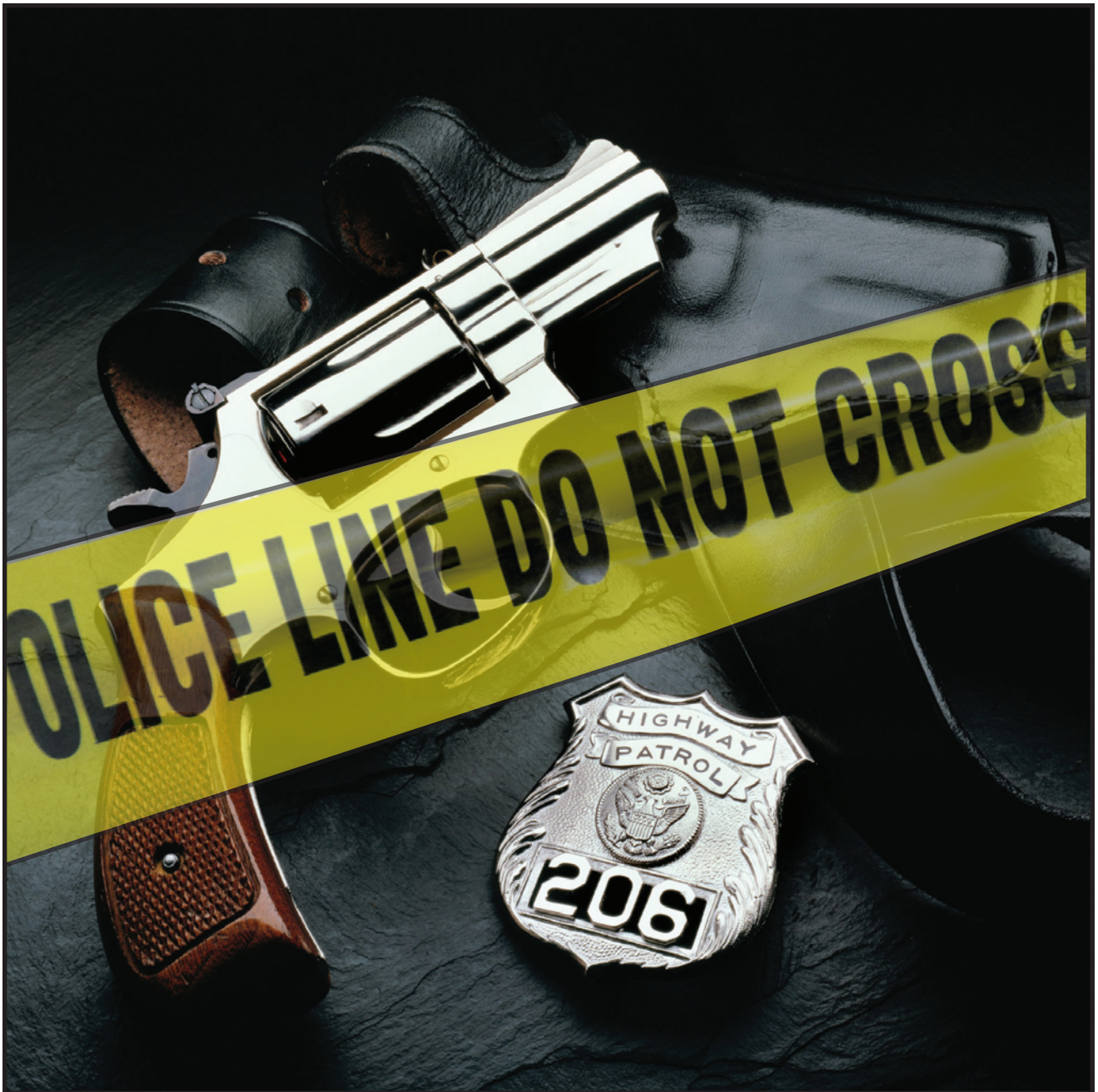




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Use of Deadly Force Investigations



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Robert S. Mueller III
Director

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Editor

John E. Ott

Associate Editors

David W. MacWha

Bunny S. Morris

Art Director

Denise Bennett Smith

Assistant Art Director

Stephanie L. Lowe

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E-mail Address

leb@fbiacademy.edu

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FBI Law Enforcement Bulletin

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and Robert Chaney

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Police Investigations of the Use of Deadly Force Can Influence Perceptions and Outcomes

By SHANNON BOHRER, M.B.A., and ROBERT CHANEY

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"When a police officer kills someone in the line of duty—or is killed—it sets in motion a series of internal and external reviews and public debate that normally does not end until several years later when the civil and criminal court trials are over."¹

Basic law enforcement training covers using force, including deadly force, and investigating crimes, even those involving assaults and shootings by police. The relationship between these two events—the use of force and the police investigation of this use of force—can have far-reaching consequences, both good and bad, for the public, the department, and the officers involved.²

The law enforcement profession spends considerable time and resources training officers to use firearms and other weapons and to understand the constitutional standards and agency policies concerning when they can employ such force. Society expects this effort because of the possible consequences of officers not having the skills they need if and when they become involved in a critical incident.

In addition to receiving instruction about the use of force, officers are taught investigative techniques. They must reconstruct the incident, find the facts, and gather evidence to prosecute the offenders. And, historically, they have done this extremely well. But, is the same amount of attention paid to examining the investigative process of the use of deadly force and how this can affect what occurs after such an event? Are there any reasons why the police should approach the investigation of an officer-involved shooting differently? To help answer these questions, the authors present an overview of perceptions about these events and some elements that law enforcement agencies can incorporate into investigations

of officer-involved shootings that can help ensure fair and judicious outcomes.

PERCEPTIONS OF DEADLY FORCE

All law enforcement training is based on the two elements of criticality and frequency. Skills that officers need and are required to have to perform their duties fall into both: 1) how often they use them and 2) how crucial it is to have them. Training officers to handle potentially lethal incidents, by nature, is vitally important. Investigating officer-involved shootings constitutes a critical function, but, for most departments, it does not occur that frequently. Only examining training needs from the perspective of preparation for the event

does not necessarily take into account what can occur afterward. Just because the officer had the right to shoot and the evidence supports the officer's actions may not guarantee a positive, or even a neutral, reception from the public.

In addition, *who* the police shoot seems to mold some perceptions. For example, a bank robber armed with a shotgun presents a different connotation than a 14-year-old thief wielding a knife.³ Sometimes, it is who the police shoot that also can set the tone for the direction of the investigation surrounding the incident.

The Officer's Perception

Interviews conducted with officers who have been involved in shootings have revealed that while many were well trained for the event, they often were not prepared for the investigation afterward.⁴ Some believed that these investigations centered on finding something that officers did wrong so they could be charged with a crime or a violation of departmental policy.⁵ Others felt that the investigations were for the protection of the agency and not necessarily the officers involved.⁶

Officers can have broad perceptions that often depend upon their experiences of being involved in a critical incident or knowledge of what has happened to other officers.



Mr. Bohrer, a retired Maryland State Police sergeant, is the range master for the Maryland Police and Correctional Training Commissions in Sykesville.



Mr. Chaney, a retired homicide detective, currently serves as the deputy director of the Office of Intergovernmental and Public Liaison, U.S. Department of Justice.

A trooper with the Arizona Department of Public Safety commented, “I did not choose to take that man’s life.... He chose to die when he drew a gun on an officer. It was not my choice; it was his.”⁷

The Public’s Perception

Perceptions by the public of officer-involved shootings usually are as wide and diverse as the population, often driven by media coverage, and sometimes influenced by a long-standing bias and mistrust of government.⁸ Documented cases of riots, property damage, and loss of life have occurred in communities where residents have perceived a police shooting as unjustified. Some members of the public seem to automatically assume that the officer did something wrong before any investigation into the incident begins. Conversely, others believe that if the police shot somebody, the individual must not have given the officer any choice.

The Department’s Perception

Departmental perceptions can prove diverse and difficult to express. For example, when interviewed, one chief of police advised that “it is sometimes easier to go through an officer being killed in the line of duty than a questionable police shooting.”⁹ The chief was referring to the public’s response,

including civil unrest, to what was perceived as an unjustified police shooting. At various levels, however, administrators may feel that a full and fair investigation will clear up any negative perceptions by the public. While not all-inclusive, departmental perceptions include many instances when an officer-involved shooting was viewed with clear and objective clarity before, during, and after the investigation.¹⁰

“
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”

ELEMENTS OF THE INVESTIGATION

Few events in law enforcement attract the attention of the media, the political establishment, and the police administration more than an officer-involved shooting. In some instances, such intense interest can affect the investigation. Is this scrutiny related to the incident, the investigation, or both? Does it affect the focus and outcome of the investigation? And,

conversely, can the investigative process influence this close observation of the incident?¹¹

With these issues in mind, the authors offer six elements for investigating officer-involved shootings. While they are not meant to be all-inclusive or broad enough to cover every conceivable situation, they can be useful as a guide.

The Investigators

The first element involves investigators who have correct and neutral attitudes. Not all officers are suited to conducting police-shooting investigations. Examining such incidents requires open-minded, experienced investigators who have empathy toward the involved officers and members of the general public. Starting with the right investigators will ensure that the process has a solid foundation.

If possible, at least two primary investigators should oversee the case from the beginning until the end. They should be responsible for such activities as supervising the crime scene investigation, reviewing witness statements and evidence and laboratory reports, and coordinating with the criminal justice system. They should not be heavily involved in the initial routine investigation except for handling the interaction with the involved officers, including taking statements.

