FBI

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THE COVER

November's cover features Metrorail, a part of our capital's mass transit system protected by the Metro Transit Police Force (MTP). See article on page 16. (Paul Myatt photograph)

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The Warrant Requirement In Crime Scene Searches

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(Part I)

In a Midwestern State, an arson investigator for the State police is assigned to assist local authorities in the investigation of a fire of suspicious origin. Four days after the fire, the investigator goes to the scene and enters the fire-gutted furniture store. He takes photographs and collects items of evidence from the debris.

Detectives assigned to the homicide squad of a metropolitan police department receive a police radio report of a shootout in which both an undercover narcotics officer and a suspect are seriously wounded. They immediately respond to the scene of the shooting, the suspect's apartment. After supervising the removal of the wounded officer and suspect, the detectives begin a methodical and extensive search of the apartment during which numerous items of evidence are seized.

What do these two fact situations have in common? If your answer is that they are both searches of the scene of a recent crime, you are at least partially correct (although in the case of the fire there may or may not be a crime). Unfortunately, they also share another common attribute—they were both recently declared to be unlawful searches under the fourth amendment of the U.S. Constitution [1] because they were undertaken without a search warrant or consent of the lessees of the premises.

Law enforcement officers of other than Federal jurisdiction who are interested in this article should consult their legal adviser. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law or are not permitted at all.

The fact situations described above are taken from two cases recently decided by the U.S. Supreme Court, *Michigan* v. *Tyler* [2] (search of fire-damaged store) and *Mincey* v. *Arizona* [3] (search of suspect's apartment where a shooting occurred).

This article will explore the question of when a search warrant is necessary in searching the scene of a recent fire or a known crime scene, using *Tyler* and *Mincey* as points of reference.

Because of the nature of a fire, which may be the result of a criminal act, simple negligence, or accident, the Supreme Court has treated fire-scene investigations somewhat differently than searches of the scene of a known crime. Therefore, the *Tyler* case and search of fire-damaged premises are discussed separately in Part I of the article. The conclusion of the article (Part II) will examine the *Mincey* case and searches of premises which are the scene of a known violent crime.

Searches of Fire-damaged Premises

In *Michigan* v. *Tyler*,[4] the U.S. Supreme Court dealt with the applicability of the 4th and 14th amendments to entries and searches of fire-damaged premises by fire service and law enforcement officials. As knowledge of the facts of the case is essential to understanding the reasoning of the Court, they are being set forth in some detail.

Shortly before midnight, January 21, 1970, a fire broke out in a furniture store which was leased by Loren Tyler and operated by Tyler and a business partner. The local fire department responded and had succeeded in getting the fire under control, although not entirely extinguished, by the time the fire chief arrived at about 2 a.m. Upon his arrival at the burning building, the chief's attention was immediately directed to two plastic containers of flammable liquid which the firemen had noticed during the course of fighting the fire. After examining the containers, the chief concluded the fire could possibly have been arson and called a detective from the local police department. The detective, who arrived on the scene shortly thereafter, took several photographs. The fire chief and the detective then removed the containers from the premises. Further investigation by the police and fire officials was discontinued at that time because smoke, steam, and darkness hampered the search. By approximately 4 a.m., the fire was extinguished and the premises were secured (apparently the walls were still standing but the store was gutted by the fire). The firemen and police left the building unattended.

At approximately 8 a.m., fire officials returned to the building for a cursory examination, but no evidence was obtained. At 9 a.m. the detective and an assistant fire chief returned to the premises and conducted a more thorough inspection. Burn marks of a suspicious nature were found on the carpets, as well as other evidence indicating the possibility of arson. Portions of the carpet and other evidence were seized without a search warrant and removed from the premises at that time.

In addition to the searches conducted on the morning the fire was extinguished, a State police arson investigator and other officials reentered and searched the premises (and seized evidence) on at least three other occasions, 4 days, 7 days, and 25 days after the fire. Each of these searches was made without a warrant and without the consent of Tyler or his business partner.

Evidence from the various searches mentioned above was used to convict Tyler and his business partner of conspiracy to burn real property and related offenses; the convictions were affirmed by the Court of Appeals of Michigan.[5]

On appeal, the Supreme Court of Michigan [6] reversed the convictions and ordered a new trial, holding that: (1) The initial entry to fight the fire and the discovery and seizure of the evidence while the fire was still burning was proper; but (2) once the fire was extinguished and the officials had left the premises *any* subsequent reentry to the premises (apparently including the 8 and 9 a.m. reentries) should have been made pursuant to a search warrant. This ruling was appealed to the U.S. Supreme Court.

