

Appendix

Law Enforcement News

15 Years in Review (1989–2003)

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1989 IN REVIEW

New Players in the Safety Game, New Challenges for Police

With its record-breaking levels of violence and a commensurate increase of concern on the part of the public, the media and government at all levels—in short, on the part of just about every American—1989 can stand on its own in the catalog of years, yet it is impossible to set aside the fact that the year ends a decade of dramatic change for law enforcement and begins a decade of dramatic challenges. Whether viewed as a year in isolation or as the culmination of a decade, 1989 bore witness to portentous changes in the role of the police in the overall production of public safety.

Ten years ago, the police were seen as the authority on crime. They were the experts. In many respects the profession thought of itself as having a monopoly on safety and public order. Over the past ten years, however, the field has gradually acknowledged that it cannot shoulder this responsibility alone, and other segments of society have started to participate in crime prevention and protection. Perhaps the single most significant manifestation of this change in 1989 came with the official entry of the military into the drug war.

THE IRONY OF MILITARY INVOLVEMENT

There is a certain irony to the notion that, at a time when police departments are increasingly moving away from the military model of management, branches of the military have joined with local, state and Federal law enforcement officers, who to date have been the only line of defense on the nation's streets and borders. In at least 48 states and the District of Columbia, the National Guard was called upon to provide radar and air surveillance, eradicate domestic marijuana crops, and assist the Customs Service with cargo checks at border crossings and airports. Whether helping Washington, D.C., police with searches or getting involved with police efforts against gangs and illegal drugs, as was

reported in Portland, Ore., thus far Guard units have worked under the direction of local and Federal law enforcement agencies. As the year progressed, however, the temptation to change that picture appeared to be growing. The Miami chapter of the NAACP had requested the involvement of the Guard in patrol duties, citing unsubstantiated fears of a “look-the-other-way” response from police protesting the conviction of a fellow officer for the shooting of a civilian. In New York and Detroit, local elected officials called for deployment of the Guard to address street-level drug dealing in their high-crime neighborhoods. San Francisco considered calling in the Guard to free police for patrol duties as a result of increasing gang violence. Army doctors in Los Angeles received their training by working in inner-city hospitals on gunshot wounds incurred in gang wars. As the year ended, the contingent of 50 Marines assigned to assist the Border Patrol exchanged fire with drug smugglers for the first time.

With lobbying efforts already underway in Washington to allocate the so-called “peace dividend”—as much as \$10 billion by some reports—the military's entry into the war on drugs comes at an opportune time for the armed forces to justify retaining certain resources—including high tech, big-ticket items—by redeploying.

Congressional officials are already on record when it comes to the drug war and the military. Said one committee chairman, “With all the billions spent on the military, if they can't help us, then we don't need them.” Policing in America has traditionally been decentralized—fragmented, some would say—and while the debate on consolidation of small departments ebbs and flows on the waves of demographics and politics, local police authority has remained part of the American bedrock. Could the use of the National Guard be seen as a dent in the armor of local law enforcement control? Regardless of the answer, the future holds increased interaction between the military and law enforcement.

FEAR, VIOLENCE STALK THE STREETS

For local communities, the battlegrounds of the drug war, the year was fearful at best and violent at worse. One poll published in October indicated that more than 70 percent of Americans feared becoming a victim of drug-related violence. Media reports in five U.S. cities compared sections of those cities to Beirut on the basis of having reached a stage of “civil insurrection.” With increasing frequency in 1989, the community took matters into hand. In Berkeley tenants found a way to evict drug dealers through legal proceedings in small claims courts. In some of the nation’s public housing developments, the U.S. Department of Housing and Urban Development stepped in with streamlined eviction procedures and help from the U.S. Marshals Service to eject drug dealers. Communities formed patrols, they engaged in activities ranging from prayer vigils to burning down crack houses. Nor was extreme action limited to residential properties; it was also to be found in the schools. The increase in handguns carried by adolescents prompted six of the ten largest school districts in the country to make use of metal detectors. Drug-free zones were created around schools to permit higher penalties for drug offenses. And, to be sure, it took the murder of five schoolchildren and the wounding of numerous others in Stockton, Calif., to rivet public attention on the issue of assault rifles.

But whether or not one lived in a high-crime area, the media brought the crime issue, particularly drug-related crime, into almost every household on a daily basis, dramatically increasing the regular coverage of criminal justice issues. Print and broadcast media alike not only expanded their news coverage, but added expanded feature stories on the problems of drugs and crime. For television, law enforcement issues also ranked high on the list of prime-time entertainment formats. From controversial “fact-based” dramas of particularly heinous crimes, to “realistic” police shows, television has moved to capitalize on Americans’ growing fear of crime. Syndicated shows like “America’s Most Wanted” and “Unsolved Mysteries” have joined local Crime Stopper shows in providing a forum for community involvement in apprehending offenders, while at the same time proving a profitable cog in the entertainment machinery.

