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Director

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Exercise “Baseline” Training for Terrorism

By GARY J. ROHEN, M.S.

Dateline: November 19, 1997, New London, Connecticut. At approximately 11:30 this morning, the U.S. Naval Submarine Base at New London, Connecticut, became the target of a possible terrorist attack. Initial reports indicate that hostages may have been taken, although the number of hostages is unknown, and the terrorists have not made public demands at this time. A railroad tanker carrying hazardous materials appears to have derailed inside the base; however, it remains unclear if this derailment is related to the hostage taking....

This broadcast interrupted the workday for hundreds of local, state, and federal law enforcement officers, military personnel, and public safety employees. Fortunately, the scenario was fictitious; it was, in fact, a training exercise designed to test the ability of jurisdictions to respond to the terrorist attacks that many experts believe are inevitable. Without such training scenarios, American towns remain vulnerable to a terrorist attack employing weapons of mass destruction (WMD).¹ All levels of government, from the executive branch of the federal government to

city and town leaders, must consider how they would manage a WMD attack, especially how they would make a successful transition from crisis management at the scene to consequence management (i.e., managing the aftermath of a crisis, including tending to the needs of the population) after the attack.

Recent legislation has addressed these areas by 1) designating the FBI as the lead federal agency for the crisis management of any domestic terrorism incident, including any incidents that occur on military facilities;² 2) tasking the



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U.S. Department of Defense with providing training and equipment to civilian first responders, such as emergency medical technicians, firefighters, police officers, and emergency management personnel;³ and 3) delegating to the Federal Emergency Management Agency (FEMA)⁴ the development of a federal response plan that addresses both crisis management and the subsequent transition to consequence management.

Yet, for all the legislation, funding, and memorandums of understanding, nothing provides a more effective preparation than an actual hands-on exercise. One such exercise, “Baseline,” involved the FBI’s New Haven, Connecticut, Field Office, and the U.S. Naval Submarine Base at New London, Connecticut. It became the first test of the FBI WMD Joint Operations Center (JOC) model,⁵ which seeks to integrate interagency emergency management functions; provide a command, control, communications, and intelligence architecture

for all participating agencies; and coordinate all crisis resolution and subsequent consequence management operations.

ESTABLISHING THE BASELINE

In June 1996, the FBI’s New Haven Field Office conducted an assessment survey that identified the U.S. Navy Submarine Base at New London as a high-value facility vulnerable to terrorist action. In addition, the New London area serves as home to the company that builds and fits many of the nation’s nuclear submarines. Because of the FBI’s lead role in terrorist incidents, a senior-level FBI agent served as the on-scene commander. He coordinated with the base commander, who played an integral role in the JOC command group and participated in all critical decisions during the exercise. A JOC should accommodate the infrastructure for all three phases of WMD operational management, including—

- the establishment of an Incident Command System (ICS) by local and state agencies, set up soon after the incident occurs;
- the FBI’s crisis management response; and
- FEMA’s consequence management infrastructure.

Overlap occurs during all three phases across almost all agencies. Proper JOC site selection must involve all administration levels, from local agencies to the executive branch of the federal government.

THE SCENARIO

For training to provide significant value, realism must play a central role. The planning and preparation phase took place over an 18-month period and included multiagency crisis management training. This training involved lessons the FBI learned from actual WMD incidents. To foster the interest of all participants, each participating agency had potential emergency management responsibilities for the area and provided input to develop the scenario, as well as its goals and objectives, to ensure applicability for their respective agency functions. Agencies from the state of Connecticut, the federal government, and the military, as well as local police and fire services, provided participants. The exercise intended to facilitate a positive interaction among all agencies and to familiarize other agencies with the FBI’s crisis management model.

To reinforce basic crisis management principles and to foster improved liaison during an actual

WMD incident, all agencies with potential emergency management responsibilities for the area were invited. Ultimately, 16 agencies, with over 100 representatives, participated in the scenario.

A multiagency working group developed scenario requirements, which focused on a credible chemical/biological threat from a domestic terrorist group. The scenario included an explosion and a derailment of railroad cars carrying hazardous material (HazMat) on the submarine base. This served as a diversion and gave sufficient experience to state and local responders for consequence management of a HazMat/WMD incident. Additionally, the terrorist group took control of a building on the base and held hostages. This increased the threat and required negotiations, which eventually resolved the threatened release of a chemical/biological agent.

The working group based the design philosophy of the scenario on reality. As part of the exercise plan, the group selected the biological agent based on what an average person could reasonably exploit with minimal training, public-source information, such as the Internet, and readily obtainable ingredients. At the same time, the scenario did not employ often-used biological agents, which have well-documented characteristics and may have generated predictable, textbook solutions. Instead, the group selected rabies as the biological threat agent. Potential terrorists could produce distributable volumes of the virus without sophisticated lab equipment by trapping

diseased livestock. From a psychological perspective, the general public almost universally recognizes and fears rabies, adding to the scenario's reality.

In addition, a technician working with bomb experts devised, produced, and tested a realistic, practical delivery system at the FBI Academy. Each delivery device contained liquid rabies, placed in 20-ounce soda bottles and separated by a contoured freezer pack containing plastic explosives, all of which was packed inside a soft, six-pack-size beverage cooler. The device used a blasting cap and a standard antipersonnel mine to generate a charge. Upon command detonation, the device would release an aerosol mist of the deadly rabies virus.

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Drawing upon composite profiles of likely domestic terrorists, the group developed characters of four disgruntled Vietnam War veterans. The characters possessed a military background in special operations or health service and supposedly had met and formed friendships at veterans events and shared their views on the failure of the government to acknowledge and provide medical care for veterans

exposed to Agent Orange and Gulf War Syndrome (GWS). Additionally, they each had children who suffered from GWS symptoms. Because of their backgrounds and beliefs, the characters demanded immediate government acknowledgment of GWS and paid medical treatment for veterans and their families.

Agency Coordination

To ensure involvement by all exercise participants, the scenario required action and coordination among all agencies. The exercise involved two related events at the submarine base. The first event, the deliberate derailment of a train, included a number of tank cars that contained very large quantities of hazardous compounds. The derailment technique ensured that the train overturned and hazardous fluids leaked from the tank cars. The explosive charge that caused the derailment also spread an incendiary mixture, which enhanced the airborne dissemination of toxic materials, further complicating the HazMat response. This derailment initiated a first response by local police and fire units and their establishment of a local ICS to deal with the HazMat and train derailment situation. First, the local police and fire departments implemented the local ICS to determine the extent of injuries or fatalities and to assess the effects of the explosion. The FBI's exercise objective was to test the integration of an ongoing ICS with the FBI JOC. To ensure realism, the participants walked the actual railhead in the planning phase and used public access information

to identify the contents of scheduled trains. By knowing the train's schedule and its contents, the terrorists determined the most conducive time to execute their plan.

The second event occurred at noon, approximately 30 minutes after the train derailment. The actors seized a fast-food restaurant and held the occupants hostage. After moving the hostages to the roof of the building due to the need to disperse the biological agent in the air, they demanded that the president or the secretary of defense admit to both deliberately contaminating the environment and endangering the health of the military forces and surrounding communities. The adversaries prepared to disseminate approximately 3.5 gallons of the rabies if the president or secretary failed to make such an admission. The crisis response plan included activating the JOC (the FBI responded to the crisis in less than 1 hour). Extensive negotiation partially achieved crisis resolution when the hostage takers released some of the hostages. However, the detonation of the biological agent appeared imminent when the subjects became irrational with the negotiator. The hostage taker picked up the detonator device, presenting a danger to the hostages. At this point, negotiations broke down with the subjects, and the decision makers exercised final tactical solution by using both special weapons and tactics and hostage rescue team members to intervene.

Exercise Methodology

Unlike the active military, most federal, state, and local agencies

lack the required on-scene infrastructure to rapidly establish an operating command post. Accordingly, the planning group requested that the National Guard provide critical communications and logistical support. The group housed the crisis and consequence management team under one roof. The planners established emergency operation centers for the state's Office of Emergency Management (OEM), FEMA, the submarine base, local cities and towns, and state police, as well as major industries in the area. The group placed

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the crisis and consequence management operations together to facilitate the exchange of information during the exercise and to provide a learning experience for all parties to observe the full spectrum of exercise activities.

The scenario accommodated a briefing, a 4- to 5-hour exercise, and, finally, a postexercise “hot wash” (when agencies immediately discussed the most salient points of the exercise), all within the time constraints of a single shift for state and local agencies. During the

exercise, the chief exercise controller displayed the sequence of events on an overhead projector as they occurred. The FBI and the state OEM developed possible actions, investigative leads, and responses for crisis and consequence management. An internal telephone system established by the National Guard connected exercise controllers in separate rooms to crisis and consequence management components. These controllers injected descriptive items at the appropriate times during the incident while radio traffic and couriers provided written directions to supplement internal telephone traffic. For example, the controllers could increase the momentum of the exercise to stimulate interaction or discussion by calling the JOC and advising that a local militia group, out of sympathy for the hostage takers, was coming to the base to help them in their mission.

All exercise participants and observers received identification badges and briefing books prior to the exercise. The local police department provided security for the exercise area. In order to optimize the learning experience and to improve interoperability among agencies, a signpost clearly identified each component. Extensive use of a public address system and cinema screen multimedia projection system ensured that all participants received regular updates on the status of the scenario. Additionally, participants dealt with other issues of concern during the protracted operation, including shift changes, rest room breaks, and nourishment needs. Finally, the large number of

agencies using computers and other high-tech electronic devices illustrated the need for an adequate, stable power supply, which the site provided.

Postexercise Assessment

Immediately after the resolution of the crisis and the hot wash, the participants gathered to make observations and suggestions. A

single representative from each participating agency provided a general and limited critique of the exercise. The working group prepared and furnished a transcript

Checklist

Although every situation involves unique circumstances, agencies should consider the following checklist when selecting the site for a Joint Operations Center.

