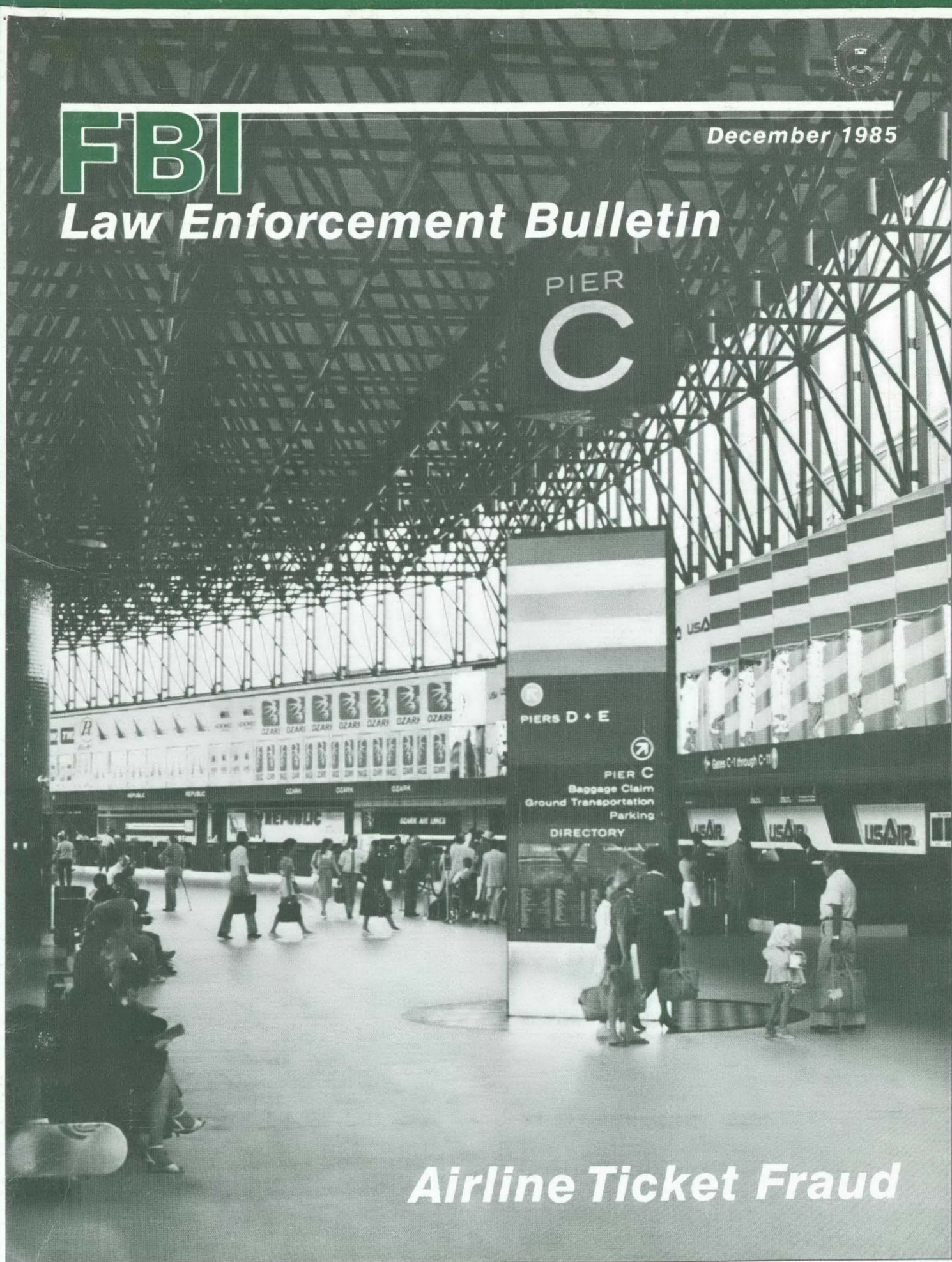




FBI

December 1985

Law Enforcement Bulletin



Airline Ticket Fraud

Contents

December 1985, Volume 54, Number 12

- Crime Problems** **1** **Airline Ticket Fraud**
By Robert T. Raffell
- Operations** **5** **Perspectives on Negotiation in Local Jurisdictions**
Part 2: Negotiation Strategies for Escalated Situations
By Dr. Richard M. Gist and Jon D. Perry
- 10** **Conclusion: Mental Health Dispositions**
By Dr. Richard M. Gist, Jon D. Perry, and Nancy Chapman
- Management** **13** **Houston's DART Program—A Transition to the Future**
By John P. Bales and Timothy N. Oettmeier
- Legal Digest** **18** **Investigative Detention:**
An Intermediate Response (Part II)
By John C. Hall
- 24** **Index of Articles Published in 1985**
- 32** **Wanted by the FBI**

The Cover: Air ticket fraud is an economic crime which has intensified in recent years. See article p. 1.

FBI

Law Enforcement Bulletin

United States Department of Justice
Federal Bureau of Investigation
Washington, DC 20535

William H. Webster, Director

The Attorney General has determined that the publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through June 6, 1988.

Published by the Office of
Congressional and Public Affairs,
William M. Baker, *Assistant Director*

Editor—Thomas J. Deakin
Assistant Editor—Kathryn E. Sulewski
Art Director—Kevin J. Mulholland
Writer/Editor—Karen McCarron
Production Manager—Marlethia S. Black
Reprints—Robert D. Wible



Airline Ticket Fraud

"Last year alone, airline ticket fraud accounted for losses in the hundreds of millions of dollars to the Nation's airlines."

By

CPL. ROBERT T. RAFFEL

Criminal Investigator

Airport Division

Maryland State Police

Baltimore-Washington International

Airport

Anne Arundel County, MD

American Airlines PASSENGER TICKET AND BAGGAGE CHECK

TO: DALLAS/FT WORTH 001 24 0763 5362
FROM: WASH/DULLES
NAME OF PASSENGER: SOLIMAN/MR
DATE OF ISSUE: 27 NOV 84
FLIGHT COUPON NO 3

FROM	CARRIER	FLIGHT	CLASS	DATE	TIME	STATUS	FARE BASIS/TXT	DESIGNATION
DALLAS/FT WORTH	AA	272	Y	27 NOV	954A	OK	Y	
WASH/DULLES	PA	106	Y	04 DEC	900P	OK	Y	
LONDON	SD	OPEN	Y					
KHARTOUM	SD	OPEN	Y					
CAIRO								

FARE CALCULATION: 27 NOV DFW AA IAD 325.00 PA LON SD
KRT 1,237.00 SD CAT AZ ROM AZ LON
PA IAD 1,237.00 TL2,802.00 USD
TOTAL: 2,802.00

TICKET NUMBER: 09985454 3 3 001 24 07635362 0

STAMP: AMERICAN AIRLINES
DATE: 14 DEC 84
ENDORSED TO: BA
BY: N. ENRICH
LONDON TICKET OFFICE

American Airlines PASSENGER TICKET AND BAGGAGE CHECK

TO: DALLAS/FT WORTH 001 24 0968 3521
FROM: CHICAGO OHARE
NAME OF PASSENGER: DELP/G EDWARD
DATE OF ISSUE: 04 JAN 85
FLIGHT COUPON NO 4

FROM	CARRIER	FLIGHT	CLASS	DATE	TIME	STATUS	FARE BASIS/TXT	DESIGNATION
DALLAS/FT WORTH	AA	360	Y	4 JAN	245P	OK	Y	
CHICAGO OHARE								

FARE CALCULATION: 245.37 4 JAN DFW AA CHI 245.37
12.53 TL 245.37
TOTAL: 245.00

TICKET NUMBER: 11148632 5 4 001 24 09683521 2

Handwritten note: STOLEN TICKET

This photo shows a forged airline ticket (above) and a valid one. Note the apparent erasures on the airlines stamp in the upper right-hand corner of the forged ticket. Other indicators of forgery are the IBM typewriting, "open" flight status, and worldwide itinerary.

On June 15, 1985, an airline ticket agent at Baltimore-Washington International Airport was approached by a well-dressed male subject, who handed the agent a round-trip ticket for two to Freetown, Sierra Leone. The ticket was issued by another airline and was valued at \$2,730. It was neatly and correctly typed and listed "check" as the form of payment. Apologetically, the subject requested a refund for the ticket since he wouldn't be going on the trip. The agent, who was at the end of an 8-hour shift, looked at the 8-10 people still standing in line.

Hurriedly, she checked the ticket serial number on her computer, which showed nothing suspicious. In the drawer next to her was a list of stolen ticket numbers issued periodically by the Airline Reporting Corporation (ARC). She looked at the drawer, then at the subject, and with a sigh, quickly issued a refund check. Subsequent investigation revealed that the ticket was 1 of 500 stolen several months before at an airport in another part of the country. The subject was never identified.



Corporal Raffel

The above scenario, although fictitious, happens frequently at many of the Nation's airports and points to what is becoming a major source of economic crime in the United States—airline ticket fraud. In the preceding example, a common type of air ticket fraud, the ticket presented for refund was probably blank when stolen and cleverly typed to fit the particular needs of the party committing the crime. It represents but one strand of a complex, multifaceted fraud scheme implemented by organized criminal groups as well as private entrepreneurs.

Last year alone, airline ticket fraud accounted for losses in the hundreds of millions of dollars to the Nation's airlines. Worse yet, current projections point to a rapid increase in this economic crime.¹

In order to investigate this type of crime properly, it is necessary to understand the various forms it takes and the ramifications it has on the public. Although fraud is often referred to as a "victimless" crime, few airlines could sustain such losses without passing at least part of them on to its passengers. Thus, the extra fare paid by the public to fly as the result of fraud losses represents, in essence, a theft of their dollars.

Airline ticket fraud is the type of crime traditionally given minimal attention by local judges and courts. This only encourages greater efforts to defraud. Also, juries tend to view the airlines as mammoth corporations, depersonalized, and quite able to sustain these losses. Common sense and a hard look at the facts dispel such assumptions; but, unfortunately, the preconceptions remain. This article briefly outlines various airline ticket frauds and suggests possible solutions to combat this crime.

Types of Frauds

Frauds involving airline tickets run the gamut from the ultra-complex to the rudimentary. The type and extent of airline ticket fraud are limited only by the imagination of the criminal.

One of the more complex schemes, for example, entails using airline tickets as a means by which currency can be manipulated. In currency manipulation, airline tickets are sold in local currencies. The price of a ticket covers all expenses incurred during the flight, including airline employee salaries, aircraft maintenance, overhaul, etc. However, only a small portion of the total price is payable in local currency; the remainder is eventually converted into U.S. dollars. In "soft currency" situations, where the foreign country's U.S. dollar resources are limited and currency conversion is strictly controlled, application must be made to the foreign nation's central bank for conversion, often resulting in long delays. This leads to a risk that the local currency being held will be devalued before the conversion is completed.

In the wake of situations such as these, a black market for U.S. dollars often arises, in which the U.S. dollar is valued significantly higher than the local currency. The devalued foreign currency is then purchased on the black market for U.S. dollars and is used to buy airline tickets. The tickets are later mailed from the foreign country to a confederate abroad, who then uses them as if they had a 100-percent par value. The tickets are sometimes converted by refund (for U.S. dollars), sold at a discount, used for travel, or exchanged for other tickets.

As a counterpoint to the complex currency manipulation scheme, many airline ticket frauds simply involve changing the destination on a ticket by

erasing, or in the more blatant cases, by merely writing one city's name over that of another.

Another of the more common types of airline ticket fraud involves the so-called travel agency "bust-out." Travel agencies are regularly sent blank airline tickets ordered through the Airline Reporting Corporation (ARC), which are then issued to their customers. Tickets issued must be reported, and ARC keeps track of their use. In a bust-out, tickets are stolen, sold illegally, and not reported to ARC. This is usually done by the full or part owners of the agency. Oftentimes, perpetrators will buy a percentage of a legitimate travel agency in order to obtain ticket stock. Prior to a bust-out, an agency may order more tickets than usual, and once these tickets are received, a bust-out will occur, with both the perpetrators and blank ticket stock disappearing. Since the tickets were valid when originally issued, substantial delays often result between the time of the theft and the time airlines begin to "flag" the stolen stock.

Many airline ticket frauds, especially those occurring in the airport environment, are an outgrowth of the dramatic rise in credit card fraud. Once the perpetrator obtains a credit card, either through fraud or theft, airline tickets may be purchased with the card. These tickets, unless they specifically note a credit card payment, are negotiable "bearer" instruments, much like an endorsed check, and are readily converted into cash. Even when the airline agent has noted that the ticket was paid for by credit card (which deters negotiability), a suspect familiar

with airline operations merely begins to "launder" the ticket by routing it through different airlines, waiting for the one re-issued ticket upon which the agent neglects to note that payment was made via credit card. When that occurs, the ticket can be refunded for cash. This type of fraud is often found in "ticket by mail" (TBM) cases, in which the suspect telephones an airline, orders the ticket, and gives his card number. The ticket is issued and mailed, frequently to post office boxes ("drops"), making suspect identification even more difficult.

Often, the fraudulently obtained ticket is sold on the street at a fraction of its value. Thus, even in cases where the ticket buyer is apprehended, information relating to the seller—the real defrauder—is sketchy and incomplete. And in jurisdictions without criminal statutes encompassing the receipt of stolen goods, the unwary buyer cannot be arrested. A related problem is the difficulty in identifying the seller versus the receiver; in other words, who have you really caught?

Another aspect of air ticket fraud involves altered airline tickets. Often, a "short-haul" ticket is legitimately purchased and altered to reflect a "long-haul" itinerary. These tickets are then either used by the suspect or sold at less than the long-haul value, but at a profit for the seller. Other alterations are from coach to first class and infant to adult. A cursory knowledge of airline codes and some imagination is all that is necessary to commit this crime.

Altered tickets are usually easier to identify than the legitimate ticket purchased illegally. These tickets are characterized by typewriter strikeouts, sometimes visible on the red carbon portion of the ticket. Also visible are erasure marks or write-overs.

Changes commonly appear in the price of the ticket or the ticket itinerary. Another factor is the type of ticket stock used. The older tickets are handwritten and are easier to alter than the more modern ones. The relative success or failure of this fraud lies in the attentiveness of the individual ticket agent. However, these individuals are often too busy to examine the ticket thoroughly, and in any case, are taught to be more customer-orientated than enforcement-minded.

Another major source of air ticket fraud is the result of stolen blank ticket stock. Although often accomplished through the travel agency "bust-out," tickets also are stolen from airline ticket offices, and occasionally, from ticket counters. Security of ticket stock by the various airlines is inconsistent, and accountability (usually by ticket serial number) is not always exercised. Oftentimes, victim airlines do not become aware of the theft of their tickets until they are used for trips, sometimes months later. And again, as in the crimes described previously, the users were usually those who purchased the tickets from the thief, rather than the thief himself. This type of fraud may also involve airline/airport employees who have access to the stock. In these cases, the tickets are usually given to a middleman, who handles the actual sale.²

These tickets, when fraudulently printed, are characterized by large, block or IBM typewriter printing and/or printing without the dot matrix used by most airlines. They usually show worldwide travel itineraries, and except for the first leg of the journey, are open-dated. Also they tend to be written for first class rather than coach.

