12
Charles R. Booth	08	James M. Svetich	12
Hiram W. Johnson	08	Allan D. Winans	12
Earl L. Johnson	09	Stanley M. Sagara	13
John Dill, IV	09	George E. Dalton	81
Ralph D. Gallo, Jr.	09	Russell E. Champine	20

AGENTS' BASIC TRAINING COURSE 6B(66) - 1 - 29 June 1966

Albert F. Smith	01	Eddie W. Hemphill	09
Thomas E. Neary	01	William D. Laing	09
John R. Gentile	03	Joseph T. Liehr, Jr.	09
John W. Roselli	03	John A. Love	09
John V. Zacharias	04	Frederick F. Beattie	11
Francis H. Schmitt, Jr.	05	Bruce M. Middleton	11
Arthur K. Deal	05	Robert F. Hufnagl	12
Ronald L. Mount	06	John F. Copper	12
Grant J. Stephens, Jr.	06	John F. Merrill	12
Charles F. Felderhoff	08	David L. Powell	12
John C. Rhode, Jr.	08	William E. White	04
John K. Rowland	09	Jose A. Toro	20

PG-11 EXAMINATIONS

The following Special Agents recently passed the PG-11 examination and are eligible for promotion:

Louis C. Webb, Sr.	09	Robert H. Burch	06
Joseph (nmn) Voich	09	Alvin A. Coleman	06
Daniel J. Shea	09	Joseph W. Brant	00
Howard L. Abrams	09	Albert F. Jesse, Jr.	83
Fred L. Logan	09	Lloyd K. Watanabe	14
Luke P. Benson	06	Earl E. Holmes	14
Clayton H. Spradley	06		

SPECIAL BRIEFINGS

LT Louis E. COSTA, USNR, DaNang, Republic of Vietnam
LTJG George E. DALTON, USN, Yokosuka, Japan
LT David W. WRIGHT, USN, Subic Bay, Philippines
S/A James G. Kartis, Naples, Italy

WELCOME ABOARD

Robert T. WILSON	San Diego	Michael D. NAGLE	San Diego
John T. RICHTER	Charleston	Roland M. SMITH	New Orleans
Larry M. BUENDORF	Chicago	Wayne R. PELAEZ	Charleston
Lynn O. SHUMWAY	Chicago	Robert J. TUGWELL	Norfolk
James W. GREVER	San Francisco	Robert N. STOKES	Norfolk
Dermond G. GERETY	New York	Eugene W. ALBAN, Jr.	Charleston
Richard W. BARTLETT	New York	Merlin V. TWITCHELL	Seattle
Jerome S. MOOERS	San Diego	Lewis W. HUDGINS	Norfolk
Malcom J. MEIZEN	Philadelphia	Warren K. SUMNER	San Diego
Raymond E. LUNDQUIST Jr.	Charleston	Jerry P. WILSON	Charleston
William E. BLOW	Chicago	Joseph P. ASHOOH	Washington DC.
Gerard F. TOMPKINS	New York	Michael G. ROGERS	Philadelphia
John Y. ROBERTS	Charleston	Richard H. COOK	Philadelphia
Gerald P. MC MAHON	New York	Douglas V. STUART	New Orleans
Nowell D. NELMS, Jr.	Norfolk	Marion L. DOYEL	Honolulu
Charles R. JONES	Norfolk		

SUMMONED TO ACTIVE DUTY

S/A Terry R. Love, assigned to NISO-San Diego was summoned to active duty with the U.S. Marines and was slated to report to the Marine Corps Recruit Depot, San Diego, California on 12 May 1966 to undergo recruit training. S/A Love intends to re-affiliate with ONI upon his release from active duty.

S/A Jackie L. Parkey, assigned to NISO-Washington, was tapped with a call to the U.S. Army. S/A Parkey, who entered on duty in June 1965, submitted his resignation effective 15 May 1966. He intends to return to NISO-Washington after his military obligation has been fulfilled.

PROMOTIONS

PG-12

Earl L. Johnson	09
George R. Reis	11
William D. Coleman	13
Warren J. Shadko	00
David J. Lasher	00

PG-13

John F. Foran	01
Wesley N. Howe	08
Kenneth S. Reid	05

AGENT RECRUITMENT

The drive to recruit fully qualified agent applicants continues unabated. Eighty (80) contract agent vacancies exist in Naval Investigative Service. Each Commanding Officer and each Supervising Agent has been exhorted to exert maximum personal direction and leadership toward promotion of a vigorous recruiting program. Each Agent is urged to assist in this important recruitment effort.