FOR SOME, CRIME IS GOOD FOR BUSINESS

Private-sector endeavors against crime are increasing as well, with evidence of dramatic growth in the number of persons employed in private security. By some estimates, more than 1.2 million Americans were employed in the private security field in 1989—1.6 percent of the workforce. (Sworn officers and civilians in state and local police agencies are estimated to number about 758,000.) While labor experts express concern over the productivity lag that such employees create—by adding to the cost of products without aiding in their production—police experts fear that an unequal ability to purchase protection creates unequal protection. Civil libertarians, for their part, point to some small

private companies whose marketing pitches boast that they do not operate under the same legal restraints as the police. With the 1989 Supreme Court decision, drug-testing companies are quickly becoming a growth industry. Prison construction industries are booming. From proliferating locks and alarms, to high-fashion bulletproof clothing, to the more than 4 million firearms produced in 1989 alone, private industries are growing up and prospering on public fear and high crime rates.

[Even public-sector employment has prospered. Helped by increases in correctional jobs, more Americans are said to be employed by government than at any other time in the nation’s history. Over the past six years, the Justice Department experienced the highest level of staff increases of any Federal agency—some 30 percent. (The Department of Education, meanwhile, experienced a 30-percent decrease in manpower.)]

The economic dimensions of crime and criminal justice received more attention in 1989. Surpluses in several branches of the Federal Reserve Bank were attributed to drug-related proceeds. Compared to 1988, public safety costs rose by an average of nearly 33 percent in the country’s 50 largest cities and by 14 percent for the states. For police departments nationwide, new sources of funding were found in the assets seized from record-breaking drug busts. The forfeited assets were applied to the luxury items that police departments, particularly those in tight financial straits, cannot readily afford, from four-color slick departmental magazines to helicopters. All of these forfeited assets, and the means by which they are obtained, are making some police officials uneasy. Although taking the property and money away from criminals is widely regarded as a worthwhile endeavor that has the added benefit of promoting interagency cooperation, local law enforcement initiatives are being influenced more and more by revenue-raising rather than by community needs like foot patrol. Some fear that police agencies are in danger of having a monkey on their backs: an addiction to drug money.

While the Federal Government concerns itself with the economic dependency of Latin American countries on illegal drugs, it is ignoring the economic dependencies that are emerging under its own doorstep. The combination of a redeployed military, the volume of resources devoted to public and private security, regional economies bolstered by laundered drug money and the growing reliance of law enforcement on forfeited assets to supplement dwindling budgets risks creating a vicious cycle of social and economic dependency on crime. A paraphrasing of President Eisenhower’s one-time admonition regarding the military may be apt: Beware the growing public safety-industrial complex.

THE 24-HOUR-A-DAY PUBLIC OPINION POLL

Now that law enforcement has been joined by the community, the private sector and the military, why aren’t things

getting better? Some experts are of the opinion that more coordination is needed, but at what level and under whose direction are questions that remain unanswered. A more immediate issue for law enforcement, however, is the overall allocation of resources now that these other segments of society are engaging in public safety work, because despite the growing number of participants in public safety and the recognition that law enforcement alone cannot solve the crime problem, the public still wants a greater police presence. To that end, 1989 was a year of enormous pressure to put more police on the street. In recognition of this increased pressure, departments continually grappled with juggling calls for service versus high-pressure anti-crime tactics versus foot patrol. For that matter 1989 found law enforcement executives re-examining the question of what really constitutes essential services.

There is probably no escaping the issue of 911 when essential services are mentioned. In the past, police experts have thought of calls for service as “the tail wagging the dog,” and yet the information that can be gleaned from these calls can provide a deep perspective into the demographics and needs of a neighborhood. To be sure, analyses of 911 calls placed in the hands of community members and problem-oriented police officers could serve as valuable tools for ascertaining the needs of those in the community who do not participate in civic activities. In essence, calls for service are an ongoing opinion poll of what the community wants and needs. Irrespective of police feelings about calls for service, the fact remains that the public likes 911. And why shouldn't they? It provides 24-hour access to local government that the public cannot get through other means. While the 1980's saw police departments assessing, ranking and redirecting their calls for service, the future will demand the speedy analysis and dissemination of information from the calls as a priority in itself.

