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# FBI Law Enforcement

B • U • T • I • N



**Metal Detection**



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Louis J. Freeh  
Director

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# FBI Law Enforcement

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# ***Solving Campus-Community Problems***

By  
MICHAEL G. SHANAHAN

**I**f asked, most university administrators and campus law enforcement officials probably would cite alcohol abuse among organized groups living on or near campus as the most exasperating problem facing them. Media reports have chronicled the phenomenon; Congress has demanded that universities account for their crime rates; women's groups have organized to protest the victimization of female students at fraternity-sponsored activities.

For the University of Washington, the 1992 fall quarter began violently with a confrontation between a group of football players and

members of a national fraternity. What started with racial epithets escalated into a free-for-all requiring a massive response by the Seattle Police Department (SPD). During the melee, a first-year female student was struck by a thrown beer bottle that shattered in her face, requiring the surgical removal of her right eye.

Local reporters had been following closely student alcohol abuse since a similarly disturbing incident occurred in 1989. During a football game, drunken fans took to the field, confronted police officers, and tore down a set of goal posts, nearly killing two students. Due to

the seriousness of that incident and the extensive media attention it generated, university administrators appointed a special task force to analyze the factors that led to the flare-up and to suggest ways to prevent a recurrence.

The community task force approach proved highly successful in addressing the specific factors that led to the 1989 disturbance. Hoping to find solutions for the wider issues that resulted in the tragic 1992 incident, administrators once again turned to this process. The new task force would focus on the serious problems caused by alcohol abuse on campus and in the off-campus



area known as "Greek Row" that housed fraternity and sorority groups.

## NEED FOR THE TASK FORCE

Because of the success of the earlier task force, announcement of the new task force had an immediate calming effect on the media and the public. There was a sense that the process had credibility and that issues would not be "swept under the rug." Also, because task force findings were released into the public domain, the personal reputations of members rested on the results, or lack thereof.

Task force members quickly realized that although the two incidents shared some similarities, different factors fueled each situation. The 1989 incident was a recurring event that faced the university biennially, based on the intense rivalry between Washington State and the University of Washington.

Consequently, the factors surrounding the event were fairly easy to address.

By contrast, the 1992 incident pointed to a set of ongoing behavioral problems. These were complicated by the off-campus status of Greek Row and by the fact that the Seattle Police Department exercised primary police authority over the area. Greek Row actually constituted a collection of private corporations. Each fraternity or sorority possessed its own governing board, owned the property on which its house stood, and took an autonomous attitude with regard to internal disciplinary matters.

The SPD became increasingly frustrated by the lawless flavor of the area; one sector sergeant sent letters to the university newspaper openly complaining of the disorderly and often violent behavior of drunken fraternity members. Incidents had become so threatening that the SPD refused to dispatch

personnel into the area to restore order unless they were in a tactical unit formation. The same was true for emergency-aid crews of the Seattle Fire Department that responded to periodic injuries in the area.

Meanwhile, the public was frustrated by the university's perceived reluctance to meet its supervisory obligation over the fraternities. Residents also were upset that the Seattle Police Department failed to enforce State liquor laws uniformly to control behavior that often spilled into surrounding neighborhoods.

However, the university was in an untenable position. It could not exercise direct authority over the fraternities without exposing itself to major liability. Consequently, the university exercised what authority it had, not from a position of control, but rather by threatening to withhold recognition status from particular fraternities or sororities.

Despite repeated promises from fraternity leaders, very little was being done to correct the problems. This was due, in part, to the lack of institutional memory. Fraternity members literally came and left within 4-year cycles. And, despite the good faith efforts of the SPD, the department possessed no mechanism or authority to enter houses on a routine basis to enforce alcohol laws. The task force was tasked with addressing these and other fundamental issues.

## THE TASK FORCE APPROACH

### Building on Success

When the university's president created the new task force, he



Chief Shanahan heads the University of Washington Police Department in Seattle.

**“Task force members realized...that some form of compromise and contractual agreement that bound fraternities and sororities to certain codes of conduct would be necessary.”**



extended membership to off-campus groups to include the police and fire departments, the Washington State Liquor Control Board, and a group representing the neighborhood immediately adjacent to the Greek Row area. The 19 members of the task force also included representatives from the student body, as well as university faculty, staff, and administrators. The group met 12 times over a 14-week period.

At the same time, the State legislature began a series of public hearings regarding the issue of behavioral problems at the University of Washington and other 4-year schools in the State. Commanding officers from the Seattle Police Department and the University of Washington Police Department (UWPD), as well as other university officials, appeared before the legislature to express their growing frustration with the lack of meaningful progress on the issue. Many of the speakers expressed hope that the task force approach would again produce positive results.

Never before had students, faculty, staff, administrators, police, fire officials, liquor control board officials, and representatives from the public sat down to confront one another and correct what had become a national embarrassment to higher education. Task force members realized almost from the outset that some form of compromise and contractual agreement that bound fraternities and sororities to certain codes of conduct would be necessary. To counter the effects of membership turnover within fraternities and sororities, many task force members also expressed a need for the direct and

active involvement of alumni groups.

### Drafting a Document

With an assistant State attorney general acting as legal counsel, the task force began formulating the conditions that would constitute the basis of the contractual agreement. In many ways, the proposals read like a throwback to the rules and regulations that governed the behavior of fraternal organizations in the 1950s and early 1960s.

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***The measures advocated by the task force...proved to be an effective response to a problem that plagues many schools across the country.***

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At a minimum, the task force recommended that the contract agreement require all fraternity and sorority chapters to:

- Comply with all Federal, State, and local laws, with emphasis on adhering to minimum drinking-age requirements and practicing proper fire safety procedures
- Take responsibility for the off-campus conduct of their members and take meaningful disciplinary actions, forwarding reports to the Vice President of Student Affairs, as well as the Presidents of

the Interfraternity Council (IFC) and the Panhellenic Association

- Identify adult members and alumni leaders to be available to the police department or other agencies on a 24-hour basis
- Conduct uniform education programs concerning substance abuse and acquaintance rape
- Adhere to IFC and Panhellenic policies, including those regarding alcohol-free rushing and human dignity statements
- Enter into a written contract with the university that would be binding throughout the calendar year.

In addition to these points, the task force directly confronted the issues surrounding activities that often resulted in widespread disorder—“Greek” parties.

### Regulating Parties

Party regulation became the most discussed area of the task force’s work. Ultimately, a *party* was defined as any gathering of 25 or more people where alcoholic beverages are present. The task force encouraged that as a sponsoring entity, each fraternity or sorority be required to register any planned event with the Office of the Vice President for Student Affairs at least 7 days in advance.

The organization also would be required to obtain a banquet permit from the State liquor control board. In order to receive such a permit, the petitioning organization had to meet a series of conditions:



- Permit notices must be conspicuously posted
- Party sponsors must ensure that alcohol is served only to invited guests who meet the State's drinking age
- The premises must be open for inspection on an announcement basis by liquor control agents or other law enforcement officers.

When two houses held a joint function, cosponsors, such as sorority leaders, would be required to sign for the permits, thereby incurring civil and criminal liability. Sponsoring organizations also would be required to maintain adequate security in order to regulate access to events. Each 7-day advance party notice would be transmitted by fax to the Seattle Police Department's North Precinct Commander. Any report, citation, or corrective notice issued by the SPD or the liquor control board would be forwarded to the university police. The UWPD then would advise the Office of the Vice President for Student Affairs. For the fraternal organization, contract violation sanctions could range from reprimand, fines, and financial restitution for property damage to probation, suspension, or "withdrawal of recognition" for up to 4 years.

The task force also recommended that each fraternity and sorority provide the university with yearly evidence that the groups maintained adequate property and liability insurance coverage. This condition assumed special importance because chapters could not hold the university responsible for any liability with regard to

their organizations' programs and activities.

### THE LEGISLATURE'S RESPONSE

As the task force drew up its proposals, the State legislature seemed poised to enact its own legislation addressing the problems on campus. However, the sponsor of that legislation ultimately created a

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***...real change is best accomplished through written agreements that have the force of organizational retribution....***

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substitute bill based on the final task force report. During debate, an attempt by several fraternity members to protest the liquor permit application requirement met with stern rebuke from the Senate Majority Whip. By this time, it was clear that the legislature, as the representative of the people, no longer was willing to allow open defiance of the law. House Substitute Bill 1082 swept through both houses of the legislature with no dissenting votes.

### IMPLEMENTATION AND RESULTS

Members of the law enforcement community and university administration quickly established mechanisms to implement the mandates of the task force. By the beginning of the 1993 fall quarter, nearly

all fraternities and sororities had signed "recognition agreements" based on the provisions outlined in the task force report. Those that fail to sign the agreement risk losing their status as recognized student organizations at the university.

The changes brought about by the task force recommendations yielded immediate results. For the Seattle Police Department, the fall 1993 quarter proved to be the least eventful in many years with regard to campus-related complaints. The press credited the fraternities and sororities for improving their behavior. In addition to a general improvement in behavior on campus, university police officers observed an ancillary effect at the football stadium: The 1993 season produced the lowest arrest and expulsion level in 2 decades.

### LESSONS FOR OTHER CAMPUSES

The measures advocated by the task force and adopted by the University of Washington proved to be an effective response to a problem that plagues many schools across the country. Alcohol-induced misconduct can have catastrophic consequences, not only for the students but also for the institution involved and the surrounding communities.

Too often, alumni live in their fond memories of the "good old days," which represent in many ways a stark contrast to the conduct of some of today's youth. At the same time, universities often assume a position of benign neglect regarding the misconduct of fraternity and sorority members. Local police agencies also may be forced



to tolerate open disregard for liquor laws due to the sheer magnitude of the problem.

If the University of Washington experience has merit for other communities, it is because the response centers on the concept that a community policing approach involving both "town" and "gown" constituencies can work. The results show that real change is best accomplished through written agreements that have the force of organizational retribution either through firm enforcement of the contract's provisions or through the imposition of criminal penalties for State law violations.

## CONCLUSION

Experience shows that the overwhelming majority of fraternity and sorority members go on to become productive citizens in their communities. College students as a whole do not represent a major criminal element. Still, it is unfair, both to students and to other residents, for communities to perpetuate a double standard of conduct for one group of people who is continually in direct violation of the law. The University of Washington task force provided a viable means to correct a long-standing discrepancy.

Unfortunately, it took a senseless and tragic incident to spark these very necessary changes. Perhaps other communities will act before similar preventable tragedies occur. If nothing else, the changes brought about by the University of Washington task force prove that something good can come from something bad. ♦

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### Manuscript Specifications

*Length:* 1,000 to 3,000 words or 5 to 12 pages double-spaced.

*Format:* All manuscripts should be double-spaced and typed on 8 1/2" by 11" white paper. All pages should be numbered, and three copies should be submitted for review purposes.