The Court, in reviewing the case, agreed in large measure with the reasoning and the holding of the Michigan Supreme Court. However, the U.S. Supreme Court disagreed with the Michigan Court on one major issue. Whereas the Michigan Supreme Court seemed to indicate that as soon as the fire was extinguished the emergency was over and no further search

"The Supreme Court made it clear that generally any reentry after the fire has been extinguished and officials have left the scene should be made pursuant to a search warrant, unless justified by some other recognized exception to the warrant requirement (i.e., consent, emergency circumstances, abandonment)."

of the premises was proper (absent consent or a warrant), the U.S. Supreme Court felt this approach was unrealistically narrow. The U.S. Supreme Court, in explaining its view of the function of fire-service personnel, stated in part:

> "Fire officials are charged not only with extinguishing fires, but with finding their causes. Prompt determination of the fire's origin may be necessary to prevent its recurrence, as through the detection of continuing dangers such as faulty wiring or a defective furnace. Immediate investigation may also be necessary to preserve evidence from intentional or accidental destruction. And, of course, the sooner the officials complete their duties, the less will be their subsequent interference with the privacy and the recovery efforts of the victims. *For these reasons, officials need no warrant to remain in a building for a reasonable time to investigate the cause of a blaze after it has been extinguished.* And if the warrantless entry to put out the fire and determine its cause is constitutional, the warrantless seizure of evidence while inspecting the premises for these purposes also is constitutional."[7] [Italic added]

Turning then to the specific circumstances of this case, the Supreme Court indicated that the 8 and 9 a.m. reentries on the morning the fire was extinguished were ". . . no more than an actual continuation of the first (search), and the lack of a warrant did not invalidate the resulting seizure of evidence."[8] However, the subsequent reentries, made from 4 to 25 days after the fire, were held to be improper and the evidence therefrom was ordered suppressed.

Although the Court in the *Tyler* case found the morning reentries to be legal, this was apparently based in large part on the fact that a continuation of the initial search was made impracticable by the smoke, steam, and darkness. The Supreme Court made it clear that generally any reentry after the fire has been extinguished and officials have left the scene should be made pursuant to a search warrant, unless justified by some other recognized exception to the warrant requirement (i.e., consent, emergency circumstances, abandonment).

Another problem becomes apparent when it is recognized that a search warrant is required. How may a fire marshal or other official who has no substantial indication of arson, but who needs to enter the premises to determine the cause of the fire, satisfy the traditional probable cause standard necessary to obtain a criminal search warrant (probable cause to believe that a crime has been committed, and that evidence of the crime will be located within the premises[9])?

Administrative Search Warrants

The Supreme Court resolved this apparent dilemma by drawing a parallel between a search necessary to determine the cause of the fire, where no crime is indicated, and "administrative" searches or inspections of residential and business premises undertaken by officials to enforce housing or fire codes or other governmental regulations of general applicability. In a series of previous cases involving administrative inspections made pursuant to housing codes,[10] fire codes,[11] and other health and safety regulations,[12] the Supreme Court has established the principle that such "administrative inspections" are "searches" within the meaning of the fourth amendment. Therefore, such inspections are required to be conducted pursuant to a warrant, unless consent of the proper party is obtained.

Although the Supreme Court has refused to relax the warrant requirement with respect to administrative inspections, the Court has indicated that a reduced, less rigorous showing of probable cause will be sufficient to justify issuance of a warrant for such inspections.[13] Significantly, this reduced probable cause standard does not require a showing that a crime has been committed or that evidence of a crime is probably located within the premises.

In applying the administrative search warrant rationale to the inspection of fire-damaged premises, the Court in *Tyler* stated:

> "To secure a warrant to investigate the cause of a fire, an official must show more than the bare fact that a fire has occurred. The magistrate's duty is to assure that the proposed search will be reasonable, a determination that requires inquiry into the need for the intrusion on the one hand,

and the threat of disruption to the occupant on the other . . . . The number of prior entries, the scope of the search, the time of day when it is proposed to be made, the lapse of time since the fire, the continued use of the building, and the owner's efforts to secure it against intruders might all be relevant factors. Even though a fire victim's privacy must normally yield to the vital social objective of ascertaining the cause of the fire, the magistrate can perform the important function of preventing harassment by keeping that invasion to a minimum." [14]

Criminal Search Warrants

The reduced probable cause standard discussed above is applicable only when there is not probable cause to believe an arson has occurred. Once officials have probable cause to believe arson has been committed, any subsequent reentry to search for evidence must be made pursuant to a criminal investigative search warrant issued upon a traditional showing of probable cause.

