



FBI Law Enforcement Bulletin

July 2004
Volume 73
Number 7

United States
Department of Justice
Federal Bureau of Investigation
Washington, DC 20535-0001

Robert S. Mueller III
Director

Contributors' opinions and statements should not be considered an endorsement by the FBI for any policy, program, or service.

The attorney general has determined that the publication of this periodical is necessary in the transaction of the public business required by law. Use of funds for printing this periodical has been approved by the director of the Office of Management and Budget.

The *FBI Law Enforcement Bulletin* (ISSN-0014-5688) is published monthly by the Federal Bureau of Investigation, 935 Pennsylvania Avenue, N.W., Washington, D.C. 20535-0001. Periodicals postage paid at Washington, D.C., and additional mailing offices. Postmaster: Send address changes to Editor, *FBI Law Enforcement Bulletin*, FBI Academy, Madison Building, Room 201, Quantico, VA 22135.

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Cover Photo

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Features

Issues in Small Town Policing

By Dennis Lindsey
and Sean Kelly

1

Regardless of agency size or service area, all law enforcement officers face increasing amounts of job-related stress.

Kidnapping Investigations

By Toni Marie Chrabot
and Winnie D. Miller

12

Crisis negotiation teams can assist law enforcement agencies to successfully resolve kidnapping cases.

The Montgomery County CIT Model

By Rodney Hill, Guthrie Quill,
and Kathryn Ellis

18

A crisis intervention team can provide law enforcement officers with skills to safely de-escalate situations that involve people who are mentally ill.

The Property Room

By Barney Kinman

28

Law enforcement agencies should ensure that their property rooms function as effectively as possible.

Departments

8 Focus on Professional Development PLEAA

11 Crime Data Arson Statistics

17 Book Review Terrorism

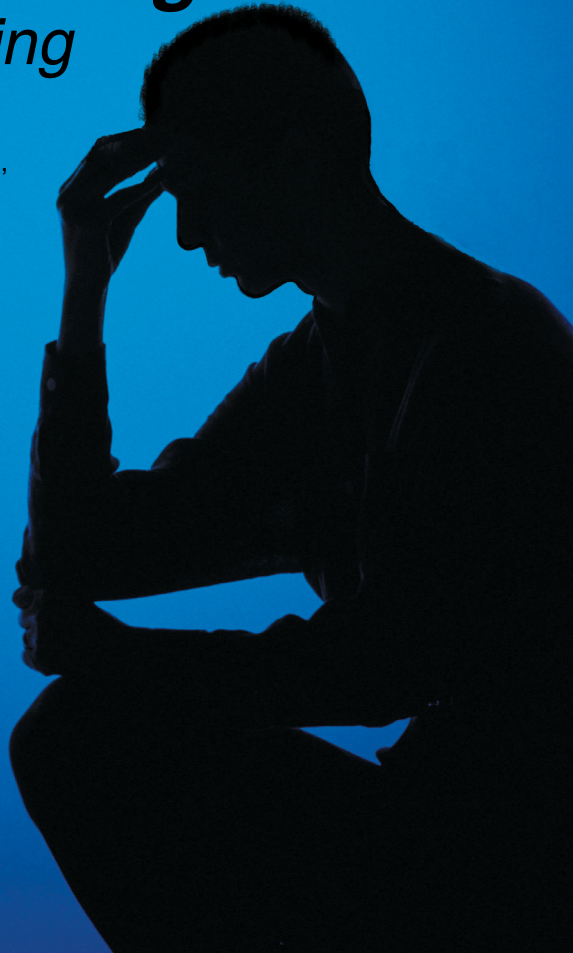
26 Bulletin Reports Sex Offenses Equipment Web-Based Resources Reference

32 Unusual Weapon Crucifix Knife

Issues in Small Town Policing

Understanding Stress

By DENNIS LINDSEY, M.Ed.,
and SEAN KELLY



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death. And, yet, in 2000, approximately 400 police officers committed suicide.⁴ Even sadder, those deaths represent the ones *reported* as police officer suicides. How many other officers have died at their own hand due to the stress of “the job”?

To put this in sharper focus, 87 percent of police departments in the United States have 25 or fewer officers;⁵ hence, the loss of those 400 represents *all* of the 25 sworn officers in 16 police departments. Moreover, suicide in law enforcement is three times greater than the national average.⁶ Between 1950 and 1990, the number of police officer suicides doubled.⁷ These grievous statistics reveal the tragic toll that stress takes on those in the

“It is not socially acceptable for law enforcement officers to show emotion...it is a sign of weakness...a loss of control...and we are trained and programmed to not lose control under any circumstances. It is inbred into us in the academy, probationary training, and all aspects of law enforcement that

if we can't handle the stress, we need to get out.”¹

Between 1976 and 1999, more than 1,800 law enforcement officers were killed in the line of duty.² The average of 78 dead officers each year is devastating.³ All law enforcement professionals would do anything to prevent a fellow officer from suffering a violent, premature

law enforcement profession—a toll that officers themselves may not fully realize. After all, who protects the protectors? Who defends the defenders? Who cares for the caretakers?⁸

The Price of Policing

Today, many police departments engage in extraordinary efforts to select qualified



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officers. They measure candidate fitness through written examinations, oral interviews, physical fitness batteries, extensive background investigations, polygraph examinations, and psychological testing. By the time an agency selects a candidate, it has spent a great deal of money to determine if that new officer is physically, mentally, emotionally, morally, and ethically fit to do the job. In some cases, an agency may spend as much as \$100,000 to recruit, select, and train *one* police officer in the first year.

For a small police department, \$100,000 (or any amount) represents a substantial investment and an enormous portion of its budget. This investment is not trivial, but one that often appears at risk of being squandered. For example, if it costs an agency \$50,000 each year for

the wages and benefits for one officer, then, for 10 years, the officer would cost the agency \$500,000. That amount does not take into account increases in salary and benefits, tuition-based training costs, and other factors. An accurate figure may be closer to \$600,000 over that 10-year period. If the agency has not taken the steps to recognize and reduce stress for that officer and the worst case scenario—suicide—comes to fruition, the monetary cost to replace that officer with another of similar training and experience comes to \$1.2 million. What community has that kind of money? But, more important, what about the emotional cost? No one can fix a dollar amount on the welling of emotion, the additional stress, and the devastation felt by the agency's officers, their families, and,

most of all, the family of the officer stressed to the point of committing suicide.

The Physiology of Stress

Regardless of agency size or service area, all law enforcement officers are subject to gross amounts of stress from nearly the moment they enter the profession. Most have been trained to recognize the source of external stressors at work, such as police-involved shootings, violent crime investigations, and physical injury. But, what most law enforcement officers do not understand is the enormous destructive, if not deadly, physiological (internal) effect of stress on the human body.

Though humans have evolved socially over the last several thousand years, their biological system still is wired to either attack or run from danger (fight or flight). As police officers, this creates a physical and emotional conflict with the passing of each call for service. Under highly emotional circumstances, officers must exercise extreme restraint: when excited, they must remain calm; when nervous, they must demonstrate their command of the situation; when in a highly emotional state, they must remain stoic. This conflict between biology and societal expectations takes a physical toll on officers. Regardless of

societal expectations of them and despite their outward appearances, officers respond biologically the same as the cave dweller: their bodies expect them to attack or to flee. As police officers, they are wired to attack; the hiring process and subsequent training support the risk-aggressive personality. But, in reality, society expects officers to withdraw or compromise on most issues, but also demands that when danger occurs, they must remain and fight.

This conflict results, for example, in officers effecting a search warrant at a location where they *know* armed adversaries await. Similarly, while others may flee, they must enter burning buildings to save lives. Officers take inordinate risks that ordinary citizens do not confront. In the end, their bodies pay the ultimate price. Human biology cannot be overcome; the emotional energy that officers hold in over a period of years on the job *will* take its toll.

How much does an officer's body deteriorate? The life expectancy in the United States is 74.4 years for men and 80.1 years for women.⁹ In a 40-year study, police officers with 10 to 19 years of service had an average age of death of 66 years.¹⁰ The research found a "significantly increased risk of digestive and hematopoietic

cancers among police officers who have 10 to 19 years" on the job; these findings concurred with other studies that theorized a link between cancer and stress.¹¹ This same period of employment linked stress with maladaptive behaviors, such as alcohol and tobacco use, and findings indicated that officers

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Officers constantly face the inability to come down from a hypervigilant state, causing their bodies to deteriorate further and faster.

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have a significantly high mortality risk of esophageal cancer and significantly elevated risk of cirrhosis of the liver.¹² Cirrhosis of the liver was elevated in officers with only 9 years on the job. Officers with 30 years on the job increased their mortality rate more than three times.¹³

Exposure to radar may lead to increased risk of testicle, breast, and prostate cancer. Exposure to gun cleaning solvents, carbon monoxide, and other hazardous materials on the highway may promote heart and kidney diseases. Lead from firearms training and fingerprint

powders is linked to cerebrovascular and other diseases.¹⁴

The Stress of Small Town Policing

Police officer suicide does not happen without warning signs. Some may be as overt as an officer being involved in a shooting. Agencies know that such officers (and their families) need intervention to assist them in coping with the taking of another human life. Often, however, no single traumatic incident leads to an officer committing suicide. More likely, it is cumulative stress that has impacted the human body over time that leads to the physical desperation that then leads to the mental and emotional desperation that ultimately results in suicide.¹⁵

Each day, officers gird themselves for the dangers and rigors of the job. When they go off duty, the process of "coming down" begins to take effect on the body and mind. Having been hypervigilant for the duration of the shift, the body demands downtime to preserve itself. However, family life and the day-to-day activities of living require the body to continue pushing.

