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## PUBLIC SAFETY WRITERS ASSOCIATION NEWSLETTER

### 2011 January Newsletter

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This is your newsletter, please contribute articles, your news, book reviews, or anything else you think might be of interest.

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#### MESSAGE FROM THE PRESIDENT

Hopefully by now you have all firmed up your New Year's resolution to make this the year you really get serious about your current writing project. In the last issue, I offered some suggestions about marketing. This issue, I'd like to say a bit about the importance of an outline as part of the editing process.

While a well developed plot and interesting characters are certainly a must in any book project, equally important is attention to detail. Even the best of books can lose credibility with readers if an easily correctable error occurs.

So while you and your editor are going through your manuscript for the third or fourth time looking for all those nit-picky spelling, punctuation and grammar errors, also consider creating a "detail" outline.

By creating a "detail" outline you can make sure that:

1. Every detail regarding characters and setting in the book is consistent
2. Time sequence is logical and believable
3. The clues you scatter throughout the book are logical and have a reason to be there
4. All details about procedures (forensic, medical, professional) are accurate
5. All extraneous characters and subplots are eliminated
6. All loose ends are cleared up
7. The ending makes sense
8. The ending is satisfying to the reader

For purposes of illustration, let's assume you've written a mystery novel. Because you will have multiple chapters, your outline can easily be organized by chapter. The outline of the first chapter might look like this.

### **Chapter One**

1. Setting
  1. Locale: Rural county in Pacific Northwest, five miles from nearest town, Nugent's Corner
  2. Time of year: March
  3. Weather: Cool and rainy
  4. House where story begins: Log cabin on five acres of cedar forest
  5. Vehicles: Main character owns a 1998 white Subaru Forester with a blue interior and manual transmission.
2. Characters
  1. Main character: 57-year old retired sheriff named Ed Folsom, recently widowed (late wife Barbara), has graying hair worn in a crew cut, 30 pounds overweight but still physically fit. Loves to hike in the mountains. Has large gun collection and speaks fluent German.
  2. Pet: Has 12-year-old Border Collie named Ralph and a black horse named Dolly.
  3. Handyman: 32-year-old former logger named Sam Eagle, disabled by a chain saw accident that left him with an artificial left arm. Divorced from Allison, a waitress at the Glacier Bar. Has seven-year old daughter, Daisy.
3. Clues
  1. While cutting wood for cabin's wood stove, Folsom finds a human skull and femur with strange gouges in it .
  2. The Subaru has a bullet hole in the passenger side window
  3. There is a door painted green in the back of the barn with a combination lock and a dead bolt.

Your next step would be to create an outline for Chapter Two in which you add all the new details and make sure that everything in that chapter is consistent with everything in the first chapter. Did you remember that the car is white, the horse is black, Ed Folsom is a retired sheriff, the bullet hole is in the passenger side window. Sam's daughter's name is Daisy. And so on.

While you may think you will remember everything you've ever said about a character or a place or a vehicle or, for that matter, a horse, you'll be surprised how easy it is to inadvertently make the small error that can threaten the credibility of all of the facts you got right.

Along with that resolution to get serious about your writing, also resolve to make sure that the writing you do is right, every place in the book, every time. Your outline will be an invaluable tool in making that happen.

--Marilyn Olsen, President

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## PSWA WRITING CONTEST

The rules for the contest are on the [website](#). Here's a comment from a former winner.

At my first PSWA conference I found myself in a room full of cops and people who wrote cop stories. I was the only Firefighter present. To my surprise, the novel I had entered in the writing contest won a prize. I discovered I was among a group of folks who helped me improve my writing skills and gave me direction with my promotional efforts. It was a wonderful experience. I give a Captain's salute to the PSWA and to all my new writer friends.

