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## Features

**Safe Streets Task Force**

By David M. Allender

1

*Employing the Safe Streets Task Force concept can help law enforcement agencies reduce crime in their communities.*

**Media Trends and the Public Information Officer**

By Dennis Staszak

10

*Law enforcement should develop a liaison with the news media to create a sound public relations program.*

**Interviewing Self-confident Con Artists**

By Scott O'Neal

16

*With the proper preparation and strategic approach, investigators can take advantage of the character traits of con artists.*

**The Psychological Influence of the Police Uniform**

By Richard R. Johnson

27

*Law enforcement administrators seriously should consider their uniform policies.*

## Departments

**7 Focus on Surveillance**

Surveillance Optics

**15 Book Review**

Grave Words: Notifying Survivors About Sudden, Unexpected Deaths

**14 Bulletin Reports**

Video Surveillance Selection  
Crime Scene Investigation  
Gunshot Detection Systems

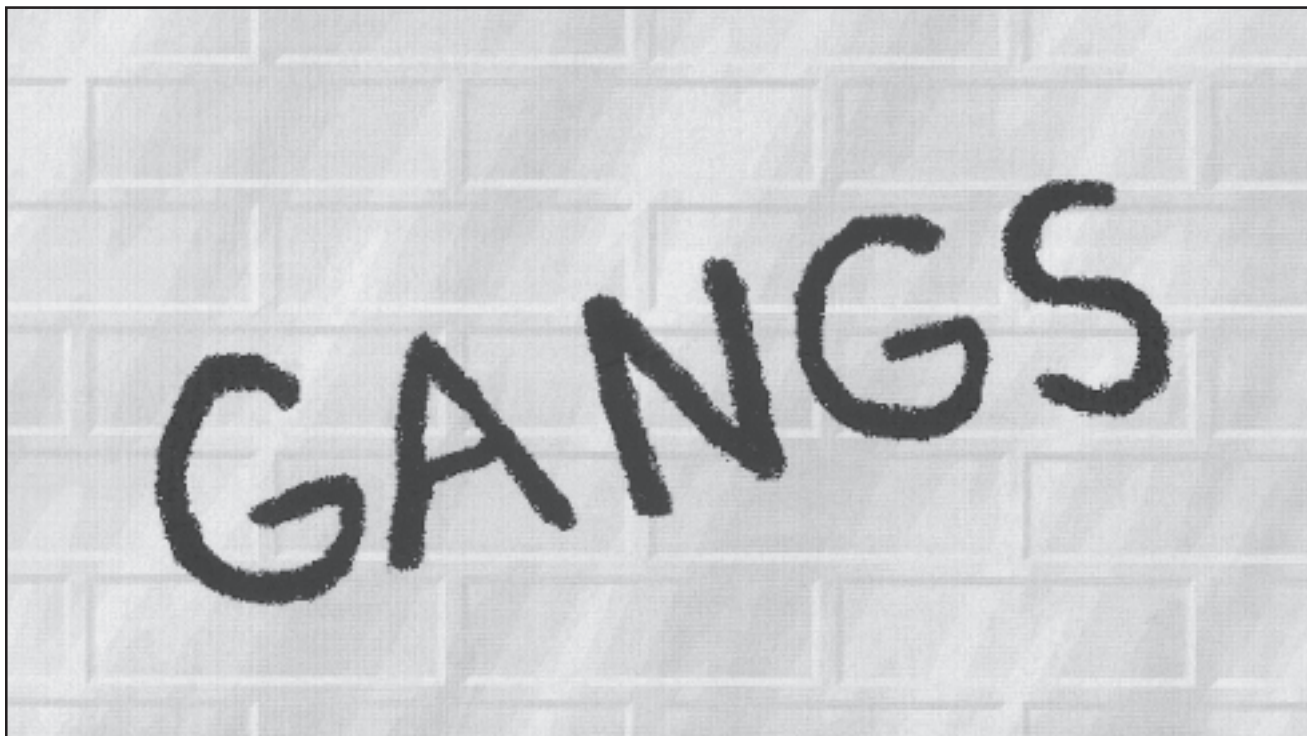
**22 Case Study**

Asian-on-Asian Kidnapping

---

# ***Safe Streets Task Force Cooperation Gets Results***

By DAVID M. ALLENDER



**“W**orking together works” represents a favorite adage of an Indianapolis, Indiana, community leader<sup>1</sup> in the city’s federally funded Weed and Seed<sup>2</sup> effort. In the spirit of the statement, many agencies with a wide spectrum of responsibilities have cooperated to successfully renovate several inner-city neighborhoods. One partnership strengthened by interacting as members of Weed and Seed is the Safe Streets Task Force. Formed by the FBI in 1992 to combat gangs and violence, the initiative,

comprised of state and local law enforcement officers and FBI agents, operates in many cities throughout the United States.<sup>3</sup>

The investigation into a violent criminal street gang known as the New Breed illustrates how the cooperative efforts of the Safe Streets Task Force concept can get results. Operating in such cities as Indianapolis, Chicago, Atlanta, Louisville, and Cincinnati, the gang was involved in a wide range of criminal activity.<sup>4</sup> Task force officers in Indianapolis opened their case in mid-1997. Safe Streets units taking an

active part in the case included the FBI Indianapolis office and the Metro Gang Task Force (MGTF), comprised of Indianapolis Police Department (IPD) officers.

## **Gang History and Rules**

The New Breed gang started within the confines of the Illinois prison system. To illustrate contempt for the existing gang subculture, the founder of New Breed reportedly encouraged members to violate many conventions of the gang world. Leaders indoctrinated gang members in the belief that the



Lieutenant Allender serves with the Indianapolis, Indiana, Police Department.

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income derived from criminal activity constituted the main purpose for the organization. The largest source of profit for the gang came from the illegal distribution of narcotics, most notably heroin.

To promote fidelity to the gang, as well as establish a foundation for order and control, leaders borrowed from the rules and guidelines established by the Black Gangster Nation (BGN) gang. Task force officers recovered copies of the gang’s rules and history or “bible” from the trunk of the local leader’s vehicle. The document instructed adherents to commit to the three “Ls” of Love, Life, and Loyalty. A code of conduct set out a number of rules to live by, such as restricting gang members from incurring financial debts they could not repay in a timely manner. The history identified the “Don” as the ultimate authority figure in all matters, traced the basis for his power back to the time of Hannibal, and identified Hannibal’s “first born son, by a Sicilian woman” as the original leader of the

order. The story then rambled, but left the reader with the impression that the gang had functioned in an unbroken line for over 1,000 years. The closing gave gang members strong suggestions on how to live successful and productive lives.

The gang document had a more ominous side, however, when it entered the realm of discipline. All members of the organization had to sign an 11-point oath of allegiance to the New Breed. For example, one rule stated, “We don’t lie, steal or cheat among us. Our word is our bond. We die for that....”<sup>5</sup> Punishment for any transgression was “unforgivable, penalty is FINAL.” Task force officers discovered during the investigation what the “FINAL” judgment entailed and how strongly individual New Breed members believed in their code.

The paperwork gave investigators valuable insight into the mindset of the New Breed. They had pondered why a group of African-American gang leaders preferred nicknames, such as Velle, Vino,

Frank Nitti, Gotti, and Capone. Detectives discovered the answer when they read that the gang traced its lineage back to Sicily. In addition, the writings spelled out the rank and authority of the Don. This tidbit of information, when added to other facts, enabled detectives to determine that Vino was in charge of the local operation and enjoyed considerable power and authority. Also, the law section of the gang’s document revealed the motive for some of the violence investigators encountered. All in all, the document helped provide a focus for how to attack the organization.

### **Preliminary Steps**

In order to establish an identity in Indianapolis, New Breed gang members engaged in activities that would lead to a citation for a traffic infraction or a custodial misdemeanor arrest. When taken into custody, the suspects presented an Indiana drivers license as identification. When officers checked the authenticity of the license, they would discover that the information supplied was accurate and the license valid. Task force detectives subsequently determined that the name listed on the license presented by a New Breed member often would be an alias. The detectives found that some Indiana Bureau of Motor Vehicles (BMV) personnel were issuing fraudulent driving licenses. The detectives worked with the Chicago Police Department (CPD) and the FBI’s Chicago office to establish the real identity of several gang members. CPD examiners compared fingerprints of persons arrested in Indianapolis with prints they had on

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file. Detectives from Chicago assisted by viewing photographs and providing print examiners with names of possible suspects to shorten the process. Because of this effort, officers discovered that a number of persons had arrest warrants, including one for murder, on file in Chicago and apprehended these individuals. Officers also alerted BMV to the problem. BMV used internal audit and control methods to halt the issuance of the bogus licenses and terminated those employees involved.

Next, information surfaced linking the gang to the illegal “cloning” of cellular telephones. Cloning serves a dual purpose for criminals. They can avoid the monthly charge, and law enforcement cannot obtain an account history or accurately trace an account holder. Tracing the account holder represents a necessary step prior to conducting electronic surveillance. A uniformed officer from IPD’s North District made a traffic stop and a custodial arrest for a traffic offense, which led to police interdiction of the cloning operation. The officer contacted the task force detectives with information uncovered during the traffic case. The detectives obtained a search warrant based on the officer’s information and their own interview with the traffic offender. The detectives received technical assistance from cellular telephone representatives while preparing and executing the search warrant. They located and recovered cellular phones and equipment valued at approximately \$100,000. The removal of this illegal source of communication proved invaluable later in the investigation.

To develop the drug dealing case against the gang, task force detectives worked with Indianapolis FBI agents. Cooperating individuals provided information and made controlled purchases of heroin at the direction of police. Together, investigators gathered enough intelligence to introduce an undercover officer to New Breed members for the purpose of purchasing heroin. Task force plainclothes units provided backup for the undercover officer, engaged in a limited number of proactive stops, assisted one another with surveillance on gang members, and gathered intelligence on narcotics trafficking locations. A cooperating individual supplied the

applied by IPD uniformed officers to trafficking locations.

### **Efforts Intensify**

As the case evolved, task force officers employed several surveillance techniques, especially a federal communications wiretap order on the main cellular telephone used by the New Breed. Prior to applying for the wiretap authorization order, detectives checked with the telephone service provider to determine the amount of traffic on the gang’s cellular telephone account. In 4 months, the account registered over 35,000 calls. The tap lasted 75 days and required constant monitoring of the telephone and the conversations. MGTf members, FBI agents from several field offices, Indianapolis West District Neighborhood Resource Officers, and the IPD’s narcotics unit combined to cover the wiretap. The majority of officers who assisted in monitoring the wiretap continued to work on unrelated matters while the electronic surveillance was in place. Undercover controlled transactions continued while the wiretap was in operation. The intense efforts lasted 5 months, including the 75 days of electronic surveillance.

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***As the case evolved, task force officers employed several surveillance techniques....***

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task force with a cellular telephone number used by gang members to arrange transactions involving the wholesale purchases and later the street-level sale of heroin. As a result of the earlier seizure of cloning equipment, the gang had to legally obtain the phone, which had an identifiable account holder. Electronic communications became increasingly important to New Breed as the gang attempted to shield their operation from pressure

In planning for the wiretap, task force administrators realized that the operation not only would prove labor intensive, but require careful adherence to legal issues as well. Before the electronic surveillance could start, all officers scheduled to monitor the phone received specialized training on how to properly capture conversations. Federal guidelines respect some conversations, even among criminals, as private. For this reason, the officers



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had to listen carefully to what the suspects said. If it became readily apparent that the subject matter fell within one of the protected categories, the officers had to stop the recording and cease monitoring. The law, however, allows for periodic checks to determine when the private conversation ends and the suspects return to illegal activity.