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The Supreme Court summarized its holding in *Tyler* as follows:

"In summation, we hold that an entry to fight a fire requires no warrant, and that once in the building, officials may remain there for a reasonable time to investigate the cause of the blaze. Thereafter, additional entries to investigate the cause of the fire must be made pursuant to the warrant procedures governing administrative searches. Evidence of arson discovered in the course of such investigations is admissible at trial, but if the investigating officials find probable cause to believe that arson has occurred and require further access to gather evidence for a possible prosecution, they may obtain a warrant only upon a traditional showing of probable cause applicable to searches for evidence of crime." [15] [Citations omitted]

Impact of *Tyler*

The primary thrust of *Michigan* v. *Tyler* was to reiterate the established fourth amendment principle that searches of premises, even those damaged by a fire, conducted without prior judicial authorization are *per se* unreasonable, and to establish a two-level probable cause standard for issuance of search warrants for fire-damaged premises. However, in the process of reaching this conclusion, the Court in *Tyler* directly or by implication rejected several theories previously relied upon by some State and lower Federal courts to justify warrantless searches of fire-damaged premises days and weeks after the fire. It may be helpful to consider a few of these in order to assess the impact *Tyler* may have on practices and procedures which are based on these prior court decisions. Three areas are of particular interest in this analysis:

(1) Use of the "habitability test" to determine whether a warrant must be obtained;
(2) The effect of State legislation and/or regulations authorizing inspection of fire-damaged premises; and
(3) The scope of the "emergency" or "exigent circumstances" search doctrine.

The Habitability Test

Prior to *Tyler*, some courts had viewed fire-damaged premises, particularly those which were severely damaged, as being outside the protection of the fourth amendment. Their reasoning was that there was no "expectation of privacy" [16] remaining in the premises, primarily because they were uninhabitable. This theory was explained by a New Jersey court in *State* v. *Vader*,[17] as follows:

> "The basic purpose of the Fourth Amendment is the protection of an individual's privacy and the security of his home. Here, the premises had been rendered uninhabitable by a fire. All utilities had been disconnected. No one was occupying the house, the doors and windows of which were broken. The fire was of suspicious origin and had resulted in the death of a child. Under these circumstances, the prompt, on-the-scene investigation of the fire by the authorities did not infringe on defendant's right of privacy or the security of his home and was not a Fourth Amendment search requiring a search warrant." [18]

It is clear that if premises are, in fact, abandoned—by the owner intentionally relinquishing his rights in what remains of the property—no fourth amendment protections are violated by a subsequent search. Abandonment has traditionally been recognized as an exception to the warrant requirement, because once a person abandons property he foregoes any expectation of privacy in it.[19] However, use of the habitability test, at least as the sole factor to establish abandonment, is made questionable by *Tyler*.

In addressing the "reasonable expectation of privacy" issue in *Tyler*, the Supreme Court stated that the proposition that fire victims inevitably have no expectation of privacy in whatever remains of their property is contrary to common experience. The Court went on to state, in part:

> "People may go on living in their homes or working in their offices after a fire. *Even when that is impossible, private effects often remain on the fire-damaged premises.*" [20] [Italic added]

Although habitability alone should not be determinative of whether a person has fourth amendment protection in fire-damaged premises, it certainly is one factor which will be considered by courts. Note that this is one of the items, discussed previously, which the magistrate is to consider in determining whether to issue a warrant to allow inspection to determine the cause of a fire.

The Effect of State Statutes Authorizing Inspections

Many States have statutes which charge some State or local officials, often fire chiefs or fire marshals, with the duty of investigating and establishing the cause of fires.[21] Many of these statutes also authorize this official or his assistants to enter fire-damaged premises at any time after the fire to investigate the cause.[22] Often the statutes place no time limitation upon the reentries and make no mention of the requirement that a search warrant be obtained.