"Through education and increased communication, the law enforcement community and the public can work together to deter airline ticket fraud."

Possible Solutions

Like many types of fraud, these crimes are easier to commit than prevent. Airport investigators must deal with violations that are oftentimes poorly understood by prosecutors and the public. However, a growing concern over economic crimes generally has paralleled an increase in air ticket fraud investigation.

Fortunately, exchange of information among airport investigators is increasing—an absolute necessity given the ease in transporting illegally acquired airline tickets. But to be effective, communication between police agencies must cross international boundaries. Organizations such as the Airline Reporting Corporation (ARC),³ the International Air Transport Association (IATA),⁴ and Interpol are invaluable allies in the identification and interdiction of major air ticket fraud groups and perpetrators. Nationally, U.S. postal inspectors have developed a particular interest and expertise in these cases, as have the FBI and the U.S. Secret Service, among others. Locally, increased contacts between airport investigators have resulted in identification of suspects and a broadening of specific investigations.

Airlines also employ their own investigators, who can be a veritable wealth of information pertaining to specific frauds committed against that airline. Intercorporate contacts between airline investigators is perhaps more widespread than those between law enforcement agencies. Thus, they often have a better grasp of the total crime than the individual detective who

operates at a local level. These individuals, often retired or former law enforcement officials, should be used to the fullest extent possible.

Another deterrent to airline ticket fraud would be to alter ticket format. Modern tickets have safeguards against erasures, alterations, and thefts and are replacing the older, handwritten or typed stock still used by many airlines. However, this solution is reactive rather than proactive and only addresses the result of the problem, not the solution. It can reasonably be expected that the criminal who commits ticket fraud will ultimately discover as many ways to circumvent the system as the system can devise ways to prevent him from committing this crime.

In addition to the need for increased communication between those directly involved in airline ticket fraud investigations, the public at large needs to be made aware of the growth and ramifications of this type of crime. Major losses sustained by the Nation's air carriers are passed on to the consumer, resulting in a loss to everyone. Like shoplifting, air ticket fraud is a "harmless" crime. Yet, the citizen who would hesitate to shoplift might readily purchase a cut-rate ticket from a stranger, without considering the effect this might have on his next legitimate ticket purchase. As a general rule, only when the effects of economic crimes are understood by the public will enforcement efforts be able to meet the challenge of combating this crime.

Summary

Air ticket fraud is a specific economic crime which has intensified in recent years. This "growth industry" nets hundreds of millions of dollars annually, to the ultimate detriment of the legitimate consumer.

This type of crime appears in a multiplicity of forms and is often perpetrated by organized criminal groups over a wide geographical area, making investigation difficult. For these reasons, air ticket fraud can best be addressed through open communication among the various law enforcement and civilian agencies involved on the local, national, and international levels. Concurrent with this effort, consumer education is vital to insure proper support of enforcement efforts. Through education and increased communication, the law enforcement community and the public can work together to deter airline ticket fraud.

FBI

Footnotes

¹See, "Beware of Buying Those Cheap Airline Tickets," *Los Angeles Times*, May 12, 1985.

²There is authority to support the practice of giving recovered blank ticket stock a "thieves market value" for purposes of felony prosecution. See, e.g., *People v. Steinberger*, 392 N.Y.S. 2d 191, 89 Misc. 2d 419 (1977); *United States v. Tyers*, 487 F.2d 828 (2d Cir. 1973).

³For further information, contact Airline Reporting Corporation, Fraud Prevention, 1709 New York Avenue, N.W. Washington, DC 20003, (202) 626-4067.

⁴For further information, contact International Air Transport Association, P.O. Box 160, 1216 Cointrin, Geneva, Switzerland, (022) 98-33-66, or 2000 Peel Street, Montreal, Canada, H3A-2R4 (514) 844-6311.

Perspectives on Negotiation in Local Jurisdictions

Part II: Negotiation Strategies for Escalated Situations

"The process of negotiation involves the use of planned strategies of communication to achieve a behavioral result."

In the first part of this series, it was determined that nearly two-thirds of the tactical response situations encountered by Kansas City police fell outside the usual typologies offered for such situations. These encounters grew out of "escalated situations," in which some conflict, frequently a domestic dispute, evolved into a situation of a barricaded subject holding a weapon. Hostages were rarely involved in the situation, and no crime beyond misdemeanor assault or weapons charges had yet occurred.

These escalated situations generally stem from some sort of interpersonal conflict (or in the case of the suicide gesture, from an intrapersonal conflict). The arrival of police and the initiation of a tactical response represent the addition of another, even more imminent and threatening situation, often at the height of the initial conflict. The subject, already suffering severe frustration and situational stress, is now facing a new set of stressors and has clearly lost control of his or her situation.

Such circumstances can be expected to be highly charged and extremely volatile. An aggressive attempt to remove an earlier, exaggerated frustration has now been blocked by police intervention, compounding the frustration and potentially escalating the ag-

gressive response.¹⁴ The coping ability of the subject has now likely been overwhelmed, leading to collapse of his or her potential for adaptive response.

The impact of this set of conditions has been widely noted in police experience, and the volatility it creates has only been duly emphasized.¹⁵ That volatility may be further aggravated by the introduction of additional weaponry to an already-escalated situation as the police arrive, making the subject quite prone to aggressive outbursts in the initial stages of the confrontation.¹⁶

The subjective stress experienced by the perpetrator is the first major obstacle to negotiation. Accordingly, the negotiator's tactics are addressed initially to controlling that stress.¹⁷ The subject may be viewed as locked into an avoidance-avoidance conflict, where no alternative is readily available which will effect an acceptable outcome. The usual response to this type of situation, "leaving the field," has been effectively eliminated

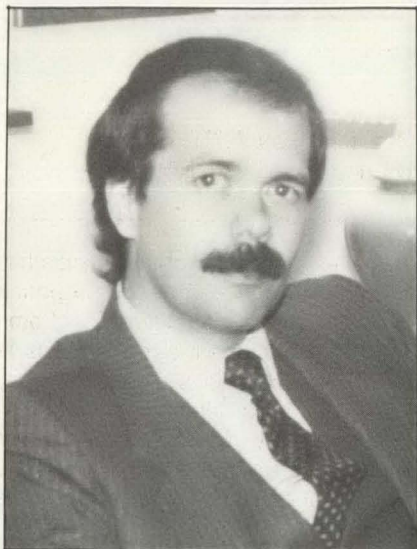
By
RICHARD M. GIST, Ph.D.

*Psychology Department
University of Missouri
Kansas City, MO*

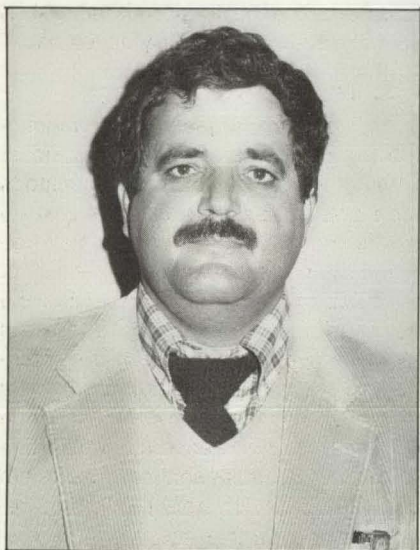
and

SGT. JON D. PERRY

*Supervisor of Instruction
Regional Training Academy
Police Department
Kansas City, MO*



Dr. Gist



Sergeant Perry

through police containment.¹⁸ Since the presence of the police constitutes a new, subjectively quite serious threat, the subject may be expected to attempt to freeze the situation, seeking time to construct some acceptable alternative.

Subject v. Police Perception of the Weapon

At this point, it is important to consider the situational role of the subject's weapon. The weapon's role in the mind of the police officer is quite clear—it is the subject's possession and its threatened use lies at the core of the confrontation. Police will normally focus their attention on neutralizing the weapon, thereby gaining control of the subject and the situation.

The role of the weapon to the subject is likely to be much less clear. Rather than using the weapon in a purely instrumental fashion (attempting to achieve some recognizable goal) or in a strictly expressive fashion (seeking to display dominance or power) as suggested by Miron and Goldstein,¹⁹ this case represents a somewhat irrational blending of these motives. The weapon is ordinarily introduced to the situation in a rather desperate attempt to gain dominance (expression) and thereby force conclusion to a highly frustrated conflict (instrumentation). With the arrival of the police, the role of the weapon becomes, in fact, one of protection.

The fact that the subject is holding a weapon is one which keeps police from exercising their option to resolve the situation by taking complete coer-

cive control of the subject. The weapon has become the only controlling force the subject maintains, having lost command of every other aspect of the situation and facing gross frustration on every goal he or she may have had as the situation began to escalate. Like the crucifix held up before a vampire, the subject's weapon is the only thing keeping the mortal threat at bay.

The police focus on the weapon in their operation and negotiation, and the responses shown to its display, threatened use, or actual discharge may work to reinforce this perceived "magical" quality. As long as the weapon remains the center of police attention, its value to the subject as a protective talisman will remain high. Achieving the police goal of peaceful surrender requires that this quasi-instrumental role of the weapon be reduced and that the negotiator replace it in the subject's thinking and behavior as the instrument of protection and achieving outcomes.

The Psychological State of the Subject

The process of negotiation involves the use of planned strategies of communication to achieve a behavioral result.²⁰ It should not be viewed in this case as bargaining or trading, but as an attempt to bring together the goals of both sides in some sort of harmonious resolution.²¹ Negotiation will be most successful if it seeks a "win-win" type of outcome, one in which both parties concretely gain as a result of the negotiation.²² In the escalated situation, the negotiator has a unique opportunity to effect this sort of resolution by assisting the subject in resolving the initial conflicts which led to his or her confrontation with the police. In exchange, of course, the negotiator re-

"... efforts to control stress and establish a more instrumental set of goals should form the primary focus for the negotiator."



Larry Joiner
Chief of Police

ceives a peaceful conclusion to the incident.

Since the subject's goals in the escalated situation may no longer be clear to him or her, and since the loss of control and elevation of stress associated with the police presence will initially cloud the subject's rationale, efforts to control stress and establish a more instrumental set of goals should form the primary focus for the negotiator. Atkinson, Atkinson, and Hilgard offer a simple explanation of five factors which contribute to reducing situational stress:²³

- 1) *Predictability*—The subject can no longer predict what is likely to happen in the situation. Outcomes are uncertain, and the perceived possibilities are decidedly threatening. Since he or she cannot predict the consequences of various alternatives, none are apt to appear acceptable.

- 2) *Control*—The subject, who first introduced the weapon into the original situation in order to gain control, has not totally lost the power to terminate the encounter under his or her desired terms. The subject's only remaining element of control is the ability of the weapon to effect a standoff.

- 3) *Perceptions*—The subject's assessment of the situation is clouded by stress and perceived threat. The more focus placed upon the situation, the less likely that an acceptable outcome will be perceived.

- 4) *Competency*—This factor is absent due to the subject's lack of strategies for or experience in dealing with situations represented by a police encounter.

- 5) *Social Support*—The subject, frequently lacking significant social supports prior to the confrontation, is now completely isolated through containment. He or she now totally lacks support as the situation has escalated to its most stressful level.

The negotiator attempts to restore these feelings within careful boundaries, thereby relieving to some extent the excessive stress and emotions blocking constructive negotiation.²⁴ The negotiator can lend predictability to the situation by establishing credibility and providing reassurance. By involving the subject in making decisions and establishing goals, the negotiator gives the subject limited control, helps alter the subject's perceptions, and establishes some competency in the subject for addressing the situation at hand. The negotiator also becomes the subject's sole source of social support, leading to transference and bonding.

The importance of these roles has been generally addressed by police literature on negotiation.²⁵ Some emphasis for their effectiveness is shown in the findings of Mirabella and Trudeau,²⁶ who determined that experienced negotiators found making reassuring statements, attempting to reason, and suggesting alternatives as the actions most helpful in negotiation. Despite this recognition, specific strategies by which to employ these factors toward the behavioral ends sought by police have yet to be fully developed.²⁷

Effecting Behavioral Change

The ultimate goal for the negotiator is to effect a specific behavioral change in the subject. The negotiator's approach should be to control reinforcement to the subject to achieve directed behavioral change.²⁸

Such reinforcement may take the form of directly regarding certain behavioral changes (positive reinforcement), or it may come as the reduction of stress and discomfort in exchange for behavioral alteration (negative reinforcement). Punishment or threat is not synonymous with negative reinforcement, since that case involves disrupting a behavioral sequence already exhibited rather than the reinforcement of a developing sequence.²⁹

The negotiator's role is particularly powerful in relation to the use of negative reinforcement strategies. Since the subject's discomfort and perceived threat in an alien situation are the prime motivators in the escalated situation encounter, the negotiator rapidly demonstrates the ability to reduce that

"The most prevalent type of encounter, the 'escalated situation,' lends itself to a more-structured behavioral intervention on the part of the negotiator."

discomfort as the subject changes his or her behavior. Planned use of that capability forms the basis for effective modification of the subject's behavior.

Modification of behavior by reinforcement techniques involves a strategic series of planned steps to effect its ultimate end. Rather than beginning with an attempt to effect the final desired response, sequential changes are mapped, beginning with behaviors already present and proceeding through small steps toward the desired result. McConnell provides a basic summary of four steps in effective behavior modification through reinforcement.³⁰

- 1) *Specification of the Terminal Response*—This involves clearly stating the behavior sought as the end product of the exchange. This will generally be the peaceful surrender of the barricaded subject.
- 2) *Establishment of Baselines*—This involves determining what behaviors presently exist which might be relevant to achieving that goal (talking to the negotiator, exercising restraint, or the like).
- 3) *Reinforcement of Goal-directed Behavior*—This entails reinforcing (either through positive or negative strategies) those baseline behaviors which move toward the terminal response. It also implies *not* reinforcing movement in other directions. For example, verbal expressions of restraint or desire to mollify the situation should receive constructive attention from the negotiator; threats or hostile responses should be met with silence.

4) *Shaping of Behaviors toward the Terminal Responder*—Here, the negotiator establishes a series of behavioral changes leading sequentially to the desired outcome. This involves lessening the centrality of the weapon and the confrontation and enhancing the value of the options the negotiator has to offer.

Field Application

Upon arrival and containment, the negotiator begins by developing intelligence concerning the individual and the nature of the situation which led to the confrontation.³¹ This information should allow the negotiator to determine what the subject was seeking in the initial conflict, from whom the subject was seeking it, and how the subject may be perceiving the current situation. This helps establish how progress toward surrender can be linked to the subject's initial goals.

In the initial contact with the subject, the negotiator concentrates on lessening the stressful perceptions of the subject. This allows meaningful negotiation to begin and helps establish the negotiator's ability to control reinforcement. This phase will also establish the elements of credibility, bonding, and consistency mentioned previously.³²

The negotiator will assist the subject in clarifying his or her goals from the initial conflict. The negotiator will then be in a position to offer alternatives which might yield progress toward those goals as reinforcement for behavioral changes (verbal or physical) toward the negotiator's goals. This becomes the classical "win-win" paradigm, in which each time the negotiator wins, the subject also perceives a gain.

