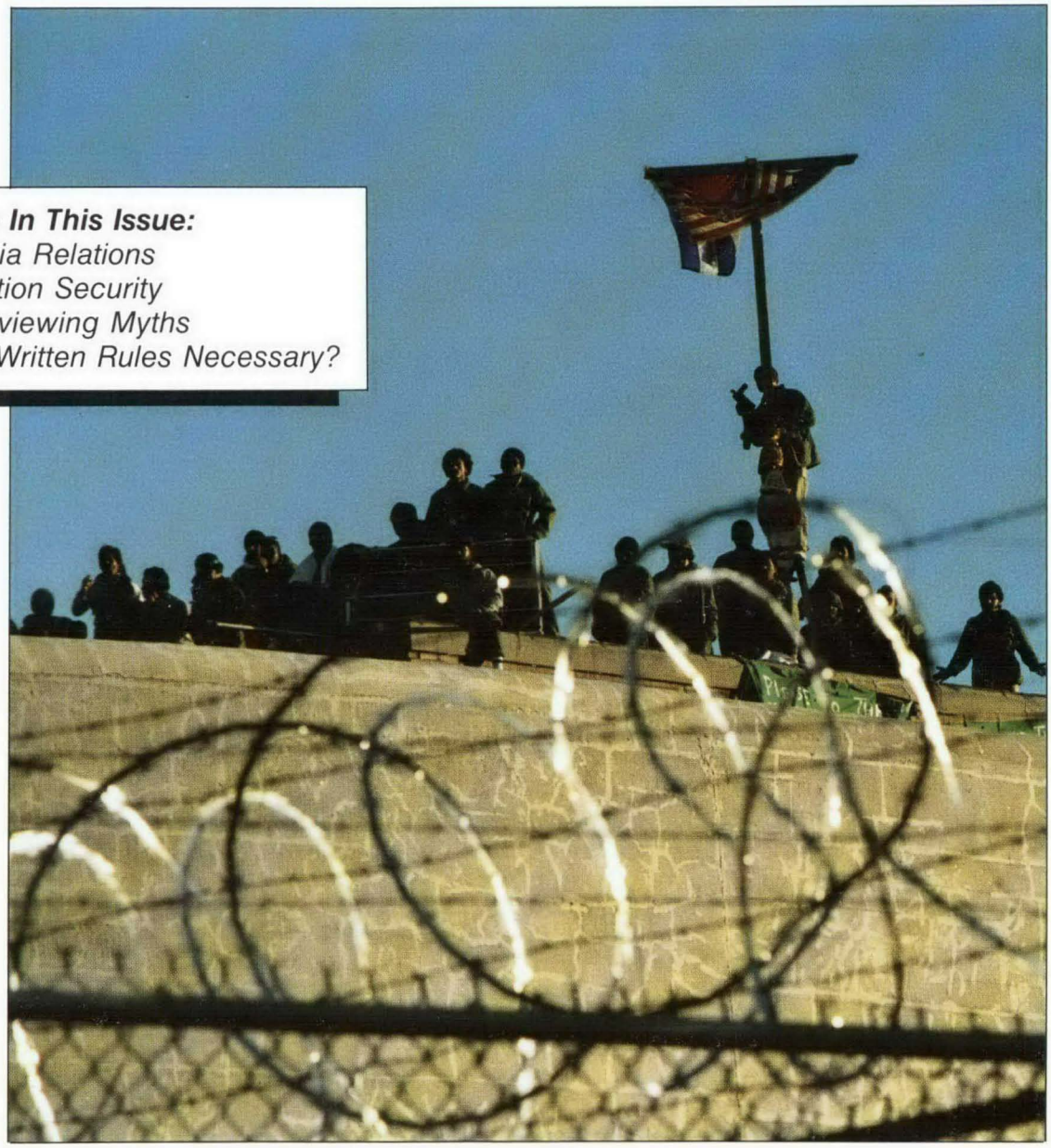
July 1989

FBI Law Enforcement Bulletin



Also In This Issue:
Media Relations
Aviation Security
Interviewing Myths
Are Written Rules Necessary?

The Oakdale and Atlanta Prison Sieges

Contents

July 1989, Volume 58, Number 7

Features

Departments

FBI

Law Enforcement Bulletin

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The Cover: *The Oakdale and Atlanta prison sieges, occurring simultaneously in November 1987, became catalysts for the largest crisis management mobilization in FBI history. See article on page 1.*

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Negotiating the Protracted Incident

The Oakdale and Atlanta Prison Sieges

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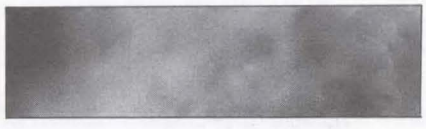

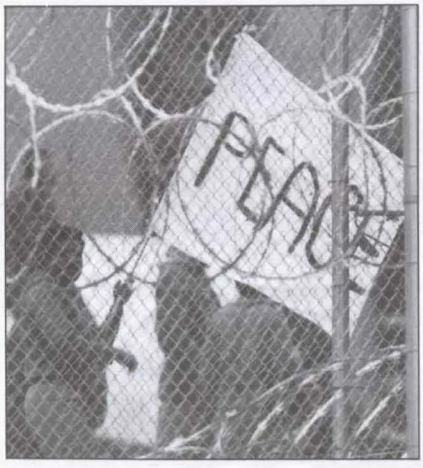

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In November 1987, the two longest, simultaneous sieges of U.S. prisons occurred, resulting in the largest crisis management mobilization in FBI history. These sieges provided a unique opportunity to test the entire range of hostage negotiation concepts, as taught by the FBI, in two parallel situations. This article examines those concepts and comments on the techniques used in negotiating protracted incidents.

BACKGROUND

Both sieges were in response to an agreement between the U.S. Department of Justice and Cuba that approximately 2,500 of the 125,000 Cubans who arrived in the United States during the Mariel boatlift would be returned to their homeland. Many of the potential deportees were incarcerated in the Oakdale, LA, Correctional Facility (OCF) and the U.S. Penitentiary in Atlanta, GA (USPA). To these prisoners, deportation meant return to the cruel and inhumane conditions they had experienced during their imprisonment in Cuba.

Although the 987 Cuban inmates in Oakdale were told that the agreement would have little impact on them, inmate informants began to warn guards that a riot might occur. Measures were taken to respond to a violent incident, but OCF's design did not allow for a "lock down" of prisoners.

On Saturday, November 21st, 200 inmates carrying homemade weapons rushed the front entrance of the facility, only to be repelled by guards using tear gas. This confrontation continued with inmates taking 54 prison employees hostage, of which 26 escaped or were released within the first 3 hours and 1 was later released because of injury. The remainder were held hostage for the next 9 days.

Two days later, 1,370 Cuban detainees in Atlanta rioted, set fire to 3 buildings, and took 75 employees hostage. Another 41 employees were trapped in 2 different locations within the prison (16 were rescued, 25 became hostages). Over the next week, 11 hostages were released; the remainder were held for 12 days.

Through its regional crisis management concept, the FBI established two negotiation teams to respond to the sieges. In Oakdale, the Bureau of Prisons (BOP) and the FBI formed a joint hostage negotiation team composed of the BOP's chief psychologist, a BOP psychiatrist from OCF who knew the inmates personally, an experienced FBI Spanish-speaking negotiator, and an experienced negotiation coordinator from the Special Operations and Research Unit at the FBI Academy. On-scene commanders were the Special Agent in Charge (SAC) of the FBI's New Orleans Office and the South Central Regional Director of the BOP.

In Atlanta, the team consisted of experienced FBI Spanish-speaking negotiators, with additional FBI field office negotiators and two negotiation coordinators from the FBI Academy. BOP staff members who knew many of the detainees personally and two negotiators from the Atlanta Police Department supplemented this team, which reported to the SAC of the FBI's Atlanta Office and the Southeast Regional Director of the

BOP. At both locations, all decisions were made jointly by the FBI/BOP on-scene commanders.

TECHNIQUES AND CONCEPTS

Identifying the Leaders

One of the basic concepts in hostage negotiation is to identify the leader or decisionmaker of the hostage-takers and focus negotiation efforts on that individual. In Oakdale, an inmate represented himself to the negotiators as "only a spokesman for the people," although throughout the entire incident no one would acknowledge leadership. Continuous discussions between the negotiation team and a number of inmates produced no substantial results until the afternoon of the fourth day. Then, a confrontation over the construction of a homemade flame thrower and threats to kill a guard allowed negotiators to identify and request to speak with four inmates who appeared to influence the others. Within an hour, the negotiators met with these inmates, who eventually presented a five-page document listing the seven demands that became the basis for the eventual surrender.

> ***"... standard 'criminal' negotiation guidelines are applicable in protracted situations...."***

Similarly, in Atlanta, negotiators spoke with at least 30 inmates who, at various times, indicated they were in control or that there was not a leader or "ruling" group. Only after recurring conversations over a 10-day period were leaders identified.

Allowing Time to Pass

Soon after the OCF incident began, the U.S. Government declared a moratorium on the return of the 2,500 Cubans which, when conveyed to the inmates, did not influence them. Their high personal frustration level, coupled with their mistrust of authorities and fear of deportation, caused the inmates to reject an early resolution.

It became apparent to the negotiators that the inmates had been offered "too much, too soon." Initially, negotiators at both sites responded to the inmates' stated demands for no deportation and for a rapid and fair review of individual cases. They did not, however, respond to their unspoken need to express their anger and frustration in dealing with government authorities. Apparently, the situation had to "mature" to allow inmates to vent their emotions.

Measuring Negotiator Progress

At both sites, the negotiation team referred to established guidelines for measuring negotiator progress. (See sidebar.) All five measures were present during both incidents; therefore, the risk to the hostages had not increased, and in reality, had probably decreased.

Oakdale inmates indicated that short of an assault, the hostages would be "protected" from those who might do them harm. As proof, a hostage injured by an inmate with mental problems was released for medical treatment. Inmates beat the assailant, threatened him with death, and then handed him over to BOP personnel. The negotiators used this incident to reinforce the need for a rapid solution before other hostages were injured and the chance of agreement between the inmates and the government was damaged further.

In Atlanta, inmates showed increased motivation for resolving the incident when they began arriving for face-to-face discussions on time. This demonstration of punctuality, which was absent in the early part of the negotiations, assisted in formulating an overall crisis management strategy.

Avoiding Tricks and Dishonesty

Throughout both sieges, the inmates' high emotional level, together with their distrust of the U.S. Government, led them to

Guidelines For Measuring Negotiator Progress

- No one has been killed or injured since negotiation began.
- A decrease in the frequency of threats of violence has occurred.
- The subject's voice is lower; his rate of speech is slower; he talks for longer periods of time; and he talks about more personal things.
- Hostages have been released.
- Deadlines have passed.

believe that every movement by the authorities was the beginning of an assault. Negotiators continually reassured inmates that no assault would be mounted as long as the hostages were not harmed. At the same time, inmates were advised that tactical resources were available should any action be taken against the hostage population.

At both sites, open lines of communication between all levels of the operation allowed the negotiators to prepare the inmates for any planned tactical movement. This gave the negotiators credibility with the Cubans and prevented inadvertent provocation.