The Crime Scene

The second element entails the appropriate response to and protection of the crime scene. Homicide or criminal investigators should protect the site. They need to take their time and broaden the protected area, possibly adding a safety zone beyond the immediate vicinity. They should establish a press area with a public information officer available to respond to media inquiries.

Before inspecting the crime scene, the investigators should videotape it and the surroundings and then periodically videotape the area, along with any crowds and parked vehicles, during the course of the examination. Such information may prove valuable later in locating additional witnesses. They should use up-to-date technology and evidence-gathering methods, calling on experts as needed.

Before releasing the crime scene, the investigators should consult with the criminal justice officials who will be responsible for the case. It can be easier to explain the circumstances of the incident while still in control of the location where it occurred.¹²

The Involved Officers

Removing the involved officers from the scene as soon as possible and taking them to a secure location away from other witnesses and media personnel

constitute the third element. The investigators need to explain to the officers that these actions will help maintain the integrity of the case. They also should invite the officers to stay within a protected area to participate in the follow-up investigation. When possible, they should only take statements from the involved officers once they clearly understand all of the

“

Interviews conducted with officers who have been involved in shootings have revealed that...they often were not prepared for the investigation afterward.

”

facts and crime scene information. Moreover, in the initial and early stages of the investigation, authorities never should release the names or any personal information of the involved officers.¹³

Sometimes, it is beneficial for involved officers to revisit the crime scene later to help them recall events. If at all possible, the investigators should accompany them.

It is important to keep the involved officers informed. Someone should contact them on a regular basis. In many agencies, the officers have advocates, including peer support, union representation, and legal aid. Keeping the officers advised may require the investigators to go through the advocate.¹⁴

The Civilian Witnesses

The fourth element highlights the importance of investigators gaining the confidence and respect of civilian witnesses. After all, they need their assistance. In most cases, investigators should handle them the same way as involved officers.

Before interviewing the witnesses, investigators should have a full understanding of the crime scene and the facts of the shooting. If any statements conflict with the crime scene examination or information from other people who observed the incident, investigators should have the witnesses view a crime scene videotape or take them back to the site to help them recall events. They may wish to consult with the criminal justice investigating authority beforehand to ensure that the revisit does not invade the privacy or cause harm to the witnesses. And, of course, investigating authorities never should release any information concerning the witnesses.

The Criminal Justice Authorities

The fifth element, the need to have these cases vetted through the criminal justice process as soon as possible, proves critical to the involved officers, their families, and their employing agencies. Sometimes, backlogs may delay report completion but should not hinder clearance procedures.¹⁵ Close consultation with the appropriate criminal justice authority may alleviate the need for a completed formal report if a written statement for the proper authority confirms the facts. For example, medical examiners and ballistic experts can provide their findings to investigators with formal reports to follow.

Presentations of the investigation should include all videotapes, photographs, and copies of all statements, investigative reports, and other necessary documents. Throughout the criminal justice proceedings, investigators should update the involved officers and their departments about the progress of the case.

The Media

As the final element, the department's public information officer should contact the media before their representatives approach the agency.¹⁶ In the early stages of the investigation, the department should demonstrate that it wants to cooperate with

the media. By informing the public through press releases and interviews, the agency shows that it is investigating the incident and that as information *can* be released, it *will* be. Departments should remember that the proverbial "no comment" often gives the impression that the police are hiding something.



Without a positive relationship with the media, poor communication between the public and the police can develop, creating a lack of faith in the management and operations of the department and mistrust from all parties. The time to prepare press releases for officer-involved shootings is *before* one occurs.

In addition, agencies should encourage the media to print and air stories on the responsibilities of officers and the training conducted to enhance their abilities. General information

on past shootings, simulator experiences, and the perspective of the reasonable objective officer can help develop a cooperative association.¹⁷ Such a collaborative effort between the police and the media is not a magic pill and will not alleviate all of the public misperceptions and problems. However, it may reduce or prevent false perceptions, especially with officer-involved shootings.¹⁸

Finally, investigators should review all of the related printed materials and media interviews to identify further witnesses and, if needed, interview them as soon as possible. Sometimes, these individuals may not understand why the police would want to interview them after they have talked to the media, so a diplomatic approach can prove helpful. This highlights the importance of a positive working relationship that often can result in shared information between the media and the police.

CONCLUSION

Often, it is not a law enforcement shooting that generates negative consequences, but, rather, it is how the involved agency handles the incident that can foster and feed misperceptions. As a Santa Monica, California, police officer pointed out, "No one knows about the hundreds of instances when a police officer decides not to

shoot. Perhaps, no one cares. After all, people say we're trained to handle such things, as if training somehow removes or dilutes our humanity."¹⁹

While the six elements presented in this article may not be all-inclusive, they offer an outline that may reduce the negative events that sometimes occur in these situations. Having the appropriate investigators and a positive working relationship with the media constitute the bookends of an effective process. After all, the right investigators are the foundation for a thorough investigation, and a cooperative connection with the media forms the basis of public understanding. Joining together and sharing information can help both the police and the media deal with officer-involved shootings in a fair and judicious manner. ♦

Endnotes

¹ Darrel W. Stephens, foreword to *Deadly Force: What We Know*, by William A. Geller and Michael S. Scott (Washington, DC: Police Executive Research Forum, 1992).

² For an overview of legal concerns, see Thomas D. Petrowski, "Use-of-Force Policies and Training: A Reasoned Approach," *FBI Law Enforcement Bulletin*, October 2002, 25-32 and Part Two, November 2002, 24-32.

³ Shannon Bohrer, Harry Kern, and Edward Davis, "The Deadly Dilemma: Shoot or Don't Shoot," *FBI Law Enforcement Bulletin*, March 2008, 7-12; Larry C. Brubaker, "Deadly Force: A 20-Year Study of Fatal Encounters," *FBI Law*

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⁴ Anthony J. Pinizzotto, Edward F. Davis, and Charles E. Miller III, U.S. Department of Justice, Federal Bureau of Investigation, *In the Line of Fire: Violence Against Law Enforcement* (Washington, DC, 1997); and *Violent Encounters: A Study of Felonious Assaults on Our Nation's Law Enforcement Officers* (Washington, DC, 2006).

Few events in law enforcement attract the attention of the media, the political establishment, and the police administration more than an officer-involved shooting.

⁵ Interviews with students attending the Management Issues: Law Enforcement's Use of Deadly Force course taught at the FBI's National Academy from 1995 through 1999. The FBI hosts four 10-week National Academy sessions each year during which law enforcement executives from around the world come together to attend classes in various criminal justice subjects.

⁶ Feedback from students attending the Instructor Training Liability Issues course taught at the Firearms Instructor Schools, Sykesville, Maryland, from 2001 through 2009.

⁷ American Association of State Troopers, *AASST Trooper Connection*, September 2008.

⁸ U.S. Department of Justice, Community Relations Service, *Police Use of Excessive Force: A Conciliation Handbook for the Police and the Community* (Washington, DC, June 1999). This publication provides options for addressing controversy surrounding the use of excessive or deadly force and offers guidelines for resolving community disputes. Readers can access <http://www.usdoj.gov/crs/pubs/pdexcess.htm> for the June 2002 updated version.

⁹ In 1993, Edward F. Davis was an instructor in the FBI Academy's Behavioral Science Unit when he interviewed the chief about police and the use of force. The chief's comment could be misconstrued because it was part of a larger dialogue about police use of force and community relations, although it demonstrates perceived and sometimes real concerns. Specifically, the chief was referring to the fact that the department seemed to pull together when an officer is killed and the opposite often occurs when the shooting is questioned in the media.

¹⁰ Because of Robert Chaney's (one of this article's authors) extensive experience in investigating police shootings while serving with the Washington, D.C., Metropolitan Police Department and then reviewing such incidents for final disposition when later employed by the U.S. Attorney's Office for the District of Columbia, he understands the value of the process and how this can affect public perceptions and investigative outcomes.

¹¹ William A. Geller and Michael S. Scott, *Deadly Force: What We Know* (Washington, DC: Police Executive Research Forum, 1992).

¹² Robert Chaney's (one of this article's authors) experience includes a close working relationship with the criminal justice authority (in his case, the criminal justice authority was the U.S. Attorney's Office). The close working relationship

can be critical with shootings that have the potential for negative publicity.

¹³ U.S. Department of Justice, Community Relations Service, *Police Use of Excessive Force: A Conciliation Handbook for the Police and the Community*.

¹⁴ Laurence Miller, "Officer-Involved Shooting: Reaction Patterns, Response Protocols, and Psychological Intervention Strategies," *International Journal of Emergency Mental Health* 8, no. 4 (2006): 239-254.

¹⁵ Henry Pierson Curtis, "Deadly Force Investigations Can Take Years in Some

Florida Counties," *Orlando Sentinel*, November 11, 2007; Todd Coleman, "Documenting the Use of Force," *FBI Law Enforcement Bulletin*, November 2007, 18-23; and Geller and Scott.

¹⁶ For additional information, see Brian Parsi Boetig and Penny A. Parrish, "Proactive Media Relations: The Visual Library Initiative," *FBI Law Enforcement Bulletin*, November 2008, 7-9; James D. Sewell, "Working with the Media in Times of Crisis: Key Principles for Law Enforcement," *FBI Law Enforcement Bulletin*, March 2007, 1-6; and Dennis Staszak,

"Media Trends and the Public Information Officer," *FBI Law Enforcement Bulletin*, March 2001, 10-13.

¹⁷ Brook A. Masters, "Under the Gun: I Died, I Killed, and I Saw the Nature of Deadly Force," *Washington Post*, February 13, 2000.