### **Bob Haig**

Author of "Fire Horses"

[www.rjhaig.com](http://www.rjhaig.com)

And another winner:

People frequently ask authors if their protagonist is based on the writer. Mine is not, but one bad habit we share is sometimes paying more attention to abstract thought than everyday matters. At the last PSWA Conference, I ran into John Taylor and Bob Haig in the bar. Where else would you expect to find those two? It was Saturday night and they asked me if I expected to win the Fiction Book Award the next day at awards presentation after the luncheon. When I told them I didn't remember if I had entered, they laughed so hard I thought they would spill their beer. So the next day when Michelle (the contest chair) got to the fiction books category, I suspect I was twice as anxious as the other entrants. Not only was I waiting to see if I won; I was waiting to see if I entered. So I was relieved when Michele read *The Pot Thief Who Studied Ptolemy* along with the titles of the other finalists. And I was delighted when she announced I had won. I think I appreciated it even more because of the anxiety of not knowing if I was even entered.

Winning the PSWA Award was great because it's the writers conference where I feel I'm among friends. And it was a big boost to my writing because the first book in the series, *The Pot Thief Who Studied Pythagoras*, had already won two awards (and has since won another), and having the second book win an award made me look less like a one-shot wonder.

### **Mike Orenduff**

[www.orenduff.org](http://www.orenduff.org)

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## THE PSWA CONFERENCE

If you haven't signed up for the conference yet, here's a reminder from Keith Bettinger. PSWA's (Public Safety Writers Association) annual conference will be held in **Las Vegas, July 14-17, 2011** at the [Orleans Hotel and Casino, Las Vegas](#). The conference is open to anyone writing crime and mystery fiction or non-fiction, technical writing for public safety magazines in print or online, or anyone interested in writing. The Orleans Hotel and Casino:

- 30 guest rooms blocked on either side of our conference dates for attendees wishing to make this a working vacation.
- 50 guest rooms blocked for conference dates.
- Conference Rates:
- Guest rooms \$43 weekdays/\$90 weekends (Friday and Saturday) If advertised prices go below conference rates they will match.
- Shuttle service to strip and Suncoast and Gold Coast casinos.
- No airport shuttle, but taxi from airport to Orleans straight up Tropicana is about \$10-\$12
- Shuttle services (small buses, multiple companies) from airport Approx. \$7.50 -

\$10.00

- Can walk to new strip from hotel if energetic. Don't recommend because of heat and riff-raff begging on streets along the way.
- Buffet, restaurants, coffee shop, Seattle's best, bowling alley bingo hall, movie theaters etc.
- For more information visit <http://www.oleanscasino.com/>

Remember, the early bird rate for the conference has been extended to March 31! Sign up right away. <http://www.policewriter.com>.

P.S. from Marilyn: If you haven't checked out our great list of presenters [take a look](#). We'll have panels too on subjects of great interest to all writers.

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### **AMBULANCE DAYS**

Like many of you, I put myself through college. I washed dishes, ran tests in a veterinary medical lab, and worked the counter at a convenience store chain. That job provided inspiration for my law enforcement career. After being shot at three times in the space of less than a year, I wanted a job where I could shoot back. By far, the most memorable of my college jobs was as an ambulance jockey, and EMT, on private ambulance services around the San Francisco Bay Area. If you want some insight into what it was like to work on an ambulance in those days, get a movie called Mother, Jugs and Speed. The film depicts the lives of employees of the fictional F&B Ambulance Service in Los Angeles.

The outfits I worked for weren't nearly as professionally run as F&B. The one that was most memorable was in San Mateo, CA--Silva's Ambulance. The ambulances were pink, because that was the owner's wife's favorite color. Pink bed linen, and when I got there, they were just moving away from pink shirts, as they were too difficult to find. Bob Silva never bought a new ambulance. They were all used Cadillacs, as he believed a used Cadillac was much classier than a new van-type that actually ran. I was taking a woman in labor to a hospital in San Francisco when the tranny gave up the ghost in Hunter's Point. I'd told Bob the day before that it was on its last legs, and he advised that I should shut up and drive what I was given to drive. We were dead in the water, and just barely within radio range to call for another rig to take our patient.

The county came out with some new regs for gear that had to be on the rig, and one requirement was an obstetrics kit. Pre-packaged OB kits from Dyna-Med were \$7.50 each. Silva bought one. He put it on a rig, sent it to be inspected, then brought that one back and put the same kit on the next rig to be inspected. When it was finally left in the rig he usually drove, he wrapped it in strapping tape to discourage anyone from actually using it. It wasn't like we didn't need OB kits. I delivered three babies while I worked there.

