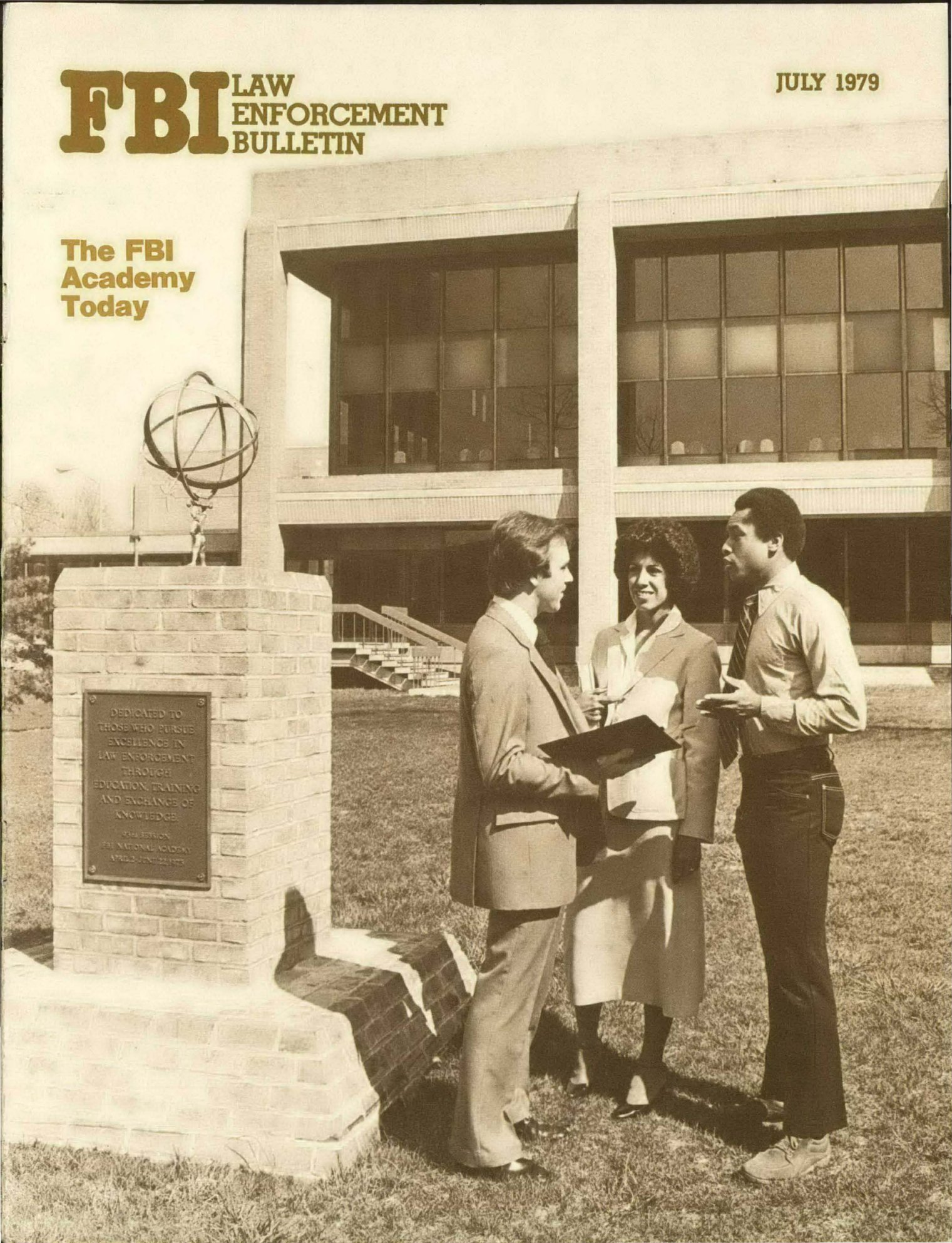# FBI LAW ENFORCEMENT BULLETIN

JULY 1979

The FBI Academy Today

DEDICATED TO THOSE WHO PURSUE EXCELLENCE IN LAW ENFORCEMENT THROUGH EDUCATION, TRAINING AND EXCHANGE OF KNOWLEDGE

FBI NATIONAL ACADEMY

Director's Message

An expanded National Academy curriculum, training in sophisticated computer crime investigation, college accreditation, arson investigation training, new forensic science research and training facilities—these are some of the developments planned or already in progress at the FBI Academy.

This issue of the Law Enforcement Bulletin focuses on these training efforts, both their content and method, because the present and projected status of training at our Quantico facility will "help shape the future direction of law enforcement training . . . ," as the Assistant Director of the Training Division notes.

This training and the advanced education available through the University of Virginia represent a keystone in building cooperation. We must take every advantage of our limited resources to accomplish our mission today; thus, cooperative efforts are needed more than ever.

An appropriate analogy to this necessity is the operation of a Navy ship. The crew must be able to work together as a team because each job on a ship is mutually supportive, from engine room to bridge. Add motivation to training and cooperation and you have the key elements for success.

Within a given law enforcement agency, each component must also do its job in cooperation with the other elements of the command. Patrol, investigation—the line components—depend on support functions and on command for the tools and training, for motivation and strategy. Going beyond the single department, the naval analogy is still applicable. Taking local and State police, adding various Federal law enforcement agencies an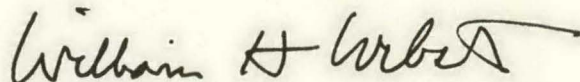d the ever-increasing academic and technological contributions in the criminal justice field, you can compare these to fleet and servicewide cooperation and mutual support. Each line element, from destroyer to carrier, has its role and each is supported at sea by oilers, ammunition ships, and various tenders. Overall, they are supported by supply, training, and recruiting commands.

Each local, State, and Federal law enforcement agency has its mission, but all are interdependent. The FBI has many support roles, in addition to its priority line investigative functions. Some of these are long established: Fingerprint identification, forensic laboratory examinations, and training. One of the most important of the training roles is the FBI National Academy program. Marking its 44th anniversary this month, the National Academy program, supplemented by the new National Executive Institute, is becoming the equivalent of military staff colleges for training management.

Some of our support functions are newer and growing—NCIC for example. One of the newest is the undercover Sting operation, a whole new approach to investigation. These operations are outstanding examples of new cooperative efforts between local and Federal law enforcement, with LEAA funding and local implementation and supplemented by FBI or other Federal support in technology and personnel.

A Florida newspaper editorially noted, after one Sting operation was completed, that it is "encouraging to learn that, not only is the FBI today approachable, but that it is actively involved in comprehensive relations with other law enforcement agencies at the county and city level. . . ." The editorial recognized that now "tax dollars spent for crime control are being spent more efficiently and with outstanding results."

Cooperation, which can begin with training, is one way to achieve law enforcement's goal of crime control. We in the FBI will do everything possible to accomplish our part in this mission.

William H. Webster
Director
July 1, 1979

FBI LAW ENFORCEMENT BULLETIN

Contents

The Training Director

By EDWARD J. TULLY

Special Agent
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Arts Unit
FBI Academy
Quantico, Va.

There are few social scientists who would not agree with the fact that the pace of change in American society over the past 25 years has been extremely rapid. In fact, Alvin Toffler in his popular book, *Future Shock,* hypothesized that the change has been too fast for some individuals and institutions in our culture to assimilate. Thus, there has been a certain amount of cultural shock or dysfunction. Whether Toffler is correct or not, all observers agree that there has been rapid social, economic, and political change in America.

On the cutting edge of this change, the profession of law enforcement stood, attempting to preserve order and to be neutral between the competing forces. It was a position which called for considerable immediate change within the profession itself. Law enforcement did not have the luxury of quiet reflection to consider the pros and cons of change. It did not have the time to experiment with alternative solutions to social unrest. Nor was there time for enlightened debate; there was only time for reaction to events. Some reactions were proper and served to preserve order; some were not and only served to inflame the situation. To a certain extent, we are fortunate to have come through this period intact as a profession. To a greater extent, it could be argued that we are more professional for having had the experience.

In this regard, our profession has been well-served by the process of training. In the past 25 years or so, police training programs have substantially increased in quantity, quality, and sophistication. In many cities and States, police are conducting training programs for recruits and inservice personnel, which are the finest of their type in the world. Police training has become, in this relatively short period of time, respectable both in the academic and professional training worlds. If present trends continue, training will continue to increase its sphere of influence within police organizations in the years to come. In law enforcement circles, at least, the process of training has come of age. Having proved to police administrators and the public the value of strong, responsive training programs, the problem now faced by training managers is to salvage as many of their respective programs as possible in a period of declining or fixed police budgets. This burden, as well as designing new training programs to continue the professionalization of the police, will fall on the training director and his staff.

Just as the process of training has come of age in law enforcement, so has the realization that the position of training director is a demanding, complex, executive position within the agency. In the past, training command used to be a step in the promotional process in law enforcement. Today, a few organizations have realized that this position demands an individual with extensive experience in the design, development, and execution of education and training programs. To understand this trend, let's examine the roles the training director may play within an organization.

A review of literature concerning the role of the training director, including an examination of the subject by Calvin Otto and Rollin Glaser in *The Management of Training,* [1] Leonard Nadler and Gordon Lippit in a 1967 article in the *Training and Development Journal,* [2] Leonard Nadler's 1970 book entitled *Developing Human Resources,* [3] and Paul Chaddock's chapter in the second edition of the *Training and Development Handbook,* [4] shows that experts hold the training director functions in the following roles:

1. Administrator of training;
2. Trainer, teacher, philosopher;
3. Advocate or consultant; and
4. Research and development director.

Our experience at the FBI Academy coincides with their findings.

Of course, the training director will not function in all of the above roles simultaneously, and a variety of circumstances within the organization will dictate the amount of time he spends in discharging his responsibilities. Although it is safe to assume that the training director will function primarily as an administrator, he will, over a short period of time, also function in the other roles. In general, then, the overall definition of a training director is, as Nadler suggests, a change agent whose basic goal is to increase organizational effectiveness through the development of the organization's human resources to their maximum potential. Let's examine each specific role in more detail.

Administrator of Training

The primary job of the training director as an administrator is to be aware of the changing function and objectives of the organization. From this position, the administrator also:

1. (a) Determines training needs; (b) prepares goals and objectives; (c) prepares budget; (d) supervises staff selection and evaluation; (e) devises administrative devices and controls; (f) evaluates the effectiveness of training; (g) arranges for material, equipment, and facilities; (h) establishes and maintains a proper learning environment; (i) monitors Government regulations (EEOC, OSHA, etc.); (j) conducts public relations; (k) arranges for faculty development; (l) establishes training policy; and (m) establishes training priorities.

Trainer

As a trainer, philosopher, and perhaps part-time teacher, the training director's primary task is to lead his staff in the design and development of constantly changing curricula relevant to the needs of the organization. The training director may also be expected to:

2. (a) Develop an organizational philosophy of training; (b) select appropriate methods and techniques of instruction; (c) apply learning theory for application to teaching/learning problems; (d) approve terminal perform-

ance objectives, lesson plans, and criterion test measures; (e) design specialized training programs; (f) be knowledgeable about developments in the training and development field; and (g) coach the training staff.

Advocate/Consultant

The law enforcement training director must have a broad range of street experience as an officer. This experience, plus his background in training, results in his being considered more frequently as a credible source of

> "... the overall definition of a training director is, as Nadler suggests, a change agent whose basic goal is to increase organizational effectiveness through the development of the organization's human resources to their maximum potential."

advice when the organization faces operational problems. Since many law enforcement problems have either their roots or solution in training, the training director is called upon increasingly to provide answers to complex problems. In addition, in this role the training director may:

3. (a) Advocate change in organizational policy, procedures, or objectives; (b) promote the dissemination of new ideas, equipment, or the wisdom of the status quo; (c) offer advice upon request in tactical situations; and (d) furnish advice on the limitations of training.

Research and Development

In this role, the training director is responsible for the long-range planning of the training function. In a law enforcement agency where change and/or the anticipation of change is a daily event, this is indeed a critical

function. The training director must also be prepared to assist in the following areas:

4. (a) Design of organizational research projects; (b) research and development of tactics, weapons, and protective devices; (c) conduct of behaviorally anchored research to be used in the selection of performance appraisal process; and (d) application of behavioral theory to operational practice.