¹⁸ Anthony J. Pinizzotto, Edward Davis, Shannon Bohrer, and Robert Chaney, "Law Enforcement Perspective on the Use of Force: Hands-On, Experiential Training for Prosecuting Attorneys," *FBI Law Enforcement Bulletin*, April 2009, 16-21.

¹⁹ Geller and Scott, 1.

We Need Your E-mail Addresses

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Editor
FBI Law Enforcement Bulletin

Notable Speech

Honoring the Fallen

By Attorney General Eric H. Holder, Jr.

It is a true honor to be here tonight for this solemn service. Although I have been attorney general for only a few short months, I have worked in law enforcement for more than 30 years. If I were to serve for 30 more, it would only confirm that there is no greater burden—nor greater honor—than to bear the loss of a friend, a colleague, or a loved one in service to our nation.

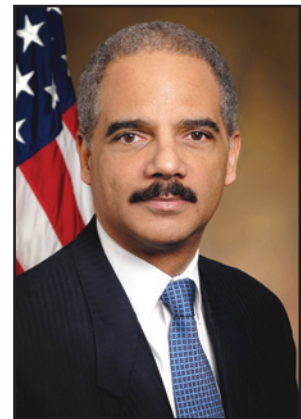
Tonight, we dedicate 387 names to the walls of this memorial. Two hundred fifty-four of these men and women were lost in years past—in some cases, long before any of us were born. It is a tribute to the National Law Enforcement Officers Memorial Fund that you have worked so diligently to uncover their names and make their heroic stories known to all. Because of your efforts, the legacies of these unsung heroes will receive the place in our nation's history that they rightly deserve.

One hundred thirty-three of the names we honor today were lost to us in the past year. This is a stunning number—133. It is a number that truly should give us pause to reflect. One hundred and thirty-three brave officers—men and women whose backgrounds and stories are as diverse as our nation itself—gave their lives to protect our

safety and to defend our freedoms. They are forever bound together by an unbreakable bond of valor. They each gave, as Lincoln said, the “last full measure of devotion” to the country we love so dearly.

To the husbands, wives, parents, children, siblings, friends, and fellow officers—all of those here tonight who have been touched by the lives we honor—you have been called upon to bear a

Attorney General Holder delivered this speech at the National Law Enforcement Officers Memorial Fund Candlelight Vigil on May 13, 2009.





special burden. And, though there is no speech or ceremony that can ease your pain, no tribute or salute, tonight we join together in a candlelight vigil to honor their courage and to fill your hearts with our nation's gratitude.

The word *vigil* derives from the Latin word for "wakefulness." It means, literally, "a period of purposeful sleeplessness." That is, in a sense, what we are here tonight to do: to refuse to sleep—to refuse to forget the heroes we've lost or their work that remains undone.

Though we may grieve, we must emphatically reject despair. Unlike most other careers, the brave men and women who embark upon a life in law enforcement know fully that they might one day be called upon to lay down their lives in the call of duty. Those we honor tonight made that choice willingly. Indeed, they embraced it. And, that is why their ultimate sacrifice means so much. They served—and sacrificed—for a purpose far greater than themselves. I can think of no truer definition of a hero.

For all of those here tonight who answer the call to keep our country safe, you know that every kiss from your spouse, every hug from a child,

every visit with a parent, means a little bit more. So, I ask that you honor the lives of your fallen colleagues by giving as much of yourself to your loved ones as you give every day in service to your country. We all know that without their love and support, your service would not be possible. Family is everything.

It is up to all of us to bear true witness to the bravery and sacrifice made by the heroes we honor today by remembering that we all have a personal role to play in keeping our neighborhoods safe and our nation secure. We must take responsibility for the problems we face in our communities and take a stand against crimes both large and small. We must help each other in times of need, and we must teach our children the difference between right and wrong.

The candles we light tonight will not burn for long, but they remind us that we must all be the keepers of the flame once borne by our fallen heroes. Let us bring this light back to our cities, our neighborhoods, our streets, and our homes. Let us light the darker corners of our country where crime still thrives, where children live in fear, and where law enforcement is threatened.



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They served—and sacrificed—for a purpose far greater than themselves. I can think of no truer definition of a hero.

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Tonight, we hold a vigil, but, every day, we must be vigilant. So, let us bind ourselves together with a new bond of service—to make our country brighter, safer, and more hopeful—and, in so doing, let us honor the memory of our fallen heroes every day.

We read in the Scriptures, “Greater love has no one than this, that a man lay down his life for his

friends.” Let us remember these words today and always. And, in deepest gratitude, let us be secure in the knowledge that our dear friends rest in peace and in a place of honor.

May God bless you and the men and women who have given their lives in service to our nation. Thank you. ♦

Wanted: Notable Speeches

The *FBI Law Enforcement Bulletin* seeks transcripts of presentations made by criminal justice professionals for its Notable Speech department. Anyone who has delivered a speech recently and would like to share the information with a wider audience may submit a transcript of the presentation to the *Bulletin* for consideration.

As with article submissions, the *Bulletin* staff will edit the speech for length and clarity but, realizing that the information was presented orally, maintain as much of the original flavor as possible. Presenters should submit their transcripts typed and double-spaced on 8 ½- by 11-inch white paper with all pages numbered, along with an electronic version of the transcript saved on computer disk or e-mail them. Send the material to: Editor, *FBI Law Enforcement Bulletin*, FBI Academy, Outreach and Communications Unit, Quantico, VA 22135, or to leb@fbiacademy.edu.

Attention

*Homicide, Missing Persons
and Crime Analysis Units*



Unidentified Victim

Race and

Ethnicity: Black/Middle
Eastern/Caribbean

Sex: Male

Age: 30s

Hair: Black

Height: 5' 8"

Weight: 98 lbs.

Clothing: Brown pants, brown belt,
white T-shirt, white socks, multicolored
boxer shorts, black flip-flops

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	
Upper Right	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Upper Left
Lower Right	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Lower Left
	32	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	

N=Natural tooth, no filling
#17 and #32 Horizontal impactions

On September 3, 2008, the unidentified victim was discovered lying under a park bench in Peoria, Arizona. An examination of the victim determined he did not suffer any trauma or injuries, and the death was ruled to be from natural causes.

Any relevant information can be directed to Detective Mike Connolly of the Peoria Police Department at 623-773-8046 or Crime Analyst Courtney Fitzwater of the FBI's Violent Criminal Apprehension Program (ViCAP) Unit at 703-632-4162 or cfitzwat@leo.gov. ♦

Media as Teammate Operation Spring Cleaning

BY SHAWN SCHWERTFEGER



"Individual commitment to a group effort—that is what makes a team work, a company work, a society work, a civilization work."

—Vince Lombardi¹

For some in the law enforcement and media professions, the phrase *media as teammate* may seem like an unusual concept. For the Albemarle County, Virginia, Police Department, however, this idea led to an initiative that became a positive interaction between the two entities and helped reduce the number of outstanding warrants the department had accumulated.²

Challenge Faced

Albemarle County encompasses 720 square miles in central Virginia and has a population of about 94,000. It surrounds the city of Charlottesville, which contains approximately 10 square miles with a population of 40,000 and has its own police agency. The University of Virginia has most of its facilities located in the county, adding an additional 20,000 to

the population during the school year.

Although the Albemarle County Police Department is one of the larger law enforcement organizations in the region, it still has the feel of a smaller agency with only around 150 employees. Because its six divisions are taxed with primary responsibilities, the department often faces a problem common to many law enforcement agencies: serving outstanding warrants on a timely basis.

Plan Devised

During the first few months of 2006, the Albemarle County Police Department held around 1,100 outstanding warrants and juvenile detention orders. Of those, 281 were felony warrants. Also, members of the department or other local law enforcement agencies had obtained 97 percent of the 1,100 warrants. Hence, these warrants identified *local* crime potentially committed by *local* people. The department found this unacceptable and believed that it was negatively impacting the community. Department leaders felt that they owed it to their citizens to actively and progressively attempt to lower the number of outstanding warrants. In April, the chief and the commander of the Community Support Division came up with

a plan to address this problem. The chief had read about an initiative conducted in 2004 by the Newport News, Virginia, Police Department that involved placing an advertisement in the local print media naming the persons wanted by the jurisdiction.³ This successful endeavor planted the seed for Operation Spring Cleaning.

Partnership Formed

The commander of the Community Support Division and his staff began the necessary planning and research. After discovering that the Roanoke, Virginia, Police Department had conducted a similar successful project in March 2006, they consulted this agency, along with the Newport News Police Department. Then, they met with the area's largest

newspaper. Although somewhat uncertain of whether the paper would consider getting involved with such an undertaking, the department realized at this first meeting that its plan would come to fruition.

The newspaper's advertisement staff agreed wholeheartedly with the idea. But, as imagined, the department would need to pay for the advertisement. The paper approached some sponsors for future endeavors but, due to the time constraints, could not secure any sponsorship for this first operation. The department would have to handle the costs, which would run \$8,000 for a full-page advertisement and \$4,000 for the half-page version. The reporters were equally excited to get involved, and the planning began moving along

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For some in the law enforcement and media professions, the phrase media as teammate may seem like an unusual concept.

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Lieutenant Schwertfeger serves with the Albemarle County, Virginia, Police Department.



at a rapid pace. The department agreed to set a deadline of implementation no later than June 1 and eventually settled on May 21.

Next, the department had to resolve multiple logistical issues—most of all, the funding. The chief decided to use some asset-seizure monies for the advertisement, along with financial assistance through the Edward Byrne Memorial Justice Assistance Grant Program to pay for the overtime.⁴ The department settled with the newspaper to do a half-page advertisement for the first list and to only include the majority of its felony warrants. But, about 2 weeks prior to implementation, the paper offered to provide a full-page advertisement for the price of a half-page one. So, the department decided to include the names of the wanted felons, along with the more serious

misdemeanants, and place the same list of names on its Web site. This would prove more than enough for the inaugural enterprise.

