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KEY EVENTS NATIONALLY

ATM-RELATED HOMICIDES AND SHOOTINGS

- 1) Tampa Teen Gangs Target ATMs For 20 Robberies In Two Months; One Victim Shot In Mouth And Will Lose Tongue and Speech - Since December 31, 1993 and the end of February 1994, at least 20 ATM robberies have occurred near Tampa ATMs. Police believe two or three groups of juveniles, totalling about ten persons, are responsible for the robberies. At least four ATMs have been targeted more than once. A Barnett Bank ATM on West Cypress has been hit four times in the five weeks following January 18; twice within 45 minutes on one evening. Tampa police believe the groups work in two or three carloads cruising around the south Tampa peninsula looking for opportunities to rob people.

On Thursday night February 17 for example, Mauricio Peridogon had just returned to his car after withdrawing \$20 from a Barnett Bank ATM when he heard someone yell, "Hey," and turned around to the barrel of a gun. Three teenage bandits forced him to take an additional \$200 out of the ATM before driving away with his cash. "I didn't hear them or anything," he said.

Tampa police made their first arrest on January 26, when they picked up a 16-year old boy who eventually was connected to seven of the robberies. Three teens drove up beside a 40-year-old man using the Barnett Bank ATM on Cypress street about 5:30 p.m. A teenage passenger jumped out of the car, pointed a .38 caliber revolver at the man and demanded that he withdraw \$300. The teen robber stole the man's cash and watch, jumped into the car and the bandits drove off into a stolen 1985 Chevrolet. Tampa police spotted the car three hours later in West Tampa and chased down the 16-year old, but three other suspects got away. The 16-year old was photographed on the ATM's surveillance camera. "Right after (the 16 year old) got popped, they started wearing ski masks," said a Tampa police crime analyst. Since the first arrest, police have arrested one other boy, age 13, but believe at least 8 others involved in the robberies are still on the street.

The most serious injury in the string of robberies occurred about 8:20 p.m. on Sunday February 27, when Charles Cecil, 35, of Tampa was shot in the face while being robbed at the First Union Bank ATM in Tampa. As Cecil put his card into the ATM, he was confronted by three youths. The robbers were between 13 and 17 years old, and were wearing bandanas around their heads and baggy shorts. At some point during the robbery they shot Cecil in the mouth. Cecil staggered to a nearby street where he was found by passersby and was air-evacuated to Tampa General Hospital where he was listed in serious condition. Police found Cecil's ATM card still in the machine, and later recovered the victim's wallet. It was reported that Cecil will have his tongue removed as a result of his injuries, and will lose his speech.

A woman and her boyfriend who had used the same ATM moments before Cecil's attack, said they remembered seeing the three youths. Others in the neighborhood reported seeing the suspects in the robbery loitering around the ATM as early as 6:30 p.m. All three suspects had been vividly described by a witness, including one who was said to have some sort of acne or skin disorder on his face.

On March 9, six Tampa area banks joined forces in offering a \$5000 reward for information leading to the arrests of the group of teenagers believed to be responsible for the ATM robberies. Barnett Bank of Tampa, Bank of Tampa, Central Bank of Tampa, First Union National Bank of Florida, NationsBank and SunBank were offering the reward.

An editorial in the *St. Petersburg Times* stated, "some local banks are turning customers into easy targets by failing to take reasonable corporate responsibility for conditions around their ATMs A security camera (at the ATM where Charles Cecil was shot) that might have recorded the crime was inexplicably missing from its receptacle within the ATM. A floodlight that usually illuminated the machine wasn't working and the ATM was partly shielded from view from the road by trees and heavy shrubbery The poor security conditions (such as at the victimized ATM) are not uncommon around the Tampa Bay area As convenience store chains were forced to accept a level of corporate responsibility for the safety of customers and employees, so, too, should banks accept greater responsibility for ATM security. For their part, ATM users need to exercise common sense and think twice about using machines in dark, secluded locations. Prudence should dictate making after-dark visits to all-night grocery stores that have ATMs either inside, or just outside of the main doors." (*St. Petersburg Times*, February 28, Susan Clary, reporter, front page story; March 10; March 2 (editorial); *The Tampa Tribune*, February 25, front page story; *Florida Sentinel Bulletin* [Tampa, Florida], March 1).

- 2) Seven San Francisco Bay Teenagers Go On 11-Day Crime Spree Including ATM Robbery And Homicide - Seven San Francisco Bay-area youths, ranging from 14-to 17-years old, stalked victims in a 11-day crime spree beginning October 2 which targeted Asians. The Asian victims reportedly were selected because they cooperated with the youths, and did what they were told. The leader of the group was a 16-year-old, who police say shot and killed two people and critically wounded a third. The boy was described as "having no compassion for people and no conscience."

On October 12, the youths carjacked and kidnapped Ka Wong, 28, at gunpoint from a shopping center. The youths drove Wong to several ATMs where they forced him to make withdrawals. The boys then drove him to a deserted spot, struck him in the face with their fists and debated about killing him. The shooter then placed the gun with a single round of ammunition in it to the back of Wong's head and fired one shot, killing Wong. Later the teens set fire to Wong's car to remove their fingerprints. Wong's ATM card was used for two days after the slaying, netting \$600 additional before they were arrested. (*San Francisco Examiner*, November 17, Leslie Goldberg, reporter, front page story; *San Francisco Chronicle*, November 18, Thai Walker, reporter).

- 3) Young Missouri Couple Suspected In California Woman's Murder Are Tracked Across Country With Victim's ATM Card Transactions And Cellular Phone Records - Charles Roundtree, 22, and his bride of three days, Mary Roundtree, 21, both of Cape Girardeau, Missouri were arrested in Kansas driving a vehicle stolen from a Bakersfield, California woman, Diana Contreras, whom they are believed to have robbed and murdered.

Contreras was last seen alive on Thursday morning December 9 in a Bakersfield, California shopping center. Police believe she was abducted by the couple for the purpose of a robbery. Her body was found in a rural area not far from Bakersfield about 7:30 a.m. on Friday December 11, shot three times.

With the help of Wells Fargo Bank ATM transaction records and Bakersfield Cellular telephone records, police were able to track the location of the suspects in the victim's stolen car traveling east across country. Police stopped the couple in the stolen vehicle in Kansas. A stolen 30/30 rifle, believed to be the murder weapon, was also found in the car. The couple has pled guilty to the crimes and is not fighting extradition from Kansas to California. (*Bakersfield Californian*, December 16 and 18, Rob Walters, reporter, front page stories).



Charles Francis Rountree and Mary Elizabeth Stroder, in police mug shots faxed from WaKeeney, Kan.

- 4) California Grade School Teacher Shot In Second Robbery In 48 Hours At Fresno ATM - About 9 p.m. Tuesday October 5 Mary Poulos had gone alone to the Educational Employees Credit Union in Fresno to make an ATM withdrawal. Poulos had just withdrawn her money and was standing in front of the ATM when she was accosted from behind by a young man who placed the barrel of a handgun at her side and demanded the cash. A second young man was seen standing nearby. There was no indication that Poulos resisted before she was shot in the abdomen. The two robbers fled on foot, leaving Poulos sprawled on the ground, still clutching her cash.

The shooter matches the description of the suspect in another robbery about 11:00 p.m. Sunday at the same location. In that case, a 27-year-old man was robbed by a man with a gun. In both cases, the victims reported that they did not see the robber until he was standing next to them with a gun.

A spokesman for the Educational Employees Credit Union said the organization has done everything it can to make the facility safer for its members. Last Friday he said security guards were hired to patrol the facility. Unfortunately, the guards were not working either Sunday or Tuesday, when the robberies occurred. In the last eighteen months, he said, the grounds have been relandscaped to get rid of any hiding places for criminals, and lighting has been improved. In addition, surveillance cameras have been upgraded and credit union members are constantly being reminded about ATM safety precautions. (see also Item #30 in *ATM Camera Success Stories* section of this *Newsletter*)(*Fresno [California] Bee*, October 7, Louis Galvin, reporter.)



Mary Poulos

- 5) Memphis Woman Shot And Killed At ATM - On January 26, approximately 9:35 p.m., a man shot and killed Beverly Jean Terrell, as she was using an ATM on Elvis Presley Boulevard. Memphis Police and Memphis Crime Stoppers are appealing for information. No further information was available. (*Memphis [Tennessee] Tri-State Defender*, February 19).

ATM Robbers Shot

- 6) Philadelphia Bank Security Guard Shoots Man Robbing ATM Customer - About 3:45 p.m. Friday October 8, Linda Besch, 64, had just withdrawn \$50 from a MAC ATM at a Mellon Bank in Philadelphia when George Matthews, 22, came up behind her, wrapped his right arm around her neck then grabbed the cash, ripping some of the bills. Alerted by a bystander's shouting, the security guard in the bank, Robert Miller, 37, employed by the Pipes Detective Agency, came out. When the guard ordered Matthews to stop, Matthews attempted to reach into his pocket, and security guard Miller shot twice. "He turned to me ... I told him to stop, then I thought he had a gun," Miller said. "I wasn't taking any chances, so I shot him." The robber was taken to a nearby hospital where he was listed in critical condition with gunshot wounds to his left forearm, left hip and left wrist. No weapon was recovered from the robber. (*Philadelphia Daily News*, October 9, Don Russell, reporter).
- 7) Sawed-Off Shotgun-Toting ATM Robber In Baltimore Is Shot After Robbing Off Duty Police Officer - About 1:45 a.m. Friday October 22, off-duty Baltimore Police officer Neyland Vaughn, Jr., 24, was making a cash withdrawal at a Signet Bank ATM when a man with a sawed-off shotgun approached, pointed the shotgun at the officer - who was in street clothes - and demanded the \$60 the officer had just withdrawn in addition to his ATM card. Officer Vaughn gave the robber the cash and his ATM card, but when the robber turned to walk away, the officer pulled out his 9 mm service pistol and fired several shots.