For example, in Atlanta during the second week of the siege, movement in one of the cell blocks was perceived by the inmates as the beginning of an assault. Inmate guards were ordered to full alert, told to put knives to the throats of every hostage, and prepare to "ignite the gasoline, set off the bombs, kill the hostages, and fight to the death." Only the persuasiveness of a primary negotiator prevented a tragic mistake, when he convinced the Cubans that the negotiators had been truthful in all instances. After learning what really happened (six inmates were trying to escape from the facility), the inmates called the negotiator and apologized.

> *"... there is no 'right' way to resolve the language issue...."*

Negotiating in English versus Spanish

Almost immediately, the negotiation team in Oakdale recommended conducting all negotiating sessions in English, mainly to control the emotional outbursts inmate representatives exhibited during initial discussions. This tactic did make the negotiation sessions more rational and less emotional. When Spanish-speaking negotiators expressed concern that subtle but meaningful nuances might be lost, the inmates were allowed to make short statements in Spanish when they were unable to express themselves properly in English.

In Atlanta, during the first week, the crisis management team considered a number of factors in deciding whether to switch from Spanish to English. However, since members of the inmates' negotiation committee spoke sufficient English, the team agreed to use English to improve significantly the assessment process, since everyone would be able to understand the dialogue. Also, conducting the negotiation in Spanish was putting additional responsibility on the Spanish-speaking negotiators, since they not only had to negotiate but they also had to translate what was spoken during each session.

In addition to relieving the additional responsibility to Spanish-speaking negotiators, two other benefits were derived from using English. First, to non-Spanish-speaking individuals, some verbal exchanges in that language sounded very violent and threatening when, in fact, they were of little consequence. Also, by using English, the emotional and dramatic overtones present during negotiation were minimized

because the hostage-takers had to pause and think more about what they wanted to say.

On the other hand, some members of the crisis management team thought that using English might cause misunderstandings, i.e., detainees might not be able to express themselves adequately. This precludes one of the basic techniques of negotiations—allowing ventilation by the subject.

However, later during the Atlanta siege, negotiation switched back to Spanish because of an interesting development. The Cubans began to ask for, by name, one of the two primary Spanish-speaking negotiators. When allowed to speak with him again, they released four hostages as "a gesture of good faith." For the remainder of the siege, the negotiation continued in Spanish.

Obviously, there is no "right" way to resolve the language issue, since both incidents were resolved through negotiation. However, all things being equal, when an adversary has the ability to speak and understand English, strong consideration should be given to using English (or the predominant language of the negotiation team) to promote unemotional negotiation sessions and to psychologically tire the subjects by forcing them to translate into English. This also allows the entire negotiation team to understand what transpires in order to provide effective assessments and recommendations.

Tape Recording Negotiation Sessions

All telephone conversations were tape recorded and subsequently reviewed. In Atlanta, since the vast majority of the negotiations were conducted in Spanish, taping each discussion became a necessity. After each significant conversation, the tape was replayed and translated sentence by sentence to allow the entire team to participate in the analysis, review, and formulation of recommendations.

Using Nonpolice Negotiators

Three days into the Oakdale incident, a Cuban-born radio news director was allowed to speak to some of the inmates because he was known to be a person who would seek a peaceful solution to the riot. He helped in the negotiation process by giving the inmates limited communication with someone concerned with their plight.

In Atlanta, at various times, an attorney who represented many of the Cubans, media representatives, and selected Cuban exiles well known to the detainees spoke to the inmates after being debriefed. However, other than allowing for ventilation of emotions, none of these discussions appeared to have a significant influence on the Cubans.

On the other hand, BOP psychologists, psychiatrists, physician assistants, and corrections personnel greatly assisted in the negotiation process. Not only did they possess experience in prison hostage situations, but they also knew many of the inmates personally through past contacts at both facilities.

The Surrender Ritual

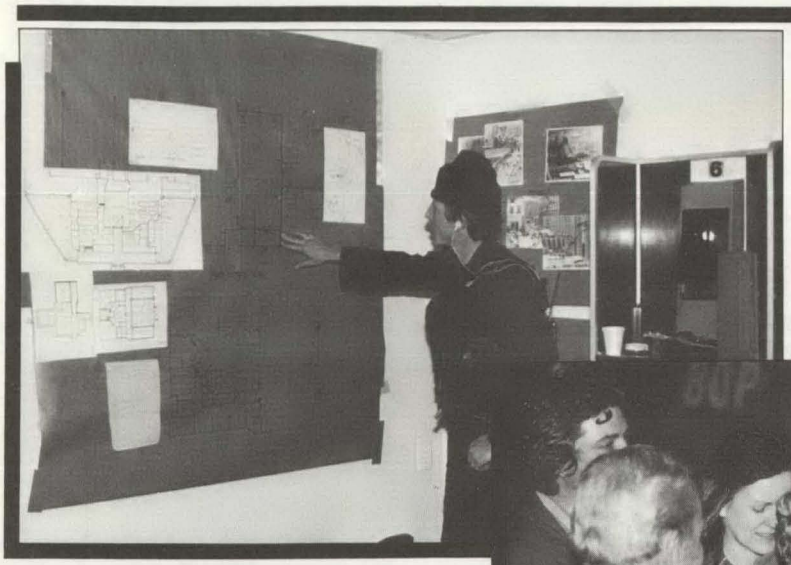
The importance of the surrender ritual was clearly evident in both incidents. The inmates had used signs and banners to convey their opinions that they had been "wronged" by the U.S. Government and sought only fair treatment for themselves and their common cause.

Oakdale negotiators noted the need for the inmates not only to have a structured, formalized negotiation process but also to orchestrate the formal "surrender," which would include signing a document in the presence of witnesses and the media. After the agreement was signed, the inmates piled the majority of their weapons in open view of the Administration Building, and upon release of the hostages, formed a "gauntlet" through which the hostages passed.

> ***"Negotiators continually reassured inmates that no assault would be mounted as long as the hostages were not harmed."***

A key issue at the OCF was the appearance of Cuban-born Auxiliary Bishop Agustin Roman of Miami's Roman Catholic archdiocese, who became the focal issue of the inmates. It became obvious that his presence would allow the inmates to surrender with dignity.

Since it appeared that this was the final obstacle, the Bishop was transported to the OCF where he personally addressed a group of approximately 400 inmates. He told the inmates that the agreement to be signed was good and that he wanted them to lay down their



A SWAT team member studies maps of the prison compound.

Family members and friends embrace a released hostage at the end of the siege.

weapons. Shortly thereafter, the negotiated agreement was signed by four inmate representatives and the BOP regional director and witnessed by the Bishop. The hostages were then released within minutes.

The importance of the surrender ritual was also clearly evident in Atlanta. It was extremely important to the inmates to have their complaints aired to the American public and to be seen as good people who had been maligned in the news media, making civilian witnesses at the surrender ceremony a necessity. Eventually, the signing ceremony was conducted on live television with a BOP regional director, Bishop Roman, and an attorney acting as co-signatories.

SIMILARITIES AND DIFFERENCES WITH "CRIMINAL" SITUATIONS

The overall negotiation strategies employed in both situations were similar to those used in a "street" situation. This indicates that in the vast majority of situations, these techniques can bring about a nonviolent solution when used to support a competent and efficient crisis management team.

However, three distinct differences from the more frequent street situation were evident in both sieges—the duration of the incidents, the cultural and behavioral aspects of the relatively homogenous inmate population, and the need to consult with senior U.S. Government officials (as one might need to do in a major terrorist hostage incident).

In addition, when the Atlanta negotiation team realized that the complexity of the event would make disseminating timely and accurate intelligence extremely critical, written summaries were produced containing synopses of significant negotiation events, identification of possible inmate leaders, new demands, observations, and recommendations. These summaries were given to all crisis management team components periodically as events dictated.

Duration of the Incidents

While members of the negotiation teams did not believe these incidents would be resolved in a few hours, neither were they expecting Oakdale to last 9 days and Atlanta to last 12 days. Therefore, for the first 3 days, teams at both sites worked much longer than

their 12-hour shifts, because as meetings took place, it was hoped that "this one" might be the breakthrough needed to resolve the siege. However, as negotiation lingered, working conditions changed.

In Oakdale, negotiators not involved in the formal "four on four" negotiation sessions rotated 12-hour shifts. The dangers of sleep deprivation were well known to the negotiators.

After a tentative agreement to release 50 hostages fell through in Atlanta, team members began to realize that the length of the siege could approach the Christmas holiday season. The Cubans, in fact, placed a decorated Christmas tree and a plastic Santa Claus on the prison hospital's roof. This prompted the negotiation team to consciously change their "mind set," to encourage each other to stick to the established 12-hour shifts, and to be prepared to be there for an indefinite period of time.

Cultural and Behavioral Aspects

As both situations progressed, it became apparent that common concerns existed between the two sieges—freedom and due process—even though they were not exhibited by the inmates of both facilities during the negotiation. However, initial demands by OCF inmates did not link the resolution of their situation with the one in Atlanta, although the inmates followed the progress of the Atlanta incident on the radio.

The dramatics (show of force and frequent emotional outbursts) were eventually attributed to a common cultural background and not as a key indicator of possible injury to hostages. As both negotiation teams gained experience in dealing with the Cubans, they realized that the emotional outbursts, dramatic posturing, and statements threatening "rivers of blood," etc., should not be given the importance they might receive in another context. Surprisingly, sources for this information were the inmates themselves. As some of the Atlanta inmates began to trust the negotiators, they would say in private conversations, "Don't pay any attention to that threat, that's just the way we talk."

Another cultural aspect was soon recognized when negotiators were having little success with the typical bargaining approach used in negotiations, i.e., release of hostages in return for food and water. The Cubans simply refused to talk seriously about such exchanges. Finally, exemplifying the trust and rapport the Spanish-speaking negotiators had established, an Atlanta inmate guarding the hostages advised, "Don't talk about trading hostages for something. That's not the way we do things. You give us something for nothing, and then we'll give you something for nothing." When the Cubans "unilaterally" released four hostages one evening, the on-scene commanders gave the inmates their mail that had accumulated and turned their water supply back on the following morning.

Consulting with Senior Government Officials

The need for consulting with senior government officials was handled by the on-scene commanders through their respective headquarters in Washington, DC. When the demands of the inmates in both facilities were received, they were forwarded to both the FBI's and BOP's Headquarters in Washington, DC, and discussed with senior Department of Justice officials. After input from all involved, an appropriate response was prepared and presented to the U.S. Attorney General who agreed to the proposed governmental response.

> ***"Total cooperation among all levels of the crisis management teams ... eventually led to a successful solution at both sites."***

SUMMARY

Total cooperation among all levels of the crisis management teams and the various governmental agencies eventually led to the successful solution at both sites. The concepts and techniques of hostage negotiation, as taught by the FBI, were validated, and established negotiation guidelines were supported, even though the language question was subject to both pros and cons. Further, all negotiators involved in the two sieges agreed that standard "criminal" negotiation guidelines *are* applicable in protracted situations having a large number of hostage-takers and involving the highest levels of the Federal Government.

