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Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953

Kendall D. Gott

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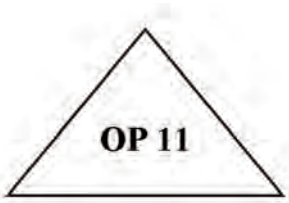
Fort Leavenworth, Kansas



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Foreword

Mobility, Vigilance, and Justice: The US Army Constabulary in Germany, 1946-1953 is another in a series of military case studies published by the Combat Studies Institute at Fort Leavenworth, Kansas. This work examines the establishment and operations of the US Constabulary in post-World War II Germany. It outlines the planning involved in the early stages and showcases some of the difficulties involved with implementing the command guidance.

The occupation of Germany after World War II is perhaps the paradigm of a successful postcombat operation in modern American history. After four years of bitter fighting, the US Army rapidly shifted from its combat missions and literally reorganized and retrained its forces for its new peacetime role. The US Constabulary in Europe effectively bridged the gap between the victorious Allies and the defeated populace through aggressive law enforcement, border control, and assistance to the Germans in rebuilding their own law enforcement infrastructure. The distinctive uniforms and insignia of the "Circle C" soldiers also served as a constant symbol of the United States' resolve to reconstruct a devastated Germany and help shape it into a trusted friend and ally.

The US Army will always need to plan for postcombat operations, and lessons of the US Constabulary are worthy of the attention of commanders, staffs, and soldiers today.

Timothy R. Reese
Colonel, Armor
Director, Combat Studies Institute

Contents

Figures

Preface

This work is general by design and was prepared to provide some insight into the US Constabulary forces that were formed after the end of World War II. Straightforward and to the point, my intent is to showcase the planning of postwar operations and to outline the organization formed to meet the needs of the times.

The establishment of a formal constabulary was without precedent in the history of the US Army. After most wars, various units were assigned missions or undertook operations to pacify conquered areas with varying degrees of success. The US Constabulary was radically different. In this instance entire regiments and divisions were dramatically reorganized and rearmed to meet new mission requirements. Personnel who had been trained as artillerymen, engineers, or in some other field found themselves retrained as military policemen. Unit lineage often changed or disappeared altogether.

The men of the US Constabulary were the elite of their day. Carefully screened and tested, those who did not make the cut were eliminated. Both Americans and Germans who saw the distinctive uniform and insignia of the US Constabulary knew they were dealing with trained professionals.

The sources available to me at the time of this writing are listed in the bibliography but are certainly not all inclusive. There are a number of fine works and monographs on this subject, but the pressures of time and space precluded their use here. The definitive primary source on US Constabulary operations is the *Occupation Forces in Europe Series, 1945-1952*. This multi-volume set of after-action reports and unit histories is invaluable in studying the specific operations of the US Constabulary and the effect of the unit as a whole. Specifics are not addressed here, but general summaries of this data are incorporated throughout this work.

My special thanks go to Irene Moore and the US Constabulary Association who gave permission to use most of the photographs found in this work. Their web site is an outstanding tribute to the men who served in this unique outfit. My heartfelt thanks also go to Gordon Bell, who graciously gave permission to use his portrait. I am also obliged to the good people at the US Army Combined Arms Research Library for access to their special collections and in securing interlibrary loans.

Introduction

> The troops returning home are worried. 'We lost the peace,' men tell you. 'We can't make it stick.' . . . Friend and foe alike looks you accusingly in the face and tell you how bitterly they are disappointed in you as an American. . . . Never has American prestige in Europe been lower. . . . Instead of coming in with a bold plan of relief and reconstruction we came in full of evasions and apologies. . . . A great many feel that the cure has been worse than the disease. . . . The taste of victory had gone sour in the mouth of every thoughtful American I met.[1]

At the time of this writing one could pick up any newspaper or view any news broadcast and hear a similar lament expressed toward the aftermath of Operation IRAQI FREEDOM. Yet these barbs were not thrown at the present administration but at President Harry Truman's in the aftermath of World War II. Perhaps history is being ignored or repeating itself. Why does it seem that the United States consistently wins its military victories but appears to falter in forging a lasting peace afterward? It could be that traditionally modern commanders concentrated on war fighting and eschewed the challenges of dealing with the battlefield after the war. But perhaps contrary to popular contemporary thought, the US Army has indeed conducted postcombat/ occupation duties through most of its history. There were times in which the Army transitioned from combat to peace easily, while at other times there was quite a bit of friction. There are frustrating examples where the United States won the war but did not win the peace. While securing a lasting peace is an inevitable task for the US Army in any conflict, it is one that arguably receives little attention from the public, policymakers, or, until recently, the military itself.

This is a historical narrative highlighting the establishment of the US Constabulary in Germany after World War II, including a great deal on the strategic decision making and staff actions behind it. It was written to illustrate the lessons learned from the past for use in the future, specifically for the commanders and staffs of those soldiers during any future military occupations. The aftermath of World War II holds perhaps the paradigm for forging a lasting peace after a war and is the last true example of the US Army occupying defeated nations before Operation IRAQI FREEDOM. A useful illustration of World War II is the occupation of Germany, which occurred from 1945 to 1952. By a concerted effort and in support of Allied occupation policies, the US Army modified its organization and mission

after the war, which in turn shaped the successful outcome of the occupation. The organization that emerged was the US Constabulary, which formed a vital link between the new German government and the Allied military forces conducting occupation duties.

Shaping Policy

By 1943, long before the military collapse of Germany, the United States and its Allies were developing the policy for a defeated enemy. Forged in the bitter war was a resolve that Germany must never again become an aggressor. This meant immediate and punitive measures such as disarmament, denazification, and prosecution of war criminals. But instead of being purely punitive in nature, planning agencies contemplated ways and means of helping the German people to rebuild their society in a peaceful and democratic fashion. Instead of reducing Germany to an agrarian economy, as many argued, those who pondered the long-range objectives saw a different approach. Instead, the Western Allies would seek to develop a democracy in a new and rebuilt Germany.[2]

Developing an Allied policy toward Germany was not settled easily, and inter-Allied discussions on the postwar treatment of Germany continued fairly frequently. During the Tehran Conference in late 1943, President Franklin Roosevelt, Prime Minister Winston Churchill, and Generalissimo Joseph Stalin planned the operations to defeat Germany, but they also devoted substantial time to the issue of their defeated enemy's postwar status. Each leader advocated a form of political dismemberment, but no decisions were reached.

The three major powers met again at Yalta in February 1945 to reach some agreement to the treatment of Germany at the conclusion of the war, which then appeared in sight. Agreements were elusive, and Stalin was adamant in many of his territorial demands, particularly with Poland and eastern Germany. But he did consent to including France in the occupation. Reparations were discussed, but the amounts to be levied remained unresolved. Roosevelt summed up the guiding principle by stating, "We want Germany to live, but not at a higher standard of living than that of the USSR. I envision a Germany that is self-sustaining, but not starving."[3] These high-level conferences served not only to iron out differences between the Allies but also to produce additional guidance to military planners that was passed down to the strategic and national staffs. These staffs then had a useful framework on which to plan for postwar operations.

The Tehran Conference directly led to the creation of a strategic planning agency, the Chief of Staff, Supreme Allied Commander (COSSAC),

headed by a British officer, Lieutenant General Sir Frederick E. Morgan. The early occupation planning was on a limited scale, dealing mainly with methods to be used in seizing and controlling strategic border areas to control Germany after the surrender. The planning process further stimulated thought on the broader problems of an occupation and identified the need for further policy guidance. But the initial postwar planning process was not a smooth one. There was much confusion and duplication among the various American and Allied staffs. This problem would not get resolved until after the defeat of Germany in May 1945, and even then the planning process was certainly not flawless.[4]

While the war raged military planners naturally focused on defeating the German military forces. Postcombat operations planning remained in the strategic- and national-level staffs. Operational and tactical staffs were left to focus on combat operations and winning the war. By April 1944 there were at least 72 post-hostilities studies in progress at Supreme Headquarters Allied Expeditionary Force (SHAEF). The most important one eventually emerged as Operation ECLIPSE, which became a specific plan for administering the occupation of liberated territories. This blueprint was revised several times and evolved into the specific design for the occupation of Germany. Although the planning staffs could not foresee or address every eventuality, they addressed such matters as terms of surrender and disarmament, disbanding the German armed forces and paramilitary units, and bringing war criminals to justice. ECLIPSE also addressed controlling the transportation and communications network, establishing law and order, and instituting military government.[5]

As the end of the war in Europe drew near, the occupation planning became more closely associated with combat operations. In March 1945 responsibility for coordinating occupation planning at SHAEF passed to a section within the G3 (Operations). After this occurred tactical units were given specific guidance on occupying German territory. Curiously, the guidance for American units did not originate from SHAEF headquarters but from the Joint Chiefs of Staff (JCS). In April the Joint Chiefs of Staff issued JCS Directive 1067, which established the military government of the American Zone of Occupation in Germany. This directive made General Dwight D. Eisenhower responsible for the administration of the military government and set into motion Germany's denazification and disarmament.[6]

JCS Directive 1067 shifted the responsibility for the administration of the civil population of Germany from the tactical unit occupying a local area to military government detachments. These detachments consisted

of eight to 15 officers and were located at the provincial, district, state, and federal levels. The military government was to supervise the removal of former Nazis from positions of power and, with the assistance of the United Nations Relief and Rehabilitation Administration (UNRRA), help coordinate the rebuilding of German infrastructure and society. Military government detachments were also created to oversee the camps filled with displaced persons. JCS Directive 1067 did not relieve occupation troops of tactical responsibility, but it did give their commanders the ability to devote more attention to their units and redeployment. So military government detachments were actually staff elements working for the senior commander in their respective areas.

In addition to establishing a military government, JCS Directive 1067 also dictated the policy of nonfraternization with the German populace in anticipation of Allied troops occupying their country. The directive was included in *The Pocket Guide to Germany* and was quite clear and specific. This booklet was widely issued to the troops and laid out the boundaries of unacceptable behavior. Officers and soldiers were enjoined to "avoid mingling with Germans upon terms of friendliness, familiarity or intimacy, whether individually or in groups, in official or unofficial dealings." Attending German church services, visiting homes, drinking with a German, or even shaking hands with one was prohibited. Soldiers were forbidden to play games or sports with Germans or to give or receive gifts. Violators faced a $65 fine and the possibility of a court-martial. This tidy

NARA Record Group 111, Records of the Office of the Chief Signal Officer, 1860-1982.

Figure 1. US Constabulary troopers in action.

sum represented approximately a month's pay for an Army private serving overseas. This nonfraternization policy was based on the belief that Allied soldiers would confront die-hard Nazi soldiers, Hitler Youth Squads, and the *Volksturm* or local militias fanatically defending the German nation. The nonfraternization policy was just one illustration of a rather flawed outlook on just what the situation would be in Germany after the war.[7]

From the beginning it was clear that the size and scope of the military occupation was beyond what the planners of the occupation had envisioned. With the rapid advances of the Allies in the final weeks of the war many planners revised their assumptions of an insurgent resistance. Some senior officers speculated there would be a sudden enemy collapse and the troops would simply "walk into" Germany unopposed. Establishing a military government would then consist of finding undamaged quarters, summoning the mayor, and issuing directives. The German military did surrender unconditionally on 9 May, and no widespread instances of insurrection occurred. But that did not result in the relatively easy occupation these officers envisioned.

Instead, in summer 1945 all of Germany was in a state of general misery and confusion. Civil government had virtually ceased to exist. Transportation was broken down because the war had destroyed many road and rail bridges. Sunken barges and ships blocked canals and harbors. Millions of people from the occupied territories were freed from forced labor in the factories and sought to return home. Thousands of German refugees were streaming in from the east to a land that could offer little shelter or subsistence. Destitution was the norm and famine a very real danger. As tensions between the Western Allies and the Soviet Union increased, the zones of occupation became, in realityfour separate spheres of influence administered in four different ways. Closing the zonal borders restricted the movement of people and commerce, and since none of the zones were self-sufficient, the economies found it hard to recover. Inflation developed and a black market flourished.

As the Allied armies got their first impressions of the tasks before them, the final meeting of the major Allied powers concerning post-war Germany occurred at Potsdam in summer 1945. The United States and Britain still assumed the Soviet Union would be cooperative during the occupation, follow suit, and complete a large-scale demobilization as well. In addition to disarmament and denazification, the Western Allies agreed that local self-government should be developed at once, followed by regional and state administration as soon as practical. For the time being no central German government was created, save for a few agencies dealing with finance,

transport, industry, and communications. The Allied powers closely supervised these agencies. A result of this conference was recognizing some of Stalin's territorial demands, including annexing Königsburg and Poland acquiring the lands east of the Oder and Neisse Rivers.[8] Masses of destitute Germans were evicted from these areas and streamed westward. This added to the general misery and confusion in the zones of occupation.

Transition From Combat to Military Occupation

Concurrent with the ratification of the German surrender on 9 May 1945, Operation Plan OVERLORD was officially terminated, and ECLIPSE was implemented in the American zone in Germany. At the beginning of the occupation, commanders of tactical units conducted military government administration in addition to their normal missions. Within a few months special organizations were created to exclusively handle military government affairs, and tactical units were freed from this responsibility. The brunt of the overall American occupation fell upon the US Army, which was natural since more than 90 percent of the occupation forces were ground units.[9]

The American Zone of Occupation covered more than 40,000 square miles and included nearly 1,400 miles of international and regional boundaries, extending from Austria in the south to the British zone in the north, and from Czechoslovakia and the Soviet zone in the east to the Rhine River and the French zone in the west. It was approximately the size of Pennsylvania. More than 16 million German people lived in this area as well as more than half a million displaced persons. It included many cities of considerable size, the largest being Frankfurt and Munich. A network of narrow, winding roads covered the zone while here and there were the four-lane express highways the Nazi regime constructed called autobahns.[10]

The specter of Nazi fanatics and *Volksturm* units stationed in every town fighting to the death faced the Allied armies as they advanced into Germany. In the face of such expectations, the Americans' actual experience in most German towns proved somewhat anticlimactic. With few exceptions there was little opposition as soon as German military units retreated and left the towns to be overrun by the Allies. What the Americans found instead was a complete breakdown of civil government—there were no government officials in control nor any municipal, state, or police forces intact to maintain law and order. Aggravating the situation were thousands of desperate refugees and displaced persons (DPs) looking for food and shelter. Crime was rampant. The lack of planning before the cessation of hostilities was evident at the tactical level.[11]

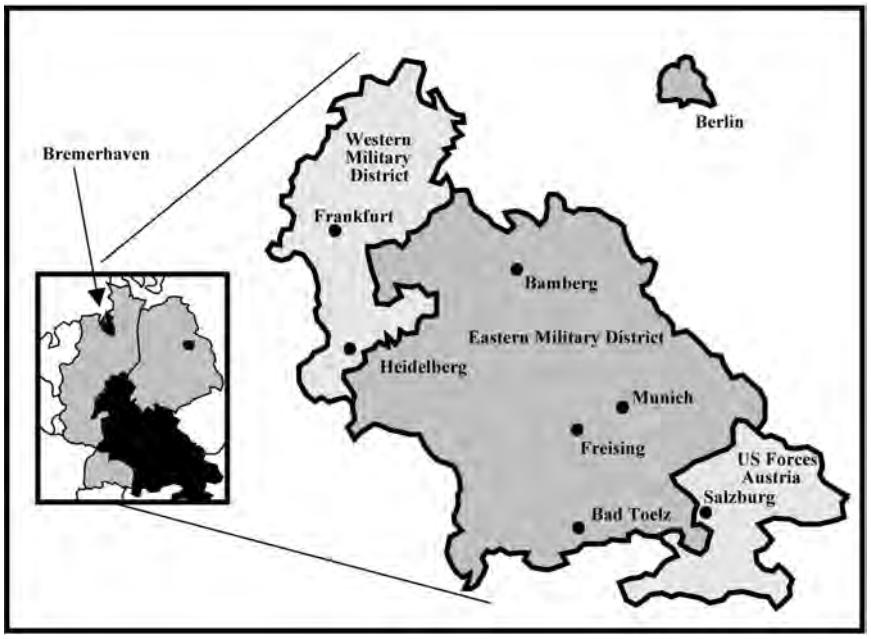

Figure 2. US zones of occupation.

In the first months of the occupation, troops were plentiful, and literally everything of value was guarded or controlled. Roadblocks were established, covering all main avenues of approach leading into the US zone from the east, southeast, and northeast to deny all Allied and former German troops entrance through the line. A minimum number of highways were selected as "authorized frontier crossing points,' while other roads and footpaths were closed with physical barriers. Unfortunately these initial border control stations often were undermanned and were thus easily circumvented by the hundreds of thousands of refugees and former German soldiers passing into the US zone. After implementing the occupation zones in southern Germany, the Americans also took responsibility for a section of Berlin and the city of Bremerhaven, which served as the main port and supply hub for the US forces in Germany. There was also an American zone in Austria that had fought the war as an integral part of the Third Reich.

From the very beginning of the occupation there were border control problems with both the Soviet and British zonal boundaries as well as the international borders, particularly on the Czechoslovak border. Hundreds of thousands of people were on the move, hoping to return to their homes and families, avoiding the harsh treatment found in the Soviet zone, or

trying to carry on business that crossed what were provincial and state boundaries that became the occupation's zonal borders. In the case of the British zone, border control problems arose mostly from a very different philosophy on interzonal travel. The British were far more liberal in granting interzone passes and often issued passes for the US zone to avoid caring for refugees. American soldiers manning the checkpoints usually apprehended travelers with such passes and sent them back. Refugees crossing the border with the Russian zone dwarfed that of the British zone.

