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# FBI Law Enforcement

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# *Avoiding the Informant Trap*

## *A Blueprint for Control*

By JAMES E. HIGHT, M.P.A.



“**M**y informant said....”  
“I just talked to my informant about the robbery....” These phrases are repeated hundreds of times a day in law enforcement agencies across the country, as hardworking police officers gather information necessary to successfully perform their duties. Law enforcement often finds it necessary to use information provided by individuals of less than sterling character and reputation, who live and function within the

criminal element itself. Although a multitude of factors may motivate these individuals to provide information to the police, the use of informants remains one of law enforcement’s oldest and most essential investigative tools.

Many agency administrators raise valid concerns about the hazards involved in using informants and ask numerous questions to quickly assess their informant program. Have they established some degree of organization and

accountability in the informants’ direction and use? Have they implemented procedures to control the informants’ actions? Have they set forth formal regulations regarding the informant program? If the answer to these questions is no, the agency and its officers may be at risk as negative concerns from civil libertarians, the courts, and the general public grow in fervor over the use of criminal informant sources.

When informants provide false or misleading information, use their



*Special Agent Hight teaches interviewing and interrogation, informant development, and media relations at the FBI Academy.*

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status for their own purposes, or become involved in criminal activities unrelated to the investigation at hand, law enforcement often finds itself unprepared to deal with the inevitable fallout, which could range from public embarrassment to a civil suit and result in a damaged image within the community. Yet, whether they operate 1 informant or 100, when police agencies have a program that properly defines, documents, controls, and provides accountability for the actions of their informants, they continue to gain vital information while addressing the valid concerns of the public they serve.

### **Documentation**

Agencies should implement a formal filing system to properly maintain all related documentation on each informant. The informant’s identity should be concealed, and a simple numbering system within the files would sufficiently accomplish this. A commanding officer should issue these numbers,

while authorizing the creation of an informal file. The authorization by the commanding officer to create this file also implies consent to the use of this person as an informant. Only officers operating the informants, their commanding officers, and the head of the department should know the identities of all of the informants. The case officer should place all of the information the informant supplies in the created informant file, while the main file on a particular crime should contain copies of reports or other investigative documents that apply to that case only.

Because informants occasionally report on more than one type of crime, and thus, other officers may need to access the information the informant provides, a central file repository becomes necessary for the inclusion of all information provided by an individual informant. Case officers should store these informant files in a secure location with controlled access. They should maintain items such as record

checks on prospective informants, any criminal history information, and a photograph of the informant in this file. Also, a history of payments to informants may be maintained in the file. Because agency needs vary, officers should consider each item maintained in the file on an individual basis; however, the type of informant information maintained must remain consistent in each file. An agency can demonstrate thoroughness and deliberate judgment in its use of informants by maintaining a file of information on each informant, as well as one documenting the information each informant provides.

### **Control and Accountability**

When informants have little or no formal direction as to the scope of permissible activities, problems can arise quickly. “Abuses by informants and law enforcement threaten the rights and safety of innocent people, as well as the integrity of the courts.”<sup>1</sup> To avoid these abuses, agencies should give each informant a checklist of basic rules and regulations governing their conduct. Such rules could include:

- Informants will provide information to only one agency. It becomes difficult to manage informants if they become involved in activities for another law enforcement entity, especially if the other agency has no rules in place to govern informant conduct.
- Informants will not use illegal means to gather information. As an extension of the law enforcement agency, informants must understand that the

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agency will not tolerate violations of the law, and their status as informants will not exempt them from arrest and prosecution.

- Informants volunteer to assist the law enforcement agency. Informants have a choice whether to assist the agency or not, even in situations where they are trying to get their own criminal charges reduced or dismissed.
- Informants are not employees or undercover agents of the law enforcement agency. This remains an area of great concern and one where many agencies do not take steps to protect themselves. Those informants who act as law enforcement employees are usually police enthusiasts or become overzealous, which often motivates them to provide information in the first place.
- Informants will not participate in acts of violence or initiate plans to commit any criminal act.

Agencies can include numerous other rules, such as the requirement to report payments as income for tax purposes. They should notify the informant of these regulations at the earliest possible time and make a notation in the informant's file. All informants should sign or initial a form acknowledging receipt of these general regulations, which should remain consistent for each informant.

In short, informants should have an explicit understanding of

what they may and may not do while working for the agency. If the informant becomes involved in a situation that violates any of the regulations imposed by the agency, attorneys may bring attention to it at a hearing or other legal proceeding. Having such a checklist effectively prevents informants from saying officers never explained what they could or could not do and thus transfers accountability from the agency to the informant.

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Even though agencies should discourage informants from performing illegal acts, it often becomes necessary for informants to visit locations where criminal activity, such as the buying and selling of narcotics, takes place. This creates the possibility of informants being arrested, perhaps by another agency. The use of individuals on probation or parole can create additional problems because they would violate the terms and conditions of release by frequenting such locations or by being arrested. Having informants gather information in these locations or participate in illegal activities without the consent of their governing agencies can

create problems for both the agencies and the informants.

To avoid having the informant's probation or parole status revoked, an agency first should obtain permission from the probationary organization, which also could avert a potential rift between the police agency and the probation/parole authorities. A senior member of the law enforcement agency should personally contact a counterpart from the probation or parole organization, who should be told, in general terms, the circumstances in which the informant will be used and when the investigation will end. After obtaining approval from the parole authority, the agency operating the informant should document it in the informant file.

Furthermore, accountability and oversight remain keywords in avoiding this situation. Supervisory personnel should conduct a careful review whenever a case warrants the use of an informant in or around illegal activities. During this review, the specific nature of the activity should be documented so that the reviewer can identify problem areas that the officer operating the informant may have overlooked. Oftentimes, officers involved in investigations tend naturally to focus on the suspect and how to gather sufficient evidence for a successful prosecution. This results in a tunnel-vision effect in which the officer endorses informant activities without regard to the existing peripheral factors that could impact the case later. Additionally, the review affixes accountability to the decision and demonstrates that the agency used careful, considered

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judgment in authorizing these types of activities.

In general, agencies should specify a period of time they will use individuals as informants. Moreover, agencies should limit the time informants can become involved in those activities, such as being in a location where drugs are packaged and sold, that normally could subject them to arrest and prosecution. Additionally, supervisors periodically must review these authorizations to determine if circumstances have changed. This review also stops the informant from engaging in illicit activities when the investigative need no longer exists. By granting limited and specific authority, law enforcement agencies can effectively control the activities of their informants. Additionally, this oversight prevents informants from saying they were gathering information for the police department should they get caught committing a crime.

Given the degree of public scrutiny a police agency can undergo, credibility remains an issue unless agencies have policies in place that clearly demonstrate control and accountability. These requests for criminal activity, and their subsequent review, should be maintained in the informant's file. Generally, an agency should retain informant files for a minimum of 5 years after the informant leaves the program.

### **Monetary Payments**

Two law enforcement officers should witness all monetary payments to informants and document the transaction by obtaining a receipt from the informant. This

prevents informants from later accusing officers of keeping part of the money and additionally provides accountability for allocation of informant funds. The receipt also provides a concise record of all payments to any informant, which attorneys may produce for discovery purposes should the informant testify.

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Another issue over informant payments concerns taxable income. During testimony, defense attorneys frequently ask informants if they paid taxes on the money they received for their information. Because most people, including jurors, do not like to pay taxes but do so nonetheless, an informant who has not paid taxes on money received likely will not garner a favorable reaction from jurors. More important, these issues almost always reflect unfavorably upon the law enforcement agency, especially if informants commit perjury and damage their credibility. Documenting payments demonstrates accountability and control on the part of the agency.

### **Accomplishments**

The success of any program often depends on documenting its accomplishments. At the same time, tracking the effectiveness of informants produces a vivid record of an agency's intelligence base. Accurate record keeping can help agency administrators validate increases in budgetary expenditures for the informant program and demonstrate this program's essential link to the law enforcement mission.

Some examples of important accomplishments that administrators can document include:

- Number of investigations opened as a result of informant information;
- Number of suspects identified as a result of informant information;
- Number of times the agency used informant information in obtaining search warrants, wiretap affidavits, or arrest warrants;
- Dollar value of stolen property recovered as a result of informant information; and
- Number of convictions obtained as a result of informant information.

Administrators could tailor and maintain additional categories of statistical accomplishments to fit the needs of their agencies.

### **Conclusion**

In today's world of litigation, criticism of police practices, and ever-changing public views regarding how effectively law enforcement agencies perform their





# Book Review

**Surviving the Street: Officer Safety and Survival Techniques** by Gerald W. Garner, published by Charles C. Thomas, Springfield, Illinois, 1998.

*Surviving the Street: Officer Safety and Survival Techniques* represents a straightforward, no-nonsense treatment of the issues involved in law enforcement survival. The author, a 28-year veteran of law enforcement, begins each chapter with three excerpts relevant to that chapter's topic from one of the FBI's annual *Law Enforcement Officers Killed and Assaulted* reports. These openings describe the circumstances surrounding particular law enforcement fatalities.

Instead of including diagrams, illustrations, and detailed tactical instructions, the author provides a logical framework for proceeding in a variety of situations (e.g., serving warrants, making vehicle stops, handling calls involving individuals with emotional problems or mental illness, and managing hostage situations). While the majority of the book concentrates on situations patrol officers encounter, chapters dealing with management issues, the proper response when encountering crime while off duty, and the unique threats posed by terrorism also receive attention.

Each chapter ends with a summary and a survival checklist that reinforce points covered in the chapter. While veterans may believe the author's points represent merely commonsense techniques employed by any experienced law enforcement officer, the majority of anecdotes at the beginning of each chapter involve the death of seasoned officers.

In addition to discussing survival of the physical body, the author addresses job survival and psychological considerations, as well. The author defines job survival as taking law enforcement action in a professionally and legally defensible manner, preserving not only officers' health but also their employment. For example, in the

chapter on vehicle pursuits, the author stresses that officers should remain in control, not only of their vehicles, but also of their emotions. He cautions the reader to take traffic and weather conditions into account during vehicle pursuits, as well as the seriousness of the underlying offense versus the danger of the chase, departmental policies, and the consequences when the pursuit ends (disciplinary action, possible loss of innocent lives, etc.).

