FBI Law Enforcement Bulletin

Features

Departments

An Effective Assessment Center Program
Essential Components

By THURSTON L. COSNER, Ph.D. and WAYNE C. BAUMGART

First used in the 1920s, assessment centers were designed to select and promote personnel in occupations ranging from engineers and scientists to secretaries, military personnel, and even spies. More specifically, an assessment center is a process, not a place, which a team[1] uses to identify and evaluate leadership skills for higher level positions, such as supervisors and managers. These centers[2] gained widespread acceptance in the United States during the 1950s and 1960s. Today, various organizations view the assessment center as a widely accepted tool for recommending personnel actions in a variety of occupations, including

law enforcement. Regardless of the occupation, common elements exist for an effective assessment center. While an assessment center based program may not incorporate all of the criteria of a true assessment center, certain components exist that all assessment programs should include. By becoming familiar with these components, agency administrators can improve the chances of providing an assessment program that will best benefit their department.

One key principle for a successful assessment center is that all members of the assessment process must work as a team. Properly executed, an assessment program

should provide considerable benefits to a department. Not only will the best candidate be selected for the position, but others in the department will benefit as well.

Getting to Know the Department

In making an effective assessment program, the assessors first should become familiar with the targeted department or unit. This preliminary step involves meeting with all individuals involved in the assessment process, including current employees, their supervisors, and any others who work with the incumbents. Additionally, considering the current trend toward community-oriented policing, assessors

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may meet citizens who could interact with incumbents. In fact, citizens may even serve on the assessment team.

In addition to learning the duties of the employee and their place within the department and the community, members can glean a better understanding of the prevailing social climate of the work environment from this meeting. Because subtle differences exist between police departments, each assessment team needs specific information to generate a useful program. For example, some police departments emphasize enforcement and SWAT-type activities, while other agencies may be more community- and public relations-oriented. Finally, this first step of the assessment process can generate a departmentwide self-study that can continue far beyond the assessment procedure.

Reviewing and Updating Job Descriptions

The second step in conducting the assessment involves both the assessment team and key department personnel reviewing and updating current job descriptions. This activity should remain a joint venture between the assessment team and the department. Unfortunately, this important step in the assessment process often gets neglected. However, the job description can tell the assessment team as much about the department as it does about the position itself. Reviewing current job descriptions also can help clarify the roles of the individuals who currently hold the positions. The review process enables departments to take a rational and reflective look at how they have operated in the past. If the department and assessment team can forge a high level of cooperation, all will benefit. Managers must not underestimate the importance of updating job descriptions. Departments that operate without updated job descriptions may appear poorly managed, encounter huge legal risks, and lack an effective or defensible employee evaluation program. Agencies easily can rectify this situation and put the department on track for more effective models of police performance by periodically reviewing their position descriptions.

Conducting Job Analysis

After the assessment team completes the initial meetings and job description process, they conduct a job analysis. The job analysis differs from the job description, in that job descriptions usually appear in narrative form, list the kinds of tasks employees perform, and define the job's place within the organization. In contrast, the job analysis, a process that involves current employees as well as supervisors, and in some cases, subordinates and clients, entails a breakdown of the nature, extent, frequency, and importance of specific types of behavior that characterize the job (e.g., ability to negotiate, manage tasks, or handle certain types of situations).

Job analysis stands as the lynchpin of any assessment center program. Through job analysis, team members identify critical and important tasks of the position, develop an understanding of the underlying knowledge, skills, abilities, behaviors, and traits necessary to perform the work, and measure these elements through the assessment process.

After the team completes the assessment program and ranks the candidates, they should make the results of the job analysis available to the entire organization. Updating job descriptions, coaching current employees, improving employee evaluations, and identifying training needs for personal and

professional development represent some job analysis functions. A post-assessment meeting with the assessment team to discuss the results of the job analysis can aid department administrators in strategic planning and can serve as a precursor to change for the department. By following this process, the effects of change will have a greater impact and remain more consistent with department objectives and goals.

Meeting with Candidates

Upon completion of the job analysis, assessors should meet with candidates to help them understand the assessment process. At the meeting, assessors should tell candidates what to expect during the assessment process, as well as the rating methods.

The meeting also allows candidates to ask any questions they may have about the procedure. Most candidates have an interest in the assessment procedure, the evaluation process, and the assessors' experience. Candidates have reported that this meeting prepares them for approaching the assessment procedure and that it helps reduce unnecessary tension and stress that most candidates naturally experience when preparing for an assessment center program.

Developing Assessment Activities

After the meeting, the assessors should develop procedures that they will use to evaluate the candidates. Each procedure must have a content and construct valid relationship with the results of the job analysis. Content validity refers to activities culled from the potential types of actual activities that the employees perform or will perform. By comparison, construct validity relates to the underlying skills, knowledge, abilities, behavior, and traits employees need to perform the critical or important aspects of their job.

> "*Police administrators... have an obligation to participate fully in the assessment center program.*"

The job analysis identifies certain characteristics, such as the ability to analyze particular problems or the ability to read, interpret, and apply a department rule or regulation to a practical situation. If these constitute critical or important tasks for the job, then the exercises can measure the skills and abilities related to these tasks. More than one exercise should exist to measure important aptitudes. If the procedure has construct validity, assessors can logically and empirically link the assessment activity and its relationship to the critical aspects of performance identified in the job analysis. An assessment team that cannot relate its procedures to the job analysis risks conducting an invalid assessment center.

Assessment centers can use a number of different types of exercises (e.g., the in-basket activity, the fact-finding exercise, and the group activity[3]) to evaluate the candidates and observe how they would react in certain situations. Because time and resource constraints exist, each program will not use all exercises and will vary among departments.

In addition to using a mix of these exercises, the team should interview each of the candidates. Generally, to facilitate the interview, the candidates first should complete a personal and career attitude questionnaire. This questionnaire can ask the candidates about how they spend their work day, their interests, what problems they believe currently exist in the department, and other relevant questions for the position. Assessors interweave the content-valid material gathered in the interview and on the questionnaire with other behavioral observations made during the assessment activities to provide a comprehensive picture of the candidates.

Psychological Testing

In addition to including law enforcement professionals, assessment teams should include a police psychologist to participate in assessment activities. These activities, such as psychological tests and structured interviews and simulation activities with construct validity, can provide a more dynamic view of the candidate. Not only can assessment teams observe the candidate's visible behavior, but also, through the testing process, they can more thoroughly assess underlying characteristics and traits

the candidate may possess. On one hand, it remains vital to understand the candidate from the perspective of a seasoned veteran police officer, yet, it remains equally important to understand the candidate from a psychological perspective, which will often identify personality characteristics that observation and interview do not always reveal. Additionally, a psychological test can validate the observations made during the assessment. If the test findings and the observations agree, then the rating is supported from a different perspective. If disagreements between the results of the test and the behavior of the candidate should occur, then the assessors should reconcile the differences.

Evaluating Performance

In the next step, typically two or three assessors evaluate the candidates. This process should proceed with each assessor compiling a score for each of the candidates, based on their performance on the assessment exercises. After each assessor completes this step, they should meet to discuss their ratings and to achieve a consensus score for each candidate. In those rare cases where assessors experience an impasse, they should average the candidates' scores to achieve a final rating for the characteristic in question. Additionally, assessors can use psychological tests to settle any discrepancies.

Ranking the Candidates

After reaching a consensus on each score, the assessors rank the candidates by converting the values into percentage ratings. By transforming the scores into percentages, the assessors can factor in the relative weight for the assessment center score into the candidates' overall promotional evaluation scores, which may include results from promotional tests and departmental ratings. Assessors must evaluate candidates against clearly defined standards and not against each other.

> " *...all members of the assessment process must work as a team.* "

Compiling the Narrative Report

Because of the considerable amount of information generated from the assessment and to help the appointing authority understand the reasoning behind a particular score, the assessors should develop a narrative report. The narrative report should include the candidates' behavior, their responses on the test, and other appropriate characteristics observed during the assessment. Ideally, the narrative report assists both the appointing authority and the candidates in understanding the reasons for a particular score.

The narrative report should not become a part of any permanent file of the candidates. The assessors should destroy the report following the completion of the promotional process and the expiration of the list.

Debriefing the Candidates

After the team makes the promotion selections, an opportunity should exist for candidates to voluntarily talk to the assessors and receive feedback on their performances and reasons for their scores. This discussion of strengths and weaknesses not only informs candidates why they placed where they did, but allows them to use the feedback to capitalize on their strengths and improve their weaknesses. For those individuals who have an interest, the session proves beneficial for their career development and the department as a whole.

Conclusion

Promotional examinations often are a period of great stress and turmoil in many departments. When a department uses an assessment center approach to promotions, the department administrator should choose the best possible team to gain the highest quality results. Police executives have the opportunity to make the entire process a positive experience for the candidate and the department, as well.

Police administrators and the assessment team, along with others, have an obligation to participate fully in the assessment center program. Various comprehensive models exist of the essential components of an effective assessment center program. In fact, few assessment centers contain all of the

components. An informed manager can review the list of components and decide exactly what to include or omit from an assessment center. If a substantial number of components are missing, the administrator should ask the team to modify their approach to improve the process.