FBI

Aviation Security
A Global Issue

By
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On December 21, 1988, Pan Am Flight 103 crashed in Lockerbie, Scotland—the result of an explosive device. While en route from Heathrow Airport in London, England, to John F. Kennedy Airport in New York, the aircraft suddenly disappeared from radar at 31,000 feet. The detonation of an explosive device, which had been placed inside a radio cassette recorder in the forward baggage compartment, spread debris and the contents of the aircraft over an 845-square mile area. All 243 passengers, 16 flight crew members, and 11 people on the ground were killed. In addition, seven people from Lockerbie are still missing and presumed dead.

This was yet just another tragic reminder that civil aviation security is an extremely important global issue on which law enforcement must focus. As the designated, lead Federal agency combating terrorism within the United States, the Federal Bureau of Investigation has a two-fold mission: To prevent terrorist incidents and to respond to such incidents when they occur. Obviously, the FBI cannot begin to fulfill its mission alone. All law enforcement agencies must work together, both here and abroad, to keep American citizens and aviation activities safe from terrorist attacks. This article discusses airport security, and more specifically, the scope of the problem and possible solutions.

A Royal Jordanian airliner is blown up by hijackers after releasing the crew and passengers.

©

The Problem

Inadequate security in many airports heightens the probability and leaves an open door to the possibility of terrorist attacks, which have become a major cause of human casualties and the destruction of aircraft. Since 1982, terrorists have been involved in at least 30 incidents of aircraft hijackings and bombings. Although at first glance, this may not seem like an inordinate number of attacks, the real threat goes much deeper. Today, as in the past, terrorists view using force or violence against people or property as a means to intimidate or coerce a government or an individual citizen to further their political or social objectives.

Many airports around the world are particularly vulnerable to terrorist attacks. For example, a TWA aircraft en route from Athens, Greece, to Rome, Italy, was hijacked in June 1985. At the time, the Athens airport's security was extremely lax, despite being the center of the Middle Eastern air traffic and a focal point of several terrorist groups. Following the hijacking incident, the U.S. Department of State issued an advisory to all Americans to avoid the Athens airport. However, the advisory was lifted 5 weeks later, when a Department of State report concluded that security measures had improved to meet international airport security requirements.

Even within the United States, airport security measures can be inadequate, and a tragic example of this was the crash of Pacific Southwest Airlines Flight 1771 on December 7, 1987. On this date, a Pacific Southwest Airlines employee, who had been fired, smuggled a handgun aboard the flight by using his employee identification badge to bypass the security checkpoint at Los Angeles International Airport. Directly following this incident, the Federal Aviation Administration (FAA) instituted new security regulations which required all airlines and airport employees to go through screening checkpoints before boarding commercial flights.

In February 1988, the United States joined other International Civil Aviation Organization (ICAO) members in signing, in Montreal, Canada, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation. This protocol supplements and extends the legal framework of the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, adopted at Montreal on September 21, 1971 (the Montreal Convention). The protocol addresses acts of violence committed at airports which serve international civil aviation, even where such acts do not endanger the safety of aircraft in flight. It was a response to several terrorist acts at international airports, including the attacks in December 1985, at the Rome and Vienna airports. Presently, the protocol has been transmitted to the U.S. Senate for its advice and consent and is awaiting ratification.[1]

Toward a Solution

To begin solving the problem, aviation security must be made a higher priority for law enforcement, government agencies, and the airlines industry. This can be accomplished by expanded jurisdiction, prevention, and cooperation.

Expanded jurisdiction may well act as a significant deterrent to would-be terrorists. Even though the FAA has the primary responsibility for airport and inflight security within the United States, and for flag carriers overseas, the FBI investigates terrorist incidents when laws of the United States have been violated.

The FBI's jurisdiction mainly deals with matters of aircraft piracy, interference with flight crew members, and with certain crimes aboard aircraft in flight

within the United States pertinent to Title 49, U.S. Code, Sect. 1472. Outside the United States, the FBI has actively investigated terrorist incidents committed against U.S. interests beyond U.S. borders since 1985. The Bureau received this jurisdiction primarily as part of the Comprehensive Crime Control Act of 1984 and later as part of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

In September 1987, as a result of an undercover operation, this expanded jurisdiction was used to arrest Fawaz Younis, a member of Amal, a Lebanese Shia organization, in international waters. Younis was charged in connection with the hijacking of Royal Jordanian Airline flight 402. Later, a nine-count indictment was filed charging Younis with air piracy, placing a destructive device on board an aircraft, committing violence aboard an aircraft, and aiding and abetting a hijacking. On March 14, 1989, Younis was convicted of conspiracy, hostage taking and air piracy.

This marks the first time that an individual was successfully prosecuted under the 1984 Hostage Taking Act. This conviction sends a clear, unmistakable message to terrorists: They will be aggressively pursued and brought to justice in the United States for acts of terrorism against Americans or U.S. interests abroad.

However, expanded jurisdiction is not the only answer. Prevention is also an absolutely essential element of any plan to make airports more secure. All involved parties, both law enforcement and the airlines industry, must actively support prevention. One way this can be accomplished is through collecting intelligence to increase our knowledge base. This can also be done through interviews with those involved in the terrorist incident, through the use of well-developed informants, undercover operations and through physical and court-ordered electronic surveillance. Sharing information with the FAA, commercial airlines and with various law enforcement agencies here and abroad also aids prevention.

Finally, expanded cooperation can and already has had an effect on the security of airports. To illustrate, in May 1986, the Royal Canadian Mounted Police (RCMP) arrested five Sikhs who were conspiring to come to the United States to put a bomb aboard an Air India Airliner at John F. Kennedy Airport in New York in exchange for money or drugs. This information, developed by the RCMP and the FBI, was instrumental in convictions and sentences for those found guilty.

In addition, the FBI has increased its experience and operational capabilities through a joint training exercise. This exercise, which was conducted in November 1988, included the FAA, FBI, State and local law enforcement agencies and the private sector. The exercise included a mock seizure of a U.S. aircraft in the United States by "terrorists" and the eventual landing and resolution of the incident at a different location.

During the exercise the "terrorists" seized the aircraft and held the "passengers" hostage. Ultimately, the FBI's Hostage Rescue Team assaulted the aircraft and subdued the "hijackers." This particular type of joint exercise tests everyone's capabilities to react to such a crisis and helps to ensure that appropriate measures can be put into effect in the event of an actual terrorist hijacking.

Unfortunately, this commitment to cooperation was put to use on December 21, 1988, when Pan Am Flight 103 exploded and

"... civil aviation security is an extremely important issue on which law enforcement must focus."

EAD Revell

Pan Am Flight 103.

crashed in Lockerbie, Scotland. As the agency responsible for investigation of terrorist attacks on U.S. persons and civil aviation, the FBI continually uses its resources to coordinate the investigation both in the United States and with its counterpart agencies abroad.

Since the outset of this tragedy, the investigation has been conducted in complete cooperation with Scottish, English, German and U.S. law enforcement agencies. The FBI has provided laboratory experts and has assisted in the aircraft reconstruction in Scotland. Moreover, Scottish and English authorities have detailed officers to the FBI's Washington Metropolitan Field Office to also provide assistance. All of the involved agencies, here and abroad, are committed to providing the necessary resources to bring those responsible to justice.

Conclusion

Today, terrorism has become a routine tactic used by extremist groups. According to U.S. Department of State data, there were 856 international terrorist incidents in 1988 resulting in 658 deaths and 1,131 injuries.[2] Terrorism continues to be a dangerous threat to aviation worldwide. Therefore, there must be a renewed commitment to aviation security.

> ***"Expanded jurisdiction may well act as a significant deterrent to would-be terrorists."***

Everyone involved in aviation security must work diligently to gather information and to continue to enhance the intelligence base. Law enforcement around the globe must be especially determined in its resolve to deal effectively with terrorism. This determination demands strong, effective cooperation and investigative coordination among law enforcement agencies around the world. By continuing to work vigilently and positively with the aviation industry, law enforcement can ensure that the sky will always belong to the public, not to the terrorist. FBI

Footnotes

[1] *Patterns of Global Terrorism: 1988*, Office of the Secretary of State, Ambassador-at-Large for Counterterrorism, U.S. Department of State, March 1989, p. 6.

[2] Ibid., p. 6.

The Bulletin Reports

NIJ AIDS Clearinghouse

The National Institute of Justice (NIJ) has established the NIJ AIDS Clearinghouse, a resource that criminal justice professionals can use to obtain *current* information on AIDS. The clearinghouse is a centralized source of information about how AIDS affects criminal justice professionals and their work. It distributes up-to-date information developed by NIJ, the Centers for Disease Control, and other agencies of the U.S. Public Health Service and the Department of Justice, as well as materials prepared by professional associations, State and local governments, and corrections and law enforcement agencies across the country.

Another feature of the clearinghouse is the NIJ's **AIDS Bulletin** series—short, nontechnical summaries of important information on AIDS and related criminal justice policies. These bulletins provide helpful, relevant information to criminal justice agencies that are concerned about AIDS risks and prevention strategies. Bulletins in the series include: "The cause, transmission, and incidence of AIDS," "Risk of infection with the AIDS virus through exposures to blood," "HIV Antibody Testing: Procedures, Interpretations, and Reliability of Results," "Precautionary measures and protective equipment: Developing a reasonable response," and "AIDS and intravenous drug use."

To reach the NIJ AIDS Clearinghouse, call (301) 251-5500 or 1-800-458-5231.

New Manual for Trial Lawyers

A new, expanded edition of **The Litigation Manual** has been published by the American Bar Association's Section of Litigation, which provides trial lawyers with a comprehensive primer on litigation techniques. The articles, written by many of the Nation's preeminent lawyers and judges, are designed to meet the needs of both veteran and novice practitioners.

Ranging from pretrial to settlement, the manual presents strategies, techniques, and practical advice on such topics as complex evidence, handling both criminal and civil trials, facing grand juries, and dealing with investigations. Also among the 134 articles are discussions of juror perceptions, witnesses and judges, appellate advocacy from both sides of the bench, depositions and evidence, jury persuasion, and procedural rules.

Copies of **The Litigation Manual** *can be obtained from American Bar Association Order Fulfillment, 750 North Lake Shore Drive, Chicago, IL 60611.*

New Body Armor Publication

The **Police Body Armor Consumer Product List** (CPL), 3d edition, lists all models of body armor (a total of 46) that have been tested by the Technology Assistance Program (TAP) of the National Institute of Justice (NIJ) and meet the requirements of the NIJ standard on ballistic resistance of police body armor. The standard specifies the performance requirements that body armor must meet to be considered suitable for law enforcement use and describes the methods for testing armor. In addition, it lists the factors to consider when selecting body armor.

NIJ is also updating its **Selection and Application Guide to Police Body Armor.** The guide provides information about purchasing armor, caring for it, and selecting the right level of protection. In addition, the guide discusses administrative concerns, including departmental liability.

For a copy of the CPL, standard, or guide, call or write to the TAP Information Center, Box 6000, Rockville, MD 20850, (301) 251-5060 or 1-800-24-TAPIC.

PERF Report

The State of Police Education: Policy Direction for the 21st Century, a report released by the Police Executive Research Forum (PERF), states that educational requirements professionalize police. Results from the PERF report indicate that college-educated police officers communicate better with the public, perform more effectively than their non-degree counterparts, receive fewer citizen complaints, are better decisionmakers, and show more sensitivity to racial and ethnic groups.

