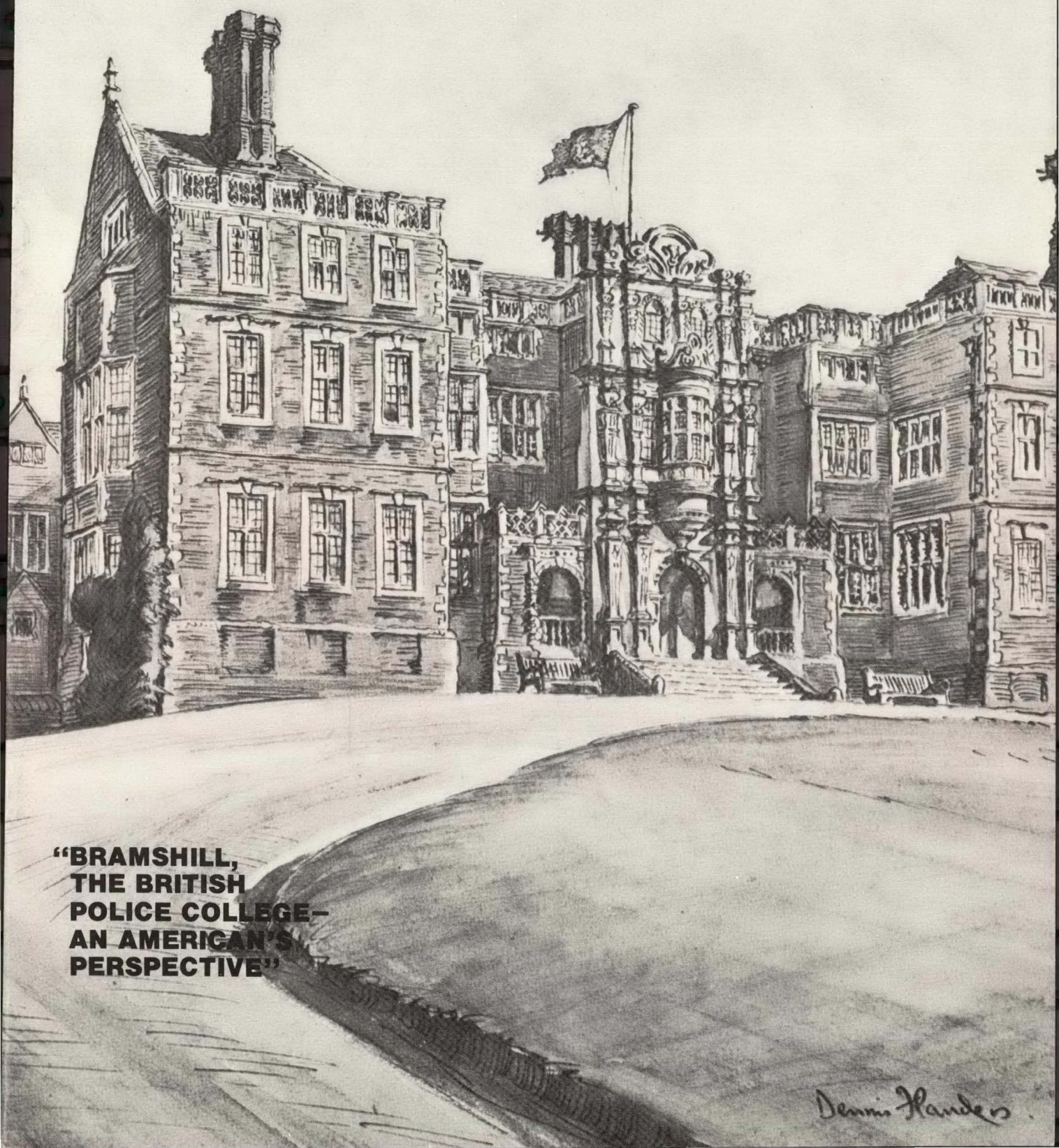


FBI LAW ENFORCEMENT BULLETIN

JUNE 1979



**"BRAMSHILL,
THE BRITISH
POLICE COLLEGE—
AN AMERICAN'S
PERSPECTIVE"**

Dennis Handers

FBI LAW ENFORCEMENT BULLETIN

JUNE 1979, VOLUME 48, NUMBER 6

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The Cover: Stately Bramshill House is the site of The British Police College.



**Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535**

William H. Webster, Director

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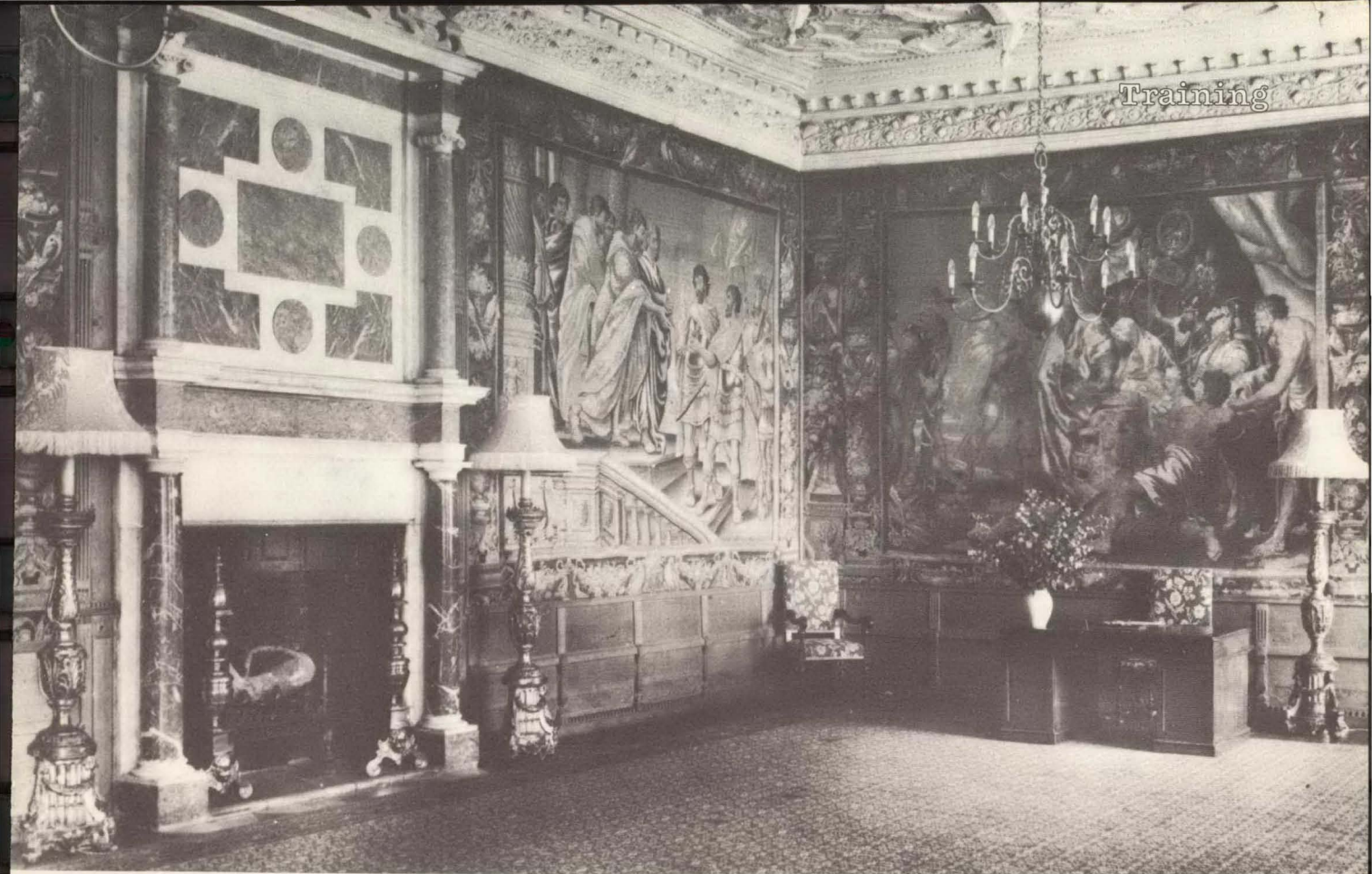
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The Great Drawing Room of Bramshill House

Law Enforcement Management Training at the British Police College: An American's Perspective

By TERRY T. O'CONNOR

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The setting and facilities are distinctly British. In fact, an American visiting the Bramshill Estate in the pastoral reaches of Hampshire, England, might doubt the gatehouse sign indicating that these are the grounds of a police training facility. One reason for the visitor's disbelief would be Bramshill House itself, a magnificent late Renaissance manor house that serves as the administration building and focal point of The British Police College. Surrounding this imposing structure are 250 wooded acres, along with classroom buildings, a lake, a gymnasium, and athletic field (for rugby, soccer, and cricket, of course).

But if the setting of the college is so uniquely British, is the training characteristically British as well? This and other related questions might run through the mind of an American student settling into the college's idyllic surroundings to await the start of the

Senior Command Course, the most advanced of several courses conducted at the college.

The visiting student might wonder, for instance, whether the courses offered at this picturesque British institution are relevant to the needs of an American law enforcement manager. He might also question whether the methods of instruction are as classical as the stately manor house which dominates the surrounding classroom buildings, or whether senior British officers of today share problems common to their American counterparts. In short, the American might want to know if there is something in Bramshill's management training that would enhance his own managerial ability and could be shared with his organization.

These questions are quickly and decisively resolved first by the high-level pitch of the course. From the outset, the course objectives are perfectly clear. The British Police Service brings the best of its senior officers together to prepare them "for the highest posts in the Police Service of the United Kingdom."* The caliber of the 20 chosen British officers leaves little doubt concerning their qualifications.

These British officers are selected after a lengthy and careful screening process. Most have the rank of chief superintendent (officers in divisional or departmental command positions), although some are "exceptional officers of Superintendent rank." They are men and women judged to have the potential for promotion to the ranks of assistant chief constable and then perhaps chief constable—the highest executive position in all but 2 of the 43 police forces in the United Kingdom. (The Metropolitan Police in London and the City of London Police are headed by commissioners of police.)

For these British officers, the Senior Command Course is not their first visit to Bramshill; management personnel in the British Police Service attend Bramshill courses at several steps during their careers. Some of the course

members may have attended the year-long Special Course, which serves as a step in the accelerated promotion of young police constables. If an officer in the Senior Command Course has not attended the Special Course, he has almost certainly attended the Inspectors' Course (a 3-month management course) and the Intermediate Command Course (a 3-month management course for officers with the rank of superintendent).

“ . . . societal, operational, and administrative problems facing the British police manager are much like those facing police managers in areas of the United States having similar population densities and economic foundations.”

The long periods of training spent participating in these courses, coupled with the training the officers have undergone within their own forces, attest to the academic credentials of the officers and the premium placed on training in the British Police Service.

A handful of "overseas" officers customarily join the British officers in the Senior Command Course. For these students, who in recent years have included officers from Hong Kong, New Zealand, Australia, Holland, Canada, and the United States, the purpose of participating in the Senior Command Course differs slightly from that of their British fellows. They, too, are senior officers selected to attend the course to increase their managerial skills. At the same time, however, they will be expected to incorporate some of what they have learned into the operational or training programs of their respective organizations.

Any doubts about the course's relevance to the needs of the American student are soon dispelled. It is obvious that there is a great deal to be learned from the course, both during and outside class sessions, and that subjects of contemporary application are being taught through progressive teaching methods.

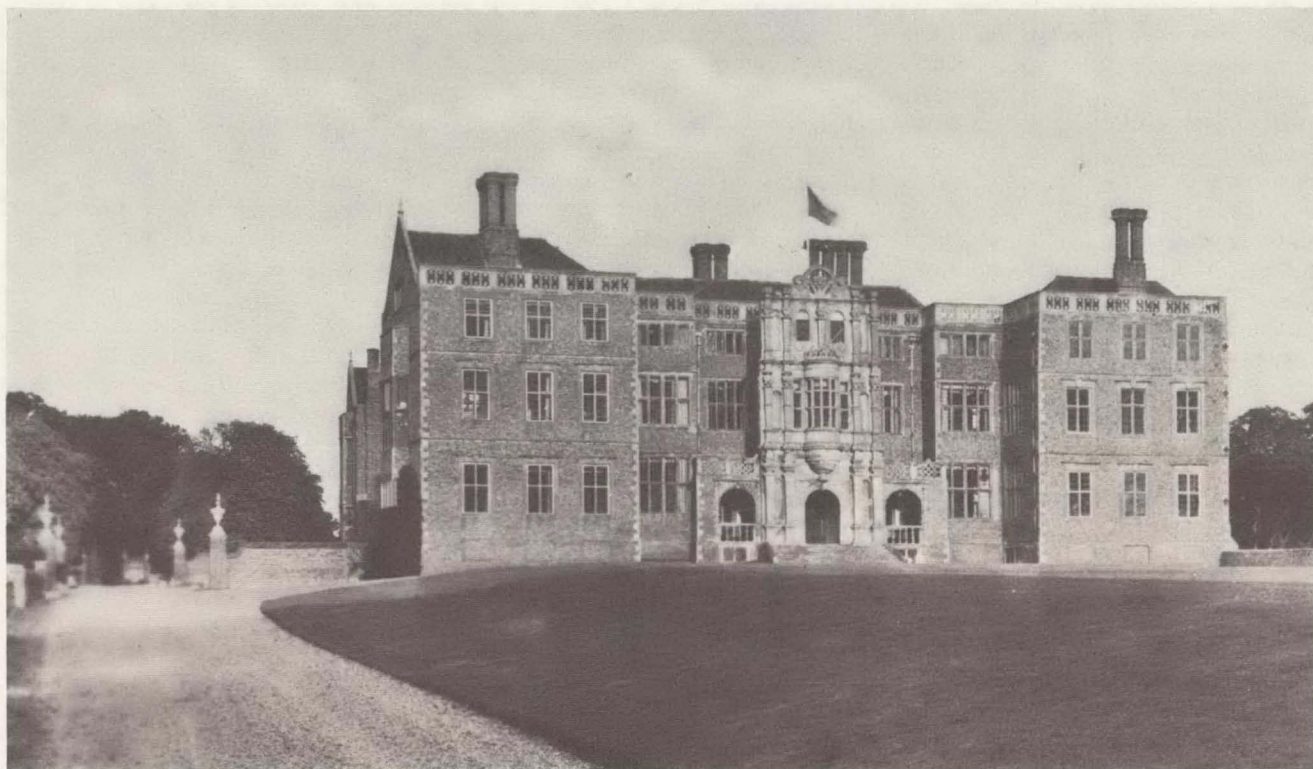
Although the course is geared to meet the needs of the British law enforcement manager, it is also of benefit to his American counterpart. This is really not surprising, for modern British and American societies have much in common. Moreover, both countries have law enforcement systems with the same common law roots. As a result, societal, operational, and administrative problems facing the British manager are much like those facing police managers in areas of the United States having similar population densities and economic foundations. This is true whether the British officers are from forces in bustling cities like London or Liverpool or from those responsible for policing the serene countryside of North Yorkshire, Devon, or Cornwall.

To appreciate fully many topics examined during the course, the visiting student must understand the relationship between British law enforcement and British society as a whole. A basic tenet of the British Police Service's philosophy is that police officers should strive to maintain a close identity with the communities they serve—to be part of their communities and to differ from fellow citizens only in that they wear uniforms.

