

U.S. Department of Justice  
Federal Bureau of Investigation



MAY 1996

# FBI Law Enforcement

B ♦ U ♦ L ♦ L ♦ E ♦ T ♦ I ♦ N

**Trace Evidence  
and Forensics**



May 1996  
Volume 65  
Number 5

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

Louis J. Freeh  
Director

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

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

The *FBI Law Enforcement Bulletin* (ISSN-0014-5688) is published monthly by the Federal Bureau of Investigation, 10th and Pennsylvania Avenue, N.W., Washington, D.C. 20535. Second-Class postage paid at Washington, D.C., and additional mailing offices. Postmaster: Send address changes to *FBI Law Enforcement Bulletin*, Federal Bureau of Investigation, FBI Academy, Quantico, VA 22135.

**Editor**

Stephen D. Gladis, Ph.D.

**Managing Editor**

Kathryn E. Sulewski

**Art Director**

John E. Ott

**Associate Editors**

Andrew DiRosa

Julie R. Linkins

Kimberly J. Waggoner

**Assistant Art Director**

Brian K. Parnell

**Staff Assistant**

Stephanie L. Lowe

**Internet Address:**

fbileb@justice.usdoj.gov

Cover photo © PhotoDisc

# FBI Law Enforcement

B ♦ U ♦ L ♦ L ♦ E ♦ T ♦ I ♦ N



## Features

### Therapeutic Communication

By Arthur Slatkin

1

*By using certain communication techniques developed by mental health professionals, negotiators might be able to resolve critical incidents more peacefully.*

### Condom Trace Evidence

By Robert D. Blackledge

12

*Offenders are changing the nature of sexual assault investigations by wearing condoms.*

### Suspect Restraint and Sudden Death

By Donald T. Reay

22

*When hog-tied restraint is used to control violent suspects, officers can take precautions to prevent sudden deaths.*

### Pursuing Publication

By Julie R. Linkins

26

*Publishing articles in law enforcement journals can be both rewarding and career enhancing. This article explains how to get started.*

## Departments

### 7 Focus on Stress

The Police Supervisor and Stress

### 11 Book Review

Multicultural Law Enforcement

### 16 Bulletin Reports

Against Gun Violence  
Citizen Review Manual  
Strategy for Juvenile Offenders  
Criminal Justice Statistics

### 18 Case Study

Using Automation to Apply Discipline



# Enhancing Negotiator Training Therapeutic Communication

By ARTHUR SLATKIN, M.A.

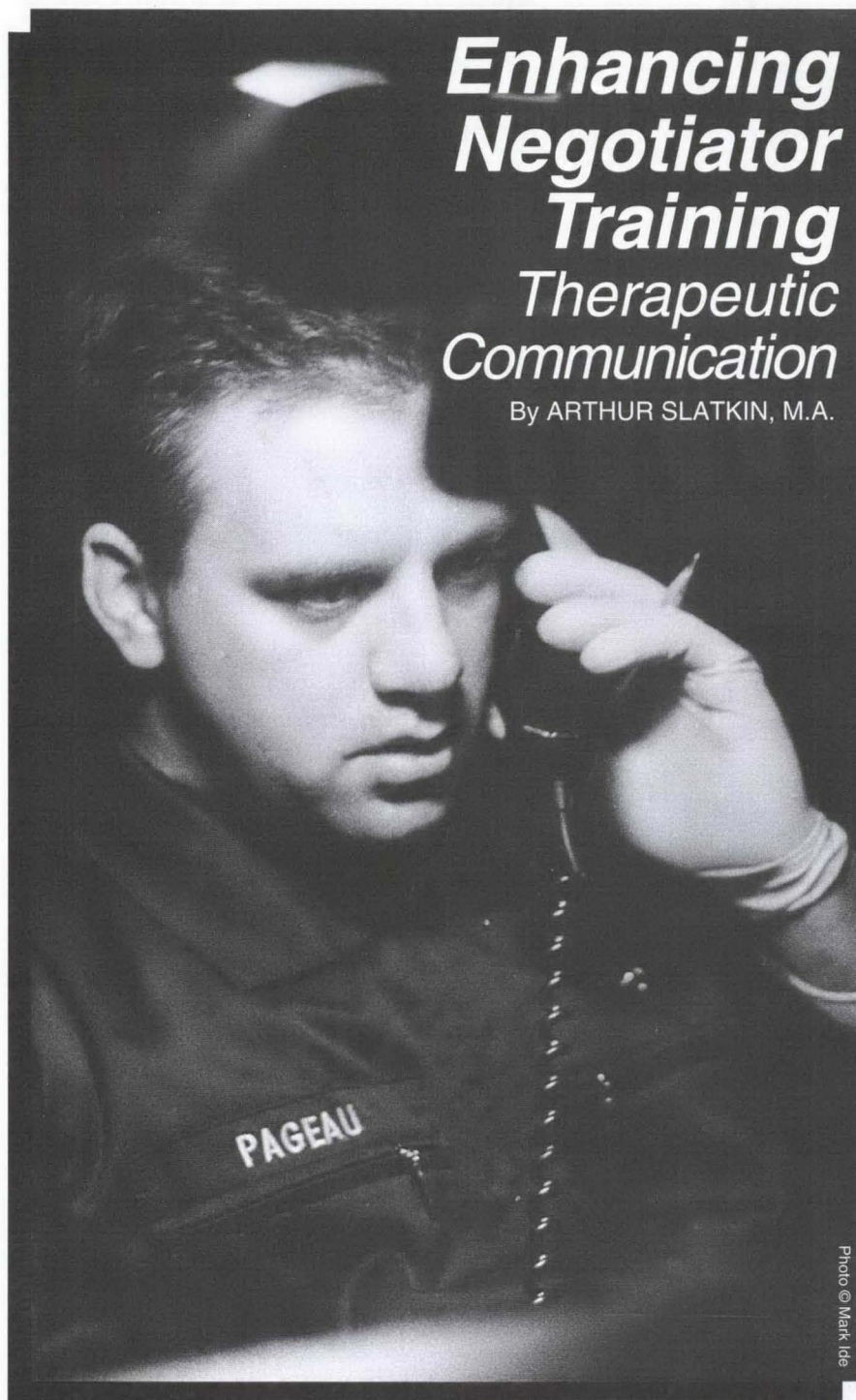


Photo © Mark Ide

assignments, the proficiency level demonstrated by these officers will vary widely. Some may have received limited formal training in the techniques of interpersonal communication as part of their basic academy instruction. A smaller percentage may have obtained advanced communication training at a university while in pursuit of an advanced degree. Most officers, however, possess little or no formal interpersonal communication training.

This void rarely is filled, even when prospective negotiators become part of a critical incident team. Typically, hostage recovery and negotiation training includes an introduction to abnormal behavior; the terminology and symptoms of the major mental, emotional, and personality disorders; the history and theory of hostage negotiation; the roles of first responders, negotiators, and tactical team members; and a review of equipment, techniques, tactics, strategies of containment, negotiation, and assault. Within this broad array of instruction, little, if any, training focuses on basic interpersonal communication skills. Thus, the primary tool of negotiators—the ability to communicate—remains untaught, left largely to chance and the presumptions of innate ability.

Despite these limitations, negotiators in agencies across the United States have established an enviable track record for resolving critical incidents. However, the volatile nature of such incidents and the potential for harm to hostages and tactical officers should negotiations fail require negotiators to explore ways to improve their communication skills.

**L**aw enforcement officers who apply for assignment to critical incident teams often see themselves, and may be described by others, as possessing

the “gift of gab.” That is, they display good verbal ability.<sup>1</sup>

Although these officers probably developed *some* verbal ability while working patrol or other





Mr. Slatkin, formerly the employee assistance program coordinator with the Jefferson County Corrections Department in Louisville, Kentucky, is a certified clinical psychologist with the Kentucky State Reformatory's Division of Mental Health in LaGrange.

**“During a hostage taking or barricade situation, negotiators assume a quasi-therapeutic role in relation to the subject.”**

This article discusses therapeutic communication, an approach commonly taught to and employed by mental health professionals to resolve conflicts involving individuals with mental disorders. As two law enforcement agencies in Kentucky have discovered, many of the principles of therapeutic communication can be applied in a law enforcement setting. The strong interpersonal communication skills fostered by this approach provide an effective supplement to traditional negotiation training.

### **IN THE MENTAL HEALTH FIELD**

Therapeutic communication differs greatly from casual conversation. It is calculated, deliberate, purposeful, and focused. Practitioners carefully formulate each intervention, and when employed in the mental health setting, each intervention is selected to achieve a specific objective at that moment, during the session, and throughout the treatment.

Therapeutic communication involves focusing and following, inquiring effectively, reflecting feeling and content, and structuring dialogue for information and action.<sup>2</sup> For example, mental health workers might find it desirable in a particular case to promote conversation with a shy and anxious person. In other cases, they may need to stem the flow of speech in overly talkative subjects who ramble excessively to mask their feelings.

Therapeutic communication focuses on three response types—listening, acting, and sharing. Each response type consists of several verbal techniques. Within the listening-type response category, for example, therapists use five techniques—paraphrase, reflection, clarification, primary level empathy, and summarization—to help shape the dialogue in a productive way. During therapeutic dialogue, therapists may select and employ any number of these techniques to achieve specific ends.

Students of mental health learn these techniques in graduate level courses and practice them in “micro-counseling” laboratories. During these sessions, instructors introduce a technique—such as paraphrase—and discuss its use and objective. Students then pair off and alternately role-play client and therapist to practice the technique.

Through consistent practice, students become more proficient in each technique. Over time, awkwardness gives way to confidence and fluency. Techniques are added as weaves in a fabric, ultimately forming the seamless dialogue of therapy.

### **IN CRITICAL INCIDENTS**

During a hostage taking or barricade situation, negotiators assume a quasi-therapeutic role in relation to the subject.<sup>3</sup> In fact, statistics reveal that negotiators deal predominantly with individuals having mental or emotional disorders.<sup>4</sup> Perhaps for this reason, authorities in the field have referred to successful negotiations as “talking cures.”<sup>5</sup>

As with therapists, the principal tool of negotiators is the ability to communicate with subjects in a way that resolves an incident with a minimum of injury or loss of life. Likewise, *some* of the language and techniques of psychotherapy can be applied in incidents encountered by law enforcement, such as domestic disputes, suicide interventions, and critical incidents.<sup>6</sup>

Going beyond standard conversational art, therapeutic communication conveys that negotiators are listening actively to subjects, concerned about their welfare, and invested in bringing the incident to a



safe resolution. By communicating a heightened sense of empathy, negotiators may be able to gain insights that could lead to the peaceful surrender of a subject.

## DIFFERENT AGENDAS

Of course, significant differences do exist between negotiators and therapists. Police negotiators, properly concerned with their legal mandate, pursue their agenda primarily by "managing" incidents.<sup>7</sup> Therapists generally are less patently manipulative as they promote the mutually agreed-upon agenda of therapist and client, i.e., the treatment plan.

Despite these differences, a number of law enforcement agencies have recognized the basic similarities between therapy and negotiation. In Kentucky, the Louisville Police Department recognized the value of therapeutic communication and sought training for its well-established and highly effective hostage negotiation team. Similarly, the less-experienced hostage negotiation team of the Jefferson County Jail saw a need to enhance its communication tools.

In response, trainers from the Jefferson County Corrections Department devised an instruction program to present the material in a way that would be meaningful to the officers and allow sufficient practice time. As a unique component of the program, instructors structured the classroom material deliberately and formally in the role-play itself, in a stressed demand situation, to ensure that each technique could be employed and practiced by the participants. The material included in the initial

instruction program was not intended to be all-inclusive, but drew from the core techniques of therapeutic communication.

## INSTRUCTION PROGRAM

Trainers determined that a two-part program represented the best way to present and reinforce the material. The program consists of an instructional module in communication techniques and a role-play simulation. Through this program, trainers seek to:

- Convince officers of the utility of communication training as a way of improving their negotiation skills
- Reinforce the positive communication skills of experienced negotiators

**“  
...communication  
represents the key to  
resolving critical  
incidents  
successfully....  
”**

- Instruct officers in the therapeutic communication skills applicable for hostage and crisis negotiation
- Teach officers the names of the techniques and the rationales for employing them, so that they could be employed deliberately, on demand; and so that the officers could communicate about them in a common language

- Provide officers with a structured opportunity to practice their new skills to enhance confidence.

## The Communication Techniques Module

A trained mental health professional presents the communication training module. From the three clusters of response types (listening, acting, and sharing), the trainer teaches 14 communication techniques. Written practice exercises give the students an opportunity to apply the learning and to receive immediate feedback on their responses. The exercises, consisting of hostage taker statements and hostage negotiator responses, then are used as a script to create a dialogue.

For the exercises, the instructor divides the group into triads, made up of two students and an observer. The first student reads the statements of the hostage taker. The second student sits opposite the first and responds with the hostage negotiator's reply. The remaining student observes the two participants. The instructor critiques each of the responses for effectiveness and judges them for accuracy against the accepted responses. After each student completes a turn, the teams rotate until every student performs in every role.

## The Role-play

### Setting Up

Materials used in the role play include two sets of scenario cards, one for each primary negotiator and hostage taker; a set of 14 communication cards, corresponding to the 14 communication techniques in the



## Communication Techniques

The 14 communication techniques are divided into three categories of response types.

Listening Responses	Action Responses	Sharing Responses
Clarification Paraphrase Reflection Summarization Primary-level empathy	Open-ended probe Closed probe Confrontation Interpretation Information-giving Instructions	Self-disclosure Immediacy Reinforcement

training module; a reference book on these communication responses; and instructions for the role-play. Prior to the start of the role-play, the team leader, or controller, chooses a primary negotiator, a secondary negotiator, and a hostage taker.

