

FBI LAW ENFORCEMENT BULLETIN

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Contents

- Organization 1** **Effects of Organizational Design on Communication Between Patrol and Investigative Functions (Part I)**
By Lt. Col. Joseph J. Staff, Police Division, Cincinnati, Ohio
- Crime Problems 8** **Agricultural Crime: Its Extent, Prevention and Control**
By Charles R. Swanson, Jr., D.P.A., Institute of Government, University of Georgia, Athens, Ga., and Leonard Territo, Ed.D., Department of Criminal Justice, University of South Florida, Tampa, Fla.
- Training 13** **Phase Approach to Training**
By Capt. Daniel E. Wood, Police Department, Greensboro, N.C.
- Operations 16** **The U.S. Park Police Horse Mounted Unit**
- Investigative Techniques 23** **Motivations of Criminal Informants**
By James T. Reese, Special Agent, Behavioral Science Unit, FBI Academy, Quantico, Va.
- The Legal Digest 29** **Search of Motor Vehicles Incident to Arrest (Part 1)**
By John C. Hall, Special Agent, Legal Counsel Division, Federal Bureau of Investigation, Washington, D.C.
- 32** **Wanted by the FBI**



The Cover:
Training for the U.S. Park Police Horse Mounted Unit includes exposure to smoke bombs. See story p. 16.

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William H. Webster, Director

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Effects of Organizational Design on Communication Between Patrol and Investigative Functions (Part I)

A major concern for the administrator of any large organization is that of maintaining harmonious relations, open channels of communication, and coordinated activities among his agency's subunits. The very nature of the executive function is to promote cooperative effort.¹ While a free flow of information is essential in any organization, the problem is more critical in a police agency. By far, the greatest bulk of work depends on its ability to process information effectively.

One of the most critical intra-agency interfaces in a police department is that of the investigative and patrol functions. To operate efficiently, each function should be highly dependent on the other. Yet, this is often one of the most strained points of exchange within law enforcement agencies.

The problem of maintaining cooperation and exchange of information between uniformed patrol officers and plainclothes investigators is not a recent one. As early as 1926, the Missouri Crime Survey reported on the problem, stating:

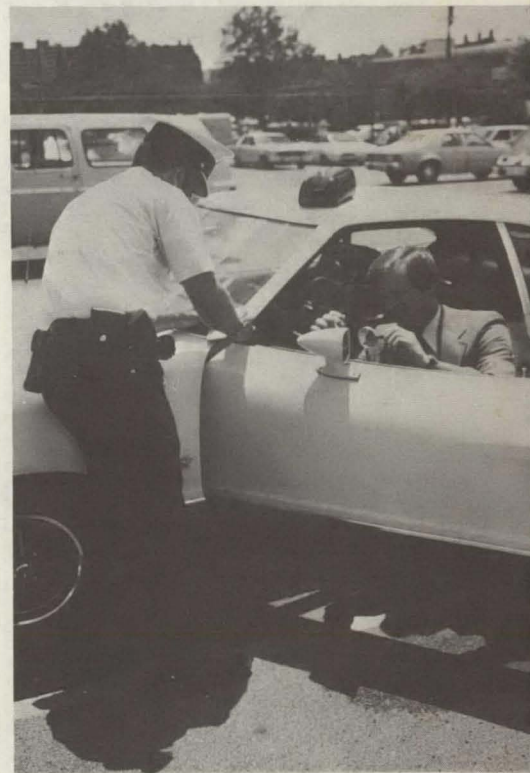
By LT. COL. JOSEPH J. STAFF

*Police Division
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"The ancient rivalry between the uniformed and plainclothes forces has a substantial basis. It arises from the fact that in a given case the patrolman is often the first to risk life and limb. With the arrival of detectives, however, he is automatically displaced. The plainclothes operative takes command of the situation, and the patrolman returns to his beat. This condition inspires a natural resentment, which sometimes leads to a series of retaliatory acts by the two branches. In the maneuvers which follow, the public functions of the officer are lost sight of. Their energies are directed at causing each other confusion, discomfort, and discouragement."²

Later comment on the same point was made in a 1962 consultant's report, which reads:

"The lack of coordination between detective and uniformed divisions leads to duplication of effort, unarticulated field work, and the loss of some cases, and the missing of arrests which might otherwise be made."³



A police officer and a detective investigate a crime scene.



Lieutenant Colonel Staff



*Col. Myron J. Leistler
Chief of Police*

It is not likely that difficulties in investigative-patrol coordination are confined to only a few police departments. Most police administrators would have to admit to experiencing some communication problems between these units, although differences would likely be in degree, not in kind.

Several contemporary observers of police behavior have commented on oft-times strained relationships between police patrol and investigative forces. Professor Egon Bittner of Brandeis University writes, "The hostility and information denial between bureaus and details of department is occasionally admitted. But that every individual officer has important information that he does not share with anyone is virtually never mentioned in the literature. Yet this is a central fact of police work and every officer learns it in the first year of his practice."⁴ Professor Arthur Niederhofer of John Jay University comments that when the patrolman uncovers a felony from which the suspect has fled, the case is turned over to the detectives who, if they find the culprit, get all the credit.⁵ Harvard University Professor James Q. Wilson, in his study of police behavior, has much to say about differences between the patrol and investigative functions.⁶ The patrolman functions in an uncertain, hostile atmosphere with the ambiguous, often unpopular, mandate to "maintain order." The detective, however, usually enjoys higher prestige and higher pay, more interesting work and more freedom, and has a better sense of what is expected of him. When one reflects upon these differences, it does not seem strange that conflicts may arise between operational units.

Factors Influencing the Problem

The difficulties in maintaining cooperation and coordination between the patrol and investigative functions can be grouped into three general classes of interrelated problems: Organizational problems, social problems, and inadequacy of information systems.

The Presidential Task Force Report on the Police describes the manner in which organizational structure can adversely effect coordination of activities between the investigative and patrol functions.

"In almost all large police departments there is a considerable amount of organizational fragmentation. Traditionally and almost universally, patrol and investigative forces have separate lines of command and tend to be isolated from one another; often they keep separate sets of records; frequently they work different shifts or are based in different places so that there is a minimum of contact between patrolmen and detectives. In addition, investigators are more often than not divided at both headquarters and precinct levels into squads—vice, robbery, burglary, fraud, homicide, and so forth—that may themselves keep separate records, use separate informants and remain more or less isolated from each other in other ways. At both the staff and the field levels, this over-separation of functions, or overspecialization, can have undesirable results. When intelligence is not centralized and coordinated, staff planning for the purpose of either apprehending specific criminals, or solving crime problems such as, for example, an outbreak of burglaries in some neighborhoods, is almost impossible. When lines of command are kept rigidly separate, it is difficult to bring the full resources of a department to bear on crime solution."⁷

Rigid and separate lines of command imply equally rigid and separate channels of communication. If each bit of information relevant to solving or suppressing crime must travel up the chain of command to a common point, then back down to the affected unit, little information, indeed, could be processed.

Competition between units can be a very useful tool for motivation and morale, if the competing units can operate independently of one another. However, when tasks are interdependent and exchange of information is critical, competition becomes counterproductive. Intergroup conflict probably dissipates more energy and money than any other single organizational disease.⁸ Competition can produce "win-lose" intergroup orientation, dysfunctional loyalty to subunits instead of the overall organization, and cognitive distortions of behavior of competing group members. Communication processes are impeded. If organizational rewards, such as promotion and preferential assignments or unit and individual prestige, are bestowed on the basis of "who gets credit" for arrests, case closures, and the like, a situation develops which encourages officers to keep information to themselves and withhold aid to other officers or units competing for "credit" for the arrest or closure. The organizational reward system should not induce competition which is so intense that it frustrates rather than furthers organizational goals.

The manner in which responsibility for investigation of cases is assigned can also affect task performance and cooperation between units. Traditionally, patrol units have been given responsibility only for preliminary investigations or complete responsibility for investigation of "minor" offenses. At some point prior to the conclusion, responsibility for investigation of serious crimes is handed off to the investigative specialists. Hence, the patrolman feels he is left with only routine and mundane investigations, while the detective investigates the interesting or spectacular cases. The patrol officer, relegated to the role of "report taker," may see little personal

incentive to conduct a thorough and meticulous preliminary investigation or to forward any information not specifically required by procedure when he knows he has no responsibility for the ultimate closure and will receive no credit for a subsequent arrest made by the detective bureau.

Social Problems

It was suggested previously that the functions of the detective and patrol officer differ somewhat. Both Wilson and Bittner comment at length on

"... organizational structure can adversely affect coordination of activities. . . ."

these differences. The patrolman is concerned with "keeping the peace," a very ambiguous and uncertain job description. The range of incidents with which he must deal is very wide. He often lacks the legal tools to "keep the peace," and the controversial nature of the tasks prevents common public support of his activities. The detective, however, has a fairly certain task, that of identifying and arresting the perpetrators of crimes. His task does not begin until a crime has been committed. The legal domain in which he functions is clearly documented, and there is general public support for the arrest and prosecution of felons.⁹

In addition to differences in assigned tasks, the status and prestige of the patrol and investigative officers differ. The detective enjoys higher prestige and usually higher pay than the patrolman. His task is more interesting and glamorous, at least as perceived by the public. His hours are better, he has greater freedom in his work, and he is under less public scrutiny than his uniformed counterpart. The patrolman, however, is subject to a strong hierarchical command structure, tightly restricted by rules, bound by military discipline, and under constant public scrutiny.¹⁰

Unfortunately, the news and entertainment media, particularly television and the movies, has reinforced the glamorous image of detective work as opposed to patrol duties, which are often portrayed as being dull and routine, requiring little initiative or mentality. These real and perceived differences in role and image create a cleavage between two groups of men who should be working together toward a common cause. The lack of a common identity may result in a "we vs. they" relationship between the groups. This relationship clearly is not conducive to close cooperation and exchange of information needed for combined crime reduction efforts.

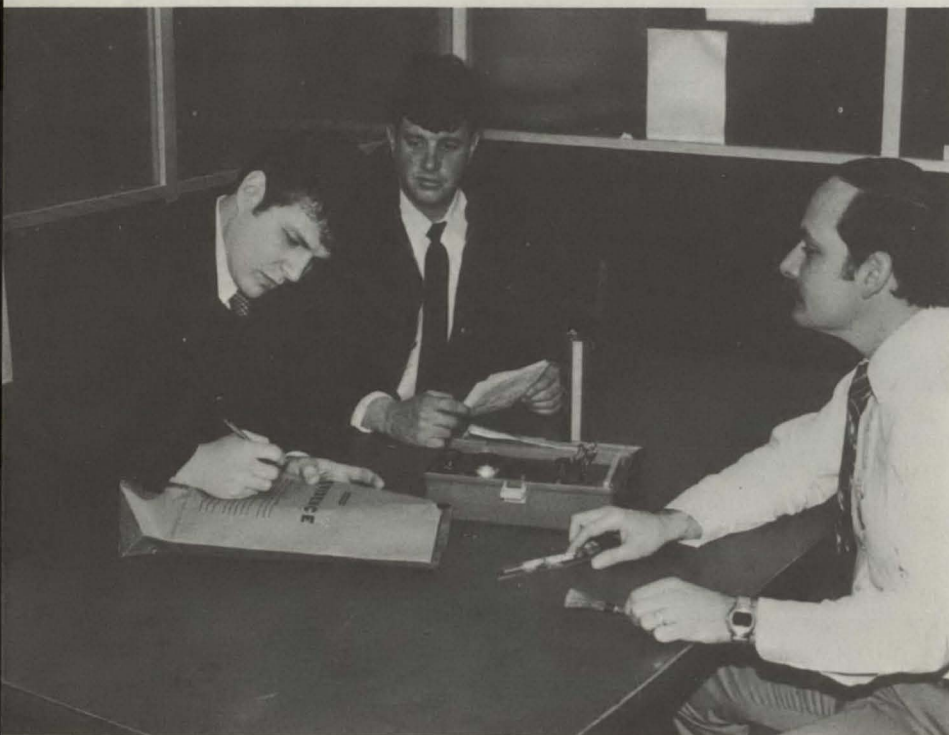
Bittner feels strongly that because of the nature of the officers' tasks, they feel a great need to maintain an atmosphere of secrecy in respect to disclosing information to "outsiders."¹¹ He feels this subcultural trait then carries over into intradepartmental relationships, resulting in an unwillingness to share information even with fellow officers.

The unique nature of the relationships between the officer and his informants also contributes to the need for secrecy. Because police informants are part of, or on the fringe of, criminal activity, and because of the mutually beneficial nature of the exchanges between the informant and officer, it is in the best interests of both to maintain the confidentiality of their arrangement. If the informant felt that his identity might be compromised to another officer with no vested interest in the informant's welfare, that important source of information might dry up.¹²

Even if all members of a police organization were willing to share all information at their disposal with all other law enforcement officers, it would not be possible without adequate information systems. Information systems include national, regional, and local computer systems, electronic data processing systems, telephone and teletype networks, formal records systems, established channels for routing information, and personnel to operate these systems.



A crime victim is interviewed by patrol and investigative personnel.



Cooperation between patrol and investigative forces is an integral part of departmental operations.

Even though creation of the systems might be far simpler than inducing personnel to feed information into them, the mechanics of providing the systems must not be overlooked. These systems should be considered when examining communication capabilities of a police organization.