Demands by the body to relax and rejuvenate conflict with the needs of a healthy family life. Because of their line of work, officers often receive requests for legal advice while

Stress Accumulation

About 15 years ago, I responded to a report of a suicide in progress. Though many years have passed, I can describe in graphic detail what that shotgun-in-the-mouth suicide scene looked like. It wasn't in progress. It had happened more than 8 hours earlier in the backyard of a trailer on a hot August day. Animals had scavenged. Routine? Hardly. Stressful? You bet! Counseling, postincident debriefing? Not a minute. Impact on my mind and body? Probably nobody will know. But, we now know that these incidents likely are a part (small or large) of accumulated stress experienced every day by small town police officers.

—Lieutenant Sean Kelly

attending family functions. Or, when at a party with their spouses' friends, they must respond to questions about a police officer's conduct in an agency 3,000 miles away. An event that is supposed to be fun, that is supposed to invigorate them, and that is supposed to be enjoyable becomes another time when they suddenly must put on the shield and wear their "cop hat." Officers constantly face the inability to come down from a hypervigilant state, causing their bodies to deteriorate further and faster.

Police officers who live and work in small towns almost never have an opportunity to decompress. Being well known to the residents, business owners, and others in the community, officers cannot separate on-duty and off-duty time. Essentially, small town police officers live in a fishbowl. Off-duty trips to the store frequently become job related because

everyone seems to know the officers and their family vehicles. Spouses often come under close observation because residents may think "that cop" is driving past or, simply, because they are the spouse of a police officer. Taking their children to school becomes complicated when other parents wonder out loud why officers are not at work or when a school administrator asks for advice about an unruly child or parent. All of this "off-duty" interaction disallows decompression and contributes to stress and the deterioration of the small town police officer's body.

In addition to these daily stressors, small town police officers often find themselves in the unenviable position of being the only officer on duty. The nearest backup may be in a town or county many miles away. The level of stress that these officers feel as a result of

calls for service may prove greater than that of officers in larger communities with backup at their immediate disposal. The obvious reason for this is that they could be facing danger *alone*. The less obvious reason, however, is that they have not shared the experience with another officer. Lone officers cannot verbalize their experiences, their emotions, or their reactions. Their first opportunity to express their anxiety could be at the shift change several hours later. The passage of time can have devastating long-term effects on an officer's ability to decompress from the incident and the accumulated stress that it produced.

Finally, officers in small police departments face the hazards of post-traumatic stress disorder (PTSD) as often as their fellow officers employed by large law enforcement agencies. Estimates indicate that "roughly 4 percent of all

emergency workers will develop post-traumatic stress disorder.”¹⁶ In general, “examples of trauma that are likely to cause PTSD (in order of severity) include natural disasters; serious accidents; serious accidents where a person is at fault; intentional life-threatening violence by another person; life-threatening trauma caused by betrayal by a trusted individual; and life-threatening trauma caused by betrayal by someone you depend on for survival.”¹⁷ For police officers, a more specific list of stressors would include “killing someone in the line of duty; having your partner killed in the line of duty; lack of support by the department/bosses; shift work and disruption of family time/family rituals; and the daily grind of dealing with the...public.”¹⁸

Applied to small town policing where every officer is expected to be the first responder to nearly every manner of human tragedy, PTSD readily exists. It may not result from a single incident, but, rather, from the accumulation of stress over a period of time, then triggered by a particular incident that falls within the recognized causes.

In small town policing, officers generally live and work in the community that they serve. In these tight-knit localities where officers know the residents and, in turn, where the residents know them, other

contributing factors make the presence of PTSD even more likely. These include “personal identification with the event; knowing the victim; lack of preparation or lack of knowledge of the event ahead of time; the severity and intensity of the event; accumulative exposure to PTSD-causing events; preexisting PTSD; and helplessness”¹⁹ (real or perceived). “No matter how experienced (cops) are or think (they) are, there are incidents (they) may experience

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***Each day, officers
gird themselves
for the dangers and
rigors of the job.***

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or witness that affect (them) deeply emotionally. Our reaction to these experiences is to do what we have always done and been trained to do. We set aside our feelings and deal with the incident. Our job, and sometimes survival, demands it. Afterwards, we don’t make a conscious effort to deal or not deal with our feelings, we just move on to the next incident (regardless of whether the subsequent incident is today, tomorrow, or next month)

without even thinking about it.”²⁰

In small towns where traumatic events often do not occur back-to-back, officers *should* have an opportunity to decompress after a stressful call for service or incident. However, because the community is small and because the tax dollars that support the agency come from the local residents, the police department usually remains under a magnifying glass. When citizens see police cars parked at the station, they may complain that the officers are not working. This scrutiny means that despite the greater *potential* of a small town officer to decompress by getting out of the public’s eye after an incident, they remain on patrol, simmering their own fatal brew.

The Need to Intervene

Small agencies, as well as large ones, often risk squandering the investment in their officers by not taking steps to identify stress in its early stages and working to reduce or eliminate the culture that prevents officers from seeking assistance. Agencies must not ignore early warning signs of stress, such as citizen complaints, declining quantity and quality of the work product, decreasing scores on performance appraisals, failing personal relationships, and sudden changes in the personal appearance and

grooming habits of affected officers. With regard to police suicides, the prelude symptoms include divorce, increased use of alcohol (not necessarily alcoholism), depression, and a failure to get help.²¹ “Police officers going through a divorce are five times more likely to commit suicide than an officer in a stable marriage. The national divorce rate is 50 percent. All research shows police officers suffer a substantially higher (divorce) rate with estimates ranging between 60 and 75 percent.”²² Agencies must ensure that their officers address such problems and receive qualified assistance in solving them.

Agencies must encourage their officers to have outside interests and hobbies and to balance dedication to the department with an equal devotion to family, friends, and personal interests. Agencies must promote the importance of such a balance and ensure that their officers recognize the dangerous cycle that puts them at risk: by working longer and harder, they will be rewarded so that they will work longer and harder. This can result in divorce, estrangement from children, chemical dependency, and, ultimately, premature death.²³ Agencies must fight against such a mind-set even in today’s challenging environment where they must do more with less...and less...and less.

If not, in the end, their officers may pay a price far too high for the savings in a line-item budget.

The culture of police work also must change. While their recruitment methods must reflect the need to hire the finest people available, agencies must then prove their fidelity to these officers by supporting them at every moment of their career and home life. Police training

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Under highly emotional circumstances, officers must exercise extreme restraint....

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academies must create an environment of nurturing support so that officers will be better able to police a community of *people*, not suspects. This does not mean, in any way, the lessening of physical and tactical training, but quite the contrary. Theorists indicate that people intensely trained to expect and react to stress-inducing incidents respond better physically and emotionally in both the short and long term.

Further, performance evaluations should reflect the needs

of officers and their families in addition to the traditional ratings that reflect the ability to complete job tasks. After all, the two are inexorably linked. Police administrators need to look at the agency missions and ask themselves if they remain relevant. Are the tasks that officers must perform still relevant? Do they fit the needs of the community? Are their officers thought of as members of the community? Are their families included as part of the community? Do agency rules, regulations, policies, and procedures reflect the need for officers to decompress? Do their actions support their claims of “family first”? For example, instituting a simple regulation that requires all officers (and their families) to attend and successfully complete crisis counseling immediately following any type of traumatic incident can reduce the stigma of seeking help. Making such counseling commonplace will start an evolution of necessary change.

Finally, officers themselves can take simple steps to help their bodies resist the debilitating effects of stress. Among other things, they should—

- eat a carefully balanced diet;
- drink plenty of fluids (caffeine free);
- avoid the use of tobacco products;

- exercise aerobically on a daily basis;
- sleep a minimum of 8 hours in every 24 (“a person kept awake for 17 hours will perform at a standard comparable to that of someone with a blood alcohol concentration (BAC) of 0.05 percent. After 24 hours without sleep, a person will have capabilities similar to someone with a BAC of 0.10 percent”²⁴);
- schedule time for themselves;
- take vacations, not just a day off, because the body requires at least 72 hours to adjust to the mind-set of not being at work;
- designate time for hobbies; and
- have a complete annual physical, including blood testing for cholesterol, lead, and all high-risk blood-borne diseases.

Conclusion

Today’s world of terrorists and increasingly violent criminals presents highly stressful challenges to law enforcement officers in all American communities, whether large or small. Job-related stress does not limit itself to those officers in large, urban areas but impacts those in small, rural localities as well.

Clearly, 400 police officer suicides each year is not acceptable. The law enforcement community must not allow this to continue; society must not allow this to continue. Only by recognizing suicide as the ultimate indicator of the overwhelmingly stressful profession that law enforcement has become can efforts be found to help its members not only cope with the stress but to enjoy long, healthy lives. Those who have chosen the roles of protector, defender, and caretaker deserve no less. ♦

Endnotes

¹ “Police Officers and Post Traumatic Stress Disorder”; retrieved May 10, 2004, from <http://www.home.socal.rr.com/jpmock/ptsd/ptsd.htm>.

