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NOVEMBER 2014



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Education and training are essential elements to the growth and professionalization of law enforcement as a field, as well as continually improving the service agencies provide to their communities. Topics such as intelligence training, college courses, and certification are applicable to all levels of law enforcement, from chiefs to entry-level officers.

Police departments are responsible for providing high-quality services to all community members. This issue provides tips, training programs, and information on handling situations that involve persons with disabilities, members of the transgender community, those with Alzheimer's, and those dealing with mental health issues.

Cover photo: Richard Beary (IACP President) is flanked by daughter, Jillian (left), and son, Gregory (right). Photo courtesy of Jeff Hawkins.

The Police Chief

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The Year Ahead

Let me start by saying thank you to the numerous members of our association for the support and encouragement you have provided me along my journey to president of the International Association of Chiefs of Police. I would also like to thank our incredibly talented IACP staff for the work they conduct daily on behalf of our 22,000 members. They remain focused on our vision: *Serving the Leaders of Today, Developing the Leaders of Tomorrow.*

2014 has been a very challenging year for law enforcement across the globe. Our immediate past president Chief Yousry Zakhary has represented the IACP at a myriad of meetings, summits, and gatherings to present our collective voice regarding public safety issues. I am grateful for his sincere leadership of the IACP. I plan to continue the officer safety initiatives that both he and other past presidents have created with the hope of a building a safer working environment for our men and women.

I would now like to share with you my priorities during my term as president.

Cybercrime is a global threat to the economic and physical security of every nation we represent. It is the leading crime problem facing the world today and in the foreseeable future. Our law enforcement organizations must be prepared to recognize and investigate these crimes. The IACP will partner with several organizations to develop and provide our members with a comprehensive best practices guide to assist them with these complex investigations. We must also enhance the information and services available to individual victims of identity theft. They often face a daunting task of securing their personal information and rebuilding their reputations.

Tactical trauma care provides our law enforcement personnel with the training and medical equipment they need to save lives in



*Richard Beary, Chief of Police,
University of Central Florida,
Orlando, Florida*

the field. These medical kits should become standard issue in our respective organizations. These medical supplies have the potential to vastly increase survival rates during mass casualty events or other bodily trauma incidents.

Public Safety Officers Benefits Program (United States of America) provides death and education benefits to the survivors of fallen U.S. law enforcement officers, firefighters, and other first responders, as well as disability benefits to officers catastrophically injured in the line of duty. The IACP will partner with the Bureau of Justice Assistance to increase awareness of the program and provide training to better prepare

U.S. public safety agencies to deal with the claims process. Our focus is providing assistance to the surviving families as quickly as possible.

Family is what matters most to me, which is why the cover of this month's publication includes my daughter, Jillian, and my son, Gregory. They represent the fourth generation of my family to proudly wear a badge. I hope they find serving and protecting both honorable and fulfilling.

As we move into the next year, I am honored to lead the IACP family, and I look forward to working with all of you to enhance the safety and security of our communities. ❖

IACP President Richard Beary's Initiatives:

- Cybercrime
- Tactical trauma care
- Public Safety Officer Benefits Program

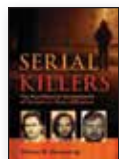
The IACP welcomes Chief Richard Beary to his new role as IACP President.

The association also welcomes and congratulates new board members, Chief Lou Dekmar (Third Vice President) and Chief Paul Cell (Fourth Vice President).

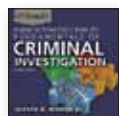
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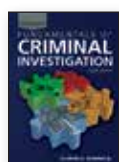
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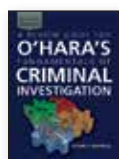
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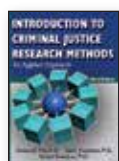
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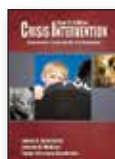
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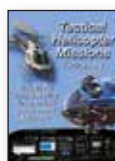
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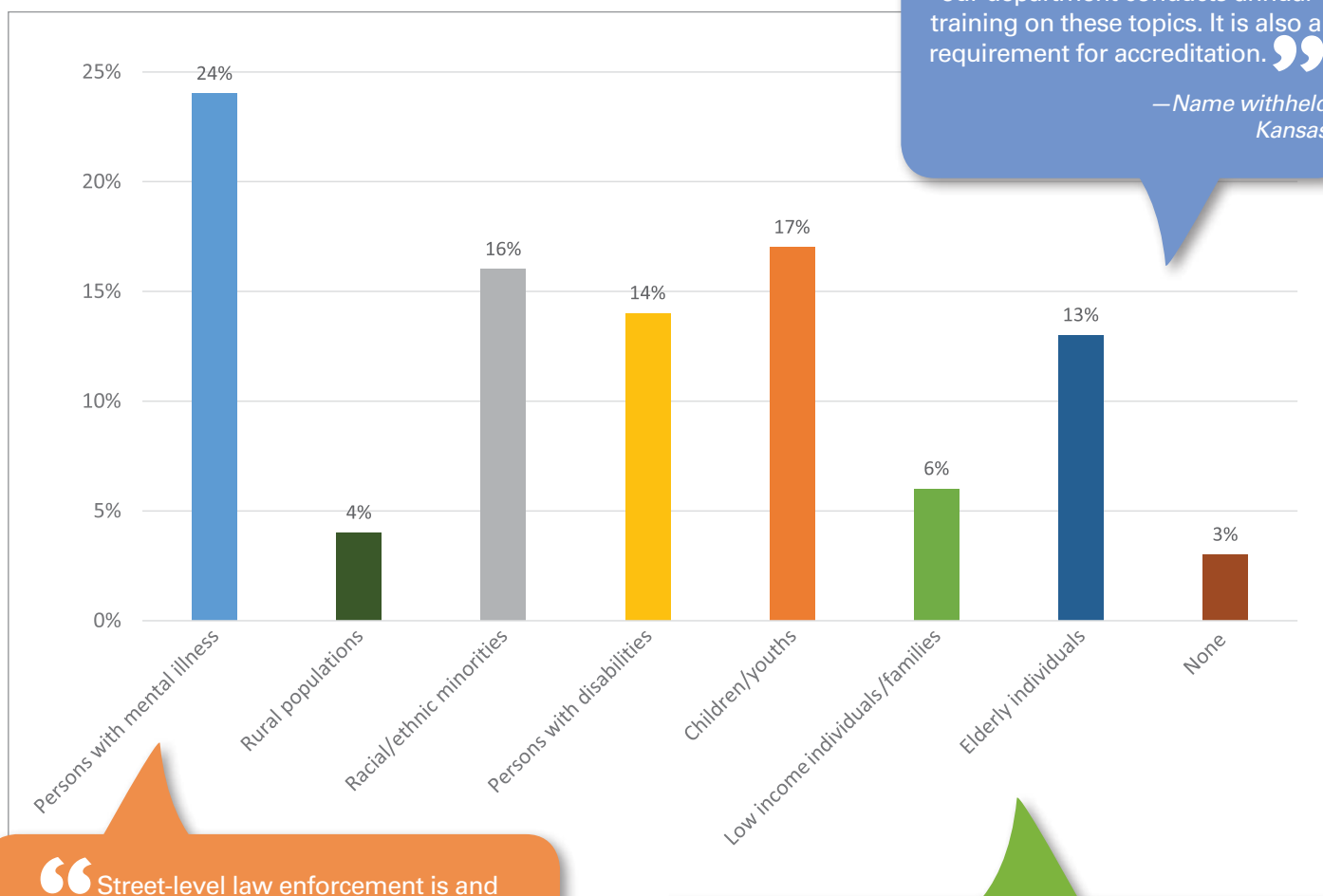
THE DISPATCH

Police Chief knows that many of the best ideas and insights come from IACP members who serve their communities every day. The Dispatch is an opportunity for members and other readers to share their wisdom, thoughts, and input on policing and the magazine.

MEMBERS SPEAK OUT

In September, *Police Chief* asked if your agencies provided training regarding certain populations. Here's what you told us.

My Agency Trains Officers for Encounters with These Populations:



“ Kansas has a standard for racial profiling and dealing with mentally ill persons, and our department conducts annual training on these topics. It is also a requirement for accreditation. ”

— Name withheld
Kansas

“ Street-level law enforcement is and always has been about people, and if you're not comfortable around all types of people, then you're in the wrong business and no amount of specialized training will help you relate to others. If, however, you like people and respect their differences, then this type of training can be most beneficial. ”

— Bill McCarthy, Sheriff
Polk County, Louisiana

“ We are currently training officers on CIT techniques so that they can have a better understanding of how to deal with subjects who have mental health issues. We are also working with a local mental health provider who is providing quarterly training to law enforcement agencies about the services that are provided in our local area. ”

— Michael J. Persley, Captain
Albany (Georgia) Police Department

FROM OUR READERS

Did an article stir your interest or remind you of your own experiences?

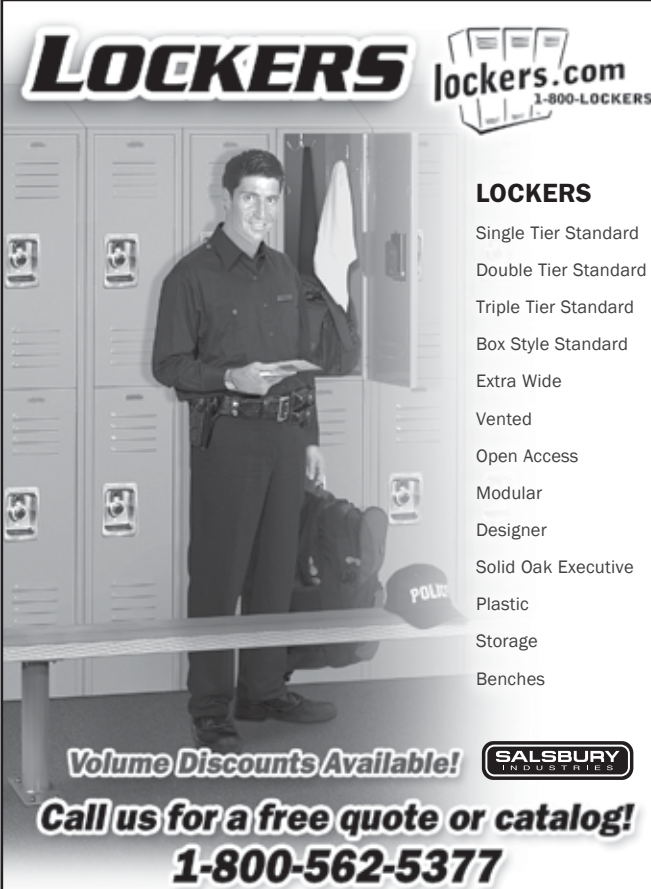
Do you have a comment you want to share with other Police Chief readers? Send a note to letters@theiacp.org, and you may see your letter in The Police Chief!

YOUR TURN ◀▶

What traits make a good leader?

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IACP Preparing Legislative Agenda for the 114th U.S. Congress



By Sarah Guy, Manager, Legislative and Media Affairs, IACP

In January 2015, the 114th U.S. Congress will be sworn into office. At the beginning of each new congressional session, the IACP releases a new legislative agenda that provides an overview of the IACP's position on the critical issues confronting the law enforcement community. The various elements of the IACP legislative agenda are drawn from approved IACP mem-

The various elements of the IACP legislative agenda are drawn from approved IACP membership resolutions; positions adopted by the IACP Executive Committee; and suggestions provided by IACP divisions, sections, committees, and the IACP membership as a whole.

bership resolutions; positions adopted by the IACP Executive Committee; and suggestions provided by IACP divisions, sections, committees, and the IACP membership as a whole.

The proposed agenda will be reviewed and approved by the IACP Executive Committee during its January 2015 meeting. If you are interested in submitting an issue for consideration for inclusion in the IACP Legislative Agenda for the 114th Congress, please contact the IACP Manager of Legislative and Media Affairs, Sarah Guy, at guy@theiacp.org.

After the November Elections

Congress is set to return from the November mid-term elections on November 12, 2014. Although the lame-duck agenda will largely be centered around what party controls the Senate, below are a few items Congress will likely consider upon its return.

Federal Funding

Congress's top priority will be to pass legislation to fund the government past December 11, 2014, when the current short-term continuing resolution (CR) expires.

Lawmakers will have to decide if they will pass another short-term CR or a long-term omnibus bill. Although an omnibus bill is entirely possible in the lame-duck session, lawmakers will likely pass another CR with limited working days between their return, Thanksgiving recess, and the December deadline.

Attorney General Selection

The White House will nominate a successor to Attorney General Eric Holder after the mid-term elections. Attorney General Holder has said he will remain at the United States Justice Department until a new attorney general is named and confirmed by the Senate.

1033 Program

Congress will likely resume its focus on the U.S. Department of Defense Excess Property Program (1033 program). Before recess, the Senate Homeland Security and Government Affairs Committee (Chaired by U.S. Senator Thomas Carper [D-DE]) held an oversight hearing on Federal Programs for Equipping State and Local Law Enforcement. The focal point of the hearing was the U.S. Department of Defense Excess Property Program (1033 program).

In addition, U.S. Representative Hank Johnson (D-GA) introduced the Stop Militarizing Law Enforcement Act of 2014 (H.R. 5478). Among other restrictions, the provisions of H.R. 5478 limit the type of equipment that local law enforcement agencies can request under the 1033 program.

The IACP is working with a broad coalition of law enforcement and public safety associations to ensure Congress understands both the needs and views of law enforcement on this issue. ❖

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Healthy Eating Improves Officer Nutrition and Well-being

By Steven Mellor and Kevin Chimento, Health and Fitness Instructors, FBI Academy, Quantico, Virginia

For those working in law enforcement, there are sometimes challenges to eating healthy meals while on the job; long hours of shift work, sitting in a car for an extended period of time, and working overnight are all potential barriers to healthy eating. As such, those in the profession need to take a proactive approach to their diets and develop plans for eating that minimize the effects of these barriers on their daily nutrition.

Law enforcement officers are not alone in poor eating habits. In the United States, approximately 34.9 percent of adults are reported to be obese.¹ While there are many biological and social factors that need to be considered when discussing obesity, poor diets and unhealthy eating habits play a significant role. It is estimated that 50–70 million people attempt various diets every year, yet the majority of those who lose weight due to dieting are unable to keep the weight off long term.² There are two main reasons for this: first, restricting a diet to what a person should and should not eat is difficult for many people who are not dedicated to a healthy eating lifestyle, and second, many people do not have an active lifestyle, which helps maintain a healthy weight.

The most important aspect of any successful diet plan is the careful selection of what types of foods to eat on a daily basis. Food is an energy source; it's essentially the fuel that the human body needs in order to function. When food intake is properly balanced, it provides good health and vitality to an active body. When it comes to maximizing physical performance, professional athletes must consciously find that balance in food consumption. However, this balance is equally important for everyone, regardless of an individual's physical fitness level. Law enforcement officers are tactical athletes; their work isn't rewarded with gold medals, but their survival during confrontations with violent criminals is their victory. Thus, one component of the Fitness in Law Enforcement program at the FBI National Academy is teaching law enforcement officers how to find this balance in food selection as they go about their everyday duties. Because of their status as tactical athletes, it is important that they understand the different food groups and how to properly balance their food selection to support their physical performance.

Macronutrients

There are three primary macronutrients that all humans need to consume as part of their diets—carbohydrates, fats, and proteins. A macronutrient is defined as “any nutritional component of the diet that is required in relatively large amounts.”³ Simply put, they are energy sources for the body.

The function of carbohydrates is to provide energy to the body's cells. This energy can be synthesized immediately from blood glucose or from glycogen, a stored form of carbohydrates in the muscle and liver. As an individual engages in physical activity above 65 percent of VO_2 Max, a level that most officers experience in hand-to-hand confrontations, stored glycogen becomes the body's primary energy source. As the intensity level increases, both the utilization and depletion of this energy source increases exponentially. Low to moderate activities can be sustained on a low carbohydrate diet, but it would not be possible to maximize performance, nor sustain a high-intensity activity without adequate carbohydrate stores.

The average U.S. diet provides about 4–5 grams of carbohydrate/kg per day, which is equivalent to 1,300 calories of carbohydrates per day. It is recommended that athletes who train at high intensity (above 70 percent of VO_2 Max) increase carbohydrate consumption to as much as 8–10 grams/kg per day (roughly 2,500 calories), depending on the frequency of training.⁴ A much simpler way to determine carbohydrate intake levels is to consider its proportion on a plate. Health experts recommend 45–65 percent of an adult's total daily caloric intake be from carbohydrates, depending on their level of activity. To achieve this level, people should make sure that at least half of the food on their plates is composed of fruit and vegetables, with some whole grains. Athletes participating in high-intensity training should eat more carbohydrates, with as much as 65–75 percent of the food on the plate containing complex carbohydrates. Likewise, the tactical athlete should “fuel up” for training and high-level physical activity as may be required in their job. These carbohydrates should come from vegetables rich in complex carbohydrates and whole grains, while limiting simple carbohydrates, such as refined foods, added sugars, candy, sweets, and sodas to no more than 10 percent of the total daily calories.⁵

Fats are another good source of stored energy for the body. By weight, fats contain more than twice the energy level of carbohydrates, which makes fat consumption a very efficient way to

store energy. However, fats require the presence of oxygen to be synthesized for energy. In anaerobic conditions, where oxygen is limited, fats cannot be metabolized, so the body depends entirely on glucose. Anaerobic conditions exist when the individual engages in high-intensity work for short durations, such as when an officer engages in a 200-meter foot chase after a suspect. Conversely, fats are a great energy source during aerobic training (lower intensity work for longer durations, such as jogging three miles). Sport nutritionists generally agree that after 15–20 minutes of an endurance event, fat deposit oxidation begins and fatty acids are released, producing a significant level of energy.⁶ Unlike carbohydrates, the human body can store virtually an unlimited supply of fats. These stores of fat are at least 100 times greater than carbohydrates. Fat intake should compose 20–35 percent of a diet, of which the majority should be monounsaturated or polyunsaturated fats. Again using the dinner plate as a reference, this would mean about one-fourth of the plate (consumption) should contain a healthy fat source. Healthy fats are derived chiefly from nuts; plant-based oils such as olive, canola, safflower, corn, soybean, and cottonseed; and fish that contain high levels of omega-3 fatty acids, such as salmon, mackerel, and tuna. Saturated and the man-made trans_s fats (a product of hydrogenating good fats) are considered unhealthy fats and should be limited to no more than 10 percent of one's total caloric intake. These are mainly animal fats, such as red meats, butter, cheese, and whole milk, along with french fries and packaged and processed snacks and cookies. Law enforcement officers generally do not require a significant amount of fat for energy unless they are on a special assignment that requires endurance, such as bicycle patrol.

Protein is the third major source of energy. However, it is not generally used to fuel physical activities. Protein's main function is to maintain tissue health and to help in the repair and growth of muscle fibers. If the athlete's glycogen stores are depleted, protein can be used to synthesize glucose to provide energy to the cells, but this will contribute to added strain upon the kidneys. How much protein the body needs largely depends upon the amino acid “pool” to draw from for muscle repair, growth, and strength. The general requirement for protein intake is 10–30 percent of a person's daily calories, so roughly one-fourth of the figurative plate should be filled with some form of protein, which can be provided by red meats, seafood, and poultry or plant-based sources such as

lentils, soy, other beans, and tofu. Officers who are training for strength and power should have a moderate intake of protein to supplement muscle breakdown and recovery.

A great method to see how one's current diet measures up to these recommendations is to perform several 24-hour dietary analyses. These can easily be performed by going to www.choosemyplate.gov and using the SuperTracker. The SuperTracker enables users to input their 24-hour dietary recall data into the website for analysis. By viewing the "Nutrient Intakes" and the "Food Groups and Calories" pages located on the "My Reports" dropdown menu, users can determine in which areas they can improve. In order to get a realistic picture of a diet, make sure that a workday, non-workday, and either a weekend or vacation or travel day are analyzed.⁷

So how can officers work toward a healthier lifestyle? One proactive approach is to prepare meals for work in advance. An individual can take advantage of off-duty days to prepare meals for the rest of the week. Meals that do not need to be reheated, such as a salad topped with chicken or a bean and pasta salad, and just need to be kept in a refrigerator or a cooler are particularly useful because they work in an office environment or in a vehicle while on patrol. Also, when cooking meals at home on a workday, the officer should prepare extra portions, which can be used as meals at work. With a myriad of quick, healthy recipes available on the Internet,

an officer doesn't have to be an expert cook to plan and prepare healthy meals.

Another proactive approach is to stock the office or car with healthy, sustainable foods, such as nuts, beef or turkey jerky, energy bars, and certain types of fruits and trail mix. These snacks will serve as a quick backup plan when the officer is unable to take in a complete meal at work or serve as snacks between meals to fuel the body appropriately. Other food items that can be stocked at the office or in the car are all-natural peanut butter, hummus, and guacamole. These food items can be spread on various fruits or vegetables (e.g., hummus and pepper slices or apple slices and peanut butter), which are healthier alternatives to chips or vending machine options.

It is advised that tactical athletes have higher calorie days and lower calorie days. As an example, on days that require more physical activity, such as a SWAT training day, an individual should consume more calories in order to maintain a high energy level throughout the training and to help in the recovery process. On days when the person is mostly sedentary, fewer calories should be consumed. Following this procedure will avoid unwanted weight gain due to consuming too many calories on minimally active days.

Overall, working in law enforcement is not an excuse for a poor diet. This basic nutritional advice can easily be integrated into a busy law enforcement lifestyle. In order to facilitate a lasting behavior change, it is recommended to

implement the suggestions a little at a time and set weekly, monthly, and, eventually, yearly nutritional goals. ❖

Notes:

¹Cynthia L. Ogden, Margaret D. Carroll, Brian K. Kit, and Katherine M. Flegal, "Prevalence of Childhood and Adult Obesity in the United States," *Journal of the American Medical Association* 311, no. 8 (2014): 806–814.

²Glenn A. Gaesser and Karin Kratina, *It's the Calories Not the Carbs* (Victoria, BC, Canada: Trafford Publishing, 2004), 11–17; Carin Gorrell, "Fit for Life: Keeping the Weight Off," *Psychology Today* (January 2002), <http://www.psychologytoday.com/articles/200201/fit-life-keeping-the-weight> (accessed October 8, 2014).

³Webster Ninth New Collegiate Dictionary, s.v. "macronutrient" (Springfield, MA: Merriam-Webster Inc., 1986).

⁴Ellen Coleman, "Carbohydrate and Exercise," in *Sports Nutrition*, 3rd ed. (Chicago, IL: The American Dietetic Association, 2000): 13–31.

⁵Thomas D. Fahey, Paul M. Insel, and Walton T. Roth, *Fit and Well, Core Concepts and Labs in Physical Fitness and Wellness*, 9th ed. (New York, NY: McGraw-Hill, 2011), 214–222.

⁶Ellen Coleman, "Carbohydrate and Exercise."

⁷U.S. Department of Agriculture, "SuperTracker and Other Tools," [ChooseMyPlate.gov](http://www.choosemyplate.gov/supertracker-tools.html), <http://www.choosemyplate.gov/supertracker-tools.html> (accessed October 8, 2014).

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The IACP Research Advisory Committee is proud to offer the monthly Research in Brief column. This column features evidence-based research summaries that highlight actionable recommendations for *Police Chief* magazine readers to consider within their own agencies. The goal of the column is to feature research that is innovative, credible, and relevant to a diverse law enforcement audience.

The Changing Story of Eyewitness Confidence and the Validity of Identification

By John T. Wixted, PhD, Distinguished Professor, Department of Psychology, University of California, San Diego; Laura Mickes, PhD, Senior Lecturer, Royal Holloway, University of London, England; Steven E. Clark, PhD, Professor, University of California, Riverside; Scott D. Gronlund, PhD, Roger and Sherry Teigen Presidential Professor, University of Oklahoma; and Henry L. Roediger III, PhD, James S. McDonnell Distinguished University Professor, Washington University

The point has often been made that eyewitness misidentification played a role in 75 percent of the more than 300 wrongful convictions that were later overturned by DNA evidence.¹ These misidentifications by eyewitnesses were often made with high confidence in a court of law. On the surface, these facts understandably suggest that there is something seriously wrong with eyewitness memory (a problem that is often summarized by the phrase “eyewitness memory is unreliable”). However, a closer look at the evidence suggests that blaming eyewitnesses is neither fair nor accurate. The majority of available evidence indicates that eyewitness memory is quite reliable, and it was likely reliable even in those cases that ended with an exoneration.

To appreciate how this apparent contradiction could be true, it is essential to draw a distinction between the initial identification (ID) made from a lineup shortly after a crime has been committed and the subsequent ID that occurs months or even years later in a court of

law. Researchers agree that the high-confidence IDs made in a court of law are of questionable validity. Unfortunately, despite that scientific consensus, judges, juries, and prosecutors still treat high-confidence IDs made in the courtroom as being strongly indicative of guilt.

But what about the level of confidence expressed by the eyewitness at the time of the initial ID?