The robber was hit in the right shoulder and right thigh, dropped his shotgun and jacket and ran to a nearby alley. In the robber's coat, police found a driver's license and a bank card that had recently been stolen in another armed robbery at an ATM. Officer Vaughn recognized the photo on the driver's license as that of the robber. Police went to the address and executed a search warrant, where they arrested Dewayne Boyer, 30, who was hiding under a mattress in the basement. Boyer was treated and released to police custody. Boyer is suspected of robbing at least six other people at ATMs in West Baltimore. ([Baltimore, Maryland] *Sun*, October 23, Michael James, reporter).

- 8) Alaska Man Carjacked And Brought To ATM By Incoherent Robber: Shootout Results In Victim Shooting And Killing Robber - About 10 p.m. Thursday December 23, a 36-year-old Anchorage man drove up to his bank's ATM and attempted to withdraw funds from his account. The victim was approached by a man with a handgun who demanded several hundred dollars in cash. The victim tried several times to withdraw cash from the machine. However, the machine said the victim did not have cash in his account. The robber ordered the victim into the passenger seat of the vehicle, and took the wheel himself.

The robber drove around town for a couple of hours, firing his gun out the window occasionally. The robber then drove out of town, pulled off the highway and drove erratically until the vehicle tumbled down a six foot dropoff and rolled near the water. Both men scrambled out of the vehicle. The victim grabbed his gun from the glove box

and a shootout followed. The robber was hit by several rounds and died at the scene. Police later identified the robber as David Paul Fisk, 24, of Anchorage. (*Anchorage [Alaska] Daily News*, December 25, Peter Goodman, reporter).

Followup on Earlier Reports of ATM-Related Homicides

- 9) **Details Revealed In November 16 Murder Of Philadelphia Police Officer During ATM Holdup** - Philadelphia police arrested Walter Ceo, 19, on November 18 in connection with the 8:45 p.m. shooting death of Philadelphia police officer Stephen Dmytryk at a PSFS MAC machine at 19th and Spring Gardens streets on Tuesday, November 16 (see *August/September 1993 Newsletter*, Item #7). Ceo accompanied Rodney Steven Jones, 22, of South Carolina who fired the shots that entered Dmytryk's head, shoulder and chest and killed him.

According to a post arrest statement by Ceo, he and Jones were walking down Spring Garden street when they saw Lucien Philippe, a stock broker, step out of his 1991 Nissan. As Philippe went up the steps to his apartment, Jones walked up behind him and told Philippe to get back in his car. Philippe said he saw the gun in Jones' hand. Once in the car, Jones pointed the gun at him and said, "Don't do anything stupid or I'll shoot you," Philippe testified. Philippe said he had no cash on him, but the robbers told him to get money out of the nearby MAC ATM.

Ceo stayed in the car while Jones got out with Philippe. Philippe testified he tried to withdraw \$150, but got no cash. Philippe said he was preparing to reinsert his ATM card when he saw a plainclothes officer, Stephen Dmytryk, walk up and say, "Police! Freeze!" Philippe said he fell to the sidewalk and heard about 10 gunshots. Dmytryk fell to the ground and did not fire his gun. Backup officers shot and killed Jones, and Ceo fled Philippe's car parked nearby and started running. Two nights later, acting on a tip, police raided a house and arrested Ceo. The prosecuting attorney is asking for the death penalty against Ceo in the case. (*Philadelphia Daily News*, November 26, Barbara Laker, reporter).

- 10) **15-Year-Old Pleads Guilty To Murder And 11-Year-Old Pleads Guilty To Armed Robbery In Detroit ATM Slaying Of Elizabeth Alvarez** - Damien Dorris, 15, pleaded guilty on October 25 to second-degree murder in the robbery and slaying of Elizabeth Alvarez at a National Bank of Detroit ATM on August 24 (See *August/September 1993 Newsletter*, Item # 2). During the hearing, Dorris' answers to questions from the judge reflected no remorse about his shooting of the pregnant 34-year-old Alvarez in the head during the robbery.

Also involved in the crime was 11-year-old Jacob Gonzalez, who acted as a lookout. Gonzalez pleaded guilty shortly before his juvenile court trial was to begin. The maximum penalty for each youth in the juvenile justice system is incarceration until his 21st birthday. (*Detroit [Michigan] Free Press*, October 26, Jeffrey Ghannam, reporter; *Detroit News*, October 26, Mike Wowk, reporter; *Monroe [Michigan] Evening News*, October 27).

- 11) **Arkansas Jury Condemns 18-Year-Old To Death In ATM Killing: Second Defendant Gets Life Without Probation** - On December 14, an Arkansas criminal jury returned a guilty verdict in the criminal trial of Kenneth Reams, 18, in the May 5 drive-up ATM slaying of Gary Wayne Turner, 38, at a Worthen National Bank in Pine Bluff, Arkansas (see *April/May 1993 Newsletter*, Item #1). After four hours additional deliberation, the jury sentenced Reams to death by lethal injection.

Reams' accomplice in the robbery-murder, Alford Goodwin, 19, pleaded guilty to capital murder December 2 and was sentenced to life in prison without parole. A key part of the state's case was based on evidence found at the homes of the two men, including a .32 caliber pistol found at Goodwin's house, which was the weapon from which the State Crime Laboratory found the bullet taken from Turner's head had come.

In November, a judge sentenced each of the two men to 40 years in prison after they pleaded guilty to aggravated robbery of a Crossett, Arkansas man at the same ATM one week before the Turner shooting. ([Little Rock] *Arkansas Democrat Gazette*, December 15, Ray Pierce, reporter, December 16; and *Pine Bluff Commercial*, December 16, Rudolph Bischof, reporter, front page story).

UNDERSTANDING & COMBATTING ATM CRIME

- 12) Television's *American Journal* Runs Two Part Exposé On ATM Fraud - On November 17 and 18, the television newsmagazine, *American Journal*, included segments totalling about 20 minutes on ATM fraud schemes. In the first segment, video footage described the Manchester Connecticut "bogus ATM" scam in detail. ATM security expert Dr. Denise Jeffries demonstrated the fabrication of a counterfeit ATM card using a piece of cardboard and a strip of VHS tape. After withdrawing cash from an ATM with the fabricated card, the television reporter stated, "This proves that ATM card technology is outdated."

In the second segment, two computer hackers who go by the names of "Raven" and "Plastik" were interviewed with sunglasses and ski masks on. One of the hackers stated, "ATM's are through. You can actually withdraw thousands of dollars a day without anybody even locating you." Video cameras followed Raven and Plastik last summer to an international hackers conference in the Netherlands, "Hacking at the End of the Universe", where ATM and credit card fraud was "the hot topic". At the heart of the conference was a seminar on "How to Counterfeit ATM Cards and Break Into Cash Machines."

Raven and Plastik were shown sitting at a personal computer with an ATM hacking document on the screen, titled, "The High Tech Hood Squad Presents. . . ATM's - The Real File for ATM Theft(sic)in 1992!!". This document is included as **Bonus Section D** in this issue of the *Newsletter*.

Also in the second segment the video reporter demonstrated the ease of ordering the equipment necessary for the ATM card fraud. He stated, "For \$3000, we got the magnetic stripe reader, the encoder, the PIN pad, and the white plastic cards (necessary for counterfeiting ATM cards)." Video "shoulder surfing" for PIN numbers and receipt retrieval from ATM trash bins for account numbers were demonstrated as methods for getting legitimate account information to code on the fraudulent cards. The reporter then demonstrated the final stages in the process of imprinting a plastic card with stolen PIN and PAN numbers. The second segment ended with the statements that Plastik was arrested for credit card fraud in Virginia; and Raven was arrested for conspiracy to commit ATM and credit card fraud.

**Editor's Note: If you would like to borrow a copy of the *American Journal* video report, please contact me. Requests will be fulfilled on a first-come, first-served basis.

As evidence of the accessibility of computer bulletin boards on which the work of hackers like Raven and Plastik is communicated, two Newark, New Jersey high school freshmen were disciplined for selling several of their classmates a computer disk on which the so-called "Jolly Roger Cookbook" was copied. The bulletin board "cookbook" explains among other illegal acts, how to break into a bank cash machine and how to make an explosive device. ([Newark, New Jersey] *Star-Ledger*, October 15, Joe Territo, reporter).

- 13) National Institute Of Justice Releases Drug Use Report For 1992 - In October 1993 the National Institute of Justice released its 1992 Annual Report: Drug Use Forecasting-- Drugs and Crime in America's Cities (see **Bonus Section E**). The Drug Use Forecasting (DUF) program began in 1987 in an attempt to document the drug use of persons arrested for serious crimes in America. In 1992, data on drug use among arrestees was collected in 24 American cities. More than 90% of arrestees agreed to be interviewed, approximately 80% of those providing urine specimens. The specimens were analyzed for 10 drugs: cocaine, opiates, marijuana, PCP, methadone, benzodiazepines, methaqualone, propoxyphene, barbiturates and amphetamines. For most drugs, the urine tests can detect the use of the substance in the previous two to three days.

