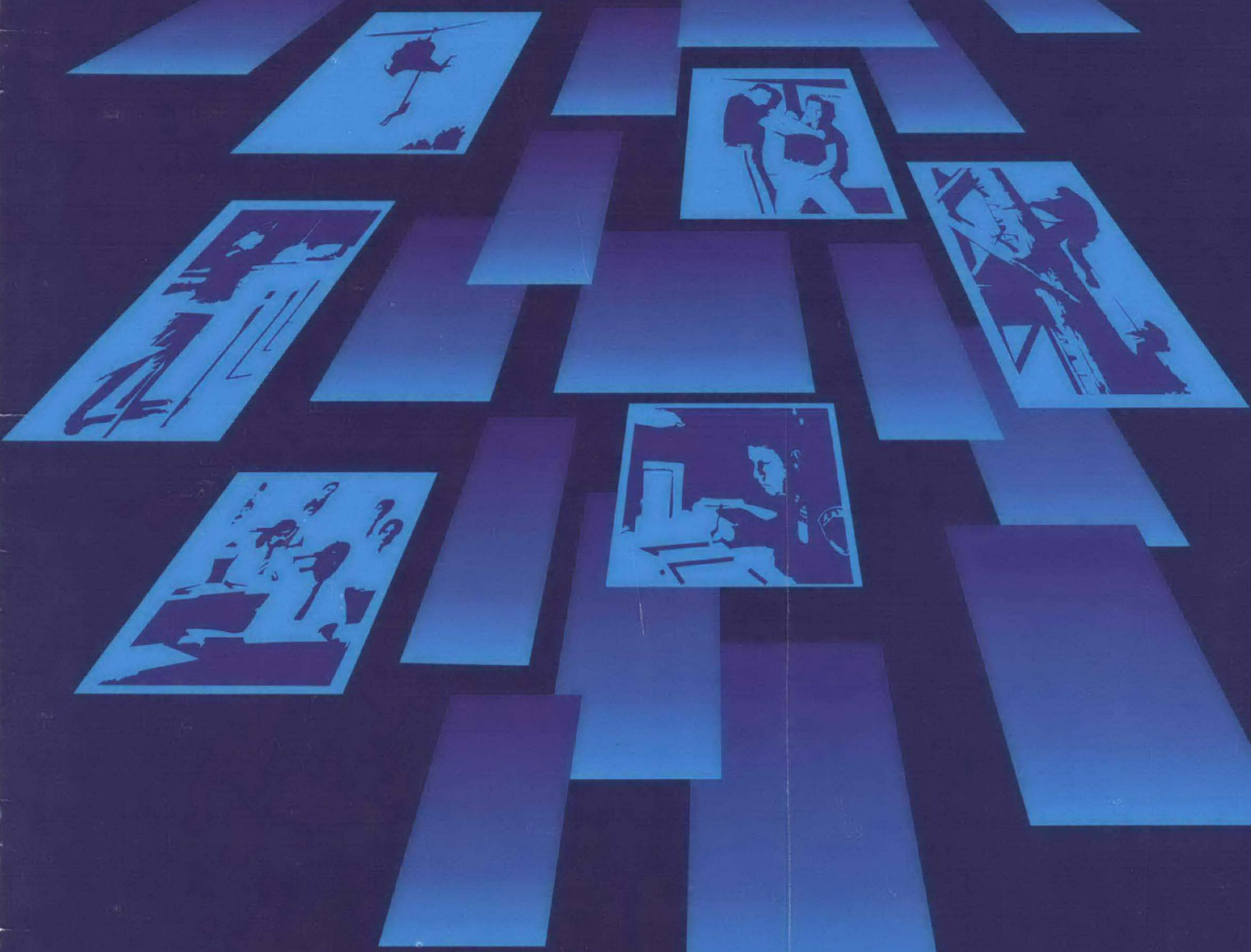




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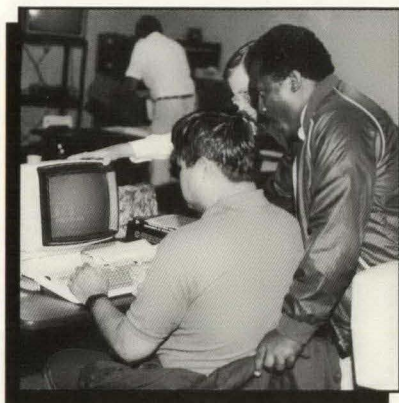
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TRAINING



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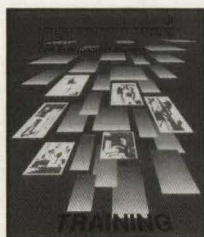
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Cover: In order to combat violent crime problems effectively, today's police officers must be properly trained and educated.

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

William S. Sessions, Director

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Director's Message

Training & Education

The role of law enforcement in today's society changes constantly. Every day, law enforcement officers face more sophisticated, more challenging, and more complex crime problems. Every day, they battle the violent crime that is tearing the communities of this Nation apart. Because they encounter some of the most dangerous and vicious criminals who ever lived—criminals armed with new technologies and new weapons—law enforcement officers must be prepared to meet the challenge.

Therefore, police education and training are key issues of today. Constantly, scientific and technological advancements are being made. In fact, the evolving body of knowledge is so great that what was considered state-of-the-art 5 years ago is now, for the most part, obsolete. And, in order for law enforcement officers to survive in a dynamic, rapidly changing society, they must be continually updated on the latest techniques and developments.

However, the effectiveness of today's law enforcement officers depends not only on their knowledge, skills, and abilities but also on the ethical application of what they have learned. As Dr. Edwin J. Delattre, a renowned scholar and author, notes in his book, *Character and Cops: Ethics in Policing*, "What is taught by the academies about ideals should be woven into the realities of the streets...."

The education of officers should not be confined to training academies. Rather, it should be a continuous process in each department and viewed as a necessity, not a luxury, by police administrators.

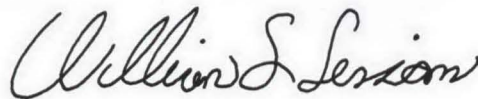
The U.S. Congress has recognized the importance of law enforcement training by

designating the week of January 5-11, 1992, as National Law Enforcement Training Week. By doing so, this Nation's governing body demonstrates to the citizens of the United States that police education and training deserve their support and commitment.

The same holds true for law enforcement administrators, who should continuously search for ways to improve their education and training programs. It is law enforcement's challenge to develop and disseminate ideas that have the potential to reduce violent crime in communities all across this Nation. In addition, law enforcement must continue to develop new technologies to fight the war against crime and must also apply them.

Administrators should institute ongoing reviews of their policies, procedures, and practices to ensure that they meet the needs of their officers. They must also ensure that their officers are properly trained so that they are fully prepared to handle today's increasingly violent crime problems.

Trained personnel are critical to the solution, and law enforcement personnel deserve the best possible training and education available. Training enhances the quality and effectiveness of the service provided to citizens. But, it also ensures that law enforcement will be ready to respond to meet the challenges of today's violent criminal element.



William S. Sessions
Director

The Evolution of Police Recruit Training

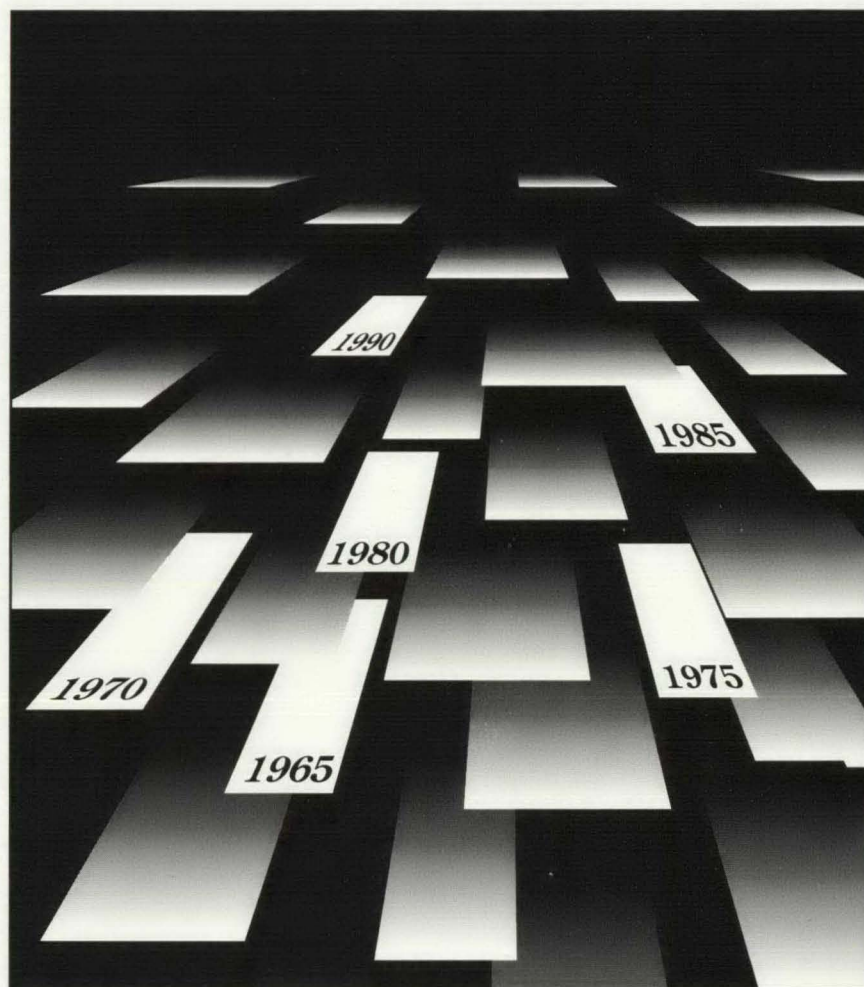
A Retrospective

By
THOMAS SHAW, M.S.

The year was 1965. The Vietnam War continued to rage. In Cleveland, Chicago, and Los Angeles, inner cities burned as riots broke out in black communities. Lyndon Johnson was President of the United States, and despite his promises of the "Great Society," the Nation's cities were crumbling at an alarming rate.

The year witnessed the deaths of such prominent people as Malcolm X, Winston Churchill, Edward R. Murrow, and Nat King Cole. One year later, the U.S. Supreme Court would hand down the *Miranda* ruling, which would affect the course of police conduct forever.

In 1965, despite the social changes taking place worldwide, the street cops in Arlington County, the City of Alexandria, and Fairfax County in Northern Virginia dealt with a fairly uncomplicated world. Situated across the Potomac River from Washington, D.C., Northern Virginia was experiencing a low crime rate in most felony categories, with the exception of burglaries. Even so, the police chiefs of these jurisdictions decided to establish the first regional police training academy in the State—a bold concept for that era. They theorized that



by sharing resources, their recruit officers would be better trained to meet the challenges of the future. Thus, the Northern Virginia Police Academy was formed (later renamed Northern Virginia Criminal Justice Academy).

This article chronicles how police training in Northern Virginia evolved over the last quarter of a century. In many instances, it mirrors what transpired in police academies across the United States. The intent is not to champion regional

training over other forms of police instruction, but to examine how far recruit training has progressed since 1965.

THE EARLY YEARS

Curriculum Development

To begin, the three police chiefs assigned a training lieutenant from each of their departments to develop a curriculum for the first session of the newly formed regional academy. These men combined the best elements of their individual departments into the basic school curriculum. The first session consisted of 11 weeks of training that were divided into four segments—academic, firearms, physical training, and driver training.