The electronic sirens we're so used to now were just coming into widespread use in the 1970s. Most of our ambulances were equipped with mechanical sirens that wound up slowly when activated. They had brakes on them, and if you forgot to brake the siren before you left the rig, it would take a minute or more to wind down, growling the whole time. The big daddy of these mechanical sirens was the Federal Q2. Some of these are still in use on fire engines. The Q2 is a massive thing, and drew so much power that the engine would knock when you leaned on the button too long—the spark plugs didn't get enough voltage. Few man-made things are as loud as a Q2. One day, while en route back to the station with a new attendant, I stopped at a Safeway for some groceries. I left the attendant in the rig, telling him to tap the siren if we got a call. When the call came in, he didn't tap on the horn ring that activated the siren—he held it down. The ambulance was parked facing the store and its large plate glass windows. I heard the siren, then heard the window start to reverberate in its frame as it resonated with the blast of sonic waves—“whap-whap-whap-whapwhapWhapWhapWHAPWHAPWHAP.” I

made it back to the rig, screaming ineffectively, before the window shattered.

Between the mechanical siren, separate heater for the rear compartment, more blinking lights than a Vegas casino, etc., the ambulances needed a lot of electrical power. A single battery would be dead before you got to the hospital, so most ambulances had two car batteries, cross-connected via a big rotary Cole-Hersee switch. The switch, which looked a little like the access cover to your house's sewer cleanout pipe, had four positions: Battery One, Battery Two, Both, and Off. "Both" was the usual setting, but when the rig was parked, it was common to switch it to "Off," so the batteries wouldn't be drained if you had forgotten to turn something off. This effectively disconnected the batteries from the rest of the rig. If you wanted to have some fun with another crew, you could turn everything in their rig on, but leave the Cole-Hersee switch off. When they turned it back on, hilarity would ensue.

The gear we had in these ambulances was very basic, and most of us purchased and brought our own equipment to work, rather than provide inferior care for our patients. I bought my own stethoscope and sphygmomanometer (blood pressure cuff), chemical cold packs, wire ladder splints, ammonia "wake up gizmo" ampules, etc. Consumable supplies, such as self-adhering Kerlix bandages and waterproof tape, were stolen from the hospitals. The bandages we had on board, furnished by the company, were made of crumbling linen material from the Korean War era. Oropharyngeal airways were supposed to either used once and discarded, or autoclaved between patients, but we had neither replacement airways or an autoclave, so we wiped them clean with alcohol and hoped for the best.

Our suction apparatus was powered through the engine's vacuum manifold. Suction power went to zero when the engine was accelerating. If you were trying to clear gunk from a patient's airway while your driver was flooring it, you'd tell him to coast until you had made some progress.

We weren't allowed to say someone was dead, even if the flesh was falling from their bones. Law enforcement officers could make that determination, but doing so meant they would have to remain at the scene until the coroner arrived, which could take hours. This being the case, many officers chose to see some glimmer of life in corpses long past resurrection. We responded to an "11-80" (traffic accident with serious injuries) attended by a member of the California Highway Patrol to find a pickup truck that had rolled over with an unfortunate passenger in the back. The passenger had not quite been decapitated, as his head was hanging by a few strips of flesh. This was one of the more obvious dead people I had encountered, but the Chippie ordered us to run him in. Getting the body onto the gurney had the same effect achieved in kosher slaughterhouses, where the neck veins are severed and the blood is allowed to drain from the carcass. By the time we got to the hospital, the floor of the rear compartment was literally awash in blood, with it sloshing over my boots. I called the office and told them we would be out of service for a while.

This pre-dated the AIDS scare, and even though hepatitis and other bloodborne pathogens were just as nasty then as now (and there was no vaccine), we had no latex gloves to wear. Back then, gloves were worn by medical people to protect the patient from infection. There wasn't a lot of thought given to protecting the caregivers. I remember cleaning up after an especially gruesome call and thinking that I wasn't just cleaning something, but rather someone, out from under my fingernails.