In the past, scientists argued that initial IDs were also unreliable in that, even in mock-crime laboratory studies, such IDs (1) were error prone, and (2) were scarcely more accurate when witnesses expressed high confidence compared to when they expressed low confidence.² However, the argument has changed dramatically in recent years with the understanding that early research on this topic was marred by the use of improper statistical techniques.³ More recent research using superior statistical methods consistently shows that, in mock-crime laboratory studies, initial eyewitness confidence is highly predictive of accuracy.⁴ That is, low-confidence IDs are associated with low accuracy, and high-confidence IDs are associated with high accuracy. In the few studies that have been performed using real eyewitnesses in the field, the same conclusion holds.⁵ Moreover, and critically, these new findings help to make sense of a new revelation about the real-world DNA exoneration cases: in at least 57 percent of 161 cases that were examined, the eyewitness initially failed to make a high-confidence ID of the suspect.⁶ The actual percentage is almost certainly higher than that, but no information about initial ID certainty was available in the remaining cases, so it is not known how many of those IDs were initially made with high confidence. Thus, in the majority of cases, the eyewitnesses did their job by appropriately expressing low confidence in their *initial* IDs of the wrong person. When an eyewitness expresses low confidence, he or she is saying, in effect, “the odds that I am making an error are fairly high.”

Action Items

- » Be aware that there is only one opportunity to administer a valid test of eyewitness identification, and that opportunity occurs the *first time* the eyewitness is tested using a show-up or a lineup (whether a live lineup or a photo lineup is used). All subsequent identifications made by the same eyewitness of the same suspect are less valid (these ID tests are analogous to reexamining a contaminated crime scene).
- » Because the first identification is the most valid, it is essential to record a certainty statement made by the eyewitness at that time (before providing any feedback to the eyewitness). Recording an initial certainty statement is critical in part because a low-confidence ID, while possibly having probative value (thereby providing useful evidence for obtaining a search warrant, for example), is nevertheless quite error prone (and thus would not be useful evidence for obtaining a conviction on its own). Recording an initial certainty statement is also critical because a high-confidence ID, while not necessarily being correct (initial high-confidence errors do occur), is typically associated with high accuracy.

Memory, however, is malleable.⁷ It is well-known that eyewitness confidence can become inflated after the initial ID for various reasons (e.g., confirming feedback from police investigators or repeated exposures to the suspect over multiple identification tests) such that later confidence offers little information about accuracy.⁸ By contrast, initial eyewitness confidence is highly informative; unfortunately, the legal system often exposes eyewitnesses to unfamiliar conditions that serve to inflate the confidence they express on subsequent occasions. Thus, the key point is this: Only the initial confidence expressed by an eyewitness should be taken into consideration by the courts and by law enforcement when judging the reliability of eyewitness IDs. ❖

Notes:

¹The Innocence Project, "DNA Exonerations Nationwide," fact sheet, http://www.innocenceproject.org/Content/DNA_Exonerations_Nationwide.php (accessed October 10, 2014).

²Steven Penrod and Brian Cutler, "Witness Confidence and Witness Accuracy: Assessing Their Forensic Relation," *Psychology, Public Policy, and Law* 1 (1995): 817-845; Gary L. Wells and Donna M. Murray, "Eyewitness Confidence," in *Eyewitness Testimony: Psychological Perspectives*, ed. Gary L. Wells and Elizabeth F. Loftus (New York, NY: Cambridge University Press, 1984), 155-170.

³Peter Juslin, Nils Olsson, and Anders Winman, "Calibration and Diagnosticity of Confidence in Eyewitness Identification: Comments on What Can Be Inferred from the Low Confidence-Accuracy Correlation," *Journal of Experimental Psychology: Learning, Memory, and Cognition* 22, no. 5 (September 1996): 1304-1316.

⁴Matthew Palmer et al., "The Confidence-Accuracy Relationship for Eyewitness Identification Decisions: Effects of Exposure Duration, Retention Interval, and Divided Attention," *Journal of Experimental Psychology: Applied* 19, no. 1 (2013): 55-71.

⁵Bruce W. Behrman and Sherrie L. Davey, "Eyewitness Identification in Actual Criminal Cases: An Archival Analysis," *Law and Human Behavior* 25, no. 5 (October 2001): 475-491.

⁶Brandon L. Garrett, *Convicting the Innocent: Where Criminal Prosecutions Go Wrong* (Cambridge, MA: Harvard University Press, 2011).

⁷Elizabeth F. Loftus, "Malleability of Human Memory," *American Scientist* 67, no. 3 (1979): 312-320; Elizabeth F. Loftus, "Planting Misinformation in the Human Mind: A 30-Year Investigation of the Malleability of Memory," *Learning & Memory* 12, no. 4 (2005): 361-366.

⁸Gary L. Wells and Amy L. Bradfield, "Good, You Identified the Suspect': Feedback to Eyewitnesses Distorts Their Reports of the Witnessing Experience," *Journal of Applied Psychology* 83, no. 3 (1998): 360-376.

ADDITIONAL READING:

» *Identifying the Culprit: Assessing Eyewitness Identification* (Committee on Scientific Approaches to Understanding and Maximizing the Validity and Reliability of Eyewitness Identification in Law Enforcement and the Courts; Committee on Science, Technology, and Law; Policy and Global Affairs; Committee on Law and Justice; Division of Behavioral and Social Sciences and Education; National Research Council)

Available for download at the National Academies Press website at www.nap.edu

» *National Summit On Wrongful Convictions: Building a Systemic Approach to Prevent Wrongful Convictions* (International Association of Chiefs of Police)

Available for download at www.theiacp.org/portals/0/documents/pdfs/Wrongful_Convictions_Summit_Report_WEB.pdf

* Please note that these are not references for this abstract and are only intended for further reading on the topic.

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Is "Presence" a Use of Force?

By Gregory Connor, Professor Emeritus, University of Illinois Police Training Institute; and Douglas R. Mitchell, JD, MPA, Attorney at Law



Instruction provided to police officers throughout the United States associated with the appropriate use of force has evolved significantly since the mid-1980s. This evolution likely began with the U.S. Supreme Court cases of *Tennessee v. Garner* (1985), which determined that, in situations involving a fleeing suspect who is armed or believed to have committed a crime involving physical harm or threats of harm, "deadly force may be used if necessary to prevent escape, and if, where feasible, some warning has been given," and *Graham v. Connor* (1989), which decided that the "reasonableness" of use of force must be "judged from the perspective of a reasonable officer on the scene...and must embody allowance for the fact that police officers are often forced to make split-second judgments."¹ Although law enforcement's understanding of the law seems to have improved over time, the terminology referencing tactics and other technical issues has not. State after state, training session after training session, the claim is made, and sometimes department policy actually provides, that an officer's use of force is initiated by his or her **presence**.

This is a significant misconception. Mere presence is not, legally, a use of force. Nonetheless, a traditional use-of-force continuum will often list its first step or rung as the use of "presence." For whatever reason—imprecise terminology, poor information, or just repetition of others' errors—this misunderstanding persists and can have significant detrimental effects. This persistence suggests that the subject requires clarification, in the interest of improved performance and understanding in both the field and the courtroom. This examination can, and should, use both logic and law.

First, a common sense effort toward understanding includes valid and clear definitions of the relevant terms. The general rule is that when a statute does not define a non-technical word (such as "presence"), the court may look to the dictionary for guidance.² A dictionary defines the noun "presence" as "the fact or condition of being present, the part of space within one's immediate vicinity."³

Alternatively, "presence" might also be "the bearing, carriage, or air of a person; especially: stately or distinguished bearing" or "a noteworthy quality of poise and effectiveness."⁴ When an officer arrives on a scene he or she is both *present*, as in the first definition, and most likely displaying *presence*, as defined in the second—but neither meaning aligns *presence* with *force*. Merely being present or asserting presence intended to initiate control over a situation is not, by definition, an application of force.

"Force" according to *Merriam-Webster's* dictionary has multiple definitions. Those most relevant to this discussion include the following:

- strength or energy exerted or brought to bear;
- cause of motion or change;
- violence, compulsion, or constraint exerted upon or against a person or thing; or even
- an agency or influence that if applied to a free body results chiefly in an

A dictionary defines the noun "presence" as "the fact or condition of being present, the part of space within one's immediate vicinity."



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Until the officer initiates something physical in order to seize, control, or repel a subject, no force has been used.

acceleration of the body and sometimes in elastic deformation and other effects.⁵

Compare, contrast, and apply these definitions to the concept of *presence* as initially described. Until the officer initiates something *physical* in order to seize, control, or repel a subject, no force has been used. If the subject is affected by the officer's presence by becoming intimidated, repulsed, or frightened, that reaction is the individual's emotional response to the officer. The hope is that the officer's presentation of self will cause the subject to respond compliantly, and thus, make the use of force unnecessary.

The following examples illustrate the separation of *presence* from *force*:

Two officers arrive at the scene of a domestic violence complaint. Upon their entry into the home, the male subject observes the officers and takes a seat at the kitchen table. In this case, no force was used by either officer, although both were clearly present and the subject was subdued by their presence.

In another situation, an officer observes a youthful offender spraying paint on the side of a school building. The officer surprises the subject, who immediately drops the can and stands mute. Again no force was used, but the officer was clearly present and that presence appears to have influenced the subject's behavior.

From a legal perspective, what is and what is not force can be a critical question. As stated in *Garner*, "(W)henver an officer restrains the free-

dom of a person to walk away, he has *seized* that person."⁶ The dictionary discloses that "seize" has a collection of definitions that include the concept of force or other physical action, but none that overlap with the concept of mere presence. The relevant definitions are "to take possession of"; "to take possession of by legal process"; "to possess or take by force"; "to take prisoner"; "to attack or overwhelm physically"; and "to take or lay hold suddenly or forcibly."⁷

Of course, the legal analysis of what constitutes a seizure is a matter of Fourth Amendment law because it is a technical term in this context. The observant reader will note that this means that the dictionary definition of "seize" is not broad enough to reflect the Fourth Amendment analysis, as force is not required for an actual seizure. In a 1968 case, *Terry v. Ohio*, the court stated that "It is quite plain that the Fourth Amendment governs 'seizures' of the person which do not eventuate in a trip to the station house and prosecution for crime—'arrests' in traditional terminology."⁸ In the situation that precipitated the case, a detective grabbed Terry (the defendant), and spun him around, placing Terry between the detective and the other two men with Terry. Terry had clearly been seized by the application of force.⁹ However, although the *Terry* case does, and many other fact patterns obviously will involve the use of force, not every "seizure" requires the use of "force."¹⁰ The court was clear on this point in *Terry* and

Graham, which determined that, "Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical force or *threat thereof* to effect it." [emphasis added]¹¹ It is enough to constitute a seizure that a person is stopped by the means used or put in place to achieve that result.¹² This must be an intentional acquisition of physical control, and a seizure results even if an unintended person or object is seized; it is the act leading to that detention, which must itself be willful.

Obviously, the means used need not include force; as described above, there can be a seizure without force. The line may be fine and have many shades of gray, but *presence is not a use of force*, even if it results in a seizure.

Again, the main concern in addressing this term is largely that the imprecise use of language that impacts operations and potential litigation can result in undesired and unforeseen outcomes. This confusion in terms and tactics has repeatedly resulted in the reporting of activities incorrectly identified as force applications.

Agencies must insist on proper word selection when intending to guide officer operations and positive performance. Use of an imprecise or inaccurate term, at best, reflects poorly on the literacy level of the profession, and it may have serious detrimental effects in the future. In the legal arena of law enforcement, clarity in the use of terms is not optional; it is a *must!* ♦

Notes:

¹*Tennessee v. Garner*, 471, 475 U.S. 1 (1985); *Graham v. Connor*, 490 U.S. 386, 396-397 (1989).

²See, for example, *State v. Myers*, 133 Wn. 2d 26, 33 (1997).

³*Merriam-Webster, s.v. "presence,"* <http://www.merriam-webster.com/dictionary/presence> (accessed September 15, 2014).

⁴*Ibid.*

⁵*Merriam-Webster, s.v. "force,"* <http://www.merriam-webster.com/dictionary/force> (accessed September 15, 2014).

⁶*Garner*, 471 U.S. at 7 (citations omitted).

⁷*Merriam-Webster, s.v. "seize,"* <http://www.merriam-webster.com/dictionary/seize> (accessed September 15, 2014).

⁸*Terry v. Ohio*, 392 U.S. 1, 16 (1968) (one of the most significant U. S. Supreme Court cases pertaining to police-citizen interactions that rise to the level of a "seizure").

⁹*Terry*, 392 U.S. at 19 (1968).

¹⁰*Id.* (fn16) (distinguishing between the use of force and a show of authority).

¹¹*Graham*, 490 U.S. at 396.

¹²*Brower v. County of Inyo*, 489 U.S. 593, 599 (1989).

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The U.S. Bureau of Indian Affairs: Working with Tribal Partners to Reduce Crime and Recidivism on American Indian Reservations

"I have appointed a police, whose duty it is to report to me if they know of anything that is wrong."

—Thomas Lightfoot,
U.S. Indian Agent, Nebraska¹

With those words, Thomas Lightfoot, U.S. Indian Agent to the Iowa and the Sac and Fox American Indian tribes in Nebraska, became the first officer to report to a federal American Indian police agency. From that 1869 decision springs the humble beginnings of the Bureau of Indian Affairs' (BIA's) role in law enforcement.

Though our knowledge, training, tactics, and equipment have changed dramatically since that time, our commitment to serving American Indian communities has stayed strong. We are an important part of the law enforcement community, and we are very proud to serve and protect those living on American Indian reservations.

Public safety professionals around the world share a fairly universal job description, and the most fundamental responsibility they share is to protect those living and working within their jurisdictions. The BIA's Office of Justice Services (OJS) is no different. The OJS mission is to provide justice services and technical assistance to federally recognized American Indian tribes and communities and to respect and protect the sovereignty of those tribes through promotion of self-determination.

From 1778 to 1871, U.S. relations with indigenous American Indian nations were defined and conducted largely through the treaty-making process. These "contracts among nations" recognized and established unique sets of rights, benefits, and conditions for the treaty-making tribes who agreed to cede millions of acres of their homelands to the United States and accept its protection. Like other treaty obligations of the United States, American Indian treaties are considered to be "the supreme law of the land," and they are the foundation upon which federal Indian law and the federal Indian trust relationship is based.

The OJS is divided into nine regional districts across the United States and oversees (to a differing degree) 208 separate law enforcement programs. Of those, 43 are what we refer to as "Direct Service," meaning they are operated by federal OJS law enforcement staff. The remainder (165) is operated by the tribal nations themselves through Self-Determination contracts or Self-Government compacts.

These contracts can be for all or part of the law enforcement program, and in some instances, we have blended programs where the BIA-OJS conducts the criminal investigative services for the tribes, while other services are operated by the tribes themselves. This can also be true of corrections, police, and all other aspects of a law enforcement program.

Tribal police receive their training through the U.S. Indian Police Academy at the Federal Law Enforcement Training Center (FLETC), or through their local state-operated basic police academies. The 16-week U.S. Indian Police Academy is the basic police training that all BIA police officers receive and is a FLETC-approved basic academy.

The nine BIA OJS District Offices are in the following locations:

- Aberdeen, South Dakota (District I)
- Oklahoma City, Oklahoma (District II)
- Phoenix, Arizona (District III)
- Albuquerque, New Mexico (District IV)
- Billings, Montana (District V)
- Nashville, Tennessee (District VI)
- Minneapolis, Minnesota (District VII)
- Portland, Oregon (District VIII)
- Sacramento, California (District IX)



**Darren Cruzan, Director,
U.S. Office of Justice Services,
Bureau of Indian Affairs**

OJS law enforcement personnel are extremely fortunate to have the opportunity to work and live in some of the most beautiful parts of the United States. From reservations located high in the mountains and mesas of Arizona to the bottom of the Grand Canyon, and from the Great Plains reservations of North and South Dakota to the beautiful fishing communities in the Pacific Northwest, our patrol beats can stretch hundreds of miles in all directions.

These locales, however, present unique challenges that come with providing law enforcement and public safety services to the remote communities that populate Indian Country. There is no disputing that these geographically dispersed communities, which are afflicted with higher-than-average levels of unemployment, crime, and substance abuse problems, provide us with significant challenges to ensuring the tribal public's safety. OJS has employed some creative initiatives to address these challenges and help tribal governments create safe communities.

In 2010, OJS began implementing a presidential effort known as the High Priority Performance Goal (HPPG) Safe Indian Communities Initiative to reduce violent crime in Indian Country. Based upon an analysis report that showed violent crime rates in tribal communities above the national average, the four following reservations were selected as sites for implementing the initiative:

- The Standing Rock Sioux Reservation, North and South Dakota
- The Wind River Reservation, Wyoming
- The Rocky Boy's Reservation, Montana
- The Mescalero Reservation, New Mexico

The goal of the initiative was to achieve an overall reduction in criminal offenses (violent crime) by 5 percent within a 24-month period. To accomplish this goal at the four reservations, a comprehensive approach involving intelligence-led policing, traditional community policing techniques, creative crime reduction strategies, and interagency and intergovernmental partnerships was developed and implemented.

The report also identified a lack of adequate law enforcement staffing at these locations as a major challenge to reducing violent crime rates. To close the gap between U.S. sworn staffing level averages and actual staffing levels at these four HPPG locations, increased funding was made available for hiring additional law enforcement and corrections officers.

The initiative's multifaceted approach to crime reduction relied on

- adequate staffing and resources;
- tribal leadership engagement (leading from the front);
- community involvement;
- accurate analysis of current and historic community crime data and trends;
- intelligence-based law enforcement assignments and proactive operations; and
- creative crime prevention strategies.

Properly applying these fundamental principles of law enforcement proved necessary to effectively reduce criminal activity and, when applied to the four HPPG sites, led to a 35 percent reduction in violent crime overall and an improved quality of life for their residents.

The success of our Violent Crime Reduction Strategy gave us the opportunity to implement a Recidivism Reduction Initiative. Locally, recid-

ivism creates a huge drain on already overtaxed tribal economies—individuals who are repeat offenders and become incarcerated not only fill court dockets, but, in many cases, are primary breadwinners removed from their homes.

We have selected three American Indian Reservations where we plan to implement the Recidivism Reduction Initiative, with the goal of reducing recidivism at the following sites by 3 percent by September 30, 2015:

- The Red Lake Reservation, Minnesota
- The Ute Mountain Reservation, Colorado
- The Duck Valley Reservation, Nevada

We believe that by implementing a comprehensive strategy involving alternative courts, increased treatment opportunities, probation programs, and critical interagency and inter-governmental partnerships between U.S. tribal, state, and federal stakeholders, we and our tribal partners will succeed in reducing recidivism on these reservations.

In addition, we believe this proposed Recidivism Reduction Initiative will be accomplished through the development of a comprehensive alternatives to incarceration plan to work with tribal governments, courts, and communities to develop treatment options.

We at BIA-OJS remain deeply committed to our mission of protecting lives in Indian Country and to the idea that safe tribal communities are vital to ensuring strong tribal sovereignty. ❖

Note:

¹U.S. Office of Indian Affairs, *Annual Report of the Commissioner of Indian Affairs, for the Year 1869* (Washington, D.C.: GPO, 1869), <http://digital.library.wisc.edu/1711.dl/History.AnnRep69> (accessed October 21, 2014).

IACP WORKING FOR YOU

In the mission to support the law enforcement leaders of today and develop the leaders of tomorrow, the IACP is constantly involved in advocacy, programs, research, and initiatives related to cutting-edge issues. This column keeps you up to date on IACP's work to support our members and the field of law enforcement.

Child Trafficking Toolkit

IACP, in collaboration with the Department of Justice, Office of Community Oriented Policing Services and in partnership with the Federal Bureau of Investigation (FBI), has been working on an initiative to improve the ability of law enforcement officers in the field to recognize and respond to commercial sexual exploitation of children, specifically victims of child sex trafficking.

IACP, in a unique partnership with the FBI, has developed a toolkit that includes a series of training videos to be utilized for training within law enforcement agencies across the United States. This series of training videos depicts sworn law enforcement officers demonstrating alternative responses to different types of scenarios involving child sex trafficking. The scenarios include responding to a traffic stop, a domestic violence call, a school, a hospital, a hotel noise complaint, and a street or track scenario. Accompanying the videos is a toolkit that includes training instructions for supervisors, a discussion guide, a fillable tip card for supervisors to write whom the officers can call when coming into contact with victims of child sex trafficking, a fact sheet, an indicator sheet, and a glossary of terms used.

For more information on IACP's Commercial Sexual Exploitation Toolkit for Law Enforcement project, please visit www.theiacp.org/childtrafficking or contact Cari Jankowski at jankowski@theiacp.org or 800-843-4227, ext. 801.

Drive to Save Lives

IACP, in partnership with U.S. federal, state, and local law enforcement and private entities, is leading a multiyear highway safety initiative known as the Drive to Save Lives/Drive to Zero campaign, with the goal of making a major reduction in highway fatalities. For 2014, the goal is to reduce highway fatalities by 15 percent (4,900 lives).

To achieve campaign goals, IACP and its partners are focusing on data-driven approaches to traffic safety and traffic incident management;

enforcement of driving laws regarding seat belts, distracted driving, speed limits, impaired driving, and other dangerous behaviors; and active responses to unsafe driving by operators of motorcycles and large trucks or buses. Components of the campaign include interstate challenges, strategic planning, awareness campaigns (e.g., #MoveOver), and officer safety initiatives.

To become involved in the Drive to Save Lives campaign, email Drive2SaveLives@theiacp.org.

Leading by Legacy—Shaping the Future of Law Enforcement

Building a legacy strengthens the capacity of individual leaders and organizations and enhances the reputation of the law enforcement profession one agency at a time. IACP's Leading by Legacy program, supported by the Bureau of Justice Assistance, U.S. Department of Justice, seeks to meet this objective by supporting the leadership and management needs of executives, command staff, and first-line supervisors from smaller law enforcement agencies through an interactive two and a half-day training that discusses how to build a positive individual, organizational, and community legacy.

Since 2010, more than 650 leaders have been trained by seasoned law enforcement professionals who are familiar with the challenges of policing in smaller communities. The course challenges participants to consider

- » how they envision their legacy;
- » how their agency prepares future leaders; and
- » how the community influences their agency's mission.

In addition to the no-cost trainings, the Leading by Legacy program offers free on-site technical assistance from its trainers, educational webinars, and resource toolkits. ❖

For more information on Leading by Legacy resources, upcoming trainings, or co-hosting opportunities, visit www.theiacp.org/leadingbylegacy.

Where do the good ideas come from?

In this column, we offer our readers the opportunity to learn about—and benefit from—some of the cutting-edge technologies being implemented by law enforcement colleagues around the world.

Project Lifesaver International Announces a Strategic Alliance with Commonwealth Autism Service

Project Lifesaver is proud to be teaming up with Commonwealth Autism Service to provide specialized autism awareness training programs for law enforcement, fire rescue, emergency medical services, caregivers, and other first responders. Project Lifesaver and Commonwealth Autism Service are community-based, non-profit organizations with a focus on protecting at-risk individuals with cognitive disorders who are prone to the life-threatening behavior of wandering, including those with Alzheimer's disease, autism, and Down syndrome.

Both Project Lifesaver and Commonwealth Autism Service believe the solution to protecting these individuals lies in the application of a comprehensive program that includes compatible technology and a coordinated national training program for law enforcement and other first responders in the areas of search and rescue and search technology, along with educating those first responders about the conditions they will be recovering. Only by having a national comprehensive, compatible program, will society be able to effectively address this growing national health and safety issue.

Project Lifesaver and Commonwealth Autism Service are joining forces to broaden the reach of special needs training for first responders. Having public safety agencies trained in working with special needs individuals will protect, not only the at-risk individuals, but also the first responders and their agencies.

Commonwealth Autism Service has been leading the way in specialized autism awareness training for more than 15 years. It chairs the Virginia Public Safety Workgroup for Autism and is partnered with numerous agencies including, the Virginia Department of Criminal Justice Services, providing specialized autism awareness training to law enforcement, fire and rescue, emergency medical services, caregivers, and other first responders in Virginia.

The Project Lifesaver program provides first responders with an understanding of the symptoms and behaviors of the individuals that

they are recovering; giving Project Lifesaver trained and certified first responders the tools to assess and effectively manage the safe and comfortable return of individuals. Project Lifesaver was the first organization to address the issue of protecting and recovering individuals with cognitive conditions who are prone to wandering. It provides law enforcement, other first responders, and caregivers with equipment and training to quickly locate and rescue individuals, including those with Alzheimer's disease, autism, and Down syndrome. To date, Project Lifesaver agencies have conducted over 2,900 successful rescues with a success rate of 100 percent.

Chief of Search and Rescue Chesapeake Sheriff's Office (Virginia 43rd Search and Rescue) Gene Saunders said "Project Lifesaver has provided valuable insight and information in the development of policy and sound practices for search, rescue, and safe recovery of at-risk wanderers."

For more information, visit www.projectlifesaver.org.

UNH-Manchester and Prominent Business Duo Launch Emerging Technology Start-Up Rejee

Michael Hickey, interim-Dean at University of New Hampshire-Manchester, announced that the university has partnered with Rejee's founders, long-time New Hampshire advertising businessman Gary M. O'Neil and Cambridge-based serial entrepreneur and MIT Enterprise Forum organizer/lecturer Ken Smith, in creating an early-stage through completion, start-up internship program.

Twelve interns from diverse major areas of study have joined with O'Neil and Smith in a strategic product review of the company's iOS and Android mobile apps and website, tools that burst the cycle of personal property crime and its \$50 billion direct economic impact, as well as the \$90 billion in annual fraudulent insurance claims.