² U.S. Department of Justice, Bureau of Justice Statistics; retrieved from <http://www.ojp.usdoj.gov>.

³ While assigned to the Leadership and Ethics Unit at the DEA Academy as part of a fellowship program for state and local police officers, Lieutenant Kelly discussed the impact of stress on the daily lives of law enforcement with Special Agent Lindsey. They shared what they knew about stress, suicide, and small police departments. As their interest grew, so did their research. This article presents a summary of work already published or available on the Internet. They hope that by bringing this information to the forefront, law enforcement administrators will take steps to recognize and reduce the effect of stress on their officers. Those interested in discussing the issue further may contact Special Agent Lindsey at 703-632-5163 or at drindsey2003@yahoo.com and Lieutenant Kelly at 603-868-2324 or at skelly@ci.durham.nh.us.

⁴ National P.O.L.I.C.E. Suicide Foundation; retrieved May 10, 2004, from <http://www.psf.org>.

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⁸ For a comprehensive overview of police officer suicide, see Donald C. Sheehan and Janet I. Warren, eds., U.S. Department of Justice, Federal Bureau of Investigation, *Suicide and Law Enforcement* (Washington, DC, 2001).

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¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ For additional information, see Donald C. Sheehan and Vincent B. Van Hasselt, “Identifying Law Enforcement Stress Reactions Early,” *FBI Law Enforcement Bulletin*, September 2003, 12-17.

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¹⁷ *Supra* note 1.

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Focus on Professional Development



The Professional Law Enforcement Assistants' Association

By Debra S. Beebe, M.Ed., and Joy Rikala, M.A.

Law enforcement agencies throughout the world recognize the importance of professionalism and have worked diligently to have the public view their departments, as well as their officers, as professionals. Many have included the core value of professionalism—which not only applies to sworn officers but extends to those employees who provide support services—either in their mission or vision statements.

While they endorse the concept, many departments struggle with how to meet training mandates for their sworn personnel, as well as how to keep officers abreast of changing trends. Along with these challenges, however, agencies also must make training opportunities available for their support staffs. Although law enforcement officers have the visible day-to-day contact with community members, support personnel prepare reports, answer phones, handle payrolls, and coordinate meetings—important jobs that hold agencies

together. Professional development can help support employees better understand how their positions fit into the policing service delivery system and provides an opportunity for them to become refreshed and inspired. After all, the need to enhance their occupational skills and develop professionally proves equally important for law enforcement administrative personnel as for officers.

William James, a 20th century scholar, said, “Mankind does nothing save through initiatives on the part of inventors, great or small, and imitation by the rest of us—these are the sole factors active in human progress. Individuals of genius show the way, and set the patterns, which common people then adopt and follow. The rivalry of the patterns is the history of the world.”¹ A small group of administrative support personnel from several Minnesota law enforcement agencies have taken that giant leap of faith and shown their agencies, chief executives, and officers that they have the initiative to be inventors.

The Beginning

In 1998, the FBI’s Minneapolis office sponsored a 2-day seminar on professionalism. Although originally intended for FBI professional support employees, the coordinators decided to invite administrative support personnel from other law enforcement agencies in the Minneapolis-St. Paul area as well.

Several law enforcement administrative assistants realized that this seminar was the first time they and their peers had received *relevant* law enforcement training from someone who actually had performed comparable tasks (the instructor previously had served as a secretary in the FBI). Further, the instructor understood the uniqueness and importance of the duties that professional support employees perform. One participant advised, “[The instructor] was able to understand our questions in the context of law enforcement, she taught the class using law enforcement language, and she knew how to apply what she was teaching to our positions in the various police agencies.”

During the first day of training, several participants agreed to get together for additional training in the future. Many had spoken to each other on the phone, coordinating meetings for the police administrators they worked with, but they never had met in person. The networking that began during breaks created the impetus to form an association. As a final learning activity during the seminar, participants wrote a letter to themselves stating what they learned during the 2 days and what steps they planned to take upon returning to their workplaces. The instructor then collected the letters and, 6 months later, mailed them back to the participants as a “self-check-in.” One of the attendees had written in the letter to herself to start an organization of law enforcement professional support personnel throughout Minnesota.

In early 1999, eight of the original seminar participants began Minnesota’s first association for law enforcement support personnel. They started by drafting a mission statement to 1) encourage and promote a high degree of skill and efficiency for the members, 2) provide relevant law enforcement training, 3) establish cumulative relationships through a strong networking system, 4) ensure more uniformity in their services, and 5) enable members to provide enhanced professional assistance to chief law enforcement officers and member departments, which, ultimately, would benefit communities they serve. Participants established a mailing list, began a letter campaign to gauge interest in the association, and decided to meet once a month to chart the course of their venture.

Next, the group agreed that their association needed a name. Members agreed that they wanted the word *assistants* in the title to be more inclusive of the varied positions and job titles held at their agencies and that the word *professional* was

extremely important to them; they wanted to set the tone for their new organization. Subsequently, the Professional Law Enforcement Assistants’ Association (PLEAA) was born.

Ideologies

PLEAA members identified professionalism as an important behavioral expectation and sought a way to define it as it pertained to their positions and what they hoped to accomplish through their organization. They determined that professionalism is an individual quality; employees who perform assigned tasks with great skill and pride, maintain high ethical standards, and exhibit a courteous, conscientious, and businesslike manner in the workplace typically define professionals. These attributes, skills, and even a sense of pride reflect positively on their departments. PLEAA members concluded that professionalism comes from within a person; no amount of money can buy it.

Members agreed that continual or life-long learning constitutes an important aspect of PLEAA. Because members’ positions in law enforcement are unique, they have found it difficult to receive relevant training from the private sector. For example, not only do PLEAA members serve as administrative assistants but some are in charge of their department’s property room, serve as record clerks, perform human resource functions, and even work on their departments’ reconstruction projects. Further, some members search female prisoners in the absence of female officers and others have transported children in crisis to the local children’s crisis center. Assistants’ positions in law enforcement do not stay the same; changes in the courts and prosecutor’s offices and adjustments that come with transitions in police administrations often impact their job-related duties.

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...the core value of professionalism...not only applies to sworn officers but extends to those employees who provide support services....

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PLEAA views networking as an extension of training. Members contact each other for help with specific issues, as well as to identify new ideas to bring back to their agencies. Training sponsored by PLEAA, as well as member networking, has greatly improved services to departments and communities. An added dimension to the training—scheduled field trips to a crime lab, a new county detention facility, the medical examiner's office, and a firearms range—has given members insight into areas previously unknown to them. Many of these employees had processed paperwork relative to these four law enforcement functions, but never had the opportunity to observe what happens outside the confines of their departments. The field trips offered PLEAA members a tool to network with individuals they have daily contact with and enabled them to understand the necessity for the large volume of paperwork/reports needed by each site. For example, the visit to the crime lab gave them a clearer understanding of the importance of properly handling evidence. Each member gained a new perspective and more respect for each of the agencies visited. They saw firsthand 1) how the medical examiner's office deals with victims and surviving family members, 2) the difficulties at the jail associated with properly guarding prisoners incarcerated for long periods of time, and 3) how well their own officers are prepared and properly trained at the firearms range.

PLEAA uses other networking/training tools as well. For example, the association publishes a quarterly newsletter, *Information PLEAAse*, and one PLEAA member writes regular columns that provide useful professionalism information. PLEAA distributes a yearly roster of all its members that includes their agency addresses, telephone and fax numbers, and e-mail addresses,

which helps everyone stay in touch. Both the newsletter and roster constitute key elements in PLEAA's networking process.

Results

PLEAA currently has approximately 250 people on their mailing list, consisting of 165 dues-paying members from 80 Minnesota agencies in 2003. PLEAA does not exclude people from attending their training session if their departments either will not or cannot pay the yearly membership dues. The only difference is that nondues-paying members pay a slightly higher registration fee for training sessions.

Many of the members' chiefs, sheriffs, and other top administrators have shown their strong support of PLEAA by providing law enforcement-related training; in some instances, they have conducted the training themselves. The professional relationship between PLEAA members and their executives continues to grow and develop. In early

April 2003, chiefs in one Minnesota locality held their 4th annual luncheon; 85 percent of the departments brought their assistants. One assistant said that during the first chief's association meeting she only knew a couple of the assistants and about five chiefs. As a result of PLEAA, she now knows and networks with all of the assistant and about 75 percent of the chiefs.

The Rochester, Minnesota, Police Department hosted PLEAA's first 2-day conference in 2002. One instructor addressed motivation and others covered such topics as "The How and Why of Internal Affairs Investigations," "Self-defense Training," "Laser and AED Demonstrations," and "Everything You Ever Wanted to Know from Your Chief, But Were Afraid to Ask." Also, the first annual "Debra Beebe Outstanding Mentor Award"

“Many of the members' chiefs, sheriffs, and other top administrators have shown their strong support of PLEAA by providing law enforcement-related training....”

was presented to one chief for her support of PLEAA within chief's organizations during the association's developmental years.

Conclusion

Some of the original eight law enforcement assistants have taken other positions, but new, dedicated members have replaced them. One original member recently stated, "To accomplish great things, we must not only act but also dream; not only plan but also believe." It was not only their belief but the hard work, leadership, and vision of eight law enforcement assistants from Minnesota who helped form a professional organization for support personnel in policing. Through their dedication and initiative, PLEAA has filled a void in support training and networking, and it has created a forum to enhance those individuals who perform such a critical role for law enforcement organizations.