LANDS OF ENCHANTMENT, AS REPORTED BY ONI AGENTS

Our Special Agents on duty in faraway places are urgently requested to submit geographical briefs delineating local working conditions and other related aspects of life abroad. The Editorial Staff has received two literary gems from Supervising Agents Fred Robey and Jack Donnelly, and are now soliciting more for inclusion in future ONI NEWSLETTERS.

A Brief Sketch of Kodiak

by S/A Fred Robey

In the icy waters of the North Pacific lies a "Banana Belt" of Alaska, Kodiak Island. It is a large island, roughly the size of Connecticut, covered with thick green foliage in the summer and tired, broken down shrubs in winter. The people of Kodiak are a rare breed in themselves, toughened by the "poor" years and warm as only small town people can be.

Perhaps the most fitting statement about Kodiak was one by the famous John Burroughs who said, "The rest of Alaska is epic; Kodiak is lyric." The scenery is magnificent. The city is located at the base of lushly covered Pillar Mountain and overlooks Saint Paul's Harbor. The harbor is dotted with emerald isles that provide seclusive picnic spots for boat owners in the summer. The waters of the bay and the channel are of the purest blue on clear days and steely gray when it is overcast. Schools of dolphin frolic in the channel from time to time, while a whale occasionally passes through, spouting his presence with a spray of white foam. Snow-capped peaks off in the distance form a semi-circle of Alaskan splendor about the city.

Time was when the city of Kodiak was a sleepy little fishing village with small concern for the future. In recent years, the economy has been boosted so much that now Kodiak is literally a boom town. In 1960 the population was 2,528. Today, 1966, the city boasts over 7,000 residents. The fishing industry has expanded remarkably. At one time, the income was dependent on the salmon run. Now, with nine canneries in operation and others planning to move in, crab, shrimp, and halibut, as well as a variety of other ocean products, play a major role in the economy. Also, during the war the Naval Base became an integral part of the city's economy. Now, however, the station provides only a nominal portion of the income.

The people themselves are interesting as their city. They come from all over the world, as well as from the States, and are here for their own individual purposes. Some are with the military, and leave as soon as their tour of duty is up. Often military people choose Kodiak as the place to retire. Many people have come lately with construction companies. But, as often as not, one finds the people just looking — some for adventure, some for money, and some for their own niche.

LANDS OF ENCHANTMENT, AS REPORTED BY ONI AGENTS (cont'd)

Regardless of what they come for, there is one thing almost all Kodiakans have in common, the outstretched hand of help and friendship. They know what it is like to have a "poor year," when the salmon run is low, when a williwaw blows a tree into your house, or when a tsunami sweeps away all your belongings. They know how to help you put the pieces back together. They love friends and socializing, and are always anxious for an excuse to have a get-together.

Kodiak, like any city, has an active police force, busy Rotarians, and other civic organizations, and what the Kodiakans like to think of as a somewhat unique city council. The mayor presides over a council of six men, from various occupations. The council meetings are open to the public and provide citizens with an interesting Thursday night. The bickering that goes on is unbelievable and often interesting and entertaining.

Even though school provides a variety of activities for teenagers, most of that age group feel there is a severe shortage of recreation facilities available to them. There is only one small theatre, no roller skating or bowling, and only two decent restaurants. For a good many of the kids, a date consists of watching TV in the front room

The many drawbacks that Kodiakans experience center around the price they pay for the pleasure of living here. The roads are one --- or, perhaps, the lack of roads. Mail sometimes doesn't come for days if the plane can not land. It is expensive coming and going. The only way out of Kodiak is by airplane or boat; either way is relatively costly. Fresh foods, such as milk and eggs, are also quite expensive, since they must come from Seattle, Washington, --- in the "Lower 48" (as we refer to our continental 48 states). Television and radio are limited to one station, broadcasted by the Navy Base. Although there are no commercials, the shows are few and many months stale. But these disadvantages are frequently the subject of a good many local jokes and provide amusing conversation. Besides, the advantages so greatly overshadow them, they are hardly worth mentioning.

CONFUCIUS says

Agent who covers chair
instead of territory
always ON BOTTOM.