Finally, a wide range of other logistics and variables had to be managed in advance of the operation. One serious concern was that names of persons not actively wanted would inadvertently appear. To avoid this, personnel checked and rechecked the wanted persons list and put into place a system to flag anyone arrested between the review and the actual date of the venture. Other logistics included notifying the regional jail, the commonwealth attorney, the magistrate, the Emergency Communications Center, other local law enforcement agencies, and Crime Stoppers in advance. Procuring the appropriate vehicles, food, dedicated telephone lines, and the

necessary volunteers also took time and effort. In addition, the department assigned an officer to review the plans for safety and policy adherence.

Project Launched

The department's initial reservations about the newspaper's willingness to become involved proved completely groundless. The paper's personnel exhibited the highest level of professionalism. The advertisement branch was energetic and did a tremendous amount of work. The graphics team, paramount to the operation's success, faced several last-minute changes and possessed the flexibility to make these happen. Because the team had to have the actual advertisement finished 5 days prior to May 21, members added a disclaimer stating that the list was accurate as of May 16, 2006. The final advertisement listed around 180 persons wanted for felonies with the remainder of the page naming those wanted on serious misdemeanors. In addition to the names, a "top seven" list of subjects wanted on murder and serious sexual assault charges appeared in the upper portion of the page. Between May 16 and the actual date of publication, a few persons on the list had been arrested. Again, the graphics team made the appropriate last-minute changes.

The newspaper and other media representatives were eager to cover the operation in advance, and this provided the other piece of needed cooperation—anticipation within the community. The advertisement appeared in the Sunday, May 21, 2006, edition, and by 7 a.m., the phones started ringing. The local media provided continuing coverage of the operation, reporting positively on the efforts. The department allowed some members of the media to ride along with several of the arrest teams, providing a close-up view of the initiative.

Overall, the interaction with all representatives of the media was extremely positive and helpful. Working with the media during this operation was necessary to its success and turned out to be very rewarding. Ironically, a media source—a law enforcement magazine—spawned the idea, and the hard work of a newspaper that the department thought might not want to participate turned out to make an enormous contribution. Operation Spring Cleaning could not have happened without media involvement.

Lessons Learned

A few problems occurred during the project. At least four names of people no longer wanted appeared on the lists. Most had been served in other

jurisdictions, and the appropriate paperwork had not arrived at the Albemarle County Police Department.

In a few instances, lack of personnel caused some backlog. For example, volunteers handled most of the phone calls. Even though they had detailed instructions and “lead sheets” to follow, their inexperience in conducting this type of call

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Working with the media during this operation was necessary to its success and turned out to be very rewarding.
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proved difficult to overcome in some situations. Additionally, future operations should include officers who speak Spanish, along with the services of the local probation and parole office.

Finally, the department did not receive as much positive coverage as it could have. This occurred because it dealt mostly with the one newspaper, rather than with all media outlets. While a minor disappointment, the department intends to advise

all media representatives of its role as the lead agency in future undertakings of this nature.

Conclusion

Working with the media in such a positive way, along with the willingness of the community to get involved, made Operation Spring Cleaning a monumental success. This endeavor also clearly made a statement to the community and to the victims of the crimes committed that the Albemarle County Police Department will employ progressive efforts to address this area of concern. For the officers involved, the operation demonstrated that the department was proactively trying to make a difference by teaming with the community and, more important, capitalizing on a professional relationship with the media, a true teammate in the success of a common goal. ♦

Endnotes

¹ <http://www.heartquotes.net/team-work-quotes.html>

² This article is excerpted from an assignment the author completed for Media Relations for the Law Enforcement Executive (CJ 523), FBI National Academy, Session 236, Penny Parrish, Instructor.

³ James D. Fox and Michael S. New, “‘The List’: A Warrant Service Strategy,” *FBI Law Enforcement Bulletin*, November 2005, 22-24.

⁴ For additional information on the Edward Byrne Memorial Justice Assistance Grant Program, see <http://www.ojp.usdoj.gov/BJA/grant/jag.html>.

Bulletin Reports

Volunteers Provide Victim Assistance

Good Samaritans: Volunteers Helping Victims Program Handbook and Training Guide, a new e-guide from the Office of Victims of Crime, is designed to train volunteers to provide services that include securing victims' homes after a break-in, offering emotional support, and linking victims with community services. Before the Good Samaritans program began in Mobile County, Alabama, many vulnerable crime victims had no one to turn to. Since 2003, however, these victims have been able to call on these volunteers to help them feel more secure in their homes after a crime and to refer them to the services they need.

A community initiative led by the Mobile County District Attorney's Office and supported by the Office for Victims of Crime, Good Samaritans has been replicated in several communities in Mobile County, Alabama, and Jackson County, Mississippi. The program unites law enforcement and faith-based and community organizations to train and mobilize volunteers who can help the most vulnerable victims of crime. "This is an important service to the community because serious crime continues to plague Mobile County," said District Attorney John Tyson, Jr. "According to state and federal crime statistics, our countywide crime rate is substantially higher than the rest of the nation. There are far too many crime victims and not nearly enough law enforcement officers, prosecutors, and victim service professionals to help them all." To obtain more information about the training guide (NCJ 225703), access the National Criminal Justice Reference Service's Web site, <http://www.ncjrs.gov>.

People with Mental Illnesses

Law Enforcement Responses to People with Mental Illnesses: A Guide to Research-Informed Policy and Practice, a Bureau of Justice Assistance-sponsored guide, examines studies on law enforcement interactions with people with mental illnesses and translates the findings to help policymakers and practitioners develop safe and effective interventions. Some specialized law enforcement strategies presented in the guide include improving officer safety; increasing access to mental health treatment, supports, and services; decreasing the frequency of these individuals' encounters with the criminal justice system; and reducing certain costs incurred by law enforcement agencies. The research contained in the guide serves as a useful foundation for making data-informed decisions about policies and practices related to law enforcement encounters with people with mental illnesses. But, it is just that—a starting point. Each community still must conduct an analysis of its unique strengths and challenges. Once policymakers identify programmatic goals that specifically respond to the findings from this analysis, they can design, implement, or modify a program that best fits their community's needs. To view the guide (NCJ 226965), access the National Criminal Justice Reference Service's Web site, <http://www.ncjrs.gov>.

Drug Control Budget Summary

The *National Drug Control Strategy: FY 2010 Budget Summary* from the Office of National Drug Control Policy identifies resources and performance indicators for programs within the Executive Branch that are integral to the President's drug control policy. The administration's plan for reducing drug use and availability includes substance abuse prevention and treatment, domestic law enforcement, and interdiction and international counterdrug support. The drug control programs of the Departments of Education, Health and Human Services, Interior, Veterans Affairs, and the Small Business Administration principally focus on demand reduction activities, such as substance abuse prevention and treatment. The Departments of Defense, Homeland Security, Justice, State, Transportation, and the Treasury are involved in supply reduction operations, such as domestic law enforcement and interdiction and international counterdrug support. The Office of National Drug Control Policy conducts activities in both areas. Each agency is an important partner in the drug control mission. For additional information, readers can view the summary (NCJ 226765) at the National Criminal Justice Reference Service's Web site, <http://www.ncjrs.gov>.

Criminal Victimization, 2007

This Bureau of Justice Statistics (BJS) bulletin features estimates of rates and levels of personal and property victimization for 2007 and describes the substantial fluctuations in the survey measures of the crime rates from 2005 through 2007. These do not appear to be due to changes in the rate of criminal activity during this period but, rather, to variations in the sample design and implementation of the survey. BJS and the Census Bureau are continuing to research the impact of the differences, and readers should focus on the comparisons of the 2005 and 2007 rates until these issues are resolved. A technical report discussing these matters is expected at a later date. The estimates were drawn from the National Crime Victimization Survey, an ongoing household survey that includes the results of interviews conducted of about 73,600 persons in 41,500 households two times in 2007. The report includes data on violent crimes (rape/sexual assault, robbery, aggravated assault, and simple assault), property crimes (burglary, motor vehicle theft, and property theft), and personal theft (pocket picking and purse snatching), along with the characteristics of victims of these crimes.

Specifically, violent crime rates in 2007 (20.7 per 1,000 persons age 12 or older) were not significantly different from those in 2005 (21.1 per 1,000 persons). U.S. residents age 12 and older experienced an estimated 23 million crimes of violence and theft. The violent crime rate was 20.7 victimizations per 1,000 persons age 12 or older; for property crimes it was 146.5 per 1,000 households. The bulletin (NCJ 224.390) can be found at the National Criminal Justice Reference Service's Web site, <http://www.ncjrs.gov>.

Police Practice

The Anatomy of a Police Pipe Band

By James VanBrederode



© Photographs by Bob and Glenda Melville; Sue Weller

The mournful sounds of the bagpipes led the hearse making its way through the columns of blue uniforms. The young officer had died in a tragic traffic accident while responding to a burglary alarm. Over 2,000 colleagues lined the front of the cathedral sidewalk to greet the casket.

How did bagpipes become the adopted instrument of the law enforcement community? How does a department begin a ceremonial bagpipe unit? The author addresses such questions by sharing firsthand experiences of the Gates Keystone Club Police Pipes and Drums Band, which formed in 1998.¹ Celebrating over 10 years of existence, the band has grown to 50 members.

