

SOFA Update

2015

Society of Former Agents



MESSAGE from SOFA PRESIDENT

Hi SOFA Members,

I hope everyone is enjoying Spring after the long, cold winter. I want to provide a brief update on a couple of items you have received emails about.

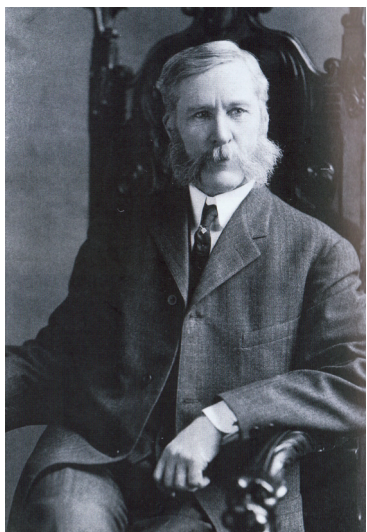
The Board received the requested feedback from members who currently have donated artwork at the State Crime Lab. Recently the current SBI administration removed Bureau historical items from the display cases at the State Lab. That memorabilia will be displayed in a planned Bureau museum in a newly renovated building on Headquarters campus. Some of the members requested that their artwork be moved from the State Lab and displayed in a Bureau building, while others wanted theirs to remain in the current location. I have provided this information to Assistant Director Mark Brewington. Mark will keep SOFA updated on the progress and very much wants our input in the process. As a reminder, if you have Bureau historical items you would like to donate to this effort please contact me or Mark directly.

We are still scouting out possible locations for our reunion this year. If you have any suggestions or a location you would like to offer for consideration please email or call Lucy Milks or me. We want to continue the success of last year's event.

Take care.

Melanie

SBI HISTORY



Handy's Father



Handy's Mother

Frederick Chaillé Handy: The First Director of the State Bureau of Identification and Investigation

By James A. Bailey

Frederick Chaillé Handy, the first director of the State Bureau of Identification and Investigation (SBI & I), was the son of Major Frederick Algernon Graham "Fred A. G." Handy (1842-1912) and Lelia Claiborne Cowherd (1851-1949). Handy was born in Richmond, Virginia on May 23, 1875 and was the second child of six children. He had three brothers and two sisters, Walter Ker (1876-1967), Chaillé (1879-1880), Algernon Lee (1885-1945), Margaret (1897-1936) and Gertrude (1873-1902).¹⁻³

Handy's father was born in Berlin, Maryland but prior to the Civil War, he lived in New Castle County, Delaware. He enlisted in the Confederate Navy in 1862 in Norfolk, Virginia and served in the Signal Corps attached to the Naval Brigade, Army of Tennessee. Handy's father, served as the signal officer on the C.S.S. (Confederate State Ship) Virginia, technically the first American ironclad.⁴⁻⁵ Tim Comerford, writer for *The Flagship*, summarized the CSS Virginia's history as follows: "On March 8, 1862, from her berth at Norfolk, the Confederate ironclad Virginia steamed into Hampton Roads where she sank Cumberland and ran Congress aground. On March 9, the Union ironclad Monitor arrived to do battle initiating the first engagement of ironclads in history. The two ships fought each other to a standstill, but Virginia retired. The ironclads were nearly invulnerable from the water (even to other ironclads), but they did have their weaknesses...they were more worried about the shore batteries." Over the course of Fred A. G. Handy's military career, he was promoted to the rank of Major and was discharged from his duties in the Confederate Army in 1865 in Greensboro, North Carolina.⁶⁻⁷

Admiral Franklin Buchanan became president of Maryland Agricultural College (University of Maryland) and established military training as part of the school where Maj. Handy taught military tactics⁸⁻⁹. After the Civil War, he became editor and co-owner of *The Richmond Virginia Enquirer* newspaper. Shortly thereafter, he relocated to Washington, D.C. where he was chairman of the Press Committee and Congressional Correspondent at the Capitol and had contact with all major U.S. newspapers. He published editorials under the pseudonym, "Bill Dad," and was a charter member of the oldest and most respected newspaper organization, the Gridiron Club.¹⁰⁻¹¹