The academic training consisted of an introduction to police science, police methods and techniques, government and law, police and community life, and laboratory techniques. In the firearms and physical training portion, recruits learned to fire a service revolver and shotgun and were taught basic calisthenics, judo, and close-order drill. This was followed by fundamental driver's training, which involved using traffic cones on a simplified course.

At the end of the 11 weeks, the recruits reported back to their respective departments for an additional week of training. At this time, the State of Virginia did not regulate police training; therefore, there were no mandatory State standards, either with regard to minimum hours or required subjects.

Even so, the curriculum was considered sophisticated and state-of-the-art for that era. The training

“As the more-enlightened police officer began to emerge, the academy staff and the training curriculum adjusted accordingly.”



Mr. Shaw is the Director of the Northern Virginia Criminal Justice Academy in Arlington, Virginia.

reflected the needs of police officers who would be working in a well-educated society that had high expectations for its police forces.

Supervisory Staff and Instructors

Three training lieutenants managed the academy, one from each of the participating departments. One lieutenant would serve as the academy's director for 1 year; then the position rotated annually to the other two lieutenants. A training coordinator supervised the recruit school on a daily basis.

For the most part, officers who had experience teaching in their respective departments became part of the academy's instructional staff. However, several other officers were also selected, and if they had no formal instructor training, they attended a 1-week instructor's school before teaching at the academy.

While all instructors volunteered to teach at the academy, they continued to work full time at their regular assignments. In many instances, patrol officers would teach at the academy after working a complete 8-hour shift, or they would be scheduled to teach on their days off. Also, the academy relied on other agencies, such as the Federal Bureau of Investigation, to assist in the training.

No matter how highly motivated the instructors were, using a part-time staff had its obvious shortcomings. Teaching is a taxing and tedious activity, and many times, the level of training suffered because of the number of hours logged by the teachers. Oftentimes, members of the volunteer training staff were sent out on emergency calls, so they were not able to appear for class. Court appearances also interfered with their teaching assignments. To compensate for these

absences, the training coordinator had to reassign other instructors to fill in or show training films to occupy the class until the scheduled instructor arrived.

Other training inconsistencies also occurred by using a part-time staff. Even though each instructor was required to complete a lesson plan for the course, this plan primarily consisted of individual research, experience, and ideas obtained from previous instructors. In most cases, the teaching staff considered these lesson plans to be their personal property; when the instructors left, they took the plans with them. And, the academy did not maintain a permanent lesson plan file.

Student Profile

Recruit officers during this time fit a fairly precise profile. In the early years of the academy, the typical recruit was a white male, high school graduate, who had been discharged recently from the military.

Women, for the most part, were excluded from uniform patrol duty at this time; therefore, there were no female trainees. And, it was very rare for a newly hired officer to have a college degree.

Any hint of antisocial tendencies usually disqualified the candidate, and in some instances, a traffic record beyond a few parking or speeding tickets was grounds for rejection. Abuse of alcohol or drugs automatically eliminated potential officers. Yet, despite the rigid standards, the pool of applicants seemed limitless, and filling vacancies was not difficult.

TRAINING IN TRANSITION

Recruits

By 1975, the profile of the police recruit changed. Civil rights legislation, demands of minority groups, and court decisions altered the composition of the training classes. No longer did the white

male characterize the typical recruit. Now, the average recruit class consisted of females and minorities, as well as college graduates, Vietnam veterans, and former civil rights demonstrators, among others.

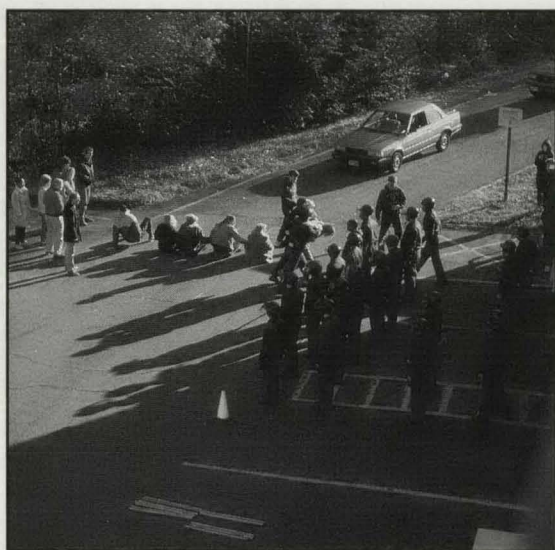
In addition, trainees possessed radically different points of view. Class discussions during riot training and community relations segments of the curriculum gave evidence to the diversity of class composition, as students freely voiced their opinions. Yet, this diversity added a new and different dimension to police training that never before existed. As the more-enlightened police officer began to emerge, the academy staff and the training curriculum adjusted accordingly.

Staffing Changes

The first step taken was the assignment of more trainers to the academy. This was in response to the significant growth of the member departments and the requisite need for training new officers. Also, the rotation of lieutenants as director of the academy outlived its usefulness; a permanent director was assigned to head the academy.

Besides increasing the number of instructors, training assignments became full-time positions for a minimum of 3 years. So as not to have a detrimental effect, the participating departments devised a staffing formula based on the size of department.

In addition, no longer did volunteer instructors make up the academy's staff. Instructors now had to compete for vacant positions through a competitive selection



"The academy's curriculum... mirrored the situations that officers were likely to encounter when they were on the streets."

process. But training became only one of their responsibilities. They also began to serve as squad leaders, providing day-to-day supervision of their assigned trainees, and as evaluators. Instructors completed a total of three student evaluations during the basic training school.

Another change that took place pertained to lesson plans. No longer could instructors consider lesson plans as their personal property. Training aids and lesson plans developed by the teaching staff became part of the permanent documentation file retained by the academy. Before each recruit session, lesson plans were submitted for approval by the supervisory staff, and a complete lesson plan file was established.

Curriculum Redesign

In 1970, the State of Virginia formed its first training commission to promulgate mandatory requirements governing both basic and inservice training. These rules and regulations stated that every sworn officer must receive 160 hours of basic training within the first year of employment; each veteran officer had to attend 40 hours of inservice training every 2 years. Establishing a minimum training standard across the State impacted significantly on the extent and type of training offered to officers.

Other factors that influenced police recruit curriculum were the change in community demands and the officer's new and emerging role in conflict management. Blocks of instruction on community relations, crisis intervention, and sensitivity training became part of academy's

curriculum. It was critical that recruit and inservice training evolve and improve in order to deal with the complicated problems of society.

The academy's curriculum also changed to incorporate performance testing, tactical decisions, judgmental shooting, officer survival, crisis management, and advanced driver

“
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”

training into the schedule of classes. Each of these topics added a new dimension to the training offered. But more importantly, they mirrored the situations that officers were likely to encounter when they were on the streets.

TRAINING TODAY

Even today, the three principal components of the Northern Virginia Criminal Justice Academy—trainees, staffing, and curriculum—do not remain constant, but continue to reflect the times. Individuals applying for the academy are better educated; many have college credits or advanced degrees. The organizational makeup of the academy is more complex and now includes a

director of training, two assistant directors (one for basic training and one for inservice training), and a training staff totaling 26 supervisors and instructors. However, it is the academy's curriculum that evidences the most change. The curriculum continues to develop in order to better prepare trainees for their careers in law enforcement.

Formal task analysis plays an important part in deciding which subjects are incorporated into the training. And, classroom instruction and discussion are now accompanied by a number of role play scenarios. The prevailing philosophy is to have trainees perform a myriad of tasks as soon as possible to reinforce what they learned.

Trainees are exposed to family fights, burglaries in progress, armed robberies, and shoplifting, to list just a few incidents, in true-to-life settings. Trainers evaluate the performance of each student using a checklist of tasks that must be successfully completed. Those failing to perform the tasks successfully are afforded remedial training and two additional opportunities. Every effort is made to ensure that each trainee receives the best and most complete instruction available.

Carrying on with the type and level of instruction incorporated into the curriculum in the 1970s, instructors still place a great deal of emphasis on judgmental shooting, officer survival training, and physical fitness. Students test their judgment and accuracy in shoot/don't shoot situations, which prepare them to make the most serious decision possibly facing any officer—whether to use deadly force. In

Focus on Training

officer survival, they are also exposed to improved search and handcuffing techniques, the use of force, active countermeasures, weapons retention, control holds, and take-down procedures. And, the physical fitness program includes lectures on proper health and diet, aerobic exercise, and a dynamic strength program.

Particular attention is also given to crisis management and advanced driver training. Crisis management training includes a segment devoted to crisis management theory, with discussions on the methods and techniques to use when dealing with crime victims. The trainers also instruct recruits on the causes of police stress, how officers can deal with stress and its associated problems, and the toll such stress can take on officers. And, police recruits receive 40 hours of both defensive and emergency response driver training.

CONCLUSION

The challenges and problems facing today's law enforcement officers are many. Accordingly, each officer should be afforded the most complete, up-to-date training available to ensure officer safety and well-being.

During the past quarter of a century, the Northern Virginia Criminal Justice Academy has maintained a proud record of accomplishment. There are over 2,000 police officers and deputies from 22 law enforcement agencies being trained annually at the academy. The caliber of instruction remains high, as the staff continually strives to ensure that the curriculum reflects the training needs of today's police officer.

LEB



The FLETC Concept

By
Charles F. Rinkevich



Since 1970, the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia, has provided consolidated training for Federal law enforcement agencies. The FLETC was established with the purpose of creating a state-of-the-art training facility staffed with professionally trained, full-time law enforcement trainers.

When the decision to establish the FLETC was made, law enforcement training within the Federal Government was both inconsistent and random, at best. Most agencies conducted training in inadequate facilities with part-time instructors, often on an intermittent or sporadic basis. For the most part, training programs duplicated the training of others or were inconsistent with the training that was being offered elsewhere. The FLETC's goal was to consolidate the training efforts of Federal law enforcement agencies, with the hope of alleviating these problems.

CONSOLIDATED TRAINING

Basic Programs

The FLETC's basic programs concentrate on the common skills and knowledge needed by all Federal law enforcement personnel. For example, the rules governing arrest procedures, search and seizure, and evidence collection are the same for all Federal agents, regardless of department affiliation. Similarly, defensive tactics, marksmanship, computer literacy, and defensive driving are other training topics that can be delivered in a consolidated training setting. Once trainees are equipped with the common skills and knowledge taught in the basic training program, they can then begin the agency-specific portion of their training.

Specialized Training

Specialized training is offered when two or more agencies require advanced instruction on a particular topic. These courses cover such law

enforcement issues as white-collar crime, computer fraud, and instructor training, to name a few.

Since 1983, the opportunity for advanced or specialized training has extended to State and local police through the National Center for State and Local Law Enforcement Training, also located on the FLETC campus. In addition, the FLETC's western satellite centers at Marana, Arizona, and at Artesia, New Mexico, offer advanced training in scaled-down versions of the Glynco facility.

BENEFITS

Quality Instruction

Under the consolidated training concept, each of the over 70 agencies training at the FLETC can take advantage of the knowledge, skills, and abilities of various law enforcement trainers. Yet, each agency still retains its own authority, jurisdiction, and identity and has input as to the design and management of the basic and specialized programs.

Periodic curricula reviews ensure that the training programs are both current and relevant to agency needs. Authorized representatives from participating agencies meet every 2-3 years to address the relevance and effectiveness of the training programs. These representatives review and discuss current course content, evaluate the training program, and make recommendations regarding the courses offered.

The FLETC's faculty are professional trainers committed to program development and enhancement. They are experts in the diverse responsibilities essen-

tial to law enforcement professionals. Supplementing the permanent training staff are instructors detailed to the center from their respective agencies.