PLEAA not only has made history in Minnesota but also has made a difference in the entire

law enforcement community. As professionals, agencies take many of the members more seriously because of their involvement in the organization. Further, members have raised their level of visibility with chiefs, sheriffs, and officers throughout their departments. The level of respect for these professionals has risen due to their commitment to continuing education and their willingness to learn more about and become more involved in the entire criminal justice system. ♦

Endnotes

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Ms. Beebe, an instructional systems specialist, currently heads the FBI's Curriculum, Planning, and Evaluation Unit in the Office of Training and Development. Chief Rikala is the director of public safety and the chief of police for the Minnetonka, Minnesota, Police Department.

Crime Data

Arson Statistics

According to statistics released by the FBI's Uniform Crime Reporting (UCR) Program in its annual publication, *Crime in the United States, 2002*, law enforcement agencies reported a total of 74,921 arson offenses during 2002. According to available supplemental data, the average dollar loss was \$11,253. By property type, the average loss for structural property destroyed by arson was \$20,818, the figure for mobile property was \$6,073, and the average for other property types was \$2,536.

Law enforcement agencies collectively cleared 16.5 percent of arsons. Forty-three percent cleared in 2002 involved juvenile offenders. Nearly half (49.4 percent) of arson arrestees were under age 18. Overall, 67.8 percent were under age 25. Males comprised 84.8 percent of persons arrested for arson; of these, 51.7 percent were under the age of 18. Thirty-seven percent of the female arrestees were under age 18. The complete report is available online at <http://www.fbi.gov>.

Kidnapping Investigations Enhancing the Flow of Information

By TONI MARIE CHRABOT
and WINNIE D. MILLER



Undoubtedly one of the most traumatic experiences a family can face, a kidnapping also severely challenges the law enforcement agency responsible for successfully resolving the situation. In such difficult circumstances, however, agencies can turn to an effective aid—crisis negotiation teams.¹ These teams fill a unique and effective role that ultimately benefits the on-scene commander, investigative personnel, and the victim family. The true value of a crisis negotiation team's assistance, however, often does not become

apparent until the kidnapping ends. The grandson of an 88-year-old victim shared his thoughts about how an FBI crisis negotiation team helped him endure his grandmother's kidnapping. He believed that the negotiators who remained with him during the 2-day ordeal were extremely valuable because of the information they provided, along with their experience, knowledge, and wisdom. He stated, "I had that [experience, knowledge, and wisdom] at my fingertips. I had answers to my questions in regard to how I might negotiate,

how the transaction might happen, how the transfer might go down, what to say, how to personalize my messages, how to communicate effectively."

One of the crisis negotiation team's primary responsibilities in any critical situation is to support the overall *investigative* effort. In the case of a kidnapping, the crisis negotiation team works closely with the victim family members. The team establishes a negotiation operations center, makes assessments of family members, and guides and supports them through what is likely their darkest hour. The

team, using its negotiation training, develops strategies to reduce the subject's expectations, to respond to threats and demands, and, most important, to seek the safe return of the victim.

Establish Negotiation Operations Center

A crisis negotiation team typically sets up a negotiation operations center within the victim family's residence or place of business, whichever seems the most likely point of contact by the subjects. The team members immerse themselves with the family; in doing so, personnel can observe and converse with family members on a consistent basis, continually gleaning information regarding the victim, including past behaviors and routines, and the situation. This immersion with family members serves several more purposes. It limits the traffic in and around the victim family's residence; demonstrates the commitment and dedication to the safe recovery of their loved one; enables investigators to focus on investigative leads; and provides the on-scene commander and investigative personnel with real-time, accurate information. Negotiators can address questions from investigators or commanders immediately with the family.

By the same token, if the family has questions about the investigation, negotiators can address these as well. This clearly becomes an effective and efficient means of obtaining and disseminating information pertinent to the kidnapping and takes full advantage of the capabilities of the negotiation team.

To successfully fill such an important role, the crisis negotiation team must be well trained, disciplined, and organized. The team, along with other investigators, should participate in the initial debriefing of the family members. Other members of the crisis negotiation team will begin equipment set up, designed to capture any future communication with the subjects.

In an effort to be the least intrusive, the crisis negotiation team should seek to establish the negotiation operations center in a suitable place within the residence or building where members can answer and discreetly monitor calls. The negotiation operations center also should have an area where the team can conduct private meetings, hold shift-change discussions, and conduct telephone conversations with investigators, yet offer sufficient privacy to the family. Team members and investigators should avoid conducting brainstorming or case discussions where family members inadvertently may overhear their remarks because the family may misinterpret such discussions as disagreements or inexperience.



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Assess Family Members

Upon arrival at the residence, crisis negotiators immediately begin to assess family members to determine those best suited to serve as the spokespersons, usually referred to as third-party intermediaries (TPIs).² The crisis negotiation team will select, coach, and role-play with the anticipated TPIs. The coaching and role-playing act as an invaluable exercise with the family members to help them become more comfortable with the conversations, threats, or demands they may encounter and to rehearse their responses. This practice also enables the negotiation team to observe and assess who *is* the most coachable, the most reliable, and the most able to handle the challenge of serving as the TPI, thereby following one of law enforcement's well-known theories—the manner in which officers train directly relates to the manner in which they perform.

The family members of a kidnap victim often become overwhelmed with a wide range of emotions. Some family members may feel the need to “do something,” while others are sad, angry, confused, or distraught. The fundamental aspect of the crisis negotiator's craft is *active listening*.³ The team's skill in identifying and labeling these wide-ranging emotions serves to comfort the

family, demonstrates empathy, and establishes and builds rapport. From this growing and developing relationship, the victim family becomes more at ease and cooperative and, most important, increasingly confident in the abilities of law enforcement to secure a successful outcome.

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One of the crisis negotiation team's primary responsibilities in any critical situation is to support the overall investigative effort.

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Guide and Support Family

The grandson's comments in the opening example highlight the crisis negotiation team's skillfulness in preparing family members for anticipated contacts from the subject, which often include steep monetary demands and intimidating threats of bodily harm or death. Negotiators provide guidance and offer experience in dealing with what can be frightening and confrontational interactions with kidnappers. Negotiators prepare family members for the first communication after law

enforcement becomes involved. During this critical time, family members should seek to personalize the victim and ask for “proof of life.” Ideally, this involves talking directly to the victim. In lieu of this, negotiators should help the family craft a question that only the victim can answer, such as “What was the name of your pet dog when you were 9 years old?” In personalizing the victim, negotiators should advise family members to highlight various facts about the victim, including whether the victim is a parent, sibling, or child. Also, they should inform the subjects of any medical conditions and fully exploit this information. For example, a wife may state, “My husband has a heart condition and needs his medicine. I would hate to see something happen to him accidentally because he didn't get his medicine. Then we both don't get what we want.” Statements like this clearly place the responsibility for the welfare of the victim and the impending deal on the subjects, yet the family member delivers the information in a nonconfrontational manner.

Develop Strategies

Negotiators also offer guidance and coaching in the strategies and techniques of lowering the subject's expectations and stalling for

A Kidnapping Perspective

She recalled watching helplessly as her husband was abducted and led away into the thick forest. She stared in disbelief, heeding the kidnappers' command to remain there for an hour. As she waited, she kept expecting her husband to appear from the bushes, walking toward her. He never came.

Over the next several days and weeks, she went through a range of emotions. Initially, she was upset and scared. Some days, she believed she was falling apart. She had bouts of crying, felt angry, and became argumentative. She attributed her ability to pull herself together to FBI negotiators who worked with her—preparing her, coaching her, and role-playing with her—all in preparation for conversations with her husband's kidnappers.

Negotiators helped her focus on saving her husband's life. She convinced herself that she had to be strong. She remains grateful to these negotiators, especially in light of the fact that her husband is alive today, because they offered her guidance and advice and prepared her for taking part in the negotiation process.

She had several conversations with her husband's kidnappers. Before the calls, the negotiators role-played possible scenarios. They prepared her for the threats she received, and they focused her on achieving an established goal for each call, such as stalling for time and lowering expectations. She wrote notes to herself on what she was going to say and practiced on her own. The negotiators provided immediate feedback after each call; this gave her confidence.

She described the kidnapping of her husband as one of the most stressful and emotional situations she ever encountered. Sometimes, she unleashed her wide-ranging emotions of frustration, anger, and fear on the negotiators; however, they did not seem to mind. She stated that she considered the negotiators "friends" and sensed their commitment to the priority: getting her husband home alive.

In an interview shortly after her husband's return, she expressed gratitude to the time the negotiators spent with her, acknowledging that they were away from their own families while helping her. She stated, "Negotiators enabled me to keep my husband alive. They helped me do that."

time. With regard to lowering expectations, crisis negotiation team members try to make subjects realize the inherent difficulties in obtaining large amounts of ransom money. For example, they inform subjects that banks often ask questions regarding large withdrawals and

have to report large transactions. They also tell them that family assets are not liquid, thus making cash not readily available. Or, they say that the family simply does not have the resources to cover the demanded ransom. Such strategies set the tone for lowered

expectations, yet indicate a willingness to cooperate.

Negotiators coach and role-play with the family spokesperson, or TPI, so the individual can become more comfortable with responding to potential threats and ransom demands. Proper preparation is crucial to

Terrorism: An Investigator's Handbook, William E. Dyson, Anderson Publishing Company, Cincinnati, Ohio, 2001.