The report also found that educational levels of minority police officers are equal or superior to those of whites. According to a co-author of the report, Michigan State professor David Carter, "Our research dispels the myth that women and minorities in policing are less educated, and would be barred from police employment by higher educational standards."

The research indicated that black officers are more than twice as likely than white officers to have graduate degrees, and Hispanic officers are slightly more likely than whites to have graduate degrees. Further, 30 percent of the women in policing have graduate degrees, as compared to 3 percent of the men.

The report also reviews the current literature on police education, presents an academic profile of the police, and reports on the different scholastic, promotional and recruiting policies employed by various departments.

Copies of the report can be ordered from PERF, 2300 M Street, NW, Suite 910, Washington, DC 20037.

The Bulletin Reports, a collection of criminal justice studies, reports, and project findings, is written by Kathy Sulewski. Send your material for consideration to: *FBI Law Enforcement Bulletin,* Room 7659, J. Edgar Hoover Building, 10th & Penn. Ave., NW, Washington, DC 20535.

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

The Myths of Interviewing

By
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"I've been around guns all my life. I grew up with guns." When experienced firearms instructors hear these words, they realize that a difficult task lies ahead. They know that before they have any chance of teaching students the proper fundamentals of shooting, they will first have to "unteach" the bad habits and misconceptions such students bring to the range. Fortunately, for the firearms instructor, such "experienced" rookies represent the exception. On the other hand, the instructor who teaches interviewing to investigators often encounters students with preconceived ideas or myths about what constitutes good interviewing.

Although these students may have had little interviewing experience, many will enter a classroom armed with myths that the instructor must correct. These myths, derived mostly from television and other media, are attitudinal in nature and are much more difficult to modify than shortcomings resulting from insufficient knowledge or skills. Difficult or not, these myths must be modified; the success of many investigations depends on it. This article presents and discusses these myths with the hope of correcting them through understanding.

MYTH 1:
Interviewing Cannot Be Taught

Like many myths, this one contains enough of an element of truth to perpetuate it. Certainly, an interviewer cannot become accomplished without conducting interviews. However, this alone does not ensure proficiency any more than shooting numerous rounds on the firing range will guarantee marksmanship. To improve with practice, one must first master the fundamentals, which *can* be taught. Otherwise, repetition will only reinforce bad habits. Some interviewers have 20 years' experience, while others have a year of experience—20 times.

MYTH 2:
An Interview Is A List Of Questions

Most successful interviewers define interviewing as "a conversation with a purpose." People attempting to win another's confidence, develop rapport, or discover "what makes someone tick" quickly find they achieve these aims only if they establish communication. This is done through conversation, a two-way process, not by simply asking a list of questions. Pollsters may rely on questionnaires; investigators must not.

MYTH 3:
Interviewers Are Born, Not Made

An outgoing personality, a genuine concern for people, and a gift of gab all contribute to successful interviewing. The error lies in equating these attributes with competence. Just as a person who thinks an interview consists solely of questions or who ignores the fact that an interview is a conversation, one can also forget that the conversation must have a purpose. To fully understand the purpose, the interviewer must prepare for an interview by gathering all available information about the case, the statutes, and the people involved—not an easy task to one who has "never met a stranger."

MYTH 4:
Interviewers Must Stick To The Facts

Unlike the scholar who gleans information from inert books and records maintained in a library, the interviewer deals with a source of information that has feelings and emotions. To ignore these attributes is to ensure failure, because these are the very characteristics that enable an interviewer to succeed. By appealing to positive feelings, such as duty and honor, or by defusing negative ones, such as fear and embarrassment, the investigator will often find that emotions are the key to a successful interview. If emotions are dealt with, the facts will come eventually; however, if ignored, this will never happen.

MYTH 5:
Listening Is A Natural Process, Not A Skill

To substantiate that listening does not occur automatically, people need only recall the last time they were introduced to a group. If shortly after the introductions, they were asked the names of those just met, they would likely say they could not remember. This is inaccurate. They had not forgotten; they never heard the names. The inability to recognize listening as an active process that requires considerable effort causes many interviewers to fail.

MYTH 6:
Note-Taking Is Of Paramount Importance

A desire for complete, accurate reports often causes investigators to take nearly verbatim notes. This preoccupation with note-taking stymies the flow of conversation and limits the investigators' abilities to observe and listen. Thus, interviewers miss not only the facts but also the nonverbal behavior that is so important during an interview. As a result, obsessive note-taking, which is intended to enhance efficiency, actually lessens it. Note-taking requires good judgment to avoid adversely affecting all information obtained in the interview.

MYTH 7:
An Interviewer Must Dominate The Situation

Actually, this is not a misconception. The fault lies not in the principle but in the interpretation of it. Instructing new investigators that they must dominate situations and then turning them loose with guns and badges invites disaster. Doing so often results in behavior more appropriate to arrest situations than to interviews. Most often, interviewers dominate neither by uttering threatening words nor by displaying menacing behavior; rather, they should exhibit an air of serene confidence. Truly dominant individuals feel no need to overtly announce that they are in charge.

MYTH 8:
Cross-Examination Is The Same As Interrogation

Carefully crafted questions designed to ensnare the liar in his own words constitute a cross-examination. Some of the best practitioners of this skill, courtroom attorneys, effectively discredit many who testify. Although this process often achieves the desired effect, it rarely, if ever, produces a confession. Why? Because people do not confess as a result of questions; they confess because the interrogator has given them good reasons to do so. Failure to distinguish between a cross-examination and an interrogation often results in an extended "interrogation," with the investigator repeatedly asking the subject if he committed the crime and the subject repeatedly denying it.

> ***"Most successful interviewers define interviewing as 'a conversation with a purpose.'"***

Conclusion

Even in today's world of high technology, some of which has found its way into law enforcement's arsenal, the solution to many crimes still lies with people—the witnesses, the accomplices, and the criminals themselves. To tap these sources effectively, investigators must be proficient interviewers. However, experience alone does not ensure proficiency—training is also required. And, effective training begins with the identification of the students' problems. Recognizing the myths held by many rookies, and even some experienced investigators, may provide a starting point for the trainer. FBI

Suggested Readings

The works set forth below deal with various aspects of the interview process:

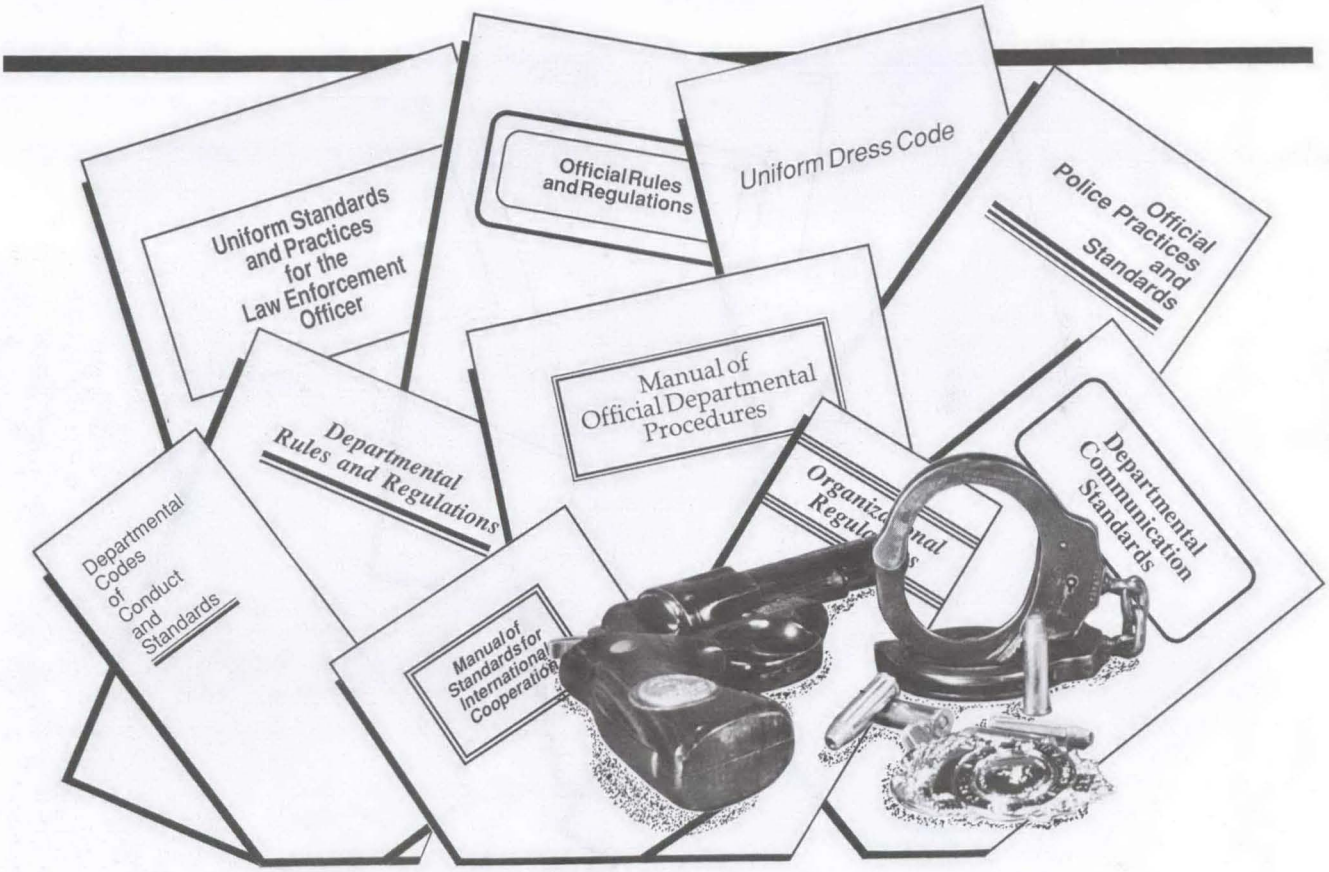
- Robert B. Cialdini, *Influence* New York: Quill, 1984).
- F.E. Inbau & J.E. Reid, *Criminal Interrogation and Confessions* (Baltimore, MD: Williams and Wilkins Co., 1986).
- Genie Z. Laborde, *Influencing with Integrity* (Palo Alto, CA: Syntony Publishing, 1984).
- G.I. Nierenberg & H.H. Calero, *How to Read a Person Like a Book* (New York: Cornerstone Library, 1981).
- Stanton Samenow, *Inside the Criminal Mind* (New York: Times Books, 1984).

Focus on
William J. Bennett

William J. Bennett assumed the post of Director of the Office of National Drug Control Policy after confirmation by the U.S. Senate. Prior to being named by President Bush as Director, Dr. Bennett was president of the Madison Center, a public policy education and research organization located in Washington. He served as U.S. Secretary of Education from February 6, 1985, through September 20, 1988.

A native of Brooklyn, NY, Dr. Bennett holds a bachelor of arts degree in philosophy from Williams College, a doctorate in political philosophy from the University of Texas, and a law degree from Harvard. He taught at the University of Southern Mississippi, the University of Texas, Harvard University, Boston University, and the University of Wisconsin, before becoming president of the National Humanities Center in North Carolina. In 1981, he was selected by President Reagan to be Chairman of the National Endowment for the Humanities, where he served until being named Secretary of Education.