Facilities

- Covered open areas (e.g., aircraft hangars), which offer greater flexibility
- Adequate lighting
- Securable perimeter (i.e., fenced with controlled access)

Communications

- Ability to accommodate large volume of voice and data telephone lines (best if preinstalled with prearranged trunk assignments and directories)
- Availability of backup communication lines (telephones, radios)
- Vertical clearance and flat, open surface for satellite systems
- Minimal spectrum interference from power lines
- Ability to accommodate more telephone lines for computers/modems to facilities

Power/Electricity

- Industrial electrical consumption for lighting, computers, etc.
- Backup uninterrupted power supply (e.g., generators)

Life Support

- Adequate plumbing or portable toilets
- Adequate ventilation
- Climate control
- Distance from residential areas for noise pollution considerations
- Kitchen/dining areas
- Waste disposal with scheduled removal

Special Functions Facilities

- Secured, climate-controlled evidence storage
- Crime-scene reconstruction area
- Media/VIP briefing area
- Victim/survivor recovery area

Transportation/Accessibility

- Near major roadways
- Vertical clearance for helipad/airstrip
- Adequate parking for all types of vehicles
- Sea and rail accessibility, if possible

of comments to all participants. Agency representatives commented that the exercise proved a positive and worthwhile experience. At the same time, they gained a new appreciation for the amount of resources involved in the planning, preparation, execution, and after-action activity for the exercise. Training and briefing initiatives over the 18-month period required substantial commitment by all participants. Other federal, state, and local agencies learned how to work with a variety of agencies that have different jurisdictions and authority. Unlike the military, which has a built-in training cycle, federal, state, and local agencies must continue normal operations while conducting exercises.

The inadequacies of training and equipment and the lack of a full understanding of medical and decontamination requirements in

response to a WMD incident became apparent during the exercise. These inadequacies, although anticipated, advocated the purpose of supporting legislation, such as the Nunn-Lugar bill, which approved WMD preparedness training for state and local law enforcement agencies.⁶ Additionally, this exercise served as a catalyst for the FBI and the state in which it was held to conduct a seminar for health care professionals concerning medical preparations to respond to a WMD incident. The Navy also left the exercise with a better appreciation for WMD incident preparation.

The Baseline Exercise also highlighted a collective problem of information flow among the various agencies of the JOC. Typically, each agency deployed an intelligence group responsible for collecting and analyzing information that focused on the essential elements

for that organization. This often resulted in incomplete and narrowly interpreted intelligence, leading to distorted analysis and inaccurate assessments. As a result of this problem, the FBI developed the Joint Interagency Intelligence Support Element (JIISE), a component of the JOC. The JIISE created a responsive intelligence architecture consisting of a collection management section, a dissemination section, and a current intelligence section. These sections integrated accurate and up-to-date information, enhanced more efficient processing of this information, and enabled on-scene commanders to make the best possible decisions based on this knowledge.

ADDRESSING THE MEDIA

On the day of the event, participants announced the exercise with a press release, drawing immediate and considerable media attention. The press release aimed to preempt any public misperception of the exercise and to ensure citizens that confident, organized preparations existed to deal with a WMD incident. Although exercise planners did anticipate the media's high level of interest, they reacted as they would to an actual event; they answered questions concerning terrorism, in particular, a WMD incident. In this way, the exercise became even more realistic. To ensure the safety of media representatives, the command group denied them an actual view of the incident and selected a predetermined location for the media to consult with spokespersons from the FBI, Navy, and local town. Additionally, the com-



mand group provided photo opportunities of an area near the incident site and authorized all press releases. With their needs met as much as possible, the media cooperated.

PROSECUTING TERRORISTS

No federal statute exists that defines terrorism as a crime.⁷ The U.S. government investigates, arrests, and convicts terrorists under existing criminal statutes; places suspected terrorists under arrest, regardless of nationality; and provides access to legal counsel and judicial due process, including Fifth Amendment privileges. Accordingly, all agencies involved in WMD crisis or consequence management must preserve evidence, document actions and observations, and coordinate such information with the FBI.

CONCLUSION

Terrorism involving weapons of mass destruction requires that leaders at all levels think outside conventional counterterrorism and hazardous materials programs, requiring an honest assessment of weaknesses and the development and implementation of corrective actions. WMD threats to the United States do exist. The only questions that remain are when and where the attacks will occur.

The Baseline exercise represents lessons learned in this first incident as well as the remaining amount of work to do in training and preparing for such a crisis. Although the FBI remains responsible for the crisis management of any terrorist incident in the United

States, the successful resolution of both the crisis and the consequences requires that all government agencies and private organizations immediately develop interagency liaison, cooperation, and training. The first opportunity to meet one another's counterparts and lay the groundwork for responding to a terrorist threat should not wait until the aftermath of an actual WMD crisis: those who will harm the national security of the United States will not wait. ♦

Endnotes

¹ The term "weapons of mass destruction" is used interchangeably with "nuclear biological chemical weapons" and "chemical biological weapons" as delineated in the *U.S. Senate Permanent Subcommittee on Investigations Hearings Staff Statement on Global Proliferation of Weapons of Mass Destruction: Response to Terrorism*, March 27, 1996, page 1.

² *Presidential Decision Directive 39*.

³ *Defense Against Weapons of Mass Destruction Act of 1996*, Public L. 104-201.

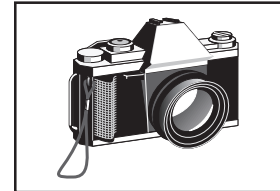
⁴ The mission of FEMA is to reduce the loss of life and property and to protect the U.S. infrastructure from all types of hazards through a comprehensive, risk-based emergency management program of mitigation, preparedness, response, and recovery; available from <http://www.fema.gov/about/>; accessed August 31, 1998.

⁵ Joel Carlson, "Critical Incident Management in the Ultimate Crisis," *FBI Law Enforcement Bulletin*, March 1999, 19-22.

⁶ *Supra* note 3; and *Antiterrorism and Effective Death Penalty Act of 1996*, Public L. 104-132.

⁷ U.S. Department of Justice, Federal Bureau of Investigation, Counterterrorism Threat Assessment and Warning Unit, National Security Division Pamphlet, *Terrorism in the United States 1996*, 3.

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The *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.

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Planning for the Future

By Robert B. Richards, M.S.

"The best laid schemes o' mice and men oft go astray."¹
—Robert Burns

Law enforcement administrators know that they should plan for future events or assignments. Depending on their organizations' assets and primary jurisdiction, these situations could range from a civil disturbance to a terrorist's threat to activate a weapon of mass destruction. However, administrators often perceive planning as tedious and formidable. They feel that no matter how hard they plan or how much they plan, the plan never works the way they designed it. Fortunately, administrators can overcome this negative perception by following some basic planning procedures.

The success or failure of the planning process hinges on administrators first answering several critical questions. How committed is the organization to the planning process? Who should be involved? How long will it take? What information is needed for successful planning? Who should develop the data?² Once they have made these decisions, administrators can begin the planning process.

Planning provides viable courses of action when organizations encounter specific circumstances, known as contingencies, which may occur at any time. Planning stands not as an attempt to predict the future but as the best chance for survival in a world that is constantly changing. Therefore, administrators should anticipate potential contingencies, continuously prepare for them, and regularly review any existing plans. Their reviews should consider any changes in their organizations' structure, assets, personnel, jurisdiction, and expertise. If they discover any changes, administrators should develop new courses of action or refine the existing ones for each contingency accordingly.

To this end, administrators should not allow time constraints imposed by outside influences or their own lack of preparedness to short-circuit the planning process. Although the specified time limit for an operation or assignment will dictate the amount of

time spent on the various planning phases, administrators still should address each phase. Additionally, the time spent on each phase can depend on how often the planning process takes place, whether it occurs in an actual event or during a training exercise, and how often organizations update their standard operating procedures.

DEVELOPING THE PLAN

The deliberate, logical planning process begins with having an objective, defining the problem, and gathering relevant facts associated with attaining the objective. Then, the process moves to developing alternative approaches, evaluating the effects in terms of the desired objective, and finally, making the decision to act in a specific manner.³ Whether senior members of the organization or circumstances initiate the objective, the receipt of the assignment begins the formal planning process.

Defining the Problem

First, administrators should analyze the objective to ensure that they fully understand the problem. Once this occurs, the definition becomes a target—a focal point toward which administrators can channel their problem-solving activities.⁴ Next, they must determine whether the problem lies within the scope of their organizations' capabilities. If their organizations' available assets cannot support the objective,

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administrators should consider reviewing the assignment and possibly scaling back their involvement or seeking assistance from other agencies. Finally, administrators must ascertain the specific and implied tasks required to successfully complete the assignment.

Gathering Relevant Facts

Administrators should determine the information requirements necessary to successfully complete the objective. They should gather information from various sources within their organization and from other cooperating agencies. Initially, holes or gaps may exist in the amount and type of information available. However, administrators should fill these holes by making educated assumptions based on subjective information (e.g., judgment, leadership, experience, knowledge, training, and perceptions) and then validate these assumptions through the receipt and processing of additional information as the planning process develops.

Because gathering and updating information are continuous and concurrent actions throughout the planning process, administrators should not plan in a vacuum. Rather, they should provide supervisors and commodity managers (those in charge of such areas as communication, transportation, or other support services) with periodic estimates of the situation. These estimates should include a logical and orderly examination of all of the known factors affecting the accomplishment of the objective, any restraints or restrictions, and a general plan of action.⁵ Although the estimates will change during the planning process, they should remain as complete as time, available information, and logical assumptions allow.

Developing Alternative Approaches

While administrators should consider a variety of courses of action, they need to develop these alternative approaches only to the extent that they can

analyze and compare them. For example, each course of action should include basic what, when, where, and how information that can readily distinguish it from the others.

To this end, administrators should seek guidance from supervisors and commodity managers who can provide them with unbiased and objective opinions regarding their agencies' ability to support a course of action. This avoids wasting time creating courses of action that their agencies' available assets cannot support. Based on these recommendations, administrators can select for further development and comparison those approaches that offer the greatest possibility of success.