One of the psychological topics discussed by the author includes the realization that, if a subject still receives injuries despite all efforts to bring an enforcement action to a peaceful resolution, the *offender's* actions are to blame, not the *officer's*. The author's observations on confronting situations when an officer is not adequately equipped or trained make for interesting reading. These situations include intervening in a crime while off duty, attempting a rescue from a raging river, entering a burning building in search of occupants, and becoming involved in a hazardous materials incident. The author recognizes the officer's urge to help those in jeopardy but emphasizes the need to realistically evaluate the chances for success without adding another victim—the officer—to the situation's casualties.

The author concludes that, with the appropriate training, equipment, and caution by the officer, the vast majority of such deaths remain preventable. *Surviving the Street: Officer Safety and Survival Techniques* offers solutions not likely to conflict with a police department's policies. Not preachy or judgmental, the book offers an easy-to-follow evaluation of items to consider in a variety of law enforcement situations and serves as a helpful primer for new officers or an excellent refresher for seasoned veterans.

Reviewed by  
Special Agent John Louis Stubing  
FBI, New York Office

# ***YACS Crime Groups*** ***An FBI Major Crime Initiative***

By RICHARD A. BALLEZZA

Photo © Don McVeety



**I**n 1992, organized burglary teams using walkie-talkies, police scanners, look-outs, and an array of tools began targeting supermarket and Automated Teller Machine (ATM) safes. Centered in the New York City area, the burglars also committed thefts along the entire East Coast and as far west as Des Moines, Iowa. While the burglars' mobility subverted detection efforts by law enforcement officers, the prevalence of Yugoslavian or Albanian suspects arrested for these crimes gave investigators

a new avenue to pursue. However, while state and local authorities exchanged information about these suspects on an informal basis, no formal, centralized clearinghouse existed to aid officers in effectively dealing with this emerging crime situation.

By the summer of 1994, the Food Marketing Institute (FMI), an international association of supermarket corporations, had attributed hundreds of attempted or successful burglaries to these groups of Yugoslavian or Albanian

suspects. Losses in property and income led the FMI to meet with high-level FBI officials and seek federal assistance in coordinating an attack on this increasing crime trend. In response to this request, the FBI created the Yugoslavian/Albanian/Croatian/Serbian (YACS) Crime Group initiative. Because the most active burglary teams resided in the New York City area, the FBI assigned the case to its New York Office.

The proliferation of ATMs in banks, supermarkets, and shopping



malls provided a perfect opportunity for YACS teams to reap vast amounts of cash and cause an even greater amount of property destruction. In the broadest sense, a three-fold problem involving private industry security measures, law enforcement coordination matters, and statute and prosecution difficulties contributed to the YACS success in evading detection and apprehension. The FBI's initiative provided a comprehensive approach to bring these three factions together to combat the freewheeling crime spree of the YACS burglary groups.

#### **PRIVATE INDUSTRY SECURITY MEASURES**

When supermarket or bank employees arrived for work on a Monday morning to discover a hole in the roof, damage to the store or ATM safe, missing currency, and severed telephone lines, the commercial world met the YACS crime groups. By cutting the telephone/

alarm lines, YACS burglars could effectively terminate protection for the target location. After no subsequent police response occurred, the thieves could complete the burglary undetected. Following such instances, business owners began to upgrade their alarm systems so that severed lines would register as "telecommunication failures" at central monitoring stations. These failures alerted alarm companies to dispatch their vehicles or contact local police agencies to further investigate these situations.

At the same time, FMI security managers developed a partnership with the FBI and began reporting suspected YACS incidents to the FBI's New York Office. Usually within 24 hours of a burglary incident, supermarket owners completed a standard burglary reporting form and faxed a copy to the Washington, DC, office of FMI. Then FMI faxed these forms to the FBI's New York Office. By examining these reports, the FBI could

determine those supermarket burglaries across the country that fit the YACS pattern.

To educate corporate security officers about the YACS burglaries, FMI, the Jewelers Security Alliance and the FBI jointly participated in numerous conferences primarily in the most victimized areas of the country. The group discussed security measures that could protect store employees, prevent burglary attempts, and aid police in apprehending perpetrators. Corporations examined their own security measures and found that their systems often did not work as expected or as promised by outside alarm companies. Improved alarm systems and appropriately enhanced safes assisted police in their efforts to decrease the number of YACS burglaries.

Moreover, one corporation took aggressive measures to counteract a YACS group that had targeted its restaurants throughout the boroughs of New York. Thieves cut telephone lines, pried rear doors opened, and removed safes in almost 20 restaurants during June and July 1995. Cash losses averaged between \$4,000 and \$8,000, not including the property damage to the restaurants. Corporate management installed upgraded alarms in all the restaurants and instituted a new preventive procedure—if telephone lines were cut at a location, a guard would be posted inside until the lines were repaired and the alarm system restored. These efforts resulted in a known YACS burglar being captured at one restaurant with an upgraded alarm system and a sharp decrease in the number of subsequent break-ins.



*Special Agent Ballezza is assigned to the New Rochelle Resident Agency of the FBI's New York Office.*

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Although based in  
New York City, YACS  
groups committed  
burglaries in  
locations far from  
the New York  
metropolitan area....  
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## LAW ENFORCEMENT COORDINATION MATTERS

The FBI took a two-pronged approach to improve the coordination among law enforcement agencies involved with YACS crime groups. First, the FBI established its New York Office as the intelligence repository to assist police agencies with information and available FBI Laboratory services. Next, the FBI began focusing investigations on the most active YACS crime groups in the New York metropolitan area.

Prior to the FBI's entry into the YACS investigation, only an informal network existed for law enforcement officers to exchange information about the thefts. To enhance this network and create a centralized clearinghouse for YACS information, the New York Office established a 24-hour telephone hotline and a computer network system to maintain and continually update any YACS criminal activity. Next, New York agents attended numerous law enforcement conferences to explain the FBI's role in attacking the YACS crime problem. To help police agencies, the agents discussed specific response tactics and strategies that other departments had used to successfully apprehend YACS burglars.

At this point, the New York office faced a serious dilemma in its coordination efforts. In June 1994, the FBI Laboratory had stopped accepting property crime evidence from local agencies due to personnel workload constraints. However, New York agents knew that FBI Laboratory services would prove crucial in attacking these YACS

crime groups. After discussing this situation with these agents, the FBI director modified this policy to exempt evidence submitted by state and local agencies involved in suspected YACS investigations. To further assist police agencies, the FBI Laboratory and the New York Office began a separate YACS fingerprint file.

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**...authorities discovered several shortcomings in existing federal laws, which did not adequately address... criminal activity of the YACS burglars.**  
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With the first part of the approach to improving the coordination among law enforcement agencies underway, the New York Office began the second phase, investigating the most active YACS burglary teams. After reviewing available police reports, intelligence sources, and court records, agents examined the targeted suspects' past crimes and current criminal activities to find grounds for federal prosecution. The agents also began to notice certain patterns among YACS crime groups. Although organized while committing a burglary, the groups did not follow the traditional organized crime structure. While one YACS burglar might emerge as a leader of a

particular team of four to six members, this individual probably had committed burglaries with other groups over the years. The makeup of the burglary teams proved diverse and oftentimes arbitrary, with members chosen only hours before committing the thefts.

The mobility of YACS crime groups emerged as another pattern that caused problems for law enforcement agencies. Although based in New York City, YACS groups committed burglaries in locations far from the New York metropolitan area, such as Des Moines, Iowa; Chicago, Illinois; Fairfax, Virginia; and Noonan, Georgia. Further, when arrested, typical YACS criminals called a prearranged New York telephone number for bail, provided false identity information, and were released before their true identities could be determined. Unfamiliarity with the languages, respective cultures, and practices of these groups caused more difficulties for police agencies. Some miscommunication was subtle. Officers often misconstrued dates of birth given in the European method of day, month, and year as the American standard of month, day, and year. Therefore, officers recorded a numeric date given as 3/5/70 as March 5, 1970, instead of May 3, 1970. This type of error and the unfamiliar spellings of Albanian and Yugoslavian names continually hindered law enforcement agencies in identifying YACS burglars.

With the inception of the centralized clearinghouse and telephone hotline at the FBI's New York Office, police agencies could send photographs of arrestees and

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obtain their true identities and FBI numbers in many instances. Through this process, officers located numerous fugitives or individuals who failed to appear for hearings following arrests in other jurisdictions. Also, the central clearinghouse helped provide investigators and prosecutors with sufficient information to seek higher bail for offenders with an increased risk of flight or prior history of failing to appear for hearings.

### **Investigative Assistance**

In September 1995, Los Gatos, California, police officers arrested two YACS burglars and contacted the FBI's New York Office to find out if any YACS members had a specific distinguishing hair color and style. The New York office advised the officers that one had this unique characteristic when photographed months earlier at a social club in the Bronx, New York. They faxed the individual's photograph to the officers who confirmed that they had arrested the same person.

Further, in December 1995, Saratoga Springs, New York, police officers apprehended five YACS burglars. All resided in the Bronx or Westchester County, New York, area except one who gave a Michigan address. After receiving photographs of the five burglars, the New York office advised the Saratoga Springs police that the arrestee from Michigan actually lived in Yonkers, New York, and was wanted for an ATM burglary in North Wales, Pennsylvania, and for possession of burglary tools in Coweta County, Georgia.

While these two successful uses of the central clearinghouse at the FBI's New York office show the effectiveness of collaborative police efforts, continuing problems in identifying YACS burglars led the New York Office to prepare a YACS photographic album. A unique investigative resource available to police agencies across the country, the album explains the YACS method of operation and

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***Legislative improvements will make it easier to successfully prosecute them and have their illegal proceeds forfeited.***

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contains a list of YACS names. However, the core of the album is the photographic section. Each page contains a YACS burglar or criminal associate's personal descriptive data, master name and other aliases, FBI number, photographs, one of the individual's fingerprints, and the unique YACS identifying number assigned to that person.

### **Labor Day Initiative**

After less than a year of covert investigation, the FBI decided it was time for a more proactive approach to countering YACS criminal activity. Because YACS crime groups often target locations during

holiday weekends, the New York Office planned a major initiative for Labor Day 1995. Combining liaison with numerous major alarm companies in the New York area with surveillance of two selected YACS burglary groups, the effort began on Friday, September 1, at 4 p.m. and continued until Tuesday, September 5, at 6 a.m. Investigators hoped that aggressive response to selected alarms at banks and supermarkets during these critical times would result in preventing burglaries or in apprehending the thieves. During the final planning stages in August, New Jersey authorities arrested one of the two originally targeted groups so another YACS team took its place.