As Secretary of Education, Dr. Bennett was a vigorous advocate of education reform and a leader in anti-drug efforts. In 1986, Dr. Bennett released *Schools Without Drugs*, a handbook that served as the cornerstone of the Education Department's efforts to prevent drug use by school children. As Secretary, Dr. Bennett implemented over $250 million in new anti-drug programs aimed at students. FBI



Written Rules and Regulations

Are They Necessary?

By
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There is probably no clearer current trend in police administration than the proliferation of policies, procedures, rules, and regulations. Model policies are frequently published in professional journals, and the International Association of Chiefs of Police has recently received a major grant from the Bureau of Justice Assistance to establish a national Law Enforcement Policy Resource Center. The Police Executive Research Forum provides police agencies with assistance to develop written policies, and the Law Enforcement Agency Accreditation Program requires that most of the 900+ standards used by departments be written directives. The prevailing wisdom in modern police administration is that policies and rules are needed to govern every contingency and every substantial aspect of operations and management.

On the other hand, the trend in business management, or at least in popular writings about business management, seems to be in exactly the opposite direction. Peters and Waterman report that the most successful companies

minimize formal rules and instead emphasize shared values.[1] More recently, Peters has identified a number of companies that have successfully reduced their reliance on formal rules. He cites as the most radical example a major nationwide retail corporation—its entire policy manual is "Use your best judgment at all times."[2]

Why these opposing trends? Significant reasons for police reliance on written regulations have been identified. However, extensive written guidelines can have serious detrimental effects that may be unnecessary, particularly when alternatives to written regulations are available. What needs to be considered is whether the current police enthusiasm for written regulations is as beneficial as we assume them to be.

The Demand for Rules

The primary justification for extensive law enforcement rules, policies, and procedures is the expressed need for management direction and control. Written rules and directives specify both correct and incorrect behaviors. They act as a performance guide for police employees and as a yardstick for evaluating performance.

The wide variety of duties that police officers perform, compiled with the wide discretion granted them, help to account for the proliferation of written directives. Because of the breadth of police duties and functions, there are a tremendous number of tasks and situations that are potential topics of written guidelines. And because of police discretion, simple, straightforward directives are rarely possible. Instead, lengthy directives specifying numerous factors to consider, and offering preferred responses for different combinations of factors, are regrettably much more common.

The tendency to promulgate rules, policies, and procedures to enhance direction and control has been exacerbated by three contemporary developments. One is the requirement for administrative due process in police discipline. This

> ***"... most successful companies minimize formal rules and instead emphasize shared values."***

has been encouraged by court rulings, police officer bill-of-rights legislation, and labor contracts. More and more, disciplinary action against police employees must follow an orderly process and must demonstrate violations of specific written rules. Thus, police departments feel the increasing need to have written rules prohibiting all the kinds of inappropriate behavior that they want to punish, as well as to have written procedures outlining the disciplinary and grievance processes.

Another development pushing police departments to establish written directives is civil liability. Lawsuits against local governments, police departments, and police managers seeking damages for the wrongful acts of police officers have become more common in recent years. Written in-place guidelines prohibiting the acts in question provide a principal avenue of defense against civil litigation. In essence, police managers try to show that it was not their fault that officers erred; however, to have this avenue of defense available, written policies and procedures are needed.

A third stimulus is the accreditation movement. While less than one percent of all police departments are presently accredited, many are either working toward accreditation or simply using the accreditation standards as a model for improvement. Further, the stature of the accreditation program is augmented by the fact that it is sponsored by the four major law enforcement executive membership associations. As mentioned before, most of the standards identify topics and issues that must be covered by written directives. Agencies pursuing accreditation or just looking to the program for guidance are clearly and strongly influenced in the direction of more extensive policies and procedures.[3]

The Effects of Rules

In the narrowest sense, police departments clearly seem to benefit from an exhaustive set of written rules and regulations. They are better able to make punishments stick. They can more readily defend themselves from civil liability. They can become accredited.

However, from a wider perspective, is management direction and control enhanced by more extensive written regulations? Stated another way: Does the existence of written directives make it more likely that police employees will know how to act, and more likely

that they will act in those desired ways? The answers to these questions are less obvious. Many observers have made the point that written directives in policing typically identify prohibited behaviors.[4] This may be particularly true in those tense, unpredictable, and demanding situations when the use of discretion is greatest, time is of the essence, and supervisors are not usually present.

Do police officers learn the correct way of doing police work from written directives? Probably not to any great extent. For the most part, they learn by doing and through apprenticeship, and to a lesser extent, through training in standard operational practices and procedures.[5] They may look to written directives when unsure about an administrative matter, but not often when deciding how to perform police work.

Do written directives contribute to management control in a police department? Certainly, some police misbehavior is prevented because officers know that the behavior is prohibited and that punishment is likely. There is evidence, for example, that restrictive shooting policies can reduce improper use of firearms.[6] Similarly, unauthorized high-speed driving by officers may be deterred.

In general, however, extensive written rules and regulations provide more of an illusion of control in police departments than genuine control.[7] Most police behavior is low-visibility, never comes to the attention of managers, and is so contingent on "an intuitive grasp of situational exigencies"[8] that directives are of little value for guidance or even ex post facto control. In fact, many police officers regard written regulations simply as tools that managers keep handy for those times when they want to punish an officer.[9] Because officers often see these punishments as arbitrary, and rule-breaking in street settings as inevitable, written rules and regulations sometimes lose relevance, even as guides to avoiding punishment.

Rules and Effectiveness

The question of most importance is whether extensive written directives make police organizations more effective. Do rules and regulations improve the quality of police service? Do they contribute to police goal attainment?

The answers to these questions are not really known. No experiments have been conducted to test the effectiveness of written rules and guidelines. There simply is not much agreement about how to define or measure the effectiveness of a police agency.

Perhaps a negative way to look at police agency effectiveness would be to focus on avoiding the negative publicity of a scandal. Wilson has argued that in fact, police management tends to avoid the negative rather than achieve the positive, in part because goal attainment and service quality are so difficult to define or measure.[10] Thus, one could speculate that extensive rules probably do enable police administrators to reduce corruption, excessive use of force, and some other types of scandalous behavior, and in that sense, may contribute to police effectiveness.

But to what extent do written rules contribute to protecting life and property and maintaining order? To crime prevention, to apprehension of offenders, and to free and orderly movement of people and vehicles? Arguably, these conditions are achieved (or are not achieved) as the result of hundreds or thousands of discretionary actions and decisions by individual police officers—actions and decisions that are not substantially guided or controlled via written rules or directives.

Alternatives to Rules

A serious mistake is made when it is thought that rules are the only means by which direction and control are achieved in organizations. Among the other traditional mechanisms used by police agencies to achieve direction and control are training, education, socialization, rewards, supervision, and inspections.

> ***"In general ... written rules and regulations provide more of an illusion of control ... than genuine control."***

More and more, business literature stresses the importance of culture and values for guiding employee behavior. Peters and

Waterman found that "every excellent company ... is clear on what it stands for, and takes the process of value shaping seriously."[11] To the extent that employees adopt an organization's values and are guided by its cultures and shared values acquired from the work group and the police subculture, rather than from management. Sometimes these cultures and values have accepted such abuses as corruption, excessive force, and citizen harassment.

> ***"The police administrator's challenge is to provide leadership by instilling desired values and culture within the police organization."***

ture, extensive written regulations become less necessary. In essence, direction and control are internalized by employees.

There may be some good reasons to use methods other than extensive rules to direct and control employee behavior. Excessive rules send a message to employees that they are not trusted. They may also contribute to a punitive atmosphere in an organization. They encourage employees to adopt bureaucratic behavior—an orientation toward following the rules and covering themselves rather than toward providing quality service.

In a nutshell, an excessive number of rules discourages innovation, risktaking, imagination, and commitment to the ideals of the organization. If organizational success depends on these kinds of employee attitudes and actions, it makes sense to consider alternative means of direction and control.

Police Values and Culture

Much of the direction and control in police organizations has been achieved through cultures and shared values acquired from the work group and the police subculture, rather than from management. Sometimes these cultures and values have accepted such abuses as corruption, excessive force, and citizen harassment. Frequently, they have supported police isolation from the rest of the community, extreme police autonomy, and a narrow view of the police function.

The police administrator's challenge is to provide leadership by instilling desired values and culture within the police organization. This requires a single set of values for all employees, rather than conflicting "management cop" and "street cop" cultures.[12] If a police chief can succeed in making it clear what the department stands for and can shape the values of employees to conform to his or her vision, direction and control will be greatly enhanced.

How can a chief accomplish this? A number of mechanisms are available. The entire recruitment, selection, and socialization process should be geared toward the basic institutional values that are most important. Promotion, assignment, and other rewards also reflect the importance of these basic values. The chief's behavior and pronouncements consistently should reinforce such cherished values, and the effects of slogans, simple mission statements, and codes of ethics should not be overlooked.

The recruit training process provides an opportunity at a crucial point in an officer's career to shape the values of employees. Indeed, the department's philosophy, goals, and values deserve as much attention as skill development and knowledge transmission. Recruits should leave training with no doubts about the kind of department for which they are working. In this regard, State police agencies, with their boot-camp-style academies, have traditionally given value-shaping more priority than other police departments. That these academies have typically inculcated legalistic and militaristic values does not preclude the possibility that other values could just as readily be emphasized.

Some police administrators may scoff at these proposals for shaping police values. However, such very proposals have been successfully employed in a wide variety of private sector situations, including those beset by adversarial management-labor relations. While it is certainly true that police organizations display some unique characteristics, and that police subcultures can be particularly intractable, the benefits to be derived from successful value-shaping are substantial enough to justify the effort.

Some movement in this direction can now be seen in police administration. The Second Annual Policing State-of-the-Art Conference held in 1985 focused on developing excellence in police organizations. In the aftermath of that meeting, the Houston Police Department developed an Excel-

lence in Policing in America project designed to discover the key characteristics of high-performing corporations and how they can be translated to the police world.[13] Couper has recently described quality leadership as an important prerequisite to excellence in policing.[14] This quality leadership includes greater reliance on teamwork and trust in police management and less reliance on formal rules.

Minimizing Rules

Could a police agency confine its written directives to "Use your best judgment at all times"? As long as its officers acted properly at all times, it could. Unfortunately, no police chief can be certain of such perfect performance. This is particularly true of police work, because amid the danger and excitement, quick discretionary decisions have to be made. Under such conditions, even competent officers, trying their best, will make mistakes.

If some written guidelines are absolutely necessary, which ones? When I became police chief in St. Michaels, MD, the department had but one or two pages of miscellaneous written rules. In my 3 years as chief, I wrote comprehensive policies on the use of force, arrest, emergency driving, media relations, communications, and records. I intended to do more but didn't have the time.

In retrospect, I'm not sure how much more I should have done. It would have been tidier to have had a more complete set of written directives, but would it have mattered? The police officers in the department knew what was expected of them, and when they sometimes performed unsatisfactorily, it was due to lack of experience, lack of imagination, laziness, or boredom, not lack of rules. Certainly, it would have been simpler for me to discipline them if we had extensive rules of conduct, but formal discipline was rarely needed.