As the table on page 5 of the enclosed full text report shows, 50% or more of arrestees tested positive for some drug at the time of their arrest in 23 of the 24 test cities. Rates of drug use among arrestees in the 60% and 70% range were common in many cities. Cocaine was the most frequently used drug among the majority of arrestees. In 1992, the percentage of arrestees testing positive for marijuana also began to rise.

On pages 6 through 29 in the enclosed NIJ Drug Use Forecasting 1992 Annual Report, results are reported city by city. Review of these pages will be helpful for locations in which you have a specific interest. Although not broken down by offense type (such as robbery or ATM robbery) the high rates of drug use among arrestees across America is cause for concern for ATM security planners.

ATMs IN POLICE STATIONS

- 14) Banks Reject ATM In New Jersey Police Station -The North Brunswick, New Jersey Township Council's plan to install an ATM in the township's police station did not find any financial institutions willing to participate. The deadline for bids on the project found only one financial institution responding, and that only with a letter of apology for not being interested in the project.

CoreStates bank replied that there were too many ATMs close to the police station. Three of seven other banks contacted about the project estimated their operating costs for the North Brunswick police station ATM at \$40,000 to \$100,000 dollars a year because the site is not at a bank, and would have to be serviced by an armored car. Some bankers wanted a guarantee of 8000 transactions a month for the ATM site, which amounts to 267 a day.

Township police director George Lepre said that no one in North Brunswick has reported being robbed at an ATM. Mayor Paul Mataraca said that he blames the failure of the proposal on the council member who proposed it for "not doing his homework" and added he does not foresee the ATM project ever developing. ([New Brunswick, New Jersey] *Home News*, October 6, Sarah Wood, reporter, front page story; [Newark, New Jersey] *Star-Ledger*, October 12, Julie Beglin, reporter).

- 15) Los Angeles May Install ATMs In 30 Police Stations - On October 25, the Public Safety Committee of the Los Angeles City Council recommended that ATMs be installed in the lobbies of at least two and possible five additional Los Angeles Police Department stations. The committee recommended the full council approve an agreement with the Los Angeles Police Credit Union to install and operate ATMs that will be available to the public in the lobbies of the Devonshire and Wilshire police stations, and possibly three more stations.

LA Police Chief Willie Williams stated the move will "satisfy the council's desire to create a safe banking environment, while also providing a valuable and convenient service for all citizens and department employees." The committee was told that only 150 ATM robberies occur each year in Los Angeles, a small portion of the 40,000 robberies of all kinds reported annually in the city.

The proposed agreement requires the credit union to pay \$1300 for electricity on a no-rent lease. The city also agreed to install signs outside the stations to let the public know about the availability of ATMs in the police station lobbies. The Los Angeles Police Credit Union already has installed four machines in LAPD stations: at the Downtown police headquarters, the Police Academy, the Van Nuys headquarters, and the South Traffic Division. Eventually, officials intend to install as many as 30 ATMs at police facilities throughout the city. ([Los Angeles] *Daily News*, October 26, Patrick McGreevy, reporter; *Los Angeles Times*, October 26)

- 16) ATMs Will Be Installed At Chicago Police Stations - A Chicago City Council subcommittee has recommended Cash Station ATMs be installed at the Englewood police station and at the Traffic Court in the city of Chicago. If the pilot program of ATMs in police stations is successful, ATMs could be installed at all police and fire stations in Chicago, according to Alderman Edward Burke.

Statistics compiled by the Chicago Police Department showed that only 47 crimes occurred at Cash Station ATMs during the one year period ending June 1993, compared with 57 ATM crimes during the same period one year earlier. This 17.5% reduction in ATM crime occurred even though the number of Cash Station ATMs in Chicago has increased by 53% in the last three years. Burke said, "Although there have been three or four high-profile (ATM crime) incidents, it was basically the conclusion of the task force that there was little if anything we could do to prevent that." (*Chicago Sun-Times*, October 27, Fran Spielman, reporter).

- 17) State Legislation For ATMs In Police Stations Introduced In Illinois - Illinois State Senator Gary LaPaille recently introduced legislation into the Illinois legislature to require banks to install ATMs in police stations where a need exists. Under provisions of Senate Bill 1132, which applies to municipalities with populations of more than 100,000, installation of ATMs would only be required at the request of municipal authorities in response to need and public interest. LaPaille said, "The police that I have talked to think it is a good idea, my Crime Advisory Committee thinks it's a good idea, and I think the General Assembly will agree." ([Chicago] *Southwest-News Herald*, October 21).

ATM-RELATED LEGISLATION

- 18) Features Of Existing American ATM Security Legislation Compared - James H. Hayes, Esq., general counsel of Cash Station Inc (312) 977-1150 has created a comparison matrix of features of each of the existing ATM security laws in America, including the states of California, Nevada, Georgia, Oregon and Washington; the cities of New York and Chicago; and Westchester County, New York. These data are included in a table as **Bonus Section A** of this issue of the *Newsletter*.

This side-by-side layout of the laws provides easy comparison of the key features of all existing ATM security legislation. Of particular interest are the exculpatory provisions of the laws, which provide some civil liability protection for ATM operators in compliance with the standards set forth in each jurisdiction's law (see page 9 of **Bonus Section A**). This document will serve as a useful reference in the near future as other jurisdictions consider ATM security laws. It is reproduced here by permission of the author.

- 19) New York City Task Force Settles On ATM Vestibule Card Access Requirement - On December 29, the recommendation of the Temporary ATM Task Force on limiting ATM access was delivered to the Mayor and the City Council of New York. This concludes the implementation of Local Law # 70, enacted on July 29, 1992, which came into effect in mid-February 1993. The only provision of the law which had remained unspecified was the requirement for financial institutions to "create a system by which access to ATM machines is limited, to the greatest extent possible, to holders of valid access cards issued by banks and other financial institutions." The Temporary Task Force's report (see **Bonus Section B**) outlines the six options considered for limiting ATM vestibule magnetic stripe card reading "door-poppers" to cards issued to financial institutions.

The option recommended was for the card access devices to allow access "only to authorized bank and travel and entertainment cards, and excluding retail credit cards and other non-bank cards having a magnetic stripe." The limited access entry door lock requirement will become mandatory six months after the submission of the report (on June 29, 1993). Any ATM facility not in compliance with limited access at that time will be required to have at least one security guard stationed in the vestibule during the times after regular banking hours when the ATM is available to customers.

- 20) U.S. Attorney General Investigates ATM Network Selling Practices - U.S. Attorney General Janet Reno, in a February 21 speech to the Independent Bankers Association of America, said the Justice Department is investigating whether ATM networks have pressured banks to purchase other services as a condition for access to the ATM networks. Reno asked bankers to provide her department with any information they may have about the selling practice. "Where the evidence is clear, we will not hesitate to challenge such activity in court," Reno told the bankers in Orlando, Florida. (*Honolulu [Hawaii] Advertiser*, February 22).
- 21) San Francisco Examiner Calls For Additional California ATM Safety Requirements - In a March 4 editorial, the *San Francisco Examiner* reported that banks are "saving billions of dollars in labor costs by replacing their tellers with high-tech, labor-saving, cash-dispensing robots." In the face of recent San Francisco and other California ATM crimes, the *Examiner* called for additional security at California ATMs by saying,

"What's needed are (ATM security) laws that would *require* banks to provide greater security. Surveillance cameras and video recorders should be mandatory at *all* outdoor ATM sites ... In high-risk areas, banks should be required to 1) post guards, 2) shut off ATMs at night or 3) move machines inside to the comparative safety of bank lobbies, shopping malls, office buildings, gas stations, 24-hour supermarkets or the lobbies of district police stations. New ATMs should be equipped with 1) panic buttons connected to 911 emergency operators, 2) screens of heavy, transparent plastic just behind the patrons and/or 3) a rear view mirror, now required in New York City, so patrons can see what mischief may be happening behind their backs."

In a March 16 letter to the editor of that newspaper, Wells Fargo Director of Security Bill Wipprecht noted that:

"San Francisco police crime statistics for 1993 document 133 murders, 9555 robberies, 197 carjackings and only 55 crimes related to automated teller machines (ATMs) ... Banks do take responsibility and do care about their customers ... The industry is headed toward ATM service availability in 24-hour supermarkets, pharmacies and convenience stores. Banks offer rewards for the arrest of criminals and use surveillance equipment to bust robbers. Emergency buttons, video cameras and other devices at ATM machines are already in place in some locations. But the root of the problem is not inadequate laws on ATMs - it's criminals." (*San Francisco Examiner*, March 4, March 16).

- 22) State Of Maryland Considers ATM Security Law - Both houses of the Maryland state legislature are considering a bill which would set minimum standards for ATM security in the state of Maryland. Details on this proposal will be included in the next edition of the *Newsletter* .
- 23) Florida Legislature Moves Briskly On Bills Requiring ATM Lighting, Landscaping And Rear-View Mirrors: Limiting Banks Liability For Injury And Allowing ATM Fee-Charging For Banks - Both houses of the Florida state legislature are making rapid progress on identical bills setting statewide minimum ATM security requirements (see **Bonus Section C** for Florida Senate Bill 2366). Identical bills introduced in both houses of the Florida legislature would require: 1) Now-familiar standards for lighting around 24-hour accessible ATMs 2) A shrubbery limit of 3 feet high at or around the ATM 3) Rear-view mirrors which would allow customers a view of activity behind them while at the ATM keyboard and 4) Issuing ATM cardholders safety information.