Consistency of reinforcement is essential.³³ Each behavior change

must be reinforced if goal-directed; negative changes must suspend reinforcement. In this way, the subject's goals are only met through his or her meeting the negotiator's goals. Disruption of that consistency may lead to a loss of the reinforcing value of the negotiator.³⁴

Final achievement of the terminal response (surrender) may still be touchy. Despite an effective and consistent behavioral history with the negotiator, the subject must now surrender the last element of his or her control, not to the negotiator but to the "police" in general, the major source of threat in the escalated situation. Here, the careful development of the "surrender ritual,"³⁵ in which the subject and the negotiator work out the details of the terminal response, is of utmost importance to the subject's sense of predictability, control, and competency in this final stage of resolution. Reinforcement of the terminal response by final contact with the negotiator after the subject is neutralized and secured may be crucial to achieve closure for both the subject and the negotiator (though not, of course, to the police).

An important recommendation is to focus on the subject's goals in the initial situation and *not* to reinforce the role of the weapon by constant reference to or attention toward its surrender. Its role as a talisman should be recognized and initially respected. The negotiator can work to lessen its significance by increasing the detachment of the subject from the weapon—removing the finger from the trigger, holding it by the cylinder, laying it first

in the lap, then on the table. As the subject completes such a series of responses, the negotiator provides reinforcement. Distance from the weapon increases as bonding to the negotiator increases, establishing that the negotiator, not the weapon, ensures security and promotes resolution.

Implications for Training

It is perhaps unfortunate that the "siege mythology," which has dominated the negotiation literature, has also tended to dominate the training experiences for negotiators. Behavioral theory is presented in didactic sessions, but situational or practical exercises center on "worst-case" scenarios, representing situations in the least frequent typological categories. While no one would underestimate the importance of being prepared for the worst case, it is inaccurate to believe that methods suitable for the criminal, terrorist, or seriously disturbed perpetrator will also be those most effective for the subject caught in the escalated situation. The prevalence of this type case demands that it receive extensive practical training, preferably with the involvement of appropriate behavioral consultation in the exercises and critique.

Some agencies, particularly Los Angeles and Kansas City, have experimented with the involvement of their negotiators in crisis hotline environments.³⁶ While potentially helpful in acquainting negotiators with a wider variety of problem types more representative of escalated situations, there is limited similarity to field operations or to the extremes of stress and threat found in actual subjects. Further, the opportunity to employ reinforcement paradigms and observe their operation is limited by the less direct, less compelling nature of the telephone contact.

Establishing appropriate conditions for the application of behavior modification techniques requires thorough knowledge of and experience in the theory and techniques involved. This expertise will not ordinarily be found among negotiators. Consultation with an experienced psychologist to learn and apply these techniques through situational training is critical in ensuring their effective application in the field.

The psychologist can help negotiators evaluate the subject's goals and needs, determine baselines and shaping strategies, and structure reinforcement to achieve the terminal response without compromise to the field situation. Such consultative roles have been found to be beneficial and appropriate in a variety of settings.³⁷

Discussion

Contrary to the implicit assumptions of most negotiation literature, standard typologies which assume criminal motives, terrorist activity, or serious mental disturbance have not proven adequate in the local experience. The most prevalent type of encounter, the "escalated situation," lends itself to a more-structured behavioral intervention on the part of the negotiator.

Negotiators in these encounters assess the person-situation interaction and use that assessment to structure reinforcements in such a fashion as to shape the subject's behavior toward peaceful surrender. By centering on resolving the subject's initial conflict, the negotiator can often achieve a "win-win" result.

Criminal charges may not result from many such encounters. Effective disposition will involve delivering the subject to mental health authorities and ensuring appropriate action from the facility accepting the subject. The final article in this series addresses the issue of securing effective psychiatric disposition.

FBI

(To be continued)

Footnotes

- ¹⁴A. Bandura, *Aggression: A Social Learning Analysis* (Englewood Cliffs, NJ: Prentice-Hall, 1973); supra, note 13.
- ¹⁵A. F. Maksymchuk, supra note 4; W. R. Olin and D. G. Born, "A Behavioral Approach to Hostage Situations," *FBI Law Enforcement Bulletin*, vol. 52, No. 1, January 1983, pp. 19-24.
- ¹⁶L. Berkowitz and H. LePage, "Weapons As Aggression-eliciting Stimuli," *Journal of Personality and Social Psychology*, vol. 13, 1967, pp. 200-206.
- ¹⁷L. Froman and J. Glorioso, "Applying Communication Theory to Hostage Negotiation," *Police Chief*, vol. 51, No. 5, 1984, pp. 59-60; Maher, supra note 4; Maksymchuk, supra note 4.
- ¹⁸J. W. McDavida and H. Harari, *Social Psychology: Individuals, Groups, Societies* (New York: Harper and Row, 1968).
- ¹⁹M. S. Miron and A. P. Goldstein, *Hostage* (New York: Permagon Press, 1979).
- ²⁰Froman and Glorioso, supra note 17.
- ²¹R. C. Nielson and G. F. Shea, "Training Officers to Negotiate Creatively," *Police Chief*, vol. 49, No. 8, 1982, pp. 65-67.
- ²²Maksymchuk, supra note 4; Taylor, supra note 1.
- ²³R. L. Atkinson, R. C. Atkinson, and E. R. Hilgard, *Introduction to Psychology*, 8th ed. (New York: Harcourt, Brace, and Jovanovich, 1983).
- ²⁴Stratton, supra note 4.
- ²⁵F. Bolz and E. Hershey, supra note 4; Maher, supra note 4.
- ²⁶Mirabella and Trudeau, supra note 5.
- ²⁷Olin and Born, supra note 15.
- ²⁸Ibid.
- ²⁹C. B. Ferster, S. Culbertson, and M.C.P. Boren, *Behavior Principles*, 2d ed. (Englewood Cliffs, NJ: Prentice-Hall, 1975).
- ³⁰J.V. McConnell, *Understanding Human Behavior*, 4th ed. (New York: Holt, Rinehart, and Winston, 1983).
- ³¹Maier, supra note 4; Maksymchuk, supra note 4.
- ³²Bolz and Hershey, supra note 4; Maher, supra note 4; Maksymchuk, supra note 4; Olin and Born, supra note 15.
- ³³Ferster, Culbertson, and Boren, supra note 29; Olin and Born, supra note 15.
- ³⁴Bolz and Hershey, supra note 4; Maher, supra note 4; Maksymchuk, supra note 4.
- ³⁵Bolz and Hershey, supra note 4.
- ³⁶Gettlinger, supra note 2.
- ³⁷Fuselier, supra note 4; Powitzky, supra note 6; Poythress, supra note 6; M. Reiser, "Crime-specific Psychological Consultation," *Police Chief*, vol. 49, No. 3, 1982, pp. 53-56.

Conclusion: Mental Health Dispositions

By

RICHARD M. GIST, Ph.D.

*Psychology Department
University of Missouri
Kansas City, MO*

SGT. JON D. PERRY

*Supervisor of Instruction
Regional Training Academy
Police Department
Kansas City, MO*

and

NANCY CHAPMAN

*Psychiatric Social Worker Supervisor
Western Missouri Mental Health Center
Kansas City, MO*

In the first article of this series, it was established that the majority of negotiation scenarios studied in Kansas City fell outside the criminal or terrorist hostage situation. The majority of these cases involved the escalation of domestic or similar disputes, resulting in a tactical operation only when the introduction of a weapon and the subsequent barricading of the subject brought forth the need for a negotiated conclusion. The bulk of the remaining cases involved suicidal or otherwise disturbed persons, with only 12.5 percent emerging from clearly criminal activity and no cases of terrorism.

The negotiated surrender of the subject has been the sole focus for virtually all these encounters; rarely have assault and entry been required. In some cases, negotiations continued for as long as 27 hours before the surrender. Many, perhaps even a majority of these cases, have resulted in criminal charges not being filed against the subject.

Two factors inherent in such situations have been a source of concern for negotiators and tactical units. First, absent a sworn complaint or an officer's personal observation of a prosecutable act, some basis in law must be established for detaining the subject longer than the normal temporary detention at the scene of the disturbance. In the escalated dispute, as in the majority of ordinary dispute cases, the victim may decline to prosecute or drop charges before trial. In the case of the suicidal individual who has only threatened himself or herself, or the disturbed person whose actions are obvi-

ously the result of mental disease or defect, no prosecutable act may be involved. The basis for further action and more than temporary detention at the scene of the disturbance must be constructed from the civil law applicable to the jurisdiction in which any further detention is effectuated, particularly the applicable mental health statutes concerning danger to self and others.

Second, upon resolution of the encounter and surrender of the subject, a question arises as to appropriate disposition when no criminal charge exists. The vast majority of these cases will be remanded to mental health authorities for evaluation and treatment. If involuntary commitment is sought, the legal standards for initiating such a commitment must be clearly met or the disposition will be ineffective.

The Peace Officer in Missouri Mental Health Law

The laws of the State of Missouri regarding mental health and civil commitment provide for the emergency detention of an individual whose behavior, due to a mental disorder, presents an immediate danger to himself or others.³⁸ Under Missouri statutory law, peace officers, based upon reasonable belief, are specifically authorized to take such a person into custody and to present that individual to a mental health facility for evaluation and treatment.³⁹ Further, the officer may directly petition for such evaluation, based on personal observations and investigation. When acting on reasonable belief and without gross negligence, the officer is granted immunity from liability arising from such detention.⁴⁰

Negotiators regularly receive training in the observation and classification of human behavior as part of both initial and inservice instruction and also receive supervised practical experience in the crisis-line setting. Additional training and experience in mental health law, evidentiary standards, procedures, and policies relating to civil commitment were also seen as essential to meet the standards established by the courts and to ensure proper disposition by the receiving facility.

Process and Procedures

Hanewicz, Fransway, and O'Neill describe in some detail the historical difficulties of coordinating activity between police agencies and mental health facilities.⁴¹ They also provide a model for solving at least a portion of those difficulties by enhancing communication between the agencies at both the procedural (formal) and individual (informal) levels. Since effective disposition of the subject will depend on these two systems, both elements of communication must be functioning effectively for the process to work properly.

Direct interaction between mental health center emergency staff and police department negotiators had previously been quite limited. Subjects of Operation 100's sent to the facility for disposition were ordinarily taken into custody by the arrest team and transported to the facility accompanied only by a wagon driver whose involvement in the operation was minimal. Clinic personnel evaluating the subject had only that officer's description of the encounter, usually somewhat nonspecific and lacking in direct observation or de-

tail, upon which to base their evaluation. Given the effectiveness of the negotiators in calming the subject and restoring him to a more rational level of interaction, the only direct observations of the subject were insufficient to support involuntary detention and the subject was likely released.

Police and mental health center personnel developed a protocol for cross-training negotiators and emergency room staff, coupled with procedural amendments, to ensure that subjects of Operation 100's would be evaluated under optimum conditions for effective disposition. The supervisor of the negotiation unit prepared inservice training for emergency room staff on the operations, negotiation process, and types of subjects referred to the center. The mental health center staff developed for negotiators a complete training experience which included mental health law, admissions criteria, information required for evaluation, forms and procedures used for emergency detention, and treatment alternatives.

As a mechanism of enhancing both the application of the formal information and the development of informal communications, negotiators spent 4 hours in the emergency room participating in patient intakes and dispositions. Emergency room personnel were similarly given the opportunity to participate in "ride alongs" with patrol officers to enhance their understanding of the situations encountered by police and the constraints under which they operate in the field.

Police procedure on disposition of Operation 100 subjects remanded for mental health evaluation was also altered to ensure that screening personnel would receive the benefit of what the negotiator knows of the subject and his or her direct observations of the subject during the operation. The

negotiator now reports to the mental health center and files the petition for evaluation and detention. Emergency room staff are provided all pertinent data on the subject gathered during the operation, with particular concern for those elements identified by mental health personnel as critical to their evaluation. This information, based on the negotiator's personal observations and investigation, is more likely to meet the criteria for admission and to satisfy legal standards for involuntary detention.

Procedures are also being developed to provide feedback to the officer regarding ultimate disposition of the subject. As noted by Hanewicz,⁴² this process provides a sense of closure for the officer and emphasizes the value of the officer's professional role in the total process of treating the subject. It also provides a continuity to the relationship between police and mental health personnel which help maintain the informal communication channels and supports the proper application of the formal process over time.

Impact of Implementation

Negotiators and mental health personnel alike report great improvement in their abilities to deal satisfactorily with Operation 100 subjects as a result of these changes. Each group reports a much better understanding of the roles, functions, and constraints of the other, and each exhibits heightened respect for the professional role of the other, especially for these individuals with whom they have directly worked.

"The negotiator ... is a vital source of information to the receiving mental health facility in making a proper evaluation and in satisfying the legal requirements for detention."

It is hoped that the benefits derived from enhanced communication between negotiators and mental health personnel can be duplicated for other police personnel. Field officers represent one of the most common sources of referral to mental health facilities; yet, their value as sources of pertinent professional information and their involvement in the process of admission and disposition has not been fully appreciated or used.⁴³ Methods are being explored to provide officers similar training experiences with respect to mental health law and procedures and to generalize the benefits seen in disposition of Operation 100 subjects to routine mental health referrals from field officers.

The benefits of negotiator-mediated disposition relating to closure of the incident for both the negotiator and the subject also deserve attention. Much of the negotiation process in the escalated situation or with the disturbed individual involves a bonding process between subject and negotiator, in which the negotiator makes a sincere attempt to understand the problems facing the subject and commits himself or herself to helping the subject find a resolution.⁴⁴ When the negotiator participates directly in the admission and disposition of the subject at the mental health facility, he or she is able to fulfill materially that commitment to the subject, lending a sense of completion and integrity to his or her resolution of the conflict. The subject also sees that the negotiator has fulfilled his or her commitment to arrange for the assistance promised in the negotiation process and is more likely to participate fully in the treatment planned.

This cooperative effort to deal effectively with the subject contributes

favorably as well to the public's perceptions of both negotiators and mental health personnel. Such enhancement of public image may have particularly noteworthy long term benefits, since much of the credibility of the negotiator as he or she enters the confrontation may depend on the subject's prior knowledge of the negotiation units' performance. When reports from the field repeatedly make note of the negotiator's sincere follow through on gaining assistance for subjects, it is that perception which is most likely to dominate.⁴⁵

Conclusion

Local negotiation situations are likely to be dominated by encounters involving escalated disputes, and to a lesser extent, by situations involving suicidal or mentally disturbed persons. Criminal charges will not frequently result from these operations, and effective disposition of the subject must depend on admission to a mental health facility for evaluation and treatment.

Missouri law empowers a peace officer to act upon reasonable belief that such a subject presents an immediate danger to self or others, based upon personal observation and investigation, and to take such a subject into custody and transport the subject for evaluation and treatment. Case law relating to exercise of this authority establishes its limits and conditions, and when those limits and conditions are satisfied, provides immunity for the action.

While the statutes governing such dispositions vary within jurisdictions, successful disposition in all cases involves developing both formal procedures and informal communication channels between police and mental health facilities. The negotiator, by virtue of his or her detailed personal observations of the subject during the encounter and the intelligence developed during negotiation, is a vital source of information to the receiving mental health facility in making a proper evaluation and in satisfying the legal requirements for detention.