Evaluating the Effects

Once administrators have formulated some courses of action, they should evaluate the effects that these approaches will have on their organizations. While

the internal structures of agencies vary, the areas most concerned with the planning process include administrative, intelligence, investigative, surveillance, tactical, liaison, negotiation, logistical, technical, media, and legal support, as well as the command structure.⁶

Administrative Support

Administrative supervisors should address the availability of personnel for the duration of the event. As the duration increases, they may face the prospect of staffing an operation 24 hours a day, 7 days a week. If so, they need to consider such matters as budget constraints, overtime expenses, court appearances, holidays, and illness.

Intelligence Support

Intelligence managers should consider the amount and type of information currently available about the event. They also should determine how to collect, process, and disseminate additional information as the event unfolds.

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Investigative and Surveillance Support

Investigative supervisors should address their ability to aggressively assign, complete, process, and retrieve investigative leads that pertain to achieving the objective. To this end, surveillance managers should consider their ability to collect and disseminate information and conduct and maintain electronic, visual, aerial, photographic, and physical surveillance in a timely and efficient manner.

Tactical and Liaison Support

Tactical commanders should assess their capabilities and determine if they will need additional staff, equipment, training, or assets to achieve the objective. Supervisors should consider augmenting their existing tactical support capabilities with those from other agencies. In conjunction with this, liaison managers should identify those organizations that can offer assistance and determine the best method of interacting with these agencies (e.g., provide personnel to the assisting organizations or have their representatives participate in the command structure).

Negotiation Support

Negotiators should consider their ability to function 24 hours a day until the objective is achieved. Also, they should accumulate as much reference material or data that pertains to the objective and maintain it as part of their support.

Logistical and Technical Support

The success of any plan usually depends on effective logistical and technical support and the proper employment of their assets. Logistical supervisors should consider the availability of a mobile or alternate command post. They also should address housing and feeding participants, providing transportation, and supporting the day-to-day operation of the plan. Technical managers should consider their ability to communicate internally and externally via radio, closed-circuit television, telephone, teletype, satellite

data links, and cryptographic means. They also should ensure that radio frequencies are available, compatible, and assigned for use in a particular area of operation, along with having repeaters (i.e., devices that receive and amplify electronic signals) available and operational for primary and alternate communication networks.

Media Support

Administrators often overlook media support. A media representative can advise the administrator, act as the spokesperson during the event, recommend policies and procedures regarding the dissemination of information to the general public and the media as required by the Freedom of Information Act,⁷ act as “rumor control,” and advise how best to use the media for organizational purposes.

Legal Support

Legal administrators can affect all of the other areas concerned with the planning process. Typically, they should provide guidance concerning jurisdiction and other legal ramifications of the plan, such as the use of chemical agents or electronic eavesdropping devices.

Command Structure

The command structure provides the organizational framework necessary to successfully execute a course of action. Its design and function depends on the availability, training, experience, and operational readiness of the supervisors, relief supervisors, and staff of the support areas. Administrators should develop, formalize, and disseminate a specific command structure that clearly delineates the responsibilities of and the authority given to these supervisors and commodity managers commensurate with their positions.

Deciding to Act

By considering all of the factors affecting the situation, determining and analyzing feasible

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The 10 Steps of Planning for the Future

1. Initiate or receive the task.
2. Analyze the task.
3. Begin the planning process.
4. Review available information related to the task.
5. Obtain guidance from supporting managers.
6. Review recommendations from supporting managers.
7. Decide on the course of action to take.
8. Advise supporting managers of the decision.
9. Write the plan.
10. Test the plan.

sequences of action, and reviewing the estimates of support provided by supervisors and commodity managers, administrators can decide on the best courses of action to take to accomplish their stated objectives. Once administrators reach this decision, they should develop it into a written plan and disseminate it to all participating organizations and personnel.

TESTING THE PLAN

The final phase of the planning process involves testing the plan to ensure that all of the components work together. Administrators should test the plan to 1) determine if it will accomplish its objectives; 2) uncover any weaknesses in the organizational structure; 3) expose supervisors and commodity managers to the rigors encountered during a stressful decision-making process; and 4) allow personnel to interact with other participants and become familiar with the plan.

By showing the relationships of the various anticipated activities, the plan can provide a reference point against which administrators can measure subsequent developments. For example, certain patterns will develop that highlight recurring tasks or needs that administrators can delineate as standard operating procedures. Also, the testing process will reveal potential problems that administrators can address and, if needed, change the plan accordingly.

Choosing the Test

Depending on the experience of their command structure and the assets of their organizations, admin-

istrators can test the plan in part or in its entirety. Testing each segment of the plan separately to ensure that it functions as designed and then testing the plan in its entirety constitute the preferred method. However, having key personnel interact with one another and the commodity support areas in a time-oriented scenario illustrates the simplest and most cost-effective testing exercise. Although a full-scale command post exercise involving all personnel, commodity areas, and tactical and technical assets proves the most effective means of evaluating the plan, administrators should consider the duration of such an exercise and its affect on the normal operation and required services of their organizations.

Conducting a Critique

Regardless of the scale of the testing exercise, administrators should include a critique at the end. Administrators should conduct the critique as soon after the exercise as possible while the events are still fresh in the participants' minds. All participants and key personnel should contribute feedback. Administrators should encourage these individuals to take notes during the exercise to have an accurate record of potential problems or duplicative actions.

Evaluators who have no vested interest in the outcomes and who are familiar with the plans and the objectives should conduct the critiques. They should know the various areas of responsibilities and the assets available for the exercises.

Moreover, the intent of the critique is to identify problem areas, as well as those areas that functioned

well, not to cast blame on any particular individual or commodity area. Administrators should ensure that critiques remain constructive and that participants feel confident that they can solve the problems and view the corrective measures as opportunities for growth.

CONCLUSION

Law enforcement administrators can free themselves from their long-held belief that planning for the future stands as a tedious and formidable task by following some basic procedures. These include developing the plan through defining the problem, gathering relevant facts, developing alternative approaches, and evaluating the effects. Once they have completed these planning phases, administrators can decide on their course of action, develop a written plan, and then test it for potential problems.

Administrators should include supervisors and managers of support services in the planning process.

These individuals can contribute their expertise to the process and avoid duplicative efforts. Administrators also should encourage and challenge their subordinates to plan for the future. All law enforcement professionals should remember that those who fail to plan, fail to achieve. ♦

Endnotes

¹ Robert Burns, "To a Mouse," 1785; quoted in Leonard D. Goodstein, Timothy M. Nolan, and J. William Pfeiffer, *Applied Strategic Planning: A Comprehensive Guide* (San Diego: Pfeiffer & Company, 1992), 309.

² Leonard D. Goodstein, Timothy M. Nolan, and J. William Pfeiffer, *Applied Strategic Planning: A Comprehensive Guide* (San Diego: Pfeiffer & Company, 1992), 9.

³ U.S. Marine Corps, *Command and Staff Action* FMFM 3-1 (March 1985): 48.

⁴ Richard I. Lyles, *Practical Management Problem Solving and Decision Making* (New York: Van Nostrand Reinhold Company, Inc., 1982), 71.

⁵ Supra note 3, 50-51.

⁶ Supra note 3, 3.

⁷ Title 5, U.S. Code, Section 552 A.

Suggested Reading

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Reducing Violent Bank Robberies in Los Angeles

By WILLIAM J. REHDER, J.D.



During the 1960s, an average of 400 bank robberies occurred each year in the FBI's Los Angeles Field Office (FBILA) jurisdiction, which exceeds 40,000 square miles and consists of seven counties. In the 1970s, the number of bank robberies doubled to almost 800 each year. In 1978, the number of robberies exceeded 1,000, placing the Los Angeles area ahead of the rest of the

nation in total bank robberies per year and earning it the title "Bank Robbery Capital of the World." The area retained this title with an average of 1,400 bank robberies per year in the 1980s, which accounted for 20 to 30 percent of all bank robberies in the United States. After peaking at 2,641 in 1992, by 1998, the number of robberies had plummeted to 656, the lowest in 30 years. A number of factors contributed to

both the meteoric rise and precipitous fall of these violent crimes.

CONTRIBUTING FACTORS

In general, two factors caused the extensive number of bank robberies in the FBILA territory. First, the area of Southern California surrounding Los Angeles has experienced unprecedented population growth since the 1960s. Approximately 17 million people now

reside there. Second, California law historically has permitted unlimited branch banking. Today, more than 3,500 federally insured commercial banks, savings banks, and credit unions conduct operations in seven counties. This vast number of robbery targets, coupled with the population growth, and attendant social and criminal problems, particularly increased narcotics addictions and the invasion of youthful street gangsters onto the bank robbery scene, produced an increase in bank robberies.

Nothing, however, prepared the region for the explosion of bank robberies in the early 1990s. In 1992, the 2,641 robberies that occurred in the FBILA area compelled FBI agents to investigate approximately 1 bank robbery every 42 minutes of each business day. This dramatic increase in the number of robberies occurred as California banking, always a fiercely competitive industry, faced the dual

challenges of an influx of new branches of out-of-state banking corporations and a renewed incidence of bank mergers. To address these competitive challenges, the executives of various banks decided to solidify their customer base by expanding daily business hours. Banks opened earlier, closed later, and expanded their business hours to Saturdays, and, in some instances, Sundays. In order to keep pace, other bankers throughout the state quickly followed suit. These additional hours of operation dramatically increased the exposure to robbery of California bank branches by approximately 40 percent. Using various methods, bandits took full advantage of this newly widened opportunity.

Bank Robbery Methods

Even more alarming than the increasing number of bank robberies was the type of robbery expanding fastest. Generally, criminals use

two basic methods to rob banks—the “one-on-one” robbery, frequently featuring a demand note, and the “takeover,” a rapidly growing violent tactic.

In one-on-one situations, robbers deliver a spoken or written robbery message to a single victim teller. Robbers avoid attention by speaking softly to one victim, if they speak at all, and by keeping commotion to a minimum. Other individuals in the bank may remain completely unaware of the robbery.