Influenced by his father's extraordinary military and professional career, Frederick Chaillé Handy entered Fishburne Military School which opened in 1879. James Abbott Fishburne (1850-1921) founded the boarding school for young men as a military high school in Waynesboro, Virginia. It is located in the Blue Ridge Mountains near the Appalachian Trail which passes just to the east of Waynesboro. Handy attended Virginia Military Institute and later matriculated to George Washington University where he graduated with a bachelor's degree and master of law in 1898.¹²⁻¹⁵ After graduation, he remained in the D.C. area and began a general law which included wills, estates and contracts.

Upon the successful establishment of his law practice, on June 18, 1902, Handy married Mae Smillie in the District of Columbia. Mae was born in Newark (Essex County), New Jersey on October 25, 1878 and was the daughter of George F. Smillie (1865-1927) and Clara Ward (1858-1938). Frederick Handy and Mae Smillie had five children, Margaret (1904-1978), Frances (1907-1983) Frederick Jr., (1911-1980), Robert Lee (1912-1912) and Helen (1914-1990).¹⁶⁻¹⁸

In 1911 he published his legal analysis on photography copyright entitled "Some Questions of Law of Interest to Photographic Practitioners," in *Wilson's Photographic Magazine*. In this article, he summarized the photographer's rights to photographs and negatives as follows, "I do not think there can be any doubt about the right of a photographer to copyright photographs taken by him, whether the sitting is paid for or by invitation, and base this opinion upon the decision of the United States Supreme Court in the case of Lithographic Co. vs. Sarny." Also, as an attorney and still living in the D.C. area, he became a Mason and obtained the rank of Worshipful Master while he belonged to the Potomac Lodge, No. 5 in Georgetown. At the age of forty-five, he was appointed as a special agent for the U.S. Department of Justice and assigned to the investigative division in North Carolina in 1917. This agency, the Bureau of Investigation (BOI), later was renamed the Federal Bureau of Investigation. Two years before Handy was hired, the BOI was given broader jurisdiction. In 1915, the BOI was "charged with the duty of investigating all information indicating violations of the criminal statutes of the United States, including conspiracies in violation of federal criminal statutes, violations of interstate commerce statutes and passport frauds."¹⁹

Handy established the U.S. Department of Justice Office in Greensboro in 1919 and was in Greensboro less than a year when he became the Agent-in-Charge of the Carolinas and relocated to Raleigh. Some of his duties in the Justice Department included investigating profiteering cases as well as locating and returning deserters and soldiers absent without leave.²⁰⁻²¹

In 1918, Mitchell County had the highest number of delinquent soldiers in North Carolina and a high priority of the U.S. Department of Justice was returning those soldiers to their units. Even with a reward system of \$50 per soldier, law enforcement officers still had difficulty locating the delinquent men. Twenty-three men could not be located in Mitchell County.

Handy formulated a plan to locate the men and persuade them to voluntarily turn themselves in to officials. He met with the conscription board for approval of his plan. Handy's Mitchell County experiment involved "an appeal to the spirit of manhood of the mountaineer...." He made it known that for every man who surrendered, there would be no arrest and chains. Every delinquent man could return to camp with him like a man. Once at camp, Handy provided each of them with a recommendation for clemency. He published a notice dubbed by the press as a "Mountain Passport," and circulated it among the community and to families of the delinquent soldiers. The notice read, "To all officers of the United States and the sheriff and his deputies and all citizens of Mitchell county, greeting: You are directed not to arrest [a person would be named] and allow him perfect freedom to go and come as he pleases till noon, June 7, 1918."²²