Compounding this problem was that there was nearly no authorized means of travel between the Soviet and US zones. This not only inhibited the authorized return of DPs to their homes, but it also made liaison between the two forces very difficult. Early in the occupation the Russians often granted passes to large bodies of refugees to cross into the US zone. When the American troops turned these refugees away, the Soviets would refuse these people entrance back into the Soviet zone. Stuck in no-man's land between border posts for a time, most groups managed to find a way to sneak into the US zone either with the aid of a smuggling ring or in some instances by having Soviet soldiers show them gaps where the Americans covered the border.[12]

Despite the staff work at SHAEF and higher, when American troops first entered Germany in autumn 1944 there were no firm guidelines concerning the troops' conduct toward the enemy population. (The occupation directive, JCS 1067, was still being revised, and ECLIPSE was not published.) In the early months of interaction between American soldiers and German civilians, the troops displayed a wide spectrum of attitudes toward the Germans, ranging from open hostility to warm benevolence.

When the rigid nonfraternization policy in JCS Directive 1067 filtered down the chain of command, in some cases it superseded local policies that allowed contact between the victors and vanquished. In a short period of time the American soldiers gradually ignored the order. The directive failed in part because the soldiers did not encounter many German civilians characterized by the propaganda medium of the day, that being a fanatical society devoted to Hitler and fighting to the death. Instead the Americans generally found a defeated population devastated by the destruction of the war and rather desperate in its desire to make peace. In typical fashion American soldiers often gave food to the children and elderly they encountered. The allure of German women to soldiers far from home further challenged the nonfraternization policy. Add to this that punishment was unevenly then later rarely enforced, it is little wonder that JCS Directive

1067 was generally ignored after Germany's unconditional surrender in May and then quietly rescinded in October 1945.[13]

The fraternization issue between German civilians and American soldiers was reduced substantially as units were redeployed out of the European theater, but contact was still needed between the two to bring about law and order. This contact was officially orchestrated by the SHAEF special staff section, the European Civil Affairs Division. This staff element trained and administered military detachments that became the military government in the zone of occupation. Detachments consisting of up to nine officers were attached to line divisions to conduct military government affairs, and each was trained to operate in a specific geographic locality. Under the provisions of JCS 1067 and ECLIPSE, the military government detachments sought out leading citizens who had resisted Nazism and appointed them to positions of leadership in the town and villages. Local elections were held as soon as possible to ratify these people or to elect other suitable candidates. The only stipulation to these free elections was to ban candidates with Nazi ties. The Soviet zone did not follow this pattern. Instead, Moscow-trained German communists were placed into leadership positions, augmented by German leftists who had remained in Germany during the war and survived.[14]

This work will not digress further on this point, but this policy is mentioned to show that the Western Allies sought to give Germany the opportunity to embrace democracy on its own and that the Soviet Union was fixed on establishing a communist client state. These disparate polices exacerbated the already tremendous refugee problem by causing many residents in the Soviet zone to flee to the West. With local governments nominally functioning, it was imperative to form a link between them and the Allied military forces conducting occupation duties. American planners decided to dedicate a portion of the force structure to do this, organizing and equipping it for this specific mission. That organization was the US Constabulary.

Organizing the US Constabulary

The American ground forces that first entered Germany as part of combat operations in 1944 numbered some 60 divisions. In May 1945 these were organized under two army groups, five army headquarters, and 15 corps headquarters. The first response to occupation duties was to spread the battalions across the zone of occupation to prevent total chaos. These efforts were generally successful primarily due to the sheer size of the American presence. However, the luxury of such manpower levels quickly ended as a rapid redeployment and demobilization occurred. By

July 1945, 11 divisions redeployed to the continental United States to prepare for the invasion of Japan or to serve as a strategic reserve. In fact, most of the American forces in Europe were earmarked for rapid redeployment out of the theater. However, one unit was specifically designated to remain in Germany to become the premier occupation force.

Shortly before the German surrender, the battle-hardened 4th Armored Division was notified that it would become the permanent occupation division. During summer 1945 the division headquarters coordinated efforts to reestablish the borders, establish law and order, and generally assisted German communities in recovering from the war. Meanwhile, corps- and army-level staffs focused on redeployment issues. In the months that followed, the officers and soldiers of the 4th Armored Division completely shifted their efforts and focus from warfighting to occupation duties. Few of the officers and men could envision the changes that awaited their organization, but their efforts at developing and training a force to spearhead the occupation of German were key elements to the success of ECLIPSE.[15]

In October 1945 Eisenhower announced the formation of a special constabulary of 38,000 men to control the US Zone of Occupation. It was envisioned as an elite force, composed of the highest caliber personnel obtainable under the voluntary reenlistment program, equipped with an efficient communications network and sufficient vehicles and liaison airplanes to make it highly mobile. This new organization was initially known by a series of names such as "State Police," "State Constabulary," and "Zone Constabulary." The name that finally emerged was the United States Constabulary. The mission of the US Constabulary was to maintain general military and civil security, assist in accomplishing the American government's objectives, and to control the borders of the US Zone of Occupation. Cooperating with the growing German police forces, the Constabulary would constantly hunt for black marketers and former Nazi leaders and conduct general law enforcement and traffic control. All of its members would require training in urban, rural, and border security operations. In addition to the 4th Armored Division, the remaining seven cavalry groups in Europe were earmarked for absorption into the US Constabulary by Eisenhower's announcement. These groups were equipped with large numbers of light tanks, trucks, and jeeps and had been used in the war for reconnaissance. Their high mobility and firepower seemed ideal for the postwar occupation.[16]

Operating by a system of roving patrols, the US Constabulary was to provide the zone of occupation's general security and would assist in

enforcing the edicts of the military government on the civil population. Conventional field forces, namely the 1st Infantry Division, were held in strategic locations and made available to back up the Constabulary in any emergency. The 1st Infantry Division's primary mission was to remain as the theater's combat force, and it maintained its organization and training to fulfill that role. The disadvantage of this plan was the limited number of *mobile* ground forces in the 1st Infantry Division. It would require a substantial effort in an emergency to provide transport to a large number of soldiers and get them into position in a timely manner. Fortunately that need never arose. Both the US Constabulary and the 1st Infantry Division reported to the US Third Army, which reported directly to Supreme Headquarters Allied Powers, Europe (SHAPE).

Formal activation of the US Constabulary was slated for 1 July 1946. The timing of its activation was based on the time needed to organize men and equipment into a new force and locate them where they were needed. The time given also allowed an evaluation and learning from any mistakes made during summer and fall 1945. The US Third Army was made responsible for collecting the various units and hammering them into a new force.[17]

Major General (MG) Ernest N. Harmon was appointed the first Commanding General of the US Constabulary (Provisional) on 10 January 1946. The selection of Harmon was a good one. He had broad combat experience and was a successful armored division commander. He also had a colorful personality and was a demanding, no-nonsense disciplinarian. Harmon's first mission was to have the Constabulary fully organized, equipped, and operational in six months.[18]

Harmon divided the occupation zone along existing geopolitical lines to coincide as nearly as possible with the major divisions of the German civil administration and police. A brigade headquarters was established at each of the capitals of the three *Landkreis* (counties), and subordinate headquarters were established at points selected for ease in performing the mission. The total forces available to the Constabulary consisted of 32,000 men organized into three brigades, nine regiments, 27 squadrons, and 144 troops as well as headquarters and service units. Each of the three brigades consisted of three regiments, and each regiment included three squadrons and one light tank company. Each squadron comprised five troops. Incidentally, the organizational terminology was a departure from the norm of the day. Whereas the US Army was organized into divisions consisting of combat commands composed of regiments and companies, the US Constabulary drew its lineage from the old cavalry, using brigades, regiments,

NARA Record Group 111, Records of the Office of the Chief Signal Officer, 1860-1982.

Figure 3. MG Ernest N. Harmon.

squadrons, and troops. Many state police forces in the United States used these organizational names as well.[19]

The reorganization built a new type of unit designed specifically for policing postwar Germany and guarding the border with the adjoining zones of occupation. The units converted into US Constabulary squadrons and regiments included armored infantry, field artillery, tank, tank destroyer, and antiaircraft battalions and cavalry squadrons. The *troop*, however, emerged as the primary unit of the US Constabulary and was organized on the pattern of the mechanized cavalry troop used in the war. However, it was quickly apparent that they needed light vehicles (jeeps) and armored cars in view of their tasks of road and border patrolling as well as its police-type jobs. Each troop was divided into sections or teams for patrolling, each of which was equipped with three jeeps and one armored car serving as a command vehicle with heavy weapons support in case of emergency. Patrols were generally task organized depending on the mission. Each US Constabulary regiment formed a mobile reserve of one company equipped with light tanks. Patrols also used horses in dif-

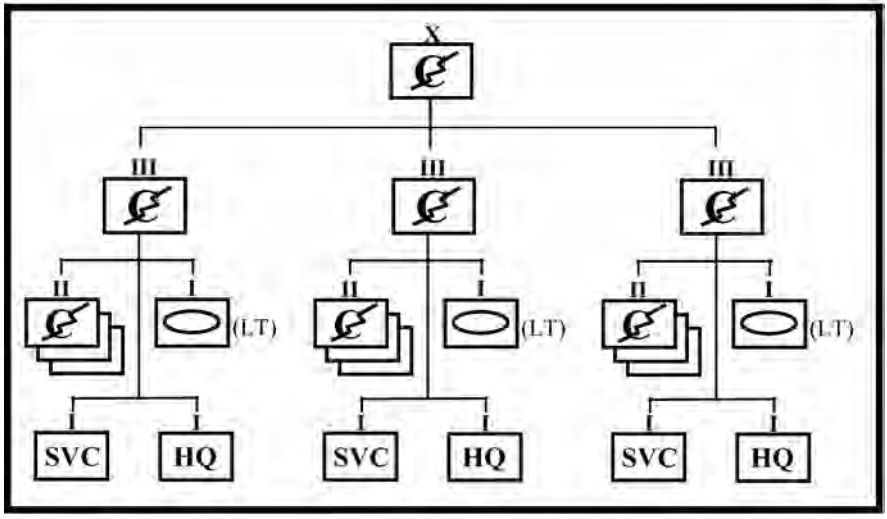

Figure 4. The US Constabulary brigade.

ficult terrain along the borders and used motorcycles on the autobahn.

No personnel of the US Constabulary were to be overage or on limited duty. If possible, all the troops were to be reenlisted veterans. Using foreign nationals was considered for a short time, but it was thought the language barriers would be too great to overcome.[20] The soldier-policemen of the US Constabulary wore a distinctive uniform, both to make them easily recognizable and to distinguish them as a member of an elite force. The "Lightning Bolt" shoulder patch in yellow, blue, and red combined the colors of the cavalry, infantry, and artillery. To make the troops even more distinctive they wore bright golden scarves, shined combat boots, and

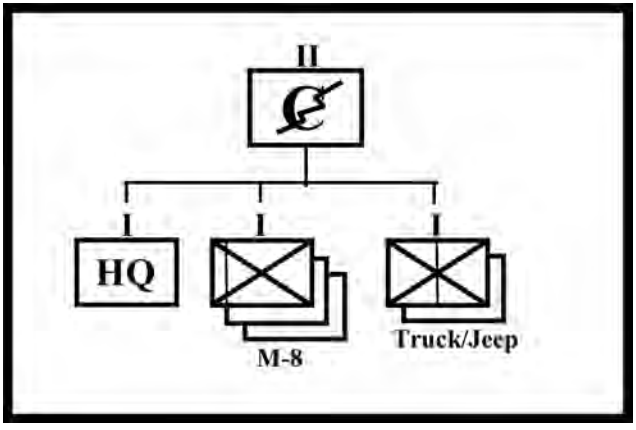

Figure 5. The US Constabulary squadron.

helmet liners bearing the US Constabulary insignia and yellow and blue stripes. The "Circle C" patch was also prominently displayed on signs, buildings, and vehicles adding a colorful splash to them.

Yet all the pieces of the organization did not fall easily into place. The intent was to obtain the highest caliber personnel in the theater, but the redeployment of units out of theater made this extremely difficult. Delays occurred when some of the units designated for the US Constabulary could not reorganize and train until released from their parent organizations. Also, few if any units were located exactly where they were wanted under the plan, and some outfits were moved four or five times within a period of a few months before they finally settled into their final patrol areas. Barracks were in short supply as DPs occupied many of those the former *Wehrmacht* used. New equipment was drawn from depots as far away as France and was chiefly comprised of combat vehicles left behind by units returning to the United States for demobilization. Many of these

Figure 6. Trooper Gordon G. Beld,
66th Constabulary Squadron, 1946-47.

were already worn out from extended use in combat, and many others had deteriorated in disuse. The condition of the vehicles placed a severe test on the US Constabulary, which had no service elements when it was first formed. This serious oversight in the organization was generally corrected within the year, but GIs using their skills and innovation and local German mechanics under contract were used in the interim.[21]

What proved most difficult of all, though, was acquiring and training personnel. The units selected for the US Constabulary were veteran outfits, but they were seriously depleted of personnel by the redeploying forces. Some combat units were actually mere paper organizations because redeployment had removed most of their officers and men. Other units had up to 75 percent of their authorized strength. For the years 1946 and 1947 the US Constabulary faced a 100-percent personnel turnover rate per year.[22] Altogether, the US Constabulary was at 25 percent of its authorized strength at the onset and grew gradually as replacements arrived in theater. Few of these personnel were trained in their principal role of police duties, and there were no field manuals or precedents from which to teach them. The need for a US Constabulary School to teach guidelines and doctrine was evident.[23]

Such an institution was established at Sonthofen at a former academy used to train Nazi Party leaders. The US Constabulary training program was developed shortly after MG Harmon took command, and it consisted of three phases. The first phase concentrated on training instructor cadre and the operations personnel of the regimental and squadron headquarters so they were prepared to receive the approximately 20,000 new men expected to fill the ranks. The second phase, conducted between April and June 1946, was a period of intensive training in the duties of both individuals and units that were present in theater. The final phase of training in 1946 was planned as on-the-job training for newly assigned personnel and scheduled to begin in June. The US Constabulary School at Sonthofen also served as a replacement center for inbound personnel, which greatly simplified the replacement system and ensured new men got to the specific squadrons in need.[24]

The curriculum at the US Constabulary School for officers and noncommissioned officers included instruction in Germany's geography, history, and politics. The soldiers' training focused on the theory and practice of criminal investigation, police records, self-defense, and apprehending wanted persons. The troopers' indoctrination helped them fully understand their responsibilities and the functions of the US Constabulary. Graduates were fully qualified to perform their duties and to act as unit instructors for

newly arriving recruits. There was no formal German-language training beyond common phrases. The school also served as a replacement center and taught about 650 students per month. Soldiers were provided with a copy of the *Trooper's Handbook*, written to cover the basic rules and regulations covering their duties. Colonel J.H. Harwood, a former State Police Commissioner of Rhode Island, aided in preparing the content of the manual.[25]

Although the US Constabulary School began to graduate classes of mission-ready troopers, changes in the redeployment rules in spring 1946 caused the loss of 25 percent of the soldiers within a matter of a few weeks and an additional 42 percent in the following three months. Not surprising, the job of replacing and training new personnel was staggering, made worse by a critical shortage of junior officers during late summer 1946. This delayed the US Constabulary in attaining the desired standards in discipline and operations, as the final stage of training was for each unit to participate in at least one practice search and seizure operation before becoming fully operational.[26]

The US Constabulary attempted to achieve an elite status by selecting personnel of high physical and mental standards and purging incompetence as much a possible. In light of the chronic personnel shortage, maintaining this status proved difficult. This was deemed critical, though, because the field patrols were generally small groups that operated far from their headquarters and were empowered with unusual authority and responsibility. Integrity was also demanded of each trooper as these men faced many temptations. They were exposed to an ingenious black market where large bribes were commonplace and large numbers of destitute people who evoked pity and sympathy. German society at the time was filled with desperate people who were eager and willing to pay high prices for permission to illegally cross borders seeking refuge or carrying out illegal activities. Only with a high standard of integrity would the troopers establish and maintain the secure environment needed for the recovering German society.

To maintain high standards MG Harmon and his subordinate commanders spent a great deal of time ensuring the men lived up to the name of the US Constabulary. Troopers were told to leave their money and watches behind before search and seizure operations, and each man was shaken down at the end of the mission to confirm he had not stolen anything. Infractions of discipline and regulations were ruthlessly dealt with. There was also an exceptionally thorough inspection program of units, men, and equipment. The US Constabulary was generally considered the

Trooper Gilbert Matherne at Grafenwoehr, 1949. Credited to Ms. Irene Moore.

Figure 7. Trooper Gilbert Matherne, US Constabulary, 1946-49.

most inspected outfit in the US Army at the time. The primary inspector was Harmon himself, who spent far less time at his headquarters at Bamberg than he did traveling from one squadron to another. He inspected each of the US Constabulary's 27 squadrons at least once a month. Stories abound that Harmon relieved men and officers with such frequency that before his arrival squadron and troop commanders were known to pack their bags. These instances of prepacking luggage were actually rare, but the constant visits by the commanding general certainly engendered at least a healthy amount of respectful fear among officers and men alike.[27]

The constant inspections and duty in remote and isolated areas was hard on many troopers' morale. Troop-level units rotated from forward areas periodically for a period of rest and recuperation. It was not all rest, however, as the men used the opportunity to overhaul their equipment and receive training on new techniques. During this refit period units also received and absorbed new replacements. The typical system of troop rotation was initially two weeks in the cantonment for every four on patrol.