Although it has existed for quite a few years, the assessment center has gained popularity as a tool for conducting promotional programs in the public sector only recently. If the assessment team follows certain principles, the assessment center will become not only an effective tool for selecting the best person for the position, but will help the department develop a standard and have a residual effect for all of the candidates who participate in the process.✦
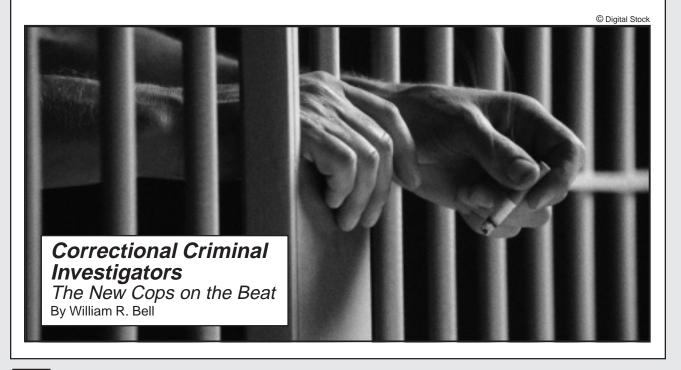
Endnotes

[1] An assessment team may consist of a variety of individuals with experience in the law enforcement field, including former and current police personnel.

[2] An assessment center is a tool for making personnel decisions, including the selection, promotion, transfer, or career development of employees. A team of individuals, including current employees, managers, personnel experts, civilians, and others impacted by the agency, make up the center. The team employs numerous assessment activities to help them recommend a personnel action. The activities help them analyze the type of work and the knowledge, skills, and abilities the employee may have to perform the job.

[3] Paul Jansen and Ferry deJongh, *Assessment Centres: A Practical Guide*, (West Sussex England: John Wiley and Sons, 1997).

Correctional Criminal Investigators
The New Cops on the Beat
By William R. Bell

To the public, when criminals get convicted and sentenced to prison, it means that society no longer has to worry about them. Unfortunately, this rarely proves true. As the big steel door slams shut behind them, many offenders merely graduate to a higher level in their criminal educations. In fact, today's new breed of criminal is more motivated, better organized, more dedicated to crime, and less fearful of punishment than ever before. Some of the offender's sophistication comes from the influx of organized gang activity within the prisons.

Correctional facilities traditionally have managed their own operations successfully. At the same time, they have depended frequently on outside police agencies to investigate felony crimes committed by their inmates. Yet, this arrangement can create problems for the prison and cause frustration for outside investigators for a number of reasons.

First, incarcerated offenders generate a huge number of cases. For example, in 1998, Colorado had about 13,000 inmates and recorded more than 14,000 violations. These violations ranged from minor infractions to murder. No outside agency would have the time or the resources to investigate all of these prison crimes.

In addition to the volume of crimes that occur, the prison's unique environment limits the ability of outside agencies to conduct successful investigations. Only correctional officers understand the physical layout and daily operations of the prison. Perhaps more important, the prison contains a subculture of hardened criminals that bears only a slight resemblance to what exists on the street. Even the most seasoned investigator would find it difficult to investigate a crime with uncooperative victims, witnesses, and, of course, perpetrators. On the street, people who witness crimes usually report them to the police, whereas in prison, inmates rarely report crimes. A code of silence, punishable by death if violated, keeps most inmates from talking to the police.

Additionally, outside the prison, witnesses usually give an account of an incident based on their honest perception of the event. Inmates, on the other hand, go to great lengths to make sure they serve their own best interests. Suspects and witnesses may even stage crime scenes. Even the most cooperative inmates will not give a complete account of what they have seen. They may answer direct questions but will not offer any additional information unless

investigators specifically request it. Indeed, prison fosters an "us against them" society, where failure to cooperate remains the rule of the day.

Finally, experienced investigators know that intelligence gathering plays an essential role in solving, and possibly preventing, crimes. Thus, investigators who work in the prison full time stand in the best position to gather the information they need to combat prison crime.

THE COLORADO EXPERIENCE

Prior to 1983, the Colorado Department of Corrections, like most prison systems, employed outside law enforcement officers to investigate felony crimes. Because the approach generated few prosecutions, the department abandoned it. Next, the department tried using corrections employees with law enforcement experience to investigate some crimes within the prison. This approach, although surpassing past efforts, fell short of expectations. A lack of support from local law enforcement agencies and the district attorney's office presented a significant obstacle to the department's efforts.

To gain support from the criminal justice community, department investigators increased their contact with outside agencies. During these contacts, they shared valuable intelligence information. By demonstrating that they possessed considerable information that could benefit law enforcement officers outside the prison and clearing a large number of criminal cases, the investigative division began to earn credibility with local law enforcement officers and prosecutors.

In the early 1990s, officials from the Colorado Department of Corrections and the local district attorney's office approached legislators with a proposal to make correctional investigators certified peace officers, with the duty and authority to investigate all crimes associated with the prison system. Given this authority, and coupled with the dedication and experience of its investigators, the Criminal Investigation Division (CID) came into its own.

> " ...the prison contains a subculture of hardened criminals that bears only a slight resemblance to what exists on the street. "

A New Cop on the Beat

CID has 34 employees, including 25 criminal investigators. CID investigators have extensive law enforcement backgrounds and hold certifications from the state's Peace Officers Standards and Training Board. In addition to detecting and prosecuting all felony crimes associated with the Department of Corrections, the unit also conducts background checks of new employees, manages the drug deterrence program, handles internal affairs cases, and investigates inmate and civilian complaints. Of all of the cases CID investigators handle, drugs represent the largest percentage.

Combating Drugs

Drug cases constitute about 70 percent of the CID investigator's case load, as literally hundreds of thousands of dollars in illegal drugs flow into Colorado prisons weekly. Inside the prison, the street value of drugs increases tenfold. Accordingly, drugs satisfy the inmates' needs for power and money. Drugs also create a dangerous climate in the prison. Inmates on drugs pose a danger to themselves and others; drug debt collections generate serious assaults and homicides.

A number of law enforcement agencies have been working with CID in a concentrated effort to curb drug trafficking. In recent years, the DEA has solicited intelligence from CID and assisted with several complex drug investigations.

The CID K-9 unit also actively participates in drug interdiction programs. Canine crime fighters detect drugs inside the prison, at outside work crew sites, and in visitors' vehicles. The unit also works in concert with local prosecutors from the district attorney's office in drug deterrence programs within the prison. In recent years, several state and federal agencies have called upon the CID K-9 unit to assist in some very high profile cases. In addition to their work in drug cases, the unit's dogs track escaped prisoners and often help find missing persons in the community.

Monitoring Gangs

The Colorado Department of Corrections employs gang coordinators at each of its prisons to monitor the activities of gang members. The gang coordinators share intelligence with outside law enforcement agencies and maintain the Security Threat Intelligence Network Group, a regional database of gang information. CID generally becomes involved when the gangsters commit crimes, which usually revolve around drugs. The Department of Corrections' proactive approach to gangs has forced much of their activity underground. Any actions that surface, such as recruiting new members, subject inmates to administrative sanctions and, most likely, a transfer to a more secure facility.
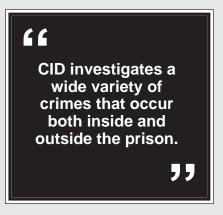
Solving Other Cases

CID investigates a wide variety of crimes that occur both inside and outside the prison. These crimes include assault, sexual assault, felony theft, fraud, bribery, escape, bank robbery, and murder for hire. In the last 5 years alone, CID has investigated more than 20 cases in which inmates have hired undercover CID investigators to commit first-degree murder. In September 1998, three separate cases came from one prison cell block. The successful resolution of these cases spared the lives of two judges, three district attorneys, and two civilians, while resulting in three successful prosecutions with two other offenders awaiting trial.

Results

Since its inception, CID has successfully resolved several hundred cases every year. In 1997, the unit's case load included 292 felony investigations and 133 internal affairs cases. The remaining 1,361 cases comprised 345 intelligence cases (a case initiated based on information received from some source), 295 agency assists (e.g., provide intelligence, help with a raid), 83 K-9 actions, and 638 complaint reports. In 1998, 1,460 investigations covered 240 felony and 177 internal affairs investigations. One

> " CID investigates a wide variety of crimes that occur both inside and outside the prison. "

hundred seventy-four intelligence cases, 328 agency assists, 37 K-9 actions, and 504 complaint reports made up the remaining 1,043 cases. In 1999, the unit handled 1556 cases—306 felonies, 188 internal affairs investigations, 232 intelligence cases, 303 agency assists, 27 K-9 actions, and 500 complaint reports.

The cases CID resolves represent more than mere numbers. While no real deterrent exists for inmates, prisoners in Colorado now must pay a punishment for the crimes they commit while incarcerated. As a result, a safer prison environment exists. Moreover, the improved relationship between outside law enforcement agencies and the Department of Corrections has enhanced the crime-fighting efforts within the prisons and in the communities these public safety officials all serve.

CONCLUSION

Many people do not realize that prison inmates often belong to very complex crime organizations that spread throughout the country. Their crimes may initiate inside the prison, but they reach out into the community. The Colorado Department of Corrections has recognized the need to better protect society by holding its inmates responsible for the crimes they commit in prison. As a result, a new cop has emerged on the beat. These seasoned investigators remain dedicated to protecting and serving the public by keeping convicted felons in check.

While the Colorado Department of Corrections Criminal Investigation Division is a relatively new addition to the law enforcement community, it has a great deal to offer any agency seeking intelligence and assistance in monitoring career criminals. This approach to law enforcement may well serve as a resource for other states to espouse. ◆

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Biometrics
Solving Cases of Mistaken Identity and More

By STEPHEN COLEMAN, Ph.D.

Nearly a century ago, law enforcement agencies discovered the value of using fingerprints as a means of positive identification.[1] Today, law enforcement continues to use fingerprints to solve crimes, identify criminals, and keep criminal records. However, fingerprints represent merely one type of biometric, a physical characteristic that can distinguish one person from another. Others include the face, the eyes, the hands, and the voice.

Biometric technology creates new opportunities for law enforcement and crime prevention by accurately identifying people when they cash checks, collect welfare benefits, use automated teller machines (ATMs), cross borders into the United States, sign on to computer networks, or enter secure buildings. The promise of biometrics may become tarnished, however, if governments or businesses use it to monitor and gather information on a person's private activities.