While the September 11, 2001, attacks on the World Trade Center and the Pentagon have made terrorism one of the hottest topics in law enforcement, many officers have little or no training in this field. Fortunately, William Dyson has written *Terrorism: An Investigator's Handbook* as a guide for law enforcement officers. Terrorists, the author says, "are driven by their political objectives, not by the profit motivation that drives most criminals." The author defines several types of terrorism, with motivations that range from political to religious, ethnic to technological. All of them have an agenda for forcing change through violence. The author recommends that law enforcement officers learn as much as possible about the beliefs of a terrorist group before beginning an investigation.

Chapter four, "What Investigators Need to Know About Terrorists," poses questions that investigators will need to consider during a terrorist investigation. Such questions can help officers explore the terrorist group's philosophy.

- What is the political philosophy of the terrorist group to which the subject belongs?
- What aspects of this philosophy does the subject strongly support? What aspects does the subject least support?
- Does the subject fully understand the group's philosophy? Can the subject verbally defend it?
- Is the group's philosophy rational?

Other questions deal with the terrorist group's rules and structure and the individual

member's commitment to the group, relations with family members, and outside support.

Most of the book deals with specific investigative techniques for terrorist investigations, such as interviewing, surveillance, and trash and mail covers, to name a few. It examines each technique in detail and compares it with the way in which the same techniques are used for other criminal investigations. The book also discusses common pitfalls and real-life examples of what officers should not do. For instance, interviewing subjects for a terrorism investigation will require additional planning and foresight. If the investigating officers do not want the subject to know of the investigation, they should consider whether it is a good idea to interview the subject's family and friends who may be in sympathy with the subject. If terrorists learn of the investigation, they may abort their plans or disappear completely, thereby bringing the entire investigation to a halt.

William Dyson speaks from his experience gained in over 30 years of working for the FBI as a specialist in political terrorism investigations. Presently, he works for the State and Local Anti-Terrorism Training (SLATT) project. SLATT "provides training to local law enforcement officers to better equip them to address the terrorist problem and to prevent violent attacks."

This book is written in easy-to-understand language, with summaries given at the end of each chapter. It contains an index and appendices of key terms and concepts, as well as a glossary of extremist terms.

Reviewed by
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The Montgomery County CIT Model Interacting with People with Mental Illness

By RODNEY HILL, GUTHRIE QUILL, and KATHRYN ELLIS



On a hot summer day in 1998, a man walked into the U.S. Capitol and killed two U.S. Capitol Police officers. The male, previously diagnosed as a paranoid schizophrenic, reportedly believed that he had been cloned at birth and had invented a machine to reverse time. He also believed that the CIA had been spying on him via satellite.¹ The assailant had numerous prior contacts with law enforcement and had been committed to a mental health facility prior to the killings.²

Sadly, this does not represent an isolated incident. During the years 1992 through 2001, 11 law enforcement officers in the United States were killed by assailants who were mentally ill.³ Add these homicides to the 914 law enforcement officers assaulted by people with mental illness in the year 2001 alone and the magnitude of the problem becomes clear.⁴ It is imperative for law enforcement agencies to train their officers to interact effectively and, most of all, safely with individuals who have mental illness.

THE PURPOSE OF A CRISIS INTERVENTION TEAM

Primarily, the purpose of a crisis intervention team (CIT) is to provide law enforcement officers with the skills they need to safely de-escalate situations involving people with mental illness who are in crisis, *not* to turn officers into mental health workers. The term *mental illness* refers collectively to all diagnosable mental conditions characterized by alterations in thinking, mood, or behavior (or some combination



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thereof) associated with distress or impaired functioning. Alzheimer's disease exemplifies a mental illness largely marked by alterations in thinking (especially forgetting), whereas depression provides an example of an illness predominantly distinguished by fluctuations in mood, and attention deficit hyperactivity disorder typifies one mainly recognized by changes in behavior (over-activity) or thinking (inability to concentrate). Alterations in thinking, mood, or behavior contribute to a host of problems—patient distress and impaired functioning or heightened risk of death, pain, disability, or loss of freedom.⁵

Crisis behavior results when individuals experience a temporary breakdown in coping skills, including perception

and decision-making and problem-solving abilities. Healthy people often seek help from others to compensate for the temporary inability to cope. But, individuals with mental illness may experience the crisis more severely, be less likely to seek assistance from others, or not understand that they are in crisis.⁶ A variety of situations can trigger a crisis behavior. Events ranging from the loss of a job, being locked out of a house, or being the victim of a crime illustrate incidents that can ignite crisis behavior in someone who has a mental illness.⁷ An officer responding to a call for a noise disturbance may unknowingly walk into a situation involving a person with mental illness who is experiencing a crisis.

THE MONTGOMERY COUNTY CIT MODEL

In 1999, the Montgomery County, Maryland, Police Department sought a way to peacefully resolve potentially violent encounters with persons who are mentally ill by taking a proactive approach and establishing the Montgomery County Police Crisis Intervention Team (CIT). The goal was to provide officers with the proper tools and skills to safely and effectively de-escalate critical incidents involving people with mental illness who are in crisis.

The Montgomery County CIT program, initially modeled after the Memphis CIT program,⁸ quickly evolved into an effective modern model for many East Coast law enforcement agencies. The

program has three complementary components that have made it a success: the training component, the CIT officer component, and the CIT coordinator component. Agencies interested in establishing a similar program may want to consider these components, as well as some key legal issues.

The Training Component

The training component consists of three segments: basic, advanced, and less-than-lethal training and constitutes a collaborative effort involving Montgomery County's Police Department, Sheriff's Office, Department of Health and Human Services, Department of Corrections, and Mental Health Association, along with the local chapter of the National Alliance for the Mentally Ill and a nearby state hospital. All of the training takes into account the safety of the officers involved, as well as that of the individuals in crisis. Officers understand the importance of maintaining control of the situation to avoid the possibility of it escalating further. They also realize that any hesitation on their part to use force on individuals who may cause harm to themselves or to others can result in serious, life-threatening consequences to everyone at the scene, including the officers themselves.

Basic CIT Training

Basic training comprises a 40-hour block of instruction wherein officers receive both classroom and hands-on instruction. Professionals from the partnering mental health organizations teach various blocks of instruction, which cover the different types of mental illness, interview techniques, de-escalation strategies, and other relevant topics. The officers participate in a live "hearing distressing voices"

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Crisis behavior results when individuals experience a temporary breakdown in coping skills....

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exercise. This role-playing scenario provides them with a glimpse of what it is like to hear voices in their heads. Each officer wears a set of headphones and listens to the distressing voices for 1 hour while performing various tasks, such as walking to the store, changing a tire, or being interviewed. This exercise constitutes a major turning point in the training and an epiphany for many of the officers in

understanding and empathizing with those who have mental illness. Afterwards, they visit a nearby Maryland hospital for individuals with mental illness where they meet the hospital staff and engage in a group discussion with patients who have had both positive and negative experiences with law enforcement when they were in crisis. The group discussions offer them a great insight into understanding how a person experiencing crisis behavior reacts to a law enforcement presence. The patients speak openly about their interactions with officers and often relate what triggered them to either fight or cooperate.

The basic training concludes with a full day of scenarios for the students. The role players are mental health professionals from the Montgomery County Department of Health and Human Services. The scenarios are videotaped, and each student receives a critique at the end of the session.

Advanced CIT Training

The advanced CIT training component provides CIT members with continuous information and knowledge to enhance their skills. The training involves a collaborative effort with a number of outside organizations that offer lectures and seminars on topics that relate to

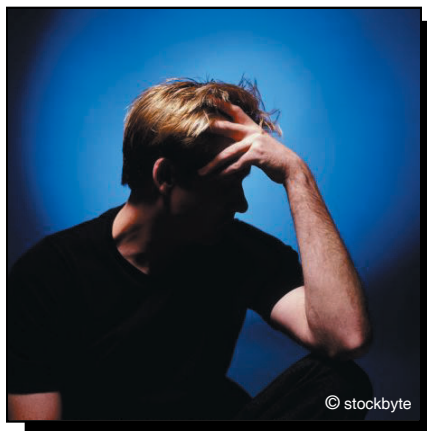
mental illness. The U.S. Secret Service's Protective Intelligence Unit invites CIT officers to attend its training seminars on assessing danger. The FBI's Crisis Negotiation Unit sponsors seminars on negotiation techniques and interviewing suicidal subjects for CIT members. A Maryland correctional facility (which serves as a mental hospital for offenders who have committed serious crimes, but, because of their mental illness, were found "not criminally responsible") provides a forum for group discussion between CIT officers and inmates.

Less-Than-Lethal Training

The less-than-lethal portion of the CIT program involves a patrol tactical plan for dealing with individuals in crisis. The plan, known as the Immediate Action Team, incorporates the department's less-than-lethal weapons into a standardized protocol for the coordinated deployment of the weapons. The department's less-than-lethal arsenal consists of Tasers (i.e., electromuscular disruption weapons), beanbag shotguns, pepper-ball guns and spray, expandable batons, and ballistic shields. Only CIT members are issued Tasers, while specific individual officers carry beanbag shotguns. Each of the six district stations has two ballistic shields, and all other

less-than-lethal weapons are standard issue.