As can be seen from an examination of the above four roles, the position of training director almost demands an individual who has been professionally prepared for the job. It is becoming doubtful that law enforcement agencies heavily involved in training can much longer afford part-time or nonprofessional training directors. Since 1960, the number of law enforcement training programs have virtually exploded throughout the Nation. This rapid increase in both quantity and quality of training programs mirrored the increases in the amounts of knowledge and skills needed by recruits to function adequately, the development and implementation of new technology, and new demands on law enforcement's traditional responses to social problems.

While it was recognized by law enforcement management that the training process could not solve all problems during this period, training was used more than it had been in the past. The results have been satisfying to all concerned. The fact that the officers today are better trained and educated is tangible proof in the eyes of many experts that law enforcement is more professional in daily operations than ever before. Since it is believed by most social observers that our social problems are going to continue or increase in their diversity and complexity, it would make sense to conclude that law enforcement training programs will become even more specialized and sophisticated. The "architect" of these programs of the future will be the training director. This individual will have to have many qualifications and talents to function effectively in this changing training environment.

creasing use of educational technology, best exemplified by the recruit training programs of the Los Angeles Police Department and the Metropolitan Police in Washington, D.C., demands a high level of technical expertise on the part of the training director. Newly developed crisis intervention, hostage negotiation, and criminal behavior courses demand a thorough knowledge of the behavioral sciences. Finally, the issue of credibility of the training director in law enforcement is critical to the continued use of the training process to solve organizational problems. There is a time to train and a time when training will not solve the problem. Knowing the difference is important and having the credibility within the organization to sell the difference is critical.

Conclusion

If law enforcement agencies are going to be receptive to the impact of change in either individuals or institutions in our society, we must be prepared to use the training process as a means to assist both individuals and institutions to cope with change. The identification of training as one means by which an organization can solve problems is important, but finding an individual within the organization to develop and retain as the manager of this process is more important. Clearly, what we need is a "man of all seasons." It is not easy to find such an individual to act as the training director, but the effort will pay rich dividends in the long run.   **FBI**

The position of director of training within a law enforcement agency almost demands an individual with broad street experience, an extensive background in education and training programs, a strong personality to function as an advocate of new ideas, and the wisdom to act as a teacher, consultant, and confidant. The position also requires administrative skills, research and development skills, and the skill to act as a change agent. Obviously, mere promotion through the ranks will not adequately prepare an individual to serve in this capacity in a modern law enforcement agency. More is needed. Any individual who is chosen to act as training director should be exposed to a wide variety of training experiences, should obtain a strong academic background in adult education, and if possible, should be exposed to training in other parts of the public and private sectors.

The fact that the role of the law enforcement training director is changing apparently parallels the change also occurring in corporate training programs. In the March 1979, issue of the *Training and Development Journal,*[5] Clement, Walker, and Pinto fur-

nished the results of a study of members of the American Society for Training and Development (ASTD). The study was designed to probe the changing demands on the training professional. Over 2,000 trainers responded to the poll and the results indicate that change is occurring in that sector also. While the results cannot be directly applied to law enforcement trainers, the response points to trends which can be expected to have an inevitable impact on our profession. In brief, almost 30 percent of those polled indicated they were spending more time on management duties. Almost 40 percent believed that credibility was the most important behavioral characteristic of the training director. Finally, almost 60 percent of the trainers indicated that "increased technical awareness" and "increased knowledge of the behavioral sciences" were emerging as important requirements for the training and development professional.

It is realized that the above results are subject to wide interpretation as to their meaning and possible conclusion. But the results tend to confirm our observations of the law enforcement training process at the FBI Academy. That is, the role of the training director as an administrator at both the State and local levels is increasing. The in-

FOOTNOTES

[1] Calvin Otto and Rollin Glaser, *The Management of Training* (Reading, Mass.: Addison-Wesley Company, 1970), pp. 3–11.
[2] Gordon L. Lippit and Leonard Nadler, "Emergency Roles of the Training Director," *Training and Development Journal,* August 1967, Vol. 21, No. 8.
[3] R. L. Craig (Ed.), *Training and Development Handbook,* 2d ed. (New York: McGraw-Hill, 1976), chapter 3, pp. 1–4.
[4] Leonard Nadler, *Developing Human Resources* (Houston: Gulf Publishing Co., 1970) *passim.*
[5] Donald Clement, Patrick Pinto, and James Walker, "Changing Demands on the Training Professional," *Training and Development Journal,* March 1979, Vol. 33, No. 3, pp. 3–7.

The American Association of Police Physicians and Surgeons

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Dr. Jacob Kraft

The American Association of Police Physicians and Surgeons (AAPPS) was officially organized November 22, 1976, at the FBI Academy, Quantico, Va., by a group of 11 physicians representing police departments throughout the United States. Several of the prospective members met in an exploratory meeting at the 83d Annual Conference of the International Association of Chiefs of Police (IACP) in Miami Beach, Fla., on September 29, 1976. At this meeting, the AAPPS became a subsection of the IACP through the assistance and liaison direction of the IACP's Clifford S. Price.

The primary objectives of the association are:

1. To provide the means for fair exchange of information, ideas, counsel, and advice among police physicians and surgeons.

2. To support and advance the improvements of medical standards and treatment for police personnel.

3. To engage in research and educational programs covering all aspects of police medicine.

4. To encourage national, State, and local police agencies to use the services which will be provided by the organization.

Eligibility for active membership is limited to duly licensed medical and osteopathic physicians whose responsibilities include the care and treatment of police officers or who are employed or authorized by a police agency. The members of the association are required to be active, associate, or life members of the IACP. The following officers were reelected for a 2-year term at the annual IACP meeting in New York City on October 9, 1978:

President—
Jacob Kraft, M.D., Kansas City, Mo.
1st Vice President—
Clarence Robinson, M.D., New York, N.Y.
2d Vice President—
Howard Schneider, M.D., Yonkers, N.Y.
3d Vice President—
James Cooper, M.D., St. Louis, Mo.
Secretary/Treasurer—
George Devins, M.D., Kansas City, Mo.

The association's first scientific session, attended by 23 physicians, was held at the FBI Academy, Quantico, Va., on June 6 and 7, 1977, with symposia presented on physical standards for police officers and stress testing results in police officers as a prerequisite to jogging programs.

The first annual meeting in conjunction with a scientific program was held in October 1977, concurrently with the 84th Annual Conference of the IACP. Informative papers were presented and well-received: (1) Clarence Robinson, M.D., Senior Police Surgeon, on "Whither Physical Standards—Metropolitan Area"; (2) "Standards as Seen by a Police Educator"—Jack Seitzinger, Ph. D., Director, Greater St. Louis Police Academy; and (3) "Lead Exposure in Indoor Firing Ranges—Hazards and Recommendations"—Alf Fischbein, M.D., Assistant Professor of Community Medicine, Mount Sinai School of Medicine of the City University of New York. This subject was subsequently discussed by Thrift G. Hanks, M.D., Medical Director, City of Los Angeles, Calif.

Membership in the AAPPS has now grown to 37 physicians and surgeons, and by the enthusiasm thus far generated by those physicians attending the preceding meetings, it is anticipated that more physicians and surgeons will avail themselves of the opportunity to upgrade their expertise in the field of police medicine. The third annual scientific session of the AAPPS was held at the FBI Academy, in April 1979. Topics ranging from "Exercise and Hemodynamic Fitness" to "Audiology Recruit Requirements and Hearing Loss in Law Enforcement Officers" were presented.

The AAPPS, an enthusiastic and growing organization of physicians dedicated to improving the health and welfare of the law enforcement officer, has been the gratifying result of the support of Glen D. King, Executive Director of the IACP; Assistant Director Kenneth E. Joseph, Training Division, Federal Bureau of Investigation; and former FBI Director Clarence M. Kelley.

FBI

TASK ANALYSIS
A Beginning

By ROBERT O. WHITE
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Currently, there are four major forces acting on law enforcement training. These forces are stimulants for extremely rapid change in the content, methodology, and structure of recruit and inservice training.

The first major force is the impact of the Civil Rights Act of 1964, Title VII, on the twin processes of selection and training. The second is the reduction in available funds for police budgets, and in particular, police training budgets. The third is the rapid growth of civil liability in the area of selection, training, and negligent retention. And last, the continuing impact of technological advancement in the United States causes training programs to be in a constant state of flux in order to take advantage of new technology.

The cumulative effect of these forces on law enforcement training is such that the entire training process must be reviewed and revised in order to build a legally, morally, and operationally defensible program. To accomplish this, it is imperative to return to the basics, both in an educational and operational sense.

To develop an effective curriculum or training program for new recruits, it is imperative that this curriculum be based on a solid foundation. This foundation is a task analysis. After an organization has identified a particular job behavior (job description) that is needed to make that organization function, such as the position of patrolman, it is necessary to define, in detail, what that patrolman does on the job before the topics which will be taught him in the classroom can be addressed. Keep in mind that there is a distinction between training and education. Training is to prepare the individual to do a specific job, while education is broader in scope, preparing the individual to function in society.

Task analysis is a chronological statement of performances that are required in the completion of a given job or task. If one has ever purchased an item that required assembly, such as a model airplane, one has had to deal with a task analysis, and has probably

experienced several frustrations in assembling the item. Why? Because the analysis was probably incomplete, or at best, confusing because there was not enough detail in the set of instructions. In a thorough task analysis, one must state as many parts or instructions as possible to identify all of the small tasks required to complete the overall task.

Many States and departments have addressed the problem of building a firm foundation for their training programs by conducting the necessary task analysis, and through the various police standards and training councils, this information is being disseminated to most departments. This is a very healthy development. However, given the broad approach that training councils often are required to take, the task analysis may not meet the needs of every instructor in every department. For example, each department may have a separate, or slightly different, procedure for stopping cars. For this reason, performance of this task by patrolmen may differ slightly, or even significantly, from department to department, and therefore it will be taught
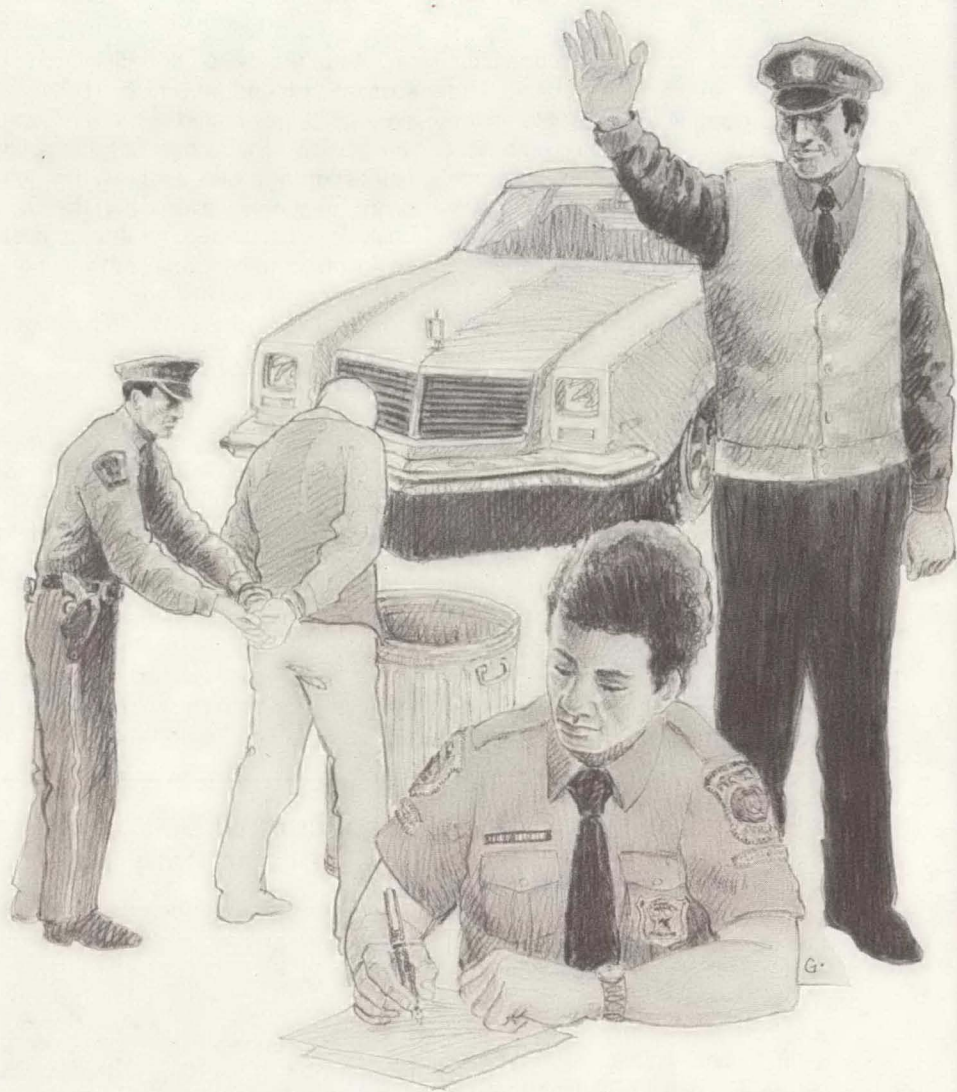
differently by each department. One cannot effectively or efficiently teach someone to do a task until the trainer has done a thorough analysis of that task.