APPRECIATING THE HISTORY

In the late 1800s, many people considered law enforcement and other public service jobs

undesirable because of low pay and benefits.² Many Irish immigrants undertook these professions to establish themselves and become part of America. The Irish police and firefighters brought with them the tradition of playing the bagpipes at parades, ceremonies, and funerals. The New York City Police Department formed the first Police Emerald Society to preserve the Irish heritage in 1953.³ Today, Emerald Societies exist across the country, and many sponsor their own pipe band.

DEVELOPING A BAND

The Gates Police Department, located in upstate New York, has 32 sworn officers. In 1998, six employees committed to starting a police ceremonial pipe band. Prior to that time, no police pipe bands were available in that region. Rather, organizations hired a member of the local Scottish

band to pipe comrades to their final resting place—the most intimate part of the funeral service was conducted by a nonlaw enforcement-related person.

Mission Statement

One of the first steps members took included developing a mission statement, which helps participants remain focused on the purpose of the band. It defines the significance of the band's existence and what it intends to accomplish. The Gates Keystone Club's mission statement reads, "The purpose of the Gates Keystone Club Police Pipes and Drums Band is to provide a prim and proper ceremonial piping unit for funerals of active public safety members who pass away in the greater Rochester area and beyond. We will strive to bring together our brothers and sisters of different agencies in a sense of unity through the playing of traditional bagpipe hymns while at appropriate gatherings." An effective mission statement should be short, use simple words, and show motivation and commitment. Further, band members should routinely review it to determine whether they are meeting their mission or if their goals have changed.

Finances and Equipment

The Gates Keystone Club, started through the police union, administers their finances through the union accountant. Otherwise, a band must become incorporated and register as a nonprofit organization. To generate initial funding, the Gates Keystone Club conducted a press release to announce the band's formation. Today, it is financially self-supported by marching in local parades

and festivals, only growing in size as the revenues increase, and maintains over \$100,000 worth of equipment.

Participants must research the cost of needed equipment. A set of bagpipes made of African blackwood costs about \$1,200; drums run from \$550 for a snare to \$700 for a bass; and kilts, doublets, sporrans, belts, and hats require approximately \$2,000. Pipers usually purchase their own bagpipes, while the band provides drums and uniforms.

The command presence and appearance of a pipe band proves just as important as the music it plays, and the uniform should represent the police environment. Selecting a tartan for the kilt is among the first decisions to make. Members can choose from hundreds of tartans or create their own. The Keystone Band chose the Earl of St. Andrew tartan with blue checkers and white and black stripes. Blue symbolizes the emergency services, representing peace, loyalty, wisdom, and integrity. For a hat crest, Gates designed its own badge with the band's name engraved on



it. Members wear holsters on their belts, and they created a band patch for summer uniform shirts. For formal ceremonies, participants wear a doublet dress coat with patches on both shoulders and a full-feather bonnet. To maintain the quasi-military appearance, the band incorporated white spats for their black shoes.

Club members realized that many people cannot identify particular pipe bands. Therefore, they created a banner that displays their logo and name during parades, and their bass drum exhibits them as well. The uniform bands select proves vital for showmanship and reputation. Participants should

choose quality uniforms and explore what members of other pipe bands wear.

Recruitment and Community Involvement

In 1998, none of the Gates Keystone Club founding members had played bagpipes. Thus, they took lessons from an older Scotsman and learned the instrument. A new piper starts on a chanter (approximately \$70); learns the nine notes, doublings, and grace notes; and, after 8 or 9 months, graduates to the bagpipes, which most members find easy to play. The instrument has no sharps, flats, or volume control, but students must master the ability to finger, squeeze, and blow at the same time. To recruit prospective participants, the Gates Keystone Club provides free piping and drumming lessons. Members have discovered that individuals who become musicians when they start with the band prove more loyal and apt to stay onboard.

Once the band began making public appearances, the community embraced them—interest in joining the band or having it perform at public events became overwhelming. Although some police pipe bands are open only to active or retired

police officers, the Gates Keystone Club began accepting civilian membership and found the community partnership a great asset. The club conducts background checks on new civilian members and holds them to the highest standards. High school and college students, retirees, and professional residents who admire their local police comprise the band. Civilians feel proud to be part of this distinctive group of 30 percent police and fire fighter personnel and 70 percent citizens, and such involvement has proven an enormous building block for community relations. To accommodate families, band members created a color guard unit for the nonmusicians. Additionally, four families have multiple members who have joined the band.

Inviting the public and outside law enforcement agencies, fire departments, and ambulance corps to “open houses” constituted an effective recruiting tool. Members conduct demonstrations and exhibit photo displays and video footage of various events.

As the Gates Keystone Club band grew in talent and size, it became more than just a police ceremonial band—it averages 50 events each year. Members usually select police-related events, such as promotion ceremonies, law enforcement graduations, memorial services, police-sponsored Special Olympics, and those directly connected with the Town of Gates community. They volunteer to play during local Memorial and Veteran’s Day services and at military funerals related to the conflicts in Iraq and Afghanistan, as well as in local high school musicals. Such events are important to building a relationship with the community. The ability to play bagpipes is a special talent few individuals have and should be shared during appropriate occasions. Community events serve as an excellent opportunity for agency



and band publicity and encourage residents to view the officers in a more friendly light.

MANAGING A BAND

An effective manager proves vital to a band's success. The band manager works behind the scenes and in the community promoting the band, finding public venues in which to participate, negotiating paid events for fundraising, and serving as the band's spokesperson. The manager should know the band's capabilities, especially when it is just establishing itself. The Gates Keystone Club found that as the community began to learn about the band, the manager's job became extremely busy and time consuming. The position requires a person who has both the time to devote and the necessary communication skills to handle various situations. Often, as a band grows, in-house personnel conflicts arise, and an effective manager can quickly resolve any problems.

Showmanship is an important piece of the puzzle in a successful band, from playing tunes that the public recognizes, having special marching maneuvers, and engaging the crowd with embellishing swing tenors to having a parade vehicle accompany the band. The Keystone Club purchased a 1966 fire truck for a nominal fee, named it "Amazing Grace" (perhaps the most requested tune on the bagpipes), and discovered the vehicle to be a great crowd pleaser. Further, establishing a Web site and displaying a banner during parades greatly enhances publicity for the band.

CONCLUSION

The Gates, New York, Police Department started a ceremonial pipe band, the Gates Keystone Club Police Pipes and Drums Band, over 10 years ago to honor fallen comrades and participate



in official ceremonial events. Because the Gates Keystone Club took the time to learn how other departments established a successful band and has remained dedicated to its mission, it has grown to over 50 members. Today, participants include not only police officers but firefighters, high school students, and local citizens as well.

Members report that the experience of playing in a police pipe band has changed them personally and professionally, and they realize it is a talent only a few possess. The Gates Police Department encourages other agencies to investigate the possibility of establishing a pipe band in their community for the abundant rewards it can bring not only to participants but also to those who hear the thunder of the drums and the sounds of the pipes—a distinctive tone revered by many. ♦

Endnotes

¹ See, <http://www.gateskeystoneclub.com>.

² For more information, visit <http://www.nvemeraldsociety.org>.

³ <http://www.nypdemeralds.com/>

Lieutenant VanBrederode serves with the Gates, New York, Police Department.

The FBI's National Law Enforcement Safety Initiative

By CHARLES E. MILLER III, HENRY F. HANBURGER,
MICHAEL SUMERACKI, and MARCUS YOUNG



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In December 1952, at approximately 2:30 a.m., a law enforcement officer stopped a vehicle occupied by a lone male for exceeding the speed limit. When the officer approached the vehicle, he was shot twice in the upper chest with a .38-caliber revolver. The officer fell to the pavement, and the vehicle sped away. Several days later, the driver was arrested, convicted of the offense, and sentenced to life in prison.

In December 2002, at approximately 3 a.m., a law

enforcement officer stopped a vehicle occupied by a lone male for exceeding the speed limit. When the officer approached the vehicle, he was shot twice in the upper chest with a 9-millimeter semiautomatic handgun. The officer fell to the pavement, and the vehicle sped away. The driver was arrested several hours later, convicted of this offense, and sentenced to a lengthy prison term.

In both of these incidents, the officers were shot in the same area of the chest while

approaching a motor vehicle. Sadly, the officer in the first incident died from his wounds, but the officer in the second one sustained only minor injuries. What are some of the commonalities and differences between these two felonious attacks? Are there specific, identifiable factors that would explain why one officer died and the other survived? Although the circumstances of the encounters are similar, they occurred 50 years apart. Was the officer in the second incident better equipped



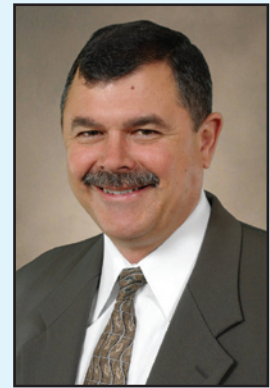
Mr. Miller, a retired police captain, is the program coordinator of the Law Enforcement Officers Killed and Assaulted Program in the FBI's Criminal Justice Information Services Division.



Mr. Hanburger, a retired FBI special agent, serves as an instructor with the Law Enforcement Officers Killed and Assaulted Program in the FBI's Criminal Justice Information Services Division.



Mr. Sumeracki, a retired chief of police, serves as an instructor with the Law Enforcement Officers Killed and Assaulted Program in the FBI's Criminal Justice Information Services Division.



Mr. Young, a 20-year veteran of law enforcement, serves as an instructor with the Law Enforcement Officers Killed and Assaulted Program in the FBI's Criminal Justice Information Services Division.

or mentally prepared for the encounter than the first? Did their agencies train them differently? If so, did the training the officers received possibly have a significant influence on the outcomes of these shootings?