According to Chief Mike Sielicki, of the New Hampshire Association of Chiefs of Police, "Mobile Blue is going to become the non-emergency 9-1-1 for stolen goods,

nationwide. The New Hampshire Association of Chiefs of Police is the first statewide law enforcement organization to recommend Rejee and Mobile Blue to all of its members. New Hampshire is the first state to create access to the same standard, electronic form for filing stolen goods reports used throughout the state."

To use Mobile Blue, all a crime victim has to do is go to the URL: mobileblue.rejee.com and complete a short form. The report will be added to a nationwide stolen goods reporting portal, accessible only to law enforcement departments. If the report indicates an incident in a participating law enforcement department's zip code, then that department can view the report online and take appropriate action. If a department is not registered, victims still get an email including a PDF of the stolen goods report that they can take to their local police department, or use it to file their insurance claim.

Rejee is also working with former U.S. Attorney Tom Colantano as an Advisory Board member, and a Washington, DC-based law enforcement consultant, both advising on local, state, and federal law enforcement implementation and the integration between Rejee and the U.S. Department of Justice, Federal Bureau of Investigation.

More than 100 police departments are now registered Rejee users. Additionally, government law enforcement agencies from half a dozen countries will also be initially credited. Rejee Basic Edition is free and available for iOS and Android smart phones. ♦

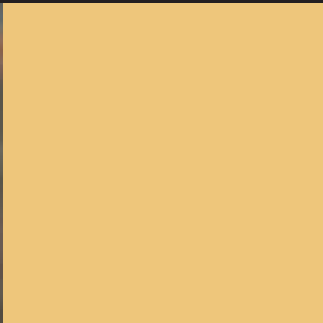
For more information, visit www.rejee.com/lawenforcement.

WE WANT TO KNOW WHAT YOU THINK!

Send a letter to *Police Chief* by emailing letters@theiacp.org, and you may see it in a future issue.

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Miami-Dade Police Department:

New patterns offer breakthroughs for cold cases



Maj. Arnold Palmer,
Robbery Investigations
Section, Miami-Dade
Police Department

The Miami-Dade Police Department does more than protect the safety of Florida's largest county, whose 2.5 million citizens also make it the seventh largest in the United States. Its officers also recognize the crucial role they play everyday in providing a safe and inviting climate for the millions of tourists that come from around the world to enjoy the county's natural beauty, warm climate and stunning beaches. With tourists spending nearly US\$20 billion every year and generating nearly a third of Florida's sales taxes, it's hard to overstate the importance of tourism to the region's economy. So while few of the county's police officers would likely list economic development in their job description, nearly all grasp the vital link between safe streets and the region's tourist-driven prosperity.

That connection is paramount for Major Arnold Palmer, currently supervising the Robbery Investigations Section (RIS), and a former supervisor of the department's Robbery Intervention Detail (RID). This specialized team of detectives is focused on intensely policing the county's robbery hotspots and worst repeat offenders. He and the team occupy modest offices on the second-floor of a modern-looking concrete building, set back from a palm-lined street on the western edge of Miami. In his 10 years in the unit, out of 23 in total on the force, Palmer has seen a lot of changes. It's not just in policing practices, like the way his team used to mark street crime hot spots with colored push pins on a map.

Leadership Spotlight

Major Arnold Palmer is a member of a specialized robbery unit of the Miami-Dade Police Department. He's looking for known crime patterns to help his detectives solve cold cases and catch repeat offenders.

How Miami-Dade Police got smarter

What the Miami-Dade Police Department is doing with advanced analytics to close the toughest robbery cases is one facet of a broader Smarter Cities strategy followed by Florida's largest county. The department recognized that reducing street crime is key not only to its citizens' quality of life, but also to the vitality of an essential economic driver – tourism. By using advanced models to analyze cold robbery cases against its historical crime data, Palmer's robbery unit is uncovering insights that are key to solving these cold cases. And as the successes mount, the unit's detectives are embracing a new crime-fighting tool as a way to give them a second chance on what used to be dead-end cases.

Policing with less

Palmer and the team have also seen the impact of a growing population, shifting demographics and a changing economy on the streets they patrol. Like any good police force, they've continually adapted their methods and practices to meet a policing challenge that has grown in scope and complexity. But like nearly all branches of the county's government, intensifying budget pressures have placed the department in a squeeze between rising demands and shrinking resources.

Palmer, who sees detectives as front-line fighters against a rising tide of street crime and the looming prospect of ever-tightening resources, put it this way: "Our basic challenge was how to cut street crime even as tighter resources have reduced the number of cops on the street." Over the years, the team had been open to trying new tools, the most notable of which was a program called "analysis-driven enforcement" that used crime history data as the basis for positioning teams of detectives. "We've evolved a lot since then in our ability to predict where robberies are likely to occur, both through the use of analysis and our own collective experience."

New thinking on cold cases

The more confounding challenge for Palmer and his team of investigators, one shared with the police of all major urban areas, is in closing the hardest cases, where leads, witnesses, video – any facts or evidence that can help solve a case – are lacking. It's not surprising, explains Palmer, since "the standard practices we used to generate leads, like talking to informants or to the community or to patrol officers, haven't changed much, if at all," says Palmer. "That kind of an approach works OK, but it relies a lot on the experience our detectives carry in their head. When the detectives retire or move on, that experience goes with them."

Palmer's conundrum was that turnover, due to the retirement of many of his most experienced detectives, was on an upward trend. True, he saw the infusion of young blood as an inherently good thing, especially given their greater comfort with the new types of information – from emails, social media and traffic cameras, to name a few – that his team had access to. But as Palmer recounts, the problem came when the handful of new detectives coming into the unit turned to look for guidance from the senior officers "and it's just not there. We knew at that point we needed a different way to fill the experience gap going forward."

His ad hoc efforts to come up with a solution led to blue-sky speculation. What if new detectives on the squad could pose the same questions to a computer database as they would to a veteran detective? That speculation planted a seed in Palmer's mind that wouldn't go away.

From conversation to innovation

Fast forward a few months later to early 2011. Unbeknownst to Palmer, members of the department's Information Technology Services Bureau (ITSB) staff were meeting with IBM specialists on the floor below to discuss developments in predictive police work, like how to use analytics to find hotspots where crime is likely to occur. As the discussion went along, the IT bureau, with whom Palmer had developed a good working relationship, thought it would be a good idea to form a collaborative effort. So after a quick phone call, the group reconvened upstairs and Palmer's robbery team was there to listen.

The benefits of the Miami-Dade Police Department's "Blue PALMS" solution

- Achieved a 73 percent "hit rate" in identifying suspects when the model was tested on 40 solved cases
- Significant reductions expected in the number of cold cases
- Safer streets for Miami-Dade citizens and tourists with faster arrests and reduction in repeat crimes

Leadership is...

Playing the go between

For cultural and other reasons, Palmer knew – and his superiors agreed – that moving the idea of lead analytics forward would require a bridge between IT and the cops who would use it.

"It was just as important to be able to articulate [to IT] what kind of analytical tool would be helpful in breaking cold cases as it was to explain to our detectives why they should take advantage of it."

– Lieutenant Arnold Palmer,
Robbery Investigations
Section, Miami-Dade Police
Department

Palmer and the robbery team were impressed by the analytical capabilities they heard about. But it wasn't the predicting of hotspots that grabbed their attention, for an intimate knowledge of the county's robbery hotspots was already core to their job. Speaking up, Palmer was polite but blunt. "I don't need you to tell me that there's going to be a robbery on an afternoon shift in a particular neighborhood. I know it's going to happen," he said. "I'd much rather you help me narrow down who did it."

Over the next several months, the teams worked together to move from a loosely defined concept to a working prototype. Their back-and-forth efforts focused on defining the right information and, perhaps more importantly, coming up with the right filters and models to produce reliable, credible results. At the outset, says Palmer, the outcome of the effort was far from inevitable. "We didn't just put forward this refined idea and say 'build it,'" Palmer explains. "It was a debate—a conversation—a collaboration—and from that conversation we gradually came to the workable idea."

The big picture starts small

What was taking shape within the robbery unit demonstrated how big ideas can come from small places. But more importantly, it showed that for these ideas to reach fruition, the "right" conditions need to be in alignment at the right time. On a leadership level, that means a driving figure in the organization who knows what it takes to nurture top-down support as well as crucial bottom-up buy-in from the ranks, while at the same time keeping the department's IT personnel on the same page. That person was Palmer. At the organizational level, the robbery unit served as a particularly good launching point for lead modeling because of the prevalence of repeat offenders among perpetrators. Ultimately, the department's ability to unleash the broader transformative potential of lead modeling would hinge in large part on the team's ability to deliver results on a smaller scale.

When early tests and demos proved encouraging—with the model yielding accurate results when the details of solved cases were fed into it—the team started gaining attention. The initiative received a critical boost when the robbery bureau's unit major and captain voiced their support for the direction of the project, telling Palmer that "if you can make this work, run with it." But more important than the encouragement, Palmer explains, was their willingness to advocate for the project among the department's higher-ups. "I can't get it off the ground if the brass doesn't buy in," says Palmer. "So their support was crucial."

Success brings credibility

Having been appointed the official liaison between IT and the robbery unit, Palmer set out to strengthen the case for the lead-modeling tool—now officially called Blue PALMS, for Predictive Analytics Lead Modeling Software—by building up a series of successes. His constituency was not only the department brass, but also the detectives whose support would be critical to its successful adoption as a robbery-solving tool. In his attempts to introduce Blue PALMS, resistance was predictably stronger among veteran detectives, who saw no reason to give up their long-standing practices. Palmer knew that dictates or coercion wouldn't win their hearts and minds. He would need to build a beachhead of credibility.

Lessons learned...

Don't let the talk get ahead of the walk

Though older cops may be notoriously set in their ways, they can be swayed to adopt new approaches—but pacing is everything.

"What's worked best for us is proving [the value of Blue PALMS] one case at a time, and stressing that it's a tool, that it's a complement to their skills and experience, not a substitute for them."

— Major Arnold Palmer

Miami-Dade Police: The parameters of smarter crime lead generation

Instrumented

Key details of the crime, from location to MO, are captured by detectives early in the investigation and fed into the Blue PALMS model by staff crime analysts.

Interconnected

Connections with existing historical crime data, drawn from case file databases, enable the system to create distinctive crime signatures that point out common patterns.

Intelligent

Statistical algorithms within the model compare the parameters of specific cold cases to historic crime signature patterns to generate a list of potential suspects based on match probability.

Palmer found that opportunity in one of his best and most experienced detectives. Early in a robbery investigation, the detective indicated to Palmer that he had a strong hunch who the perpetrator was and wanted, in essence, to test the Blue PALMS system. So at the detective's request, the department analyst fed key details of the crime into the system, including the modus operandi, or MO. The system's statistical models compared these details to a database of historical data, looking for important correlations and similarities in the crime's signature. The report that came out of the process included a list of 20 suspects ranked in order of match strength, or likelihood. When the analyst handed the detective the report, his "hunch" suspect was listed in the top five. Soon after his arrest, he confessed, and Palmer had gained a solid convert.

Though it was a useful exercise, Palmer realized that the true test wasn't in confirming hunches but in breaking cases that had come to a dead end. Such was the situation in a carjacking that had, in Palmer's words, "no witnesses, no video and no crime scene—nothing to go on." When the senior detective on the stalled case went on leave after three months, the junior detective to whom it was assigned requested a Blue PALMS report. Shown photographs of the top people on the suspect list, the victim made a positive identification of the suspect leading to the successful conclusion of the case. That suspect was number one on the list.

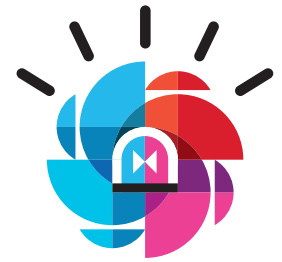
Just the facts

The success that Blue PALMS continues to build has been a major factor in Palmer's success in getting his detectives on board. But if there's a part of his message that resonates even more with his detectives, it's the fact that Blue PALMS is designed not to change the basics of policing practices, but to enhance them by giving them a second chance of cracking the case. "Police work is at the core about human relations—about talking to witnesses, to victims, to the community—and we're not out to change that," says Palmer. "Our aim is to give investigators factual insights from information we already have that might make a difference, so even if we're successful five percent of the time, we're going to take a lot of offenders off the street."

The growing list of cold cases solved has helped Palmer in his efforts to reinforce the merits of Blue PALMS. But, in showing where his loyalty lies, he sees the detectives who've closed these cold cases— not the program—as most deserving of the spotlight, and that approach has gone over well. At his chief's request, Palmer is beginning to use his liaison role as a platform for reaching out to other areas in the Miami-Dade Police Department.

Safer streets for a smarter city

When he speaks of the impact of tourism, a thread that runs through Miami-Dade's Smarter Cities vision, Palmer sees Blue PALMS as an important tool to protect one of the county's greatest assets. "The threat to tourism posed by rising street crime was a big reason the unit was established," says Palmer. "The fact that we're able to use analytics and intelligence to help us close more cases and keep more criminals off the street is good news for our citizens and our tourist industry."



Miami-Dade Police
Department's Blue PALMS
solution uses...

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IBM System Storage® DS5300

Software

IBM SPSS® Modeler Server

Services

IBM SPSS Services

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Education and Training as a Cornerstone to Professional Police Service

By Thomas J. Jurkanin, PhD, Assistant Professor, Middle Tennessee State University, Senior Editor, Law Enforcement Executive Forum, IACP Education and Training Committee

The professionalization of law enforcement encompasses a myriad of inter-related components, including the selection and recruitment of quality personnel; the integration of emerging scientific and technological developments; the use of evidence-based research related to the social sciences and proven crime-fighting initiatives; and the establishment and implementation of effective organizational structures designed to enhance public safety service delivery. Concomitant to each of these components is a requisite for effective, well-designed education and training of personnel at all levels of the organization.

The International Association of Chiefs of Police (IACP) has long recognized that education and training of law enforcement personnel is the cornerstone to building quality police service agencies that are both competent in a technical sense and responsive to the ever-changing demands of society and the communities they serve. Charles Saunders, commenting on the need for continuing education and training in law enforcement, convincingly makes the point:

As in any skilled occupation, training must be a continuous process to maintain effective performance in law enforcement. Changes in laws, in technology, and in the needs of the community make periodic retraining of all personnel essential. Old skills need sharpening with new techniques; specialized knowledge and skill must be taught for special assignments or for promotion to higher responsibilities.¹

The three articles that follow in this issue of *Police Chief* focus on issues related to law enforcement education and training. Individually and collectively, these articles provide information, thought, and insight on contemporary developments within the field.

Article 1: The Pursuit of Law Enforcement Intelligence Training and Education
By Robert A. Smith

This article provides a historical examination of the accelerated evolution of law enforcement intelligence education and training programs after September 1, 2001,

and emphasizes the critical need to transmit knowledge and skill for the purpose of applying intelligence-led policing to homeland security and law enforcement operations. The author discusses the design, delivery, and proceedings of a joint-sponsored symposium offered by the International Association for Intelligence Education (IAFIE), the University of Maryland University College (UMUC), and the International Association of Law Enforcement Intelligence Analysts (IALEIA). The symposium was entitled Law Enforcement Intelligence, Training and Academia: Partnerships Making a Difference for Tomorrow.

Article 2: Evaluating and Utilizing Specialized College Courses for Police Officers
By Deborah Wilkins Newman

Drawing upon her experience as both a law enforcement practitioner and educator, Dr. Newman examines what is often considered to be a “disconnect” between working police officers and departments and

university or college educational programs. This article examines the critical question regarding the perceived versus actual value of university courses in enhancing police officers' job-related knowledge, abilities, and skills. More pointedly, the author asks whether courses in today's criminal justice programs offer anything of substance for working cops and whether university courses are focused too much on theory, offering little in practical application. In considering these questions, the author provides a five-step guide for police officers and departments to follow in making a decision about the value of higher education courses and their relevance to enhancing on-the-job performance. Finally, the author calls for the strengthening of partnerships between police agencies and criminal justice educational programs, centered on meeting the current and emerging training needs of police agencies.

Article 3: Police Officer Decertification: Promoting Police Professionalism through State Licensing and the National Decertification Index

By Roger L. Goldman

One of the most progressive contemporary developments contributing to the professionalization of U.S. policing is the state licensing of police officers. Currently 44 U.S. states have some form of police licensing. State occupational licensing of police officers employs a multi-level process (selection, education and training, and testing) designed to ensure that officers of the law possess and demonstrate the prerequisite knowledge, skills, and competence to perform their assigned duties related to protecting public safety, health, and welfare. A critical element of police licensing is decertification. In other words, if the state endeavors to license qualified police officers, there must necessarily be a corresponding process for revoking a license from officers who were previously licensed, but have since proven themselves incompetent or unworthy of meeting the high standards associated with serving the public and honoring public trust. In this article, Roger Goldman provides an insightful examination of the current status of police licensing and decertification in the United States and discusses a database known as the National Decertification Index (NDI), administered by the International Association of Directors of Law Enforcement Standards and Training (IADLEST).

In furtherance of the established mission, goal, and tradition of the IACP, the three articles listed above and included in this edition of *Police Chief* are designed

to promote education and training as a facilitating cornerstone to achieving professional law enforcement and effective community service. ❖

Note:

¹Charles Saunders, *Upgrading the American Police: Education and Training for Better Law Enforcement* (Washington, D.C.: Brookings Institution, 1970), 133.

Dr. Thomas J. Jurkanin is an assistant professor in the Department of Criminal Justice Administration at Middle Tennessee State University. Dr. Jurkanin has 39 years of experience in the policing field. He is currently senior editor of the Law Enforcement Executive Forum and is the author of four books on policing and numerous journal articles. He has been a member of the IACP Education and Training Committee for more than 20 years. Dr. Jurkanin holds a PhD from Southern Illinois University at Carbondale.

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The Pursuit of Law Enforcement Intelligence Training and Education

By Robert A. Smith, Special Agent in Charge (ret.), U.S. Secret Service; Associate Professor, University of Maryland University College, Adelphi, Maryland



The application of the “discipline of intelligence” to law enforcement assists executives, managers, investigators, analysts, and first responders “reduce uncertainty by collecting information, overtly and covertly,” analyzing this information, and providing this “new knowledge” (actionable intelligence) to law enforcement decision makers to meet mission requirements.¹

Law enforcement intelligence has paralleled political and social crises in the United States since 1870. Prior to the 9/11 attacks on the United States, many large urban police departments had well-established intelli-

gence units that utilized analysts and investigators to conduct both criminal intelligence analysis and crime analysis to control crime and violence. However, despite efforts since the 1970s to establish law enforcement training and education standards and guidelines, it took the 9/11 terrorist attacks to convince law enforcement executives, the U.S. Congress, and the public that law enforcement agencies needed to have an intelligence capability to detect, deter, prevent, respond to, and mitigate crime and terrorist activities. The 9/11 attacks “served as a catalyst for dramatic changes to the United States

national security enterprise...Among those changes is the recognition that our local, state, and tribal law enforcement agencies make critical contributions not only to the protection of our communities, but to the security of the United States at large...The progress we have made to improve coordination between the intelligence community and law enforcement since 9/11 has been phenomenal.”²

Pre-9/11 Law Enforcement Training and Education

Prior to September 11, 2001, law enforcement intelligence training programs (criminal intelligence and crime analysis) were primarily developed and presented by U.S. federal agencies such as the Federal Bureau of Investigation (FBI); Drug Enforcement Administration (DEA); High Intensity Drug Trafficking Area (HIDTA); White Collar Crime Control (WC3); and the Federal Law Enforcement Training Center (FLETC), as well as professional organizations such as the Law Enforcement Intelligence Unit (LEIU), International Association of Chiefs of Police (IACP), the International Association of Law Enforcement Intelligence Analysts (IALEIA), the International Association of Crime Analysts (IACA), and the International Association of Directors of Law Enforcement Standards and Training (IADLEST).

The University of Michigan (Ann Arbor, Michigan) was the only U.S. college or university teaching law enforcement intelligence analysis and conferring both a bachelor of arts and master of science in law enforcement intelligence analysis.

Post-9/11 Law Enforcement Training and Education

Following the 9/11 attacks, legislation, executive orders, and national security guidelines marked a transformation in U.S.

law enforcement and the training and education of its workforce to understand, apply, and institutionalize law enforcement intelligence standards and best practices to ensure hometown security is homeland security.³

Since 9/11, there has been a proliferation of U.S. colleges and universities that have developed and integrated intelligence-related courses into their degree and certificate programs in national security, political science, homeland security, and law enforcement. A 2009 study found that more than 100 U.S. colleges and universities have undergraduate, graduate, and certificate programs teaching over 842 intelligence-related courses. This same study identified 24 colleges and universities that had criminal intelligence or law enforcement intelligence courses.⁴ A subsequent survey of U.S. colleges and universities in 2014, found there are approximately 56 colleges and universities that currently offer law enforcement intelligence and crime analysis curricula. Most of these courses are integrated into national security, homeland security, criminal justice, and political science programs. Currently 11 U.S. federal agencies, 10 professional organizations, 5 state and local governments, and 27 private-sector contractors offer law enforcement intelligence-related courses.⁵

The majority of these courses are taught using the principles and theories of outcomes-based education or, as it is sometimes called, standard-based or performance-based education, which creates specific concrete, measurable standards in an integrated curriculum. The law enforcement intelligence curriculum has a set of outcomes that represent behaviors, skills, and knowledge practitioners need to possess in order to function in their professions. Real-world core competencies are being used across many academic degree programs to redefine and shape outcomes-based education.⁶

Criteria for Law Enforcement Intelligence Training and Education Curricula

The following post-9/11 laws, national strategies, standards, and guidelines serve as the criteria on which law enforcement intelligence training and education curricula are based. The desired outcomes of these training and education courses provide law enforcement personnel with the bedrock of knowledge and skills to effectively apply intelligence-led policing and manage law enforcement operations.

- **USA PATRIOT Act:** Enhances authority to share criminal investigative information; enhances surveillance procedures; and expands access to records under the Foreign Intelligence Surveillance Act (FISA).⁷

- **Homeland Security Act of 2002:** Established the U.S. Department of Homeland Security (DHS); homeland security information-sharing procedures; integration of state and local law enforcement into the U.S. strategy for homeland security; fusion center operations; and intelligence and analysis training.⁸
- **Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA):** Revised the definition of “national intelligence”; mandated the creation of a U.S. Information Sharing Environment (ISE) and the National Counterterrorism Center (NCTC) and improved intelligence analytic standards, training, and education for the Intelligence Community, as well as improved the intelligence capabilities of the FBI.⁹
- **Implementing Recommendations of the 9/11 Commission Act of 2007:** Integrated federal, state, tribal, and local law enforcement with national security intelligence and information sharing by creating urban area and regional fusion centers; the Interagency Threat Assessment and Coordination Group (currently the Joint Counterintelligence Assessment Team); law enforcement terrorism prevention program; Homeland Security Advisory system; and intelligence training and development for state and local government officials in intelligence analysis, privacy, and civil liberties.¹⁰
- **National Criminal Intelligence Sharing Plan (NCISP):** Represented the first determined attempt since 1973 to institutionalize the use of the intelligence discipline across the United States to support law enforcement mission requirements; implemented and endorsed by the U.S. Attorney General, the director of the FBI, and the DHS Secretary in October 2003; provided guidelines to ensure all law enforcement agencies, regardless of size or jurisdiction, have an intelligence capability and train all law enforcement personnel—executives, managers, investigators, analysts, and officers—in core law enforcement intelligence competencies to safeguard U.S. communities while performing their duties lawfully and effectively; and founded on the notion that an intelligence capability is imperative to agency operations. An intelligence capability can be commensurate with the size and resources available to support the agency executive’s resource allocation decisions regarding emerging criminal activities.¹¹
- **Minimum Criminal Intelligence Training Standards for Law Enforcement and Other Criminal Justice Agencies of the United States:** Published in 2004 and revised in 2007, these training standards became the criteria by which law enforcement intelligence curricula are developed by U.S. federal agencies (FBI, DEA, DHS, HIDTA, WC3, FLETC, and U.S. Coast Guard); professional organizations (IACP, IADLEST, IALEIA, and IACA); and contractors that provide short courses on the fundamentals of criminal intelligence.¹²
- **Fusion Center Guidelines for Establishing and Operating Fusion Centers at the Local, State, Tribal, and Federal Level—Law Enforcement Intelligence Component:** Defines legal and operational criteria for establishing and governing a fusion center that is owned and operated by state and local entities to share all-crimes and all-hazards threat information. The U.S. Departments of Justice and Homeland Security collaborated to develop state and urban area fusion center standards and guidelines, as well as national Suspicious Activities Reports (SARs) and privacy and civil liberties standards and guidelines.¹³
- **Criminal Intelligence Model Policy:** Prepared by the IACP to provide state and local law enforcement executives with a template for preparing an intelligence unit charter and mission statement.¹⁴
- **Baseline Capabilities for State and Major Urban Area Fusion Centers:** Identifies baseline capabilities for fusion centers

Since 9/11, there has been a proliferation of U.S. colleges and universities that have developed and integrated intelligence-related courses into their degree and certificate programs in national security, political science, homeland security, and law enforcement.

and the operation standards necessary to achieve each of the capabilities. This guideline is an addendum to the 2005 *Fusion Center Guidelines*.¹⁵

- **Common Core Competencies for State, Local, and Tribal Intelligence Analysts:** Serves as a companion document to the *Minimum Criminal Intelligence Training Standards for Law Enforcement and Other Criminal Justice Agencies of the United States* and *Baseline Capabilities for State and Major Urban Area Fusion Centers* that identifies common analytic competencies that should be exhibited by state, local, and tribal intelligence analysts working in state or major urban area fusion centers or similar analytic law enforcement entities.¹⁶
- **Law Enforcement Analytic Standards:** Developed in response to the NCISP call for law enforcement analytic standards, which through the collaborative efforts of the Department of Justice and the IALEIA, “institutionalizes the role of a law enforcement analyst and management’s role in shaping the analyst’s environment.”¹⁷
- **National Security and Information Sharing Strategies:** Integrated state and local law enforcement into the whole of U.S. government: “To prevent acts of terrorism..., we must enlist all of our intelligence, law enforcement, and homeland security capabilities. We will continue to integrate and leverage state and major urban area fusions centers... to ensure that the analysts, agents, and officers who protect us have access to all relevant intelligence throughout the government.”¹⁸

A Snapshot of Law Enforcement Intelligence Training and Education Today

On March 18, 2014, the International Association for Intelligence Education (IAFIE) partnered with the University of Maryland University College (UMUC) and IALEIA to present a one-day symposium entitled *Law Enforcement Intelligence, Training, and Academia: Partnerships Making a Difference for Tomorrow*. The purpose of the symposium was to provide a forum for law enforcement executives, managers, analysts, trainers, and educators to share ideas, expectations, and information regarding teaching law enforcement intelligence to meet current standards and best practices for law enforcement intelligence managers and analysts. Also delved into during three panel discussions was how to pursue meeting these standards, as well as how to provide a professional cadre of law enforcement intelligence analysts and managers through training and college and university education curricula. The symposium’s keynote speaker, James E. McDermond, Assistant Director of the Office of Strategic Intelligence and Information,

To prevent acts of terrorism..., we must enlist all of our intelligence, law enforcement, and homeland security capabilities.