Controversy has arisen over two provisions of the law. First, [655.965 (2) and (3)] "if an operator has fully complied with the provisions of (this law), such operators shall have no liability for injury to any customer or user of an ATM caused by a person or instrumentality not controlled by the operator." The Academy of Florida Trial Lawyers voiced strong opposition to this section which they claim "would (absolve) banks' liability for (ATM) crimes" if the ATM safety standards in the law are followed.

The bill also allows [655.966 (2)] "an operator of an automated teller machine (to) charge the customer a fee for its usage." The Community Bankers of Florida oppose the use fee, which banks could charge some or all ATM customers who make ATM transactions. Joe Williams, president-elect of the Community Bankers of Florida said such a fee system gives larger banks which operate most of Florida's ATMs an unfair income-

generating advantage over community banks, which may operate one or few machines. Currently, a customer not using his or her own bank machine is charged a fee that is split among the customer's bank, the ATM owner and the ATM network. Passage of the bill would allow the ATM owner to tack on its own additional fee.

As of April 1 the Florida Senate bill was in Appropriations committee. The House bill was in Commerce committee. (*Tampa [Florida] Tribune and Times*, March 6, Dirk Lammers, reporter).

ATM-RELATED LITIGATION

- 24) Family Of Hans Herzog, Slain In Lancaster, California Carjacking Files \$60 Million Lawsuit Against Bank of America - On Tuesday January 4, Verenna Herzog and her two children filed suit against Bank of America, asking for \$20 million dollars each in connection with the March 5, 1993 shooting death near an ATM of Hans Christian Herzog, 44, (see *March 1993 Newsletter, Item #14* and *April/May 1993 Newsletter, Item #3*). Herzog was murdered during a carjacking at a Bank of America branch in Lancaster, California about 6:00 a.m. Two men, Christopher Mann, 20, and Wesley Harper, 23, have been arrested and are charged with felony robbery-murder.

Lancaster attorney Rex Parris said the bank was negligent in placing ATM machines at the back of its Lancaster branch, which he said was a secluded location that left customers vulnerable to attack. "It was the perfect spot to murder somebody using an ATM machine," Parris said.

Bank of America had offered a \$20,000 reward for the apprehension of the murderers of Hans Herzog, but has no comment on the lawsuit, as is company policy on pending litigation.

Parris said Herzog's widow, was a "very reluctant litigant" who tried to reach a settlement with the bank without an attorney, but was ignored by bank officials. "Mrs. Herzog was very clear that the only reason she's doing this is she doesn't want somebody else getting killed," Parris said. All Verenna Herzog wanted was enough money to send her two children to college, according to Parris.

The lawsuit alleges that the Lancaster branch of the Bank of America presented a "dangerous condition" because bank officials fail to "reasonably safeguard patrons from criminal attack by third persons foreseeably on the premises." According to testimony in a preliminary hearing in the criminal case, defendants Mann and Harper drove around Lancaster looking for the right target until they found the Bank of America branch. "If Mann had been the architect for that ATM machine, I don't know what else he could have done to make it more conducive for a crime," Parris said. The bank has a walk-up ATM towards the front of the building, a driveup at the side and three in the back, facing an alley. Herzog was killed after using one of the machines in the back. Parris said the bank chose the rear location for the three ATM machines because it was cheaper than putting more machines at the front. After the murder, the bank hired guards to patrol the rear portion of the building.

In order to win the lawsuit, the Herzog family will have to prove the bank negligently operated a dangerous condition. Parris said he will have to prove that the premises

themselves-particularly the location of the ATM machines-were dangerous. ([Palmdale,California] *Antelope Valley Press*, January 5, David Foy, reporter, front page story).

ATTACKS ON ATM MACHINES

- 25) Captured Card Prompts New Jersey Man To "Rip The Front Off" ATM - During the first week of October, a Netcong, New Jersey man tore apart a MAC ATM machine at Crestmont Savings Bank near Netcong when the machine "ate his card". Peter Mankin, 34, allegedly "began ripping the front of the machine off" after it refused to give him back his ATM card. Police said, "He lifted off the whole metal front of it, ripped that up, but wasn't able to get the card or any money." Damage to the MAC ATM was more than \$500. Videotape from the ATM assisted police in identifying Mankin. Police arrested him at his home. ([Morristown, New Jersey] *Daily Record*, October 12).
- 26) Pennsylvania Vandals Pour Soda Pop In ATM - About 11:38 am. on Friday October 8, vandals poured soda pop into an ATM at the Integra Bank in Washington, Pennsylvania. Police said the sticky liquid damaged the machine's card reader and keyboard. No further details were available. ([Washington, Pennsylvania] *Observer Reporter*, October 9).
- 27) Pennsylvania Man Attacks ATM Surveillance Camera And ATM With Hammer, Jack And Other Tools - About 1:18 am. on Friday October 8, a Tobyhanna, Pennsylvania man, Francis Albano, 34, allegedly damaged an ATM surveillance camera and an ATM at a PNC Bank in Scranton. The camera captured an image of the assailant before it was damaged. Albano allegedly used a hammer, jack and other tools to attempt to break into the machine. Damage to the ATM was estimated at \$8,000 to \$10,000. An alarm in the machine notified the police, who arrived shortly after the suspect left, fleeing in a black pickup truck. Police found the truck minutes later and arrested Albano. ([Scranton, Pennsylvania] *Times*, October 15).

ATM CAMERA SUCCESS STORIES

- 28) ATM Cameras Help Track Pennsylvania Inmate Who Stretched Two Hour Pass Into 20-Day Cross-Country Crime Spree - At 6:10 p.m. on Wednesday September 15 Bradley Martin, 21, had a two and a half hour pass from the Lebanon County Prison in Pennsylvania. Martin met his girlfriend Carolyn King, 28, but instead of returning to prison began a 20-day cross-country crime spree with her which resulted in the death of a 74-year-old retiree in Pennsylvania and the abduction and death of a 59-year-old grandmother from North Dakota. A key role in the law enforcement tracking of the pair on their cross country crime spree in North Dakota, Montana, Nevada and California was the record of ATM transactions and ATM camera videos which were produced when the North Dakota woman's stolen ATM card was used. On Tuesday October 5, a California highway patrol officer spotted the stolen car the pair was driving, pursued it across state lines, and arrested them in Yuma, Arizona after a high speed chase. ([Harrisburg, Pennsylvania] *Sunday Patriot News*, October 10, Tom Bowman, reporter).



MARTIN



KING

- 29) ATM Camera Nails Two Tennessee Women Who Stole Card And Then PIN Number From Post Office Box - On September 21, two Tellico Plains, Tennessee women, Debbie Harris, 36, and Judy Russell, 37, were arrested in connection with two counts of theft of property and vandalism of mailboxes. The two women allegedly broke into a Tellico Plains post office mailbox and first stole an ATM card. Then three days later the pair stole the PIN number from the post office mailbox, giving them access to the card's account. An ATM camera at the Bank of Madisonville captured an image of the women making a \$190 withdrawal using the stolen card. The women were arrested, and were also wanted in North Carolina on other charges. ([Sweetwater, Tennessee] *Monroe County Advocate/Democrat* October 3, Lori Chambers, reporter, front page story).
- 30) Television Airing Of California ATM Camera Video Leads To The Arrest Of Two Men Who Robbed And Shot ATM Customer- On Tuesday October 5, at 9:18 p.m., Mary Poulos was making a cash withdrawal at the Educational Employees Credit Union ATM in Fresno, California when she was confronted by two men and robbed. A video camera at the ATM captured a clear picture of the gunman - a tall, thin man wearing sunglasses (see below).

Suspect sought



Poulos, 43, survived a gunshot wound to the abdomen by the robbers, but underwent three surgeries. Fresno television stations began airing the videotape of the suspect about a week later. Several tips provided to police led them to arrest Anthony W. Jackson, 24, and a 17-year-old accomplice in connection with the robberies. Jackson was arrested by a patrol officer who spotted him at a bus stop in Fresno after noticing his resemblance to the robber in the videotape from the Credit Union. (*Fresno [California] Bee*, October 14 and 16, Royal Calkins, reporter).

- 31) Utah Teen Captured By Cameras Stealing \$780 From Other Customers' Accounts - On August 23, Jay Rhett Robb, 18, allegedly used an ATM to steal more than \$780 from other customers' accounts. The machine reportedly malfunctioned allowing him access to other accounts. However a security camera was recording the transactions, and led police to the suspect. He was charged with theft, and bail was set at \$10,000. (*Salt Lake [City, Utah] Tribune*, October 13).
- 32) ATM Photo Leads Washington State Police To Texan Responsible For Four ATM Robberies - During the last week of September, Brett Luton, 20, of Lubbock, Texas was charged with first degree robbery in connection with four ATM robberies in June and July at the SeaFirst Bank in Tacoma, Washington. In most of the robberies, a man wearing a bandanna over his nose and mouth threatened customers with a knife, robbed them and then ran into the nearby brush. A photo taken of the robber by the ATM helped police in Texas identify Luton. ([Tacoma, Washington] *Morning News Tribune*, October 21).



