



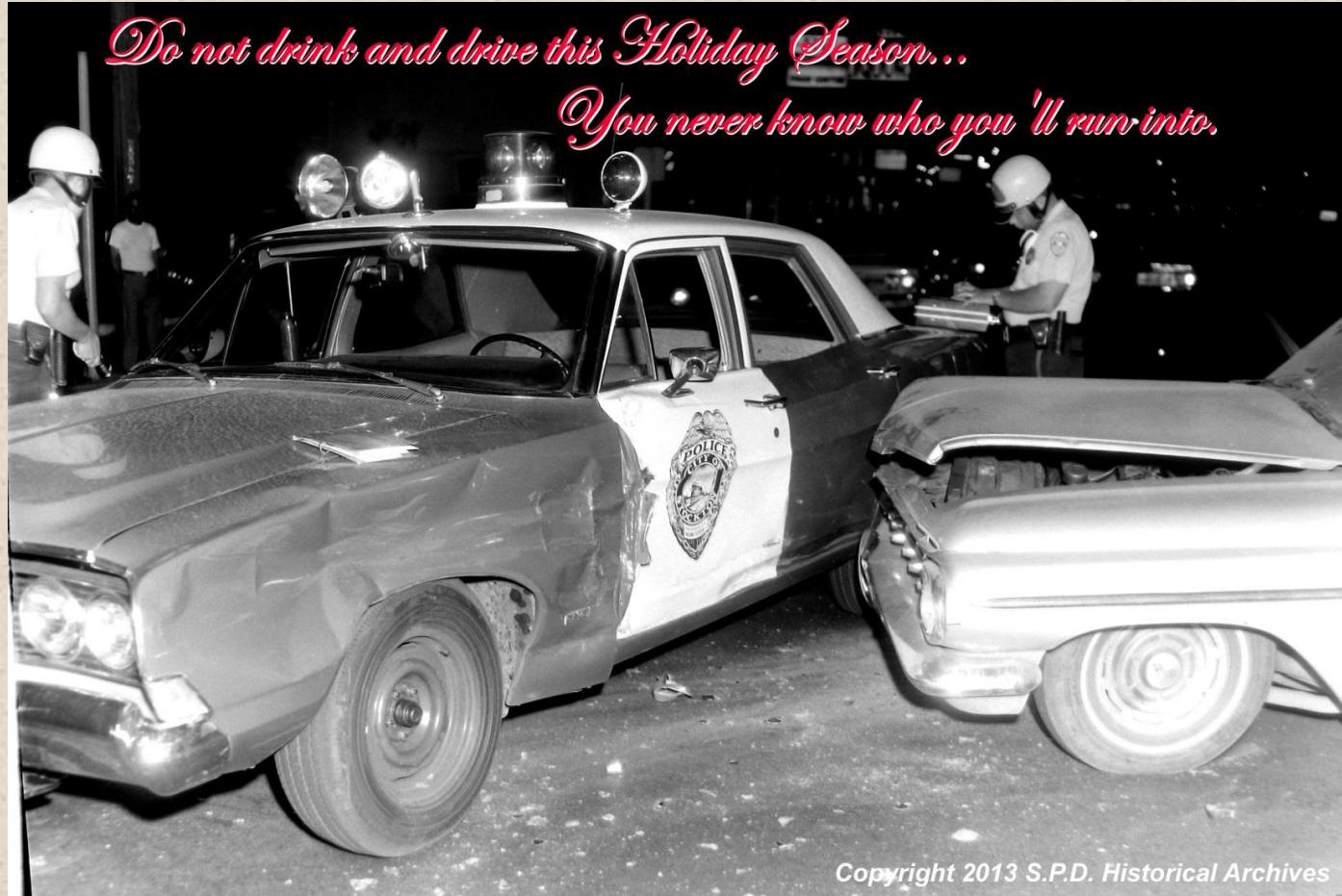
California Police Historian



Official Publication of the California Law Enforcement Historical Society

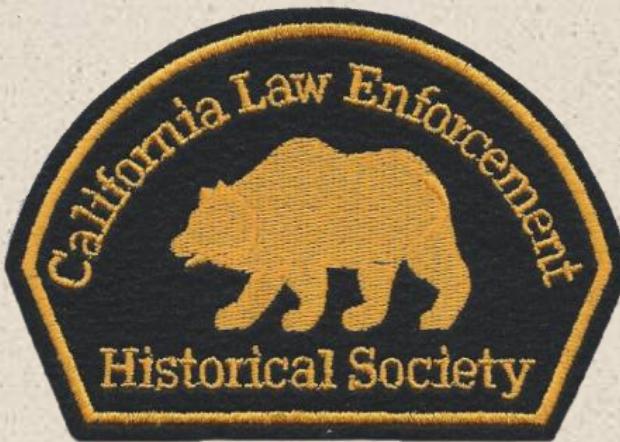
Fall / Winter Edition: 2013

Holiday Greetings!