The primary negotiator and hostage taker face each other but are separated by an opaque screen; the secondary negotiator sits beside the primary negotiator. This individual gives assistance and support to the primary negotiator, as requested or deemed appropriate, and is prepared to take over for the primary negotiator, if need be.

The controller places the communication cards and numbered scenario cards, respectively, on a table in front of the primary negotiator and the hostage taker. The primary negotiator draws a numbered scenario card from the pack; the hostage taker then draws the same numbered card. These cards contain identifying data (name, age, race, and gender of the subject), a description of the current situation, and a suggested opening line to begin the dialogue. The controller signals the

beginning of play and circulates throughout the role-play.

### *Acting Out the Roles*

The controller initiates play with a chime, whistle, or handclap. At this time, the primary negotiator and hostage taker pick the first of the numbered scenario cards and open the dialogue. As the dialogue gains momentum, the controller sounds the first of a series of double signals, usually handclaps. At the signal, the primary negotiator draws the first of the 14 communication cards. The primary negotiator must employ the technique indicated on the card as soon as practicable but before the next signal sounds.

As play progresses, the controller periodically gives a double signal, indicating that the primary negotiator must draw a new communication card and work the specified technique into the dialogue before the next signal. After several communication cards have been played, the controller sounds a triple signal, which brings the play to a halt and opens the debriefing.

### **Debriefing**

All participants—the primary negotiator, the secondary negotiator, the hostage taker, and the controller—take part in the debriefing by providing feedback to each other about their observations and their evaluations of the effects—and the effectiveness—of their actions. During the debriefing, players may ask how the other participants felt when they said something or took a specific action.

After a reasonable exchange, the controller sounds a chime four times, signaling the players to rotate into different roles. A new controller signals and play resumes until each player has had an opportunity to perform each role.

### **CONCLUSION**

Because communication represents the key to resolving critical incidents successfully, critical incident negotiators must possess the ability to talk with subjects and to convince them that surrender is their best option. Negotiation between two rational parties is a complex process; prolonged negotiation that



## Sample Responses

The 14 communication techniques within the three response types provide negotiators with a wide choice of responses to statements made by subjects. Negotiators should carefully gauge the status of the incident and the mental state of the subject before deciding which technique to employ at any given time. The technique used should direct the subject to respond in a way that diffuses tensions and keeps the negotiations process moving.

For example, negotiators can draw from the communication techniques to choose the most appropriate way to respond to a subject who states: "Nothing is going right. My life is a mess."

### LISTENING RESPONSES

#### Clarification

*Negotiator:* By 'nothing' do you mean every last thing or just a lot of things that are really important to you?

*Subject:* No, I don't guess 'everything' is going badly. At least I've got my kid. She means the world to me.

#### Paraphrase

*Negotiator:* It sounds like things aren't working out for you and your world is upside down.

*Subject:* Yeah, upside down.

#### Reflection

*Negotiator:* You're feeling angry and frustrated.

*Subject:* I guess I am. I hadn't realized just how mad I was.

#### Summarization

*Negotiator:* Things are piling up and going badly for you—it sounds like a mess.

*Subject:* That's for sure.

#### Primary-level empathy

*Negotiator:* Everything seems to be falling apart, and you're angry and frustrated.

*Subject:* You're right.

### ACTION RESPONSES

#### Open-ended probe

*Negotiator:* A mess?

*Subject:* It would take all day to tell you how messed up my life is.

#### Closed probe

*Negotiator:* Would you say this is the worst period you've ever gone through?

*Subject:* Yes.

#### Confrontation:

*Negotiator:* I'm confused. You said things aren't going

right, but you also told me you and your wife were getting back together.

*Subject:* Well, maybe some things are getting better.

#### Interpretation

*Negotiator:* I wonder if your short temper doesn't work against you, you know, makes people not want to be around you, gets you into fights, and makes your boss think you're not a good worker.

*Subject:* I don't know. Sometimes I think maybe I am my own worst enemy.

#### Information-giving

*Negotiator:* At mid-life, most men go through a period of uncertainty about their life, and they often can evaluate it too harshly.

*Subject:* I didn't think anyone ever felt the way I do.

#### Instructions

*Negotiator:* Take a deep breath and hold it for 30 seconds. See if that eases the pressure a little.

*Subject:* That never works for me, but I don't know what else to do when I get this way.

### SHARING RESPONSES

#### Self-disclosure

*Negotiator:* I felt the same way 5 years ago when I was going through my divorce.

*Subject:* How do I get through it?

#### Immediacy

*Negotiator:* When you say that, in that way, you sound like you are looking for pity.

*Subject:* I don't want anybody's pity.

#### Reinforcement

*Negotiator:* You told me you were in the Marines. You got through boot camp; it had to be tough. Not everyone makes it through. I think that says a lot about your ability to tough it out.

*Subject:* Do you really think I can?



involves one or more subjects with mental disorders requires a skill level that few prospective negotiators possess. It is wrong to assume the "gift of gab" is enough.

The similarities between critical incident negotiations and the therapies employed by mental health professionals form a strong basis for cross-training. Therapeutic communication enhances the ability of both mental health professionals and law enforcement negotiators to resolve potentially volatile situations.

Many law enforcement agencies currently contract with mental

health professionals to provide various services. Teaching the lessons of therapeutic communication to critical incident negotiators could be a valuable addition to the list. ♦

#### Endnotes

<sup>1</sup> G.D. Fuselier, "Emerging Role for the Clinical Psychologist," *Professional Psychology: Research and Practice*, vol. 19, no. 2, 175-179.

<sup>2</sup> D.R. Evans, M.T. Hearn, M.R. Uhlemann, and A.E. Ivey, *Essential Interviewing: A Programmed Approach to Effective Communication*, 2d ed. (Pacific Grove, CA: Brooks/Cole, 1984).

<sup>3</sup> H. Schlossberg, hostage negotiation seminar presented by the Louisville Division of Police, Louisville, KY, September 1991.

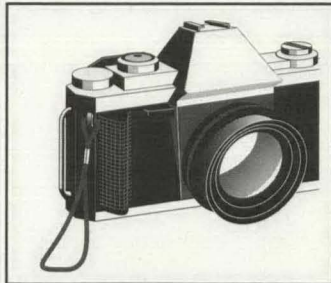
<sup>4</sup> R.A. Bell, F.J. Lanceley, T.B. Feldmann, P.W. Johnson, W. Cheek, and C.R. Lewis, "Improving Hostage Negotiation Strategies: An Empirical Study of Aircraft Hijackers," *American Journal of Preventive Psychiatry and Neurology*, vol. 2 no. 1, 1-5.

<sup>5</sup> D.A. Soskis and C.R. Van Zandt, "Hostage Negotiation: Law Enforcement's Most Effective Nonlethal Weapon," *Behavioral Sciences and the Law*, vol. 4, no. 4, 429.

<sup>6</sup> R.M. Gist and J.D. Perry, "Perspectives on Negotiations in Local Jurisdictions Negotiation Strategies for Escalated Situations," *FBI Law Enforcement Bulletin*, vol. 52, no. 12, 5-9.

<sup>7</sup> T.A. Johnson, "A Role for the Behavioral Scientist in Hostage Negotiation Incidents," *Journal of Forensic Sciences*, vol. 23, no. 4, 797-803.

## Wanted: Photographs



**T**he *Law Enforcement* staff is always on the lookout for dynamic, law enforcement-related photos for possible publication in the magazine. We are interested in photos that visually depict the many aspects of the law enforcement profession and illustrate the

various tasks law enforcement personnel perform.

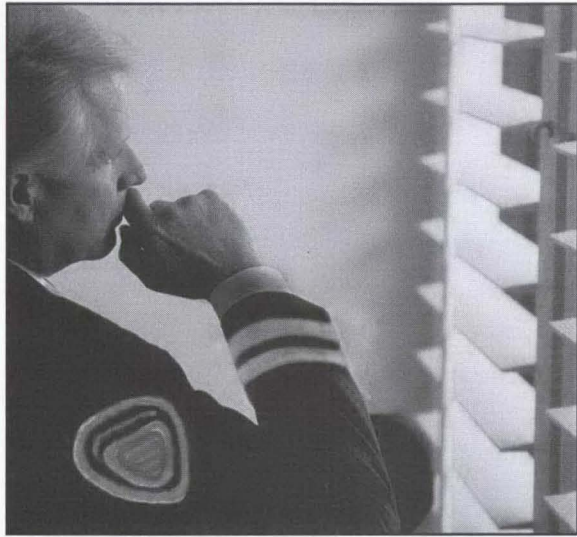
We can use either black-and-white glossy or color prints or slides, although we prefer prints (5x7 or 8x10). Appropriate credit will be given to contributing photographers when their work appears in the magazine. We suggest that you send duplicate, not original, prints as we do not accept responsibility for prints that may be damaged or lost. Send your photographs to:

John Ott, Art Director, *FBI Law Enforcement Bulletin*, Law Enforcement Communication Unit, FBI Academy, Quantico, VA 22135.



### *The Police Supervisor and Stress*

By Steven R. Standfest, M.S.



**T**he puzzled young police commander had long envied his superiors' seemingly stress-free positions, but since his promotion, he has been experiencing chronic symptoms that rarely affected him in all of his years on patrol. His stomach pains feel like an ulcer, he frequently cannot sleep, and all too often, he turns to alcohol for relief. Last week, chest pains sent him to the emergency room, where the doctor diagnosed his problem—stress.

Many police managers experience health problems, both physiological and emotional, and have difficulty understanding the cause. As patrol officers, they might have believed that a promotion would alleviate the stress they faced every day. Soon after taking command, however, many find that they must contend with a variety of new stressors, in addition to the ones experienced by the patrol officers they lead.

Police commanders must cope with stressors similar to those faced by their private-industry counterparts, such as office politics, deadlines, budget constraints, performance appraisals, and grievances, to name a few. But police commanders, unlike private

industry executives, also must respond to death scenes, family disturbances, or accidents in which people have been seriously injured or killed. The combination of leadership stressors and the unique stressors faced by the police can be a recipe for a health catastrophe.

Stress affects the performance of individual supervisors and commanders and, consequently, the performance of the police department as a whole. Municipal authorities and police executives first should learn about the causes and consequences of stress and then take steps to help management personnel reduce its influence and effects.

#### THE EFFECTS OF STRESS

Limited amounts of stress can have positive results. Spectators pay money to experience the exhilaration of a boxing match, a hockey game, or an auto race. The tension of competition drives participants to excel in these events and often enhances their performance.

Yet, other stressors inhibit performance and can cause health problems. According to some doctors, as much as 70 to 90 percent of all illnesses have stress as the root cause.<sup>1</sup>

Stress occurs in three stages within the human body: Alarm reaction, resistance, and exhaustion.<sup>2</sup> The alarm reaction produces physiological changes, known collectively as "fight-or-flight" syndrome, in response to an emergency. Heart rate, blood pressure, and muscle tone increase. The secretion of adrenaline heightens awareness, a crucial survival factor for police officers confronted with life-or-death situations.

Prolonged exposure to a stressful situation eventually causes the resistance stage to set in. In many cases, such as hostage situations or drawn-out domestic disturbance calls, even though the stress-inducing danger still might be present, an officer's body adjusts to the situation and tries to return to normal. The resistance phase is characterized by more control and a greater ability to withstand the effects of stress while maintaining performance levels.

However, when the resistance stage persists, exhaustion overcomes an individual's coping mechanisms. The responses initially experienced during the alarm reaction stage might reappear. Physiological and psychological problems, such as chronic fatigue or depression, feelings of alienation, and irritability, can



develop. The body continues to respond in a fight-or-flight mode and keeps producing high levels of adrenaline. The heart becomes overworked, blood-cholesterol levels increase, and actual tissue damage can occur, producing common illnesses such as heart disease, gastric disorders, arthritis, allergies, and kidney disease.<sup>3</sup>

Not all stress-inducing situations involve responding to calls for service. In fact, the daily stressors associated with management of the department, such as responding to personnel shortages, dealing with budget constraints, and taking disciplinary action, can produce the same kinds of stress reactions among supervisors and managers as a domestic disturbance call might provoke among line officers. These effects of stress debilitate police managers, which in turn inhibits the effectiveness of their departments. What now becomes critical to the well-being of both is to identify the causes of stress and the means to alleviate them.

### HIGH ANXIETY

Patrol officers often seem to believe that only they experience job stress. Some of the limited research on the topic of law enforcement executive stress shows, however, that police managers indeed suffer from the adverse side effects of stress as often or even more often than other police officers.

A 1974 study identified several causes of stress among administrators and field supervisors in the Cincinnati, Ohio, Police Department. Eighteen of 30 supervisors fingered excessive bureaucratic red tape as a major stressor. Others pointed to their lack of input into administration of the department, poor equipment or the scarcity of it, personnel shortages, and lack of consideration by the courts in scheduling patrol officers for court appearances.<sup>4</sup>

Perhaps the study's most interesting result was the identification of two stressors unique to the supervisory role. The survey found that taking disciplinary

action against a subordinate and making amends with the public because of a subordinate's mistake cause supervisors the most stress.<sup>5</sup>

Much of the stress experienced by supervisory or administrative police officers stems from their location in the department's hierarchy. People on all sides—bosses, subordinates, members of the public, and even municipal officials—make constant demands on them.