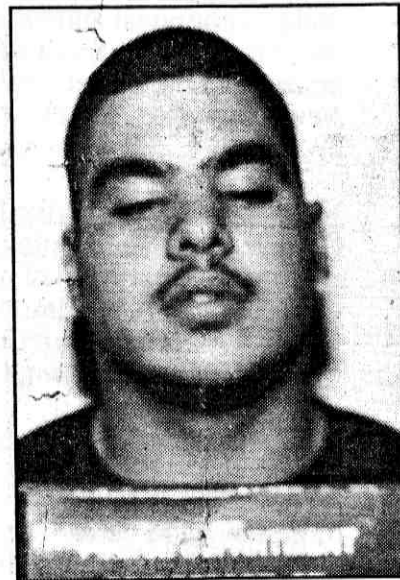
IN THE NORTHEAST

- 33) New Hampshire ATM Card Stolen From Nightstand Used To Withdraw \$150 - In a cryptic report, on Thursday October 7, a Portsmouth, New Hampshire man reported that his ATM card was stolen from his nightstand and then was used to make an unauthorized ATM withdrawal of \$150. No further details were available. (*Portsmouth [New Hampshire] Herald*, October 9).
- 34) Two Female Robbers Attack 62-Year-Old Massachusetts Woman And Take \$130 - Early on Thursday October 7, two female robbers attacked a 62-year-old Massachusetts woman at People's Bank in Enfield. The robbers took \$130 and the victim's wallet. Both robbers bolted from the bank, one running down the street and the other jumping into a car and driving away. A patrol officer chased and caught one of the women, who was identified as Joanne Guertin, 35, of Springfield, Massachusetts. ([Springfield, Massachusetts] *Union-News*, October 8).
- 35) Massachusetts Man Has ATM Card Stolen From His Home And Used To Withdraw \$1000 - On Thursday October 21, a Waltham, Massachusetts man reported to police that his ATM card and several credit cards were missing, and that someone had used his ATM card to withdraw about \$1000 from his bank account. On October 6, while the man was out of town, neighbors saw someone run away from behind his home. Police checked the house at the time, but found everything in order. When the man returned home on October 16, his daughter told him of the suspicious activity, but the man did not notice anything missing at the time. ([Waltham, Massachusetts] *News Tribune*, October 25).
- 36) Massachusetts Drug Addict Receives Suspended Prison Sentence For Unarmed ATM Robbery - On Tuesday October 26, Joseph Petrou, 40, received a suspended prison sentence of nine to twelve years in connection with an attempted robbery of a variety store and the unarmed robbery of a woman at a Lowell, Massachusetts BayBank ATM on June 10. The victim was a woman who had withdrawn \$200 from the ATM, when Petrou came up behind her, shoved her and stole the cash. The victim was not injured. Petrou was ordered to make restitution of \$200 to the victim and to continue alcohol abuse counseling. He will only have to serve time in prison if he breaks the law in the next four years. ([Lowell, Massachusetts] *Sun*, October 26).

- 37) Two Incidents In 30 Minutes Reported With Massachusetts Man Following ATM Customers Home And Demanding Cash - Woburn, Massachusetts Police Chief Philip Maloney reported that on Tuesday night October 26 a North Woburn woman was followed home after using the ATM at the Sterling Bank at the North Woburn Shopping Plaza. When the woman arrived at home, the suspect, a white male in his 30's driving a small white car, reportedly called the woman to his car, asking for directions. He then showed a gun, demanding the woman's cash. A second similar incident, involving a similar suspect, was reported about a half an hour earlier nearby. ([Woburn, Massachusetts] *Daily Times Chronicle*, October 28).
- 38) Connecticut Man Carjacked, Abducted For Five Hours And Taken To ATMs - About 8:50 p.m. Wednesday night September 1 in Bridgeport, Connecticut, David McKnight was waiting for a red light in his 1988 Nissan Pathfinder. "Before I knew it I had a gun against my head," McKnight said. The carjacker ordered McKnight to move over as he took the wheel. The carjacker, named "Vinny" pulled a dirty pillowcase from his jacket and put it over McKnight's head. Shortly thereafter, two other men got into the car. After discovering McKnight's ATM card, the men took him to an ATM where McKnight revealed his PIN number and Vinny withdrew at least \$300. At the ATM, a security camera took a photo of Vinny that appears below left. The men then drove McKnight to New York City where the carjackers shopped, using McKnight's cash and credit cards.



Photograph of "Vinny"
taken by ATM camera



Juan "Limpy" Sanchez

After shopping, the men returned to Connecticut where they released McKnight, warning him, "If we find out you went to the police, we'll come to your house and kill you." McKnight went to the Bridgeport Police headquarters and identified Juan "Limpy" Sanchez in a book of mug shots as one of his abductors. Four days later, two of the abductors came to McKnight's house when he was not home, but his friend Karen Marshall was. After two men insistently beat on the front door demanding to see McKnight, Marshall took a 9mm pistol, cocked the trigger and opened the door. Marshall raised the gun and aimed it at one of the perpetrators. Both men ran to the car and sped away.

About two weeks later, McKnight said he was at a gas station in Bridgeport when a car pulled up and out walked "Limpy", who said, "Why did you go to the cops?" McKnight remains insistent on apprehending and prosecuting his abductors. ([Stamford, Connecticut] *Sunday Advocate*, October 3, Dan Mangan, reporter, front page story).

- 39) Connecticut Teenager Gets Five Year Sentence For ATM Robbery - On Tuesday October 12, Ardemar Torres, 19, received a five year prison sentence for a \$50 ATM robbery which he committed on November 19, 1992 at a FleetBank ATM in the Berkshire Shopping Center in Danbury. After the female victim in this robbery had withdrawn \$20 from the ATM, she felt a gun against her right side. Torres told the woman to look straight ahead and to put the card back in and to take out the rest of her money. The victim told Torres she had only \$30 in the account, which he told her to withdraw. Torres then fled with the \$50 cash, after telling the woman to count to 2,000 before turning around. Torres threatened to kill the woman if she did anything wrong. ([Danbury, Connecticut] *News-Times*, October 13, Elaine Song, reporter).
- 40) Manchester, Connecticut Bank Employee Receives Reward Money In Helping Crack "Bogus ATM" Case - On October 25, Helen Meloche, an employee of the Savings Bank of Manchester, Connecticut was honored by the U.S. Secret Service for her work in helping crack the "bogus ATM" scam at the nearby Buckland Hills Mall. Meloche noticed a relationship between her bank's accounts with customer complaints and high dollar withdrawal amounts. This provided an early warning of counterfeit cards being used in the ATM fraud scheme. Meloche will receive a share of the \$35,000 reward money that the Secret Service was offering in the case (see *August/September 1993 Newsletter* Item # 12). ([South Windsor, Connecticut] *Commercial Record*, October 29).
- 41) New York Teenagers Accused Of Theft Of ATM Card From Apartment And Withdrawal Of Several Hundred Dollars - In mid-October, two 18-year-old youths were charged with entering the apartment of another person and stealing the resident's ATM card. The two youths apparently admitted the theft to the victim. Several hundred dollars were withdrawn from the victim's bank accounts without authorization. ([Herkimer, New York] *Evening Telegram*, October 26).
- 42) New Jersey Teen Leaves ATM Card In Machine And Has Account Balance Wiped Out - On October 17, a 19-year-old Piscataway man who left his Money Access Card in an ATM at the Menlo Park Mall told police his bank account was wiped out with his forgotten ATM card. The youth told police he was in a hurry and forgot his card in the machine after withdrawing \$20. When he later checked his account balance, an additional \$160 had been withdrawn, leaving him a \$2.85 balance. ([Woodbridge, New Jersey] *News Tribune*, Josh Rolnick, reporter).



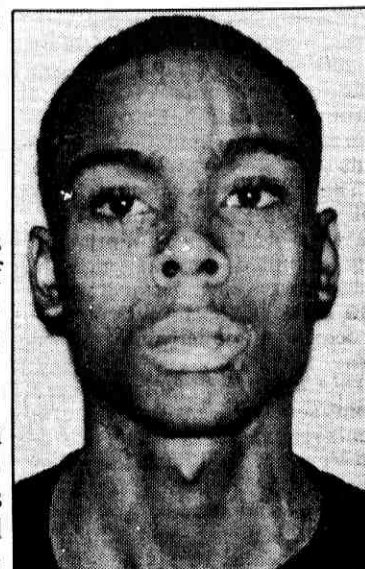
IN THE SOUTH

- 43) D.C.-Area Teenager Arrested In Three Separate Forced ATM Withdrawals And Sexual Assaults - On October 5, Prince George's County, Maryland police arrested Dwight Ralph Smallwood, 18, in connection with three separate incidents in three days in which police say he and another suspect abducted three women, forced them to withdraw cash from ATMs, and raped them. Smallwood was arrested after his fingerprints were found on the car of one of his victims, and on an ATM receipt found in the car of a second victim. Smallwood was being held in jail without bond on those charges.

In the first incident, a 30-year-old-woman was walking to her apartment on the evening of September 26, when two men with guns approached and forced her into a wooded area, where they sexually assaulted her. They then forced her to drive them to an ATM and take out an undisclosed amount of cash.

In the second attack on September 28, two suspects approached a 23-year-old-woman as she was getting out of her car, and made her drive them to an ATM where she withdrew cash. The two men then drove her to a park where they raped her.