### **Gang Violence**

During the course of the New Breed investigation, the real danger to society from this type of gang became evident in the number and type of criminal acts it committed in addition to drug dealing. One evening, while monitoring conversations on the wiretap, officers overheard the leader of the Indianapolis faction, Vino, complain of being robbed. Talk indicated that an armed robbery involving stolen cash had occurred earlier that day. Vino suspected a gang member known as Sonny and ordered several other New Breed gang members to locate this individual. Conversations throughout the evening indicated that members searched diligently for the suspect. Officers did not know Sonny's identity, but they understood that the punishment for gang members who broke New Breed rules often allegedly was death. Although task force detectives used all of the means available to them, they failed to identify or locate the threatened gang member. Late in the evening, a monitored call informed Vino that gang members had found the suspect. The caller did not give a location. Subsequent conversations indicated that members had recovered

money belonging to the gang, resolved the matter, and would discipline Sonny. Frustrated task force officers could only wait and wonder what and who would be involved in the gang discipline.

On the next evening, Indianapolis East District uniformed officers received a radio call to investigate a suspicious vehicle on the northeast side of the city. The officers found a male murder victim inside the car. The man had been dead for several hours and was identified as a gang member. As the investigation progressed, task force officers determined that this victim was Sonny.

Investigators also obtained information allegedly identifying three additional New Breed members for involvement in another homicide that occurred on the Indiana

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***Cooperative efforts led to solving other cases as investigators met and shared information.***

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University-Purdue University at Indianapolis campus. The detectives working the New Breed case believed the death was related to their investigation after learning that they had encountered one of the two shooting victims earlier while investigating the cellular telephone cloning. Working as a team,

investigators from the FBI, the Indiana University Police Department, IPD Homicide, and MGTf pieced together the shooting scenario. Reportedly, New Breed members had agreed to purchase crack cocaine from a nongang member. An argument broke out during the transaction and an exchange of gunfire ensued. One man died, and the surviving victim sustained a .45-caliber gunshot wound to the face. The killers fled, believing both victims to be dead.

Unfortunately, these murders represent much of the violence problem in Indianapolis. A local crime analyst summed up the city's situation by stating, “The largest category of homicides in Indianapolis involve groups of chronic offenders with ties to the drug trade. These groups include formal gangs like the New Breed, as well as less organized neighborhood crews. The common link seems to be drug distribution.”<sup>6</sup>

### **Other Successes**

Cooperative efforts led to solving other cases as investigators met and shared information. Officers seized a stolen car from one New Breed member. Arson units solved a suspicious vehicle fire after task force detectives supplied them with information that a New Breed member, having a domestic dispute with his girlfriend, intentionally set the vehicle on fire, which also resulted in the destruction of an innocent neighbor's vehicle. Task force officers arrested numerous individuals on outstanding warrants as they routinely checked known gang members and their associates for

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new charges filed by other officers neither involved in nor knowledgeable about the gang investigation. Task force detectives estimated that in excess of 45 tangential arrests resulted from the main investigation.

### Challenges

Situations arose throughout the case that proved challenging for the investigators. For example, officers learned that incarcerated New Breed members were holding meetings among themselves inside the county jail. When questioned, several of those who had cooperated with police confirmed this information. The underlying theme of the meetings dealt with the need to maintain a united front against law enforcement. Those not inclined to follow this dictate were threatened with serious bodily harm or death. Investigators faced the possibility that investigative leads would disappear and lengthy trials ensue. The officers suspected corruption within the jail system and quickly scheduled a meeting with jail administrators.

Working together, detectives and jail personnel found and corrected the problem. Following normal procedures, jail personnel dispersed gang members throughout the jail population. However, a high-ranking New Breed lieutenant wished to maintain control over the members. He studied the jail system and found a flaw. In order to see medical personnel on a nonemergency basis, an inmate filled out a request form and turned it in to the appropriate authority who forwarded it to a central unit.

Employees at this central location then scheduled groups of inmates to see the doctor. They assigned inmates to a group based on when they received the request forms at the central unit. The gang's lieutenant learned that if he filled out request forms for himself and the person he wished to see, then submitted them at the same time, the forms would arrive at the medical unit together. No corruption was involved, just an ingenious inmate. To avoid future problems, inmates no longer fill out medical requests for others. As an additional precaution, jail personnel moved New Breed members throughout the correctional system, placing some in other counties.

### Conclusion

The investigation of the New Breed gang in Indianapolis, Indiana, was successful. Officers

working together made numerous felony arrests for a wide range of offenses. However, this success resulted from many long hours logged by all of the officers involved. The wiretap exercise alone required approximately 3,600 hours worked by officers engaged in monitoring the traffic. This total does not take into account the time spent by officers reviewing and transcribing the tapes. Surveillance, controlled narcotic buys, preparation and execution of search warrants, and the completion of the paperwork required by the case took many thousands of additional hours.

Moreover, the amount of success achieved in this operation was in direct proportion to the amount of cooperation between the various agencies. The Safe Streets Task Force concept made this cooperation possible. The lead investigators had an existing working



relationship due to past interaction on the task force. Resources and expertise available to the FBI enabled an in-depth investigation of the targets. FBI electronic surveillance equipment enhanced the ability of investigators to penetrate the inner workings of this criminal enterprise. Local officers shared their knowledge of suspects' identities, habits, and methods of operation that proved invaluable to detectives. Combined staffing resources enabled the task force to devote personnel to the investigation without causing any agency to

neglect other duties. In all, skillful blending of resources enabled law enforcement to remove a large number of violent criminal street gang members from the Indianapolis area. ♦

**Endnotes**

<sup>1</sup> Olgen Williams directs a local community center and has spearheaded Weed and Seed efforts in Indianapolis since their inception.

<sup>2</sup> Since 1991, Operation Weed and Seed has attempted to control violent crime, drug trafficking, and drug-related crime and to provide a safe environment for residents to live, work, and raise their families. The program

strategically links concentrated and enhanced law enforcement efforts (weeding) with health and human services (seeding) to prevent and deter further crime.

<sup>3</sup> For additional information on Safe Streets, see Douglas Shur, "Safe Streets: Combining Resources to Address Violent Crime," *FBI Law Enforcement Bulletin*, April 1995, 1-8.

<sup>4</sup> Investigation indicates that the gang may have operated in as many as 12 cities in 8 states.

<sup>5</sup> This text was printed in italics in original document.

<sup>6</sup> Ed McGarrell is a faculty member at Indiana University and directs the Crime Center at the Hudson Institute.

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## *Surveillance Optics*

By Carlyle Poindexter

**T**he binocular stands as perhaps the single most valuable piece of equipment in the professional surveillants' arsenal. However, some misunderstanding seems to exist among even seasoned investigators as to what constitutes an effective optical device. Given the myriad of manufacturers boasting the benefits of their new and miraculous "space-age" designs, this proves unsurprising.

Careful review of a binocular advertisement, however, usually reveals an emphasis on one particular capability of the binocular. Unfortunately, that one feature often decreases the effectiveness of other important ones. For example, one manufacturer claims to produce a binocular with an amazing magnification of 30 times. What is *not* advertised is that the same unit will suffer an inherent loss of light-gathering capability and destabilization of the image, perhaps serious enough to prohibit handheld use.<sup>1</sup> To avoid this type of disappointment and to choose the correct optical equipment, criminal justice agencies

should examine the basic features of binoculars and some fundamental purchasing considerations.

### **FEATURES**

All prism-based binoculars are similar. Each has four basic features that agencies must consider when choosing a system. These include magnification, light-gathering ability, field of view, and practicality.

### **Magnification**

Magnification refers to the binocular's ability to magnify the image the viewer focuses on. Expressed as a "power," magnification signifies how much closer the image will appear to the viewer, as opposed to observation with the naked eye. For example, viewers using binoculars with 10x (10 power) magnification will see images at one tenth of the true distance from them, or 10 times closer. The first number that appears on the binocular housing represents the power. Therefore, a binocular labeled 10x50



possesses a 10 power magnification. Bearing this magnification principle in mind, it becomes obvious that a higher power binocular allows surveillants to position themselves at a greater distance from the subjects of their investigations. While beneficial to discreet surveillance, this increased capability causes unavoidable decreases in the performance of other features of binoculars.

Greater magnification results in a loss of light-gathering ability, a decreased field of view, and a decline in image stability. To increase the size of the viewed image, additional optics become necessary. In turn, those optics cause a significant loss of the binocular's ability to trap and retain light. Simply put, "more glass eats up more light." The field of view (i.e., the width of the area that the viewer can see) decreases, requiring more effort to center the image. In addition, the image becomes unstable, making it increasingly difficult to focus on fine details, such as motor vehicle registrations and facial characteristics.

#### **Light-gathering Ability**

This feature signifies the binocular's ability to gather and efficiently use ambient light (i.e., available environmental light without benefit of light-enhancing devices, such as infra red). The size of the objective lens (the glass optic on the far end of the binocular) determines the amount of light that the binocular can collect. Lens size, expressed in millimeters, represents the second number found on the binocular body. For example, a binocular labeled 10x50 has a 50 millimeter objective lens. The objective lens measurement chosen will depend largely on the surveillant's needs for day or nighttime use. A lens for daylight use requires no more than four times the magnification of the binocular. Any greater lens size may collect an unnecessary level of light. Because the human eye can use only so much light, an excess can cause eye strain over a prolonged surveillance. A binocular with a larger objective lens also tends to

obtrude because of the housing required to contain the additional optics. Larger lenses further increase the likelihood of reflections, which may alert the subject to the surveillant's presence.

The opposite applies to a binocular used under low-light conditions. The housing size and chances of reflection become less important given the cloaking properties of darkness. In addition to the larger objective lens, some binoculars, used predominantly for low-light observations, have a special chemical coating that enhances efficiency by partially preventing collected light from escaping. A low-light level binocular usually possesses a lower magnification as well. Less light is necessary to magnify and transmit the image to the eyepiece. Lower light allows surveillants to position themselves closer to subjects, hence the logic behind a lower magnification power. In short, big lenses equal good light gathering, which, in turn, creates big binoculars.

**“ ...a compact, handheld binocular may offer a strong magnification, but prove ineffective in any light condition other than broad daylight. ”**

#### **Field of View**

Field of view denotes the width of the focused image as it appears through the eyepiece. Field of view, typically expressed in feet, is based on what an individual can view at 1,000 yards. A wider field of view tends to facilitate quick image acquisition. When choosing binoculars, agencies should select the largest field of view available without moving to a special "wide view" unit. Although readily available, wide-view binoculars have demonstrated some shortcomings when used in the field. Many lose image quality near the limits of the field of view. Therefore, agencies should scrutinize the image quality before purchasing wide-view units.