In 1998, the Center for Applied Research and Policy Analysis at the Metropolitan State University in St. Paul, Minnesota, studied biometrics; its accuracy, applications, and costs; as well as the legal and privacy issues associated with these potential uses. The center concluded that biometric systems have enormous potential for public and private organizations alike.

BIOMETRIC SYSTEMS

Biometric systems serve two purposes: identification and authentication. For example, when the police make an arrest, they compare the suspect's fingerprints with fingerprints on file to determine if the

> **"** *The public generally accepts the use of biometric systems as a necessary part of doing business in today's crime-ridden society.* **"**

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person has a criminal record. Biometric systems also can identify criminals who refuse to disclose their names or who give aliases. Traditionally, highly trained specialists did this fingerprint work manually. Now, the typical biometric fingerprint system automatically reads a person's fingerprints with a video camera, converts the fingerprint images into computer data, and searches the fingerprint file for similar prints, which the system stores digitally as electronic data.

By comparison, authentication occurs when, for instance, a person uses an ATM card and must enter a personal identification number (PIN) to prove authenticity. Experience shows, however, that this type of security remains weak, and fraudulent use of cards, checks, and driver's licenses costs businesses millions of dollars each year. In contrast, with a biometric ATM system, the bank could put a person's fingerprint data or another biometric on the magnetic strip on

the back of an ATM card when the person first applies for it. To use the card, the owner would place it in a cash machine and put a finger on the machine, which would read the print, convert it into numbers, and compare it with the fingerprint data on the card. If the numbers match, the machine would pay out. A small computer in the ATM machine would do the work. Alternately, a central computer could store the biometric and retrieve the information when customers present their identification cards or enter their passwords into the system. Finally, a "smart card" with a small computer chip memory could hold the biometric.

The number of comparisons the system makes to verify the person differentiates identification from authentication. For identification, the computer may have to compare many thousands of fingerprints; authentication requires only one comparison between the card and the person presenting it. A biometric system that makes thousands of

comparisons must have a higher accuracy rate than a system designed for a single comparison. Thus, accuracy represents one concern for potential users because different systems vary in their degree of accuracy. Depending on their needs, agencies must select the right type of system.

Types of Systems

A profusion of vendors now produces a variety of biometric systems. The most common systems identify or authenticate users by their fingerprints, eyes, hands, faces, or voices.

Fingerprints

No two fingerprints are alike. For this reason, law enforcement and the courts recognize fingerprints as unique personal identifiers. Most biometric fingerprint systems work by finding the breaks and forks, also called minutiae, in the fingerprint ridges and converting information about their position into a series of numbers, like coordinates on a map. Some systems use other information about the ridges or pores of the skin.

Eyes

Two biometric systems use information about a person's eye; one looks at the pattern of veins in the retina, while the other uses the pattern of fibers, tissues, and rings in the iris. Experts believe that both of these biometrics are as unique as fingerprints, but their use in identification lacks the established history of fingerprints.[2]

The retinal system, the first system invented, requires shining a light into the eye at close range to

illuminate the retinal pattern. As a result, it demands the cooperation of the person being checked. The retinal system's accuracy rate makes it appropriate for high-security facilities, such as nuclear power plants.

Users have begun to express a preference for the iris-based system. Although relatively new, it requires only that a person look toward a video camera operating several feet away. In addition, neither eye color nor corrective lenses (glasses or contacts) interfere with the biometric. Similarly, changes in the size of the iris in response to light do not affect the system. Actually, a biometric system can use the fact that the iris adapts to light to verify that the eye belongs to a person, not a photograph.

Although the theory requires additional research, some evidence suggests that patterns in the eye may change over time because of illness or injury. Therefore, eye identification systems may not work for blind people or individuals with eye damage.

Hands

Biometric systems can use the hand's distinct, three-dimensional characteristics, including the length, width, thickness, and contour of the fingers; veins; and other features. Hand-geometry systems most commonly control access to buildings. A person seeking admittance places a hand in a device that examines it with a video camera and converts the video image to numbers in a computer for comparison with the person's prerecorded hand geometry.

Changes in a person's fingers, for example, large rings or swollen fingers, may affect hand identification, and the system may not work for people with hand paralysis or tremors. Environmental problems, such as temperature or light shining at the camera, also may hamper the system.

> **Biometric technology creates new opportunities for law enforcement and crime prevention....**

Face

Facial biometric systems have seen rapid improvement.[3] A video camera scans the face and records the arrangement of features for comparison with previously recorded facial images. Facial-recognition systems can automatically scan people's faces as they appear on television or a closed-circuit camera monitoring a building or street. One new system uses the infrared heat pattern of the face as the biometric, which means the system works in the dark.

Individuals who change their appearances markedly, for example, by growing beards, or who make unusual facial expressions can confuse the system. The orientation of a person's face toward the camera also can influence accuracy.

These systems may not be able to distinguish twins.

Voice

To a limited degree, voice or speech patterns can identify people. To use a voice-recognition system, a person must prerecord specific words on the system. Later, when the system needs to authenticate the person's identity, it prompts the person to say one of these words. A computer analyzes the speech pattern and tries to determine if the voice matches the prerecorded version. Voice recognition differs from *speech* recognition, in which a computer tries to *understand* what a person says.

Voice recognition suffers from a variety of problems. A person's voice may change because of illness or stress, and women prove more difficult to identify than men. A noisy background also can present a problem.

Other Biometrics

A few available, but rarely used, biometric systems use palm prints, and others use finger geometry. Some researchers are trying to develop biometric systems based on written signatures, personal odors, ears, sweat pores, the way a person types on a keyboard, and body motions.

APPLICATIONS

Biometric technology covers a wide range of applications, from identifying criminals to preventing welfare fraud. Because of their high security needs, correctional institutions have led the way in implementing biometric systems.

Corrections

In a number of federal prisons, visitors, staff, and inmates have their hand biometric put on a photo identification card, which they must carry with them. Card and hand readers installed throughout the prisons control access to various areas; the systems also record everyone's movements.

Similarly, the Minnesota Department of Corrections has hand-geometry systems in the state's three medium-security prisons. People leaving the institution swipe their identification cards into the system, while placing their hands on a reader. The system compares the biometric on the card with the person's hand before allowing them to leave. Staff members also have photos on their identification cards to supplement hand-geometry verification and make false identification a remote possibility.

The department installed the systems in 1997 and continues to refine them, with plans to put similar systems in other prisons. The system at one prison, which includes a computer network, terminals at three access points, and programming tailored to the system's specifications, cost $130,000.

In 1990, the Cook County, Illinois, Sheriff's Office began using a retinal identification system for prisoner identification and release.[4] At the time, the system cost about $500,000 for 23 scanners and other equipment to connect the system, but prices for the equipment have come down. The Lancaster County, Pennsylvania, prison's prisoner identification system uses iris-based technology. In 1997, the stand-alone system cost about $10,000.[5]

New York City recently contracted for an electronic probation monitoring system, for a cost of $925,000.[6] The hand-geometry system uses kiosks with video touch-screens that allow probationers and parolees to check in electronically with probation officers on reporting dates. The city expects to use the system to monitor about

> **Live scanning...allows agencies to transmit prints to other agencies, including the FBI.**

35,000 low-risk probationers, allowing probation officers to spend more time supervising high-risk probationers.

Voice-recognition systems also can monitor probationers. One system randomly pages a probationer, who must call a toll-free number. The system then verifies the caller by voice,[7] while Caller ID verifies the probationer's location.

Border Control

The federal Immigration and Naturalization Service (INS) has pioneered biometric systems in border control. A multitude of people cross into the United States daily—100,000 in El Paso, Texas, alone[8]—which makes prompt and accurate identification necessary. In 1993, INS began a trial of its Passenger

Accelerated Service System (INSPASS), which uses either hand geometry or, at one location, fingerprints.[9] Business travelers who fly into the United States at least three times yearly can apply for a biometric identification card at an INSPASS enrollment center. Then, on arrival, the traveler puts the card into a kiosk and puts a hand on the designated spot. If the system verifies the person's identity, it opens a gate and records the process.

The U.S. Department of Justice evaluated the initial INSPASS system, which cost about $3 million. The audit found that INSPASS "has the potential to be a cost-effective means of reducing processing time for frequent travelers...without sacrificing security."[10] The $45,000 kiosk costs less than a border inspector's yearly salary, approximately $50,000.

INS has opened automated border crossing systems (Port Passenger Accelerated Service System, or PORTPASS) on the northern border in Montana and in Coronach, Canada.[11] In these remote locations where employees do not work around the clock, a voice-recognition system, which can withstand severe weather conditions, authenticates border crossers. On the Mexican border, illegal immigrants caught crossing the border have their fingerprints read into an electronic database for future identification and to check for those wanted by the police.[12]

Criminal Identification

In 1978, Minnesota became the first state to install an automated biometric fingerprint identification

system. It identifies arrested criminals and permits searching of prints found at crime scenes.[13] Live scanning, in which video cameras and computers directly read digital fingerprints, allows agencies to transmit prints to other agencies, including the FBI. The FBI's newly implemented NCIC 2000 system can, among other services, match submitted fingerprints to subjects on the national list of wanted persons.

The sheriffs' offices of Hennepin and Ramsey counties, the St. Paul police, and a local company plan to test a portable fingerprint reader that law enforcement can use in or near their vehicles to learn on the spot whether a suspect is on the national wanted list. The devices cost about $2,500 to $4,000, with additional costs to upgrade police radio or telephone systems to accommodate the fingerprint readers; federal funds may help agencies pay for the equipment.