Cooperation

Another benefit of the FLETC is the interaction of students from the many agencies involved in consolidated training. This fosters networking and interagency cooperation, which develops a sense of "togetherness" and mitigates traditional turf issues that might result from separate training environments.

Monetary Savings

Considering the fiscal constraints and economic issues facing law enforcement, consolidated training offers a means by which agencies can save money on training programs. The facilities of the FLETC campus would be too cost-prohibitive for a single

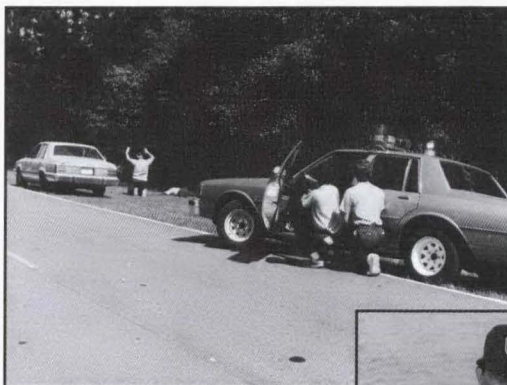
agency to staff and maintain. Joint training also produces cost avoidance and savings in such areas as equipment and administrative and support functions.

CONCLUSION

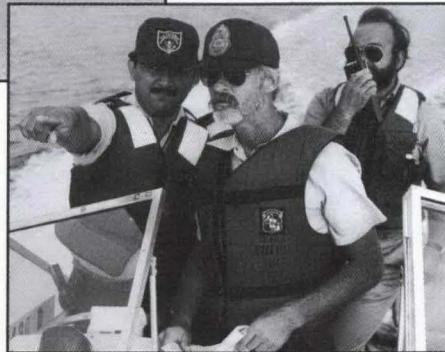
Each year, more than 20,000 students graduate from the FLETC, including nearly 4,000 State and local officers. These students receive a level of training that would not be feasible through individual agency training programs. Above all, however, the FLETC demonstrates a willingness on the part of all agencies involved to share resources and program management, an objective that contributes to law enforcement as a profession.

LEB

Mr. Rinkevich is the Director of the Federal Law Enforcement Training Center headquartered in Glynco, Georgia.



"Each year, more than 20,000 students graduate from the FLETC, including nearly 4,000 State and local officers."



College Education and Policing

Coming of Age

By
DAVID L. CARTER, Ph.D.
and
ALLEN D. SAPP, Ph.D.



In the late 1960s, the United States experienced massive social change. And, unfortunately, law enforcement officers, as peacekeepers and symbols of government, found themselves in the middle of this conflict. All too often, questions were being asked of law enforcement. Did the police respond properly to civil unrest and civil disorder? Were the police addressing changing patterns of crime sufficiently? Why was there conflict between the police and minorities? Was the vision of a "professional police" officer realistic?

These questions were addressed in the 1967 report of the President's Commission on Law Enforcement and Administration of Justice.¹ Specifically, one item that the President's Commission studied was a college requirement for police officers.

In its report, the Commission expressed the belief that a college education would provide substantive knowledge and interpersonal skills that would significantly enhance an officer's ability to provide high quality, as well as equitable and efficient, service to the public. It also recommended that police edu-

cational standards be raised, with the ultimate goal of requiring a baccalaureate degree as a minimum standard for employment. The Commission based these recommendations on the current complexity of police tasks and the need for officers to make increasingly critical decisions.

This article addresses the movement for higher education as a requirement for employment and promotion in law enforcement. It will also reveal the findings of a 1988 national study on police education commissioned by the Police Executive Research Forum (PERF). The

article will then address the importance of cooperation between law enforcement and academia.

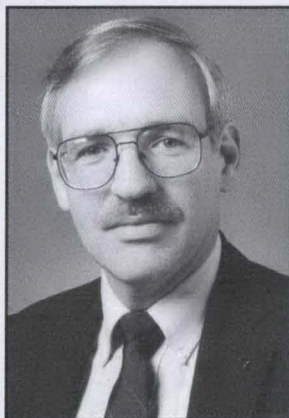
THE POLICE EDUCATIONAL MOVEMENT

One of the primary byproducts of the Commission's recommendations was the creation of the Law Enforcement Education Program (LEEP).

"LEEP was a program to stimulate criminal justice personnel to attend college.... the belief was that better-educated law enforcement officers would provide more responsive, more comprehensive, and more insightful police service. In the long term, as college-educated officers rose into police leadership positions, they would explore new approaches, with more creativity and better planning."²

The financial incentives made available through LEEP formed the nucleus of a movement to support higher education for law enforcement.

In response, colleges and universities developed law enforcement/criminal justice degree programs, and police departments began to establish incentive pay, educational leave, and other policies related to education. Interest in police education grew, characterized by increased research and growth in organizations related to criminal justice education (such as the Academy of Criminal Justice Sciences). Further incentive was given when the National Advisory Commission on Criminal Justice Standards and



Dr. Carter



Dr. Sapp

Dr. Carter is a professor at the School of Criminal Justice at Michigan State University in East Lansing, Michigan. Dr. Sapp is a professor at the Department of Criminal Justice Administration at Central Missouri State University in Warrensburg, Missouri.

Goals set target dates by which police departments should establish formal educational requirements.

However, some observers of the education movement urged caution and expressed concerns that newly created curricula and policies were not based on empirically tested hypotheses and behavioral criteria. And, for the most part, their criticisms rang true.

Yet, it wasn't until the early 1980s that the focus on higher education for law enforcement diminished. Funding for LEEP was reduced drastically, and eventually, the program was dropped. Then, grant priorities changed, and financial support for police educational research was virtually nonexistent. And, because of the increasing attention placed on crime-related issues, such as drugs and violence, police education became a matter of secondary importance. But the is-

sue of whether college education made for a better police officer still remained.

NATIONAL STUDY ON POLICE EDUCATION

In 1988, the Police Executive Research Forum (PERF) commissioned a study to be conducted on police education.³ PERF is one organization that has been continually concerned with the diminishing attention given to police education over the past decade. It places high emphasis on college education for law enforcement officers and has established the baccalaureate degree as one of its minimum membership requirements.

Moreover, police executives who are members of PERF raised a wide range of questions about the state of police education. Specifically, these executives wanted to know:

Table 1
Changes in Police Education Level by Years

College Level	1960	1970	1974	1988
No College	80%	68.2%	53.8%	34.8%
< 2 years	10%	17.2%	15.8%	20.5%
2-3 years	7.3%	10.9%	21.5%	22.1%
> 4 years	2.7%	3.7%	8.9%	22.6%

(Source: Data for 1960, 1970, and 1974 taken from NILECJ 1978 study.)

Table 2
Minority Representation in Law Enforcement Agencies

Race/Ethnicity	Police %	National %
Black	12.3%	12.1%
Hispanic	6.4%	8.0%
White	80.3%	76.9%
Other	1.0%	3.0%

- How many police agencies require formal higher education for employment?
- How many agencies give preference for college-educated applicants?
- How many have formal or informal requirements of college education for promotion?
- What existing policies provide incentives for higher education?
- What is the relationship between higher education and the recruitment of women and minorities?
- Has progress been made in the implementation of educational policies in the past 2 decades?

- Is the education movement making progress?

The study conducted attempted to answer these questions.

SURVEY RESULTS

After surveying approximately 250,000 officers, the study concluded that in general, the state of police education is good. Also, there has been a steady growth in police officer educational levels over the past 20 years, with an increasing number of departments requiring some type of college experience for employment or promotion. Yet, three fundamental issues or questions continue to arise. Does college education make an officer "better"? Has there been any notable change in educational levels

and policies related to college? And, what does the future hold?

Are College-educated Officers Better?

Unfortunately, the research did not show a conclusive "yes" or "no" answer to this question because individuals have different ideas and interpretations of what makes an officer "good." For example, the research indicates that officers with a college education are less authoritarian and cynical. Many would believe this to be a positive effect. Yet, others argue that officers must be authoritarian and cynical in order not to be viewed as gullible. To these people, a college education would have a negative impact on an officer.

The entire debate of the effect of college education on policing took on an added dimension with the advent of community policing. In the last decade, the philosophy of community policing experienced explosive growth. As a result, many police managers adopted a new operational philosophy for their departments that drastically changed the way law enforcement views itself and its approach to accomplishing goals.

Under community policing, line-level police officers are given broader responsibilities and are charged with performing their jobs in more creative and innovative ways. Officers are urged to be proactive in program development and are given even broader discretion.

Given the mandates of this policing philosophy, the issue of col-

lege education becomes even more critical. The knowledge and skills officers are required to have under community policing appear to be tailored specifically to college education, because it appears that a college education makes an officer a more effective decisionmaker, a better service provider, a better communicator, and one who is more responsive to the police mission.

Education Levels

Since 1960, the proportion of police officers who have received higher education has progressively increased. (See table 1.) In 1967, the average educational level of officers was 12.3 years—barely more than a high school diploma. Currently, the average level is 13.6, or well into the sophomore year of college. Given the time it takes to earn college credits and the number of officers involved in this study (250,000), this increase in educational levels is notably fast.

However, despite the increase in overall educational levels, a perennial concern has been whether a college requirement discriminates against minorities. This sensitive issue has both philosophical and pragmatic implications. Philosophically, police administrators do not want to discriminate against minority groups. Pragmatically, if a police organization has discriminatory policies, it could be held liable.

Unfortunately, college is a discriminatory requirement, although the issue is somewhat more complex. Primarily, minorities are believed to have disproportionate access to a college education. More-

over, minorities often have lower college graduation rates as a result of poorer preparation in the public schools. Despite these concerns, however, a college education can still be required for police employment.

In the case *Davis v. Dallas*,⁴ the U.S. Court of Appeals for the Fifth Circuit held that the Dallas Police Department's requirement of 45 semester hours of college with a "C" average was a job-related requirement in light of the unique responsibilities of the police and the public responsibility of law enforcement. This decision, however, does not mean that discrimination is no longer an issue. Rather, law enforcement agencies must continue to base

college requirements on written policy and should also initiate efforts to recruit minorities who meet these requirements.

Even so, the study found that minority representation in American law enforcement agencies does, indeed, tend to approximate the general population. (See table 2.) Moreover, the educational levels of minority officers are virtually the same as those of white officers. (See table 3.)

Thus, it appears that a college requirement is not impossible to mandate as evidenced by both the legal precedent and empirical data. This means that a college-educated police force that is racially and ethnically representative of the

Table 3
Education Levels by Race/Ethnicity

	Average Level of Education	No College	Some Undergraduate Work	Graduate Degree
Black	13.6 years	28%	63%	9%
Hispanic	13.3 years	27%	68%	5%
White	13.7 years	34%	62%	4%
Other	13.8 years	19%	73%	8%

Table 4
Education Levels of Police Officers by Gender

	Male	Female
Mean years	13.6 years	14.6 years
No college	34.8%	24.1%
Some undergraduate	61.7%	45.7%
Graduate degree	3.3%	30.2%

Developing an Education Policy

Each department should have a written policy defining college education as a bona fide occupation qualification (BFOQ), as it uniquely relates to the department, regardless of the various educational requirements adopted. Thus, departments can be fully prepared for any questions concerning the validity of any new educational requirements.

A written policy also helps the department to determine realistic educational standards in light of available resources and its respective community. However, failure to develop such a policy statement invites challenge and could leave the department in a less than favorable position to defend itself (*Davis v. Dallas*, 777 F.2d 205 [5th Cir. 1985]).