In adhering to this principle, the police service demonstrates its steadfast adherence to the ideals of Sir Robert Peel, founder of the first modern police force in early 19th-century London, who believed, "The police are the people and the people are the police."

The concern the British Police Service has for maintaining its identity with the community, along with its desire to be progressive operationally and organizationally, is reflected in the qualities it seeks to develop through

*All quoted text is excerpted from the publication *Higher Police Training, Command Courses, The Police College*.



Bramshill House

the Senior Command Course. These qualities are:

"(i) A creative and innovating approach to the policy making function and sensitivity to the needs of others.

"(ii) A constant awareness of, and concern for, the status, dignity and professional standards of the Service.

"(iii) A perceptive insight into social, economic and political factors which affect the efficiency of his force and the Service."

In addition to these personal dimensions, the curriculum has also been designed by the British Police Service to develop further certain skills necessary in performing chief officer duties. These skills include:

"(i) A capacity to work easily with a wide spectrum of people, with the sophisticated and the erudite, the simple and the unlettered.

"(ii) A full understanding of modern managerial attitudes and methods.

"(iii) A familiarity with scientific and technological apparatus, knowledge, and methods.

"(iv) An insight into the techniques and subject matter of social sciences, sufficient to make a discriminating use of them, where appropriate, in the work of the Force.

"(v) An ability to analyse and communicate the gist of police problems, however complicated, to professionals and non-professionals and to reach tidy and reasonable solutions.

"(vi) A grasp of modern training theories and practices and a comprehensive knowledge of training and educational institutions as an essential part of material equipment."

Seven themes are covered during the Senior Command Course—(I) Command Responsibilities in Operational Situations; (II) Police Powers and Accountability; (III) Scientific and Technological Aids; (IV) Finance, Budgeting, and Government; (V) Responsibilities and Relationships of Command; (VI) Police Organization, Design, Monitoring, and Evaluation; and (VII) Private Study and Research. Interwoven throughout the curriculum, each theme has its own principal thrust, but at the same time, bears some relationship to

the others. Together, they contribute to the achievement of the course's quality and skill development objectives.

Through various instructional techniques, the objectives of the different blocs of instruction are achieved. These methods include lectures, seminars, workshops, discussions, practical exercises, and periods of private research and study.

A 6-month course cannot be synopsized in this article. However, certain blocs of instruction included within the course's themes, and the methods of instruction used to convey subject matter addressed in these blocs, can be discussed briefly but adequately.

Through this discussion, it is possible to focus on those aspects of British management training that give the Senior Command Course, and perhaps Bramshill courses in general, its own special character.

The collective experience of course members and the use of resources outside the police service are two vital aspects of Bramshill's train-

ing. Throughout the course, the experience and knowledge of course members is most apparent in the syndicates, groups of six to eight students into which the class is divided. Each syndicate works with a staff adviser who meets with the students following lectures, workshops, and other forums to further discuss topics addressed during course sessions. Syndicate discussions often evolve into vigorous, healthy debate, particularly when the topics involved theoretical management approaches or controversial social issues. In this way, each syndicate member is exposed to the differing viewpoints of other experienced officers in the group—an important benefit of the discussions.

Syndicate discussions also serve another useful purpose. They enable staff advisers to assess the abilities, progress, and developmental needs of the members, especially regarding the managerial abilities the course seeks to develop. These areas, along with academic matters, are discussed during periodic meetings (called tutorials) between staff advisers and individual students.

Management theory and social, economic, and political issues were frequent topics of lively syndicate discussion, because much of the course centers on these areas. Management, especially managing personnel, is the essence of the Senior Command Course. To give students a thorough overview, the college turned to industrial managers and academics from England's universities to conduct many of the management sessions. These individuals were chosen because their nonlaw enforcement orientation affords course members a look at the way others have approached management problems common to organizations.

Not only are management problems addressed in lectures, seminars, and workshops, but course members take part in two management field exercises in which they study real problems within police forces throughout England. One is the Job Organization and Evaluation (J.O.E.) exercise, a part of Theme VI—Police Organization, Design, Monitoring, and Evaluation.

For this, course members are again divided into groups (across syndicate lines so that students have the opportunity to work with students other than those in their syndicates) and are joined by industrial managers. The groups establish approaches to assigned problems which have been selected by the forces (termed "clients") they will visit. They then spend a week studying the problems with the client forces. The industrial representatives, as experienced managers, make observations regarding the way the students function as members of a task-

"The collective experience of course members and the use of resources outside the police service are two vital aspects of Bramshill's training."

oriented group and suggest approaches they would take to the problems under study.

Upon returning to the college, the groups prepare reports in which they recommend solutions to the clients' problems. The J.O.E. reports are the basis for subsequent group presentations made to representatives of client forces, college staff personnel, and other course members. Just as the reports are aimed at improving written communication skills, these presentations looked to improve oral communication skills. (It should be noted that the very articulate manner in which British officers on the Senior Command Course express themselves shows they need little improvement in either of these areas.)

The final phase of J.O.E. occurs later in the course when the groups travel to the organizations of their respective industrial representatives. During these visits, course members observe the manner in which industrial organizations approach problems similar to those studied in the client police forces.

There are several advantages to the J.O.E. exercise—the most important of which is that it allows students to refine managerial techniques by dealing with real problems commonly faced by assistant chief constables. In addition, students further develop the interpersonal skills needed to achieve group task objectives. An indication of the worth of this exercise is the fact that client forces carefully consider, and sometimes adopt, recommendations made by J.O.E. groups.

The other hands-on management project is "Finance" (part of Theme IV—Finance, Budgeting, and Government). During this exercise, course members form still new groups and travel to other police forces to study the manner in which governmental bodies allot funds for law enforcement and the budget management practices used by forces to get the most out of allocated financial resources. Clearly, it is essential that police managers fully understand budget management. Like other facets of management, this is an area that can be learned most effectively when classroom theory is applied to real problems of a working police force.

As mentioned earlier, the British Police Service strives to maintain its identity with the people it serves. For this reason, much attention is paid to exposing course members to all sides of the various social, economic, and political issues of the day. In this regard, the college believes that it "... has as a prime responsibility the aim of giving to police officers who attend it at whatever level a clear understanding of those classic liberal and humane values that are central to our society, and of the civilization of which it is a part. Police officers must be encouraged to gain a better knowledge of the community which they serve and protect."

To enable members of the Senior Command Course to acquire a better understanding of the environment in which police forces operate, the college again looks to persons outside its confines. It calls upon labor leaders, political figures, academicians, civil

servants, and representatives of minority groups, among others, to provide an insight into the causes underlying such problems as terrorist activities, demonstrations, strikes, and mob violence that confront police. By lecturing, participating in workshops, and engaging in discussions with students, these figures, many of whom have controversial viewpoints, afford the students the benefit of their first-hand knowledge of the subjects discussed.

Bramshill does not limit its examination of everyday police problems to their societal roots. The Senior Command Course also addresses practical approaches to operational problems like terrorism and mob violence (soccer "hooliganism," for example) that can be applied in the operational areas of their own forces. And again, the college calls upon those most knowledgeable with the subject matter to provide the instruction—for example, experienced senior officers who have negotiated or otherwise dealt with terrorists or who have handled the disorders that have occurred in London and elsewhere in England during recent years.

British law enforcement is not insular. Senior Command Course students travel abroad to study the problems faced by police forces in other countries and operational responses to these problems. This exercise, termed "Europa," is part of Theme V—Responsibilities and Relations of Command and is an unquestioned highlight of the course. In recent years, course members have traveled to France, Holland, Germany, New York City, and Washington, D.C., (the exercise may be misnamed now) to study such areas as terrorism, urban deprivation, preventive policing, and public prosecutorial systems.

One last feature of the Senior Command Course deserves particular mention. It is that portion of the curriculum dealing with Theme VII—Private Research and Study. It is during the considerable time devoted to this theme and in free time available to

students that they achieve something for which few other courses provide an opportunity. It allows the student to think about the ideas presented formally during the course, to discuss them with peers outside the classroom, and to further research these ideas using the college's extensive library facilities.

An equally important aspect of Theme VII is the paper which each course member submits. The college views this paper as providing students the opportunity "to influence the content of their own course, to comment upon an area of policing in which they

“. . . the Senior Command Course is characterized by the fact that it depends not only on a sharing of experiences by participants, but also taps nonlaw enforcement resources and concentrates on the study of real problems to further educate law enforcement officers.”

considered, as senior officers, that they [have] something significant to say” In essence, the college provides senior officers the opportunity to address ideas, often concerning innovative approaches to operational or managerial problems, which they have formulated over a period of time but have not had the time to put on paper. What they write can be of vast benefit not so much to themselves and their individual forces but to the police service in general.

Affording students this opportunity to reflect and write follows the college's philosophy that "All professional men, including police officers, naturally tend to be absorbed in their own work, and one great problem of modern society is how to prevent leaders in each field of knowledge and activity from

becoming completely isolated from their peers. . . . Thus a broad philosophic contemplation of society as a whole . . . and of the police function in relation to it, cannot but have a refreshing effect upon public officers, temporarily emancipated from the pressing round of their regular duty.”

In the final analysis, the Senior Command Course is characterized by the fact that it depends not only on a sharing of experiences by participants, but also taps nonlaw enforcement resources and concentrates on the study of real problems to further educate law enforcement officers. Equally important, however, is the fact that Bramshill offers students a breath of fresh air, not only literally but in providing an opportunity "to get away from it all" to think about how they do their jobs and how their organizations function.

If there were any misgivings that Bramshill is an appropriate setting for a modern police training facility, the student departs with the impression that it has in fact an ageless quality that should continually enable the college to produce enlightened law enforcement executives. There is little question that British officers leave this atmosphere as more effective managers. Similarly, there is much that an American law enforcement officer, reluctantly leaving the refreshing environment of this police college, carries home with him for the long-term benefit of both his organization and himself.

FBI

THE INTELLIGENCE PROCESS: A TOOL FOR CRIMINAL JUSTICE ADMINISTRATORS

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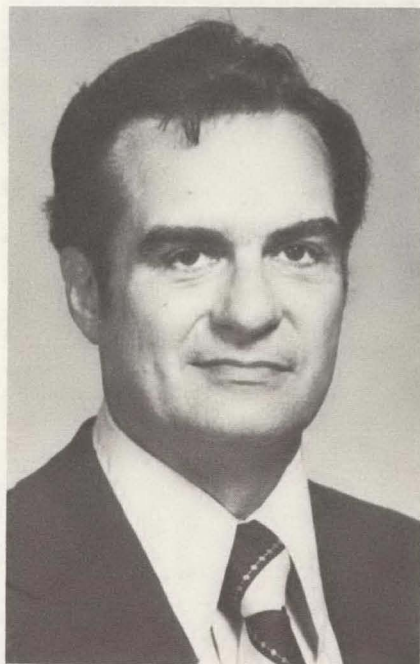
EDITOR'S NOTE: The opinions expressed in this article are those of the writers and do not necessarily represent the policies or practices of the New Jersey State Police.

Today, the role of police in our society has changed dramatically. Law enforcement, as are other institutions in America, is confronted with a multitude of social issues which will in a significant way affect its future as a viable institution in society. The vitality and durability of the police as a legitimate institution in our society will depend to a large extent upon how they collectively respond to the challenge of the future.

In the last decade, more change has occurred in the police environment than in the past 50 years. No longer can police permit parochialism and self-perpetuating interests to affect their perspective. The police have a far greater responsibility in society. When there are contradictions and conflicts in our system of justice, the police have an obligation to expose and resolve the conflict within the parameters of our notions of justice. Toward this end, the intelligence process, if properly channeled and directed, can play a central role. Contrary to the arguments of those who support the abolition or prohibition of intelligence units, there is now more than ever before compelling reasons to strengthen our intelligence processes.

In examining the rather limited literature on police intelligence systems, it is somewhat ironic to find that virtually every Presidential commission on crime and crime control since 1967 has recommended priority be given to strategic intelligence capabilities. Nevertheless, there are relatively few law enforcement agencies which possess tactical "intelligence" components. Today, the concept of strategic intelligence remains an enigma to most law enforcement agencies. The negative image which has distorted the true value of intelligence was fostered by law enforcement "executives" who have never quite understood its real potential or worth. The ad hoc and misguided efforts of the past hardly qualify as intelligence, since it appears that most efforts were devoted solely to the collection and dissemination of raw data, completely disregarding the most crucial phases of the intelligence process—evaluation and analysis. The "substance" of what has been labeled intelligence could be characterized as "intellectually inferior," and to a large extent, mediocre in quality.

The vitality and quality of police management mandates a sophisticated intelligence component capable of providing law enforcement and criminal justice officials with the information to make sound, rational, and logical decisions regarding policies and resource allocation. Preplanning and postevaluation are essential to crime control policy. To "measure with precision the real threat to the community" is fundamental to the intelligence process and one which can no longer be ignored by criminal justice management.



Major Dintino



Sergeant Martens



Col. Clinton L. Pagano
Superintendent
N.J. State Police

The Intelligence Process: Sometimes Physical But Always Intellectual

This description of the intelligence process clearly reflects a broader concept of intelligence than that which has characterized law enforcement thinking. The phrase "always intellectual" in effect mandates a high degree of understanding by those who are engaged in the analysis of intelligence data. The mere collection and dissemination of raw data has never sufficed as intelligence, at least among those who had an appreciation for the process. The collection of data reflects one step in the process—a process which requires a critical evaluation and analysis of the data to the extent that the activity of intelligence has been practiced within the law enforcement community. Its fundamental purpose—strategic planning and postevaluation—has eluded the grasp of most law enforcement administrators. To reiterate the findings of the President's task force on law and law enforcement, "... it is essential that the police possess an intelligence system which enables them to measure with precision the real threat to the community posed by individuals and groups." It was recommended by

several commissions that "... research by the many relevant disciplines, regarding the nature, development, activities, and organization of these special groups ..." be conducted and funded by the Federal Government.¹

The phrase "to measure with precision the real threat to the community" clearly implies a conscious and somewhat sophisticated effort to assess with some degree of accuracy the actual threat posed to the community. Obviously, the phrase does not suggest a haphazard, ad hoc exercise in analyzing data. Rather, intelligence should provide criminal justice executives with the data in which to make sound, rational, and logical decisions, taking into account the real (not believed) threat to the community. The lack of an analytical component clearly distinguishes between an intelligence unit and a recordkeeping system. Moreover, the failure to develop a sophisticated analytical component has seriously retarded the ability of most law enforcement agencies to implement efficient crime control strategies.

Given this perspective, it is then quite apparent that the analytical component is central to the efficient oper-

ation of both an intelligence unit and a law enforcement organization. As Godfrey and Harris point out, "... analysis is the key to the success of an intelligence unit. ..." ² Yet, it is this very concept which has remained elusive to law enforcement.

Analysis, although a relatively new concept in the law enforcement community, has been an integral phase in our foreign intelligence operations, and domestically, every large financial institution has relied upon analysts to assess, evaluate, and hopefully predict future patterns or trends within an industry. The concept is basic to the economic stability of these institutions, and law enforcement can no longer afford to operate without this proven business concept.

To the extent that an intelligence unit is designed to develop organized crime control policies and strategies, the analytical component plays a vital role. A recent report released by the Government Accounting Office found that war on organized crime was unsuccessful because:

- (1) There was a lack of any quantitative and/or qualitative objectives;
- (2) There was an inability to define organized crime; and

(3) There was the absence of a system to accumulate the necessary data for planning and evaluation.