Benefits of such a working relationship can extend beyond the disposition of subjects of tactical operations. Both the negotiator and the subject gain closure on the incident through negotiator-mediated disposition. Similar training and involvement in mental health dispositions can improve the effectiveness of routine dispositions by field officers and can provide long term benefits in terms of the public's perceptions and expectations. **FBI**

Footnotes

³⁸Mo. Rev. Stat. sec. 632 (1980).

³⁹Mo. Rev. Stat. sec. 632.305 (1980).

⁴⁰Mo. Rev. Stat. sec. 632.440 (1980) (amended 1983).

⁴¹W.B. Hanewicz, L.M. Fransway, and M.W. O'Neill, "Improving the Linkages between Community Mental Health and the Police," *Journal of Police Science and Administration*, vol. 10, No. 2, 1982, pp. 218-223.

⁴²*Ibid.*

⁴³*Ibid.*

⁴⁴Bolz and Hershey, *supra* note 4; Maher, *supra* note 4; Maksymchuk, *supra* note 4; Olin and Born, *supra* note 15.

⁴⁵C.I. Hovland and W. Weiss, "The Influence of Source Credibility on Communication Effectiveness," *Public Opinion Quarterly*, vol. 15, 1985, pp. 635-650; R.B. Zajonc, "Attitudinal Effects of Mere Exposure," *Journal of Personality and Social Psychology Monograph Supplement*, vol. 9, 1968, pp. 1-27.

Houston's DART Program

A Transition to the Future

During the mid-1970's and early 1980's, the City of Houston, TX, experienced a tremendous increase in population. Faced with this growth rate, the Houston Police Department recognized the need to alter the method of providing services to the city's residents. It could no longer continue to support a centralized operation in hopes of effectively servicing a rapidly growing city whose population and geographic boundaries were in a constant state of change.

To counter this problem, department administrators and city council members established "command stations," which would decentralize departmental operations. Simultaneously, a field deployment program was developed to be used by officers assigned to the command station. It was under these conditions that the DART (Directed Area Responsibility Team) Program was created.

Basically, the DART concept consisted of expanding the role of the police officer by decentralizing primary police responsibilities. By enlarging the officer's role and providing increased managerial flexibility, the department committed itself to the effective management of its patrol operations.

Program Goal, Objectives, and Strategies

The impetus for designing the DART Program was based on a commitment to provide the Houston Police Department with a sound policing strategy which will reduce citizens' fear of crime, deliver improved services, and assist the department in meeting its future needs. Through this goal, the

department sought to improve its ability to provide services by working to attain several newly formed operational objectives.

These objectives included the need to establish a closer, more-positive relationship between the officers and community residents, reduce citizens' fear of crime, obtain greater community involvement in policing activities, establish a more-efficient use of field personnel, develop a crime analysis system, enhance officer job satisfaction and morale, and assess the overall effects of the program as it relates to the concept of decentralization.

Attaining these objectives centered on the ability of departmental personnel to administer the DART Program in accordance with specific program strategies. The following program strategies represent the actual means by which the officers attempted to alter their traditional policing methods:

- 1) DEPLOYMENT STRATEGIES
 - Beat Integrity
 - One-officer Units
 - Designated Report Units
- 2) TEAM INTERACTION STRATEGIES
 - Communication among Police Officers
 - Investigative Sergeants—Decentralized Investigations
- 3) JOB DIVERSIFICATION STRATEGIES
 - Patrol Officer Followup Investigations

By

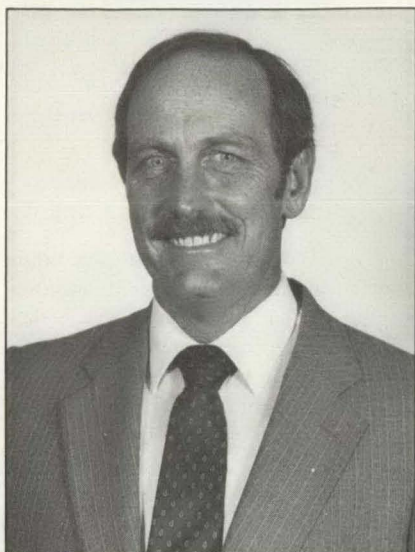
JOHN P. BALES

*Assistant Chief of Police
Field Operations Command
and*

LT. TIMOTHY N. OETTMEIER

*Field Operations Command
Houston Police Department
Houston, TX*

"... the DART Program was based on a commitment to provide the Houston Police Department with a sound policing strategy which will reduce citizens' fear of crime, deliver improved services, and assist the department in meeting its future needs."



Assistant Chief Bales



Lieutenant Oettmeier

- Supportive Response Team
- Structured Patrol Techniques
- Participatory Management Techniques
- Assistant Squad Leader Appointments
- 4) KNOWLEDGE GAINING/
SHARING STRATEGIES
- Beat Profiling
- Crime Analysis
- 5) COMMUNITY INTERACTION
STRATEGIES
- Community Contacts
- Neighborhood Meetings
- Police Community Relations Officer
- Crime Prevention/Security Surveys

The DART Program was officially implemented on March 7, 1983, in master district 16 (the department has 20 master districts), with master district 8 being selected as the "control" district. Data generated in the DART district was compared to that of the control district for evaluation purposes.

Evaluation Format

The DART Program, which incorporated elements of "team policing," represented a change in establishing and administering various methods of providing police services. Coupled with the department's commitment to decentralize its operations, the program identified how administrative efforts would be coordinated to insure effective delivery of services.

The DART Program served as a tool by which supervisors could legitimize operational experimentation with the various program strategies. The scope of the evaluation, therefore, was designed to not only assess the success of the program as a whole but to delve into each of the program's strategies in order to determine specific successes and/or failures.

Departmental administrators, therefore, were in need of a comprehensive description and analysis of the program. The purpose of the evaluation was to assess the practicality of the program and its components as they impacted the delivery of services to the target area.

The evaluation focused on gathering information from three main sources. The first source of input was obtained from the interview sessions conducted with all supervisors assigned to the program. The interview questions ranged from general inquiries regarding the strengths and weaknesses of the program to specific questions about each of the aforementioned strategies. The second source of input was derived from an analysis of the police personnel survey. The survey was administered to all program personnel, as well as those working in the control district, both before and after program implementation. The third and final source of input came from a comparison of crime statistics in both the DART and control districts. The analysis of the data included an examination of the statistics before program implementation, in addition to those collected during the program.

Program Findings and Implications

As noted previously, several program strategies were implemented. Individually, the strategies represented new methods designed to provide various types of services to the public. On a collective basis, they represented the essence of the entire program.

"DART served as a mechanism which provided the department with an opportunity to become flexible in addressing the challenges of the future."



Lee P. Brown
Chief of Police

Deployment Strategies

Beat Integrity—This strategy is a process whereby officers are assigned to one geographic area of responsibility. Although initially rejected by the officers because they believed it limited their mobility and restricted law enforcement activities, this strategy was accepted as a valuable responsibility in establishing rapport with residents of the area and was subsequently administered throughout the city.

One-officer Units—Officers believed this strategy threatened their safety and well-being. For this reason, management allowed a small number of two-officer units to coexist and rotated interested officers through the two-officer units on a periodic basis. There were no reports of increased violence involving the officers through the administration of the program, primarily due to the establishment of a reliable "support system."

Tactical Assignments—When informed of a unique problem, the beat officer was responsible for assisting in developing and administering a formal plan to resolve the problem. The strategy used on an infrequent basis because consistent standard operating procedures and crime analysis support were not developed adequately. When these problems were resolved, the strategy proved to be very successful.

Designated Report Units—This strategy, which called for the establishment of a single unit, per shift, whose responsibility was to record reports within the district, failed due to complex administrative coordination problems. It was not supported by the officers as it distorted the availability of information needed by the beat officer.

The *deployment strategies* were, to a large degree, collectively responsible for reducing response times—specifically, travel time. Visibility was also increased, thereby enhancing the intensity of coverage provided by the officers. Through these strategies, the department was able to deploy their primary resources in a more-efficient manner.

Team Interaction Strategies

Information Sharing—This strategy consisted of several methods designed to stimulate the flow of communication between officers. Attempts were sincere but the strategy was short-lived. Officers inherently do not transmit information from one shift to the other, unless there is a central "clearinghouse," such as crime analysis. Rapport between officers and investigative sergeants was effective at times, but too sporadic to claim that a system of information sharing was established.

Investigative Sergeants—The assignment of investigative sergeants from centralized investigation divisions

to a patrol division was initially disheartening for the sergeants. In time, they were able to overcome their dissatisfaction and establish a good working relationship with the patrol officers and patrol supervisors. Their morale, job satisfaction, and rapport with the officers became very strong. Difficulty was experienced in measuring specific case clearance data; however, an analysis of the criminal statistics revealed a downward trend which, in part, was attributed to the effectiveness of this strategy.

The implications of the *team interaction strategies* are important in that substantive verification was obtained, indicating patrol and investigative personnel can effectively work together under a formalized, administrative structure. Intensified affiliation strengthened the relationship between the two groups. This relationship eventually reached a point whereby the officers and investigative sergeants began working together as a single unit as opposed to two separate, peacefully coexisting units, which facilitated the exchange of information between officers and investigators. Officers began to write more-comprehensive reports which expedited the investigations. Investigators, consequently, reaped the rewards for allowing the officers to work their cases and thereby broaden their ability to gather needed case information. The cooperative efforts on behalf of the officers and investigators enhanced the effectiveness of processing investigations.

Job Diversification Strategies

Patrol Officer Followup Investigations—This strategy expanded officers' roles by allowing them to work in conjunction with investigative sergeants. Initially, the strategy

"The DART Program enables officers to manage their own patrol operations, which is so valuable to the profession of policing."

was accepted, but seemed to decline as time passed. Some officers began to believe their responsibility was minimal when compared to the scope of the investigator's responsibilities. Support for this strategy is strong; however, the method of administration needs to be strengthened to counteract officer frustration.

Supportive Response Team—This is a unique concept whereby a small undercover squad of officers performed a variety of tactical operations, e.g., vice, narcotics. Although a successful strategy, it needs to be closely monitored in order to limit the scope of activities. This strategy should be continued, but tighter operating procedures need to be developed to clarify coordination responsibilities between the patrol and investigative personnel, which will require sustained crime analysis support if effectiveness is to be maintained over an extended period of time.

Structured Patrol—This procedure is used by officers to resolve specific neighborhood problems through any one of a variety of deployment responses. This strategy also provided the officers with the latitude to spend a portion of their uncommitted patrol time meeting residents and/or business owners. The strategy was a highly useful and effective management tool for supervisors. It was strongly supported by all personnel because of its versatile applications for all patrol divisions.

Participatory Management—Officers of all ranks have the opportunity to provide input into decisions that either directly or indirectly affect the type of work they perform. There was confusion as to whether this strategy was truly effective. Management personnel believed they were letting the officers become involved in the decisionmaking process, whereas

some of the officers disagreed. As time progressed, all personnel began to believe the resolution was dependent on their ability to develop a structured process of participatory management. Fortunately, there is continued support for this strategy.

Assistant Squad Leader—A designated officer would assume the responsibility of the district sergeant in his absence. Generally, the strategy was successful; however, the degree of support was dependent on the assistant squad leader, since at times, there was confusion as to the type and extent of his authority. A more-detailed delineation of responsibilities for this position needs to be identified.

The implications of the *job diversification strategies* were multifaceted. The officers' role was expanded by allowing active participation in investigations, decisionmaking, and supervision. Tactical planning and implementation methods were also allowed to prosper under the officers' guidance and supervision. The officers began to experience variation in their jobs, and despite frustration with some strategies, the exposure seemed to augment their desire and willingness to work.

More importantly, though, by combining the job diversification and deployment strategies, the officers, supervisors, and managers began to experience the rudimentary beginning of effectively managing their own patrol operations. This does not mean there were not numerous problems which needed to be solved. On a larger scale, though, the officers' job, which was once viewed as frequently being mundane and unchallenging, became stimulating as a result of significantly changing roles.

Knowledge Gaining/Sharing Strategies

Beat Profiling—This strategy represents a process whereby officers collect information about their beat which will assist them in providing the appropriate type of services. The information ranges from geographic references and residential and business profiles to a recording of criminal activities. While the information collected was extremely beneficial, problems occurred in establishing a method of keeping the information current.

Crime Analysis—This process consists of collecting, analyzing, and disseminating information designed to decrease criminal activity. Accepted by the officers, this strategy experienced some administrative difficulties, which were subsequently overcome. All officers realized the value of the strategy as it related to managing patrol activities.

Beat profiling and crime analysis represented methods the officers used to enhance their knowledge about their beat. Historically, the officers had always been able to effectively resolve problems occurring within their beat. The difficulty, however, had been in trying to identify the causes of those problems. These strategies have assisted the officers in overcoming their dilemma and have helped officers organize their activities in terms of establishing priorities based on identified causes.

Community Interaction Strategies

Community Contacts—This strategy was valuable in helping the officer establish a closer relationship with residents and business owners on his beat. However, additional development was needed to maintain administrative and operational continuity across shifts.

Neighborhood Meetings—Officers initiated meetings with civic groups within the DART Program neighborhood to discuss meaningful solutions to frustrating problems and concerns. Initially successful, citizen participation seemed to decline as time passed. Even so, it was recommended this strategy be continued.

Police Community Relations Officer—Officers were assigned to the DART Program to facilitate interaction between citizens and police officers, coordinate the flow of information which would educate citizens about safety and crime prevention techniques, and respond to special requests from civic groups, schools, or individual residents. After overcoming administrative difficulties, the strategy is now being administered by each patrol division throughout the city.

Crime Prevention/Security Surveys—Officers provided free security surveys to residential owners and businesses, identifying potential problems and recommending specific solutions to more adequately secure their property. The strategy was very successful, although more training was necessary to increase the number of officers capable of providing this service.

The *community interaction strategies* were very successful for both citizens and police officers. By performing service-oriented functions and tasks of a nonadversarial nature, officers established closer ties to the community.

The results of the police personnel survey revealed a marked change in the attitudes of the DART officers. For example, the relationship between officers and supervisors was strengthened, as exemplified by changes in attitudes regarding issues of fair

treatment, support, guidance, and quality of supervision. Job satisfaction increased, along with the opportunity for officers to exercise more independence during their tours of duty. DART officers recognized the need to improve, if not just maintain, strong communication ties with citizens, more so than was documented by the officers working within the control district.

The analysis of the crime statistics also revealed several significant findings. There were fewer part 1 crimes occurring within district 16 during the program's implementation than recorded for district 8 or the city as a whole. Part II crimes also decreased within the DART district, but increased in the control district when data for 1983 and 1984 were analyzed. Other noncriminal incidents indicative of increased contacts between the officers and citizens increased sixfold within district 16 as opposed to district 8 over the same time period.

Conclusion

The implementation of the DART Program caused many operational changes to occur within the department. The most predominant change was a more "service-oriented" style of policing by the officers. Citizens were encouraged to become involved in crime prevention activities and began to attend neighborhood meetings, while the officers were encouraged to establish stronger communication ties with the public during their tours of duty.

A second significant change was the alteration of geographic responsibility. Beat integrity, in conjunction with one-officer units and job enlargement, was seen as being beneficial in reducing response time and the occurrence of criminal activity.