### Publication

*Basis For Judging Manuscripts:* Manuscripts are judged on the following points: Factual accuracy, style and ease of reading, structure and logical flow, length, relevance to audience, and analysis of information. Favorable consideration generally will not be given to an article that has been published previously or that is being considered for publication by another magazine. Articles that are used to advertise a product or a service will be rejected.

*Query Letters:* The editor suggests that authors submit a detailed one- to two-page outline before writing an article. This is intended to help authors but does not guarantee publication of the article.

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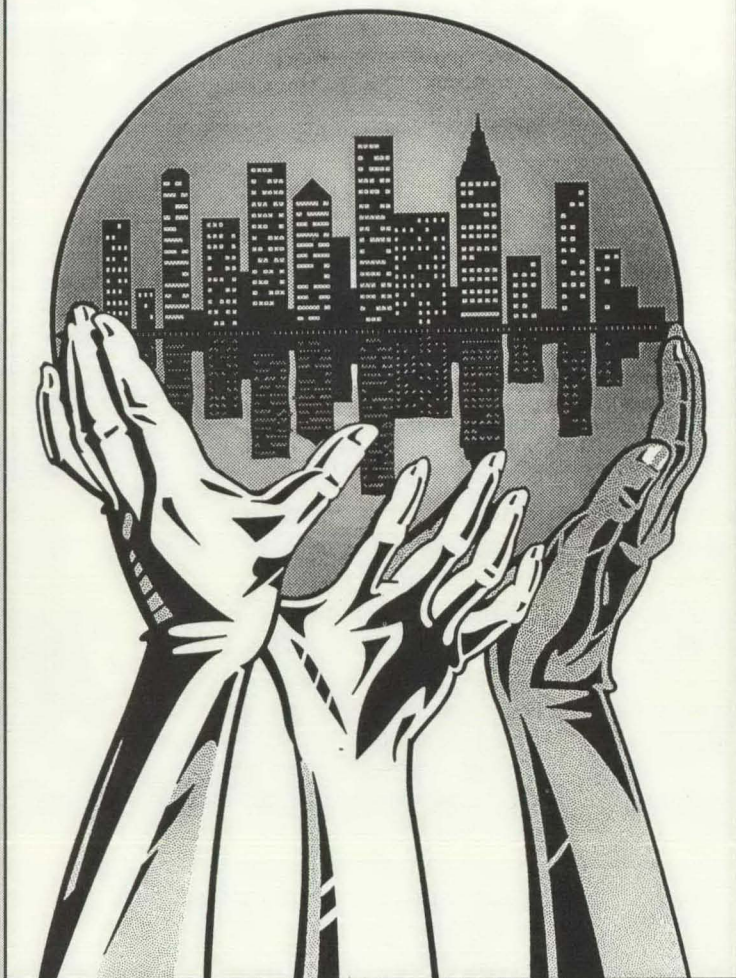
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## Focus on Community Services



### **Community Relations Service** *A Catalyst for Calm*

By Timothy J. Johnson

**R**acial conflicts in communities can result in widespread violence and even death. Small incidents easily escalate into community-wide disturbances. In the wake of the Los Angeles riots in April 1992, community leaders and police administrators across the country renewed the search for

effective means to settle disputes and reduce racial tensions before they become violent confrontations. An often-overlooked resource available to communities, organizations, and individuals to help resolve such conflicts is the Community Relations Service (CRS), a component of the U.S. Department of Justice.

#### **Origin and Mission**

The 1964 Civil Rights Act<sup>1</sup> established the Community Relations Service and charged it with providing assistance to settle disputes that involve allegations of discriminatory practices throughout the United States. The CRS has 10 regional and 4 field offices located in major cities nationwide. Conciliation specialists in those offices aid civic leaders, police administrators, business executives, and school administrators in addressing race-related problems. They help organizations assess racial tension, perceptions of disparity, and problems related to discriminatory practices based on race, color, or national origin. These trained conciliation specialists provide an impartial presence in mediation and conciliation of conflicts. In addition, the CRS staff offers educational programs and materials that cover a range of related topics, including cultural awareness, community-oriented policing, and communication skills.

#### **Requests for Assistance**

The 1964 Civil Rights Act authorizes the CRS to offer assistance in two ways. First, in the reactive mode, CRS personnel respond to requests for assistance made by individuals or organizations. Second, based on awareness of a potential conflict, CRS staff may take the initiative to offer assistance. In both cases, the criterion used to determine if CRS will provide assistance is simply whether the conflict falls under the agency's jurisdiction, i.e., whether it involves allegations of discriminatory practices based on race, color, or national origin.

Conflicts addressed by CRS can be internal to a particular organization (public or private), municipal



department, or school system or involve allegations from outside the department or organization. CRS mediation often proves useful as an alternative to litigation or arrests. All casework is confidential in order to protect the integrity of the process and the neutrality of the mediators.

Because of the limited number of staff members (an average of only four per region), conflicts that impact the most people in a community tend to take precedence over less widespread problems. However, the agency does address issues on a smaller scale whenever possible.

### **Problem Assessment**

CRS has developed a systematic way to evaluate racial tension in a community. The Distant Early Warning Signs (DEWS) system provides municipal leaders with 21 indicators for measuring tension in a community. The indicators include general media reports on discrimination or racial tension, major population shifts in a community, the number of interracial assaults, the extent of racial graffiti, and even projected weather conditions. (For example, a long, hot summer or particularly cold winter may exacerbate perceptions of a lack of city services.)

### **Distant Early Warning Signs (DEWS) System**

#### **Indicators Used to Assess the Potential for Racial Tension in a Community**

- Increased disturbance calls in a particular district
- Number of interracial assaults
- Number of assaults on police
- Levels of police use of force
- Increased citizen complaints of excessive use of force
- Decreased levels of community involvement with local police department
- Presence of or increase in hate groups in the community
- Pending "big event" (opening of a controversial movie, a music concert, an athletic event, etc.)
- General media reports
- School-based incidents
- Increased racial graffiti
- Major population shifts
- Presence of a "hot" CRS case
- Weather conditions
- Crowding (housing shortages, lack of adequate school resources, etc.)
- General input from community leaders
- High levels of unemployment
- Changes in social service
- Demonstrations
- Presence of unresolved conflict
- Rationing of gas, food, water, etc.



CRS' 30 years of experience has shown that these indicators affect tension levels, which can lead to violence if left unchecked.

Using the DEWS model, community leaders decide which indicators are important to them, based on their unique and intimate knowledge of the community. Then, given the relative value that they place on the various indicators, the community leaders determine whether a conflict is at hand. If so, they can focus on resolving the specific issues using a variety of local resources. Local leaders make all decisions about their own situations; CRS staff members do not dictate the solutions but do provide guidance if requested. The DEWS system is available free upon request and can be used independently or with the assistance of CRS experts.

In addition, CRS has developed a method to assess community problems involving police-community relations. Designed for community leaders and law enforcement administrators, this program promotes community involvement, helps to develop problem recognition, and suggests some useful problem-solving tools.

A similar program has been developed to help school systems address issues affecting the students' learning environment. The Student Problem Identification/Resolution Program (SPIR) facilitates conflict resolution among student leaders, faculty, parents, and community representatives. It brings all groups together to prioritize issues and solutions and to create a general plan for addressing issues of racial tension and violence.

### **Training**

CRS also provides training in several areas related to racial conflicts. Training programs can be as short as 1 hour or as long as a week, depending on the needs of the requestor. Usually directed to a particular audience as the result of a specific conflict, CRS training generally addresses certain key areas:

Racial tension assessment and reduction, conciliation and mediation, cultural awareness, and communication skills.

Specific training modules include community-oriented policing, conflict resolution, communication, use of force, cultural awareness, community involvement, crisis assessment/response, self-marshaling, contingency planning, and rumor control. In addition to on-site instruction provided by CRS staff, the agency also provides free guides upon request that allow groups to conduct their own training.

### **Case Study**

CRS assistance can take many forms, depending on the specific situation. While all CRS cases are confidential, what follows is an example of the type of mediation and conciliation services provided to communities when problems arise.

At a local bar, an armed, off-duty police officer observed several Hispanic patrons arguing loudly over that day's soccer game and told members of the group to lower their voices. After leaving the bar, the police officer

saw some of the men involved in a fistfight. In breaking up the fight, the officer shot and killed one man and critically wounded the man's brother.

The Hispanic community became enraged over the incident, which was interpreted as the last straw in a long series of police brutality toward the community. Two nights of rioting ensued.

CRS quickly deployed staff members to the city. They contacted several levels of leadership from the Hispanic community—ranging from street leaders to leaders of major Hispanic community organizations—and local authorities, including the mayor, city council, police administrators, and the prosecuting attorney. CRS conciliation specialists facilitated meetings among the Hispanic leadership to help them articulate the steps necessary to end the riots. Similar meetings with municipal authorities produced a comparable list.

**“  
...the CRS staff  
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”**



With CRS mediation, an agreement was reached that stopped the violence. The prosecuting attorney agreed to address the case expeditiously; the police department agreed to conduct meetings with the community to discuss police-community relations; and the CRS agreed to provide cultural awareness training for the police department. The community and the police department also created a police-community advisory board, which meets monthly to discuss and attempt to resolve issues before they lead to racial tension and violence.