Bureau of Alcohol, Tobacco, Firearms, and Explosives, and a member of the National Criminal Intelligence Coordinating Council (CICC), described current law enforcement community intelligence needs and requirements that meet post-9/11 legislative mandates and implementation of the NCISP. McDermond also described how current law enforcement intelligence standards for information sharing and analysis have been developed by the Criminal Intelligence Coordinating Council (CICC) and published by the Department of Justice in 2010 and 2013. However, “personnel practices vary and, in some organizations, impact the ability of leadership to professionalize the analyst position through the use of standards and competencies. This must change if we are serious about truly building an intelligence-led capability throughout the law enforcement community.” McDermond concluded by stating that “we need to remain proficient through continued education, as the environment we work in is very dynamic and demanding.”¹⁹

This symposium included three panels of law enforcement executives, law enforcement analysts, and academics that identified practitioners’ current thinking regarding the NCISP goal as “law enforcement agencies, regardless of size, shall adopt the minimum standards for intelligence-led policing and the utilization and/or management of an intelligence function as contained in the NCISP” and “understand and develop a plan to participate in the Criminal Intelligence Enterprise (CIE) [and] institutionalize a standardized assessment process that enables each agency to better identify and measure its priority threat groups, and develop more focused intelligence collection plans.”²⁰ This drives the need to hire, train, and educate a professional cadre of law enforcement intelligence managers and analysts who possess core competencies to provide timely, accurate, and actionable intelligence for tactical, operational, and strategic decision making.

Law Enforcement Executive’s Views Regarding Developing an Intelligence Capability

The panel of law enforcement executives’ addressed their expectations of intelligence units and fusion center core competencies and capabilities. All panel-

ists agreed that in the post-9/11 era, all law enforcement agencies, large and small, should have an intelligence capability that meets new homeland security mandates and NCISP law enforcement analytic standards to think globally and act locally. Panelists felt that law enforcement officers are very good at collecting and evaluating data and generating hypotheses that facilitate the identification of what, when, where, how, why, and who commit crimes. The panel pointed out that the culture of law enforcement requires officers and agents, especially in smaller organizations, to be generalists that are required to be proficient in a variety of public safety, protection, and criminal justice tasks that entail frequent transfers to new duties in their career progression from basic entry level through supervision and management. Specialization for career law enforcement officers and agents is sometimes viewed as one-dimensional, in that specialization requires advanced and continuing education and training to meet standards, certifications, and core competencies in such disciplines as crime scene forensics, crime analysis, and criminal intelligence operations.

Panelists agreed that the turnover of law enforcement executives and the teaching of critical thinking and problem-solving skills impacts how law enforcement agencies perform. Criminal intelligence analysts “ask different questions than officers, who are focused on short-term tactical goals, [and] analysts should have the same value and recognition as line and staff personnel.”²¹ It was also posited that “every police officer should be trained to be a collection officer asking effective questions relative to all hazards.”²² And police officers should be trained to not discount raw intelligence or spontaneous information they obtain without “checking it out for validity and relevance to criminal or terrorist activities.”²³ Law enforcement executives and managers of intelligence units, joint terrorism task forces, and fusion centers realize the value of having trained and competent intelligence analysts who apply structured and analytic techniques, as well as “breaking down internal agency silos to share relevant intelligence information to provide predictive policing.”²⁴ The FBI and state police organizations encourage their analysts to accompany investigators in the field to better understand their operational environment and establish information liaisons on their own.²⁵

Law Enforcement Intelligence and Crime Analysts’ Views of Education and Training in the Professionalization of Law Enforcement Intelligence Analysts

Current leaders of law enforcement analysts representing IALEIA, IACA, the FBI Intelligence Analyst Association, and FBI Training Academy were panelists

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who discussed the history of criminal intelligence analysts in the United States from 1980 to the present, as well as their organizations' respective training and certification of analysts to "establish a clear path to professional equity in law enforcement."²⁶

Many of their analyst certification criteria have been incorporated into today's Department of Justice *Analytic Standards for Law Enforcement Agencies* and are consistent with the intelligence community analyst core competencies.²⁷ Formalized basic and advanced intelligence analyst career path training and education are conducted by the FBI Center for Intelligence Training in Quantico, Virginia, where curricula are aligned with both national security and law enforcement analyst core competencies.²⁸ On-the-job training still remains a staple for FBI analysts and law enforcement agency analysts.²⁹ Professional organizations such as the IALEIA and IACA strive for the professionalization of law enforcement analysts through training, networking, internships, and certifications.³⁰ However, panelists identified the existence of different certification criteria for crime analysts (statistical crime analysis) and criminal intelligence analysts (application of the intelligence process).

In 2007, the Police Foundation and Community Oriented Policing Services (COPS) examined the "disconnect between crime analysis and intelligence analysis found in many of the nation's law enforcement agencies." They pointed out that the "smart deployment of resources at the tactical, operational and strategic levels requires analysis of both crime data and criminal intelligence information, preferably in an integrated fashion ... The integrated analysis model will allow executives to see the big picture of criminality and form this knowledge access to a wider range of enforcement options."³¹ Crime analysts and intelligence analysts share common tools, techniques, and skills, but different audiences, products, and goals.³²

How Colleges and Universities Are Meeting Law Enforcement Intelligence Education and Training Needs

Panelists from UMUC; Mercyhurst University (Erie, Pennsylvania); James Madison University (Harrisonburg, Virginia); and American Military University represented colleges and universities that teach criminal justice and the discipline of intelligence, and described how their respective curricula were developed and implemented. Panelists made the distinction between "intelligence studies" and "intelligence schools" with the difference being that intelligence studies' curricula study the entire intelligence process, while intelligence schools' curricula is tailored to a specific vocational intelligence discipline (e.g., National Security, Military, Homeland Security, Law Enforcement, and Competitive Intelligence).

Each panelist expressed his respective school's difficulty recruiting subject matter experts to teach and recruit potential students in light of the current budgetary restrictions on both the public and private sectors. Each school is looking for their "niche" to attract specific students.

It has been said that "Training prepares you for the known; education prepares you for the unknown, for the uncertain."³³ The difference is between **knowing how** (training) and **knowing why** (education).³⁴ However, learning takes place in both training and education.

The difference is a law enforcement intelligence analyst is trained to use the intelligence process to provide decision makers assessments and is educated to know why the intelligence process works and understand how to improve its design so that the intelligence process will function better. "Education is broader than training. It strives to prepare learners to be analytical thinkers and problem solvers by facilitating the learning of principles, concepts, rules, facts, and associated skills, values, and attitudes. Its aim is to develop residents' understanding, abilities to synthesize information, and work skills within and beyond the workplace."³⁵ However, understanding the concepts, rules (standards), facts, and associated skills and issues in the current professional environment serves as the bedrock upon which learners apply, synthesize, and create problem-solving techniques for a myriad of situations.

Conclusion

As threats and risks change daily, law enforcement intelligence managers and analysts must be proficient at identifying and analyzing criminal and terrorist pre-incident indicators to provide an early warning that ensures the safety of law enforcement officers operating in the field, as well as providing decision makers actionable intelligence to maintain organizational strategies and meet mission requirements. This proficiency is obtained by training and education based on intelligence analytic and management core competencies, standards, and best practices. Today, law enforcement decision making is dependent on the competent analysis of relevant and reliable information. The application of the discipline of intelligence strives to seek the truth, or proximate truth, to reduce uncertainty in a constantly changing world. The success of the implementation of the NCISP Minimum Criminal Intelligence Training Standards, and Law Enforcement Analytic Standards are dependent upon leadership support of the NCISP and intelligence-led policing, partnerships, and training delivery.³⁶ ♦

For more information about law enforcement intelligence training and education, please contact Robert A. Smith, President, ProtectionMetrics LLC, at (410) 533-2914 or ProtectionMetrics@verizon.net.

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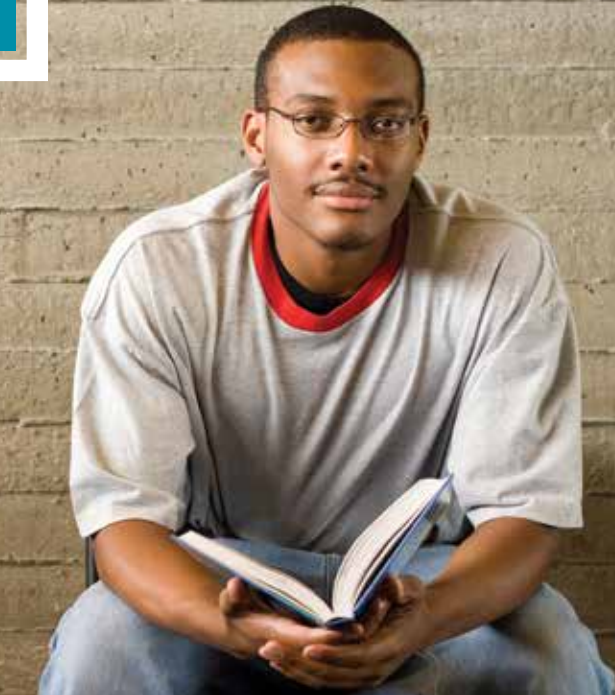
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Evaluating and Utilizing Specialized College Courses for Police Officers



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Training police officers has long been a priority of law enforcement agencies in the United States. In fact, the first successful law enforcement departments established in the New England states in the early and middle 1800s were patterned after Sir Robert Peel's police agency in London, England, for which training was an innovative requirement. By the early 1900s, police agencies across the United States were encouraging more specialized education and training for police officers. This educational emphasis was due largely to the influence of respected proponents such as August Vollmer, the police chief of Berkeley and, later, Los Angeles, California. The increase in crime and the waves of social change of each successive decade made the need for police training and education increasingly apparent through the 1960s. In response, formal police training simultaneously evolved during these decades. However, the rate of officers receiving a college degree increased very little, which was due mostly to the high cost of attending college and the attitude that field-specific training was more important than a college degree.¹

By the 1970s, the idea of a college degree for a police officer had become more commonplace. The tumultuous 1960s decade had prompted the U.S. Congress to pass the Law Enforcement Education Program (LEEP) in 1969, which rapidly changed the training and educational landscape for police officers. A stated purpose of LEEP was to help fully professionalize law enforcement across the United States, which led to subsequent funding for academic degree programs to educate police officers. LEEP also provided grants and loans for police officers to attend these college programs. Under LEEP funding, dozens of universities and colleges scurried to create criminal justice programs specifically designed for educating police officers. Many officers took advantage of these new college programs, beginning a rise in the number of officers getting college degrees.²

In the developmental stages of the LEEP-funded college programs, the curriculum included courses almost solely devoted to the training and education of police officers and corrections officers. Moreover, the faculty who were hired to teach the courses had the experiential background to provide the practical educational foundation for police officers. The popularity of these newly founded college programs increased during the first decade among police officers and for those with law enforcement-related aspirations. Subsequently, college departments expanded to accommodate this growing number of individuals seeking a practical higher education degree in law enforcement, police science, criminal justice, or similar programs.³

During the 1980s and 1990s, student enrollment increased in the criminal justice college programs; however, the programs had also undergone an overall change.⁴ University scholars had increasingly stressed the need for courses in the social sciences and liberal arts, while minimizing the need for the practical law enforcement courses.⁵ In response, the programs' curricula included more courses with less practical emphases and programs increasingly added or amended courses to focus on theory, research, and social behavior.⁶ Today, many of these programs have noticeably moved away from their initial strong practical education and have focused more on the theoretical and social sciences. As a consequence, some criminal justice-related degrees have become less utilitarian and, therefore, less appealing for many police officers.⁷

Police officers have historically held the belief that academy training or a practical education is more valuable than a liberal arts education for the performance of everyday job duties.⁸ Research indicates that most police prefer some education or a two-year degree over a four-year degree, and many police officers express a lack of confidence in the need for a four-year social science or

liberal arts degree because they do not see such a degree as significantly contributing to the successful performance of their daily procedures.⁹ The dominant attitude of most police officers is that when the time, effort, and cost involved in getting a college degree are weighed against the value of the degree, the payoffs do not seem to outweigh the investment for officers in the field.¹⁰

Empirical research conducted to determine the value of college degrees for police officers has yielded mixed conclusions. Much of the research does not indicate that a college degree enhances police performance. However, some research does indicate that some college education combined with training correlates to enhanced specific discretionary skills, decision-making abilities, and citizen interaction skills, all of which contribute to community policing and problem solving.¹¹

A Solution for the Police Officer and Higher Education

A solution to the dilemma of the need for specialized education for the police officer pitted against the perception that some social science degrees do not fulfill this need is perhaps simple and obvious. While a four-year degree may not be immediately achievable or appealing to some officers, it is entirely likely that a local criminal justice program, even one with a liberal arts emphasis, offers individual courses that are practical and valuable for police officers. In addition, in the present scientific era of policing, higher education courses can provide a needed resource for an education in emerging scientific technologies and expanding forensic sciences, such as the use of DNA analysis in homicide investigations.¹²

Determining the possibility and feasibility of these courses for officers is easily attainable with a little understanding of what an officer should consider in the decision. The following steps can aid an officer to gather reliable information and make decisions about the value of a higher education course:

- Contact the local or available college departments to inquire about course offerings that may potentially provide valuable training or education for police officers.
- Review the course descriptions in the online college catalog to select courses that may fulfill the officer's need or intent.
- Contact the instructor of the selected course to inquire about the details of the course, and ask for permission to observe a class if the course is deemed potentially worthwhile.
- Obtain a copy of the detailed course syllabus from the department or instructor.
- Evaluate the information provided by the catalog description, instructor input, the syllabus, and the actual class observation. Then, determine the educational value of the course for police officers, detectives, or administrators. In making the decision, answer the following questions: Does the course include significant and pertinent material for police officers? Does the course offer specialized educational material that enhances police training? Does the course have the needed balance of the practical and theoretical materials for application and critical thinking skills? Is the material current? Does the course provide valuable technological or scientific material? Will the benefits of taking the course outweigh the time and cost invested in the course?

Of all the processes involved in obtaining information about a college course, the most valuable source for determining the value of the course is the course syllabus, provided that the syllabus adheres to educationally sound principles. An educationally sound course syllabus includes a detailed topic outline and learning objectives. These two sections of a syllabus allow an officer to quickly determine the content of the course and deduce the educational and training value.

To illustrate the value of a course syllabus, portions of a model college course syllabus of a homicide investigations course can be viewed in Figure 1 and Figure 2. Figure 1 provides an example of a detailed topic outline, while Figure 2 illustrates an example of the

general and specific learning objectives. Plainly, the topic outline provides a concise view of topics and subtopics that are covered in the course, while the learning objectives illustrate the purpose of the course and what a student can expect to learn in the course. Upon viewing these two important sections of a syllabus, a law enforcement officer can rapidly surmise the potential educational value of the course. Obviously, obtaining a copy of a course syllabus can provide the officer with valuable information about a course that is being considered for "purchase" before investing the time, effort, and money.

Benefits of Taking a Specialized College Course

Several benefits are apparent for a police officer taking a college course. If the evaluative steps are followed as recommended in this article—and the course has been determined to provide excellent specialized education for the officer, then the resources required for a college course (time and cost) will not be squandered. Consequently, the officer's time will be well spent acquiring education that will enhance the training important to the successful performance of defined duties. Current knowledge and advanced skills may be attained for the practical applications, critical thinking, decision making, and communication involved in interacting with citizens, working with crime scenes, and solving community problems.¹³

In addition, exploring and taking the courses can open communication channels and create a productive partnership between a law enforcement agency and a local college or university.¹⁴ The stronger relationship can assist the college department in understanding the needs of police officers and help assure the availability of classroom seats for police officers who wish to take the courses. Also, since the police officers are likely to have pre-existing foundational training and education, it is feasible that certain course prerequisites can be officially waived. Therefore, the officer may not be required to take a prerequisite foundation course or to be a declared major or have a prerequisite status. With the improved understandings between law enforcement and higher education, college departments may also more readily offer courses on days and times more convenient for the police officers.

Perhaps one of the most substantial values of a police officer taking a specialized college course would be acquiring POST (Peace Officers Standards and Training) credit for taking the course. Since the course would most likely involve about 40 contact hours for the police officer, it may be possible for the police agency to partner with the instructor of the course to obtain POST certification for the course. Officers taking the course would then be receiving a double benefit: completion of some of their POST hours, plus college credits that may be applied toward receiving a college degree or certificate.

Conclusion

In summary, police in the United States have always valued training and education, but generally, practical education is valued over a liberal arts education. Many police officers have also viewed some education as more useful for the job than a full four-year degree. Rather than entirely abandoning the idea of attaining a college education, perhaps officers should evaluate and engage in specialized college courses. Officers taking specialized college courses evaluated as educationally worthy would benefit in several ways. Taking the specialized course would be a step toward obtaining a college degree, a progression encouraged by scholars in the law enforcement field.¹⁵ These specialized college courses may also become POST certified with the joint efforts of law enforcement and the course instructor. As an end result, police officers will have taken advantage of an easily available educational resource for police training, thereby enhancing their job performance, which can increase officer satisfaction and community appreciation. ♦

Figure 1: Topic Outline from a Model Homicide Investigations Course Syllabus

TOPICS I AND II	TOPICS III, IV, AND V
I. Basics of Investigating Homicides	III. Crime Scene Reconstruction
<p>A. Homicide Statutes (Elements of the Crime)</p> <p>B. Common Physical Evidence</p> <ol style="list-style-type: none"> 1. Locard's Exchange Principle 2. Evidence Handling 3. Blood and Other Body Fluids 4. Firearms 5. Fingerprints 6. Prints and Impression Evidence 7. Trace Evidence (hair, fibers, paint, glass, soil, etc.) 8. Tool Marks 9. Documents 10. Rope, Wire, and Tape 11. Computer and Telephone Evidence 12. Forensic Toxicology <p>C. Time and Cause of Death</p> <ol style="list-style-type: none"> 1. Crime Scene and Post-Scene Checklists 2. Autopsy 3. Estimating Time of Death 4. Cause of Death <ol style="list-style-type: none"> a. Wounds and Injuries Evidence b. Evidence of Death by Poison, Drowning, Asphyxia, and Fire <p>D. Motives and Patterns of Homicides</p> <ol style="list-style-type: none"> 1. Anger Killing 2. Triangle Killing 3. Revenge or Jealousy Killing 4. Killing for Profit 5. Random Killing 6. Murder-Suicide 7. Sex and Sadism 8. Felony Murder 9. Mass Murder 10. Spree Murder 11. Serial Murder 	<p>A. Reasoning Methods</p> <ol style="list-style-type: none"> 1. Scientific Method and Crime Theories 2. Deductive and Inductive Reasoning <p>B. Types of Evidence</p> <ol style="list-style-type: none"> 1. Direct vs. Circumstantial 2. Sequential and Directional 3. Action and Motion 4. Location and Orientation 5. Ownership, Source, Identity, and Tracing 6. Limiting and Parameter 7. Linking/Associative <p>C. Bloodstain Pattern Analysis</p> <ol style="list-style-type: none"> 1. General Features of Bloodstains <ol style="list-style-type: none"> a. Surface Features b. Direction and Angle of Impact 2. Spatter Patterns <ol style="list-style-type: none"> a. Velocity b. Origin c. Gunshot Spatter d. Cast-off Spatter e. Arterial Spray Spatter f. Expired Blood Patterns g. Void/Ghosting Patterns h. Contact/Transfer Patterns i. Flows j. Pools k. Trail Patterns
II. Development of Suspects	IV. Criminal Profiling
<p>A. Lead Development</p> <p>B. Elimination and Inclusion of Suspects</p> <p>C. Deducing Offender Characteristics</p> <ol style="list-style-type: none"> 1. Physical Characteristics (age, sex, size, strength) 2. Knowledge of Location, Crime Scene, and Victim 3. Criminal Skills with Method, Weapons, and Materials 	<p>A. History, Process, and Prior Cases</p> <p>B. Crime Scene Assessment (see above)</p> <p>C. Offender Characteristics</p> <ol style="list-style-type: none"> 1. Personality/Behavioral Components <ol style="list-style-type: none"> a. Organized vs. Disorganized b. General Sociopathic and Psychopathic Disorders 2. Modus Operandi 3. Case Linkages (Serial Murders) 4. Offender Signatures 5. Crime Scene Staging 6. Body Disposal Choices 7. Criminal Profile—Generating Process
	V. Other Techniques and Legal Issues
	<p>A. Interviewing</p> <p>B. Interrogation</p> <p>C. Expert Testimony</p>

Figure 2: Learning Objectives from a Model Homicide Investigations Course Syllabus

General Objective of the Course: The general objective of the course is to provide students with educational experiences to use in the field of homicide investigations from the perspective of the law enforcement officer, investigator, forensics expert, criminal defense attorney, and prosecuting attorney.

Specific Objectives of the Course:

Upon completion of the course, the student should be able to do the following:

1. Discuss the types of physical evidence most commonly found at a homicide crime scene by explaining the proper collection, preservation, and use in court. Evidence includes blood and other body fluids, weapons, fingerprints, impression evidence, trace evidence (hair, fibers, paint, glass and soil), tool marks, documents, computer evidence, and forensic toxicological evidence.
2. Explain the various motives for murder and explain the types of evidence that may indicate a particular motive. Motives include anger killing, triangle killing, revenge or jealousy killing, killing for profit, random killing, murder-suicide, sex and sadism, felony murder, spree murder, mass murder, and serial murder.
3. Explain how the time and cause of death may be surmised through autopsy evidence, rigor mortis, livor mortis, algor mortis, and wounds and injuries.
4. Develop suspects through elimination and inclusion.
5. Deduce offender characteristics including physical characteristics; knowledge of the location, crime scene, and victim; and skills used in method, weapons, and materials.
6. Reconstruct elements of the crime scene by using reasoning methods such as scientific method and theory formation, inductive reasoning, and deductive reasoning.
7. Reconstruct elements of the crime scene through analysis of the types of evidence including sequential, directional, actions/motions, location/orientation, ownership/source/identity, limiting/parameter, and linking evidence.
8. Analyze bloodstain patterns by describing the general features of bloodstain formation using the physics of surface texture and direction and angle of impact.
9. Analyze blood spatter patterns associated with various velocities, origins, gunshots, cast-off, arterial spray, expired blood, void patterns, contact/transfer, flows, and trails.
10. Explain how criminal profiling was used in historical or famous cases.
11. Assess a crime scene and recognize evidence that can be used in criminal profiling, and explain what offender characteristics could be surmised from the evidence.
12. Determine possible offender characteristics that could be deduced from the evidence, including personality/behavioral components (organized vs. disorganized, and extreme behavioral abnormalities); modus operandi; case linkages (such as with serial murders); offender signatures; crime scene staging; and body disposal choices.
13. Explain the necessity of teamwork in criminal profiling.
14. Discuss the techniques and legal issues involved in prosecuting a homicide, including issues involved with evidence handling, interviewing, interrogation, use of scientific evidence, expert testimony, and culpable mental state.

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Notes:

¹Gene Stephens, "Criminal Justice Education: Past, Present and Future," *Criminal Justice Review* 1 (1976): 91-120.

²Ibid.

³Ibid.

⁴Roy Roberg and Scott Bonn, "Higher Education and Policing: Where Are We Now?" *Policing: An International Journal of Police Strategies & Management* 27, no. 4 (2004): 469-486.

⁵Lee H. Bowker, "A Theory of the Educational Needs of Law Enforcement Officers," *Journal of Contemporary Criminal Justice* 1, no. 4 (1980): 17-24.