Implications of Organizational Design

Perhaps the greatest single factor which affects the information processing capability of an organization is its formal structure. Reporting and authority relationships between subunits of an organization have significant impact on the development and maintenance of formal and informal information channels.

In any viable organization, information must flow (1) from top to bottom, (2) from bottom to top, (3) laterally or horizontally, and (4) between the organization and its environment (including cooperating agencies).

Throughout the history of organizational design, a wide range of concepts, generally classified as classical, human-relations, or modern approaches, have emerged.¹³ There are advantages and disadvantages of each type of organization as it relates to improving communications between investigative and patrol personnel, and no attempt should be made to prescribe an organizational strategy suitable for any or all police agencies. Rather, an attempt has been made to document some of the organizational trade-off costs and benefits to be considered when examining the issue of patrol-investigative cooperation. The following "contingency theory"¹⁴ of organization is commended to the reader; however, there is no one best way to organize, and any way of organizing is not equally effective.

Classical Approach

Classical organizational theorists have differed somewhat in details of their theories. To grossly generalize, however, let it suffice to say that the classical approach generally suggests that the tasks of an organization be divided among one or several bases of specialization, subunits be created to accomplish each of the specialized tasks, and coordination of the subtasks be attained through a hierarchical authority structure with each superior manager coordinating the activities of the persons and units beneath him in a rigid chain of command.

The organizational principles of business scholars Bulick and Urwick¹⁵ are perhaps the most representative of the traditional approach most police departments have taken toward organization. Both advocate the division of labor because men are limited in their abilities. The range of knowledge and skills required in a modern police department is so great that one man could not possibly become expert in all areas in his entire lifetime. Therefore, some division of labor, or specialization, must occur.

Specialization offers certain advantages to a police agency. It permits precise placing of responsibility, more intensive training of specialists, development and maintenance of skills through continual experience, creation of esprit de corps, and increased support from certain public special interest groups.¹⁶ Consideration of these advantages would certainly be justified when contemplating establishing or eliminating specialized investigative units. However, for each of these advantages, there are corresponding disadvantages, which will be noted later.

After a decision has been made to specialize within an organization, the classical theorist would provide means by which activities can be coordinated. Gulick and Urwick contend that coordination of effort can be achieved through organization, i.e., interrelating subdivision of work by allotting them to men who are placed in the structure of authority so that the work may be coordinated by orders of superiors to

subordinates, reaching from the top to the bottom of the organization, or by dominance of an idea, i.e., intelligent singleness of purpose of all in the group so each worker will fit his task into the whole with skill and enthusiasm. These two methods are not mutually exclusive; in fact, effective organizations must have both.¹⁷

In applying the preceding to the organization of investigative and patrol functions, the chief would first determine the scope of the investigative responsibility assigned to his agency,

“To operate efficiently, [investigative and patrol functions] should be highly dependent on the other.”

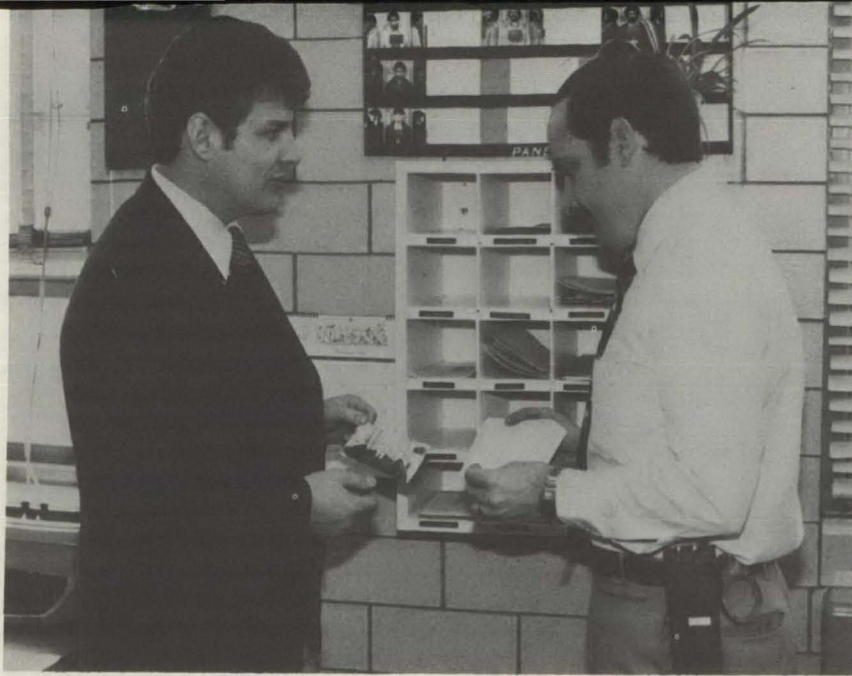
and then the nature and number of specialized work units required, e.g., crimes against person or property squads, vice squad, patrol precincts, etc. Following this, he would create an appropriate organizational and authority structure, with authority flowing down through clearly identified chains of command and responsibility.

Some other principles the classical theorist would consider are span of control, unity of command, development of technical efficiency, and authority commensurate with responsibility.

Gulick and Urwick suggest the division of labor in an organization be based on purpose, process, clientele, and/or place.¹⁸ Other writers include specialization by time. Examples of each of these bases of specialization can be found in the organization of the investigative function of contemporary police agencies, and each has inherent strengths and weaknesses which must be considered when relating organization to communication capabilities among members of a police agency.

Examples of police subunits organized on the basis of purpose of function are investigative bureaus, homicide, robbery, burglary or vice control squads, traffic enforcement details, etc. Each of these units is responsible for some function or purpose of the police mission, e.g., detection, apprehension and prosecution of robbery suspects, prevention of traffic accidents and apprehension of violators, suppression of vice activity, etc. Organization by purpose facilitates the accomplishment of certain assigned objectives by bringing trained specialists and specialized resources together under a single manager who can be held accountable for attainment of a desired state of affairs. The unit can be judged by what it accomplishes, not by its methodology. This type of organization is effective for gaining energies and loyalties of assigned officers because their purpose is clearly understood.

Difficulties arise when purposes overlap or conflict. A patrol unit and a specialized investigative unit may be jointly charged with responsibility for the same task. For example, a local patrol precinct and a specialized robbery squad may share responsibility for reduction of the robbery rate in a certain high-crime area. Each of the units reports to a separate commander, both of whom are at least informally evaluated by how effectively robberies in that area are reduced. Each of the commanders may have his own ideas how this might be accomplished and each wishes to receive credit for improving the crime situation. This type of coreponsibility for the same results negates the advantage of specialization by purpose. It may result in the two units working at cross-purposes, refusing to share critical leads, and duplicating efforts. In this case, competition becomes dysfunctional and cooperation and communications between the patrol and investigative units are impaired.



A detective and patrol officer exchange information regarding a case.

An equally dysfunctional situation exists when subunit purposes conflict with other subunit or agency goals. Often, when personnel over-concentrate on purposes of their own subunits, they lose perspective of the overall goals of the agency. A vice control specialist, through much personal effort, may develop an informant who advises him of habits and whereabouts of narcotics dealers, illicit gambling or liquor establishments, or other vice-related activity. The vice officer may learn that the informant himself is involved in criminal activity, but may be sorely tempted to withhold this knowledge from fellow officers rather than lose his personal source of information.

Organization by process is most advantageous for grouping skills which require a high degree of technology or long periods of training and experience to gain proficiency. Specialists of this type would include police helicopter pilots, traffic radar operators, canine handlers, identification specialists (fingerprint and photography experts), evidence technicians, etc. Advantages accrue by permitting highly trained specialists to share expensive equipment, exchange technical information, and keep abreast of the latest innovations in their field. They are grouped into

single units that can be supervised and coordinated by one supervisor who possesses the specialized knowledge needed to direct and evaluate his subordinates. Process specialization permits attainment of the highest levels of proficiency in technical (and perhaps infrequently used) skills.

Specialization by process offers little advantage if the frequency of need for a particular skill is not great enough to justify at least one man being assigned full time. Any given process can accomplish only a small part of the overall goals of a police organization. Coordination problems are increased each time a new specialized process is added onto the organizational structure. Process specialists may become so engrossed with perfecting their technical skills that they lose sight of the reason for performing the function. For example, a canine handler may become more interested in interdepartmental canine competitions than in suppressing criminal activity, or a scientifically oriented evidence technician may be more interested in publishing articles in scientific journals than assisting field officers

with processing crime scenes or identifying perpetrators. The police administrator must insure that the process specialist contributes to the organizational effort by cooperating with line units rather than practicing his art in the vacuum of his own subunit specialty.

Certain police functions are grouped according to the clientele they serve or upon whom they focus their investigation. The most obvious example of this would be a police juvenile unit. Juvenile officers, through special aptitude, long and frequent experience, and specialized training, become uniquely qualified to handle cases involving juvenile victims or suspects. Some cities have initiated specialized units to handle victims of rape. Intelligence squads concentrate investigations on suspected organized crime figures. Any unit organized by type of crime somewhat implies that it will deal with certain clientele groups. For instance, a check and credit card squad deals primarily with community merchants and personnel of credit agencies on an ongoing basis and frequently encounters recurring suspects. Clientele become known to the investigator. Faces and M.O.'s of bad check artists became familiar to the investigator who benefits from the relationships developed with his clientele over a period of time.

Organizing by clientele, however, means the loss of some advantages of other specializations. Obviously, a juvenile squad could not afford to maintain its own evidence technician, narcotics expert, or identification specialist, even though all these skills might be needed in an investigation involving a juvenile. The clientele-based unit must depend on cooperation of the process specialists for assistance.

There is the danger that clientele-oriented groups may form stronger allegiances with its target group than with its own agency. An example of this type of coopted behavior is a check squad investigator who acts in the special interest of a merchant by emphasizing only restitution of financial loss in lieu of apprehension and prosecution of criminal offenders.

Due to differences in orientation, goals, and values of the specialist, he may experience difficulty in communicating with other members of the department. Sarcastic references to "kiddie kops" (juvenile officers), "do-gooders" (community relations officers), or "pencil-pushers" (desk or administrative officers), are not uncommon. Uniformed field patrol officers understandably may not identify with the specialized officers and may not feel a fraternal obligation to share street-acquired knowledge with the specialists. Clearly, the situation also works in the reverse direction, i.e., specialized investigators also withhold information from patrolmen.

Gulick and Urwick consider organization by area to be tertiary or secondary.¹⁹ Division of work by geographical area occurs in all but the very smallest of police departments, however. Most large departments are divided into patrol districts or precincts which are responsible for providing police services to a given area of the city. Precincts may or may not have their own investigative personnel. To the extent that patrol officers and investigators can be assigned within the same geographical boundaries without competing against each other, communications and cooperation can be improved. The mere fact that the patrol officers and investigators are likely to have frequent face-to-face contact encourages exchange of information. Additionally, both the patrol and investigative officers may feel a common responsibility for providing service to the same geographical area. If cotermination of boundaries does not exist, however, geographical organization in itself will have little effect on improving patrol-investigation interaction. A uniformed beat officer may possess enormous amounts of information about an area within his beat boundaries, but if a detective has responsibility for investigating cases throughout the city, it is likely that the investigator will fail to solicit information from the officer which might assist his investigation.

Specialization by area presents many of the same hazards as other forms of specialization. By emphasizing effective and efficient law enforce-

ment in one particular area, an officer may fail to consider the department's overall problems. Crime and criminals seldom restrict themselves to neat geographical boundaries. Whenever a police function is specialized by area, provisions must be made to coordinate the flow of information across intracity and intraorganizational boundaries.

Any agency which operates beyond an 8-hour shift, 5 days a week, must consider coordination by time. Police departments are responsible for effective performances of the law enforcement function 24 hours a day, 7 days a week. The same officer who initially investigates an offense may not necessarily be the same officer assigned to the follow-up investigation. In fact, the assigned investigator may be working a different time period than the officer who possesses information relevant to the investigation, complicating the task of communication. While much of the investigator's work must be performed during "business hours" when witnesses, victims, and records are available, some consideration must be given to the need for the investigator to communicate with the officer who made the original report and did the initial investigation. That officer is likely to have intimate knowledge of the area where the offense occurred and of the people who frequent the area. He may even have specific information or ideas relating to the crime under investigation which does not appear on the report. It appears obvious that the reporting patrol officer should be a primary source of information for the investigator. Conversely, the investigator may turn up suspects or descriptions of suspects which would be invaluable to the patrol officer seeking to prevent recurrences of criminal activity on his beat. Yet, due to differences in working hours, the exchange of information may never occur.

Division of labor by time further complicates coordination, because a supervisor who is responsible for a

given function or area cannot always be physically present to direct activities of subordinates or to act as a facilitator for inter and intragroup communications. If duty hours prevent face-to-face communication between officers, information exchange must depend on written reports or relay by a third person. Neither of these forms of communication is as effective as personal dialogue.

In summary, a police agency which is solely dependent on the classical form of organization limits development of critically needed channels for lateral communication between patrol officers and investigative specialists. As each specialized subunit is created, additional communication problems develop. Subunits are likely to become preoccupied with their own objectives instead of working toward the agency's overall goals, they may fail to volunteer assistance and information to another subunit, or even worse, they may deliberately frustrate efforts of competing subunits. **FBI**

(Continued next month)

Footnotes

¹ Chester I. Bernard, *The Functions of the Executive* (Cambridge, Mass.: Harvard University Press, 1968), p. 216.