It is worth noting in this regard that in earlier cases decided by the Supreme Court involving administrative searches to enforce building, fire, and health codes, the inspections were authorized in each case by a statute or regulation, apparently without warrant.[23] Nonetheless, in each decision, including the recent case of *Marshall* v. *Barlow's Inc.*[24] decided in May 1978, the Court has flatly rejected the argument that a legislative grant of authority to inspect can substitute for the detached and neutral judgment of a judicial officer in determining the necessity for searches of premises protected under the fourth amendment. In fact, in *Marshall* the Supreme Court declared a portion of the Occupational Safety and Health Act of 1970 unconstitutional to the extent that it purports to authorize warrantless inspections.[25]

In the *Tyler* case, just such a statute was involved. The Michigan statute provided that:

> "The director or any officer is authorized to investigate and inquire into the cause or origin of a fire occurring in this state resulting in loss of life or damage to property, and for that purpose may enter, without restraint or liability for trespass, any building or premises and inspect the same and the contents and occupancies thereof."[26]

The U.S. Supreme Court did not consider the impact of this statute, as the State apparently did not raise this issue on appeal. Before the Michigan Supreme Court, the State contended that the later reentries to the fire-gutted store were authorized by the above statute.

The Michigan Supreme Court rejected this contention. Instead, to avoid holding the statute unconstitutional, the court read into the statute a requirement that a warrant be obtained before the inspection, except in exigent circumstances.[27] This approach is consistent with that taken by at least one other State court considering a similar statute [28] and is also consistent with the approach taken by the U.S. Supreme Court in interpreting statutes, when possible, in such a way to avoid having to declare them unconstitutional.[29]

In view of the foregoing, it appears that "blind" reliance on a statute authorizing such inspections without warrant is a questionable procedure at best.

Emergency or Exigent Circumstances Doctrine

The emergency or exigent circumstances doctrine has been a traditionally recognized exception to the warrant requirement. This doctrine actually encompasses several more specific exceptions to the warrant requirement. Probably the most familiar of these is the "hot pursuit" exception, which allows officers pursuing a fleeing suspect to enter premises and search for him without a warrant.[30] Of course, this exception will be inapplicable in most investigations of burned premises.

An exception has been recognized where an immediate entry and search is necessary to prevent destruction or loss of evidence. More than a mere *possibility* that evidence might be destroyed is required.[31]

A related exception has also been recognized in situations where law enforcement officers hear a scream, or otherwise have reason to believe a violent crime, or other event requiring immediate attention, is taking place within particular premises.[32] Likewise, the emergency search rationale has been recognized in regard to administrative inspections where time is critical, such as a seizure of unwholesome food, or an immediate health quarantine.[33]

The Supreme Court in *Tyler* was careful to point out that it did not intend to cast any doubt on the continued validity of the emergency search doctrine. The Court specifically relied on this theory to justify the immediate warrantless entry of the firemen to fight the blaze *and* to remain on the premises a "reasonable time" after the fire had been extinguished to determine the cause. Significantly, the Supreme Court recog-

nized that because of the possibility of recurrence, the emergency is not over when the last ember is snuffed.[34] Of course, it is equally apparent that the "emergency" will not continue indefinitely. In a footnote to its opinion, the Supreme Court commented on the scope of the "reasonable time" standard:

> "The circumstances of particular fires and the role of firemen and investigating officials will vary widely. A fire in a single-family dwelling that clearly is extinguished at some identifiable time presents fewer complexities than those likely to attend a fire that spreads through a large apartment complex or that engulfs numerous buildings. In the latter situations, it may be necessary for officials—pursuing their duty both to extinguish the fire and to ascertain its origin—to remain on the scene for an extended period of time repeatedly entering or re-entering the building or buildings, or portions thereof. In determining what constitutes a 'reasonable time to investigate,' appropriate recognition must be given to the exigencies that confront officials serving under these conditions, as well as to individuals' reasonable expectations of privacy." [35]

In most instances, when fire officials complete their initial investigation into the cause and depart from the scene, it will be difficult to justify a later reentry under the emergency search rationale. This is so because a court is likely to view the fact that all fire-service personnel have left the scene as a clear indication that they thought the danger of recurrence of the fire to be minimal.[36] Therefore, the emergency which forms the factual basis for the exception to the warrant requirement will likely be considered as over.