S/A Earl Fowler, NIS-HQ
(Confucianist)

LANDS OF ENCHANTMENT, AS REPORTED BY ONI AGENTS (cont'd)

Conditions in Vietnam for ONI Agents

By S/A Jack Donnelly

Weather: The weather is sunny and hot or damp and hot depending on the time of year. The heat, of course, can be overcome by air conditioners provided the electricity is working. The heat does not seem to bother the natives, but then they seldom weigh more than 100 pounds.

Accommodations: We have an office building and a house in Saigon. Two men live in the house which makes a pleasant meeting place for all the Agents away from the usual BOQ spaces. In DaNang we have a house which serves as both office and living quarters. I understand that the Vietnamese females are also accommodating, but have no personal knowledge of this. Neither do our Agents who are circumspect at all times.

Working Hours: They have a saying here on Fridays: "Just two more working days until Monday."

Cases: No PSI leads are covered. The Agents get an opportunity to work a variety of criminal and security/subversive cases and they perform counterintelligence functions which are of paramount importance in this strife-torn nation. I understand that cases of Budweiser and Carling Black Label are sometimes in evidence, but I have no personal knowledge of this. Neither do our Agents, who are circumspect at all times.

Travel: If one considers travel an adventuresome pastime, there are many adventures in store for Agents assigned to Vietnam. Aside from an occasional trip to exotic Bangkok and cosmopolitan Hong Kong, Agents find once in a lifetime opportunities to visit world renowned spas such as Can Tho, Pleiku, Chu Lai and others. However, dodging Buddhists on motorized bicycles while going to and from work is a travel experience enjoyed on a daily schedule. I understand that some Americans curse and swear at the host nationals because of their driving habits, but I have no personal knowledge of this. Neither do our Agents, who are circumspect at all times.

Incidents: In a nation where political upheavals are not unheard of, there are occasional incidents worthy of mention that seldom occur in the lives of street agents in CONUS: For your reading enjoyment, a few of these are set forth below:

Three Agents and the OIC and two cars were stoned by a group of restless youths who mistook these fighters for democracy for unwanted guests. Only a few scratches were received by one of the targets, who later found that he was not eligible for a Purple Heart because his injuries were caused by friendly elements.

LANDS OF ENCHANTMENT, AS REPORTED BY ONI AGENTS (cont'd)

An Agent was spit upon, in the face, by a friendly element as he was making a daily scheduled trip through this summer resort.

Another Agent was spit upon on a similar trip but by a less accurate friendly element.

An Agent on a road trip to Can Tho was given a room in the Army BOQ. Along with his towel and room key, he was given a thorough brief on the fields of fire he was to maintain from his room window in the event the VC attacked while he was a guest. He was much relieved to learn that all guests were given fields of fire which presented an interlocking, impassable barrier for any attacking hordes.

Agents at DaNang were confined to their house for a few days during the recent dispute between opposing friendly elements. Fortunately, they had an inexhaustible supply of tasty "C" rations to maintain their strength.

Agents are not alone in their opportunity to engage in interesting events. Yeomen are armed when they make routine mail runs and the Chief moved recently from his quarters where rising tear gas frequently became trapped in his fourth story room as it rose from energetic street scenes involving friendly elements.

Compensations: While frivolous remarks and lightheaded prose comes easy to visiting firemen, it is not too difficult to understand why our people on all levels volunteer for duty in Vietnam and why a good proportion voluntarily extend. They know that they are at the one place on earth where principles of our way of life are visibly contested. They know that they are materially contributing to the Navy's ability to fulfill its mission in their area. They are patriots worthy of the gratitude and respect of their fellow Agents. We owe all of these men a hardy and sincere "Well Done."

PERSONNEL SECURITY INVESTIGATION REMINDER

In conducting personnel security investigations, the Agent must exercise extreme care during interviews to ensure that the interviewee does not erroneously infer or conclude that there must be adverse or derogatory information extent concerning the Subject of the investigation. Agents must be ever-solicitous to safeguard the good name and reputation of the Subjects of their investigations by making interviewees explicitly aware of the purpose of the investigation. This admonition appears in Chapter VII of ONI 63-1B, soon to be promulgated.

SEC TOPICS

CIR Reporting

A recent counterintelligence report (CIR) received from an overseas NISO contained information of mutual interest to a NISO in another continent. The local distribution of the CIR was adequate, but no provision was made to disseminate the CIR by the originator to the distant NISO. In this same CIR, it was noted that the reporting NISO was not furnished the information from the source (a command serviced by the NISO) until over two months had passed from receipt by source.