In the third attack, a 23-year-old-woman was abducted on September 30 from a parking lot and was forced to drive to several ATMs to take out cash. This victim also was sexually assaulted by one of the men before they both fled in her car, which police later recovered. Police have photographs of two suspects taken at one of the ATMs.



Dwight Smallwood

(*The Washington [D.C.] Post*, October 7, Jon Jeter, reporter; *The Washington [D.C.] Times*, October 8, Jim Keary, reporter).

- 44) D.C.- Area Woman Abducted In Van By Men Who Asked For Directions, And Makes Forced ATM Withdrawals - About 7:30 p.m. on Monday October 11, a 28-year-old Silver Spring, Maryland woman was driving home from work when two men in a mini-van honked their horn at her and asked for directions. When she stopped in a convenience store parking lot to show them their route on a map, one of the perpetrators "put something hard into her side and demanded that she get into their van," according to a police spokeswoman. The men demanded her cash, but she had none. When they learned she had an ATM card, they drove her to several banks to withdraw cash. Police are seeking the suspects. (*Washington [D.C.] Times*, October 13, Arlo Wagner, reporter).
- 45) Maryland Mother With Her Daughter Robbed At Knifepoint At ATM - About 9:45 p.m. on Wednesday September 29, a 55-year-old woman with her daughter was withdrawing money from a Signet Bank ATM near Annapolis, Maryland when a man wielding a white-handled knife approached them and demanded money. The mother turned over an undetermined amount of cash, and the robber drove away in an old vehicle. ([Annapolis, Maryland] *Capital*, October 1).
- 46) Two Men Robbed At Baltimore ATM By Two Robbers - About 11:30 p.m. on Monday October 11, a 32-year-old Columbia, Maryland man and his 19-year-old male companion were near a 1st National Bank of Maryland ATM in the Town Center in Baltimore to make a cash withdrawal. After a transaction, the older man climbed into the passenger's side of his friend's car, and an armed man with a second suspect appeared and ordered the driver out of the car. The robbers took about \$40 from the victims, who were then ordered to lie on the ground as the thieves ran away on foot. ([Baltimore, Maryland] *Sun*, October 13).
- 47) Maryland Woman And Robber Break ATM Card In Half During Attempted Robbery - About 11 p.m. on Saturday October 23, an Annapolis area woman who had just inserted her card in an ATM spotted a man walking toward her. Before she could remove her

card, the man demanded cash. The woman struggled with the would-be robber over the card, and it broke in half. The suspect fled on foot, no cash loss was reported and the victim was not hurt. ([Annapolis, Maryland] *Capital*, October 27).

- 48) North Carolina Woman Robbed At ATM About Midnight - About midnight on Sunday October 10, a 26-year-old woman was robbed near a Southern National Bank ATM in Fayetteville, North Carolina. Two men grabbed the victim's arm and demanded cash. The robbers stole a silver watch. No further details were available. (*Fayetteville* [North Carolina] *Observer-Times*, October 11).
- 49) Stranded Motorist Assisted By Four Men Who Later Forced Him At Gunpoint To Make ATM Withdrawal - About 9 a.m. Saturday morning October 16, a Rocky Mount, North Carolina man whose truck had run out of gas walked to a nearby gas station. When the man, Jeffrey Hayes, 24, returned to his truck, four men sitting in a parked car helped him get his vehicle started. The four men then asked him for money, and took \$20 from his wallet. Then they forced him at gunpoint to a Centura Bank ATM to withdraw \$100. Police are seeking information. ([Rocky Mount] *Evening Telegram*, October 18, Eric Eckard, reporter, front page story).
- 50) North Carolina Man Abducted By Three Thugs, And Taken To ATM For Cash Withdrawal - About 1:30 a.m. on Sunday morning October 24, Calvin Person, 23, was leaving a grocery store when three men with a gun pulled in front of his car and made him get into their car. The men forced him to withdraw \$25 from a Wachovia Bank ATM and took his wallet, which contained credit cards and \$15. The men released Person and told him not to look at them or he would be killed. (*Fayetteville* [North Carolina] *Observer-Times*, October 25).
- 51) Georgia Man Robbed By Two Thugs With Long Gun - About 9:30 p.m. on Tuesday October 25, a 39-year-old man reported being robbed by two men with a shotgun or rifle while the victim was using an ATM at the NationsBank near Decatur, Georgia. (*Decatur-Dekalb* [Georgia] *News/Era*, October 21, Phillip Hermann, reporter).
- 52) Three Georgia Teenagers Abduct College Couple, Force \$500 Withdrawal And 90 Minute Shopping Spree - About 8:30 p.m. on Tuesday October 26, a boyfriend and girlfriend who are Mercer University students near Macon, Georgia were abducted in their car by three teenagers. The female student was forced to withdraw \$500 from a Trust Company ATM. Then one of the abductors escorted her on a shopping spree, buying nearly \$500 worth of clothes on her credit card in a mall, while the other abductors stayed in the car and held the gun on her boyfriend. Police arrested two 16-year-olds and a third male, DiAngelo Stokes, age unknown, and charged them with two counts of kidnapping and two counts of armed robbery each. (*Macon* [Georgia] *Telegraph*, October 29, Joe Kovac, Jr., reporter).
- 53) Florida Man Robbed At Daytona ATM By Two Thugs Wearing Pillowcases And Toting A Shotgun - About 10:18 p.m. on Wednesday September 29, a man was withdrawing \$200 from a First Union Bank ATM in Daytona Beach, Florida, when two robbers, one of whom was carrying a 12 gauge shotgun, confronted him and ordered him to withdraw \$300. Both of the robbers wore pillowcases with eyeholes cut out over their heads. The victim Charles Sleeper, 39, handed his \$200 over to the thugs and told them his bank limited ATM withdrawals to that amount. The two robbers then fled into a nearby woods and disappeared. ([Daytona Beach, Florida] *News-Journal*, October 2).

- 54) Tampa Woman Robbed By Two Hooded Thugs With A Knife - On Saturday night October 23, a 53-year-old Tampa woman was robbed at a Barnett Bank ATM by a man wearing a hood and wielding a knife. The victim said she was approached from behind by the robber, who grabbed her around the neck, showed her the knife and demanded that she withdraw \$340. The robber and his accomplice, who was also wearing a hood, both fled on foot. ([Tampa, Florida] *Tribune*, October 25).
- 55) Alabama Man Handcuffed At ATM And Frightened Until Machine Captures His Card, Foiling Robbery - About 9:30 p.m. on Friday October 22, James Leavins, 26, of Spanish Fort, Alabama was using an Altus ATM in Mobile when a robber came up behind him brandishing a gun, and put handcuffs on Leavins, leaving his hands in front of him to operate the ATM. By the time Leavins was told what to do, the ATM had "timed out" and swallowed his card, leaving both Leavins and the robber without cash. Leavins was ordered back into his car by the furious gunman, but still handcuffed saw the opportunity to run away, and did so. (*Mobile [Alabama] Press*, October 25).
- 56) Kentucky ATM Yields "Perfect Photo" Of Church "Wedding Day Purse Thief" - On Saturday October 2, a thief who is wanted for at least six other recent "wedding day crimes" struck the Ogden Memorial United Methodist Church in Princeton, Kentucky during a wedding, and made off with nine purses and their contents. The thief attempted to use the stolen ATM and credit cards almost immediately thereafter in nearby ATMs. Princeton police have obtained a "perfect photo" of the suspect, but that has not led to the "wedding day purse thief's" identity. Police officials say, "We even know what kind of car he drives. It's a Lincoln and we've got a picture of it, too. But, no one has been able to identify the man," police said. ([Princeton, Kentucky] *Times-Leader*, October 13, front page story).
- 57) Off-Duty Tennessee Police Officer Shoots Man Robbing And Carjacking Her - Just after midnight on Saturday October 2, off-duty sheriff's reserve deputy Carol Herndon, 24, was leaving her second job as a security guard at a North Memphis grocery when a man ordered her into her car. The man pulled a handgun and demanded her cash. Herndon said she did not have any and the robber ordered her to drive to a nearby ATM. Once at the ATM, the man demanded her jewelry. She handed him two rings. Herndon and the robber then exited the car.
- Once outside of the car, Herndon drew a 9mm pistol from a holster at the small of her back and shot the man. The man fled on foot. Responding police found blood and Officer Herndon's jewelry on the ground in the bank parking lot. About an hour later, a 24-year-old man matching the description of the suspect and having a chest wound showed up at the Regional Medical Center in Memphis. He was arrested there and is being held in the prison ward. The suspect is in non critical condition and charges have not yet been filed. ([Memphis, Tennessee] *Commercial Appeal*, October 3, Louis Graham, Reporter).
- 58) Two Arkansas Purse Theft Victims Are Tricked Out Of Their PIN Numbers And Lose Cash At ATMs - Two central Arkansas women reported purse thefts and unauthorized use of their ATM cards to Little Rock Police during the second week of October. Police stated, "In both of these cases, whomever stole the purses actually called the victim and identified herself as a bank security guard or a mall security officer. The story was that whomever had stolen the bank cards had attempted to use them in ATM machines and they had become stuck there and could only be extracted with the correct PIN number."

In both cases, the victims gave the caller the correct PIN numbers, which the card thieves used to withdraw money from the victims' bank accounts. Police caution ATM cardholders to never give out their PIN numbers on the telephone. (*Trumann [Arkansas] Democrat*, October 13.)