In a more recent study of supervisory law enforcement officers' stress levels, respondents concurred, citing such stress factors as a poorly defined role within the department, insufficient support from administrators, little or no input into departmental policy, and authority incommensurate with responsibilities. It also found that the normal supervisory activities of meting out discipline, motivating employees, building morale, appraising performance, identifying personal problems in subordinates and making appropriate interventions, and communicating effectively with subordinates caused stress among the law enforcement supervisors studied.<sup>6</sup>

Fortunately, stress levels do not have to reach the point of causing physiological and emotional illness among supervisory personnel. City leaders, police executives, and the individual supervisors themselves can take steps to manage stress effectively.

### STEPS TO ALLEVIATE STRESS

To begin, agencies might want to be certain that city leaders understand the negative effects of stress in order to garner their support for stress management and stress reduction initiatives. Stress can lead to physical diseases, such as cancer and heart disease, which in turn hurts the organization by preventing employees from contributing their full measure to the agency. Heart attacks and strokes kill more people, including managers, than all other diseases combined.<sup>7</sup> Once city leaders realize this, they often are more willing to support agency initiatives to reduce the stress of supervisors in the workplace.

“  
...stress levels do not  
have to reach the point  
of causing  
physiological and  
emotional illness  
among supervisory  
personnel.  
”



Working with city managers, police executives can employ a practical four-step plan to reduce stress levels among supervisory personnel. Notably, many of the techniques that help supervisors cope with stress and avoid its debilitating effects also improve the quality of life in the entire police department, and thus reduce the inherent stress both in the office and for those officers working patrol and other areas. The four steps—assessment, planning, action, and follow-through—ensure that executives address the appropriate problems, develop and implement workable solutions, and then monitor progress and make adjustments as necessary.<sup>8</sup>

### Step 1: Assessment

First, police executives must determine exactly what problems affect the managers and supervisors in their departments. By listening to these employees, an accurate diagnosis can be made.

Do supervisors consistently point to a particular policy or practice within the department that causes stress? Does some aspect of the department's physical space, such as poor lighting or temperature control, inadequate storage space, or insufficient prisoner holding areas, cause problems?

Administrators also should consult recent research on stress to obtain ideas about possible causes of stress and potential problem areas. For example, studies conducted at the FBI National Academy showed that as the education level of officers increased, stress levels decreased.<sup>9</sup> This information, coupled with input from employees, could lead administrators to recognize that managers' educational levels might be a factor impacting on their stress levels. Stressors in one department might not be the same as in other departments, so administrators must carefully assess their own situation.

### Step 2: Planning

Once they have identified specific stress factors, administrators must continue to work with managers and supervisors to find ways to improve the situation. Solutions need not be expensive or complex to be effective. For example, repairing problems with the station house, equipment, or vehicles could go a long way to reducing stress levels among managers and line officers alike. City leaders might sanction a program to reimburse those who take management or career development classes at local colleges and/or department leaders might institute a policy of flexible scheduling to accommodate course schedules. Any action taken must show a good faith effort on the part of the agency and the city to address the problems faced by managers and supervisors.

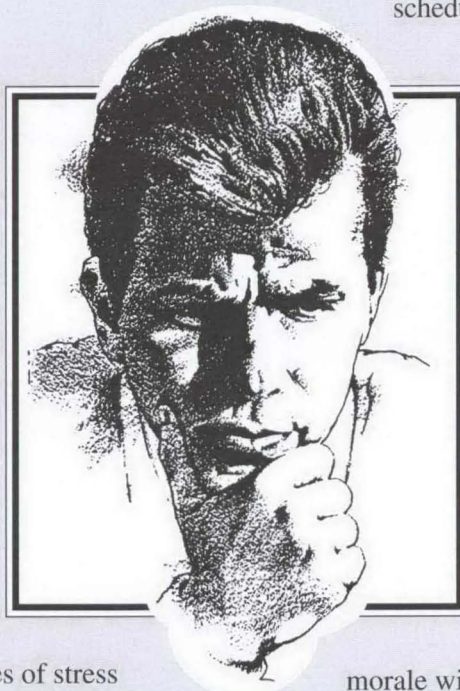
### Step 3: Action

Whatever solution is chosen must be implemented fully. Studying problems and talking about solutions have no effect, or worse, have a negative effect when administrators fail to implement the planned actions. If supervisors are encouraged to seek higher education, the department should make it easier for them to do so immediately. Administrators must put the key elements in place as promised or

morale will suffer, and the stressors of the job will continue to inflict their debilitating effects on supervisory personnel.

### Step 4: Follow-through

Just as important as implementing the planned course of action is monitoring the success of those actions. Administrators should go back to the managers and supervisors to find out whether the situation has improved, if they feel better about the situation, and if stress levels have declined. Based on this input, programs should be fine-tuned or replaced. Helping





managers and supervisors deal with stress is a continuous process, not a one-shot remedy.

### PERSONAL RESPONSIBILITY

Supervisory police officers must realize that they too experience stress. True, they might not deal with the difficult human relations problems that street officers face daily; yet, every job brings stressors of its own. Police managers need to learn ways to deal with the stressors that affect them in addition to taking advantage of programs offered by their departments. Ultimately, individuals must take responsibility for their own personal health.

Command personnel should learn to put things into perspective. For example, in the studies cited earlier, disciplining subordinates proved to be one of the biggest stress producers. When confronted with situations that require disciplinary action, supervisors should look at the big picture. Will the world collapse if an unproductive subordinate must be reprimanded? Ten years from now, will anyone really remember the reprimand? Probably not. Of course, I do not recommend taking any of the prescribed supervisory duties lightly; however, officers do not need to agonize over them 24 hours a day.

One of the best ways to circumvent the effects of stress simply is to get out of the office and leave work at work. Managers and supervisors should spend more time with their families, take up golf, go fishing, or get involved in church activities or with a social group.

Law enforcement personnel tend to socialize with their co-workers. When groups of officers get together they naturally talk shop, which, far from being relaxing, merely brings home the stress from work. Instead, it is important to make an effort to socialize with people not connected to law enforcement. Having outside interests and social contacts helps command personnel maintain a healthy perspective and not get caught up in the constant pressures of the station house.

### CONCLUSION

Stress does not end when a patrol officer assumes an administrative or supervisory role in the department. In fact, it often multiplies. Realizing this, agency executives and city leaders can take steps to relieve stress within the department and help supervisory personnel cope with it better. Through their actions,

law enforcement executives can lead by example, showing supervisors within the ranks how to deal productively with their stressful positions.

It is up to each one of us, however, to learn to handle stress well. We do not need to take the job home with us; we do not need to suffer from the ill effects of stress reactions. With education and a little effort, stress can be controlled and be used to our best advantage at work and at home. By learning to identify and deal with stressful work situations, our careers can

form a rich and rewarding part of a healthy and well-balanced life. ♦

“  
...the daily stressors  
associated with  
management ...can produce  
the same kinds of stress  
reactions among  
supervisors...as a domestic  
disturbance call might  
provoke among line officers.  
”

### Endnotes

<sup>1</sup> John G. Stratton, Ph.D., *Police Passages* (Manhattan Beach, CA: Glennon, 1984), 104.

<sup>2</sup> Ibid., 106.

<sup>3</sup> Ibid., 106-109.

<sup>4</sup> William M. Kroes, Joseph J. Hurrell, Jr., and Bruce Margolis, "Job Stress in Police Administrators," *Journal of Police Science and Administration*, vol. 2, no. 4 (1974): 381-387.

<sup>5</sup> Ibid.

<sup>6</sup> Nancy Norvell, Dale Belles, and Holly Hills, "Perceived Stress Levels and Physical Symptoms in Supervisory Law Enforcement Personnel," *Journal of Police Science and Administration*, vol. 16, no. 2 (1988): 75.

<sup>7</sup> Karl Albrecht, *Stress and the Manager—Making It Work for You* (New York: Simon & Schuster, 1986), 292.

<sup>8</sup> Ibid., 305-309.

<sup>9</sup> Hillary M. Robinette, *Burnout in Blue* (New York: Praeger Publishers, 1987), 151.

---

*Lieutenant Standfest serves as shift commander and special projects officer for the Beverly Hills, Michigan, Department of Public Safety.*

---





## Book Review

**Multicultural Law Enforcement: Strategies for Peacekeeping in a Diverse Society** by Robert M. Shusta, Deena R. Levine, Philip R. Harris, and Herbert Z. Wong, published by Prentice-Hall, Englewood Cliffs, New Jersey, 1995.

Unlike many works on the challenges posed by multicultural issues, this book deals successfully with the specifics of these issues as they relate to today's law enforcement officers. The authors of *Multicultural Law Enforcement* provide a comprehensive look at the potential difficulties faced by police officers as they interact with Americans of diverse ethnic and cultural backgrounds. The authors analyze these different ethnic groups, with reference to all of the relevant cultural characteristics that might play a part in defining an encounter with the police.

Such an approach is relevant, not just on a practical level but also on a more profound one. Clearly, it is important that police officers learn about other cultures in order to deal more effectively with the members of those cultures, particularly in the often tension-filled encounters involving law enforcement. Perhaps more important, however, is the need for police officers to change the way they perceive members of other cultures.

This book is designed to help officers do away with those biases based on fear and prejudice and replace them with more accurate perceptions based on knowledge and tolerance. The authors argue that such a change in philosophy and perception will allow police officers to deal more sensitively with all people. In return, a sense of mutual trust and respect will develop between members of minority communities and law enforcement.

The authors make clear that such an awakening *must* take place if law enforcement is to

adjust successfully to the demographic realities facing the United States in the 21st century. Officers who do not adapt to rising multiculturalism ultimately will find their work far less effective and enjoyable.

In addition, changes in the nature of crime itself—most notably the rising numbers of hate crimes—require police officers to become educated and enlightened in psychological areas that they previously might have considered irrelevant. Hate-motivated attacks have repercussions far beyond the physical damage inflicted.

As the authors point out, these attacks represent a “psychological as well as a physical assault” on victims. Effective police officers will have to become sensitive to the specific factors that motivate such assaults. Obviously, officers who harbor biases of their own will find it extremely difficult to develop a sense of empathy toward the victims. Throughout the book, the authors cite ways for law enforcement officers to become more sensitive to the needs of the people with whom they come into contact.

Police administrators may find the book's appendices particularly useful. In them, the authors suggest guidelines for implementing specific cultural awareness programs that reinforce ideas discussed in the text.

The greatest compliments that a police officer can pay to another culture is to speak its language and to learn more about what makes it unique. *Multicultural Law Enforcement* shows why an enhanced sense of cultural awareness is becoming increasingly essential for today's police officers.

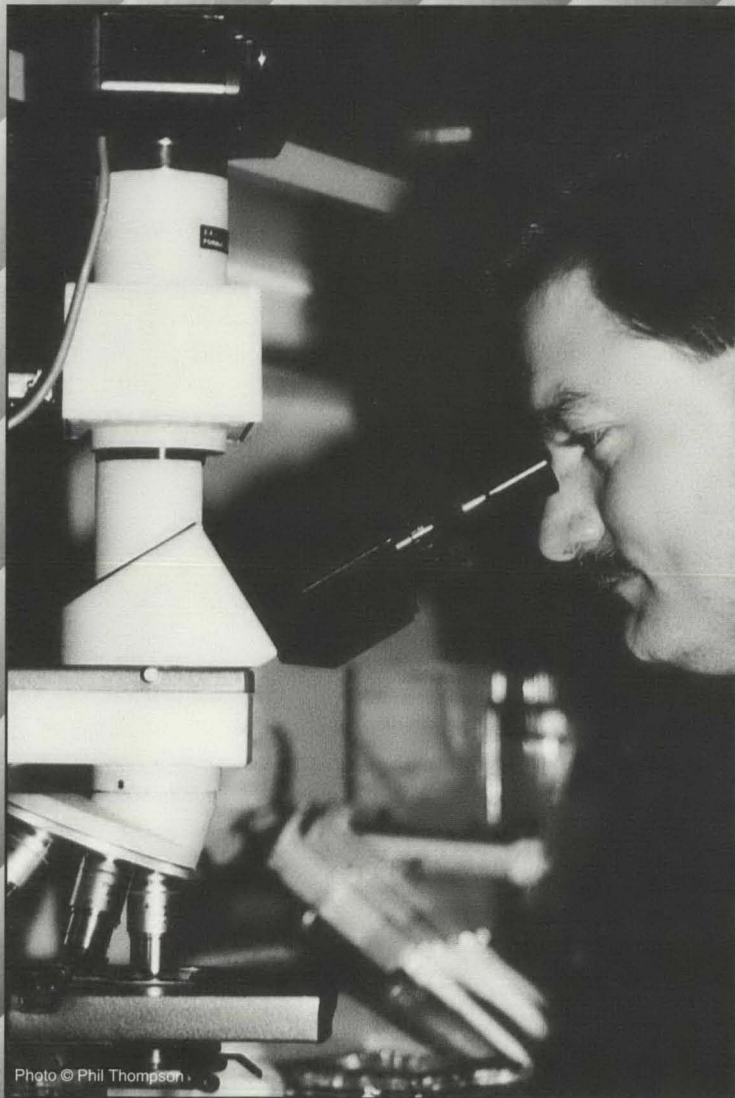
Reviewed by  
Capt. Alan C. Youngs  
Lakewood, Colorado,  
Police Department



# **Condom Trace Evidence**

## ***A New Factor in Sexual Assault Investigations***

By ROBERT D. BLACKLEDGE, M.S.



In an age filled with potentially fatal sexually transmitted diseases, more and more individuals practice safe sex. Even perpetrators of sex crimes have begun to wear condoms.<sup>1</sup> It is not likely that a fear of disease prompts this behavior. Rather, just as a burglar dons gloves to avoid leaving fingerprints, sexual offenders now wear condoms to avoid depositing seminal fluids.