To facilitate investigative efforts, the FBI's New York Office set up a command post at its New Rochelle resident agency. When a participating alarm company received notification of a break-in, they followed their normal response procedure, contacted their roving patrol, customer, or local police agency, and then called the FBI's command post. Agents discussed the location and type of alarm with the alarm company officials. Then, agents at the command post contacted responding police officers to determine what their patrols had discovered. When targeted establishments fit the profile of a YACS burglary, agents at the command post advised appropriate teams of agents and New York City Police Department detectives, stationed at locations reporting the highest incidents of safe burglaries, to investigate. At the same time, different shifts of agents constantly

surveilled the two targeted YACS teams.

No significant activity occurred during the first two nights, but around midnight on the third night, investigators observed the leader of the second YACS group pick up two individuals in a rental car and proceed north on Interstate 95 toward Connecticut. This action and the recent number of weekend bank ATM burglaries in the area led investigators to believe that the leader was preparing to commit a burglary. Advised by the command post of the situation, the FBI's New Haven Office and the Connecticut State Police activated an earlier formulated plan to monitor every entrance and exit off Interstate 95 in case any alarms were received during the weekend. Agents followed the leader's vehicle to a bank in Branford, Connecticut. After several hours, the leader and two other suspects burglarized the ATM at the bank. Agents arrested the three thieves as they attempted to flee the scene.

While the New York initiative unfolded, officers in other parts of the country arrested additional YACS burglars. Los Gatos, California, police officers apprehended two YACS burglars as they fled from a local bank. Montgomery Township, Pennsylvania, police officers arrested three YACS perpetrators after they stole \$99,500 from an ATM inside a supermarket. North Reading, Massachusetts, police officers arrested a YACS member in an attempted burglary early in the weekend. While the Labor Day initiative proved a resounding success, it also illustrated how the



combined efforts of many agencies, both public and private, could accomplish goals previously considered unattainable.

#### **LEGISLATIVE CONSIDERATIONS**

During the initial investigative strategy planning involving YACS crime groups, authorities discovered several shortcomings in existing federal laws, which did not adequately address the primary criminal activity of the YACS burglars. To improve the chances of successfully prosecuting these criminals, modifications to existing federal violations or enactments of new laws could be undertaken. One enhancement includes making bank burglary<sup>1</sup> a Racketeering Influenced Corrupt Organization (RICO)<sup>2</sup> predicate offense, then adding it to the list of offenses permitting use of lawful electronic surveillance<sup>3</sup> during investigations. This action would aid police agencies and prosecutors in the

apprehension and conviction of these burglars by making their crimes fit into a federal statute that carries severe penalties under the sentencing guidelines.

Additionally, the burglary of private ATMs in supermarkets or shopping malls is not a federal violation unless it can be shown that the thieves crossed state lines with more than \$5,000 in proceeds from the break-in.<sup>4</sup> However, no legislative provision exists for cases involving perpetrators attempting unsuccessful burglaries and fleeing the scene or those apprehended with the proceeds before leaving the state where the crime was committed.<sup>5</sup> A federal commercial safe or vault statute could close this loophole for these professional burglars. Like bank burglary, this legislation also could include the RICO attribute and electronic surveillance authority.

A third improvement involves making the cutting or other disruption of telecommunication lines a

federal offense. In most cases, YACS burglars tamper with the telephone lines to disrupt alarm systems near the break-in sites. Over the past few years, the main telephone lines into a well-known alarm company have been cut several times, causing alarm service disruptions for thousands of customers in New York and Connecticut. While any YACS involvement remains unproven, it is an area of great concern to police, alarm companies, and commercial establishments. Enacting appropriate federal legislation for these offenses will subject offenders to more than petty criminal mischief violations.

Finally, legislative changes could include forfeiture penalties.<sup>6</sup> Most major YACS burglars have no bona fide employment yet can lease luxury automobiles, purchase real estate, and finance expensive lifestyles. They obtained their ill-gotten gains through safe burglaries and not through the more traditional RICO crimes of robbery, extortion, arson, or gambling enterprises. However, if new legislation included forfeiture provisions for these crimes, some high-level YACS criminals, whose holdings remain beyond the reach of existing federal forfeiture laws, might risk losing their possessions through civil or criminal penalties.

## CONCLUSION

Today, more than 3 years after the YACS initiative began, the FBI remains committed to educating even greater numbers of police agencies about this crime group. It is imperative that officers across the

country gain the knowledge and resources to combat the YACS threat. With law enforcement pressure continuing on these groups in the New York area, YACS burglaries are occurring more frequently in other parts of the United States. As with any group of well-organized, highly motivated criminals, the YACS burglars remain reluctant to relinquish their grip on such a profitable way of life.

However, increased inter-agency cooperation and more thorough police response to alarms combined with improved security systems from the private sector will aid law enforcement agencies in apprehending these professional criminals. Legislative improvements will make it easier to successfully prosecute them and have their illegal proceeds forfeited. The watchword for police agencies in this attack on such an insidious criminal threat is cooperation among the entire law enforcement community to bring about the ultimate downfall of the YACS crime groups. Only when these groups realize that law enforcement agencies are united in their efforts to stop their crimes in all parts of the country will the YACS burglars see their influence diminishing and their futures threatened. ♦

### Endnotes

<sup>1</sup> 18 U.S.C. § 2113.

<sup>2</sup> 18 U.S.C. § 1961-1968.

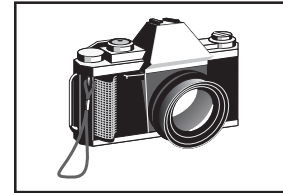
<sup>3</sup> 3 U.S.C. § 2516.

<sup>4</sup> 18 U.S.C. § 2314.

<sup>5</sup> 18 U.S.C. § 1952.

<sup>6</sup> 18 U.S.C. § 981-982.

## Wanted: Photographs



**T**he *Bulletin* 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:

Brian Parnell, Art  
Director, *FBI Law  
Enforcement Bulletin*,  
FBI Academy, Madison  
Building 209, Quantico,  
VA 22135.

### **Caught on Tape** *Using Criminals' Videos Against Them*

By Edward F. Davis, M.S., and Anthony J. Pinizzotto, Ph.D.



**I**n Sparta, Michigan, a 16-year-old high school dropout with a criminal record bludgeons a man to death, then cuts off his head. At home, the youth repeatedly slashes the severed head with a butcher knife and removes the brain. Detectives recover the head wrapped in plastic, outside the youth's home.<sup>1</sup>

In Fort Lauderdale, Florida, five teenagers vandalize and burglarize eight homes and a school. During their escapades, they blow up a live sea trout in a microwave and get a dog high on marijuana.<sup>2</sup>

In Los Angeles, a group of teens assaults people with "paint balls," the projectiles from paint guns. According to news reports, they "whoop it up as each victim falls or writhes in pain." They call their "game," "bashing," or "human head baseball."<sup>3</sup>

In Washington, DC, five men rob, beat, and urinate on their victim. Following the incident, the men interview one another, pretending they are on the news documentary, "City Under Siege." The men are found guilty of a variety of charges, including armed robbery, conspiracy, and weapons violations.<sup>4</sup>

In each of these incidents, the offenders were convicted by evidence they had created themselves.

They had videotaped their exploits, providing incontrovertible evidence of their crimes. Whether they do so to immortalize their actions, to achieve "stardom," or to gain favor with their cohorts, when perpetrators videotape their crimes, law enforcement officers can use those tapes against them.

#### **Who Does It and Why**

Photographing criminal activity is not a new phenomenon. Sex crime investigators have known for years that some individuals who engage in various sexual acts—both consensual and nonconsensual—chronicle their behavior through photography and video. Cases include one in the northeastern United States where an individual photographed and videotaped various "customers" using drugs and having sex in his home. He later used these records for his own sexual gratification and to blackmail his customers.

Most of these sex-related videos come from the perpetrators' desire to relive the experience at a later time through their photographic records. Much as some members of the general population use pornography to stimulate sexual fantasy, sexual deviates use

their homemade pornography to satisfy their specialized deviance. This most often occurs in cases of more extreme forms of paraphilia. Because they find little excitement in general pornography, they develop their own to reflect their particular pathology. In addition, individuals involved in autoeroticism<sup>5</sup> frequently videotape their activities.

In the past, most crimes occurred under cover of darkness, helping to maintain the anonymity of the perpetrators. Yet, recent cases indicate that criminals seem more interested in publicizing their crimes than remaining discreet. Several teenagers in Houston, Texas, videotaped themselves as they dug holes for people to fall into, blew up mailboxes in broad daylight, and plotted their activities on a blackboard as if they were military commanders. On their homemade video, they smiled and laughed, apparently proud of their actions.<sup>6</sup> In Portland, Oregon, four teenagers videotaped themselves committing acts of vandalism. The video showed one of the teens turning over trash cans and breaking the wooden crossing arm at the exit to a parking garage.<sup>7</sup>

An increasing number of cases involve videotaping drug parties. Various vice units have discovered videotapes that individuals have made of themselves and others using illegal drugs. Other perpetrators have videotaped their involvement in hate-related crimes. In Los Angeles, for example, a fire that gutted one store and damaged two others was captured on videotape by one of the perpetrators. The walls were spray-painted with swastikas, the initials "SS," and the words "Die Jew." A 20-year-old student was charged with arson for the incident.<sup>8</sup>

Even murderers have memorialized some of their activities on video. The two teens convicted of murdering James Jordan, father of basketball star Michael Jordan, spent several days partying, showing off, and videotaping themselves with the property they had stolen from Mr. Jordan.<sup>9</sup>

In addition to filming themselves during or after their crime sprees, some offenders record the news accounts of their crimes from television broadcasts.

In one case, two individuals responsible for several bank robberies videotaped the news broadcasts of each one. Upon their arrest, investigators found a number of tapes chronicling their bank robberies over the past several years.

