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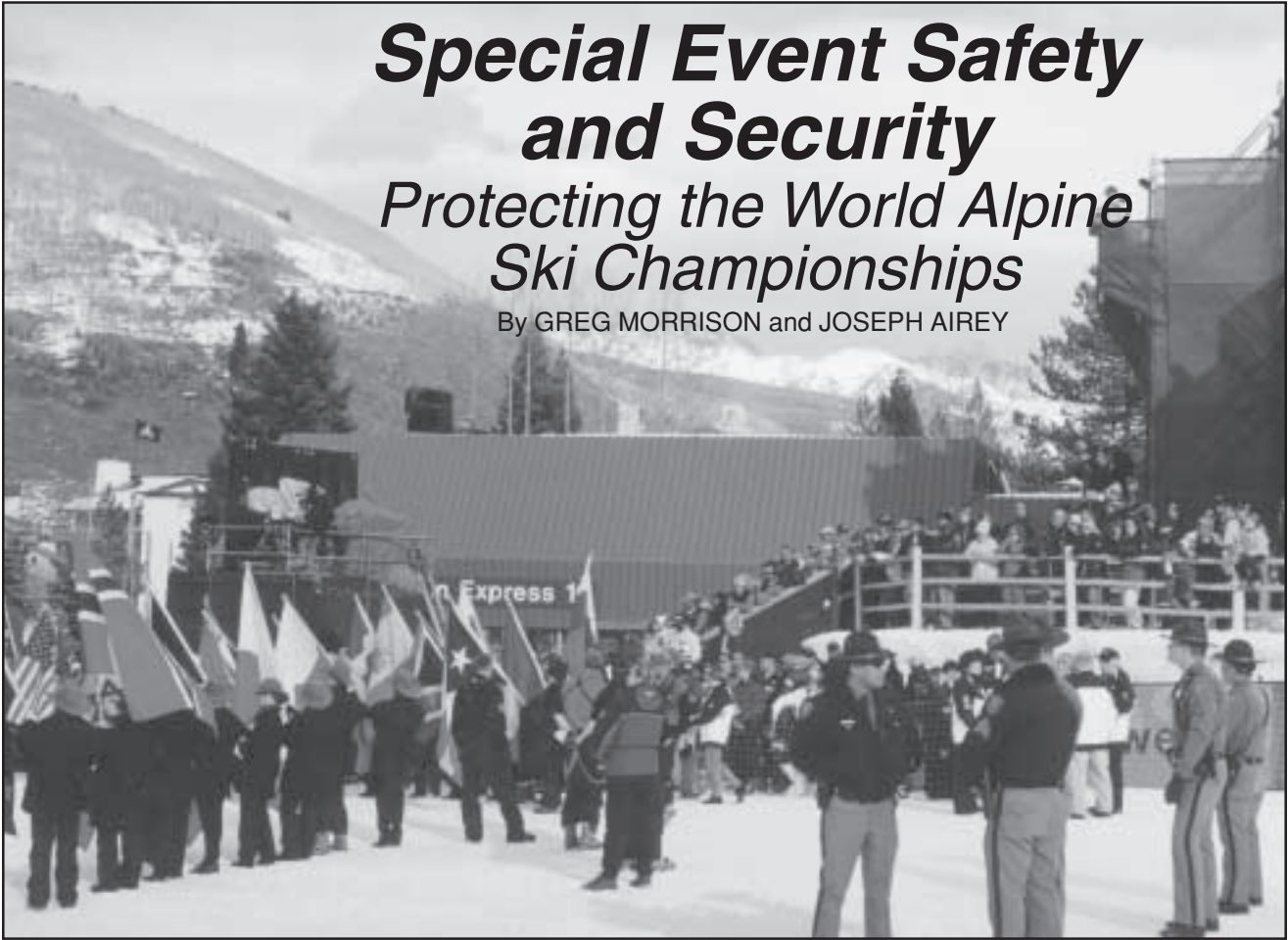
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# *Special Event Safety and Security*

## *Protecting the World Alpine Ski Championships*

By GREG MORRISON and JOSEPH AIREY



**M**any consider the alpine village of Vail, Colorado, as one of the world's premier ski resorts. Located in a scenic valley at an elevation of 8,150 feet, the nearby summit of Vail Mountain climbs to nearly 11,000 feet. Because of such natural amenities, Vail has become a popular location for many winter sport competitions.

During January and February 1999, Vail hosted the World Alpine Ski Championships (WASC), a winter sporting event second in scope only to the Winter Olympic games. Five hundred competitors

from the national ski teams of more than 60 countries participated. The opening ceremonies on the evening of January 30 culminated a 3-year security planning process that involved the participation of numerous federal, state, and local agencies. In addition, the 1999 WASC was one of the first events that the U.S. attorney general, under the Department of Defense provisions for support to civilian sporting events, certified.

Authorities predicated security planning for the 1999 WASC on the invitation of 90 national ski teams, many from countries involved in

ongoing internal and international political or civil turmoil. Officials anticipated attendance by 2,000 members of the international media and a worldwide television audience of more than 500 million people. Additionally, numerous dignitaries, heads of state, and international leaders of industry had expressed interest in attending. Security concerns became heightened by an October 19, 1998, arson attack on Vail Mountain. The Earth Liberation Front, a group known for its involvement in acts of "ecoterrorism," claimed responsibility for the attack, which caused in

excess of \$12 million in damage. No matter what the event, well-developed plans for maintaining security and for responding to a critical incident, should one arise, remain crucial for a successful outcome.

## ORGANIZATION

Soon after the 1999 championships were awarded to Vail, authorities established an organizing committee that appointed the Vail police chief as security chairman in December 1995. The chief created a security committee in early 1996 and assembled a multiagency task force, which included more than 30 federal, state, and local law enforcement, fire, health emergency management, military, and private security agencies. Because of the large geographic area involved and the overlapping jurisdictions, the committee appointed the western commander of the Colorado State Patrol and the Eagle County sheriff as joint vice chairmen. Due to the

international scope of the event, the FBI also became involved.

The initial organizational structure of the security committee consisted of a chairman, 2 joint vice chairmen, and 12 working groups: venue security, criminal justice, communications, command post, traffic/parking, special operations, fire/emergency services, training, community relations, intelligence, logistics/housing, and volunteers. After approximately 6 months of planning, it became apparent that this structure overlapped and often resulted in duplicative efforts by the working groups. The chairman and vice chairmen of the security committee met with representatives of the Colorado Office of Emergency Management who recommended improving the organizational structure by implementing the incident command system (ICS).

While the committee agreed on the use of ICS—which incorporates the functions of operations,

planning, logistics, and finance—the standard ICS structure did not fit the committee’s specific needs. Therefore, it developed a unified command structure, uniquely tailored for the needs of the WASC, and reorganized the working groups to fit the new structure. The goal was to efficiently plan and execute safety and security operations by using an ICS structure to coordinate the resources of numerous federal, state, and local response agencies. Due to the geographic setting of Vail Valley and the widely dispersed venue sites, the security committee defined its operational jurisdiction as being from the top of the Vail Pass to the Eagle County Airport, a distance of nearly 60 miles. Then, the committee implemented a unified command, consisting of high-ranking personnel from the Vail Police Department, the Eagle County Sheriff’s Office, the Colorado State Patrol, and the FBI.

Under the direction of the security committee’s chairman, the unified command cooperatively made all major decisions, both during the planning process and the actual management of the event. To maintain an efficient command structure during specific events, the unified command designated one of its members as an incident commander, based upon primary law enforcement jurisdiction. On occasion, several different events at separate locations occurred simultaneously. Therefore, the unified command assigned venue supervisors, who reported to the incident commander at the command post, to oversee individual events.



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## CERTIFICATION

Hosting a major winter sporting event was not new to Vail officials. In fact, Vail is the only city in the world to host the World Alpine Ski Championships a second time, the first having been in 1989. Based on this previous experience, the security committee knew that providing for the safety and security of an event of this scope and duration would overwhelm locally available resources. During the 1989 championships, the U.S. Department of Defense (DOD), in response to direct requests from the organizing committee and local law enforcement officials, had provided logistical and emergency response support. By 1996, the National Defense Authorization Act required that similar support and assistance only could be attained for essential safety and security functions following a certification process requiring the concurrence of the U.S. attorney general.

The certification process, established by Title 10 U.S. Code, Section 2564 (a), requires that officials responsible for providing law enforcement and safety services to civilian sporting events submit written requests for specific categories of DOD support to the U.S. Department of Justice (DOJ). In compliance with DOJ procedures, the security committee chairman submitted a written request to the FBI Denver office in February 1998. The categories deemed necessary for support and not available locally included communications, explosive ordnance disposal, transportation/air support, physical security, operations center,

linguistics, temporary facilities, and training. During the precertification process, the security committee chairman and the FBI worked closely with DOD representatives to ensure that the categories were supportable and the requested resources were not otherwise available. In several of the categories, joint responsibility was proposed between FBI and DOD resources.

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**To evaluate the overall safety and security plan, authorities held a large-scale practice exercise....**  
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The FBI Denver office forwarded the finalized request, with a letter of concurrence, to the Special Events Management Unit (SEMU) at FBI headquarters. SEMU coordinated the approval process with senior officials of DOD and DOJ. The attorney general approved the request in October 1998.

## COMMAND POST

The size, complexity, and number of personnel involved in security for the WASC created the need for a state-of-the-art command post. The unified command determined that the Vail Police Department was the optimal site due to its central location and close proximity to the majority of the events. Based on the certification of the WASC, DOD designed and equipped a command

post with modular furniture, telephone communications, computer and radio networks, remote video equipment, and large-format video displays. The unified command developed a layout of command post personnel positioning and designed an exercise to evaluate the structure.

Shortly after the start of the command post exercise, it became obvious that the number and physical location of participants created an atmosphere of chaos. The unified command suspended the exercise and revised the number of personnel and their physical locations to facilitate communication among key personnel and to reduce background noise. The new structure proved a success, both for the remainder of the exercise and during the WASC.

## TABLETOP EXERCISE

To evaluate the overall safety and security plan, authorities held a large-scale practice exercise in Vail on September 17, 1998. Participation included federal, state, and local agencies, as well as representatives from the military, private security, and volunteers. Presented as a “no-fault” event by the Colorado Office of Emergency Management, the exercise was designed to evaluate issues, such as interagency notification and coordination, command and control, and communications. Participants learned a great deal and, most important, developed liaisons. Because of the tabletop exercise, the unified command implemented changes that strengthened the incident command structure.





## THE EVENT

On January 30, 1999, after 3 years of preparation, planning, and training, the opening ceremonies for the WASC began. From the start, a constant flow of issues needed to be addressed, ranging from missing children to unattended or suspicious packages. The extensive planning and practice exercises paid off as the established security apparatus handled these incidents effectively and efficiently. However, the command post remained very busy responding to a wide variety of safety and security issues, including unattended packages, a mercury scare, weather and traffic problems, and private and volunteer security concerns.

### Unattended Packages

As part of the security plan for the WASC, prestaged teams from the FBI; Bureau of Alcohol, Tobacco and Firearms; and DOD Explosive Ordnance Disposal stayed busy responding to numerous reports of unattended or suspicious boxes, bags, and backpacks. Prior to

the opening ceremonies, the security committee conducted a number of classes on handling such matters with all of the emergency responders, private security personnel, and volunteers who quickly notified the command post of anything unusual during the WASC.

### Mercury Scare

During the first few days of the WASC, numerous mercury switches began disappearing out of local condominiums. Shortly thereafter, a Vail official remarked that he had heard a rumor that the water supply had been contaminated with mercury. Authorities conducted a threat evaluation and determined that the amount of missing mercury, if concentrated in a local water supply tank, could pose a health risk. The command post quickly arranged for all of the local water supplies to be sampled and analyzed. The resulting tests proved negative. Although officials anticipated press inquiries regarding the rumor, the matter faded without further media attention.

## Weather and Traffic

The geographic nature of Vail Valley allows for some of the best skiing in the world. It also creates limited road access and dramatic changes in weather. During the WASC, as many as 50,000 spectators were on hand at any given time, and several heavy snows, combined with already limited parking, kept the command post busy. The inclusion of public works in the command post, however, made it possible to rapidly assess problem areas and take steps to redirect traffic flow. Helicopter support from the FBI and DOD allowed law enforcement personnel to view problem areas from the air, while prepositioned electronic traffic signs quickly were programmed to provide routing information. This combined effort helped to keep such issues at a manageable level.