Forensic experts typically identify sexual assault offenders by examining seminal fluid residues for sperm, proteins, blood grouping factors, and DNA profile. When sexual assailants use condoms, however, assuming no leaks or spills, this valuable evidence gets trapped inside the condom, which investigators may never recover. The same can be said for any traces from the victim—including vaginal cells, blood, and saliva—that otherwise might have been transferred to the assailant's penis. Nevertheless, when assailants use condoms, they leave behind other valuable evidence.

### **TYPES OF CONDOM TRACE EVIDENCE**

Manufacturers produce condoms using a variety of materials, both natural and synthetic. Each manufacturer has its own formula, which may vary even among its different brands.

Some condoms are made from lamb membranes, and one manufacturer recently introduced a model made from polyurethane plastic. Still, latex rubber condoms have, by far, the largest share of the market, perhaps because they cost considerably less. In addition to the



basic materials they use to produce condoms, manufacturers also add other substances, known as exchangeable traces, which comprise particulates, lubricants, and spermicide.

### Particulates

Condom manufacturers add finely powdered particulates to prevent a rolled-up latex condom from sticking to itself. Particulates found in different brands include corn starch, potato starch, lycopodium (a powder found in plants), as well as amorphous silica, talc, or other minerals. In the laboratory, forensic scientists use several different techniques to characterize these particles and compare them with those obtained from other condom brands.

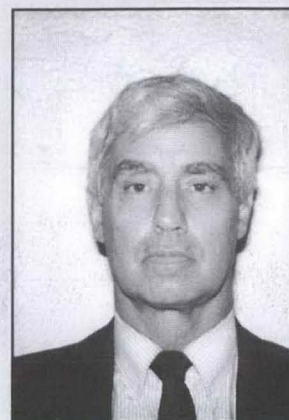
### Lubricants

Sexual assailants prefer lubricated condoms, probably for the same reason that they use petroleum jelly, that is, to facilitate their crimes.<sup>2</sup> Many condom brands contain a liquid lubricant, which may be classified as either "wet" or "dry."

Both types of condom lubricant have an oil-like consistency, but wet lubricants are water-based and/or water-soluble, while dry lubricants are not. Although many different manufacturers use the same dry lubricant, their viscosity grades sometimes differ. The forensic laboratory can recover these silicone oils easily from items of evidence and possibly associate them with a condom manufacturer.

Wet lubricants may contain either polyethylene glycol or a gel made from a combination of ingredients similar to those found in vaginal

**“  
...just as a burglar  
dons gloves to avoid  
leaving fingerprints,  
sexual offenders now  
wear condoms to  
avoid depositing  
seminal fluids.  
”**



*Mr. Blackledge is senior chemist at the Naval Criminal Investigative Service Regional Forensic Laboratory in San Diego, California.*

lubricants. Despite similarities to other products on the market, forensic examination can associate specific formulations with particular condom brands.

### Spermicide

Both wet- and dry-lubricated condoms also may contain the spermicide nonoxynol-9. Its recovery and detection, along with lubricant ingredients and particulates, can help show condom use and indicate the specific brand.

### THE VALUE OF CONDOM TRACE EVIDENCE

Condom trace evidence can assist investigators in several ways. It can help prove corpus delicti, provide evidence of penetration, produce associative evidence, and link the acts of serial rapists.

#### In Proving Corpus Delicti

Traces associated with condoms can help prove corpus delicti, the fact that a crime has occurred. This evidence can support the claims of either the victim or the accused. For

example, the U.S. military can prosecute personnel diagnosed as HIV-positive for aggravated assault if they engage in unprotected sex, even if it is consensual. If service men accused of aggravated assault claim that they did in fact wear a condom but it broke or slipped off, condom trace evidence can support that claim.

#### In Providing Evidence of Penetration

Condom traces found inside a victim can provide evidence of penetration. In many jurisdictions, this evidence raises the charge to a higher degree of sexual assault.

#### In Producing Associative Evidence

Recovered condom traces may correspond to those found in a certain brand or used by a certain manufacturer. An empty packet of this particular brand found near the crime scene, especially if it bears the suspect's fingerprints, provides a strong association between the suspect and the crime. Unopened



condom packages of this same brand found on the suspect, in his car, or at his residence also would help tie the suspect to the crime.

### **In Linking the Acts of Serial Rapists**

People tend to be creatures of habit, and sexual criminals are no exception. A serial rapist likely will use the same brand of condom to commit repeated acts. Moreover, repeat offenders whose DNA profiles have been stored in a computer data bank may be likely to use a condom when committing subsequent crimes. Along with other aspects of his modus operandi, traces from the same condom brand or manufacturer found during several different investigations can help connect a suspect to an entire series of assaults.

### **GUIDELINES FOR EVIDENCE COLLECTION**

Investigators need not make any drastic changes in their usual procedures in order to include the possibility of condom trace evidence. The following guidelines will assist criminal investigators and medical examiners when collecting this valuable evidence.<sup>3</sup>

#### **At the Crime Scene**

First and foremost, investigators must wear *powder-free* gloves to protect themselves from bloodborne pathogens and to avoid leaving particulates that may be similar to those contained in some condom brands. After collecting the evidence, they should package the gloves separately and submit them with the evidence so that the

forensic laboratory can verify that the gloves did not leave behind any particulates.

At the crime scene, investigators should make every effort to locate any used condom and its foil package. If a condom is recovered, the traces from the victim on the outside and the seminal fluids from the assailant on the inside would have the greatest evidentiary value.

“  
**... investigators  
...must remember to  
list condoms on the  
warrant obtained to  
search the suspect's  
possessions.**

”  
If investigators find an empty condom packet, they first should try to recover any latent prints from the outside. The inside of the package probably will not contain prints, but may contain lubricant, spermicide, and particulate residues. Investigators should wipe the inside with a clean cotton swab. The traces on this swab will serve as the standard for comparison with traces recovered from the victim and the suspect.

#### **During Medical Examinations**

##### *Examination Kits*

Most commercial sexual assault examination kits provide two cotton swabs for each type of examination, i.e., vaginal, penile, etc. In the past, before assailants began using

condoms frequently, these two swabs proved adequate—one swab for immediate examination and a second in case the defense team requested another examination by its own experts or by an independent laboratory. With sexual offender's using condoms, however, forensic laboratories should use three swabs: One to save for the defense and two to conduct examinations.

With the potential for positively identifying a suspect, most laboratories first look for traces of seminal fluids, vaginal cells, blood, and the like. Unfortunately, the solvents used to conduct this examination also remove any condom traces present, thus losing potentially valuable evidence. Although examiners feasibly could divide each swab in half, providing an additional swab in kits for each condom trace examination easily could solve the problem.

The gloves provided in commercial examination kits usually come powder-free. However, the medical personnel who examine sexual offenders and their victims frequently prefer the gloves they normally wear, which often contain the same powders (corn starch, amorphous silica, and talc) found on many condom brands. While medical staff members may insist that their collection procedures are above reproach, forensic examiners cannot guarantee the integrity of the condom trace evidence if the medical staff wears their own gloves. In short, investigators must persuade examining personnel to wear unpowdered gloves.

After the medical examinations, investigators should recover and separately package the used gloves. The forensic laboratory



then can confirm that the gloves were powder-free.

#### *Examination of Victims*

Victims of sexual assault may feel ashamed and may not want to disclose some of the more personal details of the crime. Although investigators should make every effort to spare victims any unnecessary discomfort or embarrassment, they must ensure a thorough investigation. This may mean asking victims embarrassing questions and then making sure that medical examiners obtain samples from any area of the victim's body where evidence may exist, including the vagina, the mouth, and the anus.

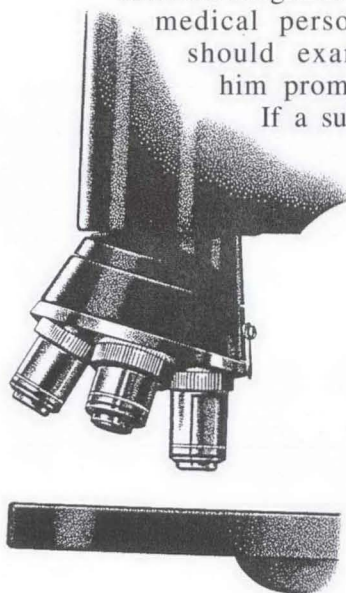
In addition to collecting traces from inside the victim's vagina, medical examiners should swab the external genitalia. Traces of water-soluble condom lubricants may have been absorbed or lost, and as a result, any traces found internally may be at a very low level. Thus, if the victim has not showered or bathed, swabs may recover undiluted traces present on the external genitalia. Although these traces would not indicate penetration, they at least would support the victim's assertion that sexual contact took place.

Moistening each swab with a few drops of isopropyl alcohol helps recover traces from external genitalia. To create control swabs for the forensic laboratory, investigators should moisten two unused swabs, allow them to air-dry, and then package them with the evidence. Examining these control swabs will confirm that any traces found on the victim did not come from the cotton swabs or the alcohol.

At the lab, forensic experts first examine the victim's swabs. If these swabs are negative for seminal fluids but show traces of condom evidence, examiners would then look for the same traces on the suspect's swabs.

#### *Examination of Suspects*

If investigators identify and arrest a suspect only a few hours after the alleged assault, medical personnel should examine him promptly. If a suspect



has not washed his penis, identifiable traces (either from a condom or from the victim) may be present.

Examiners should moisten two swabs with two drops of isopropyl alcohol, then wipe the penis from the base to the tip. As they did when collecting evidence from the victim, examiners should prepare two control swabs.

### **INTERVIEWS**

#### **With the Victim**

In addition to providing general information about the crime, victims

may be able to supply valuable details about the condom and its wrapper. They may recall the brand itself or other important details, including the condom's color, shape, texture, odor, taste, and lubrication.

After obtaining facts about the condom, investigators should ask victims about their sexual and hygienic habits, which might account for traces not attributable to the crime. A comprehensive interview would include the following questions:

- Has the victim recently engaged in consensual sex?
- If so, was a condom used? A vaginal lubricant? What brands?
- Does the victim use any external or internal vaginal products (anti-itch medications, deodorants, douches, suppositories, etc.)?
- If so, what brands?

These questions assume an adult female victim. Investigators must modify the interview to accommodate male or child sexual assault victims.

#### **With the Suspect(s)**

Investigators also should question the suspect about the condom. A cooperative, honest suspect can reveal the brand, tell where he purchased it, and describe how and where he disposed of both the condom and the empty packet. An uncooperative or deceitful suspect may claim he does not know or cannot remember, or he may name a popular brand but will not be able to describe the condom or the packet in detail.



## Bulletin Reports

### LEGAL CONSIDERATIONS

When investigators know or suspect that a sexual offender used a condom, they must remember to list condoms on the warrant obtained to search the suspect's possessions. The search of a suspect's home may reveal intact condom packets, but if investigators have not listed condoms on the search warrant, they will not be able to seize this valuable evidence.

### CONCLUSION

When sexual assailants wear condoms to commit their crimes, they attempt to protect themselves from disease and apprehension at the same time. Although these crimes become more difficult to solve, investigators should not overlook the evidentiary potential of condom traces. By considering the possibility of condom use while processing the crime scene, supervising medical examinations, and conducting interviews, investigators can ensure that this valuable evidence receives the attention it deserves. ♦

### Endnotes

<sup>1</sup>In 80 sexual assault cases submitted to the Forensic Laboratory of the Las Vegas Metropolitan Police Department between 9/10/93 and 12/3/93, 19 victims reported that the assailant or one of several assailants had worn a condom during the assault or that a consensual sexual partner had used a condom within 72 hours preceding the incident. Eight additional victims believed that their assailant might have used a condom. Terry L. Cook, criminalist, Forensic Laboratory, Las Vegas Metropolitan Police Department, telephone conversation with the author, December 6, 1993.

<sup>2</sup>R.D. Blackledge and L.R. Cabiness, "Examination for Petroleum Based Lubricants in Evidence from Rapes and Sodomies," *Journal of Forensic Sciences*, 28, 1983, 451-462.

<sup>3</sup>R.D. Blackledge, "Collection and Identification Guidelines for Traces from Latex Condoms in Sexual Assault Cases," *Crime Laboratory Digest*, 21, 1994, 57-61.

### Against Gun Violence

A 24-page consumer education and action kit—*Making Children, Families, and Communities Safer From Violence*—developed by the National Crime Prevention Council (NCPC), with funding from the Bureau of Justice Assistance, challenges readers to act against the violence that kills children and communities. It contains profiles, checklists, and action ideas to show how individuals can work to reduce the risk of violence, build safer neighborhoods, and strengthen communities.

Specific areas examined include gun violence as it affects children, parent-child communication, violence in the media, neighborhood and community problem-solving, and community organizing. The booklet also contains a list of resources available from groups throughout the United States that are working to reduce and prevent violence and the kinds of work each group is doing.

A copy of this booklet can be obtained by calling 1-800-NCPC-911 or writing NCPC Fulfillment, P.O. Box 1, 100 Church Street, Amsterdam, NY 12010.

### Citizen Review Manual

The *Citizen Review Resource Manual*, a publication of the Police Executive Research Forum (PERF), provides a comprehensive overview of the state of citizen review committees today. It includes a selection of ordinances and statutes, executive and departmental orders, and other documents collected from over 30 police departments nationwide. The manual is designed to help policymakers from a variety of fields to make informed decisions when implementing or changing citizen review procedures within their jurisdictions.

For more information on ordering this publication, call 202-466-7820.



---

## Strategy for Juvenile Offenders

Communities of all sizes facing escalating juvenile violence now have a new tool to combat the problem. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) recently published the *Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*.