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The Old Calaveras County Courthouse and Jail



Calaveras County Court Room, Photo: John Basalto

By Sgt. John Basalto

If you ever plan a trip to the Mother Lode country, make sure you include San Andreas, seat of Calaveras County, as one of your stops. Calaveras County was right in the middle of mining activities during the Gold Rush, and much of California's early criminal history occurred within its boundaries.

The Old Calaveras County Courthouse *(continued)*

The County and the Calaveras County Historical Society have done a fantastic job of preserving the county's history. A major part of that preservation is the Calaveras County Museum, formerly the old Hall of Records, Courthouse and Jail, located just off Highway 49, and directly across the street from the Black Bart Inn and Motel.

The Courthouse, which included the Sheriff's Office, law library, judge's chambers and a single courtroom, was built in 1867 and served for ninety-nine years. The gavel dropped on many of early California's most colorful criminals in this courtroom.



Sheriff's Office, Photo: John Basalto



Jail Cell, Photo: John Basalto

The Sheriff's Office also occupied a single room. The man who probably worked in that little office the longest was Benjamin Kent Thorn, who served as both a deputy and later as the sheriff during a 47 year law enforcement career. A colorful and sometimes controversial figure, Sheriff Thorn was known for his nerve and tenacity. He has become a legend among early California lawmen.

The five cell jail was located outside and around back of the Courthouse. Built in 1867 as part of the Courthouse complex, the jail was in use until 1964! At the time it was decommissioned, it was the second oldest jail in use in California.

The Old Calaveras County Courthouse *(continued)*

After several escapes, a ten foot high stone wall was erected around the jail yard in 1885. The yard housed a kennel for Sheriff Thorn's bloodhounds, as well as a two cell dungeon. The dungeon was filled in in 1927. Several men were hanged on portable gallows erected in the yard and it is said that they are buried in the jail yard, though the exact location of the graves is not known.



Jail Wall, Photo: John Basalto

Undoubtedly, the most notorious outlaw to occupy a cell in the old jail was a man named Charles Boles. Although he had several aliases, the one most recognizable by people is the moniker Black Bart, the poet bandit.

The Old Calaveras County Courthouse *(continued)*

Wells Fargo attributed 28 stagecoach robberies that occurred throughout northern California between 1875 and 1883 to Bart. The road agent got his name after he left authorities notes scribbled on pieces of scrap paper at the scene of two of his robberies, the first which read:

*I've labored long for bread,
For honor and for riches,
But on my corns too long you've tread,
You fine haired Sons of Bitches
Black Bart, the Po8*

Bart's first robbery was committed on an upgrade outside of Copperopolis, in Calaveras County, known as Funk Hill, on July 26, 1875. In between robberies, Bart lived the life of a gentleman in San Francisco, posing as a mine owner. His last attempt at a stagecoach was on November 3, 1883, at the exact place of his first robbery, Funk Hill. Things went bad for Bart during this attempt when a spunky young boy named Jimmy Roller took a couple of shots at the brigand with a rifle, sending Bart scurrying. Lawmen found a small camp that Bart had used nearby. Among the items Sheriff Thorn found was a handkerchief with the laundry mark FX07.

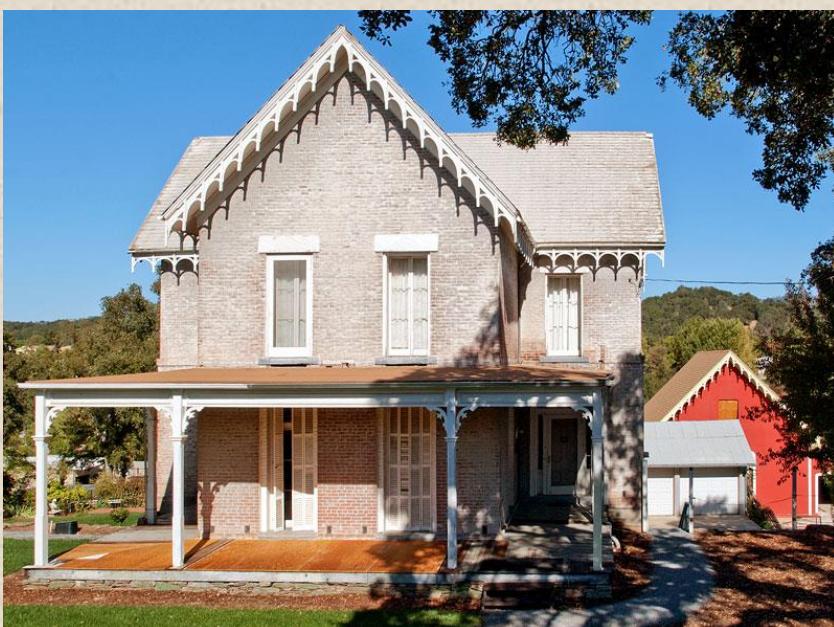


The Old Calaveras County Courthouse *(continued)*

James Hume, Wells Fargo's chief detective, turned the handkerchief over to San Francisco private detective Harry Morse, a former Alameda County sheriff, who contacted nearly 100 laundries before locating the one that used that particular laundry mark. Morse and other officers set up surveillance at a location Bart was known to frequent and he was arrested a short time later.