Third, the decision to decentralize various investigative functions assisted

in establishing and facilitating a strong relationship between investigative sergeants and line officers, a condition which seldom existed within the department.

Finally, the DART Program was administered using a minimum amount of departmental resources. Contrary to the officers' desire for increased funding, they received very little. In spite of this drawback, the officers continued to work within the program's guidelines and produced an extremely effective program as practically all of the program's objectives were realized.

The DART Program remains in operation, although it is evolving into a newer, more-comprehensive program. The department is assessing this change as it prepares to implement the program in other portions of the city.

As the needs of Houston's residents changed, the department responded by designing and successfully administering a program capable of coping with the demands of an ever-changing environment. DART served as a mechanism which provided the department with an opportunity to become flexible in addressing the challenges of the future.

The DART Program enables officers to manage their own patrol operations, which is so valuable to the profession of policing. And as the program continues to prosper, the citizens of Houston will be provided with more-comprehensive and effective service by officers who strongly support the methods used to provide those services.

FBI

Investigative Detention

An Intermediate Response

(Part II)

"... the duration of the stop should be considered in the context of the law enforcement purposes to be served by the stop and the time reasonably needed to effectuate those purposes."

By

JOHN C. HALL

Special Agent

FBI Academy

Legal Counsel Division

Federal Bureau of Investigation

Quantico, VA

Law enforcement officers of other than Federal jurisdiction who are interested in any legal issue discussed in this article should consult their legal adviser. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law or are not permitted at all.

In *Terry v. Ohio*,⁴² the Supreme Court recognized the investigative stop as an *intermediate response* available to law enforcement officers engaged in investigating possible criminal activity when probable cause to arrest is absent. The Court identified two questions which must be considered in determining whether the use of this intermediate response is reasonable under the fourth amendment to the U.S. Constitution:

- (1) "whether the officer's action was justified at its inception"; and
- (2) "whether it was reasonably related in scope to the circumstances which justified the interference in the first place."⁴³

Part I of this article considered the first question and reviewed some of the Supreme Court cases which define and describe "reasonable suspicion" as the standard necessary to justify an investigative stop. Part II will consider the permissible scope of the intrusion with regard to the duration of the stop and the degree of law enforcement control over the detainee. The conclusion will consider the justification and permissible scope of a protective frisk for weapons.

PERMISSIBLE SCOPE OF THE INTRUSION

In challenging the scope of an investigative stop, defendants generally seek to persuade the courts that the degree of police intrusion was tantamount to an arrest, thus requiring the higher standard of probable cause for its justification. The most frequently recurring questions relate to two areas: (1) The length or duration of the stop, and (2) the degree of police control over the detainee. Each of these will be considered in turn.

Duration of the Stop

Without exception, the Supreme Court cases which have dealt with investigative detention have emphasized the temporary nature of the seizure. Obviously, the longer a person is detained by police, the greater is the degree of intrusion and the more closely the seizure resembles an arrest.

Since the *Terry* decision, the Supreme Court has persistently declined to establish a bright line rule, choosing instead to consider the proper duration of a detention in the context of the facts of each case. For example, in one recent case,⁴⁴ the Court explained:

"We understand the desirability of providing law enforcement authorities with a clear rule to guide



Special Agent Hall

their conduct. Nevertheless, we question the wisdom of a rigid time limitation. Such a limit would undermine the equally important need to allow authorities to graduate their responses to the demands of any particular situation."

In *United States v. Sharpe*,⁴⁵ the Court confronted the issue directly. Law enforcement officers stopped two vehicles (a car and a pickup truck with a camper shell), which were apparently traveling together and were suspected to be involved in marijuana trafficking. The specific details which established the reasonable suspicion for the stop were set forth in detail in part I of this article and need not be repeated here. It is sufficient to note that a Drug Enforcement Administration (DEA) agent had developed the reasonable suspicion for the stop and had called upon a North Carolina highway patrolman for assistance. When one of the vehicles (the car) was stopped by the officers, the second (the pickup) attempted evasion and was brought to a halt about one-half mile away. The DEA agent remained with the car until additional police assistance arrived, at which time he joined the officer who had stopped the pickup. The investigation at the site of the pickup developed the probable cause necessary to arrest the occupants of both vehicles for possession of marijuana with intent to distribute. The lapse of time between the initial stop of the pickup and the development of the probable cause was approximately 20 minutes.⁴⁶

A Federal appellate court held that the duration of the detention violated the fourth amendment and suppressed the evidence. The Supreme Court disagreed and reversed.

While recognizing that "if an investigative stop continues indefinitely, at some point it can no longer be justified as an investigative stop,"⁴⁷ the Court rejected the appellate court's attempt to impose a rigid time limitation, stating that "common sense and ordinary human experience must govern over rigid criteria."⁴⁸

In discussing the appropriate time limit for a particular investigative stop, the Court emphasized that the duration of the stop should be considered in the context of the law enforcement purposes to be served by the stop and the time reasonably needed to effectuate those purposes. An important consideration is "whether the police diligently pursued a means of investigation that was likely to confirm or dispel their suspicions quickly, during which time it was necessary to detain the defendant."⁴⁹

Applying the principle to the facts, the Court found that the 20-minute detention was reasonable. The DEA agent pursued his investigation in a diligent and reasonable manner, and furthermore, the delay was attributed almost entirely to the suspect's efforts to elude the authorities.

The *Sharpe* decision does not stand for the proposition that law enforcement officers may detain a person indefinitely to suit their convenience. Indeed, the Court has repeatedly indicated the significance of the time-lapse in assessing the reasonableness of a stop. For example, in *United States v. Place*,⁵⁰ the Court held that the 90-minute detention of an air traveler's luggage was excessive. The defendant's luggage was seized by law en-

"... in the absence of some justification, the display of weapons by police officers engaged in making an investigative stop can result in elevating their actions to the more intrusive level of an arrest."

forcement officers for the purpose of allowing a trained dog to "sniff" for marijuana. The Court held that the seizure of the personal property from the custody of its owner was justified by the principles of *Terry v. Ohio*⁵¹ and that the "canine sniff" of the luggage did not constitute a "search" within the meaning of the fourth amendment.⁵² However, the 90-minute delay between the initial seizure of the luggage at LaGuardia Airport in New York and the canine sniff conducted at Kennedy Airport, which established probable cause for a search warrant, exceeded the permissible limits of an investigative stop. The Court stated:

"...although we decline to adopt any outside time limitation for a permissible Terry stop, we have never approved a seizure of the person for the prolonged 90-minute period involved here and cannot do so on the facts presented by this case."⁵³ (emphasis added)

In *Place*, as in *Sharpe*, the Court considered "whether the police diligently pursue(d) their investigation"⁵⁴ and concluded that they had not. The seizure of the defendant's luggage occurred at New York's LaGuardia Airport based upon information received from authorities in Miami, FL. The luggage was then seized and transported to Kennedy Airport where the canine sniff occurred. The Court said:

"We note that here the New York agents knew the time of Place's scheduled arrival at LaGuardia, had ample time to arrange for additional investigation at that location, and thereby could have minimized the intrusion of respondent's Fourth Amendment interests."⁵⁵

In other words, the Court considered that the New York authorities, based on their prior knowledge, could have reduced the duration of the detention by arranging to have the trained dog at LaGuardia. In the absence of that diligence, and considering all the circumstances of the case, the Court concluded that "the seizure of respondent's luggage was unreasonable under the Fourth Amendment."⁵⁶

In another recent investigative detention case, the Supreme Court was again called upon to consider the reasonable time for seizing a person based on a reasonable suspicion. In *United States v. Montoya deHernandez*,⁵⁷ U.S. Customs officials became suspicious that a female passenger arriving at the Los Angeles International Airport from Bogota, Colombia, might be a "balloon swallower," i.e., that she was attempting to smuggle into the country narcotics hidden in her alimentary canal. When the defendant refused an X-ray examination, she was told that she would be detained until she produced a monitored bowel movement. The ensuing detention continued for approximately 16 hours as the defendant exhibited symptoms of discomfort consistent with what a Federal appellate court described as "heroic efforts to resist the usual calls of nature."⁵⁸ Finally, a court-ordered rectal examination conducted by a physician located a balloon containing a foreign substance. The defendant was then arrested, and over a 4-day period, passed an addition 88 balloons containing cocaine.

In reviewing a Federal appellate court's reversal of the defendant's conviction, the Supreme Court considered the almost 27-hour duration of the detention which preceded the development of probable cause to arrest.

Noting that the length of time in this case undoubtedly exceeded any other detention previously approved, the Court concluded that it was nevertheless reasonable under the following facts and circumstances of this case:

- (1) The events occurred at the international border, where the fourth amendment "balance of interest leans heavily to the Government";⁵⁹
- (2) The suspected criminal activity—alimentary canal smuggling—cannot be detected in the amount of time in which other illegal activity may be investigated through brief *Terry*-type stops;⁶⁰ and
- (3) The defendant's efforts to resist the call of nature were "alone responsible for much of the duration and discomfort of the seizure."⁶¹

It is noteworthy that the interests of the Government in protecting this country's borders are a unique factor in the *deHernandez* case, which tip the balance of interests heavily in the Government's favor. The case nevertheless illustrates the factors which can affect the reasonable duration of an investigative stop—particularly the focus on legitimate law enforcement objectives and the necessity for diligence in meeting those objectives.

Degree of Police Control

Just as the length of a detention can affect its reasonableness under the fourth amendment, so can the degree of police control over the detainee. It is clear that an investigative stop is a "forcible" seizure of a person,⁶² distinguishable from an arrest only in degree. It is the lesser intrusion presumed in the investigative stop which warrants the lesser standard of reasonable suspicion for its justification. Accordingly, the greater the degree of police control over a detainee, the greater the likelihood that reviewing courts will impose the higher standard of probable cause. The two arguments raised most frequently by defendants in this context relate to (1) the display of weapons and (2) the forceable movement of the detainee.

Display of Weapons

The Supreme Court has not had occasion to consider directly the question whether an officer's display of a weapon is reasonable in the context of an investigative stop. Several lower courts have dealt with the issue and have generally declined to adopt a *per se* rule.

In *United States v. Aldridge*,⁶³ for example, a lone police officer stopped an automobile occupied by three adult males at approximately 3:00 a.m., based on a radio call informing him of "suspicious persons in or around a construction site fooling with vehicles." Because the officer approached the vehicle with his gun drawn, the defendant contended that the initial seizure was tantamount to an arrest without probable cause. The court held that the officer's display of a weapon does

not necessarily convert an investigative stop into an arrest and that "use of a gun in connection with a stop is permissible when the officer reasonably believes it is necessary for his protection."⁶⁴ The court pointed to several factors which justified the officer's action in this case:

- (1) The officer was working alone in the early hours of the morning;
- (2) The vehicle contained three adult males; and
- (3) The stop of the vehicle was based on a reasonable suspicion to believe that the occupants were engaged in criminal activity.

Similarly, in *United States v. Danielson*,⁶⁵ police officers stopped an automobile which matched the description of one suspected of being connected with an armed robbery which had occurred just minutes before. The officers approached the suspect vehicle with weapons drawn. In assessing the reasonableness of the officer's actions, the Federal appellate court held:

"... under the circumstances of this case the officers acted reasonably and did not exceed the bounds of an investigative detention."⁶⁶

The court held that the officers had reasonable suspicion to justify the stop of the car, and the nature of the suspected criminal activity—armed robbery—justified the belief that weapons were present.

Contrary views have been taken by courts where there are no factors to justify the display of weapons. In *United States v. Ceballos*,⁶⁷ officers stopped the automobile of a suspected narcotics dealer and approached with weapons displayed. The Federal appellate court considered the highly in-

trusive action as being unsupported by any articulable facts and declined to accept the generalized argument that narcotics dealers are always armed. While recognizing that narcotics traffickers are often armed, the court stated, "... that generalization, without more, is insufficient to justify the extensive intrusion which occurred in this case."⁶⁸

It is interesting to note that while the Supreme Court has not directly addressed the issue, several recent investigative detention cases reviewed by the Court have involved the display of weapons by the officers making the stops. In *United States v. Hensley*,⁶⁹ a police officer, acting on information received through a wanted flyer from another department, stopped the vehicle occupied by Hensley. Because the flyer indicated that Hensley was possibly involved in a recent armed robbery, the officer approached the car with his service revolver drawn and pointed in the air. Such action drew no comment from the Court, which approved "the length and intrusiveness of the stop and detention that actually occurred."⁷⁰ (emphasis added)

Likewise, in *United States v. Sharpe*,⁷¹ a police officer, stopping a vehicle whose occupant was suspected of trafficking in marijuana, approached the vehicle with his revolver drawn. Although the issue before the Court was the length of the detention, the action of the officer in displaying his revolver did not affect the Court's conclusion that under the facts of the case, the degree of intrusion was reasonable.

"In the absence of consent, the detainee should not be moved from the place where the stop was initiated unless there are legitimate law enforcement needs to justify it...."

It may be concluded from these cases that in the absence of some justification, the display of weapons by police officers engaged in making an investigative stop can result in elevating their actions to the more intrusive level of an arrest. On the other hand, when all of the surrounding circumstances—including the nature of the criminal activity being investigated—suggest the need for the officers to assure their protection, the display of weapons will be within the permissible scope of an investigative stop.

Forcible Movement of the Detainee

An investigative stop is by definition a *forcible stop*, authorizing law enforcement officers to exercise some degree of control over the person detained. Obviously, that authority extends to depriving the person stopped of his freedom to leave, at least temporarily. A related issue which has arisen frequently relates to the authority of officers to require movement of the detainee from one place to another. Several Supreme Court cases provide some guidance.

There is no doubt that an officer conducting a valid stop can order the movement of the detainee for a short distance within the area of the stop when there is some justification. For example, in *Pennsylvania v. Mimms*,⁷² police officers stopped an automobile with an expired license plate. One of the officers ordered the operator, Mimms, out of the car and observed a large bulge under his sports jacket. A

pat-down uncovered a loaded revolver in Mimms' waistband. At issue in the case was the authority of the officer to order Mimms out of the car. The Supreme court ruled that the action was reasonable. Weighing the legitimate interests in protecting officers engaged in making valid stops against the incursion on personal liberty of the person stopped, the Court held that the incremental intrusion involved in ordering the individual out of the car was minimal. The individual had already been seized lawfully, and the legitimate concerns for the officer's safety while stopping automobiles outweighed the minor, additional intrusion.

Although the *Mimms* decision related specifically to a vehicle stop for a traffic violation, the principles are clearly broader and can apply to other legitimate investigative stops. It must be noted, however, that the scope of the intrusion—i.e., moving the detainee—must be limited to the purposes which justify it.

In *Florida v. Royer*,⁷³ officers detained Royer at an airport because they suspected he was engaged in transporting narcotics. During the ensuing interrogation, the officers moved Royer from the concourse area where the initial stop occurred to a small room approximately 40 feet away. Royer's luggage was retrieved by one of the officers and searched when Royer provided keys. Drugs were found inside the suitcase, and Royer was arrested.