One case where we didn't have to transport was at the home of an older gentleman. I never knew the circumstances that prompted the call, but we arrived a few minutes after the fire department and before the cops. As we walked up to the house, the firemen were walking out, chuckling to one another. "He's dead!" they said with some amusement. We entered the bedroom to find an older man lying supine on top of his bed, naked. Rigor had set in, so he had been gone for some time. What the firefighters found so funny was that the man had expired while engaged in an act of self-pleasure, and still had the weapon in hand. My partner and I looked at each other and registered

much the same expression the firemen had. As we walked out, the cops were just arriving. "He's dead!" we told them. I suppose there are worse ways to go, but that's not how I want to be found.

I ran a lot of calls at Silva's. The shifts were 120 hours long--yes, five days straight. You got paid straight time (\$2.00/hour in 1974) for the first eight hours, a guaranteed time-and-a-half for five more hours, and were unpaid for three hours of meals, whether you actually got to eat them or not. Between midnight and eight in the morning, you got overtime for the time you were actually in service on the call. If you rolled and were cancelled two minutes out--which was common--you got two minutes of overtime. I swear some of those rigs could find their own way home, because there were many nights I have no memory of having driven them there. When my days off finally arrived, I would usually sleep through at least one of them.

The full Silva's uniform was a sartorial delight. Each time they would give me a new uniform article, it would fall to a mysteriously tragic end, so I wore a white shirt, navy blue knit slacks, and a nylon bomber jacket. If you wanted to show you were management material, the required outfit consisted of a white (formerly pink) shirt with royal blue trousers and Ike jacket. The trousers had white piping down each leg, as did the cuffs of the jacket. On each shoulder of the Ike jacket was a huge purple and gold patch, proclaiming the wearer to be employed by Silva's Ambulance Service, the words spelled out in metallic script. One was also obliged to wear a royal blue CHP clip-on neck tie. Mandatory accessories to the ensemble included a gold metal nametag, white belt, and white leather shoes. Worn on the shirt or jacket was a shield-type gold badge, about the size of a soup plate. All the badges identified the wearers as "Technician," except for Bob Silva's. His said, "Owner." There was a \$20 deposit on the badge. Those who were really in with the in crowd had huge custom Western-style belt buckles with their first names spelled out diagonally, and the corners adorned with red crosses, stars of life, or tiny ambulances. However, the crowning glory accessory--and I only saw one of these--was a gold tie bar, wider than the tie itself, with a fine gold chain attached to either end of the bar. Dangling from the chain was a pink Cadillac ambulance. Its wearer was extremely proud of this, and wouldn't tell anyone where he got it, lest someone steal his thunder.

Employee turnover was around 200% annually, and I was a prized employee because I always showed up on time and sober. I was able to work full time on school vacations and summer, and from Friday evening to early Monday morning, when I'd leave to make it to my first class at San Jose State. It wasn't uncommon to have an employee go AWOL, and have the cops show up a day or so later, looking for them. You had to be fingerprinted to get an ambulance driver's license, but all you needed to work as an attendant was a first aid card, which management would procure for you for a small fee.

There was one very senior employee whose name was also Bob. Bob thought he was the manager, and would tell you he was if asked, despite advice to the contrary if one of the Silvas was listening. Bob was very possessive of "his" ambulance, which was always the newest one (given that they were all used, "new" was a relative term). One night, I had just come in to work, and a call came in. The dispatcher told me to take it, so I grabbed an attendant and got in the first rig I saw. It was Bob's, of course. When I returned, Bob screamed my face, lest I forget that that particular rig was HIS ambulance, and I had better stay the hell out of it if I knew what was good for me. Bob had an apartment near the main station, so he didn't have to sleep at the station when he was on duty. If you were Bob's attendant (Bob never worked in the back unless there was some real hero stuff going on), you were allowed to drive Bob's ambulance to his place, where you switched seats. That night, a co-conspirator and I did a little customizing to Bob's rig. When he got in the next morning, he found the handle on the driver's door adorned with some adhesive tape, reading "Bob's Door Handle." Inside, more tape indicated Bob's Steering Wheel, Bob's Cigarette Lighter, Bob's Gearshift, Bob's Turn Indicator, Bob's Accelerator, Bob's Radio, Bob's Other Radio, and so on. Tucked under Bob's Sun Visor was a card on a little string, trimmed to drop to eye level: "Hi, Bob."