Comment

The recent establishment of a world-wide NISO structure has brought into immediate focus the compelling need for all NISO's to disseminate laterally counterintelligence information, where appropriate, to all interested NISO's. A second observation on the foregoing concerns the necessity for NISO's through liaison contacts to impress on commands the need for expeditious referral to NISO's of counterintelligence information. This is especially true in areas where hostile and anti-American elements attempt to solicit information, even though unclassified, through the mail from U.S. troops. Propagandizing material received by service personnel should be remanded promptly by commands to the servicing NISO.

CI Analysts Conference

A Counterintelligence Analysts Conference will be held on 6-8 July in the Naval Investigative Service Headquarters, Arlington, Virginia. Participants from both CONUS and overseas NISO's will be in attendance. Guest speakers from CIA, DIA, Army, Air Force, Coast Guard and U.S. Marine Corps are scheduled to supplement the presentations given by the NISO Headquarters staff. Attendees are expected to furnish briefings of problems specifically associated with their geographic area. Considerable emphasis will be placed on the establishment of CI collection requirements, matters concerning persons of continuing CI interest, and the methods of reporting CI information to this Headquarters.

Personnel Changes

On or about 19 August 1966, Mr. William J. Schaefer is due to rotate from NISO Europe and will be Head, Personnel Security and U.S. Section of the SEC Branch. In addition to these duties, Mr. Schaefer will be the Acting Assistant Head SEC Branch during the temporary absence of Mr. D.C. Gorham who will attend the Naval War College at Newport, Rhode Island for one academic year.

SEC TOPICS (cont'd)

Reorganization of SEC Branch

Effective 1 June the SEC Branch, NISO Headquarters was reorganized into four sections, namely: Research Section; Personnel Security and U.S. Section; Special Projects Section; and NISO Section. We believe that this restructuring will enable us to furnish stronger guidance, leadership and support, to NISO field activities as well as more precisely delineating within NISO Headquarters the levied requirements and functions of the SEC Branch.

THE GOSPEL, ACCORDING TO S/A THOMAS M. LOUTON, NISO-SAN DIEGO

THE INVESTIGATOR

And in those days, behold, there came through the gate of the city, an Investigator from afar, and it came to pass as the day went by he uncovered plenty.

And in that City were they that were the Information Takers and they that spent their days in adding to the Alibi Sheets. Mightily were they astonished. They said one to the other, "What the Hell? How doth he doeth it?" And it came to pass that many were gathered in the back office and a Soothsayer came among them. And he was one Wise Guy. And they spoke and questioned in him saying, "How is it that this Agent accomplisheth the seemingly impossible?"

Whereupon the Soothsayer made answer, "He of whom you speak is one hustler. He ariseth very early in the morning and goeth forth full of pep and with leads in hand. He complaineth not, neither doeth he know despair. He is arrayed in fine raiment, while ye go forth with pants unpressed."

"While ye gather here and say one to the other, 'Verily, this is a terrible day to work!', he is already abroad. And when the eleventh hour cometh, he needeth no alibis. He knoweth his interrogation techniques, and they that would stave him off, they giveth him the information. People say unto him 'No' when he knocketh on the door, yet when he goeth forth, he hath their names on the sworneth statement."

"He taketh with him the two Angels, Inspiration and Perspiration, and worketh to beat hell. Verily, I say unto you, go and do likewise."

By S/A Thomas M. Louton

S/A BRUCE MIDDLETON, NISRA-PORT HUENEME, MAKES CITIZEN'S ARREST

S/A Middleton's presence of mind and coolness of action not only solved a personal predicament recently but directly and materially brought to justice a potentially dangerous criminal.

During the early morning hours of 10 March 1966, S/A Bruce M. Middleton, attached to Port Hueneme, was awakened in his apartment bedroom at 3816 Ocean Drive, Oxnard, California, by the sounds of an unidentified person passing through the bedroom, entering the closet and rummaging about inside. Upon turning on the bedroom light, S/A Middleton discovered an intruder holding a CO2 pistol at him. S/A Middleton "fast-talked" the individual, and deftly was able to snatch the weapon from his grasp. Identifying himself as an Agent of the Office of Naval Intelligence, S/A Middleton then placed the culprit under arrest by authority of Section 837 of the California Penal Code (Citizen's Arrest) for burglary. Two deputies from the Ventura County Sheriff's office arrived subsequent to S/A Middleton's call and took the offender into custody, advising that they had been searching for the suspect on the charge that he had earlier allegedly burglarized an area in the area, assaulted a woman with intent to commit rape, and had stolen the CO2 weapon.