#### **Practicality**

This feature includes a binocular's durability, size, and suitability for a variety of surveillance needs. Surveillants may subject binoculars to a broad range of environmental conditions. Humidity, temperature fluctuations, and rough handling associated

with field use can affect the quality of the transmitted image. Misalignment of the optics caused by jarring can degrade a binocular's usefulness quickly. Fortunately, modern well-fabricated units are largely free of the flaws caused by weather. Solid construction and the addition of a rubberized cover on most binoculars have increased their shock resistance and durability, while various nonreflective finishes have enhanced their discreetness.

Size is certainly a practical factor for surveillants, who can find cumbersome binoculars uncomfortable to hold for long periods of time. Fatigue from supporting several pounds of glass makes it difficult to manually hold a stable and focused image. When using binoculars with larger objective lenses, surveillants may need a window mount or tripod, making the unit even more difficult to move or effectively disguise.

Obviously, an optic system of this size would not work for a mobile, e.g., vehicle, bicycle, or foot, surveillance. On the other hand, a compact, handheld binocular may offer a strong magnification, but prove ineffective in any light condition other than broad daylight. What, then, represents an acceptable compromise?

A binocular with a combination of features suitable for a wide range of surveillance needs constitutes the most effective choice for most criminal justice agencies. Such a unit has between 8x and 12x, with an objective lens no smaller than 50 millimeters. This combination represents a "middle ground," offering good magnification without any noticeable light-gathering loss. Image stability appears more than adequate in this range, and the field of view lies between 250 and 350 feet at 1,000 yards.

#### **PURCHASE ADVICE**

Before an agency purchases binoculars, it should consider three main issues. First, the agency should try to choose a binocular with individual eyepiece focusing capability. Most people have stronger vision

in one eye; therefore, the individual focus capability takes into account this human vision variation. Out-of-focus viewing through a binocular leads to eye-strain and the inevitable accompanying headaches.

Second, an agency should choose binoculars made by a reputable manufacturer and sold through a reputable dealer. Respected manufacturers will

guarantee their products, while knowledgeable dealers can explain proper focusing and more technical issues, such as binocular alignment and how to recognize optical flaws. Last, an agency must test the binoculars before purchasing them and remember the old adage that "you get what you pay for." Agencies must expect to pay a higher price for quality equipment. The purchase of a well-made binocular will ensure comfortable, clear viewing and quick target acquisition. Small extras, such as

chemical lens coating and durable rubberized finish, can pay big dividends in the field.

#### **CONCLUSION**

Criminal justice professionals understand the importance of quality equipment. Often, though, they may overlook the binocular when considering equipment purchases. Agencies and individuals must examine their needs and budgets before deciding how best to use their limited funds for equipment purchases. By looking at the magnification, light-gathering ability, field of view, and practicality of various optic systems, these purchasers can increase their chances of obtaining quality units that fulfill their operational and budgetary requirements. ♦

#### **Endnote**

<sup>1</sup> The author based this article on his knowledge gained as a private investigator and by interviewing manufacturers and sellers of binocular equipment.

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*Mr. Poindexter heads a private investigation firm in Raleigh, North Carolina.*

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# *Media Trends and the Public Information Officer*

By DENNIS STASZAK

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**D**uring the past 20 years, the news media has struggled to meet a changing set of challenges and opportunities. Today, conglomerates own many of the media outlets that families once owned. Tremendous cutbacks in news gathering have resulted in dramatic changes in the appeal of the profession and how the media currently views their public responsibilities. More than ever before, the media, as a profit-making center, has a vigilant eye on ratings, subscriptions, and advertising dollars.

These changes have contributed to a number of media trends that affect the public information officer (PIO) individually and the law enforcement community organizationally. Some trends have evolved progressively for many years while others, such as emphasizing crime reporting during an actual reduction in violent crime statistics, represent more recent trends.

Progressive law enforcement agencies that have institutionalized proactive media relations programs understand that this endeavor

translates into a sound public relations program—a crucial component of effective law enforcement. Law enforcement proactivity with the media begins with an in-depth understanding of the current role and function of the media and characteristics of the journalism profession.

## **Newsroom Changes**

Most media companies have experienced a monetary decrease for newsroom operations, which translates into layoffs, budget cuts,

smaller wage increases, and more hours of work. Within the past few years, media companies have eliminated more than 3,100 newsroom jobs.<sup>1</sup> Fewer human resources have resulted in less employees to cover the news functions of liaising, investigating, preparing, and reporting.

Competition represents one of the main reasons for newsroom downsizing. It has forced the media to buy new equipment and redesign newspapers to include new page design, format, and color.<sup>2</sup> Substantial improvement expenses have focused on greater efficiency and profits, resulting in cutbacks and starting salaries of approximately \$20,000 per year for a journalist.<sup>3</sup>

Besides financial issues, reporters experience frustration in other areas as well. To make information more newsworthy, editors sometimes exert their influence on the size and angle of journalistic efforts. They emphasize packaging to get the maximum coverage by making an article or newscast more appealing to a wider group of readers and viewers over a geographical area.<sup>4</sup>

Because of these issues, a law enforcement agency's PIO probably will encounter a news reporter struggling to become a subject-matter expert in many areas and content to have landed one of the few jobs in the media.<sup>5</sup> Recognizing that the reporter may not know the difference between subpoenas, indictments, or summonses, proactive PIOs should assist the reporter in learning about and understanding the law enforcement profession. Likewise, PIOs should use contacts with the media as an opportunity to

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*Special Agent Staszak serves as a media relations instructor in the Law Enforcement Communication Unit at the FBI Academy.*

better understand the job of a reporter. PIOs will have a much greater understanding of the difficulties reporters face when they attempt to reduce 20 pages of notes into an article printed in a 6-inch newspaper column. Ultimately, this results in a win-win situation because PIOs, as well as reporters, learn about each other's profession.

### **TV Ratings and Newspaper Circulation**

Most television executives begin their day by viewing their program ratings from the night before. Similarly, newspaper administrators examine circulation statistics. These numbers reveal whether viewership and newspaper sales have increased or decreased.<sup>6</sup> Obviously, with higher ratings and circulation, more profits come from increased advertising money. Because of the fierce competition among the numerous media outlets for readers, viewers, and listeners, the media tries to “out scoop” each

other for news. A progressive police department will make sure that good stories reach the media. To do this, each department should bring newsworthy issues to their PIO's attention.

Consistency and fairness with all media outlets marks a cornerstone of effective media relations; therefore, departments should make the same information available to all reporters. In addition, agencies who trust PIOs with information concerning research on an upcoming story or program should respect the wishes of confidentiality extended by reporters. Reporters will remember a betrayal of their enterprising efforts during the competition for news.

The overwhelming search for news should warn law enforcement that the media will get their story one way or another. Cooperating with the media remains the most reasonable avenue for PIOs to take to advise the public of the department's position. Ultimately,



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the reporter and the reader or viewer probably will understand the agency's viewpoint.

### Media Mergers

Media mergers represent the newest and most far-reaching trend in the media and entertainment industry. Cable and long-distance telephone companies have joined to form large conglomerates.<sup>7</sup> These mergers result from relaxed regulations concerning ownership.<sup>8</sup> The Federal Communications Commission repealed its regulations concerning financial and syndication interests, which gave networks, investors, and major corporations the power to own and syndicate programming, and has resulted in their ability to own and control more of their product.<sup>9</sup>

The wave of media mergers sweeping the country will continue, pushed forward with the help of relaxed federal regulations. Large companies will continue to acquire and sell newspapers. The era of the local paper will end as giant corporations of the publishing business acquire them.

As a result, law enforcement should remember that with media mergers and buyouts, liaison that once existed with the media may change quickly. Bonds of trust can break when a new owner begins cutting operating costs and releases higher-paid employees and then replaces them with others for half the salary. The owner's determination to make a profit and a name for the new company, as well as the reporter's desire to move on to a larger media outlet, can ruin the former liaison with law enforcement agencies.

When establishing a relationship with a media representative, PIOs should determine the background and ethical standards of the reporter. Good reporters will not hesitate to explain to PIOs what considerations and factors they use in creating a story or writing an article. Second, representatives of the media should be willing to provide PIOs with their supervisor's or editor's name and phone number. If the media representative fails to do this, a caution flag should raise in the PIO's mind.

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***A progressive police department will make sure that good stories reach the media.***

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### Complete News Coverage

The recipe for constructing a complete news story requires that it contain the who, what, when, where, why, and how of the issue. Reporters may find that the acquisition of requisite information satisfying the why and how questions proves very difficult to obtain. Law enforcement usually does not provide this information immediately. As journalists attempt to report on the why and how of a crime, they begin to speculate on motives for the crime and actions of the police.<sup>10</sup> The possibility of speculation becomes even more acute when

considering reporters' deadlines, hectic schedules, extent of subject-matter knowledge, and the competition they face. A misleading and oversimplified story in the news may result.

Realizing the importance of answers to the why and how questions to the reporter, PIOs must provide information that will result in an accurate piece of investigative reporting. The PIOs should anticipate the why and how questions and provide as much information as law, regulations, policy, and common sense dictate.

### Crime Reporting

For several years, the media has heralded the fact that serious crime has decreased in the United States. Oddly, increased media coverage of incidents of crime have occurred. Several reasons exist for this trend. First, for years, the media has given priority to this type of news, and old habits remain hard to break.<sup>11</sup> Second, consumers of electronic and printed media still follow crime coverage. Polls show that this information still holds people's interest.<sup>12</sup> Third, crime coverage is easy, loaded with good visuals and sound bites, and relatively inexpensive to cover.<sup>13</sup> A news station simply has to listen to a police scanner, send out a reporter, get pictures and sound bites, and broadcast it. The fact that many viewers and readers say that crime news is important to the community remains another reason for covering criminal matters. They want to know crime patterns and how to find a solution for them before they get larger.<sup>14</sup>

In view of the media's reluctance to decrease the reporting of

criminal matters, law enforcement must continue furnishing details of criminal activity, but it also must establish a strategy for soliciting community and media interest in nontraditional issues, such as proactive programs for a safer community. To garner media interest, law enforcement must become better at packaging their messages and making them more attractive.<sup>15</sup>

## Conclusion

These trends represent only a portion of the changes taking place in the media. Although the media has undergone some radical changes in the past 20 years, it still remains one of the most powerful forces in U.S. society. As a result of that power, some law enforcement personnel may dislike, fear, or mistrust the media. Law enforcement professionals can influence the media process; therefore, they should create a liaison with the media to ensure accurate reporting. If PIOs understand how ethical reporters and journalists think and realize what factors influence their profession, they can deal successfully with the news media. ♦

## Endnotes

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<sup>2</sup> Jon Katz, "Old Media, New Media and a Middle Way," *New York Times*, January 19, 1997, sec. 2, p. 1.

<sup>3</sup> Richard Harwood, "Lost Muscle of the Newspaper Guild," *Washington Post*, December 15, 1995, sec. A, p. 25.

<sup>4</sup> Howard Kurtz, "The Bad News Starts at Work in Nation's Newsrooms," *Washington Post*, October 30, 1995, sec. A, p. 1.

<sup>5</sup> Matthew Robinson, "The Big Media Make Big Errors," *Investor's Business Daily*, July 28, 1998, sec. A, p. 1. See also Sydney H. Schanberg, "The News No One Dares To Cover," *Washington Post*, August 29, 1999, sec. B, p. 1.

<sup>6</sup> Robert Samuelson, "Network Fadeout," *Washington Post*, January 13, 1999, sec. A, p. 1. See also Howard Kurtz, "On Web, Newspapers Never Sleep," *Washington Post*, September 7, 1999, sec. E, p. 1.