There is nothing magical about conducting a task analysis. It is more a matter of hard work and placing on paper, in *performance terms,* what the task is. The four basic methods of conducting a task analysis are:

1. Observation Task Analysis—Actually watching a skilled worker do the job.

2. Simulated Task Analysis—If one is a skilled performer of the job in question, you can imagine the job being done.

3. Content Analysis—Analyzing the content of texts or other existing instructional material, operating instructions, procedural guides, or tests, and

4. Interview Analysis (or Consensus Analysis)—Interviewing a subject matter expert or specialist about the job performance in question.[1]

Before an instructor can feel secure about his task analysis, he should use more than one, and perhaps all four, of the above methods. Keep in mind that in the systems approach to training, the first step is to conduct the task analysis, since this is the foundation upon which a training program must be built. If the foundation is faulty, subsequent construction will be faulty and will no doubt crumble. For this reason, one will want to check with sources of sufficient expertise to obtain the data or analysis that will withstand the challenges of training councils and even the courts during the validation process.

The key term to the validation process is "job-related." As police instructors, our job is the business of training personnel to do a specific job; therefore, the training must be related to that job. This is why task analysis is mandatory.

The task of writing a task analysis can also be analyzed. Therefore, in writing a task analysis, it is necessary to perform two major tasks:[2] (1) Identify major tasks and their corresponding subtasks (written in performance terminology), and (2) sequence the tasks in the order of their performance.

The above two tasks are stated very simply, and at first glance, do not seem very difficult. It is the identification of the subtasks with *thoroughness, precision,* and *practicality* or good judgment, in step one, that requires consid-

erable effort. To be thorough one must draw upon his own memory bank, read as many documents as possible on the subject matter, view films, interview subject matter experts, and observe people at work to insure that his task analysis is accurate and inclusive enough to withstand the challenge of being job-related.

To be precise one must state each subtask in performance terms and also in its relation to the major task. Performance, for the purpose of this discussion, is the student doing something the instructor can observe and evaluate. Examples of this would be to write a report or to drive a car through a defensive driving course.

The task of writing a report is really a terminal performance or the end product of a series of smaller tasks. For the student to actually write the report, he must perform several subtasks. Would not the chore of stating the necessary items to be included in the report be a subtask? For that matter, to state the type of report that is to be made, such as a parking ticket report, accident report, or an investigative report, is a subtask. Consider the fact that there may be several different report forms to be used with the different types of reports to be made. Would not having the student select the proper form to use with a given type of report be a subtask of writing that report? When the report is being written, would it be unreasonable to ask the student to state the number of copies that are required for a given report?

The terminal performance of writing a report could be possibly broken down into three (perhaps more) major phases—preparation for writing the report, organization of materials, and the actual writing of the report. These three steps are subtasks of the terminal performance and would also have subtasks that would include those items previously mentioned.

The flow of the major tasks and subtasks should be in the order in which they are performed when the officer is, in reality, doing the task on the job. If this is done, then one has a job-related task analysis, which again is the key to the validation process of a training program.

As in the design of a building, the foundation is the beginning. To develop a valid, job-related curriculum, one must begin construction with the solid foundation of a task analysis. The job is only begun, however, when the task analysis is completed, for it then must be followed with several other important major steps. They are:

1. Identify the skills (knowledge, motor skills, or attitudes) that are required to perform each subtask of the analysis.

2. Determine the trainee's skill level when he arrives for training and match that skill level with what he must learn in order to perform on the job (training needs).

3. Write instructional objectives based on the training needs of the trainees.

4. Write criterion test items that measure the trainee's ability to perform each objective. There should be a

Conceptual Design of a Training Program

Evaluate Effectiveness of Training Program (Old Trainees Learn Objectives)

Evaluate The Job Relatedness of Training Program

Conduct Training

Develop Instructional Materials

Write Criterion Test Items

Write Instructional Objectives

Determine Trainees' Skill Level (Training Needs)

Identify Skills Required To Perform Task

TASK ANALYSIS

match (one-to-one correlation) between instructional objectives and the test items. This is why the word criterion is used to describe the test item.

5. Develop the instructional materials (lesson plans) that are required to teach the trainee how to perform the instructional objectives that have been derived.

Conclusion

The impact of the Civil Rights Act of 1964 has legitimately forced law enforcement to examine both selection and training standards to determine whether a correlation exists between the artificial standard and the performance requirements of the patrolman position. Many of our standards could not stand the examination and have been abandoned. Still there remains the problem of accurately, and legally, discriminating between the qualified and unqualified applicant or trainee. In order to accomplish this objective, we must know the elements of the job, or the tasks involved, and the standard of performance required by the organization for each task. Although this process which we have called task analysis is time-consuming, expensive, and seemingly counter to our efforts to reduce costs, it is in the long run the only solution. This investment in time and money can result in significant future monetary savings in better applicant selection and training systems. It should reduce civil liability claims and result in a more efficient use of available training technology. Perhaps, though, the most important reason to engage in the process of task analysis is to eliminate the arbitrary, artificial, selection standards which have been so often viewed as barriers to the employment of minorities. Equal opportunity in our profession is a worthy law enforcement objective, necessary to the well-being of our Nation. Task analysis is a beginning . . . . **FBI**
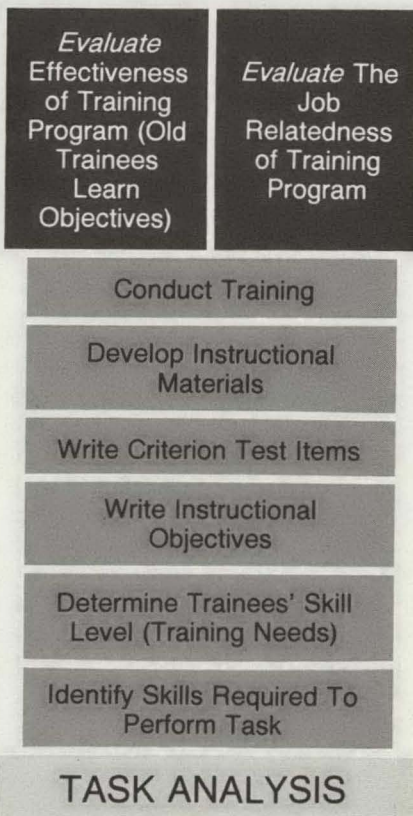
Footnotes

[1] "Instructional Technology Workshop Script Book" (Baltimore, Md.: General Programmed Teaching, 1972) p. 4A–2.

[2] Peter J. Essett and Mary S. Essett, *Behavioral Task Analysis* (Columbia, Md.: ESF Press, 1974), p. 3.

Computer Crime Investigators

A New Training Field

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Computer crime has been called by various names: Computer abuse, computer fraud, computer-related crime, and automatic data processing (ADP) crime. Regardless of the terms used to describe computer crime, it is where the "big money" is today in white-collar crime, with corporate computer crime losses averaging $621,000 [1] per incident.

Law enforcement officers can be trained to investigate competently, professionally, and successfully 93 percent of all computer crimes, and to recognize the level of technical expertise required in a consultant to solve the remaining 7 percent, as will be demonstrated.

The Economic and Financial Crimes Training Unit of the FBI Training Division has conducted extensive research into the training needs of computer crime investigators. The research is based on an analysis of computer systems to determine the areas of vulnerability and the methods of penetration.

A typical computer system uses programs (instructions) to enter data (alphabetic or numeric material) via an input device to a central processing unit (CPU), where the data is processed and output produced, which ultimately becomes information. It is this flow, input/processing-output, that is basic to all computer systems. To facilitate this flow, there must be some form of auxiliary storage (magnetic disk and/or tape), a console unit (which allows communication between the CPU and the computer operator), and terminals (which allow remote access to the computer system). The unshaded portion of figure 1 illustrates this computer system.

Areas of Vulnerability

The shaded portions of figure 1 represent the areas of vulnerability in a

computer system. As is evident, input can be altered; computer programs can be altered or created; CPU's can be misused; data contained in auxiliary storage files can be added to, changed, or deleted from; output can be altered; operating systems can be modified to allow perpetrators control of the computer; and computer communications can be intercepted or altered.

Computer Crime Schemes

The areas of vulnerability identified in figure 1 can be considered as computer crime schemes and can then be ranked according to the technical difficulty required to commit the crime. In ascending difficulty, the ranking is:

1. Input/output alteration,
2. Computer operations,
3. Computer programs,
4. Auxiliary storage manipulation,
5. Operating system penetration, and
6. Computer communications.

The alteration of input/output would be the least technically difficult scheme used to commit a crime, while the interception or alteration of computer communications is the most technically difficult crime scheme. By analyzing these schemes in terms of technical capabilities, computer crime suspects can be developed.

Computer Crime Suspects

Within any data processing organization there are only four basic functions performed: (1) Data entry, (2) machine operations, (3) application programing, and (4) systems analysis. Computer personnel are assigned to work in one of these four basic functions depending on education

"Law enforcement officers can be trained to investigate competently, professionally, and successfully 93 percent of all computer crimes . . ."

level, experience level, needs of the organization, and other miscellaneous factors. The data entry function is the least skilled area with the greatest number of persons assigned and the systems analysis is the most skilled area with the least number of persons assigned. It is these identifiable skill levels, or personnel capabilities, that allow computer crime suspects to be developed. As illustrated in figure 2, personnel having systems analyst capabilities are capable of perpetrating crimes in the most sophisticated scheme levels, computer communications, and operating system penetration.

The process of being able to identify the crime as occurring in either crime scheme 5 (operating system penetration) or crime scheme 6 (computer communications) assists the investigator in developing suspects and narrowing the scope of the investigation. At these levels, only the more skilled personnel will have the technical ability to commit crimes. The more skilled the job function, the fewer the number of personnel capable of performing that job. If the crime scheme is identified as a computer program, then figure 2 shows that the suspects are programers and systems analysts. Personnel in both functions possess this technical capability. Investigators identifying crime schemes in the input/output alteration level have a broad range of suspects. Figure 2 points out that not only data entry personnel are technically capable of criminal activity at this level, but also everyone else in the organization with that technical capability. It is important then for the investigator to be able to recognize the highest technical level at which the scheme was perpetrated in order to narrow the scope of the investigation. Investigators must be trained not only in how to investigate computer crimes, but also in how to recognize the type of scheme used.

Training Levels

The training needs of the computer crime investigator can be stated in terms of three training levels: (1) An awareness level, (2) a comprehensive level, and (3) a specialist level. Figure 3 illustrates that these training levels can be applied to the schemes of computer crime to determine the level of training needed by the investigator to

Figure 1. Today's computer systems are totally vulnerable.

COMPUTER SYSTEM
AREAS OF VULNERABILITY
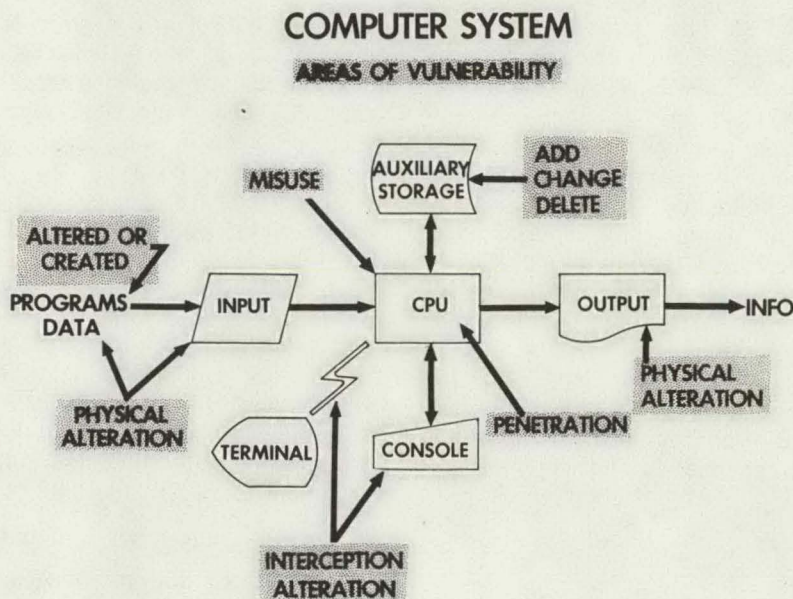
conduct a professional investigation. In addition, training programs must consider these evidence problems: Sources, recognition, obtaining, and preservation.