In contrast, criminals who use the takeover robbery method usually demand attention and involve multiple subjects. They intimidate victims with various combinations of aggressive action, including storming into the bank, shouting obscenities, jumping on or over counters, physically attacking employees or customers, and waving or firing guns. These forms of aggression help give the bandits complete control of the premises. Control is central to takeover robberies, which sharply escalate the level of threats and violence. More traumatic and potentially explosive than one-on-one robberies, takeovers accounted for just 3 to 5 percent of all bank robberies in the Los Angeles area until late 1991. Between 1992 and 1996, this percentage increased dramatically to approximately 20 percent. The takeover percentage of total robberies in Los Angeles from 1997 to 1998 rose to 28 percent—a historical high.

Gang Activity

The increase in the percentage of takeover robberies in relation to total bank robberies during this



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...Los Angeles area bank robberies have declined steadily.

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decade resulted directly from street-gang activity. In late 1988 and early 1989, a small group of young South Central Los Angeles gang members affiliated with the Rollin 60s Crips gang began to frequent crack cocaine houses operated by other Rollin 60s members. These gangsters initially recruited or strong-armed crack cocaine addicts, who patronized these houses, to function as bandits at a pre-selected bank.

The gangsters prepared a demand note for the addicts, drove them to the bank, and told them how to present the note to an individual teller. After obtaining the money, the addicts returned to the car and gave it to their "sponsors," who in turn gave the addicts \$50–\$100 or crack cocaine. The sponsors kept the remainder of the stolen money. If police arrested the addicts during the robbery, the sponsors merely left the scene to recruit another addict. These robberies flourished from 1989 to 1991, accounting for almost 250 bank heists as other street gangsters replaced addicts as recruited bandits.

Then, things changed in September 1991, when a small group of takeover robbers known as the West Hills Bandits, stole \$436,000, making it the largest single takeover robbery in the FBILA region's history at that time. When the amount of the robbers' loot leaked to the press and was published, the Rollin 60s, who already sponsored multiple note jobs, promptly changed direction and went full time into the takeover robbery business.

The fourth quarter of 1991 exploded with takeover robberies as other South Central gangs sought to

emulate the success of the Rollin 60s' organized robberies. From late 1991 to 1993, several individuals and groups who at one time had belonged to or associated with street gangs usually affiliated with the Crips became takeover robbery "organizer-sponsors." They never entered the bank where they might leave fingerprints, witnesses might identify them, or surveillance cameras might photograph them. These original gangsters (OGs), who were in their mid- to late-20s, recruited much younger neighborhood street youths, some as young as 15 or 16 years old, to act as the actual bandits

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Bandit barriers...
completely
enclose the teller
and adjacent cash
storage areas...
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inside the bank. OGs easily recruited these youngsters, enticing them with "easy money," increased notoriety among their peers, or the prospect of living out an action fantasy.

On several occasions, FBILA investigators determined that "talent scouts" sent by these organizers actually went to several South Central Los Angeles area high schools and forced students out of the cafeteria line to participate in bank robberies. Once recruited, organizers provided them weapons if they did not have their own, transportation in a stolen car to a preselected bank,

and hasty instructions for the roles they would play once inside. Frequently, organizers told these youths to fire shots and act aggressively to intimidate as many people as much as possible. Thus, once the realm of only the most experienced bandits who were more interested in maximizing profits than terrorizing victims, takeover robberies became the province of "amateurs," who knew only the fundamentals of street crime. Takeover robberies became, in essence, indoor muggings.

Despite the unique attributes of the Los Angeles area, many corruptive social and criminal trends originate there and spread rapidly to the rest of the nation. By mid-1998, FBILA already had received numerous communications from various jurisdictions throughout the United States, as well as the remainder of California, indicating that organized bank robbery crews of street gangsters had traveled far from their home base in Los Angeles. They had spread the contagion of the L.A.-style takeover.

LAW ENFORCEMENT RESPONSE

After painstaking work by more than 50 FBILA special agents, two assistant U.S. attorneys, and local law enforcement agencies, FBILA built a strong criminal enterprise case against several of the most prolific bank robbers in history. In May 1993, FBILA and local police arrested the two originators of these innovative takeover robberies, and in November 1993, after pleading guilty to bank robbery charges, the subjects received prison sentences of 25 and 30 years, respectively. FBILA believes these subjects

planned, organized, and promoted more than 175 bank robberies, including 85 demand note jobs and 90 takeovers. Additionally, FBILA and local law enforcement agencies believe that several street gangsters directly imitated their role as organizers and caused the continuation of takeover-bank robberies in the Los Angeles area during the past 5 years. This theory concerning criminal enterprise bank robberies is supported by interviews of recently arrested takeover-robbery bandits and the known lack of groups of bandits who rob together as cohesive units.

Cooperating with Financial Institutions

Fortunately, the dire statistics regarding total bank robberies and takeovers have reduced dramatically since 1992. By the end of 1998, the number of robberies had fallen to 656—a 75 percent reduction and the lowest number in 30 years—with violent takeovers reduced by two-thirds.

The most important factor in reducing bank robberies involved establishing an effective working relationship between law enforcement agencies and financial institutions. The evolution of this relationship dates back to the early 1990s. As the number of bank robberies, particularly violent takeovers, skyrocketed, the FBILA initiated a series of regularly scheduled conferences with bank security directors and local law enforcement administrators. At these conferences and at formal meetings of various bank security associations, both FBI special agents and local law enforcement officers with bank robbery

expertise served as speakers and advisors. As a result, members of the banking community and law enforcement agencies forged a new, close-knit working relationship. Subsequently, the banking community implemented one of the first and most positive effects of this new working relationship—its law enforcement-endorsed plan to construct bullet-resistant “bandit barriers” or access control units (ACUs) at numerous local branch offices deemed “robbery prone.” Although expensive, these devices proved cost-effective by dramatically reducing overall bank robberies while virtually eliminating violent takeovers.

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Generally, criminals use two basic methods to rob banks....

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Bandit barriers—clear, bullet-resistant, Plexiglas partitions—completely enclose the teller and adjacent cash storage areas, extending from the top of the counter to the ceiling or from the floor to the ceiling at the entryway. ACUs consist of an electronically controlled, double-door entry portal and adjacent exit portal. Customers access the inside of the bank, one at a time, by entering through the outer door of the entry portal. When the outer door closes, a device conducts an automatic magnetometer-type search for weapons. If the search

proves negative, the inner door automatically unlocks, allowing entry into the facility. If the search is positive, indicating a possible weapon, the bullet-resistant second door remains locked, and the person must retreat from the portal. These units originally featured a “capture” option that locked a person with a weapon inside either portal. Administrators strongly recommend excluding this feature for customer/employee safety reasons.

Smaller facilities with limited walk-in traffic use a more limited and less costly model of the ACU. This version consists of a single, reinforced, electronically locked entry door that customers open by inserting an encoded plastic card into a slot and then entering a personal identification number on an attached keypad. Bank employees can override both versions of the ACU by activating an electronic switch inside the bank when they recognize a customer denied access by the system.

Imposing Strict Sentences

Another contributor to this positive turnaround evolved from the Federal Uniform Sentencing Guidelines of 1987, which abolished the preexisting federal parole system. An inmate now must serve at least 85 percent of a federal sentence, with just 15 percent reduction for good behavior. Therefore, bank robbers sentenced in the Los Angeles area since 1987 do not return as quickly to the street to possibly repeat their offenses. This change, in combination with the increased use of Title 18, U.S. Code, Section 924(c), which mandates minimum, mandatory, and

consecutive prison time for use of a firearm during the commission of a violent felony, including any federal bank robbery, has gained the attention of the Los Angeles area's career bank robbers.

Focusing on Follow-up

Law enforcement agencies have taken advantage of the steady reduction in bank robberies and used more of their resources in aggressive follow-up investigations. The ability to refocus bank robbery investigations beyond the day of occurrence has enabled FBILA and local law enforcement agencies to more quickly and effectively identify and apprehend serial bandits before they rob additional banks.

The close working relationship between law enforcement agencies

and the banking community also has aided in this follow-up phase of bank robbery investigations. Specifically, as selected bank surveillance photographs in violent robberies become available, FBILA quickly requests and receives reward commitments from individual banks and banking associations. Local print and television media provide wide circulation to both surveillance photographs and reward offers. As a result, FBILA can solve cases and arrest subjects more quickly and did so in over 95 high-profile bank robbery cases from 1997 to 1998.

CONCLUSION

As FBILA looks to the future, a return to the early 1990s Wild West robbery days seems unlikely

considering the now-highly coordinated efforts of FBILA, local law enforcement, and the Southern California banking community. Aided by security devices, which have made banks a more difficult target, and enhanced federal sentences of convicted bank robbers, Los Angeles area bank robberies have declined steadily.

The Los Angeles area's continued population growth and social and criminal problems may cause the region to remain the Bank Robbery Capital of the World. However, by employing FBILA's solutions to curb bank robberies, perhaps other law enforcement agencies can avoid challenging that dubious distinction. ♦

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Book Review



Gang Intelligence Manual: Identifying and Understanding Modern-Day Violent Gangs in the United States by Bill Valentine, published by Paladin Press, Boulder, Colorado, 1995.

With the proliferation of gangs across the nation, ironically amid a declining crime rate, the *Gang Intelligence Manual* is a welcome and useful tool for law enforcement officers. Written in clear, concise, and plain language, the book takes readers through the basics for understanding the makeup of a gang into an in-depth view of a variety of gangs now plaguing the United States. These gangs are both on the streets and behind prison walls. The author analyzes their activities, migration, and motivations.

The author, an 18-year veteran of the Nevada Department of Corrections, has compiled a realistic, fact-filled book. It represents a valuable piece of literature for every member of the law enforcement community involved in gang-related work and makes a great reference manual of gang signs, symbols, and terms for parents and citizens to use to identify the presence of gangs in their communities.

