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Atascadero
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1968

Hon. William Morris

SHERIFF, Shelby County

Courthouse

Memphis, Tenn. 38101.

Atascadero
California

July 31, 1968.

Hon. William Morris
SHERIFF, Shelby County
Memphis, Tennessee.

Dear Sheriff Morris:

Anent these rabid lawbreakers, uprisings and riots---Rudyard Kipling would appear as right as the Constitution when he wrote:---

"Whatsoever for any cause,
Seeketh to take or give
Power above and beyond the Laws;
Suffer it not to live!
Holy State, or Holy King---
Or Holy People's Will---
Have no truck with the senseless thing.
Order the guns and kill!"

If America fails to heed Kipling's words, we stand to lose our homes and heritage.

Encouraged by "liberals"---plus Washington's weakling stand---America's black primates have waxed ever-more vicious and kill-hungry.

Anthropoids of their ilk will fear and obey one thing only---FORCE, in the form of Hot Lead.

Mow them down without mercy---carpet the streets with their dead---and the remainder will become "good niggers."

Law and order MUST hold---whatsoever the cost---if our nation shall survive.

Very truly yours-----

Chet Schwarzkopf

Chet Schwarzkopf, Box 381
Atascadero, Cal. 93422
(Vet WWs I & II, Ret.)

Note: Have sent this letter by the hundreds to sheriffs & police over the nation--also to governors & lawmakers.
Am former lawman.
CARRY ON!

P.S. That Riot Commission "study" was a travesty against our pioneer hardihood and self-respect. Will the "liberals" ever learn that we cannot coddle and appease? But they seem like the Bourbons of France---unteachable...Unless they and theirs are hit.

As for Att'y. Gen. Clark---quote Kipling again: "Oh God, why ain't it a man?"

Spread patriotic awareness. Circulate this issue of LIFE LINES. 3 for 25¢.

A PATRIOTIC VOICE OF FREEDOM

LIFE LINES

Vol. 10 #83
July 12, 1968

Law and Order

The New Trend—Gimme, or Else

Courtesy of The Dallas Morning News

by

WILLIAM M. BARNES
Chief of Police, West Palm Beach, Fla.

The time has arrived in this country when the people are going to have to make a decision. We are either going to have law and order or we are going to have anarchy. We must decide for law and order. Without it, all of the gains of the freest and most prosperous nation on earth will be lost. Without it, we will have fear, hatred, destruction, and anarchy. Without law and order, a determined and violent handful of criminals and extremists can lead the ignorant and disoriented portions of our population into an orgy of crime and violence which will only end in the looting and burning of all of the large cities of this nation. If this sort of mass crime continues it will cripple the very backbone of our society and eventually bring complete chaos and destruction to this great nation.

Because of my great concern and the concern of many other people, I am going to address my few remarks to this aspect of crime today. I would like to concern myself with the relationship between what is being erroneously called "civil disobedience" and the threat to our whole social structure and particularly what I will call Law and Order. We have heard from the politicians, the sociologists, the psychologists, the professors, the professional sob-sisters, and the clergymen.

It is time that the concerned and interested citizens let their voices be heard. It is time for the law-abiding masses in this nation to rise up and tell their leaders in Washington, Tallahassee, Albany, Springfield, and all of the other capitals that "We have had enough." It is time that our Attorney General be told that we will not stand by and see our cities sacked and burned, our laws violated with the air of a Roman Holiday while the criminals involved are excused because they were deprived of a wholesome relationship with their fathers, or that they are victims of social and economic injustice. It is time that the people of this nation, who want to enjoy the fruits of this nation, be told that to ignore the law and live by violence and blackmail will no longer be tolerated.

How has this situation come about? How has a nation that was conceived with the idea of freedom, equality and liberty for all, allowed itself to degenerate to the state of what we used to observe in the banana republics, where we are afraid to walk our streets, afraid to leave our property unguarded, afraid to send our children to school or college, and where our nation's Capital has to be guarded by soldiers to prevent it from being burned to the ground?

I can assure you that these events did not come into being overnight. If some of today's acts of criminal activity had happened in the days of our forefathers, they would have been immediately halted with whatever force that it took to do so, and all perpetrators prosecuted to the fullest extent of the law.