<sup>7</sup> Lorraine Woellert, "Deal Makes News Corp. No. 1 in Stations Owned," *Washington Times*, July 18, 1996, sec. B, p. 7. See also Stephen Labaton, "Many Media Voices of a Few Merged Masters," *New York Times*, September 12, 1999, sec. 3, p. 1.

<sup>8</sup> Paul Farhi, "Their Reception's Great," *Washington Post*, February 16, 1997, sec. H, p. 1.

<sup>9</sup> Paul Farhi, "Too Close for Comfort," *Washington Post*, January 7, 1996, sec. H, p. 1. See also Paul Farhi, "Clap If You Love Mega-TV!" *Washington Post*, September 12, 1999, sec. B, p. 1.

<sup>10</sup> Richard Harwood, "The How and Why of It All," *Washington Post*, August 14, 1997, sec. A, p. 21. See also Philip Meyer, "Confrontation

Part of Reporter's Job, But It Cuts Both Ways," *USA Today*, November 1, 1999, sec. A, p. 29.

<sup>11</sup> Richard Moran, "More Police, Less Crime, Right?" *New York Times*, February 27, 1995, sec. A, p. 15. See also Fox Butterfield, "Serious Crime Decreased for Fifth Year in a Row," *New York Times*, January 5, 1997, sec. A, p. 10.

<sup>12</sup> Howard Kurtz, "The Crime Spree on Network News," *Washington Post*, August 12, 1997, sec. D, p. 1. See also Philip S. Cook, Douglas Gomery, Lawrence W. Lichty, *The Future of News*, (Washington, DC: The Woodrow Wilson Center Press, 1992), 14-15.

<sup>13</sup> Associated Press, "TV News Puts Focus on Crime, Study Says," *Washington Times*, May 12, 1997, sec. A, p. 7. See also the New York Times News Service, "Broadcast of Man's Death Rekindles a Debate in Los Angeles," *New York Times*, November 28, 1999, sec. A, p. 16.

<sup>14</sup> Fox Butterfield, "Crime-Fightings About Face," *New York Times*, January 19, 1997, sec. 4, p. 1.

<sup>15</sup> Michael Winerip, "Looking for an Eleven O'Clock Fix," *New York Times Magazine*, January 11, 1998, sec. 6, pp. 31-63. See also Bridget Samburg, "Deep Into Crime," *Brill's Content*, January 2000, 88-91.

## Suggested Reading

- James Fallows, *Breaking The News* (New York, NY: Vintage Books, 1996).
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- Clarence Jones, *Winning With the News Media* (Tampa, FL: Video Consultants, Inc., 1996).
- Howard Kurtz, *Media Circus* (New York, NY: Times Books, 1993).
- Martin Mayer, *Making News* (Boston, MA: Harvard Business School Press, 1993).
- James W. Robinson, *Winning Them Over* (Rocklin, CA: Prima Publishing and Communications, 1987).
- Larry J. Sabato, *Feeding Frenzy* (New York, NY: The Free Press, 1993).

## *Video Surveillance Selection*

The National Institute of Justice presents the *Video Surveillance Equipment Selection and Application Guide* by David J. Atkinson, Val J. Pietrasiewicz, and Keith E. Junker. The 80-page guide helps law enforcement and corrections personnel select and apply video surveillance systems to their needs by analyzing an array of surveillance requirements. The guide sets forth video's technical parameters and how they relate to law enforcement needs. It also discusses costs and potential benefits and limitations of video surveillance. For copies of the report (NCJ 179545), contact the National Criminal Justice Reference Service at 800-851-3420 or access its Web site at <http://www.ncjrs.org>.

## *Crime Scene Investigation*

*Crime Scene Investigation: A Guide for Law Enforcement* by the Technical Working Group on Crime Scene Investigation of the National Institute of Justice addresses fundamental principles of investigating a crime scene and preserving evidence that yield reliable information. Law enforcement and other responders responsible for protecting crime scenes, preserving physical evidence, and collecting and submitting the evidence for scientific examination represent the targeted audience of this research report. It is not a comprehensive or rigid scheme of activities, but a guide for law enforcement that recognizes the authority of federal and state statutes, case law, and local policies and procedures. The report also contains a glossary and lists of references and contact organizations. To obtain a copy of the report (NCJ 178280), contact the National Criminal Justice Reference Service at 800-851-3420 or access its Web site at <http://www.ncjrs.org>.

## *Gunshot Detection Systems*

Random gunfire represents a significant problem in many large cities throughout the United States. Lorraine Green Mazerolle, Cory Watkins, Dennis Rogan, and James Frank have prepared a research brief for the National Institute of Justice on this problem and the use of gunshot detection technology by local law enforcement. *Random Gunfire Problems and Gunshot Detection Systems* summarizes the findings from field studies of two gunshot detection systems, which police installed in a Dallas, Texas, neighborhood with high levels of random gunfire. The brief also outlines officers' perceptions of the detection systems and their use of gunshot detection technology. For a copy of this research brief (NCJ 179274), contact the National Criminal Justice Reference Service at 800-851-3420 or access its Web site at <http://www.ncjrs.org>.



**Grave Words: Notifying Survivors About Sudden, Unexpected Deaths** by *Kenneth V. Iserson, M.D.*, Galen Press, Ltd., Tucson, Arizona, 1999.

*Grave Words* guides law enforcement managers in developing policy for sudden and unexpected death notifications. It offers excellent communication skills and checklists necessary for officers to professionally deliver tragic news to surviving loved ones and coworkers.

This book addresses various personal and professional protocol interfaces, and the content can be applied to all law enforcement agencies at various levels. It provides invaluable information on avoiding the common clichés that survivors could interpret negatively, which could cause a violent response toward the bearer of the death news.

The author presents a wealth of practical and demonstrated information on all of the logical steps in death notifications. In the first section of the book, the author chronicles what phrases professionals must know and how and when to best use them. This section explains how to avoid using words and comments that can mentally damage the survivors of the victims of homicides, suicides, accidental and unexpected deaths, as well as department personnel who die in the line of duty. The author includes an 11-page checklist that law enforcement administrators can use to develop protocol for delivering sudden and unexpected death notifications.

In section two, the author focuses on lists of common hostile responses by survivors to the news of the victim's death. This information proves beneficial for notification personnel by preparing them to better cope with various emotional responses by the survivors. This section also provides a table on how to help survivors before, during, and after a funeral and memorial service.

Most compelling is the information in section three that includes two specific chapters on the tasks that officials who deliver death notifications must face. A unique 7-page checklist covers the

relevant aspects for law enforcement departments concerning death notification preparation, support teams for the department members and other surviving family members, command and specific officer liaison efforts, financial and other benefits available for the surviving families, and the chaplain's involvement. All of this critical information is then supported by a comprehensive example of a department line-of-duty death policy that managers can modify easily to their agency, no matter what size.

Contained in section four is a compilation of a survey response from survivors, including their questions and answers. This section also includes how to prepare for the planning and interfacing with the media on disaster crashes and environmental catastrophes, high-profile incidents, or other major criminal events where death occurs.

*Grave Words* includes a total of 39 well-developed matrix tables that support the various chapters. The quality and applicability of the book's content is validated in its 2-page acknowledgments from many experienced death notification professionals.

*Grave Words* is a must-have book for all law enforcement or criminal justice officials tasked with death notification. It can help officers lessen the negative, stressful impact on themselves and the receivers of such painful news by offering some simple, yet proven, procedures. Additionally, it can help administrators establish policy and procedures for death notifications; develop survivor assistant programs; serve as a reference or guide for chaplains; and offer support for department grant funding requests for such items as policy development and departmentwide training.

Reviewed by  
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# Interviewing Self-confident Con Artists

By SCOTT O'NEAL, J.D.



**K**nown as con artists, scam artists, swindlers, shysters, grifters, bunco artists, or fraudsters, these criminals perpetrate a significant portion of the large-scale and sophisticated fraud schemes that victimize individuals, banks, businesses, and government agencies. They are the figures behind most fraudulent investment plans, advance fee loan schemes, and many other white collar crimes, such as bank and insurance fraud and illegal telemarketing. Members of this class of criminals differ from most others who may commit

crimes out of desperation (economic stress, drug/alcohol abuse), or because of their environment (family violence, gang/peer influence), or who simply represent greedy opportunists. Con artists commit crimes because it pays and because swindling is easier and more exciting than working for a living.<sup>1</sup> And, when confronted with their deceptions, these predators feign bewilderment and frequently turn the tables on their victims. Unfortunately, scam artists too often convince victims that they have not received harm or that any loss

suffered did not result from intentional misrepresentation. Also, too often, their skillful deception dissuades criminal investigators, prosecutors, or both from pursuing them.

Con artists tend to act irrationally—their criminal behavior more the result of flawed character than of adverse social conditions or greed alone. Successful con artists are charming, manipulative, and able to exploit the innate trust and greed of many people. Their overabundance of self-esteem is exaggerated by their lack of respect for

others. These individuals lack empathy for their victims and guilt for their parasitic lifestyle.<sup>2</sup> Additionally, most challenging for law enforcement, con artists can be intelligent, confident, and masterful liars.

The interview of con artists represents a significant challenge in the investigation of frauds committed by this type of criminal. The con artist often sizes up an interviewer to determine their expertise in the particular financial/business dealings involved in the fraud and then attempts to explain the “misunderstanding” using jargon the con artist perceives the interviewer will not understand, which presents a unique challenge for fraud investigators. Due to a general lack of regard for the abilities of others, these subjects do not fear interrogation by law enforcement, and their willingness to talk freely makes them overconfident, which provides an opportunity for a prepared investigator. An investigator in the role of an interested interviewer, as opposed to an authoritative interrogator, can take advantage of the character flaws of financial swindlers. With the proper preparation and strategic approach on the part of investigators, evidence produced from subject interviews of con artists can become the key to successful fraud prosecutions.

### PLANNING THE INTERVIEW STRATEGY

In fraud cases, as in all criminal investigations, the subject interview presents important opportunities. A properly obtained confession most often will bring the investigation and prosecution to a

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**Law enforcement  
must prove intent  
circumstantially—eye  
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formulation of intent  
do not exist.**

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Special Agent O'Neal serves in the FBI's Albuquerque, New Mexico, office.

swift conclusion. Even when a subject interview fails to yield a full confession, it affords law enforcement the opportunity to document information to further build a case so that the prosecutor can decide whether, or how, to charge the subject.

Approaching the subject interview with the focused goal of obtaining a confession may not prove practical in cases targeting experienced con artists. According to one expert in the area of interviewing and interrogation, “Suspects confess when the internal anxiety caused by their deception outweighs their perception of the crime’s consequences.”<sup>3</sup> However, con artists who think nothing of cheating people out of their life savings do not experience *internal anxiety*.<sup>4</sup> When an assessment of the subject’s background and personality indicates a practiced con artist indisposed to confessing, a more practical and often achievable goal is to elicit false exculpator-

and admissions of intentional misrepresentations.