The *Gang Intelligence Manual* provides an in-depth look at the nation's fastest-spreading

gang problem—Bloods and Crips—while showing their significance to the crack-cocaine trade and the effect they had on the communities in which they settled. This book also provides a comprehensive list and analysis of a variety of gangs—including the Gangster Disciples, Latin Kings, Asian gangs, Jamaican Posses, Hell's Angels—as well as other ethnic and racist gangs. The author even explores the historical emergence of the Colombian cartels within and affecting the United States and offers an overview of their basic operations.

The book continually reinforces factors leading to gang violence and denotes how incidents of disrespect lead to repercussions of violence even when gang members are wrong. Just one single incident of disrespect can lead to violence and death.

The *Gang Intelligence Manual* demonstrates how gangs gain strongholds, spread their business, and increase membership while incarcerated and interacting with fellow inmates. For example, the author discusses Carlos Rivas-Lederer's contact with a small-time marijuana dealer, George Jung, in a federal prison in Connecticut. This shows how gangs, in jail, gain confidants, future business partners, and recruits. It also points out how gangs can spread across the country through prison incarceration in other areas.

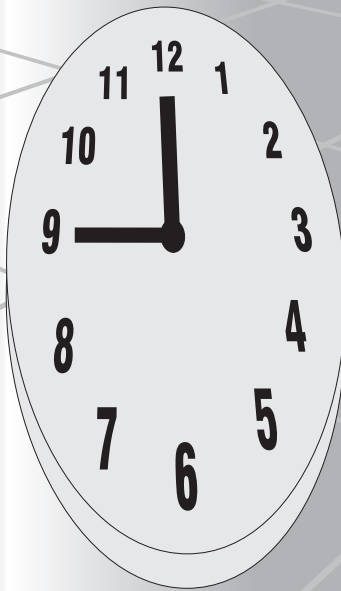
The information in this book provides an important framework of gang interdiction programs. The author has compiled a comprehensive guide that everyone can use, and many law enforcement officers will wholeheartedly agree with his statement "...gangs are a national epidemic and can only be solved by a combined effort of all citizens...."

Reviewed by
Sgt. Louis Savelli
Citywide Anti-Gang Enforcement Unit
New York City Police Department

British Policing and the Ottawa Shift System

Easing the Stress of Rotating Shifts

By MIKE SIMPSON, Ph.D., and SUZANNE RICHBELL, M.Sc.



All emergency services operating on a 24-hour basis have to deal with the issues of shift work and the availability of personnel. The British police forces are no exception. However, recent international comparisons have shown that England and Wales have a worse crime rate than nearly every other major industrialized nation,¹ which has placed additional pressure on police resources. Crime analysts have suggested many ways of reducing crime, including trying to match the demand for police services with police resources by looking at the variations in daily, weekly, or annual crime rates and

changing the number of officers on duty accordingly. This approach to reducing crime constitutes one reason for using alternative flexible work practices—such as overlapping shifts, alternative shift patterns, more part-time police officers, and more civilians to carry out administrative and clerical work.

Two other factors affecting police resources involve new legislation that limits the working hours of British and European workers and a move to develop a European flavor in British towns and cities by extending retail outlet operating hours and creating a “24-hour society.” These competing pressures have led

to changes in the demand for police services and posed problems for some agencies. To combat these difficulties, the British police forces need efficient and effective policing techniques,² including the use of shift systems in general and the Canadian shift system, Ottawa, in particular.

POLICING THE 24-HOUR SOCIETY

With the recent development of the 24-hour society in the United Kingdom, some cities have encouraged shops, cinemas, clubs, and bars to substantially lengthen their hours of operation.³ This has led to



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a demand for staff to work unusual and, some people consider, unsociable hours.⁴ Service and retail establishments have begun to tackle this issue in a variety of ways. However, concerns about changing crime patterns and the subsequent increasing demand for officers have proven challenging to local police forces.

New legislation also has affected how British police must handle the burdens of the 24-hour society. The European Union is implementing a Working Time Directive that will limit the workweek to 48 hours (averaged over 17 weeks).⁵ At present, police officers, medical students, and public safety personnel are exempt. However, within the next 2 years, the Working Time Directive will include police officers in the limited workweek, and British police forces will need shift systems that comply with this directive. Therefore, in their current quest to find shift systems

that improve officer health and welfare while matching supply for police services with demand, British police forces also must consider systems that will comply with this new legislation or face having to change systems again in the very near future.

EFFECTS OF SHIFT WORK

Research on shift work in other sectors, such as manufacturing and service industries, provides a useful context for the examination of the implementation of the Ottawa system. The issues raised include the effects of shift work on organizations, their employees and families, as well as possible interventions to limit those consequences.

On Attendance

Research evidence on the effects of shift work on absenteeism conflicts. For example, one study revealed that shift workers lost fewer workdays through sickness

than personnel who did not work on a rotating schedule.⁶ However, another survey found that shift workers suffered greater sickness and absenteeism than normal workers, especially when the hours were long.⁷ A third report estimated that in U.S. companies alone, shift-work-related costs (e.g., absenteeism, lost production, medical bills, and accidents) totaled approximately \$70 billion a year.⁸

Some workers, however, like shift work, and studies have found that less absenteeism occurs with these workers than with employees who work normal business hours.⁹ However, one report found that absences increased on shift-change days,¹⁰ which may impact police services because of “quick changeovers” (e.g., completing one shift at 10 p.m. and starting the next the following day at 6 a.m.) that some shift patterns use. All in all, the evidence for a correlation between shift work per se and higher absences from work remains meager and vague.¹¹

On Stress

Over the past several years, work, particularly shift work, has become more stressful.¹² This fact, combined with the mixture of boredom and danger inherent in police work, has led to stress and negative effects on marriages and family life for British police officers.¹³ At the same time, however, young police officers have highly rated and often preferred the variety that shift work offers.¹⁴

On Family

Rotating work schedules lead to less time in the family role and

result in conflicts between work and family life.¹⁵ Shift workers can become marginalized and isolated from normal community life. Social and domestic difficulties may arise from working shifts due to the disruption of “normal” family life, particularly in young families. Further, shift workers’ spouses dislike being left alone at night. Thus, the overlap between work and family issues can lead to domestic problems for British police officers.¹⁶

On Health

When compared with employees not working shifts, shift workers have more health concerns, increased errors of judgment, and display symptoms similar to those of insomnia.¹⁷ Shift workers complain of difficulties sleeping and loss of appetite and have increased incidences of digestive disorders and ulcers.¹⁸

Sleep loss, however, stands as the major health problem for shift workers, leading to higher levels of fatigue than in other workers. Some studies have linked continual partial sleep deprivation with increased death and disease.¹⁹ One report found that fatigue proved common among shift workers but appeared to have no effect on mortality, accidents, or long-term health, although gastrointestinal disorders might become exacerbated.²⁰ Another survey did not agree and suggested that sleep deprivation remains one of the most pervasive and serious health problems in the United States today.²¹ This study also referred to previous work that associated accidents, illness, and domestic problems with lack of sleep.²²

On Circadian Rhythms

Most bodily systems operate on a cyclic rhythm, which is governed by the day/night sequence of activity and rest.²³ Temperature, heart rate, blood pressure, lung capacity, and other bodily processes follow the day/night cycle, with activity generally higher during the day, reaching a peak in the afternoon or early evening and a trough during

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Managers...should experiment with different shift systems to find the one that works best for their departments.
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the night.²⁴ Shift work alters sleeping habits, meal times, and elimination processes²⁵ and may affect productivity and safety, especially on the night shift. Evidence shows that the ability to perform most tasks is lowest during the early hours of the morning. Similarly, performance appears to decline on shifts in excess of 8 hours and where workers perform physically or mentally demanding or repetitive tasks.²⁶

POSSIBLE INTERVENTIONS

While some problems related to shift work remain largely a fact of the human condition that no shift system can solve, managers still can take steps to help their employees adjust to a rotating work schedule. For example, because the body

clock resists rapid resetting, workers find it easier to go to bed late and get up late than to go to bed early and rise early.²⁷ Hence, managers should make any shift changes in a clockwise direction to reduce their personnel’s risk of fatigue and digestive problems. For example, workers would find it easier to change from day shift to afternoon shift, rather than vice versa. Other interventions include such measures as employing bright-light therapy, selecting personnel based on their suitability for night and shift work, and providing coping strategies.²⁸

Managers also should experiment with different shift systems to find the one that works best for their departments. Some systems prove more adaptable to individual agency needs than others. For example, the Ottawa shift system removes the need for quick changeovers and provides longer periods between shift changes. This results in an increase in sleep over the shift cycle together with a significant improvement in employee well-being.²⁹

Shift Systems

The British police forces, like industry and commerce in general, use many different continuous shift systems. Other police forces, including those in the United States, have implemented various systems, such as 12-hour fixed shifts (based on working 2 days, having 2 off, then working 3 days) with staggered reporting times.³⁰ This has advantages for police patrol personnel because they never work more than 3 consecutive days, have 14 days off

per month, and only work every other weekend. However, the regulation system, including the regulation system with quick changeovers, and the Ottawa system represent the systems that the British police have examined.

Regulation System

British police designed their original regulation shift system to provide 24-hour police coverage by equitably dividing the workday into three 8-hour shifts (e.g., 6 a.m.–2 p.m., 2 p.m.–10 p.m., and 10 p.m.–6 a.m.). In this system, 4 duty groups³¹ cover a 28-day cycle. These groups work 7 each of day, evening, and night shifts with 7 rest days interspersed to provide breaks between the 3 shifts. When confronted with the lack of personnel due to sickness or holiday absences or an abnormally heavy demand for police services, police forces employ quick changeovers within the regulation system.

However, as early as 1983, police administrators began to question the effectiveness of this system, particularly its ability to match resources with the demand for police services while considering officer welfare. The inability of the regulation system to cope with changes in the police force and increased demands for police services has concerned British police managers for several years.³² Therefore, they began to examine other shift systems that might address these concerns.

Ottawa Shift System

Originally developed in Ottawa, Ontario, Canada, in 1981, the Ottawa shift system uses 5

duty groups working 3 shifts (a 10-hour day, a 10-hour evening, and an 8 1/2-hour night shift) on a 35-day work pattern.³³ Local agencies can incorporate variations around this basic pattern.