Silva's didn't have the market cornered on odd employees. A rival company employed a guy we called Captain Action. Captain Action worked for a company that had more traditional uniforms, but still included a badge. The issued badge wasn't up to Captain Action's high standards. He had his own badge made up. It was a thing of beauty. It was a gold seven-point star (the most common style of police badge in those parts), but much larger than most police badges. It put the Silva's badge to shame on size alone. I remember it had a big California State Seal in the middle, and a lot of text on the banners and inner ring. There was so much lettering on the badge that I never got to finish reading it, although I saw it often. Captain Action also wore a police-style Sam Browne belt with various snaps and cases, including a cuff case, cuffs, and a baton ring. I never saw a baton, but I'm sure he had it around somewhere.

Captain Action loved to talk on the radio. Each ambulance had two radios, one on the company channel, and one that broadcasted on a shared, county-wide channel, called County Control. There was no direct channel to the hospitals, so one was obliged to tell County Control what you had and where you were bringing it, so the dispatcher could give the appropriate ER the heads up. An appropriate message might be something like, "County Control, Ambulance 3335, en route Code 3 to Peninsula Medical with an unconscious head injury." Captain Action preferred to be somewhat more detailed, and made liberal use of the phonetic alphabet. "County Control, Ambulance 3330, en route Peninsula Medical Center with a 33-year-old white male with a history of cardiac myopathy, I spell CHARLES-ADAM-ROBERT-DAVID-IDA-ADAM-CHARLES-BREAK-MARY-YELLOW-OCEAN-PAUL-ADAM-TOM-HENRY-YELLOW..."

After one of these lengthy narratives (keep in mind that there were ten or twelve other ambulances in the county that used the same channel), the dispatcher was oddly silent. Captain Action made another try to ensure his message made it through. "County Control, Ambulance 3330, did you copy?"

"Ambulance 3330, County Control, TOM-EDWARD-NORA-BREAK-FRANK-OCEAN-UNION-ROBERT."

Ah, the good old days.

--Tim Dees

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## OPTIONS

I suppose you could be a millionaire or just won the California lottery or perhaps your name is J. K. Rowlings, William Jefferson Clinton or even Tom Clancy. If you fit one of those categories and you have a manuscript, even if it was written with crayon on a roll of toilet paper you would have a great chance of getting that manuscript published by a traditional publisher. If you fit the above but do not have name recognition you can afford to have your typed, unedited, double spaced manuscript published by some Vanity Press. But if you are like most people I know, you have a story to tell and you will end up self publishing it.

There is a new method that is by far less expensive. It is createspace.com and it appears to be a subsidiary of Amazon.com, one of the largest distributors of books in the US. In fact it is basically free but there are a few small conditions.

First you should have your MS edited and formatted. You will need to have it put into PDF (Portable Document Format) before ever going to Createspace. In your original application they will want to know exactly how many pages there are and the size of the book you want. I like 5.5 X 8.5 inches. I also like Times New Roman Font, size 12, because most of my readers are old and wear glasses. I also find that the USPO provides Priority Mail boxes free and they are just the right size for two of my novels and shipping cost is about \$5 for priority mail.

Here is another nice thing, they have numerous cover formats. You select the format you want, send them your own cover art and back cover verbage and they do the cover free as well as provide the ISBN free.

Within just a few days, you get notified your proof is ready at the cost of about \$8 for a 360 page book and they ask you how you want it shipped. You have your choice of the slow boat for one price, a faster boat for a little more or speedy service for about \$20.

You get the proof copy, review it make any corrections to your MS, reformat and re-PDF it and send it back electronically and the process is repeated until you are satisfied. Once you approve the book it is listed on Amazon. If you want it available as an E-book they do charge \$39.