² "The Missouri Crime Survey" (New York: The MacMillan Co., 1926), pp. 46-47; in *Task Force Report: The Police* (Washington, D.C., 1967), p. 53.

³ Public Administration Services of Chicago, "Police and Fire Services in Meriden, Conn., (Chicago, Ill.: Public Administration Service, 1962), p. 36; in *Task Force Report: The Police*, p. 53.

⁴ Egon Bittner, *The Functions of the Police in Modern Society* (Chevy Chase, Md.: National Institute of Mental Health, Center for Studies of Crime and Delinquency, 1970), p. 65.

⁵ Arthur Niederhofer, *Behind the Shield: The Police in Urban Society* (Garden City, N.J.: Doubleday and Co., 1967), p. 58; in James Q. Wilson, *Varieties of Police Behavior* (New York: Atheneum, 1970), p. 68.

⁶ Wilson, pp. 16-56.

⁷ *Task Force Report: The Police*, p. 53.

⁸ Warren G. Bennis, *Changing Organizations* (New York: McGraw-Hill Book Co., 1966), pp. 57-58.

⁹ Wilson, pp. 16-53.

¹⁰ Bittner, p. 58.

¹¹ *Ibid.*, p. 63-71.

¹² *Ibid.*

¹³ John C. Buechner, *Public Administration* (Belmont, Calif.: Dickenson Publishing Co., 1968), p. 24.

¹⁴ Jay Galbraith, *Designing Complex Organizations* (Reading, Mass.: Addison-Wesley Publishing Co., 1973), p. 2.

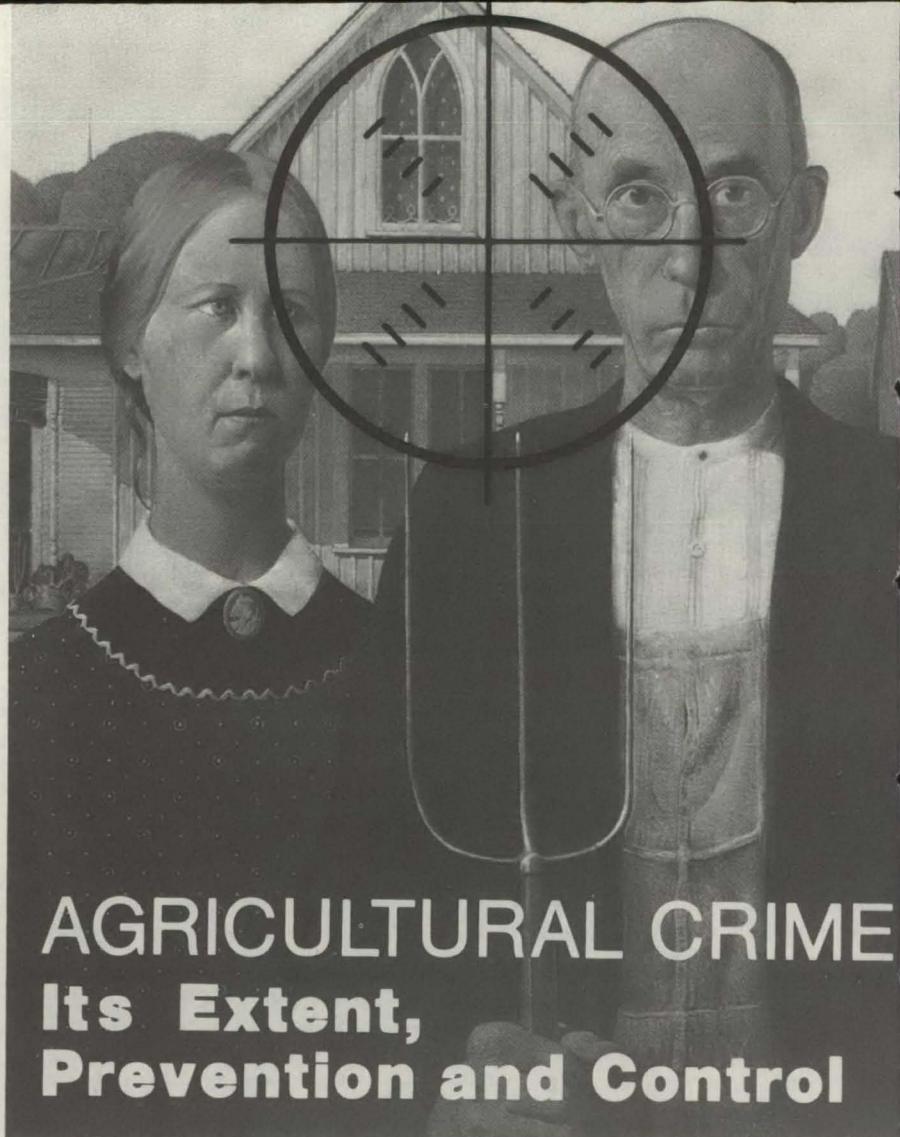
¹⁵ Luther Gulick and L. Urwick, *Papers on the Science of Administration* (New York: Institute of Public Administration, 1937).

¹⁶ *Municipal Police Administration*, Esther M. and George D. Eastman, ed., (International City Management Association, 1971), ch. 3.

¹⁷ Gulick and Urwick.

¹⁸ *Ibid.*

¹⁹ *Ibid.*



AGRICULTURAL CRIME Its Extent, Prevention and Control

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A conventional theory is that crime is fundamentally a city phenomenon. The reality of this notion is underscored by the most recent statistics for reported crime which reveal that 30 percent of all serious crimes take place in the 57 cities with populations of 250,000 or more.¹ However, during the past decade, serious rural crime has increased 43 percent over the urban rate. For example, crimes such as the thefts of farm equipment, grain, livestock, lumber, and pesticides are now much more commonplace than they were a decade ago.

Unfortunately, many of the formalized institutions responsible for both training and educating police officers have not paid adequate attention to agricultural crimes. This point is underscored easily. All one has to do is review the curriculum of police academies responsible for training rural police officers to see how much time is devoted to the topic of agricultural crime, check the advertisements for specialized police training courses to see how many devote either an entire course or even a segment of a training course to the investigation and prevention of agricultural crimes, or review police journals and textbooks to see how many articles or sections of text-

books are devoted to this topic. What one quickly discovers is that little attention has been paid to this serious and surprisingly costly category of crime.

Some Dimensions of Agri-Crime

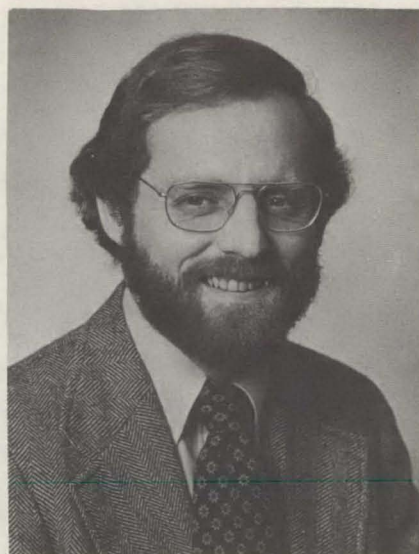
Vandalism to and thefts of farm products and equipment is a problem which can be illustrated throughout the country. In Dade County, Fla., the value of avocado, lime, and mango fruit stolen annually is \$1 million,² and authorities in that State calculate thefts of property in rural areas to be \$21 million per year.³ A representative of the Florida Farm Bureau Federation asserts that organized crime is moving into the rural areas, and a Florida State representative maintains that organized crime is already heavily into agriculture.⁴ The experience of three other States supports this theory. Persons alleged to have ties to a New York City organized crime family apparently defaulted on payments to a group of Wisconsin dairy farmers, and in Indiana, this same group apparently defaulted on payments to a farmer's cooperative. Altogether, these groups were hit with losses of \$1,350,000.⁵ In South Dakota, the attorney general was successful in obtaining a grant to investigate organized criminal activity in multistate grain frauds.⁶

The California experience echoes that of Florida. The California Farm Bureau estimates annual farm losses due to theft at \$30 million,⁷ and in a single county of that State, irrigation equipment valued at nearly \$1 million has been stolen during the past 2 years.⁸ California's incidents of rustling increased 79 percent in 1976, but that increase was exceeded by New Mexico's devastating 300-percent increase in 1978. Other types of farm animals are also routinely stolen. For example, an Iowa farmer relates that while he was hospitalized, thieves not only took 25 of his hogs but also used his pickup truck to transport them.⁹ In one Indiana county, the value of hogs stolen in a single year reached nearly \$200,000,¹⁰ and one prominent North Carolina dirt feeder estimated his losses to be tens of thousands of dollars each year.¹¹

Normally conceived of as a place suitable for undisturbed reflection, our forests even are becoming places of crime. Timber losses in western Washington have been reported to run \$1 million annually, and it is estimated that 70 percent of the vandalism to and thefts of timber go unreported¹² in that State. In some Iowa State parks, including Des Moines' Grandview Park, thefts of trees have been a problem,¹³ and in Illinois, 90 percent of tree thefts are believed to be unreported.¹⁴

Fires of an incendiary origin are a problem across the Nation. In 1976, fires of this type produced losses of \$11 million in national forest protection areas.¹⁵ Individual States have the same problem. In 1977, 3,914 fires of an incendiary origin resulted in the burning of 25,388 acres¹⁶ in Georgia.

It has been estimated that pesticide thefts exceed \$2 million each year, and in recent years, organized crime rings have struck pesticide distributors in Tennessee, Missouri, Iowa, Illinois, and Indiana.¹⁷ The CIBA Agri-chemical Corp., was one of the first to be burglarized when thieves took sizable quantities of Cotoran herbicide from its warehouses. One owner, who was the victim of a burglary, commented, "This isn't any helter-skelter operation. Those men knew our simazine inventory within 100 pounds, they were accurate on our Treflan inventory, and knew just about everything we had in stock. Why, they even knew the lot numbers. They also knew when our police patrolled the area and who was on duty. It was organized. They drive expensive cars equipped to monitor police radio broadcasts. They bring in semi-trucks to take away the pesticides."



Dr. Swanson



Dr. Territo

The sheriff of Washington County, Miss., investigated a pesticide burglary ring which operated for over 2 years, netting one member \$30,000 in black-market sales.¹⁸

The FBI reports that between 1976 and 1978, more than 70,000 stolen cars, trucks, earthmovers, and farm tractors were not recovered.¹⁹ One informant estimated, based on experience, that it takes about 4 minutes for tractor thieves to invade either a dealership's lot or a farm, start up a tractor, load it on a truck, and drive away.²⁰ According to the informant, the gang would case the premises before the theft, and immediately after stealing the equipment, would deliver it directly to the customer who had earlier placed an order. A single theft ring operating in four Southeastern States is credited with stealing some \$400,000 in farm equipment in the past 2 years.²¹ In Georgia, losses due to theft of farm equipment, chemicals, seeds, and livestock exceeded \$300,000 during the first 5 months of 1978.²² Several years ago, local, State and Federal law enforcement officials in northern Florida confiscated \$370,000 worth of stolen farm and industrial equipment, trucks, trailers, and other goods as a result of five raids and other confiscations.²³ These raids were conducted by Agents of the FBI, the U.S. Treasury Department, the Alcohol, Tobacco and Firearms Division, The Florida State Department of Criminal Law Enforcement, and the Sheriffs of Florida's Washington and Holmes Counties. According to officials, the majority of equipment came from Alabama, but items stolen in Arkansas and Florida were also identified. Many of the identifying numbers and plates on the equipment had been filed off, acid-defaced, or removed; however, some of the numbers were restored by identification restoration techniques.

There is reason to believe that some of the stolen equipment was being readied for shipment to Central and South America and that some had already been shipped.²⁴

Other groups that have experienced problems are poultry ranchers, grain farmers, and beekeepers, who have experienced the theft of entire colonies.

How serious is the problem? One survey of 477 Iowa farmers revealed that 80 percent had been victims of theft during the past 3 years.²⁵ How big is the economic impact of crimes against agriculture? Answering that question is difficult since not all of the figures reported here were for the same year, some of the figures were estimates, and there is a general lack of information in this area. If \$65 million—a conservative estimate—in reported vandalism, fraud, arson, and theft is 3 percent of the problem, and if agri-crime is only 25-percent underreported, then a direct loss figure of approximately \$3 billion is obtained. This figure excludes the indirect costs of agri-crime, such as the higher prices ultimately paid by consumers. By comparison, arson, a current national crime, produced annual losses of \$1.1 billion in 1975.²⁶ In addition to the direct and indirect costs of crimes against agriculture, there may be certain social costs as well. The amount of land farmed by Blacks is decreasing by 200,000 acres per year.²⁷ Although the decline is probably due to the interplay of many factors, it is reasonable to speculate that crime may be among the factors leading to the Black population's increasing underrepresentation among the Nation's farmers.

Crime Control and Prevention Efforts

There are a variety of crime control and prevention efforts underway in the various States. However, despite the fine work and cooperation of some groups and agencies, these efforts are somewhat disjointed, and there appears to be a certain amount of "reinventing the wheel" as different figures and organizations grapple with the issue. In balance, while this diversity perspective may produce some "wheel-spinning," it also offers the opportunity for the development of innovative responses.