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The British police forces...use many different continuous shift systems.

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The Ottawa shift system offers a more flexible alternative to the British police regulation shift system because it is based on annualized hours (the number of annual, not weekly or monthly, hours worked) and facilitates variations in the length of shifts. In this way, it allows for overlap periods where two shift groups work simultaneously. The length of these overlaps may vary, and with careful design, the system can increase officer staffing levels to meet peaks in demand on both a daily and weekly basis. Such flexibility has led administrators to regard the Ottawa shift system as well suited for urban British police needs because of such problems as afternoon shoplifting and late-night or weekend public disturbances that place increased demands on police services. Moreover, those working the Ottawa shift system enjoy increased rest days resulting from longer shifts and experience a 6-day break after completing their night-shift rotation.

Initial British police trials of the Ottawa shift system began in 1989. Since then, a number of forces have switched to the system and discovered numerous advantages.³⁴ These agencies found the system most useful for urban areas, where police can predict and define crime patterns. Also, the overlapping shifts allowed better matching of supply to demand; created flexibility for operations, training, and uninterrupted extended briefings; and encouraged a continuous police presence during shift changes. Additionally, longer shifts allowed more thorough and rapid investigations. Because of a greater number of rest days from working on an annualized hours basis, officer morale, welfare, and social life improved, and fatigue decreased with the removal of rapid shift changeovers and longer rests after working the night shift.

Conversely, agencies also discovered some disadvantages. Primarily, departments experienced difficulty in maintaining minimum staffing levels on any shift because of the five instead of four duty groups and in arranging overlaps between shifts to coincide with the peaks in local established crime patterns. Police forces also found the system unsuitable for rural areas, where crime proves less predictable and less frequent and geographical size creates a barrier to maintaining a police presence. The possible need for increased resources, such as extra police vehicles, during the overlap periods and problems with continuity of investigations caused by the 6 days off after working the night shift constituted additional disadvantages.

A CASE STUDY OF THE SOUTH YORKSHIRE POLICE

England and Wales have 43 independent police forces that vary in size. The smallest, the City of London, has 717 officers, while the largest, the Metropolitan Police Force, covers the rest of the Greater London area and has over 28,000 officers.

South Yorkshire consists of four main urban communities: Sheffield, Rotherham, Doncaster, and Barnsley. The South Yorkshire Police (SYP) has 3,071 officers and is divided into 11 districts (A to K) of various geographical sizes with different policing requirements. For example, H District comprises a strictly urban district, whereas J District contains a larger, more rural area covering both residential and small farming communities. Five of these districts have implemented the Ottawa shift system, while the others continue working the regulation or regulation with quick changeovers systems.

In July 1997, the SYP conducted a complete review of the Ottawa shift system.³⁵ This involved site visits to each district, distribution of a previously piloted questionnaire to 811 uniformed staff working the Ottawa shift system, and visits to three other forces (Avon and Somerset Police, Greater Manchester Police, and West Midlands Police) working the Ottawa shift system or other similar alternative shift patterns. Of the 811 officers surveyed, 549 returned their forms, giving a response rate of 68 percent. The review of the Ottawa shift system revealed both positive and negative results.

Overlap Time

Sixty-nine percent of respondents felt that administrators effectively managed the overlap and changeover periods, while 74 percent thought that managers efficiently used the overlap time. Also, 89 percent of respondents thought



that for public disturbance cases, the Ottawa shift system matched police resources with demand for police services better than the British police regulation system.

Absenteeism, Morale, and Health

Statistics showed that when compared with districts working the regulation system, most districts using the Ottawa shift system had lower absenteeism from sickness and showed improving trends. According to 80 percent of respondents, their morale and health had improved while working the Ottawa shift system. The reviewers generally attributed this to the

reduced fatigue experienced by officers assigned to this shift system.

Supervision and Overtime

Some districts working the regulation system felt that they would need more supervisory staff in order to implement the Ottawa shift system. At the same time, those districts using the Ottawa shift system found that matching staff resources to demand accounted for considerable savings in overtime expenditures. For example, the reviewers estimated that the overlap time for staffing public disturbance patrols in one SYP district alone could result in annual overtime savings of £38,880, or over \$62,000.

Annualized Hours

Under the British system, annual leave and accounting for training hours normally are calculated on a day-for-day basis, not on the number of actual hours used. Therefore, when officers working the Ottawa system use a day of leave, those working 10-hour shifts gain 2 hours over their colleagues working the regulation 8-hour duty. While friction or unrest among officers has not occurred, many thought that this practice was unfair. Additionally, those working the Ottawa shift system have an extra 42 days of annual leave and can create long holidays by combining annual leave with the 6 days off after working the night shift. Many officers saw this as more than adequate entitlement for working a longer shift. While some commanders felt that these benefits were needed, they also thought that calculating annual leave in hours would improve

morale, ease staff shortages, and reduce overtime.

Choice of Shift System

Eighty-one percent of respondents had worked all three shift systems in operation at SYP. When asked to state a preference, 91 percent of the respondents chose the Ottawa shift system as their first choice, and 52 percent chose the regulation system without quick changeovers as their second choice. These findings support existing research on the unpopularity of quick-changeover shift systems.³⁶

Recommendations

The SYP review recommended that agencies maintain duty group strength (i.e., minimum staffing levels), even at the expense of other sections of police work; calculate annual leave and training in hours; establish a process for reviewing and evaluating shift patterns in comparison with demand; and incorporate time for structured training. The review also recommended that the SYP and the Avon and Somerset Police establish performance measures to monitor the effectiveness of shift patterns rather than rely on aggregated corporate statistics.³⁷

The review concluded that while the Ottawa shift system works better in some districts than others, it does have advantages over the regulation shift system. The review suggested that districts already working the Ottawa shift system incorporate the recommended improvements, while those districts wishing to introduce the system include in their pilot programs the review recommendations.

OTTAWA IN OTHER UK FORCES

Two other British police forces, Merseyside and Cheshire, have studied the effects of implementing the Ottawa shift system. Both have found advantages and disadvantages and point out the necessity of

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...the Ottawa shift system uses 5 duty groups working 3 shifts (a 10-hour day, a 10-hour evening, and an 8 1/2-hour night shift)....
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experimenting with different shift systems to find one that works for a specific police force. Moreover, the experiences of both forces demonstrate the need to establish performance measures to effectively evaluate shift systems.

Merseyside Police

Merseyside Police found that the Ottawa shift system largely failed to deliver the staffing flexibility and the decline in absenteeism that they expected.³⁸ The Avon and Somerset Police experienced similar failures.³⁹

After a 2-year study of the Ottawa shift system, the Merseyside review team concluded that more officers were on duty when they were not needed than when they were. The team also found that just as the SYP and Avon and Somerset Police had, the Merseyside Police

lacked established performance measures to monitor the effectiveness of shift patterns. Therefore, the inappropriate match between supply and demand and lack of adequate management information caused the review team to look at other shift systems. They identified five alternative shift systems, including one that met the requirements of the European Working Time Directive (a maximum 48-hour workweek with a maximum 8-hour night shift and minimum rest breaks applied between workdays). However, after assessing the systems, the force rejected all of them. The team then devised a new system based on the Ottawa shift system but with the night shift limited to a maximum of 4 nights followed by 3 rest days. The new system also provided adequate coverage at times of high demand for police services.

Officers, however, have not supported the new Merseyside shift system. Also, the local Police Federation has indicated that the Ottawa shift system could have worked with increased management support.⁴⁰ Merseyside personnel have criticized the new system on the grounds that the 3-day break, which begins after a night shift, is effectively a 2-day break.⁴¹ Additionally, the loss of the 6-day break, which officers approved of in the Ottawa system, could have a bad effect on morale and increase health problems.

Cheshire Police

Cheshire Police (a neighboring force to Merseyside) has taken a different view. The force has

implemented the Ottawa shift system (locally known as the "variable" shift system) despite the rural nature of the majority of Cheshire and the presumed unsuitability of the Ottawa system for rural policing. The chief constable felt that all officers in the force should share improvements in morale, health, and social welfare wherever possible. Also, the officers requested the Ottawa shift system after learning about it from their colleagues in the nearby town of Chester.

For 3 years, the Chester Police have used the Ottawa system, altering it to cover peaks and troughs in the demand for officers. The most important variation covered late-night alcohol-related violent crime. In Chester, nightclubs close at 2 a.m. The police, therefore, needed an overlap period that provided additional police resources until 3 a.m. They achieved this by starting and finishing the afternoon shift later on Thursdays, Fridays, and Saturdays.

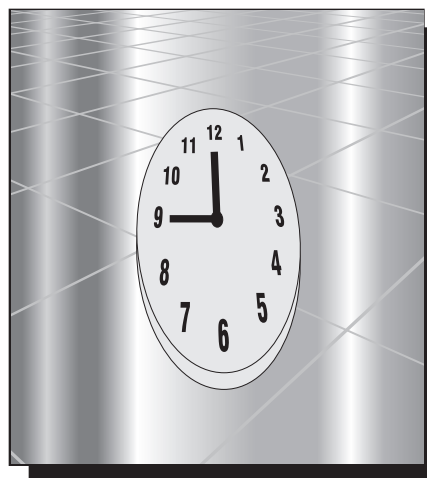
The Cheshire Police are using the Chester system as a blueprint for implementing their own Ottawa shift system. In addition, supporting office staff work a complementary shift system to assist in improving service to the public. This approach contrasts markedly with South Yorkshire Police, where such areas as communications use the regulation system, while patrol officers work under the Ottawa system.

CONCLUSION

The effective and efficient use of limited resources stands as one of the most difficult tasks that law enforcement administrators face. Balancing the demand for adequate

police presence with the human needs of their officers requires that managers find shift systems that can address both of these issues.