Taken to Calaveras County, Black Bart was housed in the little jail. He was charged under the name Charles E. Bolten, and on November 17, 1883, he pled guilty to the last Funk Hill robbery and was sentenced to six years by Judge C.V. Gottschalk in the same courtroom you can visit today. He was received by San Quentin on November 21, 1883, as inmate 11046. He was released four years later and disappeared to history.

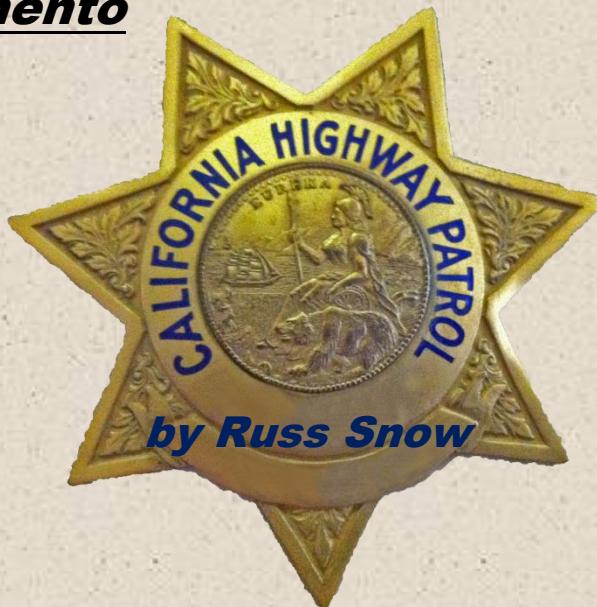
As an added bonus to any visit to San Andreas, the house that Sheriff Thorn built in 1857 still stands around the block from the museum at the corner of Highway 49 and St. Charles Street. It is listed on the National Register of Historic Places, but is privately owned, so it is not open to the public.



Sheriff Thorn's Home, Photo: John Basalto



Chance Meeting in Sacramento



This story actually begins in 1967. I was a senior at Hanford High School and had been on the staff of *The Meteor*, the school newspaper for four years. There had been a recent number of arrests in the Hanford and Corcoran areas of teens for possession of alcoholic beverages, public intoxication, and drunk driving. I wrote an editorial concerning the dangers of drunk driving which was published in the school newspaper and then the Hanford Sentinel. The editorial met with much approval from the adults in the community. Much to my surprise the editorial was featured as a "guest editorial" in the March 1967 issue of the California Highway Patrolman magazine. Shortly afterwards I received a Letter of Commendation from John T. Voss, a CHP Sergeant stationed in Madera, and President of the CAHP.

Chance Meeting in Sacramento (continued)

On July 17, 2013 I was working at the CLEHS Museum at the State Fair in Sacramento. I noticed one woman spent a long time in the museum and seemed to be very interested in all the exhibits. A man waited outside with a scooter typically used by disabled persons. When the woman left I followed her and told the man that if he would like to come in and check out the museum that I would help him if he needed help. He replied that actually the woman was the one interested in the law enforcement exhibits. I asked her if she had any special interest in law enforcement and she said that her uncle was a Fresno Sheriff Detective and her father had been a CHP Officer. I asked who her uncle was and she said, "Mike Perry." Mike and I worked together quite a bit when I was on the Kings County Sheriff's Office. He was assigned to the Ag Crime Task Force and his photo is on the cover of one of the Fresno Sheriff Review yearbooks speaking with a prominent rancher in the Coalinga area.

I asked who her father was and she said, "Oh there are hundreds of them." I told her my Dad was also a CHP Officer and she said, "John Voss." I told her that her Dad was a Sgt. at Madera and President of the CAHP in 1967. She asked how I knew that and I explained the high school editorial and letter he sent me. I also told her that I still have a copy of the magazine and the letter. She said that her Dad "did pretty good in his career" and that he retired from the CHP as a Deputy Chief. I told her that I had "done pretty good in my career also" and gave her a business card as Chief of Police of Fowler, CA. I also asked her to tell her Dad that I still had the magazine and the letter.