A former federal prosecutor, who now advises white collar criminal defense attorneys, identifies attempts by white collar crime suspects to cover up their crimes as one of their biggest mistakes: “a dangerous pitfall occurs when the client starts falsely denying culpability about the specifics of his alleged offense....”<sup>5</sup> Experienced fraud investigators know that many financial scam operators will consent, sometimes eagerly, to an interview. Con artists with high self-confidence frequently do not seek the counsel of an attorney, confident that they possess sufficient wisdom and skill to deflect allegations of fraud. This confidence may come from past experience in fooling a variety of victims and even criminal investigators and prosecutors. In fact, record checks often reveal references to the subject in law enforcement indices. Investigators frequently discover past

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complaints that law enforcement took no action against or investigations that failed to produce criminal charges.

Oftentimes, prosecutors decline prosecution of fraud cases because of insufficient proof of the subject's intention to defraud. Law enforcement must prove intent circumstantially—eye witnesses to the formulation of intent do not exist. Evidence of past involvement in fraud schemes and documented false exculpatories related to the pending investigation help demonstrate criminal intent. False exculpatories can include statements contrary to established, legitimate, financial principles and procedures when evidence of the subject's training and experience precludes the excuse of ignorance. For example, a subject involved in a kickback scheme and experienced in the distribution business claims that 90 percent represents a standard markup on a common product when, in fact, a markup of 30 to 45 percent is customary. Statements in contradiction of documented representations made to victims also are significant false exculpatories. Establishing a pattern of false exculpatories effectively can demonstrate intent. With adequate preparation and patience by the investigator, the subject interview of a con artist will provide such a pattern.

#### **PREPARING FOR THE INTERVIEW**

Proficient con artists deceive victims by sounding authoritative. They demonstrate a unique ability to appear as prosperous experts and

to mix a degree of truth into their solicitations. With experience, con artists become familiar with the questions their intended victims frequently ask and prepare to reduce doubts with ample and impressive-sounding facts and figures. Therefore, investigators must prepare adequately before confronting con artists. Fundamental preparation requires the following: a thorough debriefing of all victims; analysis of all pertinent documents; familiarization with all aspects of the scheme (including the legitimate financial and business concepts that the scheme is based on and the typical features of the specific fraudulent scheme); and a review of the subject's background.

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***In fraud cases...the subject interview presents important opportunities.***

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Fraud investigators must document and review details of all written and verbal representations the subject has made to victims. Written documents and audio recordings provided by or made with the assistance of cooperating victims or elicited by undercover agents will provide the best evidence. In the subject interview, specific questions concerning details of representations made to intended victims

often yield false exculpatories. If investigators adequately document the original misrepresentations, they will obtain significant circumstantial evidence of criminal intent.

Fraud investigators routinely obtain a subject's tax, brokerage, and business documents, as well as bank account records from both the subject's and victim's accounts. Analysis of these documents will allow the investigator to follow the money obtained by fraud from the victim to the subject's personal benefit, known as the conversion. For example, in a recent advance fee loan fraud scheme, one of the victims lost a \$100,000 advance fee in an attempt to acquire a \$5 million loan. The victim mailed an advance fee, in the form of an endorsed government check payable to the victim, in response to the subject's false representation of a requirement to purchase a bond to secure the loan. A paper trail, beginning with the canceled check, snaked through two brokerage accounts, one business bank account, the subject's personal bank account, and then on to businesses where the subject purchased a new luxury car, a big-screen television, and furniture for his house. In the subject interview, among numerous false statements, the subject stated that he had entrusted the victim's \$100,000 to a person he believed would purchase a bond and originate the \$5 million loan. The statement not only provided a false exculpatory, but it also revealed that, as a defense, the subject intended to portray himself as a victim.

In preparation for the subject interview with a known con artist,

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investigators must become familiar with all aspects of the scheme. Examples illustrating the importance of sufficient preparation include the widespread and highly profitable international fraud schemes that solicit investments in “prime bank instruments” and “standby letters of credit.” Schemers attract victims by claiming that these financial instruments are freely transferable and generate large returns when traded in secondary markets. In reality, prime bank instruments are completely fictitious, and genuine standby letters of credit, which banks around the world issue pursuant to strict policies, cannot be sold legitimately on secondary markets. Before interviewing a subject who operates such sophisticated fraud schemes, or any scheme involving financial instruments, investigators must thoroughly research and understand in detail the legitimate and fraudulent aspects of the particular scheme to become prepared to ask the subject pertinent questions and to accurately record the subject’s true and false statements in the course of an interview.

Law enforcement should research the subject’s background when preparing for an interview. When a preliminary investigation indicates an experienced scam artist, comprehensive research becomes essential. Past involvement in fraudulent activity, and false denial of the same, certainly contributes to proving intent. Officers should not limit background searches to internal law enforcement databases—evidence of past involvement in financial fraud may exist in numerous places.

Therefore, law enforcement agencies should query consumer complaint centers, such as the National Fraud Information Center, the U.S. Office of Consumer Affairs, the Better Business Bureau, and state attorney general’s offices. Searching civil court records occasionally leads to discovery of civil lawsuits filed by victims who did not report the fraud to law enforcement. Because con artists often make a career of fraudulent schemes and sometimes leave a trail of bankrupt shell companies, law enforcement should make a search of federal bankruptcy files standard procedure. Investigators also can find evidence of a criminal’s shady past in local newspaper articles using public source databases.

### **CONDUCTING THE INTERVIEW**

In many white collar crime cases, a criminal investigator’s initial contact with a subject prompts

the criminal to contact a lawyer, who usually will advise the subject not to agree to an interview.<sup>6</sup> However, self-confident con artists usually agree to meet without consulting attorneys. These criminals often readily agree because they want to find out how much the investigator knows about their schemes, and they feel confident that they can sidetrack the investigation.

### **Initial Contact**

Law enforcement officers may call subjects on the telephone to arrange a meeting for the initial contact or make an unannounced encounter at an office or residence. After the appropriate introduction, investigators should advise subjects that they have received a complaint about their financial dealings and would like to discuss the matter.<sup>7</sup> In most cases, con artists gladly agree and make themselves available for extended periods. If a subject resists cooperating, the investigator should





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explain assertively that a serious crime has been alleged. Investigators also should prepare to proceed with an adversarial interview/interrogation. If a subject readily agrees to an interview, the investigator will find a tone of polite professional inquiry more effective, as opposed to aggressive accusation. In such an atmosphere, subjects will display varying degrees of nervousness, but the subjects' degree of confidence generally will remain high. Their belief that they maintain the upper hand will continue, and they will usually answer questions with little hesitation.

#### **False Exculpatories**

Throughout an interview with a self-confident con artist, patience is fundamental. To obtain the necessary facts and elicit false exculpatories, the investigator must allow the subject to describe the details of the "opportunity" offered to victims and the specific representations made to victims. Con artists tend to get off track and give disjointed, long-winded answers to straightforward questions. The interviewer must listen carefully over a long period of time while subtly guiding the subject back to pertinent matters.

If investigators do not reveal their knowledge early in the interview, the subject's lack of awareness of the investigator's detailed knowledge of the fraudulent scheme and the subject's representations and promises made to victims represent a key advantage. Investigators who pounce on false statements that subjects make may lose their advantage. For example,

when a question concerning a standard financial procedure elicits a response the investigator knows is false, investigators should appear to accept the answer and ask for specific details. Instead of attempting to "set the hook," the investigator should "feed more line" to achieve the goal of eliciting numerous, detailed false exculpatories.

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***...investigators can elicit significant proof of criminal intent in the form of false exculpatories and admissions.***

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In this stage of the interview, the investigator must focus on thoroughly documenting details of the subject's description of the contacts and communications with victims. Because the investigator initially indicated an interest in particular financial transactions, not in the subject as a criminal suspect, it may be prudent to complete the inquiry into the facts of the related fraud scheme before addressing background matters. Beginning with personal questions could cause subjects to raise their defenses. After covering the facts, the investigator should inquire into the subject's background, including education, financial and business experience in

general, and, specifically, experience in the area related to the fraud scheme.

#### **Admissions**

After extracting the full story from the subject, an investigator may begin confronting the subject with discrepancies. A practical tactic is to start with minor issues that the subject may perceive as minimally damaging. For example: "You stated earlier that you told Mr. Smith that he would receive a return of 8 to 10 percent on the investment you offered. Correct?" After the subject confirms the representation, the investigator advises the subject that Mr. Smith produced a written document that promised an average return of 25 to 35 percent. Admitting to making an incorrect statement to the investigator and confirming the promise made to the victim should not seem too compromising to the subject. When the subject has admitted the less serious discrepancies, the investigator can attempt to elicit more incriminating admissions. For example: "You stated earlier that you made it clear to Mr. Smith that there were risks to the investment and that the return of principal could not be guaranteed. Correct?" After the subject confirms the statement, the investigator produces proof to the contrary—a tape recording of a call from the victim to the subject or a written document, prepared by the subject, in which the subject confirms guaranteed principal and interest. An example of an effective follow-up question would be, "When you told Mr. Smith there was no risk to principal, you indeed intended to use his

money to purchase extremely high-risk future contracts. Correct?" In response, the subject will either admit to a significant intentional deception or come up with an even more incredulous lie.

### Confessions

Confessions by con artists are rare, but not impossible to obtain. If the interview yields significant admissions from the subject, the investigator should then attempt to elicit broad statements of confession. For example: "Mr. Thompson, you designed your entire investment program to make money for your personal benefit by making representations you knew were false to people who responded to your advertisement, knowing that they would not send the money if you told the truth about what you intended to do with it. Correct?" If the subject agrees, the investigator thoroughly should debrief the subject for details of the admitted fraud scheme and knowledge of other fraud schemes (experienced con artists usually can provide names and schemes of other swindlers). However, a confession rarely comes this easily, and the investigator will need to employ established interrogation techniques.<sup>8</sup> At this point in the interview, the subject should feel less confident about outwitting the investigator. Though possibly unable or unwilling to feel or express remorse, con artists will put their personal interests first and, therefore, may comprehend the benefit of prompt cooperation.

Yet, even when faced with an overwhelming case against them, self-confident con artists still may refuse to admit to intentionally harming the victims of a fraud scheme. Notwithstanding the subject's defiance of reason, an interview that has produced a pattern of false exculpatories will have considerably enhanced the prospects for prosecution.



### CONCLUSION

Self-confident con artists have "a head for numbers and the social skills to move easily in financial circles ...[and their] potential for profit is enormous...."<sup>9</sup> These criminals are charming, manipulative, and pose an unquestionable threat to society. The same skills and characteristics that deceive individuals, banks, businesses, and government agencies create a special challenge for criminal investigators confronting these subjects. With adequate effort in preparing for and planning the confrontation, along with a methodical approach, persistence and patience, investigators can turn the

character traits that make con artists so successful to their advantage.

In fraud investigations, the requirement of proving that a subject intended to defraud poses a significant challenge. By allowing overconfidence to compel subjects to talk freely and to continue their deception during an interview, investigators can elicit significant proof of criminal intent in the form of false exculpatories and admissions.

Additionally, this approach can increase the chances of obtaining a full confession. Developing proficiency among fraud investigators in conducting subject interviews can increase the number of successful fraud prosecutions and, therefore, reduce the number of scam artists for whom crime pays. ♦

### Endnotes

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<sup>3</sup> John Reid and Associates, *The Reid Technique of Interviewing and Interrogation* (Chicago, IL: Reid and Associates, 1986), 44.

<sup>4</sup> *Supra* note 1, 54, 194.