## Private and Volunteer Security

Despite months of planning, preparation, and training, the volunteer and private security functions quickly became overwhelmed. This was due, in part, to the large number of spectators and competitors who seemed to ignore their directions. The planning section in the command post organized a schedule of uniformed officers drawn from the Colorado State Patrol and surrounding municipal police forces to provide a more visible presence at key security points. While the local editorial pages reported some grumbling about the increased police presence, the security problems abated. In fact, many visitors requested photographs with the Colorado State Patrol troopers.

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## CONCLUSION

Through extensive planning, strong leadership, and exceptional interagency cooperation, the 1999 World Alpine Ski Championships in Vail, Colorado, took place in a secure, yet enjoyable, venue. The relationships built during this event continue to produce benefits for the community. Many of those involved in the planning and execution of the safety and security plan also participated in the planning for

the 2001 World Mountain Bike Championships in Vail and the 2002 Winter Olympics in Salt Lake City, Utah.

With the events of September 11, 2001, the need for such cooperative efforts becomes of even greater importance. All public safety agencies should realize that they must make concerted efforts to provide safe and secure environments for all types of special events, now more than ever. The American public, as

well as individuals from other countries, recognize the dangers of attending such events, but also know that to avoid them plays into the hands of those who wish to destroy a free society. The public safety community must unite to ensure that they can protect all law-abiding individuals who attend special events, regardless of the content or purpose, and to prove to those wishing to cause panic and alarm that their attempts will fail. ♦

## Crime Data

### *National Crime Victimization Survey*

According to the U.S. Department of Justice's National Crime Victimization Survey, Americans experienced about 1 million fewer violent crimes in 2000 than they did in 1999. The Bureau of Justice Statistics (BJS), which conducts the survey, noted that the violent and property crime victimization rates were at their lowest since the survey began in 1973. The 2000 victimization level continues a downward trend in the number of violent victimizations that began in 1994.

Almost every demographic group identified in the survey—including males, females, whites, blacks, Hispanics, non-Hispanics, and 12-to14-year-olds—experienced less violent crime in 2000 than they did during 1999. The largest rate decreases between 1993 and 2000 were for Hispanics (down an average 5.7 percent per year) and males (down an average annual 4.6 percent). Western and Midwestern residents were violence victims at rates that were higher than for Northeastern and Southern residents.

Most violent crime victims (67 percent) did not face an armed offender during 2000. Rape and sexual assault victims were the least likely to be threatened or harmed by an armed offender (6 percent), while criminals used a weapon in 55 percent of the robberies, including 26 percent with a firearm, 14 percent with a knife, and 13 percent with another type of weapon. In 3 percent of the victimization incidents, the type of weapon was not ascertained.

Forty-eight percent of the violent victimizations and 36 percent of the property crimes were reported to law enforcement. Historically, victims most commonly do not report crime because they feel the offense was a private or personal matter or the offender was unsuccessful or the stolen property was recovered.

The report, *Criminal Victimization 2000, Changes 1993-2000* (NCJ 187007), by BJS statistician Callie Marie Rennison, may be obtained from the BJS clearinghouse at 1-800-732-3277 or from the BJS Web site at <http://www.ojp.usdoj.gov/bjs>.

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### ***Deadly Force A 20-Year Study of Fatal Encounters***

By Larry C. Brubaker, M.S.

**A**round 9:45 p.m. on a late August evening, neighbors in a small rural Minnesota town called police to report that a 42-year-old former patient of a mental facility who lived with his 75-year-old father was indiscriminately firing shots. Attempts to negotiate with him to come out of the house lasted over 3 hours. The father eventually exited the residence and told officers that he would go back in and get his son. As a deputy rushed forward to escort the father to safety, the son turned on a doorway light and suddenly appeared. He shot the deputy twice with a .357-caliber revolver from a distance of 1 to 2 feet. Two officers returned fire, killing the man at the scene. Although wearing body armor, the deputy died later from one round that struck him below the vest.

This actual incident illustrates two events that law enforcement officers never want to experience—attending the funeral of a fellow officer and taking the life of a person while acting in their official capacity. While losing a fellow officer is a heartrending tragedy, causing the death of someone often has equally

devastating consequences. When a shooting results in the death of a citizen, emotions erupt from the community, media, the victim's family, and the law enforcement profession. People take sides, and everyone seems to have an opinion. While officers have the responsibility to protect members of society and swear an oath to carry out their duties, occasionally, they must resort to the use of deadly force when circumstances call for it. At that time, often within a split second, officers must draw upon their experience and training, in many different disciplines, to make the right choice. That quick decision may result in years of criminal or civil legal proceedings and forever alter the officers who found it necessary to use deadly force.

#### **METHODOLOGY**

During the 20-year period of 1981-2000, the state of Minnesota experienced 78 incidents where officers, while acting in their official capacity, used deadly force that resulted in the deaths of 80 citizens. The author personally interviewed many of the officers in

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those incidents to obtain their rank, experience, caliber of firearm, and firearm training requirements, along with the type of weapon used by the offender and the impact of the investigation following the incident. The author also reviewed investigative files and photographs, as well as media reports, to determine—

- the feelings and needs of the officers involved in such acts;
- the conditions, such as time of day or officer assignment, that increase the possibility of the need to use deadly force;
- better methods to prepare officers through training for such an event; and
- the relationship between the assignment, experience, training, age, and sex of the officers involved in such incidents.

### Officer Composition

The study was restricted to peace officers in Minnesota. In 2000, Minnesota had 8,949 sworn officers: 8,125 males and 824 females.<sup>1</sup> Information in the study related to the small population of 148 officers (six officers were involved in two separate shootings) who fired weapons during those 20 years at 80 individuals who subsequently died.

### Term Definitions

For purposes of the study, *deadly force* relates to the force that an actor uses with the purpose of causing, or that the actor should reasonably know creates a substantial risk of causing, death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.<sup>2</sup> *Peace officer* describes an employee or elected or appointed official of a political subdivision or law enforcement agency who is licensed by the board and charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state who has the full powers of arrest, including the Minnesota State Police, agents of the

Division of Alcohol and Gambling Enforcement, state conservation officers, metropolitan transit police officers, and the Department of Corrections' Fugitive Apprehension Unit officers.<sup>3</sup> *Great bodily harm* denotes bodily injury that creates a high probability of death or causes serious permanent disfigurement, a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm.<sup>4</sup> *Reasonable* refers to any action that is fair, proper, just, moderate, or suitable under the circumstances.<sup>5</sup> *Firearm* means a weapon, especially a pistol or rifle, capable of firing a projectile and using an explosive as a propellant.<sup>6</sup>

### OVERVIEW OF OFFICERS INVOLVED

The research determined that 140 male officers and 8 female officers fired weapons during incidents that resulted in the deaths of 80 individuals. Three

officers were off duty, but in uniform, when the incidents occurred. One female officer and one male officer were providing security at private business establishments. The third off-duty officer, a male, was in his personal vehicle when an individual ran past shooting at other people. The shooter turned his weapon toward the officer, who immediately shot and killed the suspect.

One hundred thirty-seven of the officers involved were Caucasians, five were African-American,

two American Indians, two Asians, and two Hispanics. The average age was 34 years and 11 months. The oldest officer was 59, and two at age 23 were the youngest. The age of 28 was the most frequent, with 15 officers at that age, followed by 14 officers at age 33.

### Level of Experience

The experience level of the officers proved significant. Most of the officers were not "rookies." The average experience at the time of the event was just under 10 years, including law enforcement experience in other states or in the military police. However, one officer had only 5 days on the job,

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**Uniform patrol represented the overwhelming type of assignment of the officers.**

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while another had only 4 months, but had been a community service officer with the same agency for 3 years. Two officers, with 30 years each, had the most experience.

### **Type of Assignment**

Uniform patrol represented the overwhelming type of assignment of the officers. However, a variety of other assignments also occurred. Four officers were assigned to a moving surveillance of convenience stores when a robbery occurred. A high-speed chase resulted, and all of the officers fired their weapons. One perpetrator was killed, and the other was wounded. While serving civil papers at a financial institution, another officer encountered an armed individual on parole for bank robbery. One officer purported to be a pizza deliveryman in an attempt to gain access for a search warrant to a residence where narcotics were sold. When the “doorman” at the residence displayed a weapon, the officer shot and killed him. An officer involved in a decoy role accidentally fired his weapon during an arrest of a man who had committed a felony. In another incident, a detective was eating lunch when a citizen came running into the restaurant and announced a robbery at a nearby bank. The robber shot at the officer who returned fire, killing the subject. Another bank robber led officers on a long, high-speed chase. Throughout the chase and subsequent encounter, six officers from four different agencies fired at the robber.

Only one tactical team was involved in a fatal shooting from 1981-1990. During the last 10-year period, tactical teams were involved in seven shootings. Two of these were regional-type teams that responded to specific incidents.

### **Agency Breakdown**

Of those involved in fatal shootings, police departments employed 122 of the officers, whereas 22 were sheriff deputies. Three Minnesota State

Patrol officers and one officer from the Department of Natural Resources fired their weapons. One hundred eighteen of the officers involved came from the 7-county Minneapolis/St. Paul metropolitan area. Larger organizations, specifically the Minneapolis and St. Paul Police Departments, had a higher frequency of shootings. Just over one-half, 79 officers, were with departments employing more than 100 officers.

### **Weapons Used**

During the years covered by the study, Minnesota peace officers routinely used three types of weapons in the performance of their duties—a revolver, a semiautomatic handgun, and a shoulder-type weapon. The standard weapon into the mid-1980s was the .38- or .357-caliber revolver. Later, the semiautomatic handgun gained popularity and now constitutes the issued weapon for almost all departments. Initially, the 9-millimeter was the most common; however, more recently, some departments have begun using .40- and .45-caliber handguns. The typical shoulder weapon, a .12-gauge shotgun loaded with 00 buckshot, was employed in all except one shotgun shooting, where rifle ammunition was used in the shotgun. Additionally, tactical teams used 9-millimeter shoulder-type weapons. However, one officer on a tactical team used a .308-caliber sniper rifle to shoot a person wanted for an armed robbery after a prolonged barricade incident, and a deputy fired a .223-caliber rifle during another shooting. Three officers changed weapons during incidents. In two situations, officers had difficulty ejecting spent rounds from shotguns and changed weapons. The third officer changed weapons after firing all of the rounds from his shotgun.

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...the majority of officers commented that they were not prepared for the psychological impact upon themselves, their families, and their departments...  
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### **Extent of Firearms Training**

Familiarity with the weapon did not appear to pose a problem with any shooting. Only the two

## Suicide by Cop

**W**hile determining some suicide-by-cop situations remains difficult, these two incidents from the study demonstrate how two individuals created confrontations with police officers to bring about their own demise.

On a hot July day, police located a 49-year-old fugitive driving his vehicle. Accompanied by his 14-year-old son, the fugitive started a chase and shot at the officers. He fled to a large warehouse where his wife worked. Police evacuated 120 employees from the building; however, the man kept his son as a hostage for 10 hours before releasing him. The boy had his father's hat, glasses, wallet, and—unknown to police at the time—a farewell letter. SWAT teams entered the building after hearing one shot. After a long search, they located the man lying on his back with his weapon, a .44-caliber revolver, in his hand resting on his chest. SWAT members yelled at the man to surrender, but received no response. Suddenly, he sat up and turned the weapon toward the officers. Five of

six officers responded by shooting and killing the man. The man's weapon was empty; he had fired all of the cartridges.

A woman entered a 24-hour convenience store/gas station at 3 a.m. in mid-October. She announced a robbery to the store attendant and claimed to have a gun in a crumpled brown paper bag that she pointed toward him. Because the outline of the bag resembled a handgun, he gave her the money that she demanded. She told him to call the police and then waited to hear him report the robbery before she left the scene. Officers responded and located her a short distance away. They repeatedly asked her to drop the bag that she was pointing at them and show them her hands. She screamed words to the effect "you want to see the gun, I'll show you the gun." She charged toward an officer using a metal garbage dumpster for cover. Two officers fired, killing the 35-year-old woman who once had been a reserve officer. The brown paper bag contained a hairbrush.

incidents involving a shotgun revealed a problem with the weapon not functioning properly. That problem entailed ejecting the spent shell and appeared related to the stress of the incident. Two accidental discharges of weapons resulted in death. One involved a shotgun used in a decoy type of assignment, and the other occurred when the officer slipped on a wet running board climbing into a stolen truck.

Most agencies were very prudent with firearms training. Over one-half of the officers interviewed had trained with their weapons within 2 months of the shootings. One officer had trained approximately 36 hours before the event, while another officer had not fired his weapon for over a year. Most agencies required their officers to qualify with their weapons quarterly, whereas a few agencies stipulated that their officers shoot every 2 months. Also, most departments had some form of decision-based, or "shoot/don't shoot," training.