### Conclusion

The CRS helps communities cope with changing patterns of racial and ethnic relations. Communities experiencing race-related problems need not face them alone. Skilled mediators and conciliation specialists are available to lend a hand. Education on cultural awareness and conflict resolution can help soothe racial tensions before they become community-wide conflicts. The calming influence of the Community Relations Service could mean the difference between violent confrontations and peaceful solutions. ♦

### Endnote

1964 Civil Rights Act, Title X, 42USC, Section 2000g.

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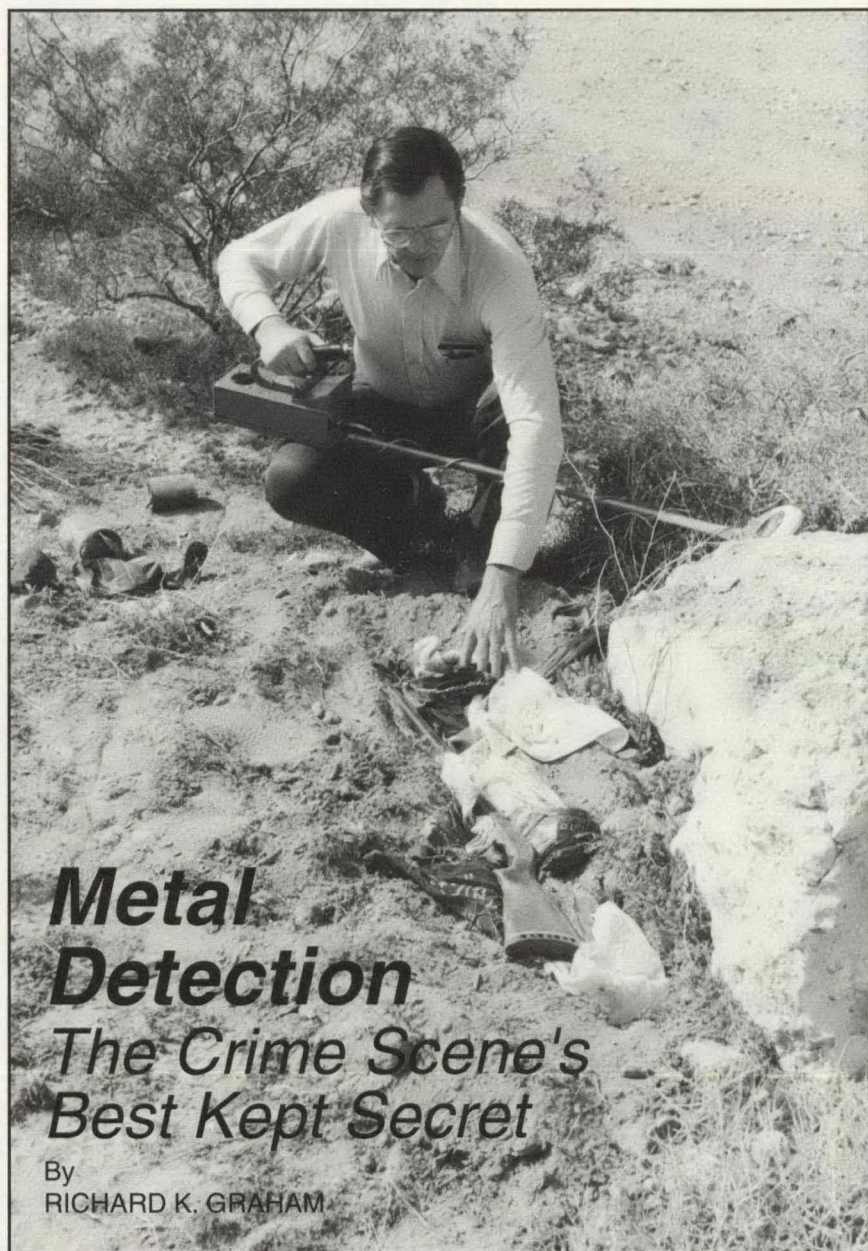
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# ***Metal Detection***

## ***The Crime Scene's Best Kept Secret***

By  
RICHARD K. GRAHAM

**I**t has been said that one person's trash is another's treasure. Nowhere is this adage more true than in the law enforcement setting.

Fragments of metal that most people would disregard can be, quite literally, crime scene treasures to investigators. These pieces of

evidence become forensic gems in the hands of skilled examiners and constitute a veritable bonanza for trained law enforcement officers who understand the value of physical evidence. In other words, small metallic fragments can be the "stuff" that makes convictions.

This article reaffirms the importance of the one investigative tool—a quality metal detector—that can locate hidden metallic crime scene treasures perhaps better than any other. In the hands of a skilled investigator, the metal detector represents an indispensable weapon in law enforcement's arsenal. Yet, all too often, metal detection seems to be the crime scene's best kept secret.

### **CASE STUDY**

A shootout between a police officer and a subject left the officer in serious condition with a gunshot wound to the abdomen. The officer had responded to a silent alarm and, finding the door of the business ajar, entered the building to initiate a search. He later reported that as he stepped out the back door of the building, he heard movement in the bushes to his left, but could not see anyone because it was a moonless evening and visibility was limited.

As the officer turned in the direction of the noise, he announced his identity. Instantly, two shots were fired in rapid succession from the subject's hiding place in the bushes; one projectile passed through the officer. According to the officer's account, he proceeded to move away from the building after being struck and, after four or five steps, fired twice into the bushes. He subsequently collapsed in a grassy area 30 feet from the door. Backup units responding to the scene took the subject into custody.

The subject's story completely contradicted that of the officer. The subject assured the arresting officers that he went to the building in question to speak with the owner. As he



approached the building, he heard someone exit the back door. He then took cover in the bushes at the rear of the building. Without warning, the person exiting the building turned and fired at least two rounds in his general direction. In an effort to preserve his own life, the subject returned fire and then observed the other person stumble and fall to the ground.

The officer's bullets struck the wooden frame of one of the building's windows, so the points of impact were readily apparent. Established trajectories placed the officer 15 feet from the door when he fired his shots, supporting his claim that he had fired only after moving four or five steps away from the building. This reconstruction helped to establish the veracity of the officer's statement. Yet, it did not totally disprove the subject's story or verify the sequence of the shots.

Only the bullet that had passed through the officer could establish who shot first. If that bullet was found close to the side of the building, it would support the officer's statement that he was fired upon as soon as he exited the building. On the other hand, the further away from the building the bullet was found, the more credible the subject's story that he had returned fire only as the officer moved away from the door.

The police department called a metal detection/crime scene specialist to the scene. Following a preliminary survey of the scene, tests determined the conductivity of the 9mm bullet being sought. The metal detector consistently gave the same reading (signature) each time the

searchcoil (antenna) passed over the test target. Additional tests indicated that the slug in question would remain intact and that the copper jacket would not separate from the lead core after passing through a human body.

Knowing the test bullet's signature, the crime scene specialist initiated a systematic and exhaustive search in an effort to verify or discredit the officer's statement. Metallic items unrelated to the shooting incident littered the search area. The operator ignored all metal signals until the detector located and reported a target item bearing the same characteristics as the test bullet.

The metal detector identified a single target with the same signature as the test bullet from among numerous other metallic targets in the search area. This fact alone was quite remarkable, but the metal detector provided even more critical information. The machine electronically pinpointed the target, placing

the bullet within a circle approximately the size of a U.S. half dollar very close to the side of the building. Next, the detector signaled that the target rested just below the ground's surface, less than an inch deep.

With this information, investigators carefully probed the area and found a mushroomed 9mm copper-jacketed projectile. They measured and photographed the bullet in place, then carefully recovered and maintained it as evidence. Subsequent forensic examination of the bullet located fibers consistent with the officer's shirt.

Knowing the location of the bullet that had passed through the officer enabled investigators to reconstruct the sequence of shots based on the subject's hiding place, the bullets' trajectories, and the officer's pattern of movement. The recovery of this vital piece of evidence gave proof positive that the officer had been fired upon almost immediately after leaving

**“Fragments of metal that most people would disregard can be...crime scene treasures to investigators.”**



Mr. Graham, a retired FBI Agent, works as a private consultant in Springville, Utah.



the building. This one small item of physical evidence established the officer's credibility and debunked the subject's alibi. This case and others like it clearly demonstrate the capabilities of metal detectors in crime scene settings.

### **THE POWERS OF METAL DETECTION**

Technology has advanced to the point that a metal detection unit can report subtle differences in two similar metallic targets. For example, metal detectors can distinguish the individual characteristics of a .38-caliber, copper-jacketed slug from those of a lead bullet of the same size. Some detectors can alert the operator to whether a hidden

item is a knife, a handgun, or another weapon.

With very sophisticated detectors, operators can determine whether a particular concealed target is lead, iron, aluminum, gold, copper, or silver, based on the metal's conductivity. Detectors also can be programmed to search for a single, predetermined target, regardless of size, while disregarding all other metals. A detector's electromagnetic field penetrates air, water, earth, wood, stone, concrete, bone, skin, and tissue.

### **ECONOMY OF METAL DETECTION**

For many years, investigators have integrated innovative tools

and techniques into their fact-gathering procedures. Law enforcement agencies are becoming somewhat more aware of metal detection's important role in the crime scene process; however, many continue to regard it as a low-priority investigative tool.

Law enforcement agencies often lament a lack of funds to purchase equipment and to receive proper training in its use. Ironically, an agency that is unable to purchase a \$400-\$500 metal detector will spend thousands of dollars in labor and equipment to find one small item of physical evidence. Yet, the purchase of proper equipment, coupled with a small investment in training, can, quite literally, save an agency tens of thousands of dollars.

### **EFFICIENT USE OF TIME**

Most officers whose careers span 10 or more years have experienced the headache of searching for small items of evidence on their hands and knees. Clearly, this recovery method can locate evidence and, in fact, has produced results in the past. However, this type of search consumes a massive amount of time and requires a considerable investment of labor. In contrast, one officer with a metal detector can accomplish the same ends in a fraction of the time.

### **EXPERIENCED PERSONNEL**

Surprisingly, many law enforcement agencies depend on local treasure hunters to process crime scenes for hidden metallic evidence. Although treasure hunters may understand metal detection equipment,



**"...metal detectors can distinguish the individual characteristics of a .38-caliber, copper-jacketed slug from those of a lead bullet of the same size."**



they cannot be expected to possess expertise in conducting crime scene searches.

Trusting the crime scene to amateurs could compromise an entire investigation and create significant problems in the courtroom. It is important for law enforcement agencies to select crime scene experts who are skilled in metal detection.

## TRAINING

Learning to operate a metal detector is similar to learning the intricacies of a camera. The ability to take a picture does not make a person a crime scene photographer. Similarly, observing a hobbyist finding coins in a park does not teach the nuances of this specialized equipment or train an officer to conduct metal detection searches for evidence. While mastering the use of a metal detector is not difficult, considerable skill must be developed to obtain optimum results.

Law enforcement agencies need to ensure that officers assigned to use metal detection equipment receive training in crime scene applications. This course of study helps students to understand the operation of metal detectors, teaches them the skills required to process crime scenes for metallic evidence properly and effectively, and lays a proper foundation for the metal detection specialist. But, it is only the first step in learning to process a crime scene successfully with metal detection.

For metal detector operators to maintain and improve their proficiency, they must use the equipment in a self-paced program. Officers

trained in metal detection should be encouraged to use it regularly in an off-duty, hobby capacity.

An important truth about metal detection is simply this: If officers can find a dime in a park, they can locate a bullet in a crime scene. Without regular practice, though, metal detector operators can lose much of their ability to interpret signals and can forget desired detection settings. The time for officers to brush up on metal detection skills should not coincide with the time to process a crime scene.

“

***Technology has advanced to the point that a metal detection unit can report subtle differences in two similar metallic targets.***

”

## LIMITATIONS

Like any piece of equipment, a metal detector does have limitations. Law enforcement administrators should have realistic expectations of the capabilities of detection equipment.

### Operator Skills

The principal limitation of a quality metal detector does not stem from manufacturing defects but from unskilled operators. The finest

detection unit cannot overcome operator deficiencies.