Policy development should include input from all levels of the department, particularly the local collective bargaining organizations. This will lead to a common understanding of the rationale for the policy, enhance its acceptance, and expedite its implementation.

Promotional Requirements

If the entry-level educational requirements are raised, then the educational requirements for promotion should also be reviewed. As more highly educated officers enter law enforcement, more highly educated supervisors, managers, and police executives will be needed.

Policy Standards

Most importantly, educational policies should specify standards, particularly that college credit and degrees should be awarded from an accredited college or university. Also, in order for college credit to be accepted, it should be based on a minimum grade average of "C," or 2.0 on a 4.0 scale. Additional policy standards could include the requirement that all college credits earned be directly in pursuit of a degree. This ensures that the student has a liberal arts background, in addition to courses in a major area.

Departments should also require job-related college majors, such as law enforcement, criminal justice, public administration, business administration, sociology, psychology, or other subjects directly related to the practices and needs of policing. When requirements are established for graduate education, even closer limits should be placed on the type of courses and majors permitted, e.g., management issues and skills, including courses in budgeting, personnel management, planning, and policy development.

Another practice that must be examined is universally awarding college credit for police academy training. Such credit should only be given after an academic accreditation review of specific courses. And, any credit given for life experiences and nonacademic training should be awarded only by examination in a process consistent with the established practices of "credit by examination," such as the College Board's College-Level Examination Program (CLEP). An example of how such accreditation can be accomplished is the FBI National Academy's practice of awarding credit through the University of Virginia.

Women and Minority Candidates

Attracting qualified women and minority candidates continues to be a valid major concern for police departments. It is increasingly evident, however, that there is no need to limit entry or promotional educational requirements for minorities so long as innovative and aggressive recruiting programs are in place, which is in the area of policy development.

Equal opportunity plans must continue to be used for entry and promotion in order for police departments to achieve demographic parity with their respective communities. The results of the PERF study indicate that such parity is within the reach of agencies, without reducing educational or other substantive requirements. However, the goal will not be reached without clear-cut policies and well-planned programs.

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community can be achieved. This only serves to make a police department more effective and responsive to community needs.

On a related matter, the study also found that 12.8 percent of all sworn police officers are women. While there is no empirical evidence on a national level, there are indicators that in 1970, women comprised less than 2 percent of all sworn officers. This represents a substantial change over 2 decades.

Further, it is interesting to note that female officers average a year more of college than their male counterparts. (See table 4.) Primarily, this may exist because: 1) Women tended to believe that they must have stronger credentials to compete effectively for police positions, 2) police departments may have been more rigid in their screening of female applicants, and 3) many women entering law enforcement tended to come from other occupations that required a college degree, such as teaching.

Policy Issues

On policy matters related to college, the study found that 14 percent of the departments had a formal college requirement for employment. And, in nearly all of the remaining departments, applicants with a college education were at a competitive advantage in the selection process. Other findings included the following:

- The number of college credits required for employment ranged from only 15 semester hours to a baccalaureate degree, with most departments requiring an average of 60 semester hours.

Table 5
Education Programs or Policies Provided for Sworn Officers

Program/Policy	Number*	Percentage
Tuition assistance or reimbursement	302	62.1
Education pay incentive	261	53.7
Adjustments to shifts/days off	207	42.6
Permit limited class attendance on duty	115	23.7
Other programs or policies**	57	11.7
No education policies or programs	43	8.8

* Based on sample of 486 departments queried.

** Includes tuition for POST-approved courses only; leaves of absence for college; fellowship and scholarship programs; inservice training programs for college credit. Most agencies have more than one program.

- Departments did not require a specific major, but most required that the course work be related to law enforcement, and approximately one-half of the departments preferred criminal justice majors.
- To be eligible for promotion, 8 percent of the departments required some college beyond their entry-level requirements, while 5 percent wanted a college degree.
- A notable number of police chiefs indicated that they believed a graduate degree should be required for officers in command ranks.

To encourage college enrollment and graduation, departments instituted a wide range of policies and programs. Some of these include tuition assistance or reimbursement, incentive pay, shift ad-

justments, and permission to attend classes during work hours. (See table 5.)

COOPERATION BETWEEN THE POLICE AND ACADEMIA

Colleges and universities, particularly those offering degrees and courses in law enforcement and criminal justice, should consider the implications of changes in law enforcement and society as the 21st century nears. As police work changes, so do the skills and knowledge needed to be effective police officers. Therefore, colleges and universities should be developing policies and modifying curricula to ensure that they provide the educational background that meets the future needs of the police and society.

To ensure that curricula and policies address the long-term prob-

lems and needs of law enforcement, police departments and colleges must communicate regularly. Continuing dialogue can close the information gap between colleges and law enforcement agencies. However, the PERF study determined that while both academics and law enforcement officials are eager for such exchanges, each waits for the other to initiate the interaction. Only through dialogue can colleges and universities learn of the concerns and the needs of policing. And, only through dialogue can law enforcement learn the strengths and limitations of colleges and universities.

Police departments must be prepared to teach the physical/vocational skills needed for policing. Similarly, they should expect academic preparation from colleges and universities. In turn, colleges and universities must accept the responsibility of shaping academic preparation to meet the needs of law enforcement.

Unfortunately, there is a great deal of variance in criminal justice curricula and the quality of instruction in criminal justice programs. Therefore, colleges and universities with criminal justice programs should explore alternatives for program review, resource assessment, and quality control. As the 21st century arrives, 20th century models of education and law enforcement must be refined.

WHAT THE FUTURE HOLDS

It is apparent that law enforcement will continue to face more complex social problems and increasingly sophisticated criminal behavior as the 21st century draws nearer. As a result, the demand for effective police service will in-

crease, along with demands for accountability, efficiency, and effectiveness.

No law enforcement agency can fail to recognize the changes that are taking place in policing today. Among those changes are an increase in the educational level of citizens and the number of police programs based on significantly increased police-citizen interactions. These two developments alone are sufficient to require review of law enforcement educational policies. Therefore, the question is not whether college education is necessary for police officers, but how much and how soon.

Substantial progress has been made in the area of police education within the past 20 years, but this is only the foundation. Both law enforcement and colleges and universities need to build on this foundation to meet the challenges and needs of society in the 21st century.

The future of policing depends on the future of higher education. And, higher education will be the currency that facilitates development of innovative police practices and increased responsiveness to demands for police service.

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Footnotes

¹ The President's Commission on Law Enforcement and Administration of Justice, 1967.

² *The State of Police Education: Policy Direction for the 21st Century*, Police Executive Research Forum (PERF), Washington, D.C., 1989.

³ D.L. Carter, A.D. Sapp, and D.W. Stephens, "Higher Education as a Bona Fide Occupational Qualification (BFOQ) for Police: A Blueprint," *American Journal of Police*, vol. 7, No. 2, pp. 1-27.

⁴ *Davis v. Dallas*, 777 F.2d 205 (5th Cir. 1985).

Police Firearms Training The Missing Link

Over the past 30 years, law enforcement has come a long way in the quality and quantity of firearms training provided to recruits, as well as to inservice personnel. In most cases, progress was aimed at making firearms training more realistic.

However, there was a time when officers qualified to carry a firearm after hitting a target 7 out of 10 times under very controlled surroundings. Yet, with all of the advancements made, there is one very basic, realistic element missing, even today, from most Federal, State, and local law enforcement firearms training programs. This involves the type of clothing that officers wear during such training. The Goldsboro, North Carolina, Police Department believes that it has introduced this missing link into its firearms program.

Background

Years ago, police officer firearms training consisted of using bullseye targets. Then, because law enforcement discovered that few adversaries were shaped like bullseyes, they began using more realistic silhouette targets. The next significant improvement came with the adoption of the FBI's Practical Pistol Course, which required qualification not only from differ-

ent distances but also from different positions, such as standing, kneeling, and prone.

Later, shoot/don't-shoot training was introduced via "Hogan's Alley" courses, where targets would pop up depicting good guys and bad guys. This exercise required officers to make split-second decisions. Today, this approach has been replaced by computer-controlled visual simulations.

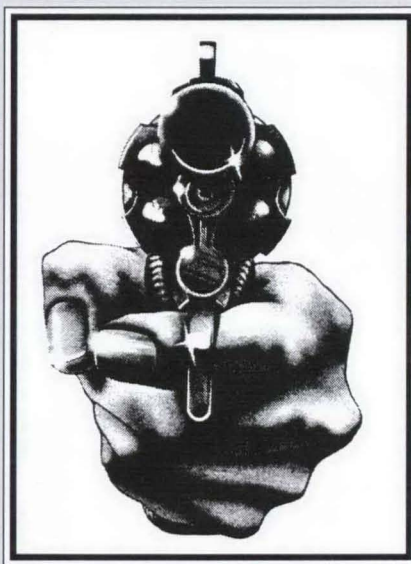
Another step toward more realistic firearms training was made after an examination of data indicated that the majority of gun battles occur within a 10-foot range and involve rapid fire. With this in mind, shorter courses were designed with faster times. Now, officers must draw and shoot two rounds in 3 seconds from 5 feet.

This data analysis also revealed that many gun battles take place at night. Therefore, night firing was also introduced with various levels of lighting approximating no lights, street lights, car lights, and even flashing blue lights.

When the Goldsboro Police Department set out to design its range, it attempted to address all these issues. The department's range is designed as a conventional 20-point range with turning targets to force rapid fire. It also has a combat course with a window, doorway, curb, and running man target. The running man target is electrically operated and moves 28 feet back and forth under the control of the range officer. On the combat range, pepper popper targets, dressed in old clothing, are also used. These almost life-size targets are metal-based with

pictures of good guys and/or bad guys that fall when hit. Firing on these targets requires officers to shoot center mass for a knock down hit which, in turn, provides instant positive feedback when a target is leveled.

However, despite the effectiveness of these advances in firearms training, the Goldsboro Police



Department wanted to strive for even greater realism. This involved the type of clothing its officers wore during firearms training.

The Missing Link

Traditionally, many departments allow their officers to wear old clothing to the range because

of possible inclement weather, dirt, and gun residue. However, now all officers in the Goldsboro Police Department must shoot in the clothing normally worn in conjunction with their duties, because clothes and accessories could affect shooter accuracy. Now, detectives must wear professional attire. Patrol officers must wear uniforms, including protective vests, and all their equipment. This way, when police officers exit a patrol car on the combat course, they experience the same degree of movement restriction they would expect in a real-life scenario. After all, what officer has the luxury of changing into comfortable clothes before engaging in an armed confrontation?

Conclusion

Thus, a relaxing day at the range for Goldsboro Police Department officers has been replaced by some discomfort, and perhaps, an increase in cleaning bills. But, if this additional discomfort during firearms training ultimately improves an officer's reaction in a life-threatening situation, or saves a life, then this minor inconvenience will have been well worth it.

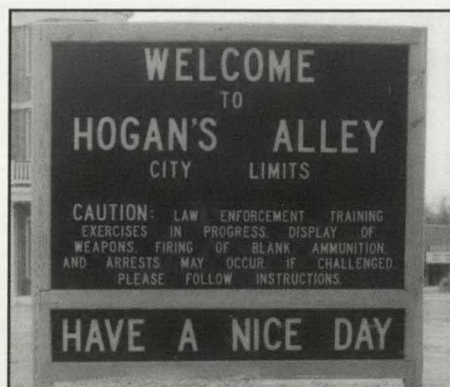
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This information was submitted by Chief James P. Morgan, Jr., of the Goldsboro, North Carolina, Police Department.