Additional Issues of Practical Importance

From a practical standpoint, there are some additional issues which deserve consideration: (1) The problems relating to consensual searches—(i.e. who may give consent; was it freely and voluntarily given?); (2) who may object to evidence obtained from an allegedly illegal search of premises (often referred to as "standing"); and (3) the "plain view" concept and its application to crime scene searches.

Because these issues are common to both searches of fire-damaged premises and searches of other crime scenes—such as the homicide scene search dealt with in *Mincey* v. *Arizona*—these will be discussed in Part II of this article to be published in the next issue of the LAW ENFORCEMENT BULLETIN.

FOOTNOTES

[1] U.S. Constitution, Amendment IV. The fourth amendment states:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

[2] 56 L.Ed.2d 486 (1978).

[3] 57 L.Ed.2d 290 (1978).

[4] *Supra* note 2.

[5] *People* v. *Tyler*, 213 N.W.2d 221 (Mich. Ct. App. 1973).

[6] *People* v. *Tyler*, 250 N.W.2d 467 (Mich. 1977).

[7] *Michigan* v. *Tyler*, *supra* note 2, at 498.

[8] *Michigan* v. *Tyler*, *supra* note 2, at 499.

[9] *United States* v. *Ventresca*, 380 U.S. 102 (1965); see Fed. R. Crim. P. 41.

[10] *Camara* v. *Municipal Court*, 387 U.S. 523 (1967).

[11] *See* v. *City of Seattle*, 387 U.S. 541 (1967).

[12] *Marshall* v. *Barlow's Inc.*, 56 L.Ed.2d 305 (1978).

[13] In explaining the standard which must be met to justify the issuance of a warrant for administrative inspections to enforce building, fire, and safety codes, the U.S. Supreme Court has stated: "'probable cause' to issue a warrant to inspect . . . exists if reasonable legislative or administrative standards for conducting an area inspection are satisfied with respect to a particular dwelling . . . . [T]hey will not necessarily depend upon specific knowledge of the condition of a particular dwelling." *Camara* v. *Municipal Court*, *supra* note 10, at 538.

[14] *Michigan* v. *Tyler*, *supra* note 2, at 497.

[15] *Michigan* v. *Tyler*, *supra* note 2, at 500.

[16] In *Katz* v. *United States*, 389 U.S. 347 (1967), the U.S. Supreme Court held that an individual's reasonable expectation of privacy is protected by the fourth amendment. Therefore, if a person has a reasonable expectation of privacy with regard to a particular location, any intrusion into that area would be considered a "search" within the meaning of the fourth amendment. Conversely, if no reasonable expectation of privacy remains in a particular location, no fourth amendment interests are infringed by a search of those premises.

[17] 276 A.2d 151 (N.J. Super. Ct. 1971).

[18] Id. at 152, *accord State* v. *Murdock*, 500 P.2d 367 (1972). For a critical analysis of *State* v. *Vader* and the habitability test, see Note, *Arson Investigations and the Fourth Amendment*, 30 Wash. & Lee L. Rev. 133, 143 (1973).

[19] *United States* v. *Minker*, 312 F.2d 632 (3d Cir. 1962), *cert. denied*, 372 U.S. 953 (1963).

[20] *Michigan* v. *Tyler*, *supra* note 2, at 495.

[21] Va. Code sec. 27-56; Mich. Comp. Laws Ann., sec. 29.6; Ind. Stat. Ann., sec. 22-11-5-6 (Burns); Ill. Stat. Ann. Chapter 127½, sec. 6 (Smith-Hurd).

[22] Va. Code sec. 27-58; Mich. Comp. Laws. Ann. sec. 29.6; Ind. Stat. Ann. sec. 22-11-5-9 (Burns); Ill. Stat. Ann. Chapter 127½, sec. 8 (Smith-Hurd).

[23] *Camara* v. *Municipal Court*, *supra* note 10 (Inspection authorized by provision in city housing code); *See* v. *City of Seattle*, *supra* note 11 (City fire code provided for inspections of commercial premises); *Marshall* v. *Barlow's Inc.*, *supra* note 12 (Inspection of premises authorized by sec. 8(a) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 657(a) (1970)).

[24] *Supra* note 12.

[25] *Marshall* v. *Barlow's Inc.*, *supra* note 12, at 319.

[26] Mich. Comp. Laws Ann., sec. 29.6.