The standardization of tactics affords officers the opportunity to prepare for a likely scenario, practice a tactic to proficiency, and develop the critical aspect of coordination. In a dynamic and stressful situation, they often do not have time to attempt to design,



communicate, and employ a tactical plan. Having flexible preplanned basic tactics helps to promote efficient and controlled operations. Officers who lose control of a tactical situation may feel that they must overreact to regain control. This introduces dangerous and unpredictable elements into an already serious situation.

Standardization explains why all patrol officers practice high-risk felony vehicle stops the same way, why all plain-clothes officers rehearse vehicle takedowns in the same manner, and why SWAT members

execute tactical entries repeatedly. Consistency of training and trust allows officers to perform their individual roles and rely on their teammates to do the same, thus achieving a synergistic effect.

The basic deployment of the less-than-lethal plan is based on a triangle, using three officers. The plan, however, is flexible enough for two to initiate. The primary "contact" CIT officer⁹ assumes a position to engage the individual and is responsible for all commands, communication with the person, and the deployment of less-than-lethal force. The assisting cover officers stand a few feet to the rear on both sides of the contact officer, forming a triangle. At the contact officer's direction, they are responsible for going hands on and effecting an arrest, including deploying deadly force if necessary. This role delineation provides a clear understanding of who does what, avoids confusion during the heat of the moment, and streamlines the command and control process, thereby replacing the discretion of multiple officers with the discretion of one officer who manages the encounter.

The CIT Officer Component

Upon completion of the 40-hour block of instruction, CIT members receive a badge-shaped insignia to wear above

their name tag. Agencies that participate in the CIT program advise consumers¹⁰ who come into contact with them that officers wearing the insignia have received special training in various de-escalation and interview techniques and know of various health services that can help consumers in crisis. CIT members, appropriately identified in the CAD (computer-aided dispatch), are dispatched as the primary officer on all calls involving people suspected of having a mental illness. These range from attempted suicides to disturbance calls. Once on the scene of a critical incident, the CIT officer will determine the following:

- Does the person appear to have a mental illness?
- Does the person need an emergency evaluation? At this point, the officer also assesses the dangerousness of the situation and may apply the appropriate de-escalation techniques.
- Should the person be criminally charged or diverted to a mental health agency? This applies only in minor misdemeanor cases.
- Does the person require immediate medical or mental health attention? If not, where can the individual seek the appropriate help? In some cases, the

families need referrals to an agency or organization for help.

The Montgomery County Department of Health and Human Services has established a Mobile Crisis Team comprised of mental health professionals who operate from 8 a.m. to midnight, 7 days a week. If a CIT officer responds to the scene of a person in obvious crisis but the person does not

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By far, the greatest tool that the CIT officer brings to the scene is empathy for the person in crisis.

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exhibit the behavior the officer needs to draft an emergency evaluation petition, the Mobile Crisis Team responds to assist. Because mental health professionals make up the team, they have a greater ability to draft an emergency evaluation petition.

If a CIT officer is on the scene of a critical incident that requires the use of less-than-lethal force, the officer determines when and what force to employ. If the incident evolves into a barricade situation, the negotiators from the Emergency

Response Team (many are CIT trained) respond and take control of the scene. However, CIT officers resolve a majority of the calls by using their interview and de-escalation skills. By far, the greatest tool that the CIT officer brings to the scene is empathy for the person in crisis.

The CIT Coordinator Component

From the inception of the program, an officer has served full time as the department's CIT coordinator to establish and develop relationships with the partner agencies; organize the basic CIT training course on a bimonthly basis, the training courses for the less-than-lethal weaponry, and the advanced training seminars; attend quarterly meetings with the police chief; meet monthly with the district CIT coordinators; and participate in various meetings within the mental health community. The coordinator also tracks all incidents involving CIT officers and collects data on CIT incidents. For statistical purposes, all CIT members must complete a 1-page report whenever they handle an incident.

In addition to the CIT coordinator, each of the six police district stations has an officer assigned as a district CIT coordinator, a voluntary position performed along with

regular patrol responsibilities. The district coordinators assist the department coordinator by recruiting officers to become CIT certified; tracking the various incidents involving CIT members; briefing other officers on critical incidents at roll calls; assisting CIT members with their cases; helping with the basic, advanced, and less-than-lethal training courses; participating in monthly meetings with the department CIT coordinator; attending quarterly briefing sessions with the chief of police; and filling in for the department coordinator when necessary.

LEGAL CONSIDERATIONS

For many law enforcement agencies, policy change often comes only on the heels of a lawsuit or an embarrassing major incident.¹¹ However, instead of waiting for that fatal police shooting or the federal investigation for excessive force, law enforcement leaders should go on the offensive, be proactive, and implement policy that will help mitigate a plaintiff's civil claim.

Prior to committing acts of violence, many subjects write letters, make telephone calls, and use other methods to communicate with those in law enforcement.¹² Officers must learn to recognize that this type of behavior may indicate a person in crisis who requires

immediate intervention. They must remember that mental illness is a *disease*, one that affects 1 out of 5 Americans.¹³ Identification of these behaviors and early intervention may help avoid a violent encounter. Training law enforcement officers in de-escalation techniques that involve both verbal skills and less-than-lethal tactics may represent the single factor for prevailing in a wrongful death or excessive force civil lawsuit.¹⁴



Two of the most common civil suits brought against law enforcement leaders are failure to properly supervise and failure to provide adequate training.¹⁵ Generally filed in federal court, these suits charge that a department's failure to properly supervise and train led to a violation of a person's civil rights under Title 42, Section 1983, U.S. Code (commonly referred to as "section 1983"). The standard of proof for such a claim is so

high that the U.S. Supreme Court requires a plaintiff to prove that the defendant showed "deliberate indifference."

In *Monell v. New York City Department of Social Services*,¹⁶ the Supreme Court stated, "A city is not liable under a section 1983 claim unless a municipal 'policy' or 'custom' is the moving force behind the constitutional violation. Only where a failure to train reflects a 'deliberate' or 'conscious' choice by the municipality can the failure be properly thought of as an actionable city policy."

The Supreme Court revisited the issue in *City of Canton v. Harris*.¹⁷ Here, the court held that liability could be attached against a municipality where the municipality's failure to train reflects a deliberate indifference to the constitutional rights of its citizens. The court further stated that where the need for additional training is "so obvious" and the failure to provide the additional training is "so likely" to result in a constitutional violation, deliberate indifference may be able to be shown.¹⁸

The challenge for law enforcement leaders is making sure that their departments are not vulnerable to claims of deliberate indifference, especially when dealing with individuals who are mentally ill. Courts may find that the mere fact that a department failed to train its officers to recognize

and handle people with mental illness is cause enough to show deliberate indifference. In *Olsen v. Layton Hills Mall*,¹⁹ the U.S. Court of Appeals for the Tenth Circuit held that a municipality could be sued for failing to train its officers to recognize signs of the psychological disorder, obsessive-compulsive disorder.

The facts in the *Olsen* case are a common occurrence. The plaintiff, who had obsessive-compulsive disorder, complained to the arresting officer and jailers that he was having a panic attack. The officers ignored his complaints and denied him his medication. The plaintiff filed a claim charging that the officers violated his Eighth Amendment rights because they failed to recognize his medical needs.²⁰ The appellate court reversed the lower court's granting of summary judgment to the defendant and ruled that a finding of deliberate indifference in violation of the Eighth Amendment has two prongs: an objective prong and a subjective prong. The objective prong is met if the medical need is "sufficiently serious"; the subjective prong requires that the defendant knows of and disregards an excessive risk to the plaintiff's health or safety.

Objectively, the court ruled that obsessive-compulsive disorder may be both grave enough and prevalent enough to qualify as sufficiently serious. Subjectively, the court held that the

jury must resolve the issue of whether the defendant knew of the plaintiff's condition and, thus, could infer that a substantial risk of serious harm existed.²¹ The court held that although the plaintiff had not successfully linked the officer's possible constitutional violation to a custom or policy of the

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They must remember that mental illness is a disease, one that affects 1 out of 5 Americans.

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city that employed him,²² the plaintiff alleged facts that could establish that the county manifested deliberate indifference by failing to train its jailers to recognize individuals with obsessive-compulsive disorder and to handle them appropriately.²³

Unlike suits alleging harassing or discriminatory practices, a person alleging failure to properly supervise or provide adequate training does not have to show past practices or a course of conduct to raise the claim. Courts in some jurisdictions have held that a single incident can be enough to raise the claim of improper supervision and inadequate

training. In the case *Atchinson v. The District of Columbia*,²⁴ the U.S. Court of Appeals for the D.C. Circuit held that a single incident of the use of deadly force was adequate to support a complaint of inadequate training and supervision.²⁵

Numerous advocacy groups throughout the nation demand that their local law enforcement agencies follow the lead and train officers in specialized methods of dealing with individuals who are mentally ill. What once was considered an area of special training may soon become a common practice, thereby raising the legal standard to which agencies are held. Law enforcement leaders not offering similar training may find themselves at a disadvantage. Those who do offer it will find that the cost to train their personnel to deal with people who have mental illness proves less expensive than a civil action.²⁶

CONCLUSION

Sadly, statistics show that people with mental illness sometimes become violent and harm others, even law enforcement officers trying to help them. Therefore, law enforcement agencies must find ways to safeguard their officers while, at the same time, protecting such individuals from themselves and the disorders that can cause them to suffer greatly.