Police Practices serves as an information source for unique or noteworthy methods, techniques, or operations of law enforcement agencies. Submissions should be no more than 750 words (3 pages, double spaced and typed) and should be directed to Kathy Sulewski, Managing Editor, *FBI Law Enforcement Bulletin*, Room 7262, 10th & Pennsylvania Ave., NW, Washington, DC 20535.

The FBI Academy A Marketplace for Ideas

By
GINNY FIELD, M.A.



Situated on over 300 acres on the U.S. Marine Corps Base in Quantico, Virginia, the FBI Academy has grown and changed a great deal since its opening in 1972. Originally constructed as a national scientific and educational center designed to help professionalize law enforcement in the United States through formal training, the Academy's current mission is to raise the standards and performance of law enforcement by improving the knowledge and capabilities of police personnel.

To accomplish this goal, the Academy's faculty and staff do three things. First, they train FBI

personnel and local, State, Federal, and international law enforcement officers, as well as provide legal and forensic training to DEA basic agents. Second, the Academy's units provide expert operational services to other FBI divisions, to local and State police, and to criminal justice agencies. And, finally, the FBI faculty and staff continually research important new areas, such as investigative and forensic techniques, weapons, and ammunition. In addition, DEA faculty train their basic agents at the Academy. However, this article will focus specifically on the training, professional services, and the research

results that the FBI faculty and staff offer to local, State, Federal, and international law enforcement agencies.

TRAINING

The formal training programs offered by the FBI Academy for the law enforcement community fall into six categories. The largest program is the FBI National Academy, an 11-week academic program for mid-management officers held four times a year. Other programs include executive training institutes and seminars, specialized schools, field police training, international symposia, and police fellowships.

The FBI National Academy

The FBI established the National Academy program in 1935 as recommended by a national conference on crime convened at President Franklin D. Roosevelt's request. Twenty-three officers attended the first National Academy session. Today, the 11-week National Academy program trains 1,000 municipal, county, and State law enforcement officers annually. Each session also has a limited number of spaces allocated to Federal and international officers. Since early 1935, 167 sessions of the National Academy have graduated.

Candidates for the National Academy must be nominated by the heads of their agencies and must meet certain broad selection criteria, such as age, law enforcement experience, education, physical fitness, and general reputation among their peers. The FBI sustains all costs for training National Academy students, including instruction, books, supplies, meals, lodging, transportation, and dry cleaning and laundry services.

The National Academy program consists of college-level courses designed for experienced police administrators and command personnel. Through a long-standing affiliation with the University of Virginia, students can earn up to 16 undergraduate college credits or 9 graduate credits. A wide range of vocational subjects complements the academic portion of the National Academy program.

Executive Training

Different units at the FBI Academy offer top law enforcement executives various instructional

networking opportunities. These include the National Executive Institute (NEI), the Law Enforcement Executive Development Seminar (LEEDS), the Executive Public Speaking and Media Training schools, and the National Law Institute (NLI).

The FBI National Executive Institute

A 15-day executive training program, the FBI's National Executive Institute (NEI) is designed for the chief executive officers (CEOs) of the largest law enforcement organizations in the United States and various countries. The FBI invites participants based on their membership in the Major City Chiefs, employment as a CEO of a major law enforcement agency, or the recommendation of the FBI's legal attache in an embassy.

The NEI, begun in 1976, consists of three 5-day cycles held every

other month. Thirty-five to 40 members attend each session. The curriculum—conceptual in nature—covers the topical areas of future social, economic, and political trends. The Institute also covers current legal trends, media training, foreign policy, stress management, ethics, and management styles. The program's faculty comprise leading authorities from academia, business, and government.

Law Enforcement Executive Development Seminar

Created in January 1981, the Law Enforcement Executive Development Seminar (LEEDS) has graduated over 600 national and international police administrators. This 2-week executive development program, concentrating on changes and trends in the external environment, caters to CEOs of medium-sized municipal or State law enforcement agencies. Attendees

“...the Academy's current mission is to raise the standards and performance of law enforcement by improving the knowledge and capabilities of police personnel.”



Ms. Field is a writing instructor at the FBI Academy in Quantico, Virginia.



"Based at the FBI Academy, the HRT remains in a constant state of training...."

choose from 15 electives to design 3 days of their program. One day is allotted to media training.

Executive Public Speaking and Media Training

In early 1989, Academy instructors began teaching two special skills-oriented courses entitled "Executive Public Speaking" and "Executive Media Training." These courses comprise 3 days of instruction and role playing designed to help executives in public speaking, writing, dealing with the news media, and appearing on television.

The National Law Institute

Since 1984, the Academy has presented the National Law Institute (NLI), a 1-week training program designed for police legal advisors, and since 1989, also for prosecutors. The NLI may be the only national training provided for the cadre of attorneys serving as full-time legal advisors to law enforcement agencies nationwide and for State and local prosecutors and first assistants. The Academy hosts the

NLI biannually, devoting one session to legal advisors and one to prosecutors.

Specialized Schools

For officers needing more tailored instruction, the Academy also offers specialized schools dealing with a broad range of criminal justice-related topics, including management, communications issues, and behavioral science and forensic technologies. Training in these specialized schools ranges in length from 3 days to 4 weeks.

Field Police Training

For over 40 years, the FBI Academy's Field Police Training Program has provided training to the law enforcement community, free of charge, in investigative, managerial, and administrative matters. While Special Agents from one of the FBI's field divisions provide much of the training, as time and budget restrictions allow, instructors from the Academy also travel to local, State, and regional facilities to conduct schools. Most of the

schools range in length from a few hours to several days, with some lasting 2 weeks.

International Symposia

Additionally, a wide variety of significant law enforcement issues are discussed in symposia held regularly at the FBI Academy. The Academy creates an international forum with a climate conducive for discussing current and emerging ideas in law enforcement. Issues such as drug demand reduction, violent crime, futuristics, DNA testing, and laboratory management make up just a few of the topics.

Each year, international symposia also search out topics of interest to the forensic science community. Since 1983, the Academy has held 14 symposia dealing with current forensic issues for over 2,700 scientists worldwide.

Police Fellowships

The National Center for the Analysis of Violent Crime (NCAVC), established in June 1984, is a behavioral science and data processing center oriented toward law enforcement. Two units within the NCAVC—the Behavioral Sciences Services Unit (BSSU) and the Investigative Support Unit (ISU)—coordinate a 10-month Fellowship Program in criminal investigative analysis. This program trains selected violent crime investigators from local, State, Federal, and international law enforcement agencies at no cost to the agency. After 3 months of intensive training and academic programs, the Fellows analyze and consult on ongoing and unsolved crimes of violence. Graduates return

to their agencies to offer their services to their law enforcement organizations. Thirty-two men and women have graduated from the Fellowship Program since 1984.

PROFESSIONAL SERVICES TO LAW ENFORCEMENT

Another way the FBI Academy fulfills its goal of professionalizing law enforcement is by offering investigative and operational help to the law enforcement community. The Academy's programs and resources in this area include the National Center for the Analysis of Violent Crime, the Forensic Science Research and Training Center, teleconferences, and the Hostage Rescue Team.

The National Center for the Analysis of Violent Crime

In addition to its role in training, the National Center for the Analysis of Violent Crime (NCAVC) also provides professional services to law enforcement. The NCAVC offers these services through its three member units: The Behavioral Science Services Unit, the Investigative Support Unit, and the Special Operations and Research Unit.

The Behavioral Science Services Unit (BSSU)

The BSSU principally provides training in violent criminal matters. However, it also acquaints the criminal justice community with resources available in the NCAVC.

The Investigative Support Unit (ISU)

The ISU offers investigative and operational support to law enforcement agencies confronted with

unusual, bizarre, or repetitive violent crimes. It is divided into three subunits: The Criminal Investigative Analysis Subunit, the Violent Criminal Apprehension Program (VICAP) Subunit, and the Arson and Bombing Investigative Services Subunit. These subunits provide investigative support through profiles of unknown offenders, personality assessments, search warrant affidavit assistance, expert

“...the FBI Academy fulfills its goal of professionalizing law enforcement...by offering investigative and operational help to the law enforcement community.”

testimony, and on-site crime scene assessments. They also provide consultations on major violent crimes, investigative strategies, interviewing techniques, and prosecution strategy.

In addition, the ISU serves the national law enforcement community through two computerized network programs: VICAP and the Arson Information Management System (AIMS). VICAP collects, collates, and analyzes aspects of violent crimes to be compared, identified, and charted through computer analysis. It then alerts agencies that may be seeking the same offender for crimes in their jurisdictions. AIMS detects temporal and geographic patterns found in serial arson and bombing incidents

and incorporates this information into criminal investigative analyses.

The Special Operations and Research Unit (SOARU)

The SOARU provides operational support in the various components of crisis management, hostage negotiation, and special weapons and tactics (SWAT). SOARU personnel also provide, by request, on-scene or telephonic operational assistance in crisis or hostage situations.

The Forensic Science Research and Training Center

Added to the FBI Academy in 1981, the Forensic Science Research and Training Center (FSRTC) provides the international law enforcement community with a resource dedicated to research and training in forensic science. The FSRTC coordinates and sustains a broad-based program that includes hosting international symposia and providing investigative support in such areas as bomb data analysis, digital image processing, and DNA analysis. Technical information and resource material available through the FSRTC's Forensic Science Information Resource System (FSIRS) increase communication and cooperation between the FBI Laboratory and forensic scientists around the world.

Teleconferences

Many organizations use satellites to deliver televised training and education programs, and the FBI Academy is no exception. A multi-agency training network co-sponsored by the FBI Academy and the Kansas City, Missouri, Police De-

partment, the Law Enforcement Satellite Training Network (LESTN) has offered free or low-cost video teleconferences to law enforcement since March 1986. Annually, LESTN broadcasts six live teleconferences to an audience of over 20,000 officers. Set as a long-distance classroom, the teleconferences allow law enforcement personnel from every State, parts of Canada, and the Caribbean to talk directly with program speakers about important issues.

The Hostage Rescue Team

The FBI formed the Hostage Rescue Team (HRT) in early 1983 as a special counterterrorist force offering a tactical option for extraordinary hostage situations occurring within the United States. Based at the FBI Academy, the HRT remains in a constant state of training, research, and of course, readiness. When notified by the Director of the FBI or his designated representative, the team can deploy within 4 hours, with part or all of its personnel and resources, to any location within the United States or its territories.

RESEARCH

Research conducted at the Academy plays an important role in the continued development of the law enforcement profession. The Academy's staff research forensic and investigative techniques, strategies, and equipment that support and enhance law enforcement's ability to perform its duties. Then, they share their findings with other law enforcement agencies worldwide.

While all units at the Academy

dedicate themselves to enhancing the profession's effectiveness through research, four units conduct the most prominent studies: The NCAVC, the FSRTU, the Firearms Training Unit (FTU), and the Operations Resource and Assessment Unit (ORAU).

NCAVC's Research and Development Program

NCAVC's Research and Development Program focuses on multidisciplinary studies in serial

“
The Academy creates an international forum with a climate conducive for discussing current and emerging ideas in law enforcement.
”

and violent crimes, arson, threats, computer crime, and counterintelligence matters, as well as hijacking, crisis management, and areas relating to hostage negotiation and SWAT operations. Faculty from major universities, members of the mental health and medical professions, and other law enforcement representatives join the Center's staff on these research projects.

FSRTC's Research

The FSRTC's research program works to develop new forensic analysis methods and standardize techniques and procedures to sup-

port law enforcement in the fight against violent crime, terrorism, and drug trafficking. The program concentrates on biochemistry, drug and explosive detection and analysis, immunology, chemistry, physics, and polygraphs. The Visiting Scientist Program allows forensic scientists from crime laboratories and academia to conduct research at the FSRTC.