One of the issues before the Supreme Court was the movement of Royer from the place where he was stopped on the concourse to the office. The Court concluded that "the officer's conduct was *more intrusive than necessary* to effectuate an investigative detention."⁷⁴ (emphasis added) Noting that "there are undoubtedly reasons of safety and security that would justify

moving a suspect from one location to another during an investigative detention... there is no indication in this case that such reasons prompted the officers to transfer the site of the encounter from the concourse to the interrogation room."⁷⁵

The *Royer* decision does not suggest that moving a detainee 40 feet is always excessive and therefore impermissible. It does suggest, however, that unnecessary movement is excessive movement and should be avoided. The Court stated:

"The record does not reflect any facts which would support a finding that the legitimate law enforcement purposes which justified the detention in the first instance were furthered by removing Royer to the police room..."⁷⁶

The *Mimms* and *Royer* decisions support the proposition that forcible movement of a detainee within the area of the detention may be permissible in appropriate circumstances. However, certain types of movement are considered so intrusive as to always require probable cause for their justification.

In *Dunaway v. New York*,⁷⁷ the police apprehended a murder suspect and transported him to the police station for questioning. In responding to the argument that Dunaway was merely subjected to an investigative detention, the Supreme Court held that the seizure of Dunaway and his transportation to the police station for interrogation purposes was "in important respects indistinguishable from a traditional arrest."⁷⁸

More recently, in *Hayes v. Florida*,⁷⁹ the Court disapproved the forcible removal of a suspect from his home to the police station for the pur-

pose of obtaining fingerprints. The police were investigating a series of burglary-rapes when they developed Hayes as a suspect. They contacted him at his home and requested that he accompany them to the police station for fingerprinting. When Hayes expressed reluctance to go with the officers, he was told that he would be arrested. Hayes then agreed to go. He was formally arrested when his fingerprints were matched up with those left at the crime scenes.

The issue before the Supreme Court was the transportation of Hayes to the police station. The Court noted that at some point during an investigative detention, "police procedures can qualitatively and quantitatively be so intrusive ... as to trigger the full protection of the Fourth and Fourteenth Amendments."⁸⁰ The Court continued: "... the line is crossed when the police, without probable cause or a warrant, forcibly remove a person from his home or other place in which he is entitled to be and transport him to the police station, where he is detained, although briefly, for investigative purposes."⁸¹

Dunaway and *Hayes* appear to establish a clear prohibition against forcibly removing a detainee to the police station for investigative purposes based on reasonable suspicion alone. It is also of interest to note that the movement to the station was probably not necessary in either case, and the police could have accomplished their purpose in a less intrusive manner. Certainly, in *Dunaway*, it was not necessary to transport him to the police station in order to question him. Likewise, in *Hayes*, the investigative pur-

pose could conceivably have been accomplished without the trip to the station, for as the Court emphasized:

"None of the foregoing implies that a brief detention in the field for the purposes of fingerprinting, where there is only reasonable suspicion not amounting to probable cause, is necessarily impermissible under the Fourth Amendment."⁸²

Recognizing that fingerprinting is a "much less serious intrusion upon personal security than other types of searches and detentions,"⁸³ the Court set forth three factors that could render such a procedure reasonable:

(1) Reasonable suspicion that the suspect has committed a criminal act;

(2) A reasonable basis for believing that fingerprinting will establish or negate the suspect's connection with that crime; and

(3) The procedure is carried out with dispatch.⁸⁴

The permissible bounds of that action are not yet clearly defined, and therefore, should be approached cautiously by law enforcement officers.

In the absence of consent, the detainee should not be moved from the place where the stop was initiated unless there are legitimate law enforcement needs to justify it; then, the movement should be strictly limited to the degree necessary to accomplish those purposes.

Parts I and II of this article have reviewed the justification and permissible scope of an investigative stop. The conclusion will consider the justification and permissible scope of a protective frisk.

FBI

(To be continued)

Footnotes

- ⁴²392 U.S. 1 (1968).
- ⁴³*Id.* at 20.
- ⁴⁴*United States v. Place*, 77 L.Ed.2d 110, footnote 10 at 122 (1983).
- ⁴⁵84 L.Ed.2d 605 (1985).
- ⁴⁶Because the marijuana was found in the pickup truck and not in the car, the Supreme Court deemed it unnecessary to decide whether the length of detention of the car was reasonable, since the detention bore no causal relation to the discovery of the evidence. *Id.* at 613.
- ⁴⁷*Id.* at 615.
- ⁴⁸*Id.*
- ⁴⁹*Id.* at 616.
- ⁵⁰77 L.Ed.2d 110 (1983).
- ⁵¹*Id.* at 120.
- ⁵²*Id.* at 121.
- ⁵³*Id.* at 122.
- ⁵⁴*Id.*
- ⁵⁵*Id.*
- ⁵⁶*Id.* at 123.
- ⁵⁷87 L.Ed.2d 381 (1985).
- ⁵⁸731 F.2d 1369, at 1371 (9th Cir. 1983).
- ⁵⁹*Supra* note 57, at 393.
- ⁶⁰*Id.* at 392.
- ⁶¹*Id.* at 393.
- ⁶²*See, e.g., Adams v. Williams*, 407 U.S. 143 (1972).
- ⁶³719 F.2d 368 (11th Cir. 1983).
- ⁶⁴*Id.* at 371. *See also, United States v. Roper*, 702 F.2d 984 (11th Cir. 1983); *United States v. Worthington*, 544 F.2d 1275 (5th Cir. 1977); *United States v. Maslanka*, 501 F.2d 208 (5th Cir. 1974), *cert. denied* 421 U.S. 912 (1975); *United States v. Merritt*, 695 F.2d 1263 (10th Cir. 1982).
- ⁶⁵728 F.2d 1143 (8th Cir. 1984).
- ⁶⁶*Id.* at 1147.
- ⁶⁷654 F.2d 177 (2d Cir. 1981).
- ⁶⁸*Id.* at 184.
- ⁶⁹83 L.Ed.2d 604 (1985).
- ⁷⁰*Id.* at 616.
- ⁷¹84 L.Ed.2d 605 (1985).
- ⁷²434 U.S. 106 (1977) (*per curiam*).
- ⁷³460 U.S. 491 (1983).
- ⁷⁴*Id.* at 241.
- ⁷⁵*Id.*
- ⁷⁶*Id.*
- ⁷⁷442 U.S. 200 (1979).
- ⁷⁸*Id.* at 212.
- ⁷⁹84 L.Ed.2d 705 (1985).
- ⁸⁰*Id.* at 710.
- ⁸¹*Id.*
- ⁸²*Id.* at 710-711.
- ⁸³*Id.* at 709.
- ⁸⁴*Id.* at 711.

1985 INDEX

A

ADMINISTRATION

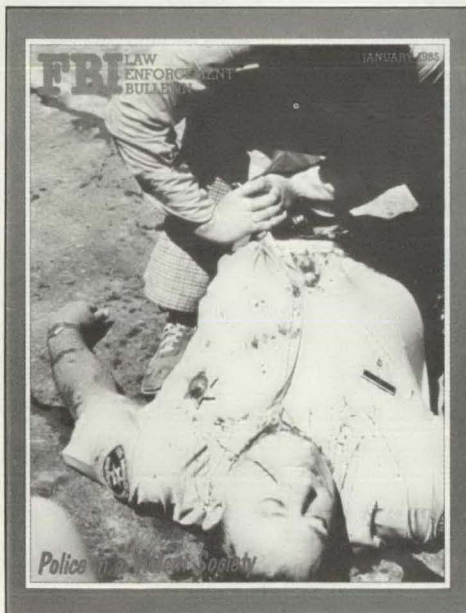
"Public Safety Employee Support Procedure," Richard Porth and Steven P. Geiger, February, 1985, p. 12.

"Temporary Assignments to Criminal Investigation Units," Leo S. Dadigan, June, 1985, p. 9.

Ahlers, Clark F., "Search and Seizure Policy: Development and Implementation," October, 1985, p. 13.

"Airline Ticket Fraud," Robert T. Raffel, December, 1985, p. 1.

Ayers, Kenneth Jr., Assistant Professor of Criminal Justice, Department of Behavioral Sciences, Kentucky Wesleyan College, Owensboro, KY, "Professors of the Street: Police Mentors," January, 1985, p. 8.



B

Bales, John P., Assistant Chief of Police, Field Operations Command, Police Department, Houston, TX, "Houston's DART Program—A Transition to the Future," December, 1985, p. 13.

Ballistic vests, Director's Message, William H. Webster, May, 1985, p. 1.

Band, Stephen R., Special Agent, Federal Bureau of Investigation, Indianapolis, IN, "The Complete Investigator: Recognizing the Potential for Suicide and Violence," September, 1985, p. 18.

Bayless, Lt. Kenneth, Advanced Training Officer, Los Angeles County Sheriff's Department, Los Angeles, CA, "Police in a Violent Society," January, 1985, p. 1.

"Blueprint for the Future of the Uniform Crime Reporting Program," Paul A. Zolbe, October, 1985, p. 10.

"Building Bridges Between Police and Public," Dr. Dorothy Guyot, November, 1985, p. 1.

Burgess, Ann W., R.N., D.N.Sc., van Ameringen Professor Psychiatric Mental Health Nursing, University of Pennsylvania, Philadelphia, PA, "Violent Crime: et al," August, 1985, p. 2, 7, 12, 18, 26.

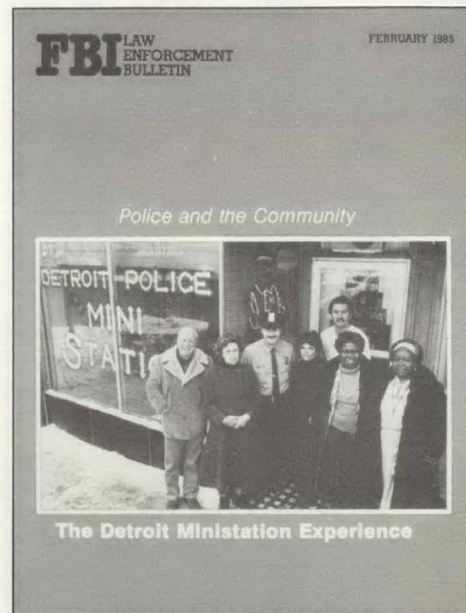
C

"CARE, Computer Assisted Report Entry," Dennis A. George and G.H. Kleinknecht, May, 1985, p. 2.

Carlson, Joel A., Special Agent in Charge, Federal Bureau of Investigation, Louisville, KY, "It Can Happen in Centerville, U.S.A.—Nuclear Extortion," September 1985, p. 1.

Carter, Lt. Donald, Police Department, Champaign, IL, "A Japanese Management Technique Applied to Local Policing," May, 1985, p. 20

Chapman, Nancy, Psychiatric Social



Worker Supervisor, Western Missouri Mental Health Center, Kansas City, MO. "Perspectives on Negotiation in Local Jurisdictions," Conclusion: Mental Health Dispositions, December, 1985, p. 10.

"Chemically Enhanced Bloody Fingerprints," Jim Nutt, February, 1985, p. 22.

"Chemscam," Larry R. McCart, November, 1985, p. 16.

"Citizen Police Academy, The," Ronald E. Ferguson, September, 1985, p. 5.

"Classifying Sexual Homicide Crime Scenes," Robert K. Ressler and Ann W. Burgess, August, 1985, p. 12.

COMMUNICATIONS

"Training and Evaluating the Police Communications Dispatcher," William C. Weaver, Jr., April, 1985, p. 16.

"Complete Investigator, The: Recognizing the Potential for Suicide and Violence," Henry E.

- McInturff and Stephen R. Band, September, 1985, p. 18.
- "Constitutionality of Organizational Policies Regulating Employee Speech, The," Daniel L. Schofield, September, 1985, p. 21.
- Cooke**, E.E. (Ted), Chief of Police, Culver City, CA, "Oral Resumes: An Innovative Promotional System That Works!" May, 1985, p. 8.

COOPERATION

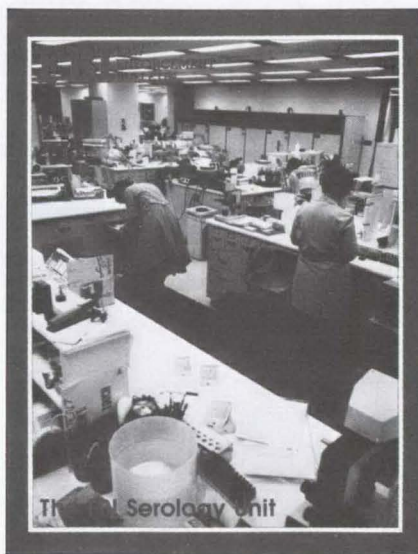
- "Law Enforcement Coordinating Committees: One District's Experience," Gerald D. Fines and L. Lee Smith, October, 1985, p. 18.
- "Sharing Federally Forfeited Property," Rosemary Hart and Laurence E. Fann, October, 1985, p. 21.

CRIME PROBLEMS

- "Airline Ticket Fraud," Robert T. Raffel, December, 1985, p. 1.
- "Chemscam," Larry R. McCart, November, 1985, p. 16.
- "Criminal Codes and Ciphers: What Do They Mean?" Jacqueline Taschner and Arthur R. Eberhart, January, 1985, p. 18.
- "Guide To Child Care Services, A," Edward W. Killam, June, 1985, p. 21.
- "Police in a Violent Society," Dr. John G. Stratton, Dr. John R. Snibbe, and Kenneth Bayless, January, 1985, p. 1.
- "Video Games: Concepts and Latent Influences (Part I) William L. Holmes, March, 1985, p. 1 (Conclusion), April, 1985, p. 1.
- "Violent Crime; The Men Who Murdered; The Split Reality of Murder; Classifying Sexual Homicide Crime Scenes; Crime Scene and Profile Characteristics of Organized and Disorganized Murderers; Interviewing Techniques for Sexual Homicide Investigation,"

Robert K. Ressler and Ann W. Burgess, August, 1985, p. 2, 7, 12, 18, 26.

- "Crime Scene and Profile Characteristics of Organized and Disorganized Murderers," Robert K. Ressler and Ann W. Burgess, August, 1985, p. 18.
- "Crime in the United States—1984," September, 1985, p. 13.



CRIME STATISTICS

- "Blueprint for the Future of the Uniform Crime Reporting Program," Paul A. Zolbe, October, 1985, p. 10.
- "Crime in the United States—1984," September, 1985, p. 13.

D

- Dadigan**, Leo S., Sgt., Pennsylvania State Police, Carlisle, PA, "Temporary Assignments to Criminal Investigation Units," June, 1985, p. 9.
- Deakin**, Thomas J., Special Agent, Editor, FBI Law Enforcement Bulletin, Federal Bureau of Investigation, Washington, DC, "The

FBI Law Enforcement Bulletin: Pathway to Professionalism," October, 1985, p. 2.

- "Defending Law Enforcement Officers Against Personal Liability in Constitutional Tort Litigation," Part 1, Jeffrey Higginbotham, April, 1985, p. 24. Conclusion, May, 1985, p. 25.

DIRECTOR'S MESSAGES

- "Peace Officers Memorial Day," Ballistic vests, William H. Webster, May, 1985, p. 1.
- "FBI National Academy," William H. Webster, July, 1985, p. 1.
- "National Center for the Analysis of Violent Crime," William H. Webster, August 1985, p. 1.
- "Forfeited Property Sharing," William H. Webster, October, 1985, p. 1.