A sampling of projects reinforces the notion of a diversity perspective. Aided by funds from the Law Enforcement Assistance Administration, police agencies in States such as New Hampshire, Arizona, Ohio, California, Kentucky, Oregon, Louisiana, and Montana have strengthened their patrol of rural areas and entered into cooperative arrangements to combat particular types of agri-crime.

The theft of cattle, swine, and other animals poses difficult problems. Several animals may be taken in less than 10 minutes in a one-time opportunistic theft. Alternately, organized thieves may spend weeks—using helicopters, fixed-wing aircraft, and trucks and walking the ground dressed as hunters or fishermen—to plan raids in which large numbers of animals are taken, often to be sold and butchered within hours of their disappearance. With an eye to preventing losses, the following steps should be of assistance:

- 1) A permanent brand, tattoo, or other similar marking system is essential for the identification of livestock. The marking should be distinctive and applied to stock soon after birth. Electronic identification may be emerging as an alternative to traditional identification schemes. Researchers at the Los Alamos Scientific Laboratory (LASL) in New Mexico have field tested an identification and temperature monitoring system. A small electronic transponder is implanted

under the animal's hide. Micro-waves from a pistol-shaped gun activate it and provide a reading of the animal's unique identification number and temperature. This system has 3 digits for identification, but LASL scientists believe it can handle up to 15.²⁸

- 2) Signs should be conspicuously posted around the property indicating that all animals are permanently branded.
- 3) Whenever possible, livestock should be counted on a daily basis. It has been estimated by law enforcement officials that more than 80 percent of livestock thefts occur away from buildings in isolated pastures or feedlots.
- 4) Predictable absences should be avoided, and when away, neighbors should be requested to check the property.
- 5) Fences and gates should be checked on a regular basis. Good fences and closed gates prevent strays that are especially vulnerable to opportunistic livestock thieves. Gates leading to outlying corrals and loading chutes should also be locked, with chains being used across roads leading to these areas.
- 6) Law enforcement officials should encourage farmers and ranchers to report missing stock immediately. It has been estimated that 35 to 40 percent of all livestock thefts are never reported and less than half are reported promptly.

In terms of other activities, Florida nurserymen are known to have formed vigilante groups to counter thefts of their products, a rustling information clearinghouse has been established by the Oklahoma Cattlemen's Association, the Western State Livestock Association has developed a uniform system for marking tack, and the Kansas Sheriffs' Association has been active in promoting crime awareness and crime prevention.

Several States, including Kansas, Iowa, and Georgia, have implemented farm equipment marking programs. In the latter State, a consortium of organizations—the Georgia Bureau of Investigation, the Sheriffs' Association, and the State Farm Bureau—has been particularly cooperative and active in this regard.

An often overlooked aid is the International Association of Chiefs of Police's *Tractor Identification Manual*, an investigative aid that is intended to be of assistance in identifying stolen and recovered agricultural and industrial tractors of over 20-engine horsepower and to facilitate the correct entry of data on stolen tractors into the National Crime Information Center. This manual is useful in the unique identification of tractors distributed by seven major manufacturers in the United States through the use of identification numbers affixed by the manufacturer. More than one number is usually required for a unique identification. These numbers may include, in addition to the unit or tractor serial number, the model number, engine number, transmission number, axle number, rear-housing number, and cab number. While the numbers that are required vary for each manufacturer, in most cases, a combination of two or more of these numbers will provide a unique identification. Each section of the manual includes the procedures for identifying a particular stolen or recovered tractor, the manufacturer's capability for tracing the original purchaser of a tractor, and in cases where the identification numbers are known, the correct procedure for locating these numbers. Each section also contains the name of a manufacturer's representative who may be contacted to help in the investigation or in any problems that may arise regarding a particular product or case. Some manufacturers also maintain lists of stolen equipment for distribution to service centers and/or dealers and wish to be notified of thefts through the listed contact.

Like many of the other targets of thefts from farms, grain is easy to obtain, readily converted to cases, difficult to identify, and vulnerable, since it is frequently sorted in bins away from the house or even temporarily dumped on the ground. One North Dakota sheriff reported that thieves, using a 2-ton pickup truck and portable elevator, were stealing a few hundred bushels at each of many different farms, and the thefts went unnoticed by the farmers. A special commercial product is available to help the farmer lessen the chance of being a crime victim. One company is marketing uniquely numbered confetti to mix with grain to reduce the desirability of stealing it and to make it more difficult to dispose of immediately. Each piece of confetti has on it the code number assigned to a particular grower. For example, 46-20-040 would be identified in the following way:

46=the State of North Dakota
20=the County of Griggs
040=the producer, the B & W Ranch

If grain theft is prevalent in an area, law enforcement officials in that area should initiate the implementation of a grain identification program. Additionally, encouraging farmers to use protected areas for storage and requirements establishing the identity and legitimacy of grain sellers should be considered.

Recommendations

The following are actions that should be undertaken immediately:

- 1) Police academies that provide training for rural law enforcement officers should be certain that the topic of agricultural crime, its investigation and prevention are made a regular part of the academic curriculum. Such information would also be quite useful to municipal police officers, who work in those parts of the country with large agricultural areas.

- 2) Individuals who write police science textbooks, especially those in criminal investigation, should include material in their books that address the investigation and prevention of agricultural crimes. These books are frequently used as references in police academies or as required textbooks in college courses, and as a result, provide a good opportunity for positive exposure to such offenses.
- 3) Police training institutions that offer specialized police seminars to a regional or nationwide law enforcement constituency should give consideration to adding courses that address the special problems of agricultural crime.
- 4) Regional and statewide sources of agricultural crime information should be developed. This information should be analyzed and disseminated to law enforcement agencies, especially if it appears that crime patterns are developing that may have some investigative or predictive use. Fluctuations in market conditions should also be monitored as a means of crime forecasting. For example, strong upward shifts in beef prices may signal the onset of a wave of rustling.

Conclusion

Our thinking suffers from a conceptual myopia that defines crime and the attending responses in terms of the urban setting. It is clear the agricultural enterprise is an important one, it is vulnerable, and great losses are being experienced. In addition, agricultural crime is not just a problem of rural agencies and State police or State investigative agencies. City dwellers provide some of the "brain power" that develops agri-crime, contribute to the labor pool which executes these plans, and operate some of the networks that dispose of whatever is stolen. Some of what can be done is being done, and despite our overall characterization of efforts as being disjointed, we have also illustrated a few of the programs about which we can feel good. However, in attention, thinking, and programs, we are still in our infancy. Sensitivity to the problem must be developed, researchers must have their interest aroused, studies must be undertaken, training conducted, and special programs implemented and evaluated. Many questions abound and need to be answered. How much of what types of agri-crime is there? How much agri-crime is reported? Are rural investigators actually gathering physical evidence? Which existing crime prevention efforts are most applicable and how do we diffuse them to the rural environment? What types of totally new crime prevention programs need to be developed? Can typologies of agri-crime offenses and offenders be developed? How sensitive are prosecutors to the problem? What appreciation do urban investigative agencies have with respect to their place in the network? What new patterns of inter-agency cooperation are most likely to have impact on the problem? And one last question: What are you going to do?

FBI

The University of Georgia has submitted a grant application, a workplan that provides for a national study of agri-crime. For information contact C. R. Swanson, Institute of Government, University of Georgia, Athens, Ga. 30601.

Footnotes

- ¹ This percentage was computed from data contained in the FBI's *Crime in the United States—1978* (Washington, D.C.: Government Printing Office, 1979), Table 14, p. 168.
- ² Susan Burnside, "It's Time to be Tough on Agricultural Theft," *The Miami (Florida) Herald*, October 21, 1979, p. 26.
- ³ Personal letter of February 15, 1978, from Dennis E. Emmerson, Assistant to the President, Florida Farm Bureau Federation to Mr. Brent Hampton.
- ⁴ Jim Fisher, "Crime in Agriculture," *The Citrus Industry*, vol. 58, No. 1, January 1978, p. 13.
- ⁵ Cathy Sherman Machan, "The Mafia Nibbles Cheese," *Farm Journal*, September 1976, p. 29.
- ⁶ South Dakota State Planning Agency grant No. 2-07-01-002, awarded January 1, 1974.
- ⁷ Jerrold F. Footlick, Paul Brinkly-Rogers, and Chris Harper, "Crime on the Farm," *Newsweek*, October 3, 1977, p. 101.
- ⁸ *Ibid.*
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- ¹⁰ John Russell, "Stamp Out Hog Rustling," *Hog*, September 1976, p. 27.
- ¹¹ *Ibid.*
- ¹² Robert P. Mathews, "Theft and Vandalism in Western Washington Forests," *Journal of Forestry*, vol. 68, No. 7, 1970, pp. 415-416.
- ¹³ B. Drummond Ayres, Jr., "Tree Rustlers Ride the Plains," *New York Times*, November 10, 1971.
- ¹⁴ *Ibid.*
- ¹⁵ Personal letter and attachments of March 15, 1978, from William L. Rice to C. R. Swanson.
- ¹⁶ Personal letter and attachments of February 16, 1978, from James C. Turner, Jr., to Bill Sigmon.
- ¹⁷ *Farm Chemicals*, May 1970, p. 12.
- ¹⁸ *Agri-News*, October 1975, p. 3.
- ¹⁹ "Thieves Reap Crop of Tractors," *The Atlanta Journal and Constitution*, June 25, 1978, p. 208.
- ²⁰ John Green, "Gone in Four Minutes," *Implement and Tractor*, vol. 92, No. 14, June 21, 1977, p. 48.
- ²¹ "Thieves Reap Crop of Tractors."
- ²² Carole Ashkinzai, "Georgia ID Program Aims at Cutting Equipment Thefts," *The Atlanta Constitution*, July 7, 1978, p. A-1.
- ²³ Charlie Cape, "Equipment Theft—Who'll Be Hit Next," *Implement and Tractor*, vol. 90, No. 11, August 7, 1975, p. 8.
- ²⁴ *Ibid.*
- ²⁵ Bob Dunway, "Theft is a Big Problem on Farms," *Wallace's Farmer*, February 23, 1974, p. 80.
- ²⁶ *The New York Times*, January 2, 1977, p. F-15.
- ²⁷ Tina McElroy Ansa, "Black Farmers Face Struggle for Survival," *The Atlanta Constitution*, July 20, 1978, p. B-1.
- ²⁸ Russell, p. 27.

PHASE APPROACH TO TRAINING

By CAPT. DANIEL E. WOOD

*Police Department
Greensboro, N.C.*

"All types of enterprises have responded to the need for skilled personnel by investing in training and development programs. Too often these programs involve what might be called the 'shotgun' approach."¹ These observations by William Tracey are frequently applicable to police training programs. With the exception of basic recruit training programs, much of law enforcement training is haphazard at best. This is not to say that specific courses, seminars, or workshops lack quality. Indeed, most are very good. The problem is a lack of goals and objectives, a lack of coordination, for the overall training program. In short, there is not enough planning.

Planning is a basic function of a manager. In his role as administrator of training, planning is no less important to the training director. Robert L. Craig identifies planning as "the key to optimum use of training manpower and resources."² Planning answers the questions what, when, where, who, by whom, etc., and allows us to avoid the common mistake of "training for training's sake."

The importance of planning the training program has even greater dimensions for today's training director. A 1978 survey of members of the American Society for Training and Development revealed several significant findings in this respect. Among them were the expansion of training and development programs, and an increase in the time training directors devote to management and administrative matters.³

These findings are obviously applicable to law enforcement. During the last decade, the expansion of law enforcement training has been phenomenal. Added to this are the ever-increasing demands that are placed upon police officers, our concern for civil and vicarious liability, and the need for affirmative action.

Recognizing these factors, the Greensboro Police Department began the development of a framework for planning the training program. This led to a concept which was termed "phase approach to training." In essence, the department recognized that there are multiphases in the training and development of police officers and a standard training program for each of these phases was established.

Phase I—Recruit Training

New officers enter the department in a trainee status and are given 560 hours of recruit training in the police basic introductory course. Upon successful completion of this course, new employees are promoted to sworn status as police officer I's. As police officer I's they are assigned to a field training program under the supervision of a police squad leader, who serves as their training coach. When they have successfully completed the field training, the officers receive patrol duty assignments in one of the four field operations divisions.



Captain Wood



*William E. Swing
Chief of Police*

Phase II—Intermediate Training

Upon assignment as patrol officers, police officer I's enter the second phase of their training and development. During this period of approximately 1½ years, the officer's training will consist primarily of on-the-job training within his assigned field division. This is supplemented with quarterly in-service training, consisting of 8-hour sessions based on the training needs of the department. In addition, shorter 2-hour sessions are presented monthly during a rollcall training session.

Phase III—Advanced Training

After 2 years on the job, an officer is eligible for promotion to police officer II. This is accomplished by passing a written competency test comprised of questions concerning knowledge gained by the officer during phases I and II of his development.

In phase III, officers continue to receive quarterly in-service and monthly rollcall training. In addition, they receive advanced training through periodic seminars and workshops presented within the department or through a local community college. Since this training is developmental as well as performance orientated, our objective is to have as many officers as possible receive this type of training. Accordingly, assignments are made on the basis of seniority and are rotated so that each officer attends one seminar or workshop before a senior officer is assigned to a second one.

Phase IV—Developmental Training

Police officer II's are eligible to participate in two developmental programs recently established by the department—the career development program and the police squad leader program. Officers participating in the career development program receive a short-term (6 to 8 months) temporary assignment to one of the investigative or staff divisions. During this assignment the officer receives approximately 30 days of orientation within his selected area, followed by supervised on-the-job training. He also attends seminars and workshops related to the specialty area. Both the Guilford Technical Institute and North Carolina Jus-

tice Academy offer the desired training in this area at little or no cost to the department.