Later the pattern of four weeks in garrison and six in the field was considered the norm. While in garrison the men had the recreational facilities typical of the times such as servicemen's clubs with their snack bars and entertainment, motion pictures, American Red Cross facilities, and trans-Atlantic telephone service.

Patrols

The backbone of US Constabulary operations was the patrol. Initially the US Constabulary troopers were just about everywhere in the zone of occupation, a constant sight to the populace and a deterrent to illegal activity. The US Constabulary's light tanks, armored cars, jeeps, and motorcycles paraded in the streets in considerable numbers to show the Germans that the Americans meant business and were now properly trained and equipped to meet emergencies. The size and frequencies of patrols would gradually decline over the years. These declined not for want of manpower, which was never in abundance, but as a result of gained experience, knowledge of the operating areas, and continuous study of crime statistics. In short, the US Constabulary learned to focus its efforts at likely trouble spots and became more efficient as time went by.[28]

Patrolling soon focused on the potential sources of trouble, notably the large urban centers where populations scrambled among the ruins for food and shelter. Initially the patrols passed every 2 hours in the daylight as a deterrent but shifted to the night hours when assaults, robbery, and other serious crimes generally occurred. Patrols conducted liaison with the German mayors (*Bürgermeisters*), German police stations, various US government agencies, and other military units in their area. Patrols worked closely with the municipal, rural, and border police. The US Constabulary troopers became acquainted with the local policemen, received updates from them, and discussed methods of trapping criminals and forestalling possible disturbances. A German policeman usually accompanied patrols, acted as an interpreter, and made the actual arrest of German or displaced nationals. The soldiers made the arrest when the suspect was American. This practice built up the prestige of the new German policemen in the eyes of the local populace and educated them in the concept of upholding the law and justice, not in the brutal and arbitrary methods used before and during the war. When average German citizens saw US Constabulary troops approach, they generally showed the troopers gratitude and respect because they knew the young men were there to help.

US Constabulary patrols were in constant communication by radio or telephone with their headquarters, which was also linked all the way to US

NARA Record Group 111, Records of the Office of the Chief Signal Officer, 1860-1982.

Figure 8. M-8 scout car.

Constabulary headquarters and the commanding general. The telephone lines used were those of the old German system for the most part, but these lines were severely hampered by a lack of spare parts and were not in good condition after the war. Some military lines and equipment were available, and the US Constabulary also had a teletype communications system. When all of the nodes were considered, it was the most comprehensive and effective network the US Army operated in theater.

Search and Seizure Operations

Aside from the patrols and show of force missions, the US Constabulary patrols had an active and aggressive law enforcement task to conduct. This was the swoop raid, known officially as search and seizure operations, against refugee camps and the general German population. However, these raids were requested and authorized in advance by the UN Relief and Rehabilitation Administration (UNRRA), local military

commanders, military government, or investigative agencies that had reason to suspect black market or subversive activities. The US Constabulary was not aloof as these problems festered. It alerted the appropriate authority when it received enough complaints about a camp from the civilians living in the area, when the crime rate in an area became intolerable, or there were anti-Allied speeches and posters displayed. Authorization to conduct an operation soon followed.[29]

The US Constabulary's efforts to counter black market activities became a prime focus as the threat of guerilla warfare by the Germans waned. By summer 1946 this was particularly so as tons of surplus supplies and equipment meant to sustain the Allied armies at war were still piled in bulging warehouses awaiting consumption or shipment back to the United States. Many Germans would pay a great deal for the coffee, cigarettes, and food the American soldiers often took for granted. The US Constabulary soldiers sought to flush out and arrest those who organized black market organizations and large-scale criminal activities, most often leaving the cases of individuals to the MPs or German police.

The prime candidates for black market activity were the DP camps scattered throughout Germany at the close of the war. These camps were established to house the thousands of foreign workers the Nazi regime enslaved to work in the war industry, Germans who had lost their homes in the war, and a large number of European Jews. As a rule these people were housed in dirty, cramped buildings in former German military installations. Access in and out of the camps was restricted, and there was a natural animosity toward these people and their former antagonists, the Germans. US Constabulary troopers were often called to respond to riots and to serve as an intermediary between these refugees and the local Germans. Residents of the camps were generally eager to resume normal lives, but while there they often turned to the lucrative black market to augment their standard rations and build up capital for the uncertain future that awaited them in war-ravaged Europe.

The camps came under a number of jurisdictions, which compounded the difficulties of the residents and those attempting to care for them. UNRRA was responsible for their internal administration, and the military government was tasked to supply the camps with food, clothing, and other necessities. The security and law enforcement apparatus began with the internal camp police that the US Army trained but did not control afterward. Next was the US Constabulary, charged with investigating criminal activity within the camps. German law enforcement agencies were the final link in the chain, charged with making arrests and incarcerating the guilty. However, due to the

animosity between the DPs and the Germans, Constabulary troopers were nearly always present when the German police entered the camps.[30]

Conducting search and seizure operations required meticulous planning, precision timing, and highly trained personnel. These raids were made to apprehend a specific individual or group, but more usually they were to look for illegal materials. Such operations could benefit from eliminating black market activities and apprehending wanted suspects, but they could prove disastrous as well. For example, a raid on a camp of DPs without adequate security or show of force could result in a deadly riot. A wrongful search could have proved embarrassing for the US Constabulary and tarnish its reputation.

The first phase of a search and seizure operation was establishing a cordon around the target area. A cordon force was used to secure the roads and entryways into the camps and detain all personnel coming or going so as not to alert the residents. These troopers would also search these individuals for contraband. Incidentally, cordons were often used as a separate operation without searching a camp or other facility. They alone were not as effective as direct searches but had the advantage of not requiring any special permission to conduct. When used alone, cordons usually failed to find anything illegal, but many in the US Constabulary felt they discouraged black market and smuggling activity. There is no way to ascertain that claim one way or the other. The second phase of a search and seizure operation was to conduct the search. The search force would enter the camp or facility in question and conduct a thorough search for suspects or illegal material. This required discipline and nerve because the troopers never knew what to expect or what they would find.

A good example of a search and seizure operation was carried out on 18 December 1946, code named Operation DUCK. It was directed at a DP camp at Wildflecken, a former SS training center about 10 miles south of Fulda. The camp was the largest of its type in Germany, housing more than 15,000 Poles in 60 or more barracks. The US Constabulary had received word of increased crime at the camp, including murder, rape, assault, and black marketing, and there were reports of anti-American propaganda being displayed. Concerned that a lack of response would mean the loss of respect for the occupation forces, the US Constabulary was directed to search the camp. Constabulary headquarters assigned the 14th Regiment, 3d Brigade to search the camp. Two troops from each of the regiment's three squadrons were employed for that purpose. Five troops from the 68th Squadron, 1st Brigade were attached to support the operation. The total force numbered about 1,600 men.[31]

The plan for Operation DUCK was simple. The troops from the 68th Squadron would cordon off the entire camp to prevent any escapes. The remaining three squadrons of the 14th Regiment would each search one-third of the camp. The light tank company, without tanks, furnished men to guard any prisoners or contraband that was seized. The regimental motorcycle platoon provided traffic control. The search would focus on finding any weapons, and then priority was placed on black market items and wanted persons in hiding. Lists of these persons were distributed to the search teams in advance. There was no way to judge the camp inhabitants' reaction to the raid. The regimental intelligence officer's assessment ranged from armed resistance by a few individuals to a full-scale riot. Accordingly, the horse platoon stood by for riot duty armed with night sticks and equipped with tear gas and protective masks. The local medical facilities were designated as collection points for the wounded, and the 14th Constabulary Regiment medics were ready to treat and evacuate wounded personnel.

The emphasis on secrecy was great, and the calculated risk was made not to conduct a reconnaissance of the camp, lest it arouse suspicion. The troopers had diagrams the Germans provided of the camp but little to no firsthand knowledge of the camp.

The actual search of the camp was planned as well. Each squadron was to form four search teams that would enter each building. There they would locate the building leader and hand him instructions written in Polish telling him to assemble all women and children in one room and instruct the men to stay in their own rooms. An officer, with witnesses present, would frisk the women for weapons and large items evident by sight or light touch. When this was completed the troopers would frisk the men and thoroughly search the rooms for weapons and contraband. Troopers would take any prisoners to a screening center that was run by eight men and 10 guards under the squadron intelligence officer. Those apprehended would be checked against the wanted person list and either handed over to the German police or released. If the DP was guilty of a small infraction not warranting the cost of a trial, such as possessing a few extra cigarettes, the contraband would be confiscated and the suspect released.

The US Constabulary troops executed Operation DUCK at 0700, 18 December, establishing the cordon and then achieving complete surprise in the camp. The weather was very cold, and the DPs and UNRRA team were jolted out of their beds as the dozens of US Constabulary vehicles arrived and disgorged well-armed troopers. Resistance was almost nonex-

istent and limited to verbal indignation. There were no riots or weapons firing. The search went according to plan.

The results of this meticulously planned raid were meager. Only 15 people were arrested. There were a few weapons, some drugs, and some contraband livestock; about $1,000 worth of illegal foodstuff; and about $500 of US Army property. Two items of quantity seized were a 100-gallon barrel of schnapps and 12 stills. This raid turned out to be one of the most successful of its type that the US Constabulary conducted. Although the results seemed meager at first, the crime rate in the area dropped to virtually zero for over a month and earned the local population's gratitude. The US Constabulary went on to conduct many such search and seizure raids, following the pattern of planning and getting about the same results as Operation DUCK. Whether the black marketers were just too clever or were not as widespread as believed will never be known, but the US Constabulary showed the Germans and DPs that there would be law and order.

Figure 9 was compiled from analyzing the annual reports presented in the *Occupation of Europe Series, 1945-1947*. Clearly the numbers of search and seizure operations peaked, then declined as the US Constabulary units dedicated fewer men and less effort to them. This occurred chiefly due to

Month	Operations	Troops Used	Arrests
Jul 46	11	639	104
Aug 46	11	1,403	287
Sep 46	19	1,674	348
Oct 46	13	2,127	342
Nov 46	10	4,748	232
Dec 46	8	2,518	60
Jan 47	3	232	5
Feb 47	1	29	1
Mar 47	1	215	73
Apr 47	1	572	48
May 47	0	0	0
Jun 47	0	0	0
Total	78	14,157	1,500

Figure 9. Search and seizure operation statistics.

the DPs returning to their country of origin and the newly constituted German police force's ability to assume more of these missions. The number of troops used is somewhat misleading as the number of soldiers assigned to a particular search and seizure operation could vary widely.

Maintaining the Border

Maintaining the borders was another important element in securing the US Zone of Occupation. Before, and for months after, the declaration of V-E Day, a fluid situation resulted in various units guarding whichever borders or boundaries happened to be in their areas of operation. Essentially, combat units provided area security or guarded the border using soldiers to occupy various border posts and set up roadblocks. Small mobile motorized patrols from the infantry divisions were used to maintain security in outlying districts of the US zone. Many divisions on occupation duty before redeployments effected local reorganizations that created such mobile forces for this duty, but these patrols received no specialized training.[32]

Most of the people attempting to cross the international or interzonal borders were ordinary Germans who were looking for food or lost relatives. Most of them also emanated from the Soviet zone. Those that the US Constabulary apprehended were taken to the nearest Office of Military Government for questioning. They could then be prosecuted, fined and/or jailed, or simply returned to the border and sent back. But whether they simply sought family members, wanted to conduct legal or illegal business, or were fleeing communism, in the first year after the war there was little to physically dissuade them from trying to cross into the US zone.

As the months went by the border became well marked, with white posts and *Landes Grenze* signs. "Attention 50 Meters to the Border" signs were added in time as well as the 1-kilometer warning signs. With the heightening of the Cold War and the need to stop the flow of people fleeing communism, the Soviets tightened control over their zones of occupation by constructing extensive physical barriers. They cleared a strip several yards wide along the borders and strung three rows of barbed wire to prevent unauthorized crossing. Hundreds of watchtowers were erected as well. Over the years these Soviet control measures increased in effectiveness as they were systematically improved.[33]

In the US zone the US Constabulary replaced the soldiers of the departing combat divisions at most of the border control posts beginning in June 1946. On the border the troopers performed their duties of customs

inspection, passport control, and general law enforcement. Experience soon reaffirmed that the static posts were ineffective, being easy to evade by border crossers. These resilient people who desired to cross the border were adept at finding gaps in the coverage and slipping past the Constabulary troopers. This was not actually hard to do in the early years after the war because there were too few troopers to guard the long borders. A typical squadron was responsible for approximately 78 miles of border. With the available personnel strength divided between a variety of ongoing missions, maintenance, and recovery, there were generally only 53 men on duty along the squadron's border at any given time. Even assuming a 56-hour workweek, this meant a ratio of .68 men per mile of border, which was hardly enough to stop the flow.[34]

Consequently, a system of intensive patrolling by ground and air began between the posts to seal off the porous borders. The problem of refugees and DPs crossing into the American zone was acute, particularly as greater personal freedom and economic activity in this zone became well known to the Germans. Some estimates claim that more than 1.6 million Germans from the Soviet zone crossed over the border in 1946 alone. The terrain along the border in the US zone compounded the problem of control. Much of the region was mountainous with poor roads that did not always run along the border.[35]

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Figure 10. US Constabulary troopers along the border.

The first plan the US Constabulary implemented was straightforward, that being a single line of 126 posts established along the border. One type was the "Authorized Crossing Point," where any authorized person could cross. The other type of outpost was the "Fixed Border Post," which blocked all other roads. All crossing sites and posts along the border of the Soviet zone and Czechoslovakia were manned by six or seven men. The outposts along the other interzonal and international borders used only two men. Supporting these men were reserve platoons that could reach any point in a sector within a half hour and a troop that could be there within 2 hours. The US Constabulary units used small spotter planes and even horses along the border to increase their ability to monitor the remote or inaccessible areas. The coverage was never perfect because desperate, wily refugees found ways past the most dedicated and alert troopers. But in August and September 1946 the US Constabulary turned back 46,000 persons trying to enter the US zone. This reflected the height of the border-crossing incidents, but they only slowly subsided over the course of several months.[36]

Despite this impressive number of people being turned back at the border, it was clear many were getting through. After studying the matter, the US Constabulary did away with regularly scheduled foot patrols and discontinued the fixed border posts. The manpower saved by these measures was then shifted to establish roving checkpoints operating up to about 1,000 meters behind the border. They would randomly appear, set up and operate for 4 to 8 hours, then move on. This change proved beneficial, as Germans could not overcome the system by simply mapping out the fixed posts and scheduled foot patrols and then plan the best way to avoid them. [37]

Perhaps more important than instituting border patrols was the increased use of German border police, the *Bundesgrenzshutz,* and the Hessen and Bavarian Border Police. This development began in late 1946 with the military government's permission. The Germans were given primary responsibility for securing the eastern international border in March 1947, and by November they took over the interzonal borders as well. Although this freed the US Constabulary of its most manpower- and time-intensive missions, the troopers still had a mission along the borders. The US Constabulary continued to man eight crossing points to monitor and control Allied personnel crossing, over which the Germans had no control. Troopers manned these outposts.[38]

Reorganization

The US Constabulary units' initial training focused on occupation and

police duties at the expense of combat readiness, but that situation began to change within a few months of their activation. By the time the US Constabulary was organized and trained in 1946 the German authorities were demonstrating increasing capability of maintaining law and order. Additionally, tensions increased between the Soviets and Western Allies, making the threat of war very real. In 1947 MG Withers A. Buress assumed command of the US Constabulary and began a gradual shift from police missions to tactical training. The year 1948 marked the last major reorganization of the US Constabulary as its personnel and equipment strengths were cross-leveled and balanced with the 1st Infantry Division, making them both about normal division strength.[39] Late in that year the 2d Constabulary Regiment took part in a maneuver exercise at Grafenwöhr with the 1st Infantry Division. The rest of the Constabulary was given tactical training separately, but the trend was established and grew. As the need for the US Constabulary diminished with the recovery of German society and the economy, the Constabulary's mission and organization changed to meet the new demands. For example, Constabulary units assigned to operate prisoner of war and refugee centers were disbanded as those facilities were emptied.

Another more radical example occurred as US Constabulary units reorganized as combat units during the 1948 Berlin Airlift in response to the threat of a Soviet invasion. Three of the nine regiments were quickly refitted as armored cavalry regiments and equipped with more M-8 armored cars and additional infantry heavy weapons. These now had a combat mission but were still considered part of the US Constabulary. The rest of the US Constabulary continued its "traditional" mission, but increasingly even these forces shifted from police functions to training for war and were redeployed to the border areas. Forces were continually and gradually cut from the organization to cross-level into existing combat formations.