The *Guide* takes the juvenile crime debate past the narrow parameters of prison vs. prevention and demonstrates how communities need to incorporate both prevention activities and secure confinement, as well as a range of immediate and intermediate sanctions, into a "continuum of care" approach. It offers a blueprint for a step-by-step process that communities can use to implement the strategy. It also helps communities develop a model juvenile justice system that incorporates a full range of graduated sanctions.

The second part of the *Guide* presents examples of promising programs that reduce the likelihood of a child becoming delinquent. It concentrates on two age spans—conception to age 6 and age 6 through adolescence. The

prevention component is complemented by an intervention section that explains the principles of graduated sanctions and includes detailed descriptions of successful programs and evaluation data.

The final section examines how juvenile justice practitioners can assess and classify offenders for the most effective prevention and graduated sanctions programs. Classification processes help communities allocate resources and detention space by directing nonviolent offenders into appropriate sanctions, directing more serious offenders into juvenile detention facilities, and sending the most serious and intractable juvenile offenders toward the adult system.

The *Guide* is available free of charge through the Juvenile Justice Clearinghouse. Interested persons should call the clearinghouse at 1-800-638-8736 or write to P.O. Box 6000, Rockville, MD 20849-6000. The publication number is NCJ 153571.

## Criminal Justice Statistics

The *Sourcebook of Criminal Justice Statistics, 1994*, published by the Bureau of Justice Statistics, presents a broad spectrum of criminal justice data. The *Sourcebook* is divided into six sections—characteristics of the criminal justice system, public attitudes toward crime and criminal justice topics, the nature and distribution of known offenses, characteristics and distribution of persons arrested, judicial processing of defendants, and

persons under correctional supervision. It also includes a detailed subject index, an annotated bibliography, 19 technical appendices that explain how to use the data, 613 fact-packed tables, and more than 100 sources.

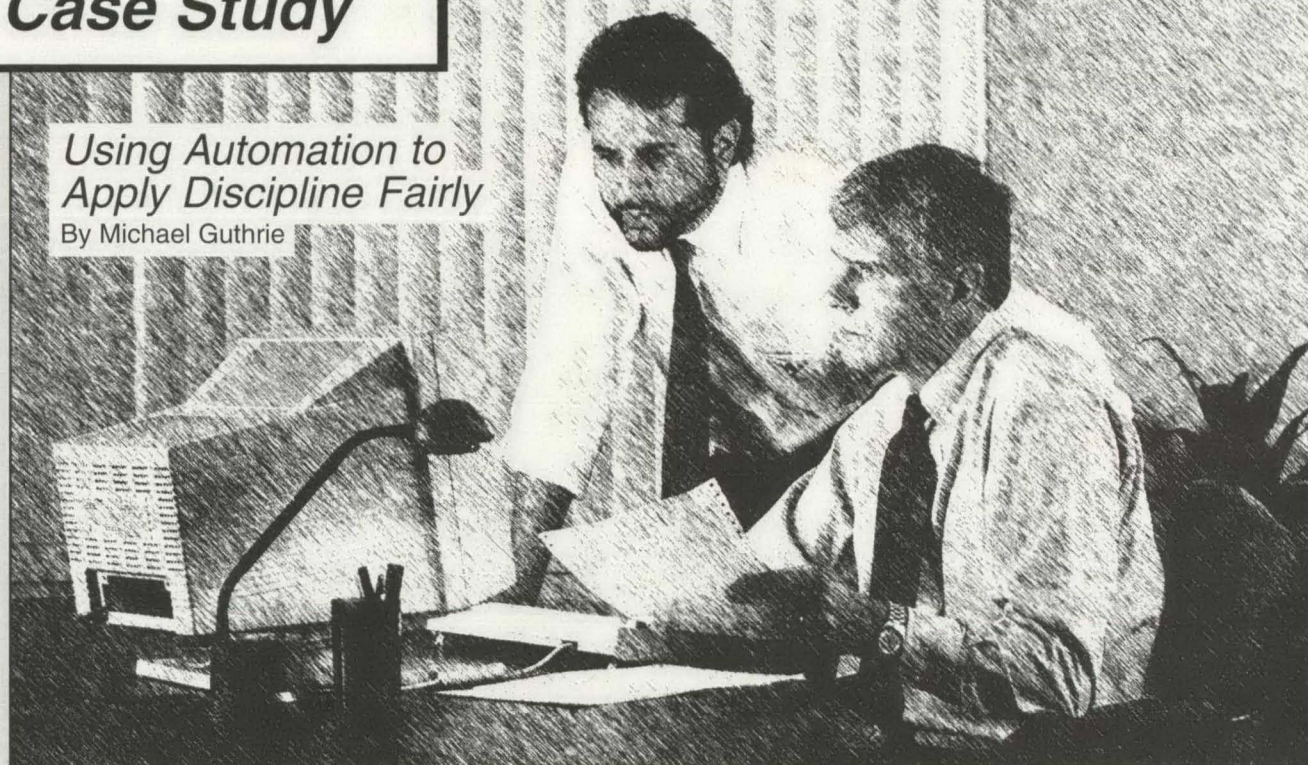
To order the *Sourcebook*, write the Bureau of Justice Statistics Clearinghouse, P.O. Box 179, Annapolis Junction, MD 20701-0179, or fax an order to 410-792-4358.



## Case Study

### *Using Automation to Apply Discipline Fairly*

By Michael Guthrie



**M**eting out discipline is, at best, an unpleasant administrative task; at worst, it can lead to morale problems and even lawsuits. Most administrators and employees would agree that the key to an effective disciplinary system is consistency. Similar transgressions should receive similar sanctions, thus establishing a fair and predictable pattern of action and reaction for everyone in the organization.

An International Association of Chiefs of Police (IACP) study concluded that when officers disagree with disciplinary practices, the primary reason is "...the belief that enforcement action is inconsistent."<sup>1</sup> To be consistent, a proper system of discipline, according to some researchers, should consider the seriousness of the offense, the aggravating and mitigating circumstances, and the officer's personal track record.<sup>2</sup> The IACP recommends that substantially similar conduct should receive similar penalties. Widely disparate penalties make it difficult for departments to justify the more serious sanctions.<sup>3</sup> While some departments have established a fixed schedule or matrix of sanctions appropriate for various offenses,<sup>4</sup> the Fresno, California, Police Department (FPD) opted for a more flexible system.

In October of 1991, a new chief of the FPD was sworn in. Because this chief came from outside the department, he did not possess historical knowledge of the department's disciplinary practices. He wanted his actions to be consistent and fair, as well as defensible, should they be appealed to the Civil Service Board. As a result, when he started to address violations within the department, he frequently asked the Internal Affairs Unit (IAU) for records to determine the traditional levels of discipline for specific violations.

The IAU maintained such records in a cumbersome handwritten log, which often made it difficult to determine past actions without extensive research. Moreover, once similar cases had been identified, they still had to be examined closely to assess the level of discipline administered and any mitigating or aggravating circumstances. This time-consuming process needed to be improved and updated.

To accomplish this, the chief first appointed a lieutenant to manage the Internal Affairs Unit, which previously had been staffed by four sergeants and a secretary. He then directed the internal affairs commander to automate the records of internal investigations to address the consistency issue. The objective



---

was to provide management with information, short of a rigid disciplinary matrix, that would facilitate the fair, yet flexible, application of discipline throughout the department.

## DESIGNING THE SYSTEM

After acquiring appropriate computer hardware and software,<sup>5</sup> IAU staff members surveyed major California police agencies to locate automated internal affairs records systems to use as a model. The only one they found did not meet their objectives, so they started from scratch.

They gave considerable attention to identifying the possible uses for an automated system. In addition to the primary objective of identifying the levels of discipline imposed, other functions were built into the database to address current and future needs.

The major components of the database design included:

- 17 date fields used to track cases from start to finish
- Precise incident details (including date, time, location, sector, and case number)
- Demographics of complainant(s) and/or involved police employee(s)
- Lists of incident codes covering most conceivable categories of misconduct
- Lists of disposition codes
- Cross-references to databases on civil claims and officer-involved shootings
- Staff recommendations made before and after administrative hearings
- Verification of completion of disciplinary actions
- A synopsis of all sustained violations using searchable key words.

In short, the designed database exceeded the initial objectives and included features that gave the IAU some flexibility for the future.

Once the design had been completed, details from both active and closed cases were entered into the

system. Cases include externally initiated complaints, as well as internally initiated formal investigations of rule or policy violations.

Because the State of California requires that records of complaints be maintained for a minimum of 5 years, all investigations from 1987 through 1992 were included. This produced an initial database of more than 1,300 cases. Subsequently, a local area network linked the unit's computers, allowing simultaneous access to the database by the commander, the investigators, and the secretary. To prevent the inadvertent destruction of data by users unfamiliar with the intricacies of the software, data input and editing functions were restricted to the commander.

After the database was loaded, a number of scripts, or macros, were developed to use the data. To achieve the project's original objective, for example, one macro produces reports of comparative discipline for similar offenses. Another macro generates disciplinary history records on specific employees, which help staff members make progressive disciplinary recommendations and can be used in performance appraisals and reassignment decisions. Confidential quarterly reports summa-

rizing cases by type, units of occurrence, and disposition also can be created quickly and easily. To help manage deadlines and caseloads, status reports on all active investigations that have not been processed through specific stages within established time limits also can be produced.

## OBJECTIVES ACHIEVED

The chief initiated the automation project to help him administer discipline equitably. As soon as all the cases were entered into the database, the project achieved this objective. The chief only had to inquire about the standard of discipline for a specific category of violation and the 5-year history could be produced in less than 5 minutes.

The secondary goal was to ensure that the department could defend its actions readily if challenged by

“  
...the key to an  
effective  
disciplinary  
system is  
consistency.  
”



---

the Civil Service Board. In a number of cases where the board has inquired about the consistency of discipline, the IAU staff used the system to prepare reports demonstrating that employees have been treated fairly in comparison with their peers with similar disciplinary backgrounds.

### **OTHER POSITIVE RESULTS**

The new system provided a number of other positive results as well. A variety of reports can be prepared quickly and efficiently, patterns of incidents can be identified more easily, and case management can be improved substantially.

#### **Saved Time and Money**

In the past, it took an average of 1 hour to compile a synopsis of an employee's disciplinary history using the manual records. The automated process enables the IAU staff to prepare these reports in less than a minute, which allows them to produce quantities that previously were impractical, if not impossible, due to time constraints. Disciplinary histories have evolved into a major tool in performance appraisals and special assignments. Consequently, the new emphasis on disciplinary history has increased employees' accountability and added a new level of credibility to the selection and appraisal processes.

Each year, the State Attorney General's Office requires the department to submit a summary of complaints. This once-onerous task became quite simple and could be completed in minutes with the computer instead of in hours by hand.

In addition, prior to automation, IAU staff members had to generate manual listings of records more than 5 years old so that the records can be authorized for destruction under state law. With the new system, the lists could be generated entirely by computer, saving approximately 20 work-hours per year.

Compared to the manual system, the overall time savings from automation was estimated at a minimum of 1,000 hours the first year, or approximately \$25,000 worth of staff time. The one-time cost of the entire computer system amounted to only \$15,000. It more than paid for itself in the first year.

### **Complaint Patterns Identified**

The computerized system allows the staff to sort the data using a number of variables, such as date, time of day, type of complaint, unit, race of participants, supervisor responsible for accused employees, etc. By examining the data in various ways, patterns can be identified that otherwise might be missed. Commanders receive information on their units to see if any patterns or problems can be addressed by training or increased supervision. Habitual complainants also can be identified more easily, which can help investigators establish the veracity of the complaints. Because investigators rotate into and out of the unit fairly

often, they can use the system to obtain the big picture surrounding new complaints assigned to them.

The IAU staff also can analyze department-wide complaint characteristics and sort complaints by violation type. With this information, the IAU commander or the chief can examine frequently occurring violations to determine the need for policy modifications, training, and/or increased levels of discipline to correct employee behavior.

### **Improved Case Management**

Using the case-tracking features of the automated system, the IAU commander no longer has to review page upon page of handwritten logs. Instead, a complete status report on outstanding cases can be generated in approximately 2 minutes. This makes it simple to monitor cases as they progress through the system,

**“ The expedited investigations also reduce the anxiety of accused officers awaiting dispositions, which enhances the credibility of the internal affairs process. ”**



which improves completion times and eliminates the problem of lost cases. The expedited investigations also reduce the anxiety of accused officers awaiting dispositions, which enhances the credibility of the internal affairs process.

## CONCLUSION

To achieve consistency and equity in disciplinary decisionmaking, the Fresno police chief initiated a project to automate internal affairs records. The resulting system gives him information on past practices and facilitates decisions on new cases. In addition, the database provides a substantial number of other benefits, some intended and some unforeseen, that improve the overall quality of discipline management and also reduce costs.

Employees need to be assured of fair treatment. An equitable and well-documented system of discipline can go a long way toward dispelling their concerns.♦

## Endnotes

<sup>1</sup> International Association of Chiefs of Police, *Executive Summary: Major Recommendations for Management of Effective Police Discipline* (Arlington, VA: IACP, 1976), 30.

<sup>2</sup> Thomas Barker and David L. Carter, *Police Deviance* (Cincinnati: Anderson Publishing, 1994), 366.

<sup>3</sup> International Association of Chiefs of Police, *Managing for Effective Police Discipline* (Arlington, VA: IACP, 1977), 77.

<sup>4</sup> Ibid.

<sup>5</sup> The system uses a standard 486 33 computer processor and a common, commercially available database software package.