Chance Meeting in Sacramento (continued)

About two weeks before the Ripon Show I received a call from John Voss. We arranged to meet in early October. He was a very interesting man with a great memory of his career with the CHP. He was appointed a State Traffic Officer on 3-11-57 ID #2272. He was assigned to East Los Angeles upon graduation from the academy. On 12-24-57 he transferred to Fresno. On 7-1-65 he was promoted to Sergeant and assigned to Barstow. Two months later he transferred to Madera and in 1967 he transferred to ZONE IV HQ in Fresno. On 10-31-68 he was promoted to Lieutenant and transferred to ZONE V HQ Los Angeles. On 4-1-70 he was transferred to Mojave as the Area Commander. In 1971 he was transferred to Training Division and then in 1972 to the Long Range Planning Section.

On 1-31-75 he was promoted to Captain but remained in the Office of Long Range Planning. On 1-1-77 he was placed in command of the CHP Academy. On 3-1-79 he was promoted to Assistant Chief of Personnel and Training. On 4-1-83 he was promoted to Deputy Chief and assigned to the Assistant Commissioner Staff. On 4-1-84 he transferred to Command of the Coastal Division in San Luis Obispo. On 9-30-86 he retired ending a 29 year career with the CHP.

It was an honor to meet him and learn about his CHP career. I was certainly surprised to have a chance meeting with his daughter in Sacramento which resulted in our meeting for the first time since the newspaper editorial 46 years before.



28th Annual Ripon Shows



A real treat of the show were three 1960s restored Cadillac ambulances on display. They were “state of art” at the time but really cannot carry the equipment or staff of a modern ambulance like the AMR one shown in this photo.

Brian Smith photograph

By Brian Smith

The 28th Annual Northern California Law Enforcement Collectors Show and the Menlo Park Police and Ripon Police Emergency Vehicle Show and Law Enforcement Recruitment Fair were collectively held on Saturday, October 5, 2013 at the Ripon Community Center. The shows are sponsored by the International Police Association, Region 29, and the Ripon Police Department. Show hosts were Mike Lynch, Brian Smith and Darryl Lindsay.

28th Annual Ripon Shows (continued)

Attendance at both shows totaled 703 and included 43 collector and display tables in the Community Center and 125 restored and modern emergency vehicles on display in the athletic fields.



Garry Hesson, (left) watches Al Mize (center) and Tod Ruse (right) search through boxes and boxes for that special patch. In addition to patches for sale, Gary brought his display, Law Enforcement Insignia of Railroads that Touched California.

Brian Smith photograph

28th Annual Ripon Shows (continued)