Criminal Background Checks

Many states require criminal background checks as a condition of employment or licensing for some individuals, including law enforcement officers, licensed daycare workers, foster-care providers, and individuals applying for liquor licenses. In 1998, California began submitting fingerprints electronically by live-scanning individuals who need background checks; sheriffs' offices throughout the state house the terminals, which cost about $55,000 each.[14] This service likely will cut the time it takes to do a background check to 72 hours or fewer for 95 percent of applicants, who pay a fee for the service.

Photo Identification

Automated systems that capture and digitize mugshots can incorporate facial recognition. In 1988, the Lakewood Division of the Los Angeles County Sheriff's Department installed a system that can take the composite drawing of a suspect or a video image of someone committing a crime and search it against its database of digitized mugshot photos. The department also intends to use the system to search for suspects on "Megan's Law CD," a photo database of registered sex offenders.[15]

British police plan to automatically monitor closed-circuit surveillance video cameras with facial-recognition software. Britain has more than 200,000 video cameras used for surveillance, many watching streets and shopping areas. In Newham, a borough of London, the local police have planned a 6-month trial of facial recognition at a cost of about $100,000 for a system that includes 140 street cameras and 11 mobile units.[16] A computer will monitor video cameras set to watch for known criminals. When the

system recognizes someone, it will alert the police. This technology also can monitor public video cameras for missing children or scan for terrorists at airports.

Driver's Licenses

Because a driver's license has become a key form of personal identification, its authenticity remains critical. Driver's license fraud contributes to other types of crime, including identity theft,[17] credit card fraud, and the illegal purchase of alcohol and tobacco by underage minors. States are taking more precautions to control the issuance of a driver's license, and biometrics offers the best way to check a person's identity.

In 1998, West Virginia became the first state to apply facial-recognition technology to the driver's license application process.[18] When people apply for a new license, the system digitally stores their photographs. When they renew their licenses, or try to replace lost or stolen ones, the system captures their photo and automatically compares it with their previous photo. This

system prevents people from getting a license under a false identity. West Virginians also can have their fingerprints stored on their driver's licenses for identification at stores and other locations.

Other Applications

For government benefit programs, a biometric system can offer both reduced opportunity for welfare fraud and increased security for recipients who get their benefits electronically. For credit card companies, biometrics may one day eliminate fraud.[19] Biometrics also can provide computer and Internet security by authenticating the person signing on to a computer or computer network, controlling access to sensitive data, and making Internet financial transactions more secure.

In addition, a recent breakthrough in technology will further reduce prices and extend the range of fingerprint verification.[20] Most fingerprint scanners have a small video camera to capture an image of the fingerprint. But soon a single computer chip will hold fingerprint scanners at an expected cost of $40 or less. Users will simply put their finger on the chip itself to scan the fingerprint into the computer. The chip is so small and thin, users can mount it virtually anywhere—on a computer keyboard, a doorknob, a car ignition, or a cell phone. With a fingerprint chip on the handle and a small computer inside,[21] the "smart gun" relies on this technology. The owner of the gun would touch the fingerprint sensor to activate the gun; no one else could use it.

CONSIDERATIONS

Biometric systems continue to prove their worth for a broad range of applications. However, their widespread use in government and commercial arenas depends on a number of factors. Short-term considerations include the cost and accuracy of various systems on the market. In the long run, and perhaps more important, agencies must study the legal issues, privacy concerns, and public attitudes associated with biometrics.

> **"**
> ***...biometric technology can save investigators many hours of work and solve crimes that might remain unsolved using traditional police practices.***
> **"**

Accuracy

Biometric systems use two measures of accuracy, one for each type of mistake they make. For example, a biometric system that limits its access to a building would make a mistake if it let in an unauthorized person. Other times, the system might fail to recognize a person who should gain access. Biometric system users must decide upon the degree of error they will permit, taking into account the type of biometric system needed, cost, security desired, and what happens if a mistake occurs. A nuclear plant,

for instance, which requires a very high level of security, would need a biometric access system that made it virtually impossible to let in an unauthorized person.

Some biometric systems can adjust error rates, which involves a trade-off between the two types of errors. That means that a system that reduces the chance of a person's getting into a building by mistake increases the likelihood that legitimate users will be denied admittance. So agencies must balance security interests against the annoyance and problems that arise when legitimate users cannot gain access. For example, bank customers who cannot access their accounts through the ATM might switch banks.

Legality and Privacy

Federal and state governments have used fingerprints for years to identify people, both in criminal cases and for civil purposes. These applications have consistently withstood legal challenge.[22] Similarly, the government can require photographs for identification. Courts have not extended any constitutionally based privacy right to people who are required to prove their identity with a fingerprint, although the government may have to show that it has a reasonable public purpose for taking a fingerprint. The courts have not yet ruled on new biometrics, such as iris or hand geometry, but fingerprints may provide a precedent. When used with public or private survillance video, facial recognition raises unique privacy concerns because people can come under surveillance without their knowledge.

Privacy issues emerge when a government agency does something with a person's fingerprint that goes beyond the original purpose for its collection. The California Supreme Court approved taking fingerprints for driver's licenses but ruled that indiscriminate dissemination of fingerprint records by the state violated individual privacy rights.[23]

The provincial Information and Privacy Commissioner of Ontario, Canada, leads the way as governments around the world work on guidelines and laws for the privacy of biometric information. The office proposed a series of safeguards for fingerprint identification records of the Ontario government's social assistance programs.[24] Recommended safeguards include encrypting the biometric to make it impossible for anyone to use it without authorization; restricting use of the finger scan; preventing unauthorized access to the biometric database; and keeping most personal information separate. These elements became law in Ontario in 1997.[25]

CONCLUSION

Simply put, biometrics work well. Systems currently on the market can successfully identify and authenticate people with a high degree of accuracy. Fingerprints remain the best choice for applications involving large numbers of users. Iris-based systems may equal or exceed fingerprints in accuracy, but the limited number of vendors and lack of precedent for iris recognition make them less attractive. Hand-geometry systems have proven themselves in physical ac-

cess control, particularly in prisons, which require high levels of accuracy and security. Voice recognition proves least accurate but might represent the best alternative to verify someone's identity over the phone.

Facial-recognition systems create opportunities to identify people unobtrusively and without their cooperation, as in video surveillance, and they can be added to digital photo systems used for mugshots or driver's licenses.

Biometric systems also have proven their cost-effectiveness in state welfare systems and border control, where the system costs less than hiring a person to do the same work. In criminal identification, biometric technology can save investigators many hours of work and solve crimes that might remain unsolved using traditional police practices.

Before selecting a vendor for a biometric system, agencies should consider the company's ability to provide long-term maintenance and keep pace with technology. Agencies should test biometric systems thoroughly prior to purchase or before expanding to larger systems. Buyers need to make their own assessment about the accuracy and reliability of biometric systems and not rely totally on claims of manufacturers.

Although they work well, biometric systems have little compatibility with one another. Agencies may find advantages in adopting compatible systems, but compatibility also makes it possible to share data on people across systems, which might infringe on people's privacy.

The public generally accepts the use of biometric systems as a necessary part of doing business in

today's crime-ridden society.[26] With safeguards in place to protect the legal and privacy rights of citizens, organizations can use biometric systems with the cooperation of the public. Indeed, biometric technology can help agencies in both the public and private sector solve crimes, protect identities, secure entrances to buildings and borders, safeguard computer databases and networks, and deter fraud in the communities they serve. ✦

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> **Because of their high security needs, correctional institutions have led the way in implementing biometric systems.**

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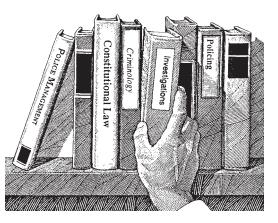
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Victims of Crime *by Robert A. Jerin and Laura J. Moriarty, Nelson-Hall, Inc., Chicago, Illinois, 1997.*

Victims of Crime, a well-developed textbook for the field of victimology, has many criminal justice applications. Scholars and practitioners will find the information on the criminal justice system objective and comprehensive. This publication presents an excellent overview of the many facets of victimization.

The authors identify issues and concerns that students and professionals have voiced over the years. The chapters are organized and well written, and the authors' experiences working for victims contribute to the clarity of the writing.
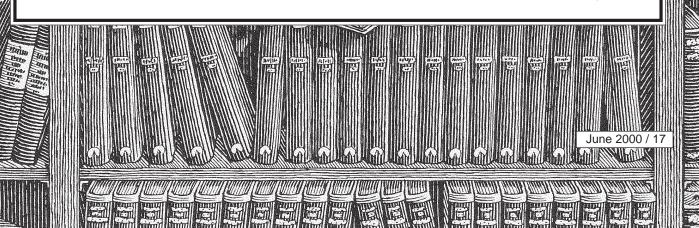
The authors bring to light several significant issues for police officials to consider and stress that the mutual dependence between crime victims and the police cannot be underestimated. For example, although police officers are trained to gather as much information as possible at the scene of the crime in order to make an arrest, this requirement to gather evidence may conflict with the victim's needs. This delicate balance can put law enforcement officers at odds with the victim.

Police officials depend on cooperation from the victim. Remaining sensitive during the investigative phase will improve rapport and enhance communication. Furthermore, consideration and sensitivity to the victim's needs results in successful investigations and prosecutions.

An in-depth review of the text reveals extensive coverage of victimology. Initially, the authors provide a brief overview of the victim's movement and various programs for crime victims. The first three chapters concern victims and the police, victims and the courts, and victims and corrections. The next three chapters address domestic violence, women as victims, children as victims, and elderly as victims. Additional chapters study non-domestic violence, sexual assault, and hate crimes.

In the final chapters, the authors examine crime prevention, international programs, and the future for victims of crime. All of these will prove quite useful to those in law enforcement. Accurate information about victimology will help bridge the gap between victims and those who investigate the crimes. *Victims of Crime* is essential reading for criminal justice practitioners and individuals concerned with the rights and welfare of victims.