For example, skilled crime scene specialists recently searched the location of the shooting of a Federal officer. Evidence was collected, but bullets, shell casings, and other metallic evidence evaded the officers' detection. The crime scene supervisor understood the unique capabilities of metal detectors and obtained a number of detection units for the crime scene search. Then, veteran investigators scanned the scene using this specialized equipment. Although proper equipment had been introduced into the search, only limited success was realized.

Several months later, a metal detection/crime scene specialist entered the search and, in a fairly short time, recovered several critical items of evidence. The officers in the original search were experienced in investigative techniques but had no background or training in the use of metal detectors. Agency administrators learned an important lesson—the finest metal detectors cannot overcome the barrier of inexperienced operators.

### Metals Only

Metal detectors detect only metal and cannot be expected to locate other items of evidence. They also cannot detect one metal through another metal. For example, if a killer placed a murder weapon inside a tin box and buried it in the ground, the detector would report only the presence of tin. Additionally, if gold coins are buried in a cast iron pot, the metal detector would not “see” the gold but would alert the operator



only to the discovery of the pot's cast iron lid.

### **Depth**

The most frequently asked metal detection question is, "How deep will it go?" This seemingly simple question does not have a simple answer. Metal detectors search for metal mass and, therefore, will detect large metal targets at much greater depths than small items. For example, a safe can be detected at 3 feet or more, while a .38-caliber slug may be seen by the detector to depths of only 7 or 8 inches. To obtain optimum results from any metal detection search, the operator must understand the detector's depth limitations.

### **Scanning Width**

Metal detectors have limited scanning widths. The detector's searchcoil must, quite literally, pass directly over or in very close proximity to the desired target for detection to occur.

A shell casing hidden a short distance outside of a search area will be missed by a metal detector. Therefore, to ensure that all critical evidence is located, the searchcoil must pass over every inch of the area being processed. Because the scanning width can be no greater than the width of the searchcoil, strict attention must be given to a systematic and detailed search.

### **SELECTING A METAL DETECTOR**

To say that law enforcement agencies should purchase only quality detection equipment simply states the obvious. Use of poor

quality equipment rarely produces the desired results and could even be less effective than other search methods.

Because financial constraints regularly dictate the terms for acquiring new crime scene tools, departments often must settle for inferior equipment. Yet, quality metal detectors that will give years of trouble-free and dependable service to law enforcement agencies can be purchased at a reasonable price. Also, purchasing metal detection units on a low-bid basis or as part of a crime scene kit will almost certainly produce less than desirable results.

***Numerous metal detection successes in the field give startling testimony to the effectiveness of this investigative tool.***

Crime scene investigators should insist on detection units with proven track records and the latest technology. Some features to consider when purchasing detection units include simplicity of design and operation, automatic ground canceling, and ruggedness.

### **Simplicity of Design and Operation**

Simplicity of design and operation must be one of the principal

considerations in the selection of units for law enforcement, inasmuch as police departments generally do not have the luxury of assigning an officer exclusively to metal detection projects. Modern detectors are simply electromagnetic devices that detect the presence of conductive metals whenever these substances come within the detection zone of the searchcoil. The metal detector user should require that equipment be as simple as this definition.

Historically, some companies designing metal detectors followed the "more is better" rationale and prided themselves on the number of knobs and switches on their equipment. Users of these devices virtually require a degree in metal detectorology to operate them. Presently, however, quality metal detectors available to law enforcement feature one-touch operation—users simply press a touchpad and commence searching. This type of equipment appeals to the "keep it simple" logic of most crime scene investigators.

### **Automatic Ground Canceling**

The effectiveness of early metal detectors was somewhat limited due to their inability to cancel out undesirable conductive substances, such as wet salt and iron mineralization. Until recently, this troublesome interference could be eliminated only by manual tuning, referred to as ground canceling or ground elimination. However, today's quality metal detectors automatically ignore unwanted mineralization and tune themselves to the ground being searched. Automatic



ground canceling relieves the operator of making manual adjustments and simplifies the detector by removing one additional control.

### **Ruggedness**

Metal detectors are sensitive electronic devices and should be treated with care. However, the very nature of law enforcement investigations often dictates rough handling of crime scene tools. Numerous officers handle investigative equipment, each with a different method of maintaining and caring for departmental property. A metal detector selected for law enforcement application, therefore, should have performance records that verify its ability to withstand abuse while maintaining quality performance.

### **Other Features**

The crime scene manager also should be aware of a number of additional important points that have been integrated into industry-leading metal detectors. For example, metal detectors should be compact, well-balanced, and lightweight—less than 4 pounds. For crime scene applications, the detector must be sensitive to metals that are low in conductivity but often-times important as physical evidence, such as lead and stainless steel.

Of course, a history of dependability is a must; the crime scene specialist can ill-afford detector failure during a critical search. The detection unit also must be versatile and capable of interchanging searchcoils to meet specialized crime scene requirements. Finally,

detection depth should be considered. Poor quality equipment will have difficulty locating items below the ground's surface. Although manufacturers often claim that their units will detect deeper than the competition's, most quality metal detectors provide excellent detection depth.

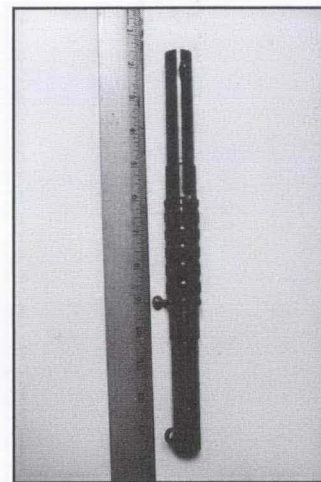
### **CONCLUSION**

Physical evidence reigns supreme over other investigative tools. Obviously, eyewitness accounts, as well as subject and victim statements, are important, but they can be influenced by external circumstances and even altered by outside pressures. Only physical evidence bears testimony that does not depend on memory and is unintimidated and unchanging. For this reason, no item of physical evidence, no matter how small, should be overlooked by the crime scene manager during an investigation. Often, fragments of physical evidence provide the only tangible strands that tie the perpetrator to the crime.

Metal detection has proven its worth repeatedly in crime scene investigations. Numerous metal detection successes in the field give startling testimony to the effectiveness of this investigative tool.

Recovery of a hidden murder weapon or location of a bullet concealed in a tree will preach a much more effective sermon on metal detection than published articles on the subject. Until crime scene managers avail themselves of this exceptional investigative tool, however, it will remain the crime scene's best kept secret. ♦

## **Unusual Weapon**



### ***Slender Shotgun***

This easily concealable firearm was surrendered to officers of the Duluth, Minnesota, Police Department by the operator of a pawn shop who had received it from an unidentified male subject. The weapon's barrel appears to be commercially manufactured, and the other parts reflect considerable craftsmanship. The weapon measures just under 12 inches, fully assembled, and is chambered for 16-gauge shotgun shells. Due to its small size and high-quality construction, this weapon represent a significant threat to citizens and law enforcement officers. ♦



## Point of View

### Career Development in Smaller Departments

By

Gary F. Gibbons, M.P.A.

**I**n a broad sense, career development involves “helping people to choose organizations and career paths and to attain career objectives.”<sup>1</sup> In a more narrow sense, a career development program helps employees to “analyze their abilities and interests in order to better match their personal needs for growth and development with the needs of the organization.”<sup>2</sup> By either definition, career development clearly is founded upon the goal of matching individuals’ needs and desires with the need of an organization to meet its mission.

For the past 50 years, these concepts have been adapted successfully by many corporations and organizations in the private sector. By contrast, the vast majority of police agencies—particularly those of moderate size—traditionally view career development as nothing more than promoting officers through the ranks until they reach retirement age. While departments offer employees limited guidance in terms of professional development, individual officers generally receive little or no guidance in areas pertaining to personal growth or their postretirement lives.

Many moderate-sized agencies fail to realize the benefits that career development programs can offer because administrators often view such efforts as somewhat extraneous. However, a combination of external and internal factors can change this long-held attitude. As the pool of qualified police applicants dwindles and the opportunities for advancement within agencies decline, administrators may be forced to alter their views of career development. A comprehensive program of career development represents a practical and cost-effective means to improve the morale and productivity of every officer in the department.



*Sergeant Gibbons serves in the Staff Services Bureau of the Kentwood, Michigan, Police Department.*

#### FOUR LEVELS OF DEVELOPMENT

The ultimate goal of a career development program is to ensure that departments hire and retain highly motivated employees who understand their role in the organization and appreciate the inherent limitations placed on advancement within the ranks. These goals are universal; they pertain to nearly all organizations—large or small, public or private. Therefore, law enforcement agencies can adapt many of the concepts used successfully in the private sector.

As practiced in many corporations and private organizations, career planning basically consists of four stages or levels of development: Establishment, advancement, maintenance, and withdrawal.<sup>3</sup> By integrating these four levels of career development into a human resources program, public safety agencies can enhance their overall effectiveness while improving the lives of their officers.

##### Establishment

For law enforcement agencies, establishment begins with recruiting. Agencies must attract individuals who are interested in the goals of the organization. Therefore, administrators and recruiters clearly



must inform potential employees of the agency's mission and goals. Agencies that attempt to attract recruits on the basis of what they think the candidates want, as opposed to what the agencies can actually deliver, risk not being able to satisfy recruits' career expectations.

During the selection process, recruiters commonly ask candidates about their career aspirations. In response, candidates often say that they want to progress through the ranks to become head of the agency. At the time, these respondents possess little or no understanding of the duties involved in the various ranks along the way. In fact, they probably have not considered fully the limited probability that they indeed will become head of the agency.

Unfortunately, recruiters often tacitly encourage unrealistic goals, even though they know that only a few promotions are likely. A far more candid and practical approach is to offer an accurate picture of the real opportunities that exist within an agency. Certainly, promotion through the ranks represents one option. But to attract and retain the best candidates, agencies also need to develop and tout other avenues for experiencing career satisfaction. Once individuals are selected for employment, agencies must counsel them to enhance their potential for success in both their initial assignments and in preparation for future positions.

### **Advancement**

Advancement may take on a different meaning for each individual. Employees' attitudes toward advancement also may change as they mature within an organization. An agency must, therefore, consistently work with individual employees to help them recognize, define, and redefine their goals during the course of their careers within the organization.

Today's law enforcement agencies typically spend a great deal of effort counseling and evaluating new employees. Agencies also make a considerable effort to ensure that new officers attain a certain level of training. Unfortunately, once officers become established within the organization, many agencies tend to abandon them to chart their own course for the future.

Depending on their personal motivation, some employees may do quite well at projecting future department needs and preparing themselves to answer those needs. Other employees may be too busy doing their jobs to give much thought to organizational needs. Still others simply may be in the right place at the right time when advancement opportunities arise.