By 1948 these moves were considered safe as the German police and government were reconstituted and functioning. A major reduction of this type occurred in 1949 when the 4th Constabulary Regiment was inactivated, followed by the US Constabulary headquarters the following year. The personnel in this move were transferred to the new Seventh Army headquarters, marking the US Constabulary's formal transition from an occupation force to a defensive force. The remaining Constabulary squadrons and regiments over the next few years reorganized into armored cavalry regiments, maintaining a presence on the international border until they were removed from the US Constabulary force structure in 1952. This marked the formal end of the US Constabulary and the end of an era

for postwar Germany. Armored cavalry regiments continued to control the border, however, but with the wartime mission to provide a defensive screen for corps elements should the Soviet armies cross the border.[40]

The occupation of Germany after the war is perhaps the best example of the United States forging a peace after the total defeat of an enemy. However, this operation was not flawless. It took nearly a year for the US Constabulary to form, train, and replace the combat units conducting patrols and policing the border. Also, vehicles designed for combat did not necessarily prove ideal in Constabulary operations. Tanks and armored vehicles were good as a show of force but were far less effective in countering black marketers or screening refugees along the border. On the other hand, the US Constabulary proved adept at employing observation aircraft, motorcycles, and even horses to maximize its limited manpower when covering large tracts of land and miles of border.

If there is a detracting statement to be made of the US Constabulary, it is that it took a full year from the cessation of hostilities to its creation into an operational organization. Those 12 months saw the greatest threat of the much-feared German resistance movements and the largest number of DPs in the zone of occupation. The need was greatest then for the US Constabulary, but it was still being organized, manned, and equipped at that time. The efforts at raising the Constabulary were extraordinary, but almost came too late. By summer 1946 it was clear that there would be no resurgence of a Nazi movement, and many of the DPs were resettled or soon would be. Black marketing still flourished, but as German law enforcement agencies were rebuilt and the economy began to recover, this aspect of the occupation diminished as well. The same could be said for the border mission as agencies such as the *Bundesgrendschutz* assumed much of the responsibility as time progressed. By 1948 the US Constabulary's original mission was greatly diminished, and the transition to preparing for combat began. By the time of its formal disbandment in 1952, the US Constabulary had achieved its purpose and its time had come.

These deficiencies were far overshadowed by three key points. Most noteworthy, officers and men of the US Constabulary were specifically trained for their assigned duties. Before assignment to a patrol each man had graduated from the Constabulary School at Sonthofen and knew the contents of the *Trooper's Handbook*. Each man knew what was expected of him as well as the scope and limits of his authority. The German populace also realized that these Americans were professional and fair and grew over time to respect them. Second, using German policemen in Constabulary patrols was indispensable in conducting the mission and overall goal

of rebuilding Germany. Not only did these policemen provide invaluable linguistic support but the training and experience gained also established the new German police forces in the eyes of the people. Gone forever were the days of the SS and Gestapo. Third, the Germans were a homogenous society. What policies and procedures worked in one area usually produced results in another, making the troopers' jobs much easier.

The US Constabulary also had the respect of the senior leadership in the Army, which entrusted it for special and sensitive missions beyond law enforcement. When General Dwight D. Eisenhower, then serving as Chief of Staff, visited Germany, it was the US Constabulary that was responsible for his security. In mid-1948 the Allied Powers decided to issue new German currency in an effort to deal a blow to black marketing. Under Operation FINITE, troopers escorted the convoys carrying the new bills under great secrecy from their arrival point in Hamburg to the *Deutche Bank* in Frankfurt. The oddest mission for this organization was perhaps the task to demolish ex-*Wehrmacht* installations. Army engineers had this task originally, but there were too few of them after demobilization. The US Constabulary inherited this mission and used 20 teams to carry it out. Each team was to destroy five objectives per day, but the teams could never keep that pace. By the end of June 1947 only 244 of some 1,500 installations were destroyed. Of those remaining, the US Army decided to keep 519 and destroy 766. The process was completed by August 1948.[41]

Perhaps most important, the US Constabulary had the respect of the German people. The Germans called the troopers the *Blitzpolizei* or Lightning Police. They were referring not only to their patch insignia but also the perception that they were everywhere at all times. An ever-present, professional force, the troopers of the Circle C enforced the law and bridged the gap between the occupiers and vanquished until Germany could maintain law and order for itself. The US Constabulary existed as an organization for only six years, but it was a story of success. It had accomplished the mission of ensuring the successful American occupation of Germany and the lasting peace that followed.

Solutions in the Making

World War II created a prevalent American attitude upon the termination of military conflict. Through a macro view, the successful termination of this war occurred chiefly because Germany met devastating defeat resulting in the wholesale destruction of all major cities, millions of casualties, and the specter of Soviet rule. The Germans simply counted on the United States and its Western Allies to help establish law, order,

and security until the Germans could reconstruct their country. Although the occupation of Japan also met success, the same cannot be said of the other liberated areas. Formerly occupied by the Japanese, many countries of Southeast Asia took years to come to peace, if at all. In Europe, Greece suffered a civil war, and the area of former Yugoslavia is still wracked by frequent conflict. On a micro view, it was the efforts of thousands of American troops in the US Constabulary that established the conditions for peace. Through their efforts they provided the security needed to promote the rebuilding of Germany's political and economic infrastructure.[42]

The perception among military professionals and historians of the relative success of postcombat operations varies widely, but there is room for optimism. Occupation missions the US Army has conducted in recent years include those in Bosnia, Kosovo, Afghanistan, and Iraq. Although not formally reorganized as a Constabulary, US Army units conducted many of the same missions as the US Constabulary in Germany did. These operations have produced a growing cadre of officers and soldiers who have learned the hard lessons firsthand and who will in turn pass them down to future generations. These personnel are increasingly employed at US Army training centers that also have added postcombat operations to their curriculum and training programs. At higher levels in the Army, officials are reviewing equipment upgrades and reorganization to increase units' ability to conduct post-hostility missions. There is indeed some discussion at the time of this writing for establishing a rapidly deployable unit that is trained, equipped, and dedicated to constabulary operations. However, many in the US Army reject the idea of deploying security forces that lack combat training and equipment. Forming a US Constabulary in the near future seems highly unlikely.

The US Constabulary has been largely overlooked by historians, but it serves as a relevant model for future applications. For two years it was the primary police authority in a disrupted and devastated country. The troopers were prepared to counter any significant anti-American or pro-Nazi outbreaks. Since these did not occur the US Constabulary adapted quickly to controlling DPs, conducting law enforcement, and enforcing the border. Being a mobile, adaptive, elite force, the US Constabulary was also called upon for missions beyond its original conception. MG Harmon, writing in 1948, expressed a prophetic and accurate evaluation of the US Constabulary:

> It is my opinion that as time goes on, you will see the Constabulary gradually fade out of the picture and be turned back into some combat unit, possibly an armored

> division, and the police of the Zone completely turned over to the Germans. When that time comes, we will have to look upon the Constabulary as a brief interlude when a special force was developed for a certain definite purpose which had great effect on establishing law and order in the Zone and the revision of standards or discipline and appearance of American troops in Germany.[43]

The United States is currently engaged in a global war on terrorism, a war that will take many years and may or may not see the US Army occupying yet another country. If and where that occurs, postcombat operations are an inevitable responsibility at the conclusion of a campaign. Tasks the military uses to transition to peace are skills not easily learned and are quickly forgotten. The US Army must prepare for the postcombat period of any war, defining clear responsibility for the doctrine, detailed coordination, force requirements, and technologies required to efficiently mount these operations. These facets are an integral part of any military campaign in which American forces are required to seize territory, either to free an occupied country or to dispose of an enemy regime. The end of World War II in Germany affirms this. Through mobility, vigilance, and justice, the United States Constabulary was a highly visible symbol to the Germans and a key element in winning the peace. The lessons learned from that experience will serve the soldiers of today and tomorrow.

Notes

1. John D. Passos, "Americans Are Losing the Victory in Europe" *Life Magazine*, 7 January 1946, 22-24.

2. *The United States and Germany, 1945-1955* (Washington, DC: US Government Printing Office, 1955), 2-3, hereafter cited as *The United States and Germany*. Of course the Soviet Union formed a communist bloc later called the Warsaw Pact, to which East Germany belonged.

3. Ibid., 6. See also John G. Ruggie, *Winning the Peace*: *America and World Order in the New Era (*New York: Columbia University Press, 1996), 4, 28. The White-Morgenthau group proposed that Germany be stripped of its industry and reduced to a pastoral economy.

4. Oliver F. Frederiksen, *The American Military Occupation of Germany, 1945-1953* (Heidelberg, GE: Headquarters, US Army Europe, 1984), 1-2. Chief of Staff, Supreme Allied Commander (COSSAC) was absorbed into the G5 section of the newly organized Supreme Headquarters, Allied Expeditionary Force (SHAEF) in January 1944. See also Donald R. Witnah and Edgar L. Erikson, *The American Occupation of Austria* (Westport, CT: Greenwood Press, 1985), 21-22. Military occupation planning did occur as early as 1942 under the Department of State, which established a full-time research unit intended to develop postwar policy. These and subsequent efforts focused on policy and the establishing military governments. The concept of a formalized US Constabulary was born in the last months of the war.

5. Frederiksen, 1-4, 56-57. ECLIPSE was a "working document" up until its implementation, with many changes during its writing. SHAEF later became the Supreme Headquarters, Allied Powers Europe (SHAPE).

6. *The United States and Germany*, 7-9. See also Harold Zink, *The United States in Germany, 1949-1955* (New York: D. Van Nostrand Co., 1957), 5-7 and 92-96.

7. Petra Goedda, *GIs and Germans: Culture, Gender, and Foreign Relations, 1945-1949* (New Haven, CT: Yale University Press, 2003), 50, 52. Ironically, the *Pocket Guide to Germany* actually assisted soldiers in violating the fraternization ban by providing a handy phrase and language guide. See also Fredericksen, 130-31.

8. Zink, 88-89. The Western Allies were far more conciliatory toward Germany than the Soviet Union, but all Allies agreed initially that Germany should be rendered unable to conduct war.

9. Frederickson, i. Harold Zink's book dedicates a chapter to military governments in postwar Germany. It is beyond the scope of this work to delve further into the topic.

10. Earl F. Ziemke, *The US Army in the Occupation of Germany, 1944-1946* (Washington, DC: US Army Center for Military History [CMH], 1990), 321. Thousands upon thousands of American soldiers became very familiar with this

area of Germany in the decades following the war.

11. Frederiksen, 65-66. See also Zink, 136-37. The situation in Germany shocked many American soldiers. The devastation, poverty, and despair were tremendous.

12. Frederiksen., 61 and Zink, 104-107. The Soviets initially were quite happy to dispose of displaced persons to the western zones. This policy changed as large numbers of skilled workers began to flee communism.

13. Goedde, 44-47, 57-58, 60-61. Officers had greater opportunities to associate with civilians and often set a bad example for the troops by frequently violating the directive. Many soldiers in turn followed their example. Also, as it became clear that the occupation would be a long one, most planners realized that a total nonfraternization policy would not work.

14. Zink, 122-24. Again, this is the definitive work on the civil-military governments of the period.

15. Frederiksen, 66-68. Although the SHAEF staff had planned for an occupation for some time, the 4th Armored Division did not get notified officially until nearly the end of the war. The cavalry groups got even less notice.

16. *Occupation in Europe Series*, Part One (Frankfurt, GE: Office of the Chief Historian, 1945), 123-24, 142, hereafter cited as *Occupation in Europe*. The original force was intended to be 363,000 men, but by November 1945 it was clear that these forces were not necessary. This is an excellent source for day-to-day operations of the US Constabulary. Perceptions and trends are incorporated throughout this work.

17. *Occupation in Europe*, Part One, 125. Some sources contend, too, that the completion of the spring harvest was a factor in this decision. After the harvest the Germans would be fed and less likely to cause trouble during this critical period of transition.

18. Harmon's life and career data were extracted from Ernest N. Harmon with Milton and William R. Mackaye, *Combat Commander: An Autobiography of a Soldier* (Englewood, NJ: Princeton-Hall Publishing, 1970). Ernest Harmon was born on 26 February 1894 in Lowell, Massachusetts and graduated from West Point in 1917. He had served as the commanding general of the 1st Armored Division in North Africa and Italy. In 1944 he commanded the 2d Armored Division before assuming command of XXII Corps. After establishing the US Constabulary, Major General (MG) Harmon served as Commanding General, US Third Army, and Deputy Commanding General, Army Ground Forces. His soldiers called him "Old Gravel Voice." He retired from the US Army in 1948 and died on 13 November 1979.

19. *Occupation in Europe*, Part One, 124. The total figure is based on the table of allowances for the US Constabulary. Personnel figures fluctuated wildly for the first year or so, with the number of troops on hand usually far below authorized levels.

20. Ibid., 127. There was a level of discontent and frustration as soldiers expert in one field were retrained as Constabulary troopers.

21. Harmon, 147. Surprisingly, there seemed to be little thought to identifying and assigning bilingual American soldiers to the US Constabulary. Conversely, the US Army Counter-Intelligence Corps did. Perhaps that organization siphoned off all of those qualified soldiers leaving none for the US Constabulary. See also Frederiksen, 55. Foreign nationals used in such a way would be entitled to a salary. Funding for this was a sensitive issue. Many Americans did not care to see their tax dollars spent on their former enemies' salaries.

22. Brian A. Libby, *Policing Germany: the United States Constabulary, 1946-1952*, dissertation (Ann Armor, MI: UMI Dissertation Services, 1977), 149. This personnel turnover rate was devastating to training and unit cohesion. It would not stabilize for nearly a year.

23. *Occupation in Europe*, Part One, 138, 142.

24. Earl F. Ziemke. *The US Army in the Occupation of Germany, 1944-1946* (Washington, DC: CMH, 1990), 397-98. There was fierce competition for the new personnel between the Constabulary and the combat units in theater. Replacements were likely to get siphoned off or diverted to other units in need.

25. Ibid., 339. The US Constabulary School closed in late 1948. The *Trooper's Handbook* primarily addresses individual police tasks such as making arrests, searches, and the need to maintain high standards. Some of the procedures would land a soldier in hot water in today's Army.

26. Frederiksen, 66-69. Once the units were fielded and assigned to their cantonment area, it was considered fully qualified. With the high personnel rotation rate, all units had to repeatedly retrain on all tasks.

27. Libby, 116-18. Although not as famous as George S. Patton, Jr., Ernest Harmon and he were much alike.

28. Ibid., 120. Show of force parades probably did not impress the Germans much. The Germans had seen 12 years of military display by the National Socialists that were probably superior to anything the Americans offered in size, precision, and power.

29. Fredericksen, 69-70. The US Constabulary could act on tips, but it still needed authorization to conduct such raids. See also Libby, 82.

30. Ibid., 10-13. The first UNRRA teams were functioning as early as March 1945. See also Zink, 124-25.

31. Libby, 82-87. The description of Operation DUCK in these paragraphs comes from this work.

32. William E. Stacy, *US Army Border Operations in Germany, 1945-1983*

(Heidelberg, GE: US Army Europe Military History Office, 1984), 24-29. See also Ziemke, 341.

33. Ibid., 83.

34. Libby, 65-66.

35. Stacy, 29-30. Border patrols were maintained until the Iron Curtain was dismantled in 1990 and 1991. The 2d and 11th Armored Cavalry Regiments were the last to perform this mission.

36. Libby, 67-68.

37. Ibid., 68.

38. Ibid., 68-69.

39. *Occupation in Europe*, Part Four, 342-43. The other two commanding generals of the US Constabulary were MG Louis Craig and MG I.D. White. Craig commanded for less than a month before becoming the Inspector General, US Army. See also Fredericksen, 69-70.

40. Ziemke, 321. Within a year after the end of the war, only the 1st Infantry Division, the US Constabulary, and several separate infantry battalions remained in Europe. These totaled some 104,316 soldiers, down dramatically from the 30 June 1945 figure of 1,893,197. See also *The United States and Germany*, 22-24.

41. Libby, 113 and Frederiksen, 116-17. The US Army still uses many of these buildings today.

42. Daniel P. Bolger, *Savage Peace: Americans at War in the 1990s* (Novato, CA: Presidio Press, 1995), 75-78. See also Libby, 121.

43. Quoted from MG Harmon's papers and cited in Libby, 140. Harmon makes such sentiments in his autobiography, but the quote is not included.