NISO-ICELAND, RADIO ACCIDENT REPORT

On Thursday, 28 April, LCDR P. D. MOKE, the Commanding Officer, U.S. Naval Investigative Service Office, Iceland was returning to Keflavik Naval Station, Iceland from Reykjavik, Iceland with Captains J. O. JOHNSON, E. G. RIFENBURGH and Special Agent Jack LYNCH. The Reykjavik-Keflavik road is 32 miles long and is a wide two-lane paved road.

Five miles from the Keflavik maingate turn off, the above party in an NISO official vehicle came upon the scene of a two-car head-on collision which had obviously occurred only minutes before. One of the vehicles was on fire; both were total wrecks. The drivers of the vehicles were seriously injured and both were in shock.

Icelandic Police and ambulance assistance, if summoned by dispatching an onlooker by car, was at least 45 minutes away. However, the NISO Iceland vehicle was equipped with a two-way radio and was linked with the Base Naval Security Office. The radio was used and Base Security summoned Icelandic Police and ambulance service. Effective assistance was on the scene in less than 15 minutes.

This incident cogently demonstrates again the value of equipping NIS Agent vehicles with two-way radios and emphasizes the desirability of continued use of the equipment.

In Memoriam



ALBERT JOSEPH DENTZ, JR.

Born: 26 April 1938

Died: 17 April 1966

Special Agent Albert Joseph Dentz, Jr., died in a multiple car accident near Washington, Va., on the evening of 17 April 1966. His nine-month-old son, Mark A. Dentz, also was killed in this tragic accident and his wife, Claire, severely injured. S/A Dentz attended schools in Mahnomen, Minn., and was a graduate of N. Dakota State U., Fargo, N.D., in 1961. He completed ROTC training, was commissioned a 2ndLt, and served with U. S. Army Intelligence from 1961 to 1963, being discharged as a 1stLt. Assigned duties with NISO-Washington, S/A Dentz was highly regarded within Naval Intelligence for his professional competence and dedication to duty. In the relatively short time of his employ, he made a significant contribution to the internal security of our nation. On 22 April, funeral services were held at Mahnomen, Minnesota, for S/A Dentz and his son Mark. Office of Naval Intelligence representatives from Minneapolis were in attendance at his funeral. A requiem Mass was said at St. Michael's Church, and Special Agent Dentz and his son, Mark were interred at St. Michael's Catholic Cemetery after military rites were conferred by the Mahnomen American Legion Post #31. S/A Dentz was not a member of the Special Agents' Association. His loss will be keenly felt by all Special Agents privileged to have known and have served with him.

LEGAL NOTES

The following study was prepared by LT J. P. MORRIS, USNR, during a recent tour of active duty for training in NISHQ-20. Mr. MORRIS, a former ONI Special Agent at the old IO-PRNC, is presently employed as an Attorney in the Department of Justice.

Military Search and Seizure

1. The commanding officer has the authority to order three types of searches of property under his command: (1) those dictated by the interests of safety or security, (2) the "shakedown" searches, including the personal effects of all personnel in a designated area, (3) the search of the personal effects of a specific individual. General exploratory searches are forbidden. (U.S. v Battista, 33 CMR 282).

2. We are not concerned herein with the first category except to note that a search for contraband cannot be upheld on the pretext that the search is for safety or security purposes. Searches of the personal effects of military personnel, either individually or on a shakedown basis, must be based upon probable cause.

3. The Court of Military Appeals has rendered a number of opinions on the question of what constitutes probable cause for a commanding officer to authorize a search of personal effects - and has held to be unreasonable those searches based upon mere suspicion. In U.S. v Brown, 10 USCMA 482, 28 CMR 48 (1959), the accused and nine other soldiers had gone on pass and had been transported in an Army truck. The commanding officer had reason to suspect that six or seven of these men had been using narcotics in the past. Acting on these suspicions, the commanding officer arranged to have all ten men searched upon their return to the base. The search disclosed heroin in the possession of the accused. The Court of Military Appeals held that the search was unreasonable. It was pointed out that while there is substantial discretion vested in the commanding officer to order a search of persons or property under his command, consideration of all the circumstances in this case indicates that the commander acted on nothing more than suspicion. Although the military permits certain deviations from civilian practice, the substantive rights of the individual and the necessity that probable cause exists remains the same.