Clearly, such an uneven playing field would hamper any contest. Neither employees nor organizations are well served by a system of advancement based more on appearances and luck than on merit and ability. If agencies want officers to share in organizational goals, then administrators must provide effective career counseling to ensure that all officers know what

those goals are. In this way, effective career planning ultimately helps departments realize more of the potential that exists in a broader base of its employees.

### **Maintenance**

Maintenance recognizes that employees may find their niche in an organization and may not desire to move from that position. If such employees are productive and satisfied, then their decisions should be supported by the organization.

A good example is the experienced beat officers who remain in patrol because they enjoy the work and do it well. The department can support these officers by providing training opportunities that will enhance

**“ A well-designed career development program is the most effective way for agencies to cultivate, motivate, and retain their most valuable resource—their employees. ”**



both their abilities and satisfaction in that position. These individuals also can serve as role models for other officers who still are attempting to find their place within the organization. Periodic counseling will help ensure that every officer's success and sense of satisfaction continues.

Current fiscal and social factors dictate that law enforcement as a profession must examine ways to improve financial compensation and other types of rewards for career officers who perform proficiently at the line level. As agencies downsize and eliminate layers of management, fewer career advancements are probable. Therefore, agencies must find alternative ways to compensate and recognize the achievements of career officers.

### Withdrawal

Traditionally, law enforcement agencies have done a poor job of addressing the issues of withdrawal or retirement. However, a commitment to improve human resources management requires that agencies move forward in this area.

Many administrators have seen the devastating effects that disillusioned officers nearing retirement can have on the expectations of younger officers. Officers who are just putting in their time and doing as little work as possible, while criticizing the organization at every opportunity, do nothing to motivate or to develop younger officers.

Through a comprehensive career planning program, agencies can take steps to prevent this scenario from recurring. Veteran officers who have a clear focus on what they plan to do after retirement, and who see their current employment as contributing to the success of those plans, continue to contribute to the organization, and by example, assist younger officers develop their skills.

By counseling veteran officers to prepare for retirement, agencies also send a message to younger officers that they will be important to the organization throughout their careers. Thus, agencies provide employees with the incentive to be productive and to remain with the organization, rather than seeking out and fleeing to another profession or another department.

### CONCLUSION

After years of nearly uninterrupted growth, the public sector faces a future of fiscal restraint, heralded by the now-familiar refrain "do more with less."

Considering the complex and litigious nature of our society, law enforcement agencies cannot expect to meet this demand by lowering standards or reducing individual performance. On the contrary, every indication is that demands for service and quality performance will increase.

Therefore, law enforcement administrators must look for ways to manage better their most important (and most costly) resource—personnel. In an era of organizational flattening and hiring freezes, agencies must place more emphasis on the

development of current employees. A well-designed career development program is the most effective way for agencies to cultivate, motivate, and retain their most valuable resource—their employees. ♦

**“  
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”**

### Endnotes

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# *The Mystery Within*

## *Understanding Police Suicide*

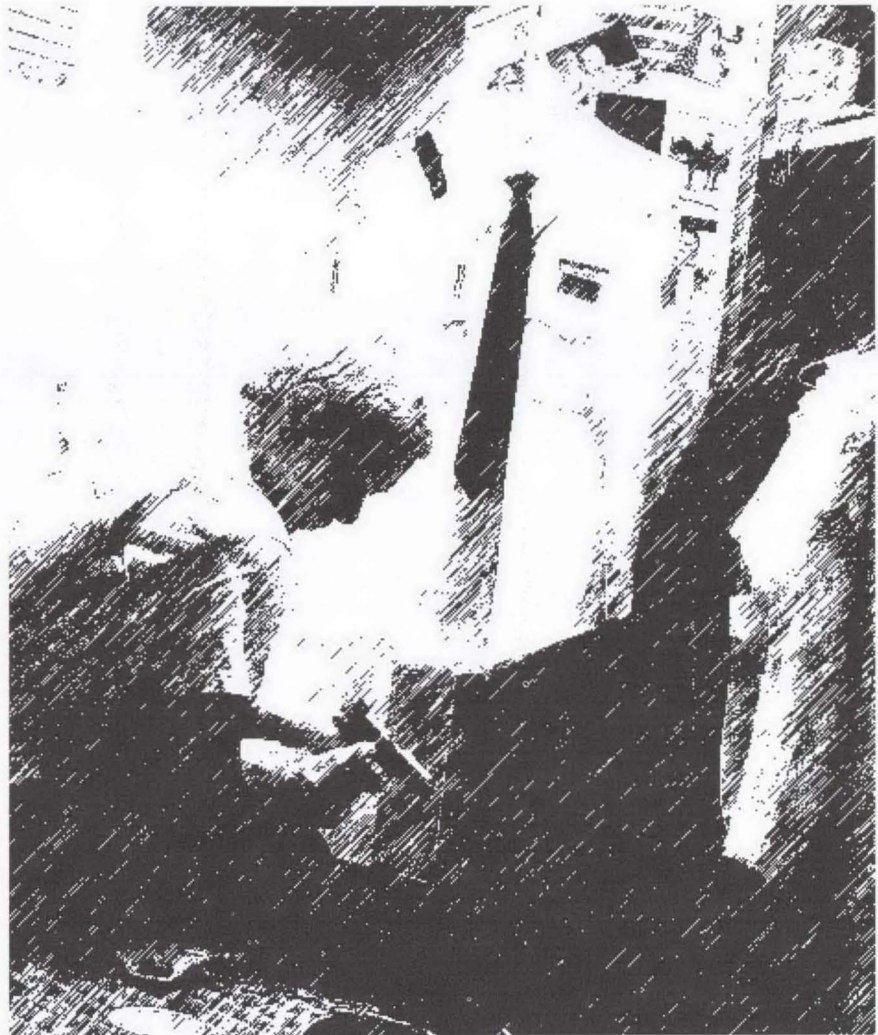
By  
JOHN M. VIOLANTI, Ph.D.

**A**lthough considerable obstacles hinder the study of police suicide, mounting evidence suggests that self-inflicted deaths within the law enforcement profession are continuing a dramatic upward trend that began in the 1980s. According to one study, in the years 1950 to 1979, a sample of 2,662 officers averaged one suicide every 2.5 years. From 1980 to 1990, the rate increased to one suicide every 1.25 years. These sobering findings indicate that police suicides now may be occurring at twice the rate they did in the past.<sup>1</sup>

Such statistics make it increasingly important for law enforcement agencies to deal with a problem that refuses to disappear, no matter how successfully it is ignored. Only by gaining a better understanding of the factors that lead to police suicide can administrators develop an effective response to this tragic cause of death among law enforcement officers. Resolving the underlying problems that hinder the research of police suicide may be the first step to gaining a better understanding of it.

### **PROBLEMS OF RESEARCH**

Considerable difficulty exists in studying police suicide. Researchers often find that information on officer suicide either is not collected or departments are reluctant to allow access to such data.<sup>2</sup>



In addition, police suicides may be misclassified routinely as either accidents or undetermined deaths. Because police officers traditionally subscribe to a myth of indestructibility, they view suicide as particularly disgraceful to the victim officer and to the profession.<sup>3</sup>

The police represent a highly cohesive subculture whose members tend to "take care of their own."<sup>4</sup> The desire to shield victim officers, their families, and their departments from the stigma of suicide may lead investigators to overlook certain evidence intentionally





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**“Police suicide can devastate the morale of entire agencies and leave individual officers with intense feelings of guilt and disillusionment.”**

**”**

during the classification process. One study of the Chicago Police Department estimated that as many as 67 percent of police suicides in that city had been misclassified as accidental or natural deaths.<sup>5</sup>

Failure to correct for such biases could lead to false conclusions regarding the causes and frequency of police suicides. Therefore, accurate research must go beyond official rates; the preliminary results of an ongoing study of police suicides over a 40-year period indicate that nearly 30 percent of police suicides may have been misclassified.<sup>6</sup>

Other problems exist in the study of police suicide. Because most research focuses on large cities, very little is known about suicides in small or rural departments. Therefore, while epidemiological data reliably indicate that police officers are at a higher risk for suicide than the general population, such results may not be generalized appropriately to the entire country. However, the research that has

been conducted produced various explanations as to why police officers take their own lives.

#### **WHY OFFICERS COMMIT SUICIDE**

Studies have revealed several factors related to police suicide. Suicides have been found to be more common among older officers and are related to alcoholism, physical illness, or impending retirement.<sup>7</sup> Other clues have been cited to help explain the high rate of self-inflicted death among police officers: The regular availability of firearms; continuous duty exposure to death and injury; social strain resulting from shift work; inconsistencies within the criminal justice system; and the perception among police officers that they labor under a negative public image. In addition, research confirms a higher propensity for suicide among males, who dominate the police profession.<sup>8</sup>

A study of the Detroit Police Department found that the vast majority of Detroit police officers

who took their lives were white young men, high school educated, and married. Alcohol abuse was fairly common among the sample (42 percent), as was a formal diagnosis of psychosis (33 percent). However, marital difficulties appeared to be the most prevalent problem among the Detroit sample.<sup>9</sup>

Examination of 27 cases of police suicide in Quebec found that one-half of the officers had a history of psychiatric and/or medical problems, and many had severe alcohol problems. Most officers in the sample experienced difficulties at work, and in *every case*, a notable drop in work performance had been observed in the 6 months prior to the suicide.<sup>10</sup>

#### **Stress**

The high stress of police work generally is cited as a primary contributing factor. The constant barrage of stressors inherent with danger, and for police managers, the pressures of administration, can overwhelm even the strongest person. When officers lose the ability to cope in normal ways, they may turn to an ultimate solution to relieve the pressures of stress.<sup>11</sup>

#### **Frustration and Helplessness**

Among the occupational factors surrounding police suicide, frustration often is cited as particularly important. Almost unfailingly, officers enter policing with high ideals and a noble desire to help others. Over time, this sense of idealism may transform into hardcore cynicism.

The roots of frustration emanate from the central irony of American policing: Society charges



police officers with the task of regulating a public that does not want to be regulated. For individual officers, the resulting frustration is exacerbated by a largely unsympathetic press, a lack of community support, and a criminal justice system that values equity over expediency. A sense of societal isolation often ensues, compelling officers to group together in a defensive stance. When an officer feels that the frustration no longer is tolerable or that no coping alternative is available, suicide may become an attractive option.<sup>12</sup>

It also is possible that feelings of helplessness are brought about by the nature of the job.<sup>13</sup> A sense of helplessness is a disturbing realization for anyone, but especially for police officers who are conditioned to view themselves as superheroes capable of anything. Suicide is one way of dealing with helplessness and emotional pain. The finality of the ultimate solution may be an attempt to restore feelings of strength, courage, and mastery over the environment.<sup>14</sup>

#### Access to Firearms

Another factor that distinguishes police officers from the general population also has been implicated in the high number of police suicides. That is, most law enforcement officers carry or have access to firearms. An ongoing study of police suicides in the United States reveals that 95 percent involved the use of the officer's service weapon.<sup>15</sup>

Another study compared suicides in New York City and London. While the police suicide rate in New York City was twice that of

the general population, the police suicide rate in London, where officers do not carry firearms, was similar to that of the city's civilian population.<sup>16</sup>

The police firearm holds special significance for officers. It is a very potent symbol of the power of life and death. Society entrusts law enforcement officers with the authority to use their weapons to take the life of another person in certain situations. In police suicides, officers, in effect, are claiming the right to take their own lives. After all, the weapon has been issued as a means to stop misery and to protect others from harm. Despondent officers may view suicide in such a way.