[27] *People* v. *Tyler*, *supra* note 6, at 475.

[28] *Buxton* v. *State*, 148 N.E.2d 547 (Ind. 1958).

[29] E.g., *G. M. Leasing Corp.* v. *United States*, 429 U.S. 338 (1977).

[30] *Warden* v. *Hayden*, 387 U.S. 294 (1967) (Warrantless entry and search of house by police in pursuit of fleeing robber).

[31] *Ker* v. *California*, 374 U.S. 23 (1963) (Warrantless and unannounced entry of dwelling by police to prevent imminent destruction of evidence); cf. *Cupp* v. *Murphy*, 412 U.S. 291 (1973) (Warrantless taking of fingernail scrapings of suspect, where delay would likely result in loss of evidence); *Schmerber* v. *California*, 384 U.S. 757 (1966) (Warrantless taking of blood sample for alcohol test, where delay would result in loss of evidence).

[32] *United States* v. *Barone*, 330 F.2d 543 (2d Cir. 1964), *cert. denied*, 377 U.S. 1004 (1964).

[33] *North American Cold Storage* v. *City of Chicago*, 211 U.S. 306 (1908) (Warrantless seizure of unwholesome food); *Compagnie Francaise* v. *Board of Health*, 186 U.S. 380 (1902) (Immediate quarantine because of infectious disease).

[34] This is consistent with a number of Federal courts of appeals decisions, e.g., *United States* v. *Green*, 474 F.2d 1385 (5th Cir. 1973), *cert. denied*, 414 U.S. 829 (1973); *Steigler* v. *Anderson*, 496 F.2d 793 (3d Cir. 1974), *cert. denied*, 419 U.S. 1002 (1974); *United States* v. *Gargotto*, 476 F.2d 1009 (6th Cir. 1973), appeal after remand, 510 F.2d 409 (1975), *cert. denied*, 421 U.S. 987 (1975).

[35] *Michigan* v. *Tyler*, *supra* note 2, at 499 n. 6.

[36] *Honeycutt* v. *Aetna Ins. Co.*, 510 F.2d 340 (7th Cir. 1975), *cert. denied*, 421 U.S. 1011 (1975) (Search of house 3 days after fire without a warrant or valid consent was improper, as no exigent circumstances still existed); cf. *G.M. Leasing Corp.* v. *United States*, *supra* note 29 (Delay of 2 days following initial entry and warrantless search supported finding that no exigent circumstances were present to justify second warrantless entry).

WANTED BY THE FBI

Photograph taken 1975.

Photograph taken 1974.

DONALD EUGENE COOK

Unlawful interstate flight to avoid prosecution—Aggravated robbery, felonious assault, kidnaping.

The Crime

The armed robbery involved an Urbana, Ohio, liquor store and took place on May 27, 1976. Following the robbery, Cook and an accomplice fled in a getaway vehicle and exchanged shots with a pursuing deputy sheriff. Both vehicles subsequently became disabled. Cook and his partner then abandoned their vehicle, went to the residence of a citizen, and at gunpoint directed him to drive them out of the area.

A Federal warrant for Cook's arrest was issued on September 3, 1976, at Springfield, Ohio.

DESCRIPTION

Age	27, born August 28, 1951, Springfield, Ohio (not supported by birth records).
Height	5'8" to 5'10".
Weight	150 to 160 pounds.
Build	Medium.
Hair	Black.
Eyes	Brown.
Complexion	Dark.
Race	Negro.
Nationality	American.
Occupations	Baker, press operator, welder.
Remarks	Reportedly a drug user and may be wearing glasses.
Scars and marks	Appendectomy scar, scars on right arm, wrist, knee, and forehead.
Social Security Nos. used	298-50-4855. 298-50-4588.
FBI No.	573,845 H.
Fingerprint Classification:	18 L 9 U 000 14 M 1 U 101
NCIC Classification:	181012CO141605121309

Caution

Cook is being sought for an armed robbery and subsequent gun battle with local police from which he fled by kidnaping a private citizen. He should be considered armed and extremely dangerous.

Notify the FBI

Any person having information which might assist in locating this fugitive is requested to notify immediately the Director of the Federal Bureau of Investigation, U.S. Department of Justice, Washington, D.C. 20535, or the Special Agent in Charge of the nearest FBI field office, the telephone number of which appears on the first page of most local directories.

Right ring finger.