4. In 1963, the Court of Military Appeals held invalid a search of an accused's automobile based on authority granted by his commanding officer. U.S. v Davenport, 14 USCMA 152, 33 CMR 364. An air policeman had information that certain stolen knives, were in the possession of the accused. However, the air policeman did not tell the commanding officer the source of his information or furnish any corroboration for his belief that this information might be accurate. Accordingly, the Court held that the commanding officer had no probable cause to order a search.

LEGAL NOTES (cont'd)

5. It was contended by the Government that the commander had authority to order a shakedown search, which would include authority to order a search of the accused's quarters and automobile. This authority would be based upon the fact that the commander had information that certain knives had been stolen from a club which was situated in the same building in which the commander's men were quartered. While upholding the shakedown search where probable cause exists, the Court held that no probable cause existed for a shakedown search in this case. It was noted that the accused's unit was not the only unit quartered in the building and that apparently others had access to the building during business hours.

6. Another case of significance in the field of probable cause is U.S. v Battista, 14 USCMA 70, 33 CMR 282 (1963). This case involved allegations that a Navy dentist aboard ship had engaged in acts of sodomy with sailors who were under the influence of drugs administered by the accused. One of the sailors reported the matter, and Naval Intelligence was brought into the case. After the accused had refused to grant the agents permission to search his quarters, they requested authority to search from the captain of the ship. They explained to the captain that they wanted to see if they could find "some evidence of a homosexual nature, pornographic literature, names and correspondence."

7. The Court of Military Appeals noted that the captain had authority to order a search of his ship when the interest of safety or security demand. Such authority, however, is clearly distinguished from the captain's right to order a search of the personal effects of a member of his crew as a part of an investigation into a suspected offense. The Court held that in the absence of probable cause, the captain could not grant authority for such a search. Here there was no probable cause, since the agents had no idea what they might find, and no factual basis was offered to the captain for the proposed search.

8. In U.S. v. Harman, 12, USCMA 180, 30 CMR 180 (1961), the Court of Military Appeals approved a shakedown search of a barracks ordered by the commanding officer after a report that money had been stolen from an occupant of the barracks under circumstances indicating that the theft was probably committed by someone assigned to the barracks. Moreover, many of the soldiers in the unit were scheduled to ship out the same day, and thus the search could be justified on the additional ground that immediate action was necessary to prevent removal or disposal of the money.

9. The Court quoted with approval its opinion in U.S. v. Gebhart, wherein it was observed that, taking into consideration the freedom

LEGAL NOTES (cont'd)

of access occupants of military quarters have to all parts thereof, the shakedown search has long been regarded as reasonable. It should be borne in mind, however, that in Gebhart the commanding officer had probable cause to believe that stolen property was in the possession of an occupant of the quarters.

10. A more recent case of similar effect is U.S. v. Drew, 15 USCMA 449, 35 CMR 421 (1965). The evidence was held to be sufficient to establish the existence of probable cause for a search where it showed that over a period of some 45 days, there had been a series of larcenies in a military police barracks, that the officer who ultimately granted authority for the search was briefed in detail as to each of these larcenies and was kept currently informed, that several of the men in the barracks were transferred to another barracks, whereupon the thefts in the first barracks ceased but began in the new barracks. When three thefts in the new barracks were reported on a Saturday morning, and the search was ordered on the following Monday, which was the next work day, the search was held to be reasonable.

11. In addition to the necessity that probable cause exists in order to justify a search of the personal effects of military personnel, it is essential that the commanding officer authorizing the search be in possession of information constituting probable cause at the time authority is granted. In U.S. v. Ness, 13 USCMA 18, 32 CMR 18, the Court stated that "a search based on a warrant is invalid if probable cause does not appear in the facts presented to the officer issuing the warrant."