*Lieutenant Guthrie serves in the Fresno, California, Police Department.*

# Subscribe Now



Order Processing Code:

\* 5699

☐ **YES**, send me \_\_\_\_\_ subscriptions to **FBI Law Enforcement Bulletin** (FBIEB), at \$19 each (\$23.75 foreign) per year.

The total cost of my order is \$\_\_\_\_\_. Price includes regular shipping and handling and is subject to change.

\_\_\_\_\_  
Company or personal name (Please type or print)

\_\_\_\_\_  
Additional address/attention line

\_\_\_\_\_  
Street address

\_\_\_\_\_  
City, State, Zip code

\_\_\_\_\_  
Daytime phone including area code

\_\_\_\_\_  
Purchase order number (optional)

Charge your order.  
It's easy!



**Fax your orders (202) 512-2250**  
**Phone your orders (202) 512-1800**

### For privacy protection, check the box below:

☐ Do not make my name available to other mailers

### Check method of payment:

☐ Check payable to Superintendent of Documents

☐ GPO Deposit Account ☐

☐ VISA ☐ MasterCard

☐

☐ (expiration date) **Thank you for your order!**

\_\_\_\_\_  
Authorizing signature

1/96

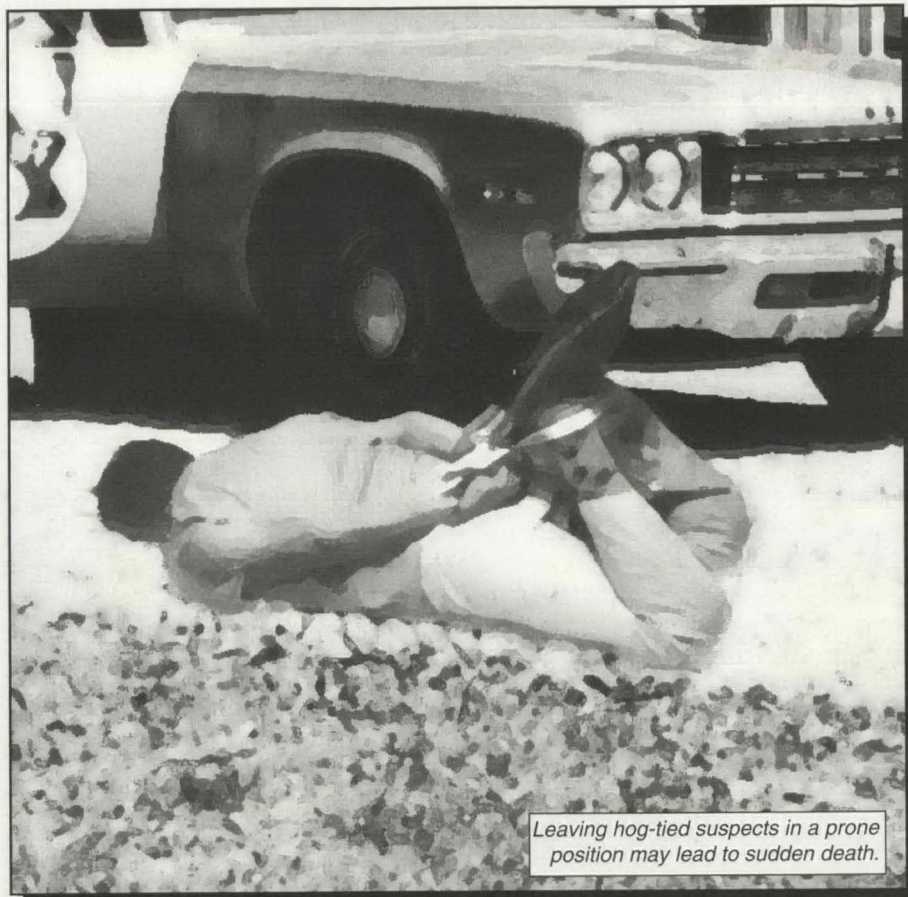
**Mail to:** Superintendent of Documents  
P.O. Box 371954, Pittsburgh, PA 15250-7954

**Important:** Please include this completed order form with your remittance.



# Suspect Restraint and Sudden Death

By DONALD T. REAY, M.D.



*Leaving hog-tied suspects in a prone position may lead to sudden death.*

One law enforcement technique for controlling violent suspects is to place them in a hog-tied and prone position by binding their hands and feet together behind their back and placing them on their stomach. This physically incapacitating position, however, makes it difficult for subjects to breathe and can cause them to die.<sup>1</sup>

Because of the risks associated with hog-tied and prone restraint, officers must monitor subjects closely for signs of respiratory distress. This article describes how hog-tied restraint can cause death,

what other factors might contribute to such a death, some steps that can be taken to prevent sudden deaths, and what evidence law enforcement officers can provide to assist medical examiners during death investigations.

## **Positional Asphyxia**

When a hog-tied subject dies, forensic pathologists generally attribute the death in whole or in part to positional asphyxia resulting from respiratory compromise. Positional asphyxia occurs when the position of the body interferes with the person's ability to breathe.

Breathing involves interaction of the chest wall, the diaphragm, and the muscles of the rib cage and abdomen. Interference with proper breathing produces an oxygen deficiency (known as hypoxia) in the blood,<sup>2</sup> which disturbs the body's chemistry and creates the conditions for a fatal rhythm disturbance in the heart.

## **Contributing Factors**

An examination of reported positional asphyxia-related deaths revealed that several other readily observable factors can increase a subject's susceptibility to sudden



death when officers place the subject in the hog-tied and prone position. These include obesity and psychosis, which covers both organic (i.e., paranoia, schizophrenia, etc.) and drug- or alcohol-induced psychotic behavior.

A large, bulbous abdomen (a beer belly) presents significant risks because it forces the contents of the abdomen upward within the abdominal cavity when the body is in a prone position. This puts pressure on the diaphragm, a critical muscle responsible for respiration, and restricts its movement. If the diaphragm cannot move properly, the person cannot breathe.

The second significant contributing factor is psychosis, often induced by drugs or alcohol. Drugs, such as methamphetamine, cocaine,<sup>3</sup> and LSD, create a state of delirium frequently accompanied by violent muscular activity. The mind-altering character of these drugs, combined with the added outbursts of violent and vigorous muscular activity, can cause individuals to lose their breath more quickly than expected. When the hog-tied position prevents recovery from such an oxygen deficit, cardiac rhythm disturbances can occur, resulting in death.<sup>4</sup>

Other pre-existing physical conditions also can contribute to sudden in-custody death. Any condition that impairs breathing under normal conditions will put a subject at a higher risk of respiratory failure when a situation escalates to the point that hog-tied restraint must be employed. Heart disease, asthma, emphysema, bronchitis, and chronic pulmonary disease fall into this category.

Clearly, officers subduing a violent subject will not be able to pause in the midst of the action to inquire about the subject's medical history. It might be prudent, however, for correctional officials to be aware of inmates' medical records and be alert for potential problems when using hog-tied restraint.

### Prevention

Criminal justice professionals across the country have sought methods to ensure the safety of subjects restrained in the hog-tied and prone position. The simple fact of the matter is that even if officers take precautions, hog-tied and prone restraint is inherently risky. Therefore, instructors should stress awareness and vigilance when teaching officers the proper use of hog-tied restraint.

First, officers must be made aware of the inherent risks of using hog-tied restraint. They should learn how the adverse position affects a subject's breathing and

how to recognize signs of respiratory distress. They also must be able to recognize the factors that contribute to positional asphyxia.

Whenever hog-tied restraint is employed, officers should determine whether subjects have used drugs or suffer from cardiac or respiratory diseases. Hog-tied subjects should not be left on their stomachs; rather, they should be rolled onto their side. During transport, officers should ensure that hog-tied subjects do not fall face-down in the back of the squad car.

Instructors must stress vigilance in monitoring the subject's condition. The process of hypoxia is insidious, and subjects might not exhibit any clear symptoms before they simply stop breathing. Generally, it takes several minutes for significant hypoxia to occur, but it can happen more quickly if the subject has been violently active and is already out of breath. If the subject experiences extreme difficulty

**“  
Training in the use of  
hog-tied restraint,  
monitoring subjects, and  
recognizing the signs of  
respiratory distress can  
help officers prevent  
these sudden deaths.  
”**



*Dr. Reay is the chief medical examiner for King County, Seattle, Washington.*



breathing or stops breathing altogether, officers must take steps to resuscitate the subject and obtain medical care immediately.

At present, no satisfactory alternatives to hog-tied and prone restraint exist. Police administrators who wish to prevent deaths that occur during hog-tied restraint should not authorize use of the maneuver. Yet, experience shows that sometimes no other type of restraint will

control a violent, aggressive subject. Until an alternative method of restraint is developed, officers must be aware of the risks, vigilantly monitor subjects' conditions, and take every precaution to avert fatalities.

### Death Investigations

When a subject dies while in the hog-tied restraint position, the autopsy sometimes reveals the presence of significant natural disease,

such as heart disease. For the examining pathologist, this creates a dilemma. Should the death be attributed solely to the natural disease? Was the disease aggravated by the adverse position of the body? Or did the positional restraint alone cause the subject to die?

Unfortunately, current postmortem technology alone cannot make such a determination. Hence, the examining pathologist must make a judgment call. The pathologist needs three things to make an assessment—an autopsy, a toxicological analysis of body fluids, and a detailed history of the events surrounding the subject's death.<sup>5</sup>

First, a careful and complete autopsy can reveal whether a catastrophic natural disease, such as a heart attack or stroke, caused the death. Similarly, toxicological analysis of body fluids for the presence of drugs and alcohol can provide important information. Yet, such medical information cannot provide the complete picture needed to determine the cause of death.

Police agencies can help by providing a detailed description of events that led to and occurred during the restraint maneuver. Such a report should contain explicit witness statements about the subject's behavior—especially noting any unusual physical respiratory signs, such as vocalizing, gurgling, gasping, and difficulty breathing—as well as comprehensive circumstantial information about the arrest, take-down, and restraint. The medical examiner can use this information to make a careful, thoughtful analysis of the events in the context of the autopsy and toxicological findings.

### Caring for Subdued Subjects

**T**o minimize the potential for in-custody injury or death, officers should:

- Get hog-tied subjects off their stomachs
- Determine whether subjects have used drugs or suffer from cardiac or respiratory diseases
- Monitor subjects carefully for breathing difficulties/loss of consciousness
- Be prepared to administer CPR
- Obtain medical assistance immediately
- Inform detention facility custodians of pre-existing medical conditions or respiratory difficulty.

*Adapted from "Positional Asphyxia—Sudden Death,"  
Bulletin of the National Law Enforcement Technology  
Center, National Institute of Justice, June 1995.*



## Conclusion

Determining the cause of death of subjects who had been placed in the hog-tied and prone position is one of the most difficult tasks in all of forensic medicine. Many factors can convene to cause respiratory failure when officers use this restraint maneuver. If death occurs, law enforcement agencies must provide medical examiners with a clear and complete description of preceding events, so that doctors can determine the cause of death accurately.

Awareness of the potential for subjects to die in the hog-tied and prone position is the first step toward stopping it from happening. Training in the use of hog-tied restraint, monitoring subjects, and recognizing the signs of respiratory distress can help officers prevent sudden deaths. ♦

## Endnotes

<sup>1</sup> D.T. Reay, C.L. Fligner, A.D. Stilwell, and J. Arnold, "Positional Asphyxia During Law Enforcement Transport," *American Journal of Forensic Medical Pathology* 13, 1992, 90-97.

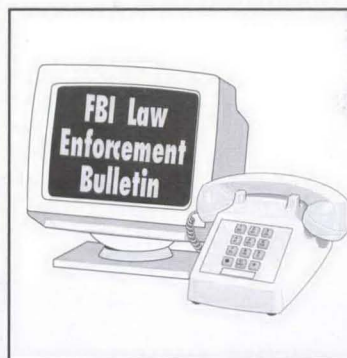
<sup>2</sup> D.T. Reay, J.D. Howard, C.L. Fligner, and R.J. Ward, "Effects of Positional Restraint on Oxygen Saturation and Heart Rate Following Exercise," *American Journal of Forensic Medical Pathology* 9, 1988, 16-18.

<sup>3</sup> Recent pharmacological research has demonstrated that physical restraint sensitizes laboratory animals to the effects of cocaine. These findings indicate that stress can augment some of cocaine's effects and that *any type* of restraint, including but not limited to the prone and hog-tied position, during cocaine agitation can result in sudden death. See R.L. O'Halloran and L.V. Lewman, "Restraint Asphyxiation in Excited Delirium," *American Journal of Forensic Medical Pathology* 14, 1993, 289-295.

<sup>4</sup> C.M. Pudiak and M.A. Bozarth, "Cocaine Fatalities Increased by Restraint Stress," *Pharmacology Letters* 55, 1994, 379-382.

<sup>5</sup> J.L. Luke and D.T. Reay, "The Perils of Investigating and Certifying Deaths in Police Custody," *American Journal of Forensic Medical Pathology* 12, 1992, 98-100.