The report also found that "... the existing data collection was directed more toward evidence gathering than toward intelligence information which, if properly processed and analyzed, could lead to selecting investigative approaches which could have greater impact on the organized crime problem." The report criticized the lack of an analytical component, noting that "... analysts assigned to the strike forces are not intelligence analysts, but are merely 'computer input specialists'."³

The rather mediocre and ordinary level of intelligence efforts in most State and local law enforcement agencies was again cited in a report entitled *Rackets Bureaus* prepared by the Cornell Institute on Organized Crime.⁴ The report proposed that strategies to control organized crime "... should be based on an *analysis* of its organized crime problem, its social, political, and economic implications ... access to outside sources of expertise in the development of such a strategy, including its analytical assumptions, would be helpful." And as Moore points out, the productivity of enforcement organizations could be greatly increased with an investment in a sophisticated intelligence system, which reflect a commitment to a progressive analytical component.⁵

The emphasis which these reports place on the role of analysis is clearly indicative of its vital role in the intelligence process. Intelligence represents a formalized system of data collection, evaluation, and analysis which is designed to assist law enforcement administrators in identifying, guiding, redirecting, and evaluating organized crime control policy and strategy. The capacity to conduct sophisticated organized crime assessments and studies (whether they be for tactical or strategic purposes) "balanced in perspective and objective in presentation" is essential to the decisionmaking processes of progressive law enforcement administrators. The phrase "balanced in perspective and objective in presentation" clearly implies a process

through which information or raw data is carefully, thoroughly, and methodically dissected, evaluated, and analyzed with a directed focus toward the policy implications of the findings. Properly administered, the intelligence unit can serve to guide the administrator in the decisionmaking processes.

Introducing an Analytical Component Into a Law Enforcement Organization

Institutionalizing the analytical concept into a law enforcement organization requires careful planning and above all the full support of the managerial staff. As Marchetti⁶ and Kissin-

"Institutionalizing the analytical concept into a law enforcement organization requires careful planning and above all the full support of the managerial staff."

ger⁷ pointed out in their analyses of foreign intelligence, and Wilson⁸ and Moore⁹ in their examination of domestic intelligence, there is a general hostility toward intelligence, and in particular, toward analysts. This emanates from the fact that analysts are removed from the daily rigors of operational decisions, and as such, face no apparent risk. And although all would theoretically agree that intelligence should provide a meaningful and timely product, the operational needs of an organization may inhibit such a process. Ostensibly, the interests of a particular unit may clearly militate against a particular policy or strategy, or the occupational ideology of an organization may preclude the implementation of a strategy or policy which may have a more effective impact upon a problem. It is this "delicate balance" of interests which presents the most serious threat to the administration of an intelligence

unit, for when one interest dominates the other, the credibility and legitimacy of the intelligence process is seriously jeopardized.

Assuming that the analytical function is to be integrated into the organizational structure of the agency, it is inevitable that the occupational milieu will influence the analyst. Thus, it is necessary to develop within the analyst a critical mind—one which probes, dissects, and questions the data and the assumptions upon which the data is based. Diversity in academic disciplines, competency in skills, and sensitivity toward the economic and social implications of the findings are essential to the recruitment of a first-rate analytical staff. The ability of an analyst to sift through complex masses of data, organize it in a coherent and logical manner, and produce a meaningful and timely product is paramount to the success of the analyst. Hence, it is necessary to create within an analytical component an occupational environment which subscribes to critical, independent, and probing thought. The absence of such a working milieu will undoubtedly retard the objectivity of an analytical assessment and ultimately affect the decisionmaking processes of its consumer—the law enforcement administrator.

Given the stated goal of the analytical component—useable, timely, balanced, and objective intelligence assessments—the law enforcement administrator must be careful to avoid several factors which might jeopardize the intelligence process.

First, the administrator must be extremely sensitive to the effects of organizational stimuli. The administrator must project an attitude which subscribes to "balanced and methodologically sound research" predicated upon proven and accepted research skills. Conversely, the analyst must ensure that any assessment or study undertaken has withstood the rigors of critical internal evaluation and analysis. Although the analyst must remain cognizant of the goals of the organization, the findings of any assessment or study must not be tailored

to meet the personal desires of either the analyst or the administrator or twisted to meet the stated or manifest goal of the organization. Personal views of either the analyst or administrator must not be permitted to infect the final intelligence product. In effect, both the administrator and analyst must seek to establish a "modicum of respectability and legitimacy" when undertaking any intelligence project. This ensures a well-reasoned and credible product which will ultimately benefit the organization.

Second, and of equal importance, the analyst must ensure that the intelligence product has taken into account the policy implications of its findings. At times, an analyst will propose a particular policy or strategy that cannot be implemented for lack of resources or may be politically unfeasible. However, this does not suggest that an intelligence assessment only recommend policies or strategies which are politically expedient. Rather, intelligence must define the problem and then recommend policies and strategies which recognize the inherent political, social, and economic implications. It must be remembered, intelligence is designed to forecast or predict changes in trends which may *necessitate* changes in policy. If this occurs, intelligence should continuously be projecting and recommending policy and strategy revision consistent with the changing definition of the problem. For instance, it may not be feasible to recommend a heroin maintenance program to reduce predatory crimes emanating from heroin addiction at this time. Yet, such a recommendation may be a viable and logical alternative which may have an impact upon the problem of predatory crimes. Therefore, it is incumbent upon the analyst to examine this issue and other alternatives, too, providing the arguments demonstrating the merits and deficiencies of all alternatives. Yet, the analyst must recognize the inherent political and organizational support or opposition to such alternatives and clearly delineate the latent consequences of the alternatives cited. If the analyst lacks an understanding of the dynamics of policymaking, it will unquestionably demean the quality of the

intelligence assessment. In effect, the assessment may more than likely be ignored, and as Wilson pointed out, intelligence will be perceived as a useless activity, having no relationship to the "real world."

Naturally, there is a "delicate balance" which must be achieved. Part of the problem emerges when an intelligence product is perceived as inimical to the interests of the organization and/or a particular unit within that organization. We might point out that this is not unique to a law enforcement organization, but is common within any

"It must be remembered, intelligence is designed to forecast or predict changes in trends which may necessitate changes in policy."

organization in the public or private sector. However, in the private sector, profit and loss is dependent upon the ability to forecast with a degree of accuracy economic trends which create the impetus for change. In a law enforcement organization (or any government agency for that matter), change is usually mandated by law or political decisions. Therefore, the need for systematic analysis is often negligible. In other words, law enforcement is generally guided by external forces over which they have little control. Although there may be some internal resistance initially, the policy(ies) is ultimately adopted. However, when such change is recommended from within, particularly when the alternatives provide no new incentives for change, there tends to be intense internal opposition. Whether it be a change in a tactical strategy or a revision of internal policies, there is a general reluctance to change. An operational unit may

understandably believe a particular enforcement strategy is desirable, only to be challenged by intelligence assessment. An administrator may honestly believe that a particular policy will have a significant impact upon a problem (assuming the problem was adequately defined), only to be advised that such a policy may be counterproductive or have no substance in fact. Moreover, since the intelligence assessment may recommend a particular course of action which may never have been previously attempted or may prove politically precarious, the bureaucratic consensus is to maintain the status quo. Thus, it is extremely important that the analytical component be sensitive to the dilemmas inherent in developing and implementing policies/strategies and have the capacity to understand the dynamics of this complex process. However, the analyst must avoid being unduly influenced by the preconceived notions or stereotypes of both the operational and administrative elements, thus ensuring the culmination of a well-reasoned, balanced, and objective intelligence product.

Toward this end, both the analyst and criminal justice administrator must develop a full appreciation for the role of strategic intelligence in organized crime control. To a large extent, the criminal justice community has been neglectful in its efforts to develop a collective body of knowledge predicated upon individual, discrete experiences, which would in the long term increase our knowledge and understanding of a particular issue, phenomenon, or problem. It is this concept, strategic intelligence, which has been so elusive to the criminal justice community, and yet the success of an intelligence unit is predicated upon such a concept. The capacity to anticipate and respond effectively to the unexpected clearly distinguishes an analytical component.

It would appear that the training process for criminal justice practitioners has placed undue emphasis on developing the technical skills of criminal justice administrators with little, or

in some cases, no time or effort devoted to the development of conceptual skills. The analyst, if performing his/her task properly, must be required to conceptualize and have the capacity to delineate similarity of properties between and among phenomenon "... so as to establish a pattern of response, a routine, for the most likely challenges . . .," reassuring "... creative thought for the unusual or unexpected."¹⁰ The analyst must "learn" how to function in an occupational milieu which militates against such thought processes and must be careful not to become engulfed in the malaise of daily occurrences. The ability to analyze common occurrences and translate these situations into a conceptual scheme is fundamental to the intelligence process.

We might point out that we have emphasized two very important issues which deserve further discussion. Although the goal of strategic intelligence is fundamental to the intelligence process, this is not to infer that tactical intelligence has no meaningful or useful purpose. On the contrary, the value of tactical intelligence to law enforcement administrators beyond the immediate objective of arrest and prosecution can, if properly focused, be extremely important in how and where resources are allocated. For instance, little is known about criminal organizations and the dynamics of illicit marketplaces. To gather this type of information requires skills or methods which generally are unavailable to the traditional researcher. Given an astute tactical analyst, he/she will be able to extract the information needed to examine broader and more compelling issues which affect organized crime control policy and strategy. Hence, the strategic focus is enhanced and maximized through the data gathered by the tactical analyst.

The second point which should be addressed is that all analytical inquiry should be focused toward public policy implications. Since all criminal justice policy ultimately affects issues of public concern, it is essential that any analytical assessment undertaken explore the policy implications of its findings. Moreover, the assessment

should seek to provide hard empirical data to support or refute the "obvious" or the "known." Prior to the dissemination of the final product, those affected by the findings—the operational and administrative personnel—should be given the opportunity to incorporate their analysis of the data into the assessment, providing it is consistent with empirical data.

It is apparent, at least from the issues raised thus far, that the staffing of an analytical component depends on the law enforcement executive for its ultimate value and success. Ideally, the analytical component should be staffed by individuals who possess the capacity to: (1) Conceptualize issues, (2) probe in a most compelling manner beyond the "obvious" or "known," (3) are independent and self-confident in thought, (4) are competent in a particular academic discipline, and (5) are able to articulate their findings and recommendations. The selection process should strive to develop an analytical component which is interdisciplinary in nature and possesses a broad theoretical framework.

Having selected the analytical component, it is necessary to create an environment conducive to analysis. Essentially, the administrator must create an environment which generates: (1) Intense analytical dialogue in a nonthreatening, constructive manner; (2) consistently challenges the accepted, obvious, or known; and (3) rewards the free exchange of ideas. Given these minimum standards, the analytical component can provide law enforcement executives with a new dimension in the decisionmaking processes which will ultimately benefit both the organization, and more importantly, society.

Conclusion

In this article, we have raised many interesting and provocative issues which will hopefully cast new light on both the value and necessity of a sophisticated, yet socially sensitive and responsive, intelligence system in a democratic society. Intelligence is a process, a critical process which

should serve as a tool for criminal justice administrators. It is designed to guide and shape organized crime control policy and strategy through a continuous questioning, probing, assessing, reassessing, and evaluating raw data.

Properly used, intelligence can facilitate a more thorough understanding of the apparently complex and vague phenomenon of organized crime and increase the likelihood that appropriate policies and strategies can be developed. Void of such understanding and insight, law enforcement administrators are operating in a vacuum, responding daily to crisis or situations in an ad hoc, unorganized, and nonsystematic manner. Law enforcement is an institution of power, which in the end must develop workable, rational, and above all, just policies. Toward this goal, the intelligence process can play a crucial role. **FBI**

Footnotes

¹ The Challenge of Crime in a Free Society (1967), p. 199; Task Force Report: Organized Crime (1967), p. 20; Report of the Task Force on Organized Crime (1976), p. 122; *Rackets Bureaus* (1978), p. 33. (All reports available through U.S. Government Printing Office.)

² E. Drexel Godfrey and Don R. Harris, *Basic Elements of Intelligence*, U.S. Government Printing Office, 1967 and 1976 (Revised), p. 3.

³ Report to the Congress, "War on Organized Crime Faltering," General Accounting Office, March 17, 1977.

⁴ G. Robert Blakey, et al., *Rackets Bureaus*, U.S. Department of Justice, LEAA., 1978, p. 43.

⁵ Mark H. Moore, *Buy and Bust* (Lexington: Lexington Books, 1977), pp. 166-169.

⁶ Victor Marchetti and John D. Marks, *The C.I.A. and the Cult of Intelligence* (New York: Dell Publishing Co., 1974), p. 62.

⁷ Henry Kissinger, *Nuclear Weapons and Foreign Policy* (New York: W. N. Norton and Co., 1969), pp. 224-251.

⁸ James Q. Wilson, *The Investigators* (New York: Basic Books, 1978), pp. 82-85.

⁹ Moore, *Op. cit.*

¹⁰ Kissinger, p. 224.

1978 BOMBING STATISTICS

According to preliminary figures, 1,278 bombing incidents occurred in the United States and Puerto Rico during 1978, 40 less than those occurring in 1977. These bombings resulted in 17 deaths, 130 injuries, and over \$9 million in property damage. In comparison, 22 people died in the 1977 bombings, and 162 others were injured. Property damage was set at approximately \$8,943,000.

In making this announcement, FBI Director William H. Webster commented, "Although the number of bombings declined slightly, these destructive crimes continue to victimize our society. We must persist in our efforts to curtail these acts of violence."

Of the 1,278 incidents, 870 involved explosives and 408 were incendiary. There were 1,497 devices used, of which 938 were explosive and 559 incendiary.

The leading targets were residences with 335 attacks. Of these incidents, 179 were explosive and 156 incendiary. There were 268 attacks against commercial operations and office buildings, of which 177 were explosive and 91 incendiary. One hundred and seventy-one attacks were made against vehicles, 102 explosive and 69 incendiary. School facilities were targets in 100 incidents. Seventy-nine involved explosive bombs and 21 incendiary. Thirty-eight attacks were directed at law enforcement, 22 of which were explosive and 16 incendiary. The remaining 366 incidents were widely distributed among a variety of other targets.

Regionally, the Western States reported 422 bombings incidents; the Southern States, 334; the North Central States, 260; the Northeastern States, 215; and Puerto Rico, 47.

FINDINGS INDICATE CRIME DOWN IN "STING" CITIES

According to preliminary findings in an independent study conducted for the Law Enforcement Assistance Administration (LEAA), the decline in the rate of robberies, larcenies, burglaries, and motor vehicle thefts in large cities having had successful antifencing programs exceeded the national average.

Statistics indicate these declines in large cities (population 50,000 or more) in the first half of 1978, compared to a comparable period of 1977, were: Robbery, 2 percent; burglary, 1 percent; larceny, 4 percent; and motor vehicle theft, 1 percent.

A comparison of statistics for 1976 with those of 1977 shows that, nationally, robberies declined by 4 percent, burglaries by 2 percent, larcenies by 7 percent, and motor vehicle thefts by 0 percent. But, in the 21 large cities in which "Sting" operations were ended in 1977 or earlier, robberies were down by 6 percent, burglaries by 6 percent, larcenies by 10 percent, and motor vehicle thefts by 4 percent.