The first level of training for a computer crime investigator is the awareness level, which addresses the least sophisticated computer crime schemes. As indicated in figure 3, this training program will provide the investigator with the technical knowledge to investigate successfully computer crimes involving input/output alteration and computer operations. The source of evidence in cases involving input/output alteration is the source document. In cases where computer operations are involved, the source of evidence is frequently the console log. Since training must involve teaching the investigator how to obtain evidence, this level training must stress terminology, recognition and understanding of source documents, and the availability of information from console logs.

The second level of training, the comprehensive level, must concentrate on computer crime schemes involving computer programs and the manipulation of auxiliary storage. As indicated in figure 3, the source of evidence in computer crime schemes involving computer programs may in fact be a source program and a corresponding object program. The sources of evidence for computer crime schemes involving auxiliary storage manipulation are found in job accounting systems and system documentation. Therefore, this comprehensive level training program must provide the investigator with the technical skills to

> ". . . and to recognize the level of technical expertise required in a consultant to solve the remaining 7 percent . . . ."

understand the complexities of computer programs, how to locate the programs, how to distinguish between a source program and an object program, and the importance and function of each.

The investigator must be able to obtain various types of documentation and be prepared to use the documentation as an investigative aid, in addition to being able to decipher job accounting logs. By its very design and position in the hierarchy of training levels, the comprehensive level training program provides the investigator with the technical skills to investigate computer crime schemes ranging from input/output alteration to auxiliary storage manipulation. It must also exceed this level and address the operating system penetration and computer communications schemes.

The third level of training is the specialist level. It is the most sophisticated training level (and rightfully so) since it is designed to combat the computer crime schemes involving the penetration of operating systems and the alteration or interception of computer communications. The sources of evidence in these cases are often located in communication logs, communication system documentation, or other sophisticated areas.

Computer crimes perpetrated in this training level are so sophisticated, and the technology used so dynamic that it changes almost daily, that only practicing, competent computer spe-

Figure 2. The computer crime scheme can be used to identify suspects by technical capability.
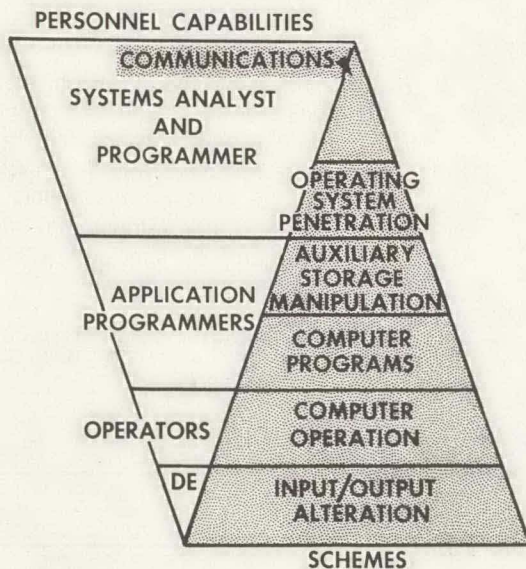
Figure 3. Identifying computer crime schemes can guide the investigator to sources of evidence, while training programs can focus on recognizing, obtaining, and preserving that evidence.

PERSONNEL CAPABILITIES

COMMUNICATIONS
SYSTEMS ANALYST AND PROGRAMMER
OPERATING SYSTEM PENETRATION
AUXILIARY STORAGE MANIPULATION
APPLICATION PROGRAMMERS
COMPUTER PROGRAMS
COMPUTER OPERATION
OPERATORS
DE
INPUT/OUTPUT ALTERATION
SCHEMES

TRAINING LEVELS   SOURCES OF EVIDENCE

COMMUNICATIONS
SPECIALIST
COMMUNICATION LOG AND DOCUMENTATION
OPERATING SYSTEM PENETRATION
COMPRE-HENSIVE
AUXILIARY STORAGE MANIPULATION
JOB ACCOUNTING SYSTEM AND DOCUMENTATION
COMPUTER PROGRAMS
SOURCE AND OBJECT
AWARE-NESS
COMPUTER OPERATION
CONSOLE LOG
INPUT/OUTPUT ALTERATION
SD
SCHEMES

cialists feel at ease in this area. Rather than design a training program to provide the investigator with the highly sophisticated technical skills needed to investigate this level computer crime scheme, another approach is more practical. (Even if the investigator were trained at this level, the technical skills would be lost or outdated almost immediately due to the rapidly changing technology and the investigator's inability to devote full time to this field.) During the comprehensive level training program, the investigator can be made aware of the type of computer specialist needed to assist and consult in the various schemes being perpetrated at the specialist level, as well as the sources of evidence. In this manner, the investigator can maintain control over the case and direct the activities of the computer specialist.

To determine the number of personnel to commit to such training, knowledge of the distribution of cases and the length of such training programs is necessary.

Distribution of Cases

Research conducted at the FBI Academy indicates that the number of occurrences of computer crime is greatly reduced by the degree of technical ability required to perpetrate the scheme. The majority of the cases occur in the input/output alteration level, while very few cases are known to have occurred in crime scheme 6 (computer communications). Figure 4 indicates that 58 percent of the detected computer crimes occur in schemes 1 and 2, input/output alteration and computer operation, respectively; 35 percent of the cases occur in crime schemes 3 and 4, computer programs and the manipulation of auxiliary storage; and 7 percent of the cases are in schemes 5 and 6, operating system penetration and computer communications. This distribution of cases manifests the types of training programs needed.

Of these schemes, computer programing appears to be the fastest growing scheme and is taking on a new look. In the early stages of research, it was found that legitimate computer programs were often later altered to commit a crime. More recently detected, entire computer programs are being prepared for no other purpose than to commit a crime.

Training Programs

Training can thus be set up in terms of three levels of sophistication. An awareness-type training program, as taught by the Federal Bureau of Investigation, lasts 5 days and gives the investigator the technical skills necessary to investigate 58 percent of the cases (as indicated in figure 4). Although this is the level of the majority of the crimes, monetary losses are frequently insignificant or negligible.

Quality cases or crimes involving large and significant monetary losses appear to be occurring in training level 2, which is a comprehensive training level. The FBI's comprehensive level training program lasts 4 weeks. The investigators who complete this training program are then given refresher training approximately every 18 months to maintain and update their technical skills.

Through training in the awareness and comprehensive levels, 93 percent of the computer crime cases can be successfully, competently, and professionally investigated (as indicated in figure 4).

Those few investigators receiving the comprehensive training are also taught to recognize the crime schemes being perpetrated at the specialist level. This training provides the investigator with the technical skills to maintain control over and direct the investigation, using the consulting services and assistance of a computer specialist.

Training programs for investigators of computer crimes must be carefully designed and administered to provide the investigator with the technical skills to investigate computer crimes professionally without making him or her a computer specialist. **FBI**

Figure 4. Investigators can be trained to investigate successfully 93 percent of all computer crimes, while maintaining professional control over the remaining 7 percent.

Footnotes

[1] *Congressional Record* Proceedings and Debates of the 96th Congress, 1st sess., Vol. 125, No. 7, January 25, 1979, p. S 726.
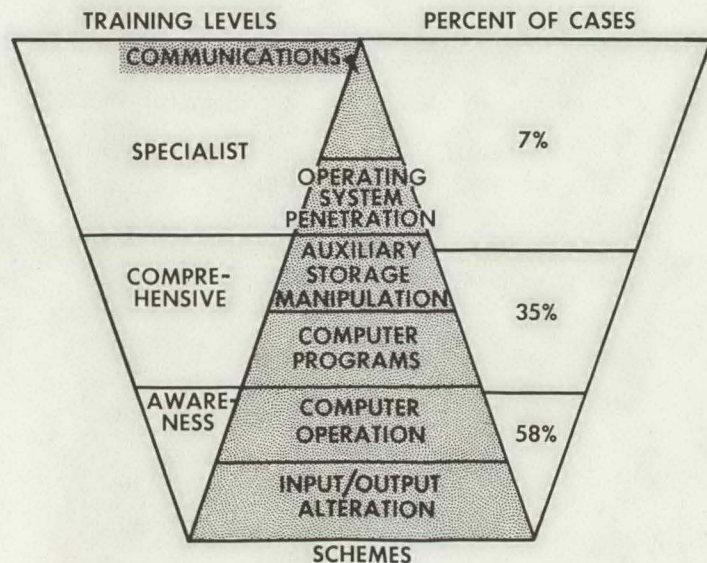
Nonverbal Behavior in the Training Environment

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Formal appearance
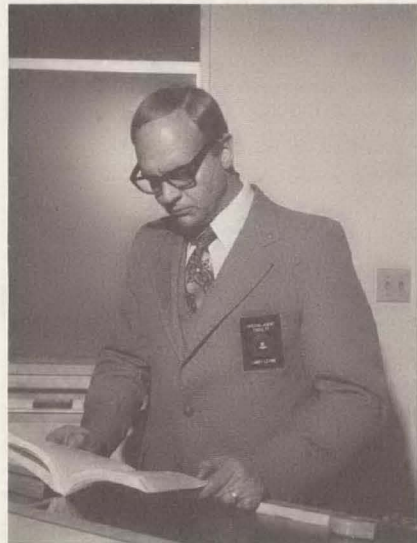
Informal appearance

The instructor entered the class wearing a three-piece, gray pinstriped suit. He positioned himself behind the lectern, adjusted his glasses, opened his book, and began to lecture to the class. He maintained a minimum of eye contact with us. His face was expressionless, and he did not move from behind his lectern. His Academy emblem loomed large.

I knew he was cold, aloof, formal, disinterested, and maybe even insecure. I began to feel uncomfortable. He must have felt the same way. Although his verbal message was clear, concise, logical, and interesting, I began to wish he would smile, nod, or raise an eyebrow.

The instructor described above created a distinct impression in the mind of one of his students. The impression was an initial impression which may or may not be accurate. It was an impression which may or may not have been created intentionally.

The impression was created as a result of the student's evaluation of the
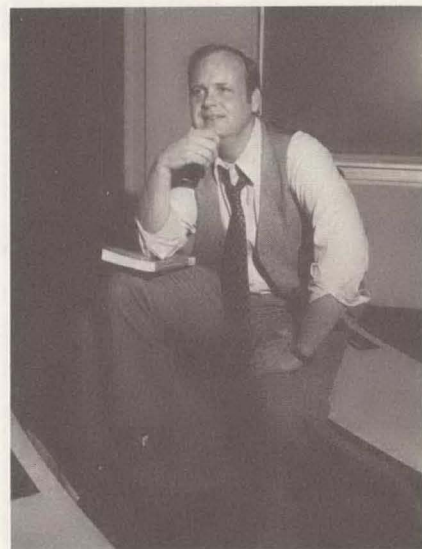
instructor's verbal message and nonverbal behaviors.

Was this instructor effective? While not recommending a particular teaching style, we hope to make the instructor sensitive to and aware of his nonverbal behavior before the class. This is an important first step in establishing effective communication.

As instructors or public speakers, we need to be aware of the fact that we are communicating before we open our mouths to speak. We are constantly creating impressions we may or may not wish to create and which we may or may not be aware of.

Physical appearance, dress, clothing color, facial expressions, gestures, tone of voice, and personal distancing are but a few of the areas of nonverbal behavior which affect verbal messages they accompany. These behaviors may modify the verbal message by reinforcing or contradicting it.

Students may receive nonverbal messages and react to them without being aware of their reaction. They may attach incorrect meanings to words we use and may also attach incorrect meanings to nonverbal cues and react inappropriately.[1]

One expert in the field of communication has described communication as "all of human behavior." In this light, we are actually saying that we *cannot not* communicate.[2] Any of our behavior that is perceived and interpreted by someone else is communication. The instructor is constantly communicating, even if he does not intend to communicate or is not aware that he is communicating.