Officers in the police squad leader program go through an established selection procedure and are promoted to police squad leader status. This promotion adds two important dimensions to the officer's responsibilities—he periodically serves as training coach for newly assigned officers, and when so designated, acts as the squad supervisor in the absence of the regularly assigned supervisor. These added job dimensions necessitate additional training for the officer, including officer coach training, instructor training, and introduction to supervision.

Participation in the police squad leader program is not a prerequisite for promotion to sergeant, and not all officers choose to participate. Many of the officers who do participate choose to withdraw after a period of time to accept assignments in other areas or to participate in the career development program. This is encouraged by both the low pay differential (5 percent) for a police squad leader and the desirability of other assignments. Participation in the program offers the officer an excellent opportunity to develop his supervisory skills.

Phase V—Specialist Training

Officers assigned to specialized units, such as criminal investigation, vice/narcotics, youth, traffic, or training, are provided seminars and workshops to develop their expertise in these areas. Primarily, external resources offering the needed training are used for these activities. These resources include the Northwestern University Traffic Institute, Southern Police Institute, FBI National Academy,

and others. Refresher or advanced training in these areas may also be provided depending upon the length of the officer's assignment, job performance, new developments in the specialized areas, or other factors. When applicable, officers in specialized assignments will also be assigned to quarterly inservice training sessions.

Phase V also encompasses officers who participate as members of special teams, such as special response team, underwater recovery, or the bomb squad. Instructors used at the academy also fall within the realm of the specialist training phase and are provided any additional training required for this function.

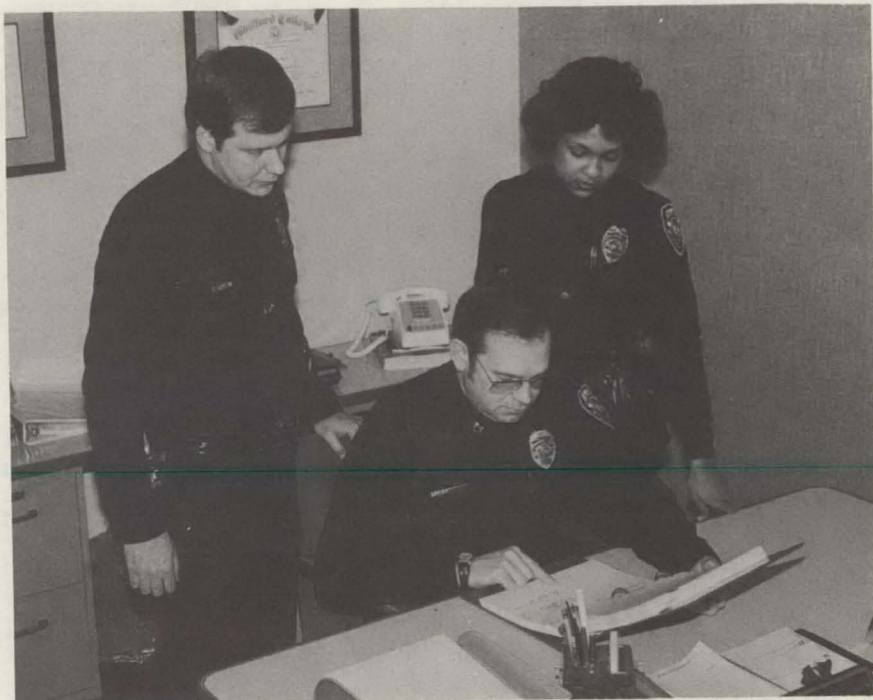
Phase VI—Supervisory Training

Officers promoted to sergeant enter into the supervisory training phase. As soon as possible, all newly promoted sergeants are scheduled for a practical supervisors' course. In addition they attend an inhouse supervisory orientation program to familiarize them with specific departmental policies, programs, and procedures.

Following 1 year in a probationary status, sergeants are eligible for assignment to a basic administration course. At the present time, the department uses two primary sources for this training—the Institute of Government in Chapel Hill, N.C., and The North Carolina Governor's Highway Safety Program. Both offer a management/administration course consisting of approximately 200 hours of instruction.

Phase VII—Management Training

Promotion to lieutenant marks the next phase of an officer's development. At this level, the officer functions primarily in a management capacity, and newly promoted lieutenants are scheduled for training in this area. Their initial training consists of either a 3-month police administration course at the University of Louisville Southern Police Institute or the 9-month traffic police administration training program offered by Northwestern University Traffic Institute. After attaining the rank of captain, one is eligible to apply to the FBI National Academy for continued management training.



Officers discuss career development opportunities.

In addition to these major programs, officers who are lieutenants, captains, or majors may participate in a variety of seminars, workshops, and retraining conferences to keep them abreast of changes and new developments in the field of law enforcement.

Using the aforementioned framework allows us to anticipate the bulk of our training needs and plan accordingly; yet, there is flexibility. Specific programs in any phase can be changed to meet the changing needs of the department—entire phases can be deleted or others added. The concept is not intended as a rigid structure to be religiously followed; instead, it is a tool to be used in the planning process.

Using the phase approach to training concept provides a number of benefits to the department. First, it helps insure that officers have the skills and knowledge to perform at each level of their development in the

department. Second, the concept insures that the officers continue career development on a timely basis. Third, officers know what they can expect from the department in the area of training and development—this can be very beneficial to officers' morale. Fourth, it provides for a fair and equitable system in which every officer receives approximately the same level of training. In addition to being a positive morale factor, this is also beneficial in administering the department's affirmative action plan. Fifth, the phase approach to training aids in the coordination and planning of the department's overall training program and helps to avoid many of the common pitfalls in administering the program.

FBI

Footnotes

¹ William R. Tracey, *Designing Training and Development Systems* (American Management Association, Inc., 1971), p. 7.

² Robert L. Craig, *Training and Development Handbook* (New York: McGraw-Hill, 1976), pp. 2-14.

³ Donald Clement, Patrick Pinto, and James W. Walker, "Changing Demands on the Training Professional," *Training and Development Journal*, vol. 33, No. 3, March 1979, p. 7.

The U.S. Park Police Horse Mounted Unit

The U.S. Park Police Horse Mounted Unit is one of the oldest established police equestrian units in the United States. Established in 1934 with one horse that was rented from a local stable, the unit has grown to over 50 specially selected and trained horses and riders.

Initially, the unit patrolled the streets and wooded areas of the Nation's Capital. However, as the value of the mounted unit was proven, it was expanded to provide protection to other Federal parklands in the United States. With field offices in Washington, D.C., the Gateway National Recreation Area in New York, and the Golden Gate National Recreation Area in San Francisco, the U.S. Park Police Horse Mounted Unit provides law enforcement services to millions of visitors annually.



The first use of horses by the Park Police followed the general trial and error methods that prevailed throughout much of police work in those days. Rock Creek Park, a 1,900-acre tract of heavily wooded terrain lying in the heart of Washington, D.C., is interspersed with equestrian trails that require special policing methods for which the horse is ideally suited. Other park areas with open spaces, picnic areas, ball and play fields, and other activities were soon found to be places where horses could patrol more effectively than footmen or motorized vehicles; stables were erected and new horse mounted beats were established.

The Nation's Capital hosts many civic functions each year. Some of them are local affairs; others have a national and international character, such as the National Cherry Blossom Festival, the President's Cup Regatta, the Christmas Pageant of Peace, and the Presidential inauguration. During

the 1960's and 1970's, the horses, in addition to being an attractive unit for display in parades, were found to be highly effective in crowd and traffic management at these functions. The horses had to be properly trained and conditioned to maneuver in crowds of people and through heavily traveled roadways so as not to endanger the public, themselves, or their riders.

In the 1960's, the era of demonstrations emerged in Washington, D.C. Citizens have a constitutional right to petition their government for redress of grievances, and the institutions of government became targets for political demonstrators. While most of the demonstrations were of a peaceful nature, the movement of crowds numbering upwards to a quarter-million people placed new demands on both horse and rider. In the early 1970's, a new

dimension arose out of the demonstrations—large-scale violence. Wanton destruction of property and attacks on other persons with opposing viewpoints became the rule rather than the exception. Officers and their horses were put to new tests. After each demonstration, critiques were held, new methods of training were developed, new equipment was evaluated, and new ways of managing and dispersing crowds were developed.

By being actively engaged in virtually all of the major demonstrations in the Washington Metropolitan area, the U.S. Park Police Horse Mounted Unit has gained valuable knowledge and expertise in managing crowds and quelling disturbances with little or no serious injuries to the demonstrator, spectator, horse, or rider.



With lights flashing and sirens blaring, the horses are maneuvered between patrol cars to familiarize them with motorized vehicles.

A crowd control exercise for horse and rider.



Chief Parker T. Hill
U.S. Park Police

Evaluation of Horse Mounted Needs

In these days of modern police techniques and equipment, the officer and his horse have proven to be a highly visible crime deterrent. A well-trained rider on a well-trained mount can perform almost any task required of a motorized or foot patrol officer. In addition, the horse mounted policeman can cover more area, be seen from greater distances, and see over obstacles because of the height advantage. A horse mounted officer can truly be a great asset to the policing operation of a community.

However, with the tightening of police budgets, it is important to determine if there is a need for establishing a mounted unit. Things to be considered are the type of areas to be patrolled, the location of the area and its primary use, and the activities it serves.

Another area of consideration is the cost of horse, equipment, and care. An approximate annual operating expense per horse for the unit is \$1,000. This includes an initial prorated cost of the horse, tack, grain, hay and bedding, blacksmith and veterinarian fees, but the total figures can be influenced by many variables. One controllable variable is the manner in which the horse is stabled. Standing stalls cost less to equip, build, and maintain than box stalls. Also, a horse in a box stall unnecessarily spoils more bedding than one in a standing stall. Although an idle horse receives more exercise in a box stall, as a police mount, one stabled in a standing stall will receive adequate exercise on the beat. Thrown shoes, illness, and price and quantity of feed are somewhat uncontrollable, but a well-planned stable management program keeps these and other variables to a minimum.



To the horse, these hanging strips of plastic appear as a solid wall. For the horse to move between these strips, complete confidence must be developed between the horse and rider.



Selection of the Horse

The patrol horse should be a minimum of 15-3 hands, preferably 16 hands or taller, and weigh from 1,000 to 1,250 pounds. This height is important because a tall officer presents a poor appearance on a small horse, and a mount of this size enables the officer to better observe a large parking lot or large crowds. The officer can also be seen more easily, which serves as a deterrent to would-be criminal violators.

Conformation is the most critical consideration in selecting a police mount. Soundness in a horse is extremely important, since the efficiency of performance is dependent upon his ability to move. Any abnormal deviation in the structure or function of a horse may contribute to unsatisfactory performance. Horses with faulty conformation are always subject to being unsound and should not be selected. Blemishes, such as unsightly scars, rope burns, brands, etc., should be

looked for, but usually do not interfere with the service ability of a horse.

The type of horse to be used is dependent on the nature of the area where it will be ridden. A horse should be well-balanced (one that is light and smooth in his gaits and agile in his changes of direction), muscular, long-legged, have good stamina, have good carriage and a straight well-muscled back, and good feet. This provides for a well-rounded police mount.

Since the average life span of a horse is about 20 to 25 years, the average service for police work should be 10 to 15 years, depending on the horse's conditioning at early age.

Horses should be selected between the ages of 3 to 7 years. This provides for maximum use of the horse during his prime years. Exceptions may be made on this age range, provided the horse is above average in conformation and conditioning. The age can be estimated by a veterinarian or an experienced horseman by examining the front teeth.

The color of the horse varies with the individual police unit and has no effect on its use. It is best to determine a single color to provide uniformity in the appearance of the unit; however, where quality is concerned, color should be a secondary factor.

Police horses must be gentle and free of vicious habits, such as biting, kicking, or striking with front feet. They must not object to saddling or grooming, nor should they balk, rear, shy, or be hard to catch when turned out. They should be quiet and must not object to being rubbed or petted. The police



Part of the basic training is to accustom the horse to flashing lights, sirens, and gun fire.



Smoke bombs and tear gas are used during training. In actual gas conditions, the officer wears a mask (horses are not sensitive to tear gas).

Cost of Horse Equipment & Care

Average years of usefulness	15 years
Initial cost (average @ 3-5 yrs.)	\$900.00
Tack for 15 years	\$450.00*
Initial cost (horse) prorated 1 year	\$60.00
Tack prorated 1 year	\$30.00
Grain, hay and bedding @ \$2.04 per day	\$744.60
Blacksmith fees, \$25 every 8 wks.	\$175.00
Veterinarian fees (average)	\$44.00
Total per year per horse	\$1,053.60**

* Includes 'Steuben' saddle, stirrup irons and leathers, girth, breastplate, saddle pad, and bridle. Note: The supplier claims that the useful life of the 'Steuben' saddle is 20 years.

** Because the cost is minimal, grooming supplies are excluded.

mount with a good disposition will be a great asset to any unit in the field of public relations. Horses with stable vices, such as cribbing, halter pulling, tail rubbing, weaving, bolting, etc., must be carefully evaluated because these habits may lead to more serious problems. The way a horse hauls in a van or trailer should also be considered when selecting a horse.