## Law Enforcement on the Internet



To take advantage of the many resources available on the Internet, the *FBI Law Enforcement Bulletin* has driven onto the information superhighway. We invite you to ride along by communicating with us via e-mail. Our Internet address is:

**[fbileb@justice.usdoj.gov](mailto:fbileb@justice.usdoj.gov)**

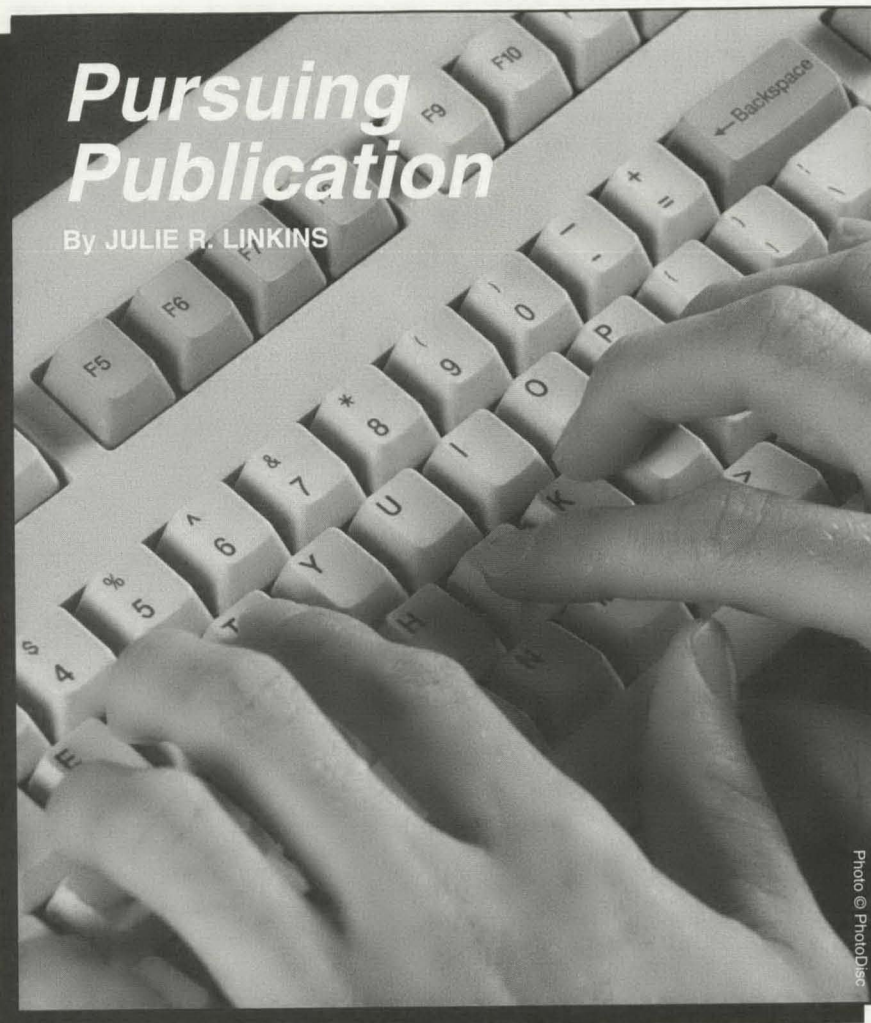
We would like to know your thoughts on contemporary law enforcement issues. We welcome your comments, questions, and suggestions. Please include your name, title, and agency on all e-mail messages. Remember,

**[fbileb@justice.usdoj.gov](mailto:fbileb@justice.usdoj.gov)**  
is our e-mail address.



# Pursuing Publication

By JULIE R. LINKINS



influence a vast audience, having an impact far beyond the limited range of their personal contacts. Such extended sharing of experience and knowledge is important for the criminal justice field as a whole, which can only grow and progress when its members learn from one another.

Unlike professionals in some other occupations, however, law enforcement officers often lack exposure to the publishing process. Their jobs do not help them learn how to transform ideas into manuscripts suitable for publication in an academic journal or commercial magazine.

Fortunately, the publishing path is well worn, and new authors need only navigate the route charted by their successful predecessors. As with any worthy goal, the process takes time, forethought, planning, and a lot of patience. By following the six basic steps described in this article, budding law enforcement authors can soon see their ideas, knowledge, and experiences in print.

**D**uring the hiring process, the fact that I had been published came up several times as a positive influence in the decision to hire me. Both the city manager and city council members commented on it and thought that it showed a professional ability that they desired in their new police chief.<sup>1</sup>

**L**aw enforcement officers do not have to deal with the "publish or perish" syndrome found in university settings, but they can benefit from publishing articles in professional journals or commercial magazines. Published authors carry a certain weight and credibility with their colleagues. Many of them find that publishing enhances their professional image and, as noted in the beginning quote, earns them favorable consideration when it comes to being hired or promoted.

Through published articles, experienced officers reach and

## SIX SIMPLE STEPS

The six steps outlined here generally apply to any type of magazine or professional journal, not just law enforcement publications. Essentially, an author must 1) choose a workable topic, 2) draft a thesis and preliminary outline, 3) select an appropriate publication, 4) query the editor, 5) submit the manuscript, and 6) work with the editor. Of course, the writing part comes between querying the editor and submitting the manuscript, but that topic falls outside the scope of this article.



### Step 1: Choose a Topic

The road to getting published starts long before the first word appears on a page. One of the most difficult—and arguably the most important—steps is selecting a workable topic for the manuscript.

Many editors and published authors recommend that new writers start by writing about something they know well.<sup>2</sup> For criminal justice professionals, possible topics could include ethics, domestic violence, juvenile crime, pursuit driving, jail administration, campus crime prevention, shift work, or stress.

Employees also can write about a subject that will benefit their employer. For example, a police dispatcher might draft an article for a local newspaper or journal that describes enhancements to the department's 911 system. This generates both positive publicity for the department and recognition for the author.

After selecting a broad subject, the author must then sharpen the manuscript's focus. A review of several law enforcement publications will help determine which aspects of the topic have already been covered.

Why should authors care about what others have written on their subject? Editors want to publish articles with new topics or at least fresh approaches to common topics. Just as radio stations avoid playing only one song all day, publications do not repeat the same message over and over.

Therefore, writers must find a gap in the coverage of their topic area and structure their writing to fill that gap. For example, a review

of the *Criminal Justice Periodical Index* (CJPI) for the past year probably would reveal a number of articles in the top four national law enforcement journals on community policing.<sup>3</sup> A closer inspection, however, might show that every one had focused on successful efforts and none had covered the pitfalls of community policing programs. A savvy writer, then, could analyze the problems encountered in community policing efforts (and perhaps some possible solutions) and write about those.

A word of caution is warranted here. Sometimes, in their zeal for finding a unique topic, authors will latch onto something too obscure or unworkable, e.g., the height of buildings in which most hostage situations occur. Authors should try to avoid overly narrow subjects. Often, a quick survey of a few co-workers will help put things in perspective.

With a focused and workable topic, an author can move to the

second step of the publication process. This entails developing a thesis and preliminary outline.

### Step 2: Develop a Thesis and Preliminary Outline

Most people remember their high school days when the teacher forced them to submit a thesis and an outline with their research papers. Typically, students, not realizing how a thesis and outline could help them, wrote the paper first and then pulled the thesis and outline from the finished product. This might have worked in high school, but when it comes to publishing professional papers, busy authors can save themselves a lot of time and effort by creating a thesis and outline early in the process.

A thesis simply states the purpose of the paper. It summarizes in one or two sentences what the author wants the reader to learn from the article. A well-written thesis defines the parameters of the article and helps prevent

**“Through published articles, experienced officers reach and influence a vast audience, having an impact far beyond the limited range of their personal contacts.”**



*Ms. Linkins is an associate editor on the staff of the FBI Law Enforcement Bulletin.*



excursions into interesting but unrelated territory.

The preliminary outline shows how the author plans to lead the reader through the topic to accomplish the purpose. Just as the thesis frames the topic, the outline keeps the author focused on it. No matter how interesting, if a piece of information does not support a specific point in the outline, it does not belong in the article.

Of course, authors should maintain some flexibility here; after all, this is a preliminary outline. If a point that seemed relevant in the beginning turns out to be insupportable or unimportant later, the outline can be changed. Often, developing the outline helps authors identify gaps in the available information, causing them to refocus the article.

Sometimes the opposite happens, and the outline reveals a huge bulge in the information. For example, the original outline for this article included a section on how to draft a manuscript. My research showed, however, that the subject far exceeded the limited range of an article on the publishing process. A thesis and an outline help authors find such flaws early and keep them from spending a lot of time pursuing unmanageable topics.

The thesis and outline also serve in the query stage of the publication process to convince an editor to accept the proposed article. Before authors query editors, however, they have to find the right ones.

### **Step 3: Find an Appropriate Publication**

Many aspiring authors do not realize the importance of finding the

right publication. They spend plenty of time developing good ideas and carefully crafting their writing, but they expend little energy choosing an appropriate magazine. Often, editors must reject excellent manuscripts because they simply do not fit the audience, purpose, or style of the magazine.<sup>4</sup> For instance, officers

“  
**Law enforcement officers ...can benefit from publishing articles in professional journals or commercial magazines.**  
”

occasionally send beautiful poems eulogizing fallen comrades to the *FBI Law Enforcement Bulletin*. No matter how touching the poems, they will not be accepted because this magazine does not publish poetry.

Astute authors review several issues of a magazine to get a feel for its content, style, and format. Writers should be able to answer six important questions about the magazines to which they plan to submit material:

1. Who reads this magazine?
2. What subjects interest these readers?
3. What is the average length of the articles in the magazine?
4. What types of introductions do the editors seem to favor?
5. What is the general tone of the writing?

6. What techniques do writers seem to use most frequently to develop articles?<sup>5</sup>

Knowing the magazine's audience, for example, helps prospective authors determine whether their topics will be well-received. Are the readers mostly administrators or line personnel? Specialists (e.g., fingerprint examiners) or generalists? Practitioners or academicians?

These factors also affect the length, style, and tone of the articles. For example, some scholarly publications tend to run longer papers that emphasize research methodology. In contrast, other magazines target practitioners and generally publish shorter articles that focus on the results of this research.

When reviewing a publication, authors also should notice what format (interview, Q&A, narrative), point of view (first person—I, we; second person—you; or third person—he, she, it, they), and type and amount of documentation the magazine uses. Some magazines, for example, occasionally publish interviews, whereas this magazine generally does not.

By carefully assessing several publications, an author can choose the magazine most suitable for a particular article idea and writing style. A good choice will make it easier to persuade an editorial staff to accept the proposed article when it receives the query.

### **Step 4: Query the Editor**

In this step, the author becomes a salesperson, pitching an article idea to the prospective—and often reluctant—buyer, the editor.<sup>6</sup> Editors are, in many ways, just like



cops. Just as police officers on the street must make decisions rapidly, with scant information, editors must determine the value of an article based only on a brief letter from an unknown writer. It becomes critical, then, for an author to make a good first impression by writing a strong query letter.

An effective query letter starts with accurate information. Authors should take care to address the letter to the current editor at the correct address. They usually can find this information in the masthead of the most recent issue of the magazine.

The masthead lists the volume and number of the issue, the date and place of publication, any required legal notices or disclaimers, and information about the production staff. It usually appears on the first

few pages of the publication (for example, see the inside front cover of this magazine). When editors receive letters addressed incorrectly, warning bells ring with the question, "If the author is sloppy with the details here, what can I expect from the article?"

The first paragraph of the query letter should introduce the proposed topic and highlight its importance to the magazine's readers. The thesis drafted earlier often comes in handy here. Its concise statement, supported by one or two more sentences of explanation, draws a clear picture of the proposed article. This paragraph should refer the editor to the enclosed preliminary outline for more in-depth information.

The second paragraph should list the author's credentials, which

demonstrate expertise or authority to write about the topic. Credentials can include work experience, personal experience, and education, if relevant to the article. Authors should give editors enough information to make a reasoned judgment about the author's suitability to write on the topic at hand.

It is often a good idea to request a copy of the publication's guidelines for authors. Most magazines and journals have a preprinted set of directions for prospective authors to follow. These guidelines describe the magazine's audience and purpose, manuscript specifications, basis for judging manuscripts, and other submission information. Asking for the guidelines in the query letter serves two purposes: It shows the author's willingness to meet the

### Where To Find Appropriate Publications

Most law enforcement professionals will be familiar with the major law enforcement publications—*Police Chief*, *Law and Order*, *Sheriff*, and *FBI Law Enforcement Bulletin*. To find other national or regional outlets, or to identify highly specialized publications, authors might want to consult these sources:

Roger Fulton, ed., *Law Enforcement Related Publications and Editors: A Guide for Writers in Police, Security and Corrections* (Hayes, VA: Police Writers Club, annually).

Mary Ann Gilbert, *Criminal Justice Periodical Index* (Ann Arbor, MI: University Microfilms, annually since 1975).

Roy M. Mersky, Robert C. Berring, and James K. McCue, eds., *Author's Guide to Journals in Law, Criminal Justice, & Criminology* (New York: Haworth Press, 1979).

M.S. Vaughn, and R.V. del Carmen, "An Annotated List of Journals in Criminal Justice and Criminology: A Guide for Authors," *Journal of Criminal Justice Education*, 3, 1992, 93-142.



editor's needs, and it encourages the editor to respond to the query.

Finally, the query should let the editor know how to reach the author. As a matter of courtesy, a self-addressed, stamped, business-sized envelope may be included for the editor's reply. Some publications work with shoe-string budgets and cannot afford the postage to answer the numerous queries they receive. It never hurts to help them save some money.

Patience takes on added importance at this point. Authors sometimes forget that their letters are not the only ones an editor receives. Editors have varying policies and track records for responding to queries. If after 4 to 6 weeks an editor has not answered the query letter, the author may send a follow-up note, politely asking the status of the query. Pestering the editor too soon or too often, however, courts almost certain rejection. Authors should use their best judgment.

When editors respond favorably to query ideas, they often guide authors on how to shape the article to meet the needs of the magazine and its readers. For example, an editor of a newsletter for retirees might tell the dispatcher writing about the improved 911 system to focus on the benefits to senior citizens. If the newsletter's audience consisted of other dispatchers, however, the editor might recommend describing the system's equipment, how to operate it, and the training given to dispatchers. Thus, the author can—and should—approach the same topic differently for different audiences.