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Appendix A
Constabulary Unit Designations

Original Designation	Constabulary Designation
HHC, VI Corps	HHT, US Constabulary
HHC, 4th Armd Div (4AD)	HHT, 1st Constabulary Bde
HHC, Combat Cmd A, 4AD	HHT, 2d Constabulary Bde
HHC, Combat Cmd B, 4AD	HHT, 3d Constabulary Bde
1st Constabulary Regiment	
HHC, 11th Armd Group	HHT, 1st Constabulary Regt
11th Armd Inf Bn, 1AD	11th Constabulary Sqdn
6th Armd Inf Bn, 1AD	12th Constabulary Sqdn
91st Armd Field Arty, 1AD	91st Constabulary Sqdn
2d Constabulary Regiment	
HHT, 2d Cav Gp (Mech)	HHT, 2d Constabulary Regt
2d Mech Cav Sqdn (Separate)	2d Constabulary Sqdn
42d Mech Cav Sqdn (Separate)	42d Constabulary Sqdn
66th Armd Field Arty Bn, 4AD	66th Constabulary Sqdn
3d Constabulary Regiment	
HHC, Combat Cmd A, 1AD	HHT, 3d Constabulary Regt
37th Tank Bn, 4AD	37th Constabulary Sqdn
68th Armd Field Arty Bn, 1AD	68th Constabulary Sqdn
81st Cav Recon Sqdn (Mech), 1AD	81st Constabulary Sqdn
5th Constabulary Regiment	
HHC, 6th Tank Destroyer Gp	HHT, 5th Constabulary Regt
8th Tank Bn, 4AD	8th Constabulary Sqdn
35th Tank Bn, 4AD	35th Constabulary Sqdn
474th Antiaircraft Bn (SP)	74th Constabulary Sqdn
6th Constabulary Regiment	
HHT, 6th Cav Gp (Mech)	HHT, 6th Constabulary Regt
6th Mech Cav Sqdn (Separate)	6th Constabulary Sqdn
53d Armd Inf Bn, 4ID	53d Constabulary Sqdn
10th Constabulary Regiment	
HHC, 10th Armd Gp	HHT, 10th Constabulary Regt
13th Tank Bn, 1AD	13th Constabulary Sqdn
4th Tank Bn, 1AD	72d Constabulary Sqdn
771st Tank Bn	71st Constabulary Sqdn

11th Constabulary Regiment

HHT, 11 Cav Gp (Mech)	HHT, 11th Constabulary Regt
25th Mech Cav Recon Sqdn, 4AD	25th Constabulary Sqdn
94th Armd Field Arty Bn, 4AD	94th Constabulary Sqdn
51st Armd Inf Bn, 4AD	51st Constabulary Sqdn

14th Constabulary Regiment

HHT, 14th Cav Gp (Mech)	HHT, 14th Constabulary Regt
10th Armd Inf Bn, 4ID	10th Constabulary Sqdn
22d Armd Field Arty Bn, 4AD	22d Constabulary Sqdn
27th Armd Field Arty Bn, 1AD	27th Constabulary Sqdn

15th Constabulary Regiment

HHT, 15th Cav Gp (Mech)	HHT, 15th Constabulary Regt
15th Cav Recon Sqdn (Separate)	15th Constabulary Sqdn
1st Tank Bn, 1AD	1st Constabulary Sqdn
14th Armd Inf Bn, 1AD	14th Constabulary Sqdn

Special Troops, US Constabulary

97th Signal Bn, 456 AAA Bn (SP)	97th Constabulary Signal & Constabulary School Sqdn

Source: James M. Snyder, *The Establishment and Operations of the United States Constabulary*, Washington, DC: US Government Printing Office, 52-54.

Armd—armored
Arty—artillery
Bn—battalion
Cav—cavalry
Gp—group
HHC—Headquarters and Headquarters Company
HHT—Headquarters and Headquarters Troop
Inf—infantry
Mech—mechanized
Recon—reconnaissance
Regt—regiment
SP—self-propelled
Sqdn—squadron

Appendix B
The Trooper's Handbook

The first edition of the *United States Zone Constabulary Trooper's Handbook* was published on 15 February 1946 and served as the basic training document for every soldier assigned to the constabulary. A reproduction of the *Trooper's Handbook* is included in this work to provide an indepth look at the constabulary's methodology and the standards to which the soldiers were trained. Even a cursory review of this document reveals the high level of proficiency, integrity, and initiative required of all members of this organization. The grammar, punctuation, and jargon of the day are preserved throughout this reproduction.

Modern commanders may find a number of paragraphs quite useful in occupation operations in the present day. Caution is urged, however. This book was written almost 60 years ago, and no doubt regulations and legalities have changed. Check with the local Staff Judge Advocate office before implementing any of these procedures.

HEADQUARTERS
U.S. ZONE CONSTABULARY
APO 66

15 February 1946

This handbook contains most of the information which you will want to know as a member of the U.S. Zone Constabulary. It emphasizes the police duties of the trooper. It gives references to War Department Field Manuals and other publications which discuss these subjects in greater detail. In short, it introduces you to your duties as a trooper.

By Command of Major General HARMON:

LOUIS ZUCKERMAN
Lieutenant Colonel, A.G.D.
Adjutant General

TROOPER'S HANDBOOK

CONTENTS

TROOPER'S HANDBOOK

CHAPTER 1
THE U.S. ZONE CONSTABULARY

1. The Zone Constabulary is a strong, mobile, military organization, formed and trained to police the entire U.S. Zone of Germany and Austria.

2. MOTTO.

Mobility, Vigilance, and Justice.

3. AUTHORITY AND POWERS.

a. Authority. The U.S. Zone Constabulary derives its authority from the Commanding General, Third U.S. Army, who in turn receives it from the Commanding General of the United States Forces in the European Theater.

b. Powers. Members of the U.S. Zone Constabulary have all the powers of the Military Police. They are empowered to arrest any person, regardless of nationality, affiliation, or rank of that person, within the U.S. Zone of Germany (Austria). They have unlimited powers of search and seizure within the U.S. Zone of Germany (Austria). The exercise of these broad powers of arrest, search, and seizure shall be based only on official, reasonable grounds. Abuse thereof will not be tolerated.

4. MISSION.

The Zone Constabulary will maintain general security within the United States Zone of Occupation in Germany (Austria).

5. DUTIES.

The Zone Constabulary will maintain an active patrol system prepared to take prompt and effective action to forestall and suppress riots, rebellion, and act prejudicial to the security of the U.S. occupational forces. Its other duties will be the following:

a. To operate permanent and temporary road blocks.

b. To participate in planned raids.

c. To cooperate with the established U.S. and German (Austrian) law enforcement and recognized investigative agencies.

d. To execute other duties which may be necessary in carrying out the mission.

e. (1) To assist in conducting individuals arrested by authorized United States agencies to the appropriate place of detention.

(2) To assist in apprehending persons and seize property as requested by authorized United States agencies.

(3) To assist in maintaining liaison service by radio or courier between Counter Intelligence Corps officers and Zone Constabulary headquarters.

6. ORGANIZATION.

Approximately 38,000 troopers, organized into Constabulary brigades, regiments, squadrons, and troops, comprise the Zone Constabulary. It has its own communications and supply elements.

7. THE ZONE CONSTABULARY'S RELATIONS WITH OTHER FORCES.

The Zone Constabulary will support and reinforce, but not replace, do the work of, or interfere with the usual U.S. and German (Austrian) law enforcement agencies. To obtain a full understanding of the Zone Constabulary, it is advisable to know the duties of other forces with which the Zone Constabulary will have to deal.

8. MOBILE RESERVE.

Tactical troops are to be held as a Mobile Reserve under Army control. The Zone Constabulary in Germany is under the same command, as our Commanding General also answers directly to the Commanding General of the one Army in Germany. The Mobile Reserve must be ready to take the field to suppress any major uprising or resistance to U.S. authority, which is too great for the Zone Constabulary to handle. The Mobile Reserve's principal duty will be to train and maintain itself in a state of readiness to perform this function. It is to have no other important mission after the Displaced Persons and Prisoners of War have been eliminated.

9. MILITARY GOVERNMENT (MG).

a. Military Government is the U.S. organization which first set up and now supervises the German government in the U.S. Zone of Germany. It came into Germany with our victorious armies and set up shop in every important city and town as fast as they were conquered. Military Government supervises practically all German civil officials from those of the small village to those of the large states like Bavaria. It reorganized the German police, furnished them arms, and now holds them responsible for law enforcement and maintenance of order. The present German police are thus the particular responsibility of Military Government, which exercises its supervision through Military Government Public Safety Officers.

b. Military Government also exercises supervision over German

mayors (Burgermeisters), courts, industry, banks, schools, agriculture, fire departments—in fact all German public officials. As time goes on, U.S. policy provides for local German officials to take more and more responsibility, as they demonstrate their ability and their willingness to carry out our policies.

c. Thus it is the duty of the Zone Constabulary to support Military Government by maintaining peace and order in our zone in Germany (Austria), but it has no authority to interfere with the work of Military Government officers. A great deal of useful information can be obtained from Military Government officers, as they live and work on the spot and know the local people and local problems. Every effort will be made by troopers to develop friendly relations with these officers. They, in turn, are largely dependent on the Zone Constabulary for protection and support, and will welcome close relationship with it. If serious trouble threatens, Military Government officers will be quick to call on Zone Constabulary for help, and such assistance will be given promptly.

10. MILITARY POLICE.

a. The Military Police are the military law enforcement agency of the Army. Their primary duties are to maintain order and good behavior on the part of U.S. troops, prevent friction between military personnel and civilians, direct and control military traffic, guard prisoners of war and U.S. property and installations, and in occupied territory to maintain order on the part of the civil population. The Military Police operate under the direction of the Provost Marshal, who makes arrangements with the local Military Government Public Safety Officer for cooperation with local German police, with whom the Military Police frequently share the duties of maintaining order and control of traffic. Conducting raids, operating road blocks and check-points, as well as seizing weapons and other contraband articles are other duties of the Military Police.

b. The Military Police are also an excellent source of information. The Zone Constabulary will therefore maintain close and cordial relations with the Military Police and be ready to give prompt assistance to them on request.

c. The duties of the Military Police and Zone Constabulary will produce frequent contacts between the two agencies. To avoid friction, it is imperative that the Zone Constabulary bear in mind its function to support and reinforce (that is, assist) the Military Police, without taking over Military police functions, except when and where there are no Military Police available. When this occurs, the case should be turned over to the Military Police as soon as possible.

11. COUNTER INTELLIGENCE CORPS (CIC).

a. The Counter Intelligence Corps, or CIC, investigators operate under G-2 (Theater Intelligence Division). They may wear enlisted men's uniforms, officers' uniforms, or civilian clothes. Their primary duty is undercover investigation of any persons and activities which are a threat to the security of the U.S. Army of Occupation or to the policies of the U.S. Government in the occupied territory. They have paramount interest in cases of subversion, sabotage, and espionage. They investigate anybody who may be involved in these activities against U.S. interests.

b. The missions of the Counter Intelligence Corps are as follows:

(1) Secure the United States interests in the European Theater against espionage, sabotage, and subversive activities.

(2) Destroy the remnants of the German intelligence service and affiliated security and secret police organizations.

(3) Locate and apprehend specified war criminals, suspects, and witnesses.

(4) Assist in the dissolution of the Nazi party and its affiliates.

c. The CIC is an excellent source of information for the Zone Constabulary, which does not normally engage in undercover investigation. Thus the duties of the two agencies do not conflict. Close contacts will be maintained with the CIC for obtaining information of any prospective riots or insurrection or other matters of security interest. In its task of collecting information the CIC may call on the Zone Constabulary for aid in making raids and extensive searches and in the apprehension of wanted persons. Such cooperation will be extended by the Zone Constabulary. In any joint operation, clear-cut arrangements as to the duties and responsibilities of each case will be made in advance.

12. CRIMINAL INVESTIGATION DIVISION (CID).

Criminal Investigation Division, or CID, operates under the Provost Marshal. Its duties are to investigate crimes involving US soldiers and officers, crimes committed both by them and against them. Its work often includes investigation of Germans and other foreigners. Therefore, the CID will frequently gather information of value to the Zone Constabulary, the Military Police, and the CIC. Accordingly, the Zone Constabulary, which also will occasionally pick up information of value to these and other agencies of the Army, must maintain close and cordial relations with all of them, exchanging information of interest. The Zone Constabulary may, while on patrol, observe a crime committed by, or against, a member of the US Army, and troopers will take such action on the spot as circumstances

require, in order to arrest suspects, detain or identify witnesses, and seize evidence. Let us suppose that troopers find the body of a U.S. soldier who has been murdered. They place a guard on the scene to prevent any unauthorized person from approaching closely and tampering with the body, leaving tracks, or otherwise destroying evidence of the crime. They then send word to the nearest Military Police or CID detachment. Meanwhile the troopers identify and question people in the immediate vicinity and detain all persons who are suspected of having any knowledge or information relative to the crime. Upon arrival of CID or Military Police investigators, the troopers turn the case over to them.

13. GERMAN POLICE.

a. In the U.S. zone of Germany, Military government has reorganized the German police into several types: Rural Police, similar to State Police in the United States; Municipal Police, in cities and towns; Border Police, to patrol the borders; and other special police, as for railroads, waterways, and forests. Gemeinde (towns and villages) of less than 5,000 population may be policed by the Rural Police (called Landpolezei in German), or they may have their own town police. In the reorganization of German police, Military Government has insisted on the removal of Nazis and militarists. The German police are forbidden even to salute their own superiors, as the salute is primarily a military courtesy.

b. The German police carry out all the usual police duties among the German people. By arrangement they share traffic control with the Military Police, gradually taking over more and more of this duty. They investigate crimes. They patrol their "beats," just like the police do in the United States. While the reorganization has necessarily brought a great many new, inexperienced recruits into German police forces, they are undergoing schooling and are steadily improving in the performance of their duties, in which the average German policeman takes great pride.

c. Aside from the fact that the Nazis misused and corrupted the German police, in order to gain and hold control over the German people, it must be remembered that the German police were among the best in world in the performance of police duties and in scientific criminal investigation. They have a tradition of highly capable service, which for many years attracted some of the best brains in the nation to police work. It was common, before the war, to find many men with advanced university degrees serving in technical and high administrative positions in German police forces. The German police are forbidden to arrest any members of the Allied Forces, including civilians attached to such forces. If such persons commit violations of law the German police are required (by Military

Government law) to report such cases to Military Government, which in turn reports them to the Military Police or other appropriate agents of the United Nations military forces. However, it must be remembered that our military policy requires all U.S. military and civilian personnel to obey the directions of German police. Our armies have issued orders to that effect. It is clearly the policy of the U.S. to uphold the authority of the reorganized German police, and it is the duty of the Zone Constabulary to cooperate with and uphold the authority of German police unless the latter show that they are unworthy of such support. If that should occur, it would ten be the duty of the Zone Constabulary to report the case promptly to the Military Government Public Safety Officer, who is responsible for supervising the German police department concerned. Such cases probably will be rare.

d. On the other hand, the Zone Constabulary will not do the work of the German police nor interfere with them in the performance of their duties. To do so would destroy the initiative of the German police and make the task of the Zone Constabulary more difficult.

e. Let us take an example. On patrol you observe a German breaking into a German food store. You arrest him on the spot, detain any German witnesses, and turn the suspect and witnesses over to the nearest German police station. If the store has actually been broke into, a trooper stands guard (to prevent further entry) until the German police or owner arrives to secure the premises. This is clearly a case where the U.S. has no direct interest other than to support and assist the German police.

f. Now suppose that instead of a German food store the break was on premises containing U.S. property. Here the U.S. has a direct interest. Either the criminal would be turned over to the Military Police or he may still be turned over to German police, but if so, the case would be promptly reported to the local Military Government Public Safety Officer so that he may see that proper charges are preferred and the case is prosecuted.

g. In every case where a prisoner is turned over to the German police, the trooper will fill out form MG/PS/G/4. This form, printed in both English and German, is on hand at all German police stations. It is called an “Arrest Report” and provides spaces for all pertinent information on the arrest. This form may be used in court as a deposition, if the arresting officer is not available to testify in person at the trial. The German police are forbidden to accept a prisoner unless this form is filled out.

CHAPTER 2
OPERATIONS

14. DUTIES OF A TROOPER (GENERAL).

a. To be alert at all times when on duty.

b. To accept no gifts or favors in connection with the performance of your duty.

c. To use no more force than is necessary to accomplish your mission.

d. To be firm, but courteous, in the performance of your duty.

e. To be helpful to persons in distress.

f. To know the laws and regulations which you are required to enforce.

g. To know what to do at the scene of a crime.

h. To know how to make an arrest and search.

i. To know how to handle crowds and mobs.

j. To know how to operate and maintain efficiently all weapons and equipment assigned to you.

k. To know how to direct traffic and handle accidents.

l. To know how to give First Aid.

m. To know how to read a map.

n. To know how to patrol.

o. To know how to make a report.

p. To conduct yourself at all times in a manner to bring credit to the U.S. Zone Constabulary.