U.S. GOVERNMENT PRINTING OFFICE : 1976 O - 273-752

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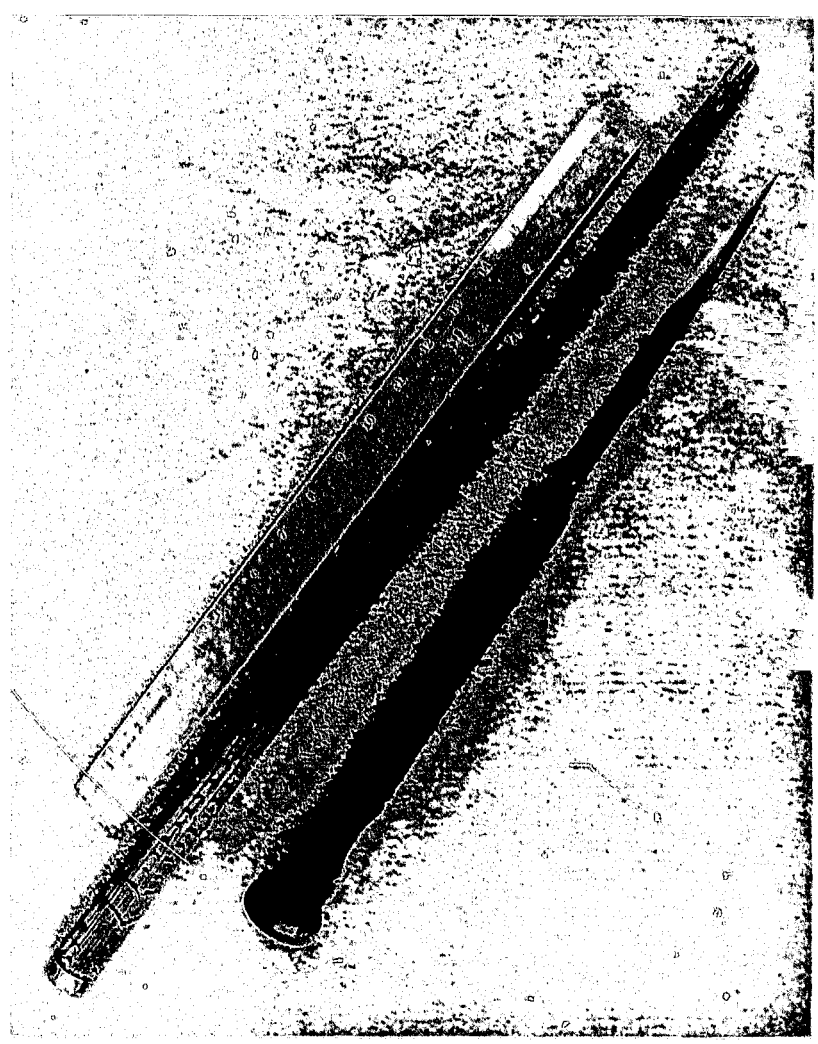

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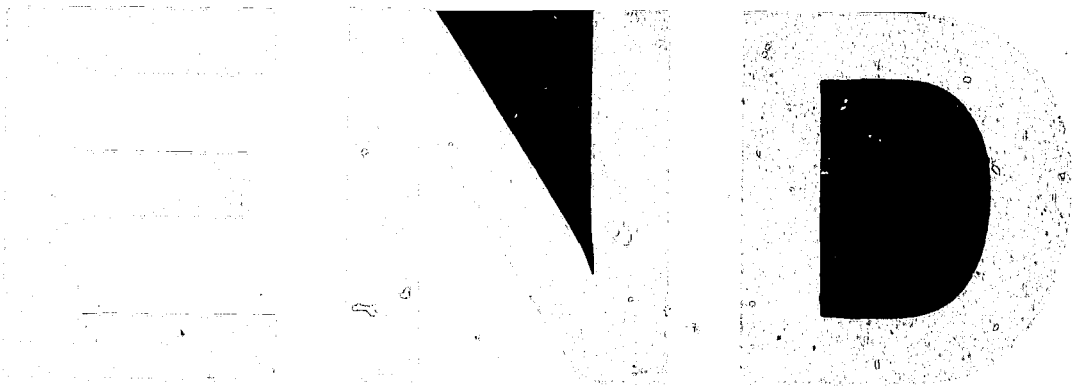
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