Mark Knapp, author of *Nonverbal Communication in Human Interaction*, broadly describes nonverbal communication as applying to those events in which words are neither spoken nor written.[3] Eisenberg and Smith in *Nonverbal Communication* discuss nonverbal communication in terms of "messages without words."[4]

Management consultant Stan Herman, in the film entitled "Communication: the Nonverbal Agenda," makes the following observations:

Although we can manipulate and disguise our verbal messages at will, our bodies are predisposed to convey only the true meaning of our expressions. When verbal and nonverbal messages conflict, the listener invariably relies on the nonverbal; we trust actions more than words.[5]

"Nonverbal behavior is a language," says Knapp. The verbal language is conscious—the nonverbal is unconscious; the verbal *describes* emotion—the nonverbal *expresses* emotion; the verbal is rational—the

> ## "As instructors or public speakers, we need to be aware of the fact that we are communicating before we open our mouths to speak."

nonverbal is subjective and intellectual.[6] This *unconscious* nonverbal language consists of numerous areas of behavior which, taken in totality and added to the conscious verbal message, affect the instructor's effectiveness in communicating his or her ideas.

Proxemics

Proxemics is often described as body space or personal distancing. It refers to space relationships between people interacting with others. Edward T. Hall in *The Hidden Dimension* describes four categories of informal space as a message system—intimate, personal, social, and public.[7] Consider the categories of personal and public space.

Public distance ranges from 12 feet to infinity or beyond the range of human hearing or visibility. It is the distance generally reserved for lectures, conferences, and meetings.[8]

Personal distance ranges from a distance of 18 inches out to approximately 4 feet. It is the distance within which the physical characteristics of

another are most in focus and which allows feedback from the eyes and face of another. This distance is reserved for personal conversations with friends.[9]

The instructor who remains behind the lectern during the course of his entire lecture will create a mood of deference and authority. He is not allowing himself the benefit derived from more personal interaction with the students and the necessary nonverbal feedback he should have to interpret properly the mood of the class. Employing the nonverbal area of proxemics can enhance the instructor's ability to generate class participation, control the attention of the class, prevent discipline problems, and create a less formal learning environment. Students will get the impression that an instructor is more interested in and concerned for them if the instructor decreases the interpersonal distance. The instructor's smiles, nods, frowns, and gestures supplement his proxemic behavior and increase his impact on the class.[10]

Physical Appearance and Clothing

"Clothes may encourage or discourage patterns of communication."[11] "We do know, however, that appearance and dress are part of the total nonverbal stimuli which influence interpersonal responses and under some conditions they are the primary determiners of such responses."[12] These words from Knapp underscore the importance of the nonverbal impact of personal physical appearance and dress upon the communicative process.

Leonard Blickman has written that clothing gives cues to our social status and occupation and ". . . are important determinants of one person's reaction to another. Your clothes talk before you open your mouth."[13] Observation of an individual's appearance has the effect of communicating a whole complex of information pertaining to the person's character, position, and status in life.[14]

Roach and Eicher in *The Visible Self* report that dress is related to subjective states called moods. An individual's dress may create mood, maintain mood, indicate mood change, or disguise mood. Individuals react to people they do not know according to how they interpret their appearance.[15]

Each of us has little control over many aspects of our physical appearance. We either have hair or we don't; we look good wearing a mustache or we don't; we are tall or we are not. Even though physical appearance has no necessary relation to competence or effectiveness in the classroom, instructors should be tuned-in to the variables of appearance, which they can manipulate to make an impression, create a certain mood, or project a particular image.[16] Custom, tradition, or regulations often dictate the appropriate attire for the instructor; however, it should be pointed out that a formal appearance may serve to create a formal classroom atmosphere.

Conclusion

Dr. Albert Mehrabian, research psychologist, describes three dimensions of any communicated message as verbal, vocal, and facial. He subdivides the total impact of the message as follows: 7 percent verbal and 93 percent nonverbal (38 percent vocal—pitch, stress, tone, length, and frequency of pauses and 55 percent facial).[17] Whether we agree or disagree with Dr. Mehrabian's startling percentages, it is generally held that over 60 percent of the impact or meaning of a communicated message does reside in the nonverbal behavior accompanying the oral message.

Tones of voice and facial gestures display our true feelings. Through them the instructor expresses such emotional states as confidence, interest, sincerity, caring, disgust, or apprehension. Students are constantly reading our nonverbal cues to see if they complement, substitute for, accent, or contradict what we say. They pass judgment, correctly or incorrectly, on what the instructor's unconscious language is saying. The law enforcement student is extremely sensitive to nonverbal communication due to the nature of his daily job performance; therefore, it is incumbent upon the trainer to be aware of the unconscious language.

"One expert in the field of communication has described communication as 'all of human behavior.' In this light, we are actually saying that we *cannot not* communicate."

For the reader interested in further information on this subject, the following would be of use:

Berscheid, E., E. Walster, and G. Bohrnstedt, "The Happy American Body, A Survey Report," *Psychology Today,* 7, (1973).

Blickman, Leonard, "Social Roles and Uniforms: Clothes Make the Person," *Psychology Today,* (April 1974).

Cortes, J. B., and F. M. Gatti, "Physique and Self-Description of Temperament," *Journal of Consulting Psychology,* 29 (1965).

Cronkhite, Gary, *Public Speaking and Critical Listening.* Menlo Park, Calif.: The Benjamin/Cummings Publishing Company, Inc., 1978.

"Communication: Nonverbal Agenda." 30 minutes, Sound, Color, 16mm. New York, N.Y.: McGraw-Hill Films, 1975.

Eisenberg, Abne M., *Living Communication.* Englewood Cliffs, N.J.: Prentice Hall, Inc., 1975.

Eisenberg, Abne, and Ralph R. Smith, Jr., *Nonverbal Communication.* Indianapolis: Bobbs-Merrill, 1971.

Hall, Edward T., *The Silent Language.* Garden City, N.Y.: Doubleday and Company, Inc., 1973.

Hall, Edward T., *The Hidden Dimension.* Garden City, N.Y.: Doubleday and Company, Inc., 1969.

Horn, Marilyn J., *The Second Skin: An Interdisciplinary Study of Clothing.* New York: Haughton Mifflin Company, 1968.

Kelly, J., "Dress as Nonverbal Communication." (Paper presented to the Annual Conference of American Association for Public Opinion Research), May 1969.

Knapp, Mark L., *Nonverbal Communication in Human Interaction.* New York: Holt, Rinehart, and Winston, 1978.

Malooy, John T., *Dress for Success.* New York: Warner Books, 1975.

Mehrabian, Albert., *Nonverbal Communication.* Chicago: Aldine Publishing Company, 1972.

Roach, Mary Ellen, and Joanne B. Eicher, *The Visible Self: Perspectives on Dress.* Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1973.

Rosenfeld, Lawrence B., and Jean M. Civikly, *With Words Unspoken: The Nonverbal Experience.* New York: Holt, Rinehart, and Winston, 1976.

Smith, Dennis R., and L. Keith Williamson, *Interpersonal Communication: Roles, Rules, Strategies, and Games.* Dubuque, Iowa: W. C. Brown Co., 1977. **FBI**

Footnotes

[1] Gary Cronkhite, *Public Speaking and Critical Listening* (Menlo Park, Calif.: The Benjamin/Cummings Publishing Company, Inc., 1978), p. 281.

[2] Dennis R. Smith and L. Keith Williamson, *Interpersonal Communication: Roles, Rules, Strategies, and Games* (Dubuque, Iowa: W. C. Brown Co., 1977), p. 61.

[3] Lawrence B. Rosenfeld and Jean M. Civikly, *With Words Unspoken: The Nonverbal Experience* (New York: Holt, Rinehart, and Winston, 1976), p. 10.

[4] *Ibid.*

[5] "Communication: The Nonverbal Agenda." 30 minutes, sound, color, 16mm (New York: McGraw-Hill Films), 1975.

[6] Rosenfeld and Civikly, p. 9.

[7] *Ibid.,* pp. 107–122.

[8] *Ibid.*

[9] *Ibid.*

[10] Cronkhite, p. 287.

[11] Mark L. Knapp, *Nonverbal Communication in Human Interaction* (New York: Holt, Rinehart, and Winston, 1972), p. 84.

[12] *Ibid.,* pp. 85–86.

[13] Leonard Blickman, "Social Roles and Uniforms: Clothes Make the Person," *Psychology Today,* April 1974, pp. 49–51.

[14] *Ibid.*

[15] Mary Ellen Roach and Joanne B. Eicher, *The Visible Self: Perspectives on Dress* (Englewood Cliffs, N.J.: Prentice Hall, Inc., 1973), pp. 164–174.

[16] Cronkhite, pp. 282–283.

[17] "Communication: The Nonverbal Agenda." Instructor's Guide, p. 4.

Legal Training in the FBI

By DONALD J. McLAUGHLIN
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Mapp, Gideon, Miranda, Terry, Chimel. Ask any law enforcement officer what those names mean and chances are he will recite a series of rules that govern the conduct of criminal investigations. He is also likely to observe plaintively that in the past 20 years, the officer has been required to become a legal scholar in addition to his other roles—that of enforcer, negotiator, confessor, psychologist, and marriage counselor. Although this may be an overstatement, it is apparent that changes in constitutional criminal procedure, crafted by the Supreme Court and embellished by lower court decisions and departmental regulations, have imposed a heavy burden on an officer to know the law. His failure to adhere to these changing rules can seriously jeopardize criminal prosecutions.

There is another factor underscoring the need for an officer to know the law. Since the middle 1960's, Federal and State courts have witnessed an explosion of civil suits in which, unfortunately, the officer has been the targeted defendant. While most of these actions are resolved ultimately in favor of the officer, the problems of litigation—expense, time, morale, efficiency—are debilitating to both the officer and the department.

The most successful defense to lawsuits aimed at the officer is proof that he complied with the law. More importantly, his careful, prudent, knowledgeable adherence to legal standards may serve, in the first instance, to eliminate the basis for a civil claim.

If understanding the law is so important, where and how does an officer acquire this legal knowledge? How does he remain current? What follows

describes the formal legal training program offered recently appointed FBI Agents and their more experienced associates in the 59 Bureau field offices throughout the country. The description is offered with the thought that State and local law enforcement agencies might be interested in how the FBI conducts legal training for its own Agents.

New Agent Training

Newly appointed Agents undergo an arduous 15-week, 596-hour program of academic, physical, and firearms training. Academic training consists of 405 classroom hours, of which 178 are devoted to the study of constitutional, procedural, and substantive law.

The study of constitutional and procedural law is composed of 69 class hours and is divided into three phases. At the conclusion of each, a written examination is administered. Classes are generally taught in segments no longer than 2 hours in duration. The topics and hours devoted to each, and in the sequence offered, are described in figure 1.

Instructors who conduct this legal training for New Agents at the FBI Academy, Quantico, Va., are graduates of accredited law schools who serve as field investigators before returning to the Academy as instructors. During this field experience, each also acts as a legal adviser for an FBI field office and as a legal instructor for State and local police.

Materials for instruction in constitutional and criminal procedure consist of the U.S. Constitution, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, training monographs, legal articles reprinted from The Legal Digest of the *FBI Law Enforcement Bulletin,* and a legal handbook containing a summary of principles, FBI policy related thereto, and practical guidance in how to conform to both. In addition, a criminal law casebook is furnished each student.

The casebook merits particular attention, since it plays a key role in FBI legal instruction. The casebook consists of 89 court decisions, mainly those of the U.S. Supreme Court, edited for the classroom use of law enforcement officers. The casebook is divided into 13 sections: Probable Cause, Affidavits and Complaints, Investigative Detention, Search of Persons, Search of Premises, Search of Motor Vehicles, Confessions, Eyewitness Identification, Electronic Interception, Civil Liability, Informants, Entrapment, and the Exclusionary Rule.

In the area of constitutional and procedural law, a modified case method of instruction is used for New Agent training. The students are required through homework assignments to analyze court decisions of particular concern to law enforcement, brief the cases, and be prepared to discuss them in class. Outside reading requirements and practical problems supplement classroom instruction.

Constitutional and procedural law is substantially completed by the 8th week of training. In the final 7 weeks of the New Agent course, 109 hours are devoted to the study of substantive criminal violations. Experts in the field of Federal criminal violations within the primary investigative jurisdiction of the FBI offer presentations designed to acquaint New Agents with information concerning those crimes—the elements of the statutes, investigative approaches, and FBI policies and procedures. Crimes such as bank embezzlement, theft from interstate shipment, kidnaping, fraud against the

government, and espionage are studied. White-collar crime and organized crime receive special emphasis.