- 59) Arkansas Man And Woman Are Arrested In Numerous Thefts Of Purses And ATM Cards From Vehicles And Unauthorized ATM Cash Withdrawals - On Thursday October 14, Springdale, Arkansas police arrested a 32-year-old man and a 30-year-old woman, who police say would break into parked vehicles at shopping centers, supermarkets and residences and steal purses and ATM cards from them. The necessary PIN numbers often were found in the purses or were deduced by other available number sources such as birthdates, social security numbers, and drivers license numbers. Police have several photographs of the pair that were taken by ATM cameras using the stolen cards for unauthorized cash withdrawals. The pair allegedly stole \$6,595 in cash and property in Springdale. ([Rogers, Arkansas] *Northwest Arkansas Morning News*, October 16, Heidi Stanbuck, reporter).
- 60) Gunmen Sought In Four ATM Robberies In Arlington, Texas - Arlington, Texas police are searching for at least two men believed involved in four nighttime ATM robberies in south Arlington recently. At 10:30 p.m. on Tuesday, October 19, a 40-year-old ATM customer leaving a Comerica Bank ATM was robbed of \$300 by a robber carrying a black semiautomatic pistol. The next day about 8:45 p.m., a woman was robbed of \$40 at the same Comerica ATM by a robber wearing a white ski mask and carrying a black automatic pistol. The following Monday, October 25, about 9:00 p.m., a 39-year-old man was robbed of \$60 at the same ATM by a man wearing a black ski mask and carrying a silver automatic handgun. In the fourth robbery, which occurred Tuesday night October 26, about 7:25 p.m., a man walking to his car with a "small amount" of money from a Bank of North Texas ATM was confronted by a gunman wearing a dark ski mask. The victim handed over his wallet and car keys, and was not injured. (*Fort Worth [Texas] Evening Star-Telegram*, October 28, Jessamy Brown, reporter).



IN THE MIDWEST

- 61) Michigan Woman Robbed At ATM By Two Teens With A Knife - About 9:40 p.m. on Thursday October 14, a Kalamazoo Michigan-area woman was robbed at a Standard Federal Bank ATM. Two teenage males, one armed with a knife, approached her and threatened her. The robbers took an undisclosed amount of cash and her ATM card. Police are seeking information. (*Kalamazoo [Michigan] Gazette*, October 16).
- 62) Milwaukee Grandfather Robbed While Teaching 12-Year-Old Granddaughter How To Use ATM - About 8:20 p.m. on Monday October 4, a 48-year-old man teaching his 12-year-old granddaughter how to use an ATM was robbed at gunpoint. The victim customer knocked the robber's gun from his hand, but the robber recovered it quickly and managed to take the two \$5 bills that the man and his granddaughter had just withdrawn from the machine. The robber fled on foot. No injury was reported. (*The [Milwaukee] Journal*, October 5).
- 63) Illinois Man Robbed Of Empty Wallet At ATM - About 12:20 a.m. on Wednesday October 13, a Belleville Illinois man, Paul Trudt, 24, was robbed of his empty wallet by a man with a sawed-off shotgun a Magna Bank ATM. While the victim was making a transaction, the suspect walked up to him, pointed the weapon and told the victim to hand

over his wallet. Trudt did as he was instructed and was not injured. Trudt later told police that he had no money in the wallet. He lost only his state identification card and a video club card. ([Belleville, Illinois] *Journal*, October 17, Kevin Glenn, reporter, front page story).

- 64) Carjacked Chicago Man Pushes Robber Out Of His Car After Attempted ATM Withdrawal Fails - About 10 p.m. Saturday October 16, a Chicago husband and wife were parking their car when a man approached them, told them he had a gun in his pocket and demanded that they drive him to a Cash Station ATM. The husband drove the man to a Cash Station, but was unable to get any money from that machine. Driving to a second ATM, police said the husband decided the robber, who was sitting in the passenger seat of the car, did not have a gun, and the husband pushed the robber out of the car. The robber escaped with \$40 stolen from the victim. ([Chicago, Illinois] *Skyline*, October 21).
- 65) St. Louis ATM Customer Shot After Refusing To Withdraw More Than \$5 For Robber - On Thursday night October 28, a 42-year-old St. Louis, Missouri man had withdrawn \$5 from a Mercantile Bank ATM when a robber approached him on foot and pointed a small automatic handgun at the victim. When the robber learned the victim had withdrawn only \$5, he ordered the victim to withdraw additional cash. The victim refused and fled on foot. The robber shot at him once, striking the victim in the left hip. The victim was treated and released at a local hospital. Police were working with the bank to see if the suspect was captured on the ATM video camera. ([St. Louis, Missouri] *South Side Journal*, October 31, Robbi Courtaway, reporter).



IN THE WEST

- 66) Colorado Teen Steals Woman's ATM Card During Ride To Work. Then Steals \$500 - On Monday October 11, Boulder Colorado police arrested Marcelleno "Mark" Battle, 19, in connection with his alleged theft of an ATM card from the purse of a woman who was giving him a ride to work on July 20. The woman told police she believes the man took her card with her PIN number attached out of her wallet when she stopped briefly to go inside a gas station during the ride to work. The card was later used to withdraw \$500 from the woman's bank account. The woman's description of Battle matched the description of a man seen in photographs taken of a man at various ATM machines while using the woman's card for cash withdrawals. Battle remained in jail, unable to post \$3000 bond. ([Boulder, Colorado] *Daily Camera*, October 13).
- 67) Utah Man Robbed At ATM With Knife At His Throat - About 8 p.m. Tuesday October 5 a man attempting to make a deposit at First Security Bank in Provo, Utah was approached from behind by a robber who put a sharp object, possibly a knife to his throat and demanded money. The victim complied and then watched the robber get in a nearby pickup which drove off. A truck matching the description of the getaway vehicle was stopped by police in Spanish Fork, and two men were taken into custody in connection with the robbery. ([Provo, Utah] *Daily Herald*, October 6).
- 68) Utah Woman With Two Children In Car Is Robbed At ATM And Briefly Carjacked - About 8:30 p.m. on Thursday October 21, a 25-year-old Utah woman with her two children in the car was robbed while making a withdrawal from the ATM at the America First Credit Union in South Ogden. The robber came from behind a fence north of the machine, opened the passenger door of her car and pushed the 4-year-old boy sitting in

the front seat next to his mother. The robber then pointed a gun at the woman, demanded money and said if she complied he wouldn't hurt her or her children. The woman gave him an undisclosed amount of cash and drove him, as he ordered, to a sandwich shop about a block away, where he got out of the car and fled. The woman said the robber smelled strongly of alcohol and tobacco. ([Ogden, Utah] *Standard-Examiner*, October 23).

California Incidents

- 69) Walnut Creek ATM Customer Robbed By Two Men - About 5:50 a.m. on Saturday October 2, a Walnut Creek man was robbed making a deposit at the Bayview Federal Savings ATM, about a block away from a police station. The customer was approached by two men, one armed with a revolver, and handed over his cash. The suspects fled on foot. No arrests have been made. ([Walnut Creek] *Contra Costa Times*, October 4).

- 70) Woman Carjacked By Motorist In San Bernardino And Taken To ATM For \$200 Forced Withdrawal - About 2:30 a.m. Friday October 1, Kim Lee, 20, made a cash withdrawal from a Rancho Cucamonga Bank and started driving home. On the way, a motorist cut her off, got out and walked over to her car and pulled out a large-caliber semiautomatic handgun. The man got inside Lee's 1992 Toyota and ordered her to drive to Home Federal Bank, where he took her ATM card and stole \$200 from her account. The bank's ATM camera produced an excellent photo of the suspect (see right). The carjacker then drove off and let her out of the car. Police are seeking information. ([San Bernardino] *Sun*, October 6).



The suspect was photographed withdrawing money at the Home Federal ATM.

- 71) Riverbank Man Loses \$280 To ATM Robber - Shortly after 7 p.m. on Tuesday September 28, a 23-year-old man went to a Bank of America ATM in Oakdale to withdraw cash. After completing his cash withdrawal, the victim was getting back into his car when he observed a man running across the parking lot toward him waving his arms. The victim asked the man if something was wrong and the man displayed what appeared to be a semiautomatic handgun and demanded cash. The robber took \$280 from the victim and fled on foot. (*Riverbank News*, October 26).
- 72) Two Men Found Guilty In Los Angeles Area Home Invasion And Forced ATM Withdrawal - On October 13, two men, Aliyatham Silavong, 22, and his accomplice Hai Hong, 24, were found guilty of several charges each in connection with a February 3 home invasion robbery and hostage taking which lasted three and one-half hours. On that date at about 7 a.m. Silavong allegedly forced his way into a south San Gabriel home and held Tom Tanaka and his wife Janet and their children Greg, 25, and Loren, 21, hostage while demanding money. Silavong took the family about two miles in their car to a Bank of America ATM for a \$500 cash withdrawal. After returning to the victim's home, the hostage takers decided to return to the bank a second time, when Tom Tanaka

was ordered to withdraw \$5000 from his account inside the bank. In the confusion in the bank parking lot, police were notified, and a high speed car chase resulted. Both men were later arrested. Both Silavong and Hong are facing sentences of life without the possibility of parole. ([Los Angeles] *Rafu Shimpo*, October 14, Dean Takehara, reporter, front page story).