Suppose a police department limited itself to a bare minimum of written guidelines, and then said, "In all other matters follow the law, established police procedures, the philosophy and mission of this department, and your own best judgment"? And suppose that supervisors and commanders were clearly responsible for making sure that their subordinates understood the law, established procedures, and the department's philosophy, and that they demonstrated good judgment? Under such a system, couldn't police officers, supervisors, and commanders be held accountable, despite the general absence of written regulations?

> **"... an excessive number of rules discourages innovation, risktaking, imagination, and commitment to the ideals of the organization."**

Admittedly, some legal advisers and insurers might be opposed to the minimization of written guidelines. But what evidence do they have that extensive rules produce better police service (or even lower awards and settlements, for that matter)? Police chiefs should manage for the benefit of their communities, not to make their lawyers' jobs easier. It's time that chiefs stopped managing defensively, simply to avoid scandals and lawsuits, and started managing to improve the quality of police service. A good way to start might be by eliminating unnecessary and demeaning rules, instead of continuing the current practice of promulgating rules to cover every conceivable exigency.

FBI

Footnotes

[1]Thomas J. Peters and Robert H. Waterman, Jr., *In Search of Excellence: Lessons from America's Best-Run Companies* (New York: Harper & Row, 1982).

[2]Thomas J. Peters, "Don't Send Memos," *The Washington Monthly*, November 1987, pp. 13–16.

[3]Stephen D. Mastrofski, "Police Agency Accreditation: The Prospects of Reform," *American Journal of Police*, Fall 1986, pp. 45–81.

[4]James Q. Wilson, *Varieties of Police Behavior: The Management of Law and Order in Eight Communities* (Cambridge, MA: Harvard University Press, 1968).

[5]Ibid.

[6]James J. Fyfe, "Administrative Interventions on Police Shooting Discretion," *Journal of Criminal Justice*, vol. 7, 1979, pp. 313–335.

[7]Gary W. Sykes, "The Functional Nature of Police Reform: The 'Myth' of Controlling the Police," *Justice Quarterly*, vol. 2, No. 1, March 1985, pp. 51–65.

[8]Egon Bittner, *The Functions of the Police in Modern Society* (Washington, DC: U.S. Government Printing Office, 1970).

[9]Peter K. Manning, *Police Work: The Social Organization of Policing* (Cambridge, MA: MIT Press, 1977).

[10]Supra note 4.

[11]Supra note 1.

[12]Elizabeth Reuss-Ianni, *Two Cultures of Policing: Street Cops and Management Cops* (New Brunswick, NJ: Transaction Books, 1983).

[13]Lee P. Brown, "Excellence in Policing: Models for High-Performance Police Organizations," *The Police Chief*, April 1988, pp. 68–78.

[14]David C. Couper, "Quality Leadership: The First Step Towards Quality Policing," *The Police Chief*, April 1988, pp. 79–84.

Police Practices

Volunteers: One Department's Experience

During the past decade, virtually all local, State, and Federal law enforcement agencies have experienced shrinking budgets. This limitation of funds has meant less people and fewer services available to do the job. Yet, at the same time, departments have been pushed to the limit with increased calls for service. How then does any public service department keep pace with the public's demands without the necessary funds? The South Gate, CA, Police Department responded by implementing a program that is not new to law enforcement, but one that has not been given serious attention—using citizen volunteers.

Questions To Be Answered

- What can volunteers do for a department?
- What impact will a volunteer program have on a department (both positive and negative)?
- How much will the program cost?
- What process will be used to select volunteers (recruiting, screening, background investigation, interviewing)?
- What type of training will be given?
- How will volunteers be identified from regular department members?
- What procedures will be used for scheduling, disciplining, and evaluating volunteers?
- Who will supervise the volunteers?
- What are the possible liability concerns?

Program Implementation

The department's first step was to determine if there was a need for volunteers, and if so, what tasks they could perform that a police officer was currently doing. (See sidebar.) Once these two factors were identified, it was necessary to decide who should be accepted into the volunteer program and the number of volunteers needed. Among the considerations were the sex and age of the individuals and the training to be provided.

The South Gate Police Department has both male and female volunteers ranging in age from 18 to 80; however, those over the age of 40 were found to be the most dependable. Initially, 12 volunteers were brought on board, but within the first 3 months of the program, the number had risen to 45 because additional areas were identified within the department where volunteers could be used. The first volunteers were trained in small groups, with additional workers being trained as members became proficient in their assigned duties.

Another consideration was the cost of the program. Because South Gate's program started after the budget had been established, no monies were allocated for a volunteer program. Even though such a program is inexpensive, desk space, office supplies, etc., were needed. The local merchants and other community groups, realizing the value of volunteers to the police department, furnished the necessary funds and materials.

Program Supervision

A lieutenant currently directs South Gate's program, but the ultimate goal is to have a volunteer supervise the day-to-day operations. The department believes that the individual selected to head a program must be among those in an organization who is authorized to make decisions. Most important, the person in charge must have a desire to be involved with volunteers, see the benefit to the program, work well with people, and be understanding and patient.

Other Considerations

Volunteers need to know that they are an integral part of the department's operation and that their services are needed and wanted. To accomplish this, the South Gate Police Department provided the following:

- Desk space, office supplies, and other necessary equipment for their specific use
- A monthly newsletter to keep volunteers informed as to what is happening within the organization and their program, since many volunteers work only 4 to 8 hours a week
- Monthly meetings used for training during which speakers from the various divisions within the department speak to the volunteers
- Special functions such as potluck dinners or picnics to create an *esprit de corps*
- Special identification cards or badges indicating their volunteer status to maintain individual identity

Also, there were some problem areas that needed to be addressed, i.e., sufficient parking for regular employees and volunteers and the perception of volunteers by other members of the department. Although the South Gate Police Department experienced a few difficulties, they were resolved with very little effort. Once employees saw the benefits of a volunteer program and realized their job security was not being threatened, a successful working relationship developed between the two groups.

Possible Volunteer Assignments

- Telephone follow-up interviews
- Residential and community security surveys to assist in crime prevention
- Data entry
- Assignments in Traffic Bureau to handle reports phoned in and walk-in customers
- Assignments in Record Bureau, such as filing reports
- Assisting in crime analysis
- Fingerprinting citizens
- Court liaison
- Working on home security projects, e.g., lock installers, etc.

Successes

During the first 10 months of the program, South Gate's volunteers worked 11,954 hours. Because of their efforts, a backlog of data entry and filing does not exist within the department.

Volunteers are dedicated, enthusiastic people with lots of energy and good ideas. They can provide any department with the additional resource needed to meet the community's call for service.

(Information for this feature was submitted by Capt. George B. Troxcil, Services Division, Police Department, South Gate, CA. For additional information on South Gate's volunteer program, contact Captain Troxcil, 8620 California Ave., South Gate, CA 90280, (213) 563-5454.

Police Practices serves as an information source for unique or noteworthy methods, techniques, or operations of law enforcement agencies. Submissions should be no more than 750 words (3 pages, double spaced and typed) and should be directed to Kathy Sulewski, Managing Editor, *FBI Law Enforcement Bulletin,* Room 7659, 10th & Pennsylvania, NW, Washington, DC 20535.

Legal Issues in Media Relations

By
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In the infancy of the United States, James Madison wrote:

> "A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps both. Knowledge will forever govern ignorance: And a people who would mean to be their own Governors, must arm themselves with the power which knowledge gives."[1]

It was with that counsel in mind that the first amendment was written, guaranteeing that the freedom of speech and of the press would contribute to an informed electorate and competent government. "[S]ince informed public opinion is the most potent of all restraints upon misgovernment,"[2] courts examine any abridgement of the publicity afforded by a free press with great scrutiny.

Madison's admonitions against restricting the freedom of the press have influenced the development of the law regulating and protecting media activity. Law enforcement administrators must carefully consider these legal issues when developing media relations policies or philosophies. A successful media relations policy must balance legitimate law enforcement interests and the public's desire for information concerning the effectiveness of law enforcement agencies and personnel.

Various legal issues must be considered when developing a media relations policy because the public's interest in receiving information through the media sometimes directly conflicts with the public interest in effective law enforcement. This article addresses the legal issues arising from the control of a crime scene or disaster area in the face of demands by the press for access, the response to media requests for access to law enforcement facilities or records, and restraints on publication of information acquired by the press.

This article also discusses the development in the Supreme Court of the media's first amendment right to access news, defines the press' limited right of access to law enforcement activities, and examines the legal problems inherent in attempts to restrict the publication of news. It concludes with suggestions for planning that balance law enforcement interests with media rights.

Historical Development of the Media's First Amendment Right to Access News

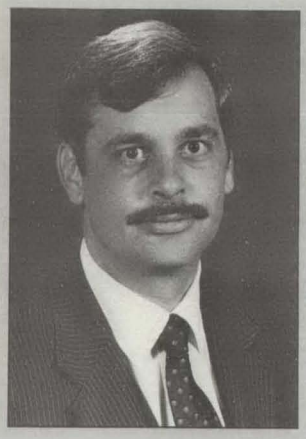
The origins of the media's constitutional right to access news began in the 1972 Supreme Court case of *Branzburg* v. *Hayes*.[3] In that case, the Court observed that "news gathering is not without its First Amendment protections,"[4] and that the press has the right to gather news "from any source by means within the law."[5] However, the Court clearly rejected the argument that the press has a constitutional right under the first amendment to demand the news be provided or made available to them:

> "'. . . the First Amendment does not guarantee the press a constitutional right of special access to information not available to the public generally."[6]

Of particular significance for law enforcement, the Court also ruled, "[N]ewsmen have no constitutional right of access to the scenes of crime or disaster when the general public is excluded."[7]

In 1977, the Court decided a second case which more directly involved the scope of the media's constitutional right of access to the news. In *Houchins* v. *KQED*,[8] a television station, upon report of an inmate suicide blamed by some on the living conditions inside the jail facilities, requested permission to inspect and film the interior of the jail. The sheriff denied the request. KQED filed suit charging the sheriff violated KQED's and the public's first amendment rights by failing to provide any effective means by which the public could become informed of jail conditions. Shortly thereafter, the sheriff, completing earlier plans, announced he would permit monthly public tours of certain portions of the jail. The tours were open to

> ***"A successful media relations policy must balance legitimate law enforcement interests and the public's desire for information...."***



Special Agent Higginbotham

"Law enforcement administrators must carefully consider ... legal issues when developing media relations policies and philosophies."

the general public on a first-come, first-served basis, and were limited to 25 persons per tour; cameras and tape recorders were excluded, as was contact or communication with inmates.

KQED continued its lawsuit despite commencement of the tours, since it was denied preferential placement in the first tour and because KQED believed the prohibition of cameras and recorders, the exclusion of portions of the jail, and the isolation of inmates from the view of the tour substantially reduced the usefulness of the tours. The sheriff defended his position by arguing that unregulated access by the media would be disruptive and generate internal and security problems. In addition, the sheriff noted that various other means existed by which information concerning jail conditions could reach the public.