15. PERSONAL CONDUCT AND BEARING.

a. The trooper is a policeman as well as a soldier. You must have the good qualities of both.

b. General Dwight D. Eisenhower, Supreme Commander, Allied Expeditionary Force, in his Proclamation No. 1 to the people of Germany, said: “We come as conquerors, but not as oppressors.”

c. There is no profession on earth which requires more strength of character than the police profession. When a policeman fails to be a good policeman, it is almost invariably due to his lack of this quality—strength of character.

d. The policeman, more than any other public official or private citizen, is closest to the daily lives of the people. He represents the law and dignity of the government he serves. He understands people and the everyday problems of human life and sympathizes with them. Yet he must be strict and fair. How he conducts himself has a great bearing on how the average citizen respects the law and the government, city, state, or nation, as the case may be.

e. No class of public officials or private citizens are subject to greater temptations or greater criticism than policemen. How well he resists temptation and carries out his responsibilities is the measure of his character and of the degree or respect for law and order by the people in his community. No class of officials can less afford to make mistakes than policemen. His profession is definitely an honorable one.

f. In carrying out orders and in enforcing the law, you will be strict, fair, and decent. Your conduct will be closely watched by the citizens, and from your conduct they will draw the clues for their own conduct. For example, the well-trained trooper does not wear a scowl or act like a bully. Neither does he slap people on the back, "clown," or act in an overfriendly manner. All of these mannerisms would be interpreted by Germans as evidence of weakness. When on duty, you will talk to Germans only in line of duty and say no more than is necessary. If you talk little, they cannot figure you out and will respect you all the more. When you do speak to Germans, as for example, to inquire directions, you are courteous. You say: "Please" (bitte) and "thank you" (danke schön), exactly as you would do if you were in the United States. That is only common courtesy, which if omitted, would give the Germans the impression that Americans are ill-mannered and unworthy of respect. On the other hand, when you give an order, don't scold or smile. Don't use abusive or profane language. Make your order clear, direct, and forceful. If necessary, give an arm signal to make your meaning clear. Don't fuss or lose your temper. Your manner and tone of voice indicate full expectation that your order will be promptly obeyed. Your manner is as cool and impersonal as if you were merely giving the command "Forward, MARCH" to your squad. What do we mean by "impersonal"? Why should your manner and tone of voice be "impersonal"? By "impersonal" we mean that you keep your own personal feeling, your likes and dislikes, entirely out of the picture. Therein lies an important key to successful police work. It is a large part of your strength and protection, because it sets you up as the representative of U.S. law and power over Germany. A "personal" attitude, on the other hand, would make you appear as just another man showing his own grudges and favor-

itism, and therefore to be regarded accordingly, and with as little respect as is absolutely necessary.

g. You will always remember that there is law behind everything you do. You represent the law. Therefore you act only in accordance with law. You keep your personal feelings, your likes and dislikes, entirely out of your law-enforcement. In so doing, you add to your prestige and that of the Zone Constabulary. This attitude is sometimes not easy to assume, but it is fundamental to police service and will be insisted upon at all times.

h. In handling people, friendly or hostile, your bearing and manner make all the difference between success and failure. An erect, soldierly bearing; a neat, well-kept uniform; and a manner of quiet self-confidence are fundamental requisites. These qualities cannot successfully be assumed and laid aside at will. They must be acquired and become your permanent habits until they become as natural to you as breathing. Having acquired these habits, you will meet difficult situations with the chances greatly in your favor. You do not have to stop and think whether your bearing is correct. It will be. You can devote your full attention to the problem facing you.

i. There is an old story about a riot. The local sheriff telephoned to the state police and requested that a detail of state troopers be sent to handle the mob. One trooper arrived. The excited sheriff again telephoned the barracks and complained: "You only sent one man." The answer came back: "Of course. You've only got one riot, haven't you?" The story illustrates the type of man, the bearing, the ability, and the self-confidence required of the trained trooper.

j. Compare this type of man with a sloppy-appearing, loud-mouthed, blustering fellow, who tries to cover up his lack of training and self-confidence by talk, bullying, or even by trying to be over-friendly. What are his chances of successfully handling a difficult situation?

16. MOUNTED PATROLS. (FM 19-10, Par 46-51)

a. Know and clearly understand your mission, route, and any special orders for your patrol.

b. Be sure that your vehicles are in order and properly checked, to include all standard vehicle equipment.

c. Check your radio communications.

d. Inspect your weapons, ammunition and all personal equipment, and see that all are present and in good order.

e. Depart on time.

f. Except in an emergency, don't exceed the prescribed maximum speed. You cannot patrol and observe properly except at moderate speed.

g. Test your radio communications at prescribed intervals.

h. Keep your patrol log accurately. Record the time when you reached each check-in point. Record every event of your patrol. Record the weather, and changes in weather.

Examples:	1020	Stopped to put on skid chains.
	1135	Broken traffic sign at (exact location).
	1200	Dinner at (location).
	1410-1500	Handled traffic accident at (location).

i. Report by radio, or best available method, any unusual event of importance and any delay affecting your schedule by more than 30 minutes.

j. Check in with each of the following agencies on the route of your patrol:

(1) Public Safety Officer of the Military Government Detachment.

(2) Military Police stations.

(3) CIC stations.

(4) German Rural Police posts.

(5) German city or town police stations.

k. Record any information of interest to the Zone Constabulary.

l. Obey all traffic signs and regulations.

m. Obey the directions of all military and civilian traffic police.

n. If you arrive at the scene of a serious crime which requires your immediate attention, follow the procedure of para 25. (If the crime is already being handled by the Military Police or German police, and they do not need your help, get the main facts and proceed with your patrol).

o. If experts are needed at the scene of a crime (medical officer, photographer, fingerprint specialist, CID investigators, etc.), radio your headquarters and request that such experts be sent.

p. In any situation not covered by your instructions, radio your headquarters for instructions.

q. Upon completion of your patrol, report to your superior, turn in your patrol log, and make such additional reports as may be required.

17. FOOT PATROLS. (FM 19-5, Par 24-36; FM 19-10, Par 30-45)

a. Walk along the outside of the walk. This enables you to—

(1) See farther down the street.

(2) Be easily seen by your officers and [noncommissioned officers] NCOs.

(3) Be less easily attacked from the doorway.

b. Know your area—the roads, the location of the civil police and fire stations, hospitals, doctors, the local Military Government Detachment, the bars, cafes, dance halls, and all places where trouble may start. Know the location of police and fire call boxes.

c. Make the acquaintance of local policemen, postmen, hotel employees, and cab drivers. They are a good source of information.

d. You will normally patrol in pairs. You and your partner must never argue in public over what you will do or how you will handle a case. That would indicate weakness, lack of experience, and indecision.

e. Approaching an Individual. If you are about to question a soldier, you must remember that your first words either will antagonize him and make him hard to handle or will make him feel willing to cooperate with you. Your voice should be quietly firm, but friendly. Try not to embarrass him. If possible, stop him where there is no crowd, or ease him away from a crowd.

If you have a partner, only one of you does the questioning. Don't step squarely in front of him, but a little to one side. This does not leave you open to a sudden attack. Your partner should stand by alertly on the other side of the soldier.

18. ARRESTS. (FM19-10; FM 19-20, Chapter 9)

a. An arrest is made to detain a man against whom there is a reasonable suspicion of guilt. Only as much force as is necessary to make the arrest will be used. Arrested persons will not be abused or mistreated. Even if you see a man commit an offense, you have no right to punish him.

Punishment is not a police function. It is the function of the court and also of a Commanding Officer having disciplinary power. The police function is to prevent crime and disorder, or after it has occurred, to apprehend the violators, gather evidence, and present the facts to the court for decision. If the court finds the man guilty, the court awards the punishment.

b. There is no hard and fast rule about when to make an arrest. It is better not to arrest a soldier if his offense is trivial and can be corrected on

the spot, or if it can properly be handled by making a report. Sometimes you can arrange to have his buddies take care of him. Each case is a matter of your good judgment, but in any case a soldier who shows signs of intoxication must be protected from harm and removed from public view so that he does not bring discredit upon the military service.

19. SEARCH OF A PRISONER. (FM 19-20, Chapter 9)

a. When you place a man under arrest, never give him a chance to take advantage of you, either to attack you or to escape. Tell him: "You are under arrest," and advise him to "come along and take it easy." Give him a "frisk" (search) for weapons by running your hands over his clothing. Don't pat his clothes—feel them, including his body, waist, arms, legs, and pockets. Small pistols and knives are frequently concealed in caps, or suspended by a string around the neck or in sleeves, waistband, or trouser legs.

b. Have prisoners walk between or slightly (half pace) in front of you or your partner.

c. The use of handcuffs is a matter of your judgment. Once you have placed a man under arrest, you are responsible that he does not escape. If you are in doubt about your ability to prevent his escape, you are justified in handcuffing him. Even then you must be careful. Handcuffs can be "picked" if not properly applied, and a man handcuffed in front can disable you by raising both hands and striking you with the handcuffs.

d. When two prisoners, handcuffed together, are to be carried in vehicle, turn the prisoners so that the one standing on the right, sits in the vehicle on the other's left. This brings the handcuffed right hand of the right prisoner and the left hand of the left prisoner across the front of their two bodies in a position too awkward for them to resist effectively.

e. Upon arrival at a place of detention, strip and search a prisoner thoroughly, examine every article of clothing in detail for weapons, hacksaw blades, narcotics, and any form of contraband. Examine hair, ears, mouth, armpits, crotch, rectum, toes, and soles of feet. Narcotics and razor blades are sometimes concealed under fake bandages.

20. FIRST AID. (FM 8-50 and 21-11)

a. First aid is of first importance. You are in good health when you enter the Army. Everything from a balanced diet to competent medical care is provided to put you in even better shape. In rigorous training or in combat, however, there may be times when your very life will depend, not upon health, but upon your knowledge of first aid. No other part of your training is more important to you as an individual.

First aid consists of the temporary emergency measures which a soldier can carry out for himself or a companion in a case of sudden illness or accident before the services of a medical officer can be secured. Very often the only first aid necessary is to prevent further injury to the patient by well-meaning meddlers.

b. First, learn the "don'ts." People who want to be helpful can harm a person who has been injured if they become excited and start doing things just to be doing something. Before you do anything at all for a patient, recall these "don'ts":

Don't get excited. Your excitement may frighten the patient, and it can easily lead you to do the wrong thing.

Don't move the patient until the extent of the injury is determined. If there are broken bones or internal injuries, dragging the patient around will cause complications.

Don't let the patient move. Keep him warm and lying comfortably, with his head level with his body. He may be suffering from shock, and shock can be fatal.

Don't give liquids to an unconscious patient. Liquids may enter the windpipe and strangle a person who cannot control his own reflexes.

Don't give stimulants until directed to do so. In some cases they may be exactly the wrong thing.

Don't revive an unconscious patient. Trying to bring him back to consciousness may aggravate shock.

Don't wash a wound, as with soap and water. Let the medical officer sterilize the wound when he arrives.

Don't attempt to "explore" a wound or remove blood clots or foreign matter; leave this for the medical officer.

Don't use iodine in or around the eyes or in a body cavity.

Don't do too much. When you have done everything you know to be right for the situation, don't do anything more. It's not fair to the patient to work off your own excitement by constantly annoying him with helps which may be wrong. If the injury appears to be serious, don't take the patient to a hospital or dispensary, bring medical assistance to the patient.

c. Then do these things. The best things to do for an injured or ill person in most cases are the ones which common sense would direct.

Keep him warm. Cover him well and be sure that he has something

under him to prevent chilling by contact with the ground. Warmth is most important in preventing shock, even on a warm day. If possible, fill canteens with hot water and place them between his legs and under his armpits; always outside his clothes, to avoid burning him.

Keep him calm. Act normally yourself, keep bystanders from crowding around, and assure the patient that medical aid is coming.

Loosen clothing to make breathing easy.

Stop bleeding by the best means available.

Get a medical officer or an enlisted man of the Medical Corps as quickly as possible.

d. Use the first aid packet. Among the items of your equipment is a first aid packet. Never open the airtight container until you are going to use the contents; it has been packed under pressure and you will not be able to restore the packet. You will be given detailed instruction in the use of the packet.

e. Read the manuals. You may be able at some time to save your own or another's life because of a knowledge of first aid. Time invested in reading manuals on the subject is well spent.

21. TRAFFIC CONTROL. (FM 19-5, Chapter 5)

a. The purpose of traffic control is to enable traffic to move safely, and without unnecessary delay, over public highways. "Traffic" includes motor vehicles, animal-drawn vehicles, people on foot—everything which moves along or across a road. To permit a free and safe flow of traffic, it is necessary to direct and control it, especially at road intersections, narrow or obstructed places, and railroad crossings, and at any place where two or more streams of traffic are likely to come together so as to cause accidents or delays. Traffic jams build up quickly and may take hours to untangle. Proper traffic control is aimed at foreseeing and preventing such jams. This is accomplished by troopers on fixed post at critical points, and by troopers on patrol to observe and take immediate action to prevent (if possible) traffic accidents and traffic jams; or, if such have already occurred, to give the necessary assistance so as to reduce the danger and clear the road as quickly as possible.

b. Military traffic. Military traffic presents special problems which sometimes have to be handled differently from civilian traffic. Military traffic usually is given right-of-way over civilian traffic. In combat, success depends on military traffic being at the right place at the right time. This timing requires the careful coordination and utmost energy of all concerned with traffic control.

c. Often unforeseen events disrupt even the best plans and require changes on the spot. On traffic control you must know the roads and the strength of bridges, so that, in emergency, you can reroute traffic when necessary and authorized.

d. Duties. Traffic control duties include the following:

(1) Regulating traffic flow at critical points.
(2) Enforcing traffic regulations and orders.
(3) Escorting columns of traffic.
(4) Patrolling routes.
(5) Furnishing information.
(6) Emergency rerouting of traffic.
(7) Handling traffic accidents.
(8) Clearing traffic jams.
(9) Reporting traffic movements.
(10) Reporting necessary road repairs.
(11) Recommending improvements in traffic control and roads.

Successful performance of these duties requires knowledge, skill, alertness, and constant attention to duty on your part. Good traffic regulation is not easy, but if you meet these requirements, it can be accomplished. It is a job where good work (or poor work) is obvious at once. It is a job in which there is a lot of satisfaction, because you are giving service to thousands of people.

e. Fixed post duty. When you are detailed to control traffic at a certain point, your exact position is important. It will depend on the width of the road, the type of road intersection, the nature of the traffic, obstacles to your view, and other local considerations. Four example, if you are directing traffic in a square where there is a monument, you will not stand behind the monument, but will stand where you can see, and be seen by, traffic approaching from any direction. Your position should be taken so that—

(1) You can see all traffic.
(2) All traffic can see you.
(3) You will be safe.
(4) You will not be an obstruction to traffic.
(5) You can control traffic.
(6) You are accessible to persons who wish information.

Sometimes you cannot find a spot which meets all these requirements fully, but pick the spot which comes as closely as possible to meeting them. The first three are the most important.

When regulating fast traffic, especially at night, you must not stand directly in the path of approaching traffic, unless you are certain the driver can and will stop safely.

When the road is slippery, give drivers ample warning of your signal to stop or reduce speed; otherwise skidding accidents are almost certain to occur.

f. Manual signals. You will be taught the standard arm signals and flashlight signals for directing traffic. It is important that you execute these signals correctly, so that all troopers will use the same signals and all drivers will know what is expected of them.

g. Intersection control. In the case of traffic composed of independent vehicles, your good judgment will determine how long you will let traffic flow in one direction before halting it in order to permit cross traffic to flow. Sometimes you will receive orders to give priority to certain types of traffic. Certain general points regarding military vehicles to bear in mind are:

(1) Traffic moving toward the enemy has the right of way.

(2) When priorities have been assigned, vehicles with the highest priority have the right of way. For example, vehicles with "priority 1" have the right of way over all others. A "priority 2" vehicle has right of way over those with "priority 3" or "priority 4" but should be held up in favor of a "priority 1" vehicle.

(3) Columns moving on a schedule must be given a clear path so that they can adhere to the plan.

(4) Organic tactical units moving in column formation should not be broken up.

In the absence of orders and the above factors, you will use your best judgment. For example, if two columns are approaching your post at the same time on conflicting routes, the short column should be given right-of-way. If the columns are of about equal length, the one composed of the faster vehicles should be given right-of-way over the column of slow vehicles. Usually the vehicle or column which reaches the intersection first will have the right-of-way, unless there are orders or priorities which require otherwise.

At intersections where no policeman or automatic signal directs traffic, custom gives the right-of-way to the vehicle which approaches on the other vehicle's right (provided both vehicles reach the intersection at the same time). However, the driver of a vehicle turning to the left is responsible that he shall make such turn without endangering traffic approaching any other direction.

h. Narrow defiles. Traffic approaching a narrow defile, narrow bridge, or an obstruction, which permits only one lane of traffic at a time, must be regulated by halting traffic in one direction while permitting traffic in the opposite direction or pass through the narrow place. The flow of traffic will be reversed at intervals. The length of time that you will permit traffic to flow in one direction will depend on your good judgment, taking into consideration the length of the defile and the type and amount of traffic in each direction.

i. Patrols. When you are on a traffic patrol, be alert all the time. Be on the lookout for information relating to enemy activity, crime, traffic and road conditions, which may be of importance to the Zone Constabulary. Patrols have the following specific duties:

(1) To observe and report needed road repair.

(2) To observe and report needed new road construction and changes in traffic circulation and control to increase traffic efficiency.

(3) To note the condition of traffic signs, report the need for replacements and new signs.

(4) To enforce traffic regulations.

(5) To provide information and directions to traffic.

(6) To handle accidents.

(7) To assist troopers on fixed posts, when necessary.

(8) To regulate traffic, when necessary, at places where no other control is provided.

(9) To keep traffic control headquarters informed on the progress of movements.

(10) To give emergency escort service to columns, when necessary.

Cover the area assigned to you as thoroughly as you can. If you and your buddy find a situation which requires one of you to take a fixed post (for example, a damaged bridge, or blocked road), one of you take the emergency fixed post duty, while the other continues the patrol. Report it by radio, and if in doubt, request instructions.

j. Escorts. The purpose of a traffic escort is to "smooth the way" for a particular column. However, the fact that a column moves under escort does not necessarily mean it has priority over all other traffic. Movement of the column must be in accordance with traffic orders for that area. If you are escorting a column and come into a section where an area control system is in effect (that is, where the Military Police or troopers are directing traffic) you will conform to their direction.

When escorting a column, you ride out in advance of it so that you can clear obstructing vehicles away, warn approaching traffic and take fixed posts at intersections or narrow places in the road so as to provide right-of-way for your column when it arrives. This procedure requires two or more troopers "leap-frogging" each other in order to provide a clear road for the column, or a detail of troopers dropped off at successive points ahead of the column.

k. Your manner. Traffic duty, more than any other, puts you in close contact with many people of all walks of life and of all degrees of intelligence. If your direct traffic well, you will command the respect and compliance of everybody with whom you deal. By all means avoid unwarranted actions and remarks which irritate and antagonize people. You must be firm, but not harsh. It is not your job to discipline traffic violators.