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We have arrived at the unenviable position we are today because we have been witnessing the rights of society piddled away on the cross of the rights of the individual by a too liberal and sick Supreme Court. We have been a witness to the never ending five-to-four decisions wherein the Mirandas, the Escobedos, the Mapps, the Mallorys and countless other hoodlums have had their individual right to murder, loot, steal, rape, and burn upheld over the right of society to be protected and to be safe. We have fallen heir to the idea that better 10,000 criminals go free than to convict one innocent man. We have sat back and seen honest men toil and sweat and fight poverty by working so that they can be taxed to support a growing population of nonworkers and drones. In a few short words, we have seen the steady, constant erosion of the very foundation of our society by a small minority and we have stood idly by and done nothing while this condition has reached epidemic proportions.

I think that a chain reaction of events and court decisions had a tremendous bearing on the conditions that exist today. If someone had told you 20 years ago that we would be faced with guerrilla warfare, and the looting and burning of our cities by our own people in the 1960's you would have thought them mad. Yet, these things are taking place today. I feel that some of the factors contributing to the climate and background of our current problems lie in the decisions of the courts concerning the areas of "Search and Seizure," "Preliminary Hearing and Arraignment," "Interrogations and Confessions," and others. Let us take one area, that of Search and Seizure, and briefly highlight some of the decisions that took place and shackled the hands of law enforcement in this vital field.

It is my belief that the dominos started falling in this tragic chain of events back in 1914 when the U.S. Supreme Court handed down its decision in the case of *Weeks v. U.S.* This decision rejected the firmly established common-law rule on the admissibility of evidence, and substituted for it what has become known as the "exclusionary rule," which is that evidence seized in an illegal manner by federal officers will no longer be admitted in federal court. It had no bearing on state and local officers. The Supreme Court further extended this idea in the case of *Byars v. U.S.* in 1927 by holding that a search is a federal search if a federal officer "had a hand in it." Further extension came in 1930 in the case of *Silverthorne Lumber Company v. U.S.*, which eliminated all evidence from investigative leads which originated as a result of evidence seized illegally and, as a result of this found evidence which otherwise would be unknown to him, the latter evidence will not be admitted. In 1956 in the case of *Rea v.U.S.*, the court further restricted evidence illegally seized by a federal officer from being introduced in a state court which is willing to receive it.

In 1960, in the case of *Elkins v. U.S.*, the Supreme Court took the next step toward the Mapp decision by holding five-to-four that evidence obtained by state officers during a search which, if conducted by federal officers, would have violated the defendant's rights under the Fourth Amendment, is inadmissible over the defendant's timely objection in a federal criminal trial.

Now it is important to note here that for the first 170 years of this Republic, it was the rule that the Constitution does not forbid a state from accepting in its courts evidence seized illegally by state and local officers. In *Wolf v. Colorado* in 1949, the court said that each state is free to decide for itself whether to accept such evidence by following the common-law rule of admissibility or to reject it by following the exclusionary rule. After the Supreme Court decision in the Weeks case, the courts of the states showed a slow but steady trend toward acceptance of the federal pattern. By 1926 we find that 6 states had adopted it.

Now we come to the decision of the Supreme Court in the case of *Mapp v. Ohio.* In this case the Court decided to place the requirements of state and local officers the same as those for federal officers regardless of any constitutional provision, law, or decision of your state. It is comforting to

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This article is from Chief Barnes' recent address to the Downtown Rotary Club of West Palm Beach.

note that Justices Harlan and Frankfurter opposed the decision and adhered to the former viewpoint.

This then has been the history of the Supreme Court's crippling decisions in the one area of Search and Seizure. We find now that courts are saying that it is an unreasonable search to look into a narcotics peddler's garbage can in an area underneath the porch of a house after seeing the peddler put something in the can (which turned out to be narcotics). Or that a soiled handkerchief found in a sex pervert's shack (after being pointed out by a child victim who led police to the location and told them where to find it, after it was used to clean the offender after commission of his act), was merely evidentiary material and not an instrument of the crime, fruits of the crime, a weapon or contraband, and was not subject to seizure.

At this point, you might be asking just what does all this have to do with the subject of today's discussion. Well, what I am attempting to do is place this whole concept of ignoring the rights of society and the willful violation of law in, what I think is, its proper perspective.