Through many years of experience, it has been found that the gender of the police mount reflects upon its performance. Gelded horses are used primarily because of their use around other horses and the frequency of special details where horses are side by side for long periods of time. Mares and stallions are rarely selected.

Horses should be at least green broke under saddle and bridle. This affords a better opportunity to evaluate the horse when the initial contact is made. Advanced schooling is desirable, provided this schooling is not for the show ring where extreme gaits are



During training, the horse must be exposed to any condition it will experience on the beat, such as flying balloons or walking through tunnels.



evident. This causes problems when training for police maneuvers or crowd control, in that many times it is necessary to detrain before retraining.

It is important that a trial period be given each horse before the purchase arrangement is consummated. A contract stipulating a 30-day trial period should be required. This trial period enables the unit to evaluate the nature and potential of the horse and expose him to the various elements that are likely to affect him as a police mount. All horses should be certified as sound by a veterinarian before being accepted. If the horse is donated to a mounted unit, he should be carefully scrutinized before being accepted. A training instructor should examine the horse beforehand to see if it is suitable for the unit and if it can be trained.

Training the Horse

The trained horse is one that understands the rider's intentions from the slightest indications and immediately responds to them with lightness and exactness. He must be sensitive to the rider's leg and lightness of hand. Complete confidence and trust must be established between the horse and its rider.

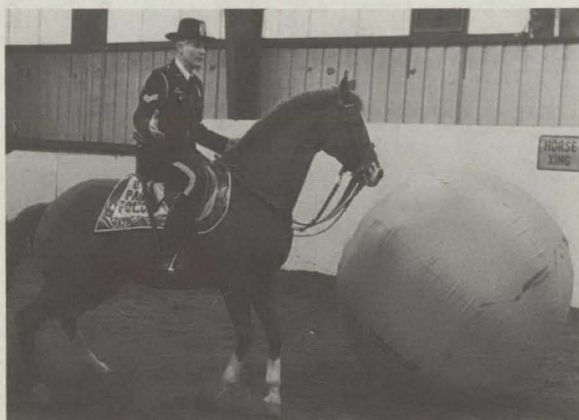
The horse's mental as well as physical aptitude must be taken into account during the training process. His memory is the controlling factor in his aptitude for training. He remembers or recognizes the indications given him by the reward or punishment he receives to a particular response. The trainer must develop confidence and lack of apprehension in the horse throughout the training period.

A retraining program must be established in order to evaluate periodically the horse's needs and refresh his schooling. This enables the trainer to

compare the effectiveness of prior training and govern any future training accordingly. All horses are in need of training several minutes each day to keep them agile and to assure the officer that his horse will respond properly when he has to be used in potentially tense crowd management maneuvers.

Selection of Mounted Patrol Personnel

A minimum of 3 years' patrol experience is recommended so that the officer-rider will have basic law enforcement experience prior to being assigned to the horse mounted unit. It is preferred that applicants have prior experience working with horses; however, this is not a prerequisite. Applicants should be selected on their past performance, experience, health, attitude, and basic knowledge of horses.



A well-trained horse and officer will hold formation against moving objects.

Sgt. Denis Ayres, instructor, trains a new mount not to react to large moving objects.

This will include parts of the horse, bone structure, and the parts of the bridle and saddle. By demonstrating a basic knowledge of horsemanship, an applicant shows that he has a keen interest in the assignment.

Training Patrol Personnel

The student should be trained to a level of proficiency where he will be capable of properly handling his mount in any given situation. He must possess equestrian knowledge greater than that of the average rider.

The student should be trained in stable management, grooming, first aid, ability to recognize illnesses, feed rationing, and other duties associated with the care of horses. He should be aware of the need to contact a veterinarian when the horse becomes sick or injured.

Female officers of the U.S. Park Police Horse Mounted Unit.



The student should be trained to ride at a walk, trot, canter, side step, pass, and back with a saddle and on bareback. Aside from the basic gaits, the student should be able to take his horse over jumps and obstacles.

Park Police Mounted Unit Training

Horses of the Park Police mounted unit receive 480 hours of training from experienced instructors before they are assigned to a rider. During this training period, the horse is exposed to any possible condition he will encounter on the beat, ranging from exploding firecrackers and sounds of gunshots and sirens to walking across bridges or through tunnels.

Officers assigned to the unit receive 400 hours of intensive training—10 hours a day, 5 days a week for 8 weeks. This training includes both classroom instruction and riding experience. Because of this demanding and

strenuous training, students must be in good physical condition. This is the main reason that not all students make it through the training period.

Students will ride different horses during their 8 weeks of training. However, once the student completes the course and is assigned to an area, the officer is teamed with a particular mount.

Training classes are usually held once a year and have 12 to 15 students in attendance, including officers from other police mounted units. Instructors at the U.S. Park Police training stables have trained officers from police departments all over the United States. In addition, inservice training classes are held throughout the year. Each rider and horse of the U.S. Park Police must complete 40 hours of inservice training each year.

The greatest asset of a horse mounted unit is in the field of public relations. Seldom is a mounted officer seen standing alone. Whether in the midst of a crowd of children or adults, he is the center of attention. His mere presence produces a smile and a feeling of warmth. A philosopher once said, "There's something about the outside of a horse that warms the inside of a man."

Even during times of confrontation, when horses are being used to move unruly crowds, you can hear shouts of "don't hurt the horse." It happens many times that those same demonstrators who were hurling rocks, bottles, sticks, etc., can later be seen patting the horse.

Horses are indeed a valuable asset to modern-day law enforcement, especially when you consider they are an alternative to motorized patrols when today's focus is on energy conservation. However, one must be ever mindful that selection and training are vital ingredients to a successful mounted operation. A well-trained horse and rider is an asset . . . a poorly trained horse and rider is a liability.

FBI

MOTIVATIONS OF CRIMINAL INFORMANTS

By JAMES T. REESE

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The use of informants is not new to law enforcement or to society in general. The recorded history of informants spans the time from Judas in the New Testament to the present day, and their uses are as vast as the entire area of responsibility for law enforcement. Informants may fall into many categories: Known, confidential, specialized, general, one-time, permanent, paid, unpaid, and others. This article, however, does not center on the types or uses of the informant, but discusses the psychological motivations of an individual who provides information to law enforcement authorities. These motivations will generally apply to all types of informants, including the concerned citizen, witness, and criminal. Emphasis will be placed on cautions concerning the psychopathic criminal as an informant.

The Foundation for Information

Gregariousness, while not being an instinct of the human species, is obviously one of our common traits.¹ People form groups, much like animals form herds, perhaps not so much for safety any more but for psychological comfort. It may be fair to say that this gregariousness provides the nucleus for informant potential. If human beings were loners by nature, the task of law enforcement would be inconceivably difficult.

These affiliations among people are based on a variety of similarities and needs, among which are values, personalities, goals, activities, income, and others. Their gregariousness is the cornerstone by which societies are built, and "by its very nature, society not only provides for the needs of its members but also controls its behavior as well."² A large part of this control today apparently stems from law enforcement's role in society and is enhanced by its proper use of informants.

The informer has been defined as "a person who informs or prefers an accusation against another, whom he suspects of the violation of some penal statute."³ This definition is altered somewhat by the labels placed on the informers by the criminal world. Among these labels (or titles) are "snitch," "squealer," "rat," "fink," "stool pigeon," and "scab," to name but a few. Unfortunately these titles, originated by the criminal world about whom the informant has provided information, are used frequently by law enforcement officers when referring to their own sources of information and by society in general. It is fair to say that many officers look at the informant as a "snitch" but accept them due to their value in the solution of crime. The

Anchorage Daily Times summed it up in 1974 with the title to an article, "Police See Informants as Necessary Evil."⁴ Still other headlines that lend credence to the value of informants in a more dignified manner are "Police Departments Would Be Lost Without Informants,"⁵ and "Police Informers Play Leading Roles."⁶ Needless to say, law enforcement and the solutions of crimes, in general, would suffer drastically if informants were to stop providing information. The law enforcement profession would be wise to look at its use of these slang titles as self-defeating behavior.

Brief History

The late J. Edgar Hoover, former Director of the Federal Bureau of Investigation, said that furnishing information was "one of the citizens' obligations."⁷ In the early histories of England and America, this obligation was referred to as the "Hue and Cry." Historically, police officers basically functioned as watchmen; it was not necessarily the officer's responsibility to catch criminals. He was, however, expected to "give Hue and Cry" so that the criminals could be apprehended by other citizens in the general vicinity.⁸ Quite the opposite role has evolved since that time, and more and more frequently, police are being challenged to solve more crimes and make more arrests.

During the period of hue and cry in England there existed the common law misprision of felony. Failure to inform, especially when witness to a felony, was punishable by fine and/or imprisonment. It is questionable whether this offense ever had any meaningful existence beyond textbook writers. The offense was practically obsolete in England over a century ago.

Today, most States and the Federal Government have some type of misprision statute. Our modern statutes are found to require active concealment, not just a failure to report, and this seems to have been the reality at common law also. Even though citizens have technical, legal obligations to report crime and furnish information, these legal obligations are, in reality, unenforceable or at least unenforced. Thus, "the informant in America serves of his own free will."⁹ Keeping in mind this fact of voluntariness, what causes an individual to inform when another is involved in criminality?

It is becoming more and more important in present-day policing to be able to readily identify informants, and thereafter, understand their motivations for providing information in order to further develop them as sources. There was a time in our history when, due to the absence of court rulings, the police officer had fewer legal guidelines, and thus, more latitude in his interpretation of constitutional restraints. He was able to ask questions whenever he felt it was necessary, to stop indiscriminately suspicious individuals or vehicles, check the background or records of certain persons suspected of criminal activity, and conduct many other types of activities which he felt would be helpful in either identifying a criminal or in preventing a crime. This type of police activity was referred to by James Q. Wilson as aggressive police practice. Wilson defined it as "gathering more information about people who may be about to commit, or recently have committed, a crime. Because he (the police officer) cannot, except by due process of law, put people in private places under surveillance . . . he must gather the information in public places by stopping and ques-

tioning 'suspicious' persons, checking cars, searching people and vehicles for contraband, and keeping an eye on those locales—street corners or taverns in rowdy neighborhoods, for example—where criminal acts often occur."¹⁰

Courts have begun to inquire into law enforcement practices with more regularity, resulting in more restrictions on officers' conduct, particularly with regard to collecting and using evidence. The decisions of the U.S. Supreme Court and State courts for the past 20 years have been limiting this aggressive policing. A recent case, for example, is that handed down by the U.S. Supreme Court on March 27, 1979, the case of *Delaware v. Prouse*, in which case the Court ruled that "random car stops require articulable suspicions."¹¹ Developments such as these in criminal law which restrict information gathering have made it even more important for the police officer to understand the motivating factors involved in the decision to inform.

Informant Motivation

Motivation has been defined as an "internal condition which directs actions towards some goal: . . . usually used to include both the drive and the goal to which it is directed."¹² These impelling forces, or motivations, directing human behavior are many and vary widely from one individual to another. The psychological motives that encourage individuals to inform on others fall within this multitude of forces. It is fair to expect the law enforcement officer will observe a few selected motivational factors, such as fear, revenge, and personal gain, more than others. Familiarity with motivational factors will allow the officer to better direct his questioning of the informant and provide a more enlightened "on-the-spot" judgment concerning the potential credibility of the information provided.

Some informants' motivating factors, delineated by Charles E. O'Hara in his book *Fundamentals of Criminal Investigation*,¹³ are:

- Fear—concern for one's own safety or the safety of his family.
- Vanity—attempts to be looked upon favorably by police authorities.
- Revenge—an effort to "get even" with another due to the other's previous informing or a mere dispute.
- Repentance—rectifying a wrong due to a guilty conscience.
- Jealousy—efforts to humiliate one with greater accomplishments or possessions.
- Remuneration—informing for monetary reasons or other material gain.
- Avoidance of Punishment—person caught in a criminal act informs on crime to avoid punishment.
- Civic Mindedness—efforts to rid the community of crime.
- Gratitude or Gain—efforts to express appreciation or earn favor.
- Competition—desires to eliminate criminal competition.

John J. Horgan, the author of *Criminal Investigation*, adds still other motivating factors to this list. Among them are informing due to a dislike for a confederate, providing information regarding certain crimes of which he disapproves, and egoism or making himself look and feel important to the police,¹⁴ similar to that factor which O'Hara referred to as vanity. Integrated within these motivations may be found the detective complex¹⁵ and attempts by individuals to ingratiate themselves with the authorities.¹⁶ It is noted that many of these same motivations are experienced by suspects being questioned about a crime and subjects providing confessions.