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Violent Crimes Among Juveniles
Behavioral Aspects

By WILLIAM ANDREW CORBITT, M.S.

The United States is home to approximately 57 million children under age 15 and nearly 20 million between 4 and 8 years old. Experts believe that the teenage population may reach almost 30 million by 2006.[1] This population growth may partially explain why the United States has witnessed a nationwide epidemic of juvenile violence in the past 15 years. More violent and troubled youth are entering the juvenile justice system than ever before.

Indeed, although crime rates have decreased across the United States, violent crimes (e.g., murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault)[2] among juveniles increased by 14.9 percent from 1989 to 1998.[3] In 1998, law enforcement officers arrested more than 1.8 million teenagers under age 18, representing 18 percent of all persons arrested.[4] Twenty-nine percent of these youths were arrested for Crime Index offenses.[5]

Several factors—such as child abuse, a difficult home life, and exposure to crime—can predict certain types of future behavior. Although these factors may adversely affect juvenile behavior, serious and violent juvenile offenders tend to develop behavior problems—such as aggression, dishonesty, property offenses, and conflict with authority figures—from childhood to adolescence.[6] Parents, law enforcement officers, schools, and community organizations must recognize the behavior patterns of delinquents to implement appropriate crime prevention strategies.

CONTRIBUTING FACTORS

Numerous variables affect children during specific stages of their lives.[7] During infancy, such factors as sex, intellect, activity level,

temperament, and attention span may affect behavior. During the toddler, or preschool, stage, children may demonstrate risk-taking and sensation-seeking behavior and fail to show a sense of guilt or empathy. In early adolescence, poor parental supervision, depression, excessive sibling rivalry, peer rejection, or exposure to violence may cause children to react negatively, leading to violent behavior.[8]

Many juvenile delinquents lack proper guidance and direction in their lives. Because they are subjected to multiple risk factors, these children may become more violent. For example, in 1994, over 4 million American children lived in severely distressed homes or neighborhoods that contributed to violent tendencies among troubled juveniles.[9] Additionally, the divorce rate has increased over the past 20 to 30 years, and many experts support the "broken homes theory," which implies that homes with one parent absent—usually the father—may contribute to future delinquent behavior of children. Often, in situations without a positive male role model, mothers may have less control and authority over their children, particularly boys. This theory also maintains that a family with only one parent present may have to reduce its standard of living and ultimately live in impoverished conditions that present an environment for delinquent behavior.[10]

Several studies suggest that a pattern of aggressive or intolerant behavior may signal future problems.[11] This type of behavior prevails in children ages 6 to 11 who participate in nonserious delinquent acts. Research shows that sexual or

> **"Communities and law enforcement agencies must work together to support and mentor youths...."**

Officer Corbitt serves with the University of Tennessee Police Department in Knoxville.

physical abuse victims; youths exposed to violence in the home, community, or from television; and adolescents who use illegal drugs and alcohol may have a higher propensity for developing violent tendencies. Further, consistent experimentation with sexual activity at a young age also may predict violent behavior.[12] Finally, socioeconomic factors such as poverty, severe deprivation of necessities, divorce or separation of parents, and family separation may have a negative impact on impressionable youth and lead to violent tendencies.[13]

BEHAVIOR PATTERNS

For years, researchers have developed models depicting various reasons for childhood delinquency. Early studies focused on biological factors; however, experts now believe that social and psychological factors influence delinquency, as well. The current clinical model factors in an individual's personality type.[14] One study concluded that serious and violent juveniles differ from typical youths involved in

delinquent conduct. This study identified three paths that adolescent males may follow that lead to a life of delinquency.[15] The first route, the "authority conflict pathway," starts prior to age 12, usually begins with stubborn behavior, and continues with youths' showing defiance and disobedience. At this point, adolescents demonstrate "authority avoidance"[16] by staying out late, skipping school, or running away from home.

The second route, labeled the "overt pathway," usually begins with minor aggressions, such as bullying or annoying others, then progresses to physical fighting. Sometimes adolescents fulfill their need to fight by joining gangs. The final step in the overt pathway is violence.

In the third route, called the "covert pathway," youths first may show minor covert behavior, such as lying or shoplifting, and then progress to property damage, such as vandalism or arson. Adolescents then proceed to moderate or serious offenses such as fraud, burglary, or felony theft.

One study found that male juvenile offenders often live in large, low-income families and may have parents with criminal backgrounds.[17] This study also revealed that parents of male offenders usually supervise their children poorly and use harsh discipline techniques that often cause conflict between the parent and the child. In school, these children demonstrate low levels of intelligence, behave poorly, act impulsively, and associate with other known delinquents.[18] Various intervention strategies can help combat these behavior patterns.

COUNTERMEASURES TO COMBAT JUVENILE VIOLENT CRIME

In order to gain control of the current juvenile crime trend, law enforcement agencies can assist schools and communities in implementing several countermeasures to reduce violent juvenile crimes. Current research indicates that many violent crime issues result from behaviors that an individual has learned, as well as from human elements, such as age, sex, and socioeconomic status. Law enforcement must recognize the importance of these factors when attempting to determine the root cause of a problem. Implementing effective early intervention and progressive crime prevention strategies remains a key to reducing the current crime trend among juveniles.

School Response

School teachers and counselors play a vital role in detecting known risk factors that may lead to juvenile delinquency. By training school staff members to distinguish students who demonstrate violent tendencies, law enforcement agencies can take a proactive approach to help identify and minimize known risk factors that lead to juvenile violence. Police agencies can assist schools in offering children social competence training and discussing ways to resolve conflicts. For example, representatives from local law enforcement agencies, social service organizations, or the juvenile court system could familiarize teachers with known risk factors

> "...serious and violent juveniles differ from typical youths involved in delinquent conduct."

and behavior patterns of troubled juveniles. Then, the school system could offer intervention through school counseling and organized educational activities. Students must feel that the school system represents a safe place where they can confide in teachers and staff members.

Community Involvement

The community where a child lives also should offer a safe setting that promotes pride and a sense of cohesiveness among the residents. Local police departments should help develop a community policing initiative and encourage community involvement.[19] Developing neighborhood crime prevention strategies involving children, pushing for tougher weapon laws, implementing curfews for youths, and adopting a zero tolerance for alcohol and other drugs can help achieve these goals. Communities and law enforcement agencies must work together to support and mentor youths, as well as to help children overcome preexisting conditions that may later influence their welfare.[20]

Government Programs

The Anti-Gang and Youth Violence Control Act of 1997 designated $75 million for local jurisdictions to disseminate in 1998. This initiative, the Juvenile Mentoring Program (JUMP), includes assistance from the U.S. Department of Justice and may help combat truancy, school violence, and other juvenile crime. Mentors with various backgrounds volunteer their time and develop a rapport with troubled adolescents.[21] By December 1998, over 3,000 youth were enrolled and actively involved in the JUMP project.[22] The Office of Juvenile Justice and Delinquency Prevention currently evaluates 93 projects funded under the JUMP program. Both mentors and youths report that mentoring has been a positive experience. Specifically, the program has helped youths avoid alcohol and other drugs, fights, gangs, and refrain from using guns or knives.[23]

Other federal programs also recognize the power and importance of, as well as the need for, youth leadership. For example, the National Youth Network pairs adolescents with adults through communication, action groups, and hands-on participation.[24] They

encourage youth interaction with local, state, and federal leaders. This program's missions include promoting youth activities through the media and reaching out to non-affiliated youth, especially those in the juvenile justice system.[25]

The Drug-Free Communities Support Program combats youth substance abuse, creates an awareness about drug abuse, and offers an alternative for troubled youth.[26] It includes community support from parents, other adolescents, businesses, schools, law enforcement, media, health care professionals, and volunteer groups. This program encourages citizen participation in reducing substance abuse and disseminating information about effective programs. Law enforcement agencies and communities should work together to create these types of programs in their areas.

CONCLUSION

Recent research traces violent juvenile behavior to human and social elements rather than attributing it solely to biological factors. Influences such as community environment, economics, parental care, and school involvement now appear to help determine violent behavior among adolescents. Therefore, countermeasures, such as increased parental and community involvement, the implementation of crime prevention strategies, and intervention of school personnel, can help lower the juvenile crime rate. Because the number of violent juvenile offenders has increased at such a rapid pace, law enforcement agencies must develop and implement comprehensive strategies to help deter violent juvenile offenders

from becoming permanent fixtures in the adult criminal justice system.

By monitoring early childhood behavior, remaining aware of contributing factors and warning signs exhibited by delinquents, and discussing crime prevention techniques, parents, school officials, and police officers can help decrease the number of serious juvenile offenders. It is never too early to establish crime prevention programs, and it is never too late to intervene in the life of a troubled youth. ✦

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In the past, doctors had closer relationships with their patients than they do now. They knew them all by name, and they even made house calls. Today, the practice of medicine has given way to health maintenance organizations, where doctors may see hundreds of patients and may never get to know them on a first-name basis. American policing has evolved in much the same manner. The desire to create an ethical and efficient police force moved officers from foot beats to patrol cars. The pendulum has swung back as police departments adopt community policing principles.

Although the small-town doctor may have become a relic, police departments would do well to take their cues from the medical profession.[1] Physicians know a great deal about disease and the nature of injuries; they treat patients based on the collective knowledge and experience in the treatment of illness. They observe the symptoms present in the patient, diagnose the disease, prescribe the treatment, then monitor the patient's progress. At the same time, they practice preventive medicine and educate the public. To treat the causes of illness in the community, the police must do the same.[2]

The Anatomy of a Healthy Community

The police first must understand what defines a healthy community in order to learn what threatens its health. Six types of neighborhoods exist that exhibit various levels of well-being.[3] With its well-manicured lawns and

A Medical Model for Community Policing

By JOSEPH A. HARPOLD, M.S.

well-maintained structures, the *integral* neighborhood shows a high level of pride. Law-abiding citizens visibly interact, indicating a strong internal support system in the neighborhood. Residents also have a link to outside organizations, which helps them solve problems.