The Montgomery County, Maryland, Police Department established a program to help it peacefully resolve potentially violent encounters with people who are mentally ill. By partnering with local and state criminal justice and mental health organizations, its Crisis Intervention Team provides officers the tools and techniques to safely and effectively de-escalate critical incidents involving people with mental illness. ♦

Endnotes

¹ M. Grunwald and S.G. Boodman, "Weston Case Fell Through Cracks: Violence by Mental Patients Hard to Predict, Experts Say," *The Washington Post*, July 28, 1998, sec. A, p.1.

² K. Mohandie and J. Duffy, "Understanding Subjects with Paranoid Schizophrenia," *FBI Law Enforcement Bulletin*, December 1999, 8-16.

³ U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted, 2001* (Washington, DC, 2002), 33.

⁴ *Ibid.*, 93.

⁵ U.S. Department of Health and Human Services, *Mental Health: A Report of the Surgeon General* (Rockville, MD, 1999); retrieved on October 9, 2003, from <http://www.surgeongeneral.gov/library/mentalhealth/home.html>.

⁶ Police Executive Research Forum, *The Police Response to People with Mental Illness*, Module II-21, 1997.

⁷ *Ibid.*

⁸ The Memphis, Tennessee, Police Department's model couples intense crisis intervention training for officers with a partnership between law enforcement agencies, mental health providers and advocates, and individuals with mental illness. For an example of another

agency's program, see Michael Klein, "Law Enforcement's Response to People with Mental Illness," *FBI Law Enforcement Bulletin*, February 2002, 11-14.

⁹ The contact officer does not necessarily have to be a CIT officer.

¹⁰ The National Alliance of the Mentally Ill has advanced the term *consumers* as the proper one to use when identifying a person with mental illness.

¹¹ Susan Rogers, "Police, Consumers and Families Join Forces to Improve Crisis Response," *The Key* (Fall 2000).

¹² *Supra* note 2, 11.

¹³ *Supra* note 5.

¹⁴ Although most states and the federal government provide qualified immunity from lawsuits for law enforcement officers if their actions were within the scope of their duties and without malicious intent, situations can occur where immunity will be denied. For example, officers who unknowingly violate a clear constitutional standard will be denied qualified immunity even if they acted without malice and in the belief that their actions were legal.

¹⁵ R. Hill and J. Logan, "Civil Liability and Mental Illness: A Proactive Model to Mitigate Claims," *The Police Chief*, June 2001, 31.

¹⁶ 436 U.S. 658, 694 (1978).

¹⁷ 489 U.S. 378 (1989).

¹⁸ *Supra* note 15, 30.

¹⁹ 10th Cir., No. 01-4130 (12/11/02).

²⁰ The Eighth Amendment states, in part, "nor cruel and unusual punishment inflicted."

²¹ "Lack of Training on Mental Disorder May Lead to Liability," *The Law Officers' Bulletin*, January 16, 2003, 16.

²² *Monell v. New York City Department of Social Services*, 436 U.S. 658 (1978).

²³ *Supra* note 21.

²⁴ 73 F.3d 418 (D.C. Cir. 1996).

²⁵ *Supra* note 15, 31.

²⁶ *Supra* note 15, 31.

For questions about the Montgomery County CIT program, call the CIT coordinator at 240-773-5057.

Wanted: Notable Speeches

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

As with article submissions, the *Bulletin* staff will edit the speech for length and clarity, but, realizing that the information was presented orally, maintain as much of the original flavor as possible. Presenters should submit their transcripts typed and double-spaced on 8 1/2- by 11-inch white paper with all pages numbered. When possible, an electronic version of the transcript saved on computer disk should accompany the document. Send the material to:

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Room 201
Quantico, VA 22135
telephone: 703-632-1952,
e-mail: leb@fbiacademy.edu

Bulletin Reports

Sex Offenses

The Bureau of Justice Statistics (BJS) presents *Recidivism of Sex Offenders Released from Prison in 1994*, which features data on the rearrest, reconviction, and reimprisonment of 9,691 male sex offenders, including 4,295 child molesters, who were tracked for 3 years after their release from prisons in 15 states in 1994. The 9,691 individuals comprise two-thirds of all male sex offenders released from prisons in the United States in 1994. The study represents the largest follow-up ever conducted of convicted sex offenders after discharge from prison and provides the most comprehensive assessment of their behavior after release. Highlights include the following: within 3 years following their release, 5.3 percent of sex offenders (men who had committed rape or sexual assault) were rearrested for another sex crime; on average, the 9,691 sex offenders served 3 1/2 years of their 8-year sentence; and, compared to non-sex offenders released from state prisons, released sex offenders were 4 times more likely to be rearrested for a sex crime. This report is available electronically at <http://www.ojp.usdoj.gov/bjs/abstract/rsorp94.htm>.

Equipment

The National Institute of Justice (NIJ) presents *Hand-Held Metal Detectors for Use in Concealed Weapon and Contraband Detection*, which establishes performance requirements and testing methods for active hand-held metal detectors used to find metal weapons or metal contraband carried on a person or concealed by a nonmetal object. It contains definitions to help readers use and understand the specifications and provides field testing procedures for and mechanical drawings of several potentially dangerous test objects. This guide is available electronically at <http://www.ncjrs.org/pdffiles1/nij/200330.pdf>.

Web-Based Resources

Formed in 1998, the National Alliance of Gang Investigators Association (NAGIA) is a unique alliance of criminal justice professionals dedicated to promoting and coordinating national antigang strategies. It consists of representatives from 14 regional gang investigators' associations, representing more than 15,000 gang investigators across the country, as well as advisory representation from federal agencies and other organizations involved in gang-related prevention and suppression initiatives. Its Web site, <http://www.nagia.org>, contains links to NAGIA member associations, threat assessment information, gang-related articles and information, and conference information.

Reference

The National Institute of Justice (NIJ) presents the *National Institute of Justice 2002 Annual Report*, which highlights NIJ's research and development activities during fiscal year 2002 in such areas as terrorism, violence against women and family violence, science and technology, and community safety. The report details NIJ's increased commitment to program evaluation and describes how new-look print, electronic products, and electronic-based dissemination will make policy-relevant research more readily available to policymakers and practitioners. Further, it also contains financial and Web data and lists of awards, conferences, and products. This report is available electronically at <http://www.ncjrs.org/pdffiles1/nij/200338.pdf> or by contacting the National Criminal Justice Reference Service at 800-851-3420.

Bulletin Reports is an edited collection of criminal justice studies, reports, and project findings. Send your material for consideration to: *FBI Law Enforcement Bulletin*, Room 209, Madison Building, FBI Academy, Quantico, VA 22135. (NOTE: The material in this section is intended to be strictly an information source and should not be considered an endorsement by the FBI for any product or service.)



The Property Room Important Considerations

By BARNEY KINMAN

A small-town sheriff's office suspends an officer after finding cash, drugs, and guns missing from its evidence room...an urban agency mishandles evidence, putting eight high-profile homicide cases in jeopardy...a department unknowingly stores hazardous materials for several years....

Law enforcement agencies all strive to properly handle evidence in their custody. Departments recognize the trouble that can arise when property rooms mishandle such items—public embarrassment, financial liability, possible criminal charges, and the inadmissibility of important evidence serve as examples. Also, officers can lose trust in the evidence room, which can lead to investigators storing evidence elsewhere, such as in the trunks of their

vehicles. This practice, of course, also presents problems.

Certainly, any agency recognizes the property room's function and the important role it plays in support of the department's mission.¹ However, law enforcement personnel should go beyond simply exchanging pleasantries with the property room staff and consider a thorough examination of the evidence room, evaluating issues, such as location, security, storage, disposal, and staffing.² Such

an analysis can ensure that the property room serves as the important asset that departments desire it to be.

Location and Security

Agencies carefully should consider where they locate their evidence rooms. Many choose the basement of their facility—not necessarily a wrong choice, but one that organizations should make only after thoroughly analyzing the potential problems this option can present. For example, much of the mechanical equipment typically located in basements—gas, plumbing, sewage, and sprinkler systems serve as examples—at some point may damage property contained in the evidence room. Also, when mechanical components are located in the property room itself, they can take up valuable storage space and also will need regular inspection and maintenance, requiring access by a variety of individuals.

Whatever location an agency chooses, the evidence room must be secure. Organizations should consider what offices border the property room. Potentially, only drywall may separate the department's evidence room from unauthorized personnel (perhaps from outside the department). An alarm system with codes known only to the property room staff proves essential. Agencies also should install motion detectors

in the areas where they store guns, drugs, and money.

Employees must follow strict procedures when granting access to the facility. Authorized personnel should escort everyone, including sworn officers from the department, who requires access to the restricted area of the property room. One way agencies can limit such visitors is to use the evidence room only for its intended purpose and not to combine it with other uses (such as quartermaster storage). Staff should maintain a log book that documents all visitors and their reasons for access.

Evidence room visitors often include defense attorneys. Agencies should designate a separate area, away from the front counter, for use by lawyers who need to examine evidence in preparation for trial. Preferably, a prosecutor, rather

than evidence room staff, will carry the burden of accompanying the individual.

When visited by citizens, department staff always should escort them to and from the property room; they never should be unaccompanied while in the department. Frequently, such individuals will come to retrieve firearms seized from them. Before issuing the weapon, property room staff should perform a criminal history check to verify the person's legal entitlement to the firearm. Further, personnel only should release the ammunition after the citizen secures the firearm outside the building.