Criminal Informant Potential

Who are criminal informants? Criminal informants can be anyone, in that no category of individual or occupation is exempted. Obviously, the best individual from whom to receive information relative to a crime is the criminal himself. In lieu of this luxury, it is necessary for the officer to obtain information from others, information provided for one or more of the previously described motivational rea-

sons. An accomplice may provide the necessary information, or it may be learned from individuals merely in a position to know, hear of, or observe criminal behavior, such as cab drivers, bartenders, doormen, security personnel, and others.¹⁷ It seems fair to assume that one person who is most familiar with the criminal mind is another criminal. It has been stated that "invariably, good informants are involved with criminal activities."¹⁸

The Psychopath as an Informant

Some studies, discussed later, suggest that a large portion of the criminal population is made up of a certain personality type. These studies refer to the criminal as sociopaths, antisocial personalities, and psychopaths. All of these terms share basically the same meaning. For our purposes such an individual will be referred to as the psychopath. It is noted that the American Psychiatric Association uses the term "antisocial personality" to classify the sociopath/psychopath and refers to them as:

"[I]ndividuals who are basically unsocialized and whose behavior pattern brings them repeatedly into conflict with society. They are incapable of significant loyalty to individuals, groups, or social values. They are grossly selfish, callous, irresponsible, impulsive, and unable to feel guilt or to learn from experience and punishment. Frustration tolerance is low. They tend to blame others or offer plausible rationalizations for their behavior. A mere history of repeated legal or social offenses is not sufficient to justify this diagnosis."¹⁹

Criminologist Ernest van den Haag, among others, cautions that a history of offenses does not place an individual in the category of psychopathic. He states, "Most offenders are not psychopaths, but some are."²⁰ While there are writers such as van den Haag who state that the psychopath is not the most common offender, there are studies which oppose that particular viewpoint.

A study of the inmates of Sing Sing Prison in 1963 by J. Gaetaniello, Chief of Psychiatric Services, Sing Sing Prison, Ossining, N.Y., revealed that 35 percent, the largest percentage of any one category exposed by the study, were of the antisocial type.²¹ Another study, this one of repeat offenders by Dr. John Holbrook, Chief Psychiatrist, and Mr. Eric J. Holden, Psychological Counselor, both of the Texas Department of Corrections, also concludes that the psychopathic-type personality makes up the majority of criminal types. In this study they reported that "though the sociopath comprises 40 percent of the criminal population, he is responsible for 80 percent to 90 percent of all crime."²²

These percentages of psychopathic criminals are presented to expose the officer to the fact that there is a great possibility the officer will contact the psychopath as an informant on occasion. The studies are in no way intended to suggest the psychopath as the only, or best, criminal informant, and it must be stressed that since the officer's job is not that of a diagnostician, he need not label the informant as one type of personality or another. He should, however, be aware of the characteristics of the psychopath, so that he will be alert to an informant who possesses any or all such characteristics and handle him accordingly.

Even those who disagree that the psychopath is responsible for a preponderance of crime provide certain insight into the handling of this type of person. William and Joan McCord in their book, *Origins of Crime*, tell us the following: "It is the psychopath who commits the whole gamut of crimes. He feels little, if any, guilt and cannot form close relationships with other people."²³ Ernest van den Haag advises: "Psychopaths, by definition, differ from ordinary people in that they do not experience guilt feelings. They find it psychologically easier to commit crimes."²⁴ Therefore, whether or not the psychopath makes up the majority of the criminal population, the police officer should use extreme discretion and care when using him as an informant.

It is generally accepted among psychologists that one of the psychopath's largest problems is his lack of guilt feelings. John Coleman refers to this as an "inadequate conscience development and lack of anxiety or guilt."²⁵ Sigmund Freud separated the human personality into three component parts—the id, the ego, and the superego. Accordingly, the psychopath is said, by Freudians, to have a poorly developed superego or conscience. As a consequence, the id (that part of the personality which seeks pleasure without regard for the consequences) dominates the individual's personality. The ego (that portion of a personality which mediates between the id and the superego, also referred to as the self) has no superego or conscience with which to mediate, thus the id predominates.

Hervey Cleckley, in *The Mask of Sanity*, lists 16 characteristics or traits of the psychopath. The officer should keep in mind the possible use of this type of individual as a criminal informant and interpret these characteristics accordingly, evaluating the effect each characteristic will have on the way the informant is handled and the purpose and usefulness of the information provided by him. These characteristics are:

- 1) Superficial charm and good "intelligence,"
- 2) Absence of delusions and other signs of irrational thinking,
- 3) Absence of "nervousness" or psychoneurotic manifestations,
- 4) Unreliability,
- 5) Untruthfulness and insincerity,
- 6) Lack of remorse or shame,
- 7) Inadequately motivated antisocial behavior,
- 8) Poor judgment and failure to learn by experience,
- 9) Pathologic egocentricity and incapacity for love,
- 10) General poverty in major affective reactions,

- 11) Specific loss of insight,
- 12) Unresponsiveness in general interpersonal relations,
- 13) Fantastic and uninviting behavior with drink and sometimes without,
- 14) Suicide rarely carried out,
- 15) Sex life impersonal, trivial, and poorly integrated, and
- 16) Failure to follow any life plan.²⁶

Some Cautions Concerning Psychopathy

Of what significance or assistance are all of these motivational factors and psychopathic characteristics to the investigator? The psychopath possesses both good and bad informant qualities. His egocentricity, or vanity, may cause him to talk excessively about "how much he knows." This same egocentricity will cause him to try to look like a big man (big in importance) to the police and thus fabricate facts concerning a case. This trait may be coupled with his lack of loyalty to anyone. He has not formed any close, meaningful relationships with anyone, particularly with criminal confederates, and therefore will speak freely of their activities.

His gregariousness is limited to a parasitic existence. His egocentricity causes him to need people around him, to be an extrovert. He will use, con, and manipulate people in accordance with his purposes and goals. An officer should not let the diagnostic term "antisocial" be misleading or confusing concerning the psychopath's need for people.

His basic good intelligence and amiability may make him extremely convincing. The officer must be aware that the psychopath is a good liar and is unreliable. While providing false information, he will show no nervousness or other signs of discomfort so frequently witnessed by police during an interview. The use of the polygraph to determine the truthfulness of his story has proven unsuccessful time and time again. The determination most often obtained using a polygraph is one of "inconclusive."

Generally speaking, the investigator is now armed with information concerning informant targeting, development, usage, and interviewing. Numerous motivations for informing were defined, which should prove helpful when attempting to collect information. Caution should be taken, however, when interviewing someone whose behavior resembles that of the psychopath. This caution should take the form of being a good listener, not being gullible, and being willing to verify every bit of information obtained through active investigation. Once again, the officer should continually remind himself that the psychopath is a manipulator, a con artist, and a liar.

Following his arrest, the motivations of an apparent psychopath will differ somewhat from those of the average person. His providing information may be due to his envy of those not arrested (accomplices), his attempts to eliminate criminal competition, but foremost, his efforts to avoid punishment. He will feign repentance for his acts and may plead for probation, stating that he has "learned his lesson." We now know better. The psychopath does not learn from his mistakes or from punishment. Recidivism is high in this category of personality. If he is given probation, it is very likely that his criminal activities will continue, and due to his cunning ways and manipulation, may become an officer's favorite probationer. Many authorities agree that the only way to stop his criminal behavior is to incarcerate him. They contend that incapacitation is the answer to his recidivism.

A last reason the psychopathic type may provide information is to turn the focus of an investigation away from himself, a motivation witnessed by this writer on several occasions. On one occasion, the entire thrust of a bank robbery investigation was shifted in the wrong direction due to information provided by an informant. The information was simple, logical, and extremely believable. It was given with a certain note of sincerity. A short time later, this informant was arrested and convicted for the crime about which he had provided information. The informer's

motivation was to prevent, or at least delay, the authorities from focusing on him as the subject of the crime. Proper interpretation of the information, using the motivational factors listed and the informant's own personality traits, made even the false information useful. Needless to say, many man-hours were expended in attempting to verify or corroborate information. The lack of adequate corroboration was one of the keys to his eventual arrest. This case provided a good example of using the information provided, be it true or false, to the investigator's advantage.

Another case pitted one brother against another in a criminal matter. Whether psychopathic or not, there appeared a lack of loyalty between the brothers. In this case, one brother testified against the other, resulting in a conviction. Obviously, the testimony provided by the informant brother was for the purpose of avoiding punishment through amnesty for his testimony. His lack of warm interpersonal relationships was the characteristic that encouraged law enforcement officers to approach him concerning informing on his brother. This is a perfect incident in which the officer was not pretending to be a diagnostician but rather was identifying certain personality traits which gave him clues as to the proper approach for information.

After reading the above examples one may ask, "Is this type of individual (one who appears to possess the traits of a psychopath) a good criminal informant?" "Should he be targeted and developed as an informant?" The answer is yes; however, this answer must be qualified. He is a good informant so long as the officer is aware of the characteristics of his personality and his motivations for informing. Nothing he says can be taken at "face value" but must be corroborated by active investigation. In a good and thorough investigation, even false information, if examined carefully, can become valuable and steer the officer in the proper direction.

When dealing with a psychopathic-type person, never forget his lack of guilt or remorse. This absence of conscience can make him a very callous, dangerous person. History gives us good examples of the psychopath's cunning and dangerousness. John Coleman, author of *Abnormal Psychology and Modern Life*, tells of Reichsmarshal Hermann Goering who "admitted that he (Goering) had no conscience; his conscience was Adolph Hitler."²⁷ Coleman also tells of the "Great Imposter," Fernando Walter Demaro, Jr., who, without any credentials of his own, was able to become dean of philosophy at a small Canadian college, gain a commission in the Royal Canadian Navy, and serve as a ship's doctor.²⁸ More recently, Edmund Kemper stands out as an excellent example of the dangers involved. At the age of 15 he shot his grandmother and grandfather in cold blood. He was hospitalized for mental treatment and eventually released. Following his release he killed eight others, which included decapitating his own mother.²⁹

"Thou Shalt Not Kill," a special report for television by the National Broadcasting Company, focuses on an interview of two persons on "death-row," Myron Lance and Walter Kelbach.³⁰ Prior to this interview, Lance and Kelbach had been imprisoned in Utah and released. Following their initial release from prison, they murdered numerous people for no apparent reason. These two men talk about the murders freely and without remorse.

On occasion, they grin and laugh about the murders and admit that they have no remorse concerning them. Kelbach states at one point, in substance, that they (the victims) were going to die anyway and they (Lance and Kelbach) were merely speeding it up a little. Kelbach adds a final, chilling note saying that it wouldn't bother him if someone were to have a heart attack right in front of him. His preference, though, would be for one to have a heart attack, crawl, and almost make it to a phone to call for help and then "keel over" and die.

These men speak openly of their crimes. The egocentricity is obvious by their statements and how they describe the murders. It is important to point out that this interview for television was conducted prior to the U.S. Supreme Court decision that invalidated the death penalty in most jurisdictions. This also serves as an excellent example demonstrating the psychopath's egocentricity. Lance and Kelbach, facing the death penalty, chose to talk about their crimes before what may be the largest audience possible, television viewers.

Conclusion

These motivational factors should not only help the officer determine why an individual is providing information but allow the officer to help motivate those in a position to inform (not only those appearing psychopathic) by suggesting a few reasons why he should give information. When dealing with the informant it should be remembered that if the informant is in fact a criminal, he knows as much about interrogation as you do, be honest—don't trick or bluff him.³¹

Informants are a necessary and integral part of the criminal justice system in America. Some individuals continue to provide information on a voluntary basis regarding criminal activities, regardless of public scorn and condemnation. Others, those involved in criminality, do so for some sort of personal gain. The law enforcement officer should realize the importance and usefulness of the informant in the solution of crimes and not adopt the public's and the criminal world's prejudices against him. The informant's motivations discussed herein can be of assistance in using an informant to a maximum potential. There will be many cases where an informant is good on a "one time" basis. Even this situation requires that the officer use his knowledge concerning the informant's reason for providing information and thereby gain all the useful information in his possession.

FBI

Footnotes

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Handgun Concealment Technique

Of interest to law enforcement officers, particularly uniformed patrol officers who are most frequently encountering suspects on the street, is the following handgun concealment technique. A member of a Maine motorcycle club was found to have a thin leather holster, suitable for carrying semi-automatic handguns, sewn on the inside of his leather vest bearing his club colors. On the outside of the vest, directly covering the holster inside, was sewn a heavy leather swastika. The swastika covering is apparently designed to disguise a weapon during a "protective patdown" situation and does the job well, especially when a frisk is cursory.



SEARCH OF MOTOR VEHICLES INCIDENT TO ARREST

(Part I)

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

"Few areas of the law have been as subject to shifting constitutional standards over the last 50 years as that of the search 'incident to an arrest.'" ⁴

The purpose of this article is two-fold: First, to trace briefly the development of those principles which govern the justification and scope of the search incident to arrest today; and second, to examine the extent to which those principles affect the authority of law enforcement officers to search motor vehicles.

Justification of the Search—*United States v. Robinson*.

The justification for a search incident to an arrest has traditionally been framed in terms of the need to "find and seize things connected with the crime...as well as weapons and other things to effect an escape from custody..." ⁵

Perhaps because of the apparent emphasis on the need to secure evidence of the crime (presumably for which the arrest was made), many courts took the position that a search incident to arrest was justified only when the circumstances surrounding the arrest logically suggested the presence of evidence. ⁶ In other words, if the crime was such that it would not ordinarily have evidence or instrumentalities connected with it, then no search for evidence would be permissible.

The issue came squarely before the U.S. Supreme Court in 1973 in *United States v. Robinson*. ⁷ Robinson was arrested for operating an automobile after revocation of his operator's license and for obtaining a permit by misrepresentation. Following the arrest, Robinson was searched by the arresting officer and heroin was found in a "crumpled" cigarette pack located in Robinson's pocket. Robinson was convicted in a U.S. district court for

Limitations on the authority of American law enforcement officers to conduct searches and seizures are generally grounded in the fourth amendment to the U.S. Constitution, which provides:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

It has been frequently noted that the fourth amendment, by its terms, does not prohibit *warrantless* searches and seizures, but rather *unreasonable* searches and seizures. ¹ And while the U.S. Supreme Court has consistently maintained for many years that searches without warrants are *per se* unreasonable, the Court has nevertheless recognized "a few specifically established and well-delineated exceptions" ² to that general rule.