12. In U.S. v. Hartsook, 15 USCMA 291, 35 CMR 263, the Court of Military Appeals said that the commanding officer, with respect to searches, occupies the same position in the military as a federal magistrate issuing a search warrant. In this position he is bound by the provisions of the 4th Amendment to the Constitution, which provides that, "...no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the things to be seized." This case involved larceny by altered bingo card. The investigator's statement to the commanding officer that he would like to shakedown the accused's property to see what he could find, describes the classic case of the general, exploratory search condemned by the 4th Amendment.

13. There is an indication in the opinion that the agent could have established probable cause had he explained to the commanding officer that he was searching for a knife, glue, etc., which might have been used in altering the bingo card.

LEGAL NOTES (cont'd)

14. In determining whether probable cause for a search exists, it is important to bear in mind that there must be probable cause at the time the authorization is granted. It is insufficient to show that probable cause existed at an earlier time.

15. In the recent case of U.S. v. Manning, NCM 65-1745, which is summarized in the March 1966 issue of the ONI Newsletter, the law officer excluded the accused's statement taken after a search had disclosed marihuana in his personal effects. The search was held to be unlawful because it was based on facts which indicated the presence of marihuana in the barracks three weeks prior to the date the search was authorized. The commanding officer had not been apprised of any information tending to show that the accused possessed or used marihuana during the interim period.

16. Precedent for the law officer's ruling with respect to timeliness as a factor in determining probable cause can be found in federal court decisions. A case in point is Schoeneman v. U.S., 317 F.2d 173, which involved a Navy employee and was decided by the Court of Appeals for the District of Columbia in 1963. The search in that case was based upon information furnished to the FBI by a business man who had observed Government classified documents in the home of one of the defendants on February 15, 1961. An FBI Agent appeared before a U.S. Commissioner on June 2, 1961 and applied for a search warrant. In holding the search unlawful, the Court cited the opinion of the Supreme Court in Sgro v. U.S., 287 U.S. 206, in which it was stated that to support a search warrant the proof supplied "must speak as of the time of the issue of the warrant. The commissioner has no authority to rely on affidavits which have sole relation to a different time and have not been brought down to date or supplemented so that they can be deemed to disclose grounds existing when the warrant is issued."

17. In the Schoeneman case the court noted that evidence which was brought out at the Trial might have been sufficient to establish probable cause as of June 2, 1961, had it been included in the affidavit.

CONCLUSION

18. The military courts observe the requirements of the 4th Amendment in holding that searches of military persons and property authorized incidental to a criminal investigation must be based upon probable case. To constitute probable case the information available to the officer authorizing the search must be such as to give reason to believe that criminal goods are on the person or in the place to be searched. These criminal goods must be the fruits or instrumentalities of a crime, and exploratory searches designed to uncover evidence are unlawful.

LEGAL NOTES (cont'd)

19. It is not only essential that probable cause exist to justify a search, but it is also necessary that all pertinent facts be in the possession of the officer authorizing the search, and that these facts establish probable cause at the time the authority to search is granted. In this connection, it is of interest that while hearsay evidence may be sufficient to establish probable cause, the courts have frowned on such evidence on occasion. It would seem advisable, where feasible, to have the affidavit in support of a request to search submitted by the available person having the best first-hand pertinent information. The information furnished to the authorizing officer should be in any event, as complete as possible.

DIRECTIVES OF INTEREST

The following Notices and Instructions are among those recently published which will be of interest to Agents in the field:

