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7-29-1954

## 54/07/29 Police Strategy At Crossroads

Cleveland Plain Dealer

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### Recommended Citation

Cleveland Plain Dealer, "54/07/29 Police Strategy At Crossroads" (1954). *All Articles*. 103.

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# POLICE STRATEGY AT CROSSROADS

CPD  
Story Ponders Next Move  
in Sheppard Case

7-29-54  
BY TODD SIMON

What is the police strategy now since Police Chief Frank W. Story has "given up on the idea of picking up Sam Sheppard (his main suspect) and trying to shake him down"?

Here are some of the ways police have proceeded and may try in the Marilyn Sheppard murder case:

"IF WE DON'T HAVE ENOUGH, keep digging until we do," Chief Story last night said that was one possibility.

BRING IN THE SUSPECT, knowing his lawyers will come a running with a habeas corpus action immediately. Judges have usually given the police "a reasonable time" to hold the suspect and then to charge or release him. "Reasonable" usually means about one day.

MAKE THE ARREST for investigation about noon on a Saturday, when courts adjourn until Monday morning.

## Certain of Writ

Answered Story: "I've had a writ sprung on me on a Sunday morning."

CHARGE THE SUSPECT as soon as the writ of habeas corpus is "sprung." If any charge less than first-degree murder is filed, the suspect has a right to put up bail and can be freed pronto.

But first-degree murder defendants, in most cases, have no right to bond and cannot be bailed out. In this way the writ

would fail to get the suspect out of police hands.

To this Chief Story said: "What would happen to me if I go that way with what I have and if what I have is not sufficient? I'd be gambling. And I'm not a gambler.

"If somebody else wants to do that he can. But I won't urge anyone to. I see no point in sticking my neck out to satisfy a lot of curiosity seekers just because they want me to do that."

## "Not Usual Case"

False arrest suits cost a great deal in legal fees, time and headaches even when the police officers win the verdict, the police complain.

Almost never do police take their case to the county prosecutor to put it before the grand jury without first trying to get

TO MOVE OR NOT TO MOVE that was the question when Mayor J. Spencer Houk (left) and Police Chief John P. Eaton of Bay Village (center) held a powwow yesterday with Homicide Capt. David E. Kerr (right) and others of the top brass of the Cleveland Police Department at Central Station. They were going over ways and means of making an arrest of their top suspect.

all evidence available from grilling the one they expect to accuse.

"But this is not the usual case," said Chief Story.

The prosecutor had not yet been handed a transcript of Coroner Samuel R. Gerber's inquest record.

Grand Jury Foreman Bertrand Winston was planning to leave town after today's routine jury session. He said he would be back Wednesday.

Story did not rule out entirely the possible future police questioning of his suspect in the case, the husband of the clubbing victim.

## Motive Not Clinched

But it became clear from the high command's hesitancy that nothing—not even the thick statement of Miss Susan Hayes, which police and prosecutors pored over word by word—had clinched a motive for the brutish bludgeon murder.

Dr. Sam Sheppard had taken Miss Hayes, the 24-year-old medical technician, home here more than a few times after making his evening calls, authorities said after studying her statement.

County Prosecutor Frank T. Cullitan said he was pulling down an "iron curtain" between reporters and the letters which Dr. Sam wrote to Susan in California since March.