One such exception is the search incident to a lawful arrest. The authority, "always recognized under English and American law, to search the person of the accused when legally arrested to discover and seize the fruits or evidences of crime," was first noted by the U.S. Supreme Court in 1914 in *Weeks v. United States*. ³

If it is true that the authority to conduct searches incident to valid arrests has been "always recognized," the principles governing such seizures—particularly with respect to their justification and scope—have not always been as clearly recognizable, and changes have been frequent. As Justice Byron White once noted:

“... the search incident to arrest is based on the need to protect the officer and prevent the destruction of evidence. . . .”

possession of heroin. The U.S. Court of Appeals for the District of Columbia reversed the conviction on the grounds that the arrest was for an offense of which no evidence could have been reasonably anticipated, and therefore no search for evidence was justified. The court of appeals would limit the arresting officer in such cases to a “frisk” for weapons to assure the officer’s safety.

The U.S. Supreme Court reversed the court of appeals and established what may be described as a *per se* rule regarding *when* a search incident to an arrest may occur. The Court stated:

“The authority to search the person incident to a lawful *custodial* arrest, while based upon the need to disarm and to discover evidence, does not depend on what a court may later decide was the probability in a particular arrest situation that weapons or evidence would in fact be found upon the person of the suspect. A *custodial* arrest of a suspect based on probable cause is a reasonable intrusion under the Fourth Amendment; that intrusion being lawful, a search incident to the arrest requires no additional justification.”⁸ (emphasis added)

The same result was reached by the Court in *Gustafson v. Florida*,⁹ a case decided the same day as *Robinson*, wherein the Court approved the search of Gustafson following his *custodial* arrest for driving an automobile without a valid operator’s license. The search revealed marijuana cigarettes in a cigarette box located in Gustafson’s pocket. The Court stated:

“Since it is the fact of *custodial* arrest which gives rise to the authority to search, it is of no moment that (the

officer) did not indicate any subjective fear of the petitioner or that he did not himself suspect that the petitioner was armed. Having in the course of his lawful search come upon the box of cigarettes, [the officer] was entitled to inspect it; and when his inspection revealed the homemade cigarettes which he believed to contain an unlawful substance, he was entitled to seize them as ‘fruits, instrumentalities or contraband’ probative of criminal conduct.”¹⁰ (emphasis added)

It is clear then that the authority to search a person incident to an arrest is not determined by the nature of the crime, but rather by the nature of the arrest. As the Supreme Court stated in *Robinson*:

“It is the fact of the lawful arrest which establishes the authority to search, and we hold that in the case of a lawful *custodial* arrest a full search of the person is not only an exception to the warrant requirement of the Fourth Amendment, but is also a ‘reasonable’ search under that Amendment.”¹¹ (emphasis added)

Scope of the Search—*Chimel v. California*

From the *Weeks* case¹² in 1914, when the Supreme Court first noted the “always recognized” authority to search a person incident to arrest, until the 1960’s, the law with respect to the scope of a search incident to arrest had altered so abruptly and so frequently that Justice Frankfurter, in a dissenting opinion, complained:

“Especially ought the Court not reinforce needlessly the instabilities of our day by giving fair ground for the belief that Law is the expression of chance—for instance, of unexpected changes in the Court’s composition and the contingencies in the choice of successors.”¹³

By the 1960’s, the scope of a search incident to arrest had generally come to be defined as “the place where the arrest is made in order to find and seize things connected with the crime. . . .”¹⁴ Thus, a search could extend to the area considered to be in the “possession” or under the “control” of the person arrested.

In 1969, the Supreme Court decided *Chimel v. California*.¹⁵ That case involved the search of Chimel’s three-bedroom house following his arrest inside the premises for burglary. Although the State courts held the search of the house to be a valid search incident to the arrest, the Supreme Court reversed. In its decision the Court stated:

“When an arrest is made, it is reasonable for the arresting officer to search the person arrested in order to remove any weapons that the latter might seek to use in order to resist arrest or effect his escape. Otherwise, the officer’s safety might well be endangered, and the arrest itself frustrated. In addition, it is entirely reasonable for the arresting officer to search for and seize any evidence on the arrestee’s person in order to prevent its concealment or destruction. And the area into which an arrestee might reach in order to grab a weapon or evidentiary items must, of course, be governed by a like rule. A gun on a table or in a drawer in front of one who is arrested can be as dangerous to the arresting officer as one concealed in the clothing of the person arrested. There is ample justification, therefore, for a search of the arrestee’s person and the area ‘within his immediate control’—construing that phrase to mean the area from within which he might gain possession of a weapon or destructible evidence.”¹⁶ (emphasis added)

Inasmuch as the search incident to arrest is based on the need to protect the officer and prevent the destruction of evidence, the scope of the search must be "strictly tied to and justified by the circumstances which rendered its initiation permissible."¹⁷

Interestingly enough, this concept had been expressed 5 years earlier in an automobile search case, *Preston v. United States*.¹⁸ At 3:00 a.m., Newport, Ky., police investigated "three suspicious men" who, according to a telephone complaint, had been sitting in an automobile in a business district since 10:00 p.m. the previous evening. Upon confronting the three men, the police received ambiguous responses as to their purpose for being in the area at that hour and determined that all three were unemployed with no more than 25 cents among them. Based on this information, the three were arrested for vagrancy, searched for weapons, and taken to police headquarters. Although the car was not searched at the time of the arrest, it was driven to the police station and then to a garage where two subsequent searches occurred. The first search uncovered two loaded revolvers in the glove compartment. The second search, apparently conducted after the officers had returned to the police station and then back to the garage, located several items in the trunk which were used as evidence at the trial of the defendants on a charge of conspiracy to commit bank robbery. In holding the searches unconstitutional, the Court said:

"It is argued that the search and seizure was justified as incidental to a lawful arrest. Unquestionably, when a

person is lawfully arrested, the police have the right, without a search warrant, to make a contemporaneous search of the person of the accused for weapons or for the fruits of or implements used to commit the crime. This right to search and seize without a search warrant extends to things under the accused's immediate control, and, to an extent depending on the circumstances of the case, to the place where he is arrested. The rule allowing contemporaneous searches is justified, for example, by the need to seize weapons and other things which might be used to assault an officer or effect an escape, as well as by the need to prevent the destruction of evidence of the crime—things which might easily happen where the weapon or evidence is on the accused's person or under his immediate control. . . . Once an accused is under arrest and in custody, then a search made at another place, without a warrant, is simply not incident to the arrest."¹⁹ (citations omitted)

Thus, the *Preston* case concluded that the factors justifying the search were "absent where a search is remote in time or place from the arrest,"²⁰ just as, 5 years later, *Chimel* concluded that the factors justifying the search were absent where the search exceeded the proper scope and "went far beyond the petitioner's person and the area from within which he might have obtained either a weapon or something that could have been used as evidence against him."²¹

Taken together, *Robinson* and *Chimel*, respectively, provide two of the basic principles regarding the search incident to arrest:

1) A lawful *custodial* arrest, of itself, justifies a search incident to that arrest, and no further justification is required.

2) Once initiated, the search includes not only the *person* arrested but extends to the *area within his immediate control*.

Additionally, *Preston* requires that the search of the *area* be *contemporaneous* with the arrest inasmuch as the bases for the search are the need to protect the arresting officers and prevent destruction of evidence—bases which presumably disappear if the search is remote in time or place.

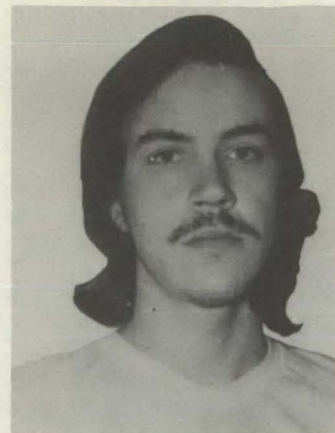
Thus far the discussion has centered on *general* principles underlying the search incident to arrest, without regard to the application of those principles to specific situations. In the second part of this article, which will appear in next month's FBI Law Enforcement Bulletin, the manner in which the courts have applied these principles to searches of motor vehicles will be examined. **FBI**

(Continued next month)

Footnotes

- ¹ See, *Terry v. Ohio*, 392 U.S. 1, 9 (1968); *Elkins v. United States*, 364 U.S. 206, 212 (1960).
- ² *Katz v. United States*, 389 U.S. 347, 357 (1967); *Coolidge v. New Hampshire*, 302 U.S. 443, 449 (1971).
- ³ 232 U.S. 383, 392 (1914).
- ⁴ *Chimel v. California*, 395 U.S. 752, 770 (1969) (White, J., dissenting).
- ⁵ *Agnello v. United States*, 269 U.S. 20, 30 (1925); See also, *Preston v. United States*, 376 U.S. 364, 367 (1964); *Chimel v. California*, *supra* note 4.
- ⁶ E.g., *Thompson v. State*, 398 S.W. 2d 942 (Tex. Crim. 1966); *Church v. State*, 333 S.W.2d 799 (Tenn. 1960); *State v. Taft*, 110 S.E.2d 727 (W.Va. 1959); *State v. Michaels*, 374 P.2d 989 (Wash. 1962); *Barnes v. State*, 130 N.W.2d 264 (Wis. 1964).
- ⁷ 414 U.S. 218 (1973).
- ⁸ *Id.* at 235.
- ⁹ 414 U.S. 260 (1973).
- ¹⁰ *Id.* at 266.
- ¹¹ *Supra* note 7, at 235.
- ¹² *Supra* note 3.
- ¹³ *United States v. Rabinowitz*, 339 U.S. 56 (1950) (See J. Frankfurter's dissent at 86).
- ¹⁴ *Id.* at 61.
- ¹⁵ *Supra* note 4.
- ¹⁶ *Id.* at 762-763.
- ¹⁷ See, *Terry v. Ohio*, *supra* note 1, at 19.
- ¹⁸ *Supra* note 5.
- ¹⁹ *Id.* at 367.
- ²⁰ *Id.* at 367.
- ²¹ *Supra* note 4, at 768.

WANTED BY THE FBI



Photographs taken 1978.

Joseph Arlin Shepherd

Joseph Arlin Shepherd, also known as Joe Sheperd, Joe Shepherd, Joseph Arlen Shepherd, Joseph A. Shepherd, Joseph Arlon Shepherd, Joseph Arlond Shepherd.

Wanted for:

Interstate flight—Murder, Aggravated assault.

The Crime

Shepherd, an escapee from custody who may be armed with a shotgun, is being sought in connection with the sexual assault and murders of two teenage females whose bodies were found buried in shallow graves. Shepherd has also been charged with assaulting a police officer and has reportedly stated he would not be taken alive.

A Federal warrant was issued on August 9, 1978, at Chattanooga, Tenn.

Criminal Record

Shepherd has been convicted of petty larceny.

Description

Age27, born
January 5, 1953,
Sweetwater,
Tenn.
Height6'.
Weight150 to
155 pounds.
BuildSlender.
HairBrown.
EyesGreen.
ComplexionMedium.
RaceWhite.
NationalityAmerican.
OccupationsAuto mechanic,
laborer.
Scars
and MarksScar left forearm.
RemarksReportedly
illiterate.
Social Security
Nos. Used411-94-4104
411-54-4404.
FBI No.877 750 K 10.

Caution

Shepherd should be considered armed, dangerous, and an escape risk.

Notify the FBI

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

Classification Data:

NCIC Classification:
POPIPMPO17DIPO17PI19

Fingerprint Classification:

17 O 29 W IMO 17
I 28 W OOI



Right ring fingerprint.

Change of Address

Not an order form

FBI LAW ENFORCEMENT BULLETIN

Complete this form and return to:

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Federal Bureau of
Investigation
Washington, D.C. 20535

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Title _____

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City _____

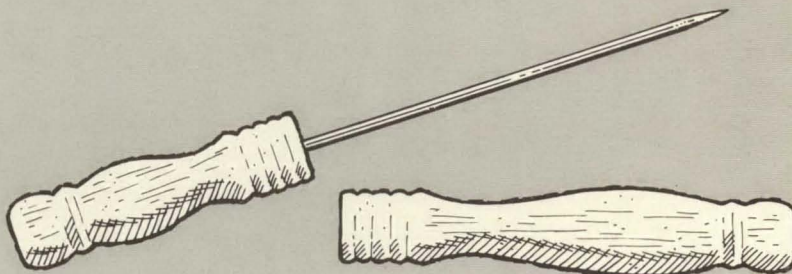
State _____

Zip _____

Hideaway Ice Pick

This seemingly innocent ice pick becomes a potentially dangerous weapon when the cover is removed. When covered, the commercially marketed ice pick can be used as a "yawara stick," which is a martial arts weapon used in striking blows and applying pressure to certain areas of the body.

The unusual weapon featured on the inside back cover of the February 1980, issue was submitted by the Yazoo City, Miss., Police Department.



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Interesting Pattern

This pattern possesses a most interesting and unusual ridge formation. A close analysis of the left side of the impression reveals that nearly all of the ridges enter or leave the pattern area at the same approximate location. This pattern is classified as a plain arch.