E

- Eberhart**, Arthur R., Special Agent, Laboratory Division, Federal Bureau of Investigation, Washington, DC, "Criminal Codes and Ciphers: What Do They Mean?," January, 1985, p. 18.
- "Electronic Tracking Devices: Following the Fourth Amendment, John C. Hall, Part I, February, 1985, p. 26. Conclusion, March, 1985, p. 26.
- "Emergency Entries to Arrest: Developments since Payton," Mollie T. Johnson, Part 1, June, 1985, Conclusion, July, 1985, p. 26.

EQUAL OPPORTUNITY

- "Police Officer Recruitment and Affirmative Action Policy," Christopher A. Hertig, May, 1985, p. 11.



Training and Evaluating
the Police Communications Dispatcher

F

Fagan, M. Michael, Associate Professor of Psychology, Department of Behavioral Sciences, Kentucky Wesleyan College, Owensboro, KY, "Professors of the Street: Police Mentors," January 1985, p. 8.

Fann, Laurence E., Special Agent, Legal Counsel Division, Federal Bureau of Investigation, Washington, DC, and Rosemary Hart, "Sharing Federally Forfeited Property," October, 1985, p. 21.

"FBI Law Enforcement Bulletin, The: Pathway to Professionalism," Thomas J. Deakin, October, 1985, p. 2.

FBI NATIONAL ACADEMY

"Promises Kept and a Promising Future: The FBI National Academy's First 50 Years," Stephen D. Gladis, July, 1985, p. 2.

"FBI Serology Unit (The): Services, Policies, and Procedures," Randall S. Murch, March, 1985, p. 15.

Ferguson, Lt. Ronald E., Community Relations Section, Police Department, Orlando, Florida, "The Citizen Police Academy," September, 1985, p. 5.

Fines, Gerald D., "Law Enforcement Coordinating Committees: One District's Experience," October, 1985, p. 18.

"Finetuning Miranda Policies," Charles E., Riley, III, January, 1985, p. 23.

FIREARMS

"Firearms Tracing: A Crime-fighting Weapon," Tom Hill, July, 1985, p. 23.

FORENSIC SCIENCE

"Chemically Enhanced Bloody Fingerprints," Jim Nutt, February, 1985, p. 22.

"FBI Serology Unit: Services, Policies, and Procedures," Randall S. Murch, March, 1985, p. 15.

"Frontier Justice: In the Days Before NCIC," Erik Rigler, July, 1985, p. 17.

G

Geiger, Steven P. Psychologist, Peace Officers Resource Associates, Inc., Bloomington, MN, "Public Safety Employee Support Procedure," February, 1985, p. 12.

George, Dennis A., Director, Bureau of Central Police Records, St. Louis County Police Department, St. Louis County, MO, "CARE, Computer Assisted Report Entry," May, 1985, p. 2.

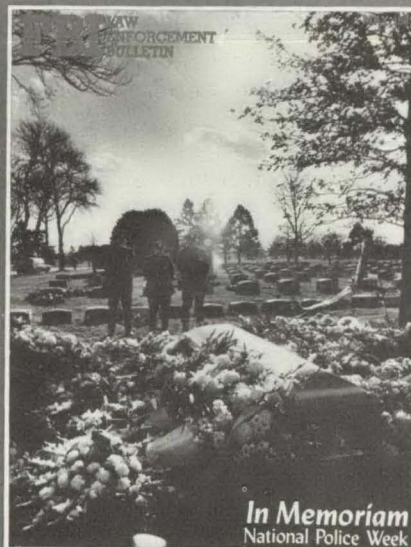
Gist, Richard, Community Psychology Program, University of Missouri, Kansas City, MO, "Perspectives on Negotiation in Local Jurisdiction," Part 1: A Different Typology of Situations, November, 1985, p. 21.

Part 2: Negotiation Strategies for Escalated Situations, December, 1985, p. 5. Conclusion: Mental Health Dispositions, December, 1985, p. 10.

Gladis, Stephen D., Special Agent, Education and Communications Arts Unit, FBI Academy, Quantico, VA, "Promises Kept and a Promising Future: The FBI National Academy's First 50 Years," July, 1985, p. 2.

Gnagey, Lt. John, Police Department, Champaign, IL, "A Japanese Management Technique Applied to Local Policing," May, 1985, p. 20.

Griffiths, Gary L., Special Agent, U.S. Army Criminal Investigative Command, Falls Church, VA, "Psychological Factors: The Overlooked Evidence in Rape Investigations," April, 1985, p. 8. "Guide to Child Care Services, A," Edward W. Killam, June, 1985, p. 21.



In Memoriam
National Police Week

Guyot, Dorothy, Ph.D., Research Director, Children's Evaluation and Rehabilitation Center, Albert Einstein College of Medicine, Bronx, New York, "Building Bridges Between Police and Public," November, 1985, p. 1.

H

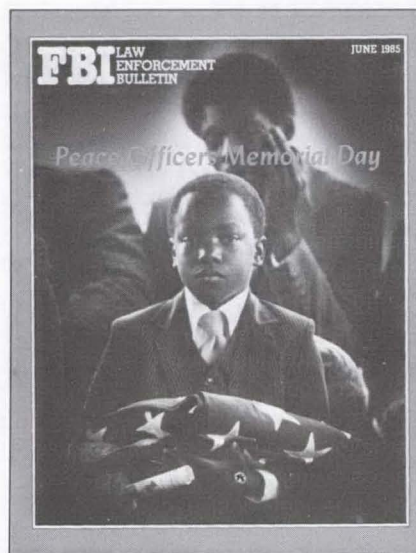
Hall, John C., Special Agent, FBI Academy, Legal Counsel Division, Federal Bureau of Investigation, Quantico, VA, "Electronic Tracking Devices: Following the Fourth Amendment," Part I, February, 1985, p. 26. Conclusion, March, 1985, p. 26. "Investigative Detention: An Intermediate Response," Part I, November, 1985, Part II, December, 1985, p. 18.

Hart, Rosemary, U.S. Department of Justice, Washington, DC, and Laurence E. Fann, "Sharing Federally Forfeited Property," October, 1985, p. 21.

Hertig, Christopher A., C.P.P., York College of Pennsylvania, York, PA, "Police Officer Recruitment and Affirmative Action Policy," May, 1985, p. 11.

Higginbotham, Jeffrey, Special Agent, FBI Academy, Legal Counsel Division, Federal Bureau of Investigation, Quantico, VA, "Defending Law Enforcement Officers Against Personal Liability in Constitutional Tort Litigation," Part 1, April, 1985, p. 24. Conclusion, May, 1985, p. 25.

"Higher Performance Through Organization Development," Donald C. Witham and David T. Mitchell, February, 1985, p. 7.



Hill, Tom, Public Information Specialist, Bureau of Alcohol, Tobacco & Firearms, Washington, D.C., "Firearms Tracing: A Crime-fighting Weapon," July, 1985, p. 23.

Holland, Lawrence H., Inspector, Commanding Officer, Ministation Section, Detroit Police Department, Detroit, MI, "Police and the Community—The Detroit Ministation Experience," February, 1985, p. 1.

Holmes, William L., Special Agent, Document Section, Laboratory Division, Federal Bureau of Investigation, Washington, D.C., "Video Games: Concepts and Latent Influences, Part I, March, 1985, p. 1. Conclusion, April, 1985, p. 1. "Houston's DART Program—A Transition to the Future," John P. Bales and Timothy N. Oettmeier, December 1985, p. 13.

I

IDENTIFICATION

"Interstate Identification Index," Emmet A. Rathbun, January, 1985, p. 14.

"Latent Print Detection by Laser," James E. Ridgely, Jr., June, 1985, p. 1.

"Interviewing Techniques for Sexual Homicide Investigation," Robert K. Ressler and Ann W. Burgess, August, 1985, p. 26.

INVESTIGATIVE AIDS

"Criminal Codes and Ciphers: What Do They Mean?" Jacqueline Taschner and Arthur E. Eberhart, January, 1985, p. 18.

"Investigative Detention: An Intermediate Response," John C. Hall, Part I, November, 1985, p. 25, Part II, December, 1985, p. 18.

INVESTIGATIVE TECHNIQUES

"Psychological Factors: The Overlooked Evidence in Rape Investigations," Gary L. Griffiths, April, 1985, p. 8. "Special Care Questioning," Dr. Bryan Tully, November, 1985, p. 9.

"It Can Happen in Centerville, U.S.A.—Nuclear Extortion," Joel A. Carlson, September 19, 1985, p. 1.

J

"Japanese Management Technique Applied to Local Policing, A," Lt. Donald Carter and Lt. John Gnagey, May, 1985, p. 20.

Johnson, Mollie T., Special Agent, FBI Academy, Legal Counsel Division, Federal Bureau of Investigation, Quantico, VA, "Emergency Entries to Arrest: Developments Since Payton," Part 1, June, 1985, p. 25. Conclusion, July, 1985, p. 26.

K

Killam, Edward W., Alliance Services, Glenwood Springs, CO, "A Guide to

Child Care Services," June, 1985, p. 21.

Kleinknecht, G.H., Superintendent, St. Louis County Police Department, St. Louis County, MO, "CARE, Computer Assisted Report Entry," May, 1985, p. 2.

L

Laboratory, FBI, "Serology Unit: Services, Policies, and Procedures," Randall S. Murch, March, 1985, p. 15.

"Latent Print Detection by Laser," James E. Ridgely, Jr., June, 1985, p. 1.

"Law Enforcement Coordinating Committees: One District's Experience," Gerald D. Fines and L. Lee Smith, October, 1985, p. 18.

LAW ENFORCEMENT ROLE

"The Complete Investigator: Recognizing the Potential for Suicide and Violence," Henry E.

McInturff and Stephen R. Band, September, 1985, p. 18.

"Professionalism, Integrity, Cooperation—The Wellspring of Law Enforcement," William H. Webster, February, 1985, p. 17.

THE LEGAL DIGEST

"Computerized Business Records as Evidence: Required Predicates to Admission," John Gales Sauls, October, 1985, p. 25.

"Constitutionality of Organizational Policies Regulating Employee Speech, The" Daniel L. Schofield, September, 1985, p. 21.

"Defending Law Enforcement Officers Against Personal Liability in Constitutional Tort Litigation, Jeffrey Higginbotham, Part 1, April, 1985, p. 24. Conclusion, May 1985, p. 25.

"Electronic Tracking Devices: Following the Fourth Amendment," John C. Hall, Part I, February, 1985, p. 26. Conclusion, March, 1985, p. 26.

"Emergency Entries to Arrest: Developments Since Payton," Mollie T. Johnson, Part 1, June, 1985, p. 25. Conclusion, July, 1985, p. 26.

"Finetuning Miranda Policies," Charles E. Riley, III, January, 1985, p. 23.

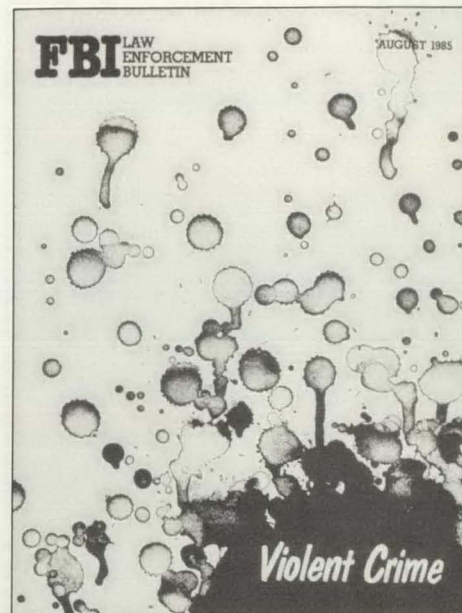
"Investigative Detention: An Intermediate Response," John C. Hall, Part I, November, 1985, p. 25. Part II, December, 1985, p. 18.

LEGAL MATTERS

"Search and Seizure Policy: Development and Implementation," Clarke F. Ahlers, October, 1985, p. 13.

M

"Maintaining Control: A Step Toward Personal Growth," Robert B. Schaefer, March, 1985, p. 10.



MANAGEMENT

"Higher Performance Through Organization Development," Donald C. Witham and David T. Mitchell, February, 1985, p. 7.

"Houston's DART Program—A Transition to the Future," John P. Bales and Timothy N. Oettmeier, December, 1985, p. 13.

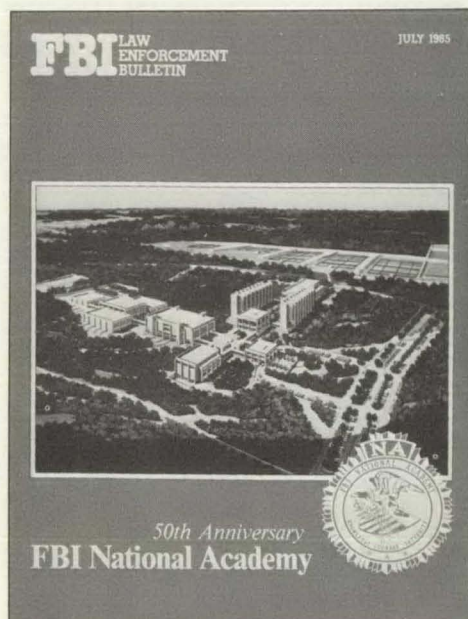
"Japanese Management Technique Applied to Local Policing, A," Donald Carter and John Gnagey, May, 1985, p. 20.

"Police and the Community—The Detroit Ministration Experience," Lawrence H. Holland, February, 1985, p. 1.

McCart, Larry R., "Chemscam," November, 1985, p. 16.

McInturff, Henry E., Special Agent, Federal Bureau of Investigation, Indianapolis, IN, "The Complete Investigator: Recognizing the Potential for Suicide and Violence," September, 1985, p. 18.

"Media, The Role of During a Terrorist



Incident," Harold B. Wilbur, April, 1985, p. 20.

"Men Who Murdered, The," Robert K. Ressler and Ann W. Burgess, August, 1985, p. 2.

Mitchell, David T., Special Agent, Federal Bureau of Investigation, Washington, DC, "Higher Performance Through Organization Development," February 1985, p. 7.

Murch, Randall S., Special Agent, Laboratory Division, Federal Bureau of Investigation, Washington, DC, "The FBI Serology Unit: Services, Policies, and Procedures," March, 1985, p. 15.

N

National Academy, FBI "Promises Kept and a Promising Future: The FBI National Academy's First 50 Years," Stephen D. Gladis, July, 1985, p. 2.

"National Criminal Justice Reference Service: A Resource for Officers and Agents," James K. Stewart, July, 1985, p. 10.

Nutt, Jim, Police Specialist, Technical Services Division, Police Department, Oklahoma City, OK, "Chemically Enhanced Bloody Fingerprints," February, 1985, p. 22.

O

Oettmeier, Lt. Timothy N., Field Operations Command, Police Department, Houston, TX, "Houston's DART Program—A Transition to the Future," December, 1985, p. 13.

OPERATIONS

"Perspectives on Negotiation in Local Jurisdiction, Part I: A Different Typology of Situations," Dr. Richard M. Gist, Jon D. Perry, Nancy Chapman, November, 1985, p. 21. Part II: Negotiation Strategies for Escalated Situations, December,

1985, p. 5. Conclusion: Mental Health Dispositions, December, 1985, p. 10.