Residents in the *parochial* neighborhood have homogeneous values and cultures. They insulate themselves and try to "take care of their own" without involving the police. In the *diffuse* neighborhood, residents have a great deal in common but rarely interact. This may limit their ability to quickly perceive and react to problems.

As its name implies, the *stepping-stone* neighborhood serves as a stepping stone for many residents. Small single-family residences, townhouses, and apartment buildings characterize this

neighborhood. Although residents tend to move out quickly, they get involved in community organizations and assume leadership positions. In *transitory* neighborhoods, residents either move frequently or have so little in common that the community lacks consensus and cohesion. As neighbors isolate themselves, it becomes more difficult to improve conditions, which have begun to deteriorate. Isolation and alienation characterize the *anomic* neighborhood, where residents have accepted criminal victimization as a way of life. Still, such communities remain susceptible to outside influences, both bad and good. A lack of defined leadership makes problem solving difficult, but not impossible.

As these neighborhoods illustrate, the existence of a strong support system and high levels of pride and self-esteem represent the core of a healthy community.

In their ground-breaking article "Broken Windows," James Q. Wilson and George Kelling indicate that broken windows measure the amount of pride and self-esteem in a community.[4] In healthy neighborhoods, residents fix windows quickly; in deteriorated neighborhoods, it takes a little longer. In the worst neighborhoods, broken windows give way to boarded-up and abandoned buildings. Police agencies recognize that when broken windows remain unfixed, crime problems left untreated fester and develop into cancer. Its symptoms manifest in repeat calls for service.

Yet, just as doctors can detect cancer early and prevent it from spreading, police can work in communities to influence the variables that threaten community pride and self-esteem. Early treatment can keep the community from becoming ill. For example, in some

communities, a patrol officer who sees or hears of graffiti pages a public works employee who immediately paints over the graffiti. This action sends a message that people care and that a support system exists to ensure community health.

The Patient's Medical History

Once they understand how disease attacks the patient's anatomy and support system to produce various symptoms, the police can systematically get to know the patient, just as the family physician collects a medical history. This involves a four-step process.

First, sociodemographic data—for example, level of income, education, and community resources—available from the U.S. Census Bureau provide important information on crime.[5] Generally, a decline in sociodemographics creates a rise in reported crime, reflecting the onset of disease in the patient. When sociodemographics improve, a healthier patient results.

In addition to a community analysis, a medical history also requires comparative crime analysis. Crime analysis requires collecting, categorizing, analyzing, and disseminating to line personnel timely and useful information that describes crime patterns, crime trends, and potential suspects. Community surveys and citizen interviews complete the four-step process. How do the patients themselves say they feel?

Based on the knowledge of the patient's medical history and the doctor's expertise in anatomy and disease symptomology, the doctor can diagnose illnesses in the

> **"**
> *...police departments would do well to take their cues from the medical profession.*
> **"**

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patient. Other members of the police department—as well as other governmental, public, and private organizations—represent the specialists that patrol officers may need to call for particular expertise to treat the patient.

The Prescription

The medical team should consider every means available to treat patients, including traditional and nontraditional responses, as well as both reactive and proactive strategies. Just as doctors use seemingly threatening methods, such as defibrillation and chemotherapy, to save lives, the police must perform similar operations. Their methods involve search and seizure, arrest, use of lethal force, and the like. Oftentimes, however, these methods treat the symptoms of the disease rather than the illness itself. Thus, the police must apply a full range of treatments to solve the underlying problem and end repeat calls for service.

At the same time, the doctor must evaluate the patient to ensure that the prescribed treatment works. By conducting surveys and interviews, performing crime analyses, and using other evaluation tools, the police can assess the effectiveness of their approaches. A computer-aided dispatch system, for example, can flag repeat calls for service to the same location. If the police constantly scan for problems and look for symptomology reflected in repeat calls to particular locations, they may be better able to restore the patients to health before neighborhoods deteriorate so badly that they require intensive care.

Intensive Care

Intensive care involves the application of governmental, public, and private services in one location. Neighborhood Network Centers, sometimes called Community Centers, serve communities with a permanently assigned police officer and other agencies' representatives assigned part time. Police executives should make it clear that once the treatment resuscitates the

> **"Preventive medicine also constitutes an important part of the police treatment methodology."**

neighborhood, the other agency representatives will return to their offices, where citizens may contact them on an as-needed basis. Otherwise, residents may become dependent on the care instead of strengthening their support systems so they can take care of themselves. Of course, the police remain in the neighborhood and can serve as liaisons between the other agencies and the residents.

Intensive care represents the extreme, a last resort to save a neighborhood from death. Before implementing this approach, the police should help residents practice preventive medicine.

Preventive Medicine

Doctors know that patients who take care of themselves will be less vulnerable to infection, and at the same time, patients who do get sick can recover more quickly and completely. So, primary-care physicians advocate that their patients eat right, exercise, get enough sleep, take vitamins, and give up harmful practices, such as smoking and excessive drinking.

Preventive medicine also constitutes an important part of the police treatment methodology. The police should advocate crime prevention practices, such as Neighborhood Watch, in the communities they serve. While such programs do not make neighborhoods impervious to crime, they can create an internal support system that makes the community stronger in the fight against disease. They also help educate the public.

Health Education

Community education represents a crucial component in helping patients share responsibility for their own health as well as defining the legal boundaries for their behavior. Community policing should create citizens who are vigilant, not vigilantes.

One of the best vehicles for educating the community, Neighborhood Watch should broaden to include problems other than crime and also may include social events and other activities that result in a sense of community. The police must not let anonymity creep between the doctor and the patient and among the patients themselves. Interaction among law-abiding

citizens on a regular basis provides an important indicator of health. In the sickest neighborhoods, residents do not even know who lives next door.

The Citizen Police Academy has become another effective community education tool. This program allows the police to select community leaders to learn not only what the police do but, more important, why they do it. It provides two-way communication in a nonthreatening environment, raises the image of the police in the eyes of the community, and gives the police the opportunity to develop a relationship with citizens that parallels the doctor-patient relationship. Rather than blame the doctor when they become ill, patients share in the responsibility for their own health.

Either alone or in conjunction with Neighborhood Watch, Citizens on Patrol programs help community members share responsibility for a healthy neighborhood. Residents become the eyes and ears of the police in their neighborhoods and report suspicious or criminal activity to the police via radios or cellular phones.

Blending program concepts often involves unique community education issues. For instance, a few years ago, the National Sheriffs' Association blended the concepts of Neighborhood Watch and Victim Assistance. At Neighborhood Watch meetings, neighbors volunteer to provide such services as cooking, driving, and baby-sitting to neighbors who have been victimized. In doing so, residents require fewer outside services and also take responsibility for one another in times of crisis.

Bedside Manner

Doctors have come to realize that convincing patients to follow their treatment or preventive medicine directives requires a relationship based on mutual respect. Likewise, police officers need the appropriate bedside manner to develop a proper relationship with citizens. In policing, appropriate bedside manner means treating everyone with courtesy and respect unless they prove that they do not

> " *Ongoing training remains one of the best ways to defend against liability lawsuits, the police officer's equivalent of malpractice.* "

deserve it; it means taking a few extra minutes to educate citizens; it means not treating people in a patronizing manner. And, according to the Coosbay, Oregon, Police Department's policy, bedside manner means taking the time at the end of a call to ask, "Is there anything else we can do to make you feel safer today?" Proper bedside manner often requires that police officers ask themselves if they would desire the same treatment. It requires "naively listening"[6] to patients, and if they make a plausible, cost-effective suggestion, implementing it.

In order to cultivate appropriate beside manner, police agencies may

need to change the way they recruit, hire, and promote their officers. They may need to purposefully select officers who live with a golden-rule, or service-oriented, mindset. At the same time, training officers to perform in this manner and rewarding such performance can influence their behavior. Perhaps the most dramatic change may come to those who realize that their next pay raise depends on citizens' evaluation of their bedside manner.

Physician, Heal Thyself

Police agencies need to be healthy before they can treat the community's illnesses and injuries. Signs of good health include pride, self-esteem, quality leadership, comprehensive training, and board certification. Officers also should receive continual training in state-of-the-art responses based on current research. Ongoing training remains one of the best ways to defend against liability lawsuits, the police officer's equivalent of malpractice.

Conclusion

Doctors who make house calls may no longer exist, but when citizens call the police, they expect an officer to show up at their door. Unfortunately, merely coming when called will not cure a community's ills. The police can follow the lead of the medical profession to treat and prevent disease in the communities they serve.