Inservice Training

Formal legal instruction does not end with the completion of the New Agent training program. Specialized inservice classes are held frequently at the FBI Academy. Intensified training in

hostage negotiation, firearms instruction, fingerprint technology, crisis intervention, etc., is offered. Such subjects raise important legal problems relating to criminal procedure and civil liability. Accordingly, several hours in each course are set aside for discussion of legal matters.

In each of the 59 FBI field offices, a legal adviser is appointed to assist

Figure 1   **New Agent Legal Training**

Time		Topic	Hours
Week	1, Day 3	Constitution	2
	Day 4	Constitution, Bill of Rights	2
	Day 4	Federal Criminal Law	2
	Day 5	Federal Rules of Criminal Procedure	2
Week	2, Day 1, 2	Federal Rules of Criminal Procedure	7
	4, 5		
	Day 5	Juvenile Delinquency Act	1
Week	3, Day 2, 3	Federal Rules of Evidence	4
	Day 4	Legal Examination No. 1	1
		Subtotal	21
Week	4, Day 1	Case Method of Study	1
	Day 1	Agent's Arrest Authority	1
	Day 2	Exclusionary, Derivative Evidence Rules	1
	Day 2	Probable Cause Standard	1
	Day 3	Probable Cause-Arrest Without Warrant	2
	Day 4	Probable Cause-Complaint Preparation	2
	Day 5	Probable Cause for Search-Affidavit Preparation	2
Week	5, Day 2	Probable Cause for Search-Affidavit Preparation	1
	Day 3	Arrest and Search Warrant Execution	1
	Day 4, 5	Investigative Detention	4
Week	6, Day 1	Legal Examination No. 2	1
		Subtotal	17
Week	6, Day 2	Search of Persons	2
	Day 3, 5	Warrantless Search of Premises	4
Week	7, Day 1	Search of Vehicles	2
	Day 2, 4	Confessions and Interrogation	4
	Day 5	Electronic Surveillance	2
Week	8, Day 1	Civil and Criminal Liability	2
	Day 2	Eyewitness Identification	2
	Day 3	Entrapment and Informants	1
	Day 4	Legal Examination No. 3	1
		Subtotal	20
Week 13, Day 1		Testifying in Court	3
Week 15, Day 4		Moot Court	8
		Subtotal	11
		Total Hours	69

the Special Agent in Charge and the other Agents assigned to that office. Legal advisers are Special Agents who are graduates of accredited law schools. They are experienced investigators whose role in the field office is to offer advice to fellow Agents regarding arrest problems, search and seizure, the preparation of affidavits, etc. The availability of this legal resource is intended to assure that investigations conducted by the FBI conform to the letter and the spirit of the law.

Field legal advisers qualify for the position by completion of a 3-week specialized inservice class offered at the FBI Academy. The school is conducted by the same instructors who handle New Agent training, supplemented by outside speakers, including professors from the University of Virginia Law School. It has two main objectives:

1. To reacquaint the student with the fundamental legal principles that control FBI investigations; and

2. To update the student on recent developments in the law.

Accomplishment of these objectives serves to prepare the person attending to function as a field legal adviser and as an instructor in legal matters.

The legal inservice course is designed for Agent-attorneys, and is thus broader in scope and greater in depth than New Agent legal training. The school consists of 75 classroom hours, supplemented by 40 hours of research in the law library. In addition to the subjects mentioned above in connection with New Agents training, legal inservice attendees study such topics as the First Amendment, Juvenile Rights, the Rule of the Supreme Court, the Freedom of Information and Privacy Acts, and Problems of Police Administration.

Since those attending the legal inservice course will, upon completion, conduct formal instruction of FBI Agents and local law enforcement officers in legal matters, part of the course

is set aside for educational training—public speaking, lesson plans, use of training aids, etc. Practice teaching is required of each attendee.

Advice or instruction of a legal adviser is valuable only if timely. Recognizing the need to keep legal advisers current, refresher inservices are conducted twice yearly. The refreshers offer a 4½-day, concentrated presentation of recent legal developments, an analysis of relevant FBI policy, and a discussion of trends in the law. In addition, the refresher provides an opportunity for field office input into decisions regarding FBI policy.

Field Office Legal Training

The target of law enforcement agency legal training should be the officer in the street, the field investigator. With this in mind, the FBI has mandated a formal training program for each of its field offices. It requires 16 hours of legal instruction for each Agent annually. The program is conducted by the field legal advisers, with occasional appearances by magistrates, prosecutors, and others connected with the criminal justice system.

The following topics must be covered in the annual training sessions: Arrest, Probable Cause, Investigative Detention, Search of Persons and Premises, Affidavits and Complaints, Search of Motor Vehicles, Interrogation and Confessions, Eyewitness Identification, Electronic Interception, Civil Liability, Informants, Entrapment, Juveniles, Federal Rules of Criminal Procedure, and the Law of Evidence.

The time allocated to each topic is left to the discretion of the field office. Thus, when an office is having particular difficulty with preparing affidavits or handling juveniles, more time can be devoted to these subjects than to others, such as investigative detention or interrogation. Moreover, the training may be scheduled for a full day in an auditorium before all Agents assigned to the field office, or for a lesser period

of time before a particular squad within the squad's office space. In short, both in terms of form and substance, the field office is given considerable flexibility. The purpose is to make the program interesting, while at the same time addressing problems peculiar to each field office.

Conclusion

Public confidence in any law enforcement agency can be measured by the degree of citizen cooperation it generates. This cooperation in turn depends upon the perception citizens have of the agency. Where people observe a law enforcement organization consistently operating outside the law, its reputation and effectiveness are severely, if not irreparably, damaged. The message is clear. There is room for error, but only for good-faith mistakes of judgment. There is no room for international disregard of standards established by courts and legislatures.

Legal training in the FBI seeks to provide Agents with the knowledge to make the difficult, day-to-day decisions required of all enforcement officers. Equally important, it assures that Agents will remain current in a field that is complex and changing. **FBI**

"No Comment..."
Law Enforcement and the Media

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"If a vacuum exists in popular opinion, ignorant and foolish views will fill the vacuum. No time must be lost in providing accurate facts and sound ideas."
Alexander Hamilton

In light of the recent commentaries by law enforcement executives throughout the country that advocate a candid and honest dialogue with all facets of the news media, the title of this article seems to be an archaic statement reminiscent of the censorship of both World Wars and even the period of civil disorders of the 1960's. Regardless of our meaningful media policies and our sincere desire to have a legitimate and complementary rapport with the media, these desires and policies occasionally remain unheeded in the heat of serious cases or disturbances within our communities.

Those are exactly the instances when a sound media policy, the presence of qualified media representatives of a department or agency, and total familiarity with media policy by all department members is most important. A part-time media policy which is invoked at the convenience of the department is not satisfactory in dealing with the public's right to know. A free press fulfills an essential role in our democratic society. Irving R. Kaufman, Chief Judge of the U.S. Court of Appeals, Second Judicial Circuit, commented at the 11th Annual James Madison lecture at New York University Law School that "the First Amendment is basically aimed at regulating the process of exchanging ideas and forming opinions; in a word, at facilitating the freest possible use of channels of communication consistent with public order and safety."[1] This is the foundation of the first amendment, the concept "that government shall not impede the flow of ideas; in addition, there's a positive aspect in that government can and should use its power to ensure a free press toward the goal of providing the widest possible dissemination of information from diverse and antagonistic sources."[2]

The title, "No Comment," is, of course, symbolic and is meant to point out that a thoughtful media policy and training for law enforcement representatives is now necessary in this age of mass communication, whether it be electronic or printed. Certainly there are restrictions that have been provided by various agencies. The U.S. Department of Justice in Title 28, Code of Federal Regulations, Section 50.2 (1978) stipulates procedures which are intended to promote accuracy and fairness in the release of information. Under the release of information guidelines, the Department of Justice states that:

While the release of information for the purpose of influencing a trial is, of course, always improper, there are valid reasons for making available to the public information about the administration of the law. The task of striking a fair balance between the protection of individuals accused of crime or involved in civil proceedings with the Government and public understanding of the problems of controlling crime and administering government depends largely on the exercise of sound judgment by those responsible for administering the law and by representatives of the press and other media.

The important concept for law enforcement executives is "sound judgment." There are very few situations which require the finality of a "no comment." If we realize the necessity to society of a complementary relationship between the media and law enforcement, it would be unlikely that a news reporter would be turned away with a terse "no comment." As stated by Frank P. Hayward of the New Orleans, La., Department of Police, "Public information should be distinguished by its candor and completeness. There is a growing awareness among law enforcement personnel of the need for active public information programs and the important role the news media can play in fulfilling this objective."[3]

A Definition: Public Information v. Public Relations

It is important to make the distinction between public information and public relations. From a managerial standpoint, public relations "is the management function which evaluates public attitudes, identifies the policies and procedures of an organization with the public interest, and executes a program of action (and communication) to earn public understanding and acceptance."[4] Mike Brake, a police reporter for the Oklahoma Journal in Oklahoma City, Okla., speaks of a public information officer as one who "acts as a liaison between the agency and its administration and the media, and hopefully creates goodwill and positive publicity that enhances the agency's image and contributes to public support."[5] Gerald Lipson and George Kroloff summarize the objectives of public relations which, "simply put, is creating an appropriate climate in a community so the goals and programs of your employer or your organization are understood, accepted, and, hopefully, supported."[6]

The foregoing are good substantial definitions of "public relations." However, it is imperative that a fine line of distinction be drawn to separate what might be a policy of obtaining public support and that of providing the public with information. This is why "public information" in law enforcement cannot always be assumed to be "public relations." All information provided the media (and, subsequently, the public) is not necessarily favorable to the law enforcement agency. As a result, the need to provide public information does not necessarily support the public relations function.

If we are to look only toward enhancing our image through public relations, what is to prevent us from avoiding or altering news issues that could be critical to our operations? All information that is allowed to be publicized through the media in accordance with State and local laws and guidelines should be made available to the public. The impact on our public relations may be good or bad, but the connecting thread is that a candid and open policy is most desirable in a public service agency that aspires to professional status. E. M. Davis, former Chief of the Los Angeles Police Department, succinctly put it when he advised that "a police department should have nothing to hide. It should accept the news media as its best and welcome witness. Its sworn personnel should never cease to invite the scrutiny of the news media and community alike."[7] Our basic responsibility as far as media relations is concerned is that lawful information should be provided.

> "'Mutual understanding . . . is clearly in the best interests of both the police and the press, and of the public that is ultimately served by both'."

Whether or not the reporting of this information enhances our public image is not a matter to be overly concerned with, if we are sincere in our interest in pursuing a policy of forthrightness and honesty with society.

Historical—Legal Implications

When this Nation was being formed as a democratic republic, the controversy over the inclusion of a Bill of Rights in the Constitution prompted Alexander Hamilton to say (in the Federalist Papers) that we do not know what liberty of the press really is. He asked who could give the definition of a free press which did not leave the "utmost latitude for evasion." It must be realized that at that time the press was, in fact, just that—a printed paper with information in it. The men who formulated the Bill of Rights finally decided upon the following wording for the first amendment to the Constitution:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

This established the right of the public to know and to be informed. It must be recognized that these Government decrees are not self-explanatory or self-executing and the word "press," for example, meant literally the printed newspaper. There was no concept of electronic mass communication as we know it today. But the press originally was a medium for the transmission of information, just as mass media is today.[8]

In retrospect, the debate over freedom of the press and persuasive impact of news was clearly recognized by the British prior to the American Revolution. "It is significant that the Stamp Act of 1765 alienated two very influential groups—the lawyers and the journalists. The new law placed a heavy duty on paper used in publishing newspapers. There was also a heavy tax on all legal documents. Thus, the lawyer, who swayed people by the spoken word, and the journalist, who had an even wider influence through the written word, were both turned against those who favored the unpopular act."[9]

These conflicts are the underlying basis for much of the tension that exists today in the realm of law enforcement—media relationships. Our founding fathers had no way of knowing the social and technical advances that would be made and therein the arguments over their simple phrase, "freedom of the press." They had no way of anticipating our present day problems.