Here are some points to guide you:

(1) Be alert and act alert.
(2) Be calm and have confidence in yourself.
(3) Don't show doubt or inability to make up your mind.
(4) Give your signals exactly the way you were taught.
(5) Show that you are proud to be doing an important job and are interested in the job.
(6) Control your temper.
(7) Give help and information in a willing manner. Know your roads and locality so that you can give information.
(8) Treat everybody fairly and impartially.
(9) Be firm, but not harsh or over-bearing.
(10) Be courteous.

l. Enforcement. When on traffic duty, enforce the regulations in a common sense manner which will actually improve traffic conditions. Don't be over-strict in small matters. Sometimes when traffic is heavy, it is better to overlook petty violations rather than tie up traffic by stopping the offender. On the other hand, don't be too lenient. Drivers must not get the idea that they can "get away" with flagrant violations.

m. Accidents.

(1) Traffic accidents kill and injure thousands of people each year. Nearly all these accidents are unnecessary and could have been avoided. The deaths, injuries, and property damage caused by accidents amount to a tremendous waste of manpower and money, to say nothing of the sorrow and pain involved. There is no glory, honor or gain in traffic accidents. They are bad—anyway you look at them.

If accidents are to be reduced, it is necessary to learn the causes. To learn the causes, it is necessary to have an investigation and report of every accident. When a study of these reports shows that accidents are occurring repeatedly at a certain place, or for a certain reason, or under certain conditions, then the Zone Constabulary can take definite action to reduce accidents by detailing troopers on traffic duty at such places and times.

(2) Detailed procedures in accident causes:

(a) Go quickly, but safely, to the scene of the accident.

(b) Give first aid to any injured persons.

(c) Take action to prevent other accidents by warning traffic, using persons, lanterns or any means available.

(d) If it is necessary to remove wreckage in order to get traffic moving, do that next. Otherwise postpone it until measurements (and photographs if required) have been taken.

(e) Question the drivers (and pedestrians) involved. Question each person separately and alone, so that you get their independent stories.

(f) Question and record witnesses and their statements.

(g) Record the physical evidence such as type, condition, and width of road; weather; visibility; course of vehicles before collision; point of impact; skid marks; damage to vehicles and other property; injuries to persons; and vehicular defects that may have caused the accident.

(h) Take measurements

(i) Clear up the scene and restore order.

Don't announce who is at fault. Your opinion belongs on the accident report. You might change your opinion after studying all the evidence. If you announce who is at fault, drivers or witnesses may withhold information or try to argue with you. A sympathetic manner will encourage all persons present to talk freely.

(3) Hit-and-run-accidents. When one vehicle leaves the scene of the accident, the first problem is to identify it. Often it will leave some evidence at the scene from which you can say that it was a car of a certain make, type, and color and that it has a missing hub cap or a broken headlamp. Broadcast the available information as quickly as possible so that patrols may apprehend the fleeing vehicle before it has been concealed. Carefully gather and preserve all broken glass and parts from the fleeing vehicle. If the car is found, they can be used to clinch the evidence against the accused. Various technical and laboratory aids can be used to identify a hit-and-run vehicle. Pieces of glass or metal left at the scene may be

proven to have been broken from that particular vehicle. Where a pedestrian has been struck, hair, cloth, fibers, blood, or tiny bits of flesh may be found sticking to the car or to the under parts of the chassis. To find them, you must make a minute and thorough search. The laboratory may be able to make identification with the victim, especially in the case of cloth fibers. Therefore the victim's clothing and samples of his hair must be taken and preserved before burial.

22. CHECK POINTS AND CORDONS.

a. Definitions. A check point is a place where military personnel stop all persons and vehicles for identification and/or investigation. A cordon is a series of check points so established around an area that persons and/or vehicles cannot enter or leave the surrounded area without being stopped at one or more check points. For example, a simple cordon consisting of several troopers may be posted around a building to prevent unauthorized entrance or exit. In this case each trooper constitutes a check point. In some cases a large cordon may be placed around a city by posting check points on all highways leading out of the city. Such a cordon would be effective for vehicles, but would not prevent persons on foot from detouring check points by creeping through fields and woods. Such evasion can be minimized by cross-country patrols (especially by using dogs) between check points.

b. Organization of a check point.

(1) Normally the personnel of a check point will consist of two or more men, depending on the purpose, the length of time the post will be maintained, and the opposition or evasion to be expected.

(2) A barrier may be used to insure the stopping of all vehicles. This may be in the form of a bar, which can be raised and lowered, or a series of staggered fixed barriers which require a vehicle to proceed at a very slow speed in order to pass through. Barriers must be well lighted to prevent accidents.

(3) Often no barrier will be used. A trooper signals approaching vehicles to stop.

(4) Whatever system is used, other troopers are posted to revent any attempt to escape. A fast vehicle, with its motor warmed up, should be so parked, close by, that it can take up pursuit in any direction without delay.

(5) Vehicles that attempt to run through a cordon or turn around and escape, will be called upon to halt. If they fail to halt they may be stopped by firing a bullet through the motor, radiator, or tires. If, however,

troopers are properly posted and alert, the hopelessness of escape will be so apparent that few drivers will make the attempt.

(6) Troopers posted to prevent escape will have their weapons in hand. They will be so posted that their lines of fire will not endanger each other or the trooper who approaches the vehicle to identify its occupants. The proper posting of alerts troopers will go a long way to discourage occupants of a vehicle from firing on the trooper who inspects their credentials.

(7) When there is reason to believe that armed criminals are in the vehicle, the trooper stopping it will approach from the right or left rear, where his is in a "blind spot" with respect to the occupants. He will have his weapon ready for instant use. He will call upon the occupants to raise their hands. While he covers them with his weapon, he will direct another trooper to turn off the car's ignition switch and take the keys. Then, under cover of the weapons of both troopers, the occupants will be ordered to get out of the car, one by one, with hands raised, and on all on the same side of the car. Keeping their hands raised, the occupants will be searched as in a "wall search" (see FM 19-120, par 87), using the car as the wall. They will then be handcuffed. The car will then be carefully searched and any weapons and contraband removed. At all times the occupants will be so guarded and "covered" that escape or resistance is impossible.

(8) In those cases where you must act alone, you should not attempt more than you are absolutely certain you can accomplish. Arrested persons, likely to be dangerous, can be made to lie on the ground, face down, at full length, with arms extended at full length beyond their heads. You then have them under complete control. You should then hail a passerby and send for help. The important point is that the arrest of a dangerous man be successfully accomplished, rather than you attempt too much a run the unnecessary risk of being killed and letting the suspect escape.

(9) The best roper is the one who successfully accomplishes his mission. No trooper can be criticized for "playing safe" under circumstances that will surely accomplish his mission.

23. PASSES AND PERMITS. (IDENTIFICATION AND PASS GUIDE, THIRD ARMY, AUGUST 1945)

a. When you stop persons and vehicles to check their identification and passes, you must know what to look for and take time enough to check thoroughly. Identification and pass forms may change from time to time, so you must keep yourself posted on what is valid and what is not. Some persons will try to get by with expired passes, or passes which do not apply to their present journey, or even with forged credentials.

b. Every person who is legally in the U.S. Zone must have proper identification—something to show who he is. If he passes from one Zone of Germany to another, he must conform to existing regulations, that is, have a pass if it is required or, if he is transporting property, have a bill of lading or whatever is required (for example, a pass to travel from the British Zone into the U.S. Zone). If he is traveling across an international border, as, for example, from Austria into Germany or from Germany into Austria, he must have a special pass. The regulations on international travel are strict. Properly identified German civilians may travel about anywhere within the U.S. Zone without a pass, but are, of course, subject to curfew regulations. Also, they cannot enter certain restricted areas without a pass. Certain German civilians such as policemen, doctors, clergymen, and others are exempted from curfew regulations. They should have a curfew pass.

c. Military personnel will normally have orders to authorize their travel. So will Allied civilians. You should look for the following when checking personal credentials:

(1) Is this person identified?
(2) Are his papers signed or stamped by proper authority?
(3) Are his papers valid at this date, or have they expired?
(4) Is he on the route indicated by his papers?
(5) Is he carrying any illegal property?
(6) Do his papers appear to have been forged or date, name, or signature altered?
(7) Is he out after curfew without proper authority?
(8) Is he wanted for, or suspected of, any crime?

When checking a vehicle look for the following:

(1) Is this vehicle properly registered and identified?
(2) Is it properly in this man's possession?
(3) Is it carrying any illegal property?

If you are fully satisfied on all of these points, you may permit the person or vehicle to proceed. If not, further investigation is required.

24. RIOT DUTY. (FM 19-15, Chapters 2, 4, and 5)

a. Definitions.

A crowd is a large number of persons in a close body, but without organization.

A mob is a riotous crowd whose members have lost their sense of reason and respect for law.

Spectators are persons who are present from a sense of curiosity. They frequently are persuaded to become part of the mob.

b. Control of crowds.

(1) Crowds are usually not dangerous unless they become panicky. They do present a traffic problem. They can, and should, be handled quietly and without violence. Use good judgment. If you commit an act of unnecessary violence or abuse, you are likely to touch off a spark of resentment which flares into a flame of anger that sweeps the crowd. When a crowd becomes angry and riotous, then you have a mob to deal with. Members of a mob are filled with unreasonable hatred by real or imaginary wrongs, and commit acts, as part of a mob, which they would never ordinarily do alone. Mobs may become very dangerous.

(2) When a crowd has gathered, you must above all things keep your head. If the crowd can be kept good-natured, it can usually be easily handled and dispersed. Don't lose your temper. Don't get excited. Don't let the crowd see that you are at all worried. Take it easy. Try to disperse the crowd gradually and before it turns into a mob. A good-natured grin and a twinkle in your eye will help a lot at this stage of the game.

(3) If agitators and leaders are trying to stir up the crowd, spot them, let them see that they are spotted, and watch for a chance to ease them away. They are usually cowardly individuals, and if they see that they are identified and closely watched, they will often decide to sneak away. Let them go. You can arrest them later. If you rush into a crowd to arrest an agitator, you may provide just the spark which will change the crowd into a mob. That is what you are trying to prevent. There is no hard and fast rule about this. Sometimes your good judgment will tell you that you can arrest the agitator without starting a riot, or that it must be done anyway. But if violence is committed, then arrest the leaders at once and take them away from the mob. Without leaders, the mob can be more easily handled; sometimes it will then disperse of its own accord.

c. Basic principles of riot control.

(1) Keep calm. Don't lose your temper. Pay no attention to verbal abuse.

(2) Always face the crowd or mob. Never turn your back on them. To do so is to lose control; they will edge forward beyond the line prescribed.

(3) Whenever possible use a barrier, even a rope if necessary, but preferably a cable or barbed wire. It is of great help in controlling a crowd.

(4) Keep a crowd moving. Don‘t allow them to congregate. This will do more than any one thing to keep a crowd from forming and converting into a mob.

(5) Never give an unreasonable order or one that cannot be carried out. Once an order is given to a crowd or mob, insist on prompt obedience. The contrary will certainly be interpreted by the crowd as evidence of indecision or weakness.

(6) Troopers should always be stationed in pairs, or close enough for mutual support, when holding a mob or crowd on a line or when patrolling.

(7) Close supervision by officers and NCOs is required at all times and places where troopers are on riot duty.

(8) Use of weapons or tear gas should only be at the order of the officer in charge of the riot detail.

(9) Military principles of squad and platoon units and responsibility will be followed. The Commanding Officer gives missions to his unit commanders. One man cannot supervise a line of troopers facing a mob. The line will be subdivided into sectors and each assigned to a subordinate unit.

(10) Unit commanders should direct their units from in rear thereof, where they can observe and supervise. The moment they themselves get drawn into a “dog fight”, they cannot exercise supervision. With intelligent, well-trained troopers, better leadership can usually be given in this way than by rushing forward and becoming involved in a scrap. (For example, the squad leader is directly in the rear of his squad, and close enough to speak to each man. The platoon leader is in rear of his line of squads, where all his squad leaders can watch for his signals and commands. He goes wherever needed. He always has a runner with him.)

(11) Before deployment for riot duty, the second-, and third-in-command, of each unit will be clearly known to all men, so that there will be no loss of control in the event leaders become casualties.

(12) Always try to place the Zone Constabulary forces so that the mob will be forced to attack them in order to accomplish its destructive purposes. This then gives the Constabulary a clear justification for the use of force. This applies to those situations where it is advisable to avoid the use of force as long as possible. Obviously it does not apply to situations which require the Constabulary to take the initiative.

(13) Through early information and personal reconnaissance, make every effort to place Constabulary at the scene of a possible riot before the crowd gathers, or if it has gathered, before it becomes violent. A sketch of the area made beforehand will aid greatly in planning the operation.

(14) If troops arrive too late to prevent the formation of a crowd, the crowd should be split up and dispersed gradually and as quietly as possible. The squad in wedge formation can be used to good advantage to split off one section of the crowd at a time.

(15) If violence starts, arrest the leaders of the mob at once. The mob, then being leaderless, can be handled and dispersed more easily.

(16) One or more squads placed to stand in rear of a crowd will exercise restraint on stone-throwing. The crowd is uneasy if troopers are standing in rear of them. This procedure is helpful also in spotting leaders and agitators. Troopers so placed remain watchful, but inactive so long as the mob is peaceful. They act instantly to disarm any member of the crowd who picks up a stone or displays a weapon.

(17) Never trap a mob. Always leave it at least one avenue by which to disperse. The object is to disperse a mob, not destroy it. If trapped, the mob's resistance will be desperate.

(18) Always have a reserve.

d. Riot formations. Some simple formations for squads, platoons and troops are useful in handling crowds and mobs. They are: Line, Diagonal, and Wedge.

25. SCENE OF A CRIME. (FM 19-20, Chapters 11, 12)

a. After a crime has been committed it is necessary to apprehend the criminals and to gather the evidence which will establish in court the circumstances of the crime. This calls for careful investigation and thorough searches. For example, in every murder or case of armed assault, the weapon used is highly important evidence and must be found if possible.

b. When you arrive at the scene of a crime, you are faced with two possible situations: either the criminals are still there, or the criminals have fled.

(1) If the criminals are there, you act fast to place them under arrest at once and search them. This saves a lot of time and trouble. You also detain any witnesses. When criminals are arrested at the scene of their crime, they should be questioned and identified immediately. If questioning is delayed, they have time to think up false stories to account for their presence; but if questioned at once, they can seldom lie successfully and often will confess on the spot.

(2) If, as usually happens, the criminals have fled, you take time to act methodically, one step at a time.

c. Don't rush in and touch everything. If you do, you will cover up tracks the criminals have left and will destroy their fingerprints, or leave

your own fingerprints, which will confuse the expert investigators who arrive later.

d. Note the exact time you arrived at the scene, the weather, the names of your companions (if any), and the names and addresses of any witnesses or other persons at the scene when you arrived. Bits of paper, shot-gun wads, or cigarette butts are likely to stick to the soles of your shoes, if you don't watch carefully where you step. Valuable evidence is often lost or destroyed by clumsy investigators.

e. So take it easy. Look the scene over and plan what you will do. If the victim is dead, there is no great hurry. If the victim is alive, he must have aid and all necessary attention. (He is your best witness; you don't want him to die.) If he can speak, ask him who did it. Get the best description you can of the criminals, when they departed and in what direction. What kind of a vehicle did they use? Broadcast that information at once, if there is a chance for a quick arrest. At the same time request your headquarters to send a medical officer and the experts (photographer, finger-print man, etc.) and any additional help needed.

f. Don't disturb anything at the scene of a crime until the photographer, finger-print specialist, and any other experts who may be called have done their work. Photographs must show the scene exactly as it was when the first trooper arrived; otherwise it will probably not be admitted as evidence at the trial. (The only exception to this rule is when some emergency exists, such as the need to care for an injured person, prevent fires, etc.)

g. After the photographer and fingerprint man have done their work, then you start your careful examination of the premises and search for evidence. (See "Search of Buildings and Grounds," para 26.)

h. Don't roll a dead man over or disarrange his clothes. Don't even touch him. If you do, you are very likely to destroy evidence which a pathologist or medical officer could obtain to determine how long the man has been dead, or whether he was killed at the spot, or the exact manner of his death. All of these things may be important to the investigation.

i. When it is necessary to leave the scene of a crime, consider whether your job there has been finished. If there is any possibility that you or some other investigator must return to complete the work at the scene, be sure to leave a guard there to prevent any unauthorized person from entering and touching anything. (See "Evidence," para 27.)

26. SEARCHES. (FM-19-20, Chapter 11)

a. Buildings.

(1) First, guards to prevent unauthorized persons from entering or leaving the premises must be posted. If photographs are to be taken, this should be done before any search is started, in order that they will show the situation exactly as it existed upon the arrival of troopers and before any objects have been disturbed, removed from, or added to, the scene. Otherwise the photos may not be admitted as evidence in court. Search for fingerprints by a fingerprint specialist should come next, and before a search is made for other evidence.