With a knowledge of the patient's anatomy and medical history and analysis of the disease's symptoms, the police can work with other specialists in the community to diagnose illnesses, prescribe

medication, and evaluate the treatment plan. They also can educate their patients and convince them to practice preventive medicine. In addition, they should remain well-versed on the latest diseases and treatment techniques. Finally, and perhaps most important of all, they always should demonstrate an appropriate bedside manner and always practice what they preach. ✦

Endnotes

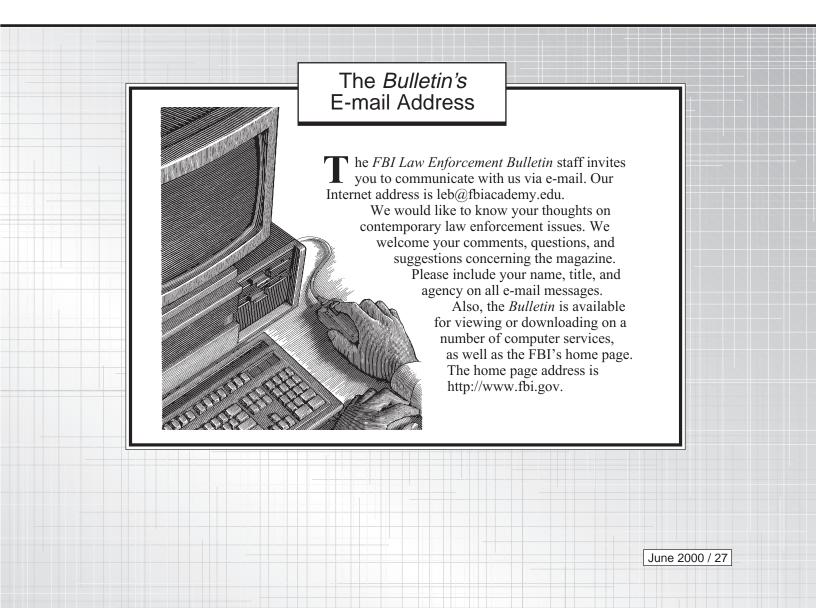[1] This article was adapted from J.A. Harpold, "A Community Doctoring: A Medical Analog to Community Policing," in *Organizational Issues*, ed. J.T. Reese and R.M. Solomon (Quantico, VA: U.S. Department of Justice, Federal Bureau of Investigation, 1996), 319-333.

[2] For a comparison of policing to medicine, see, e.g., R. Trojanowicz and B. Rucqueroux, *Community Policing: A Contemporary Perspective* (Cincinnati, OH: Anderson, 1990), 35-38; and H. Goldstein, *Problem-oriented Policing* (New York: McGraw-Hill, 1990), 106.

[3] Rachelle B. Warren and Donald I. Warren, *The Neighborhood Organizer's Handbook* (Notre Dame, IA: University of Notre Dame Press, 1977), 92-124.

[4] James Q. Wilson and George L. Kelling, "Broken Windows," *The Atlantic Monthly*, March 1982, 29-38.

[5] See R.L. Depue, "Community Analysis Worksheet," in *A Manual for the Establishment and Operation of a Foot Patrol Program*, ed. R. C. Trojanowicz and P.R. Smyth (E. Lansing, MI: The National Neighborhood Foot Patrol Center, Michigan State University, School of Criminal Justice, 1984), 37-47.

[6] T. Peters and N. Austin, *A Passion for Excellence: The Leadership Difference* (New York: Random House, 1985), 13-17. In their book, the authors credit the chairman of Allergan with pioneering this business practice, which involves getting direct feedback from customers in their own words.

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Flight as Justification for Seizure
Supreme Court Rulings

By MICHAEL E. BROOKS, J.D.

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The Fourth Amendment to the U.S. Constitution prohibits government agents from conducting unreasonable seizures. The U.S. Supreme Court has ruled that a Fourth Amendment seizure of a person only occurs when a government agent intentionally uses physical force or a show of authority so that a reasonable person would not feel free to leave or to end the encounter.[1] Voluntary contact between an individual and the police is not a Fourth Amendment seizure.[2] Voluntary contact includes a police officer approaching an individual and simply asking questions.[3] Temporary investigative detentions are among the law enforcement actions, other than arrests, that have been held to constitute Fourth Amendment seizures.[4]

A temporary investigative detention allows a law enforcement officer, with reasonable suspicion to believe that a subject is engaged in criminal behavior, to detain that subject while the officer conducts further reasonable investigation.[5] Not all temporary investigative detentions are the same. What the law enforcement officer does during the detention to confirm or allay the officer's suspicions depends upon the facts of each particular detention.[6]

The length of the detention is limited to the reasonable time necessary to investigate the officer's suspicions.[7] Therefore, officers who have not developed probable cause to justify an arrest, or who have not allayed their suspicions, may be required to release a temporary detainee after a reasonable time.[8] As a general rule, temporary detainees should not be moved.[9] A temporary detention alone does not justify a search of the detainee's person or the area within the detainee's immediate control. However, a reasonable suspicion, also based upon articulable facts and circumstances, that the detainee is armed justifies a frisk of the detainee's outer clothing for weapons.[10]

The reasonableness of Fourth Amendment seizures depends upon the amount of knowledge that the seizing officer possesses at the time of the seizure. An arrest requires that the officer has probable cause to believe the subject arrested is committing or has committed a crime. A temporary investigative detention is reasonable when the officer has reasonable suspicion, based upon articulable facts and circumstances, that the detainee has been or is engaged in criminal behavior.[11]

What facts are sufficient to constitute the reasonable suspicion necessary to temporarily detain someone? Can an individual's flight from an officer, upon the individual becoming aware of the officer's presence, justify the officer pursuing the individual and detaining the individual against the individual's will? The Supreme Court recently addressed this issue in the case of *Illinois v. Wardlow*[12] providing both guidance and additional questions for the law enforcement officer.

Illinois v. Wardlow

On September 9, 1995, police officers were driving a four-car caravan through an area of Chicago known for heavy narcotics trafficking. Two uniform officers in the last car of the caravan observed William Wardlow standing on the sidewalk holding an opaque bag. Wardlow looked in the direction of the officers and immediately fled. The officers gave chase and caught Wardlow. One of the officers justified conducting a frisk for weapons, due to his experience that weapons were commonly present in the vicinity of narcotics transactions. The officer found the opaque bag, squeezed it, and felt a hard object in the shape of a gun. The officer opened the bag and found a loaded handgun. Wardlow was then arrested for a weapons violation.[13]

At trial, Wardlow moved to suppress the weapon by arguing that his detention and the subsequent frisk were unreasonable under the Fourth Amendment. The trial court held that the officer's actions were a lawful stop and frisk. However, two Illinois appeals courts reversed. The First District

The length of the detention is limited to the reasonable time necessary to investigate the officer's suspicions.

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Appellate Court of Illinois ruled that flight alone does not justify an investigative detention. The court said that despite the fact that the officers were in a "high narcotics traffic" area, there was no testimony that the actual location where Wardlow was standing when he was first observed was a "specific area of narcotics activity." Without such testimony, the Appellate Court of Illinois decided the trial court was in error in finding a reasonable suspicion that Wardlow was engaged in criminal activity.[14]

On further appeal, the Illinois Supreme Court disagreed with the Appellate Court of Illinois and ruled that the officers could consider the common criminal activity in the area where Wardlow was first observed. However, unlike the Appellate Court of Illinois, the Illinois Supreme Court concluded that sudden unexplained flight, even in a high-crime area, may not be considered in determining if there is a reasonable suspicion of criminal activity that justifies a temporary detention.[15] The Illinois Supreme Court viewed Wardlow's flight as

nothing more than a refusal to agree to a voluntary conversation and held that no inference could be drawn from it. Therefore, the Illinois Supreme Court ruled that the trial court erred in allowing the officer to consider the flight in finding a reasonable suspicion of Wardlow being involved in criminal activity.[16] The U.S. Supreme Court agreed to hear Illinois' appeal.

Supreme Court Holding

Chief Justice Rehnquist, writing for a 5-4 majority of the Court, noted that the officers were bound by the *Terry* standard of reasonable suspicion in effecting their investigative detention of Wardlow, and that reasonable suspicion must be based on something more than an "inchoate and unparticularized suspicion or 'hunch' of criminal activity."[17] The Court noted that Wardlow's mere presence in an area of expected criminal activity was insufficient justification of a reasonable suspicion of criminal activity.[18] However, unlike the Appellate Court of Illinois, the Court ruled his presence in a high-crime

area was a relevant fact which the officers could consider in deciding if there was a reasonable suspicion that Wardlow was involved in criminal activity.[19]

The Court then held that unexplained flight, upon noticing the police, is a pertinent factor in determining if reasonable suspicion exists. The Court noted that its earlier decisions had recognized nervous behavior as a pertinent factor in such a determination.[20] Justice Rehnquist rationalized that, "headlong flight—whenever it occurs—is the consummate act of evasion: it is not necessarily indicative of wrongdoing, but it is certainly suggestive of such.... The determination of reasonable suspicion must be based on common sense judgments and inferences about human behavior."[21] He noted that while there are innocent reasons for flight from police, the standard of knowledge for an investigative detention, reasonable suspicion, does not require absolute proof of criminal activity. The Fourth Amendment requires reasonable action by the police; it does not require that everyone who is temporarily detained be guilty of a criminal offense.[22] For these reasons, the Illinois Supreme Court ruling was reversed.

Totality of Circumstances

The most important lesson for law enforcement to learn from the *Wardlow* decision is that the Supreme Court did not hold that unexplained flight from the police, in and of itself, is a sufficient justification for a temporary detention. A close reading of the majority decision reveals that the Supreme Court did not address this issue because

there was another factor besides the flight—the presence in the high-crime area—and together these two factors justified the reasonable suspicion of criminal activity.

Justice Stevens said in a dissent that the majority had refused to adopt both the Illinois Supreme Court holding that unexplained flight is never a justification for a reasonable suspicion of criminal activity, and the opposing view that unexplained flight alone is always justification for such a suspicion. Clearly, the majority decision rejected an absolute ban on the use of

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> *A temporary detention alone does not justify a search of the detainee's person or the area within the detainee's immediate control.*
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unexplained flight as a factor in justifying reasonable suspicion. However, it did not decide the issue of whether unexplained flight alone constitutes reasonable suspicion of criminal activity. Instead, under the *Wardlow* facts, the majority of the Supreme Court adopted a middle ground that unexplained flight is a factor that an officer may use in developing a reasonable suspicion of criminal activity that will justify a temporary detention.[23]

This continues the long-standing "totality of the circumstances"

test, which officers must meet to justify reasonable suspicion or probable cause.[24] Under such a test, it is unlikely that the Supreme Court ever will hold that any one particular factor always justifies a reasonable suspicion of criminal activity in all circumstances. For example, an individual wearing a ski mask outside a bank normally gives rise to a reasonable suspicion of criminal activity. But what if it is January in Minnesota? Likewise, an individual who unexplainedly flees upon noticing a police officer normally arouses a suspicion of criminal activity. However, an individual in running clothes stretching on a street corner who begins to run at the approach of an officer does not arouse such a suspicion. The totality of the circumstances test is just that—consideration of all of the circumstances.