## Number of Officer Casualties

One officer lost his life during the incident described at the beginning of this article. In addition, one officer fatally shot an individual who had killed an officer from a nearby jurisdiction approximately 2 hours earlier during a traffic stop.

Six officers involved in shootings were physically injured. One officer had glass and lead fragments hit him, and another had minor glass cuts. Only one of these officers required medical attention at a hospital. An officer from the Minneapolis Police Department suffered a serious physical injury when he was stabbed twice in the neck from behind before shooting his assailant. He recovered and later returned to duty. Assailants who later were killed injured three St. Paul officers. On one occasion, the assailant wrestled an officer's weapon away from him and shot one officer in the foot and another officer, wearing a ballistic vest, in the chest. The officer shot in the chest

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grabbed the cylinder of the revolver so it could not turn. The officer who had lost the weapon regained possession at that point and fatally shot the offender. A man shot another St. Paul officer in the hand and chest with a .45-caliber handgun. The officer managed to return six shots that killed the individual. An innocent bystander standing behind the officer was hit in the leg by one shot from the assailant. All of the injured St. Paul officers recovered and returned to work.

### CONDITIONS AT THE SCENE

Research showed that several factors influenced conditions at the scene of the shootings. These included the demographics of the individuals slain and the weapons they brandished, the number of officers involved, and the dates and times that the shootings occurred.

#### Demographics of Individuals Slain

Officers shot 50 Caucasian and 18 African-American individuals. The remaining 12 consisted of 5 Native Americans, 5 Asians, 1 Cuban, and 1 Iranian. The average age of those killed was 32 years and 8 months. Two individuals at 13 years of age (the same incident) were the youngest, and the two oldest were 65 years old.

#### Weapons Brandished

Officers faced a variety of weapons. Forty-two suspects confronted officers with firearms—34 used handguns and 8 employed shoulder-type weapons. Twenty suspects wielded knives or edged weapons, and four utilized vehicles as weapons. In addition, two officers shot two suspects accidentally. A most significant part of the research revealed that, because some of the shootings took place in poorly lighted areas, 21 officers shot 12 suspects who appeared armed with deadly devices, such as handguns, knives, or other lethal weapons.

This last category raises important questions that the criminal justice community must consider. Can

officers afford to wait for suspects who appear armed when in actuality they are wielding a nonlethal replica weapon, pellet gun, starter's pistol, or paint gun? Can officers, who have to react in a split second, wait for individuals charging them with a knife, screwdriver, pry bar, or other type of instrument that appears to them as a lethal weapon? What should officers do when a person drives a vehicle, a very large and dangerous weapon, at them? How can officers know the mental state or purposeful intentions of the driver? Further research into these deadly situations must be conducted to discover ways to help officers who find themselves in these circumstances.

Conversely, examples of incidents where individuals were armed with more than one weapon or showed considerable intent to harm the officers involved included one suspect who pointed a shotgun at officers and was shot, but then pulled a handgun. Two individuals, one in rural Minnesota and one during a metropolitan area bank robbery, used .223-caliber rifles to begin shooting at officers and then changed to 9-millimeter handguns. Two individuals were shot when they attempted to obtain officers'

service weapons. One succeeded and shot two officers; however, the weapon was retrieved and used to fatally shoot the person. Another took an officer's handgun, but was shot by that officer, using his shotgun, and aided by two other officers. These situations illustrate the need for officers to remain vigilant in the performance of their duties to ensure the safety of the citizens they serve and themselves as well.

#### Number of Officers

The number of officers at the shooting scene varied somewhat; however, just over one-half of the incidents (40 of the 78) had only one officer firing a weapon. Two separate events occurred where only one officer shot a weapon and two individuals died. Twenty-two situations involved two officers firing their weapons; seven incidents had three officers; and

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**Familiarity with the weapon did not appear to pose a problem with any shooting.**

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five had four officers. Two incidents involved five officers, and the remaining two had six officers firing their weapons.

### Dates and Times

The day of the week with the most shootings represented an interesting finding. Wednesday had the most shootings with 24. Saturday, Sunday, and Monday each had 10 shootings. One officer commented that he believed that Wednesday was high because most burglars and armed robbers commit their deeds during the week and usually at night. Most know that weekends have more officers on duty for the heavier number of calls into neighborhoods for parties and domestic disputes. Burglars and robbers do not want officers accidentally coming across them during their illegal activity. Wednesday also represented the day of the week with the second highest number of officers killed due to criminal action (108) for the 10-year period, 1990-1999. Friday was first with only two more officers (110) killed.<sup>7</sup>

The time of day, however, proved unsurprising. Twenty-six of the shootings, just under one-third, occurred during the 4-hour period from midnight to 4 a.m. With the addition of the 4 hours before midnight, over one-half of the shootings occurred during that 8-hour time period. This also was consistent with the time of day when most felonious line-of-duty officer deaths occurred.<sup>8</sup>

### POSTSHOOTING ANALYSIS

Of course, every case was classified as a homicide and investigated thoroughly. Usually, the larger departments, such as those in Minneapolis and Saint Paul, had their respective homicide units investigate the shootings. In 1999, the Minnesota Bureau of Criminal Apprehension (BCA), the investigative branch of the Minnesota attorney general, investigated two shootings by the Minneapolis Police Department (MPD). The Hennepin County Sheriff's

Department investigated two shootings by MPD in the city of Minneapolis in 2000. One MPD shooting in 2000 occurred in Saint Paul, and the Saint Paul Police Department's Homicide Unit investigated that case. Smaller police departments typically had the BCA and the residing county sheriff conduct the shooting investigation. Sheriff's departments had the BCA investigate. When requested, the FBI conducted a separate investigation to determine whether a civil rights violation occurred. Additionally, every case in the 7-county metropolitan area went to a grand jury

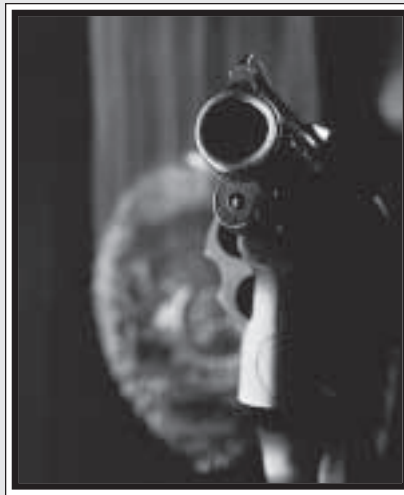
proceeding, with no charges being brought against any officer. Many prosecuting attorneys in counties outside the metropolitan area routinely decline prosecution without grand jury participation. Some families of deceased individuals received civil awards. Three cases went to trial with no money being awarded.

### Officer Reaction

Most officers felt that they were well prepared tactically for the shooting. By contrast, the majority of officers commented that they were not prepared for the psychological impact upon themselves, their families, and

their departments after the event. Most officers believed that fellow officers supported them after the shootings; however, some were upset at the administrators of their departments. Those few officers thought that the administrators were worried more about the image of their departments than the well-being of their officers. Some officers described "flashbacks" on occasions where they responded to a similar situation or when they drove past the location where the incident occurred.

One officer stated that he was very satisfied with his agency. He was given a different weapon, completed his interview with representation, donated mandatory blood samples, received explanations of administrative procedures, and had his fiancé brought to the office—all within 2 hours of the incident. Officers from other jurisdictions in the same shooting



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told him later that it took their agencies most of the day to sort out everything. It was a complete opposite and negative event for them.

Six of the officers were in two different fatal shootings. One officer was in his second shooting 16 years after the first one. One officer was at a different agency 5 years after the first shooting. During the second event, he and another officer fired simultaneously at a man who had just killed his mother and stabbed his father. One of the officers in a shooting death in the 1980s recently commented, “I’d quit [law enforcement] if I had another fatal shooting.”

Other than through retirement, seven of the officers left the law enforcement profession. One officer began a new career in a field that he had worked in part time prior to the shooting. Two officers had to leave as existing medical conditions became worse and made them unable to continue in law enforcement. Another officer left a department in a dispute over a separate matter. Four officers (three males and one female) quit as a direct result of the shooting incident. Two of the four continued working for a period of time before leaving their agency. In addition to these seven officers, one officer later died of a heart attack while on duty.

### **Suicide by Cop**

The exact number of deaths through suicide by cop, or officer-precipitated suicide, proved somewhat difficult to determine. Some were rather obvious—the person who had given his son a suicide note when he released him and had no live rounds in his weapon. Others, however, remained enigmatic as to whether they fit the characteristics of suicide by cop. One individual was walking down the street listening to music with headphones. He had a weapon in his hand. Witnesses called the police, and two officers confronted him. Witnesses over a block away could hear the officers yelling at him to “put the gun down.” The individual walked toward a young boy and pointed the weapon at him. Officers shot and killed him.

Although the weapon was an authentic-looking replica, the subsequent investigation could not determine if this was an officer-precipitated suicide. It also remained difficult to determine the motivation of someone under the influence of alcohol or other drugs who charged an officer with a knife or club when the officer was pointing a firearm at the attacking person. Overall, the study revealed that 17 of the 80 shootings reviewed possibly were suicide-by-cop incidents.

### **RECOMMENDATIONS**

The author discovered several significant issues relating to the use of deadly force as a result of the study. Through personal interviews with officers involved in such situations, he established four recommendations.

First, an agency other than the department of those officers firing their weapons should investigate the fatal shootings. A large metropolitan department should have the county sheriff, state investigative agency, or another nearby large department that routinely investigates homicides conduct the investigation. This is not a reflection of competency or integrity of

the officer’s department, but, rather, an attempt to eliminate any question of partiality or cover-up.

Second, firearms training should include more low-light and artificial-light shooting. The officers interviewed also indicated that training scenarios of actual deadly force situations are more believable and beneficial. The use of wax or paint bullets in these scenarios allows officers to determine the effectiveness of cover and accuracy of shots fired. While computer-generated videos are excellent, a person provides a life-size target and is more realistic. This training also should include all types of weather extremes as most agencies do not train when it is raining or snowing.

Next, all officers involved in a shooting death should have one mandatory consultation with a professional counselor. Many officers expressed concern that if they asked for counseling, the word would spread among their departments that they

“  
**Research showed that several factors influenced conditions at the scene of the shootings.**  
”

### Number of Officers at Shooting Scene

Number of Officers Involved in Each Incident	Number of Incidents	Number of Fatalities in Each Incident
6	2	2
5	2	2
4	5	5
3	7	7
2	22	22
1*	40	42
Totals	78	80

*\*Two separate events occurred where only one officer fired a weapon and two individuals died.*

were having “problems.” The need for counseling apparently is viewed by many officers as “not being strong” or not acting “like an officer should act.” Fortunately, this belief is changing. Agencies should not only provide officers with this service at no cost but also any of their family members requesting to attend.

Finally, the use of nonlethal weapons during some situations needs to increase. The development of such weapons has advanced in recent years.<sup>9</sup> Training and the use of such weapons should expand, especially in situations where officers confront individuals armed with weapons, such as knives or clubs, that these subjects could use in close proximity to the officers.

### CONCLUSION

The use of deadly force remains an issue of great concern for the law enforcement community. This study of Minnesota peace officers offers a variety of interesting findings, some surprising and some expected. All may contribute to reducing these tragic events.

The study showed that officers in large metropolitan areas were involved in approximately 75 percent of the shooting incidents. Over two-thirds of the shootings took place outdoors. Most shootings occurred between the hours of 8 p.m. and 4 a.m., and the majority happened on a Wednesday. Having more than one officer present did not appear to deter offenders from continuing their actions. The type of weapon displayed by officers did not seem to

discourage the suspects. Officers with a shoulder weapon did not have a greater effect making the person stop than those with a handgun. Officers overwhelmingly felt prepared tactically for the shooting, believing that their training with a firearm was very adequate. However, the psychological trauma following the shooting appeared the most devastating. One officer summed it up best when he said, “All officers should have training and knowledge concerning the postshooting experience. All officers need to know that when you pull that trigger, your department and family also are pulling it.” ♦

### Endnotes

<sup>1</sup> Statistics obtained from the state of Minnesota POST (Police Officer Standards and Training) in St. Paul.

<sup>2</sup> Minnesota Statute Annotated (M.S.A.) § 609.066, subd. 1, 2000.

<sup>3</sup> M.S.A. § 626.84, subd. 1 (c) (1), 2000.

<sup>4</sup> M.S.A. § 609.02, subd. 8, 2000.

<sup>5</sup> *Black’s Law Dictionary*, 5th ed., (1985), s.v. “reasonable.”

<sup>6</sup> *The American College Dictionary* (1997), s.v. “firearm.”