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”**

#### Alcohol Abuse

Alcohol abuse also has been implicated as a significant contributing factor in police suicides. One study documented alcohol abuse in 60 percent of the suicides in the Chicago Police Department.<sup>17</sup> Administrators should be aware that alcoholism may lead to other work problems, such as high absenteeism, traffic accidents, or intoxication on duty. Given the established correlation between alcoholism and

suicide, these symptoms should not be ignored. They should be considered indications of a larger problem.

#### Fear of Separation From the Police Subculture

As officers near the end of their law enforcement careers, another potential threat appears—separation. To individual officers, retirement may mean separation from the camaraderie and protection of police peers. During their years of service, officers may have clustered with other officers due to a general isolation from society and its prejudices toward the police. Upon retirement, these officers must enter the very society that they perceive as alien and hostile.

While the benefits of retirement may be viewed positively by the majority of officers, separation from the police subculture can be a frightful and devastating prospect for others. Fear, coupled with increasing age (a definite suicide risk factor), loss of friends, loss of status as a police officer, and a loss of self-definition, leaves some retiring officers vulnerable to suicide. A recent study found a 10-fold risk of suicide among police retirees.<sup>18</sup>

#### OTHER FACTORS

Other factors have been suggested in an attempt to explain why officers take their own lives. One theory holds that officers commit suicide because of their continuous exposure to human misery and their constant giving of themselves.<sup>19</sup> Another study cites police bureaucracy, with its paramilitary structure, overbearing regulations, and negativism, as a primary catalyst in police suicides.<sup>20</sup>



It also has been suggested that "loner" officers who feel isolated from and uninvolved with the police subculture are more likely to commit suicide.<sup>21</sup> Another theory views police suicides as a response to confusing messages from society: Police are given great discretionary powers, but that power is routinely truncated by the courts, the press, and from time to time, administrators. Under these conditions, many officers experience a significant sense of conflict and confusion.<sup>22</sup>

Policing involves a continual barrage of boredom interspersed with acts of violence, deceit, and human misery. Many officers are exposed to a subculture of violence in which they encounter death almost daily. The average citizen generally does not witness in a lifetime the amount of death and violence a police officer experiences in one month. As a result of this exposure, Post Traumatic Stress Syndrome may lead to a breakdown of normal coping processes. Because the effects of stress are believed to be cumulative, officers exposed to many stressors may reach a breaking point leading to suicide. A study of the Royal Canadian Mounted Police found that 15 percent of the Mounties who committed suicide recently had been exposed to a traumatic work incident.<sup>23</sup>

Current research does not explain definitively what effects such exposure has on the psyche of police officers. It is possible that exposure to death and human suffering produces a numbing effect; that is, death becomes easier to accept as a possible solution to seemingly impossible problems.

Psychological trauma is associated closely with this exposure to death and violence. Many officers involved in police shootings suffer serious aftereffects as a result of these critical incidents. Similar to veterans of war, officers involved in such incidents experience posttraumatic symptoms, such as nightmares, flashbacks, and a fear of returning to duty. Suicide can be the ultimate response to this sometimes unendurable pain.



### ASKING FOR HELP

Traditionally, no matter what their problems, police officers refrain from asking for help. There are various reasons for this reluctance. Officers do not wish to appear weak or vulnerable in front of their peers. Individuals who perceive themselves as problem solvers often have great difficulty admitting that they have problems of their own. As a result, some officers who feel that they can no longer tolerate psychological pain choose to solve the problem themselves through suicide rather than by asking others for help.

Fortunately, officers' reluctance to seek out help is being

abated by successful counseling programs established in many departments. For individual officers, these programs have helped remove the stigma of admitting that they have problems. Currently the domain of large and progressive departments, intervention programs should be implemented in every U.S. law enforcement agency. Because all police officers face similar challenges and pressures—regardless of the size of the agency in which they serve—every officer should have access to comparable counseling resources.

### EFFECTS ON SURVIVORS

#### Families

As is true with any suicide, it is the survivors who must cope with the aftermath of a police suicide. In addition to the emotional anguish and feelings of guilt that generally haunt family members following a suicide, other difficulties often face police suicide survivors. Because suicide is perceived as "dishonorable," families may not be afforded the full honors of a police military-style funeral. To make matters worse, police departments often abandon surviving family members after 1 or 2 weeks of condolences.

Law enforcement agencies must go beyond departmental boundaries to assist the families of *all* deceased officers, including those who take their own lives. By simply maintaining contact and offering assistance with practical matters, such as finances and pension rights, agencies can help family members move through the grieving process.



## Departments

In addition to the immediate family, another group experiences the wrath of suicide: Police peers. A grief wave often strikes departments after an officer commits suicide. In some cases, supervisors note a lasting negative effect on the morale and work quality of surviving officers. For this reason, agencies should arrange for psychological debriefings after the self-inflicted death of any officer.

## PREVENTING POLICE SUICIDE

The destructive effects on survivors underscore the need to prevent suicide among police personnel. Not only can an effective intervention effort save officers' lives, but it also can safeguard agencies from the devastating effects of suicide.

Agencies must move beyond the morbidity of the subject to develop effective suicide countermeasures. Perhaps the best way to prevent police suicide is to train officers to cope better with professional and personal problems. This provides them with the means to recognize and avoid the psychological and behavioral wrong turns that eventually can lead to suicide. In addition, training supervisors to recognize the warning signs of suicide can afford agencies an opportunity to intervene before it is too late.

## CONCLUSION

Suicide leaves survivors shaken and in search of answers that may never be found. Police suicide can devastate the morale of entire agencies and leave individual officers with intense feelings of guilt, remorse, and disillusionment.

By its very nature, suicide is an act of desperation, carried out when less drastic avenues of relief seem unavailable or inadequate. Police agencies should ensure that these other avenues are available.

Because most studies suggest that law enforcement officers are at a heightened risk for taking their own lives, police agencies also should be at the forefront of developing and implementing suicide intervention programs. As is true with addressing any problem, the first and most important step is to recognize that the problem exists. With regard to police suicide, this fact can no longer be ignored. ♦

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**Among the occupational factors surrounding police suicide, frustration often is cited as particularly important.**  
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<sup>17</sup> Supra note 5.

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# Bulletin Reports

## Corrections Videos

Cultural differences in correctional facilities is the topic of a new video released by the American Correctional Association (ACA). The video, *Cultural Diversity in Correctional Facilities* (#266-25), addresses the importance of developing a culturally diverse staff, the best ways to manage a culturally diverse inmate population, and the management of a culturally diverse staff working as a team. It also includes historical perspectives on cultural diversity, multiculturalism in correctional facilities, and discussions of cultural sensitivity policies and training exercises.

Another ACA video, *Gang Management Strategies in Corrections* (#265-25), can assist a correctional staff in detecting, identifying, and reducing the threat of gang activity and violence in

its facility. The video addresses how correctional personnel identify gangs and gang members and examines effective methods of managing gangs and their members. Other measures discussed include isolating violent gang members and monitoring suspected gang activities. A discussion of inmates' right to participate in gangs and wear gang-related clothing also is included in the video, along with guidelines to correctional officers for preventative steps that can and cannot be taken to address gang-related problems.

Both videos can be purchased from the ACA's Customer Service Department by calling 1-800-825-2665. For those calling from outside the continental United States, the number is 301-206-5059.

## Juvenile Justice Videos

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has available four videos on various topics of interest to police personnel, corrections officials, judges, educators, and other law enforcement professionals. The following videos can be used for presentations or training sessions:

*Parental Abductors: Four Interviews* features interviews with four parental abductors who discuss motives for abducting their children, their experiences while in hiding, and the consequences for their actions (43 minutes, NCJ 147866)

*Breaking the Code* provides detailed guidelines on implementing the systematic instruction of phonics in reading programs conducted by education and reading instruction personnel (83 minutes, NCJ 146604)

*Retarding America—the Imprisonment of Potential* summarizes research findings that demonstrate advantages of the systematic instruction of phonics in beginning reading programs for use in juvenile corrections and detention sites (28 minutes, NCJ 146605)

*Law Enforcement Custody of Juveniles* depicts common scenarios that require decisions about when and how to hold temporarily both delinquent and nondelinquent offenders (31 minutes, NCJ 137387).

There is a nominal fee for each of these videotapes, which can be ordered by contacting the Juvenile Justice Clearinghouse at 1-800-638-8736. Requests also can be sent to the Juvenile Justice Clearinghouse, Box 6000, Rockville, Maryland 20850.



## 1995 Patrol Vehicles

The Michigan State Police (MSP), in conjunction with the National Institute of Justice, tests new patrol vehicles annually. For the 1995 patrol models, the MSP tested four special service package cars and five patrol package cars. Each vehicle is subjected to major tests and evaluations, to include vehicle dynamics, acceleration, top-speed, braking, ergonomics and communications, and fuel economy.

MSP scores each vehicle's overall performance, reviews the manufacturer's bid price, and calculates a final score for each vehicle using a formula that combines the overall performance score and the manufacturer's price. It should be noted, however, that the MSP vehicle specifications, test categories, and scoring reflect MSP needs. Departments need to consider individual needs and weigh the factors accordingly.

A copy of the full report on the Michigan State Police tests can be obtained from the National Law Enforcement Technology Center, Box 1160, Rockville, Maryland, 20849. The telephone numbers are 1-800-248-2742 or 1-301-251-5060 for those calling from the Washington, D.C., metropolitan area.

## Drug Treatment

A Bureau of Justice Assistance (BJA) monograph, *An Overview of Drug Treatment and the Criminal Justice System*, provides information to assist criminal justice practitioners, policymakers, and others coping with drug-related crime and drug-abusing offenders. Specific topics discussed include the connection between drugs and crime; Federal, State, and local strategies for dealing with the drug-abusing offender; types of drug treatment and treatment modalities; program and process evaluations for drug treatment programs; and benefits of drug treatment.