Some of the rise of videotaping such acts as vandalism and destruction can be attributed to a quest for stardom. One amateur filmmaker in New York City offered money to individuals who could supply him with photographs and videos showing graffiti writers at work "hitting," "tagging," and "bombing" their targets. He took his production, titled "Out to Bomb," to a neighborhood in Queens, New York, where he videotaped as others defaced the side of a paint store. Police arrived and arrested him and five others, one as young as 15.<sup>10</sup>

Other amateur filmmakers record their crimes to show off and brag to their friends about their accomplishments. The video serves as proof of what they did and how they accomplished it and becomes the ticket by which they move up to a higher level within their group or gang.<sup>11</sup> Finally, like

sexual deviates, they can relive the excitement of the experience by reviewing the videotape.

### Implications for Law Enforcement

Knowing that individuals have videotaped their criminal acts has important implications for the law enforcement community. Investigators in sex offense units have long recognized the need to include in the original arrest warrant for sexual offenses any photographic or recording devices, photograph albums, videotapes, and audio tapes, and magistrates routinely issue such warrants. However, when investigators apply for warrants to search the perpetrator's residence in such offenses as burglary, robbery, or assault, they tend not to include requests to seize audio or video materials.

Without sufficient, specific justification, magistrates probably would not sign an original warrant to include the seizure of audio or videotapes. Thus, investigators must establish probable cause of the

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...recent cases indicate that criminals seem more interested in publicizing their crimes than remaining discreet.

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existence of video evidence related to a particular crime, include these facts in the application for a search warrant, and specifically list such items to be seized during the execution of the warrant.<sup>12</sup>

To establish probable cause, preliminary investigators should routinely inquire if victims, complainants, and witnesses knew of the presence or use of a video recorder. Victims or witnesses may have observed the criminal with a video camera during the commission of a crime but might not think to volunteer this information to investigators, especially because video recorders have become so commonplace. Investigators also should bear in mind that some complainants of robberies and burglaries initially may not think to report the theft of a video recorder.

Informants, who may have been at the scene of the crime or received details from the perpetrators, can provide valuable information on the existence of video equipment, if investigators remember to ask. Investigators have used the information obtained from informants to help establish the probable cause necessary to support their requests for the issuance of warrants to recover video evidence.



## Conclusion

Next to being able to submit the defendants' signed confessions, most law enforcement officers would like to be able to obtain a videotape of the defendants committing the crime or enjoying the fruits of their labor. And, increasingly, a variety of criminals, from sex offenders and vandals to burglars and murderers have chosen to immortalize their exploits on video.

Awareness of this growing trend remains the key to catching criminals on tape. Investigators must routinely ask offenders, victims, witnesses, and informants about the existence of video evidence in order to establish the probable cause required to seize this important evidence during the execution of a search warrant.

Offenders who film their criminal acts often let their egos override their common sense. Yet, investigators who remain clear-headed can make sure that the next film these budding stars appear in is the 11 o'clock news, as they are escorted to prison. ♦

## Endnotes

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<sup>3</sup> "Three Teens Get Four Year Terms for Paint Ball Gun and Bashing Spree," *The Los Angeles City News Service*, July 8, 1996, 47.

<sup>4</sup> Tracy Thompson, "Video Brings the Crime into D.C. Courtroom," *The Washington Post*, May 23, 1991, C1; "Robbers Capture Themselves in the Act on Videotape," in *Reuters North American Wire* [online],

March 28, 1991; and "Five Men Videotape While Attacking and Urinating on Victim," in *Associated Press* [online], October 1989.

<sup>5</sup> Autoeroticism has been variously described in the literature, but cases generally have several characteristics in common. They include sexual activity engaged in private, with a combination of ritual and endangerment, and the use of fantasy aids. In these practices, an apparatus is used to reduce normal levels of oxygen to the brain. This is thought to enhance the orgasmic response. See R.R. Hazelwood, P.E. Dietz, and A.W. Burgess, *Autoerotic Fatalities* (Lexington, MA: Lexington Books, 1983).

<sup>6</sup> "Videotape of Vandalism Used to Find Suspects," *The Des Moines Register*, April 2, 1994, 4.

<sup>7</sup> D. Hench, "Police to View Videotape of Vandals," *Portland Press Herald*, April 2,

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<sup>8</sup> Psyche Pascual, "Owner of Burned Store Still Investigated," *Los Angeles Times*, November 14, 1992, B1.

<sup>9</sup> Sheriff Stone, Robeson County, NC, in G. Borg, "Teen Videotape Wearing Belongings of James Jordan After His Murder," *The Chicago Tribune*, February 16, 1996; and "Jordan Jurors Watch Tape," *Newsday*, February 16, 1996, A22.

<sup>10</sup> "Videotapes of Graffiti Earn Bucks," *The Des Moines Register*, November 10, 1994, 3.

<sup>11</sup> Anthony J. Pinizzotto, Ph.D., "Deviant Social Groups," *Law and Order* 44, no. 10 (1996): 75-80.

<sup>12</sup> Regulations and laws regarding the application for search warrants differ between jurisdictions and can change within jurisdictions. Each officer must seek guidance from legal counsel as to the specific requirements for obtaining search warrants when the videotaping of crimes may have occurred.

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# California Grant Program Reduces Alcohol-Related Crimes

By JAY STROH

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**I**n the early 1990s, a person in the United States died, or received life-threatening injuries, due to an alcohol-related collision every 15 minutes.<sup>1</sup> To underscore this tragic statistic, the Chico Police Department (CPD) in northern California developed an alcohol prevention program called “Every 15 Minutes.” This high intensity, 2-day program focuses on junior and senior high school students. Students are selected to participate in the program after receiving permission from their parents,

who also play an important role. On the first day of the program, every 15 minutes, the selected students leave the classroom, their obituaries are read to the class, and uniformed officers present their parents with mock death certificates at their homes or offices.

The “living dead” students stay overnight at a retreat to simulate their absence from friends and family. The next day, emergency personnel, law enforcement officers, community members, the “living dead” students, and the school staff

give a presentation during a school assembly on alcohol and how to make the right decisions about drinking and driving.

CPD’s “Every 15 Minutes” experience, along with several other schools that adopted this program, has had a strong, emotional impact not only on the students, but on the parents, school staff members, and others involved, as well. Funded by grant money from the Grant Assistance to Local Law Enforcement (GALE) project, “Every 15 Minutes” represents one of several

programs implemented in California's Alcohol Beverage Control (ABC) program to reduce alcohol-related crime. Because of the program's success, ABC received a grant from the California Office of Traffic Safety that issued 15 mini-grants totaling \$51,000 to local agencies in 1998 to produce the "Every 15 Minutes" program in local high schools.

### **CALIFORNIA DEPARTMENT OF ABC**

Established by a state constitutional amendment in 1955, the California Department of Alcohol Beverage Control retains exclusive power to license and regulate individuals and businesses engaged in the manufacture, importation, distribution, and sale of alcoholic beverages in California. Although the department concentrates on the licensing and enforcement of ABC regulations, its 181 investigators are fully sworn peace officers with the power to cite and arrest any violators of the penal code.

Alcohol plays a significant role in crime and social problems. Sales of alcoholic beverages to minors represent one of the biggest problems in California. The National Highway Traffic Safety Administration's (NHTSA) most recent data shows the alcohol involvement rate for young drivers, based on the total licensed driver population, is about twice that of the over-21-age driver. NHTSA recently released a fact sheet that states, "In 1996, 36.6 percent of the 6,319 traffic fatalities of 15 to 20 year olds were alcohol-related."<sup>2</sup> That translates into 2,315 needless deaths in this age group.

Driving under the influence (DUI) is still one of the highest causes of death for young people age 15 to 20. In 1996, 116 minors died from drinking and driving in California.<sup>3</sup> Studies have shown a connection between violence, including homicides, and alcoholic beverages.<sup>4</sup> It is not uncommon for the killer, the victim, or both, to be intoxicated at the time of the crime. Alcohol also plays a prominent role in family crimes, including spousal and child abuse. A recent study, funded by the California Wellness Foundation, indicated that in three San Francisco Bay area neighborhoods, youth violence rises, sometimes dramatically, with the number of places that sell alcohol.<sup>5</sup> In some areas, high concentrations of liquor outlets play a significant role in reducing the quality of life in neighborhoods and business districts along with drug dealing, public drunkenness, loitering, and littering.

Driving under the influence remains a serious problem in California, despite the fact that alcohol-related deaths have dropped significantly over the past 10 years. According to California Highway Patrol statistics, in 1996, a total of 1,254 people died in drunk driving collisions on California roads and highways, and another 35,654 were injured.<sup>6</sup> Studies show that almost half of all drunk drivers arrested had their last drink in a retail alcohol establishment.<sup>7</sup>

### **ABC DEVELOPS A STRATEGY**

To reduce alcohol-related crime, ABC developed a strategy involving education, prevention, enforcement activities, and collaboration to deal with alcohol-related crime. In 1995, ABC embarked on a new and innovative approach to broaden and increase the level of alcoholic beverage law enforcement in California by working in

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***...many police departments continue implementing ideas learned from ABC investigators....***

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*Mr. Stroh serves as the director of the California Department of Alcoholic Beverage Control.*

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partnership with cities and counties through a grant program.

ABC conducts a 2-day training conference for grant agencies on ABC rules and regulations, investigative techniques, and the requirement for filing administrative accusations against licensees. Special ABC grant investigators then are assigned to each agency to act as a liaison with the department and to assist in solving problems and issues involving grant programs.

The GALE project represents part of the California governor's anticrime initiative to assist police and sheriff departments in reducing alcohol-related crimes. By working with law enforcement agencies and community organizations, the GALE project hopes to develop an effective, comprehensive, and strategic approach to eliminate the crime and public nuisance problems associated with alcoholic beverage outlets and then institutionalize those approaches within the local police agency. This project signified the first time in California history that ABC grants were awarded to police and sheriff departments.

In 1995, several local law enforcement agencies in California received 25 grants of up to \$100,000 each. Twenty grants totaling \$1.5 million were awarded in 1996, and 17 grants totaling \$1.4 million were awarded for the fiscal year 1997-1998. Another \$1.5 million is scheduled to be awarded in fiscal year 1998-1999. Law enforcement agencies that received the ABC grants included police and sheriff departments in Los Angeles, San Francisco, Sacramento, Fresno, San Diego, Oakland, Long Beach, and Lake County.

## **PARTNERSHIP PROGRAMS THAT WORK**

Specific programs were developed to maximize cooperative efforts between ABC investigators and GALE grant agencies. Three of the programs involve enforcement strategies, whereas the fourth is a training program.