It is sometimes claimed that the first amendment guarantee of freedom of the press also requires that the news media have a legal right to obtain information.[10] On the basis of U.S. Supreme Court decisions, it appears that the Court has declined to interpret the first amendment as guaranteeing the news media greater access to information than the general public. As Mr. Justice White wrote in 1972:

It has generally been held that the First Amendment does not guarantee

the press a constitutional right of special access to information not available to the public generally. . . . Newsmen have no constitutional right of access to the scenes of crime or disaster when the general public is excluded, and they may be prohibited from attending or publishing information about trials if such restrictions are necessary to assure a defendant a fair trial before an impartial tribunal. [11]

In spite of the fact that freedom of speech and press are not absolute, it is imperative that the law enforcement agency have a sound media policy and avoid efforts to thwart the legitimate gathering and reporting of news.

As Jerry Wilson, writing in The Police and the Media, notes, "On an even more fundamental level, police administrators should be sensitive to the principle that free and open news media are the bulwark of liberty. Although they may be aggravating to all of us at times, it is the free news media more than anything else which protects Americans from excess of social, economic, and governmental power." [12] Wilson then quotes Thomas Jefferson's famous letter to Col. Edward Carrington in 1787:

The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left for me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. [13]

The Law Enforcement Media Representative

When the National Advisory Commission on Criminal Justice Standards and Goals addressed the issue of news media relations, they specifically called for every police chief to immediately acknowledge in written policy statements the important role of the news media and the need for the police agency to be open in its relations with the media. In support of this statement, the commission suggested that each police agency designate an officer or unit to maintain regular liaison with the media. [14]

To date, this has not been done in all law enforcement agencies. Recognizing that the chief executive in smaller departments may prefer to handle the media tasks, there are still many shortcomings. It is encouraging to note that 96 percent of those officers taking a graduate-level media course at the FBI National Academy reported, when surveyed, that their agencies had a media policy of some type. These policies were by no means all inclusive, but they were an attempt to provide guidelines for their personnel.

"The advantages of fostering a candid, open-door policy . . . may lead to a much more fulfilling police-media relationship."

Conceivably, a sheriff or chief of police could handle media responsibilities in his respective department, but it is not likely that this department would have a comprehensive media program.

A public information officer (PIO) or media representative could easily be appointed to handle these duties. It is not necessary that this individual be someone with a journalism background or even be a sworn officer—the critical element is that he is willing to undertake a challenging and service-oriented role for his department. Qualities that students in the FBI National Academy have identified as being desirable in a media representative are:

Experience in law enforcement,
Civilian professional/sworn
    officer,
Maturity,
Sensitivity to problems,
Willingness to learn,
Communicative abilities,
Ability to establish rapport,
Loyalty to agency,
Knowledge of pertinent issues,
Appearance,
Journalistic knowledge,
Positive attitude,
Flexibility,
Personal integrity, and
Initiative.

Obviously, we would be hard-pressed to find an individual who displayed all of these traits. It is reasonable to assume that each individual agency would evaluate its own needs and select someone to fill their particular goals.

The media representative program of the Federal Bureau of Investigation was devised in 1975 to enable each of its 59 field offices to respond to news inquiries. In keeping with a public information policy rather than public relations, FBI Director Webster emphasizes that he encourages an "open stance" with the media and has tried to guide the Bureau away from undue sensitivity to media praise or criticism.

The PIO can lift much of the burden from the shoulders of an already heavily committed law enforcement executive. The corollary duties of such a valuable representative can include such sophisticated responsibilities as organizing and coordinating television productions for the department.

On the other hand, a PIO can merely be a spokesman for his department. The range of duties the PIO might be responsible for have been clearly articulated by others, but a brief review might prove to be of assistance. Public information officer duties might include:

1. Spokesman for the department,
2. Relations with the media,
3. Media training for department members,
4. Development of public service documentaries,
5. Counsel to departmental staff on media issues,
6. Publication of internal newsletters or video tape "roll call" commentaries,
7. Coordination of news media passes, and
8. Setting up exchange visits between law enforcement agency staff and media leaders of the community.

The PIO can easily become an indispensable person to a department, but it would be wise to delineate carefully that person's duties in order to prevent the PIO from expanding into community relations or public relations areas. The PIO is not a community relations officer. Mike Brake, writing in the *FBI Law Enforcement Bulletin*, recognizes that the PIO's role is distinct and cannot be blended with more traditional police-community relations functions, which will only dilute his effectiveness as media liaison.[15] The PIO's media duties must be clearly established and adhered to whether they are full- or part-time. A carefully selected and informed PIO with a proper attitude and understanding of police-media relations would not be likely to create animosity by hiding behind the infamous "no comment" response.

Preparing the News Release

A major responsibility of the departmental media representative (or PIO) will be to prepare what is commonly called a "press release." It is preferable for law enforcement officials to begin to think in terms of a "news" release, "news" conference, and the media, instead of the more limited word "press." In fairness to all media representatives, "press" is somewhat limited and specifically refers to newspapers. By expanding the term to "news releases" et al., we afford professional courtesy and include all of the printed and electronic media.

Regarding the all-important news release, some guidelines will be offered to assist PIO's in their writing responsibility. What might be considered a chore can become a much more pleasant duty if some simple principles are followed.

To begin with, most PIO's are sworn policemen and are not necessarily journalists. A PIO might have had the opportunity to attend a course or two in the journalism field or he might even have a media background, but that is an exception. Regardless, the PIO is responsible for providing information about police activities.

The first principle that must be adhered to is that the information that is being released must be written in a clear, easy to understand style. It should be simply organized and the language should be simple and direct.[16]

Journalists may argue about which particular style may be appropriate for which type news, but the PIO must remember that he is not in the business of "storytelling"—he is concerned basically with "newstelling."[17]

> ". . . it is imperative that law enforcement agencies consider the orientation of their personnel to the media."

The Inverted Pyramid

One of the most convenient forms of news structure is the inverted pyramid. This simply is a style that places facts in diminishing order of importance. The most important facts are on top (or in the beginning) where they will attract attention. The lesser facts are placed in order of descending importance so that they will meet the media's demands of space, time, and editorial operation.[18] Normally, a police story will fit neatly into this format and may be used for issuance to the newspapers, wire services, or radio and television.

It is suggested then, as principle number two, that the writer of police news adhere to a simple and traditional format—such as the inverted pyramid.

Lead (Opening Sentences)

It should be noted that the five W's and H (Who, What, Where, When, Why, and How) might be difficult to place in the lead or opening of a news release. This could make the story unwieldy or anticlimatic, but even more realistically for the PIO, all of the five W's and H might not be available for publication. An investigation could still be under way or such information might jeopardize the conclusion of a case and cannot be released at the time of writing.

Principle three for the writer of the

news release, then, is that the opening "lead" may consist of several sentences (not to exceed 25 words in length each), but does not necessarily have to include each of the five W's or H. In a police news report, the single key element might be merely the "who?"

Advantages and Disadvantages of the Inverted Pyramid Format

For law enforcement purposes, the inverted pyramid is a suitable guide. Journalists, on the other hand, may be more conscious of other methods of organizing a news story. It is recommended that the PIO (or the individual preparing news releases) select a type compatible with his organization and local media agencies and continue to write in that style. The advantages of a simply written, explicit news release outweighs the stinging and lingering aftermath of a "no comment."
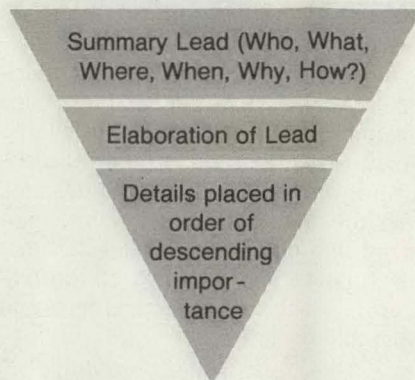
Advantages of the Inverted Pyramid Format

1. Covers essential facts,
2. Requires little editing,
3. Adjusts to media space considerations,
4. Average reader can read article rapidly, and
5. Important points are not left out.

Disadvantages of the Inverted Pyramid Format

1. Anticlimatic in reading,
2. Top-heavy (too much in lead),
3. Discourages reader interest,
4. Not adapted to logical and interesting order, and
5. Old-fashioned.

Inverted Pyramid

Summary Lead (Who, What, Where, When, Why, How?)

Elaboration of Lead

Details placed in order of descending importance

There is no question that the inverted pyramid format may be unsuitable for certain types of news reporting. Journalists are encouraged to be original and to get away from routine styles of writing. This can be entertaining to a media-oriented society. It is obvious, though, that a news release by a law enforcement agency must abide by restrictions and laws. In that respect, the inverted pyramid can be a stable guide and a useful tool for the law enforcement information officer.

To avoid confusion of styles and rules, the PIO might consider the following passage from *Alice in Wonderland,* which has been called the greatest rule in writing yet set forth:

The White Rabbit put on his spectacles. "Where shall I begin, please Your Majesty?" he asked. "Begin at the beginning," the King said very gravely, "and go on till you come to the end: then stop." [19]

Media Training for the Law Enforcement Agency

In this age of instant communication, it is imperative that law enforcement agencies consider the orientation of their personnel to the media. It may be advantageous to have the training officer, in conjunction with the PIO, offer a brief period of instruction to individuals within a department. Hopefully, all personnel would be apprised of the departmental media policy and the chief's position in regard to public information, discuss any applicable laws, and perhaps participate in a group conference with a member of the working media.

Each person in a law enforcement agency may face the distinct possibility of an impromptu media conference at the scene of a crime or other violation. It would pay dividends to let department members know what is and is not expected of them. Although a training session might be brief, the topic of media relations should be included in basic recruit training and any inservice courses that a department may be offering.

The type of policy regarding release of information that a department may wish to follow usually depends on how much information the department head is willing to let his officers release. Considering the high level of police education and the desire to reinforce individual initiative, it would probably be detrimental to morale and performance to insisit upon a closed mouth or "no comment" policy. Wilson identifies a second type of policy that states it is permissible to give out information so long as it does not embarrass the department. Another policy allows only those in the command and staff structure to give out information. Again, based on the intelligence of law enforcement personnel today and the need to inspire trust and loyalty, it would be a sensible procedure to allow any member of a department to speak about a matter in which he might be involved. This type of policy requires guidance and support by the chief executive. It also may create difficulty, should an individual comment erroneously. The advantages of fostering a candid, open-door policy, however, may lead to a much more fulfilling police-media relationship.

Conclusion

This article has tried to be descriptive (Historical-Legal Implications), prescriptive (Media Training), theoretical (Public Information v. Public Relations), and pragmatic (Preparing the News Release). But this survey would not be complete if it were meant only for the eyes of the law enforcement representative. It is intended both for the media and law enforcement as one interpretation of the state of the art. Although most of the commentary has been directed at the law enforcement agency, there are insights for media professionals. A comment which may address an area of concern for both groups is the challenge by Herbert Strentz, professor of journalism at Drake University:

1. The reporter must resist temptations to become part of news events himself or herself at the expense of responsibility to the news audience.

2. The reporter must recognize that the selection of news sources and the questions he or she asks will not only affect the story itself but may also shape the outcome of the issue being reported. [20]

Hopefully, we realize the mutual benefits to the law enforcement agency and the media when relations between the two are characterized by candor, cooperation, and mutual respect. As eloquently stated by journalist David Shaw, the major point raised by police and reporters alike in discussing police-press relations is the need for each side to try to get to know the other, to try to understand the function—and problems—of the other. "Mutual understanding, it is generally agreed, is clearly in the best interests of both the police and the press, and of the public that is ultimately served by both." [21]   **FBI**

Footnotes

[1] Irving Kaufman, "The Medium, the Message and the First Amendment," *New York University Law Review,* Vol. 45, No. 4, October 1970, pp. 783–84.

[2] William E. Francois, *Mass Media Law and Regulation* (Columbus, Ohio: Grid, Inc., 1975), p. 19.

[3] Sgt. Frank P. Hayward, "Developing the Public Information Function," *FBI Law Enforcement Bulletin,* (February 1975) p. 13.

[4] Raymond Simon, *Public Relations: Concepts and Practice* (Columbus, Ohio: Grid Inc., 1976), p. 4.

[5] Mike Brake, "Establishing a Public Information Office," *FBI Law Enforcement Bulletin* (October 1978), p. 23.

[6] Gerald Lipson and George Kroloff, *Understanding the News Media and Public Relations in Washington* (Washington, D.C., The Washington Information Group, 1977), p. 37.

[7] E. M. Davis, *A Press Relations Guide for Peace Officers,* Report by the 1970–71 Public Relations and Mass Communications Committee of the International Association of Chiefs of Police (IACP).