The Firearms Training Unit

The Firearms Training Unit's (FTU's) research has significantly impacted law enforcement. While the unit's members research such areas as nonlethal weaponry, body armor, and alternative weapon systems, their main thrust involves continually testing and researching a variety of ammunition and weapons. The unit publishes its findings each year in an Ammunition Test Report, which is sent to any agency requesting it. The FTU plans to do the same with the test results from its new weapons testing program.

The Operations Resource and Assessment Unit

The Operations Resource and Assessment Unit (ORAU) at the FBI Academy identifies, designs, and conducts major, often innovative, research projects to use in forming policy and making operational decisions within the law enforcement community. Some of the areas this unit covers include officer survivability, law enforcement training needs, law enforcement stressors, officer fitness, and undercover agent profiles. Most of these are long-term or ongoing studies, the results of which will become available to law enforce-

ment agencies later through publications, courses, conferences, or consultations.

Additionally, the ORAU consults with law enforcement agencies regarding research methods, evaluation techniques, statistics, and undercover/field operational functions. It provides instruction in job-oriented statistics, research methods, and evaluation.

The OARU also administers the Academy's three-story library, which contains over 40,000 documents, one of the largest law enforcement collections in the world. Law enforcement professionals throughout the world use the research services provided by the library's trained staff.

CONCLUSION

Over the years, the FBI Academy has developed into a unique training center for law enforcement. The Academy's facilities are technologically advanced and well-maintained, and its faculty is uniquely qualified both academically and by virtue of their vast experience in law enforcement as both instructors and researchers. The Academy's staff continually strives to fulfill its primary goal of professionalizing the law enforcement community by combining the best elements of both the academic and vocational worlds.

Thus, the Academy provides local, State, Federal, and international law enforcement with formal training of many kinds, investigative and operational support, and the results of exhaustive research into all areas of law enforcement. It truly is a marketplace for ideas. **LEB**

1992 LESTN Teleconferences

For 7 years, the Law Enforcement Satellite Training Network (LESTN), sponsored by the Federal Bureau of Investigation and the Kansas City, Missouri, Police Department, has broadcast video teleconferences to law enforcement agencies nationwide. The training and education programs featured on LESTN cover a wide array of law enforcement topics.

In 1992, six teleconferences are scheduled. The dates and topics of each are as follows:

- **February 12**

"Wellness and Fitness Programs: A Holistic Approach to Health"

- **April 8**

"Handling Individuals Under the Influence of Drugs and Alcohol"

- **June 10**

"Field Training Officer Programs: Selection, Training, and Evaluation"

- **August 12**

"Ethics: Doing the Job Right and Doing the Right Job"

- **October 12**

"Policing in the 21st Century"

- **December 9**

"Evaluation of Managers: Measuring Management's Performance"

Each teleconference lasts 3 hours, from noon to 3:00 p.m. Eastern Standard Time, and includes telephone calls from the

viewing audience. Programs are presented at no cost to law enforcement, and agencies are encouraged to videotape LESTN broadcasts for future training uses.

Agencies can receive broadcasts if they have a C-Band dish antenna and a tuner. Or, they can use a facility that has satellite receiver equipment, such as an emergency services center, hospital, etc. Also, many community colleges and universities offer their viewing sites and recording centers as a courtesy to police departments.

As a means of notifying agencies of LESTN teleconferences, a bimonthly flyer announcing the programs is sent to all law enforcement agencies. The flyer lists the schedule and satellite coordinates for each program, which are also announced on each live broadcast.

Because LESTN is classified as an occasional broadcast service, the satellite coordinates may change occasionally. Therefore, agencies should check the coordinates listed in each flyer to ensure that they receive the teleconference.

For more information on LESTN teleconferences, contact the FBI Teleconference Program, FBI Academy, Quantico, Virginia 22135, 1-703-640-1145, or the Teleconference Program, Video Seminar Unit, Police Department, 2700 East 18th Street, Kansas City, Missouri 64127, 1-816-482-8250. **LEB**



Police Management Training

A National Survey

By
LARRY D. ARMSTRONG and
CLINTON O. LONGENECKER, Ph.D.

There is widespread belief that effective law enforcement training generally helps to produce a higher caliber of police officer. This view is strongly supported by the fact that training activities in police agencies across the country have increased significantly in the past 2 decades. A major impetus for increased officer training efforts appears to have been *The Report of the President's Commission on Law Enforcement and Administration of Justice*.¹ This report, published in 1967, strongly suggests that effective officer training is

a critical component that influences an officer's long-term performance and success. In addition, 65% of all active officers in the United States have some college credits, while roughly 25% are college graduates.² The indication, then, is that U.S. police officers are better educated and trained than ever before.

With regard to management training, most police administrators in the United States are well aware of the FBI's National Academy Program, as well as the other prestigious management training courses offered nationwide. These programs

serve a variety of management training needs, but most agencies also find it necessary to develop and present management training within their individual departments.

The management training practices of major U.S. police agencies have largely been an unknown quantity. While progressive, individual departments are thought to offer extensive management training, the content and nature of these programs are not widely known. At the same time, many police agencies operate in isolation, in terms of knowing how other police depart-

ments address the issue of police management training.

As a result, when considering the issue of police management training, a number of questions emerge. Has training for police managers kept pace at the same level? Are police managers being trained to manage a more-sophisticated work force effectively? Are police managers being trained to confront and deal with the myriad of social and budgetary pressures facing law enforcement agencies in the 1990s? What are the negative consequences for failing to conduct police management training?

To learn more about the status of police management training in the United States, we designed a research project to determine what are the current management training practices in local agencies across the country. This article presents an overview of what we learned from the research conducted.

The Project

To begin this research project, we surveyed 144 police departments across the United States, including the two largest police agencies in each State, based on the number of sworn officers. The questionnaire used in this survey was designed to assess a department's recruit training, inservice training, first-line supervisory training, and middle-management and executive training.

In addition, respondents were asked to list the problems their agencies would experience if management training was not conducted. The survey also requested demographic data from each department (e.g., city population, staffing

levels, etc.). Of the 144 surveys distributed, 123 were returned, with an overall response rate of 85.4%.

First-Line Supervisor's Training

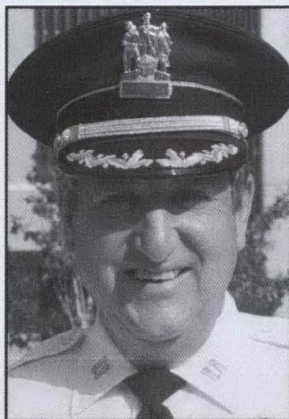
The results indicated that 97% of the police agencies surveyed provide inhouse supervisory training to newly promoted officers and that 78% of these agencies make the training mandatory. In addition, this training was conducted prior to or at the time of promotion into first-line supervisory ranks 51% of the time and after promotion in 49% of the cases.

The subjects most frequently taught in the first-line supervisor's courses were supervisory techniques (95%), use of the disciplinary process (92%), counseling techniques (80%), employee evaluation and review (79%), and motivational techniques (73%). Other

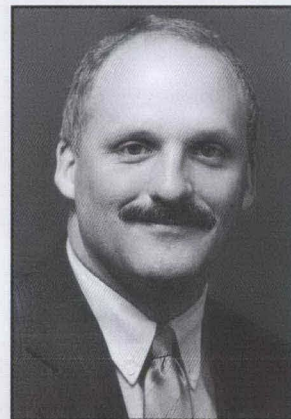
subjects included management theory (68%), handling employee grievances and complaints (64%), supervisory report writing (63%), EEOC guidelines and affirmative action (62%), department rules and regulations (55%), police planning (52%), and departmental personal harassment policy (52%).

All agencies reported using their own officers as trainers in these programs, while 78% stated that they also sought the assistance of other instructors to teach such subjects as management theory, stress management, affirmative action/EEO, labor relations, legal issues, and report writing. Principally, these instructors were college professors, community professionals, and lawyers.

There was wide variance on the amount of time allotted for first-line supervisor's training among



Captain Armstrong



Dr. Longenecker

*Captain Armstrong is with the Toledo, Ohio, Police Department.
Dr. Longenecker is on the faculty of the University of Toledo in Ohio.*

responding departments. Eighty-three percent of the departments require a minimum of 25 hours, 37% require at least 40 hours, and 23% require over 65 hours. In terms of evaluating first-line supervisor's training, 66% of the departments use a formal evaluation procedure, while 34% do not conduct a formal evaluation. According to the survey, the methods most frequently used to evaluate training effectiveness include reaction by participants (85%), evaluation by trainers (34%), evaluation by superiors (32%), and evaluation by peers (14%).

Middle-Management and Executive Training

When contrasting middle-management and executive-level training practices with first-line supervisory training, survey results showed that 81% of the departments provide

- 42% stated they were unsure of why they did not provide training;
- 23% stated it was due to a lack of funds;
- 13% believed it was not needed; and
- 13% stated it was an administrative decision not to do so.

There appears to be no correlation between the size of the police agency and management training availability. Only two agencies with city populations under 100,000 were in the category that did not afford management training. The nontraining agencies averaged 390,000 residents.

The subject areas most frequently presented in higher-level management training include management strategy (77%), budgeting (70%), management by objectives

(31%), community professionals (30%), and department administrators (25%).

Participants are typically evaluated on their performance after attending management training by formal supervisory appraisal (39%), written exam (22%), peer appraisal (9%), subordinate appraisal (7%), combination of techniques (8%), or not at all (16%). In addition, departments reported that 90% of police managers participating in higher-level management training considered it to be a worthwhile experience, which suggests that training beyond the supervisory level is not only needed but also appreciated.

Consequences for Failure to Train

In response to open-ended questions concerning the problems associated with not properly training management personnel, respondents held strong opinions, with a surprising level of consensus. The primary anticipated effects included the following:

- 64% admitted that the department's overall effectiveness would be reduced;
- 60% cited that disciplinary problems would increase;
- 48% stated there would be a loss of leadership in the department;
- 43% stated that supervisory development would be stifled;
- 43% believed there would be an increase in lawsuits and EEOC complaints against the police department;

“

Respondents were steadfast in their beliefs that the absence of training for police management personnel creates negative consequences....

”

an opportunity for managerial training, while 19% do not. Of those providing advanced management training, 37% provide inhouse training programs, while 63% send their managers outside the department for this training. The most frequently cited reasons for not training higher ranking officers were as follows:

(63%), labor negotiations and contract administration (63%), administration of discipline (58%), news media relations (55%), police planning (52%), and manpower allocation and patrol strategy (45%). Various sources provide this training, including State agencies (51%), contract agencies (44%), the FBI (44%), training department staffs

- 42% stated there would be a decrease in morale of department employees;
- 41% believed misuse of manpower and financial resources would occur;
- 40% believed supervisory effectiveness would decrease;
- 34% said there would be an increase in labor problems and grievances; and
- 27% indicated that lower productivity would result.

Respondents were steadfast in their beliefs that the absence of training for police management personnel creates negative consequences for all parties concerned and ultimately an agency's ability to serve the needs of the public.

Commentary

Law enforcement agencies across the country are being asked daily to do more with fewer resources. This requires that they work smarter, not just harder. And, it appears that training is being used as a strategy to enhance the effectiveness of police management personnel so that they can keep pace with an increasingly educated police workforce.

Our study indicates that first-line supervisor's training in major police agencies is perceived to be very important, as 97% of the departments surveyed make it available and many make it mandatory. However, while middle-management and executive training is gaining popularity, only the most progressive departments are designing, developing, and presenting tailor-made programs to their managers.