Like all books sold on Amazon you will be paid a royalty. If you know a local printer who has a Print On Demand printer, I would recommend you buy two books after they are available. Take one to your POD pressman and he will scan it in or accept your approved PDF copy. He will then scan in your cover and he can then produce your books at POD prices which will be a few bucks less than Createspace.

--Jack Miller

Jack Miller is an award winning author and member of the Public Safety Writers Association. He has published five historical fiction novels, *Cold War Warrior* and the sequel, *Cold War Defector*. Also, *The Master Cheat*, *Operation Switch* and *The Medal*. To read summaries please visit [www.retafsa.com](http://www.retafsa.com)

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## FIGHTING WILD FIRES



In August, 2009, the Station Fire, started by an arsonist, burned for 7 weeks north of Los Angeles. It was the largest fire in the County of Los Angeles, burning 160,577 acres (251 sq mi; 64,983 ha) and killing two firefighters. My upcoming novel, *Code Blood* features a Los Angeles County Fire paramedic, Colt Lewis. Here is an excerpt where he visits the site of the fire. I have also attached a couple of actual pictures of the cloud of smoke which hovered over Los Angeles for weeks, and a picture of the LACoFD Blackhawk helicopter used in aerial firefighting.

Excerpt from *Code Blood*

In La Canada/Flintridge, he turned up the steep Angeles Crest Highway, a forty-mile road running through canyons and along mountain ridges in the Angeles National Forest. A year earlier an arson fire started near the ranger station became an angry 165,000-acre blaze feeding on the thick brush and trees. Colt missed all the action in what became the largest fire in Los Angeles County's history. While he was in the middle of paramedic training, three-thousand firefighters spent seven weeks fighting what became known as the Station Fire. Two firefighters trying to escape the flames died when their truck plunged off a cliff. A thick cloud of smoke visible on weather satellite images from space, billowed four miles into the sky. Ash and soot rained down on the city of Los Angeles. After containment, mop-up went on for several weeks, with helicopter crews using thermal imaging to find smoldering spots deep in ravines and canyons and inmate fire crews working to clear the burnt debris from wilderness fire roads, trails, and campgrounds. CalTrans closed the entire Angeles Crest for months while it replaced guardrails and parts of the road destroyed by the fire. Soon after it reopened, the winter rains came and tons of mud and debris flowed down the bare mountainsides, eroding the slopes and destroying more of the highway. A year later reconstruction was still underway.



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The view on the ascent was bleak. What was once a spectacular panorama of the rugged San Gabriel Mountains was now a moonscape. As Colt climbed the steep, two-lane road, he looked out at a black carpet where skeletons of pine and conifer, oak, birch and cottonwood covered the hillsides. Colt tracked the direction of the fire where it raced uphill in different places. Many trees, charred on the side where the fire approached, still had a few brown, dried clusters of pine needles or leaves on the sheltered side. Scorched pinecones hung from the high branches of the tallest pines. The massive blowtorch had seared away the Manzanita, chapparal and sagebrush from the ground, leaving stumps, scorched earth and blackened rock. As he climbed higher, Colt saw a few patches of green where the wall of fire jumped over patches of trees and brush tucked into deep folds in the landscape.

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The California heat and low humidity was insidious. Colt walked back to his truck and drank a bottle of water. He took the Igloo container and went around to the bed of his truck and grabbed a Pulaski—the half axe, half hoe that wildland firefighters use. He started up the steep hillside beyond the picnic tables, using the Pulaski for balance. As he climbed, he saw how the earth had begun to repair the damage from the fire and prepare for a cycle of regeneration. The sunlight, once filtered out by heavy brush, overhanging branches and an accumulation of leaves, now touched the ground and nurtured new growth. Pine cones, awaiting a fire, had burst open and spread their seeds. Green shoots of plants and bushes were already pushing up through the burnt ground. In five years, a lush carpet of green would cover the mountainside. In ten years, there would be no trace of the Station Fire. In 25 years, the mountainside would be overgrown once again, and it would be time for another fire.