[8] William E. Francois, *Introduction to Mass Communications and Mass Media* (Columbus, Ohio: Grid, Inc., 1977), p. 6

[9] Edwin Emery and Michael Emery, *The Press and America* (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1978), p. 52.

[10] Jerry V. Wilson and Paul Q. Fuqua, *The Police and the Media* (Boston: Little, Brown and Company, 1975), p. 16.

[11] *Houchins* v. *KQED,* 57 L. Ed. 2d 553 (1978).

[12] Wilson and Fuqua, *The Police and the Media,* p. 18.

[13] Ibid.

[14] *The Police,* National Advisory Commission on Criminal Justice Standards and Goals (Washington, D.C., 1973), p. 44.

[15] Brake, "Establishing a Public Information Office," p. 23.

[16] John Hohenberg, *The Professional Journalist* (New York: Holt, Rinehart and Winson, Inc., 1969), p. 73.

[17] Louis M. Lyons, *Reporting the News* (Cambridge: Harvard University Press, 1965), p. 282.

[18] John Hohenberg, *The Professional Journalist,* p. 111.

[19] Lewis Carroll, *Alice in Wonderland,* quoted in Louis M. Lyons, *Reporting the News,* p. 280.

[20] Herbert Strentz, *News Reporters and News Sources* (Ames, Iowa: Iowa State University Press, 1978), p. 10.

[21] David Shaw, *Journalism Today* (New York: Harper's College Press, 1977), p. 71.

THE FBI ACADEMY 1984

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This title is not meant to conjure up Orwellian overtones in the minds of readers, but to identify our purpose, to comment on the short-term future of the FBI Academy. Where will we be 5 years from now? Speculating about the future, even the not-too-distant future, in a field as dynamic as law enforcement education and training is a difficult task. As Harvard scholar James Q. Wilson, in a paper entitled "The Future Policeman," cogently noted, "As with most weighty matters one here is confronted with contradictory aphorisms: If one philosopher could say that 'all is flux' another could respond *'plus ca change, plus c'est la même chose'."* (the more things change, the more they are the same.) [1]

In attempting to predict the future of the Academy, one must bear in mind that the past is indeed prologue and that change has been the keynote of the 70's. Consequently, one must examine the past and focus particularly on recent change to understand where we have been over the past few years and in order to make educated projections or guesses about where we appear to be going in the future. Therefore, any prediction of what the FBI Academy's role in law enforcement education and training will be in 1984 must begin with a review of the evolution of programs since its doors opened in 1972. Moreover, the fact that since 1935, the cornerstone of FBI training assistance to local law enforcement has been the National Academy Program should also be borne in mind.

Since its first session convened on July 29, 1935, the curriculum of the National Academy Program has changed to meet the needs of its law enforcement student body. Interestingly enough the curriculum changed slowly over the first 37 years and then expanded horizontally with the introduction of an elective system in the latter part of 1972, and vertically with the introduction of graduate courses in 1974.

The FBI Academy

In 1972, the FBI Academy and the University of Virginia, after conducting a comprehensive 2-year affiliation and accreditation study, formally joined as partners in the quest for police professionalization. This affiliation added a new dimension to the Academy and acted as a catalyst in making it a bonafide professional school where the theoretical knowledge of scholars and the practical experience of veteran law enforcement officers, managers, and administrators are blended into all course offerings.

The University of Virginia was an ideal choice for affiliation. It was founded by Thomas Jefferson, third President of the United States and author of the Declaration of Independence, and is identified by some authorities on the history of higher education in the United States as ". . . America's first real state university." [2]

Jefferson's philosophy of education is perhaps best summed up in a letter which he wrote to William Roscoe on December 27, 1820, about the University of Virginia, "This institution will be based on the illimitable freedom of the human mind. For here we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is free to combat it." [3] His commitment to the quest for truth, as well as his utilitarian view toward education, makes him and the institution he founded a fitting model and partner for the FBI Academy.

In 1972, the National Academy Program expanded from a limited required curriculum offered to 200 officers per year in two 100-student sessions to an expanded curriculum offered to 1,000 officers per year in four 250-student sessions. The curriculum that began to emerge in 1972 represented a shift from emphasis on nuts-and-bolts, how-to-do-it vocational skills courses which dominated in 1935 to an in-depth view of academic disciplines providing insights for the police manager functioning in a complex industrial, primarily urban society.

When the first National Academy class to occupy the new FBI Academy met, the academic curriculum consisted

" 'For here we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is free to combat it'."—Thomas Jefferson

of five courses: Behavioral science, education, forensic science, law, and management science. Academy and university personnel were aware that additional courses in each of the 5 academic disciplines, designed at various levels of complexity and sophistication, were needed to meet the diverse educational background, professional experience, and community law enforcement functions performed by students from America's 40,000 law enforcement agencies. New courses were developed in all academic areas. For the present session (the 117th), students choose from 30 academic courses. Each may earn up to 16 semester hours of undergraduate credit or 9 hours of graduate credit by successfully completing the course requirements.

The students attending the National Academy in recent sessions have more formal education than their predecessors. In 1972, there were approximately 20 college graduates in each class. In 1979, there are more than 80 officers with degrees and 140 officers who have had some college education.

Because the students are better educated, it is safe to predict that by 1984 the number of graduate courses offered at the Academy will double or triple. Today's strong demand for more specialized management courses will no doubt continue. More courses in the area of urban police problems, media relations, computer-related crimes, and labor relations will have to be designed and developed to meet the existing and future needs. Also, in this period of reduced municipal, State, and Federal budgets, there will be more demand for courses in budgeting and accounting.

In 1976, the Academy responded to the need for more executive management training by establishing the National Executive Institute (NEI). This successful program has also engendered several executive training courses for FBI executives. It has also made the Academy staff aware of a critical need for executive-level training for medium-sized law enforcement agencies throughout the Nation. It is estimated that there are about 2,000 police executives in the Nation who would qualify for this type of training. By 1984, if the resources of the Academy are not restricted by budgeting considerations, we hope that a new executive training program for mid-sized law enforcement agency executives will be a reality at the Academy.

A review of specialized police training programs offered at the Academy tends to mirror the difficult times America has experienced during the last 7 years. To meet training needs, the Academy offered major training programs for local police in SWAT, hostage negotiations, sex crimes, and terrorism.

What new social crises will require new training programs at the Academy? A good prediction is white-collar crime. We are just now beginning to understand the depth and complexity of this problem in our society. As more is understood about the problem, the more it will become necessary to train officers to conduct investigations in this complicated area. By 1984, the Academy will no doubt have to increase substantially its present course offerings in this field.

One area of training and research in which one can predict an increase without using a crystal ball is forensic science. Early this summer, ground will be broken for a new forensic science training and research building at the Academy. When it is completed in 1981, it will be the only facility of its kind in the United States. There, laboratory technicians will learn their craft and interns will pursue pure research in the variety of forensic areas, hoping to gain new information and techniques in the scientific battle against crime. By 1984, this building will be in full operation and will be making significant contributions to the increased professionalism of law enforcement.

Looking back to 1972, the Forensic Science Unit at the Academy offered one survey course in the National Academy curriculum. Today over 40 separate courses are offered by the unit. The accomplishments which will come from the research programs conducted by laboratory personnel in this new facility will undoubtedly enhance the course content of these laboratory training programs.

Another area of important change is the Academy's faculty exchange program. The Academy has begun an exchange of instructors with the Canadian Police College in Ottawa and the Police Staff College, Bramshill, England. These exchanges have been beneficial to the instructors involved by broadening their educational experience and by exposing them to a wide variety of new concepts, ideas, and methodologies in training programs. This program of faculty exchange will expand by 1984, hopefully to include exchanges with State and local police academies.

In another area, the Academy staff, particularly its behavioral scientists, have provided significant investigative

Kenneth E. Joseph

assistance to FBI field offices and local law enforcement agencies. Academy faculty members have developed expertise in specialized fields, and as such, have become a valuable resource to law enforcement agencies when crimes of a specialized nature occur. The staff offers advice on multiple homicide and sex crimes, hostage negotiations, nuclear materials, hypnosis, psycholinguistics, and anti-terrorism strategy. This service will continue and expand in the future. This increasing service to street Agents and police officers is a sign of a healthy educational institution and an indication that the marriage between the theoretical and the practical is succeeding.

One problem does loom on the horizon, however. The physical resources of the Academy are strained to the limit. For the past several years over 9,000 students per year have been trained at the Academy in over 100 different programs. Currently, the Academy's available space is being used to its maximum. Thus, even though the need and demand for additional programs increases each year, our facilities do not. In just a few short years, we have come to the point where training proposals must be put on a priority basis and only those which address the most urgent needs can be offered. This is healthy as it forces us to keep our programs relevant. But, it also clearly points up the fact that the demand for training is outstripping our capacity to respond.

Whether or not further expansion of the Academy will be authorized is difficult to predict. One unknown variable will be the condition of the ecomony and the ability of the FBI budget to absorb the cost involved. What is not difficult to predict is the lively debate over the Academy's ultimate destiny. Will it remain essentially as it is today? Will it evolve into an accredited university for law enforcement? Or perhaps, will it become a highly specialized training center for law enforcement specialists? This debate will, and should, occur. From the discussions on the Academy's future will come decisions which will help shape the future direction of law enforcement training for many years to come.

In a rather witty article in the October 1978 issue of *The Training and Development Journal,* Rod Beaulieu wrote that there were only four ways to change an organization:
1. Change the external environment.
2. Change the organizational rules, regulations, or structure.
3. Change the technological processes.
4. Change the attitudes, skills, perceptions, motivation, commitment, and desire for excellence of the people who work for the organization. [4]

Beaulieu points out not much can be done about the first three, but much can be done about the fourth. And training is the vehicle to change attitudes, skills, and commitments. Our goal at the Academy has always been the pursuit of excellence in education and training. It was that in 1972, is in 1979, and will be in 1984. Our belief is that just as an organization can be changed through education and training so too can a profession, America's law enforcement profession.   **FBI**

Footnotes
    [1] James Q. Wilson, "The Future Policeman," *Future Roles of Criminal Justice Personnel Position Papers,* Project Star: March 2, 1972, p. 1.
    [2] John S. Brubacher and Willis Rudy, *Higher Education in Transition* (New York: Harper and Row, 1968), p. 147.
    [3] James B. Conant, *Thomas Jefferson and the Development of American Public Education* (Berkeley, Calif.: University of California Press, 1962).
    [4] Rod Beaulieu, "Speaking from Experience," *Training and Development Journal* XXXII, October 1978, p. 41.

WANTED BY THE FBI

Photograph taken 1976.

Craig Otte

Craig Otte, also known as Clemont Davis, James Donaldson, Billy King, James D. King, Jim King, and Bill Otte.

Wanted For:

Bank Robbery, Conspiracy.

The Crime

Craig Otte has been convicted of theft and is being sought in connection with the armed robberies of two banking institutions, one of which involved the kidnaping of a bank official's wife for nearly $1.5 million ransom.

Federal warrants were issued on June 6, 1977, at Los Angeles, Calif., charging Otte with bank robbery, and on June 8, 1977, at Las Vegas, Nev., charging him with bank robbery and conspiracy.

Description

Age	53, born August 24, 1926, New York, N.Y. (not supported by birth records).
Height	5'9".
Weight	185 pounds.
Build	Heavy.
Hair	Brown, thinning.
Eyes	Hazel.
Complexion	Ruddy.
Race	White.
Nationality	American.
Occupations	Business consultant, management consultant.
Remarks	May have worn mustache in past and generally wears a hair piece; reportedly is a licensed private pilot.
Social Security No. Used	114–22–7247.
FBI No.	23,483 G.

Caution

Otte should be considered armed and dangerous.

Notify the FBI

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

Classification Data:

NCIC Classification:
23571616121363131409

Fingerprint Classification:
23 L 1 R I O O 12
———————————————
M 1 R O O O

Left index fingerprint.

Zipper Screwdriver

Officers of the Douglas County Sheriff's Department Correction Division, Roseburg, Oreg., discovered that one of their prisoners developed a zipper tab (see photograph) into a screwdriver. The prisoner first worked the tab loose from the zipper, then ground the opposing points by abrasion, resulting in a custom-made screwdriver which could be used to remove the security screws from prison windows.

To prevent escape, officers should take special precautions to ensure that zipper tabs are not used.

Interesting Pattern

These "before and after" reproductions of the same finger illustrate the significant change caused by a scar.

Note that the elongated recurves of the whorl on the left, as a result of scarification, have been changed to nearly circular recurves as shown in the impression on the right.