"Police Homicides by Misidentity," I. John Vasquez, March, 1985, p. 22.

"Think T.R.A.F.I.C.," Rodney L. Varney, May, 1985, p. 14.

"Oral Resumes: An Innovative Promotional System That Works!" E.E. (Ted) Cooke, May, 1985, p. 8.

P

"Peace Officers Memorial Day," Thomas J. Sardino, June, 1985, p. 13.

Peace Officers Memorial Day, Director's Message, William H. Webster, May, 1985, p. 1.

Perry, Jon D., Supervisor of Instruction, Regional Training Academy, Police Department, Kansas City, MO, "Perspectives on Negotiation in Local Jurisdiction," Part 1: A Different Typology of Situations, November, 1985, p. 21. Part 2: Negotiation Strategies for Escalated Situations, December,

1985, p. 5. Conclusion: Mental Health Dispositions, December, 1985, p. 10.

PERSONNEL

"Maintaining Control: A Step Toward Personal Growth," Robert B. Schaefer, March, 1985, p. 10.

"Oral Resumes: An Innovative Promotional System That Works!" E.E. Cooke, May, 1985, p. 8.

"Perspectives on Negotiation in Local Jurisdiction, Part I: A Different Typology of Situations," Dr. Richard M. Gist, Jon D. Perry, Nancy Chapman, November, 1985, p. 21. Part 2: Negotiation Strategies for Escalated Situations, December, 1985, p. 5. Conclusion: Mental Health Dispositions, December, 1985, p. 10.

POLICE—COMMUNITY RELATIONS

"Building Bridges Between Police and Public," Dr. Dorothy Guyot, November, 1985, p. 1.

"The Citizen Police Academy," Ronald E. Ferguson, September, 1985, p. 5.

"Police and the Community—The Detroit Ministration Experience," Lawrence C. Holland, February, 1985, p. 1.

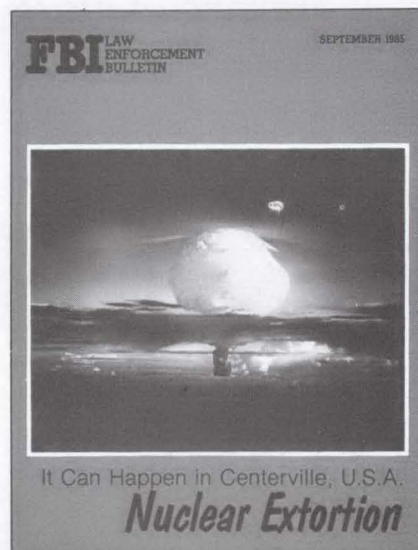
"Police Officer Recruitment and Affirmative Action Policy," Christopher A. Hertig, May, 1985, p. 11.

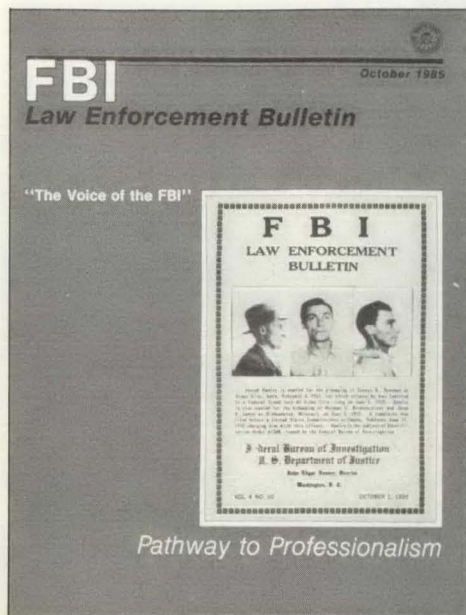
"Police Homicides by Misidentity," I. John Vasquez, March, 1985, p. 22.

"Police in a Violent Society," Dr. John G. Stratton, Dr. John R. Snibbe, and Kenneth Bayless, January, 1985, p. 1.

POLICE HISTORY

"FBI Law Enforcement Bulletin, The: Pathway to Professionalism," Thomas J. Deakin, October, 1985, p. 2.





"Frontier Justice: In the Days Before NCIC," Erik Rigler, July, 1985, p. 16.

- Porth**, Richard, Captain, Police Department, Bloomington, MN, "Public Safety Employee Support Procedure," February, 1985, p. 12.
- "Professionalism, Integrity, Cooperation—the Wellspring of Law Enforcement," William H. Webster, February, 1985, p. 17.
- "Professors of the Street: Police Mentors," M. Michael Fagan and Kenneth Ayers, Jr., January, 1985, p. 8.F
- "Promises Kept and a Promising Future: The FBI National Academy's First 50 Years," Stephen D. Gladis, July, 1985, p. 2
- "Psychological Factors: The Overlooked Evidence in Rape Investigations," Gary L. Griffiths, April, 1985, p. 8.

R

Raffel, Cpl. Robert T., Criminal Investigator, Airport Division, Maryland State Police, Baltimore-Washington International Airport, Anne Arundel County, MD, "Airline Ticket Fraud," December, 1985, p. 1.

"Rape Investigations, Overlooked Evidence in: Psychological Factors," Gary L. Griffiths, April, 1985, p. 8.

Rathbun, Emmet A., Supervisory Management Analyst, National Crime Information Center, Federal Bureau of Investigation, Washington, DC, "Interstate Identification Index," January, 1985, p. 14.

RECORDS

"Computer Assisted Report Entry-CARE," Dennis A. George and G.H. Kleinknecht, May, 1985, p. 2.

RESEARCH

"National Criminal Justice Reference Service: A Resource for Officers and Agents," James K. Stewart, July, 1985, p. 10.

Ressler, Robert K., Special Agent, FBI Academy, Quantico, "Violent Crime, et al," August, 1985.

Ridgely, James E., Jr., Supervisory Fingerprint Specialist, Identification Division, Federal Bureau of Investigation, Washington, DC, "Latent Print Detection by Laser," June, 1985, p. 1.

Rigler, Erik K., Special Agent, Federal Bureau of Investigation, San Antonio, TX, "Frontier Justice: In the Days Before NCIC," July, 1985, p. 17.

Riley, Charles E. III, Special Agent, FBI Academy, Legal Counsel Division, Federal Bureau of Investigation, Quantico, VA,

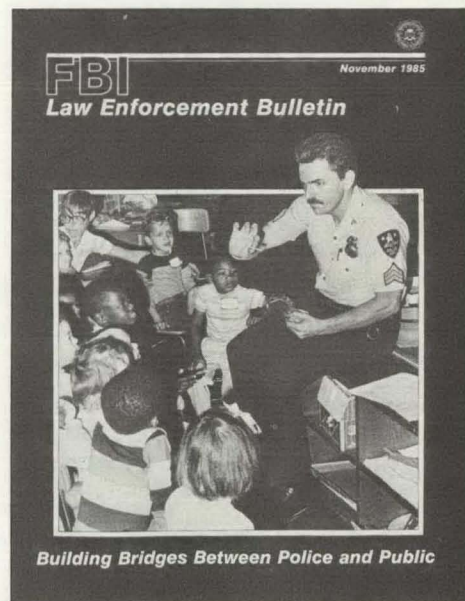
"Finetuning Miranda Policies," January, 1985, p. 23.

S

Sardino, Thomas J., President, International Association of Chiefs of Police and Chief of Police, Syracuse, NY, "Peace Officers Memorial Day," June, 1985, p. 13.

Sauls, John Gales, Special Agent, FBI Academy, Legal Counsel Division, Federal Bureau of Investigation, Quantico, VA, "Computerized Business Records as Evidence: Required Predicates to Admission," October, 1985, p. 25.

Schaefer, Robert B., Special Agent, Behavior Science Unit, FBI Academy, Quantico, VA, "Maintaining Control: A Step Toward Personal Growth," March, 1985, p. 10.



Schofield, Daniel L., Special Agent, FBI Academy, Legal Counsel Division, Federal Bureau of Investigation, Quantico, VA, "The Constitutionality of Organizational Policies Regulating Employee Speech," September, 1985, p. 21.

"Search and Seizure Policy: Development and Implementation," Clarke F. Ahlers, October, 1985, p. 13.

"Sharing Federally Forfeited Property," Rosemary Hart and Laurence E. Fann, October, 1985, p. 21.

Snibbe, John R. Ph.D., Clinical Psychologist, Los Angeles County Sheriff's Department, Los Angeles, CA, "Police in a Violent Society," January, 1985, p. 1.

"Special Care Questioning," Dr. Bryan Tully, November, 1985, p. 9.

"Split Reality of Murder, The," Robert K. Ressler and Ann W. Burgess, August, 1985, p. 7.

Stewart, James K., Director, National Institute of Justice, Rockville, MD, "National Criminal Justice Reference Service: A Resource for Officers and Agents," July, 1985, p. 10.

Stratton, John G. Ph.D., Director, Psychological Services, Los Angeles County Sheriff's Department, Los Angeles, CA, "Police in a Violent Society," January, 1985, p. 1.

T

Taschner, Jacqueline, Cryptanalyst, Laboratory Division, Federal Bureau of Investigation, Washington, DC, "Criminal Codes and Ciphers: What Do They Mean?" January, 1985, p. 18.

"Temporary Assignments to Criminal Investigation Units," Leo S. Dadigan, June, 1985, p. 9.



TERRORISM

"It Can Happen in Centerville, U.S.A.—Nuclear Extortion," Joel A. Carlson, September, 1985, p. 1.

"The Role of the Media During a Terrorist Incident," Harold B. Wilber, April, 1985, p. 20.

"Training and Evaluating the Police Communications Dispatcher," William C. Weaver, Jr., April, 1985, p. 16.

"Think T.R.A.F.I.C.," Rodney L. Varney, May, 1985, p. 14.

TRAINING

"Professors of the Street: Police Mentors," M. Michael Fagan and Kenneth Ayers, Jr., January, 1985, p. 8.

Tully, Dr. Bryan, "Special Care Questioning," November, 1985, p. 9.

V

Varney, Rodney, L., Security Consultant, Stamford, CT, "Think T.R.A.F.I.C.," May, 1985, p. 14.

Vasquez, I. John, Special Agent, Institutional Research and

Development Unit, FBI Academy, Quantico, VA, "Police Homicides by Misidentity," March, 1985, p. 22.

"Video Games: Concepts and Latent Influences," William L. Holmes, (Part I), March, 1985, p. 1. Conclusion, April, 1985, p. 1.

W

Weaver, William C. Jr., Training Coordinator, Dispatch Division, Police Department, Houston, TX, "Training and Evaluating the Police Communications Dispatcher," April, 1985, p. 16.

Webster, William H., Director, Federal Bureau of Investigation, Washington, DC, "Professionalism, Integrity, Cooperation—The Wellspring of Law Enforcement," February 1985, p. 17.

"Director's Message," Peace Officers Memorial Day, Ballistic Vests, May, 1985, p. 1.

"Director's Message," FBI National Academy, July, 1985, p. 1.

"Director's Message," National Center for the Analysis of Violent Crime, August, 1985, p. 1.

"Director's Message," Forfeited Property Sharing, October, 1985, p. 1.

Wilbur, Harold B. Lt. Col., USMC, Provost Marshal, Quantico, VA, "The Role of the Media During a Terrorist Incident," April, 1985, p. 20.

Witham, Donald C., Special Agent, Federal Bureau of Investigation, Washington, DC, "Higher Performance Through Organization Development," February, 1985, p. 7.

Z

Zolbe, Paul A., Special Agent, Federal Bureau of Investigation, Washington, DC, "Blueprint for the Future of the Uniform Crime Reporting Program," October, 1985, p. 10.

WANTED BY THE FBI



Photograph taken 1980

Photograph taken 1981

Because of the time factor in printing the FBI Law Enforcement Bulletin, there is the possibility that this fugitive has already been apprehended. The nearest office of the FBI will have current information on this fugitive's status.

Carl Robert Patterson

Carl Robert Patterson, also known as Bob Patterson, Bobby Patterson, Bobby Joe Patterson, C. Patterson, Carl Patterson, Carl R. Patterson, Robert Patterson, Robert Patton, Wiley E. Rankin

Wanted for:

Interstate Flight—Aggravated Sexual Abuse

The Crime

Carl Robert Patterson is being sought in connection with the brutal rape and assault of a woman in Dallas, TX, on August 5, 1981.

A Federal warrant was issued on September 15, 1981, at Dallas, TX, charging Patterson with unlawful interstate flight to avoid prosecution for the crime of aggravated sexual abuse.

Description

Age 38, born February, 25, 1947 (true date of birth). Dates of birth used March 5, 1944, and February 25, 1948, Briceville, TN.
Height 5' 10".
Weight 160 pounds.
Build Medium.
Hair Brown (greying).
Eyes Blue.
Complexion... Medium.

Race White.
Nationality American.
Occupations .. Carpenter, construction foreman, lumber company employee.

Social Security Numbers

Used 411-88-1938;
410-80-3290;
244-66-4493.

Scars and Marks

..... 1/2-inch scar on right palm, scar mid-chest to naval, two small scars left side of back, metal pins in both legs.

Remarks

..... Reportedly has poor eyesight in one eye and normally wears nonprescription glasses, frequently wears a mustache and beard, may have curly hair and possibly dyes hair black. He frequents bars and associates with "Go Go" girls and prostitutes. He tends to suffer from bleeding ulcers when drinking heavy.

FBI No. 708 626 F.

Caution

Patterson is being sought for rape, during which the victim was brutally raped and assaulted. Patterson may be armed with a .32-caliber revolver. He should be considered armed and extremely dangerous.

Notify the FBI

Any person having information which might assist in locating this fugitive is requested to notify immediately the Director of the Federal Bureau of Investigation, U.S. Department of Justice, Washington, DC 20535, or the Special Agent in Charge of the FBI office, the telephone number of which appears on the first page of most local directories.

Classification Data:

NCIC Classification:

17541109131212521013

Fingerprint Classification:

17 L 1 R 13
M 1 Ur

I.O. 4970



Right index fingerprint

Change of Address

Not an order form

FBI

Law Enforcement Bulletin

Complete this form and return to:

Director
Federal Bureau of
Investigation
Washington, DC 20535

Name

Title

Address

City

State

Zip

Questionable Pattern

In the Identification Division of the FBI, this interesting and questionable pattern is given the preferential classification of an accidental-type whorl and is referenced to a double loop-type whorl. The tracing is inner.



Washington, DC 20535

Official Business
Penalty for Private Use \$300
Address Correction Requested

The Bulletin Notes

Sgt. Matt Chapelle, along with Officers Keith Ramey and Lee Rucker, of the Ft. Myers, FL, Police Department responded to a call for assistance on the Caloosahatchee River in August 1985. A woman told them her 2-year-old son had fallen into the river. The three officers immediately dove into the murky river, and on his third dive, Sergeant Chapelle found the child on the river bottom and brought him to the surface, where the boy was revived by paramedics. The Bulletin joins the Fort Myers chief of police in praise of these officers' lifesaving police service.



Rucker

BEHAVIORAL SCIENCE UNIT
TRAINING DIVISION
FBI ACADEMY
QUANTICO VA 22135

E 5
* 4

Ramey