The publication can be a valuable resource for criminal justice professionals. It contains descriptions and contact information for 68 drug treatment programs that work with the criminal justice system; more than 2,000 titles in a comprehensive bibliography; contact information for 57 relevant organizations, associations, and clearinghouses; and descriptions and contact information in chart form for 32 assessment and screening tools.

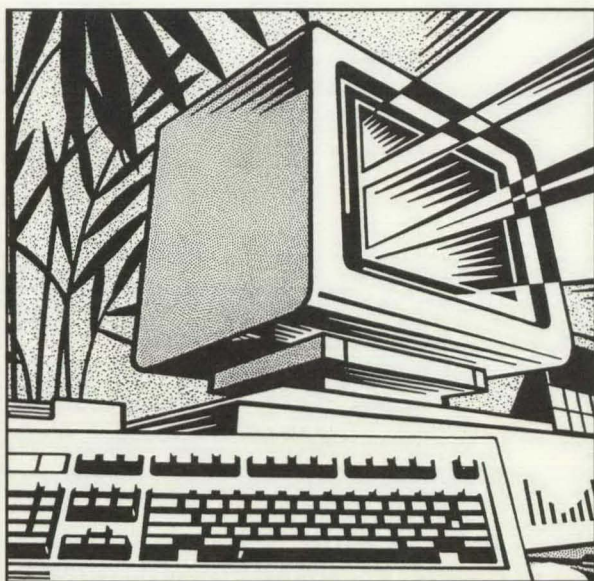
A copy of *An Overview for Drug Treatment and the Criminal Justice System* (NCJ 148814) can be ordered by calling the BJA Clearinghouse at 1-800-688-4252.

**Bulletin Reports**, a collection of criminal justice studies, reports, and project findings, is compiled by Kathy Sulewski. Send your material for consideration to: *FBI Law Enforcement Bulletin*, Room 209, Madison Building, FBI Academy, Quantico, VA 22135.

(NOTE: The material in this section is intended to be strictly an information source and should not be considered as an endorsement by the FBI for any product or service.)



# Law Enforcement on the Internet



**C**omputer technology has impacted law enforcement significantly in the past decade. Today's police officers have at their disposal a wide range of computer systems that help them to perform their duties more efficiently. From computer-aided dispatch systems to mobile computers that connect patrol officers with databases miles away, the computer has altered the way police officers conduct business.

Computer systems also facilitate the exchange of information among members of the criminal justice system. Using the Internet—the global computer network that connects several million computers at thousands of sites in dozens of countries<sup>1</sup>—police administrators now can tap into a vast pool of

information on successful police programs and research materials on criminal justice issues.

To take advantage of the many resources available on the Internet, the *FBI Law Enforcement Bulletin* has driven onto the information superhighway. We invite you to ride along by communicating with us via e-mail. Our Internet address is:

**fbileb@justice.usdoj.gov**

We would like to learn how computer technology has affected your department. What resources have you found on the Internet that would be helpful to other criminal justice professionals? Have you had any telling experiences involving computer crime, computer-based training, or the Internet?

We also are interested in your comments about the magazine. What subjects would you like to see covered in *Law Enforcement*? Did one of our articles have a particular impact on you or your department? How can we improve the magazine to meet the needs of your department better?

We welcome your comments, questions, and suggestions. Please include your name, title, and agency name on all e-mail messages.

Remember, our e-mail address is:

**fbileb@justice.usdoj.gov**

## Endnote

Daniel P. Dern, *The Internet Guide for New Users* (New York: McGraw Hill, 1994), 16.



# Deadly Force

## A Question of Necessity

By  
JOHN C. HALL, J.D.



"The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation."

—*Graham v. Connor*,  
490 U.S. 386, 396-397 (1989)

**F**ederal constitutional standards permit law enforcement officers to use deadly force to apprehend criminal suspects when there is "probable cause to believe that the suspect poses a threat of serious physical harm...to the officer or to others..." and if deadly force "is necessary" to effect the apprehension.<sup>1</sup> This formulation of the constitutional rule by the Supreme Court suggests two factors—dangerousness and necessity—as relevant to the question whether deadly force is constitutionally permissible.

With respect to "dangerousness," the Court has suggested that

"...if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm...,<sup>2</sup> the officer reasonably could conclude that the suspect is dangerous. However, the absence of comparable guidance on the issue of "necessity" has invited serious legal challenges on this issue alone. These challenges generally may be described as follows:

1) Deadly force was not necessary because less intrusive alternatives were available, or



2) If deadly force was necessary, the officer's prior actions created the necessity.

Both arguments concede the reasonableness of an officer's threat assessment, and both seek to deflect the attention—and the responsibility—from the suspect's actions to the officer's judgment. The first would impose a duty on an officer confronted with a lethal threat to consider other options before using deadly force; the second would impose a duty on an officer to anticipate and prevent actions of a suspect that might make the use of deadly force necessary.

Whether the Constitution imposes these duties on police officers is a question that must be answered if officers and the courts are to understand and to apply properly the constitutional standards governing the use of deadly force. The logical starting point is the Supreme Court's interpretation of the fourth amendment.

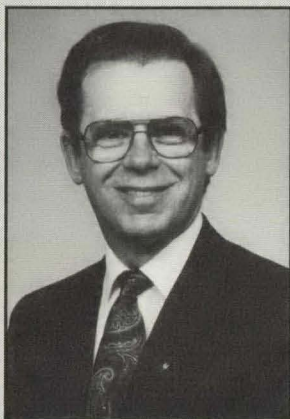
In its 1989 landmark decision of *Graham v. Connor*,<sup>3</sup> the Supreme Court established the fourth amendment standard of "objective reasonableness" as the appropriate one for assessing a police officer's use of force in the context of making an arrest or other seizure of a person. Noting that the standard is "not capable of precise definition or mechanical application," the Court emphasized that the issue is one of "*reasonableness at the moment....*"<sup>4</sup> (emphasis added)

Equally important, the Court held that the inquiry must be limited to "the facts and circumstances confronting them [the officers]...judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight...."<sup>5</sup> It is within this context and from this perspective that the reasonableness of an officer's judgment of the "necessity" to use deadly force must be viewed.

### Less Intrusive Alternatives

The facts in *Bradford v. City of Los Angeles*<sup>6</sup> illustrate a plaintiff's contention that an officer was not justified in using deadly force because less intrusive alternatives were available. In *Bradford*, an officer used a police car to strike a kidnaping suspect who was fleeing from the ransom drop site. The officer had learned from a radio report that the suspect had arrived by car at the ransom drop site, had picked up a ransom package, had tossed the package into a waiting car when approached by a police officer, and then had fled on foot when commanded by other officers to stop. The suspect suffered serious injuries in the incident, for which he sued the officer and his department under Title 42 U.S.C. Section 1983. A jury returned a verdict for the plaintiff.

On appeal, the defendant did not dispute the point that using a car to strike a suspect constitutes the use of deadly force. Furthermore, the appellate court agreed that the officer had probable cause to believe that the plaintiff was committing a crime involving the threatened infliction of serious physical harm, i.e., the constitutional standard announced by the Supreme Court in *Tennessee v. Garner* as justifying a reasonable belief that a suspect is dangerous. However, in defining the question before the jury as "whether the amount of force used by [the officer] was necessary to prevent [plaintiff's] escape," the court ruled that "the jury could conclude that [the officer's] use of a car as a weapon



Special Agent Hall is a legal instructor at the FBI Academy.

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...the fourth  
amendment does not  
require police  
officers 'to choose  
the least intrusive  
alternative, only a  
reasonable one.'  
”



was unnecessary because [he] had more reasonable alternatives.”<sup>7</sup>

The court reasoned that the presence of other officers at the drop site and the available option of driving past the plaintiff to block his path would support the jury’s determination that the officer’s “unorthodox actions” of striking him with the car were unreasonable. The court rejected the defense argument that the “availability of alternative measures ‘is irrelevant’ ” and held that when the plaintiff presents “substantial evidence that less intrusive means were available, it is up to the jury to determine if those means were reasonable.”<sup>8</sup>

While the plaintiff’s claims in *Bradford* are typical of assertions made in other cases that deadly force was not necessary because less intrusive alternatives were available, the appellate court’s decision is not typical of those reached by most other Federal courts confronting the same issue. In addition, *Bradford* seems inconsistent with the Supreme Court’s views of the manner in which the reasonableness standard of the fourth amendment is to be applied.

In a 1973 case<sup>9</sup> involving the decision of police officers to inventory the contents of an arrestee’s shoulder bag, the Supreme Court addressed a defense argument that the police could have accomplished their purposes by the less intrusive means of simply inventorying the shoulder bag as a unit and that the availability of this less intrusive alternative made their more intrusive action unreasonable. Conceding the availability of the less intrusive option, the Court nevertheless held

that the fourth amendment does not require officers to choose “the least intrusive alternative, only a reasonable one.”<sup>10</sup> Although the Court in that case was considering the reasonableness of a fourth amendment search, a number of Federal courts have adopted the same view with respect to seizures.

In *Plakas v. Drinski*,<sup>11</sup> a police officer shot and killed a handcuffed subject who attacked the officer with a fireplace poker. In a lawsuit against the police officer and the county, the plaintiff did not dispute that at the moment the officer fired the fatal shot, the suspect was attacking the officer with the poker. Nor was it disputed that shortly before attacking the officer, the subject pointed the poker at the officer and said, “Either you’re going to die here, or I’m going to die here.”

“

**‘...there is no constitutional duty to use non-deadly alternatives first.’**

”

The primary argument was that the officer could have and should have used alternative methods short of deadly force to resolve the situation. It was suggested, for example, that one of the officers on the scene had a canister of CS gas on his belt and that there was a K-9 unit in the vicinity that could have been called to the scene to subdue the subject.