Since their inception 3 years ago, "Sting" operations—the cooperative efforts of Federal, State, and local law enforcement agencies—have resulted in the arrest of more than 3,700 suspects and recovery of \$121.8 million in stolen goods.

The findings also indicate a high conviction rate among those prosecuted as a result of 12 antifencing operations in 1975-1976.

Nationally, of those prosecuted in 1976 for robbery, burglary, larceny, and motor vehicle theft, the conviction rates were 56 percent, 59 percent, 73 percent, and 53 percent, respectively. Among those involved in "Sting" prosecutions, the conviction rate was 90 percent.

Additionally, a profile constructed of 304 alleged offenders identified during the 6-month antifencing operation in Nashville, Tenn., revealed that 269 (88 percent) had prior arrests—a total of 2,155 arrests or an average of 8 per person.

REMOTE DUTY STATION PROGRAM

By LT. JAMES C. GENTNER
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A number of police agencies throughout the United States have personnel stationed in remote or undesirable locations. As a result, police officers often transfer out of these duty stations after completing minimum time requirements.

The lack of tenure in a remote duty station affects the quality of enforcement services provided to the public. These areas are often training grounds for new officers, and the lack

of exposure to and interaction with senior officers could have a long-term effect on their job performance. Therefore, it is necessary to expose new officers to the professionalism, experience, and on-the-job knowledge of their seniors during these formative first years.

Recognizing the inherent deficiencies of this repetitious turnover of new personnel, the director of the Arizona Department of Public Safety (D.P.S.) had the Remote Duty Station Program developed. The intention was to compensate personnel in these assignments for their higher living costs, and also to some extent, for the hardships of remote duty. With appropriations received from the State legislature, which limited the compensation to 5

percent per qualified employee, the program went into effect in March 1978.

The program was justified and implemented by a provision in the Arizona Revised Statutes, Section 41-1743, which states in part, "The Highway Patrol shall patrol the highways of the state, both day and night, and enforce the laws of the state." In order to meet the requirements of this law, department personnel must be strategically placed throughout the entire State. The vastness of the State and sparsity of population necessitates moving the patrolmen and their families to remote

areas having few, if any, of the conveniences enjoyed by personnel in metropolitan areas. Frequently, they must relocate on Indian reservations or in mining towns, each of which presents problems peculiar to their respective locations and circumstances.

These isolated duty stations often have higher cost-of-living expenses, which can bring extreme hardships on the officers. Many areas are characterized by the unavailability of adequate medical care, lack of quality education for both the officer and his family, insufficient shopping and recreational facilities, and limited housing, thus creating an environment which is not conducive to proper career development and family relationships. This is particularly evident on Indian reservations where there are tremendous cultural and communicative gulfs. Such conditions frequently lead to open animosity in the schools and slower intellectual development, causing children difficulty in readjustment when the officer moves back into a more progressive school district.

While the department cannot be expected to provide for all needs of the patrol family, it should offset as much as possible the higher expenses related to remote duty assignments.

Ideally, extra compensation would be directly related to the difference in the cost of living in remote areas as opposed to those in the larger metropolitan areas. This would be determined by a comprehensive study of all duty assignments, with the patrolmen paid accordingly. However, such a plan is not feasible, since the department has neither the capability of maintaining such a survey nor the resources to compensate fully all personnel.

There are some assignments which, due to extraordinary circumstances, should also be compensated—although they do not meet the absolute criteria. This consideration would apply in instances where the officer's station, while not meeting the distance requirement, is located near the limit, but is in an area not readily accessible or in a locale which has an artificially inflated economy resulting from an unusual economic base.

Recognizing the need to identify the conditions associated with living in isolated areas, a workshop, comprised of experienced supervisors and administrators from the Highway Patrol Bureau, was assigned the task of establishing the criteria to determine

remote duty stations. With the wealth of practical experience and vast knowledge of the State, this workshop defined 10 critical elements necessary for consideration. These factors related to availability of emergency medical facilities; a full-service hospital having a physician on duty 24 hours; physicians; a full-service community of 3,000, with the population including not only those residents within the jurisdictional limits, but those living in the immediate proximity as well; fellow officers; supervisors; housing; and educational facilities, including elementary schools, high schools, and colleges.

With emergency medical services being vital to the immediate welfare of the officer and his family, it is logical that distances from some services would be more critical than from others. Therefore, in designing a formula to determine remote duty criteria, some elements would necessarily be more heavily weighted than others. Through an in-depth study, the 10 elements were weighted accordingly and are listed in figure 1.

To ascertain more accurately the values of the specific elements, a paired comparison survey of 74 patrolmen was conducted using the *Comparator* method. This method was chosen

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Lieutenant Dull



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Director
Arizona Department of Public Safety



because the paired comparison technique will check the internal consistency of the rater, and under many circumstances, yield ratings of greater reliability and validity than those obtained by other rating-scale techniques, such as a graphic rating scale, the method of rank order, or the forced distribution technique. For the specific purpose of determining element preferences, the method of paired comparisons involves comparing every element to be considered with every other element and making an explicit judgment as to which element is more preferred.

This was done by retrieving information from individual, comprehensive-paired comparison questionnaires. The officers were divided into eight categories (see figure 2) and were given questionnaires which required the officers to select the most preferred choice in each of 55 paired questions. By entering the selected choices into the Comparator, consistency was readily determined. Of the 74 officers submitting questionnaires, 57 demonstrated a consistency of 80 percent or better. A sample of 57 represents 77 percent of the total sample and 12.9 percent of the patrolmen in the Highway Patrol Bureau. Data from those 57 questionnaires was used to determine weights applied in the formula as follows:

1. The total of individual choices in each element was multiplied by the number of personnel in that category.

2. That product was then added with the products of the other six categories in that element.

3. This process is repeated in the other nine elements.

4. The sum of each element was divided by the sum of the total elements producing a percentage, which was rounded to the nearest whole number and used as the element weight in the formula.

The sum of the alpha weights (as designated in figure 1) is multiplied by $\frac{M}{18}$, the numerator M being the mileage from the remote duty station to the nearest full-service community. (A full-service community is one with a popu-

lation of approximately 3,000, emergency medical facilities, and an elementary and high school.) The denominator 18 represents the number of miles from a full-service community that an officer could live without incurring loss in transportation expenses. Distances alone add significantly to the cost of living in outlying areas. Assuming that the average family made a minimum number of trips to town in a month's time, a total of 4.75 round trips per month would be made. The breakdown of this total is twice a month for groceries and recreation, once every 2 months for school functions, and once every 3 months for medical reasons.

Using the calculation in figure 3, 18 miles was determined to be the minimum distance an entry-level officer should have to travel one way to be considered in a remote area.

By combining the sum of the alpha weights, as substantiated through the survey, times the mileage fraction, as shown in the calculations, the Remote Duty Index evolved.

$$(A+B+C+D+E+F+G+H+I+J) \times \frac{M}{18}$$

REMOTE DUTY INDEX

Alpha weights indicated a significant concern by survey respondents over physiological needs, as demonstrated in a hierarchy of needs similar to Maslow's. (See fig. 4.)

Figure 1

Elements	Miles	Weight
A. Rent, lease, or purchase housing		
State housing provided	—	0
State housing not provided	—	8
B. Full-service hospital	0-20	0
	21-40	7.5
	41+	15
C. Emergency medical facility	0-10	0
	11-20	7
	21+	14
D. Physician	0-10	0
	11-20	6
	20+	12
E. Elementary school	0-10	0
	11-20	4
	21+	8
F. High school	0-15	0
	16-30	1.5
	31+	3
G. College	0-30	0
	31-45	4.5
	46+	9
H. Full-service community	0-15	0
	16-30	6.5
	31+	13
I. Availability of fellow D.P.S. officer	0-10	0
	11-20	5.5
	21+	11
J. D.P.S. supervisor availability	0-10	0
	11-30	3.5
	31+	7

As noted, the elements most recognized were the basic needs of a full-service hospital (with a weight of 15 points), emergency medical facilities (14 points), availability of a physician (12 points), and nearness to a full-service community (13 points), for a total of 54 points, the Remote Duty Index.

Although all four elements would not necessarily have to be present in order to qualify as a remote duty station, it is apparent that either a majority would be needed or the distance involved would have to be greater proportionately in order to reach the essential minimum of 54 points.

Mazlow's Hierarchy of Needs

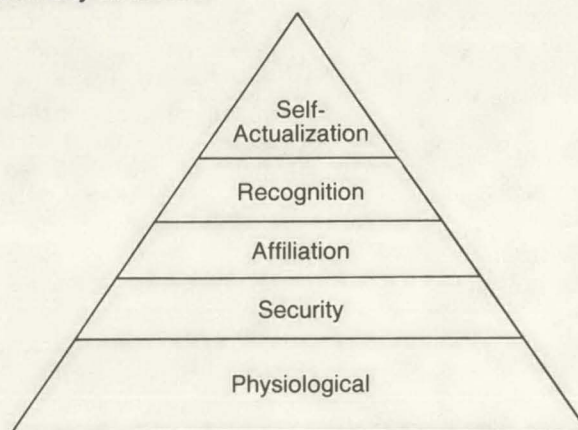


Figure 2

Type	Status	Total Surveyed	Above 80 Percent Consistency	Percent Used
1) Cadet	Single	17	14	82.4
2) Cadet	Married, no children	7	5	71.4
3) Cadet	Married, with children	29	20	69.0
4) Officer	Presently in remote duty, with children	11	10	90.0
5) Officer	Previously in remote duty, single	2	2	100.0
6) Officer	Previously in remote duty, married with no children	1	1	100.0
7) Officer	Previously in remote duty, married with children	6	5	83.3
8) Officer	Presently in remote duty, with no children	1	0	0.0
TOTALS		74	57	77.0

Figure 3

Officer Starting Wage 1977-78	
\$ 1,030	Monthly wages
x 5%	Remote duty pay
\$ 51.50	Gross increase
x 70%	After deduction (approximately)
\$ 36.05	Net increase
\$ ÷ .2092	Per mile operating cost (per American Automobile Association)
172	Miles per month
÷ 4.75	Trips per month
36	Miles round trip
÷ 2	
18	Miles one way

Using this formula, all Remote Duty Indices that are equal to or greater than 54 are considered qualified for additional wage increments. There are 43 duty stations presently staffed with 96 officers and 3 sergeants which meet that criteria. Average mileage for the stations presently staffed in 44.5 miles. The 99 personnel in remote duty stations represent 24 percent of the authorized strength of the Highway Patrol Bureau.

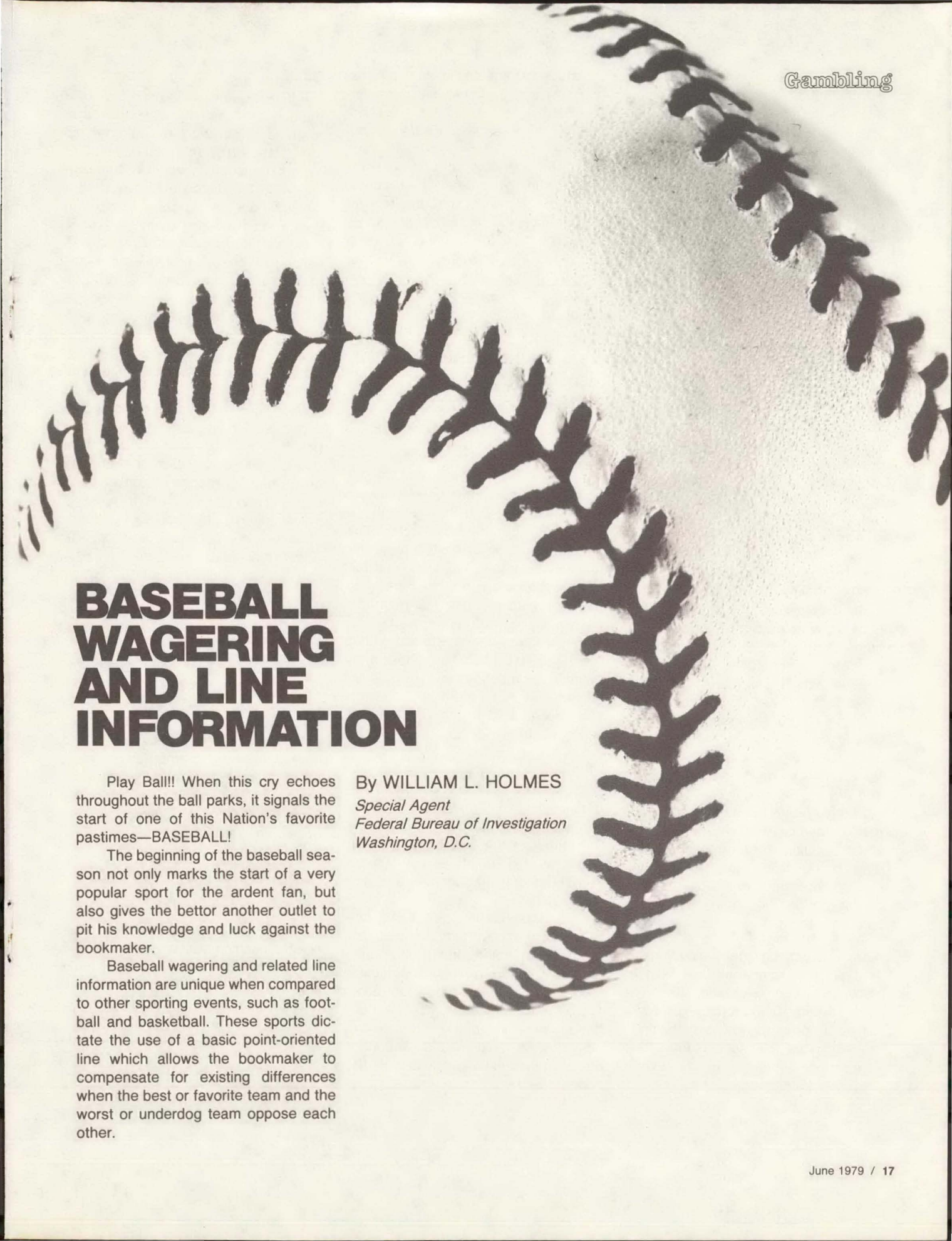
The formula, as developed, is both logical and easily workable. The alpha-designated elements were identified and mileage parameters set. The 10 formula elements were weighted as a result of a paired comparison survey, using only those respondents with an 80 percent or above consistency rate. The $\frac{M}{18}$ fraction is a dollar qualifier, introduced to recognize the need for a minimum mileage restriction to be applied, so only the duty stations showing the most need are considered. Both hardship and a monetary need must be shown to qualify for the remote duty 5-percent wage increase.

Although it is too early to predict long-range success, the program experienced a 62 percent success rate in the first 14 months in operation. Of the original 99 officers receiving remote duty pay, 62 officers are still in remote duty stations, 27 officers have transferred out of these stations, and 10 officers resigned. If only the original officers still employed are considered, the program has realized a 70 percent success rate.

The Department of Public Safety considered this program successful and believes the benefit derived is improved police service to the public due to the retention of qualified, seasoned officers in these remote areas. **FBI**

Figure 4

Mazlow's Criteria	Element Code	Element Description		Index Value
Self-actualization	G	College		009
Recognition	J	Availability of D.P.S. Supervisor		007
Affiliation	E, F	Elementary School	8	011
		High School	3	
Security	A, I	Housing	8	019
		Availability of D.P.S. Officer	11	
Physiological	B, C, D, H	Full-service Hospital	15	054
		Emergency Medical Facility	14	
		Physician	12	
		Full-service Community	13	
			TOTAL	100



BASEBALL WAGERING AND LINE INFORMATION

Play Ball!!! When this cry echoes throughout the ball parks, it signals the start of one of this Nation's favorite pastimes—BASEBALL!