In the face of escalating crime, however, many departments had to redirect personnel in order to handle the increased load of calls for service and to staff the high-pressure approaches that became popular around 1987 and 1988. These tactics were successful insofar as providing relief, if only temporarily, for crime-ridden neighborhoods, but they resulted in paralyzed local courts and prisons. The revolving door speeded up. While some experts argued that tough punishment for first offenders was a deterrent, others argued that the system cannot even hold all the violent repeat offenders. And clearly, the police were being asked to deal with increasingly violent criminals whose fear of the legal system was questionable at best. To enhance visibility, police departments used a variety of means, some traditional, some innovative.

Efforts were made in Dallas and Cleveland to implement one-officer patrols. Mandatory overtime was tried in Washington, D.C. The nation's capital also tried putting supervisory or desk-bound personnel back on the streets, as did Philadelphia. In Houston, a police shooting was attributed to the reassignment of an officer from desk duty to street patrol. Video arraignment proved successful in

helping Port Authority of New York police officers get back to patrol more quickly. Philadelphia started a mobile precinct. In Fort Myers, Fla., forfeited assets were used to hire retired officers for school-based anti-drug programs, thus freeing full-time officers for patrol work.

POLICE RECRUITMENT IN THE NEW AGE

When it comes to increasing police visibility, however, hiring new officers remained the most straightforward approach. Such an approach will no doubt be a temptation for many departments in the immediate future, notwithstanding the pitfalls of hasty recruitment, as has been demonstrated by Miami in recent years. The need to recruit will be exacerbated by the retirement of baby-boom police officers who were hired in the middle to late 1960's and will soon have put in their 20 or 25 years. For those departments with the fiscal luxury to hire, the recruitment pool will require careful scrutiny.

The labor market will contain a significant portion of the population who cannot read. It has been reported that 1 of 5 adults are functionally illiterate (although many of them have high school diplomas). Thirty-eight percent of the 118 companies examined in one private-sector survey asserted that high school graduates were not prepared for the world of work. In the face of increasingly complex police work, and spurred perhaps by low levels of literacy even among high school graduates, more and more departments are adopting college requirements either for entry or as part of promotion. With 1989 seeing the lowest jobless rate in 15 years, employment analysts predict that the current low unemployment rate is a sign of labor shortages in the future.

At a time when police recruitment efforts will be more complicated than ever, the changing role of the armed forces will have its effect. With military bases closing down both here and abroad, the troops will be coming home. Reports issued last spring estimated that as many as 1.5 million G.I.'s will be discharged in the next 10 years. They will be armed with higher educational benefits and they will need jobs. Not since what some police chiefs have called the good old days of military disciplined recruits in the early 1970's has the law enforcement profession had access to such an employment pool. It is rather ironic that, at a time when the military model of policing is more diluted than ever, the profession will likely be drawing its future recruits from military trained personnel. Yet for many law enforcement administrators this will be a blessing, since departments that took cuts in the mid-to-late 70's and rehired in the late 80's have reported declining levels of maturity and a resulting increase in officer misconduct.

For the profession, the last 10 years have been nothing less than a metamorphosis. The beginning of the decade saw most of the country's police departments viewing themselves purely as law enforcers—as separate from the community. They reacted to crime. By the end of the decade, earlier experiments in team policing turned into

proactive community-oriented policing. What began as crime prevention has turned into problem-oriented policing. Victims' rights advocates emerged as a political force. Science and technology reshaped evidence-gathering, identification and communication. Computerization allowed departments to gather and analyze information as never before. National broad-based research efforts became more focused and localized. Along the way, the profession saw the growing acceptance of national accreditation, a changing workforce with the increased representation of minorities and women and growing higher levels of education. The decade witnessed declining acceptability of the use of force, but a growing public outcry for police intervention. While drugs have always influenced the crime rate, the types of drugs that grew in popularity in the mid-to-late 80's—those like crack and crack—had the additional disadvantage of producing staggering amounts of illegal profits and accelerated levels of violence, a phenomenon that has contributed to the crisis that is engulfing the criminal justice system. Yet for all the professional changes that have occurred over the decade, public safety continues to decline and the decade ended as it began, with record-breaking levels of crime. Literally and figuratively, the 80's went out with a bang.