(2) To be effective, a search for evidence must be systematic and thorough. Aimless and repeated casual searches by several persons often overlook important evidence. In searching a building, each room should be assigned to one man. To search a room, start at one corner and cover every inch of space—walls, ceiling, floor and furnishings, systematically and thoroughly. To search first one part of the room and then the dresser, and then back to another part of the room, then a closet, is likely to result in overlooking some object of importance. After ceiling, walls, and floor have been thoroughly searched, examine each piece of furniture and bric-a-brac thoroughly. Use a flashlight to examine dark corners. Turn furniture upside down and examine lower surfaces. Remove all drawers and search them. Bedding requires special attention. Window sashes, window ledges, blinds, screens and gutters must be examined, also curtains, draperies, pictures, wall lamps and chandeliers. Rugs, table-covers, doilies, desk pads and all small objects should be lifted and all the surfaces underneath examined. The contents of all receptacles, boxes, jars, cans, baggage, shoes and the pockets of all clothing must be searched in detail. Book cases (and every book) must be searched. Letters, documents and money are often concealed in books or behind books. Closets, toilet flush-boxes, toilet traps and wash basin traps must be examined thoroughly. Walls, floor, baggage, desks, and tables should be carefully examined for secret compartments. Don't depend on feeling into dark corners—stand on a chair and use a flashlight. (In a famous murder case the weapon, a hammer, was found in a toilet flush box. A policeman had first felt with his hand and removed two bottles of beer, but failed to find the hammer. Another search the following day, made by an experienced detective, produced the hammer with blood and hair still adhering to it.)

(3) When evidence is discovered, handle it with care as not to disturb fingerprints. Record each such article in a notebook showing the item and the date, time, exact place, and by whom it was discovered. If money or jewelry is found, have it counted and recorded in the presence of at least one reliable witness. This precaution is to safeguard the searcher against an accusation of having pocketed part of the valuables. When

possible this should be done in the presence of the owner of the premises. When listing jewelry (including jewelry taken from a prisoner) do not list it as, for example, "one gold ring with five diamonds." The ring may be brass and the "stones" glass. List it as "one gold-colored ring with five transparent stones." In that way the searcher is protected against a false claim for the return of a real gold ring with genuine diamonds. Many a good policeman has been powerless to protect himself against such a false claim.

(4) The one rule for a search is "Be thorough." To be thorough, a search must be systematic. It is a good idea to have a second man make another thorough search of the premises after the first man has completed his search, if this is practicable. It is apparent from the above, that a thorough search of a single room usually requires a long time.

b. Grounds. To search a piece of ground, as, for example, to find a small weapon, lay out narrow lanes with white strings. Each lane is not over 3 or 4 feet wide, so that one man on his hands and knees can search his lane thoroughly. A man is assigned to each lane.

To search a well or cistern, get a fire-pump to pump it dry. Another method is to lower a powerful electro-magnet into the well. This, if carefully moved all over the bottom, will pick up any iron or steel object such as a pistol.

27. EVIDENCE. (MCM 1928, Chapter XXV; FM 19-20; MGR [Military Governments Regulations], Title 5)

There are certain rules which govern the presentation of evidence in Courts Martial. Those rules are intended to assure the accused a fair trial. Here is an example: Pvt. A told you that Pvt. B stole a pig. That may be very useful information, but you cannot testify in a Court Martial, purely on "hearsay" evidence, that B stole the pig. The Court would throw out such testimony as "inadmissible." The attitude of the Court would be that Pvt. A, if he has any real knowledge of the matter, should be produced as a witness and should, under oath, testify as to what he himself knows about the theft of the pig. As a witness you can testify only to what you know to be the fact—what you saw, or did, or said, or heard, or touched, or smelled, or tasted. Now there are two important exceptions to the "Hearsay Rule of Evidence." You can testify to what somebody told you, provided the person who told it is himself the accused in this case. For example, if B told you that he himself stole the pig, you may so testify, because the court would assume that B would not falsely confess a crime. Of course, B can testify that he did not tell you that he stole the pig. Then it is his word against yours; therefore, you will always try to have several witnesses to a

confession, whether it be a spoken or written confession.

The other important exception to the "Hearsay Rule" is the "Dying Declaration." Suppose that Jones is wounded and dying. Before he dies he says that Smith shot him. He then dies, and therefore, cannot testify at Smith's trial. You can testify that Jones told you that Smith shot him, and why, but only if you can prove to the Court's satisfaction that Jones really believed he was dying and did actually die. Here the Court accepts your testimony, because it is unlikely that a man who really believes he is dying will falsely accuse an innocent man of causing his death.

There is another important Rule of Evidence:

A husband or wife cannot be required to testify against each other. He or she may so testify if they wish. Therefore, if Mrs. P tells you that Mr. P broke into a warehouse, you must try to get additional evidence against Mr. P in order to convict him. When the case comes to trial, Mrs. P can refuse to testify against her husband and the Court will uphold her.

There are many exceptions and grounds for legal argument, but a simple statement of some of the more common Rules of Evidence includes these:

1. Evidence must be material and relevant to the case.

2. The accused is presumed to be innocent until his guilt is proved beyond a reasonable doubt.

3. Malice is presumed from the use of a deadly weapon.

4. The accused's bad character is not proof of his guilt.

5. A confession must be voluntary.

6. A husband or wife cannot be required to testify against each other.

7. A witness cannot be compelled to incriminate himself.

8. Privileged communications cannot be introduced as evidence. These include communications between husband and wife; between an informant and police; between an attorney and his client; and between a doctor and his patient.

9. Drunkenness is no excuse for committing a crime.

10. Ignorance of the law is no excuse for committing a crime.

Note that the above all applies to evidence before a Court Martial. Military Government Courts and German Criminal Courts are not so restricted as to what evidence may be admitted in their courts. Generally

speaking, both of these courts are the judges of what evidence they will accept and what they will exclude. They may listen to evidence which would be considered inadmissible in a Court Martial or in a criminal court in the United States, but they will weigh all evidence submitted and will decide how much weight to give each piece of evidence. Hearsay evidence is admissible in Military Government Courts and in German Criminal Courts, but at best is not very strong evidence.

Military Governments Regulations, Title 5, para 5-329 states:

"EVIDENCE. (Rule 12). Evidence shall be admitted in accordance with the following rules:

a. A military Government Court shall in general admit oral, written and physical evidence having a bearing on the issues before it, and may exclude any evidence which in its opinion is of no value as proof. If security is at stake, evidence may be taken in camera, or in exceptional cases where security demands it may be excluded altogether.

b. The court shall in general require the production of the best evidence available.

c. Evidence of bad character of an accused shall be admissible before finding only when the accused person has introduced evidence of his own good character or as to the bad character of any witness for the prosecution."

b. Recognition and preservation of evidence. (FM 19-20) [sic]

If you are a wide-awake and experienced trooper, you will usually be able to recognize what may be of value as evidence in any crime which you are investigating. Often you cannot be certain—most big crimes will give you many false "leads"—so you collect, record and preserve everything which you think might possibly contain a clue. Clues have been found in letters; cigarette butts; lip-stick on a glass or cigarette; dirt from a suspect's shoes, trouser-cuffs, finger nails or ears; charred scraps of paper; fragments of bones; fired revolver, rifle or shotgun shells; shotgun wads; fired bullets; checks, account books, documents of all kinds; foot-prints and tire tracks; broken glass; tool marks; rope; wire; blood spots; powder marks; bullet holes; dust from clothing; samples of hand-writing or typewriting—and a thousand other things.

If you think it might contain a clue, collect it, record it, and preserve it.

Evidence, once destroyed, is lost forever, so collect it while it is fresh, and be thorough. If you leave the scene of a crime and go back the next

day, somebody else may have been there and picked up or destroyed some item of evidence which you overlooked, or he may leave fingerprints, cigarettes, or some article which has no connection with the crime, but which will mislead and confuse you. You won't be sure whether or not it has any connection with the crime.

If there will be need to return to the scene of a crime to complete the collection of evidence, a guard should be left there to keep unauthorized persons from entering.

Also, if there is a question of murder, the body of the victim should not be buried until the dead man's fingerprints, a sample of his hair, all his clothes, scrapings of dirt under his finger nails, and wax and dirt from his ears, have been taken. You may need these later. The medical officer who performs the autopsy may also take a sample of the dead man's blood and certain vital organs such as brain and stomach to determine the presence of alcohol, poison, and what he has recently eaten. The time of death can be determined, within certain limits, by the extent of digestion of food in the dead man's stomach.

c. Recording evidence.

(1) List it in your notebook. Show date, time, owner (if known), exact place, who found it, in whose possession it was found, and the crime connected with it.

(2) Label the bottle, carton, or envelope which contains the article (or tag it) with the same data. Containers must be strictly clean.

(3) Record the same data in the Investigation Report.

d. Preserving evidence.

Every barracks or station should have an evidence room equipped with lockers. Both room and lockers should be kept locked at all times and be the responsibility of a reliable man. Items of evidence are stored or removed only under his direction. He maintains complete records. When evidence is removed for presentation in court, he so records it. When evidence is no longer of any use, he records its destruction, return to owner, or other disposition, all of which must be on the order of proper authority.

28. STATEMENTS AND CONFESSIONS. (FM19-20)

a. Questioning of suspects and witnesses is an art. Some men become very clever at it. Their manner and methods make people willing to talk. Any man, with practice, can greatly improve himself in the art of questioning people. The age, sex, social condition, intelligence, and character of the person being questioned, and the nature of the crime, all

have a bearing on the manner of the questioner. There are a lot of tricks to the trade, but the good interrogator is a man who has a wide knowledge of human character. He knows when to be sympathetic and when to look tough. He gives the impression (without saying so) that he knows a lot more about the crime than he really knows, in order to make the person being questioned feel it is useless to lie. A good interrogator must have a "poker face" (when he wants to) and an immense amount of patience. His work is a constant matching of wits and practical psychology.

b. The following rules apply in all cases:

(1) Force, physical abuse, torture, or threats are strictly forbidden.

(2) Favors or leniency must not be promised.

(3) A statement or confession obtained by threats or duress ("third degree" methods) or by promises of favors or leniency is worthless in court. It always brings discredit upon the police who use such methods.

(4) Trickery and deception are legitimate methods of obtaining statements or confessions.

(5) Never reveal the names of your informants, except when an informant becomes a witness in court.

c. Usually a sympathetic manner will get better results than a harsh manner. ("You catch more flies with sugar than vinegar.") You want to keep witnesses friendly to you.

d. When a suspect is arrested at the scene of a crime, or fleeing from it, question him at once and before he can think up a good lie. His sense of guilt is strong and he will be excited. That is the time to get him to talk, and he is likely to tell who his accomplices in the crime are.

e. Informants are persons who give the police confidential information. Crooks call them "stools" or "stool pigeons." Usually they cannot be used as witnesses. Often they are underworld characters. The police make use of their information, verifying it by reliable witnesses and other evidence. Never reveal an informant. Even in court you cannot be required to name an informant. Once an informant is named, he is no longer useful to you. He won't trust you, and he will never give you any more information. He will be known to the underworld as a "rat" or "squealer" and may be murdered. Usually an informant will only give information to the one policeman whom he knows well and whom he trusts not to reveal his name even to other policemen.

Some informants are honest and reliable people, who, for business reasons or from fear of revenge, do not wish their names known as police informers. Their identity must remain secret, unless it is agreed that the

seriousness of the crime requires that they become witnesses in court.

f. Statements and confessions.

These may be either verbal or written. In either case, have witnesses and make a record of the statement or confession and of the names of witnesses, the date, time, and place.

Statements and confessions may be defined (for police purposes) as follows:

Statement—a recital of (supposed) facts.

Confession—a statement in which the accused admits the commission of a crime or offense.

Admission—a statement against the interest of the maker. For example, the accused admits that he hated the dead man, but denies that he killed him. His admission may make him appear probably guilty, but it is not a confession of guilt.

Statements and confessions should, if possible, be written, sworn to before an officer authorized to administer an oath, and signed in the presence of witnesses. The witnesses also sign as witnesses.

If the document requires more than one sheet of paper, the person who makes the statement or confession should sign his name at the bottom or side margin of each sheet, to show that he takes responsibility for the entire document and to avoid a possible future claim that other sheets were inserted in the document. If it is a typewritten document, make several copies.

Written confessions must be prepared so that they can be introduced in court as evidence. The defense will often try to claim that the accused was forced to sign the confession and that the confession is not admissible evidence. To counteract such attempts, the accused may be asked to write the confession in his own words and in his own handwriting. Another method is to use the question and answer form, as follows:

Q. What is our name?
A. John B. White
Q. Where do you live?
A. At Berger Strasse, Number 63, in Munich.

In any case, at the end of the confession, the accused is asked to read it all through. Then he is asked to write: “I have read the above statement. It is all true. I make this statement of my own free will, and without any threats, abuse, or promises having been made to me.” Then he is asked to

swear to it and sign it in the presence of the officer administering the oath, and in the presence of witnesses. A confession made in this manner is very difficult to overthrow in court.

Let the accused tell his story in his own words, and put it down exactly as he tells it. If he uses profanity or vulgar language, put that in exactly as he tells it. That will give the confession an appearance of truth. But if you change his vulgar language into polite phrases, it will be obvious that you put into his story words he did not use, especially if he is an uneducated man. The Court may then have doubts as to the true and voluntary nature of the confession, and may exclude it as evidence.

g. Don't be satisfied that a confession is all the proof you need to convict the accused. If, through some technicality, the confession is not accepted as evidence in court, and you have depended entirely on the confession, you will lose the case. When taking a confession, ask the accused a lot of questions. Who was he with? Where did he go? Who saw him there? etc. [sic] Then go out and carefully check up every statement contained in his confession. You will then have a perfect case, corroborated by a number of witnesses, and may not have to introduce the confession at all.

Chapter 3
The Courts

29. GENERAL.

Courts Martial, Military Government Courts, and German Criminal Courts will be responsible for determining the guilt and punishment of persons arrested by the zone constabulary. Depending on the status of the accused, the circumstances, and the type of crime committed, the prosecution may take place in any one of these courts.

Courts Martial are described in Manual for Courts Martial, US Army.

Military Government Courts are described in MG Ordnance No. 2. (See also Military Government Regulations, Titles 1, 3, and 23.)

30. GERMAN CRIMINAL COURTS
(See Military Government of Germany, TM for Legal and Prison Officers, 2d Edition, Section 7, and MGR, Title 5.)

a. General.

German Criminal Courts are on three levels: *Amtsgericht* (City or Town Court), the lowest court; *Landgericht* (State Court), the superior court; and *Oberlandesgericht* (Higher State Court), the supreme court. All derive their authority from the *Land* (State), for example Bavaria. Generally speaking, all German law is national law and is enforced by the above courts. All Judges are appointed by the Land Minister of Justice with the approval of Military Government.

b. *Amtsgericht.*

1 Judge
No Jury.

Jurisdiction: Minor juvenile cases.

Lesser crimes and misdemeanors punishable by not over 5 years in prison. Examples: traffic offenses, black market, curfew violations, minor cases of breaking and entering, petty larceny, assault and battery, pass violations.

Area of Jurisdiction: *Amtsgericht* District, based on population and area. In very minor cases the *Amtsgericht* judge may issue a "criminal order" (*Strafbefehl*) on information furnished by the German police. The order states the offense charged, the witnesses and the penalty. The accused may accept the order and pay the penalty, or, if he chooses, he may within 8 days make a complaint to the judge that he does not wish to accept the penalty imposed. The Judge will then grant him a trial. This procedure saves a

great deal of time by making it possible to handle many petty offenses out of regular court. At the same time the accused's rights are protected, since he may have a trial if he wishes.

In any case tried before the *Amtsgericht*, the accused may take an appeal to the *Landgericht* for trial.

c. *Landgericht.*

3 Judges
No Jury

Jurisdiction: Major juvenile cases.

Major crimes punishable by more than 5 years in prison (including death penalty). Examples: murder, rape, robbery, assault with a dangerous weapon, grand larceny, and all crimes above *Amtsgericht* jurisdiction. Appeals from *Amtsgericht* decisions. This court holds sessions at the seat of the *Landgericht*.

Area of Jurisdiction: *Landgericht* District, based on population and area.

The *Landgericht* President supervises the several *Amtsgerichte* in the *Landgericht* District.

d. *Oberlandesgericht*.

3 Judges
No Jury

Jurisdiction: Determines points of law raised on appeal from *Landgericht* decisions, and in certain criminal cases directly on appeals from *Amtsgerichte*. This court holds session at the seat of the *Oberlandesgericht*. There are three such seats in Bavaria, one in Wurttemburg-Baden, and one in Gross Hesse.

Area of Jurisdiction: *Oberlandesgericht* District. The *Oberlandesgericht* President supervises the several *Landgerichte* in his District, and through them, the *Amtsgerichte*.

Bio

Mr. Ken Gott retired from the US Army in 2000, having served as an armor/cavalry and military intelligence officer. His combat experience consists of the Persian Gulf War and two subsequent bombing campaigns against Iraq. A native of Peoria, Illinois, Mr. Gott received his B.A. from Western Illinois University and a Master of Military Art and Science degree from the US Army Command and General Staff College. Before returning to Kansas in 2002, he was an adjunct professor of history at Augusta State University and the Georgia Military College. In October 2002 he joined the Combat Studies Institute where he researches and prepares articles and studies on topics of military history. His book-length works include *In Glory's Shadow: The 2nd Armored Cavalry Regiment During the Persian Gulf War, 1990-1991* and *Where the South Lost the War: An Analysis of the Fort Henry-Fort Donelson Campaign, February 1862*. Mr. Gott is a frequent speaker at Civil War roundtables and appeared on a recent History Channel documentary on the Battle of Mine Creek, Kansas, and the documentary "Three Forts in Tennessee" by Aperture Films.