



MANION FORUM

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COLD BLOOD—AND THE "BLEEDING HEART" COURT

At dawn on July 15, a Chicago woman thought she heard strange noises. She went outside to investigate, and saw a young woman standing on a window ledge, screaming hysterically. The girl sobbed that she was the only one left alive—that all eight of her friends were dead. A policeman quickly summoned to the site grimly verified the girl's statements. Lying dead in their apartment were eight young women, seven of them student nurses, one a visiting friend.

The girls had been horribly, brutally murdered. The lone survivor, Miss Corazon Amurao, had escaped the fate of her friends by slipping under a bed and hiding. But she had seen the murderer face to face, and said she could identify him.

Fingerprints abounded in the apartment; police took them and proceeded with a check on their identity. Both the fingerprints and the testimony of the witness identified the killer: young Richard Speck, who has a long police record in several cities. Relief flooded Chicago citizens when the killer was named and found. But nothing could erase the horror of it all—the "crime of the century," as the newspapers put it. Only a few days before the mass murders, the police superintendent of Chicago, beset with race riots, stated that the time had apparently come when law-abiding citizens would have to live in walled communities. His remark was a prophecy.

Talk about the crime covered many areas: the youth and innocence of the victims, their bereaved and shock-stricken families; the dangers of living anywhere, even if you've locked the doors and windows. But permeating all of this discussion was a speculative question: what would the recent Supreme Court rulings do to affect the handling of the murder case?

The speculation swiftly became a reality. Richard Speck was informed that he didn't have to answer any questions; that anything he did say might incriminate him; and that he possessed all of the legal rights in the book. Great care is being taken of him at this writing; no one must be allowed to step upon his tender toes. Underneath it all lies the fear that a Court someday could reverse his conviction—if he is convicted—because of "improper police questioning."

It is all well and good to talk about the "rights" of any individual. But why, today, are the rights of the criminal more sacred, than the rights of millions of innocent people who ask nothing more than to live without threat of murder, robbery or rape? Why is it so popular to sympathize with a lawbreaker because he had an unhappy childhood; or to say that it is the fault of "society" that some individuals are prone to kill other people?

The police have been stymied by recent court rulings to the point that they fear to arrest suspects. If the police are no longer to protect citizens from criminals, who is to protect them? Women are advised to carry tear gas guns and hat pins, and to enroll in a self-defense course. Why should it be necessary for them to do that—are the streets and the cities being run by gangsters? Sometimes it seems so.

The Nation will watch with interest what questions are allowed to be asked of Richard Speck, and, when the trial takes place, whether he will be excused as being temporarily insane. The criminals will be watching for the verdict too; for them, it will mean either a red or a green light.

Quotes in the News

"I'm writing this, Mr. Citizen, to tell you why we policemen are acting so differently from the way we used to act.

"I'm a comparative newcomer to the police field, but in my ten years on the force I've seen such critical changes I imagine it's pretty hard for you to keep up with them...

"To explain, let's go back to that time in 1956 when you awoke at three in the morning and found a prowler in your back yard.

"You called the police station, and a policeman at the station radioed me in my prowl car. You remember what I did then, don't you? Exactly what you expected me to do. I arrived at your home, apprehended the man in your back yard, questioned him as to why he happened to be there, and arrested him when his story sounded implausible.

"I probably also searched him and his car or truck for any of your property he might have taken.

"But what if you called the police station early tomorrow morning with the same problem? Well, Mr. Citizen, you probably would be a little disgusted with my caution in entering your back yard to confront the suspect.

"You see, I can no longer apprehend him. I can detain him for questioning, but I do not know how long I can detain him before I can be sued for false arrest. As a matter of fact, no one knows how long I can detain him. As one judge put it, the law is 'imperfectly articulated.'

"But suppose I take this course, believing I have sufficient time to question him. Well, then, I must first tell him he has the right not to answer any questions, the right to have an attorney with him, and the knowledge that anything he says might be used in court against him.

"Nor may I search him to see if he has any of your property, even if he says it's okay for me to search him.

"He may, however, waive his right to remain silent and to have an attorney with him, but I may not accept that waiver unless the waiver is made 'voluntarily, knowingly and intelligently.'

"So you see, Mr. Citizen, I must try to determine the knowledge and intelligence of the man without asking him any questions. Questioning him is contingent upon determining his knowledge and intelligence...

"(The suspect) may also sue me for false arrest, sue me federally for damages or have me punished administratively by my department.

"My only other alternative to arresting such a suspect, however, is walking away to let you seek your own complaint against the person or to let you make a citizen's arrest."

—Lt. John Carpenter, Hermosa Beach, California
Police Department, reprinted from the South
Bay Daily Breeze

"There can be no 'Great Society' unless it is also a safe society. And a safe society cannot be built nor sustained in a climate of crime, corruption and moral decay...history records that many civilizations have been destroyed from within. Let us heed that warning, lest we succumb to the tyranny of a criminal anarchy."

—Senator John McClellan (D-Arkansas)