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⁹C. Wayne Johnston and Sutham Cheurprakobkit, "Educating Our Police: Perceptions of Police Administrators Regarding the Utility of a College Education, Police Academy Training and Preferences in Courses for Officers," *International Journal of Police Science & Management* 4, no. 3 (2002): 182-197.

¹⁰Jason Rydberg and William Terrill, "The Effect of Higher Education on Police Behavior," *Police Quarterly* 13, no. 1 (2010): 92-120.

¹¹Roberg and Bonn, "Higher Education and Policing."

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Shaw, and Susan M. Jickells, "Future Forensics: Opportunities and Challenges," *Measurement and Control* 41, no. 8 (2008): 238-242; David A. Schroeder and Michael D. White, "Exploring the Use of DNA Evidence in Homicide Investigations: Implications for Detective Work and Case Clearance," *Police Quarterly* 12, no. 3 (2009): 319-342.

¹³Eugene A. Paoline and William Terrill, "Police Education, Experience, and the Use of Force," *Criminal Justice and Behavior* 34, no. 2 (2007): 179-196.

¹⁴Allyson Macvean and Carol Cox, "Police Education in a University Setting: Emerging Cultures and Attitudes," *Policing* 6, no. 1 (2012): 16-25.

¹⁵Thomas J. Jurkanin, "Police Licensing and Revocation," *The Police Chief* 81, no. 2 (February 2014): 30-35.

Police Officer Decertification: PROMOTING POLICE PROFESSIONALISM through STATE LICENSING and the NATIONAL DECERTIFICATION INDEX

By Roger L. Goldman, The Callis Family Professor of Law Emeritus, Saint Louis University School of Law, Missouri

By 2014, 44 U.S. states—almost 90 percent of the states—had a process for the removal of the license or certificate of a police officer who has engaged in serious misconduct, thereby preventing the officer from serving with any law enforcement agency in that state.¹ In most states, the agency in charge of issuing and revoking the licenses is known as the Peace Officers Standards and Training Commission (POST). In the absence of such a law, there is nothing to stop a department from hiring an obviously unfit police officer.

These laws sometimes came into existence as response to incidents or situations where license revocation might have been a beneficial tool. An especially egregious example that spurred the enactment of Missouri's revocation law in 1988 took place when a small police department, Breckenridge Terrace, located in St. Louis County, Missouri, hired Joseph Sorbello, who had previously been fired from a full-time position as a lieutenant at the Maplewood-Richmond Heights Police Department, a much larger department in St. Louis County. At the Maplewood-Richmond Heights department, Sorbello was involved in several instances of misconduct over a six-year period. While employed at Breckenridge Terrace, he returned to Maplewood and fatally shot an unarmed suspect in the back.²

As detailed in a series of articles in the *St. Louis Post-Dispatch* about the officer's misconduct at Maplewood, in 1974, Sorbello played Russian roulette while questioning a sixteen-year-old high school student suspected of possession of marijuana in which Sorbello aimed his gun at the student's head and pulled the trigger.³ Luckily, it was an empty chamber. During his time at Maplewood, Sorbello was also charged with severely beating a prisoner arrested for disturbing the peace for which Sorbello was suspended but then reinstated after the grand jury failed to indict him. During a civil suit involving a person who was detained at the jail, a fellow officer testified that Sorbello had beaten the detainee and placed the barrel of his gun in the detainee's mouth instructing him to suck on it. Sorbello was finally fired by Maplewood, but only after he refused to take a lie detector test requested by the department in response to the county prosecutor's allegations that Sorbello lied to the grand jury regarding a concealed weapons charge against another suspect, possibly resulting in an unjust conviction.⁴

The chief at Breckenridge Terrace hired Sorbello despite his record at Maplewood. The chief freely admitted he was aware of Sorbello's record and the allegations against him. The *Post-Dispatch* reported that 7 officers of the 18-member Breckenridge Terrace police force were either fired or accused of serious infractions in previous police jobs. The chief himself had been indicted on a charge that he forced a woman to engage in a sex act after arresting her, although he was later acquitted.⁵

Why would an officer known to be unfit be hired by another department? The *Post-Dispatch* article inadvertently supplied the answer when it noted that there were budget constraints facing the second department.⁶ At the time he applied to work at the second department, Sorbello had completed his state-mandated academy training and was in possession of the state certificate indicating he was in good standing. A chief of a financially strapped department has the choice of hiring a certified but questionable officer or hiring a brand new recruit, whose academy training may have to be paid for out of the department's budget. Thus, there is a financial incentive to ignore the prior misconduct. Furthermore, someone with Sorbello's record is not going to get a job at a department that has enough money to attract candidates with a good record, so the cash-poor department is able to hire him at a discount. Finally, the officer is immediately available for duty, while the new recruit has to spend up to six months at the police academy. Of course, there's the risk that if the questionable officer commits serious misconduct at the second department, that department can be sued for wrongful hiring, but that risk is often accepted at the second department because of the difficulty of prevailing in a civil suit in federal court brought under 42 U.S.C. § 1983.⁷

The Sorbello case shows that the problem of unfit officers cannot be addressed solely by local municipalities and police departments. Every U.S. state should enact a law that takes away the ability of unfit officers to continue in law enforcement, treating police professionals the way states' licensing laws treat other professionals. If anything, the need for such a system is even more important for law enforcement, as officers have the power to make arrests, perform searches, and use deadly force. Currently, six states

do not have any revocation authority at all. Of the 44 states that do have such authority, 16 have limited revocation authority—the officer has to be convicted of a crime for his or her license to be revoked. Those states don't require teachers, doctors, or barbers to be convicted of a crime before they lose their licenses for bad conduct—those licenses can be removed after a hearing by an administrative law judge, with the right of the licensee to appeal that decision to a court.⁸

According to the *Post-Dispatch*, the chief at the second department hired Sorbello, knowing what he had done at the first department, and defended the decision with the comment, "He was never found guilty of anything. Our policy here is that if the man comes to us qualified, we take it from there and make our own judgment."⁹ Without revocation laws and processes, officials from the city that terminated the officer in the first place can wash their hands of any responsibility for what happens at the second department. In a case from Webster Groves, Missouri, four officers resigned or were fired after allegations of improper sexual conduct with teenage girls. When it was pointed out that they might be hired by other departments, the mayor responded, "Those communities make their own choices. They are no longer with the Webster Groves Department."¹⁰ In fact, two of the officers were hired by neighboring departments, but by this time, Missouri had enacted a law that permitted revocation even in the absence of a criminal conviction and the state POST, after hearings, removed the licenses of the officers who had sex on duty at Webster Groves so that they could no longer work at the other departments.

Perhaps more common than the two cases previously discussed is the situation where the new department does not know about the misconduct at the prior department. The chief at the first department agreed not to give a bad reference if the officer resigns. In one case, an officer in Chattanooga, Tennessee, accused of brutality and drug use promised the police commissioner he would not apply to work in states near Chattanooga, but would apply for jobs two states away (in this case, Florida) if the commissioner agreed not to give any unfavorable information. When called by the West Palm Beach, Florida, department that was considering hiring the officer, the commissioner didn't mention the circumstances of the resignation, so the officer was hired, joining another officer who had recently left the Riviera Beach, Florida, Police Department after he beat a suspect and blinded him in one eye. Even though Riviera Beach had settled a lawsuit for \$80,000, the department told West Palm Beach it was unaware of any derogatory

information. At West Palm Beach, the two officers in question were suspects in the killing of a hitchhiker, tried for first-degree murder, and acquitted. The West Palm Beach mayor later stated they would never have been hired had the city been told about their backgrounds.¹¹

The West Palm Beach case points out the need for a U.S.-wide databank to track problem officers who move from one state to another, similar to the congressionally mandated National Practitioner Databank for health care practitioners. Approximately 30,000 law enforcement officers have had their certificates or licenses revoked since 1960, when New Mexico was the first state to legislatively enact revocation authority. The International Association of Chiefs of Police (IACP) supported a proposed Congressional bill, the Law Enforcement and Correctional Officers Employment Registration Act of 1996.¹² The bill would have, among other things, required all revocations to be entered on the databank, but it never made it out of the U.S. House of Representatives subcommittee. In the absence of a U.S. government-regulated databank, there is a databank known as the National Decertification Index (NDI) administered by the International Association of Directors of Law Enforcement Standards and Training (IADLEST). Thirty-seven states currently submit decertification data to the NDI, and all POST executive directors, as well as law enforcement agency personnel given permission by the executive directors, are entitled to query the NDI. As of mid-August 2014, there were approximately 18,000 decertified officers listed in the NDI.

Decertification is merely one aspect of treating policing as a profession, regulated at the state level as are myriad other occupations and professions.¹³ Of the 44 U.S. states that decertify police officers, all have other components of a state-licensing scheme, including mandated adherence to specified selection standards. Selection standards include minimum educational requirements, psychological testing, and background checks, most often done by the hiring agency with state audits to ensure the checks have been carried out. States typically mandate a training curriculum, approve training academies or do the training themselves, and set the minimum hours of mandated training required. Some states not only require the recruit to successfully graduate from the academy, but also to take a state licensing exam, much like a lawyer who has to graduate from law school and then pass the bar exam. Most states also have continuing education requirements, with defined consequences for failure to comply. Some of the states that don't have revocation authority do set state standards for training, both at the basic and in-service level. Some states also, in effect,

have decertification, not by an administrative agency but by courts: when the officer is convicted of certain specified offenses, the judge must enter an order forfeiting the officer's right ever to hold public office of any type in the future.

For those states that have no revocation authority or those with very weak revocation laws, there is reason to be optimistic that legislative progress can be made. Licensing and license revocation can attract support from both the law enforcement community and the civil rights and liberties community—the former is interested in professionalizing the police, the latter in protecting citizens from officers whose previous conduct renders them unfit to serve. However, leadership on resolving this issue must come from police executives since they are in the best position to make the case that unless police professionals strive to meet the highest ethical standards, they cannot expect to receive the respect and support of the communities they serve. ❖

Roger L. Goldman, the Callis Family Professor of Law Emeritus at Saint Louis University School of Law, is an expert on U.S. police licensing and license revocation laws. For more than 25 years, he has been helping states write and adopt laws that provide for removing the license or certificate of an officer who engages in serious misconduct, such as sexual assault or brutality.

Professor Goldman is also a leading expert on the U.S. Supreme Court and constitutional law. In addition to his many articles on police licensing, he is an author of three books on the U.S. Supreme Court: *The Role of the Supreme Court in Protecting Civil Rights and Liberties*; *Justice William J. Brennan, Jr.: Freedom First*; and *Thurgood Marshall: Justice for All*.

Notes:

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⁷In *Board of County Commissioners of Bryan County v. Brown*, 520 U.S. 397 (1997), the U.S. Supreme Court addressed the question of whether a local governmental entity is subject to § 1983 liability for a deputy's use of excessive force and related constitutional violations based on the single decision of the sheriff to hire a deputy with a lengthy criminal record without an adequate background check. In rejecting the availability of entity liability for a single hiring decision, the court emphasized that for a municipality to be held liable, a plaintiff must identify the deliberate conduct of the municipality that made it the "moving force" behind the constitutional violation. As for the U.S. state law claims, this is state-specific based on state tort law and state policies concerning municipal immunity.

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¹²Law Enforcement and Correctional Officers Employment Registration Act 1996, H.R. 3263, 104th Cong. (1996); Law Enforcement and Correctional Officers Employment Registration Act of 1995, S. 484, 104th Cong. (1995).

¹³See Thomas J. Jurkanin, "Police Licensing and Revocation," *The Police Chief* 81, no. 2 (February 2014): 30-35.



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Product Feature:

Predictive Policing Helps Law Enforcement “See Around the Corners”

By Scott Harris, Freelance Writer

Note: *Police Chief* magazine, from time-to-time, offers feature-length articles on products and services that are useful to law enforcement administrators. This article features predictive policing.

Of all the ways technology is shaping law enforcement and public safety, perhaps the most cinematic is the ability to stop crime before it ever occurs. A range of applications, software programs, and services designed to see around the corners of the everyday crime pattern can help law enforcement plan more deliberately and channel resources accordingly. Although some examples may sound like science fiction, predictive policing regularly delivers real-world results.

“Predictive policing” can mean several things. In some cases, it centers on a mathematical equation designed to identify criminal patterns and trends in a given area. However, it can also be simply a way of making better use of data that already exist, sharing that information among public safety professionals, transmitting key items to officers in the field (and their mobile devices), deploying internal resources more efficiently, and leveraging the Internet and social media to play a greater role in solving crimes and understanding what’s coming.

Much of the time, the data needed for predictive policing already exist. In the case of a computer-aided dispatch (CAD) system, for example, meaningful data are gathered effectively, but can be difficult to access and organize into a pattern. Systems like CADs were designed to perform a task, not collate the information gathered as a result of that performance. Moreover, these systems are very often incompatible with systems from other departments or manufacturers.

Overcoming those challenges of traditional data collection systems is the key work that many predictive policing services undertake—breaking down those technological silos and mining difficult-to-tap but highly valuable veins of information.

“It can be hard to get answers from data,” said Nick Coult, vice president of product management for Lumen, a law enforcement search and analysis system developed by Colorado technology firm Numerica. “A lot of the time, it’s all stored in five different places in five different ways.”¹

One of the leaders in the field of predictive policing is PredPol, based in Santa Cruz, California. The computer predicting model, based on a proprietary algorithm, shows officers where crime is statistically most likely to happen next. It’s almost like weather forecasting for crime.

The model each day identifies geographic areas (as small as 500 feet by 500 feet) most likely to experience a pre-customized incident or group of incidents. The software then creates red boxes around those areas on a digital map, which can be distributed to officers and others for action and decision making. Though PredPol and services like it cannot be used as the sole basis for reasonable suspicion, it can help agencies determine where and when to put boots on the ground.

It appears to work, too. Within six months of using PredPol in its foothill area in 2011, Los Angeles, California, public safety leaders reported a 12 percent reduction in property crimes compared with the previous year, according to PredPol statistics.²

Lumen, also considered a leader in the field, works differently, attempting to connect the disparate ends of law enforcement data collection into one easy-to-use portal. The application (app) is capable of searching millions of records from a wide variety of databases, including CADs,

record management systems (RMSs), and basically “anything that sits on a computer server,” Coult said.³ Type in a name or phone number, and results from a range of sources return in seconds. Users can share their findings, and the tool can visually map search results to make it easier to spot trends, which, in turn, enables more accurate prediction capabilities. Access to new data sources helps agencies cast a wider net—and work more closely with each other—when attempting to explore and address problematic areas.

“It removes barriers between analysts and investigators, and between ideas and the data,” Coult said. “It’s a huge accelerant... A customer knew they had a problem with a particular bar. Once they knew that, they could quickly ascertain the different incidents like DUIs, fights, and, in short order, they got a comprehensive list. As a result, they were able to take action and do things differently. And the incidents dropped off rapidly.”⁴

Another mobile app helps public safety professionals see neighborhoods in a new dimension as they walk the beat. Users of

Predictive policing can certainly help law enforcement save money, in addition to mitigating crime. After all, having a better understanding of future trends allows for more efficient use of resources.

PublicEye, created by New Hampshire-based app development company Zco, can use the GPS feature on their iPads, smartphones, toughbooks, and other devices to see 9-1-1 calls, building pre-plans, and even geographically tagged tweets for a given area. For public safety companies, much of the information available on PublicEye eliminates the need for bulky paper files on buildings and similar records.

"Businesses already use phones and tablets, and it means big cost-effectiveness," said Eric Sun, a PublicEye product specialist with Zco. "Our users are saving money. A lot of the time, instead of using an MPD, they're using a phone or tablet—and they have better access to information. Officers outside the cruiser can access, and it's geographically presented to them rather than sent as a text."⁵

All of the information collated allows law enforcement to better anticipate potential issues. The app also has a streaming video surveillance capability, which the Brookline, Massachusetts, Police Department used as part of its heightened vigilance efforts during the 2014 Boston Marathon.

Predictive policing means not just capturing data more easily, but converting it into action. At IBM, the New York-based technology and consulting firm, SPSS Predictive Analytics crime prediction and prevention software helps agencies gather data from sources like CAD and RMS, as well as "unstructured" data from the web, such as weather forecasts and upcoming sporting events. This combination offers law enforcement a full picture of what lies ahead.

"It can take all of this information and make sense of it," said Randy Messina, IBM's government solutions manager for the predictive analytics software. "The text analytics and the structured data ... help not just capture information but act on it."⁶

SPSS then goes a step further with tools that help agencies decide how and where to allocate resources and devise new enforcement strategies based on identified trends.

All the tools, Messina said, can be tailored to a client's specifications. Collaborating with community partners on the front end can help alleviate some of the primary concerns over tools like predictive policing, namely privacy and legality. "You can build your own model, and you can do it with transparency," Messina said. "You can build your model not just with the input of officers, but from advocacy groups, judges, and prosecutors. You decide on different factors together. That buy-in ahead of time can be very valuable."⁷

Several jurisdictions have realized big gains from their use of SPSS Predictive Analytics. The city of Memphis, Tennessee, saw a 28 percent reduction in serious crime and achieved an 863 percent return on their investment. Lancaster, Pennsylvania, reduced

its crime by 42 percent over four years while saving an estimated \$134 million.⁸

Predictive policing can certainly help law enforcement save money, in addition to mitigating crime. After all, having a better understanding of future trends allows for more efficient use of resources. This kind of analysis works in identifying internal trends as well as external ones.

Corona Solutions, a Colorado software company that caters entirely to the law enforcement community, offers Ops Force, a platform that helps agencies make decisions on hiring and shifts. Specifically, Ops Force works as a CAD search engine with a specific focus on staffing needs and trends, then helps agencies act on the information and create new rosters and schedules as needed.

"It tells them how many people they need and predicts staffing needs," said Kimberly Roark, Corona's vice president of operations. "If they feel they need more or fewer officers, this makes that decision-making process more than a gut feeling. It is based on real activity levels."⁹

Ops Force also can help make the case to the public—and to those controlling the proverbial purse strings. "If the community wants, for example, a three-minute response time, you can tell them exactly what you need to meet that in terms of resources for staffing," Roark said. "It can show exact response times. [For] agencies sitting down to think about how to deploy their people, this shows them how they can meet the demand for services more efficiently."¹⁰

Other predictive technologies are also more specifically tailored. A service known as CROMS, created by Accident Support Services International (ASSI) in Canada, helps agencies better predict traffic patterns and collisions. "Our analytics portal allows for enhanced and real-time, ad hoc data analysis and search capabilities for authorized users, allowing for intelligence led policing to plan proactive road safety strategies for safer communities," said ASSI President Steve Sanderson. "CROMS Analytics will query any field captured on the police report. Statistics are available in seconds. These records are a powerful means of tracking trouble locations in a community."¹¹

As is apparent, the options for predictive policing technology vary widely, and agencies have to consider their needs and budgets when determining what products are the best choice. The right tools can help agencies manage budgets, effectively deploy resources, and even predict (and thus, prevent) some crimes. ❖

Notes:

¹Nick Coult (vice president of product management, Lumen), telephone interview, August 20, 2014.

²Donnie Fowler (director of business development, PredPol), email interview, August 18, 2014.

³Nick Coult, telephone interview, August 20, 2014.

⁴Ibid.

⁵Eric Sun (PublicEye product specialist, Zco), telephone interview, August 19, 2014.

⁶Randy Messina (government solutions manager, IBM), telephone interview, August 25, 2014.

⁷Ibid.

⁸Ibid.; Cindy Fay (public sector sales manager, IBM), telephone interview, August 25, 2014; Judy McCall (marketing manager, IBM), telephone interview, August 25, 2014.

⁹Kimberly Roark (vice president of operations, Corona Solutions), phone interview, August 20, 2014.

¹⁰Ibid.

¹¹Steve Sanderson (president, ASSI), email interview, August 25, 2014.

Product Feature:

Source List for Predictive Policing

For contact information, view this article in the November 2014 issue online at www.policechiefmagazine.org.

3M Public Safety
Accident Support Services International Ltd.
Computer Information Systems Inc.
Corona Solutions
Esri
Hunchlab
IBM
IncidentView (by Alsea Geospatial)
Lumen (by Numerica)
Motorola Solutions
PredPol
Zco Corp.



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Westchester County Department of Public Safety
Leadership in Police OrganizationsSM (LPO)
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Week 2: April 6 – 10, 2015
Week 3: May 11 – 15, 2015

Pennsylvania

Lehigh University Police Department
First-Line Supervision
January 6 – 8, 2015

South Dakota

South Dakota Highway Patrol
Leadership in Police OrganizationsSM (LPO)
Week 1: March 2 – 6, 2015
Week 2: March 30 – April 3, 2015
Week 3: April 27 – May 1, 2015

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Week 1: January 12 – 16, 2015
Week 2: February 9 – 14, 2015
Week 3: March 16 – 20, 2015

Wisconsin

Wisconsin Department of Justice and
Racine Police Department
Leadership in Police OrganizationsSM (LPO)
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Week 2: March 9 – 13, 2015
Week 3: April 20 – 24, 2015

Wisconsin Department of Justice and Rice Lake
Police Department
Leadership in Police OrganizationsSM (LPO)
Week 1: March 2 – 6, 2015
Week 2: March 23 – 27, 2015
Week 3: May 4 – 8, 2015

Effective Law Enforcement Response to People with Disabilities



Training team on protocols for law enforcement and prosecutors responding to people with disabilities. Front Row (left to right): J. Hadley Ravencroft, MS; Mary Suggs, self-advocate. Back Row (left to right): Lieutenant Portman, Princeton Police Department; Teresa Tudor, Public Service Administrator, IL Department of Human Services; Diane Michalak, Assistant State's Attorney, DuPage County; Shirley Paceley, Director, Blue Tower Training; Rich Schardan, Chief (ret.), Maryville Police Department; and Linda Bookwalter, Executive Director, Stopping Woman Abuse Now.

By Barry Portman, Lieutenant, Princeton, Illinois, Police Department; Shirley Paceley, Director, Blue Tower Training; and Teresa Tudor, Public Service Administrator, Illinois Department of Human Services

The likelihood that law enforcement personnel will encounter a victim with a disability is extremely high. According to the U.S. Bureau of Justice Statistics (BJS), people with disabilities experience violent crimes two times more often than people without disabilities.¹ The rate of violence for males with disabilities was 42 per 1,000 in 2011, compared to 22 per 1,000 for males without disabilities, while the rate of violence for females with disabilities was 53 per 1,000 in 2011, compared to 17 per 1,000 for females without disabilities.² In addition to responding to reports of violent crimes, law enforcement may encounter people with disabilities in neighborhoods and as community members who need assistance; as witnesses to a crime; or as

suspects or perpetrators of a crime. Although this article focuses on the effective interactions between law enforcement and people with disabilities, many of the strategies are equally applicable to law enforcement and victims of all interpersonal crimes.

Attitudinal Barriers

The first barrier in accessing justice for people with disabilities is attitudinal. Many individuals hold beliefs about people with disabilities that make an effective criminal justice response difficult. Attitudinal barriers can exist within family members and disability professionals, as well as in the general public. For example, some people hold the mistaken belief that no one would ever sexually assault someone with a disability. This pervasive myth makes it difficult for law enforcement and other criminal justice partners to investigate and prosecute these cases. Perpetrators of sexual assault take advantage of this societal belief and target people with disabilities, knowing that their chances of getting away with this crime are good due to the perceived lack of victim credibility.

Situations may occur where law enforcement encounters attitudinal barriers from the family of the victim or staff members working with the victim. These individuals may tell a police officer that their son or daughter with a disability is nonverbal and, therefore, will not be able to speak about the incident that occurred. While it may be possible that the person does not speak, all people communicate in some way. It is important to meet with the victim and take time and steps to determine how they communicate. Family members may also be protective of loved ones and make decisions for them when the individual is capable and legally entitled to make his or her own decisions. Officers' inexperience, discomfort, or lack of confidence in working with people with disabilities may inadvertently lead to deference to the family member despite the victim's capability.

Another common misperception is that people with disabilities are not credible, which is a dangerous assumption. If law enforcement is responding to a report of a crime against a person with an intellectual disability and decide after meeting the person that the victim is not a credible witness, the officer may choose to limit the investigation and may not contact the needed support, therefore, causing possible further harm. The truth is that many people with disabilities are credible witnesses. Even in situations when a person may not be able to testify in court, there can be an evidence-based investigation. Reports of crimes against people with disabilities need to be fully investigated; crimes against persons with disabilities should be investigated in the same way as any other crime against a

person. The supportive attitude and messages from law enforcement leaders regarding victims with disabilities is crucial in setting a tone throughout the department and securing justice for these victims.

Action Items

- Assess possible attitudinal barriers that might be present in the department.
- Arrange extra time to interview and build a relationship with a victim with a disability.
- Identify local opportunities for identified employees to interact with people with various kinds of disabilities, including those with developmental disabilities, mental illnesses, and physical disabilities (including persons who are deaf or blind).

Perpetrators of Violence Against People with Disabilities

Crimes against people with disabilities are most often committed by people they know and trust.³ Offenders may be family members, caregivers, disability professionals, transportation providers, employers, or neighbors. It is helpful to understand some of the common behaviors and tactics offenders use against people with disabilities. Some offenders specifically target people with disabilities due to the perceived lack of credibility and other societal stereotypes and myths that can be used to their advantage. Offenders may withhold access to the phone, medications, or mobility devices; use victims' disabilities against them (e.g., "No one else would want to lift you in and out of bed" or "No one will believe you because you are mentally ill"); speak for the person; treat the victim like a child; depend on the victim's income; take advantage of the victim's lack of sexual knowledge or education; appear charming and stress how much they do for the victim; and keep law enforcement from speaking directly with the victim. These techniques are used by offenders to isolate individuals and gain power and control over a person with a disability. A thorough, comprehensive investigation will reveal these tactics and techniques. This information can be used to establish the offender's course of conduct and behavior (pre-assault, violent incident(s), and post-assault) and be documented in a report.