Upon examining these incidents in greater detail, it becomes clear that the officer who conducted the traffic stop in 2002 had several significant advantages when compared with the officer from 1952. The officer in 2002 was protected from serious injury due to his department-issued body armor. This particular agency mandated that patrol officers wear body armor, strictly enforcing this policy and disciplining officers who failed to comply. In 1952, affordable body armor was not readily available to law

enforcement organizations. Other advantages the officer from the 2002 incident enjoyed included better communications, better lighting, and probably better training. When asked his intent at the time of the 2002 attack, the 15-year-old offender stated that because he knew most law enforcement officers wear protective body armor, he was attempting to kill this one by shooting him in the head. Relating why he thought he was not successful, the teenager said, "He wouldn't give me a good shot. He stood too far back. I had to stretch around to fire. Because of that, my shots went low, and I missed."¹

How did the FBI obtain information about these two incidents? Further, what is the FBI's interest in the felonious attacks

on law enforcement officers that occur at the state or local level? And, finally, what role, if any, does the FBI play in addressing law enforcement safety issues on a national level?

To answer these questions, the authors present the establishment, the role, and the evolution of the FBI's Uniform Crime Reporting (UCR) and Law Enforcement Officers Killed and Assaulted (LEOKA) programs. They also discuss approximately 20 years of research conducted by the FBI that focused on incidents where officers were feloniously killed or assaulted in the line of duty and resulted in three special studies published by the U.S. Department of Justice in 1992, 1997, and 2006. Based on this research, the FBI's Criminal

Justice Information Services (CJIS) Division offers free officer safety training to federal, tribal, state, and local law enforcement agencies throughout the United States. The increasing number of law enforcement departments requesting this training has necessitated the expansion of the LEOKA program into the FBI's National Law Enforcement Safety Initiative.

THE UCR PROGRAM

Since 1930, the FBI has administered the UCR program at the request of the International Association of Chiefs of Police (IACP), assuming the task of collecting, verifying, analyzing, and disseminating crime data on a national level. In 1937, the UCR program began publishing the annual *Crime in the United States* report and disseminating it to all participating contributors. Today, the program continues as a nationwide, cooperative statistical effort of more than 17,000 city, university and college, county, state, tribal, and federal law enforcement agencies voluntarily reporting data on crimes brought to their attention. *Crime in the United States*, now solely available online, is used by law enforcement administrators and managers, criminologists, sociologists, legislators, municipal planners, researchers, media representatives, and others interested in criminal justice matters.²

The UCR program operates under the "shared management" concept. This means that the general policy concerning the philosophy, concept, and operational principles of the program is based upon the recommendations of the CJIS Division Advisory Policy Board (APB) to the director of the FBI. It also ensures that the concerns of the program's stakeholders (i.e., law enforcement entities) are considered in making program modifications and additions.

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...what is the FBI's
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Besides the CJIS APB, advisory groups from the IACP, the National Sheriffs' Association, and the Association of State Uniform Crime Reporting Programs foster widespread and responsible use of crime statistics and lend assistance to data contributors when needed. Members of the CJIS Division's Liaison, Advisory, Training, and Statistics Section (LATSS), along with assistance from

personnel of the Strategic Support Section (SSS), handle the actual day-to-day operations of the program.

THE LEOKA PROGRAM

From 1937 through 1971, the UCR program included the number of law enforcement officers killed in the line of duty in the annual *Crime in the United States* publication. In 1972, the FBI began collecting detailed data on law enforcement officers killed in the line of duty and publishing the information in annual reports. To ensure the comprehensive collection of these statistics, the FBI's field offices notify the LEOKA program when an officer within their jurisdiction is killed in the line of duty. The program then immediately disseminates this information to all law enforcement agencies via the National Law Enforcement Telecommunications Network. An FBI agent provides the law enforcement organization that suffered the tragedy with a copy of the Analysis of Law Enforcement Officers Killed reporting form to collect all relevant data, along with information on the Public Safety Officers' Benefits Program and the U.S. Department of Labor's Office of Workers' Compensation Program for the victim officer's family.³

Also in 1972, the UCR program created a separate monthly form for law enforcement

agencies to report assaults on sworn personnel that occurred in the line of duty. Individual agencies submit the Law Enforcement Officers Killed and Assaulted form to their state crime reporting program or directly to the FBI. For 10 years, the UCR program published the data in the annual *Crime in the United States*. In an effort to consolidate publications, however, the program incorporated information on federal, state, and local law enforcement officers killed and assaulted in the line of duty into its annual renamed publication *Law Enforcement Officers Killed and Assaulted* in 1982.⁴

In 1997, IACP recommended collecting additional data on officers assaulted with a firearm or knife or other cutting instrument because it appeared that the law enforcement community could glean additional

information from officers who survived felonious assaults. Initially, compliance from participating agencies was slow but has gradually improved. Although the program feels that it is capturing the majority of these incidents, it has yet to incorporate the data into the annual publication. However, the information has provided a rich variety of incidents that researchers have examined in several officer safety projects.

In 2004, the LEOKA program coordinator met with members of IACP's Highway Safety Committee and the Law Enforcement Stops and Safety (LESS) Subcommittee to discuss law enforcement safety issues, specifically the rapid rise in the number of officers dying in accidents. After thoroughly examining and assessing the LEOKA program's statistical data, these IACP committees

requested that the LEOKA program redesign its collection form to capture additional information regarding accidental and felonious deaths and assaults. The committees also offered their resources and expertise in assisting with the proposed project.

To carry this mission forward, the LEOKA program coordinator became a member of the LESS Subcommittee and solicited input from all of the members of the IACP's Highway Safety Committee and the LESS Subcommittee.⁵ Next, the LEOKA program formed a redesign team of FBI personnel who consulted with numerous outside entities throughout the redesign process.⁶

In May 2008, the LEOKA redesign team completed the final drafts of both Analysis of Law Enforcement Officers Killed and Assaulted forms;

Officer Safety/Awareness Training Requests

Forward written requests for Officer Safety/Awareness training to Section Chief Robert J. Casey, FBI Complex, Module E-3, 1000 Custer Hollow Road, Clarksburg, WV 26306-0150, rocasey@leo.gov and also provide a copy to Melissa Blake at mblake1@leo.gov. The letter should contain the law enforcement agency or group, the proposed date of the event, the location, and the anticipated number of law enforcement attendees. The FBI provides the training at no cost but does request that the hosting agency advertise the training so that law enforcement officers from other agencies in the area have the opportunity to participate.

one is for officers accidentally killed, and the other is for officers feloniously killed or injured with a firearm, knife, or other cutting instrument during a felonious assault. The team then field tested the new forms with numerous law enforcement agencies to assess any problems they could have understanding and completing them. The team preselected cases and assigned them to the agencies to ensure a healthy mixture of incident types. None of the agencies experienced major problems completing the forms, and all commented positively on their utility. The time needed to complete either the accidental or the felonious form averaged approximately 1 hour. In November 2008, IACP passed a resolution endorsing the implementation of the new forms at its annual conference.⁷

The importance of this project cannot be overstated. The quantity and quality of the new data captured will improve the CJIS Division's service to the law enforcement community, and, likewise, the profession will benefit from the additional information. It is anticipated that the annual LEOKA publication will double in size and assist law enforcement managers, trainers, and

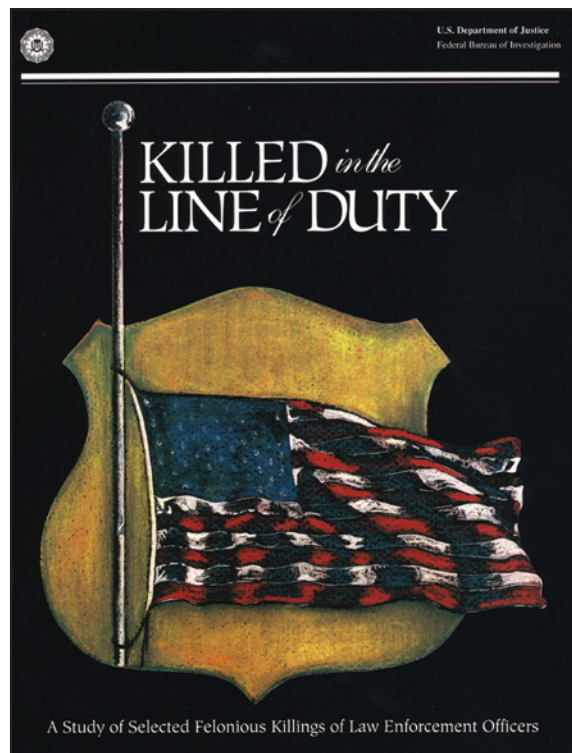
personnel in the identification of training issues for preventing line-of-duty deaths and serious injuries to law enforcement personnel.

SPECIAL RESEARCH PROJECTS

The LEOKA program's primary goal involves serving federal, tribal, state, and local law enforcement agencies.

and their killers, along with the circumstances that brought them together. Victim officer profiles contain data on age, sex, race, physical attributes, years of service, and other relevant information. Situational descriptions that indicate what particular tasks the officers were performing at the time of their deaths, such as making an arrest, transporting a prisoner, handling a disturbance call, or making a traffic stop, are portrayed. Also addressed are weapons used and type and geographic location of the victim officers' law enforcement agencies. Information about the offenders includes physical characteristics and criminal histories.