<sup>7</sup> U.S. Department of Justice, Federal Bureau of Investigation, *Law Enforcement Officers Killed and Assaulted, 1999* (Washington, DC, 2000), 20.

<sup>8</sup> *Ibid.*, 19.

<sup>9</sup> For additional information, see Ed Nowicki, “Lethal Force Options,” *Law and Order*, September 2001, 18-20; Sid Heal, “An Evaluation of Less-Lethal Munitions,” *Law and Order*, September 2001, 88-93; and “IACP’s Less Lethal Force Options Course,” *Law and Order*, September 2001, 95-99.

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*Mr. Brubaker, a retired FBI special agent, currently works for a private firm in Minneapolis, Minnesota.*

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# Book Reviews

**Protect Your Life! A Health Handbook for Law Enforcement Professionals** edited by Davidson C. Umeh, Looseleaf Law Publications, Inc., Flushing, New York, 1999.

*Protect Your Life* compiles selected essays into a text that expands the understanding and knowledge of health and fitness and their positive relationship to reducing job stress, poor nutrition, and negative environmental variables on uniform services. The handbook begins with an examination of cardiovascular disease issues involving law enforcement officers, correctional personnel, and first responders, such as fire department and hazardous materials professionals, their working environments, and personal health and safety concerns.

The essays provide basic information on how important it is to have an accurate knowledge of the possible dangers of public safety work; protective and response equipment; physical fitness of personnel; and the causes, signs and symptoms, and methods of disease transmissions. These essays also include procedures and personal precautions against infectious diseases and blood-borne pathogens needed to protect and preserve the health of public safety personnel, resulting in the most effective and complete service to their communities.

Seven chapters concentrate on stress, alcohol and other drug use, infectious and noninfectious concerns, nutrition, physical fitness, suicide, and environmental and safety issues. Each chapter contains three to six critical essays that analyze the key issues impacting the uniform services. The handbook is designed for easy reading and acts as a ready reference for the quick location of key health and safety issues and topics. Each page is perforated,

allowing readers to remove critical information for personal use, to support procedure and policy development, and to assist in training programs and act as handout material.

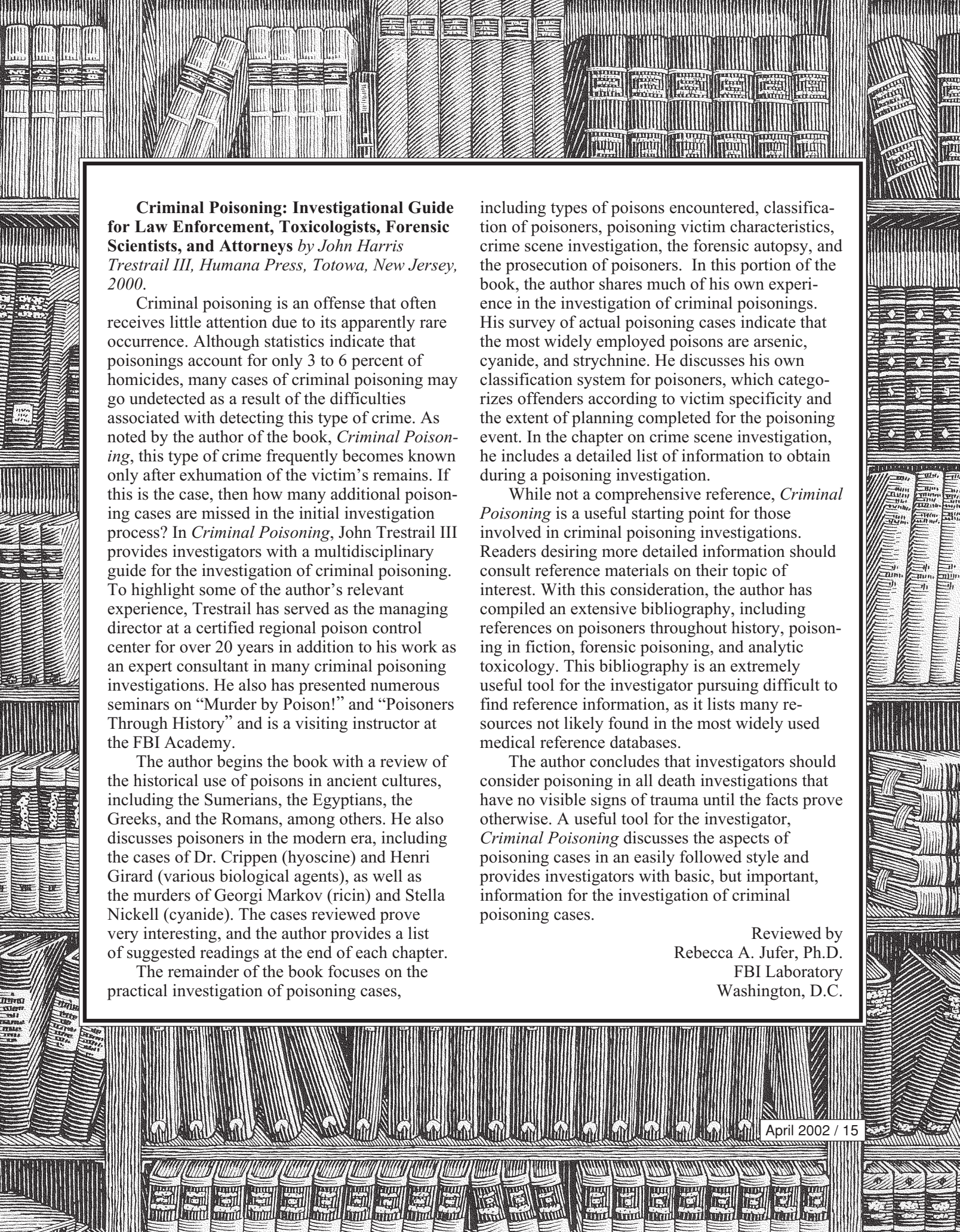
At the end of each section of important issues, one or two major material review questions appear for the reader to address. Questions focus on the main health and safety awareness and knowledge points that uniform services and other departmental readers can gain concerning positive impact on their overall personal health and safety during the execution of their duties and while in an off-duty status.

Most of the handbook's chapters end with either a listing of the endnotes cited, references, a summary or conclusion, or recommendations to departments and their personnel. The handbook also includes selected tables and charts for matrix comparisons of critical information to better understand the material presented and what uniform service personnel need to analyze for health and safety protection. In addition, a bibliography sets forth current publications and leading periodicals in the field of public uniform services.

*Protecting Your Life* is interesting and informative to readers. To summarize the editor's statement in the handbook's forward, with accurate knowledge of health and safety issues and awareness of work environment situations, the uniform services profession can continue to protect departmental members while these members diligently and professionally protect and serve the public.

Reviewed by  
Larry R. Moore  
Certified Emergency Manager  
International Association of Emergency Managers  
Knoxville, Tennessee





**Criminal Poisoning: Investigational Guide for Law Enforcement, Toxicologists, Forensic Scientists, and Attorneys** by John Harris  
*Trestrail III, Humana Press, Totowa, New Jersey, 2000.*

Criminal poisoning is an offense that often receives little attention due to its apparently rare occurrence. Although statistics indicate that poisonings account for only 3 to 6 percent of homicides, many cases of criminal poisoning may go undetected as a result of the difficulties associated with detecting this type of crime. As noted by the author of the book, *Criminal Poisoning*, this type of crime frequently becomes known only after exhumation of the victim's remains. If this is the case, then how many additional poisoning cases are missed in the initial investigation process? In *Criminal Poisoning*, John Trestrail III provides investigators with a multidisciplinary guide for the investigation of criminal poisoning. To highlight some of the author's relevant experience, Trestrail has served as the managing director at a certified regional poison control center for over 20 years in addition to his work as an expert consultant in many criminal poisoning investigations. He also has presented numerous seminars on "Murder by Poison!" and "Poisoners Through History" and is a visiting instructor at the FBI Academy.

The author begins the book with a review of the historical use of poisons in ancient cultures, including the Sumerians, the Egyptians, the Greeks, and the Romans, among others. He also discusses poisoners in the modern era, including the cases of Dr. Crippen (hyoscine) and Henri Girard (various biological agents), as well as the murders of Georgi Markov (ricin) and Stella Nickell (cyanide). The cases reviewed prove very interesting, and the author provides a list of suggested readings at the end of each chapter.

The remainder of the book focuses on the practical investigation of poisoning cases,

including types of poisons encountered, classification of poisoners, poisoning victim characteristics, crime scene investigation, the forensic autopsy, and the prosecution of poisoners. In this portion of the book, the author shares much of his own experience in the investigation of criminal poisonings. His survey of actual poisoning cases indicate that the most widely employed poisons are arsenic, cyanide, and strychnine. He discusses his own classification system for poisoners, which categorizes offenders according to victim specificity and the extent of planning completed for the poisoning event. In the chapter on crime scene investigation, he includes a detailed list of information to obtain during a poisoning investigation.

While not a comprehensive reference, *Criminal Poisoning* is a useful starting point for those involved in criminal poisoning investigations. Readers desiring more detailed information should consult reference materials on their topic of interest. With this consideration, the author has compiled an extensive bibliography, including references on poisoners throughout history, poisoning in fiction, forensic poisoning, and analytic toxicology. This bibliography is an extremely useful tool for the investigator pursuing difficult to find reference information, as it lists many resources not likely found in the most widely used medical reference databases.

The author concludes that investigators should consider poisoning in all death investigations that have no visible signs of trauma until the facts prove otherwise. A useful tool for the investigator, *Criminal Poisoning* discusses the aspects of poisoning cases in an easily followed style and provides investigators with basic, but important, information for the investigation of criminal poisoning cases.

Reviewed by  
Rebecca A. Jufer, Ph.D.  
FBI Laboratory  
Washington, D.C.





# ***Forensic Psycholinguistics*** *Using Language Analysis for Identifying and Assessing Offenders*

By SHARON S. SMITH, M.S., and ROGER W. SHUY, Ph.D.

**E**arly one Friday afternoon, police officials from a mid-sized city contacted the local office of the FBI. A 911 caller had just left a message: seven bombs had been planted at a petroleum facility, and it would blow up within 24 hours. The male caller left no information about his identity or motive.

Police officers began gathering evidence from the area around the petroleum facility while the local FBI office quickly contacted the National Center for the Analysis of Violent Crime (NCAVC) at Quantico, Virginia. Realizing that these bombs had the potential to kill or injure hundreds of employees

and cause millions of dollars in damage, FBI agents from the NCAVC and the FBI Academy's Behavioral Science Unit immediately began analyzing the recording of the call.<sup>1</sup> Within hours, they advised local authorities of their assessment of the offender's possible characteristics and the potential risk of the threat's legitimacy. What had the agents discovered in the recording of the telephone call? How did they find it?

## **ANALYZING LANGUAGE**

Law enforcement agencies routinely train their new recruits to recognize crime scene evidence. Hairs and fibers, DNA, and ballistic

patterns represent examples of forensic evidence that can provide investigative leads and tie offenders to their crimes. On the other hand, criminal investigative analysis, formerly known as criminal profiling, is an investigative tool that can link offenders to their crimes by analyzing their behavior.

## **Criminal Investigative Analysis**

Criminal investigative analysis originally was designed for, and works best in, investigations of serial criminal acts, such as serial homicides, rapes, or arsons, but it also can be used to analyze individual crimes. This process examines the crime scene evidence and

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information about the victim to assess the offender's behavior. The offender's behavior at the crime scene and interaction with victims can help reveal the motive for committing the crime. It also can help investigators construct a description of the offender's personality and demographic characteristics.

One type of behavior often overlooked, or underused, exists in the offender's actual language. The offender's written or spoken language can provide investigators with a wealth of information. This information, in turn, suggests the types of analyses investigators may request when referring their cases to the FBI for criminal investigative analysis. What kind of information does language provide?

### **Sociolinguistics**

Both written and spoken language have features that may reveal an individual's geographical origins; ethnicity or race; age; sex; and occupation, education level, and religious orientation or background. Sociolinguistics is the study of language variability, including the relationships between social characteristics and linguistic features.

#### *Geographic Origins*

Although Americans tend to move frequently, their speech often retains remnants of the regional dialect of the area where they were reared. For example, most Americans easily can distinguish the late president John F. Kennedy's Massachusetts accent from former president Jimmy Carter's Georgia accent. Some sociolinguists can distinguish even more subtle regional

dialects, such as differences in the speech of native Virginians from Norfolk as opposed to those from Fairfax. Written communications offer fewer clues, although vocabulary (word choice) and grammar can sometimes indicate geographic origin. In Pennsylvania, when people from Philadelphia want a carbonated soft drink, they tend to ask for a "soda," whereas those from Pittsburgh more likely request a "pop."