### **Making an IMPACT on Alcohol-Related Crimes**

The Informed Merchants Preventing Alcohol-Related Crimes and Tendencies (IMPACT) program teams an ABC investigator with a uniformed local police officer. Together, they visit licensed

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***Alcohol plays a significant role in crime and social problems.***

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establishments in a given area to educate licensees about the various ways they can participate in reducing alcohol-related crimes and how to comply with ABC rules and regulations. By identifying areas of noncompliance and providing crime prevention information, IMPACT teams remind licensees of the responsibilities and accountability associated with the sale of alcoholic beverages.

IMPACT represents a fundamental change from the traditional law enforcement philosophy. Designed as a crime prevention approach in a relaxed atmosphere of

cooperation between merchants and law enforcement officers, the program focuses on educating rather than enforcing. Even though the teams are prevention-oriented, members take action against any major violations observed during the inspections/visits.

By involving the media in publicity efforts, IMPACT has created a public interest in, and an awareness of, the influence alcohol has on criminal activity in a community, particularly its youth. Merchants accept the program and its philosophy because of their opportunity to identify weaknesses in their alcoholic beverage sales systems and to correct deficiencies without penalties.

One GALE city used IMPACT in the downtown area where six outlets in one block had excessive litter, drug paraphernalia, window signs, graffiti, and pornography stores. Within a week after the grant team's visits, licensees cleaned up all of the problem areas. Unexpectedly, merchants, including some of the most chronic violators, improved their business operations by checking identification and discouraging drunken loiterers. The stores remained law-abiding throughout the grant year, and a majority of these same stores reportedly are still running clean.

The IMPACT program also provides local law enforcement with an opportunity to learn more about the alcoholic beverage control laws they must enforce. Local communities endorse the IMPACT program because it improves the relationship between members of law enforcement and merchants, while diminishing the classically

adversarial relationship often found between them. IMPACT ushered in a new, more positive level of communication between state officials, local law enforcement officers, and businesses to address issues surrounding alcohol abuse.

### **Minor Decoy Program**

More than 50 percent of all ABC accusations filed against licensees in California are for alcohol sales to minors. In 1994, the California Supreme Court unanimously ruled that minor decoy operations, in which, under the supervision of police officers, minors enter licensed establishments attempting to buy alcoholic beverages, are acceptable in determining a licensee's compliance with the law.<sup>8</sup> In turn, the state adopted regulations to prevent claims of entrapment by licensees. These regulations require that decoys be under the age of 20 and look and act their age. Female decoys must wear clothes generally worn by their peers and must not wear makeup and jewelry to make them look older. Male decoys must not be overly large or have facial hair, such as beards or mustaches. If asked their age, they must tell the truth. If asked for identification (I.D.), they must show their own driver's license or identification card. If a decoy purchases an alcoholic beverage, the police officer and the decoy confront the seller within minutes of the sale and issue a citation to appear in state court.

In addition to these regulations, local law enforcement agencies send a letter to the establishment's owners and to the media prior to the decoy operation, notifying them of

a pending decoy program. This informs the licensees to tighten up on their I.D. checks, educates the public about the problem of sales to minors, shows how the agency plans to operate the program, and denies licensees the opportunity to claim they did not know about the operation, thereby reducing their credibility in terms of excuses or claims of entrapment.

In many cities, the minor decoy program found that more than 30 percent of the licensees sold to minors during initial operations. Repeated use of the program decreased that amount to less than 10 percent in some cities.<sup>9</sup>



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### **Special Operations Unit**

ABC's Special Operations Unit (SOU) includes a team of 26 highly trained investigators assigned to assist department field offices and their investigators in focusing fast-track enforcement tactics on worst-case problem outlets. These outlets include disorderly and disruptive conduct on premises, stolen property clearing houses, drug dealing areas, and deliberate sales of

alcoholic beverages to underage persons.

In addition, SOU investigators work with federal, state, and local law enforcement agencies throughout the state on criminal investigations. They also conduct high-profile operations for large events or festivals where alcohol-related disturbances tend to occur. Established in 1993 to more effectively and efficiently respond to the increasing number of problem premises, the SOU completed 384 investigations and made 570 arrests during the 1996-1997 fiscal year.

### **License Education on Alcohol and Drugs Program**

The License Education on Alcohol and Drugs (LEAD) program is a 3-hour voluntary prevention and education training program provided at no cost to licensees, managers, and employees. Conducted by ABC investigators, the program provides information on serving alcoholic beverages safely, responsibly, and legally as well as preventing illegal narcotics and other criminal activities in and around licensed establishments. In December 1995, the National Commission Against Drunk Driving awarded LEAD with its 11th Annual Education and Prevention Award. LEAD was singled out as "...the best example of the outstanding work being done across the country to reduce the incidence of drunk and impaired driving."<sup>10</sup> In August 1997, the National Alcohol Beverage Control Association selected LEAD from over 170 programs as one of 23 "Best Practices" regarding programs involving alcohol

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beverage retailers and practices striving to reduce the incidence of underage drinking. The LEAD program has provided training for over 67,000 people since its inception in 1991.

### **GRANT SUCCESSES**

Most grant agencies have used IMPACT, the Minor Decoy Program, SOU, and LEAD, with several agencies placing more emphasis on one strategy over others. ABC grant officials perceived a diversity of problems between the various law enforcement departments; therefore, flexibility became necessary to allow for the uniqueness of each jurisdiction. The programs, serving as tools to meet the circumstances of each city or county, encourage innovation and creativity in dealing with alcohol-related crimes.

In 1996, the Los Angeles Police Department (LAPD) reported that GALE grant activities resulted in a significant drop in homicides in the two areas of the city where the grant activities were focused. DUI fatalities and serious collisions dropped approximately 13 percent. Officers issued a total of 1,019 arrests and citations and levied more than \$4 million in fines against licensees for labor code and other state and local violations.

In addition to using the IMPACT, Minor Decoy, SOU, and LEAD programs, LAPD worked with city regulatory departments to get the attention of problem bars and liquor stores. For example, the Departments of Health, Planning, and Building joined forces with the LAPD to target disorderly and

disruptive conduct at establishments. In some instances, agencies took immediate action to close or fine businesses, in addition to using the ABC accusation process. In this process, agencies file accusations against licensees for alcohol-related violations and provide licensees an opportunity to contest the accusations in a hearing by an administrative law judge.

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***If a decoy purchases an alcoholic beverage, the police officer and the decoy confront the seller within minutes of the sale....***

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The CPD received grants in 1995 and 1996, and developed several innovative and effective programs to deal with a college town situation that had resulted in near riots and serious law enforcement problems in the past. Those problems greatly decreased due to the success of their GALE program. Like the LAPD, CPD used IMPACT, Minor Decoy, SOU, and LEAD during the grant year. In the process, they developed close working relationships with Chico State University, student groups, civic organizations, and the business community.

In the second year of the grant, the CPD developed their prevention

program called "Every 15 Minutes." The program received numerous awards, including the National League of City's 1996 Excellence in Community Policing Award at the league's annual convention in San Antonio, Texas, and the Governor's Office of Criminal Justice Planning's 1996 Crime Prevention Award.

The Fresno Police Department's (FPD) primary focus in their GALE project included preventing the sale of alcoholic beverages to minors. Using the Minor Decoy Program, the FPD visited a total of 510 licensed establishments with significant results. During the first operation in January 1995, the percentage of licensees selling to the minor decoys was 27 percent. During the last 2 months of 1995, the percentage dropped to just 9 percent. In addition to the decoy program, the LEAD and IMPACT programs also played important roles in educating the licensees about the penalties of selling to minors.

Overall, the FPD's GALE program significantly reduced calls for police service in the two targeted areas. In one area, a zone approximately one-half mile by one-quarter mile, arrests for public intoxication decreased 26 percent from the corresponding period in the previous year. Homicides also dropped, from five in 1994 to none in 1995.<sup>11</sup>

Results proved more significant in another target area, an over 2-mile long corridor with 35 licensed premises, including bars, nightclubs, convenience markets, and liquor stores. Five of the 35 ABC-licensed businesses generated a total of 562 calls for police service

during the year before the grant. During the grant period, these same five businesses generated 383 calls for police service, a decrease of nearly 32 percent.<sup>12</sup>

FPD's grant program became so successful by establishing an in-house ABC enforcement team that the police department funded its own program the following year, continuing to work closely with ABC, and has since received a second grant for fiscal year 1997-1998. Other police and sheriff departments have met with similar successes. The ABC GALE project has been an outstanding success in most of the cities and counties that received grants.

#### WHEN GRANTS END

Because of its initial success, the governor and the state legislature have continued to support the program through this fiscal year, and another \$1.5 million has been proposed by the governor for the 1998-1999 fiscal year.<sup>13</sup> When grant funding ends, many police departments continue implementing ideas learned from ABC investigators by reassigning officers from other duties and reappropriating their budget to enforce rules and regulations institutionalized by the ABC grant programs. Many cities and counties report that cooperation between ABC investigators, local law enforcement agencies, and community businesses continues even after grants end. After initiating grant programs, areas that previously ignored ABC rules and regulations now observe positive results showing that causes of crimes, including homicides, are often related to misuse of alcohol.

#### CONCLUSION

Local elected officials have overwhelmingly praised the grant program for raising the quality of life in their cities and counties. They attribute the reduction in crime and the number of calls for service to the grant, thereby allowing for more uniformed law enforcement coverage throughout their jurisdictions.

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With over 70,000 licensees in California and only 181 ABC investigators, the grant program assisted in developing a collaborative relationship with local law enforcement and in keeping control of that small percentage of licensees that violate the law. Through a cooperative state and local partnership, the ABC grant program represents a winning situation for law enforcement, the community, and the alcoholic beverage industry as a whole. ♦

#### Endnotes

<sup>1</sup> The name of this program is based on the fact that in the early 1990s, a person in the United States died in an alcohol-related collision every 15 minutes. However, because of new laws and preventive programs like

"Every 15 Minutes," the National Highway Traffic Safety Administration (NHTSA) reports that figure has now changed to an alcohol-related fatality every 30 minutes. U.S. Department of Transportation, NHTSA, *Setting Limits, Saving Lives: The Case for .08 ABC Laws*, December 1997.