--Kurt Kamm <http://www.kurtkamm.com>

See my interview about Red Flag Warning on Fire Department Network News TV  
<http://www.fdnntv.com/Kurt-Kamm-Red-Flag-Warning>

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### WHAT IS A TRUE AMERICAN?

Certainly if you fought for your Country in the field of battle or trained to fight for your Country through the Armed Forces you are a true American, although that is not an absolute. Look at the officer at Fort Hood or the Army Specialist who gave classified information to Wikileaks.

Just being born in the United States doesn't make you a true American. Most of our founding fathers, the writers of our Constitution or the signers of the Declaration of Independence weren't born in America. Most of our laws are supported by the Constitution, which include the laws governing entrance into our Country by immigrants. If you live by the laws of this Country does that make you a true American?

Okay, you live by the laws of this Country, how else do you support it? You pay taxes and you exercise your right under the Constitution to vote for Government Representatives who create the laws and levy the taxes. Or maybe you're a public servant. You work for the Federal Government or State Government and your job is serving your fellow citizens in whatever capacity necessary to support that Government.

Does that make you a true American?

Do you pledge allegiance to the American Flag? Do you display the American Flag at your home or on your car or on your clothes? Does that make you a true American?

Much debate has evolved around the use of the word "God" in the praise of this

Country. The Constitution clearly states there should be a separation of church and state, but then the Declaration of Independence makes reference to "Nature's God" and in the language "We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness." God and Christian beliefs are displayed throughout Government buildings, on our currency and in our oaths and pledges. If you believe in God does that make you a true American?

What is America? To me America is freedom: freedom of speech; freedom of religion; freedom from Governments searching or seizing your property or arresting a person without specific warrant based on probable cause; and freedom to represent yourself or have someone else, of your choosing, represent you in a legal process.

What is a true American? I think it can be any of the aforementioned, but a belief in our Constitution, a belief in our freedoms that so many Americans have fought and died for and a belief in your Creator in whatever form or Deity, is essential. As our Country's founders pledged with their lives, their fortunes and their honor, all people are created equal and a true American believes that.

--Joseph B. Haggerty Sr., Author of *Shame: The Story of a Pimp* and soon to be published *Pimp-EI*.

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## WRITING ABOUT PROSECUTION

### Part 1: Differences Between Prosecuting Agencies

When you are writing about prosecuting criminals, there are three main entities you will be considering, each with a slightly different function. It is important that you use the correct entity for your particular type of case or you may lose readers who know the difference between the three.

In dealing with federal prosecutions, the United States Attorney General is the top of the food chain. This is an appointed position. The U.S. Attorney's Office handles criminal prosecutions brought in federal court, civil litigation where the U.S. is a party, and certain collections of debts owed to the United States. The only crimes that can be prosecuted by the U.S. Attorney's Office are those that violate a federal law, although there are many federal laws that are comparable to the state version. Many federal criminal statutes are couched in terms of deprivation of constitutional rights.

U.S. attorneys are appointed by the president and have to worry with each new presidential election if they are going to keep their jobs. The Assistant U.S. Attorneys are hired by the U.S. Attorney, and work at his pleasure. There are 93 U.S. Attorneys stationed in the U.S. and its territories. One U.S. Attorney is assigned to each district, and some states have more than one district. If you are writing about a prosecution that happens in federal court, make sure you know which district of which state you are writing about. For instance, Louisiana has the Eastern District in New Orleans, the Middle District in Baton Rouge, and the Western District in Shreveport. Like state court, jurisdiction over federal criminal cases generally vests in the jurisdiction where the crime occurred.

District Attorneys or Prosecuting Attorneys handle state court cases, prosecuting violations of state laws. These are elected positions, and the assistants are hired by the D.A. or P.A.. States differ as to the title of these prosecutors, so it is important to know what the prosecuting attorney is called in the state or jurisdiction you are writing about. While an assistant district attorney can be called by the generic term, prosecuting attorney or prosecutor, some states have a Prosecuting Attorney instead of a District Attorney, and calling one of those prosecutors an assistant district attorney or an A.D.A. will be an obvious mistake to anyone who lives in that state and has even a passing

knowledge of the criminal justice system there.

