

Know your FBI

FPost
11/18/77
**When can
wiretapping
be served?**

The FBI has, since 1968, investigated illegal wire tap cases. The law generally prohibits the interception of a telephone call, the divulgence of any part of the conversation to another person, and the use of information obtained through the wire tap for ones' own benefit.

The law calls for a maximum penalty upon conviction of a \$10,000 fine or five years imprisonment or both.

It is not unusual for the FBI to receive a complaint from a citizen who believes his phone is being tapped. Often the belief is based solely on the presence of beeps or unusual noises on the telephone line.

This of itself does not indicate a wire tap, and the suggestion is made to the complainant that in order to resolve his suspicion he should consider contacting the local telephone company.

Telephone company officials have the capability of testing a particular telephone line and determining if there is an unauthorized tap on the line.

No violation of the Interception of Communications Statute exists in the case of a court ordered wire tap. Such wire taps are a valuable weapon in law enforcement's campaign against organized crime.

Likewise, no violation exists where one party to a conversation permits a third party, such as an FBI Agent, to listen to a telephone conversation. For example, the FBI will obtain permission from the family of a kidnap victim to record telephone conversations with the kidnaper.

Under federal law, a person generally can record his own telephone conversations without advising the second party to the conversation and not be in violation of the law. However, local and state laws regarding this point generally differ from the federal law, and competent legal advice should be obtained before engaging in this practice.

FBI CRIME RESISTANCE HINT—
Never carry large amounts of cash or paychecks on your person. Always carry a sufficient amount of change for emergency telephone use.