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<sup>4</sup> Richard A. Scribner, M.D., M.P.H., David P. MacKinnon, Ph.D., and James H. Dwyer, Ph.D., "The Risk of Assaultive Violence and Alcohol Availability in Los Angeles County," *American Journal of Public Health* 85, no. 3 (March 1995); Professor James B. Jacobs, New York University, "Drinking and Crime," *National Institute of Justice, Crime File Study Guide*, Washington, DC, (U.S. Department of Justice, 1986); Robert N. Parker, Prevention Research Center, Berkeley, CA, *Alcohol and Homicides: A Deadly Combination of Two American Traditions*, State University of New York Press, 1995.

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<sup>8</sup> *Proviso Corporation vs. Alcoholic Beverage Control Appeals Board*, 7 Cal. 4th 561, 28 Cal.Rptr. 638.

<sup>9</sup> California ABC Statistics, *Minor Decoy Activity*, from May 1994 to December 1997.

<sup>10</sup> Terrance D. Schiavone, president, National Commission Against Drunk Driving, to Jay Stroh, director of California ABC, dated September 29, 1995.

<sup>11</sup> Fresno Police Department *ABC Final Grant Report*, 1996.

<sup>12</sup> *Ibid.*

<sup>13</sup> Department of Finance, 1998, *Governor's Budget 1998-99*, Business Transportation and Housing, 1.

## **Ready, Set, Rotate** *A Management Diversification Plan for Small to Midsized Agencies*

By Douglas R. Marvin

**I**magine you are the chief of a 35-member police department. You plan to retire next year. You have served in this position for the past 15 years and have enjoyed an excellent working relationship with your employees. You feel comfortable leaving an effective and progressive department positioned to navigate safely into the next century.

You feel less comfortable, however, with the challenge of recommending your successor to the city council. Your command-level officers from the traffic, patrol, and administrative divisions have served faithfully in their respective positions for the past 10 years. Each commander possesses the same educational background and qualifications. You must decide who would be the most qualified to run your department. Would it be the commander with experience in traffic, patrol, or administration? Or, would the department, citizens, and community be served better by someone with a vision of the entire operation, someone who understands the complexities of each division and can manage with an executive view of the entire department?

This question, pondered countless times every year across the country, provides an interesting challenge for chiefs, selection review boards, and politicians. When agency heads have experience in only one area of police work, the job can prove challenging. This not only affects new chiefs but their subordinates, as well. How can police chiefs understand the needs and complexities of the detective bureau, traffic, or training units when they have spent their entire careers in the patrol division as a patrol officer, sergeant, and commander?

In many cases, officers remain in the patrol division throughout their careers. This action deprives officers of the learning experiences offered through assignment to other areas and reduces their value to the agency and the community by not providing them with a well-rounded knowledge of various department

divisions. Logically, effective leaders have the most diversified experience at different levels within the organization. A rotation program represents one way for officers to gain valuable leadership experience and a broad-based view of the organization, better serve the agency and the community, and enhance their own career goals and satisfaction.

### **BENEFITS OF A ROTATION PROGRAM**

#### **Developing Leaders with Vision**

The image of police leadership generally takes three forms.<sup>1</sup> Police chiefs view themselves as either stewards, commanders, or executives of their departments. Stewards of the department believe the department is well developed, requires little more than routine maintenance to keep it running, and needs no urgent design changes. By contrast, commanders view their roles as hands-on positions and often assume direct operational control during difficult situations. Finally, executives recognize the need for broad strategic planning to maximize the organization's value to society. Police chiefs would benefit by developing division commanders with an executive view.

Police executives remain responsible for placing the most qualified and effective police officers on the

*Captain Marvin  
serves with the  
New Providence,  
New Jersey,  
Police Department.*



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street to fulfill the department's mission. Although developing an executive view takes years to accomplish, by doing so, division commanders see beyond the individual divisions of a department and view their commands as a single component of an overall successful organization.

Moreover, police administrators with vision understand the critical need for creativity in police operations. Commanders who move up the ladder in one division bring fresh ideas with them. Still, those who have experience in more than one area of police operations develop a unique perspective. The ability and opportunity to look in from the outside provides the new commander an opportunity to view operational issues with a creative eye.

### **Serving Agency and Community Needs**

Historically, the life cycle of a police officer in the United States remains fairly predictable. Officers receive their initial academy training and their assignment to the patrol division. Here, they have considerable contact with the public as they perform the routine, often-mundane duties of a rookie police officer. Enthusiastic about their jobs, they generally leave good impressions with the public due to their positive attitudes, not their experience, as police officers.

Often, officers who do a good job and maintain a level of motivation and dedication catch the eye of the boss and receive assignment to the detective bureau. After several years in the detective bureau, they may receive a promotion to sergeant and reassignment to the patrol division. A promotion to lieutenant or captain may be their final resting place until the top job becomes available.

Unfortunately, most police agencies provide only two paths for police officers to enhance their status and salary—promotion to a higher rank or a transfer to a specialized unit.<sup>2</sup> This encourages police officers with ambition and initiative to flee from the largest and most visible facet of the department—patrol operations.

Instead, departments should place the most experienced officers in the patrol position, where 90 percent of the department's work is done. Patrol officers can enhance the image of the department, while affecting the crime rate and criminal activities. Although detectives remain just as valuable as patrol officers, they investigate crimes after they occur and rarely deter criminal activity. The patrol officer has higher visibility and more opportunities than a detective to positively affect a larger number of people.

At the same time, the police department and the community would benefit from patrol division officers who have previous experience as detectives or investigators. A patrol officer knowledgeable about the methods used in investigative work could help to build a strong foundation for a criminal investigation. Departments would benefit if patrol officers could

handle such investigative details as photographing crime scenes, fingerprinting offenders, and taking complaints. However, these tasks must be accomplished without adversely affecting morale. Reassigning to the patrol division an officer who has served as a detective for 3 or 4 years might impact negatively on the individual officer. To prevent this from occurring, the chief must effectively explain how rotating officers will help fulfill the mission of the department at the

same time that it benefits individual officers. The chief also must advise officers that each assignment will last for a certain time, after which they should expect reassignment to another division. If handled properly by the department, most officers will view rotation as an opportunity to round out their backgrounds and build their resumes for future advancement.

### **Enhancing Career Goals and Satisfaction**

One of the most serious ailments affecting small to midsized police departments across the country remains the fact that, too often, effective and enthusiastic police officers become stagnant and bored when

“  
...effective leaders  
have the most  
diversified experience  
at different levels  
within the  
organization.”



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they see no opportunities for advancement. Young officers especially may become disillusioned if they do not see a light at the end of the promotional tunnel. Many police administrators feel that once officers are assigned to a particular division, they should remain in that assignment until they receive a promotion. This situation severely hinders opportunities for growth, both for the department and the individual officer. For law enforcement to remain effective in the 21st century, this concept needs examination.

The idea of an officer remaining in the same position for many years helps to perpetuate the concept of a “grunt.” While the term sounds derogatory in nature, a grunt is simply one who delivers the goods.<sup>3</sup> In fact, the grunts of the organization determine the success or failure of the department. In conventional police organizations, all players do not contribute equally. Some studies suggest that, traditionally, 20 percent of the people accomplish 80 percent of the work.<sup>4</sup> Grunts often handle 90 percent of the work. Unfortunately, considered the lowest rung of the ladder, they receive the least amount of credit. Grunts represent the Cinderellas; they do most of the work but reap the least rewards.<sup>5</sup> They also experience the greatest risks. On the other hand, the specialists—detectives and traffic and crime prevention officers—represent Cinderella’s stepsisters; they do the least work but receive the most rewards.<sup>6</sup>

Grunts have the most frequent contact with the public; therefore, they remain responsible for the public’s perception of the police department. Through one-on-one contact with the community, the grunt’s demeanor and attitude determine the effectiveness of the department. Most citizens know and care little about Uniform Crime Reports, clearance rates, strategic plans, or standard operating procedures. However, the average citizen can give a complete and graphic description of an encounter with a grunt.

Quality control was once described as the guy on the loading dock who decides whether to throw the

box of crystal onto the truck. The decision remains up to him whether the crystal gets broken.<sup>7</sup> Similarly, the grunt’s attitude determines the public’s opinion of the police department; that is, community perception of the department forms through interaction with the grunt. Yet, grunts deliver police service without the full appreciation of the organization, when, in fact, grunts with poor attitudes will, in turn, generate bad attitudes toward the general public. Police managers should examine how the work environment and internal matters affect how grunts deliver their goods in order to help them maintain positive attitudes. Two ways include developing master patrol officers and establishing a corporal position.

#### *Developing Master Patrol Officers*

Departments should consider developing a master patrol officer position, where officers demonstrating advanced skill levels would receive higher levels of compensation. Currently, most agencies have different advancement grades for patrol officers, which usually correspond to the

number of years on the job, and an educational policy that pays officers more money according to the number of college credits they earn. Unfortunately, neither of these address specific skill levels that officers could seek to achieve greater status or compensation.

#### *Establishing a Corporal Position*

In smaller police departments, the number of police officers qualified for higher positions exceeds the positions available. Usually, when a patrol squad consists of three or more officers, a corporal can supervise the squad in the absence of the sergeant. By promoting or assigning corporals based on a successful period of rotation through the detective bureau, positive results will ensue. First, officers receive an added incentive to gain experience as detectives, and second, moving back to patrol work as a supervisory officer would be more palatable for the officers.

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**...police administrators  
with vision understand  
the critical need  
for creativity in  
police operations.**

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## CONCLUSION

Police agencies should develop a strategy that allows officers to enhance their status and salary without having to vie for promotion or reassignment to a specialized unit. Officers can develop expertise by obtaining valuable skills working in different divisions and provide organizations with the flexibility and efficiency needed to fulfill the department's mission. As experienced officers with demonstrated advanced skill levels receive higher positions of responsibility within the agency, opportunities for the future increase with each advancement, assignment, and promotion. With proper planning, when the next chief retires, the decision for promotion can be based on each commander's overall executive view. Assume once again that you are a chief preparing to retire. But, this time, your three command-level lieutenants rotated and served as commander in each of the respective divisions of the department. Over the past

10 years, you have had an opportunity to evaluate each commander's ability in each area as they have served in positions with different demands and responsibilities. As a result, you are better positioned to make an effective recommendation to the city council. Now, you can retire knowing that you have left the department in capable hands. ♦

### Endnotes

<sup>1</sup> Mark H. Moore and Darrel W. Stephens, *Beyond Command and Control: The Strategic Management of Police Departments* (Washington, DC: Police Executive Research Forum, 1991), 105.