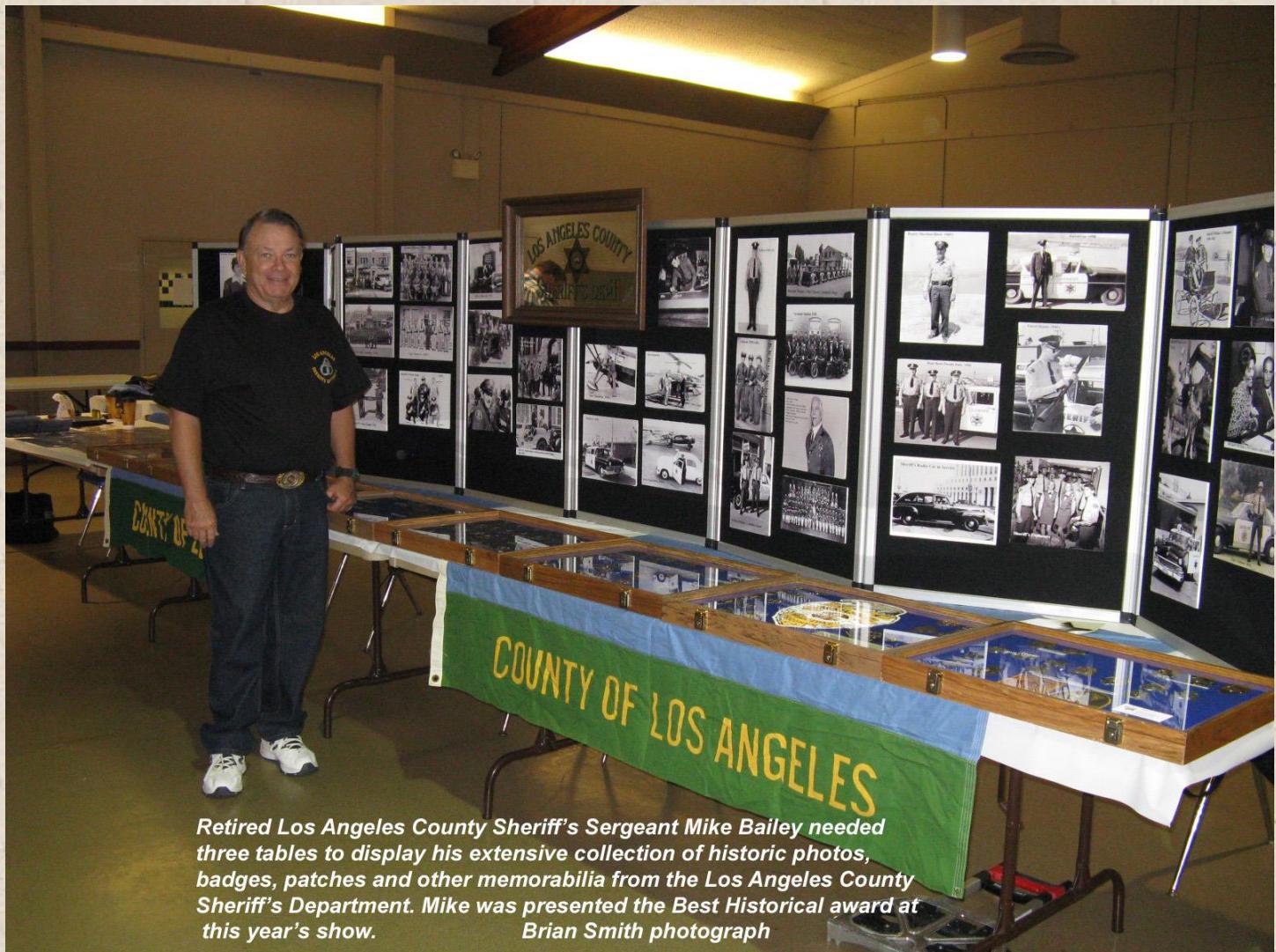


Retired Sacramento County Deputy Sheriff Mike DeVilbiss set up his outstanding display of badges and other historic items from the Sacramento County Sheriff's Department, Sacramento Police Department and allied agencies. Brian Smith photograph

The shows raised \$832, which was distributed to the California State Parks Anniversary Committee, the California Law Enforcement Historical Society, the Ripon Police Volunteers in Police Services (VIPS) and the local chapter of Concerns of Police Survivors (COPS).

28th Annual Ripon Shows (continued)

Established in 2001, the California Law Enforcement Historical Society is a 501 (c) 3, non-profit, public benefit, educational corporation whose mission is to preserve the rich history of California peace officers through its newsletter, mobile museum, collector's show and web site. For more information, or to join, go the Society's web site at: www.Calpolicehistory.com



Retired Los Angeles County Sheriff's Sergeant Mike Bailey needed three tables to display his extensive collection of historic photos, badges, patches and other memorabilia from the Los Angeles County Sheriff's Department. Mike was presented the Best Historical award at this year's show.

Brian Smith photograph

28th Annual Ripon Shows (continued)



Mike McCarthy continues to add to his collection of badges, photos, patches and other historic artifacts from the San Francisco Police Department. Mike is a regular at most California shows and has won numerous awards for his extensive collection.

Brian Smith photograph

The Ripon Police VIPS is an all-volunteer group that donates time to assist the Police Department in various areas such as traffic control, crime scene containment, vacation checks and fingerprinting. VIPS staff also raised funds for their organization at the show through the sale of food and drinks.

28th Annual Ripon Shows (continued)

Since 1984, COPS has provided resources to assist in rebuilding the lives of surviving families of law enforcement officers killed in the line of duty. It also provides training to law enforcement agencies on survivor victimization and educates the public of the need to support the law enforcement profession and its survivors. For more information, or to join, go to the Northern California COPS web site at: www.norcalcops.org



For many years, Tod Ruse has researched and collected rare and historic items representing the San Joaquin County Sheriff's Department. The results of his efforts are seen in Tod's outstanding display. Brian Smith photograph

28th Annual Ripon Shows (continued)

R.C. Yoshioka, (left) Steve Mizroch (center) and Russ Snow (right) are seen here working on a patch deal. Several California law enforcement agencies have issued new patches and collectors were eagerly looking for the new ones.