Yet, even these detailed data cannot answer what is likely the most important question. Why did the incident occur? Speculation ranges from discussions of possible procedural mistakes to assessments of the adequacy of law enforcement training and analyses of the personality types of both offenders and officers involved. Many serious questions arise when considering the possible causes for these events. What factors turned a petty thief or a drunk driver into a killer of a law enforcement officer? Why would a person



Each year, the *Law Enforcement Officers Killed and Assaulted* publication presents extensive data provided by slain officers' employing agencies, including information about the officers

arrested on numerous occasions without exhibiting any violent tendencies suddenly use deadly force against an arresting officer? Did the victim officer perform or omit some type of behavior that may have precipitated the violence? Was there anything that the officer could have done to prevent the fatal attack?

After conducting law enforcement training throughout the nation and repeatedly hearing these questions, UCR instructors formulated a plan in 1989 to study the felonious killings of officers through an interactive and integrative approach. The study would address the psychology of offenders, the behavior of officers, and the circumstances that led to lethal attacks. Clearly, such an integrative study could practically and substantially add to the current base of knowledge on the felonious killings of law enforcement officers. While it would not answer all of the questions or prevent all future deaths, it would examine the complex situations in a different manner than previously accomplished.⁸

Killed in the Line of Duty

The study, conducted over a 3-year period, reviewed 51 incidents that resulted in the line-of-duty deaths of 54 law enforcement officers and involved 50 offenders. While the

study did not produce all of the answers sought, it provided several important findings regarding the outcome of an in-depth examination of the offenders, victims, and events. First, while no single, absolute offender profile emerged, most killers of law enforcement officers had been diagnosed as having some sort of personality disorder.

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In 1972, the FBI began collecting detailed data on law enforcement officers killed in the line of duty and publishing the information in annual reports.

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Next, the behavioral descriptors of victim officers frequently appeared similar, with the officers characterized as generally good-natured and more conservative than their fellow officers in the use of physical force. Finally, the incidents themselves revealed that the killings often were facilitated by some type of procedural miscue (e.g., an improper approach to a vehicle or loss of control of a situation or individual). In short, the researchers determined that these

factors combined into a “deadly mix” of an easy-going officer who would use force only as a last resort with an offender of aberrant behavior in an uncontrolled, dangerous situation.

Published in 1992, *Killed in the Line of Duty: A Study of Selected Felonious Killings of Law Enforcement Officers* contained extensive information on the victims, offenders, and incidents studied. It identified personality types of offenders, provided guidance in assessing how those of a given type will typically interact with authority figures, and offered styles or approaches in questioning or interrogating them by law enforcement. It pointed out specific areas where law enforcement training and procedures may be improved. It provided some signals for law enforcement managers about officers who may be more likely to become a victim in a potentially deadly situation. Probably most important, it did not answer all of the questions. In fact, the study actually raised as many as it answered and identified areas that required more extensive study and thorough evaluation at all levels of law enforcement.

In the Line of Fire

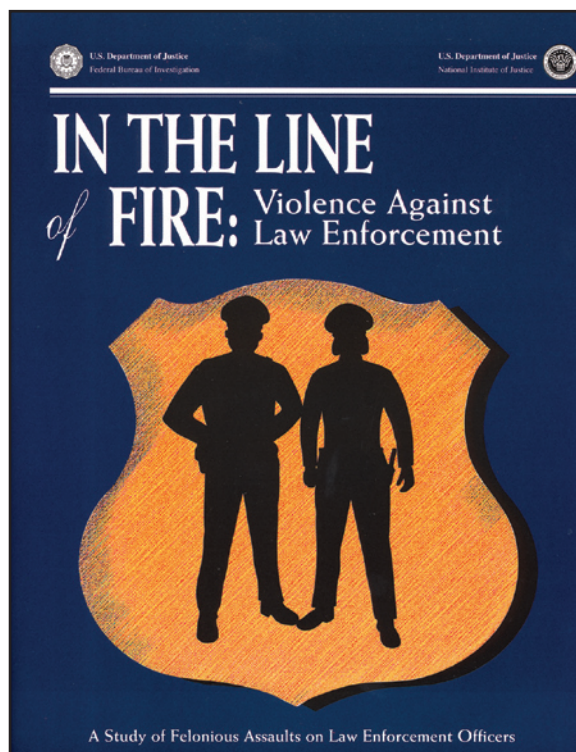
A second study, conducted over a 3-year period, examined 40 cases, which had 52 victim officers and 42 offenders. Unlike the first one, which

explored the topic of officers killed in the line of duty, the second study included officers who survived felonious assaults and, thus, could explain their actions or offer reasons why they chose not to act.

Published in 1997, *In the Line of Fire: Violence Against Law Enforcement, A Study of Felonious Assaults on Law Enforcement Officers* presented findings that proved strikingly similar to those in the first study in terms of the various threats officers faced as they performed their duties. Law enforcement officers continued to become unwitting components of the deadly mix. Both studies found that officers frequently neglected their own safety when performing their duties. When officers received calls for service, as well as when they initiated contacts, their mental and physical reactions were geared toward responding, helping, clearing the call, and returning to service for the next call. By their own admission, they often were thinking about the next call before they cleared the current one. Consequently, they sacrificed their own safety for what they perceived as “the greater good: the safety of the community.” The officers sometimes

failed to keep in mind that their own safety must come first so that they remain alive and able to protect the community.

The additional insight gained from the involved officers triggered more questions. How and why do offenders and officers have different perceptions about a situation? The discrepancy proved noteworthy.



Two-thirds of the offenders stated that they believed the officer did not know how serious the situation had become just before the assault occurred. Without knowledge that these offenders made this assessment, the officers involved in these

same incidents said that they were unaware of the impending assault.

What causes these perceptual differences? Even though clearly life-and-death situations, these events could not have been processed in a more strikingly opposite manner. What was it in the histories, training, and experiences of these officers and offenders that produced such wide discrepancies?

Violent Encounters

Beginning in 2000, the final study, conducted over a 6-year period, examined 40 cases, which involved 43 offenders and 50 victim officers. The major theme that threaded throughout this study derived from the concept of the deadly mix, discovered in the first study and fully explained in the final installment of the trilogy on law enforcement safety, *Violent Encounters: A Study of Felonious Assaults on Our Nation's Law Enforcement Officers*, published in 2006.

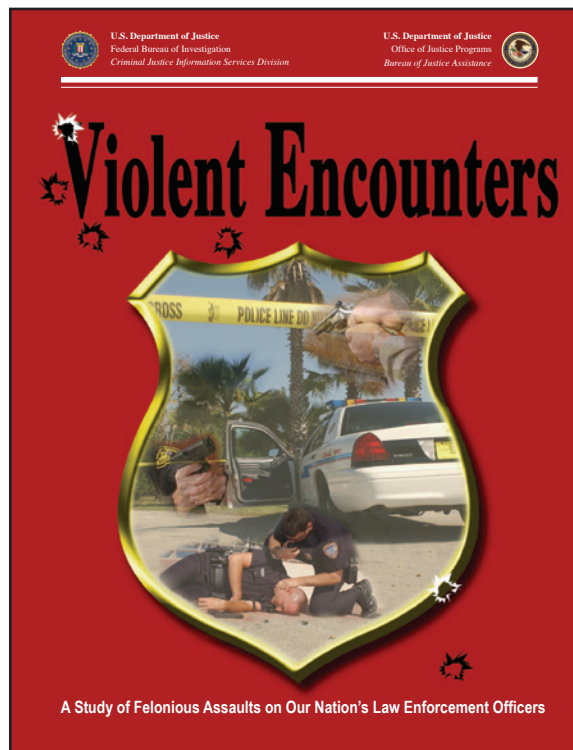
The term *deadly mix* describes an integrative process encompassing all aspects of the officer, the offender, and the circumstances that brought them together at the time of the felonious attack. Conceptually, the deadly mix can provide

some insight into why law enforcement assaults and deaths still occur on an unrelenting basis regardless of technological advances, innovative equipment, and proactive policing strategies.

Ideally, contacts between law enforcement officers and offenders never would turn violent, and the number of law enforcement officers feloniously killed or assaulted would diminish to zero. In practice, however, violent encounters between officers and offenders will continue to plague America, sometimes involving the deadly mix that often results in serious injury or death to those charged with safeguarding its citizens. Only when detectives, use-of-force investigators, supervisors, and administrators explore the various components of the deadly mix will a greater understanding of these encounters emerge. To make an objective assessment of each case, it is necessary to carefully and completely examine all aspects of the incident, thereby allowing the facts to surface. Perhaps, a significant part of the answer to why these events occur can be found in understanding the deadly mix as developed and explained throughout these three studies.

LEOKA TRAINING

"The training you provided me in your seminar on law enforcement street survival helped me recognize the presence of a threat and react appropriately.



The danger signs were present. I'm not sure I would have seen them and acted on them as quickly as I did if it hadn't been for your training." This statement from an officer aptly describes the motivation for publishing the trilogy on law enforcement safety. If one officer's life is saved, all of the work, all of the physical and emotional pain that assaulted officers endured during the

attacks and in the later retelling of them, and all of the grief borne valiantly by the surviving families and friends of deceased officers will serve a higher purpose and keep one more dedicated member of the law enforcement profession from succumbing to the deadly mix.

Numerous officers who have received the LEOKA Officer Safety/Awareness training have stated that it helped them become more safety conscious in their patrol duties, increasing their alertness to danger signals that offenders display. It also made them more aware that they, as officers, emit signals about their own mental readiness to meet challenges—signals that offenders often are able to read.