<sup>2</sup> Ibid.

<sup>3</sup> Chris R. Braiden, *Enriching Traditional Roles: Police Management, Issues and Perspectives* (Washington, DC: Police Executive Research Forum, 1992), 87.

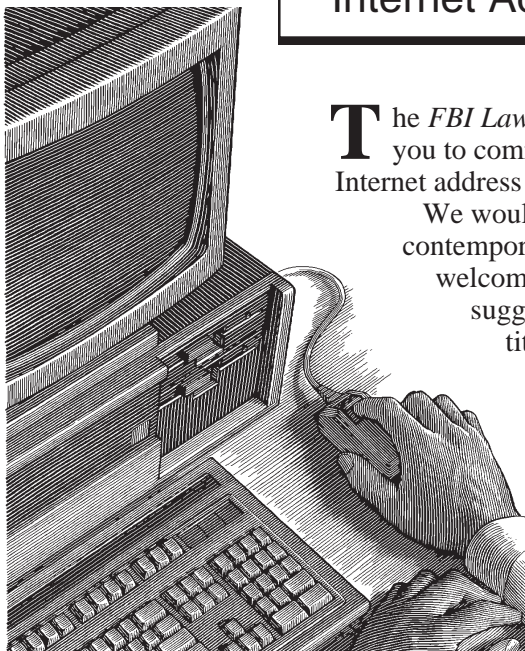
<sup>4</sup> Dr. Jack Enter, "Managing the Problem and Marginal Employee," presented to FBI National Academy Associates, December 6, 1996.

<sup>5</sup> Supra note 3.

<sup>6</sup> Supra note 3.

<sup>7</sup> Supra note 3.

## The *Bulletin's* Internet Address



**T**he *FBI Law Enforcement Bulletin* staff invites you to communicate with us via e-mail. Our Internet address is [leb@fbi.gov](mailto:leb@fbi.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.

Also, the *Bulletin* is available for viewing or downloading on a number of computer services, as well as the FBI's home page. The home page address is <http://www.fbi.gov>.

## *The Watch Your Car Program*

A significant number of auto thefts occur during the early morning hours when the owners are asleep. In many instances, the thief drives the stolen car to a chop shop or across state lines before the owner awakens to discover the theft. If thieves do not resell or disassemble the vehicle for the procurement of its parts, they may use it in the commission of another crime. In any event, the thief wants to avoid being noticed and will refrain from stealing vehicles that could draw the attention of law enforcement officials.

The Motor Vehicle Theft Prevention Act authorizes the Attorney General to develop, through the Bureau of Justice Assistance (BJA) in cooperation with the states, a national voluntary motor vehicle theft prevention program. States that participate in the program require the vehicle owners to sign a consent form that authorizes law enforcement officers to stop the vehicle if it is being driven under certain specified conditions and to take reasonable steps to determine whether the vehicle is being operated with the owner's consent.

There are two program conditions. Under the first condition, the owner may consent to have the car stopped if it is being operated between the hours of 1 a.m. and 5 a.m. Under the second condition, the owner may consent to have the car stopped if it comes within 1 mile of a U.S. land border or international port.

Additionally, the owners must display a decal or device, such as a state-issued, customized license plate, on their vehicles. This decal will eventually become an instantly recognizable icon by police everywhere. It provides for intrastate and interstate enforcement through the checking of vehicles with different county or state license plates.

The Watch Your Car Program often identifies vehicles to law enforcement officers before the owner files a stolen vehicle report. Some states maintain a database, included in their department of motor vehicle records, of those vehicles enrolled in vehicle theft prevention programs. Officers are aware that those vehicles enrolled should have decals displayed and the absence of such decals would heighten the officer's suspicion that the vehicle could be stolen.

To request further information on this program, call the Department of Justice Response Center at 800-421-6770 or 202-307-1480. For a copy of the report, FS00151, access the BJA home page at <http://www.ojp.usdoj.gov/BJA>.

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



## *Forging a Police-Probation Alliance*

By BRIAN MCKAY and BARRY PARIS

**T**o deliver better police services, American law enforcement agencies increasingly have employed new technologies and more stringent hiring standards during the past several decades. In this same period, greater numbers of academicians have applied a scientific approach to police practices. Both efforts have yielded improvements in many areas, including police strategies, interviewing techniques, and

investigator caseload management, with the common goal of creating more effective law enforcement agencies.

The acquisition of these new tools and procedures has increased expectations and demands for police services. Today, investigating crimes, apprehending criminals, and keeping the peace constitute only a few of the responsibilities within the purview of law enforcement agencies. Crime prevention,

social integration, and community planning have become additional matters that the public expects police departments to handle. The current tidal wave of calls to 9-1-1 systems for such incidents as defective street lamps and neighbor disputes illustrates the public's expectation for police intervention in almost any problem.

However, with demands for better and more varied services rising, few law enforcement agencies

have the luxury of operating with little concern for budgetary constraints. While focusing on creating more effective police agencies, administrators also have to concentrate on making their departments more efficient within the confines of limited resources. Several avenues exist for combining effectiveness with efficiency. Some innovative law enforcement techniques, such as problem-oriented or community policing use nontraditional resources, including community partnerships. Joining with religious groups for recruitment, gay and lesbian groups for hate crime prevention, and political action groups for public support reveal some of the partnerships law enforcement agencies have developed to more effectively and efficiently employ scarce resources and avoid duplication of efforts.

It seems more and more apparent that the police alone

cannot solve many crime and order problems, but that in partnership with others who have resources of their own to offer—time, money, expertise, ideas, energy, equipment, and more—perhaps they can. It has become, therefore, the aim...for innovative police departments to invest a good deal of effort in enlisting the aid of others, and to tackle problems by allying police resources and strengths with those of others.<sup>1</sup>

One resource seldom tapped by police agencies remains the local probation department. Perhaps as a result of interdepartmental rivalry or a perceived conflict of missions, many police departments have little, if any, contact or communication with the probation department serving the same jurisdiction. However, many law enforcement investigators who have explored this

route have found that probation officers can become valuable resources and willing allies. For example, the Boston, Massachusetts, Police Department developed an effective gang program by actively working with local probation officers.<sup>2</sup> Other programs have sprung up across the country to increase cooperation between probation and police departments, including a joint effort in Texas between the Greenville Police Department and the Hunt County Community Supervision and Corrections Department.

### **THE GREENVILLE EXPERIENCE**

Located about 40 miles northeast of Dallas, the Greenville, Texas, Police Department employs 52 sworn officers to serve 25,000 residents. Recently, the department implemented new policies and programs in conjunction with the Hunt County Community Supervision and Corrections Department (CSCD) to deliver more comprehensive criminal justice services to the community. Prior to developing the partnership, frustration often occurred in both departments because police officers repeatedly handled the same suspects, even though many were on probation or parole, while probation officers (or community supervision officers, the term used for probation officers in Texas) frequently lacked pertinent information about their clients' behavior on the street. Due to increased caseloads and limited staff, probation officers in smaller or rural jurisdictions, such as Hunt County, have minimal resources for



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*Chief Paris commands the Greenville, Texas, Police Department.*

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monitoring their clients' behavior other than a few short contacts each month. Further, the probation officers only went to the Greenville Police Department for arrest reports, while the police officers contacted the probation officers solely to serve probation violation warrants. The two departments remained isolated, except for some superficial communication, until the Hunt County CSCD began encouraging probation officers to ride with police officers during patrol duty. The ensuing conversations produced several ideas for programs promoting a mutually beneficial partnership. The departments have implemented a number of the suggested programs, which have improved the police-probation relationship at little or no cost.

### **Ride-Along Program**

After these initial rides proved successful, the chief of police authorized all probation officers to ride with police officers any time, unless special circumstances proved prohibitive. This program has made great strides in encouraging communication. The conversations taking place in an 8-hour shift often serve to educate the officers in one field about the other, frequently culminating in enhanced appreciation and respect.

Aside from promoting communication, the ride-along program frequently allows probation officers to see their clients in natural surroundings and situations, especially in medium to small cities where the chance of encountering their own clients proves greater. For example, one night, a probation

officer accompanied police officers dispatched to a domestic disturbance call. The male arrested in connection with the incident was a client of the probation officer and had violated the terms of his probation by drinking alcohol that night. By observing the situation firsthand, the probation officer not only gained insight into the probationer's home life but also could testify in court, freeing the police officers from appearing.

**//**  
***...many law enforcement investigators...have found that probation officers prove valuable resources and willing allies.***

**//**  
Moreover, when citizens see probation and police officers working together, they realize that probation officers have an active interest in offenders complying with the conditions of their supervision. Additionally, in cities the size of Greenville where offenders have little chance of anonymity, probationers may become more mindful of their actions and avoid violations if they know that the police have an open channel to their probation officers. Further, according to some police officers, another benefit of the program simply involves having another set of eyes and ears with them while on patrol.

### **Notification System**

Before the partnership between the two departments began, Greenville police officers seldom received notification of probation violation warrants issued for residents. Therefore, officers could observe individuals with outstanding warrants and not know that they were probation violators. Without a notification system, the officers monopolized dispatch lines inquiring about such individuals and the possibility of warrants existing for their arrest. The Hunt County CSCD purchased a bulletin board and placed it in the briefing room of the Greenville Police Department. CSCD maintains the board and posts notices for police officers concerning individuals with warrants, their addresses, and any other important information. When police officers encounter these individuals on the street, they know about the warrants and only have to contact the dispatchers for confirmation. Some officers have shown exceptional initiative by using their time between calls to serve probation violation warrants. While the bulletin board has decreased the average time between issuing and serving warrants, it also has helped officers find long-standing fugitives.

The bulletin board can be used for disseminating other types of information, as well. CSCD provides an envelope for police officers to leave notes to probation officers and posts a list of offenders on curfew. CSCD encourages police officers who see probation curfew violators to contact the appropriate probation officer and report the

infraction. Also, because police officers may not be familiar with probation department officers, CSCD posts a list of probation officers along with their specializations and phone numbers so police officers can contact them easily.

### Curfew Checks

Prior to the cooperative initiative between the two departments, checking curfew compliance of probationers proved difficult and sometimes dangerous. Because probation officers in Texas are not authorized to carry firearms, conducting curfew checks late at night poses inherent hazards.<sup>3</sup> Although the Greenville Police Department has limited resources, police supervisors periodically make officers available, workload permitting, to accompany probation officers on curfew compliance verifications. This type of resource sharing illustrates a good working partnership brought about through mutual concern for officer safety.