At first, the delinquent soldiers were skeptical of the notices and sent family and friends to determine if Mr. Handy appeared to be a man of his word. Not long after this notice went out, Handy delivered 22 of the 23 delinquent men to camp for duty. No single agent had single-handedly ever delivered this number of delinquents at one time. Handy said the men are "a fine, independent type, which will make the best soldiers on earth and he expects every one of his 22 to do his bit heroically."²³⁻²⁴

The Justice Department also enforced the laws contained in The Espionage Act of 1917 and Trading with the Enemy Act. These Congressional Acts were passed in April 1917 just after the United States entered World War I. Handy arrested Mitchell County Deputy Sheriff Wheeler Melton in 1918 for violating Title I, Section 3 of the Espionage Act. This Section of the Act applied to "Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies and whoever when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than twenty years, or both."²⁵

At trial, one witness testified that Melton started his pro German activities about the time the U.S. entered the war. Melton was quoted as saying "he would be willing to have his body stuck full of fine splinters and then set afire if the Germans would only whip the allies."²⁶⁻²⁷ Another witnesses testified that Melton saved copies of newspaper articles and in crowds of people would only read parts that were favorable to the Germans.²⁸

In addition to the Melton case, Handy conducted numerous investigations involving individuals suspected of belonging to the Communist Labor Party.²⁹ During the peak of the First Red Scare in 1919-1920, Americans had widespread fear of Bolshevism and anarchism at the time of the communist revolution.

There was also a proliferation of profiteering cases. Handy investigated a Wilmington case involving a butcher who was overcharging customers for meat sales. The meat was wrapped in burlap cloth and the butcher would wet the burlap to increase the weight of the product before sale.³⁰

Another one of Handy's cases involved the fraudulent sale of War Saving Stamps. The case was near Roseboro in Sampson County. A suspect described as "a large portly, red faced man who drives a big automobile" was approaching local citizens and coaxing them to pay for War Saving Stamps. Under the auspices of the War, he fleeced local citizens.³¹

In September 1922, Handy resigned as a federal agent to become a special agent with Aetna Life Insurance Company where he was employed for sixteen years.³² On March 4, 1938 Governor Clyde Roark Hoey announced the appointment of Frederick Chaillé Handy as the first director of the State Bureau of Identification and Investigation (SBI & I). However, Handy's appointment did not become official until March 15, 1938. He began his duties as director two months shy of his sixty-third birthday.³³

During the first three months in office, Director Handy traveled and visited investigative agencies in the Northeast to study their functions and organizational structure. The last agency on his list to visit was the Federal Bureau of Investigation.³⁴ Handy modeled the organizational structure of the SBI & I on the FBI. From July to November, Handy hired the original SBI & I team. It included: Oscar F. Adkins, James W. Powell, Harry R. Paul, Melvin C. Hoover and Guy Leonard Scott, Sr. Harry Paul was with the bureau very briefly and Melvin Hoover was hired as his replacement. In the fall of 1938, the SBI & I became operational. By October 1939, Thomas Creekmore, James F. Bradshaw, Willard Gatling, Howard Pierce, John Morris and Herman Webster Zimmerman were added to the agency.³⁵⁻³⁶

The bureau occupied several temporary quarters around Raleigh until January 1939. Handy lobbied and obtained seven rooms on the fourth floor of the State Department Building located on the corner of Edenton and Salisbury Streets. Under Handy's leadership, the SBI & I established its first crime lab in this building and began accepting cases for analysis.³⁷⁻³⁸ The humble beginnings of the state investigative agency became successful due to the organizational leadership of Frederick Chaillé Handy and the fervent work of the original team of special agents.

(End Notes of this article are available upon request.)

James A. Bailey, Ph.D. served as a crime scene specialist with the SBI from 1972-1976 in the Northeastern District. James was only 20 years old when sworn as an SBI agent. He is the retired director of law enforcement programs at Cape Fear Community College and later served as an assistant professor with the University of Minnesota system. He has authored numerous forensic science articles in professional journals. He and his wife Margaret travel extensively as James lectures and presents professional papers to forensic groups around the world. He has served on the SOFA Board of Directors including two terms as President.