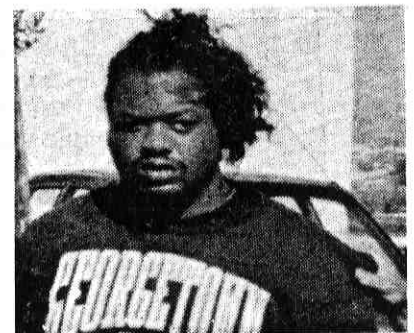
Aliyatham Silavong



Hai Hong

- 73) Three Hayward Robberies In 18 Minutes Include ATM Customer - In an 18 minute robbery spree by one man beginning about 7:05 p.m. on Thursday October 7, an ATM customer at a Bank of America machine in Hayward gave up \$20 to the robber. The robber asked the victim if that was all the money she had with her. The victim said yes, the robber thanked his victim and left. ([Hayward] *Daily Review*, October 8).
- 74) Three Concord Robbers Beat Man And Demand ATM Withdrawal - About 12:45 a.m. on Sunday October 10, a man was approached on the street in Concord by three thugs who pushed him against a dumpster and punched him. The three men went through the man's pockets, removing his ATM card from his wallet. The robbers demanded the victim's PIN number, which he told them. The robbers tried unsuccessfully to use the card at a Metro 1 Credit Union ATM, then demanded that the victim use it to withdraw a large amount of cash, which he did. The three robbers then fled on foot. ([Walnut Creek] *Contra Costa Times*, October 11).

- 75) Victorville Woman With Car Full Of Kids Foils Afternoon Driveup ATM Robbery By Masked Gunmen - About 2:25 p.m. on Sunday October 10, a 22-year-old AppleValley woman with a carload of small children was making a cash withdrawal at a Victorville Bank of America driveup ATM when she noticed two men wearing ski masks approaching her car. "All of a sudden I looked in my rear view mirror and they were right up to me with silver guns and they were telling me, 'Stop or we'll shoot. Give me your money,'" she said. The woman is believed to have turned over \$20 she had withdrawn and her ATM card to the gunmen, and then sped away, warning another approaching motorist to



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keep away from the driveup teller window. A passing police officer was flagged down and directed to the back of a nearby store, where the suspects were hiding. Two jackets, ski masks and one loaded .22-caliber pistol that deputies believed were used in the robbery were found behind a nearby supermarket. The victim's ATM card and \$20 she had withdrawn were not found. A 14-year-old Los Angeles youth and 23-year-old Troy Hanson, were arrested in the case. Hanson has a long criminal history. ([Victorville] *Daily Press*, October 11, Don Holland, reporter, front page story).

- 76) Four Suspects, Including A 12-Year-Old, Involved In Daly City ATM Robbery - About midnight on Tuesday October 12 a woman was robbed at a Bank of America ATM in Daly City. Four suspects confronted the woman, who said one of them was a 12-year-old boy with a small pistol, possibly a semiautomatic. The four robbers took the victim's cash and the contents of her purse and fled in a beige colored car. ([San Mateo] *Times*, October 13).
- 77) Robbers Hit Downey ATM Patron At Noon - About 12:10 p.m. on Saturday October 9 a 27-year-old man who had just taken cash from the Wells Fargo ATM in Downey was accosted in the bank's parking lot and robbed. The victim told police the robber drove off with a male accomplice. No further details were available. (*Downey Eagle*, October 15).
- 78) Man Sought In Sacramento ATM Robbery - Sacramento police are looking for Keith Latuawn Davis, who also uses the name Ali Moya in connection with an ATM robbery about 1:20 a.m. on Sunday September 19. After the victim finished using the ATM, Davis allegedly approached the man and pointed a gun at him. He took the victim's wallet and car keys, and tried to steal the victim's car, but it stalled as he attempted to drive off. ([Sacramento] *Union*, October 20).
- 79) Three Stockton Men Arrested In Connection With Three ATM Robberies - Two Stockton men and a teenager were arrested October 21 in connection with three robberies at ATMs. Huan Nguyen, 21, Mai Pitousavanh, 19, and a 14-year-old boy were arrested during a traffic stop when the three matched descriptions given by ATM robbery victims. All three were charged with robbery, possession of stolen property and possession of stolen credit cards. The first robbery took place at a Bank of America ATM in Stockton. A man who had withdrawn \$20 from the ATM was confronted by three men, one of them armed with a gun, who demanded his PIN number and card. The three suspects are also believed involved in two other incidents, one at a Wells Fargo bank and another at a different Bank of America branch in Stockton. (*Stockton Record*, October 22).
- 80) Armed Robbery And Carjacking At Tulare ATM - Shortly before midnight Sunday October 24, a man and a woman were robbed at knifepoint at a Tulare Wells Fargo Bank ATM by two men. The male victim gave the robber \$100 and the robber fled in the victim couple's car. (*Tulare Advance-Register*, October 25).



DAVIS

CONSUMERS SAFETY EDUCATION

81) Several Articles Promoting ATM Customer Safety Education Appeared During The Month Of October, Including The Following:

- [Clarksville, Arkansas] *Graphic*, Winston Bryant, reporter
- [Columbia, Tennessee] *Daily Herald*, October 6, editorial
- [Yellville, Arkansas] *Mountain Echo*, October 7
- *Washington* [D.C.] *Post*, October 11, Donald Ogilvie, reporter
- [Newark, New Jersey] *Star-Ledger*, October 12, Hints from Heloise
- *Savannah* [Georgia] *Evening Press*, October 12, Hints from Heloise
- [Fayetteville, Arkansas] *Northwest Arkansas Times*, October 12, Hints from Heloise
- *Detroit* [Michigan] *Free Press*, October 18
- *Red Bluff* [California] *Daily News*, October 20, Elizabeth Chodak, reporter, front page story
- [Westminster, Maryland] *Carroll County Times*, October 20, Michael Blankenheim, reporter, front page story
- *Kingsburg* [California] *Recorder*, October 20
- [Clayton, Missouri] *St. Charles Watchman*, October 21, front page story
- [Quakertown, Pennsylvania] *Free Press*, October 26, Peggy Adams, reporter
- *Norton* [Kansas] *Daily Telegram*, October 27, Beverly Kindler, reporter
- [La Crosse, Kansas] *Rush County News*, October 28, Diane Bostwick, reporter
- [Long Beach, California] *Press-Telegram*, October 29

NEWS OF WEIRD ATM CRIMES

- 82) Crack-Carting New York Lawyer Attempts Bribe Of Police Officers With ATM Card - Yonkers lawyer Jay R. Fishman, 38, was spotted by officers inside his car with two crack pipes and several crack vials on the car floor. Fishman was arrested and charged with possession of a controlled substance. Fishman then allegedly offered the officers \$26 in cash and his Citibank ATM card to bribe them into letting him go. The officers declined the offer, but notified police Internal Affairs officers, who put a hidden microphone near Fishman and recorded the offer when it was made a second time. Fishman was then additionally charged with bribery. ([White Plains, New York] *Reporter Dispatch*, October 8, Eric L. Smith, reporter).

- 83) Seattle Woman With Gun To Her Head Ends ATM Robbery By Slapping Robber's Face - At 10 p.m. on Wednesday, October 6, a woman standing beside a Seattle cash machine became furious when a male stranger came up to her, put a gun to her head and ordered her to withdraw some money. The woman noticed a second man on the other side of the street and believed he was involved with the robbery. The woman was frightened, but became angry, slapped the suspect and said, "Get lost!" After both men amazingly did as she demanded, the woman withdrew her cash from the ATM, got on her bicycle and headed for home. (*North Seattle [Washington] Press*, October 13).
- 84) Chicago Man Taxi-Jacked, Then Robbed By Three Men At ATM - A 22-year-old man left a tavern early in the morning of Monday October 18, and was getting into a taxicab, when a second man climbed in after him, insisting on sharing the cab. The victim got out of the taxi at a gas station, and tried to get away from the intruder. The victim was about to enter a second taxi when the man appeared at his side telling him, "I've got a gun. As long as you cooperate, I'll be your friend." The victim told police he was ordered into a nearby alley where the robber took his wallet. After finding a disappointing \$3 in the wallet, the robber made the victim go to a nearby 7-Eleven where two of the robber's accomplices were already waiting. The victim made a forced \$80 withdrawal from the ATM while the two accomplices acted as lookouts. ([Chicago, Illinois] *Booster*, October 20).

CONCLUDING NOTES

- 1) Below are the images of the front and reverse sides, respectively of a French Telecarte, which contains a chip which can be debited for telephone services at French pay phone locations. Since the mid-1980's, the French Post Telegraph Telephone (PTT) system has been phasing out coin-operated pay telephones in that country. PTT officials cite problems with theft from coin boxes, vandalism and theft damage to coin payphones and the expense of moving tons of coin from pay telephones to bank vault locations every day as principal reasons for the move to card-operated telephones.

Today, all pay telephones in France accept only chip cards, such as the Telecarte 50 unit card pictured below, or "smart card" credit cards. Different designs are featured on hundreds of different Telecartes. The Telecartes cannot be "recharged" with credits once they are depleted, and therefore are disposable. However, with the appearance of hundreds of unique and artistic designs on the cards, they have become collectable, and disposal of or littering with spent Telecartes is not a problem.



2) Beginning on the next page are **Bonus Sections A through E**, as follows:

Bonus A: Comparison of ATM Security Laws

Bonus B: New York City Report of Temporary ATM Task Force

Bonus C: Florida Senate Bill 2366

Bonus D: The High Tech Hood Squad Presents...ATMs

Bonus E: Drug Use Forecasting - 1992 Annual Report