### Citizen Police Academies

Citizen Police Academies constitute a popular trend among law enforcement agencies nationwide. Consisting of approximately 10 weekly meetings, these academies provide interested citizens with a working knowledge of their police department's overall functions and personnel. The Greenville Police Department regularly invites probation officers to attend these meetings. By observing this cooperative effort in action, citizen attendees have become aware of the determination of both departments to provide effective and efficient services to their community.

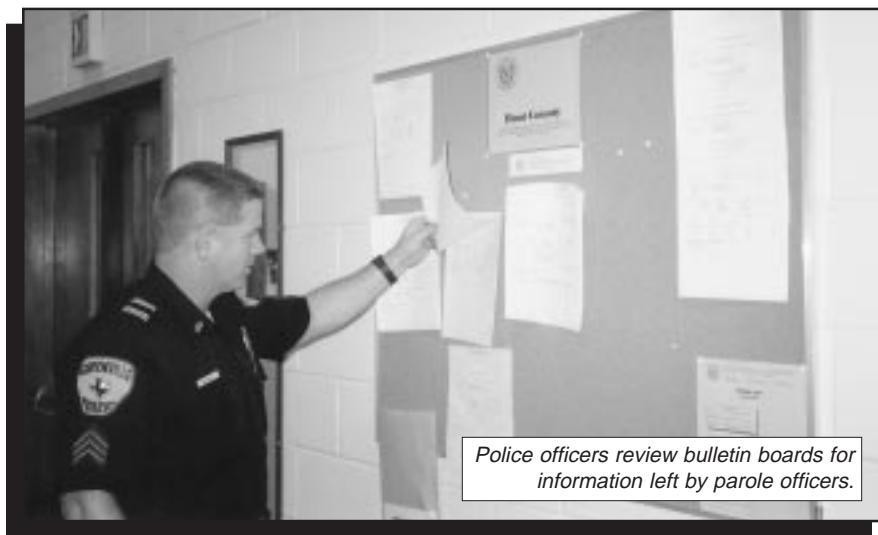
### OBSERVATIONS

While the partnership between the Greenville Police Department and the Hunt County CSCD has existed for only a short time, some benefits have been realized already. Most important, police officers have become aware of the probation system and its intricacies.

Understanding how it operates has made police officers able to comfortably use the system to their advantage instead of viewing it as a frustration. Further, more contact and communication between the departments has fostered a teamwork attitude and led to greater reciprocity.

Moreover, the cooperative programs have been implemented at virtually no cost to either department. The most difficult resource to allocate for the programs has been time. Stretched to the limit with large caseloads and time-consuming paperwork, probation officers sometimes cannot spare 8 hours to spend on patrol with police officers. However, the other efforts do not require much time, just commitment from managers and participants alike. This commitment marks the difference between useful cooperative efforts and perfunctory partnerships that wither from lack of support.

While the Greenville Police Department and the Hunt County CSCD remain committed to working together, they also understand that both institutions share the same broad goal of administering justice but have different individual missions. Police agencies have the immediate mission of detecting crime, apprehending offenders, and maintaining order, while probation departments focus on personal change and fostering responsibility for reducing recidivism. Conceived not as an extension of law enforcement, probation departments have operated for the past century on the basis that some criminal offenders can be rehabilitated and become productive members of the community.



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Of course, the orientation of probation departments along the treatment/enforcement continuum varies according to region, state, and individual department.

Probation officers often have a wide variety of sanctions and tools available to assist offenders with problems and make them accountable for their behavior; however, not everyone will agree with the decisions made by the other group. Administrators committed to fostering cooperation must be aware that disagreement will exist at times, but they cannot abandon a beneficial program because of a few individual cases of divergent opinions. Group rivalry can act as a forceful barrier to effective communication and can undermine mutually beneficial programs.<sup>4</sup> Possibly, probation officials can become too closely aligned with the police department and risk losing some aspects of objectivity.

Some individuals may accuse cooperative efforts of being nothing more than an opportunity to label or catch probationers. This perception of probation officers simply trying to find reasons to incarcerate probationers proves a powerful deterrent to personal change. However, most of these accusations come from probation violators. Those probationers who have changed and remain committed to complying with the conditions of their supervision have little to fear from these cooperative efforts.

#### **FUTURE IDEAS**

With the initial success of existing programs, the Greenville Police Department and the Hunt County CSCD may establish other joint

efforts in the future. This promising beginning proves an even greater achievement when considering that the programs have cost the departments and the taxpayers virtually nothing. Other agencies may contemplate implementing some of these programs, enhancing or modifying them, or creating new ones to fit their special needs.



***...commitment marks the difference between useful cooperative efforts and perfunctory partnerships that wither from lack of support.***



#### **Appoint a Liaison Police Officer**

To increase communication between agencies, law enforcement administrators should consider appointing a police officer to act as liaison between their agency and the local probation department. When probation officials know specific individuals in the police department to contact for assistance, their frustration decreases knowing that they will not be shuffled from division to division. Also, the liaison police officer can inform probation officers of special circumstances or events that could impact their work, such as new criminal activity in the area or a major investigation.

#### **Involve Probation in Problem-Oriented Strategies**

Problem-oriented policing uses all available resources to address a crime-related problem. Many departments enforce local codes to clean up dirty and dangerous areas of their communities. Sometimes, probation departments can assist in these efforts. For instance, police officers may find themselves answering a growing number of loud music, public intoxication, gambling, and other public disturbance calls at a house that has become a popular social gathering site. Probation officers can work with police to dissipate any gathering prone to public disorder or violence. Using court-ordered conditions of supervision that forbid probationers to associate with others on felony probation or parole, probation officers often can persuade probationers to make other arrangements for socializing. Similarly, probation officers can constrain such establishments as night clubs and liquor stores that have become hotbeds of criminal activity.

#### **Teach Officer Safety Courses**

In Texas, probation officers do not carry weapons and receive little training in officer safety. While the Hunt County CSCD has experienced few cases of assaults on their officers, the possibility of conflict and altercation remains a constant concern. A cooperative safety effort involving police officers who instruct defensive tactics, verbal de-escalation techniques, and other officer safety procedures in their departments could help probation officers reduce their risk of being





assaulted in the office or the field. Such an initiative can send a message of awareness and teamwork throughout both departments.

### Use Community Service

Most offenders perform community service as a requirement of their probation. Some offenders possess skills that could save police resources. In many smaller jurisdictions, offenders possessing mechanical abilities have been enlisted to perform regular maintenance on police cruisers. Even offenders with limited skills can provide services to their communities through special projects (e.g., graffiti removal or playground maintenance) or through such local code enforcement as litter disposal or school repairs.

### Install a Tipline

The Hunt County CSCD employs an automated telephone system with voice-mail capabilities and 24-hour accessibility. Current plans involve developing a designated voice-mail account for law

enforcement officers to provide tips to or solicit information from the probation department. The use of voice mail, as impersonal as it may seem, makes it easier for police officers to contact the probation department and eliminates additional paperwork.

### CONCLUSION

Improving the effectiveness and efficiency of law enforcement services constitutes a major concern for police administrators. Increased demands for services balanced against budgetary constraints remains a challenge for police departments regardless of size or location. One innovative method that combines effectiveness with efficiency involves creating partnerships with community, civic, corporate, or other groups having resources to share. These alternative sources also can include other criminal justice agencies, such as local probation departments, often overlooked in these joint efforts.

In Texas, the Greenville Police Department and the Hunt County

Community Supervision and Corrections Department forged an alliance to improve communication between the two departments and to deliver more effective and efficient services to their community. Working together, the two departments created programs to specifically address communication problems, including having police and probation officers ride together during patrol. Other efforts, such as improving the system of notifying police officers about probation violation warrants issued and having police officers accompany probation officers during curfew compliance checks resulted from the ride-along program. Additionally, these programs have been implemented at little or no cost to the departments or the taxpayers and have enhanced the level of service. This alliance promotes the increasing trend in law enforcement to turn to other groups or organizations to help support efforts to combat crime and violence. To this end, programs that facilitate communication can help law enforcement agencies meet the high expectations of the public and foster a seamless criminal justice system. ♦

### Endnotes

<sup>1</sup>D.M. Kennedy, "The Strategic Management of Police Resources," *Perspectives on Policing* (January 1993): 7.

<sup>2</sup>R. Faulkner, "Community Policing & Community Corrections," *APPA Perspectives* (July 1997): 10.

<sup>3</sup>Recently, legislation was passed authorizing Texas probation officers to carry weapons based on the discretion of the local district judge and the county's director of probation.

<sup>4</sup>S.S. Souryal, *Police Organization and Administration* 2d ed. (Cincinnati, OH: Anderson, 1995).

# The Bulletin Notes

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



Ranger Mitchem

While enroute to his ranger station near Hinton, West Virginia, U.S. Park Ranger Charles Mitchem received a call to assist Hinton Police Department officers at a barricade situation. Shortly after Ranger Mitchem arrived on the scene, the barricaded individual shot one officer. While the gunman continued to fire at the officers, Ranger Mitchem managed to pull the wounded officer to safety. Then, Ranger Mitchem established voice contact with the barricaded individual and convinced him to surrender. Ranger Mitchem's courageous and selfless actions saved the wounded officer's life and halted further bloodshed.



Officer Strickland

Officer Brian Strickland of the Kitty Hawk, North Carolina, Police Department responded to an ocean-rescue call. An individual had been kayaking when a wave overturned the boat. A friend attempted to rescue the victim but became trapped in the strong current. When Officer Strickland arrived, he observed a human chain pulling the first victim to shore; however, the second victim was drifting further out to sea. Despite high surf and strong winds, Officer Strickland immediately dove into the ocean and rescued the second victim. Officer Strickland's disregard for his personal safety saved the second victim's life.



Patrolman Carney

While on patrol in the early morning, Patrolman David Carney of the Westlake, Ohio, Police Department observed smoke coming from the rear of a residence. Upon investigation, Patrolman Carney found the back of the dwelling engulfed in flames. By pounding on the doors and windows of the house, Patrolman Carney awoke the residents and led them to safety. Patrolman Carney's alert actions saved the lives of two children, their parents, and their pet dog and cat.

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 write-up (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*, FBI Academy, Madison Building, Room 209, Quantico, VA 22135.