#### *Ethnicity or Race*

Native ethnic groups, as well as immigrants from various countries, may retain remnants of their native language. In one case in which a business owner received anonymous threat letters, the writer seemed comfortable with English, but wrote some sentences in a way that indicated a specific non-English language influence,

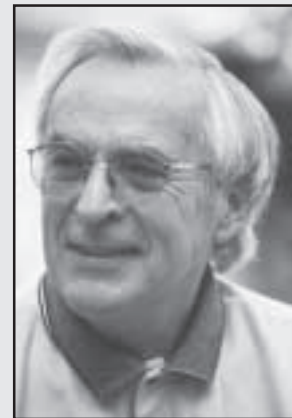
such as using a word order with a subject-object-verb sequence ("he finally will the seriousness of the problem recognize") rather than the typical English subject-verb-object order ("he finally will recognize the seriousness of the problem"). This clue, along with others from the letters, led investigators to focus on a foreign national.

#### *Age*

Different generations find linguistic ways of separating themselves from other age groups. Parents know that teenagers develop their own vocabulary and sometimes even grammatical patterns. Different generations also are likely to retain expressions and references that they used when they were younger. As technological changes occur, many older people resist adopting them and their associated vocabulary. As a result, they



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*Dr. Shuy retired from Georgetown University in Washington, D.C., after teaching linguistics for 30 years, consulting on many criminal cases, and writing extensively on the uses of linguistics in the legal setting.*

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preserve language that marks them to their general age group. Referring to the Internet as an “invention,” rather than “technology,” for example, would indicate that the writer more likely is middle-aged or older. References to specific advertisements, products, and music groups also tend to give clues to a person’s age range.

### Sex

Research has demonstrated that men and women may have slightly different language patterns.<sup>2</sup> Occasionally, offenders even will use overt male and female markers. For example, in one case, the author of a threat letter talked about being pregnant. Although overt clues like this often are legitimate, investigators should examine them for the possibility that a male writer is trying to disguise his identity by claiming to be a woman. Fortunately for investigators, as authors become more immersed in the documents that they create, they tend to drop their guard and reveal language patterns indicative of their sex and other demographic characteristics. Compared with male writers, females are more likely to express tentativeness, such as “it *seems* like...” and “I *suppose* I should have....” Their language may rely more heavily on expressions of feeling, such as “I *felt* compelled...,” “I was *upset*...,” and “I *hope*....” Females, more than males, tend to use polite speech acts, such as thanking someone and apologizing. Intensifiers also mark female language more often, such as “I was *so* upset...” and “we had *such* a good time....”

### Occupation, Education Level, and Religious Orientation

Language sometimes contains clues to the writer’s occupation, education level, or religious orientation. Use of nautical terms, such as *port* or *starboard*, can reflect knowledge of boating or even service in the military. Consistent use of sophisticated language or correct grammar and punctuation skills may reflect at least a high school education, if not some college. References to biblical figures in one threat case narrowed the list of suspects to an individual in the victim’s workplace who often spoke of his faith and exhorted his coworkers to repent their sins.

**“ Research has demonstrated that men and women may have slightly different language patterns. ”**

### EXPLORING FORENSIC PSYCHOLINGUISTICS

Psycholinguistics is the study of the relationship between linguistic behavior and psychological processes of the speaker or writer that underlie that behavior.<sup>3</sup> Forensic psycholinguistics applies the field of psycholinguistics to criminal or civil cases. A young discipline, forensic psycholinguistics combines the practical experience of seasoned investigators with knowledge gained from the research of

experts within the disciplines of psychology and linguistics, including sociolinguistics.

The law enforcement community can learn a great deal from these disciplines. In 1979, an FBI agent and a professor joined forces to write an article on psycholinguistic analysis of threatening communications, one of the first that combined knowledge from both law enforcement and academia.<sup>4</sup> Also, research done by a forensic sociolinguist spans four decades and a variety of topics, such as detecting deception in interviews and analyzing threats.<sup>5</sup>

In the last 30 years, psychologists have increased their research on discourse analysis<sup>6</sup> because of the wealth of information it offers about understanding personality. Psychiatrists and political psychologists, for example, have identified language features associated with personality traits, such as impulsivity, anxiety, depression, paranoia, and the need for power and control. For several years, political psychologists have used these analysis systems for predicting the behavior of national leaders.<sup>7</sup> Information like this also may prove valuable for understanding criminal behavior. This knowledge can, in turn, suggest more effective investigative strategies and interview techniques.

### Current Applications of Forensic Psycholinguistics

At present, investigators are using forensic psycholinguistic analysis of language in several types of cases to help them make more informed decisions. These cases include threat assessment, authorship

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identification, false allegations, workplace violence, and statement analysis.

#### *Threat Assessment*

The exact words in spoken or written threats, such as the 911 call described at the beginning of this article, can assist investigators in determining the offender's motivation, personality, and demographic features, as well as the risk of the threatener carrying out the threat. Currently, the FBI's Behavioral Science Unit is conducting research on the relationship between language in threatening communications and the threatener's potential risk for violence. The results may offer law enforcement agencies more information on evaluating threats.

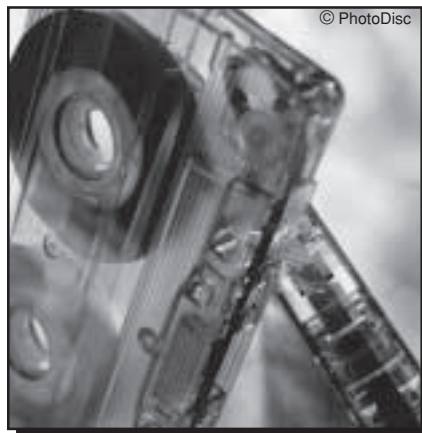
#### *Authorship Identification*

Trained personnel can analyze stylistic features (e.g., sentence construction, word choice, spelling, and punctuation) in documents, such as threatening communications. Then, they can compare these features with those from the writings of a suspect to determine if the suspect could have authored them. In one case, investigators identified a stalker as the author of threat letters after they compared them with love letters that he had written to the victim when they were dating.

#### *False Allegations*

Occasionally, rape or stalking victims make false allegations of victimization. Notes or threatening letters analyzed for clues to the identity of the offender may provide indications that, in reality, the victim is writing them. In one case,

the victim received seven threatening letters that a stalker left at her residence over a period of a few weeks. The seventh letter stated that the writer was considering raping the victim. The victim provided the identities of two men who had shown an interest in her and, therefore, might be her stalker. The local



police referred the case to the FBI and requested an assessment of the threatener's potential for violence and any personality and demographic characteristics that could lead to his identification. When agents began the case consultation, they concentrated on the task of identifying characteristics of a male offender and then planned to examine the two suspects to see if either might be a good match. It soon became clear, however, that the clues provided by the language in the threats led back to the victim (a female) as the probable writer. At the conclusion of the consultation, agents contacted the police investigators who had requested the threat assessment. When they asked the investigators if the victim had experienced any major stressful event

just before the letters started, the investigators mentioned that she had been dating one of the officers in their department. Four days before the letters began, this officer, who had been separated from his wife, broke off his relationship with the victim and moved back in with his wife. The investigators went on to say that, when the officer heard about the threats from the unknown stalker, he left his wife again and reinitiated a relationship with the victim. This information revealed the victim's motivation for authoring the stalker letters. Recognizing this case as a false allegation may have prevented two innocent men from being erroneously accused and publicly embarrassed.

#### *Workplace Violence*

In recent years, media attention has focused on the danger of violence erupting in the workplace. Disgruntled or terminated employees have killed their coworkers. Estranged spouses or partners who have taken revenge at their target's job site also have murdered employees. The "snap" theory ("he just snapped") has gained some favor in the media, but law enforcement officers frequently have found that the offenders' language has provided clues that they were thinking about acting violently long before they committed the act. Disgruntled employees often express displeasure in the workplace. That displeasure is directed at, or at least vocalized about, the eventual target of the violence. As the employees' anger escalates over time, their comments reflect this. Some offenders eventually make specific comments about buying or



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possessing weapons. They talk about committing some violent act against the target of their anger, such as “Someday, I’m going to stick a gun in his face and kill him.” Unfortunately, these clues often are ignored until the violence occurs. Afterward, coworkers sometimes say that they felt uncomfortable, or even fearful, in the offender’s presence. Law enforcement officials and business managers can work together to train employees to recognize and report danger signals before such tragedies take place. Careful assessment of language clues can allow employers to initiate procedures to defuse and get help for the would-be perpetrator and, thereby, prevent violence from occurring.

#### *Statement Analysis*

Many investigators currently use statement analysis to determine if an interviewee is being deceptive or telling the truth. Statement analysis represents a tool that investigators employ to help them examine the words that offenders use and the information that they omit. Then, investigators can analyze these word choices and missing information and determine the best approach to take during the interview.<sup>8</sup> Once again, language can play an important part in solving crimes.

#### **Potential Applications of Forensic Psycholinguistics**

Future uses of forensic psycholinguistics in law enforcement investigations may prove equally, or even more, valuable. While further research is needed, some potential applications include

examining suicide notes to determine whether such deaths could be disguised homicides and studying computer codes employed by criminals who exploit technology.

#### *Homicides Disguised as Suicides*

Cases have occurred where husbands have killed their wives and then forged suicide notes to cover their crimes. In one of these cases, the husband shot and killed

“

***One type of behavior often overlooked, or underused, exists in the offender’s actual language.***

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his wife and two teenaged children. By placing the forged suicide note near his wife’s body, the husband escaped responsibility for 20 years. After his first wife’s death, he remarried twice, and both of these wives died in questionable ways. Recently, the husband, now dying, admitted that he killed his first and third wives and his children. He still claims that he is not responsible for the death of his second wife. How many more suicide notes have been fabricated to cover homicides? Taking time to do a personality assessment of the victim and examining all of the evidence, including the language of the suicide note, can assist in identifying these cases.<sup>9</sup>

However, more research is needed on the features of this type of false suicide note.

#### *Computer Crimes*

As technology has become increasingly essential to everyone’s standard of living, computer criminals have become more and more proficient. Computer criminals who are “insiders” (those who work for the company) and “outsiders” (those who do not) have broken into the computer systems of government organizations and private companies to steal secrets. Sophisticated computer criminals are careful to cover their trails, but language, even in the form of computer codes, may leave clues that knowledgeable investigators can use to identify and pursue offenders. The FBI’s National Infrastructure Protection Center (NIPC) currently works with agents in FBI field offices to investigate hacker cases, but more research on these types of offenders also is needed. Members of the FBI’s Behavioral Science Unit have initiated research on computer criminals and expect results in the near future.

#### **CONCLUSION**

Law enforcement officers know that they must examine all kinds of evidence to solve crimes. One type, which some investigators may overlook, involves the written and spoken words of the criminals. When a subject’s written or oral language is available, it can assist officers significantly.

To this end, forensic psycholinguistic analysis can extract vital clues from language in many types of crimes. This process may offer

information useful in determining offenders' identities, their truthfulness, their personality characteristics, and their potential for violence. This knowledge, in turn, can help law enforcement develop investigative leads, construct interview strategies, and perform more effective searches for evidence. Forensic psycholinguistics constitutes an important investigative tool and one that, with additional research and use, may provide the law enforcement community with another way to resolve crimes that prove difficult to solve through conventional techniques. ♦

**Endnotes**

<sup>1</sup> Dr. Roger W. Shuy, coauthor of this article, assisted the FBI with this investigation.

<sup>2</sup> Deborah Tannen, *You Just Don't Understand: Men and Women in Conversation* (New York, NY: Ballantine Books, 1990).

<sup>3</sup> David Crystal, *The Cambridge Encyclopedia of Language*, 2d ed. (Cambridge: MA Cambridge University Press, 1998).

<sup>4</sup> Murray S. Miron and John O. Douglas, "Threat Analysis: The Psycholinguistics Approach," *FBI Law Enforcement Bulletin*, September 1979, 5-9.

<sup>5</sup> Roger W. Shuy, *Language Crimes: The Use and Abuse of Language Evidence in the Courtroom* (Oxford, UK: Blackwell Publishers, 1993); and *The Language of Confession, Interrogation, and Deception* (Thousand Oaks, CA: Sage Publications, 1998).

<sup>6</sup> The study of linguistic relations and structures in discourse; *Merriam-Webster's*

*Collegiate Dictionary*, 10th ed. (1996), s.v. "discourse analysis."