Brian Smith photograph

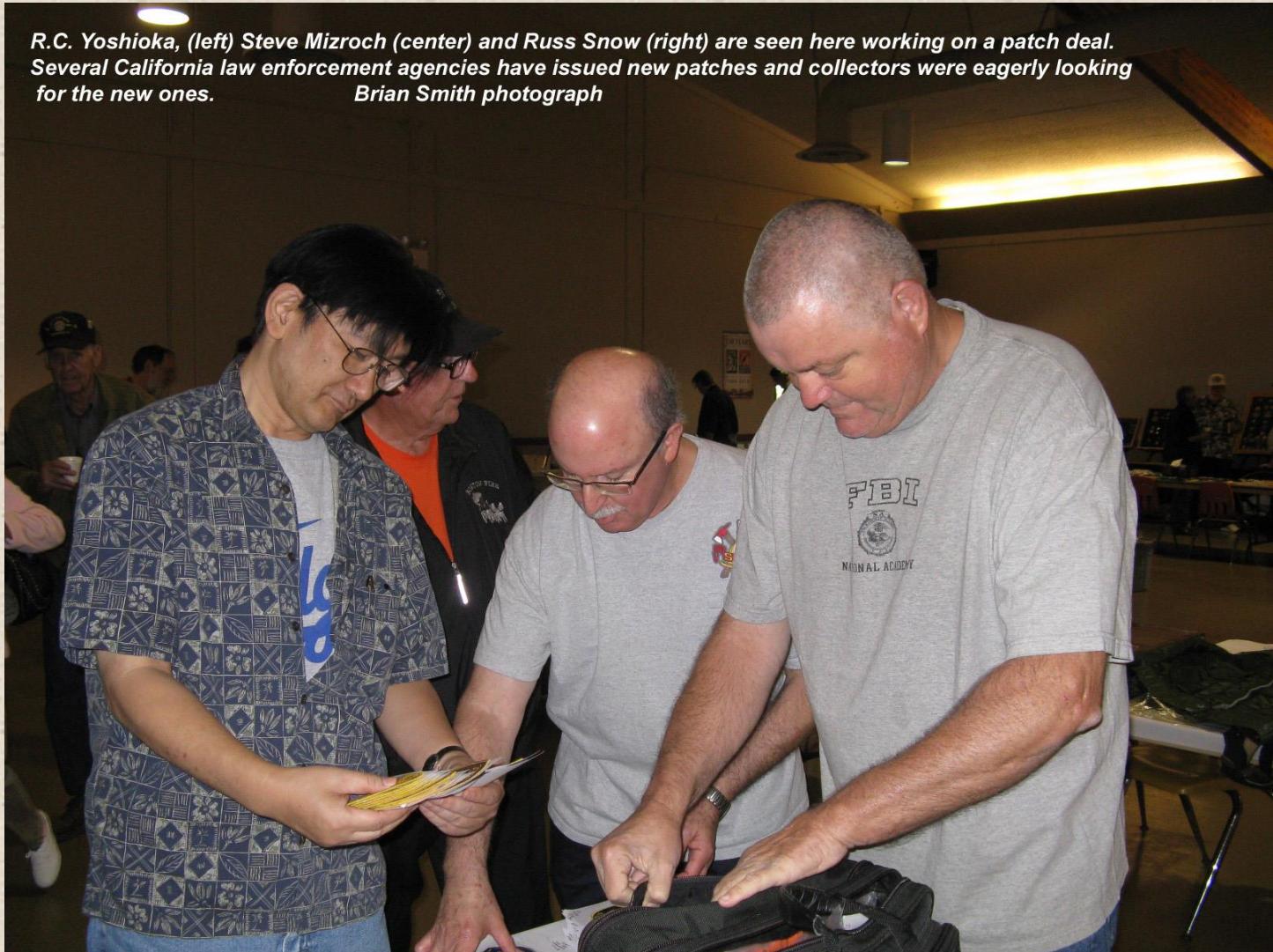


Table holders included: Mike Bailey, Mike DeVilbiss, Greg Gilstrap, Stephen Glumaz, Gary Hesson, Gary Hoving, Nick Kanaya, Frances Lam, Mike McCarthy, Al Mize, Steve Mizroch, Jarrod Nunes, Tod Ruse, Darrin Smiley, Norm Sorenson, Jess Tovar, William Tully, Jr., and R. C. Yoshioka.

28th Annual Ripon Shows (continued)



Brian Smith (left) and Mike Lynch (right), show hosts, present Mike DeVilbiss (center) with the Best Badge award for his display of vintage items from the Sacramento County Sheriff's Department.

28th Annual Ripon Shows (continued)

A total of four awards were presented this year for badge and patch displays. Show judges were Mike Lynch and Brian Smith.

The “Best Patch” award went to Gary Hesson for his display of Railroad Insignia patches.

The “Best Badge” award went to Mike DeVilbiss for his display of badges and historic items from the Sacramento County Sheriff’s Department.

The “Best Historical” award went to Mike Bailey for his display of photos and badges from the Los Angeles County Sheriff’s Department.

Finally, the “Best of Show” honor went to Mike McCarthy for his display of photos, uniforms, signs, and patches from the San Francisco Police Department.

The show concluded in the mid-afternoon when many of the show’s restored and modern law enforcement vehicles paraded through the streets of Ripon for the enjoyment of both participants and on-lookers.



Take a Bite Out of Crime

by Russ Snow

Have you ever used a K-9 to detect or locate evidence or a suspect? Was the use of the K-9 contested in court? What do the courts say regarding the use of K-9's concerning evidentiary situations?