Now, following a review of the history of Search and Seizure, we have a similar history in the field of "Preliminary Hearing or Arraignment" wherein law enforcement officers have progressively been handcuffed until we have reached the point that about all we can ask a suspect is his name and what lawyer he wishes to have.

"Interrogations and Confessions" is another field that needs no explanation at this time. You are all familiar with the decisions in the cases of Mallory, Waterman, Escobedo, and Miranda that have made a laughing stock of the investigative arm of law enforcement. As a result of these decisions by the Supreme Court, and others equally responsible, we have found the law-enforcing function of this great nation virtually shackled when it comes to handling the criminal element of society.

It is my belief that at this crucial time,

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HUNT COLUMN

Soviet Espionage Revealed

by
H. L. HUNT

Throughout the years of the Cold War, lax security procedures in the free world have allowed Soviet espionage agents to convey countless secrets to the Kremlin. Recently it was revealed that Communist agents had infiltrated the North Atlantic Treaty Organization and individual Western governments, doing serious damage to our own national security.

In 1961, a high Soviet official defected to the West, giving our government detailed and frightening information regarding Soviet infiltration. The Federal Bureau of Investigation and the Central Intelligence Agency later confirmed his reports.

The United States government never publicly revealed the facts he disclosed about this spy network, but the knowledge was finally brought to light seven years later by a *Life* Magazine story written by Philippe de Vosjoli, who was director of French intelligence in the United States until 1962.

The Soviet defector had revealed that Communists had thoroughly infiltrated NATO headquarters. Top secret information was usually available to the Kremlin within 48 hours. Communist officials even ordered material they wanted by using the same numbering system as NATO itself.

NATO governments were also told that Soviet agents had access to top secret information in Paris, Bonn and Washington. The director of West Germany's intelligence operations for Iron Curtain countries was himself a Soviet agent who passed 15,000 documents to the Kremlin and betrayed 95 Western intelligence agents.

The citizens of this country have the right to know of this serious infiltration and the right to demand that security measures be tightened as much as necessary to preserve our national interests.**

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when law enforcement was receiving one shattering blow after another, the Civil Rights movement in this country embarked on a plan of so-called "civil disobedience" which is nothing more than willfully violating the laws of the nation in the name of bringing about social and economic justice. Law enforcement has been prevented from acting in a vast majority of cases by elected officials, up to the highest in the land, who are so busy wooing the almighty vote they are blind to what is taking place about them.

It is my opinion that a crime is a crime, regardless of whether it is perpetrated by one or one thousand, by black or white, by Protestant, Catholic, or Jew. The law should be enforced fairly and impartially for all. I see no correlation in looting, arson and assault, and the Civil Rights movement. I see no similarity in a call for guerrillas to move against society and kill "whitey" and the obtaining of a job and better housing for the poor members of our society. I see no parallel in the call for insurrection by the black militants of our society and the call for justice and equality in our courts and capitals. I see only a nation being brought to shame and humiliation in the eyes of the world. A nation being blackmailed and brutalized by a mere handful of criminals using the Civil Rights movement to further their dirty motives. It is time for us to stand up and be heard. It is time for the law abiding members of this society, both black and white, to call for an end to this nightmare and demand that our President, our Senators, our Congressmen, our Attorney General, and our police vigorously enforce the laws currently on the books, and return this nation to one of peace and tranquility where it is safe to walk the streets and safe to own property and safe to pursue the fruits of the toil of our forefathers.

We are witness today to one of the largest criminal blackmails in our history. We are being exposed to a mammoth conspiracy that has the avowed purpose of forcing the Congress of the United States to enact certain legislation . . .

Former Supreme Court Judge Charles E. Whittaker said these words, "Can anyone reasonably believe that a disorderly society can survive? In all recorded history none ever has. . .History also shows that in each instance, the first evidence of the society's decay appeared in its toleration of disrespect for, and violation of, its laws. There is no good reason to believe that similar toleration will serve us differently."

There is only one answer to our problems, Law and Order. Law and Order, and an orderly, legal, and just redress of the ills and wrongs of society. This nation cannot survive if we continue on the course we are headed. If we are not able to turn the tide of lawlessness, criminality and anarchy, then God help our wonderful nation. * *