It is important that law enforcement understand that some individuals with disabilities have been trained to be acquiescent and compliant. Because of possible past abuse and encounters with people who hold societal misperceptions, individuals with disabilities may have a long history of "getting in trouble" if they do not do what a person in authority tells them to do. For people with intellectual and developmental disabilities, this compliance can

extend throughout their lives. A culture of compliance can promote a culture of crime and result in multiple incidences of victimization with multiple perpetrators. Victims with disabilities may not report the violence or may not perceive the experience as criminal, as they have been taught that staff or others in authority can say or do what they want. Individuals with disabilities often experience relationships as someone having power over them.

It is important for law enforcement to recognize when someone appears to be overly concerned about saying or doing the "right" thing. If the victim looks at a support person before answering questions posed by law enforcement during an interaction or interview, this may be an indicator of compliance and dependence. Law enforcement may consider interviewing the adult victim without anyone present or have the victim decide if and who they want present for support. Other strategies that can be helpful include talking directly to the person and assuring the person they are taken seriously; telling them they have a right to be safe; taking time to establish rapport; providing choices to the victim, such as when and where to have the interview; assuring the person they are not in trouble; asking what can be done to make them comfortable; and letting them tell their story in their own words and at their own pace. It is helpful to let the individual know that it is normal for victims to have difficulty remembering all the details, and they can meet with you again if more information is recalled. Victims with disabilities, like other victims, may experience clearer memories of the incident after completing a couple of sleep cycles. Scheduling a follow-up interview may yield more valuable results.

Action Items

- Ensure that officer reports include documentation of abuse that address control tactics beyond physical violence and capture pre- and post-assault behavior.
- Conduct officer training on responding to violence against people with disabilities.

Communicating with Victims with Disabilities

Communication is central to the work of law enforcement. Before conducting an interview with a person with a disability, it is important to consider two major aspects of language: (1) what the person understands, and (2) how the person expresses him- or herself. To increase the likelihood of being understood, facilitate effective dialogue, and create a supportive atmosphere for victims, law enforcement should use simple words; avoid jargon, sarcasm, words with multiple meanings, clichés, and long sentences;



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The Top Ten Things People with Disabilities Want Law Enforcement to Know

The concepts below are taken from the authors' personal and professional experiences with people with disabilities.

- 1. Individuals with disabilities rely on law enforcement.** People with disabilities experience violence more often than people without disabilities. These crimes are rarely reported by families, educators, disability agencies, or even by the people who are being hurt. These individuals are learning about their rights, and they may reach out to law enforcement. They need law enforcement's help.
- 2. They want you to know the truth.** There are many myths about people with disabilities. Some people think that because people with disabilities are different, they are not equal. This allows perpetrators to take advantage of them and get away with it. Some people think people with disabilities have less value, do not feel pain, and cannot learn. Those are lies. These individuals have feelings like everyone else. They are the keepers of their truths. They are more like those without disabilities than they are different.
- 3. People with disabilities are not their labels.** Officers needn't worry about learning everything there is to learn about people with disabilities before they work with these individuals; a label does not tell people who they are. Each person, including those who share the same label, is different; just like every person with diabetes or another medical concern is different. While a label might help officers understand something about each individual with disabilities, each individual is a person first. Don't be afraid to ask them questions about themselves. Only the individuals are the experts on themselves.
- 4. Everyone communicates.** Individuals with disabilities may not communicate the same way that others do, which may lead law enforcement to believe that they can't understand questions, conversation, or the situation. Some individuals communicate with devices, some use pictures, and some can communicate with gestures and pointing. Take the time to get to know how each individual communicates. Give individuals time so they can help to the best of their abilities.
- 5. Ask the individual to repeat what was said.** Individuals who are difficult to understand are aware of it. They would rather law enforcement ask them to repeat something than pretend the information was understood. The label "nonverbal" means only that an individual cannot use their voice; they can still communicate. Do not be tricked by these labels; this will embolden the perpetrator.
- 6. Some people with disabilities need accommodations to participate.** Some individuals need additional support to be able to participate in the criminal justice process. For example, some people need an American Sign Language interpreter, some need braille documents, some may need pictures to show what happened, and others may need words to be spoken in plain language. Ask what is needed so they can participate.
- 7. Many individuals with disabilities are credible witnesses.** When a quick judgment is made and individuals with disabilities are not included in court cases, the offender wins. People with all kinds of disabilities have testified in court, many with accommodations. In other situations, a case can be based on corroborating evidence. Law enforcement needs to move the case forward as they would with any other victim.
- 8. Offenders target people with disabilities.** It is hard for the public to understand why someone would hurt a person with a disability, but it happens all the time. In the disability service system, perpetrators can hurt and take advantage of individuals with disabilities, and it is not always considered a crime. If it is a crime against a person without a disability, it is a crime against a person with a disability. Offenders target these individuals with the hope that the victim will not be believed and that the case will never go to court, and when that hope is fulfilled, they keep preying on people with disabilities.
- 9. Law enforcement can help stop crimes against people with disabilities.** Each time an offender learns that the police take these cases seriously, it slows them down. Some offenders will be stopped and sent to prison. People with disabilities need law enforcement to make that happen. Partnerships should be established with the local/state Child and Adult Protective Services. Law enforcement should reach out to and collaborate with people with disabilities and be committed to helping these individuals get justice.
- 10. Believe.** Believe people with disabilities when they report what happened. Take the time to partner with these individuals, include them in department policy, program, and training development, and ensure all members receive accurate information.

make eye contact (as allowed by the person); speak in a normal tone of voice; be at eye level with the person; avoid rapid firing of questions; and allow time for the person to process questions and respond. Before conducting an interview, it is imperative that law enforcement determine if any accommodations are needed, such as an American Sign Language interpreter, communication book or pictures, communication device, computer, or other available communication tools.

If, at any point during the interview, there is a miscommunication or the investigating officer is unable to understand what the victim is referring to or said, it is OK to ask the victim to repeat the word or information. A useful strategy is for the investigator to repeat back the words or information that are understood, even if it is only one or two words. Law enforcement needs to work closely and patiently with the victim to ensure that all details are captured correctly. When needed, law enforcement should ask the victim to write or spell a word, or draw the information, words, or the situation being described. It is important to let the victim know that the investigation will proceed at his or her pace in order to accurately record the information presented; this is essential for a successful prosecution. In some situations, it may be necessary for law enforcement to ask the victim if there is someone who can help facilitate communication and dialogue; this should be a person trusted and selected by the victim when possible.

Action Items

- Arrange for regularly used, standard documents to be put into alternate formats, including plain language, large print, braille, electronic, and pictures.

- Establish working agreements with the local center for independent living.

Relationships

Strong relationships are at the center of an effective response to violence against individuals with disabilities. There are many organizations available to assist law enforcement enhance the effectiveness of department response to individuals with disabilities. Each U.S. state has a center for independent living that can assist in assessing the accessibility of law enforcement agencies and connect members with available local resources. Disability service providers, such as community mental health centers, vocational rehabilitation programs, and housing and employment services for people with developmental disabilities can provide training. Advocacy groups and programs can provide an opportunity to build relationships with people with disabilities. Victims of violence are best served when the whole community comes together to support healing and promote access to justice.

Action Items

- Establish or renew linkages with local disability service agencies and develop plans for cross-training, resource sharing, and referral procedures development.
- Schedule a time to meet with the local Adult Protective Services Investigative Unit.

Establishing Policies

Law enforcement leaders can enhance the response of department members by developing policies and protocols that clearly

emphasize the expectations for addressing violence against people with disabilities and effective interactions. As a part of a U.S. Department of Justice (DOJ), Office of Violence Against Women (OVW) grant, the Illinois Family Violence Coordinating Council, along with several other state allies, undertook an integrated protocol initiative to develop a series of model protocols for law enforcement and prosecutors that highlighted effective responses to domestic violence, elder abuse, and violence against people with disabilities. All three authors of this article were involved in the protocol development and the training of trainers across the state of Illinois. The *Protocol for Law Enforcement: Responding to Victims with Disabilities Who Experience Sexual Assault and Domestic Violence* includes a policy statement and information that provides guidance and sets the tone for working with these specific victims.

The protocol reads as follows:

It is a mandated policy for law enforcement entities to treat violent crimes against people with disabilities as a high priority and to respond both professionally and compassionately to victims with disabilities. In addition, it is mandated for law enforcement entities to ensure that:

- A. Reports of domestic violence and sexual assault of people with disabilities be fully investigated regardless of the type of disability the victim has and regardless of the relationship between the victim and the suspect(s).
- B. Reports of domestic violence and sexual assault of people with disabilities be fully investigated whether or not the officer thinks the victim can or will testify.
- C. Officers treat all persons with disabilities with dignity and respect—including the person's right to self-determination. Self-determination is a person's right to make his or her own decisions, including the right to privacy and to refuse well-intended interventions.
- D. Immediate, effective assistance and protection to victims with disabilities be provided and appropriate action against offenders is taken. Further, the implementation of these solutions should not result in increased risk to the victim and should not exacerbate the situation.
- E. Officers shall seek to determine needed accommodations/resources for victims with disabilities to ensure the victim has equal access to the investigative process.
- F. Officers, in an effort to improve their response to victims with disabilities, participate in coordinated efforts with other appropriate agencies, including criminal justice, prosecutors, victim services, disability service organizations, and abuse/neglect investigative entities.
- G. Document the type and extent of the victim's disability to help in determining the

appropriate charge level as well as possible accommodations/supports necessary for equal access to the criminal justice system.

H. Officers shall expeditiously provide reports to partner agencies when an incident is confirmed as abuse, neglect, or financial exploitation (including non-criminal acts) to the appropriate state reporting entity for people with disabilities.⁴

The policy and subsequent protocol information include sections on interagency cooperation, training and documentation, and responsibilities of communications personnel, first responders, and follow-up investigators. It is recommended that departments establish written policies and procedures that encourage a uniform and comprehensive approach for effective responses to people with disabilities who experience violent crimes.

Action Items

- Develop policies regarding responding to violence against people with disabilities and integrate them into existing policies.
- Conduct a disability responsiveness review to assess a department's current level of response. Review should include policies and procedures, physical, communication and attitudinal accessibility, staff awareness and comfort level, and linkage with community providers.

After the Arrest

It is essential to identify and determine the role of the suspect in the victim's life. Oftentimes, the perpetrator may be a family member, caregiver, disability professional, transportation provider, employer, or neighbor. If the victim's caregiver is arrested, it is critical for law enforcement to collaborate and communicate with local service providers to ensure the daily needs of the victim are met. Working with the victim's disability service provider (if applicable), a center for independent living, or a similar agency can be helpful in securing needed assistance for the victim.

Securing safety, accessing justice, and beginning the process of healing can be overwhelming for a victim with disabilities. Law enforcement leaders can implement protocols to establish appropriate responses to these individuals. A significant positive impact can be made on a victim's life from the moment the dispatcher takes the call and the first responder arrives, through the follow-up interviews, if the proper, comprehensive policies are in place. Keeping the victim with a disability informed each step of the way, promotes a sense of safety and control, which are essential to healing. In the words of victims, "Thank you for your time and skills and efforts to find evidence

and get the offenders locked up. We are counting on you."⁵ ♦

Notes:

¹Erika Harrell, *Crime Against Persons with Disabilities, 2009–2011 – Statistical Tables*, U.S. Department of Justice, Bureau of Justice Statistics, December 2012, NCJ 240299, 4, tables 3 and 4, www.bjs.gov/content/pub/pdf/capd0911st.pdf (accessed October 7, 2014).

²Ibid., 5.

³Dick Sobsey, *Violence and Abuse in the Lives of People with Disabilities: The End of Silent Acceptance?* (Baltimore, MD: Paul H. Brookes Publishing Co., 1994).

⁴*Model Protocol for Law Enforcement and Prosecution: Responding to Victims with Disabilities Who Experience Sexual Assault and Domestic Violence* (Springfield, IL: Illinois Family Violence Coordinating Council, 2011), 16, <http://www.ilfvcc.org/mapdp> (accessed October 7, 2014).

⁵Mary Suggs (self-advocate and trainer), interview, 2014.

RESOURCES

These resources can enhance the knowledge and skills of officers in responding effectively to victims with disabilities.

- » Model Protocol for Law Enforcement: Responding to Victims with Disabilities Who Experience Sexual Assault and Domestic Violence: www.ilfvcc.org
- » End Violence Against Women International Online Training Institute's "Successfully Investigating Sexual Assault Against Victims with Disabilities": www.evawintl.org
- » Victims with Disabilities: The Forensic Interview, Office for Victims of Crime (OVC), revised 2011: <http://www.ovc.gov/publications/infores/pdf/txt/VictimsGuideBook.pdf>
- » Victims with Disabilities: Collaborative, Multidisciplinary First Response, 2009: www.ovc.gov/publications/infores/pdf/txt/VwD_FirstResponse.pdf
- » Law Enforcement Awareness Network: www.leanonus.org
- » Americans with Disabilities Act: www.ada.gov
- » "Picture Guide to the Exam after Sexual Assault": www.icasa.org

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Recapturing Lives: Homeless Outreach in Broward County, Florida

Today, there are almost 3,000 people in Broward County, Florida, who do not have a place to call home.

Sheriff Scott Israel and the Broward Sheriff's Office (BSO) are taking steps to address the county-wide concern of people experiencing homelessness through a newly launched Homeless Outreach Initiative. This initiative includes a mission to guide BSO deputies who come in contact with people who do not have a place to live. It provides deputies with homeless awareness training and the knowledge needed to navigate through the complexities of the local social services system. This initiative encourages collaborations and partnerships between law enforcement, social service agencies, and advocates for the homeless that are designed to link those experiencing homelessness with appropriate social services while treating them with dignity and respect.

It is the mission of the BSO to focus on arresting the problem, not the person. Through specialized guidance, treatment, education, and care, Broward County's homeless individuals can get back on their feet to become stronger, more productive members of the community. In addition to increasing the quality of life for an individual experiencing homelessness, helping someone get off the streets permanently is financially beneficial to a law enforcement agency and community. It costs more than \$116 per day to keep an individual in jail—nearly \$42,000 per year.

Beyond the financial aspect, BSO recognizes that incarceration only compounds an individual's problems and should be the last resort. Jail enables the cycle. This cycle includes arrest, incarceration, release, rearrest, and reincarceration. It does nothing to address the problems of those facing homelessness. Incarceration gets someone

By Robert R. Pusins, Executive Director, Department of Community Services, Broward Sheriff's Office, Broward County, Florida

off the streets, but only temporarily. The goal should be to get individuals without a home off the street and into a permanent home—and diagnosed and treated, as needed. The best way to achieve this is to recognize that different people have different needs. Both law enforcement officers and citizens must make the effort to understand these needs in order to help those who are homeless.

"Our mantra is simple," Sheriff Israel said. "People experiencing homelessness are not problem people; they are people with problems. We understand that each individual has specific issues that have created this situation."¹

Homeless Outreach Team

In order to approach the issue of homelessness without considering jail as an option, BSO created the Homeless Outreach Team (H.O.T.). Since its inception, H.O.T. began to integrate itself into the fabric of the social services community.

The Homeless Outreach Team Specialist course began in 2013. The training provides deputies with the knowledge to navigate the social services system. Currently, Broward County has nearly 50 certified specialists and plans to add an additional 30 in 2015, which means that there are now trained H.O.T. deputies assigned to each district served by BSO. Additionally, H.O.T.





training is now available to other law enforcement agencies. It is of particular importance that the deputies chosen for H.O.T. training are Crisis Intervention Team (CIT) deputies.

CIT training equips deputies with the tools they need to recognize the signs of mental illness and communicate with those struggling with mental illness. The CIT course, which follows the proven Memphis Model, provides law enforcement with de-escalation techniques and solutions to assess the underlying medical or emotional issues responsible for the person's state of mind.² These strategies allow law enforcement to recognize the difference between behavior that is criminal and behavior that is due to a mental illness. CIT training is particularly important to the homeless situation because CIT deputies provide a solution that involves assisting, not arresting, a person with mental health problems. Although often the underlying cause of homelessness, mental illness is not a crime, and incarceration shouldn't be the solution.

"The problems homeless people face can be corrected with help, understanding, and guidance from our community," Sheriff Israel said. "It is important to recognize that anyone can become homeless. It doesn't mean that an individual is a failure in life; it just means that there are circumstances in their life that created the homelessness."³

Partnership: Taskforce Fore Ending Homelessness

One of the service agencies BSO has partnered with is the TaskForce Fore Ending Homelessness, Inc., a not-for-profit agency that provides outreach and advocacy to the homeless population in Broward County. The TaskForce is helping the Broward Sheriff's Office by assessing the type of treatment an individual needs.

Out of the 21,280 contacts made with homeless individuals on the street last year by BSO, the TaskForce Outreach Team was able to provide services in 14,192 cases. In some cases, it takes numerous incidents of contact for deputies to build a rapport with an individual. The strategy is to get people into shelters and then address the issues causing their homelessness. The demographics collected on these individuals highlight the many different issues that cause this unfortunate situation. Some of the individuals encountered suffered from mental illness; others from drug or alcohol problems. Twenty-nine percent of individuals encountered had no known disability, or if they did have a disability, it was not disclosed.

The TaskForce found that, of the individuals who are without a home, 27 percent are in a chronic situation and 73 percent are in a crisis situation. Individuals are considered to be experiencing chronic homelessness when they have a disabling condition and have been continuously without a home for a year or more or have had at least four episodes of homelessness in the last three years. An individual is considered to be in a crisis situation when they have experienced homelessness for less than a year.⁴

When one of the homeless residents is rendered care, the type of treatment they receive will be entered into a Homeless Management

Information System (HMIS). This allows the team to know what treatment he or she already received, what has worked, what has not, and what is recommended. This system helps recognize problems, provide treatment, and offer a better chance of getting an individual off the streets permanently.

Making a Difference

Sergeant Dennis Allen, who has proudly served BSO for more than 20 years, was once without a home himself and uses this background to help individuals experiencing homelessness. After high school, he served in the army; however, following an overseas deployment, he returned to the United States with no means to support himself. He soon found himself on the streets for four months, storing his possessions in an abandoned car. A childhood friend's concern enabled him to get back on his feet, find a job, and escape the cycle of homelessness.

"I know I am making a difference in my community every day, and I am thankful to those who helped me in my time of need," Sergeant Allen said. "I'm not saying I am an expert, but I was homeless, and I know what it feels like to sleep on a concrete sidewalk every night, not knowing how I'd find food to sustain me the next day. The Lord gave me this job at BSO to help those who are less fortunate because I know what it's like; I've lived through it."⁵

Sergeant Allen is not an exception to the type of person who may become homeless—there is not necessarily a "type." BSO deputies have encountered individuals experiencing homelessness who had previously been doctors, lawyers, and Wall Street executives. "One of our goals is to break through preconceived notions of what factors may lead a person to become homeless," Sheriff Israel said. "In many cases, mental health, substance abuse, or family issues contribute to this national crisis."⁶

"We are working with communities across Broward County to provide the homeless with a helping hand," Sheriff Israel said. "Together, we can provide assistance to the homeless so they can rebuild and reclaim their lives. A person in need today can become the person you turn to tomorrow."⁷ ♦

The International Association of Chiefs of Police selected the Broward Sheriff's Office as the winner of its IACP Civil Rights Award for 2014 for its innovative Homeless Outreach Initiative. For more information about the BSO Homeless Outreach Initiative, please contact Captain Scott Russell at BSO's Department of Community Services: (954) 831-8947.

Notes:

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⁵Dennis Allen (sergeant, Broward Sheriff's Office), July 12, 2013.

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Mental Health First Aid for Public Safety— Three Case Studies

By Bryan V. Gibb, CIT, Director of Public Education,
National Council for Behavioral Health

Police executives are challenged with providing effective services to the whole community served by their departments, which includes persons experiencing crises or mental health challenges. Training is certainly a key component in preparing officers to respond effectively to situations involving persons with mental health issues, and the greater their proficiency, the greater the likelihood of a safe and effective outcome.

The gold standard for such preparation is the 40-hour Crisis Intervention Team (CIT) training, but a new complementary evidence-based program, Mental Health First Aid for Public Safety (MHFA-PS), has been piloted and distributed around the United States by the National Council for Behavioral Health, the Maryland Department of Health and Mental Hygiene, and the Missouri Department of Mental Health.¹ This program has been adopted as an 8-hour training for non-CIT-certified officers, either

as a stepping stone to CIT certification or as required training for all new cadets.

MHFA-PS provides a basic action plan officers can use to perform their integral and ever-present role as first responders and conduits to behavioral health and criminal justice systems. Participants learn the risk factors and warning signs of mental health problems; build understanding of the importance of early intervention; reduce stigma, and, most importantly, learn how to help someone in crisis or experiencing a mental health challenge.

MHFA-PS training is designed for officers to utilize not only during a mental health crisis response, but also during their routine consensual encounters with victims, witnesses, homeless people, missing persons, and other community members appearing distressed. Similar to standard first-aid training, MHFA-PS skills can be applied on or off duty in a variety of settings, to include helping family, friends,

and comrades potentially affected. In addition, any public safety officer, regardless of rank or position, may find him- or herself confronted with a mental health crisis. The expansion of community corrections reentry programs may increase contacts between public safety officers and inmates affected by mental illness residing locally. Other known affected groups includes youth, possibly facing the onset of a mental illness condition; the elderly; and perhaps most regrettably, returning veterans.

The demand for mental health services is present throughout community settings all across the United States. According to the National Institute of Mental Health, in 2012, there were approximately 9.6 million adults aged 18 and older with a serious mental illness—4.1 percent of all U.S. adults.² It is also noteworthy to mention that 7–15 percent of all calls that officers respond to involves someone with a mental illness.³ With the number of U.S. residents

affected by mental health issues and the number of calls received involving someone with mental illness, training of any sort is key. As training continues to be a key element for police departments in the effective response to those suffering from mental illness, the thought moving forward is that some training is better than no training.

Because of its accessibility, police departments around the United States have added MHFA-PS to their training programs, but three diverse examples will be discussed in this article. First is the statewide experience of Rhode Island, where thousands of officers and staff from various agencies have been trained in the past five years. Next is the city of Philadelphia, Pennsylvania, where Police Commissioner Charles Ramsey is dedicated to augmenting the 50 percent of his officers who are CIT trained with additional MHFA-PS training. Finally, the experience of Hoonah, Alaska—population 800, with a total of four officers—will show how a frontier community has embraced both CIT and MHFA-PS to respond to this need in its community.

Rhode Island

The MHFA-PS module was first introduced at the Rhode Island Municipal Police Academy, followed by versions presented in Philadelphia; New York City, New York; and the District of Columbia. To date, over 1,100 Rhode Island public safety officers are certified in mental health first aid—representing numerous agencies, ranks, and positions. The public safety version remains in high demand (with attendees arriving from neighboring New England states), and it is a requirement for all new recruits in Rhode Island. Warwick Police Captain Joseph Coffey, coauthor of the public safety module and a national trainer, attributes Rhode Island's success "to the commitment of public safety agency leaders in the area and their intentions to train as many officers as possible, realizing the magnitude of behavioral health-related calls in their respective communities." Captain Coffey, "as a patrol unit officer-in-charge, [empha-

sized] the benefit of having a significant pool of first-aiders available and accessible throughout the neighborhoods, particularly, in the absence of Crisis Intervention Team (CIT) members."⁴

Such was the case with Providence Police Officer and Mental Health First-Aider, Lieutenant Daniel Gannon, whose officers were confronted with a knife-wielding youth who they later learned was on the autism spectrum. Although force intervention means were readily available to deploy, Lieutenant Gannon remained calm and patient while keeping the boy contained as he sought to calm him down and persuade him to drop the knife.

When interviewed on the scene by the press, Lieutenant Gannon credited the Mental Health First Aid training he received a few months earlier as a key factor in his ability to resolve this potentially violent incident.

Warwick Police Department Chief of Police Colonel Stephen McCartney agrees, reiterating the abundance of mental health first-aiders among the ranks as key to providing meaningful and effective response to the estimated 10 percent of behavioral health-related calls for service in his community. The chief points out that he "would not send a limited number of officers trained in CPR on the road, despite the infrequency of its use, to face a potential medical emergency at any time or place in the city."⁵ The same logic applies to mental health first aid training—there must be numerous officers available who are trained to respond to mental health emergencies.