<sup>7</sup> Walter Weintraub, *Verbal Behavior in Everyday Life* (New York, NY: Springer Publishing Company, 1989); and Margaret G. Hermann, "Explaining Foreign Policy Behavior Using the Personal Characteristics of Political Leaders," *International Studies Quarterly*, March 1980, 7-46.

<sup>8</sup> Susan H. Adams, "Statement Analysis: What Do Suspects' Words Really Reveal?" *FBI Law Enforcement Bulletin*, October 1996, 12-20.

<sup>9</sup> Adam Gregory, "The Decision to Die," *Interviewing and Deception* (Dartmouth, MA: Ashgate, 1999); and David Lester, *Why People Kill Themselves: A 1990s Summary of Research Findings on Suicidal Behavior* (Springfield, IL: Charles C. Thomas Publisher, 1992).

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## *Citizen Firearm Safety Program*

By Trevin R. Sorby  
and J.B. Wheeler



**D**uring 1997, in the United States, approximately four people died every hour from gunshot wounds. Of the 32,436 gun-related deaths that year, approximately 33 percent were unintentional or “accidental” shootings.<sup>1</sup> Because of such incidents, police executives in Prince William County, Virginia, took steps to help reduce these numbers in their county. In June 1998, the Prince William County Police Department (PWCPD) Firearms Training Unit developed a firearms safety course to teach gun safety to its residents.

### **The Objective**

A firearms training program can help citizens increase their gun safety awareness by providing information concerning appropriate storage of weapons, especially in homes with children, as well as how to safely handle a firearm, including what to do if one is found. The PWCPD Firearms Training Unit designed this program to help prevent accidental and unintentional deaths or injuries associated with firearms. Although intended for adults, the program allows children from ages 12 to 17 to attend when accompanied by a parent or guardian.

### **The Development Phase**

The PWCPD spent approximately 12 months developing this program. The Firearms Training Unit conducted extensive research, developed a thorough lesson plan, and contacted various vendors to evaluate their weapon safety and storage products.

The PWCPD advertised the program in local newspapers and on local cable channels. They publicized the program through Neighborhood Watch and Crime Council meetings, the Citizen’s Police Academy, and an educational pamphlet offering weapon safety tips.

### **The Program**

Each 8-hour class begins with a 90-minute lecture presented by a prosecutor from the Prince William County Commonwealth Attorney’s Office. The prosecutor informs the participants of various legal ramifications of gun use and citizen liability and allows time for a question-and-answer period. Additional lectures presented during the class include such topics as the elements of gun safety, gun safety rules, the safe use and storage of guns, and special responsibilities for parents. The program participants



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are encouraged to bring their own unloaded guns to the class so a trained armorer can perform a safety inspection. In addition to lectures, attendees also receive numerous handouts and other visual aids and watch a live firearm demonstration on various weapons and their capabilities. At the end of the class, each participant receives a certificate of completion and a free gun lock.

Initially, program coordinators planned a 4-hour course; however, due to requests from the participants and the volume of supporting information, they lengthened the class to 8 hours. The PWCPD offers the course three or four times per year, depending on enrollment interest. Since the program's inception in 1999, approximately 80 citizens have graduated from the program.

### The Costs

Although the PWCPD offers the program free of charge, each class costs the county approximately \$525, which includes wages for two certified instructors, ammunition for the weapons demonstration, and a light meal for the participants. The benefits to the department and the community far outweigh the minimal costs of presenting this program.

After contacting numerous vendors to solicit donations to support the class, program coordinators received various visual aids to use, such as various types of gun locks and different caliber ammunition. The vendors realized that their support of the program can benefit the community by helping to educate citizens and ultimately prevent injuries and save lives.

### The Response

At the conclusion of each class, instructors ask participants to evaluate the course. Since its inception, the program has received only positive feedback. Attendees stated that they received much valuable information from this course and that it

provided thorough coverage on gun safety that individuals with varying levels of experience could apply. The participants' surveys revealed that they most enjoyed the legal discussions and the home safety parts of the program. The PWCPD's Citizen Firearm Safety Program has received several awards for its contribution to the community.

### Conclusion

While it remains difficult to specifically measure its success, since the first class in 1999, no graduate or family member of this course has reported an accidental discharge involving a firearm. Although this course does not meet Virginia's concealed weapon permit requirements, nor does it replace a hunter safety course, it does enhance the relationship between the police department and the community. By educating citizens on the proper use, storage, and safe handling of firearms, such programs can help prevent firearm mishaps and potentially save lives. ♦

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**Attendees stated that they received much valuable information from this course....**

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### Endnote

Centers for Disease Control and Prevention, National Center for Health Statistics, unpublished data from the National Vital Statistics System, 1977.

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*Sergeant Trevin R. Sorby serves in the Operations Division of the Prince William County, Virginia, Police Department. Sergeant Jacqueline B. Wheeler serves in the Operations Division of the Prince William County, Virginia, Police Department.*

*For further information regarding specifics of this program contact:*

*Prince William County Police Department  
1 County Complex Court  
Prince William, VA 22191  
policedept@pwcgov.org  
703-792-6599*

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## *Intimate Partner Violence*

The U.S. Department of Justice's Bureau of Justice Statistics (BJS) recently announced that violence rates among intimate partners—current or former spouses, boyfriends or girlfriends—differ greatly according to the victim's age. While the overall per capita rate of nonfatal intimate partner violence against females 12 years of age or older was 5.8 victimizations per 1,000 females in 1999, among females 16 to 24 the rate was 15.6 victimizations per 1,000. Women 16 to 24 years of age were the most vulnerable to nonfatal intimate violence. Women 35 to 49 were the most vulnerable to murder by an intimate partner.

Trends over the period from 1993 to 1999 show that the rates of intimate partner violence fell for females 20 to 24, 25 to 34, and 35 to 49. Despite some year-to-year fluctuations, rates of violence by intimates against women in other age categories were unchanged from 1993 through 1999.

Black and white women experienced intimate partner violence at similar rates for every age range except 20 to 24. Among that group, 29 violent victimizations per 1,000 black women occurred compared to 20 per 1,000 white women.

Women separated from their husbands were victimized by an intimate partner at rates higher than married, divorced, widowed, or never-married women. A majority of intimate partner violence that occurred between 1993 and 1999 was perpetrated by boyfriends and girlfriends (53 percent), with an additional 33 percent perpetrated by a current spouse.

The special report, *Intimate Partner Violence and Age of Victim, 1993-1999*, (NCJ 187635), was written by BJS statistician Callie Marie Rennison. Copies may be obtained by calling the BJS clearinghouse at 800-732-3277 or accessing the BJS Web site at <http://www.ojp.usdoj.gov/bjs>.

## *Drugs and Crime*

*Breaking the Juvenile Drug-Crime Cycle: A Guide for Practitioners and Policymakers* summarizes existing knowledge about efforts to intervene in the juvenile drug-crime cycle. Additionally, it proposes interventions and programmatic changes to successfully address that cycle. The coordination of case management strategies to meet the diverse needs of juveniles from their entry into the juvenile justice system until they no longer require supervision represents one of the key approaches to interrupting the drug-crime cycle presented in this National Institute of Justice Research report. The report also discusses implementing such strategies at the local level. Furthermore, the report elaborates on several key elements of a comprehensive model, including a single point of entry into the juvenile justice system and an active judicial role in ensuring the juvenile's adherence to recommended treatment services. This 22-page guide (NCJ 186156) is available only electronically at <http://www.ncjrs.org/txtfiles1/nij/186156.txt>.

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## *Linking Uniform Crime Reporting Data*

Since the 1930s, the FBI's Uniform Crime Reporting (UCR) Program has collected data on crimes reported to the police and on arrests. While these data come from state and local law enforcement agencies, for collection purposes, the FBI developed its own agency identifiers. Most other federal data collections, including the decennial census and the census of governments, use geocodes and government entity identifiers developed by the Census Bureau or by, what is now, the National Institute for Standards and Technology (NIST). Because UCR and other data sources do not share place identifiers, analysis of crime data in conjunction with data from other sources has been difficult.

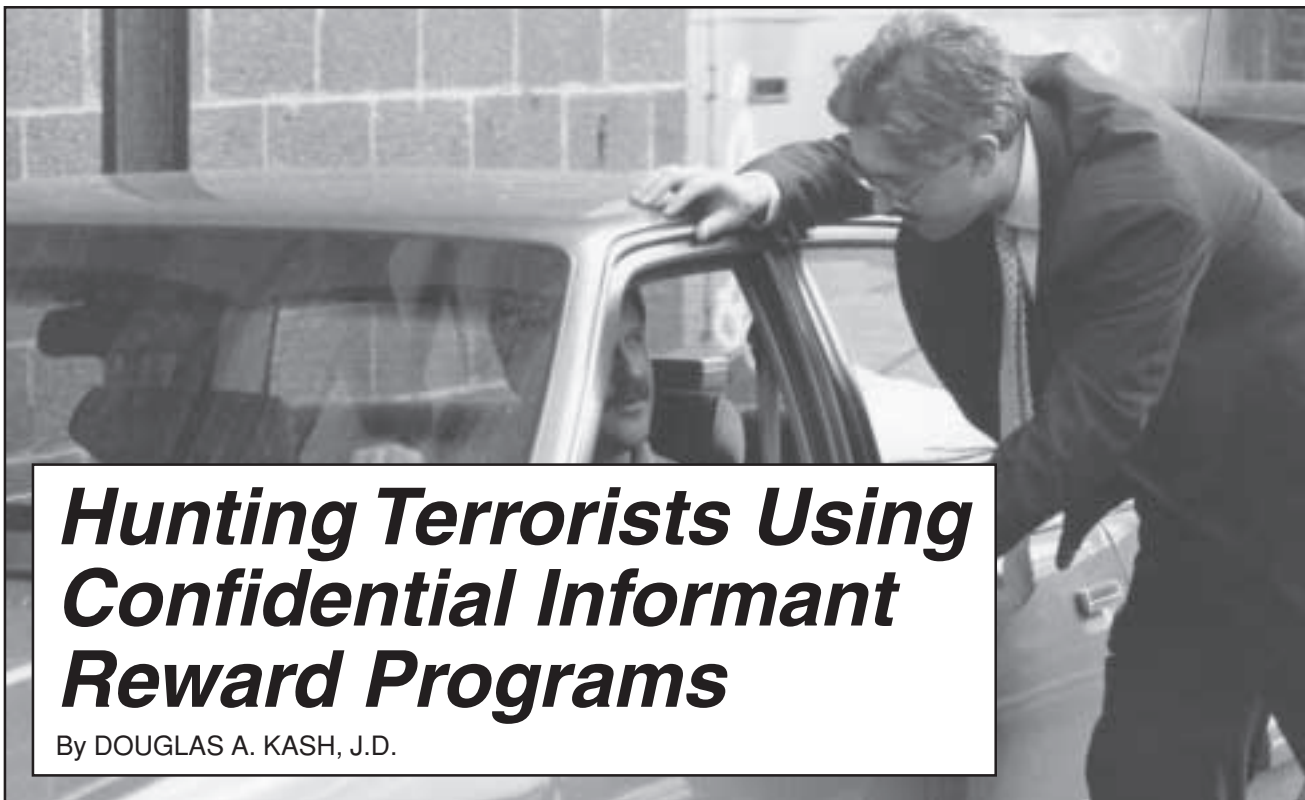
To overcome this obstacle, the Bureau of Justice Statistics (BJS) and the National Archive of Criminal Justice Data (NACJD) have created a data file, the Law Enforcement Agency Identifiers Crosswalk. This file lists agencies by the FBI's codes, as well as the other major identifying standards in use today. BJS's technical report, *Linking Uniform Crime Reporting Data to Other Datasets* (NCJ 185233), written by Sue A. Lindgren and Marianne W. Zawitz, describes this file and its uses. To obtain a copy of this report, access the BJS Web site at <http://www.ojp.usdoj.gov/bjs>.

## *Animal Abuse and Youth Violence*

A resurgence of interest in the relation between cruelty to animals, or animal abuse, and serious violent behavior, especially among young offenders, has occurred in the past 20 years. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) presents *Animal Abuse and Youth Violence*, a report on the psychiatric, psychological, and criminological research linking animal abuse to juvenile- and adult-perpetrated violence. It addresses the challenge of defining animal abuse and examines the difficulty of deriving accurate incidence and prevalence data for this behavior. Additionally, it explores the relationships between animal abuse and conduct disorder, analyzes the motives of child and adolescent animal abusers, and considers the contexts that may lead to the emergence of animal abuse as a symptom of psychological disorder. The importance of including information about animal abuse in assessments of youth at risk of committing interpersonal violence is emphasized throughout, and a list of national organizations with programs related to the link between animal abuse and other violent behavior also is provided. For a copy of this bulletin, call the Juvenile Justice Clearinghouse at 800-638-8736 or access OJJDP's Web site at <http://www.ojjdp.ncjrs.org>.