Management Training Practices

First-line Supervisors

- 97% provide inhouse training; 78% make the training mandatory
- 83% require a minimum of 25 hours
- 78% use outside instructors, in addition to department officer/trainers
- 66% use a formal evaluation process of training procedures
- 51% conduct supervisory training prior to or at the time of promotion

Middle-Management and Executive Training

- 90% of the managers considered higher-level management training a worthwhile experience
- 81% provide an opportunity for training
- 63% send managers outside the department

In addition, there are vast differences in the sizes of agencies that conduct upper-level training on an inhouse basis. Therefore, it can only be assumed that the administration of the police agency, regardless of size, has a dominant influence on the nature of police management training programs within an agency and the willingness to develop such programs.

While the majority of agencies send their higher-level managers to management training programs, the survey determined that 19% do not make such training available for their upper-level managers. This includes a number of our Nation's largest agencies.

For obvious reasons, this is a disturbing finding. Primarily, the performance of upper-level manag-

ers is critical to the overall success of any agency. And, since training is a performance-enhancing practice, it can only increase the likelihood of success for middle managers and executives.

In addition, those at the top of the organization must lead by example. How, then, can a department deem training important for first-line supervisors, while relegating it to the "back burner" for those in the upper echelon of the department?³ Surely, this does not convey to those in supervisory positions the need to learn and to employ good management practices.

The survey results also provide another interesting perspective. A review of the subject areas most frequently taught to first-line supervisors reveals a strong orientation

toward both human resource management (e.g., supervision, motivation, discipline, counseling, grievance handling, and performance evaluation) and technical supervisory issues (e.g., report writing, EEOC/affirmative action, rules and regulations, planning, and harassment policies). These findings suggest that current supervisory training is aimed at developing the skills necessary to handle both people and procedures properly. Perhaps, the issues covered in current police management training is in response to dealing with a more-sophisticated workforce and the social and budgetary pressures of the 1990s.

Middle-management and executive-level training topics appear to reflect the need for professional management skills in the upper echelons of modern police agencies. Such issues as budgeting, management by objectives (MBO), labor relations, news media relations, planning, and manpower allocation are skills that can be developed more rapidly (with less "trial and error") when presented through formal training programs.⁴

Upper-level police managers must develop executive skills to lead their agencies effectively. While no agency that participated in the survey reported covering all of these subjects in their training, we firmly believe the survey findings offer a good cross-section of the type of topics that should be covered in police management training.

The ramifications of not conducting effective training for agency management personnel include a variety of issues that run the gamut

of modern police agency concerns. Respondents to this survey strongly believe that management training is an extremely useful strategy to enhance police manager performance and to avoid a host of potential agency problems. Written comments in this survey provide strong testimony that failing to develop a progressive training philosophy and program for management personnel can only limit management effectiveness and threaten both day-to-day operations and long-term strategic plans.

“
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”

Conclusion

Most police agencies in the United States are convinced that effective officer training produces better police officers.⁵ It also appears that there is strong support for the belief that management training produces a higher caliber of police administrator. At a time when crime rates are up, tax dollars are tight, and agencies are working hard to realign resources with changing priorities, effective police management training is a necessity.

Any agency would be well served to take a long and hard look at how it trains its management personnel. While training alone is not a panacea, it is a highly viable method to enhance both the success of individual police managers and the agencies for which they work. To ignore the issue of police management training is only an invitation to a host of problems at a time when most agencies already have more than enough to handle.

In closing, one additional comment is warranted. There was an underlying theme in survey responses that strongly suggests that police management training should not be a "one shot deal." Rather, training should be an ongoing process that is used to sharpen and update skills of police managers at all levels to enhance management development. Thus, training must be looked upon as not simply a cost but rather as an investment in an agency's long-term viability and success in serving the needs of its constituents.

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Footnotes

¹ *The Challenge of Crime in a Free Society* (Report of the Kerner Commission), 1967, 285.

² H.R. 4184, 101st Cong., 2d Sess. (1990) (statement of Rep. Edward F. Feighan of Ohio).

³ Kenneth Wexley and Gary Latham, *Developing and Training Human Resources in Organizations* (Glenview, Illinois: Scott, Foresman and Co., 1981).

⁴ Wayne Pace, Phillip Smith, and Gordon Mills, *Human Resource Development* (Englewood Cliffs, New Jersey: Prentice Hall, 1991).

⁵ Gary Pfister, "Outcomes of Laboratory Training for Police Officers," *Journal of Social Issues*, vol. 31, 1975, 115-121.



The Computer Tutor: A Manager's Guide to Personal Computers by John C. LeDoux, *Human Resource Development Press, Inc., Amherst, Massachusetts, 1991, 1-800-822-2801 (413-253-3488, in Massachusetts).*

A good tutorial is one that does not require readers to have a dictionary, technical reference manual, or a linguistic nearby to clarify the explanations. *The Computer Tutor* is written for beginners and is especially directed toward the nontechnical reader, who may not know a "floppy disc from a boomerang."

The book starts by suggesting ways to deal with the frustration that typically accompanies learning any new idea. As anyone who has ever stared blankly at a monitor knows, this frustration is one of the many hurdles that can inhibit the learning process when dealing with computers.

The author presents information in a very logical way and thoroughly explains the

basics before moving on to more complex processes. All of the mystery is taken out of the terminology, and each of the relevant computer terms is explained in depth.

The book's chapters are arranged in an order that corresponds to the specific steps used when working with computers. To put computers in perspective, one chapter is dedicated to explaining, in simple terms, how computers work. There is even a very helpful discussion of the more cryptic DOS commands.

The Computer Tutor also discusses other aspects of computers that police managers—and other users—need to know. The book guides readers through the process of selecting computer equipment and software programs and provides step-by-step suggestions on how to get the right equipment for the job that needs to be done. Creative, computer-generated graphics and a number of light-hearted analogies make the book as enjoyable to read as it is informative.

The title of the last chapter, "The Future Was Yesterday," sums up the importance of keeping abreast of the latest computer technology. *The Computer Tutor* provides readers with an excellent introduction to computers and will help them to make the transition from pen to "PC" much smoother. For those already versed in computers, the book provides a broad-based discussion that will round out knowledge of the subject, and perhaps, inspire new applications for these invaluable machines.

Reviewed by
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Voluntary Encounters or Fourth Amendment Seizures?

Crossing the Line

By
A. LOUIS DiPIETRO, J.D.



How should an officer, who lacks reasonable suspicion to justify an investigative stop, approach a suspect to ensure that any incriminating evidence obtained during the ensuing encounter is not traceable to an unconstitutional seizure? The Supreme Court has clearly held that the fourth amendment is not implicated until a seizure occurs and that "...not all personal intercourse between policemen and citizens involves 'seizures' of persons."¹

Three types of encounters that may occur between law enforcement officers and individuals are: 1) A voluntary or consensual encoun-

ter, 2) a temporary detention based on reasonable suspicion, and 3) an arrest based on probable cause. While temporary detentions and arrests are "seizures" within the meaning of the fourth amendment, voluntary or consensual encounters do not implicate the fourth amendment. Thus, officers lacking reasonable suspicion may lawfully approach suspects to ask questions designed to elicit incriminating responses and obtain physical evidence so long as the encounter is consensual.

This article examines the factors that courts consider relevant in determining when a seizure occurs and reviews two recent Supreme

Court decisions applying those factors to police encounters with bus passengers and police chases. A better understanding of these factors can help investigating officers distinguish between voluntary encounters and fourth amendment seizures to ensure that seizures do not occur until there is a sufficient factual basis.²

Definition of "Seizure"

The Supreme Court has concluded that a seizure within the meaning of the fourth amendment occurs only when officers, by means of physical force or show of authority, restrain the liberty of a citizen.³

This definition of seizure does not forbid all contact between the police and citizens but implicitly permits consensual encounters.

A determination of whether police conduct amounts to a fourth amendment seizure must take into account all of the circumstances surrounding the incident in each individual case.⁴ In *United States v. Mendenhall*,⁵ Justice Stewart set forth the following "free to leave" test for determining whether a person has been seized:

"...a person has been 'seized' within the meaning of the Fourth Amendment only if in view of all the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave."⁶

What constitutes a restraint on liberty prompting persons to conclude that they are not "free to leave" will vary, not only with the particular police conduct at issue, but also with the setting in which the conduct occurs.⁷ This contextual analysis is necessarily imprecise and focuses on the coercive effect of police conduct taken as a whole, rather than on particular details in isolation.⁸

"Reasonable Person" Objective Standard

The Supreme Court rejects the use of a "litmus paper" test to distinguish a consensual encounter from a seizure and instead employs an objective standard, which looks to a reasonable person's interpretation of the conduct in question.⁹ This "reasonable person" standard ensures that the scope of fourth

amendment protection does not vary with the state of mind of the particular individual being approached.

Whether an encounter is a seizure turns on what the subject has reason to know, not on the officer's hidden plans. The subjective intentions of an officer during an encounter are relevant only to the extent they are conveyed to the individual approached.¹⁰ Therefore, a fourth amendment "seizure" does not occur unless the circumstances of the encounter are so intimidating, threatening, or coercive that reasonable persons would believe that they are not "free to leave."¹¹

Government Coercion Required

Courts determine whether a consensual encounter is transformed into a seizure by assessing the coercive effect of police conduct. For example, in *INS v. Delgado*,¹² INS agents conducted "factory surveys" in search of illegal aliens by positioning some agents near the factory exits while other agents moved systematically through the factory. Agents approached employees, and after identifying themselves, asked the employees from one to three questions relating to citizenship. During this "factory survey," employees continued their work and were free to walk around. The Supreme Court ruled the agents' conduct did not constitute a seizure, because when people are at work their freedom to move about is ordinarily restricted, not by the actions of law enforcement officials, but by the workers' voluntary obligations to their employers.¹³



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Similarly, police conduct did not rise to the level of a seizure in *Michigan v. Chesternut*.¹⁴ In that case, Chesternut began to run upon observing an approaching police car. A police officer followed him to see where he was going, and after catching up and driving alongside him for a short distance, observed him discard a number of packets subsequently determined to contain codeine. Finding that Chesternut was not seized when he threw down the packets, the Supreme Court stated that "[w]hile the very presence of a police car driving parallel to a running pedestrian could be somewhat intimidating, this kind of police presence does not, standing alone, constitute a seizure."¹⁵

In *United States v. Hooper*,¹⁶ the defendant claimed he was seized when drug agents approached him, identified themselves, displayed their identification, and asked if they could speak with him. Al-

though the defendant argued that such contact cannot be consensual because an individual cannot consent to being stopped by law enforcement officers, the court disagreed and concluded that a "seizure," for purposes of the fourth amendment, is not defined by whether an individual has halted his forward progress in response to police conduct, but rather by the coercive nature of the police conduct.¹⁷

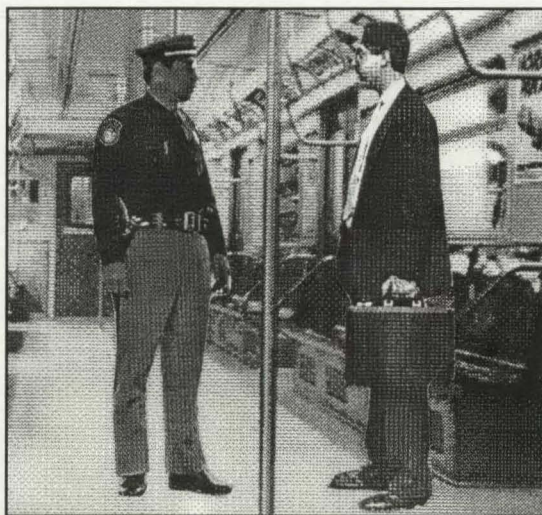
Encounter Ruled Consensual

The "free to leave" test used to determine whether a person has been seized was recently clarified by the Supreme Court. In *Florida v. Bostick*,¹⁸ two officers, with badges and insignia, one of whom was holding a recognizable zipper pouch containing a pistol, boarded Bostick's bus during a stopover in Fort Lauderdale. The officers picked out Bostick, a passenger, and asked to inspect his ticket and identification. The ticket matched Bostick's identification, and both were immediately returned to him. At no time did the officers threaten Bostick with a gun.