<sup>5</sup> Solomon L. Wisenberg, "Federal White Collar Crime," [http://prof.findlaw.com/collar/\\_2.html](http://prof.findlaw.com/collar/_2.html); accessed January 29, 2001.

<sup>6</sup> *Ibid.*

<sup>7</sup> Investigators should avoid creating a custodial situation requiring *Miranda* warnings; however, they should refer to departmental policy and applicable court rulings to determine their agency's requirement.

<sup>8</sup> See Michael R. Napier and Susan H. Adams, "Magic Words to Obtain Confessions," *FBI Law Enforcement Bulletin*, October 1998, 11.

<sup>9</sup> *Supra* note 1, 119.

# Case Study

## ***Asian-on-Asian Kidnapping Understanding Cultural Influences***

By Michael Berkow and Bucky Cox

**S**outh Pasadena, California, is a small community located between the cities of Los Angeles and Pasadena. Despite its location, most residents choose to live there for the small town atmosphere, an outstanding school district, and a low crime rate. In fact, violent crime rarely occurs there.

However, on December 22, 1998, a man knocked on the door of a wealthy Asian's residence located in a hilly, suburban area of South Pasadena. He held a wrapped Christmas present in his hand and asked for the resident by name. When the occupants opened the door, two other men, wearing Halloween masks and toting guns, forced their way into the house.

Within minutes, the gunmen bound and gagged the occupants—the parents of the owners, two cousins, and a housekeeper—and locked them in a back bedroom and then forcibly took the homeowner's 9-year-old daughter from the home. Before leaving, one of the gunmen instructed the family not to call the police if they ever wanted to see the girl again.

One of the occupants ultimately freed herself and then called the victim's mother at her place of employment, who in turn called 911 to report the crime. However, before the police arrived, the father of the victim came home. When South Pasadena officers reached the scene, the father attempted purposefully to tell the police that nothing was wrong and that the call had arisen from a domestic dispute. The officers prudently insisted on searching the house and found the other occupants still bound in the back bedroom. After sorting out the information, the officers began a kidnapping investigation.

If the officers had not insisted on conducting a thorough initial investigation and had accepted the vague explanations of the father at the front door, this kidnapping may have gone unreported. Luckily, the officers pursued the issue, and less than 48 hours later, the police resolved this case successfully. In

spite of the father's initial denial of a problem and subsequent lack of cooperation, the police safely recovered the 9-year-old girl, apprehended the suspects, and secured the ransom.

Why might parents jeopardize their child's safety? In this case, the victims and the suspects were of Asian descent and significant anecdotal evidence suggests that most of these types of crimes go unreported. This, and other seemingly abnormal behavior, can cause officers many problems when they investigate Asian-on-Asian kidnappings.

### **Initial Response**

The first officers on the scene faced what appeared as a fairly standard crime scene, albeit the victim's father spoke limited English. Fortunately, these initial officers and supervisors did not follow their first instincts—to string crime scene tape, call for evidence technicians, and begin processing the house for related evidence—but, instead, immediately initiated covert tactics. They removed all police vehicles from the area, parked the evidence technician vehicle inside of the victim's closed garage, shifted police communication from radios to cell phones, and immediately notified the local office of the FBI.

The police set up the command post at the South Pasadena police station because of the immediate availability of equipment (e.g., multiple telephone lines, a copier, and white boards) and physical location of the building. Less than 2 hours after the mother reported the crime, and long before additional law enforcement personnel arrived on the scene, the kidnappers placed the first call to the victim's family. Although police had arranged to monitor and record calls to the residence, they did not expect the kidnappers to call the victim's father's cellular telephone. Luckily, officers recorded the conversation by using a portable tape recorder, although most of the recording only captured the father's side of the call.

The police initially contained the individuals who had the first contact with the suspects—the grandparents, cousins, and housekeeper—and removed them from the crime scene to the police station. The police debriefed them and obtained a composite sketch of the one unmasked suspect. Simultaneously, joint

teams of local detectives and FBI agents were placed in the house with the victim's parents to monitor and manage the calls from the kidnapers.

### Investigation

This case progressed quickly as the suspects frequently contacted the family. Immediately, officers divided their investigative strategies into a four-pronged approach. First, they processed evidence from the crime scene. This meant standard crime scene considerations (e.g., fingerprints, photographs, and sketches), including composite drawings prepared through witness/victim interviews. While this material initially would unlikely cause an immediate arrest, it would prove critical in the ultimate prosecution of the case. The second approach more closely resembled a common reactive investigation, whereby officers considered leads provided by the victim's parents. Who did they believe could do this? Why would the kidnapers target their family? Who would know about their access to funds? Third, the officers proactively attempted to identify and locate the kidnapers through technology and surveillance. This proved the most active and fast-moving portion of the investigation and demanded a major effort to get ahead of the suspects as opposed to merely reacting to their demands. Last, the officers investigated the parents and their potential role or link to the crime.

During the early hours of the first day, investigators focused their efforts on the third strategy—getting ahead of the suspects. Police in South Pasadena notified the Los Angeles County District Attorney's Office of the case and requested a deputy district attorney to assist with the investigation. The district attorney assigned to the case had a great deal of experience in electronic surveillance (i.e., wiretaps and pen register) and search warrants.

Although the police could not effectively tape-record the first call by the suspects to the victim's father's cellular phone, they did obtain the telephone

number from which the suspects called through the use of the caller identification feature on the phone. Then, by using a criss-cross directory, investigators obtained the address of the phone, which turned out to be a payphone. After a few calls, investigators narrowed down a specific geographic area that the suspects called from.

While at the outset investigators used this cumbersome method to determine the suspect's location, they arranged to get this information directly from the cellular phone company. In doing so, the police could obtain the number and location of the phone the suspects were using while the call was in progress. In addition, because of the pattern of calls, investiga-

tors believed the suspects used the same pay phones to contact other accomplices either immediately before or just after calling the victim's parents. With assistance from the district attorney, investigators secured immediate search warrants for the records from these pay phones in order to determine additional numbers the suspects may have called.

Officers quickly deployed plainclothes surveillance teams into the areas around the pay phones that the suspects used. Police intended to locate the kidnapers while they were still

using the phone, identify them, and possibly follow the suspects to the safe house where they held the girl.

On the tenth and final call of the first night, the kidnapers called the victim's father to provide instructions on passing the ransom. Surveillance officers went immediately to the location of the pay phone and arrived while a suspect was still talking with the victim's father. After the call, officers followed the suspects to a residence and identified the vehicle used.

### Surveillance and Tactics

Early in the morning on the second day, the department held a briefing for more than 100 surveillance officers. Lead investigators provided the officers with the composite sketch of the one

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**...the officers proactively attempted to identify and locate the kidnapers through technology and surveillance.**

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## Initial Considerations

As with any kidnapping, but especially Asian-on-Asian, investigators should review some basic considerations.

- Ensure the victim is really gone: Because cases exist where the child was not missing, but rather hiding, officers should thoroughly search the entire house.
- Secure the scene and go covert: Particularly in Asian-on-Asian kidnappings, subsequent to the crime, suspects often drive by the house to ensure the victims have not called the police. Law enforcement should conduct the usual crime scene processing (e.g., gathering evidence, controlling and isolating witnesses) as covertly as possible.
- Arrange for legal/prosecution assistance on the scene: Legal issues will arise on these fast-moving cases and police will need judicial orders to access phone records, as well as get emergency wiretap authority.
- Anticipate the need for technology and surveillance teams: As early as possible, law enforcement should prepare to receive, trace, and record any calls on all phones and identify the suspects and their locations. Police should arrange for numerous surveillance teams and consider using narcotics officers versus typical plainclothes officers in unmarked patrol cars.
- Set up adequate communications from the command post: Police managers need to communicate and coordinate covertly and securely with those officers remaining with the victim, the surveillance teams, and the technical officers.
- Monitor the victim's family: In the event the suspects return to the victim's home or the family withholds information or tries to make direct contact with the suspects, officers should remain with, and monitor, the victim's family and covertly cover the outside of the house.
- Plan for additional personnel: With multiple suspects, police managers should have additional personnel available to replace officers working the case to avoid exhaustion.
- Arrange for aerial assistance: When possible, airplanes or helicopters can prove invaluable for surveillance. Managers should consider having back-up aircraft available as well.
- Plan for logistics: Coordinators should ensure the availability of translators, cellular telephones, radios, extra batteries, portable tape recorders, and electronic tracking devices. When possible, officials should record the serial numbers of the ransom bills or arrange with the Federal Reserve Banking system to provide marked or recorded bills.
- Plan for a difficult ransom drop location: Suspects usually choose locations that are most comfortable for them. In these cases, this location is often within their ethnic community, which may impose additional difficulties for ground surveillance units. Police should consider using an electronic tracking device on the moneybag.
- Record keeping: For accurate case management and successful prosecution, detailed record keeping remains paramount throughout the investigation. Managers can use one of many commercial software packages available.

unmasked suspect who entered the home and photos of the suspects and vehicle taken by the surveillance team. Police officials arranged for a helicopter to assist with surveillance. Historically, kidnapers work alone or in very small groups. By contrast, in an Asian-on-Asian kidnapping, multiple suspects usually participate in the crime. This increases the need for air surveillance assets and covert ground personnel to help make law enforcement efforts less vulnerable to exposure.

Police managers then deployed the surveillance teams to cover the pay phones the kidnapers most likely would use. Managers explained two key rules to all of the officers involved. One, if they spot the girl, intervene only if they can do so safely. And, two, do not allow the suspects to identify them as part of a police effort.

During the night, police secured emergency wiretap authority for the victim's home phone, her father's cell phone, and the telephone of the residence identified during surveillance. Although officers stayed with the victim's family at their residence to maintain the integrity of the investigation and because investigators feared the family would stop cooperating, officials did not advise the victim's family that the wiretap also included their home telephone. Due to the potential language barrier, police had Chinese translators at the monitoring site to provide real-time translation of the demands by the kidnapers.

On the final day, the family lost faith in law enforcement's ability to safely retrieve their daughter and, thus, stopped cooperating. The suspects arranged with the victim's family to receive the ransom, and the family believed that if they simply paid it, the kidnapers would release their daughter. The father refused to allow police to place a tracking device in the moneybag and would not allow law enforcement to accompany him to the drop site. Anticipating this, police placed a covert tracking device on

the father's car and constantly monitored his location and movements as he traveled to deliver the ransom.

At the time the victim's family delivered the money, the surveillance teams were following over 10 different suspects and monitoring multiple locations. After the father delivered the money, the surveillance teams maintained visual contact until the victim called her mother. Police promptly intercepted this call, identified her location, dispatched units to that location, and alerted other officers of her freedom. As soon as officers had custody of the girl and confirmed her safety, the surveillance teams made the arrests.

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**These investigations can often prove complex for any law enforcement agency and require advanced planning and forethought by police managers.**  
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### Conclusion

This South Pasadena case ended in success—suspects arrested and ultimately convicted, victim returned unharmed, and all of the ransom money returned. These investigations can often prove complex for any law enforcement agency and require advanced planning and forethought by police managers.