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





## ***Hunting Terrorists Using Confidential Informant Reward Programs***

By DOUGLAS A. KASH, J.D.

**T**he criminal acts of September 11, 2001, resulted in changes to existing U.S. law, including rewards available to confidential informants who provide information on terrorists or terrorist activities. Specifically, on October 26, 2001, the U.S. Congress enacted the Uniting and Strengthening America By Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (PATRIOT Act).<sup>1</sup> Prior to September 11, there were several different venues under which an informant could be eligible for a reward, depending upon which agency received the information. Although the events of September 11 did not increase the types

of rewards, they modified the incentives to informants, including those who are noncitizens.

The notion of rewards for information is neither new nor limited to terrorism. Indeed, the U.S. Code provides for several types of rewards for different kinds of information.<sup>2</sup> This article identifies the different reward mechanisms for terrorist-related information and explains the process of each program. While several U.S. intelligence agencies (civilian and military) have internally managed reward programs for confidential informants, these programs and their appropriations are classified for national security purposes and will not be addressed.

### **Establishment of the Confidential Informant Reward Program for Terrorist Information**

Rewards for information involving terrorism were established by the 1984 Act to Combat International Terrorism (1984 ACIT)<sup>3</sup> which provides the following:

With respect to acts of terrorism primarily within the territorial jurisdiction of the United States, the attorney general may reward any individual who furnishes information—

1) leading to the arrest or conviction, in any country, of any individual or individuals for the commission of an act

of terrorism against a U.S. person or U.S. property;

2) leading to the arrest or conviction, in any country, of any individual or individuals for conspiring or attempting to commit an act of terrorism against a U.S. person or property; or

3) leading to the prevention, frustration, or favorable resolution of an act of terrorism against a U.S. person or property.<sup>4</sup>

Excluding government employees acting within the scope of their official duties, an individual is entitled to a reward up to \$500,000. Rewards up to \$100,000 can be paid with the approval of the attorney general, while a reward of \$100,000 or more requires the approval of the president or attorney general. The rewards are deemed conclusive, and no court has the power or jurisdiction to review it.<sup>5</sup> Additionally, although the identity of an informant is kept strictly classified, informants and their immediate families are eligible to participate in the attorney general's Witness Protection Program.<sup>6</sup>

When he sent the bill to Congress in April 1984, President Reagan noted the limitations of existing laws, specifically the lack of authority to pay rewards for information concerning acts of terrorism abroad.<sup>7</sup> President Reagan also stated that the payment for rewards in connection with domestic acts of terrorism was appropriately designated to the attorney general, while acts of terrorism outside of the territorial United States raised political and foreign relations issues within

the jurisdiction of the secretary of state.<sup>8</sup> Upon signing the bill into law, President Reagan proclaimed that this law would "provide the resources and authorities essential in countering the insidious threat terrorism poses to those who cherish freedom and democracy.... This nation bears global responsibilities that demand that we maintain a worldwide presence and not succumb to these cowardly attempts at intimidation."<sup>9</sup>

The 1984 ACIT law adopted the definition of "terrorism" from the Foreign Intelligence Surveillance Act,<sup>10</sup> defining terrorism as violent or dangerous acts that would be crimes if committed in the United States and that appear to be intended to intimidate or coerce a civilian population or to influence the policy or conduct of a government or political subdivision of a government by intimidation or coercion. The 1984 ACIT was first used in 1985 in connection with the slayings of four U.S. Marines and two U.S. civilians in El Salvador.

Current law, specifically, Rewards for Information Concerning Terrorist Acts and Espionage,<sup>11</sup> employs the same definition for terrorism as the 1984 ACIT. Rewards still are deemed conclusive and no court has the power or jurisdiction to review the reward. Again, informants' identities can be kept strictly classified, and their immediate families are eligible to participate in the attorney general's Witness Protection Program.<sup>12</sup>

The recently enacted PATRIOT Act amended the reward program's authority by increasing the amount of money offered or paid to an informant. Now, a reward totaling \$250,000 or more requires the personal approval of the president or attorney general.<sup>13</sup> The PATRIOT Act also mandates that if an award is approved under this section, the attorney general must tender written notice to the chairmen and ranking minority members of the Committees on Appropriations and the Judiciary in the Senate and House of Representatives, not later

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***The notion of rewards for information is neither new nor limited to terrorism.***

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*Mr. Kash serves as a senior attorney for the DEA in Arlington, Virginia.*

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than 30 days after the approval.<sup>14</sup> The funding for the reward program can come from any executive agency or military department. The attorney general's refusal to make a reward is not subject to judicial review.<sup>15</sup>

### The "S" Visa

In addition to the monetary reward incentive, the Immigration and Naturalization Service (INS), a component agency of the U.S. Department of Justice (DOJ), has the authority under specific limited circumstances to grant special visas to nonimmigrants and their immediate families. On November 29, 2001, Attorney General John Ashcroft announced a new program, the Responsible Cooperators Program, which provides incentives to aliens to provide useful information about terrorists and their activities.<sup>16</sup> The incentives already existed within the U.S. Code, but this program is an effort to reinvigorate cooperative communication between the U.S. Department of State and alien groups regarding any knowledge their members may have regarding criminal acts, particularly terrorism.

The Violent Crime Control and Law Enforcement Act of 1994 created a new immigration regulation establishing an "S" visa, which provides for a temporary, and potentially permanent stay within the United States.<sup>17</sup> There are two categories of the "S" visa. The S-1 visa, is issued to aliens who possess "critical reliable information" regarding *criminal* activity (emphasis added), who are willing to share their information with a U.S. agency or court and whose presence

in the United States is necessary for the successful prosecution of the criminal activity. The S-2 visa is available to aliens possessing "critical reliable information" regarding *terrorist* activity (emphasis added). In addition to the cooperation under S-1, the S-2 informant must be in danger as a result of providing the information to the United States. Only state and federal law enforcement authorities (including federal or state courts and U.S. attorneys) can initiate a request under the "S"

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***The funding for the reward program can come from any executive agency or military department.***

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category.<sup>18</sup> The alien must be eligible for an award under Title 22 U.S. Code, Section 2708(a), also designated as section 36(a) of the State Department Basic Authorities Act of 1956.<sup>19</sup> The application must contain evidence establishing the nature of the alien's cooperation with the government, the need for the alien's presence in the United States, all conduct and conditions that may constitute grounds for exclusion, and all factors and considerations warranting favorable consideration by the attorney general on the alien's behalf.<sup>20</sup>

The request must be submitted to the assistant attorney general (AAG), Criminal Division,

U.S. Department of Justice. When necessary, the AAG can empanel personnel from the U.S. Marshals Service, FBI, DEA, DOJ Criminal Division, and Department of State to review the applications and prioritize the cases to conform to the statutorily mandated numerical limitations.<sup>21</sup> The application then is forwarded to the commissioner of the INS for final approval.<sup>22</sup> Within their 3-year stay, aliens can apply for permanent resident status ("green card"), which ultimately may result in citizenship.

### The U.S. Department of State's Reward for Justice Program

The Department of State also has the authority to pay rewards for information on terrorism. The Department of State was authorized to establish a rewards program in the Omnibus and Diplomatic Security Act of 1986,<sup>23</sup> funded from the moneys available under section 36(a) of the State Department Basic Authorities Act of 1956.<sup>24</sup>

Similar to the attorney general, the secretary of state may pay a reward to any individual who furnishes information leading to—

- 1) the arrest or conviction in any country of any individual for the commission of an act of international terrorism against a U.S. person or U.S. property;
- 2) the arrest or conviction in any country of any individual conspiring or attempting to commit an act of international terrorism against a U.S. person or U.S. property;...
- 4) the arrest or conviction in any country of any individual aiding or abetting in the



commission of an act described in paragraph 1 [or] 2;...

5) the prevention, frustration, or favorable resolution of an act described in paragraph 1 [or] 2), *including by dismantling an organization in whole or significant part; or*

6) *the identification or location of an individual who holds a key leadership position in a terrorist organization.*<sup>25</sup>

The PATRIOT Act also amended the maximum amount of a reward under Title 22, Section 2708 (e)(1), U.S. Code, which now provides “No reward under this section shall exceed \$5,000,000, *except as personally authorized by the secretary of state if he determines that offer or payment of an award of a larger amount is necessary to combat terrorism or defend the Nation against terrorist acts*” (PATRIOT Act amendment in italic).<sup>26</sup> The PATRIOT Act appears to give the secretary of state the discretion to offer a reward without a monetary limit.

In an effort to avoid duplication or interference with the payment of informants or obtaining evidence or information, the secretary of state shall consult with the attorney general regarding—

- 1) [the identification of] individuals, organizations, and offenses with respect to which rewards will be offered;
- 2) the publication of rewards;
- 3) the offering of joint rewards with foreign governments;
- 4) the receipt and analysis of data; and

5) the payment and approval of payment.<sup>27</sup>

However, before making a reward payment for any matter over which there is federal criminal jurisdiction, the secretary of state must secure the approval of the attorney general.<sup>28</sup>

Since the days of the “Wanted” posters, new methods and technologies have contributed to the fight against terrorism. The Department of State, in coordination with



several media outlets and other private entities, repeatedly has broadcast ways in which the public can assist the government. The Rewards for Justice Program was created in 1984 and is managed by the Diplomatic Security Service (DSS), a component of the Department of State. The director of the DSS chairs an interagency committee that reviews reward candidates and makes recommendations to the secretary of state. Depending upon the type of incident, the committee can include representatives from the National Security Council, Central Intelligence Agency, DOJ, FBI, DEA, U.S. Marshals Service

Witness Security program, INS, Federal Aviation Administration, and Department of Energy.<sup>29</sup>

Any individual can furnish confidential information at <http://www.rewardsforjustice.net>, or call toll free at 800-USREWARDS. If individuals do not have any information to offer, they can contribute money to <http://www.RewardsFund.org>, whose sole purpose is to fund Rewards For Justice, a 501(c)(3)<sup>30</sup> nonprofit charity fund from which the awards are paid. [RewardsFund.org](http://www.RewardsFund.org) was created on December 13, 2001, by Steve Case and Joe Rutledge, two businessmen who were moved to lend their business and advertising expertise after the terrorist attacks. In coordination with the Department of State’s campaign undertaken by Under Secretary of State Cheryl Beers, Case and Rutledge also advised the Department of State to create the toll-free line. At least two states, Connecticut and Florida, have introduced legislation for the creation of “United We Stand” license plates. The proceeds from the sales of those plates will go to the fund.

The availability of rewards have been published in domestic newspapers, such as *The New York Times*, and internationally in *Al Hayat*, *Paris Match*, *Die Welt*, and *Pravda*. These announcements comport with the statutory mandate, referred to as the Aviation Security Improvement Act of 1990,<sup>31</sup> requiring the secretary of state to publish the availability of U.S. rewards for information on international terrorist-related activities, which to the appropriate extent, prominently displayed domestically and abroad in international airports.<sup>32</sup>

Secretary of State Powell called the Rewards for Justice Program “an extremely effective weapon in the United States’ arsenal to combat terrorism.” David Carpenter, assistant secretary of state for diplomatic security, added that the reward program has saved thousands of lives by preempting terrorist attacks. He noted that 22 people have received a total of more than \$8 million for information over the past 17 years since the reward program’s enactment. The program generated information that led to the arrest of Ramzi Yousef who was convicted for the World Trade Center bombing in 1993.<sup>33</sup> State Department spokesman Richard Boucher stated that the Rewards for Justice Program has resulted in more than 100 telephone calls, 600 letters, 1,200 e-mails and 1.2 million hits on the Web site.<sup>34</sup>

Moreover, in 1990 the Air Transport Association of America (ATAA) and the Air Line Pilots Association, International (ALPA) agreed to supplement the rewards paid by the U.S. government for information that prevents a terrorist act against U.S. civil aviation or leads to the arrest or conviction of any person who has committed such an act.<sup>35</sup> Although not a separate fund, this enables the ATAA and ALPA to increase a reward by up to \$2 million.