The objective of the Officer Safety/Awareness training is to assist law enforcement managers, trainers, and personnel in the identification of training issues for the purpose of preventing the death or serious injury of law enforcement personnel. An instructor presents course content, augmenting lecture and discussion with videotapes of the actual offenders and victim law enforcement personnel studied in the research trilogy. Handout materials consist of information

Detailed Data Requests

The FBI's annual *Law Enforcement Officers Killed and Assaulted* (LEOKA) publication is available online and is downloadable at <http://www.fbi.gov/usc/usc.htm#leoka>. Law enforcement administrators, trainers, and officers, along with members of the academic community, can find this information invaluable. The FBI's Crime Statistics Management Unit can compile more detailed data to suit specific research needs. Inquiries can be made via telephone at 304-625-3587 or by e-mail to either fkelly@leo.gov or dkisner@leo.gov.

sheets, officer safety pocket guides, and CDs that contain all three studies. The length of the training varies from 2 to 16 hours and is tailored to meet the specific needs of the requesting agency.

FUTURE EFFORTS

Given the enhancements in the data collection and the addition of instructors, researchers, and personnel to analyze the collected material, it is expected that the LEOKA annual publication about officer deaths and assaults will increase in size and value. The ultimate hope is that it will prove helpful to law enforcement agencies in providing training and education to prevent and minimize officer assaults and deaths.

Another area of desired research to be conducted by the LEOKA team in the near future is the examination of accidental deaths of officers while on duty. For the first time in program history, the number of officers dying in accidents has exceeded the number of officers

feloniously killed for over 10 consecutive years. What factors may have contributed to this increase? Is this rise in accidental deaths preventable? If so, what type of training or policy changes should administrators implement to bring these numbers down? The LEOKA researchers hope to answer these questions in the future.

CONCLUSION

The FBI's Law Enforcement Officers Killed and Assaulted program will continue working in partnership with agencies across the United States in researching violent encounters while publishing material relevant for the purpose of preventing the deaths of or serious injuries to our nation's law enforcement personnel. The LEOKA program will continue to evolve in providing cost-effective regional training for local, state, and federal law enforcement, including resources for the professional development of the dedicated personnel protecting and serving society.

In addition, the LEOKA team will use the research conducted in an effort to further expand the answers to questions previously posed and hopefully those not yet conceived.

It will be through the combined efforts of law enforcement agencies across the country and their dedicated personnel that the LEOKA program will continue to gather, disseminate, and analyze data from incidents of law enforcement officers assaulted and killed while performing their duties. With this strong cooperative effort, the knowledge, training, and education of law enforcement personnel will continue and be of benefit to all. ♦

Endnotes

¹ Anthony J. Pinizzotto, Edward F. Davis, and Charles E. Miller III, "The Deadly Mix: Officers, Offenders, and the Circumstances That Bring Them Together," *FBI Law Enforcement Bulletin*, January 2007, 1-10.

² For specific annual editions, access <http://www.fbi.gov/ucr/ucr.htm#cious>.

³ For information on the Public Safety Officers' Benefits Program, access <http://www.ojp.usdoj.gov/BJA/grant/psob/>

⁵ The following committee agencies submitted written suggestions and recommendations regarding the redesign of the Analysis of Law Enforcement Officers Killed and Assaulted form: Alabama Department of Public Safety, California Highway Patrol, Colorado State Patrol, U.S. Department of Transportation, National Highway Traffic Safety Administration, Florida Highway Patrol, Missouri Highway Patrol, National Sheriffs' Association, North Carolina State Highway Patrol, New

Hampshire Department of Public Safety, New York Highway Patrol, Pennsylvania State Police, and Washington State Patrol, along with other members of IACP and such advocacy groups as Mothers Against Drunk Drivers.

⁶ These included National Highway Traffic and Safety Administration, Centers for Disease Control, National Institute of Occupational Safety and Health, Occupational Safety and Health Administration, Office of Personnel Management, Academy of Criminal Justice Sciences, American Society of Criminology, West Virginia University, Bowling Green State University, Rutgers University, and the University of Louisville.

⁷ All four Regional Working Groups, the Federal Working Group, the UCR Subcommittee, and the CJIS Division Advisory Policy Board have voted to accept the new versions of the forms. Approval from the Office of Budget and Management is being sought.

⁸ The three studies referred to in this article reflect approximately 20 years of research conducted by Anthony J. Pinizzotto, Edward F. Davis, and Charles E. Miller III. Hard copies or CDs can be obtained from the UCR Program Office, FBI Complex, 1000 Custer Hollow Road, Clarksburg, WV 26206-0150 or by calling 888-827-6427 or 304-625-4995.

FBI Law Enforcement Bulletin

Author Guidelines

GENERAL INFORMATION

The *FBI Law Enforcement Bulletin* is an official publication of the Federal Bureau of Investigation and the U.S. Department of Justice.

Frequency of Publication: Monthly.

Purpose: To provide a forum for the exchange of information on law enforcement-related topics.

Audience: Criminal justice professionals, primarily law enforcement managers.

MANUSCRIPT SPECIFICATIONS

Length: Feature articles should contain 2,000 to 3,500 words (8 to 14 pages, double-spaced). Submissions for specialized departments, such as Police Practice and Case Study, should contain 1,200 to 2,000 words (5 to 8 pages, double-spaced).

Format: Authors should submit three copies of their articles typed and double-spaced on 8 1/2- by 11-inch white paper with all pages numbered. An electronic version of the article saved on computer disk should accompany the typed manuscript. Authors also may e-mail articles.

Authors should supply references when quoting a source exactly, citing or paraphrasing another person's work or ideas, or referring to information that generally is not well known. For proper footnote format, authors should refer to *A Manual for Writers of Term Papers, Theses, and Dissertations*, 7th ed., by Kate L. Turabian.

Writing Style and Grammar: The *Bulletin* prefers to publish articles in the third person (Point of View and Perspective submissions are exceptions) using active voice. Authors should follow *The New York Public Library Writer's Guide to Style and Usage* and should study several issues of the magazine to ensure that their writing style meets the *Bulletin's* requirements.

Authors also should contact the *Bulletin* staff or access <http://www.fbi.gov/publications/leb/>

for the expanded author guidelines, which contain additional specifications, detailed examples, and effective writing techniques.

PHOTOGRAPHS AND GRAPHICS

A photograph of the author(s) should accompany the manuscript. Authors can submit photos and illustrations that visually enhance and support the text. The *Bulletin* does not accept responsibility for lost or damaged photos or illustrations.

PUBLICATION

Judging Manuscripts: The *Bulletin* judges articles on relevance to the audience, factual accuracy, analysis of the information, structure and logical flow, style and ease of reading, and length. The *Bulletin* generally does not publish articles on similar topics within a 12-month period or accept articles previously published or currently under consideration by other magazines. Because it is a government publication, the *Bulletin* cannot accept articles that advertise a product or service.

Query Letters: Authors may submit a query letter along with a 1- to 2-page outline before writing an article. Although designed to help authors, this process does not guarantee acceptance of any article.

Author Notification: The *Bulletin* staff will review queries and articles and advise the authors of acceptance or rejection. The magazine cannot guarantee a publication date for accepted articles.

Editing: The *Bulletin* staff edits all manuscripts for length, clarity, format, and style.

SUBMISSION

Authors should mail their submissions to: Editor, *FBI Law Enforcement Bulletin*, Outreach and Communications Unit, FBI Academy, Quantico, VA 22135; telephone: 703-632-1460; fax: 703-632-1968; e-mail: leb@fbiacademy.edu.

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 those situations that transcend the normal rigors of the law enforcement profession.



Sergeant Jones



Officer Emery



Lieutenant Mara

Sergeant Tim Jones of the McMinnville, Tennessee, Police Department responded to the scene of a second-story apartment fire. Upon his arrival, he noticed a man in the parking lot screaming that his two babies were in the apartment. Sergeant Jones ran to the top of the stairs and found the front door open and intense flames and thick black smoke inside. Quickly, he got on his

hands and knees and crawled down the hallway where he found a 3-year-old girl lying on the floor. He then helped her outside. Officer Bryan Emery crawled into the apartment and found his way to a bedroom where his flashlight illuminated a small pink blanket on a bed. Frantically, he sifted through the bedclothes trying to locate an infant until breathing became virtually impossible. After he exited the apartment for a breath of fresh air, Officer Emery tried to reenter with Sergeant Jones, but they were directed not to reenter because firefighters now were on the scene. Recognizing that seconds were precious to the 3-year-old girl, Lieutenant Mark Mara began mouth-to-mouth resuscitation while Officer Emery performed chest compressions. Tragically, neither child survived.



Deputy Keen

Deputy Tim Keen of the Hinds County, Mississippi, Sheriff's Department was the first to respond to an early morning home fire. A male resident of the trailer alerted him that a woman was trapped in a bedroom. Deputy Keen broke through the window of the bedroom and felt his way through thick smoke to find the victim on the floor. Immediately, he picked her up and pulled her outside to safety. Both Deputy Keen and the woman received medical treatment.

Nominations for the *Bulletin Notes* should be based on either the rescue of one or more citizens or arrest(s) made at unusual risk to an officer's safety. Submissions should include a short write-up (maximum of 250 words), a separate photograph of each nominee, and a letter from the department's ranking officer endorsing the nomination. Submissions should be sent to the Editor, *FBI Law Enforcement Bulletin*, FBI Academy, Outreach and Communications Unit, Quantico, VA 22135.

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Patch Call



Tulsa, Oklahoma, was once known as “the oil capital of the world.” Its police department’s patch, in the shape of a yield sign, includes a representation of the city’s skyline.



The patch of the Russellville, Arkansas, Police Department features several symbols significant to the area. These include the arrowhead, atom, landscape, railroad line, ship’s wheel, and cog.