Kidnapping for ransom has proved a way of life in many countries and it appears that most émigrés remain unaware of

how serious American law enforcement reacts to child abductions. Due to the growth of Asian-on-Asian kidnappings, law enforcement must develop a plan, prior to an event occurring, on how to handle these types of cases and their associated problems. In doing so, managers will help their departments become better organized and, more important, successfully resolve such malicious crimes and deter future occurrences. ♦

*Chief Berkow heads the South Pasadena, California, Police Department.*

*Mr. Cox, retired special agent in charge of the FBI's Los Angeles, California, office, currently serves as the vice president of security for a private firm in Philadelphia, Pennsylvania.*

# *FBI Law Enforcement Bulletin*

## Author Guidelines

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

**Frequency of Publication:** Monthly.

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

**Audience:** Criminal justice professionals, primarily law enforcement managers.

### MANUSCRIPT SPECIFICATIONS

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

**Format:** Authors should submit three copies of their articles typed and double-spaced on 8 1/2- by 11-inch white paper with all pages numbered. When possible, an electronic version of the article saved on computer disk should accompany the typed manuscript.

Authors should supply references when quoting a source exactly, citing or paraphrasing another person's work or ideas, or referring to information that generally is not well known. For proper footnote format, authors should refer to *A Manual for Writers of Term Papers, Theses, and Dissertations*, 6th ed., by Kate L. Turabian.

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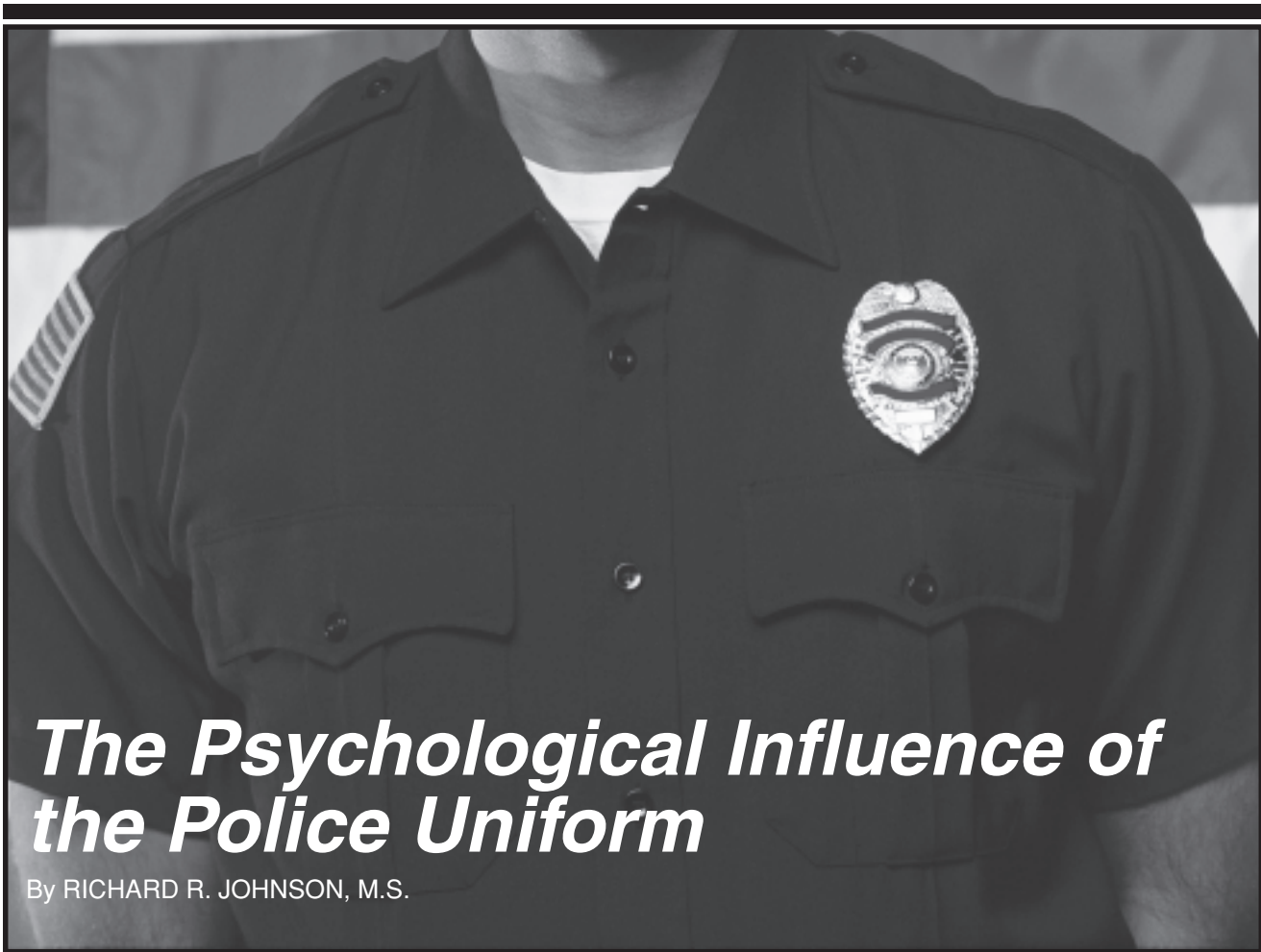
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## *The Psychological Influence of the Police Uniform*

By RICHARD R. JOHNSON, M.S.

**M**ost people can identify law enforcement officers by their official police uniform. When citizens on a busy street need help, they scan the crowd of pedestrians looking for the distinctive uniform of a police officer. Normally, drivers who arrive at an intersection and find a person in a police uniform directing traffic willingly submit to that person's hand directions. Criminals usually curb their unlawful behavior when they spot a uniformed police officer. Many parents teach their children to respect and trust a person in police attire. Police academy recruits relish the day when they finally wear their official uniforms.

The crisp uniform of the police officer conveys power and authority. When officers put on their uniforms, citizens believe that they embody stereotypes about all police officers. Research has suggested that clothing has a powerful impact on how people perceive each other. The police officer's uniform has a profound psychological impact on others, and even slight alterations to the style of the uniform may change how citizens perceive them.

The police uniform represents a tradition as old as the field of law enforcement. In 1829, the London Metropolitan Police, the first modern police force, developed standard police apparel. These first

police officers, the famous "Bobbies" of London, wore a dark blue, paramilitary-style uniform. The color blue helped to distinguish the police from the British military, who wore red and white uniforms. In 1845, the city of New York established the first official police force in the United States. Based on the London police, the New York City Police Department adopted the dark blue uniform in 1853. Other cities, such as Philadelphia, Boston, Cincinnati, Cleveland, Buffalo, and Detroit, quickly followed by establishing police departments based on the London model and included the adoption of the dark blue, paramilitary-style uniform.<sup>1</sup>



Today, most U.S. law enforcement agencies continue to select police uniforms generally dark in color with a paramilitary appearance. Agencies may prefer dark colors for their ease in cleaning and their ability to help conceal the wearer in tactical situations. Dark colors help hide stains and keep officers hidden from criminals, especially at night.<sup>2</sup> However, why do most agencies insist that patrol officers dress in uniforms? Perhaps, the uniform actually psychologically influences the public's perception of officers.

### **The Social Significance of Clothing**

Individuals seek clues about others from their appearance. Clothing provides one powerful clue to an individual's background<sup>3</sup> and serves as a mental shortcut to identify a person's sex, status, group membership, legitimacy, authority, and occupation. Clothing

and physical appearance are important in the initial development of social relationships.<sup>4</sup> Studies have revealed that physical appearance, including clothing, remains the factor used most often in developing a first impression of someone<sup>5</sup> and has an even greater effect than personality.<sup>6</sup>

In early social interactions, clothing has a significant psychological influence on people's perceptions. In one study, personnel administrators rated the competency of similar female job applicants. They consistently rated the women in conservative, slightly masculine attire as the most competent.<sup>7</sup> In another experiment, both high school students and teachers rated pictures of female athletes dressed either in uniforms or casual clothes. Participants perceived all of the athletes in uniform as being more professional, possessing higher ability, and having more team spirit.<sup>8</sup> Similarly, other

research revealed that both students and teachers rated photos of students dressed in private school-type uniforms as having higher scholastic ability.<sup>9</sup>

Additionally, the uniform worn by a police officer elicits stereotypes about that person's status, authority, attitudes, and motivations. The police uniform identifies a person with powers to arrest and use force and establishes order and conformity within the ranks of those who wear it by suppressing individuality.<sup>10</sup> The police uniform can have extraordinary psychological and physical impact. Depending on the background of the citizen, the police uniform can elicit emotions ranging from pride and respect, to fear and anger.

### **The Power of the Police Uniform**

Research has supported suggestions about the police uniform's power and authority. In one study, individuals ranked 25 different occupational uniforms by several categories of feelings. The test subjects consistently ranked the police uniform as the one most likely to induce feelings of safety.<sup>11</sup> In another experiment, participants consistently rated models as more competent, reliable, intelligent, and helpful when pictured in a police uniform, rather than in casual clothes.<sup>12</sup> When an individual wearing a police-style uniform stood on a sidewalk near a corner, drivers committed fewer turn violations at that intersection. This occurred even though the uniform did not represent a real police department in the area, and the individual did not display a badge or weapon.<sup>13</sup>



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***Psychological tests have found that individuals associate colors with specific moods.***

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*Mr. Johnson, formerly an Indiana State Trooper and a military police officer, is an investigator with the Kane County, Illinois, State's Attorney Office and a criminal justice professor at Waubesa Community College, Sugar Grove, Illinois.*

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In one experiment to test the power of the police uniform, a research assistant randomly approached pedestrians on a city street and ordered them to either pick up a paper bag, give a dime to another person, or step back from a bus stop.<sup>14</sup> The research assistant alternately wore casual clothes, a milk delivery uniform, or a grey, police-style uniform bearing a badge but lacking weapons. Only the police-style uniform resulted in a high rate of cooperation from citizens. Moreover, obedience to the police-style uniform usually continued even after the research assistant quickly walked away and did not watch to ensure compliance.<sup>15</sup>

### Changes in the Uniform Style

Although the police uniform in general suggests the authority of the wearer, details about a police officer's uniform, such as the style of hat or the tailoring, can influence the level of authority emanating from the officer. Study participants in one experiment evaluated photographs of uniformed male and female police officers wearing nine different styles of head gear, including no hat at all. Even though psychological tests showed that participants perceived the officers to have authority under all of the circumstances, the type of hat varied the level of authority attributed to the officer. The traditional "bus driver" garrison cap and the "smoky bear" campaign hat conveyed more authority than the baseball cap or no hat at all.<sup>16</sup>

Many studies have addressed the influence of eliminating the paramilitary style of the police

uniform. In one experiment, students viewed black and white drawings of three styles of police uniforms. Two of the uniforms represented a traditional paramilitary style, but lacked a duty belt or weapons. The third, nontraditional uniform consisted of a sport coat, or blazer, over slacks and a shirt with a tie. Although students ranked all three uniforms similarly for objectivity and trustworthiness, the blazer-style uniform ranked slightly higher for professionalism.<sup>17</sup> However, a similar experiment using color photos found the traditional, paramilitary style uniforms ranked as more honest, good, helpful, and competent than the blazer uniform.<sup>18</sup>

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***The crisp uniform of the police officer conveys power and authority.***

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In 1969, the Menlo Park, California, Police Department discontinued their traditional navy blue, paramilitary-style uniforms and adopted a nontraditional uniform hoping to improve police-community relations. The new, nontraditional uniform consisted of a forest green blazer worn over black slacks, a white shirt, and a black tie. Officers displayed their badges on

the blazer and concealed their weapons under the coat.<sup>19</sup> When other agencies heard about Menlo Park's attempt, over 400 other police departments in the United States also experimented with a blazer-style uniform.<sup>20</sup>

After wearing the new uniforms for 18 months, the Menlo Park police officers displayed fewer authoritarian characteristics on psychological tests when compared to officers in the surrounding jurisdictions.<sup>21</sup> Also, after wearing the uniforms for over a year, assaults on the Menlo Park police decreased by 30 percent and injuries to civilians by the police dropped 50 percent. Originally, the department thought the uniform changes resulted in these decreased rates, but other variables factored in at the same time. The number of college-educated officers in the department increased dramatically and the agency abolished its traditional autocratic management style during this same time period.<sup>22</sup>

In 1977, after using the blazer-style uniform for 8 years, the Menlo Park Police Department determined that it did not command respect; therefore, they returned to a traditional, paramilitary-style uniform. A final evaluation showed that, although assaults on officers had dropped during the first 18 months of the new uniform implementation, the number of assaults steadily began to rise again until it doubled the amount of the year before the uniform change occurred. During the 4 years after the Menlo Park police returned to a traditional uniform, the number of assaults on their officers dropped steadily.<sup>23</sup>

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Experiments with hats and the style of the police uniform suggest that changes in the design of a police uniform can have an effect on the perceived authority, power, and ability to control. Does the color of the uniform psychologically influence the people who view it and have an effect on the officer wearing the uniform as well?

