Reliability of police radar guns challenged in speeding case

United Press International

MIAMI — The fate of 4,000 ticketed speeders depends on a judge's decision whether police radar guns are reliable or if — as the "Fuzzbuster" designer contends — they are just as likely to show a tree going 80 mph.

"Based on what we see, probably about 30 percent of all radar speeding tickets are bogus," Dale T. Smith said, during a break in Tuesday's hearing before Chief Administrative Judge Alfred Nesbitt.

Nesbitt will decide whether radar readings can be introduced as the sole evidence in a speeding case.

Some 4,000 speeding cases involving radar in Dade County alone have been postponed pending the outcome of his hearing, which could last several more days.

Smith is technical adviser to the Dade County public defender's office, which is representing 27 defendants caught speeding by radar.

The 35-year-old designer of the Fuzzbuster radar detector contends radar design limitations, improper use by untrained officers and deliberate abuse to give a "speeding" reading result in 30 percent of the tickets issued being "flawed."

"This trial could very definitely become a landmark case," Smith said.

The hearings were called after Miami television station WTVJ did a series about the radar detectors in which one clocked a house at 28 mph and a stand of trees at 86 mph.

Smith points out that legal acceptance of a radar reading as clear-cut evidence of speeding began in the 1950s. Back then, radar units were stationary, bulkier and more accurate.

"What has really happened is we are awash in federal funds to buy radar. And there has been a scramble by manufacturers to build to a low cost rather than to performance," Smith said.

The Dade County state attorney's office will present its own expert witnesses, many of whom will be supplied by the four major radar manufacturers — Decatur Electronics, CMI Inc., Kustom Signal and MPH Industries.

Assistant State Attorney Ken Drucker contends "there should be no inherent problems (in operating the radar guns) if used by a qualified operator."

But just how qualified is part of the question.

Dr. William Stern, a New York physicist who did his doctoral thesis on radar speed guns, testified that each officer using radar should have "a week's classroom time and a month in the field to help overcome officers' gross misunderstanding of how it should be used."

Florida Highway Patrol officers receive 15 hours of instruction in radar operation.

Radar guns broadcast microwave signals out in a coneshaped beam. Stern said the typical spread of the beam was 19 degrees, which translates into 213 feet wide at 1,000 feet — encompassing a four-lane highway.

The officer is left to decide which object he is reading, Stern said.

Campaign attacks lawyers

Welder runs for president

United Press International

PORT ARTHUR — Donald R. Beagle, 56, a welder, goes to work in worn jeans that match his heavily calloused hands. He is also running for the presidency.

"People call me crazy," he says, "but they called Thomas Jefferson crazy too."

Beagle has a simple, three-pointed presidential campaign platform: get the lawyers out of politics, return governmental controls to the state and slash inflation.

An unsuccessful candidate in the 1978 Texas gubernatorial race, Beagle's major political weapon has been his attack on lawyers, primarily lawyer-politicans.

"Lawyers operate in all three branches of our government at the same time, take more than one oath of office and get by with it," Beagle said in one of his newsletters.

Beagle's anti-lawyer crusade began in 1975 when he attempted to gain custody of his son, then 7. The custody suit lasted 11 months. At first two attorneys helped Beagle obtain three overnight visitations, but nothing else.

"I fired both attorneys and went to learning the law myself," he said.

Beagle eventually won his first case. The boy has been living with him for a year now.

Beagle participated in the creation of the male answer to women's liberation. The organization is called MEN-USA, first chartered at the University of California-Los Angeles.

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