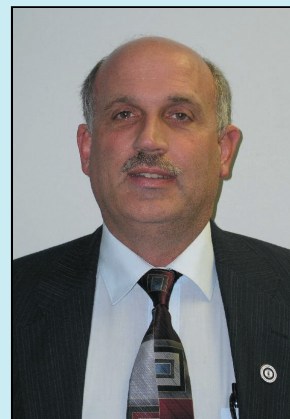
Storage and Disposal

When storing evidence, ideally, agencies should assign a bar code to items and track them by computer in addition to manual written records. Such

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All departments recognize the importance of properly handling evidence in their custody....

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Lieutenant Kinman retired from with the Lexington-Fayette Urban County Division of Police and currently serves with the Kentucky Department of Criminal Justice Training.

records should describe the items in detail. For instance, one agency reported an incident where an attorney discovered that two employees miscounted the number of pills serving as evidence in an investigation. Fortunately, the booking officer followed agency regulations and not only recorded the number of pills but also their weight; the accurate weight of the pills prevented potential damage to the case.

Agencies have many other considerations when storing evidence. For example, the Commission on Accreditation for Law Enforcement Agencies (CALEA) requires accredited departments to adhere to specific guidelines, such as secluding computer hard drives to prevent damage by magnets contained in such items as stereo speakers and separating weapons, drugs, and money³ (if possible, agencies should deposit evidence money into a bank account; money out of the property room is one less potential liability).

Some items should be prohibited from the property room. For example, agencies should not store perishable food items unless absolutely essential to a criminal case, such as poisoned food pertaining to a homicide investigation (of course, departments must ensure that they use an evidence-only refrigerator in the

secure area for such situations). Evidence room personnel also never should accept unopened containers (a safe seized during a narcotics investigation serves as a common example) unless they can open it or somehow otherwise verify its contents. One agency disposed of a safe they had stored for several years through many administrations and personnel changes before finding that it contained a large amount of dynamite. Subsequently, the department decided to check every similar item in its possession.

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Certainly, any agency recognizes the property room's function and the important role it plays....

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In this regard, property room personnel should have the right of refusal over every item submitted to them. As a humorous example, one officer described a situation in which he would not accept a shrink-wrapped bundle of telephone books that another well-intentioned investigator attempted to book as found property after discovering it at the front of the

police department. These turned out to be the new directories intended for the organization's use.

Most agencies probably would agree that a property room never can offer too much storage capability. A cluttered evidence room makes it difficult for agencies to adhere to local fire codes or store items efficiently. One way departments can maximize available space is to use movable modular shelving. This system allows organizations to use the majority of their floor space by eliminating the need for numerous aisles. Although expensive, agencies probably will find them well worth the cost when considering the expense of a new facility.

Also important when considering space availability, departments should stick to a regular disposal schedule.⁴ Agencies must dispose of found property regularly, according to appropriate regulations. Investigators should notify property room staff when evidence in a particular case can be disposed, and staff should prompt investigators by sending them property disposal forms regularly. Evidence in misdemeanor cases where no arrest warrant was issued should be disposed of upon expiration of the statute of limitations. Evidence room staff always must obtain proper authority from the investigator or appropriate supervisor before

disposing of any item booked as evidence.

Agencies must observe appropriate laws governing evidence disposal and what actions can be taken with such items. For example, departments may wish to donate certain items to charitable organizations but find that they must return them to their lawful owners, destroy them, or sell them at auction. Agencies must remain aware of appropriate laws governing the disposal of potential DNA

evidence (and possible criminal penalties for violations). In this regard, some very large items, such as vehicles or furniture, can present storage problems for departments facing delays in obtaining the authority needed to dispose of them.

Evidence rooms should have the necessary equipment for proper evidence disposal. Examples include a workbench and a sink, such as a laundry sink, for liquid items. Departments should obtain access to a federally approved incinerator for such items as narcotics. Proper equipment can help agencies ensure that they dispose of items properly and in

accordance with environmental regulations.

Whenever evidence is destroyed, particularly drugs or money, organizations should have a member of the internal

each property room function. For example, property rooms responsible for transporting items to and from the crime lab should have one person assigned to that duty. This

person may need to spend time in court on a regular basis because of chain-of-custody. Logically, spreading this assignment out among more than one person in the unit presents the risk of having the entire staff in court regularly. In cases where the designated person is not available for this assignment, agencies

should consider using someone outside of the property unit to avoid closure due to lack of staffing. Agencies also should assign one employee to handle all disposals—for many departments, this alone can be a full-time job.

All evidence room personnel should receive cross training to handle every function of the property room. This helps limit the need for temporarily assigned employees. Departments certainly should avoid the temptation to temporarily staff their evidence rooms with officers facing pending disciplinary issues. For instance, legal issues can arise if such officers have

Some Considerations for the Property Room

- Is it situated in the best available location?
- Does it offer plenty of storage space?
- Are disposals handled appropriately?
- Is it organized effectively?
- Does it have the right staffing level?
- Is it secure?

affairs unit, a local prosecutor, or a representative of a neighboring law enforcement agency document (in writing and with photographs) and verify proper disposal.

Staffing Issues

Law enforcement agencies should staff their property rooms according to their individual needs. Of course, staffing levels will vary between departments—larger departments that have an evidence room open at all times during normal business hours may staff three or more employees.

If possible, agencies should designate one employee for

access to evidence in a pending trial. Agencies must realize that interim employees may cause more problems than they solve.

Conclusion

Law enforcement agencies can benefit from examining their property rooms and ensuring that they serve the organization as effectively as possible. Factors, such as location, security, staffing, storage, and

disposal, all prove important in this evaluation.

All departments recognize the importance of properly handling evidence in their custody—not doing so can be problematic. An efficient evidence room serves an important role in support of an agency's mission. ♦

Endnotes

¹ Agencies should develop and adhere to a detailed written policy concerning property room staffing and procedures.

² The author presents these recommendations based on his professional experience in property room management and suggests a formal seminar on the subject for more thorough training.

³ For additional information, see *CALEA Online*, <http://www.calea.org>.

⁴ Agencies must ensure that procedures governing the disposal of firearms and other relevant items reflect the appropriate use of the National Crime Information Center (NCIC) database. For additional information, see Stephanie L. Hitt, "NCIC 2000," *FBI Law Enforcement Bulletin*, July 2000, 12-15.

Unusual Weapon



Crucifix Knife

This object appears to be a crucifix, but it actually is a nonmagnetic cross that contains a sharp metal blade. Offenders may attempt to disguise this weapon as a key chain or necklace.

The Bulletin Notes

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



Officer Markus

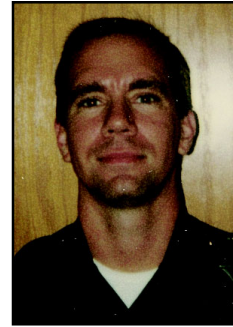


Officer Martinez

On a wintry day, Officers John Markus and Chris Martinez of the Prosser, Washington, Police Department responded to a report of an automobile that had entered a river. Upon arrival at the scene, the officers determined that because of the snowy and icy conditions the vehicle had skidded off the road, dropped down a 15-foot embankment, and landed upside down in the water, becoming mostly submerged. Without regard for their own safety, both officers removed their equipment belts and ballistic vests, braved the snow-covered embankment, and dove into the icy, muddy waters. After prying the jammed doors open, Officers Markus and Martinez endured the frigid conditions and repeatedly entered the vehicle, removing the victims, which included a mother and her 5-year-old and twin 10-month-old daughters. Unfortunately, the frantic efforts of medical personnel could not save the victims. However, the heroic actions of Officers Markus and Martinez reflected the true reverence they hold for the lives of the citizens they serve.



Officer Schultz



Officer Krause

Officers Robert Schultz and Mark Krause of the Harvard, Illinois, Police Department responded to a fire at a multifamily residence. Upon arrival, they observed thick smoke and flames coming from the first floor. Knowing that people may be upstairs, Officer Schultz kicked in the front door, but could not enter because of the fire and density of the smoke. He managed to get to the second floor by using a staircase behind the building. Although he noticed that the fire was coming through the floor from the first level, Officer Schultz disregarded his own safety and entered. He assisted a woman with two infants, a man with a small child, and one other person out of the residence. Officer Schultz then continued through the thick smoke, checking every room. Officer Krause also bravely entered the building by kicking in a different first floor door and ensured that everyone was out. The brave actions of these two officers undoubtedly helped save the lives of the residents.

U.S. Department of Justice
Federal Bureau of Investigation
FBI Law Enforcement Bulletin
935 Pennsylvania Avenue, N.W.
Washington, DC 20535-0001

Periodicals
Postage and Fees Paid
Federal Bureau of Investigation
ISSN 0014-5688

Official Business
Penalty for Private Use \$300

Patch Call



The patch of the Ankeny, Iowa, Police Department features the flags of the United States and the state of Iowa, denoting the department's dedication to its nation and to the citizens it serves. The American eagle represents bravery, strength, and integrity and the maroon laurels honor officers fallen in the line of duty.



The patch of the Old Saybrook, Connecticut, Department of Police Services depicts the outer lighthouse, located on the breakwater where the Connecticut River meets Long Island Sound. Originally settled in 1622 as Kievet's Hock, Old Saybrook is the oldest settlement in the state of Connecticut.