### **The Influences of Color**

Many police departments in the United States use darker colors for their uniforms, such as black, blue, brown, green, or grey. Just as with the style of the police uniform, the color of the uniform also has meaning. Psychological tests have found that individuals associate colors with specific moods. For example, people generally associate red with excitement and stimulation, which explains why agencies often use it for flashing emergency vehicle lights. These tests also have found that individuals associate the color blue with feelings of security and comfort and the color black with power and strength.<sup>24</sup>

Studies of both U.S. high school and college students have found that students perceived light colors, such as white and yellow, as weak, but also as good and active. The same students perceived dark colors, such as black and brown, as strong and passive, but also as bad. Cultural influences did not affect these results, which did not vary with the race of the students.<sup>25</sup>

People in Europe, Western Asia, Central Africa, and the Middle East had similar perceptions of colors. Across all cultures studied, people consistently associated

light colors with goodness and weakness and dark colors as strong, but evil.<sup>26</sup> On psychological inventories, test subjects rated lighter colors as more pleasant and less dominant. Dark colors, on the other hand, elicited emotions of anger, hostility, dominance, and aggression.<sup>27</sup>

Color has a considerable impact on clothing and perceptions of the wearer. When people rated pictures of models for attractiveness, clothing color appeared the most common determinant.<sup>28</sup> Individuals perceived job applicants wearing dark business suits as more powerful and competent than those who wore lighter colored suits.<sup>29</sup> Another interesting study found that referees

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***The police uniform also may influence the safety level of the officer who wears it.***

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who viewed several videotaped plays of a football game more likely assessed stiffer penalties against a football team wearing a black uniform than against a team wearing a brightly colored uniform. The referees consistently perceived the team in black as more aggressive. An analysis of all professional football and hockey teams in the United States, which found that teams in

darker uniforms received far more penalties for roughness than teams in lighter uniforms, supported this experiment. Again, these results suggest that referees negatively perceive teams in darker uniforms.<sup>30</sup>

Moreover, experiments have suggested that athletes act more aggressively when dressed in dark colors. One researcher asked college students dressed in black jerseys and grouped into teams of five to rank which sports they would most like to play. The students consistently ranked the most aggressive sports, such as football and rugby, at the top of the list. A new group of students dressed in white jerseys repeated the experiment. This time, the students selected less aggressive sports, such as baseball or basketball.<sup>31</sup>

Applying the results of these studies in color to the police uniform suggests that darker police uniforms may send negative subconscious signals to citizens. A dark police uniform may subconsciously encourage citizens to perceive officers as aggressive, evil, or corrupt and send a negative message to the community. The experiment with the colored jerseys also suggests that police officers in dark uniforms subconsciously may act more aggressively; therefore, departments should consider modifying police uniform colors.

In one experiment, researchers presented subjects with color photos of two traditional paramilitary-style uniforms. One of the uniforms consisted of the dark navy blue shirt and pants commonly worn by municipal police agencies today. The other traditional uniform resembled

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that of California sheriff's deputies, consisting of a khaki shirt and dark green pants. Although subjects ranked both uniforms similarly as good, honest, helpful, and competent, the lighter colored sheriff's uniform rated noticeably higher for warmth and friendliness. Because the sheriff's uniform only has a light colored shirt, with the pants still very dark,<sup>32</sup> a half dark uniform sends a better message than the all dark blue or black uniform.

With today's focus on community-oriented policing and efforts to present a friendlier image to the public, the color of the police officer's uniform might make the task more difficult than necessary. Because of citizens' negative psychological perception of dark colors, they may perceive a police officer in a negative manner partly because of the officer's uniform color. If referees believe athletes wearing black exhibit more aggressive behavior, citizens might perceive officers in black uniforms as more aggressive than those wearing lighter colored uniforms.

### Officer Safety Concerns

The police uniform also may influence the safety level of the officer who wears it. Dark colored uniforms may elicit subconscious negative feelings from citizens, who may perceive the officer as aggressive, and subsequently, encourage them to consider violent action when confronted by the police.

In addition to the color, the condition of a police officer's uniform and equipment also can have an

impact on the officer's safety. Interviews with prison inmates who have murdered police officers indicate that the killers often visually "sized up" the officer before deciding to use violence. If the officer looked or acted "unprofessional" in the assailant's eyes, then the assailant felt capable of successfully resisting the officer. A dirty or wrinkled uniform or a badly worn duty belt may convey to suspects that officers have complacent attitudes about their job. This complacency can invite violence.<sup>33</sup>



In many situations involving the use of force, the fact that a police officer has a distinguishable uniform can help prevent the officer's injury or death. An officer in plainclothes risks harm by citizens and other officers as a result of misidentification. In certain scenarios, almost all police officers immediately would draw their

weapon on people wearing jeans and a T-shirt and carrying a gun in their hand. A plainclothes officer chasing a burglary suspect through backyards at night risks being shot by a home owner who believes the officer is a criminal. The uniform helps both citizens and fellow police officers identify the wearer as having a legitimate purpose for trespassing, using force, or carrying a weapon.<sup>34</sup>

### Conclusion

The uniform of a police officer conveys the power and authority of the person wearing it. Research has shown that clothing, including the police uniform, has a powerful psychological impact. When individuals come into contact with each other, they subconsciously search for clues about the other person to understand the context of the encounter. The police uniform represents a powerful clue to the wearer's authority, capability, and status.

Additionally, research has revealed that the uniform has a subconscious psychological influence on people, based on the person's preconceived feelings about police officers. Citizens in the presence of a person in a police uniform cooperate more and curb their illegal or deviant behaviors.

Alterations to the traditional, paramilitary police uniform can result in changes in public perceptions. The style of the clothes, the type of hat worn, the color of the material, and even the condition of the clothes and equipment have an



influence on how citizens perceive officers. For these reasons, police administrators seriously should consider their uniform policies. Selecting a uniform style, following regulations on properly wearing the uniform, maintaining uniforms, and designing policies to address when officers may wear plainclothes should command serious attention from department managers. After all, the uniform stands as one of the most important visual representations of the law enforcement profession.♦

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<sup>29</sup> M. Damhorst and J. Reed, "Clothing Color Value and Facial Expression: Effects on Evaluations of Female Job Applicants," *Social Behavior and Personality* 14 (1986): 89-98.b

<sup>30</sup> M. Frank and T. Gilovich, "The Darker Side of Self- and Social Perception: Black Uniforms and Aggression in Professional Sports," *Journal of Personality and Social Psychology* 54 (1988): 74-85.b

<sup>31</sup> *Ibid.*

<sup>32</sup> Supra note 18.b

<sup>33</sup> R. Adams, T. McTernan, and C. Remsberg, *Street Survival: Tactics for Armed Encounters* (Northbrook, IL: Calibre Press, 1980); A. Pinizzotto & E. Davis, "Cop Killers and Their Victims," *FBI Law Enforcement Bulletin* (December, 1992): 9-11; C. Remsberg, *The Tactical Edge: Surviving High-Risk Patrol* (Northbrook, IL: Calibre Press, 1986).b

<sup>34</sup> *Ibid.*

# The Bulletin Notes

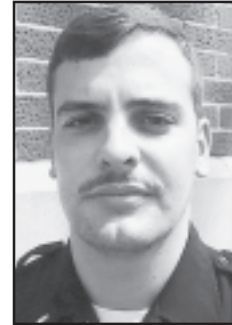
Law enforcement officers are challenged daily in the performance of their duties; they face each challenge freely and unselfishly while answering the call to duty. In certain instances, their actions warrant special attention from their respective departments. The *Bulletin* also wants to recognize their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



*Park Ranger Sherrill*

While en route to his duty station in Canyonlands National Park, Utah, U.S. Park Ranger Glenn Sherrill came upon a vehicle parked along the road with damage indicating the vehicle was involved in a rollover accident. Ranger Sherrill found a single, conscious, 73-year-old occupant lying across the front seat of the vehicle. The victim said that the accident occurred about 4 hours before and he believed his neck was broken and could not move. With

temperatures below freezing, Ranger Sherrill covered the victim with blankets, cleared a partially obstructed airway, and radioed for an ambulance. Because no other traffic would have likely passed the accident scene that evening, Ranger Sherrill's actions resulted in the man's survival.



*Officer Rodgers*

During routine patrol, Officer Jimmy Rodgers of the Tallassee, Alabama, Police Department, approached a man who was trying to commit suicide by jumping off a bridge. As Officer Rodgers neared, the man jumped and both of his legs cleared the bridge. Officer Rodgers managed to grab the victim by the leg and pull the man over the railing back onto the bridge surface. Determined to succeed in his demise, the man continued his attempt to climb back onto the rail. Officer Rodgers held the man until assistance arrived, and the man could be removed safely from the bridge. The courage and selfless actions of this officer prevented a suicide.



*State Trooper King*

Michigan State Trooper Daniel King, of the Manistee Post, responded to a request to help transport an uncooperative subject. After the subject was placed in a holding cell, Trooper King noticed that the man had become quiet and lethargic, and his breathing, was slow and laborious. Then, the subject stopped breathing and Trooper King immediately began rescue breathing until the man was able to breath again on his own. It was later determined that the subject suffered

from a series of seizures that affected his breathing. Trooper King's quick reactions saved the man's life.

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## Patch Call



The patch of the city of Lincoln, Alabama, Police Department relates the city's history and the area's ancestry, including a Revolutionary War soldier; crossed arrows, which denote its Indian heritage; a depot, which signifies the contribution the railroad made to the city's growth; and the year the town's name changed from Kingsville to Lincoln.



The patch of the Frederick County, Maryland, Sheriff's Office depicts the two coats of arms for which the county could have been named. The upper left and lower right portions are from the Lord Baltimore family coat of arms and the upper right and lower left come from the Frederick the Great family coat of arms.