The beginning of the baseball season not only marks the start of a very popular sport for the ardent fan, but also gives the bettor another outlet to pit his knowledge and luck against the bookmaker.

Baseball wagering and related line information are unique when compared to other sporting events, such as football and basketball. These sports dictate the use of a basic point-oriented line which allows the bookmaker to compensate for existing differences when the best or favorite team and the worst or underdog team oppose each other.

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Generally speaking, a "line" is the points that are added to the underdog's final score or subtracted from the favorite's final score to match the teams more evenly for the purpose of wagering.*

The differences that exist between baseball and other sports are dictated by certain inherent characteristics of the game. These characteristics not only affect the derivation of the line, but also the method of calculating the potential payoff on winning or losing wagers.

Inherent Characteristics of the Game

A contributing factor that creates baseball's unique wagering traits is the length of the regular playing season. The first game of the season usually occurs during the first week of April, with the last game of the season usually being played during the first part of October. Thus, the regular season is approximately 6 months long.

A 6-month period is not a significant factor in and of itself. But when combined with the fact that there are 26 teams playing 2,106 regular season games during this period, it becomes a prime factor.

The 14 teams in the American League play 1,134 games, as compared to the 12 National League teams playing 972 games. In addition to the regular season games, there are approximately 24 preseason games per team and as many as 10 playoff games and 7 World Series games. The ratio of games played to the number of participating teams produces a situation where usually several games are played on any one day, and as in the case of doubleheaders, two games will be played on the same day by the same two teams.

Games played in rapid succession, as in baseball, put the bookmaker in a position where his line must be obtained in a relatively short period of time. This time factor reduces the feasibility of using a national baseball line.

A national line, such as in football, is developed primarily in Las Vegas, Nev., which acts as a clearinghouse for

the statistical and intelligence information assisting the individuals who formulate this line. Compilation of line information is time consuming, but since a professional football team plays on the average of once a week, there is sufficient time for this process.

The statistical data required for the football line, to put it simply, is based on a team's overall performance. However, there are several other interacting variables, including the knowledge and experience of the individuals formulating the line.

“. . . the baseball line is based primarily on the performance of one individual—the pitcher.”

The primary difference between the football line and the baseball line lies in the performance factor. This characteristic, which contributes to the uniqueness of baseball, is the fact that the baseball line is based primarily on the performance of one individual—the pitcher. Since one team may play four games in 3 days and a starting pitcher may only pitch one of those four games, a statistical analysis would not project the true capabilities of that team because of the varying capabilities of each pitcher.

The Line

The baseball line is commonly expressed in two forms, the "pitchers" line and the "odds" line. However, before either of these is explained, it is necessary to have a fundamental knowledge of what odds are in relation to baseball.

The baseball line, as with any line, is compiled of several types of statistical data, as well as intelligence information. This data reflects the pitching record of a certain pitcher, his record against a specific team, whether he is left- or right-handed, the team's overall performance against the opponent, etc., with the final results expressed as "odds."

Odds

The expression "true odds" is a method of illustrating what the probability is of an event occurring within the relationship of a total series of events. An example would be to calculate what the odds would be to roll a seven on one roll of a pair of dice. With 2 dice, each bearing numbers 1 to 6, there are 36 possible combinations. A seven may be rolled six different ways; therefore the probability of rolling a seven on any given throw would be 6/36 (reduced to 1/6) or true odds of 5 to 1 against rolling a seven. This concept is based on a series of events occurring over a period of time. The concept of true odds *per se* cannot be applied to events where the outcome depends on the performance of man or beast. This is because the statistical data produced is not consistent from one contest or race to the next.

In sport events, each game is handicapped on the results of performance of prior games. Therefore, the odds projected for one team in a single contest would change for that same team in the next game in which it participated.

Theoretical Odds

The theoretical odds, when applied to sports, is what the handicapper believes would be the outcome of an event that occurs a specified number of times. A theoretical line of 6/5 would indicate that if 2 teams oppose each other 11 times, the favorite would win 6 times and lose 5 to the underdog. From a theoretical standpoint, the odds translated into a wagering situation would be expressed as:

L.A. Dodgers Hooton 6/5 over
Yankees Figueroa

In this example, the Dodgers with Hooton pitching are favored to win 6/5 over the Yankees with Figueroa pitching. Thus, when these two teams meet, and if these two pitchers oppose one another, Hooton should win six games while losing five.

*See "Sports Wagering and the Line," *FBI Law Enforcement Bulletin*, Vol. 46, No. 11, November 1977, pp. 3-8.

Wagering terminology can be misleading. A wager placed by a bettor using the phraseology "Hooton 6/5" merely means that if Hooton pitches for the Dodgers, the line is 6/5.

Now if a bettor will bet on the Dodgers only if Hooton pitches, he will indicate "PMG" or "pitcher must go." If Hooton does not pitch, the bet is off. If a bettor has no preference as to who will pitch for the Dodgers, he will indicate this by saying, "Give me the Dodgers with action." For example, a bettor placing a wager of \$500 on the favorite, the Dodgers, at a line of 6/5 would be required to put up or risk \$600 to win \$500. To place a wager on the underdog, the Yankees, the bettor would be required to put up or risk \$500 to win \$600.

Figure 1 illustrates what the profit or loss potential for a bookmaker would be using the same teams and a 6/5 line for different betting situations. It makes one very important point—a bookmaker will only make a profit when the winning team has the least amount of wagers bet on it.

In order for a bookmaker to operate under these conditions, he would have to be very selective about the wagers he accepts and would have to know consistently which team was going to win.

In reality, this situation does not exist, since a bookmaker is profit motivated and would use a system that would guarantee him some profit potential.

A line used by a bookmaker has this built-in profit margin called "juice" or "vigorish."

Dodgers 6/7 Hooton over Yankees Figueroa

The line indicated here has the vigorish included and would be expressed as Dodgers 7 to 5 and Yankees as 5 to 6.

Figure 2 illustrates what the final outcome would be, from the bookmaker's standpoint, in the same wagering situations as shown in figure 1 using a line with the vigorish built in.

A most important factor revealed in figure 2 is that when a bookmaker accepts an equal amount of wagers on both sides of a single contest, he cannot lose. He will either break even or show a profit. This situation is known as a "balanced book."

As a practical matter, a bookmaker often will purposely accept more wagers on one team than the other in a single contest to increase his gross profit potential. He makes this decision based on various factors, including his personal knowledge and the betting patterns of "wise" bettors (individuals who are very knowledgeable regarding the potential outcome of sport events).

If a bookmaker does maintain a balanced book, as in football wagering, he will be assured of an approximate 5 percent profit. This is because the vigorish charged is separate and apart from the line. Therefore, no matter what the line is, or how often it may change, he will still be assured of that 5 percent potential profit margin over a long period of time.

To reiterate, since the juice or vigorish is included in the line in baseball wagering, it becomes much more difficult to determine whether or not a balanced book exists. Additional factors contribute to this difficulty. For example, a split line may be used, or there may be several different lines for each game that is played in any one day.

Figure 1

Team	Odds	Wager	Dodgers Won			Yankees Won		
			Pay	Collect	Bal.	Pay	Collect	Bal.
Dodgers	6/5	\$500	\$500				\$600	
Yankees	5/6	500		\$500	Even	\$600		Even
Dodgers	6/5	1,000	1,000				1,200	
Yankees	5/6	500		500	-500	600		+600
Dodgers	6/5	500	500				600	
Yankees	5/6	1,000		1,000	+500	1,200		-600

Figure 2

Team	Line	Wager	Dodgers Won			Yankees Won		
			Pay	Collect	Bal.	Pay	Collect	Bal.
Dodgers	6/7	\$500	\$500				\$700	
Yankees		500		\$500	Even	\$600		+100
Dodgers	6/7	1,000	1,000				1,400	
Yankees		500		500	-500	600		+800
Dodgers	6/7	500	500				700	
Yankees		1,000		1,000	+500	1,200		-500

As a result of these variables, it would not be practical to estimate what the baseball bookmaker's potential profit margin would be over a long period of time.

"A Baseball Line By Any Other Name. . ."

A recognized fact is that bookmakers from different parts of the country use, what appears to be on the surface, different types of lines. However, these lines have basically a common derivation—the odds line.

As stated previously, the baseball line, unlike the line in football, has the vigorish or juice included, and as a result, the bookmaker's profit potential will fluctuate according to the line. This is one important factor which makes it necessary for the bookmaker to have several different lines, allowing him to protect his profit potential.

Phraseology or terminology is an implied concept of usage association. Terms or phrases used by bookmakers follow this concept. A prime example is the term "pitchers line."

A bookmaker who disseminates a line, such as 6/7, and specifies a certain pitcher is stating that the line quoted is only valid if that particular pitcher starts. If this pitcher does not pitch, and the alternate pitcher is not of the same caliber, the bookmaker will change the odds or line.

The fact that two lines may exist for a particular game reinforces the concept that the outcome of a particular game relies heavily on the performance of the pitcher. This dual line factor raises the question of how to communicate this difference between the bookmaker and his customers, the bettors.

The term "pitchers line" resolves this problem. When a bettor calls his bookmaker and requests the pitchers line, it is known exactly what he means. The pitchers line tell the odds given for a pitcher designated in the starting line-up. If a bettor requests the line for a particular *game*, the bookmaker can assume that he wants his bet to go regardless who pitches.

Another example of this concept of implied usage association would be the term "money line." In this example a conversion factor is used to change the odds quoted into a monetary figure.

Other examples would be the "10 cent line" and the "20 cent line." In these lines, a mathematical calculation is used to convert the fractions (odds) to a decimal equivalent, which denotes primarily what the profit potential is percentage-wise.

A more detailed explanation of the above-mentioned lines, as well as others, will help the reader understand the complexities of baseball wagering.

“. . . the baseline, unlike the line in football, has the vigorish or juice included. . . .”

20 Cent Line

In football there are certain wagers for which bookmakers will charge the better 20 percent vigorish. In these situations it is relatively easy to determine what the wager will cost the bettor regardless which team he bets on. By adding 20 percent of the initial wager to the wager, the bettor can determine how much money he has to put up or risk to win an amount equal to the original wager.

As stated previously, a bookmaker will include the vigorish or juice in the baseball lines he disseminates to his customers. The basic information used to compile these lines is the theoretical odds line and the appropriate conversion factor.

The theoretical odds uses a base factor of 5. (See fig. 1.) Therefore, to convert this line to a 20 cent line, the following calculations are necessary. To add the 20 percent vigorish, which gives the bookmaker a predetermined profit potential, you take 20 percent of the base 5, which results in 1.00. You have two teams in a single game and must divide the 1.00 figure by 2 which is .50 or 1/2. This amount is then subtracted from the odds quoted for the underdog and added to the odds quoted for the favorite. (See fig. 3.)

Figure 3

Theoretical odds 6/5

Favorite—put up 6 to win 5

Underdog—put up 5 to win 6

Conversion:

Favorite	Underdog
6—5	5—6
+ 1/2	— 1/2
6 1/2—5	5—5 1/2

20 Cent Line—5 1/2—6 1/2

Another method, which is used more often by bookmakers, is to move only one side of the line, usually the underdog. This would result in risking 6 to win 5 on the favorite and risking 5 to win 5 on the underdog. This line is also known as 6 to 5 even and is later discussed in more detail. This method is what a bookmaker would use to form his betting line. When a bettor receives a line from his bookmaker, he could determine what type of line it was by the method shown in figure 4. The larger the profit potential the greater advantage the bookmaker has, and

Figure 4

Line 5 1/2—6 1/2

Favorite 6 1/2—5

Underdog 5—5 1/2

Difference between 5 1/2 and 6 1/2 is 1 thus 1/5 = .20 or 20 Cent Line

conversely, the smaller the profit potential the greater the advantage is for the bettor.

10 Cent Line

The 10 cent line also uses the theoretical odds as the basis for computing a betting line for baseball with a 10 percent profit margin potential. The theoretical odds line, as reflected in figure 3 (6/5), is used in figure 5 to illustrate the method of conversion.

Figure 5

Conversion:	Line 6/5
6 - 5	5 - 6
+ 1/4	- 1/4
6 1/4 - 5 Favorite	5 - 5 3/4 Underdog
10 Cent Line = 5 3/4 - 6 1/4	

In this case, to add 10 percent vigorish, multiply the base 5 by 10 percent. This equals 50, and since there are two teams per game, divide by 2, which equals 25 or 1/4. This is the conversion factor used in figure 5. As illustrated, 1/4 is added to the odds quoted for the favorite and subtracted from the odds quoted for the underdog.

The same method, as used for the 20 cent line, is used to determine if a given line is a dime or 10 cent line. In this case, the difference between the 5 3/4 and 6 1/4 is 1/2 or .50. Divide .50 by the base, which is 5, which equals .10 or 10 cent line.

Figure 6 is a list of the true odds which a bookmaker uses as the basis for deriving his betting line.

Using figure 6, the bookmaker can formulate several betting lines using one set of true odds. For example, a dime line, 20 cent line, 40 cent line, etc., depending on how much profit potential he wishes to include, can all be formed from the true odds of 6/5.

A bookmaker who uses a 40 cent line is taking advantage of his customers, inasmuch as he would have a 40 percent profit potential. Also this type of line would probably only be used

when the capabilities of the favored team are so overpowering that the underdog has very little or no chance of winning.

It should be noted, using figure 6, that as the ratio between the two digits of the quoted odds increases, the greater the difference between two opposing teams' capabilities becomes.

For example, the line "even" or "1 to 1" indicates that the two opposing teams are evenly matched and an equal probability exists that either team can win a single contest. The line "7 to 2" indicates that if two teams were to oppose each other nine times, the favorite would win seven and the underdog twice.

A bookmaker will not usually use all of the odds quoted in figure 6, because if the odds were overwhelming in favor of one team, he would not be able to attract wagering on the opposing team or underdog. Usually when the line nears 2 to 1, the bookmaker will revert to a runs line. In this situation, the bookmaker would formulate a line using "runs" and then charge the bettor 6/5 or 11/10 regardless which team was wagered on.

A prime example of this situation occurred during the 1977 baseball season (July 17) when the Houston Astros played the Cincinnati Reds. The Las Vegas line was Astros +1 1/2 and the Reds -2. This is to say that if a bettor wagered on the Reds, 2 runs would be subtracted from the Reds final score,

and if the remaining runs were greater than those scored by the Astros, the wager would have won. And conversely, if the wager was placed on the Astros, 1 1/2 runs would be added to their final score, and if this total was greater than the final score of the Reds, this wager would have won.

This type of line, "1 1/2 -2," is called a split line and indicates that each team of a single contest has a different line. This type of line prevents "ties" from occurring. Another example of a "runs line" would be "2." This means that if you bet on the favorite, you subtract 2 runs from the final score, and if betting on the underdog, add 2 runs to the final score. When runs are indicated, the number of runs are usually placed adjacent to the favorite and always denotes a minus figure, while the opposite or positive figure would refer to the underdog, providing, of course, that a split line is not used.