What other factors, aside from presence in a high crime area, will, in conjunction with unexplained flight, justify a reasonable suspicion of criminal activity in light of the *Wardlow* holding? What if a law enforcement officer encounters a group of individuals in a low-crime area? If they flee upon seeing an officer, is the officer justified in temporarily detaining them in an attempt to determine why they fled? Individuals in a low-crime area may arguably have less reason to flee upon the sight of the police without having the desire to avoid the detection of criminal activity, than do individuals in a high-crime area where public opinion of the police may be less favorable.[25] Officers still must articulate all of the facts that led to their suspicion of criminal activity. Officers cannot simply

list the unexplained flight and assume that because of the *Wardlow* decision the flight alone will be enough.

The *Wardlow* decision does not affect the law regarding frisks for weapons during temporary detentions.[26] The law is clear that the reasonable suspicion of criminal activity that justifies a temporary detention does not, by itself, also justify a frisk for weapons.[27] To justify such a frisk, the officer must articulate specific facts and circumstances justifying the officer's reasonable suspicion that the detainee is armed.[28]

A frisk for weapons, based upon a reasonable suspicion that the detainee is armed, must be limited to just that—a pat-down search for weapons on the detainee's person and within the detainee's area of immediate control.[29] If the detained individual is in a vehicle and a law enforcement officer has a reasonable suspicion to believe the individual is armed, the Supreme Court has ruled that the frisk for weapons may be expanded to include the passenger compartment of the vehicle.[30] This is justified by the fact that the officer may have to let the detainee get back into the vehicle if probable cause is not developed during the detention. During a frisk for weapons, suspicious items may only be further examined if the officer has a reasonable suspicion to believe that the item is a weapon or if the officer immediately recognizes it to be contraband or other evidence of criminal activity.[31] A frisk of a vehicle must be limited to those areas where an officer could reasonably expect a weapon to be located.[32]

In *Wardlow,* the frisk of his person and the opaque bag only could be justified by the fact that Wardlow was in an area known for "heavy narcotics trafficking" combined with the officer's experience that guns are prevalent in such areas.[33] The law enforcement administrator must insure that officers understand the *Terry* standards of reasonable suspicion for both a temporary investigative detention and for a frisk for weapons as part of that same temporary detention.

The *Wardlow* decision does not change in any way the law concerning an individual's rights and obligations when confronted by the police. An individual still is constitutionally justified in refusing to engage in a voluntary conversation with a police officer.[34] Unless the officer can articulate a reasonable suspicion that the person is involved in criminal activity, the officer may not prevent the individual from leaving such an encounter.[35] All *Wardlow* adds to the law in this area is that if the individual flees, instead of walking away, the officer

may consider the flight in the totality of circumstances in deciding if there is a reasonable suspicion of criminal activity.

Reasonable suspicion (in the case of temporary detentions) and probable cause (in the case of arrests) is determined by what the officer knows at the time a seizure is made. Therefore, it is important to know when a seizure occurs. The Supreme Court considered this issue in *California v. Hodari D.,*[36] the facts of which are remarkably similar to *Wardlow*. Two Oakland officers wearing police jackets were patrolling a high-crime area in an unmarked vehicle and came upon a group of youths standing at a vehicle. The youths and the vehicle fled at the appearance of the police vehicle. The officers gave chase and one officer was able to flank Hodari, who then tossed away what appeared to be a "rock." Hodari was captured, and the rock turned out to be crack cocaine.

California state appellate courts ruled that the seizure of Hodari occurred when Hodari saw the officer running towards him, before he tossed the "rock." California conceded that the officer did not have a justifiable reasonable suspicion of criminal activity until Hodari threw the "rock."[37] Therefore, the U.S. Supreme Court only addressed the issue of when the seizure occurred, not whether Hodari's flight justified reasonable suspicion of criminal activity. Justice Scalia, writing for a 7-2 majority, held that the seizure did not occur until the officer gained control of Hodari, not when the chase began. In that light, the detention was reasonable because at the time the officer caught Hodari,

the officer had already observed Hodari throw the "rock."[38]

Conclusion

Law enforcement administrators must continue to evaluate their policies concerning what actions are appropriate when an individual flees upon the approach of a police officer. Officers must be instructed to note all pertinent facts observed both before and during any chase. These facts are essential to support a reasonable suspicion of criminal activity necessary to justify a temporary investigative detention. ✦

Endnotes

[1] *United States v. Mendenhall* 446 U.S. 544, 554 (1980).

[2] *Florida v. Bostick* 501 U.S. 429, 434 (1991).

[3] *Id.*

[4] *Terry v. Ohio* 392 U.S. 1, 19 (1968).

[5] *Id*. at 22.

[6] *Id.* at 27.

[7] *United States v. Montoya de Hernandez* 473 U.S. 531, 543 (1985).

[8] *United States v. Place* 462 U.S. 696, 709-10 (1983).

[9] *Hayes v. Florida* 470 U.S. 811, 814 (1985).

[10] *Terry v. Ohio,* at 24.

[11] *Id.* at 21.

[12] 120 S. Ct. 673 (2000)

[13] *Id.* at 674-75.

[14] *People v. Wardlow* 678 N.E.2d 65, 67 (Ill. App. 1 Dist. 1997).

[15] *People v. Wardlow* 701 N.E.2d 484, 486 (Ill. 1998).

[16] *Id.* at 486-87.

[17] *Illinois v. Wardlow* supra. at 676.

[18] *Id.* citing *Brown v. Texas* 443 U.S. 47 (1979).

[19] *Id.* citing *Adams v. Williams* 407 U.S. 143 (1972).

[20] *Id.*

[21] *Id.*

[22] *Id.* at 677.

[23] *Id.*

[24] *Id.* at 682, Justice Stevens dissenting.

[25] *Id.* at 680-81, Justice Stevens dissenting.

[26] *Id.* at 676.

[27] *Terry v. Ohio*, at 24; *Adams v. Williams*, at 146.

[28] *Id.*

[29] *Michigan v. Long* 463 U.S. 1032 (1983).

[30] *Id.* at 1049.

[31] *Minnesota v. Dickerson* 113 S. Ct. 2130, 2139 (1993).

[32] *Michigan v. Long*, at 1049.

[33] The U.S. Supreme Court did not decide if the frisk of Wardlow was justified because that issue was not before it.

[34] *Florida v. Royer* 460 U.S. 491, 498 (1983).

[35] *Id.* at 505.

[36] 499 U.S. 621 (1991).

[37] *Id.* at 623.

[38] *Id.* at 626.

Officer Walsh

Officer Elvish

Officers Mike Walsh and Jeff Elvish of the Thunder Bay, Ontario, Police Department responded to a call that a woman was attempting to commit suicide. After swimming in frigid water to an abandoned concrete dock piling, the woman had slit her wrists and was waiting for hypothermia and the loss of blood to take her life. As the officers attempted to talk with the female, she began to cut deeper into her wrists. Officers Walsh and Elvish shed their heavy gear and swam through the icy water in time to grab the female before she was taken by the swift current. The officers administered first aid to stop the bleeding and held onto her until additional rescue personnel arrived with a boat. The courage and selfless actions of these officers saved the woman's life.

The Bulletin Notes

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

Officer Rosania

Officer Corcoran

Officers Raymond Rosania and Michael Corcoran of the West Orange, New Jersey, Police Department discovered a structure fire at a residence. After hearing moans coming from the rear of the dwelling, Officers Rosania and Corcoran entered the burning residence unprotected. The officers avoided the debris falling inside the house and the life-threatening conditions from the intense fire to successfully locate a victim and lead him to safety. The dedication and courage exhibited by Officers Rosania and Corcoran saved the man's life.

Officer Heisser

During the early morning hours, Officer Robert Heisser of the Latana, Florida, Police Department determined that a middle-aged male with a physical handicap was in distress in the ocean. Without hesitation, Officer Heisser removed his duty belt and swam 50 yards out to the subject in the dark. Officer Heisser called out to the subject and, receiving no response and seeing the subject go underwater, grabbed hold of him to keep him above the surface. After calming the subject, Officer Heisser swam back to shore holding the subject in his arms. Due to Officer Heisser's courageous actions that went beyond the call of duty, as well as his nonjob-related training in rescue diving, the subject's life was saved.

Nominations for the **Bulletin Notes** should be based on either the rescue of one or more citizens or arrest(s) made at unusual risk to an officer's safety. Submissions should include a short write-up (maximum of 250 words), a separate photograph of each nominee, and a letter from the department's ranking officer endorsing the nomination. Submissions should be sent to the Editor, *FBI Law Enforcement Bulletin*, FBI Academy, Madison Building, Room 209, Quantico, VA 22135.

Patch Call

The components of the Victoria, Australia, Police Force patch depict the crown—the symbol of Royal Authority—which indicates that the force is part of an organization of Her Majesty, the Queen; the laurel wreath, which symbolizes valor; and the five-point star, which denotes the multiplicity of police duties. The circular title band bears the title of the service to which the wearer belongs; the center piece represents the constellation of the Southern Cross; and the motto "Uphold the Right" typifies the force's role in society and signifies the basis of each member's duty.

The patch of the Florence, Oregon, Police Department portrays several of the area's features, such as the sandy beaches, great ocean views, and abundance of sunshine. An unusual bridge that spans the Siuslaw River decorates the lower part of the patch and the rhododendron bush, which blooms in great profusion each year with its many bright colors, adorns the right side of the patch.