

From THE NAKED SOCIETY, by Vance Packard, 1964

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As for the police, one must conclude that they have been viewing too many TV shows in which police and detectives kick in doors of homes to give the TV show some "action". In August 1963 a Manhattan district attorney argued on a network television program in favor of an astonishing bill being submitted to the New York State legislature. It would give a policeman who is armed with a search warrant the right to enter a premise, including a home, without announcing who he is or what he is doing there. He explained that this was the best way to catch some criminals with the goods.

A better way would be to go back to the general writs of assistance issued in colonial days to the King's men, which permitted them to break into and search places any time they chose.

Probably the most outrageous invasions of private homes by police in the history of the United States occurred during the ~~last~~ last decade in California. In a number of cases the entries were made by police who climbed through windows or picked locks for the purposes of planting microphones in the hope of obtaining incriminating evidence. For decades legal decisions have held that entry onto premises, even with search warrants, cannot be justified if the search is simply for "evidence". But in California the police often didn't even bother to obtain search warrants. They chose to believe that a California act of 1941 allowing police to use concealed microphones entitled them to gain admittance to plant their microphones in any way that they could.

The planting of microphones, it should be noted, is more pernicious as an invasion of privacy than wiretapping. In wiretapping the conversation is at least with someone outside the physical walls of the home, but a microphone can involve the recording of a conversation of husband and wife in bed. Yet, because of the coincidence that communication by telephone has traditionally been subject to government regulation, there is more legal protection against wiretaps than against microphones in most of the U.S.A.

*See also Packard, The FBI, on its early history, WWI, draft etc.*