As you can see, a runs line is similar to the football line and is only used to determine which team is the winner of a specific contest. This type of line does not reflect the bookmaker's profit margin potential, and as a result, would not indicate to the bettor what he was going to charge, i.e. 6/5 or 11/10 (20 percent or 10 percent vigorish, respectively.)

Even

The terms "even" and "pick" are other examples of the usage association concept. In some sports these terms are used interchangeably, but in baseball each term has a special meaning.

The term "even," when used in conjunction with a line, can be expressed as "6/5 even" and becomes a part of that line. (See fig. 7.)

In the opinion of the handicapper, this line indicates the possibility of a close game, or more specifically, that one team has a slight advantage.

Figure 6

EVEN (1 to 1)	23 to 10
11 to 10	12 to 5
6 to 5	5 to 2
13 to 10	13 to 5
7 to 5	27 to 10
3 to 2	14 to 5
8 to 5	29 to 10
17 to 10	3 to 1
9 to 5	31 to 10
19 to 10	16 to 5
2 to 1	33 to 10
21 to 10	17 to 5
11 to 5	7 to 2

Figure 7

Line 6/5 even or 6 even

Favorite put up 6 to win 5

Underdog put up 5 to win 5

Difference between 5 and 6 is 1

Thus 1/5 or 20

This line is a 20 cent line; therefore, the profit potential is still 20 percent, but the bookmaker is given an added advantage. This advantage is reflected in the wagers he accepts on the underdog, where his payoff potential is reduced to even money as indicated in figure 7.

Pick or Pickem

A "pick" or "pickem" line is another indication of a close game. This type of line points out the fact that either team of the same contest has an equal probability of winning. A pick line expressed as "5½ pick" is shown in figure 8.

Figure 8

Line 5½ Pick

Team A put up 5½ to win 5

Team B put up 5½ to win 5

Difference between 5½ and 5 is ½
therefore ½/5 or .5/5 is .10

As indicated in figure 8, this line gives the appearance of being a 10 cent line. From the bettors standpoint this is true, because a mere bettor usually would only bet on one team of a single contest. But from the bookmaker's viewpoint, this is approximately a 20 cent line. The reason is that wagers accepted by the bookmaker on Team A yield a 10-percent profit potential and wagers accepted on Team B, at this line, also retain a 10-percent profit potential, thus you have approximately a 20 percent profit potential which is a 20 cent line.

Money Line or Pitchers Line

The "money line," or quite often referred to as the "pitchers line," is a method of expressing baseball lines, such as the dime line, 20 cent line or 40 cent line, in a dollars and cents figure. This method of expressing the baseball line has one principle advantage—it allows the bookmaker to calculate rapidly what his collections or payoff amounts will be for a specific wager. A line expressed as 6/7 can be converted to a money line by following the calculations in figure 9.

Figure 9

Line 6/7

Difference between 6 and 7 is 1 therefore 1/5 is .20 thus a 20 cent line conversion factor is 20

Multiply $20 \times 6 = 120$

$20 \times 7 = 140$

Money line is 120/140

In a like manner, the 10 cent line can be converted to a money line using 10 as the conversion factor.

A money line uses a base of 100; therefore, to bet on the favorite a bettor would put up or risk 140 to win 100. To bet on the underdog a bettor would have to risk 100 to win 120.

It is easy to see why this type of line would aid the bookmaker in calculating payoffs and collections, inasmuch as the 140 could denote \$1.40, \$140, \$1,400, etc.

The money line can also be expressed, using a shorthand method, as "20/40." By dropping the hundredth's digit, you get the shortened version of the line (120/140) without changing its meaning.

Balanced Book

A balanced book, mentioned previously to explain its correlation with line information, requires a more detailed explanation to illustrate the differences which exist between a bookmaker accepting wagers on football and basketball games as opposed to one accepting wagers on baseball games.

A theoretical balanced book would denote the same amount of wagers being accepted on both sides of a single contest. This, as it applies to basketball and football games, gives the bookmaker approximately a 5 percent profit margin potential over a long period of time.

In reality, a bookmaker will not maintain a perfectly balanced book. In fact, in many instances, he will prefer to have more wagered on one side of a game than on the other to increase his profit potential. This decision is based on the bookmaker's knowledge of the capabilities of each of the participating teams. Another factor which helps to formulate this decision is the betting habits of his customers. If he has some bettors who are not knowledgeable, he may not move his line in order to attract wagers on the opposing team, and he will retain these wagers instead of laying them off.

Two methods a bookmaker has to balance his book are, as mentioned above, "moving the line" and "lay-off wagers."

Moving the line means to change the points that are added to the underdog's score or subtracted from the favorite's score to attract wagering on the team on which he has the least amount wagered. This, in effect, makes the team most wagered on less attractive or profitable to bet on, from the standpoint of the bettor.

Figure 10

Game	Line	New Line
Favorite	-7	-8
Underdog	+7	+8

A bettor may decide that the favorite can win by 7 points. So with a line of 7, he may make his wager. Now, if the line was changed or moved to -8 for the favorite, as in figure 10, he may decide he would rather take the 8 points and bet on the underdog, because he does not think the favorite will win by more than 8 points.

A layoff wager is where the bookmaker will rebet all or a portion of the excess wagers, over an equal amount on both teams, with another bookmaker to reduce the potential of a substantial loss.

In baseball wagering it is more difficult for the bookmaker to recognize whether or not his book is balanced because he uses a split line and his profit potential is included in that line.

Figure 11 illustrates what percentage of the total wagers accepted will have to be on the favorite, at a specific line, in order for the bookmaker to retain his profit potential.

Therefore, in figure 11, if the favorite wins, the bookmaker will make a profit, if less than 58.33 percent of the total amount wagered is bet on the favorite (St. Louis). If the underdog wins, the bookmaker will show a profit, if more than 54.55 percent of the total amount of money is wagered on the underdog (Pittsburgh).

Thus, the bookmaker will make a profit, regardless which team wins, if he maintains the amount of money bet on the favorite to be between 54.55 percent and 58.33 percent of the total amount wagered.

If the above percentages were converted to a betting situation, they would reflect the information shown in figure 12.

It is most likely that only the most sophisticated bookmaker would use this type of calculation to maximize the equalization of wagers because of its complicated nature and the time required to make these calculations.

A bookmaker would most likely use his experience, knowledge of his bettors' wagering capabilities, knowledge of the sport he is "booking," and depend on a reliable line to accomplish the same goal, i.e., what he feels is a balanced book.

This article attempts to explain the fundamental concepts of the methodology and terminology used by a "gambling business" (i.e. a bookmaker) accepting wagers on baseball games.

The "western line" is an example of this line variation. The western line is, as the name denotes, used on the

Figure 11

Line 6/7

(x) St. Louis 7-5
(y) Pittsburgh 5-6

x = amount of money that can be bet on St. Louis
100 = total amount wagered
Base = 5 or 5.00

$$\begin{aligned} \text{Line ratio for favorite (St. Louis)} &= \frac{\text{to win 5.00}}{\text{put up 7.00}} \\ \frac{5.00}{7.00}x &= \% \text{ of } x & \text{Solve: } x + \frac{5.00}{7.00}x &= 100 \\ 7.00 + 5.00x &= 700 \\ 12x &= 700 \\ x &= \frac{700}{12} \\ x &= 58.33\% \end{aligned}$$

Less than 58.33% is maximum amount that can be bet upon St Louis

y = amount of money that can be bet on Pittsburgh
100 = total amount wagered
Base = 5 or 5.00

$$\begin{aligned} \text{Line ratio for underdog (Pittsburgh)} &= \frac{\text{to win 6.00}}{\text{put up 5.00}} \\ \frac{6.00}{5.00}y &= \% \text{ of } y & \text{Solve: } y + \frac{6.00}{5.00}y &= 100 \\ 5.00y + 6.00y &= 100 \\ 11y &= 100 \\ y &= \frac{100}{11} = 45.45 \\ 100 - 45.45 &= 54.55\% \end{aligned}$$

More than 54.55% must be accepted on Pittsburgh

west coast, primarily in the Los Angeles, Calif., area. The only difference that exists between that line and the lines described in this article is that the derivation of the western line uses a base of 10 instead of a base of 5.

Since all variations of the baseball line use basically the same method of derivation, the bookmaker has the option of using whatever form he chooses without changing his profit margin potential.

When compared to other sports, there are two main factors which makes baseball wagering unique: First, the juice is included in the line, and second, the line is the product of the performance of primarily one player—the pitcher.

These factors tend to make baseball wagering appear complicated. Gaining an understanding of how a baseball line is derived and how to apply this line to betting situations should help remove this appearance of complexity and give the law enforcement officer confidence in dealing with baseball wagering. **FBI**

Figure 12

	Amt. Bet	To Win
(x) St. Louis	\$56.00	\$40.00
(y) Pittsburgh	45.00	54.00
If St. Louis wins:	pay-out	— \$40.00
	collect	+ 45.00
	profit	\$ 5.00
If Pittsburgh wins:	pay-out	— \$54.00
	collect	+ 56.00
	profit	\$ 2.00

Guidelines for submitting articles to the FBI Law Enforcement Bulletin

The following guidelines have been established to assist police personnel and persons in disciplines related to law enforcement who are interested in submitting articles to the FBI Law Enforcement Bulletin for publication consideration. Adherence to these guidelines will facilitate the prompt administration of all manuscripts and materials forwarded to the Bulletin.

Author—The exact wording of the desired byline and the current business mailing address of the author, or authors, should accompany manuscripts submitted to the Bulletin.

Editing—The Bulletin reserves the right to edit all manuscripts.

Format and Length—Submitted manuscripts should be typewritten, double-spaced, in triplicate. In general, they should be approximately 3,000 words in length, but the adequate treatment of subject matter, not length, should remain the primary and overriding consideration.

Photographs and Graphics—A photograph of the author, and when applicable, his police chief, should accompany manuscripts. If possible, other suitable photos, illustrations, or charts supportive of the text should be

furnished. Black and white glossy prints reproduce best. In addition, special effort should be made to obtain a quality black and white glossy photograph, vertical format, for possible use as a cover photo.

Publication—All manuscripts submitted to the Bulletin are reviewed and evaluated based on individual merit. Relevancy, innovativeness, timeliness, and prospective overall appeal to the readership are considered. Favorable consideration is not usually given an article which has been published previously or which could be published in another magazine contemporaneously with its appearance in the Bulletin. No promises of publication or commitments regarding publication dates can be made.

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SHOTGUN TRAINING AND USE OF THE LEAD GAGE

One of the better defensive weapons in the police arsenal is the shotgun. It is issued for possible use on raids or special assignments where armed resistance may be encountered and is carried as a backup weapon in many patrol cars. In the interest of safety, law enforcement officers must have a solid understanding of shotgun handling and shooting.

The FBI's shotgun training program at the FBI Academy in Quantico, Va., is designed to teach and develop instinctive mastery of this vital police weapon. After initial training on safety procedures, nomenclature, basic positions, and operational functions of the shotgun, each student is required to demonstrate proper handling of this weapon. Loading, unloading, "safe" positions, and other safety considerations are to be reviewed prior to any actual shooting. Exercises in firing from the hip and shoulder at stationary targets should also be practiced by students as part of their initial training and should be performed at regular intervals.

As an intermediate stage to further develop those skills learned earlier, many police academies and firearms ranges teach their trainees to fire at moving targets. An excellent way to learn this technique is to practice the well-known American Skeet Course.

Skeet provides invaluable shotgun training because it involves firing at moving targets, and equally important, because it requires the student to handle the weapon safely and rapidly through repeated functions of loading, mounting, manipulating the safety, and firing at multiple targets, moving through a variety of angles and distances. Skeet as fired at the FBI Academy requires that the shotgun be lowered from the shoulder with the

safety on when calling for the target. Unlike shooting at stationary targets where only the projectile moves, both the target and the projectile or shot are in motion.

In order to hit a moving target, a shooter must point the weapon not at the target but at the point where the target will be when the shot intersects the target's flight path. This is referred to as lead. Lead is necessary to compensate for the distance the target travels during the time required for the shot to reach the target. The most difficult part of learning to hit moving targets is determining to what extent to lead the target.

A skeet lead gage is used to instruct the new shooter at the FBI Academy. The lead gage provides the shooter with a visual representation of the lead necessary to hit the clay birds on a skeet field.

Figure 1 shows the visual representations of the sight picture for the high house and the low house. The location of the lead gage on the skeet field is shown in figure 2. The 1½-inch pipe should be anchored in concrete 18 feet away from station 8 at the point where the high and low house birds cross. Figures 3 and 4 detail the construction of the lead gage. The lower cross pipe should be pointed toward the low house at station 7, with the skeet bird replica on the side toward the low house. Without moving the lower cross pipe, the upper cross pipe should then be turned on the "T" fitting to point toward the high house at station 1, with the skeet bird replica on the side toward the high house. This way the upper cross pipe is in line with the flight path of the high house bird and the lower cross pipe in line with the flight path of the low house bird.

There are two types of lead. The real lead is the actual distance on the

'The shotgun lead gage can be an effective tool for law enforcement to build confidence in shotgun handling and in hitting moving targets.'

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* Special Agent Warter passed away on April 6, 1979.

target's flight path the gun must be pointed so the bird and the lead shot arrive simultaneously. The apparent lead is the distance in front of the target the sight appears to be. (See fig. 5.) Only the high house portion of the lead gage is shown for clarity.

From station 2 the real lead for the high house bird is the distance AB or the length of the lead gage. The apparent lead of the shooter at station 2 is the distance AC. From station 4 for the high house bird, the real lead is still the distance AB. The apparent lead to the shooter at station 4 is the distance AD. The real lead remains constant while the apparent lead changes from station to station.

The direction of the target's flight path has no effect on the real lead itself, because the shot charge still

takes the same time to travel that given distance to the target.

The direction of the target's flight relative to the shooter does affect his angle of perception and thus the apparent amount of lead required to intercept the target.

The apparent lead can vary, depending on three factors—human reaction time, mechanical delay, and speed of swing.

Human reaction time is the time required to convert brain impulse to trigger depression. This time may vary from shooter to shooter or from shot to shot with the same shooter.

Mechanical delay is the gun's lock time or the time required for the firing pin to hit the primer, the igniting and

burning of powder, and the shot charge to travel through the barrel. This delay could vary slightly with different guns having the same load.

Speed of swing will vary the apparent lead with the style of gun handling used to obtain the lead.

The three principal styles of gun handling to obtain lead are difficult to define accurately because most shooters use more than one method at various times or combine two or more methods. Those methods are snap or spot shooting, sustained lead, and swing-through shooting.

In snap or spot shooting, the shooter chooses a spot forward of the target at which to point the shotgun, taking into account the speed of the target, human reaction time, and mechanical delay.