The officers explained their presence as drug agents looking for illegal drugs and then requested Bostick's permission to search his luggage for drugs, specifically advising him that he had the right to refuse consent. Bostick gave permission, and the officers, after finding cocaine, arrested him.

The Supreme Court was asked to decide whether this encounter on the bus necessarily constituted a sei-

zure. If the encounter had taken place in the lobby of the bus terminal before Bostick had boarded the bus, it arguably would not be a seizure. Courts generally hold that police may approach people to ask questions and to request identification or seek a consent to search, so



long as they do not convey a message that compliance with their request is required.

Nonetheless, Bostick claimed that his encounter with the police in the cramped confines of a bus was much more intimidating because there was little room to move around and the police tower over the seated passengers. Therefore, a reasonable passenger would not have felt free to leave under the circumstances because there is nowhere to go on a bus. Moreover, Bostick argued that the bus was about to depart, and that if he had disembarked, he would have risked being stranded and losing whatever baggage he had locked away in the luggage compartment.

The Supreme Court responded to these claims by stating that although the "free to leave" test is appropriate where police attempt to question a person who is walking down the street or through an airport lobby, it is not an accurate measure of the coercive effect of an encounter when a person is seated on a bus. The Court pointed out that just because Bostick did not feel free to leave does not mean the police seized him, since as a passenger, he would not have felt free to leave the bus even if the police had not been present. Bostick's movements were "confined" as the natural result of his decision to take the bus and not necessarily because the police conduct was coercive.

The Court also noted that like the factory workers in *Delgado*, Bostick's freedom of movement was restricted by a factor independent of police conduct—his being a passenger on the bus. Therefore, the Court ruled the appropriate inquiry is whether a reasonable person would feel free to decline the officer's request or otherwise terminate the encounter.

"Seizures" and Police Chases

The Supreme Court recently held that in the context of police chases, a "seizure" occurs only where there is either some application of physical force, however slight, or submission to an officer's show of authority. No seizure occurs where the subject does not yield to a show of authority, in the absence of physical force.

In *California v. Hodari D.*,¹⁹ a group of youths fled at the approach of an unmarked police car. One officer, wearing a jacket with "POLICE" embossed on its front, left the car and gave chase on foot following Hodari via a circuitous route that brought the two on a collision course. Hodari, who was looking backwards as he ran, did not see the officer until the officer was almost upon him, whereupon Hodari tossed away a small rock. A moment later, the officer tackled Hodari, handcuffed him, and radioed for assistance. Hodari was carrying \$130 in cash and a pager, and the rock he had discarded was found to be crack cocaine.

The Supreme Court assumed that the officer's pursuit qualified as a "show of authority" calling upon Hodari to halt. However, since the State had conceded that the officer lacked "reasonable suspicion" required to justify stopping Hodari, the issue before the Court was whether, at the time he dropped the drugs, Hodari had been "seized" within the meaning of the fourth amendment.

The Court ruled that a necessary condition for a seizure affected through a show of authority is a submission to that authority.²⁰ Thus, there is no seizure just because a policeman yells, "Stop, in the name of the law," at a fleeing suspect who continues to flee.²¹ Since Hodari did not comply with the show of authority, he was not seized until the officer physically tackled him. Thus, the cocaine that he abandoned while running was not the fruit of a seizure and was therefore admissible.²²

When is a Person "Seized"?

Lacking reasonable suspicion to justify a fourth amendment seizure, how should an officer approach a citizen to investigate, while at the same time ensuring the encounter remains consensual? In other words, how can officers most effectively prevent voluntary encounters from escalating into unlawful seizures?

Courts have identified the following eight factors that are relevant in determining whether a particular encounter between police and citizens is consensual or a fourth amendment seizure:

**“
Courts determine
whether a consensual
encounter is
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police conduct.
”**

1. *Physical Contact*—The slightest application of physical force for the purpose of stopping or holding a person is likely to constitute a seizure. While unintentional or accidental contact is generally not a seizure, officers should avoid physical contact until they have established reasonable suspicion to justify a seizure.
2. *The Number of Officers*—The threatening presence of several

officers may transform an otherwise consensual encounter into a seizure. Thus, where officer safety is not jeopardized, an encounter is more likely to be deemed consensual if backup officers stay in the background where the citizen does not immediately recognize them as officers involved in the encounter.

3. *The Display of Weapons*—The display of weapons is inherently coercive and is generally interpreted by citizens as compelling compliance. Thus, pointing guns or otherwise threatening a citizen with a weapon will in most cases transform an encounter into a seizure.
4. *Interfere With Freedom of Movement*—The manner in which officers position themselves or their vehicles and the extent to which they block a citizen's pathway or freedom of movement may communicate to that person that he is not free to leave. Officers wishing to keep an encounter consensual should position themselves to provide a clear path of egress for the citizen.
5. *Movement From The Initial Site of the Encounter*—Movement from the site of the initial confrontation to another location does not necessarily escalate a consensual encounter into a fourth amendment seizure. However, officers requesting a suspect to accompany them to another location should document that the citizen had a genuine choice

and voluntarily agreed to the movement.

6. *Demeanor and Appearance*—An officer's use of coercive or intimidating language or tone of voice may be interpreted by a reasonable person as compelling compliance. A uniformed officer repeatedly flashing a badge is intimidating conduct. Requests for a consent to search should be conveyed in a manner that makes it clear that the citizen has a choice and that compliance is not required or compelled. Advising suspects that they are suspected of transporting drugs is another factor courts assess in determining the coercive effect of police conduct. Since uncommunicated suspicions generally have no bearing on whether a particular encounter is consensual or a seizure, officers should consider delaying or avoiding the expression of such suspicions until a seizure is justified.

7. *Retention of Personal Property*—Although officers may request to examine a person's identification or tickets and ask questions about any discrepancies, such items should be promptly returned. The prolonged detention of personal items can transform a consensual encounter into a seizure.

8. *Advising Citizens They Have The Right to Refuse*—Advising citizens they have a right to refuse to consent to a search or to answer questions or to

accompany officers to a different location may prevent many encounters from becoming unlawful seizures. Proof that officers advised citizens of their right to refuse is frequently cited by courts as a significant factor in upholding voluntary encounters.

Conclusion

The admissibility of evidence may depend on whether it was seized by officers during a voluntary encounter or fourth amendment seizure. Knowing the factors that

“...a necessary condition for a seizure affected through a show of authority is a submission to that authority.”

courts consider relevant in determining whether a seizure occurred will help officers ensure that the fourth amendment is not implicated until they have established sufficient suspicion to justify a seizure. Evidence acquired during a consensual encounter will not be rendered inadmissible simply because officers lacked reasonable suspicion. Finally, by maintaining a consensual encounter until the requisite justification for a seizure exists, officers will substantially reduce their civil liability exposure for a fourth amendment violation.

LEB

Footnotes

- ¹ *Terry v. Ohio*, 392 U.S. 1 at n.16 (1968).
² For a detailed discussion of the required justification for investigative seizures, see John C. Hall, “Investigative Detention: An Intermediate Response,” *FBI Law Enforcement Bulletin*, November and December 1985 and January 1986.
³ *Michigan v. Chesternut*, 486 U.S. 567, 573 (1988).
⁴ *Id.* at 572.
⁵ 446 U.S. 544 (1980).
⁶ *Id.* at 554. This test has been repeatedly adopted by the Court as the test for a seizure. See *Michigan v. Chesternut*, *supra* note 3; *INS v. Delgado*, 466 U.S. 210, 215 (1984); *Florida v. Royer*, 460 U.S. 490, 502 (1983).
⁷ 486 U.S. at 572-73.
⁸ See *United States v. McKines*, 933 F.2d 1412 (8th Cir. 1991) (en banc).
⁹ *Florida v. Royer*, 460 U.S. 491, 506 (1983).
¹⁰ 486 U.S. at 575 n. 7.
¹¹ *INS v. Delgado*, 466 U.S. 210 (1984).
¹² *Id.*
¹³ *Id.* at 218.
¹⁴ 486 U.S. 567 (1988).
¹⁵ *Id.* at 575.
¹⁶ 935 F.2d 484 (2d Cir. 1991).
¹⁷ *Id.* at 489.
¹⁸ 111 S.Ct. 2382 (1991).
¹⁹ 111 S.Ct. 1547 (1991).
²⁰ *Id.* at 1551.
²¹ *Id.* at 1550. In *Brower v. Inyo County*, 489 U.S. 593 (1989), police cars with flashing lights chased the defendant for 20 miles—surely an adequate “show of authority”—but he did not stop until his fatal crash into a police-erected blockade. The Supreme Court ruled that a seizure did not occur during the chase because that “show of authority” did not produce his stop.
²² In *United States v. Morgan*, 936 F.2d 1561 (10th Cir. 1991), the court held that the existence of a police pursuit or investigation at the time of abandonment does not, of itself, render abandonment involuntary.

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

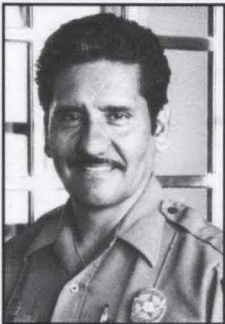
The Bulletin Notes

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. The *Bulletin* also wants to recognize their exemplary service to the law enforcement profession.



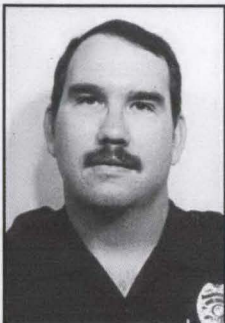
Patrolman Barnes

During the early morning hours, Patrolman Gary Barnes of the Pennfield Township, Michigan, Police Department observed smoke coming from an apartment building. After notifying the fire department, Patrolman Barnes entered the burning structure, alerted sleeping residents of the fire, and assisted many of them to safety.



Officer Marquez

The actions of Officer Pascual "Don" Marquez of The University of Texas at Austin Police Department prevented a dangerous situation from escalating. When a despondent student was informed that the university's president was unable to see him, the student pulled a handgun from his bag and aimed it at the president's administrative assistant. Without regard for his own safety, Officer Marquez approached the gunman from the rear. The gunman turned and fired a shot that barely missed the officer's head. Within moments, Officer Marquez was able to tackle and disarm the assailant.



Corporal Hodges

While off duty and driving through a remote wilderness area, Cpl. Lyn Hodges of the Las Cruces, New Mexico, Police Department responded to calls for help from a group of people who were attempting to free a pickup truck that was trapped in a rain-swollen river. When he arrived at the scene, Corporal Hodges discovered that four children in the truck's cab had been overcome by toxic exhaust fumes. The swiftly flowing river had blocked the truck's exhaust pipe, causing fumes to fill the enclosed camper shell. Corporal Hodges quickly initiated CPR and instructed assisting bystanders in proper resuscitation techniques. All four children were revived and then transported to a nearby hospital for observation.

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