Colonel McCartney highlights the importance of community confidence, stating that "providing the maximum number of officers with MHFA-PS training demonstrates to the community we are committed, not as a de facto public health agency, but a professional agency that recognizes and accepts its legal and caretaker responsibility."⁶

Philadelphia

Initially, Philadelphia Police Commissioner Charles Ramsey wanted all 6,500 police officers in the city of Philadelphia to be certified in the 40-hour CIT training as a way to respond to the needs and challenges of the city. Although a laudable goal, it became clear that such an undertaking would take an incredible amount of police time and resources, and not every officer was ready for the full CIT specialization. In 2012, working with representatives from the training academy in Rhode Island and the National Council for Behavioral Health, the city trained 30 instructors in the MHFA-PS course with the goal of spreading the course throughout various police and criminal justice organizations in Philadelphia. These organizations included Probation

On a broader scale, Philadelphia Mayor Michael Nutter and Commissioner of Behavioral Health Arthur Evans have plans to train the general citizenry of the city in a public version of mental health first aid.

and Parole, Corrections, and the District Attorney's office, but most of the training activity has taken place at the city police academy. Since 2012, the police department's six dedicated MHFA-PS instructors have trained more than 500 officers, and the course is now a requirement for every new recruit. These instructors are trainers at the academy, and in all cases, also teach the CIT course.

On a broader scale, Philadelphia Mayor Michael Nutter and Commissioner of Behavioral Health Arthur Evans have plans to train the general citizenry of the city in a public version of mental health first aid. This project, also started in 2012, has already trained thousands of residents and plans to train tens of thousands more.

According to Captain Francis Healy, Special Advisory to Police Commissioner Ramsey, "By starting at the academy, we are able to change the culture of the recruit class. I often ask them 'who among us has never been in crisis? No one.' Mental Health First Aid for Public Safety prepares them to respond to crisis, to realize that their job is law enforcement, but also to help people who are in crisis. It's a different mind-set than when I was younger." When faced with the two different options for training at the academy—CIT and MHFA-PS—Healy noted, "At first I was hesitant, didn't want to confuse training blocks, I wanted officers to know there is a difference, but my fears have been allayed and we see that not only are recruits ready to be more effective when they graduate, but they are that much closer to taking the next step, to adding CIT certification down the road." When asked about the future of mental health response training for the police in Philadelphia, Healy said that the commissioner is committed to both MHFA-PS and CIT as complementary methods that can help the department achieve its goals.⁷

Hoonah, Alaska

The predominantly Tlingit village of Hoonah, Alaska, population 800, is only 30 miles from Juneau (the state capital), but is reachable only by sea or air. A popular stop for

When interviewed on the scene by the press, Lieutenant Gannon credited the Mental Health First Aid training he received a few months earlier as a key factor in his ability to resolve this potentially violent incident.



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Professors and technical staffs of colleges and universities engaged in teaching or research in criminal law, police administration and other phases of criminal justice.

Staffs of crime institutes, research bureaus, coordinating councils, law enforcement associations.

Chief executive officers of industrial or commercial security police agencies and private police or detective agencies.

Employees of companies providing services to law enforcement agencies.

Associate members enjoy the same privileges as active members except those of holding office and voting.



Because 80 percent of the town's residents are members of the Tlingit community, it is very important to tap into the wisdom and guidance of the community elders.

cruise ships during the summer because of its picture-postcard views, abundant wildlife, and diverse sporting opportunities, Hoonah's main industry is tourism. That said, like much of the state, it enjoys only six and a half hours of daylight in mid-winter, when the tourist business drops off dramatically. According to Chief Corey Rowley, the town has a high suicide rate—especially during the winter months—and more than 70 percent of the police calls are for alcohol- or drug-related issues, which is much higher than the rates in the lower 48 U.S. states. In addition, mental health issues are a common theme in community policing for the town's four active police officers.⁸

This small town, where everyone knows everyone, was shattered when, in August 2010, a local man shot and killed two of the town's three police officers who were parked in front of his property. He had a history of previous interactions with local police and occasionally displayed symptoms of paranoia. He was convicted in 2012 and later received a life sentence for murder and ordered to receive behavioral health treatment.⁹

This incident is described by Chief Rowley as a turning point in how the community approaches individuals who experience mental illness and substance use disorders and how it trains its law enforcement staff.

"In small rural communities, the police are an integral part of the community and have to learn to talk with individuals and help them process what is going on with them that day. Our goal is policing with compassion."¹⁰ To this end, the town started with juveniles and set up a community of elders to work with kids. Because 80 percent of the town's residents are members of the Tlingit community, it is very important to tap into the wisdom and guidance of the community elders. In addition, the chief set up a hope center at the armory so non-hostile individuals picked up on alcohol- or drug-related calls could be somewhere safe and contained, especially in the winter. The

chief pointed out that Hoonah has the ability to hold someone for 10 days, but beyond that, they have to be flown to Juneau at considerable cost. The benefits to de-escalation and early intervention in a town like Hoonah are real.

Today all four full-time officers, two resource officers, and the dispatcher are MHFA-PS certified. In addition, the department has one CIT-certified officer (the chief), but is planning on sending a dispatcher, a community member, and a city council member to Anchorage for the week-long training in the future. When asked why not certify the whole department in CIT rather than a community member and city council members, Chief Rowley responded, "Not only is it difficult for a small force to have officers out of town for any period of time, but officer turnover is also very high in a place like Hoonah. It's just too painful from an ongoing resource point of view to spend a week training someone and have them move on. It is also important in a small town to set up a community crisis council with representatives from various parts of village life."¹¹

As an example of community support, Chief Rowley shared the story of a 26-year-old community member who was struggling with alcoholism and showing evidence of non-suicidal cutting behavior who showed up at the station asking for help. Because it was lunchtime, the one person at the local behavioral health facility was out, so the chief invited him over to the community crisis council meeting. The young man told his story and broke down. The council worked to get a \$25,000 grant to fund his in-patient treatment in Juneau, and, after he completed his treatment, he returned to Hoonah. The chief actually went to Juneau to pick him up, stayed with him in a hotel, and brought him home. Now the young man has a solid period of sobriety and is holding down a few part-time jobs.

When asked to share his philosophy supporting these actions, Chief Rowley noted, "I really want to see the criminalization of mental illness stop, I want to see the criminalization of addiction stop, and we are starting with Mental Health First Aid."¹²

These are just three examples of how MHFA-PS training has benefited agencies ranging from entire state agencies to very small departments; however, similar success stories are occurring across the United States. For more information on Mental Health First Aid for Public Safety, visit www.mentalhealthfirstaid.org/cs. ♦

Bryan V. Gibb is a CIT-certified curriculum specialist who works with various groups, including law enforcement and corrections. To reach him, email bryang@thenationalcouncil.org.

Notes:

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New Training: Alzheimer's Disease and Dementia —What Every Department Needs to Know

By Timothy Wayne Sutton,
Sergeant, Hanover County,
Virginia, Sheriff's Office; and the
IACP's Alzheimer's Initiatives Staff

As society changes, law enforcement agencies must be prepared to evolve and adapt to new challenges in order to better serve their communities. There are over 5 million people in the United States with Alzheimer's disease and other forms of dementia.¹ These numbers are expected to double, maybe even triple, in the next 20 years.² Professionally, it affects law enforcement and the community on a daily basis. Examples of this include everything from traffic stops to domestic violence calls to missing persons cases to the financial exploitation of older adults.

Incidents Involving Subjects with Alzheimer's Disease

In May of 2013, the Los Angeles County, California, Sheriff's Department investigated a murder-suicide case involving three people from the community with Alzheimer's.³ In September 2014, the Fort Wayne, Indiana, Police Department issued a silver alert in response to a 66-year-old woman with dementia who went missing.⁴ And in 2012, a California family sued a medical doctor for failing to remove the driver's license of a woman who has dementia. The suit came after the woman drove into oncoming traffic, fatally injuring her passenger, the family's loved one.⁵

These are just some of the circumstances in which law enforcement comes into contact with individuals with Alzheimer's disease and their families. Even as it becomes more common, Alzheimer's disease is not something that is typically talked about in the law enforcement community. The ability to identify characteristics of the disease, effectively communicate with individuals and caregivers, tailor a search and rescue effort to adapt to the unique tendencies of those with dementia, and provide support

services to caregivers and family are critical skills for an officer in today's society.

Background

To better understand how the disease affects law enforcement and members of the community, one first has to know what it is. Alzheimer's disease is a progressive disease that destroys memory and other important functions of the brain. It is also the most common cause of dementia, which is a set of symptoms that leads to a loss of intellectual and social skills. While there is no cure for Alzheimer's, there are medications to temporarily improve symptoms.⁶ It is common for people to assume that Alzheimer's and dementia are one in the same; however, dementia can be caused by many other diseases or conditions as well. Ultimately, it does not matter what the cause of the dementia symptoms are but the characteristics should trigger the same responses from law enforcement. Furthermore, the Americans with Disabilities Act (ADA) defines a disability as someone with, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment. The definition goes on to say that physical or mental impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.⁷

IACP's Alzheimer's Initiatives

With the information above, law enforcement departments can begin to formulate the ways in which having education and training on this topic would prove beneficial. Fortunately, recognizing the need for intervention, and with support from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice, the International Association of Chiefs of Police (IACP) decided to face this growing

concern head on. The goal is to raise awareness of Alzheimer's disease and provide public safety agencies across the United States with high-quality training. The joint effort started in 2009 and has expanded into a toolkit of resources, a training video, and a one-day training where officers are given the knowledge to improve interactions with individuals with Alzheimer's disease and other related dementias. Since launching the training program in 2012, the IACP has conducted training and raised awareness in over 30 locations, serving more than 1,382 first responders.

In an interactive classroom setting, the training offers an understanding of what characteristics to look for, why behaviors associated with Alzheimer's occur, and how to respond and develop search and rescue techniques. Administrators, law enforcement officers, and other public safety officers work together in group activities throughout the day. They work through potential calls that they may be confronted with; some of which come from real situations. They hear from subject matter experts who have experience in dealing with Alzheimer's disease both professionally and personally. Each training is typically led by two instructors, one of whom is a current or former law enforcement officer. By sharing their knowledge and experiences, the instructors bring to light potential issues related to Alzheimer's and public safety. As the disease progresses, the person who has Alzheimer's will have difficulty with attention, true orientation, and regular daily activities. Some of these activities include eating, walking, and driving. These activities are accompanied by outbursts of anger, fear, and deep apathy.⁸

Beginning in 2015, the IACP and BJA will take the Alzheimer's Initiatives one step further. To help accomplish the goal of one day having all law enforcement officers in the United States trained on how to better interact with those persons who have Alzheimer's disease, a train-the-trainer course will soon be offered. It will be an opportunity for agencies to bring the one-day training to their agencies and have an in-house person at their disposal to train not only their offi-

cers, but their regional officers as well. This two-day course will enable departments to pull their best trainers together and take advantage of a vast array of knowledge and information.

Wandering

In March 2013, a 19-year-old boy went missing while hiking in California. The Orange County Sheriff's Department reported that they spent \$32,000 on their part of the search and rescue.⁹ While this is not someone with Alzheimer's, it does highlight the significant amount of money needed to conduct a search. Individuals with Alzheimer's have an increased risk of "wandering," and police departments conducting a search and rescue for a wandering adult can incur significant costs.

Wandering is something that happens when an individual with Alzheimer's has lost a portion of his or her memory due to the disease. This results in a person walking or driving away from his or her home or getting lost in a once familiar setting.¹⁰ Often, this leads family members and caregivers to contact police to report a missing person. A 60 percent chance exists that those with Alzheimer's will "wander."¹¹

Having training not only reduces departmental expenditures on searches, but also reduces departments' liability for ADA violations. In the September 2006 issue of *Police Chief*, a Chief's Counsel column by Martha S. Stonebrook discusses ways to potentially avoid police liability.¹² The article refers to Title II of the ADA that states, "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefit of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."¹³

The Stonebrook column also discusses how judicious law enforcement administrators should be proactive in making sure their departments have their bases covered. Federal allegation claims have been made against departments based on Title II. These claims, which arise from arrests, use three basic theories: (1) wrongful arrest, (2) failure to reasonably accommodate during an arrest, and (3) failure to train.¹⁴ A claim arising from the arrest of a person with Alzheimer's for failure to train the arresting officer is undesirable and preventable.

Before becoming a certified law enforcement officer, most accrediting state agencies require that an officer have a certain number of hours of training in use of force, pursuit techniques, and traffic enforcement. However, few states specifically require Alzheimer's training for law enforcement. As the population ages, the number of calls for service for incidents involving persons with Alzheimer's disease will increase significantly. Having officers who understand

what Alzheimer's is, how it differs from dementia, what characteristics to look for, and how to interact effectively is critical.

Conclusion

The IACP's Alzheimer's Initiatives project has addressed many issues that directly and indirectly affect agencies due to Alzheimer's disease. The hope is to one day have all law enforcement officers trained to be better prepared when addressing the needs of the community, as well as handling calls for service involving individuals with Alzheimer's disease. Calls involving individuals with Alzheimer's disease can tie up an officer's time, occur repeatedly, and siphon resources. The focus of the IACP's Alzheimer's Initiatives is to train officers to handle these calls more effectively. It is also a proactive approach to address the growing Alzheimer's population and to highlight liability issues that may arise. Additionally, the initiatives raise awareness and enable officers to recognize some of the behaviors related to Alzheimer's.

As the first step has been taken, IACP and BJA hope that law enforcement administrators take advantage of this great opportunity, for "what good is knowledge if it is not shared."¹⁵ The number of persons with Alzheimer's is increasing, and agencies will deal with it for years to come. It is no longer a matter of whether or not an agency will need to respond to subjects of a search, traffic stop, or arrest with Alzheimer's, it is a matter of when. The IACP's Alzheimer's Initiatives Train-the-Trainer program offers the opportunity for agencies to prepare their officers for encounters with Alzheimer's. ♦

For more information on the IACP's Alzheimer's Initiatives Train-the-Trainer, visit www.iacp.org/Missing-Alzheimers-Disease-Patient or contact alzheimers@theiacp.org

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BUILDING RELATIONSHIPS

with Transgender Individuals

By Irene A. Burks, Major, Patrol Commander, Prince George's County, Maryland, Police Department



IT'S 4:00 A.M. You are jarred awake by the familiar ringing of your cell-phone, which can only mean that something has happened that requires your immediate attention. You roll over, grab the phone, and answer. The voice is one that has woken you on countless other occasions, the midnight shift commander. It is never good news—a shooting, an injured officer, or perhaps a fatal car collision. “Boss,” she says, “Sorry to wake you, but thought you would want to know before the morning news hits. We are on the scene of a homicide. We got a call for a woman who was found dead behind the hotel on Main. We’ve also got a witness who’s been transported to the station. She’s reluctant to speak with investigators.” You thank her for the notification and tell her that you are on your way. As you are driving to the scene, you receive another phone call from the commander who reports that the media have arrived. You ask her to wait to speak to the media; you will be there momentarily. As soon as you arrive, you are confronted by the reporters who ask you about the crime before you have had the opportunity to be thoroughly briefed. You assure them that you will have a statement for them as soon as possible and then make your way to where your homicide lieutenant is standing. Two of your senior homicide investigators are examining the deceased victim who is lying facedown. As your officers prepare to lift her body, they realize that the victim is a transgender person, and, despite their ability to identify most community members by sight, none of the officers recognize her.

This fictional scenario is one faced in reality by many police agencies, and police chiefs need to ensure that their organizations are prepared to investigate this type of case and deal with the community concerns and media issues that follow the murder of, or any crime against, a transgender person. Leaders need to be prepared to handle the challenges of how to identify a transgender victim in briefings to the media

and how to interview witnesses who may also be transgender.

Does the agency have policies in place that provide guidance on how to interact with transgender individuals? Is the agency capable of providing professional service and assistance or resources to a transgender person who has been victimized? Do the agency leaders and officers know the local, state, and federal laws that protect

transgender people in their community? These are all questions that law enforcement organizations need to consider.

After decades of work by transgender rights activists, laws and policies at the U.S. federal, state, and local levels, as well as those in the private sector, are starting to clarify and defend the rights of transgender and gender nonconforming people in the United States. According to the Williams Institute of the University of California, there are nearly 700,000 transgender individuals living in the United States.¹ Transgender people live in every community and are of every age, race, religion, profession, and background. Law enforcement has an obligation to provide service that reflects the oath to serve without prejudice. It is possible that there may not be a visible transgender community or individuals in the area in which an officer serves; however, the odds exist that members of every agency will interact with someone in the transgender community. If it is under the unfortunate circumstance that this interaction is the result of a transgender person being the victim of a crime, an active relationship with the transgender community can be valuable for the department and victim. Agencies will have an immediate resource to tap into to provide referrals, support, and information to the victim, as well as support for the investigation of the crime and the agency members. Because of this established relationship, leaders will have the confidence that the agency can handle the case without error, embarrassment, or negative media attention that has the potential to go viral. Without a doubt, the time to build a relationship with the transgender community is before the victimization of a transgender individual.

According to research, transgender individuals are disproportionately victimized by hate crimes and assaults. A transgender Latina immigrant survey, reported that 69 percent of respondents knew of a transgender individual who was murdered for their gender identity; 61 percent were victims of sexual abuse; 78 percent experienced random acts of violence such as being attacked on the street or insulted; and 34 percent reported being robbed because they were transgender.² Likewise, respondents of the 2011 National Transgender Discrimination Survey (NTDS), conducted by the National Center for Transgender Equality in partnership with the National Gay and Lesbian Task Force, reported pervasive discrimination. Nineteen percent of the NTDS survey respondents reported past experiences of domestic violence at the hands of a family member because of the respondent's transgender identity or gender nonconformity. Transgender individuals are often targeted by perpetrators of violence because the social bias that perpetuates stereotypes

and myths about this community means that transgender victims are less likely to be believed.³ According to a 2012 report by the National Coalition of Anti-Violence Programs, transgender women (those who have transitioned from male to female) represented more than half of the homicide victims in anti-GLBT crimes.⁴

Over the past year, there have been numerous incidents across the United States involving victimized transgender people that garnered significant media attention. These incidents have left some law enforcement agencies scrambling for support and assistance from the transgender community. In addition to the below events, there were many more cases that involved physical and verbal assaults and homicides of transgender individuals.

- September 2013—In Savannah, Texas, a transgender woman was found dead in her living room. Police ruled it a homicide; she suffered a gunshot wound to her neck.
- November 2013—The body of a transgender woman was found burned inside a trash can in Detroit, Michigan. Authorities said it took 11 days to identify the victim.
- November 2013—In Richmond, Virginia, a transgender woman was found shot to death in an alley. During the months leading up to her death, she had started transitioning to a female identity.
- June 2014—A transgender woman was found dead in a field in Baltimore, Maryland.
- June 2014—In Ajax, Louisiana, three individuals were arrested in connection with trafficking of a transgender individual. The suspects kept the woman as a slave and sexually assaulted her repeatedly.
- June 2014—At the Trans Pride L.A. festival (California), a theater was evacuated because of a bomb threat, the second threat against the festival that same day.
- June 2014—A transgender woman in Cincinnati, Ohio, was shot to death and left on a street; she was the fourth transgender woman killed in Ohio in an 18-month period.
- August 2014—Two transgender women were shot and wounded in the span of four days in Detroit, Michigan.⁵

Unfortunately, relationships between transgender individuals and law enforcement have historically been riddled with discrimination, prejudice, and harassment. As a result, these relationships continue to be strained or even non-existent. Close to half of the respondents (46 percent) of the NTDS survey reported being uncomfortable seeking police assistance.⁶ The transgender Latina immigrant survey found that

80 percent of transgender individuals who suffered sexual violence and 77 percent of those who suffered other forms of violence never reported the incidents to the police.⁷

Further causing tensions, some transgender individuals are reluctant to report hate crimes or crimes in general to law enforcement because of general mistrust and perceived indifference by the police, as well as previous negative experiences with the police. According to the 2011 NTDS survey, 22 percent of transgender individuals reported police harassment, 6 percent reported being physically assaulted by the police, and 2 percent reported being sexually abused by the police.⁸ Additionally, the 2012 report by the National Coalition of Anti-Violence Programs found that transgender individuals across the United States experienced police violence three times as much as non-transgender people. Those numbers are higher for transgender people of color and transgender women.⁹

Difficulties with identification can also cause misunderstandings and anxiety between law enforcement and transgender individuals. U.S. federal and state policies vary widely on requirements to update name and gender on identification documents, so many transgender people live with identification that does not match their gender identity or appearance. Individuals who have not yet been able to update their identification are more vulnerable to harassment.

Many law enforcement agencies cover gay, lesbian, bisexual, and transgender (GLBT) individuals and communities during academy training to educate recruit officers about the proper terminology and the importance of providing professional police services. But, despite efforts to cover this information, training often covers only a basic understanding of these communities and fails to provide in-depth instruction on how to investigate crimes by or against members of the GLBT community, especially transgender and gender nonconforming individuals.

Building a Relationship between an Agency and Transgender Individuals

Step 1: Identify Leaders

The first step in building a healthy relationship is identifying local individuals who or organizations that are leaders and allies in the transgender community. These may include nonprofits that focus on GLBT communities, transgender-led organizations, faith groups, civil rights groups, local politicians and other stakeholders, and family and friends who speak out in solidarity with transgender individuals. These individuals or groups can assist police departments with delivering competency training, building and strengthening

communication, and ensuring the realities of transgender individuals are reflected in agency policies and practices.

National U.S. organizations such as the Human Rights Campaign (HRC), the National Gay and Lesbian Task Force, the Transgender Rights Project, the American Civil Liberties Union (ACLU), the National Center for Transgender Equality, and the Transgender Law Center are invaluable resources that can help locate local community members or organizations to work with departments to build a strong and active relationship with transgender individuals. If there is no person or organization that exists in the local area, there are statewide organizations that will work with law enforcement leaders to establish and sustain relationships. The Transgender Community of Police and Sheriffs (TCOPS) is another resource that can assist agency leaders. Additionally, there are numerous departments across the United States that have established strong relationships with the transgender communities in their regions; connecting with these departments and discussing challenges and successes are invaluable. Many agencies can offer suggestions and guidance and will share what has worked and what has not. In addition, the Department of Justice Community Relations Service (CRS) is also available as a resource. The CRS has joined with transgender advocacy and law enforcement leaders from around the United States to provide and develop important information about interacting with and protecting transgender persons.

Step 2: Develop Active Partnerships

Once local leaders of the transgender community are identified, law enforcement leaders should reach out to them to develop a trusting, sustainable partnership. Care must be taken in building relationships, and it must be done with the intention of earning the trust of community leaders. It is crucial that law enforcement understand that transgender people live in various communities and each person brings their own experience. It is also important for law enforcement to acknowledge that transgender individuals of color not only face anti-transgender oppression, but may also face racism and potential economic inequalities. Law enforcement must reach out to leaders who represent these various communities. These leaders will, ultimately, be the agency's ambassadors and direct connections to the transgender communities and individuals.

Law enforcement must be aware of its own values, prejudices, and attitudes and be conscious of how these may be relayed in all interactions. Keep in mind

that how sincerity is perceived will dictate the strength of the relationship and directly correlate to the level of trust and respect for agencies. Initially, a telephone call or an email can start the dialogue between department members and the transgender community; however, this is not sufficient to establish a successful, active relationship. An initial in-person meeting should take place as soon as practical with the identified community leaders or support organizations. When meeting, allow transgender community leaders to share experiences in a safe and affirming atmosphere. Provide a platform for guests to share input on how the agency can better serve individuals in their community. In return, evaluate pertinent agency policies to ensure they are in line with providing promising practices and effective service to the transgender community. Law enforcement leaders should be prepared to learn of experiences that may not reflect favorably on the agency; leaders should respond to those experiences with the intention of working towards better training and implementing policies that strive to eliminate any future negative experiences. Willingness and openness also afford the opportunity to ask questions and learn from each other. The purpose of building this relationship is to foster trust, as well as develop mutual cooperation; this will take continuous meetings and supportive dialogue.

Once community leaders and support organizations are identified and a foundation for an active relationship has been established, law enforcement leaders should continue to build upon it. There are several ways to strengthen and sustain this relationship while showing a genuine effort. Departments can host an open house at the agency, or in community space, and invite members of the transgender community to meet department officers; this is also a good opportunity to invite other communities served. Departments can collaborate and seek input on roll-call training content or participate in co-training sessions for agency members. If the agency already incorporates training that addresses how officers should interact with transgender individuals, solicit additional input on methods to improve upon the training content and delivery. Invite transgender individuals or representatives of transgender organizations to join your advisory council or similar group, or encourage them to attend community stakeholder meetings so that they may have a voice.

Social media has become an invaluable tool for law enforcement; create and sustain a conversation on how these outlets can be

used in positive ways not only to support transgender individuals, but also to open up dialogue to assist the department with locating suspects of crime or solicit additional information for investigations. This conversation should also include a discussion of ways social media can be harmful to and have a negative impact on specific communities.

Social media can also be used to acknowledge the annual Transgender Day of Remembrance (November 20), International Day Against Homophobia and Transphobia (May 17), and any local agency or community activities and events. A tweet or post on a department's Facebook page can go a long way in showing the willingness to have an open and active relationship. Consider visiting transgender community events or festivals like annual transgender pride events as a visible way of showing support and encouraging mutual cooperation between the community and the department. Additionally, agency members should be encouraged to attend meetings or events of the local GLBT or human rights commissions to provide support and approachability.

Step 3: Maintain Open Communication

When local leaders in the transgender community have been identified and the foundation for an active relationship has been built, it is important to maintain an open and frequent line of communication. Depending on the size and needs of the agency and jurisdiction, it may be beneficial to designate a law enforcement liaison to the transgender community. This liaison position can either be an additional duty or a full-time position as dictated by necessity. Ideally, the liaison will be someone within the agency who already has a connection or an established relationship with the transgender community because of personal experience or interest. At a minimum, the identified individual should be someone who genuinely wants to be the liaison to the transgender community. This liaison should be tasked with developing a strategic long-term plan for the agency that supports education, cooperation, and understanding. The liaison should represent the agency leadership and all agency members confidentially, as well as support the department mission of building and maintaining a strong, active relationship with the transgender community. It is also important for the liaison to have the authority to present concrete policy and procedural changes for the agency that support the agency's commitment to the transgender community and develop an active relationship.