While British police administrators have expended considerable effort to examine the efficiency and effectiveness of the Ottawa shift system and others, they have found little conclusive evidence that one shift system is better than another. Without established performance indicators based on the objectives that managers wish to achieve, it remains difficult to assess the advantages and disadvantages of various shift systems. However, for



the present, the fact that officers like the Ottawa shift system, which has improved their morale and decreased their fatigue, and opportunities exist for matching supply to demand indicate that the Ottawa system appears to have advantages over other less flexible shift systems. Perhaps as more agencies use the Ottawa shift system and establish better evaluation methods, the system may prove a viable alternative to the rigid

day-, afternoon-, and night-shift rotation. To this end, the law enforcement community should encourage the examination of alternative shift systems not only to improve police services and the effective use of police resources but also to enhance officer health and well-being. ♦

Endnotes

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¹⁹ Supra note 18, Everley.

²⁰ Supra note 10.

²¹ Supra note 8.

²² Supra note 8.

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²⁵ Supra note 9.

²⁶ Supra note 18, Everley.

²⁷ Supra notes 7 and 9; and J. Adams, "Shift Patterns and the Body Clock," (Nottinghamshire, UK: Nottinghamshire Police, 1992, unpublished report).

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²⁹ P. Totterdell and L. Smith, "Ten-Hour Days and Eight-Hour Nights: Can the Ottawa Shift System Reduce the Problems of Shift Work?" *Work and Stress* 6 (1992): 139-152.

³⁰ R. B. Walker and C. Eisenberg, "The 12-Hour Fixed Shift: Measuring Satisfaction," *FBI Law Enforcement Bulletin*, August 1995, 18-20.

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Snap Shots

Police Officer Mannequin

One officer in the High Point, North Carolina, Police Department is a real "dummy." The department began using a mannequin, dressed as a police officer, to slow down drivers at intersections with high accident rates or on streets where many citizens speed. The dummy police officer has drawn complaints. Motorists have called the police department to report that the unfriendly officer will not wave back. Calls from motorists also have included reports that the officer might be either sleeping on duty or dead. According to Captain Debra Duncan, the dummy seems to work. Traffic officers even have seen motorists warn oncoming drivers by flashing their headlights at them.



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Drug Detection Dogs Legal Considerations

By MICHAEL J. BULZOMI, J.D.



During the past 20 years, the United States has been fighting one of the most difficult wars in its history: the war on drugs. One of law enforcement's most effective tools in this war has been the drug detection dog. Drug detection dogs have proven highly effective and reliable in detecting illegal narcotics. The Supreme Court and most lower courts have granted particular deference to the olfactory abilities of police drug detection dogs. This article addresses the legal aspects of canine sniffs for

controlled substances, including their use in determining probable cause for searches of vehicles, individuals, and premises.

THE COURT'S VIEW

In *United States v. Place*,¹ the Supreme Court ruled that the exposure of luggage located in a public place to a trained canine "did not constitute a search within the meaning of the Fourth Amendment." Place aroused the suspicions of DEA agents in the Miami International Airport. He was asked for and

gave his consent to have his luggage searched. However, fearing that Place would miss his plane and that the DEA would be liable for the cost of the ticket, the agents allowed Place to proceed on his flight without searching his luggage. The agents then telephoned other DEA agents at New York's LaGuardia Airport to pass on their suspicions concerning Place.

Upon his arrival in New York, Place was met by DEA agents who again asked for consent to search his luggage. This time, Place



Special Agent Bulzomi is a legal instructor at the FBI Academy.

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The use of drug detection dogs has met with few real legal challenges in the courts.

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refused to give consent. The agents detained Place's luggage and took it to Kennedy Airport, where a trained drug detection dog sniffed the luggage and "alerted" (indicated the detection of the odor of drugs). Based on the dog's alert, the agents continued to detain the luggage while they sought a search warrant authorizing the search of the luggage. A search warrant for Place's luggage was issued and executed, and a large quantity of drugs was discovered. Place was arrested and later convicted.

The Supreme Court reversed Place's conviction but not on the basis of the dog sniff. The Court ruled that the 90-minute presniff seizure of the luggage was too long to be reasonable. Nonetheless, the Court took great care to clarify that the dog's alert created sufficient reason for further detention of the luggage, as well as the requisite probable cause necessary for the issuance of a search warrant for drugs.

The Court explained that the dog's sniff is nonintrusive and reveals only the presence of contraband, an item for which a person does not have a reasonable expectation of privacy. Moreover, Place was not required to open his luggage and expose his personal items to public view, thereby avoiding the embarrassment and inconvenience entailed in a typical search.

PROBABLE CAUSE

In *United States v. Gonzalez-Acosta*,² the U.S. Court of Appeals for the Tenth Circuit refused to authorize extensive defense requests for a drug detection dog's training records, veterinary records, alert reports, and other miscellaneous documents. The court allowed the defense to review only limited training records, stating: "We do not believe the documents were relevant because the dog was certified on the day in question and because the dog properly alerted to the presence of contraband.... Indeed, had

the dog's records indicated it had false-alerted in the past, the defendant's ability to cross-examine would not have been enhanced because there is no doubt it correctly alerted in this instance."³

A dog's positive alert alone generally constitutes probable cause to search a vehicle under the motor vehicle exception to the search warrant requirement.⁴ However, courts still confront challenges to dog sniffs based on their reliability. Courts that have considered the question of canine reliability have relied heavily on the dog's certification.⁵ As the case above shows, the fact that the dog correctly alerted adds significantly to the dog's credibility in establishing probable cause.

TRAFFIC STOPS

In *United States v. Navarro*,⁶ a deputy stopped a sports utility vehicle for speeding. As the officer spoke with the driver, he became suspicious of drug activity. A backup officer teamed with a drug detection dog arrived. As the first officer talked to the driver, the canine handler positioned the dog to sniff the vehicle. The dog alerted on the driver's door. The deputies found five kilos of cocaine in a duffle bag on the front seat of the vehicle. The defendant later challenged the stop as pretextual because the detention that allowed for the arrival and use of a drug detection dog was unconstitutional.

The U.S. Court of Appeals for the Sixth Circuit did not agree with the defendant's claim that his constitutional rights had been violated. The officers in this case had

received a tip earlier in the day concerning Navarro's possible possession of contraband, and the likelihood that a sports utility vehicle might be used to transport the contraband.

Pretext Stops

The Supreme Court's ruling in *Whren v. United States*⁷ that pretextual traffic stops do not violate the Fourth Amendment creates an extremely productive opportunity for traffic stops to become sniff stops, as well. Drug detection dogs can be used on routine traffic patrol in high drug areas to sniff cars stopped for traffic violations.

In *Romo v. Champion*,⁸ the United States Court of Appeals for the Tenth Circuit ruled that "when the odor of narcotics escapes from the interior of a vehicle, society does not recognize a reasonable privacy interest in the public airspace containing the incriminating odor.... Where government officials have lawfully detained a vehicle, a dog's sniff is not a search within the meaning of the Fourth Amendment."⁹ As long as the vehicle is not detained beyond the time necessary to accomplish the purpose of the traffic stop, whether it be to issue a citation, wait for a computer check, or simply to give a warning, the exterior of the vehicle is available for a sniff. The *Romo* court held that if a vehicle is otherwise lawfully detained, consent is not required for a canine sniff, even absent any reasonable suspicion.

Scope of the Sniff

The scope of the sniff is limited to the outside of the vehicle. An officer "may not unlawfully enter

an area in order to conduct a dog search.... The warrantless search of a car interior is unlawful unless there is probable cause to believe that it contains contraband."¹⁰ In *Navarro*, the interior sniff of the vehicle was supported by probable cause, because the dog had alerted immediately outside the driver's side door, indicating narcotics inside the car.

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A dog's positive alert alone generally constitutes probable cause to search a vehicle....

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Detention of the vehicle beyond the brief time needed to issue a citation or warning requires reasonable suspicion of illegal activity.¹¹ Once drivers produce a valid license and proof that they are entitled to operate the car, they must be allowed to proceed on their way, without being subject to delay by police for further questioning.¹² "Any further detention for questioning, not for issuing a citation, is beyond the scope of the stop and, therefore, is illegal unless the officer has a reasonable suspicion of unlawful activity."¹³

If an officer's suspicions are aroused during the course of a traffic stop where a drug detection dog is not present and the officer can articulate reasonable suspicion of drug activity, the officer may detain

the vehicle for a reasonable length of time to allow for the arrival of a drug detection dog.¹⁴ It is recommended that if there is no reasonable suspicion to detain occupants in the vehicle, they should be permitted to leave and told how they can arrange to claim the vehicle later, if appropriate.

Consent Sniffs

When officers lack reasonable suspicion of drug activity to justify a detention, they may ask drivers for consent, either to search their vehicles or to call for a canine. Further investigation is allowed if the "encounter has turned from detention into a consensual encounter."¹⁵

Consent may be sought even if there appears to be sufficient reasonable suspicion to detain vehicles. Voluntary consent will alleviate any concerns as to the reasonableness of the detention because if drivers consent to the use of a dog, they presumably have consented to the necessary detention until the dog arrives.¹⁶ However, officers should remember that drivers may withdraw consent at any time.

Length of Detention

What length of a detention is constitutionally "reasonable" when officers decide to detain a vehicle for a sniff without seeking consent? Generally speaking, the court accepts brief detentions.¹⁷ More lengthy detentions require further justification.

For example, a delay of 50 minutes from the time of the stop to the arrival of the drug detection dog was reasonable in *State v. Welch*.¹⁸ The court noted that the stop occurred 31 miles away from the

nearest available canine. In *United States v. \$64,765.00*,¹⁹ the court determined that a 90-minute detention was supported by reasonable suspicion when the officer acted with due diligence to get the dog to the scene. An officer's diligence in getting a dog to the scene plays a major role in determining whether the length of the detention is reasonable.

DOG SNIFFS AND INDIVIDUALS

No recent line of cases directly involves the use of drug detection dogs on people in public places. Individuals have an extremely high expectation of personal privacy regarding their own bodies. The use of a dog to detect drugs directly on individuals not only may be considered an intrusion upon their privacy but an affront to their dignity, as well.