The U.S. district court granted summary judgment for the police. The appellate court affirmed with the following explanation:

“There is no precedent in this Circuit (or any other) which says that the Constitution requires law enforcement officers to use all feasible alternatives to avoid a situation where deadly force can justifiably be used. There are, however, cases which support the assertion that where deadly force is otherwise justified under the Constitution, there is no constitutional duty to use non-deadly alternatives first.”<sup>12</sup>

The court observed that there were essentially three alternatives open to the officers: 1) Maintain distance from the suspect and try to keep some barrier between him and them; 2) use some kind of disabling spray; or 3) use a dog to disarm the suspect. The court also considered that a decision by an officer under these circumstances must be made after the briefest reflection:

“As [the suspect] moved toward [the officer], was he supposed to think of an attack dog, of...CS gas, of how fast he could run backwards? Our answer is, and has been, no, because there is too little time for the officer to do so and too much opportunity to second-guess that officer.”<sup>13</sup>

A related issue in *Plakas* was the plaintiff’s contention that the officer’s employer—notwithstanding the reasonableness of the officer’s decision—should be held liable for not making more choices



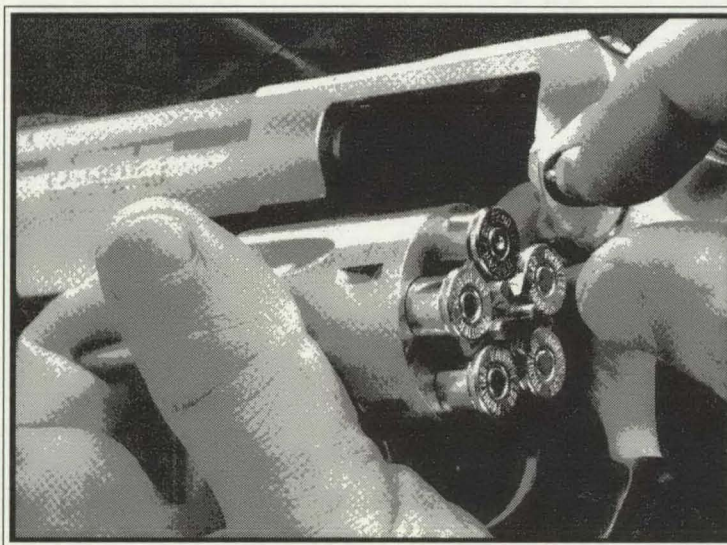
available. The court rejected as unwise a policy that would permit juries to hold municipalities liable for failing to provide different equipment or more police officers based on some expert's testimony that an arrestee would have been uninjured had they done so. The court concluded: "There can be reasonable debates about whether the Constitution also enacts a code of criminal procedure, but we think it is clear that the Constitution does not enact a police administrator's equipment list."<sup>14</sup>

The plaintiffs in cases like *Bradford* and *Plakas* focus on availability of other options at the moment an officer made the decision to use deadly force. A second line of attack seeks to shift the focus away from the encounter itself to the events that preceded it.

#### **Officer Caused or Contributed to the Necessity**

The essence of this argument is that if officers had performed their duties differently, the suspects would have been denied the opportunity, or ability, to commit the threatening acts that justified the use of deadly force. There are at least three problems with this line of argument. First, it is inconsistent with the Supreme Court's insistence in *Graham v. Connor* that the relevant facts and circumstances are those "confronting them [the

officers]...at the moment...."<sup>15</sup> (emphasis added) Second, it extends the application of the fourth amendment to actions and events that precede either a search or a seizure. And, third, it significantly expands the breadth of legal duties owed by the police to suspects, effectively making the police responsible for a suspect's actions as well as for their own.



The court in *Plakas* declined plaintiff's invitation to review the actions of the officers preceding the deadly confrontation to determine if the officers' decisions were correct. The court responded that such reviews would "nearly always reveal that something different could have been done if the officer knew the future before it occurred."<sup>16</sup> In rejecting these efforts to shift responsibility for the suspect's actions onto the police, the court said:

"Other than random attacks, all such cases begin with the

decision of a police officer to do something, to help, to arrest, to inquire. If the officer had decided to do nothing, then no force would have been used. In this sense, the police officer always causes the trouble. But it is trouble which the police officer is sworn to cause, which society pays him to cause and which, if kept within constitutional limits, society praises the officer for causing."<sup>17</sup>

*Scott v. Henrich*<sup>18</sup> clearly illustrates the second line of attack on the necessity of an officer's use of deadly force. In this case, two police officers went to an apartment in response to a "shots fired" call. A witness told them that "he had seen a man fire a shot or a couple of shots...and that [the man] was acting strange or crazy and

he was staggering...." A second witness directed the officers to a nearby apartment building where the gunman was seen entering.

When the officers knocked on the street-level door of the apartment building and identified themselves, a man confronted them with a "long gun." One of the officers then fired a shot, missing the subject; the second officer, believing the subject had fired, shot and killed the subject.

In a lawsuit against the officers, plaintiff claimed that the officers



should have used alternative measures before approaching and knocking on the door. Through the testimony of an expert witness, plaintiff asserted that the officers' conduct created an unreasonable risk of armed confrontation. Citing the department's internal guidelines, the expert opined that the officers should not have tried to flush out the suspect immediately, but instead, should have developed a tactical plan, sealed possible escape paths, called for back up, and tried to coax him into surrendering.

The appellate court was not impressed. Observing that "the appropriate inquiry is whether the officers acted reasonably, not whether they had less intrusive alternatives available to them,"<sup>19</sup> the court stated:

"Requiring officers to find and choose the least intrusive alternative would require them to exercise superhuman judgment. In the heat of battle with lives potentially in the balance, an officer would not be able to rely on training and common sense to decide what would best accomplish his mission. Instead, he would need to ascertain the least intrusive alternative (an inherently subjective determination) and choose that option and that option only. Imposing such a requirement would inevitably induce tentativeness by officers, and thus deter police from protecting the public and themselves. It would also entangle the courts in endless second-guessing of police decisions made under stress and subject

to the exigencies of the moment."<sup>20</sup>

Other courts likewise have refused to accept the argument that police officers caused a confrontation by not displaying a badge, by failing to wait for backup, or by allegedly violating some other "police procedure."<sup>21</sup> Perhaps the most bizarre illustration of the argument is found in *Carter v. Buscher*,<sup>22</sup> where police officers devised a plan to arrest a man who had contracted to have his wife killed. The arrest plan went awry, and the suspect opened fire on the police, killing

**"  
...it is the arrest  
itself and not the  
scheme that  
must be  
scrutinized for  
reasonableness  
under the Fourth  
Amendment.'  
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one officer and wounding another before being killed himself. The deceased suspect's wife (the intended victim of the murder plot) then filed a lawsuit against the police, alleging that "by reason of their ill conceived plan...the [officers]...provoked a situation whereby unreasonable deadly force was used in the attempt to seize [the suspect]...."<sup>23</sup> Observing that "pre-seizure conduct is not subject to Fourth Amendment scrutiny,"

and that no seizure occurred until the suspect was shot, the court held: "Even if [the officers] concocted a dubious scheme to bring about [the suspect's] arrest, it is the arrest itself and not the scheme that must be scrutinized for reasonableness under the Fourth Amendment."<sup>24</sup>

### Conclusion

The U.S. Supreme Court has held that reasonableness under the fourth amendment does not require police officers to choose the least intrusive alternative, only a reasonable one. Following that principle, most courts have rejected arguments that the use of deadly force was not necessary because officers had less intrusive options available or it was made necessary by the actions of the officers themselves.

These decisions limiting potential liability claims should encourage law enforcement policymakers to continue to develop appropriate policies and procedures to guide officers in the use of deadly force without undue concern that those initiatives will become weapons in the hands of litigants. The training and equipping of a police department should be governed by the positive goals of providing effective and efficient law enforcement services to the community. This includes giving proper weight to the safety of the community and its police officers. Training programs and procedural guidelines designed to effect these general purposes are not intended to create new and broader legal duties that police officers owe to their potential assailants. ♦



<sup>1</sup> *Tennessee v. Garner*, 471 U.S. 1, 11 (1985).  
<sup>2</sup> *Id.*  
<sup>3</sup> 490 U.S. 386 (1989).  
<sup>4</sup> *Id.* at 396.  
<sup>5</sup> *Id.* 396-397.  
<sup>6</sup> 21 F.3d 1111 (Unpublished) Nos. 92-56173 and 93-55051 (9th Cir.[Cal.]) (1994 WL 118091).  
<sup>7</sup> *Id.* at 3.  
<sup>8</sup> *Id.* at 4.  
<sup>9</sup> *Illinois v. Lafayette*, 462 U.S. 640 (1983).  
<sup>10</sup> *Id.* at 647. *See also*, *United States v. Martinez-Fuerte*, 428 U.S. 543 (1983).  
<sup>11</sup> 19 F.3d 1143 (7th Cir.), *cert. denied*, 115 S. Ct. 81 (1994).  
<sup>12</sup> *Id.* at 1148. *See also*, *Forrester v. City of San Diego*, 25 F.3d 804 (9th Cir. 1994):

<sup>14</sup> *Id.*  
<sup>15</sup> *Graham*, 490 U.S., at 396.  
<sup>16</sup> *Plakas*, 19 F.3d, at 1150.  
<sup>17</sup> *Id.*  
<sup>18</sup> 978 F.2d 481 (9th Cir. 1992); withdrawn and reissued, Nov. 2, 1994, \_\_\_\_ F.3d \_\_\_\_ (9th Cir. [Mont.]); 1994 WL 596643.  
<sup>19</sup> *Id.* at 3.

<sup>24</sup> *Id.* at 1333.

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## 32 / FBI Law Enforcement Bulletin



## The Bulletin Notes

Law enforcement officers are challenged daily in the performance of their duties; they face each challenge freely and unselfishly while answering the call to duty. In certain instances, their actions warrant special attention from their respective departments. *Law Enforcement* also wants to recognize their exemplary service to the law enforcement profession.



Lieutenant Aardema

Lt. Tom Aardema of the Asheville, North Carolina, Police Department was leaving his residence on his way to work when he noticed smoke rising from the eaves of a neighbor's home. He immediately called the fire department and rushed to the residence. Through a window, he observed a man attempt to get up from a chair, only to fall to the floor. Lieutenant Aardema then forced open the front door and carried the man to safety. Knowing that a second resident lived in the home, he reentered the house and located the second occupant lying on the floor in one of the smoke-filled bedrooms. After carrying this victim to safety, Lieutenant Aardema made a final entry into the home and located the source of the smoke—several items burning on the stove. He then wrapped his hands with towels, threw the items into the sink, and doused them with water, thus preventing further damage to the home.



Sergeant Langham



Deputy Jenkins

While on routine patrol, Sgt. Stephen Langham and Deputy Jack Jenkins of the Gordon County, Georgia, Sheriff's Office noticed suspicious activity in the parking lot of a local package store. Turning their patrol car around to investigate, they observed one man run into the store as another man fled from the parking lot. Suspecting a robbery in progress, the deputies drew their weapons and approached the storefront. Two gunmen burst outside, one holding a handgun to the store clerk's head. After a tense standoff, Sergeant Langham disarmed one of the gunmen, freeing the hostage. The other subject struggled briefly with Deputy Jenkins and then fled on foot. He was apprehended a short time later. Subsequent investigation revealed that one of the assailants was being sought for a murder in the metropolitan Atlanta area.



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## **Patch Call**



The patch of the Rio Hondo, Texas, Police Department depicts an expansion bridge that spans the Arroyo Colorado River in Rio Hondo. The palm trees in the foreground signify the area's tropical climate.



The Mackinac Island, Michigan, Police Department patch features the profile of a harnessed horse, which represents the resort community's ban on motor vehicles since the late 19th century. The town residents, visitors, and law enforcement officers depend predominantly on bicycles and horses for transportation.