Next, the author has to write the article. Sure, this sounds easy, but

anyone who has tried it knows better. Writers should not get discouraged if composing the manuscript takes longer than originally estimated (as writing this one did). Instead, they should focus on the message they want to share with the audience. The words will come, eventually.

The author should follow the editor's advice as closely as possible and make sure the manuscript

“  
**Knowing the  
magazine's audience...  
helps prospective  
authors determine  
whether their topics  
will be well-received.**  
”

conforms to the specifications outlined in the author guidelines. It is a good idea to have a colleague or two read the manuscript before sending it to the editor. They often can catch any problems with the information, the logic, or the pesky typing errors that crop up from time to time. Once the manuscript passes peer review, the author should send it to the editor.

#### **Step 5: Submit the Manuscript**

Usually, several weeks or even months can pass between the time the editor responds to the query and the author submits the manuscript. Therefore, the author should send a cover letter with the manuscript to

remind the editor of their previous correspondence.

The letter should cover some other important details, as well. It should guarantee that the article has not been submitted to any other publication. In an editor's mind, submitting the same manuscript to several magazines is akin to cheating on a spouse. Editors demand an exclusive relationship with their authors.

The author also should give consent for the manuscript to be revised. Even though authors find this painful (most believe their manuscripts are perfect), editors reserve the right to change manuscripts to fit the magazine. Providing consent up front demonstrates the author's willingness to work with the editor to get the article published.

At the same time, the author may ask to review the edited version of the article before publication. In the rare event that the editor's revisions are absolutely unacceptable, the author can pull the article.

The cover letter should tell how, where, and when the editor can reach the author by mail, telephone, facsimile, and electronic mail, if available. Law enforcement authors working second or third shifts should be sure to note when they can be reached at work or at home.

Now comes another waiting period for the author, but a very active time for the editor. Even though the original article idea sounded good in the query, the manuscript must be evaluated carefully. Does it deliver what the query promised? Often, more than one member of the editorial staff will review a submission, and sometimes, if the staff members are unfamiliar with the topic, the



manuscript will be sent to an outside subject-matter expert for review. This takes time, and authors should try to be patient.

### Step 6: Work with the Editor

Eventually, the author will receive the editor's response. If authors do their homework and follow the steps outlined above, chances are good that editors will accept their submissions for publication. Only one step remains: Working with the editor to develop the final version of the manuscript.

Editors could easily adopt the law enforcement motto "To protect and to serve." Editors' decisions must take into account the best interests of both the authors and the readers.

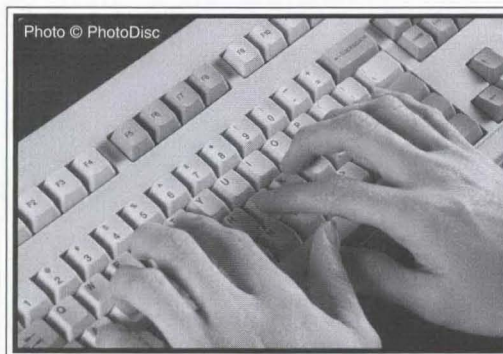
At its best, the author-editor relationship resembles that of close friends who look out for one another by pointing out a crookedly worn tie or a missed blouse button—not to be nasty, but to help avoid public embarrassment. Editors protect authors by reading their manuscripts critically and helping them correct errors or fill in holes. A little friendly criticism from an editor can prevent an author from public embarrassment when a flawed article gets distributed to thousands of readers.

Likewise, editors must protect readers from confusing, inaccurate, or just plain boring stories. Editors know the types of people who read the magazine, what duties they perform, and how much time they have to read articles. They also evaluate continually what has already been published on various topics and what their readers still want to

know. Using this knowledge, editors mediate between what the author wants to write and what the audience wants to read.

By helping authors express their ideas in an article of the length, focus, level of complexity, and style appropriate for the readers, editors serve the needs of both parties. Of course, authors who study their market well usually write articles that hit the mark the first time, which makes the editing process move smoothly and quickly at this stage.

Novice authors often throw away their research notes and background material as soon as an editor accepts their manuscript. As tempting as it seems to keep only the shining finished product and pitch the residue, authors should hold on to their background material at least until the article appears in the magazine. Editors do more



than merely check for correct spelling, grammar, and punctuation. They also evaluate the logic, presentation, reading level, data, and documentation. Up until the last moment before the printer starts the presses, editors can, and usually do, ask authors to double-check sources, clarify statements, update facts, and add examples.

Authors can save themselves a lot of time and headaches by keeping handy their research notes and complete source documentation (all the trivial details that go into footnotes). Trudging back to the library to try to find the exact volume and page number of an obscure report cited in a manuscript written months ago can take a lot of the fun out of getting an article published.

### A NOTE ABOUT PATIENCE

At last, all the questions will be answered, the last comma placed, and the final footnote finished. Then what? Usually, more waiting, and waiting, and waiting....

Authors need an ample supply of patience. It can take anywhere from a few months to as much as a year before the article appears in the magazine. The *FBI Law Enforcement Bulletin*, for example, operates under a 2-month lead time, meaning that by January, the March issue has already gone to the printer. But even if an author and editor finish preparing the text in January, the article will not necessarily be published by April. Other factors also can affect the publication date. For example, the art staff must find or create appropriate illustrations, the editor might want to publish it with a related piece still in the works, or perhaps, the space has been designated for another purpose, such as the annual index.

### CONCLUSION

Professional journals provide members of the law enforcement community with a marvelous opportunity to share their ideas,



## Common Questions Posed to Editors

**E**ditorial staffs respond daily to numerous questions posed by prospective authors. While most of the questions are tailored specifically to the author's particular dilemma, three questions, in particular, continue to be asked.

### Must I Write Well?

The short answer is no, but it helps. Most editors agree that writing skill has some bearing on an article's selection, but many would say that other factors, such as topic, factual accuracy, clear analysis and logical flow of information, and presentation, can be more important. Editors can correct grammar and punctuation, but they cannot magically produce the knowledge gained, for example, from years of law enforcement experience.

### Are Multiple Queries/Submissions Okay?

Asking more than one editor about the same article idea poses no problem whatsoever at the query stage. Authors may send their article ideas to as many editors as they want; it only takes time and money.

However, editors frown on multiple submissions, that is sending the same article to a number of magazines to see who bites first. Magazines earn their reputations by publishing new material, so editors usually demand exclusive relationships.

And, editors never forget who "cheated" on them. One infidelity could banish authors to that magazine's perpetual doghouse.

A magazine's reprint policy may help prospective authors to decide which editor receives the manuscript first. Some magazines will reprint articles that have been published elsewhere; others will not. Over time, authors can see the same article appear in several publications, depending on the reprint policies of each magazine.

### Why Do Editors Decline Articles?

Many factors can compel an editor to decline an article idea. Most often, neglectful authors fail to research their market and send their articles to the wrong publications.

Sometimes, however, another author could have submitted a substantially similar idea first, or the magazine may have covered the topic in depth already. In a few instances, the writing simply will be too poor to make it worth the time and effort to correct. Occasionally, an author's query letter and preliminary outline will promise something that the finished manuscript does not deliver.

knowledge, and experiences with thousands of their colleagues simply by writing down what they know. Yet, the thought of pursuing publication strikes fear in even the bravest of souls.

Learning how to select a manageable topic, frame a thesis and outline, convince an editor to request and later accept a manuscript, and collaborate with an editor to polish the final product all can be disconcerting at first. But experienced officers should remember that making arrests and investigating cases did not always come easily, either.

The guidelines offered here should help prospective authors avoid some of the frustration new writers typically experience and open the door to a rewarding endeavor. Personal satisfaction, widespread recognition, and increased hiring and promotional potential can—and will—make the effort worthwhile. ♦

### Endnotes

<sup>1</sup> Member of the Police Writer's Club quoted in "Writing Your Way to the Top," *The Police Writer*, Summer 1995, 5.

<sup>2</sup> J.L. Barkas, *How to Write Like a Professional* (New York: Arco, 1985), 47.

<sup>3</sup> A number of publications, including *Police Chief* and this magazine, print an annual index in their December issues. This can provide a quick review of the contents of a specific magazine, whereas, *CJPI* covers more than 100 publications from the United States, Great Britain, and Canada.

<sup>4</sup> Michael Seidman, "Study the Market!" *Writer's Digest*, February 1994, 40.

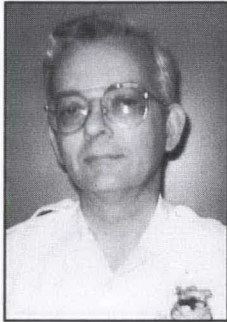
<sup>5</sup> Myrick E. Land, *Writing for Magazines* (Englewood Cliffs, NJ: Prentice Hall, 1993), 29.

<sup>6</sup> Some magazines pay for articles; others do not. Likewise, some employers allow employees to be compensated for their writing, while others might not. Prospective authors should check with their legal advisor and with individual publications for guidance.



## The Bulletin Notes

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



Lieutenant Bakker

Lt. William Bakker of the Cleveland, Ohio, Police Department thwarted a possible kidnapping at an area shopping mall. While working part-time as a security officer at the mall, Lieutenant Bakker heard a child crying. He then observed a woman carrying a 5-year-old girl toward one of the mall exits. Earlier in the evening, Lieutenant Bakker had observed that the woman was unaccompanied. The lieutenant approached the woman, and as he prepared to question her, the child's father appeared. The man explained that he was browsing in a store when he saw the woman pick up his daughter and walk quickly toward the exit. Lieutenant Bakker directed the woman to return the child to her father and then placed her under arrest for kidnapping.



Trooper Dowgiewicz

While on patrol, Trooper First Class Mark Dowgiewicz of the Connecticut State Police spotted a truck that matched the description of a vehicle used during the robbery of an area supermarket a short time earlier. An armed robber had entered the store and demanded that a bookkeeper fill a bag with money from the store safe. After Trooper Dowgiewicz attempted to stop the suspect, a pursuit ensued, during which the suspect rammed his vehicle into the cruiser, smashing the driver's side and slightly injuring the trooper. The gunman then jumped out of his truck and opened fire. Trooper Dowgiewicz exited the cruiser from the passenger's side and returned fire, using the vehicle as a shield. During the exchange of gunfire, Trooper Dowgiewicz shot and killed the suspect.

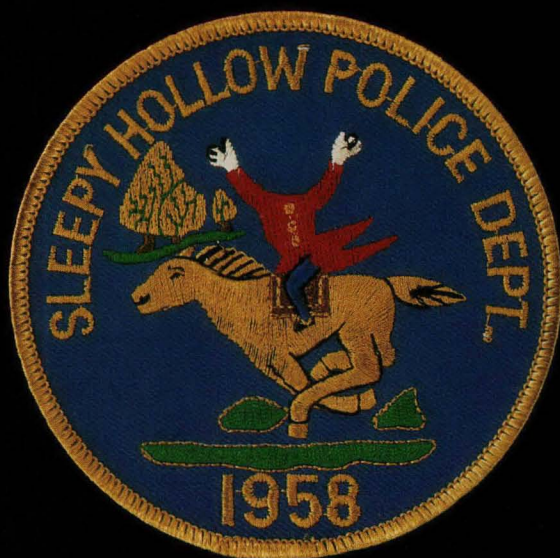
Nominations for the **Bulletin Notes** should be based on either the rescue of one or more citizens or arrest(s) made at unusual risk to an officer's safety. Submissions should include a short writeup (maximum of 250 words), a separate photograph of each nominee, and a letter from the department's ranking officer endorsing the nomination. Submissions should be sent to the Editor, *FBI Law Enforcement Bulletin*, Law Enforcement Communication Unit, Quantico, VA 22135.



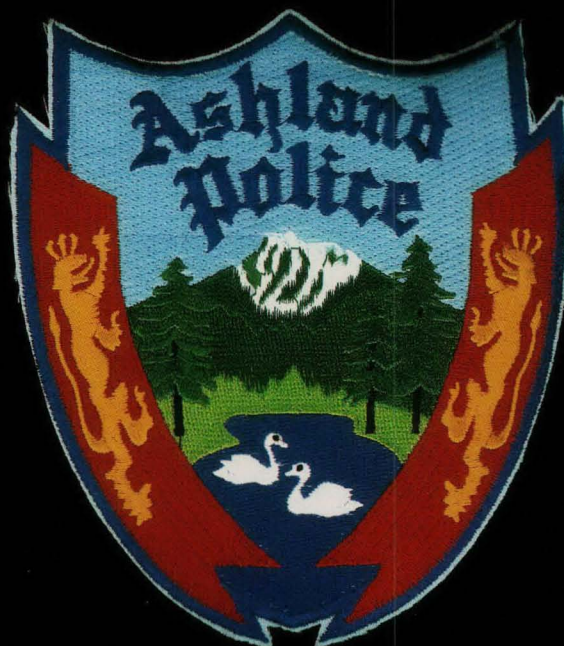
Washington, D.C. 20535

Official Business  
Penalty for Private Use \$300

## Patch Call



The patch of the Sleepy Hollow, Illinois, Police Department features the Headless Horseman character from Washington Irving's famous short story, "The Legend of Sleepy Hollow." The patch also shows the year in which Sleepy Hollow was incorporated—1958.



The Ashland, Oregon, Police Department patch depicts Mount Ashland overlooking scenic Lithia park. The English lion banners on the sides of the patch represent the Oregon Shakespeare Festival, which takes place in Ashland.