The Supreme Court ruled in *Pennsylvania v. Mimms*²⁰ that an officer, for safety reasons, has the authority to direct drivers to exit their vehicles during traffic stops. The Court extended this rule to include passengers in *Maryland v. Wilson*²¹. However, the authority to direct people from vehicles automatically does not allow these individuals to become the subject of a dog sniff. Officers at least should be able to articulate a reasonable suspicion of drug activity in regard to each individual that they subject to a dog sniff.

The U.S. Court of Appeals for the Tenth Circuit dealt with the question of vehicle and body searches in a case involving jail security. In *Romo v. Champion*,²² the court stated, "While the dog's sniff of plaintiffs' bodies was clearly

more intrusive than its sniff of the vehicle, it nevertheless was reasonable in light of all the relevant circumstances."²³ However, the plaintiffs' expectations of privacy in this case were reduced because they were visiting a correctional facility. The court reasoned that the requirement of reasonable suspicion to justify the search was not necessary due to the government's need to provide security and ensure that no

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As long as the vehicle is not detained beyond the time necessary to accomplish the purpose of the traffic stop...the exterior of the vehicle is available for a sniff.
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contraband entered the facility. The court also said that the physical contact between the dog and the groin area of one of the individuals sniffed was not enough to make the sniff unreasonable under the Fourth Amendment.

DOG SNIFFS AND PREMISES

One court has considered the legal implications in regard to dog sniffs of premises. The expectation of privacy in regard to premises is similar to that of individuals' expectations of privacy in their bodies.

In *United States v. Roby*,²⁴ the Eighth Circuit Court of Appeals allowed the use of a drug detection

dog to sniff a hallway of a motel where a suspected narcotics dealer was staying. The police walked the dog through a hallway where they suspected the dealer's room to be located. When the dog alerted on a door, a search warrant was issued for the motel room based on the dog's alert. Ten kilos of cocaine were discovered in the room and the defendant was convicted of possession with intent to distribute. He appealed, claiming his expectation of privacy in his room had been violated by the dog sniff. The court found that because no expectation of privacy exists in common areas, such as motel hallways, no search occurred.

The critical issue always has been whether individuals have a legitimate expectation of privacy in an area, including their own bodies. The Supreme Court has found that there can be no legitimate expectation of privacy in the odors emanating from an area. The legitimate expectation of privacy is measured in large part by whether the officer has a right to be at the place of observation, but the area of privacy can extend beyond the physical being and envelop a space surrounding them. To encroach on this space, an officer must have a legitimate reason that appears to be at least articulable reasonable suspicion of drug possession.

CONCLUSION

Drug detection dogs remain extremely important in drug interdiction. They represent a highly efficient and cost-effective way to establish quickly whether probable cause exists to execute a search for contraband. The use of drug

detection dogs has met with few real legal challenges in the courts. The only notable area that has been challenged is a dog's reliability.

Drug detection dog handlers should be prepared to establish a dog's reliability by providing prosecutors with the following:

- verification that the dog was trained to detect the odors for particular drugs;
- the dog's success rate;
- the method used to train the dog to indicate an alert;
- a statement showing that the dog alerted in the proper fashion;
- proof of the dog's certification; and
- proof that the dog has continued to meet certification requirements and receive necessary training on a regular basis.

Keeping and maintaining proper records pertaining to the dog and its handler is essential.

A search warrant should be sought whenever possible. This holds true even when a warrant would not be necessary, such as under the motor vehicle exception to the Fourth Amendment search warrant requirement. The advantage to having a warrant is that the magistrate's determination of probable cause is given more deference than the officer's. This leaves the defense with one less area to challenge. ♦

Endnotes

¹ *United States v. Place*, 462 U.S. 696 (1983).

² *United States v. Gonzalez-Acosta*, 989 F.2d 384 (10th Cir. 1993).

³ *Id.* at 389.

⁴ *United States v. Levine*, 80 F.3d 129, 133 (5th Cir.), *cert. denied*, 117 S. Ct. 83 (1996); *United States v. Williams*, 69 F.3d 27, 28 (5th Cir.) (citing controlling Fifth Circuit precedent recognizing that a dog alert constitutes probable cause), *cert. denied*, 116 S. Ct. 1284 (1996); *United States v. Glover*, 957 F.2d 1004, 1013 (2d Cir. 1992) (stating that an alert by a drug



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detection dog constituted probable cause for a search warrant); *United States v. Morales-Zamora*, 914 F.2d 200, 205 (10th Cir. 1990) ("We need not reach the issue of consent because probable cause to search was supplied when the dog alerted to the vehicles."); *United States v. Dovali-Avila*, 895 F.2d 206, 207 (5th Cir. 1990) (holding that a dog sniff is not a search at a border checkpoint).

⁵ *United States v. Delaney*, 52 F.3d 182, 188 (8th Cir. 1995); *United States v. Wood*, 915 F. Supp. 1126, 1135-36 (D. Kan. 1996); *Commonwealth v. Schickler*, 679 A.2d 1291 (Pa. Super. 1996); *State v. Gross*, 789 P.2d 317, 319 (Wash. App. 1990).

⁶ *United States v. Navarro*, 186 F.3d 701 (6th Cir. 1999).

⁷ *Whren v. United States*, 116 S. Ct. 1769 (1996).

⁸ *Romo v. Champion*, 46 F.3d 1013 (10th Cir. 1995), *cert. denied*, 116 S. Ct. 387 (1995).

⁹ *Id.* at 1018.

¹⁰ *United States v. Sukiz-Grado*, 22 F.3d 1006, 1009 (10th Cir. 1994).

¹¹ *United States v. Erwin*, 155 F.3d 818, 822 (6th Cir.1998) (en banc), *cert. denied*, 119 S. Ct. 906 (1996), *United States v. Walker*, 933 F.2d 812, 816 (10th Cir. 1991) (inquiry into matters unrelated to the traffic stop after the officer issued the citation and while the officer held the citation and the driver's license constituted unlawful detention), *cert. denied*, 502 U.S. 1093 (1992).

¹² *United States v. Pena*, 920 F.2d 1509, 1514 (10th Cir. 1990), *cert. denied*, 501 U.S. 1207 (1991).

¹³ *United States v. Dewitt*, 946 F.2d 1497, 1501 (10th Cir. 1991), *cert. denied*, 502 U.S. 1118 (1992).

¹⁴ *United States v. McFarley*, 991 F.2d 1188, 1193 (4th Cir.), *cert. denied*, 510 U.S. 949 (1993); *United States v. Hardy*, 855 F.2d 753, 761 (11th Cir.), *cert. denied*, 489 U.S. 1019 (1988).

¹⁵ *Dewitt*, 946 F.2d at 1502. The officer is not required to advise motorists that a traffic stop is over and that they are free to leave prior to requesting permission to search. *Ohio v. Robinette*, 117 S. Ct. 417 (1996).

¹⁶ *United States v. Chivara*, 9 F.3d 888, 890 n.1 (10th Cir. 1993).

¹⁷ *McFarley*, 991 F.2d at 1194 (38-minute wait reasonable); *United States v. \$67,765.00*, 786 F. Supp 906 (D.Oregon 1991)(30-minute detention typical).

¹⁸ *State v. Welch*, 873 P.2d 601, 605 (Wyo. 1994).

¹⁹ *United States v. \$64,765.00*, 786 F. Supp. 906, 912 (D. Or. 1991).

²⁰ *Pennsylvania v. Mims*, 434 U.S. 106 (1977).

²¹ *Maryland v. Wilson*, 117 S. Ct. 882 (1997).

²² *Romo v. Champion*, 46 F.3d 1013 (10th Cir. 1995).

²³ *Id.* at 1018.

²⁴ *United States v. Roby*, 120 F.3d 1120 (8th Cir. 1997).

Law enforcement officers of other than federal jurisdiction who are interested in this article should consult their legal advisors. Some police procedures ruled permissible under federal constitutional law are of questionable legality under state law or are not permitted at all.

FBI Law Enforcement Bulletin

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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.



Officer Weber

Animal Control Officer Robert Weber of the Warrensburg, Missouri, Police Department was in the vicinity of a traffic stop and drove by to check on the police officer handling the violation. The officer was in his patrol vehicle interviewing the suspect who suddenly produced a knife. A struggle ensued and the police officer was slashed in his throat, face, right hand, and wrist. The police officer exited the patrol vehicle and fired at and hit the suspect. The suspect, mortally wounded but still active, exited the patrol car with his knife and attempted to reenter his own vehicle. Officer Weber used the front of his truck to push the suspect to the ground. The suspect died at the scene. A search of the suspect's vehicle revealed a loaded revolver and two additional edged weapons. Without Officer Weber's assistance, the suspect may have accessed the loaded weapon in his vehicle. Officer Weber administered first aid to the police officer, who had received severe cuts, until rescue personnel arrived. Without Officer Weber's prompt intervention, his fellow officer might not have survived.



Officer Vick



Officer Reynolds

Because she had no family members living in the area, Officers Reynolds and Vick quickly acquired legal representation for her. They helped her get state assistance for her medical and living difficulties. Without the intervention of these community-oriented policing officers, the woman would not have survived for very long on her own.

Officers John Thomas Reynolds and Wesley Vick of the Pulaski Police Services, Pulaski, Tennessee, received a call that an elderly woman was in her home and unable to get out of bed. When the officers arrived, the heat inside the house was unbearable. The woman was begging for water, but she was so weak that the officers had to hold the glass for her to drink. She was unable to take care of herself or call for help.

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.

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Patch Call



The patch of the Utah Highway Patrol depicts a beehive. The beehive shoulder emblem was first worn in 1947, 100 years after the first Mormon pioneers arrived in Utah. The beehive represented industry, organization, and self-sufficiency to the Mormons.



The Shelburne, Vermont, Police Department patch was created in 1967. It depicts the covered bridge that graces the front of the Shelburne Museum, the town's outdoor museum that contains many restored buildings and collections of Americana. The bridge, originally from Cambridge, Vermont, was one of the first buildings restored by the museum.