The text "Introduction to Policing" cites several court decisions regarding the admission of evidence detected or located by K-9's. The text was written by John S. Dempsey (Ret. Captain, NYPD and Professor Suffolk County Community College) and Linda S. Forst (Ret. Captain, Boca Raton Florida Police Dept. and Professor Shoreline Community College).



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In 1983 the US Supreme Court ruled that K-9 sniffs by a trained dog are not actually a search or seizure per the 4th Amendment in *US v Place*. The court ruled that exposure of luggage in a public place to a trained dog does not constitute a search. The court explained that the dog's alert to the presence of drugs created probable cause for the issuance of a search warrant. The dog's sniff is non-intrusive and reveals only the presence of contraband.

K-9 Take a Bite Out of Crime *(continued)*

The use of dogs has met with few real legal challenges in court with the exception of the dog's reliability. The dog handler should be prepared to testify and establish the dog's reliability by providing a complete record of the dog's training, success rate, and certification. (Michael J. Bulzomi, FBI Law Enforcement Bulletin, Jan 2000, pg. 27-31 Drug Detection Dogs, Legal Counsel and FBI Law Enforcement Bulletin 2001, pg. 25-32, Using Drug Detection Dogs, An Update).

Courts have declared dog sniffs are not searches in cases involving luggage, packages, warehouses, garages, buses, trams, motel rooms, apartments, and houses as cited by Jayne S. Walker in a 2001 FBI Law Enforcement Bulletin.

In the case of IL v Caballes in 2005 the court ruled a K-9 sniff of the exterior of a vehicle on a traffic stop can be performed when the officer suspects the vehicle occupants are engaged in any criminal behavior. (Jennifer Ashley, Simon Billinge, and Craig Hemmens, Criminal Justice Studies, 2007, pgs. 177-196, Who Let the Dogs Out).

Similar to the Place case is US v Chadwick in which the court stated a K-9 sniff does not require the opening of luggage, does not expose non contraband items that would otherwise remain hidden from public view, and is less intrusive than a typical search.

K-9 Take a Bite Out of Crime (continued)

In the case of US v Gates, involving a robbery, a lineup was conducted eight months after the robbery. The K-9 sniffed a pair of shoes and gun and bag of money dropped by a suspect during the robbery. The K-9 was placed in the lineup room and promptly went to Gates and placed his head on Gates lap. The court stated that it wasn't possible to question the dog, or for the dog to communicate its findings, and therefore it was necessary to rely on the interpretation of the dog's actions by his handler.



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K-9 Take a Bite Out of Crime **(continued)**

In the 1984 Arizona case of State v Roscoe, a dog was used to identify a suspect. A 7 year old girl disappeared and later her bike was found. Her body was found nearby the next day in a remote area. She had been sexually assaulted and strangled. Kevin Roscoe was convicted. An appeal was filed based on the admission of "dog scenting." Five tests were conducted to determine the dog's reliability.

Test #1- Five cars were lined up. The K-9 was given the victim's scent. The K-9 picked Roscoe's car. The handler testified this meant the victim had been in the car.

Test#2- The K-9 was scented on Roscoe's clothing. The K-9 was then taken to the general area where the bike had been found. The K-9 alerted on the location where the bike had been found. The handler testified that this meant that Roscoe had been there.

Test #3- The K-9 also alerted at the location where the victim's body had been found.

Test #4 and #5- lineups of clothing and bicycles were used. The K-9's reaction indicated that Roscoe's scent was present on the clothing worn by the victim and on her bicycle.

The court ruled that dog tracking on identification evidence was admissible upon proper foundation that the breeding, training, performance, and handling of the particular dog warrants an inference that the results obtained from use of the dog were reliable. By the way, this dog was the same dog used in the Gates case described above.

K-9 Take a Bite Out of Crime **(continued)**

Now that the Criminal Evidence lecture is over, what does this have to do with police history? I recently purchased a copy of the "Central California Police Journal, Kern County Edition, 1929". The booklet is 80 pages long with numerous photos and information concerning the law enforcement agencies in Kern County in 1929. Of particular interest are the biographies of practically every peace officer in the county. On page 51 is the article on William (Will) H. Hodson, Deputy Sheriff in Shafter, CA. Hodson was born 5-13-1877 in Unionville, MO. He died 5-16-1935 in Bakersfield, CA. The 1930 census shows him living in Shafter, CA with an occupation of Deputy Constable.



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The article states, "Hodson is one of many Missourians who have made good as peace officers in the west. Kansas was one of his first stopping places and here he demonstrated his natural ability for peace officer work. As Deputy Sheriff in Phillipsburg, Kansas, Hodson spent seven years of conscientious work, absorbing the hard training of law enforcement and learning to surmount the many obstacles and overcome the difficulties incidental to the job. Later he went to Greeley, Colorado and to Wyoming, where he was a police officer and again deputy sheriff. In these states he put in seven more years in the public service."