With the sustained lead method, the shooter brings the gun up ahead of

Figure 1 **Sight Picture**

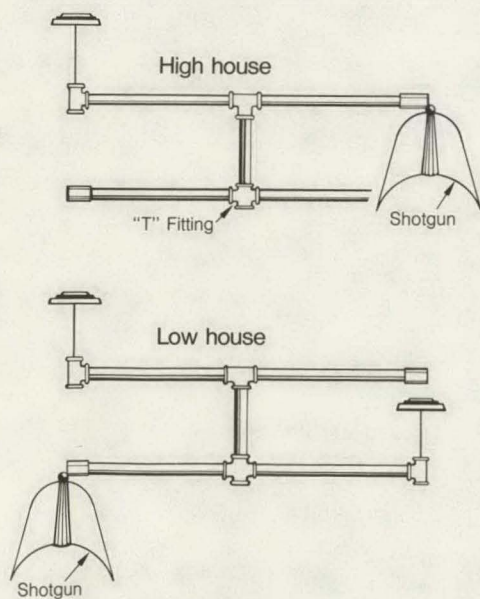
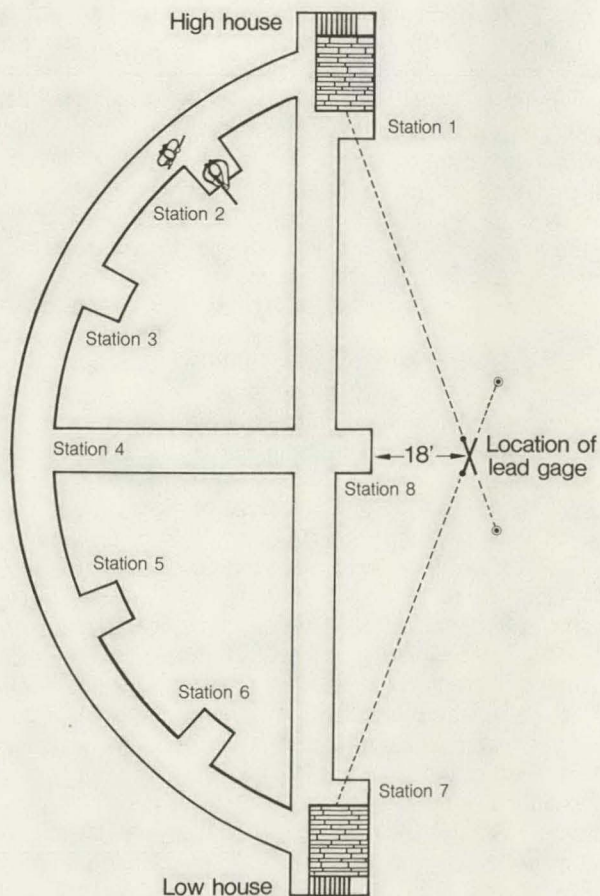


Figure 2



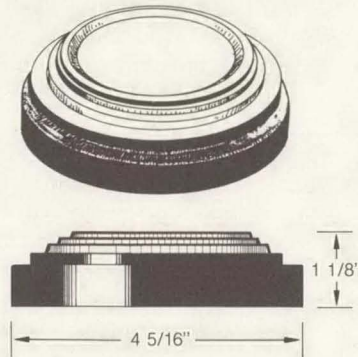
the target to what he believes is the correct lead distance, moves the gun at the speed of the target, and fires with the gun still swinging.

The FBI teaches the swing-through method to new students because it can be learned quickly and produces more immediate results. The swing-through shooter uses the least apparent lead as he visually picks up the target, swings through and ahead at a speed faster than the target, and then shoots as the muzzle passes the target, thereby automatically establishing his lead due to human reaction and mechanical delay.

All shooters, however, do not see leads alike. And, herein lies the problem of how to teach new skeet students to lead moving targets in a manner which will produce immediate results.

Figure 4

Targets



Although lead gage is not mathematically perfect for all angles, the apparent change in the length of the horizontal pipes from each station closely corresponds to the apparent lead for those targets with the swing-through style of gun handling.

The shotgun lead gage can be an effective tool for law enforcement to build confidence in shotgun handling and in hitting moving targets. It can foster instinctive mastery of the shotgun in all phases of police work. Whether the target be stationary or moving, if a law enforcement officer hits it when he is required to shoot, there is less of a chance that a bystander may be injured. And saving lives, of course, is one of the most important responsibilities of law enforcement. **FBI**

Figure 3

Skeet Field Lead Gage

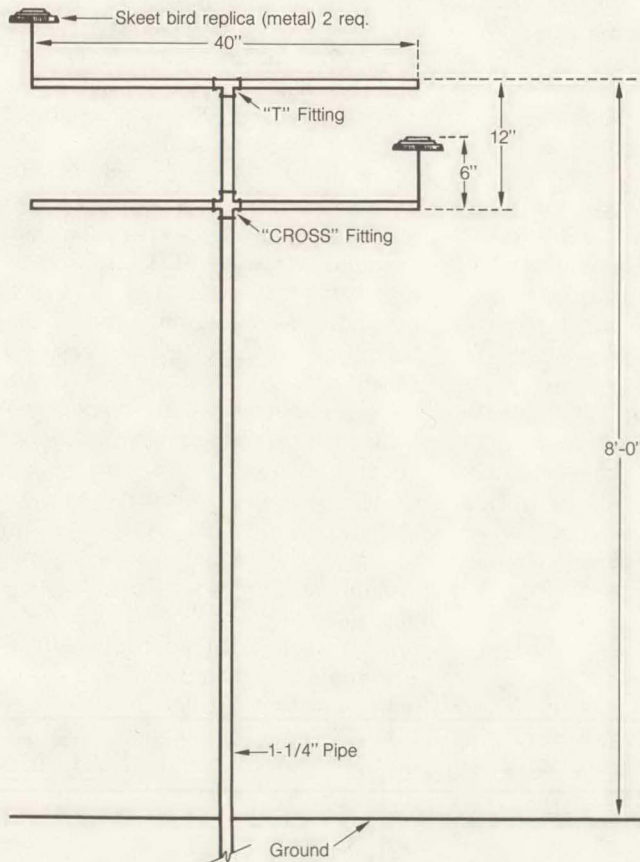
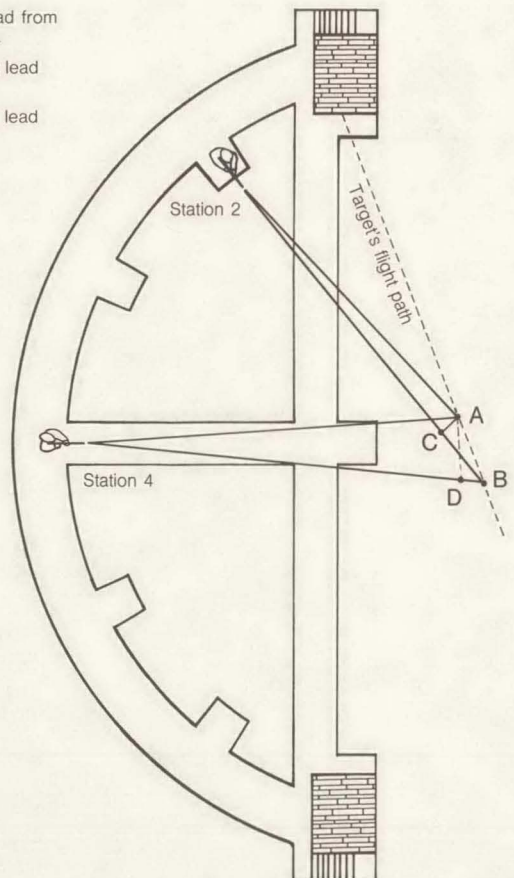


Figure 5

A-B is actual lead from station 2 and 4.
A-C is apparent lead from station 2.
A-D is apparent lead from station 4.



Informants and the Right to Counsel

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

The sixth amendment to the U.S. Constitution provides that "in all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defense."¹ This phrase has been interpreted to mean that a defendant has the right to be represented by a lawyer at various courtroom appearances. It also ensures "the right to communicate and consult freely with [an] attorney prior to, and during, trial."² In order to be effective, attorney-client discussions must be confidential. Confidence is imperative or "the client would be reluctant to confide to his lawyer and it would be difficult to obtain fully informed legal advice."³

It logically follows that an intrusion into this confidential relationship by a government agent raises serious questions about whether a defendant has been denied his sixth amendment right to present an effective defense. Some courts consider the problem so serious as to warrant dismissal of the charges against the defendant on the theory that the intrusion vitiates the whole proceeding.⁴ To officers working cases in which it is possible that informants will be privy to defendants' conversations with their attorneys, the issue has special significance.

This article will attempt to identify those activities of informants or undercover agents which might infringe upon a defendant's right to the assistance of counsel, and offer guidelines on informant conduct in order to minimize the risk of a violation of the sixth amendment.

Weatherford v. Bursey

Although the issue of an informant's intrusion into a defense camp had been raised in a few Supreme Court cases, most notably *Hoffa v. United States*⁵ decided in 1966, it

wasn't until 1977 in *Weatherford v. Bursey*⁶ that the Court squarely addressed the question.

Weatherford was an undercover agent for a South Carolina State investigative agency and was assigned to report on activities at a college campus. In 1970 he and Bursey, another student, participated in the vandalism of a selective service office in Columbia, S.C. Weatherford's participation in this criminal act was permitted to maintain his undercover status. Shortly after the crime, Weatherford advised the authorities of the identities of the participants and he and Bursey were arrested. Weatherford's arrest as a sham defendant enabled him to maintain his guise and report on campus conditions which were deemed by some as explosive.⁷ In order to continue the masquerade, Weatherford retained an attorney. Bursey also hired his own counsel.

On two occasions prior to trial, Weatherford attended, by invitation, meetings with Bursey and his lawyer at which defense strategy was discussed. However, at no time did Weatherford inform either his superiors or members of the prosecuting attorney's staff any of the details of these meetings. Until the day of the trial, Weatherford did not expect to be a witness and had, in fact, informed both Bursey and Bursey's attorney that he would attempt to obtain a severance of his case and be tried separately. However, because Weatherford had lost some of his effectiveness as an undercover agent in the weeks preceding Bursey's trial, he was called as a prosecution witness. He testified about his role as an undercover agent and gave an eyewitness account of Bursey's participation in the crime. A conviction resulted.⁸

Three years later, Bursey initiated a civil suit in Federal court against Weatherford and his superior, asserting that Weatherford's presence at the pretrial meetings between Bursey and his attorney violated Bursey's sixth amendment right to the assistance of

counsel. Although the trial court ruled against Bursey, he prevailed on appeal. The Court of Appeals for the Fourth Circuit held that the right to counsel is violated whenever a government agent knowingly intrudes into the attorney-client relationship, regardless of the purpose of the intrusion and irrespective of any showing of substantial prejudice.

On appeal to the U.S. Supreme Court, the court of appeals' ruling was reversed. In an opinion written by Mr. Justice White, the Court noted that if the mere presence of an informant at a meeting between a criminal defendant and his attorney would automatically result in a sixth amendment violation, many legitimate undercover operations would be frustrated. This *per se* rule "would require the informant to refuse to participate in attorney-client meetings, even though invited, and thus for all practical purposes to unmask himself."⁹

The thrust of the Court's holding is that it usually takes something more than an informer's mere presence at an attorney-client conference to violate a defendant's right to the effective assistance of counsel. What that extra ingredient might be depends, in part, on the motive or purpose of the government in allowing the informant to attend the meeting. The Court's opinion draws a clear distinction between cases in which the informer's presence is unintentional and justified, and those in which the intrusion is purposeful and with no apparent justification.

Informant's Presence Justified

When the informant's attendance at the attorney-client meeting is unintentional, no violation exists if there is justification for the informer's presence and the defendant's position is not prejudiced as a result of the meeting. For example, in the *Weatherford* case, the Court noted that Weatherford had not deliberately inserted himself into the attorney-client discussions, but rather had been "invited to the meeting, apparently not for his benefit but for the benefit of Bursey and his lawyer."¹⁰ The government's legitimate need to

continue to enjoy Weatherford's services as an undercover agent justified his acceptance of the invitation to attend the meetings. Concern for the safety of an informant has also been cited to justify an informant's presence in a defense camp. In *Klein v. Smith*,¹¹ a Federal appellate court found no impermissible intrusion into the attorney-client relationship when an informant, who was to testify against the defendant, was secretly represented by the same attorney who represented the defendant. The informant's concern for his safety (he allegedly had been

"... it usually takes something more than an informer's mere presence at an attorney-client conference to violate a defendant's right to the effective assistance of counsel."

threatened by the defendant) justified his activities, just as Weatherford's "desire to protect his 'cover' justified his meetings with Bursey and his counsel. . . ." ¹²

But even if the informant's presence is unintended and supported by legitimate justification, a constitutional violation may still be found if the defendant suffers some detriment as a result of the informer's activities. Generally, detriment can be established if one or more of the following three conditions are shown to exist.

1. If the informer testifies about the overheard attorney-client meetings. Note that Weatherford's testimony was restricted to a description of the vandalism of the draft board and "revealed nothing said or done at the meetings between Bursey and . . . [his attorney]. . . ." ¹³

2. If the overheard conversations are used by the prosecution to obtain, directly or indirectly, part of the government's evidence. In *Weatherford*, "[n]one of the State's evidence was obtained as a consequence of Weatherford's participation in those meetings." ¹⁴

3. If the government gains an unfair advantage by learning of the accused's defense plans or trial strategy. "Weatherford communicated nothing at all to his superiors or to the prosecution about Bursey's trial plans or about the upcoming trial." ¹⁵

Regarding the last condition, at least one court has interpreted *Weatherford* to mean that prejudice will be *presumed* if the informer transmits information on defense strategy to the government. The case, *United States v. Levy*,¹⁶ involved an informant who was a codefendant of the accused. Prior to trial, the informer disclosed defense strategy to the government. Later, the defendant was convicted. On appeal, the court of appeals reversed. It held that when an informant actually disclosed attorney-client confidences "to the Government enforcement agencies responsible for investigating and prosecuting the case . . ." ¹⁷ it is unnecessary to determine whether the disclosure actually prejudiced the defendant. Prejudice will be presumed. The opinion noted that trying to determine if the information conveyed by the informant resulted in detriment to the defendant and benefit to the prosecution would be a virtually impossible task. "[I]t is highly unlikely that a court can . . . arrive at a certain conclusion as to how the Government's knowledge of any part of the defense strategy might benefit the Government in its further investigation of the case, in the subtle process of pretrial discussion with potential witnesses, in the selection of jurors, or in the dynamics of trial itself." ¹⁸

In sum, when the informer's presence in the defense camp is unintentional and justified by a legitimate government need, if there is "no tainted evidence . . . and . . . no communication of defense strategy to the

prosecution . . . there [is] no violation of the Sixth Amendment." ¹⁹

Informant's Presence Not Justified

It is important to note that the intrusion into the attorney-client relationship in *Weatherford* was unintentional in that the informant had been invited to attend the meeting and it was felt his refusal might jeopardize his status. The Court's opinion clearly distinguished this situation from one in which the government intentionally and without justification inserts an informer into an attorney-client conference. ("Moreover, this is not a situation where the State's purpose was to learn what it could about the defendant's defense plans and the informant was instructed to intrude on the lawyer-client relationship or where the informant has assumed for himself that task and acted accordingly." ²⁰) If there is a deliberate intrusion into the defense camp, the government will be hard-pressed to convince a court that it had no purpose to intercept information about the defense, or that it learned nothing about the defendant's strategy. If there was no justification for the intrusion, why did the prosecution allow it?