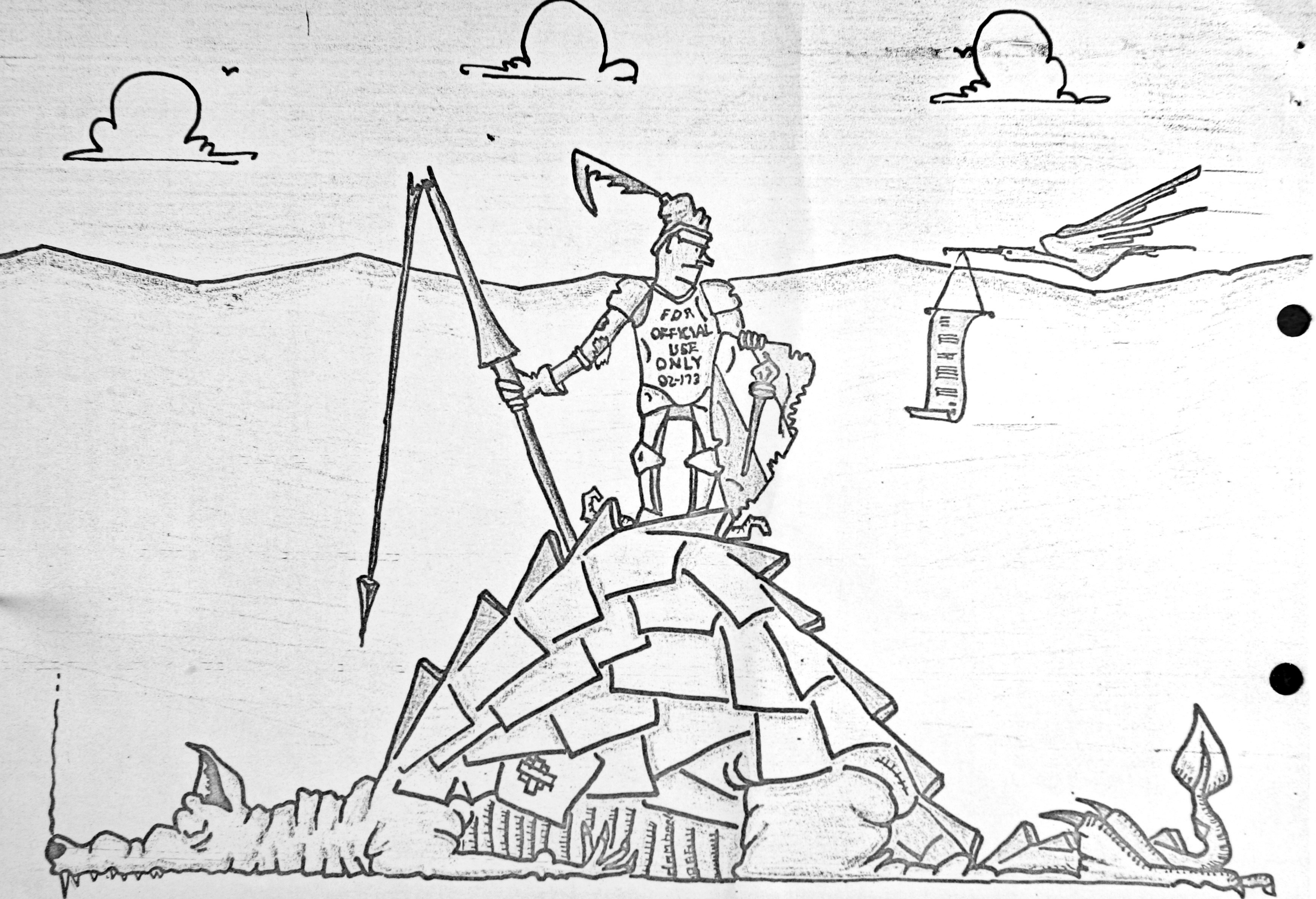
NAVINVSERV INST 8010.1 of 21 April 1966, Subj: Cal. .38 Special Practice Ammunition, procurement of. (Calls attention to the fact that Director, NIS, will initiate procurement action for all .38 Special practice ammunition and facilitate distribution to all field activities.)

NAVINVSERV INST 07000.2 of 14 June 1966, Subj: Per Diem, Mileage, Miscellaneous Expenditures, and Salaries for Investigative Personnel Assigned to the Naval Investigative Service (U). (Promulgates basic procedures and criteria for the expenditure of C&CI funds in connection with duties performed by investigative personnel assigned to the Naval Investigative Service.)

DOD DIRECTIVE 5210.50 of 29 April 1966, Subj: Investigation of and Disciplinary Action Connected with Unauthorized Disclosure of Classified Defense Information. (Assigns responsibility and the authority to establish policy for investigating unauthorized disclosures of classified defense information, and for insuring prompt corrective action, including appropriate discipline of personnel for such disclosures.)

SECNAV INST 1910.3 of 2 May 1966, Subj: Administrative Discharges. (Prescribes certain criteria, policy, and procedures for the administrative separation of enlisted members of the Naval service.)

ONI INST 5520.83 of 8 June 1966, Subj: The Conduct of Polygraph Examinations and the Selection, Training and Supervision of DOD Polygraph Examiners. (Clarifies, and supplements certain portions of DOD DIRECTIVE 5210.48 of 13 July 1965 for its effective implementation.) Familiarity with this Instruction is a MUST for all Agents.



"...Cancel the lead set forth in reference (a)..."