Finally, the State Attorney General is the entity responsible in most states for representing that state in litigation. The State Attorney General, not to be confused with the U.S. Attorney General, also serves as a prosecutor in some jurisdictions where there is a conflict with the D.A.'s Office or P.A.'s Office prosecuting state charges, such as when a prosecutor is charged with a crime, is a witness to, or a victim of, a crime, or the office recuses itself for any other reason. While in Louisiana the Attorney General handles select consumer complaints and prosecutes these— particularly contractor fraud since Katrina, and, more recently, cases related to the gulf oil spill— the AG's Offices in each state may handle different types of cases depending upon their state law. The AG is an elected position and also hires his or her own assistants.

The biggest distinction between the entities is that the U.S. Attorney involves federal law and United States Constitutional issues, while the D.A.'s office and State Attorney General handle state law cases. The second biggest distinction is that D.A.'s and P.A.'s prosecute ONLY criminal cases, while the U.S. Attorney and the State Attorney General defend civil cases as well.

Ordinarily, if you're dealing with the local police department or sheriff's office, the case is going to be handled in state court by the District Attorney; if the FBI investigates, gathers evidence, and makes the arrest, the prosecution is usually handled by the U.S. Attorney.

There are many exceptions, however, because the feds can choose to prosecute a case if it violates state law if there is also an applicable federal law, and the local police can request FBI assistance with defendants that will be charged in state court once arrested.

Sometimes a case may begin as a state court case, but the U.S. Attorney will decide to charge the defendant under a comparable federal law when it is apparent the state will be unable to get a conviction. Because a federal district is larger than a local county or parish, the jury pool is generally much larger, and charging a crime in the larger federal district will almost certainly ensure a better jury for the prosecution than charging the same crime in a local yokel district, particularly in smaller counties and parishes, and those predisposed to acquittals, such as New Orleans.

Also, comparatively fewer criminal cases actually go to trial in federal court because the enticement to plea is greater. Federal sentencing guidelines give reductions in sentences for cooperation, so a defendant looking at a 25 year sentence could end up with a substantially shorter sentence based upon his cooperation and accepting responsibility for his crimes, among other factors, while in state court there is usually less incentive to enter a guilty plea. There is also the issue of state public defenders versus federal public defenders, federal generally being higher paid with more experience, and so tend to be better able to convince a defendant of the prudence of entering a plea to a deal or a reduced sentence than taking a chance at trial.

If you want to maintain realism in writing about prosecution, it is important that you have chosen the correct agency, that you call your prosecuting attorney by the right title, and that you've chosen the correct law to charge your character with. I've read that on the t.v. show *Law and Order*, the writers make up some of the cases the prosecutors cite in support of their arguments, and they receive phone calls from real attorneys wanting the citations for the cases to use in real life. There are enough real laws out there to rely upon that no writer—especially the writer for a high budget t.v. show— needs to take the lazy way out by making up crimes, particularly if they want to convince the audience they know what they're writing about.

Most of this information is readily obtainable with a small amount of research, so it is not difficult to make sure any legal aspect of your writing is accurate and realistic.

--**Holli Castillo**, author of *Gumbo Justice*

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#### MEMBER NEWS

**Kurt Kamm** just got word that *Red Flag Warning* won first place in the Written Arts Awards mystery category

<http://rebeccasreads.com/WrittenArtAwards2010Winners.html>

*Red Flag Warning* also won first place in the mystery category (2010) in the Infinite Writer contest, and honorable mention from PSWA's writing contest. Congratulations, Kurt!

\* \* \*

**J. Michael Orenduff's** latest book, *The Pot Thief Who Studied Einstein*, has been nominated for a Lefty Award, the most humorous mystery of 2010. The award itself will be awarded in New Mexico at Left Coast Crime. Just being nominated is a great honor. Congratulations, Mike!

\* \* \*

**Marilyn Meredith's** latest Rocky Bluff P.D. crime novel, *Angel Lost*, will be available in March from Oak Tree Press.

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**The End**

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