Under these circumstances, it is conceivable that the lower courts will not require a showing of prejudice to the defendant, but instead will find an automatic (*per se*) violation of the sixth amendment. As stated in *United States v. Gartner*, ²¹ a Federal case decided in 1975, a rule requiring an automatic dismissal of the charges (or reversal on appeal) "has been applied in the past to the Government's intrusion upon the attorney-client relationship of a defendant where the conduct has been an offensive interference with the defendant's rights without any justification." ²² Admittedly, the *Gartner* case was decided prior to *Weatherford*; however, its views were expressly adopted by the same court in a case decided after *Weatherford*. ²³

One rationale for the imposition of such a rule in cases of unjustified intrusion was identified by the Supreme Court in a different context:

"[t]he deterrent purpose of the exclusionary rule necessarily assumes that the police have engaged in willful, or at the very least negligent, conduct which has deprived the defendant of some right. . . . Where the official action was pursued in complete good faith, however, the deterrence rationale loses much of its force." ²⁴

The implication of the cases discussed above is strong. If there is no legitimate justification for the presence of an informer or undercover agent at a meeting of a defendant and his counsel, the courts apparently are prepared to find a violation of the defendant's sixth amendment right to counsel without any showing that the government's conduct prejudiced the defendant's position. And even if the activity in question doesn't rise to the level of a constitutional violation, other grounds may be available to the courts to impose a sanction. For example, Federal judges may exercise their supervisory authority over Federal criminal prosecutions to insure that they are conducted fairly and according to "civilized standards of procedure and evidence." ²⁵ At least one Federal court has indicated that it would not hesitate to set aside a conviction on these grounds in the context of an infringement of the attorney-client relationship. ²⁶ And State court judges may, in interpreting their own State constitutions, impose higher standards on State and local officers than required by the Federal Constitution. ²⁷

When The Right To Counsel Attaches

A discussion of this topic would not be complete without attempting to determine the stage of the criminal proceedings when the presence of an informer in the defense camp becomes a constitutional issue. The answer depends, at least in part, on identifying that point when the sixth amendment's right to counsel attaches.

The Supreme Court has held that the right to be represented by an attorney exists at the trial of any case which

could lead to the loss of liberty. ²⁸ In addition, the right to counsel attaches at important pretrial court appearances, such as arraignment ²⁹ and preliminary hearing, ³⁰ and certain extrajudicial events, such as post-indictment lineups ³¹ and custodial interrogations. ³² And recently, the Court held that a defendant enjoys the right to counsel for any interview, whether custodial or not, conducted after the initiation of formal adversary proceedings. ³³

But clearly, there is no right to counsel at every stage of the criminal process. While proceedings are still investigatory in nature, the right to counsel does not attach. For example, it has been held that individuals summoned to testify before a State fire marshal have no right to counsel, even though their testimony might provide the basis for criminal charges against them. ³⁴ Similarly, "[a] witness before a grand jury cannot insist, as a matter of constitutional right, on being represented by his counsel. . . ." ³⁵ In short, if "[n]o criminal proceedings [have] been instituted . . . the Sixth Amendment right to counsel [does] not come into play." ³⁶ It follows that an intrusion into the attorney-client relationship implicates the sixth amendment only if it occurs after the initiation of prosecution, and then, only if the intrusion pertains to the charge for which prosecution is pending. ³⁷

But not all intrusions into the attorney-client relationship occur *after* the government has initiated prosecution. Many potential defendants retain counsel upon learning they are under investigation. It is conceivable that an informant, who is a confidant of a criminal suspect, could be privy to attorney-client discussions about *contemplated* charges. Because the right to counsel does not attach until prosecution is actually instituted, it is unlikely courts will characterize intrusions at this stage as sixth amendment violations. ³⁸ It is possible, however, that some other constitutional right might be implicated. It has been suggested that "protection may also be based upon the broad theory that [a] defendant was denied the fair trial to which he is entitled under the due process clause and that counsel in a proper case should claim

both a violation of the right to counsel and a violation of due process."³⁹ At least one Supreme Court case has language which could support this view.⁴⁰ The prudent officer would be wise to consult with his legal adviser or prosecutor prior to the deliberate use of an informant under these circumstances.

Guidelines

It is often very difficult to predict how courts will decide cases in which defendants challenge the constitutionality of police practices. Subtle factual changes frequently affect the result. Nevertheless, adherence to the following suggestions should help avoid problems in the area of informers and lawyer-client conferences.

1. Officers should instruct informants not to attend meetings between defendants and their attorneys. If informants never attend these conferences, obviously there is no problem.

2. If it is felt that an informer must attend, and there is justification for his presence (to preserve his cover, safety concerns, etc.), the informer should be cautioned not to communicate to the officer anything he has learned from the meeting regarding the defense preparations, strategy, or plans concerning the pending charges. (This prohibition should not prevent the informant from relating the substance of discussions about *planned* criminal conduct.⁴¹)

3. If the informer does report on the meeting, officers should avoid relaying the information to the prosecutor. At least one court has indicated that there is no right-to-counsel problem if the information gained by the informer does not reach the prosecuting attorney's office.⁴²

FBI

Footnotes

- ¹ U.S. Const. Amend. VI.
- ² Annot., 5 A.L.R. 3d 1360, 1364 (1966).
- ³ *Fisher v. United States*, 425 U.S. 391, 403 (1976).
- ⁴ *State v. Cory*, 382 P. 2d 1019 (Wash. 1963).
- ⁵ 385 U.S. 293 (1966).
- ⁶ 429 U.S. 545 (1977).
- ⁷ See Brief for the United States as *amicus curiae*, at 4.

⁸ After the trial, Bursey disappeared and was not apprehended for 2 years. He then served his 18-month sentence. No direct appeal of his conviction was ever pursued.

⁹ 429 U.S. at 557.

¹⁰ *Id.*

¹¹ 559 F. 2d 189 (2d Cir. 1977), *cert. denied*, 434 U.S. 987 (1977).

¹² *Id.*, at 198.

¹³ 429 U.S. at 555.

¹⁴ *Id.*

¹⁵ *Id.* at 556.

¹⁶ 577 F. 2d 200 (3d Cir. 1978).

¹⁷ *Id.* at 209.

¹⁸ *Id.* at 208.

¹⁹ *Weatherford v. Bursey*, 429 U.S. 545, 558 (1977).

Prior to *Weatherford* there was disagreement in the cases on the issue of how far the information learned by the informer must go before the proceedings were tainted. For example, *United States v. Cooper*, 397 F. Supp. 277 (D. Neb. 1975), indicated that it must reach the prosecutor. However, *United States v. Orman*, 417 F. Supp. 1126 (D. Colo. 1976), held that it was sufficient if the informant merely told the investigators. *Accord*, *United States v. Crow Dog*, 399 F. Supp. 228 (N.D. Iowa 1975), *aff'd* 532 F. 2d 1182 (8th Cir. 1976), *cert. denied* 430 U.S. 929 (1977). Although this issue was not addressed directly by the *Weatherford* Court, and language in the opinion can be found which seemingly supports either position, the case appears to favor the latter view. For instance, the Court rejected the argument that *Weatherford* was a member of the "prosecuting team" and pointed out that "Weatherford communicated nothing at all to his superiors or to the prosecution about Bursey's trial plans or about the upcoming trial." 429 U.S. at 556 (Emphasis added).

²⁰ 429 U.S. at 557.

²¹ 518 F. 2d 633 (2d Cir. 1975), *cert. denied*, 433 U.S. 915 (1975).

²² *Id.* at 637.

²³ *Klein v. Smith*, 559 F. 2d 189 (2d Cir. 1977), *cert. denied*, 434 U.S. 987 (1977).

²⁴ *Michigan v. Tucker*, 417 U.S. 433, 447 (1974).

²⁵ *McNabb v. United States*, 318 U.S. 332, 340-41 (1943).

²⁶ See *United States v. Valencia*, 541 F. 2d 618 (6th Cir. 1976).

²⁷ See *Oregon v. Hass*, 420 U.S. 714, 726 (1975) (Marshall, J., dissenting), and *Cooper v. California*, 386 U.S. 58 (1967).

²⁸ *Argersinger v. Hamlin*, 407 U.S. 25 (1972). However, if no imprisonment is imposed, there is no right to appointed counsel in misdemeanor cases. *Scott v. Illinois*, 47 U.S.L.W. 4250 (3/5/77).

²⁹ *Hamilton v. Alabama*, 368 U.S. 52 (1961).

³⁰ *Coleman v. Alabama*, 399 U.S. 1 (1970).

³¹ *United States v. Wade*, 388 U.S. 218 (1967). In *Kirby v. Illinois*, 406 U.S. 682 (1972), the Court stated that the right to counsel attached after the initiation of "adversary judicial criminal proceedings."

³² *Miranda v. Arizona*, 384 U.S. 436 (1966).

³³ *Brewer v. Williams*, 430 U.S. 387 (1977). See also *Massiah v. United States*, 377 U.S. 201 (1964).

³⁴ *Re Groban*, 352 U.S. 330 (1957).

³⁵ *Id.* at 333.

³⁶ *United States v. Mandujano*, 425 U.S. 564, 581 (1976).

³⁷ See *Hoffa v. United States*, 385 U.S. 293 (1966); *Taglianetti v. United States*, 398 F. 2d 558 (1st Cir. 1968), *aff'd* 394 U.S. 316 (1969).

³⁸ However, in *United States v. Cooper*, 397 F. Supp. 277 (D. Neb. 1975), a Federal trial court held that a sixth amendment violation would exist if an informant overheard attorney-client conversations "relating to a charge then pending or being investigated." (Emphasis added).

³⁹ Annot., 5 A.L.R. 3d 1360, 1365 (1966).

⁴⁰ In *Black v. United States*, 385 U.S. 26 (1966), the Court reversed a conviction after it was learned that the defendant's conversations with his attorney had been intercepted by the government through the use of an electronic monitoring device. A new trial was ordered to remove any doubt as to Black receiving a "fair trial." See also *Caldwell v. United States*, 205 F. 2d 879 (D.C. Cir. 1953) (government agent's intrusion upon conferences between accused and his lawyer affect Constitution's guarantees of effective representation by counsel and due process of law.)

⁴¹ See *United States v. Ostrer*, 422 F. Supp. 93, 104 (S.D.N.Y. 1976), *aff'd* 551 F. 2d 303 (2d Cir. 1976).

⁴² See the discussion in footnote 19, *supra*.

CRIME UP IN THE UNITED STATES

In 1978, the number of Crime Index offenses reported to U.S. law enforcement agencies increased by 1 percent over those of 1977.

In announcing the Uniform Crime Reports' preliminary statistics, Attorney General Griffin B. Bell stated, "This rise in reported crime during 1978 is even more significant when it is considered that annual figures for 1977 compared with 1976 showed a three-percent decrease. Such a reversal in the crime trend is distressing, especially after the encouraging report of a year ago." FBI Director William H. Webster stressed the necessity for cooperation between the public and law enforcement to counter the upward trend. "Halting this rise in the level of crime should be the concern of all facets of our society," he said.

As a group, the Index's violent crimes showed a 5-percent increase in volume. Aggravated assault rose 7 percent, forcible rape was up 6 percent, robbery increased 3 percent, and murder remained virtually unchanged. Property crimes showed a 1-percent rise collectively. Burglary and motor vehicle theft were each up 1 percent, while larceny-theft showed no change.

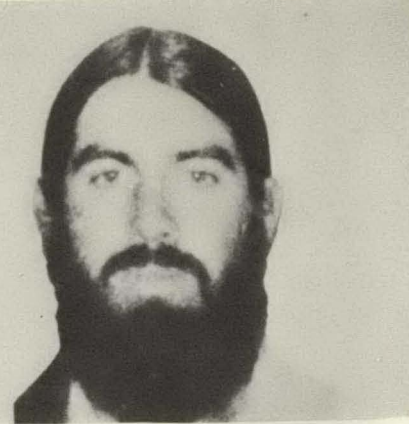
In cities with populations over 50,000, the volume of reported Crime Index offenses remained nearly constant. However, rises of 1 percent were recorded in both the suburban and rural areas, and cities outside metropolitan areas reported an increase of 4 percent.

Geographically, the Southern States reported a 4-percent rise and the Western States a 3-percent increase in the total number of Index crimes. The North Central and Northeastern States recorded decreases of 1 and 3 percent, respectively.

WANTED BY THE FBI



Photograph taken 1974



Photograph taken 1975

Roy Clinton Sieg

Roy Clinton Sieg, also known as Roy Clinton Sieb.

Wanted For:

Interstate flight—murder.

The Crime

Roy Clinton Sieg is being sought for the brutal murder of an individual who was shot in the head at pointblank range.

A Federal warrant was issued on May 21, 1976, at San Francisco, Calif., charging Sieg with unlawful flight to avoid prosecution for the crime of murder.

Description

Age 32, born January 22, 1947, at Kentfield, Calif.
 Height..... 6'
 Weight 170 pounds.
 Build Medium.
 Hair Brown.
 Eyes Hazel.
 Complexion Medium.
 Race..... White.
 Nationality..... American.
 Occupations Carpenter, chimney sweep, hod carrier.

Scars and

Marks Scar on left knee.

Remarks A motorcycle enthusiast, associates with motorcycle gang members, and trains attack dogs.

Social Security

Nos. used 555-72-1263
 555-73-1263.

Caution

Sieg should be considered armed and dangerous.

Notify the FBI

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

Classification Data:

NCIC Classification:
 POPI15PO161713141816

Fingerprint Classification:
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L 17 U 000



Right middle fingerprint.

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Not an order form

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Complete this form and return to:

Director
Federal Bureau of
Investigation
Washington, D.C. 20535

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Title _____

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City _____

State _____

Zip _____

POTENTIALLY DANGEROUS DETONATOR

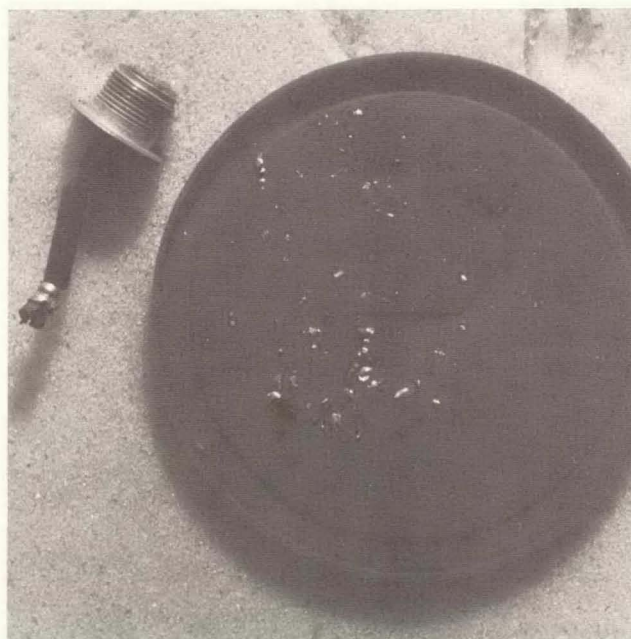
In a local public dump, law enforcement officers recently discovered several initiating components for fire extinguishers. These commercially produced initiators, which measure approximately 4½ inches in length, are actually tiny blasting caps which can be electrically activated.

Subsequent testing of these devices revealed that they could detonate commercial dynamite and produce a quantity of small fragmentation.

Police personnel should recognize that these potentially dangerous initiators could be a temptation to makers of improvised bombs.



Fire extinguisher initiator



Fragmentation produced after detonation of initiator.

United States Department of Justice
Federal Bureau of Investigation
Washington, D.C. 20535

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Controlled Circulation Rate



Interesting Pattern

The loop pattern shown here depicts the importance of properly locating the delta and core in order to obtain an accurate ridge count. The delta is located at point D on the ending ridge nearest the center of the point of divergence of the typelines. The core is located at point C on the center spike in the innermost sufficient re-curve. The correct ridge count is nine.