### Conclusion

Based upon the aforementioned statutes, there are sufficient tools through which confidential informants can be rewarded for their information regarding terrorism. The PATRIOT Act empowers the president and attorney general to

approve rewards. The secretary of state has the apparent authority to offer rewards, without a monetary limit, to provide an incentive to persons with information sought by the United States. Some of those who possess the information have such deeply held religious or political convictions that no amount of money would cause them to contact U.S. authorities. Consequently, the

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**The...PATRIOT Act amended the reward program’s authority by increasing the amount of money offered or paid to an informant.**  
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U.S. intelligence community continues to develop its information-gathering techniques and recruit sources who, notwithstanding their religious or political affiliations, are willing to provide confidential information in an effort to avoid attacks on those who cherish freedom and provide for its security. ♦

### Endnotes

<sup>1</sup> Pub. L. 107-56, 115 Stat. 272 (2001).

<sup>2</sup> 18 U.S.C. § 3095B authorizes the attorney general to reward “any individual who assists the Department of Justice in performing its function”; 19 U.S.C. § 1619 enables the secretary of the treasury to pay rewards for “information concerning any fraud upon the customs revenue”; 21 U.S.C. § 881 authorizes the attorney general to pay rewards for “information which leads to the arrest and conviction of a person who kills or kidnaps a

Federal drug law enforcement agent”; 26 U.S.C. § 7623 authorizes the secretary of treasury to pay rewards “for detecting and bringing to trial and punishment persons guilty of violating the internal revenue laws”; and 28 U.S.C. § 524(c) authorizes the attorney general to reward those who provide “information or assistance leading to a civil or criminal forfeiture.”

<sup>3</sup> Pub. L. 98-533, Stat. 2706, codified at 18 U.S.C. § 3071-77.

<sup>4</sup> *Id.* Amended by P.L. 103-359, Title VIII, § 803 et. seq., Oct. 14, 1994, 108 Stat. 3438-39 (to include acts of espionage) and substituting heading to Chapter 204 from “Rewards for Information Concerning Terrorist Acts” to “Rewards for Information Concerning Terrorist Acts and Espionage.”

<sup>5</sup> 18 U.S.C. § 3072 (1984).

<sup>6</sup> *Id.* § 3076.

<sup>7</sup> 20 Weekly Comp. Pres. Doc. 590 (April 26, 1984).

<sup>8</sup> *Id.*

<sup>9</sup> 20 Weekly Comp. Pres. Doc. 1573 (October 19, 1984).

<sup>10</sup> 50 U.S.C. § 1801(c)(1) and (2)(1982).

<sup>11</sup> 18 U.S.C. § 3077(1)(2001).

<sup>12</sup> *Id.* § 3076.

<sup>13</sup> *Supra* note 1 at Title V, § 501.

<sup>14</sup> *Id.* at § (b)(2).

<sup>15</sup> *Id.* at §§ (b)(3) and (4).

<sup>16</sup> Dan Eggen, “U.S. Dangles Citizenship to Entice ‘Cooperators,’” *The Washington Post*, A1, November 30, 2001.

<sup>17</sup> Immigration and Naturalization Act § 101(a)(15)(S), codified at 8 U.S.C. § 1101(a)(15)(S) (1994). *See also* Section 212(d) of the Immigration and Nationality Act, which allows the attorney general to waive inadmissibility with respect to a nonimmigrant as set forth in § 101(a)(15)(S) if the attorney general considers it to be in the national interest.

<sup>18</sup> 8 C.F.R. § 214.2(t). The application is made on INS form I-854 accompanied by an I-539.

<sup>19</sup> 22 U.S.C. § 2708 amended by Chapter 502 in the PATRIOT Act *supra* note 1; *see also* § 36 State Department Basic Authorities Act of 1956 (Pub. L. 885, August 1, 1956), 70 Stat. 890, as amended by The Anti-Drug Abuse Act of 1988, Pub. L. 100-690, 102 Stat. 4181 (November 18, 1988) § 4602 and the International Narcotics Control Act of 1989, Pub. L. 101-231, 103 Stat. 1954 (December 13, 1989) § 13.

<sup>20</sup> *Supra* note 18 at (t)(4)(i)(C).

<sup>21</sup> *Id.* at (t)(4)(ii)(B).

<sup>22</sup> *Id.* at (t)(4).

<sup>23</sup> Pub. L. 99-399 (HR 4151) August 27, 1986, 100 Stat. 853. Codified throughout the U.S. Code.

<sup>24</sup> *Supra* note 19.

<sup>25</sup> *Id.* PATRIOT Act amendments in the italic.

<sup>26</sup> It is noteworthy that the U.S. House of Representatives passed a resolution amending 22 U.S.C. § 2708 by increasing, yet limiting, the secretary's award authority to \$25,000,000.

H.R. Rep. No. 236(I), to accompany H.R. 2975, 107th Cong. 1st Sess. 2001, 2001 WL 1205861 (Leg. Hist.).

<sup>27</sup> 22 U.S.C. § 2208 (c)(1).

<sup>28</sup> *Id.* at (c)(2).

<sup>29</sup> <http://www.rewardsforjustice.net>.

<sup>30</sup> 26 Internal Revenue Code § 501(c)(3)(1986).

<sup>31</sup> 22 U.S.C. § 5501-5513, Pub. L. 101-674, 104 Stat. 3075.

<sup>32</sup> *Id.* at § 5512(c). Found under Title 22 at Chapter 64, United States Response to Terrorism Affecting Americans Abroad.

<sup>33</sup> Tim Johnson, "Ads Stress \$25 Million U.S. Kitty For Informants," *The Miami Herald*, December 14, 2001.

<sup>34</sup> "Cash Offered, New Strategy Pushed in U.S. Fight to Foil Terrorism," <http://CNN.com> December 14, 2000.

<sup>35</sup> <http://www.rewardsforjustice.net>.

## Attention: Homicide, Sex Crimes, and Robbery Units

Any agency that has a case exhibiting similar modus operandi should contact the Fort Collins, Colorado, Police Department at 970-224-6090.

**T**he Fort Collins, Colorado, Police Department is investigating a series of six sexual assaults that occurred near the campus of Colorado State University between May 2001 and August 2001. DNA obtained was entered into CODIS and compared to the existing DNA profiles. Comparisons determined that the DNA matched five sexual assaults and one homicide in Philadelphia, Pennsylvania, that occurred near major universities between June 1997 and August 1999. One of the Philadelphia assaults resulted in the death of a 23-year-old college student.

### Crime Scenes

The offender targets multiresident complexes, allowing unimpeded egress from each crime scene. The offender enters through unsecured doors and windows or removes window screens. The suspect blindfolds the victim with materials found at the scene. The assaults take place in the early morning hours while the victims are sleeping. Each complex is located a short distance from a major university. It is believed that the suspect surveilled each location prior to the assault either through employment opportunities or as a result of nocturnal actions.

## VICAP Alert

### Possible Suspect Information

The offender is described as a white or mixed-race male, 18 to 35 years of age, 5'7" to 6'2" in height, and weighing between 160 and 180 pounds. He has brown collar-length hair, tan-colored skin, and emanates a discernable odor of stale cigarettes. During one of the assaults, the offender wore a polo shirt, khaki shorts, and a Quik Silver baseball cap.

Eyewitnesses to the most recent assault identified a late 1980s-model metallic light blue four-door sedan leaving the scene. The sedan resembled possibly a Buick Sentry or Toyota Camry.

The FBI's National Center for the Analysis of Violent Crime (NCAVC) has conducted a profile of the offender and ascertained that he is a Power Reassurance Rapist. He is of white or mixed race, above-average intelligence, not verbally confident with women, and may have had previous arrests for nuisance offenses, such as peeping, prowling, or possibly burglary. The offender may have connections to both Colorado and Pennsylvania.

### Alert to Law Enforcement

Law enforcement agencies should bring this information to the attention of all crime analysis personnel and officers investigating homicides/crimes against persons, sex crimes, and robberies. Any agency with crimes similar to these should contact Detective Kim Cochran of the Fort Collins, Colorado, Police Department at 970-224-6090 or Tracy Miller of the FBI's Violent Criminal Apprehension Program (VICAP) at 703-632-4168. ♦



# *FBI Law Enforcement Bulletin*

## Call for Authors

### Why Should You Publish an Article?

- Allows you to share your experiences
- Provides you with a wider audience
- Increases your credibility
- Enhances your professional image
- Improves your chances for promotion

### What Should You Write About?

Write about topics that interest you. Write about problems that you, your department, or community have solved.

Possible *Bulletin* topics include—

- administrative/personnel issues;
- crime problems and solutions;
- domestic violence;
- drugs;
- equipment;
- ethics;
- environmental crimes;
- firearms;
- future of policing;
- information resources;
- investigative techniques;
- juveniles;
- leadership/management concerns;
- negotiation/interviewing skills;
- police-community relations;
- technology; and
- training.

### How Do You Write an Article?

Authors should write in third person and use active voice. They should supply references when quoting a source exactly, citing or paraphrasing another person's work or ideas,

or referring to information that generally is not well known. Authors should study several issues of the magazine to ensure that their writing style meets the *Bulletin's* requirements. **Most important**, authors should contact the *Bulletin* staff for the expanded author guidelines, which contain additional specifications, detailed examples, and effective writing techniques.

The *Bulletin* judges articles on relevance to the audience, factual accuracy, analysis of the information, structure and logical flow, style and ease of reading, and length. The staff edits all manuscripts for length, clarity, format, and style.

The *Bulletin* generally does not publish articles on similar topics within a 12-month period or accept articles previously published or currently under consideration by other magazines. Because it is a government publication, the *Bulletin* cannot accept articles that advertise a product or service.

### How Do You Submit an Article?

- Send a query letter and short outline or
- Submit a completed manuscript to—  
Editor, *FBI Law Enforcement Bulletin*  
FBI Academy, Quantico, VA 22135  
Telephone: 703-632-1952  
E-mail: [leb@fbiacademy.edu](mailto:leb@fbiacademy.edu).

The *Bulletin* staff will review queries and articles and advise the authors of acceptance or rejection. The magazine cannot guarantee a publication date for accepted articles.

Authors should submit three copies of their articles typed and double-spaced on 8½- by 11-inch white paper with all pages numbered. When possible, authors should include an electronic version of the article saved on computer disk. A photograph of the author(s) should accompany the article.

# 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.



*Sergeant Boehm*

During a violent thunderstorm with high winds and heavy rain that rapidly flooded many streets, Sergeant Edwin Boehm of the Paradise Valley, Arizona, Police Department received a report of a vehicle that apparently had been swept off the road.

Upon arrival, Sergeant Boehm saw that a female driver was trapped inside the car. The driver's side window was down and water was rapidly filling the vehicle. The female driver appeared to be in shock and was unable to exit the vehicle. Because the driver's door was perpendicular to the strong current, it was difficult to open against the water pressure. Sergeant Boehm waded into the waist-deep water, opened the driver's door, and helped the female exit her vehicle. Then, he helped her through the swift water to safety. Without Sergeant Boehm's expedient and courageous actions, the woman likely would have drowned.



*Sergeant Ross*

During a lightning storm, Sergeant Robert Ross of the San Mateo, California, Police Department responded to calls of various lightning-strike locations. Sergeant Ross just had left the scene where a lightning strike had set a gas main on fire when he noticed

smoke coming from a residential area one block away. Upon arriving at the scene, he saw that the front of a house was fully engulfed in flames. While waiting for fire units to respond, he heard cries for help coming from the residence. Sergeant Ross attempted to enter the dwelling in several different areas, but smoke and fire drove him back. After testing the temperature of the front door, Sergeant Ross kicked it in and found a semiconscious elderly male lying on the floor in the midst of burning walls. He dragged the victim from the burning building to safety. Sergeant Ross' courageous and selfless actions saved the victim's life.



*Sergeant Dalphonse*

Sergeant Ronald Dalphonse of the Plymouth, New Hampshire, Police Department received a call to assist at an unknown medical emergency. Upon arrival, Sergeant Dalphonse learned that the male patient possibly was depressed and suicidal. While emergency medical staff attended the patient, the patient reached into a bag and withdrew a loaded pistol. A struggle ensued between medical personnel, Sergeant Dalphonse, and the patient. Sergeant Dalphonse was able to jump behind the patient and employ a tactical hold to deprive him of the strength and agility to retain the weapon. The pistol was secured without injury to the patient or the medical personnel. Sergeant Dalphonse's quick thinking and action prevented serious injury to the medical staff or the patient.

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## Patch Call



The Idaho State University Public Safety patch is an extension of the Idaho State University logo as outlined in the rectangle. The hills in the logo depict those on the West Bench of the city of Pocatello, as seen through the tall, narrow windows of the university's fine arts building. The centennial reference signifies the agency's contribution to the celebration of the university's centennial.



The patch of the Keene, New Hampshire, Police Department depicts the First Congregational Church, a landmark of the city, erected in 1786. The city of Keene was designated as an All American City in 1965 and has been recognized as a Tree City USA by the National Arbor Day Foundation each year since 1979.