K-9 Take a Bite Out of Crime ***(continued)***

“While in Wyoming, Hodson introduced bloodhounds as an aid to the detection and arrest of criminals and escaped convicts. The innovation was not received enthusiastically by the public, but Hodson soon showed that the dogs were useful, for he was the first officer in the United States to obtain conviction of a criminal by their use, or, as he says, “on the dog's evidence”. This was at the time when sabotage in the form of burning of haystacks and barns in the agricultural districts of the West became a real menace to the farmer. Hodson's hounds tracked down a man who had burned a threshing machine and large quantity of wheat stacked in the field. The evidence was conclusive and the criminal was convicted and sentenced to a term of three years in the state prison”.

This book contains many other interesting details about law enforcement in Kern County and the men who enforced the laws.





Upcoming Events



February 22, 2014

Doug Messer 49'er Public Safety and Military Collectors Show

Roseville Veterans Memorial Hall

110 Park Drive

Roseville, CA

9:00 am to 2:00 pm 8:00 am Set Up

Tables \$25.00

Hosts: Mike Lynch, Brian Smith and Phil Jordan

lynch3212@wavecable.com www.calbadgeshows.com

July 12, 2014

California Law Enforcement Historical Society Police Memorabilia Collector's Show

San Luis Obispo Veteran's Memorial Hall

801 Grand Avenue

San Luis Obispo, CA

9:00 am to 2:00 pm

Tables \$35.00 each \$25.00 for members

Host Gary Hoving

www.calpolistory.com



October 4, 2014

Northern California Law Enforcement Collectors Show & Ripon Police/Emergency

Vehicle Show & Recruitment Fair

Ripon Community Center

334 W. 4th Street

Ripon, CA

9:00 AM to 2:00 PM, 8:00 AM Set Up

Tables \$25

Hosts: Mike Lynch, Brian Smith

Contact: Mike Lynch

lynch3212@wavecable.com www.calbadgeshows.com

2014 Membership Renewal:

Have you renewed your 2014 membership in the California Law Enforcement Historical Society? If not, please take a moment to renew your membership with a payment of \$35.00 for one year or \$350.00 for a life membership!

**You can make your payment on-line with PayPal by using this link:
www.Paypal.com and using the Society's email address for payment
calpolicehistory@aol.com**

If you prefer, you can make your payment by sending a check to:

California Law Enforcement Historical Society

P. O. Box 254875

Sacramento, CA 95865-4875

Can't remember if you have renewed your membership? Contact Brian Smith, at redfive@ix.netcom.com for your membership status.

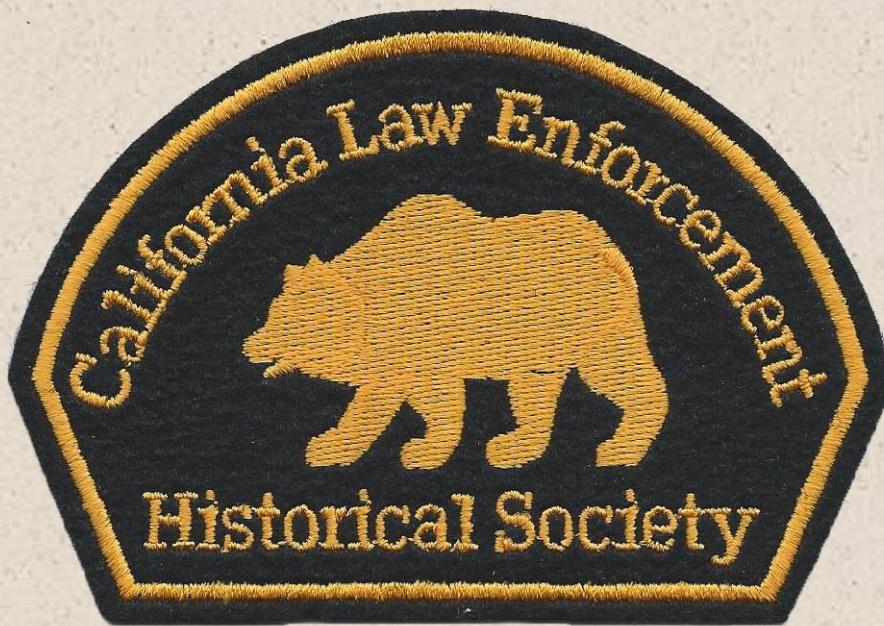


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California Law Enforcement Historical Society

Established in 2001, the California Law Enforcement Historical Society is a 501 (c) 3, non-profit, public benefit, educational corporation with the sole intent of preserving the rich history of the peace officers who have served within the State of California. The objective is to link those interested in preserving a forum for education, research, and the enjoyment of our past.

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