The Supreme Court accepted the case to decide "... whether the news media have a constitutional right of access to a county jail, over and above that of other persons, to interview inmates and make sound recordings, films, and photographs for publication and broadcasting by newspapers, radio, and television."[9]

The Court recognized the crucial role of the media as a safeguard against misgovernment and that "conditions in jails and prisons are clearly matters 'of great public importance,' [where the press] acting as the 'eyes and ears' of the public... can be a powerful and constructive force, contributing to remedial action in the conduct of public business."[10] However, the Court stated, "[L]ike all other components of our society media representatives are subject to limits."[11]

In ruling for the sheriff, the Court held that "[n]either the First Amendment nor the Fourteenth Amendment mandates a right of access to government information or sources of information within the government's control."[12] The Court believed resolution of the issue of access to news to be political, not constitutional, in nature:

> "There is no constitutional right to have access to particular government information, or to require openness from the bureaucracy. The public's interest in knowing about its government is protected by the guarantee of a Free Press, but the protection is indirect. The Constitution itself is neither a Freedom of Information Act nor an Official Secrets Act.
>
> "The Constitution, in other words, establishes the contest, not its resolution. Congress may provide a resolution, at least in some instances, through carefully drawn legislation. For the rest, we must rely, as so often in our system we must, on the tug and pull of the political forces in American society."[13]

The Court counseled that the appropriate method by which the public may be informed of jail conditions "... is a policy decision to be resolved by legislative decision," and care must be taken "not to confuse what is 'good,' 'desirable,' or 'expedient' with what is constitutionally commanded by the First Amendment."[14]

The issue was revisited by the U.S. Supreme Court in a slightly different context in *Press-Enterprise Co.* v. *Superior Court of California*.[15] There, by order of the trial court, the preliminary hearing in a murder case was closed to both the public and the press, and the transcripts put under seal. In a suit to force release of the transcripts, the issue before the

Court was whether the first amendment guaranteed access to news, i.e., the transcripts of the preliminary hearing. This time, the Court ruled that under certain conditions and in certain contexts, a constitutional right to acquire news does exist. The Court described those conditions as: 1) "[W]hether the place and process has historically been open to the press and public,"[16] and 2) "... whether public access plays a significant positive role in the functioning of the particular process in question."[17]

In *Press-Enterprise*, the Supreme Court concluded that because preliminary hearing proceedings had historically been open to the public and because public access would benefit the functioning of the process, a "... qualified right of access attaches to preliminary hearings"[18] and ordered the release of the preliminary hearing transcripts to the press. More importantly, the Court noted that the first amendment right of access is not absolute, and that the qualified right must give way if the government can prove by a "substantial probability"[19] that prejudice or harm would result from public access.

The *Branzburg*, *KQED*, and *Press-Enterprise* trilogy which carved the first amendment right of media access to news is important because it recognizes the important societal role served by the media. By keeping the public informed of events and the workings of the government, democratic society is advanced. Law enforcement administrators must bear this in mind when developing a media relations policy or philosophy.

The Media's Limited Right of Access to Law Enforcement Activities

The first amendment right of the media to access the news is not absolute and "... like all other components of our society ... subject to limits."[20] That point is particularly important to law enforcement officers and agencies faced with a demand by the media for access to a newsworthy event, police records, facilities, or functions.

Courts consider two questions in determining the scope of the media's first amendment right to access news about a particular law enforcement activity: 1) Is the access predicated on a historical tradition of openness and will media access play a positive role in the functioning of the criminal justice process? and 2) Is the particular law enforcement function or activity so important to the effective functioning of society that it may on balance be shielded from both the press and the public? Each of these factors is discussed below.

Certain law enforcement activities have traditionally been open to the public and press. For example, police arrest records and blotters, as well as court documents, have historically been accessible to anyone on request. However, other law enforcement activities do not have a tradition of openness and are beyond the scope of the media's first amendment right of access. For example, the conduct of criminal investigations has never been a public venture. While individual pieces of the investigation may be conducted publicly (e.g., interview with a witness at a crime scene), the information gathered and the investigative strategy employed has been traditionally protected from public examination or dissemination. Confidentiality is necessary to safeguard the integrity of the investigation and to avoid prejudicing the right of a defendant to receive a fair trial.

Moreover, public and media access to an on-going investigation would not contribute positively to the functioning of the criminal justice process. Unbridled press access to a pending investigation could thwart the investigation and denigrate the ability of an accused to receive a fair trial.

> ***"... the First Amendment does not guarantee the press a constitutional right of special access to information not available to the public generally."***

Finally, police records or facilities that do not have a historical tradition of openness are beyond the reach of the media's first amendment right to gather news. The media's "... right of access is not a license to force disclosure of confidential information or to invade the decisionmaking process of government officials."[21] Where such records or facilities have not historically been made public or where access would negatively affect law enforcement, there is no constitutional right to access those records[22] or facilities.

> ***"[n]either the First Amendment nor the Fourteenth Amendment mandates a right of access to government information or sources of information within the government's control."***

Other law enforcement activities or functions are also beyond the scope of the media's first amendment right to access the news because the particular function or activity is so important to the effective functioning of society that exclusion of the press and public is justified. For example, the press may be excluded, along with the general public, from crime scenes, public disasters, or other police functions where the media's presence would hinder, interfere, or jeopardize the safe and effective accomplishment of mission. Police may lawfully cordon such areas, restricting all persons (press and public) from entering until such time as the police operation is completed or access poses no risk to law enforcement interests. In such cases, the interests of society as represented by law enforcement are paramount to the press' first amendment right of access.

Restraints on Publication of the News

Thus far, this article has addressed a narrow issue — the existence and scope of a constitutional right to access news. However, instead of restricting access, occasionally law enforcement may desire to restrain the media from publicly disclosing law enforcement information that the media has already accessed. As an example, in December 1986, law enforcement officers converged on the parking lot of a convenience store where two narcotics fugitives were believed to be. En route, the officers exchanged radio communications which identified the location to local news reporters who were monitoring police radios.

Based on the fast-breaking events, several undercover officers involved in the investigation, one of whom was the target of a murder contract placed by the suspects, arrived at the scene and assisted in the successful arrest of both fugitives. As the arrests were made, video and still photographs were taken by news reporters who had also arrived at the scene. When the arresting officers realized the pictures taken would likely disclose the identities of the undercover officers, they requested and demanded that the filming stop. As added protection of the undercover officers' identities, the cameras and film were temporarily seized until arrangements were made for a joint law enforcement/media review of the film to protect against broadcast of pictures which might compromise the officers' identities and jeopardize their safety. A lawsuit was subsequently filed challenging the lawfulness of the seizure of the film and cameras and alleging constitutional, statutory and common law violations.[23]

Few would deny that the capture of two dangerous fugitives is a newsworthy event or that law enforcement had valid concerns about the compromise and safety of the undercover officers involved. One might even argue that such a situation is one where the qualified right to access news must give way to the competing interests of law enforcement. However, that argument is flawed because the issue was not access, but restraint on the publication of news and pictures already acquired. "Although both [the right of access and the right of publication] have their roots in the First Amendment, these principles are doctrinally discrete, and precedents in one may not be indiscriminately applied to the other. In general, the right of publication is

the broader of the two, and in most instances, publication may not be constitutionally prohibited even though access to the particular information may be denied."[24]

The courts are extremely reluctant to engage in the prior restraint of speech. In fact, any attempt to do so comes to the court "... bearing a heavy presumption against its constitutional validity."[25] The right to publish or disseminate information is so important because it is the foundation upon which our Nation was created:

> "In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors. The Government's power to censor the press was abolished so that the press would remain forever free to censure the Government."[26]

While a full discussion of the doctrine of prior restraint is beyond the scope of this article, it is sufficient, for law enforcement purposes, to realize that the press' right of expression exceeds its right of access. If legitimate law enforcement concerns conflict with media interests or demands, resolution is more likely to be found in restricting access, not restraining publication.

The press' cherished first amendment right of publication is also supported by Federal legislation. In 1980 Congress enacted the Privacy Protection Act,[27] providing special protection to certain information in the possession of the media against government search and seizure. Basically, this law prohibits the government from searching for or seizing a person's workproduct or other documentary materials which are possessed in connection with the intention to disseminate the information to the public in a newspaper, book, broadcast or similar public communication, except in narrowly defined situations.[28] It was this statutory restriction that became the central issue in the lawsuit mentioned earlier, which arose from the media coverage of the arrests of the narcotics fugitives. Ultimately, the court ruled in favor of the media in that case, finding a breach of the Privacy Protection Act's prohibition on the seizure of the media's workproduct intended for public dissemination.[29]

> ***"... the first amendment right of access ... must give way if the government can prove by a 'substantial probability' that prejudice or harm would result from public access."***

No further discussion of the Privacy Protection Act is necessary here. The lesson to be derived is parallel to the prior restraint discussion. The media's crucial role in society carries protections, both constitutional and statutory, commensurate with its importance. Once news is obtained, law enforcement, and the government as a whole, is constrained in its ability to seize it or to interfere with the press' right to publish.

Conclusion

The right of the press to access news is not absolute. It is tempered by the public interest in safe and effective law enforcement. Where the public may not go, the press has no constitutional right to go. Where historical tradition has not opened law enforcement functions to the public and press or where public openness would not contribute to the functioning of the government process, no constitutional right to access news exists.

However, the media's interest in law enforcement activities must be expected. The press, like law enforcement, serves a vital societal role. If conflicts arise, they can be successfully managed and resolved if law enforcement and the press respect the important purposes served by the other.

Law enforcement officials would be well-served to plan operations with the media's potential interest and presence in mind. Thus, it might be possible to establish perimeters around the operation which exclude both public and press, if their presence would harm or risk the successful accomplishment of mission. Similarly, prior planning for emergency operations and incidents should include planning for

media inquiries and demands. Public information officers can be used to bridge the competing interests when media demands threaten law enforcement interests.

Advance planning will also assist in forestalling the more difficult issues in restraining publication or dissemination of already-acquired information. Planning should presume that prior restraint, condemned by both the Constitution and statute, cannot be effectively achieved. Thus, the alternative is to restrict access where publication would endanger law enforcement efforts.

Law enforcement should not perceive the press as an adversary. All law enforcement officials and officers must realize and appreciate the complementary and conflicting roles served by both. The press and law enforcement are part of our societal balance and "[a]lthough the press cannot command access wherever, whenever it pleases, neither can government arbitrarily shroud genuinely newsworthy events in secrecy ... [T]he state's rulemaking power is not absolute: if the first amendment is to retain a reasonable degree of vitality, the limitations upon access must serve a legitimate governmental purpose, must be rationally related to the accomplishment of that purpose, and must outweigh the systemic benefits inherent in unrestricted (or less-restricted) access."[30]

Footnotes

[1]9 Writings of James Madison 103 (G. Hunt ed. 1910).

[2]*Grossjean* v. *American Press Co.*, 297 U.S. 233, 250 (1936).

[3]408 U.S. 665 (1972).

[4]*Id.* at 707.

[5]*Id.* at 681-682.

[6]*Id.* at 684.

[7]*Id.* at 684-685.

[8]438 U.S. 1 (1977).

[9]*Id.* at 3.

[10]*Id.* at 8.

[11]*Id.*

[12]*Id.* at 15.

[13]*Id.* at 14-15, citing Stewart, "Or of the Press," 26 Hastings L.J. 631, 636 (1975).

[14]438 U.S. at 13. *See also, Capital Cities Media, Inc.* v. *Chester*, 797 F.2d 1164, 1167 (3d Cir. 1986) ("The founding fathers intended affirmative rights of access to government-held information, other than those expressly conferred by the Constitution, to depend on political decisions made by the people and their elected representatives."); *Herald Co.* v. *McNeal*, 511 F.Supp. 269 (E.D. Mo. 1981).