Developing a genuine active relationship with the transgender community



before an incident occurs is paramount to building confidence in law enforcement agencies that transcends the historical relationships that were riddled with discrimination, prejudice, and harassment. In this age of community policing, law enforcement agencies cannot properly or professionally serve without the help and support of the various communities in their jurisdictions. Agencies will benefit from the mutual support offered by the transgender community, and departments will develop confidence in their ability to properly handle situations that involve transgender individuals.

Additional Considerations for Building a Positive Relationship with Transgender Individuals

Terminology—Ensure agency members use respectful language in all interactions with transgender individuals and avoid derogatory terms. Refer to individuals according to their preferred names and self-identified genders, not what may be listed on identification. A transgender woman (male to female) should be called “she,” “her,” and “ma’am,” while a transgender man (female to male) should be called “he,” “him,” and “sir.” Consult with a partner from the transgender community or a national transgender organization for correct and sensitive terminology that should be used by department members. Similar considerations should also be taken into account for press releases, training, and policy.

Training—Conduct a review of basic academy lesson plans, re-training, or in-service lesson plans to ensure they are in line with and sensitive to the needs of the transgender community. Bring in outside partners to support update efforts and to assist with the identification of available resources.

Policy—Develop policies that do not tolerate discrimination; bias; or inappropriate comments, language, or actions by officers toward transgender individuals. Develop policies that outline acceptable practices for officers when interacting with transgender people, including addressing transgender people by the correct names and pronouns, avoiding inappropriate profiling, and ensuring that pat-downs are conducted by officers of the appropriate gender. Resources on custodial policies are available from the National Institute of Corrections.

Legislation—Legislation providing protections for the transgender community can vary greatly from city to city, county to county, and state to state. Be familiar with what legislation is enforceable by the agency. Departments receiving U.S. federal grants must prohibit gender-based discrimination, including bias against transgender people.¹⁰ Be familiar with local school policies that also protect against discrimination and bullying related to gender identity or expression. ❖

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Notes:

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⁶Jaime M. Grant et al., *Injustice at Every Turn*.

⁷Salcedo and Padrón, *TransVisible*.

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¹⁰This restriction applies to grants under the Violence Against Women Act, Safe Streets Act, STOP, COPS, and other U.S. federal programs that prohibit sex/gender identity discrimination. See e.g., http://ojp.gov/about/ocr/faq_ocr.htm#omnibus and <http://ojp.gov/about/ocr/pdfs/vawafaqs.pdf>.

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Capitol Police Section
Promotes exchange of information and develops standards for increasing the efficiency and capabilities of each law enforcement agency that provides service to our critical assets. Open to individuals who are now, or have been, engaged in or responsible for providing police services at a national or state/province State House.

Defense Chiefs of Police Section
Promotes exchange of ideas and specific information and procedures for law enforcement organizations providing police and security services within military services and defense agencies. Open to individuals who are now or have been engaged in or responsible for providing law enforcement services within an IACP member nation's military services or defense establishment.

Drug Recognition Expert Section
Provides a unique opportunity for those professionals already associated with drug recognition to share common management, training, administrative and practicing concerns.

Indian Country Law Enforcement Section
Promotes the professional status of those engaged in providing police services to Indian Country.

International Managers of Police Academy and College Training Section
Facilitates the exchange of ideas, procedures, and specific information for the professional leadership and management of education and training within police agencies, as well as enhancing the quality of law enforcement and policing at the international level through education and training.

Law Enforcement Information Management Section
Facilitates the exchange of information among those individuals responsible for computers, records, communications or other support-service-related functions.

Legal Officers Section
Assists in the establishment of professional standards, assistance and cooperation among attorneys who provide legal advice or representation to law enforcement administrators.

Mid-Size Agencies Section
Dedicated to providing a voice within the IACP for chiefs of jurisdictions with a population between 50,000 and 500,000, as well as a forum for these leaders to share the unique challenges and opportunities in policing that emerge from departments of this size. The section is further committed to embracing and leveraging the special capacity and flexibility of these agencies to innovate and drive progressive change within our profession with the goal of better policing our communities.

Police Foundations Section
Promotes networking and the exchange of ideas and best practices among police executives and police foundation professionals.

Police Physicians Section
Facilitates the exchange of information among police medical practitioners, promotes effective police medical practices, and acts as a resource of professional expertise to the association.

Police Psychological Services Section
Develops professional standards, facilitates the exchange of information among police psychological service providers, and acts as a resource of professional expertise to the association.

Public Information Officers Section
Promotes the exchange of information and training among officers who are responsible for planning and implementing effective public information programs.

Public Transit Police Section
Promotes meaningful relationships between police executives and cooperative efforts in the implementation of effective police matters and the achievement of an accepted professional status of the police service. Included in this section are gaming enforcement, public transportation, housing authority, airport police, seaport police and natural resources.

Railroad Police Section
Explores ways to improve the services of those responsible for ensuring the safety and security of people and goods traveling by rail.

Retired Chiefs of Police Section
Open to IACP members who at the time of their retirement were active members as prescribed in Article II, Section 2 of the IACP Constitution. For the purpose of this section, retirement shall be defined as the voluntary and honorable separation from a position in active and regular police duties because of age, physical disability, or retirement on pension from the agency of employment.

Smaller Department Section
Serves as the collective voice of law enforcement agencies with fewer than 50 officers or serves populations under 50,000. The Section addresses the unique needs of these agencies, provides a forum for the exchange of information, and advocates on behalf of these agencies with policy makers. Section Members are also granted affiliate membership in the IACP's Division of State Associations of Chiefs of Police.

State and Provincial Police Academy Directors Section
Membership is open to individuals currently serving as directors of state and provincial law enforcement training facilities. The section meets annually to exchange information and disseminate proven ideas, plans, and methodologies among members and other organizations interested in enhancing law enforcement training.

State and Provincial Police Planning Officers Section
Open to sworn and civilian members of planning and research units of state and provincial law enforcement agencies, this section meets in the summer of each year to share information concerning trends and practices in law enforcement. The section maintains a database of current projects in progress, as well as a compendium of information on the status of state and provincial law enforcement agencies.

State and Provincial Police Alumni Section
Open to any member or previous member of the IACP who is, or was, affiliated with an agency belonging to the State and Provincial Police Division and who was of command (lieutenant or above) rank at the time of retirement.

University/College Police Section
Provides coordinated assistance in implementing effective university policing practices and achieving an accepted professional status.

Productupdate

The **Police Chief** keeps you on the cutting edge of law enforcement technology with monthly product announcements. For **free**, in-depth information, visit us online at <http://www.policechiefmagazine.org>. Items about new or improved products are based on news releases supplied by manufacturers and distributors; IACP endorsement is in no way implied.



Web-based and mobile fitness applications

Officers' physical tasks are likely to cause them injury—running, SWAT, and even sitting for long periods. Over time, such actions can result in soft tissue injury and muscle pain. It is estimated that 70 percent of officers work while in pain. Fit Responder programs are created to prevent soft tissue injuries. The exercises are scientifically valid and evidence based—designed to improve fitness and tactical ability. Fit Responder Fitness.com offers more than 1,000 fitness programs, 100 that are law enforcement-specific. Exercise choices include everything from bodyweight boot camp to bodybuilding and sports conditioning to job-specific programs. FitResponderFitness.com guides a participant through each exercise with images, tips, video and audio-coaching. In addition, the program allows for logging and printing personal statistics—body measurements, and performance achievements—and for sharing that information on social media.

For more information, visit www.fitresponderfitness.com.

Security bag with NFC tags, coordinating smartphone app, and administration software

The company ginstr presents security bags with an integrated NFC tag along with a coordinating smartphone app and administration software. Security bags with an integrated NFC tag are particularly suitable for the safe transport and professional storage and safekeeping of important objects. Typical uses for these security bags include forensic evidence collection and storage; chain of custody; inmate personal property inventory; personal property bags for patients, crime victims, or deceased. For data acquisition with the coordinating app any commercially available Android smartphone with NFC can be used. Additional information can be entered for evidence bags with the help of the app, such as timestamp, photos, audio notes, video, signature capture, witness statements, and collection location verification.

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Situational awareness software enhancement

CNL Software, a world leader in Physical Security Information Management (PSIM) software, is pleased to announce the release of V4.9 of IPSecurityCenter PSIM offering new and enhanced features including Federation, Video Export, Advanced Alarm Correlation, and Improved Mapping. The new enhancements to IPSecurityCenter not only aid operators with real-time situational awareness and incident response but also allow the software to be deployed more easily and faster than previously possible.

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Seafloor mapping software

Chesapeake Technology Inc. (CTI) is a world leader in real-time acquisition and GIS-based processing software for seafloor mapping. CTI is pleased to announce a major advance to its flagship software SonarWiz processing with the addition of a Real-Time Acquisition Server for the EdgeTech 4600 and recently introduced EdgeTech 6205 interferometric bathymetry systems. The EdgeTech bathymetry systems offer advanced wide-swath bathymetry with no nadir gap and true co-registered dual frequency side scan sonar. It gives users all the tools required to edit the bathymetric data and produce high-resolution depth maps. By integrating the processed bathymetry data with sidescan data, 3D sidescan sonar mosaics can be generated giving a whole new visual dimension to seafloor data.

For more information, visit www.chesapeaketech.com.

Solar-powered, wireless time-lapse and surveillance cameras with cloud service

Sensera Systems offers the MC-30 Camera for Construction and Site Security, the first in the MultiSense Camera family. The MC-30 is a complete solar-powered, 100 percent wireless, web-based camera system that can be deployed in under 20 minutes. It offers a rich set of functions for time-lapse, on-demand images, alerting, data logging, and surveillance. The camera supports WiFi or cellular connections and is available with the MultiSense Cloud Service providing a turn-key prebuilt end-to-end system for remote site monitoring. The MC-30 lowers the cost of site cameras significantly, allowing them to be deployed on projects of any size.

For more information, visit www.senserasytems.com.

Forensic mobile device examination platform

MSAB, the mobile leader in forensic technology for mobile examination and pioneer of XRY announces the release of the latest version of its XRY platform, which allows users to perform forensically sound digital extractions of data from mobile devices. Version 6.10 offers a number of new features and capabilities including expanded access to smartphone apps and broader interoperability. The platform is playing a key role in law enforcement's efforts to address a wide array of criminal threats in the United States, including narcotics trafficking, gang violence, and exploitation of children. The XRY tool helps law enforcement collect evidence from today's most advanced smartphones and mobile devices, in general, including cellphones, tablets, portable GPS units, SIM cards, and memory cards.

For more information, visit www.msab.com.



Weapon clamp

End of the Road, Inc. of Nashville, Tennessee announces its QUICK FIST Weapon Clamp, which securely mounts rifles, shotguns, and ARs onto any vehicle. QUICK FIST weapon clamps are sold in a two-clamp set; one fastens the stock of the gun and the other fastens the fore-end or barrel. It mounts weapons (with or without a sight) vertically or horizontally and has a safe working load of 100 lbs. The weapons can be removed quickly and easily. All QUICK FIST clamps are made from heavy-duty synthetic rubber, operate in extreme hot and cold temperatures, and are resistant to UV and most chemicals.

For more information, visit www.endroad.com.

Mobile app

MicroAssist, a technology service provider specializing in facilitating the delivery of state and local services to the public, announces a mobile app, which provides up-to-date information on most wanted fugitives and sex offenders and information related to human trafficking, created for the Texas Department of Public Safety. Another real-time feature allows app users to submit suspicious activity through iWatch Texas for further analysis and processing. The new app has a very clean, organized look with four main programs—Fugitives, Sex Offenders, Human Trafficking, iWatch Texas—immediately viewable from the home page.

For more information, visit www.microassist.com.

Electronic ticketing system

The Hamilton Township Police Department can use the State of New Jersey's e-Ticket program via their Pro-Phoenix Public Safety Software System. This system gives officers the ability to create, validate, and print parking and motor vehicle violation tickets wirelessly from a police vehicle or from an authorized computer located at any participating law enforcement agency. Tickets filed using the e-Ticket system will be printed on plain paper using a new standard Electronic Traffic Ticket format. Officers will no longer have to manually fill out the current Uniform Traffic Ticket form or file a paper copy of the issued ticket with the municipal court. Ticket control procedures for assigning and maintaining ticket book inventory records with the municipal courts will also be eliminated for tickets filed using the e-Ticket system.

For more information, visit www.prophoenix.com

Web-based incident reporting platform

Nodaway Valley Community School District in Iowa is implementing Awareness's proven and multi-award-winning TIPS (Threat assessment, Incident management & Prevention Services) prevention platform to help improve school communications, raise awareness and improve student safety. TIPS is an innovative solution equipping students, teachers, staff, parents and community members to anonymously report bullying, cyber bullying, weapons, abuse, vandalism, suicide risks, and other concerning behaviors. How it works: if a person observes a student making threats, witnesses bullying on the school bus; online, or at school; or has concerns about friends, students or others, then he or she simply goes to the Nodaway Valley CSD website and clicks on the TIPS Report System, selects the appropriate incident type, shares the necessary details, and hits Submit. ♦

For more information, visit www.awareity.com.

Rising Concerns over Marijuana-Impaired Driving

By Chuck Hayes, Impaired Driving Training Programs Regional Operations Coordinator, IACP

Studies have found that, after alcohol, marijuana is the most frequently detected substance in the general driving population, as well as drivers involved in crashes.¹ Fourteen U.S. states conducted toxicological testing between 2005 and 2009 on over 80 percent of drivers who died within one hour after a crash; alcohol was detected in 40 percent of the drivers, followed by cannabinoids in 10.5 percent of the drivers.²

On August 21, 2014, a New York teenager was sentenced to prison after admitting he was high on marijuana when he smashed his car into a tree, killing four of his friends. Investigators determined that the teen driver had been driving over 100 mph prior to crashing and killing the four passengers. A blood sample obtained after the crash revealed that he had tetrahydrocannabinol (THC)—the chemical responsible for most of marijuana's psychological effects—in his system.³

In July 2013, a 21-year-old Michigan man was convicted of driving under the influence of marijuana and causing the death of his girlfriend after crashing his vehicle. A police report showed that the man had 2 ng/mL of THC in his blood six hours after the crash.⁴

A recent review of literature on drug-impaired driving found that being under the influence of marijuana nearly doubles the risk of a driver being involved in a motor vehicle crash resulting in serious injury or death.⁵ According to the 2012 National Survey on Drug Use and Health, approximately 10.3 million people admitted to driving under the influence of illicit drugs in the past year.⁶

Most experts agree that marijuana slows decision making, decreases peripheral vision, and impedes multitasking—all important factors in safe driving. Marijuana has a wide spectrum of behavioral effects, making it as difficult to classify as a stimulant, sedative, tranquilizer, or hallucinogen.

At recreational doses, marijuana effects include relaxation, euphoria, diminished inhibitions, a sense of well-being, disorientation, altered perceptions of time and space, lack of

concentration, impaired memory, drowsiness, sedation, and mood changes. Stronger doses can intensify those reactions.⁷

The effects from smoking marijuana are felt within minutes and peak in 10–30 minutes, with a typical high lasting approximately two hours. Most behavioral and physiological factors return to baseline levels within 3–5 hours after use; however, residual effects in specific behaviors can last up to 24 hours.⁸

Tolerance to marijuana has also been shown to influence the severity of driver impairment, with more frequent users showing less impairment than infrequent users at the same dosages. The exception to this are cases in which alcohol was used in combination with marijuana.⁹

Combining marijuana with alcohol appears to increase impairment dramatically, beyond the effects of either substance alone. Researchers from Columbia University's Mailman School of Public Health (New York) studied fatal crash statistics from six U.S. states. They found that marijuana involvement rose from 4 percent in 1999 to 12 percent in 2010 and that drugged driving overall rose from 16 percent to 28 percent during the same period. They also determined that by combining alcohol with marijuana (a common combination with marijuana users who drive), a driver is more than 23 times more likely to die in a crash than when sober.¹⁰

Another concern related to the possible adverse effects of drugged driving is that daily marijuana use among college students may be at its highest level since 1981. According to the latest Monitoring the Future study, 5.1 percent of college students used marijuana daily or almost daily (20 or more times in the prior 30 days) in 2013, up from 3.5 percent in 2007. The study also found that almost 36 percent of college students said they used marijuana in the past year, compared with 30 percent in 2006. Additionally, the study found that 39 percent of college students used illicit drugs in 2013, up from 34 percent in 2006. Since college students compose a significant part of the general driving population, these numbers may have an adverse impact on highway safety in the United States.¹¹

To help deter drug-impaired driving and the expected increases in drivers impaired by drugs, especially marijuana, the International Association of Chiefs of Police (IACP), working in conjunction with the National Highway Traffic Safety Administration (NHTSA), continues to

promote and expand drugged driving response training to police officers, prosecutors, and toxicologists. These training programs include an increased emphasis on identifying marijuana impairment. Two national and highly effective drugged driving detection programs include the Advanced Roadside Impaired Driving Enforcement (ARIDE) and the Drug Evaluation and Classification Program (DECP).

The 16-hour classroom ARIDE training bridges the gap between the Standardized Field Sobriety Testing (SFST) program and Drug Recognition Expert (DRE) training. It provides police officers with general knowledge and skills on how to identify the indicators of drug impairment at roadside. For officers unable to attend the 16-hour classroom training, NHTSA also has developed an online version of ARIDE that provides the general indicators of drug impairment. This training tool is helpful for departments and officers who have neither the availability or resources to attend the classroom training version nor a DRE instructor available to teach the course. The free online version is available to any police officer with an interest in traffic enforcement and can be completed at the officer's own pace.

The DECP, also referred to as the DRE program, is an expanded, in-depth drugged driving detection program. The training focuses on the signs, symptoms, and impairment indicators of the DRE seven drug categories—depressants, stimulants, hallucinogens, dissociative anesthetics, narcotic analgesics, inhalants, and cannabis. All 50 U.S. states, plus the District of Columbia and Canada, are participating in the program, with over 7,500 DREs credentialed by the IACP in the United States and Canada.

In 2013, there were 591 ARIDE classroom courses conducted throughout the United States, training 10,436 officers. Since the inception of the 16-hour ARIDE curriculum in 2009, more than 36,000 officers have been trained to detect impaired driving. Additionally, there were 58 DRE schools conducted in 2013, training more than 1,000 officers as DREs.¹²

In many parts of the United States, DREs are seeing a gradual but steady increase in the number of drugged driving cases involving marijuana. Two examples of this increase can be seen in Colorado, which is one of the U.S. states in which recreational marijuana use is legal. The Colorado State Patrol's DUI Drugs program

reported that in the first six months of 2014, 77 percent of their drugged driving arrests involved drivers who used marijuana in combination with other substances, and 42 percent involved drivers who used marijuana only. In addition, the Colorado Department of Transportation DRE program reported that, in 2013, 192 Colorado DREs completed 531 drugged driving evaluations, and of those, 62 percent involved marijuana.¹³

In addition, the Larimer County, Colorado, Sheriff's Department reported that, of the agency's 131 DUI-Drug arrests in 2013, 124 (94.6 percent) of the suspected drivers tested positive for marijuana; furthermore, the first three months of 2014 show that DUI-Drug arrests of drivers who test positive for marijuana are on pace to exceed the number from 2013.¹⁴

In summary, the proportion of traffic-related incidents involving drugs other than alcohol is increasing with marijuana frequently being a factor. As efforts continue to decriminalize and approve recreational marijuana in the United States, it is imperative that law enforcement leaders and highway safety advocates not underestimate the impact such actions may have on public health and the adverse impact it will have on highway safety. ❖

Notes:

¹Joanne E. Brady and Guohua Li, "Prevalence of Alcohol and Other Drugs in Fatally Injured Drivers," *Addiction* 108: 104–114

²Ibid.

³Barbara Goldberg, "New York Teen Gets 5 to 15 years in Fatal Drugged Driving Crash," Reuters, August 26, 2014, <http://www.reuters.com/article/2014/08/26/us-usa-new-york-teen-idUSKBN0GQ1R620140826> (accessed October 1, 2014).

⁴Jameson Cook, "Sterling Heights Man Convicted in Death of Girlfriend," *Macomb Daily News*, July 23, 2013, <http://www.macombdaily.com/article/20130723/NEWS01/130729861/sterling-heights-man-convicted-in-death-of-girlfriend> (accessed October 1, 2014).

⁵Mark Ashbridge et al., "Acute Cannabis Consumption and Motor Vehicle Collision Risk: Systematic Review of Observational Studies and Meta-Analysis," *BMJ* (February 2012), <http://www.bmj.com/content/344/bmj.e536> (accessed October 1, 2014).

⁶Substance Abuse and Mental Health Services Administration (SAMHSA), "Results from the 2012 National Survey on Drug Use and Health: Summary of National Findings and Detailed Tables," Data, Outcomes, and Quality, October 10, 2013, <http://www.samhsa.gov/data/NSDUH/2012SummNatFindDetTables/Index.aspx> (accessed October 1, 2014).

⁷Fiona J. Couper and Barry K. Logan, "Cannabis/Marijuana," *Drugs and Human Performance Fact Sheets*, DOT HS 809 725 (NHTSA, April 2014), 7, <http://www.nhtsa.gov/people/injury/research/job185drugs/index.htm> (accessed October 1, 2014).

⁸Ibid, 10.

⁹Kim Wolff et al., *Driving under the Influence of Drugs* (London, UK: Department for Transport, March 2013), https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/167971/drug-driving-expert-panel-report.pdf (accessed October 2, 2014).

¹⁰Guohua Li, Joanne E. Brady, and Quizuan Chen, "Drug Use and Fatal Motor Vehicle Crashes: A Case Control Study," *Accident Analysis & Prevention* 60, (November 2013): 205–210.

¹¹Lloyd Johnston et al., "College Students & Adults Ages 19–55," *Monitoring the Future National Survey Results on Drug Use 1975–2013*, Vol. 2, (Ann Arbor, MI: The University of Michigan Institute for Social Research, 2014), http://www.monitoringthefuture.org/pubs/monographs/mtf-vol2_2013.pdf (accessed October 1, 2014).

¹²IACP DRE Section, *2013 Annual Report*.

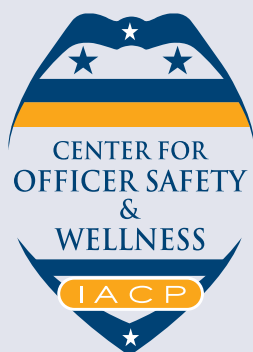
¹³"Drug Recognition Experts (DRE) Program," Colorado Department of Transportation, <http://www.coloradodot.info/programs/dre> (accessed October 1, 2014).

¹⁴*The Legalization of Marijuana in Colorado: The Impact*, Vol. 2, Rocky Mountain HIDTA, August 2014.

For more information regarding drug-impaired driving or the ARIDE and DECP training programs, contact the IACP at 800-843-4227 or visit www.decp.org.

IACP Model Policies

IACP has numerous model policies available for purchase at www.theiacp.org/Model-Policies-for-Policing. In addition, some model policies are available at no cost, including as special order on Pandemic Flu Planning.



Line of Duty Deaths

"They will be remembered—not for the way they died, but for how they lived."

The IACP wishes to acknowledge the following officers, who made the ultimate sacrifice for their communities and the people they served. We extend our prayers and deepest sympathies to their families, friends and colleagues.

Police Officer Daryl R. Pierson
Rochester, New York, Police Department
Date of Death: September 3, 2014
Length of Service: 8 years

Corporal Jason E. Harwood
Topeka, Kansas, Police Department
Date of Death: September 7, 2014
Length of Service: 15 years

Officer Nickolaus Schultz
Merrillville, Indiana, Police Department
Date of Death: September 7, 2014
Length of Service: 13 months (with agency)

Deputy Sheriff Joseph John Matuskovic
Charleston County, South Carolina, Sheriff's Office
Date of Death: September 8, 2014
Length of Service: 17 years

Corporal Bryon K. Dickson II
Pennsylvania State Police
Date of Death: September 12, 2014
Length of Service: 7 years, 3 months

Border Patrol Agent Tyler R. Robledo
U.S. Border Patrol
Date of Death: September 12, 2014
Length of Service: 3 years (with agency)

Deputy Sheriff Michael Norris
Monroe County, Georgia, Sheriff's Office
Date of Death: September 15, 2014
Length of Service: 2 years (with agency)

Police Officer Reinaldo Arocha, Jr.
Newark, New Jersey, Police Department
Date of Death: September 16, 2014
Length of Service: 23 years (with agency)

Deputy Sheriff Jessica Laura Hollis
Travis County, Texas, Sheriff's Office
Date of Death: September 18, 2014
Length of Service: 7 years (with agency)

Police Officer Michael Williams
New York City Police Department
Date of Death: September 21, 2014
Length of Service: 8 months (with agency)

Police Officer Jordan Corder
Covina, California, Police Department
Date of Death: September 30, 2014
Length of Service: 7 years (with agency)

Trooper David Kedra
Pennsylvania State Police
Date of Death: September 30, 2014
Length of Service: 2 years, 3 months (with agency)

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