> **"Law enforcement officials would be well-served to plan operations with the media's potential interest and presence in mind."**

[15]106 S.Ct. 2735 (1986).

[16]*Id.* at 2740.

[17]*Id.* One case has questioned whether the two-prong standard of *Press-Enterprise* is applicable to situations other than courtroom proceedings. *See, Capital Cities Media, Inc.* v. *Chester, supra*, note 14 at 1174. However, even that case ultimately applied the dual standard. Other courts have done likewise. *See, e.g., Combined Communications Corp. of Oklahoma* v. *Boger*, 689 F.Supp. 1065 (W.D. Oklahoma 1988); *First Amendment Coalition* v. *Judiciary Inquiry and Review Board*, 784 F.2d 467 (3d Cir. 1986); *Society of Professional Journalists* v. *Secretary of Labor*, 616 F.Supp. 569 (D. Utah 1985).

[18]106 S.Ct. at 2743.

[19]*Id.*

[20]*Houchins* v. *KQED*, 438 U.S. 1, 8 (1977).

[21]*Society of Professional Journalists* v. *Secretary of Labor, supra*, note 17 at 577. *See also, Legi-Tech Inc.* v. *Keiper*, 601 F.Supp. 371 (N.D.N.Y. 1984); *Bartel* v. *F.A.A.*, 617 F.Supp. 190 (D.D.C. 1985).

[22]The scope of this article does not extend to State legislation, which might grant broader access to government records and activities than does the Constitution. *See, e.g., Freedom Newspapers, Inc.* v. *Superior Court*, 227 Cal. Rptr. 518 (Cal. App. 4 Dist. 1986). The reader is advised to seek a legal opinion from local counsel to determine what, if any, more liberal standard exists in his/her jurisdiction.

[23]*See, Minneapolis Star Tribune Company* v. *United States*, Civil Action No. 3-87-36 (D. Minnesota). The claims included alleged violation of the first amendment guarantee of freedom of the press and of the Privacy Protection Act, 42 U.S.C. §2000aa.

[24]*First Amendment Coalition* v. *Judicial Inquiry and Review Board*, 784 F.2d 467, 471-472 (3d Cir. 1986) (citation omitted).

[25]*Bantam Books, Inc.* v. *Sullivan*, 372 U.S. 58, 70 (1963). *See also, New York Times Co.* v. *United States*, 403 U.S. 713 (1971).

[26]*New York Times Co.* v. *United States*, 403 U.S. 713, 717 (1971) (Justice Black, concurring).

[27]42 U.S.C. §2000aa, *et seq.*

[28]42 U.S.C. §§2000aa(a) and 2000aa(b). For a complete discussion of the provisions of the Privacy Protection Act, *see*, Rissler, "The Privacy Protection Act of 1980," *FBI Law Enforcement Bulletin*, February 1981.

[29]*Minneapolis Star Tribune Company* v. *United States*, civil action No. 3-87-36 (D. Minn.) Order August 1, 1988. This article should not be read as a criticism or condemnation of the actions of the law enforcement officers involved in that situation. Quickly developing events offered few, if any, alternatives.

[30]*D'Amario* v. *Providence Civic Center*, 639 F.Supp. 1538, 1543 (D.R.I. 1986).

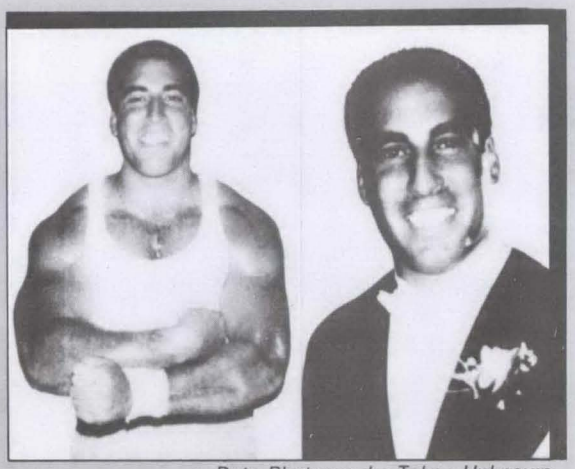
Law enforcement officers of other than Federal jurisdiction who are interested in any legal issue discussed in this article should consult their legal adviser. Some police procedures ruled permissible under Federal constitutional law are of questionable legality under State law or are not permitted at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

Costabile "Gus" Farace

Costabile "Gus" Farace became the 426th person to be added to the FBI's "Ten Most Wanted Fugitive" list. He is wanted for questioning in the murder of a Drug Enforcement Administration (DEA) Special Agent and Unlawful Flight to Avoid Confinement for parole violation.

On February 28, 1989, DEA Special Agent Everett Hatcher, a 17-year veteran of law enforcement, was brutally slain on Staten Island, NY. Hatcher, who was posing as a buyer, was found dead in his car after allegedly meeting with drug dealers to discuss future drug transactions. He had been scheduled to meet with Farace, who earlier had sold him an eighth of a kilogram of cocaine. His death prompted a joint FBI/DEA nationwide manhunt for his killer and the creation of a special task force.

Farace is the prime suspect in the fatal shooting of SA Hatcher. It is believed that Farace and another individual met with SA Hatcher to discuss future drug transactions, and during this meeting, SA Hatcher was murdered. To date, however, there is insufficient evidence to charge Farace with murder. The Attorney General of the United States has offered a $250,000 reward for his capture.



Date Photographs Taken Unknown

Previously convicted of manslaughter in 1980, Gus Farace is wanted for parole violation, as well as Unlawful Flight to Avoid Confinement. The FBI warns that Farace may be armed and extremely dangerous.

Description

ALIASES: Alfonse Farace, Gus Farace, Constabile Farace, Costabile G. Farace, Costabile Farace, Costable G. Farace.

W; dates of birth used 6-20-60, 1-20-59, 7-20-59, 1-20-60, 6-21-60, 1-21-60; Brooklyn, NY; 6′2″; 220 lbs; muscular build; brn hair; brn eyes; med comp; occ-grocery man; scars and marks: Tattoos of rose with mom and dad on upper left arm, girl on lower calf of right leg and a butterfly on stomach.

Wanted by FBI for INTERSTATE FLIGHT-MANSLAUGHTER; PAROLE VIOLATOR

NCIC Classification:

POPMPIPMCOCIPM20POCI

Fingerprint Classification:

$$\frac{20\ O\ 30\ W\ M\ I\ M}{I\ 32\ W\ M\ O\ O} \quad \text{Ref: } \frac{32}{32}$$

I.O. 5098

Social Security Number Used: 087-52-9335

FBI No. 297 090 R2

Caution

Farace has been convicted of manslaughter. He should be considered armed and extremely dangerous in view of prior conviction for manslaughter and also in view of the nature of the suspected crime.

Left Little Fingerprint

Fingerprint shown actual size

From the Editor

A Call for Photographs

We at the *FBI Law Enforcement Bulletin* appreciate the overwhelming response we have received to our "Call For Manuscripts" (March Issue) from law enforcement writers. Therefore, we would like to extend equal opportunity to the photographers among our readers. Whether you are a professional or a serious amateur, we invite you to submit your law enforcement-related photos to the *Bulletin*.

We can use either black-and-white glossy or color prints or slides—although we prefer prints (5 × 7 or 8 × 10). In particular we are always on the lookout for dynamic photos in a vertical format for use on the cover. Appropriate credit will be given to contributing photographers when their work appears in the magazine.

The following list represents only some suggestions that might give you ideas. Don't feel restricted by it, but use it as a springboard for your creativity. We look forward to seeing your work.

Thanks.

Stephen D. Gladis
Editor

Photographic Ideas

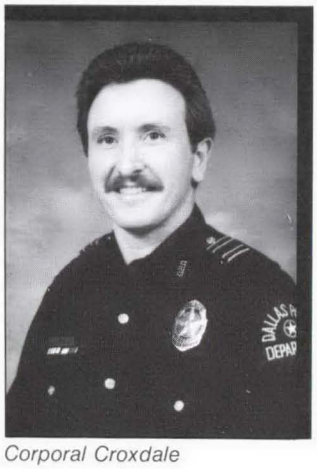
Law Enforcement Officers at Work (Example: Interacting with the public; assisting the injured; arresting suspects; locating and examining evidence at a crime scene; land, water, or air patrol, etc.)
Modern Technology & Equipment (Example: Training, satellite technology, computerization)
Terrorism (Example: Hostage situations, bombing aftermath, weapons, SWAT teams)
Civil Unrest (Example: Youth gangs, riots, inner-city violence, strikes, rallies, crowd control)
Electronic Surveillance
Physical Fitness
Forensic Science (Example: Microscopic images—DNA, viruses, or evidence; examination of crime scene evidence)
Child Abuse (Example: Imply abuse with photographs of abandoned toys, a child's bedroom in disarray, a torn stuffed animal)
Legal Issues (Example: Courtroom activity, testimony of a witness or law enforcement officer, attorney talking to jury or conferring with client)
Work-related Stress (Example: Employee/management relations, photographic interpretations of stress)
Crime Prevention (Example: Citizen groups, neighborhood watch groups, crime awareness training; law enforcement officer helping the elderly, the handicapped, or youth groups)
Drugs (Example: Drug prevention efforts, drug paraphernalia)
Law Enforcement Memorials (Example: Photographic images to honor those officers who have died in the line of duty and to show the impact of those deaths on fellow officers, family, and friends)

The Bulletin Notes

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

Deputy Jackson

Dep. Corey Jackson of the Lafayette Parish, LA, Sheriff's Office was on detail at a local hospital when a patient's bed caught fire from a lit cigarette. After summoning assistance, Deputy Jackson entered the room to find not only the bed on fire but also a flame shooting from the oxygen supply line on the wall. Because the hospital's sprinkler system was deficient, Deputy Jackson attempted to extinguish the flame by himself, then assisted with patient evacuation until additional help arrived to battle the flames.



Corporal Croxdale

Cpl. Gary Croxdale of the Dallas, TX, Police Department was on vacation in Cozumel, Mexico, when the resort area was struck by a hurricane. When hotel officials asked for volunteers among the guests to help in the crisis, Corporal Croxdale offered his assistance. He organized the other guests and hotel employees to establish emergency procedures for their protection and later, after the storm had passed, he helped coordinate rescue efforts.

Officer Robin Sharp of the Union, MO, Police Department responded to a call to discover a man who was attempting suicide by hanging himself from a bridge across the Bouebeuse River. When Officer Sharp climbed onto the superstructure of the bridge, the subject let go of his rope and began choking. Officer Sharp climbed out 50 feet over the frozen river, up the superstructure, and out approximately 20 feet over the floor of the bridge. He then cut the subject loose, helping to restrain him until an ambulance arrived to take him to a hospital.

Officer Sharp

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Major Art Theft

This painting, valued at $175,000, was stolen during the burglary of a private residence on May 23-24, 1987. Contact the FBI's San Diego Office at (619) 231-1122 with any information concerning this theft. Refer to their file number 87A-10786. You may also contact the National Stolen Art File, FBI Laboratory, Washington, DC, telephone (202) 324-4434.

Cavalry Officer *by Frederic Remington, 35" × 25"*