MAINTAINING POLICING'S LEADERSHIP ROLE

The decade ahead, meanwhile, will no doubt see changes in the field of law enforcement, particularly in the role it will play. Whether or not police will maintain a position of leadership in the area of public safety will very much depend on the decisions made in the immediate future to handle the demographic changes that are largely outside the realm of police control. The

United States is going through a spreading-out process. Since 1986 the rural and suburban populations are growing more rapidly than the urban population. The urban village is taking hold from Los Angeles to New York as the economy moves from manufacturing to service-based industries. As this trend continues, the public safety needs of these evolving and growing communities could overwhelm existing levels of police resources. With crime going up in small communities, interagency task forces are springing up at the state, county and local levels. At present 80 percent of America's police departments have less than 10 sworn officers. In the future, police observers predict somewhat larger departments and a mix of county policing with local enforcement.

Another immediate socioeconomic problem police will have to contend with is the effect of a widening income gap. Although 1989 saw some of the lowest levels of unemployment in recent memory, the income disparity is greater now than at any time in the past 42 years, with 32 million people living below the poverty level. In addition, immigration policies will influence the communities police will serve, particularly in California, New York, Florida, Massachusetts and Texas. Ethnic and racial population shifts will occur, with minorities becoming majorities in some localities and the likelihood increasing for interethnic competition for a piece of the American dream. Police futurists and marketing experts alike predict an age of activism, anger and urban decay. For the law enforcement field, that translates to a decade of turbulence. In the face of growing social problems and static or shrinking budgets, the police profession will have to muster all available resolve and apply the lessons learned amid civic turmoil from the 1960's onward if it is to withstand a challenge to its leadership role in the production of public safety.

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1990 IN REVIEW

Amid Gloom, Hunkering Down

War is not only hell—it can also be frightfully costly. Consider one recent conflict: At least 20,000 civilians killed, with many thousands more wounded; more than 600,000 people confronted by guns in enemy hands; hundreds of front-line troops killed or wounded; more than \$60 billion spent.

This is not the war in the Persian Gulf; it was the war being waged against crime on the streets of America in 1990. The damage assessments coming in from the front clearly show that, unlike the war in the Gulf, America is losing the war on crime.

By the summer of 1990, the year was already proving to be one of the deadliest in recent memory. Homicide records were being broken in cities, suburbs and rural communities. Even the nation's park and wilderness lands witnessed dramatic increases in criminal activity. Despite reports—frequently challenged—that drug use was declining, crime soared. One explanation is a criminological convergence—the deadly synergism of the “baby boomerang” generation committing crimes at earlier ages, a declining economy characterized by an increase in joblessness, depressed public spirits, increased racial tensions, and an abundance of easily obtained firearms.

In a nutshell, said one observer, 1990 saw an America that was “gloomy, less rich, less safe, and less certain of the future.”

HUNKERING DOWN

To make matters worse for law enforcement, the historically severe crime wave was compounded by unprecedented budget cuts. The profession's reaction to these conditions can best be described as “hunkering down,” as budget cuts and increased workloads became the two preoccupations of the year. While the nation's economy was spinning into decline, the ranks of law enforcement

underwent a general shrinkage: Attrition increased as “baby-boom” officers retired in growing numbers, and departments found themselves generally unable to get the funds to maintain personnel levels. To a great extent, small counties lost proportionately larger numbers of officers, but cities also felt the decline. The Chicago Police Department, for one, fell to its lowest sworn strength in 20 years as a result of attrition, hiring freezes, and budget cuts. The attrition-versus-hiring standoff in many jurisdictions is not likely to improve significantly into the early 90's.

Law enforcement agencies of all sizes struggled to accommodate budget reductions by cutting services, and the ways in which police and sheriffs' departments responded were as different as the localities they served. Some police agencies stopped having officers testify in court on minor traffic tickets; sold off unaffordable equipment such as aircraft; ordered officers to gas up and maintain their own patrol cars; or transferred large numbers of sworn personnel from desk or plainclothes jobs back to the streets. Illegal aliens arrested in one Kansas county were routinely dropped off across the border in the next county because of a lack of prosecutorial resources. Police in San Diego “unarrested” indigents who needed medical attention and left them in hospitals to relieve the city from picking up the tab for medical expenses. And, to be sure, more than a few police departments shifted certain responsibilities to other public agencies.

SPEND LESS OR MAKE MORE

In balancing a budget, of course, the alternative to cutting expenses is to bring in more money, and again the approaches were many and diverse. In one particularly drastic move, California police departments were told that they will be charged as much as \$200 per prisoner when booking arrestees into county correctional facilities. As a

result, some departments in that state have refused to book all but the most serious felons. Police in Chicago began charging lawyers a fee for responding to subpoenas. Where fines or fees were increased, many law enforcement agencies found themselves in the precarious position of having to emphasize activities that raise funds—often to the dismay of communities that desperately wanted more foot patrol.

Significantly, in cities ranging in size from Jackson City, Mo., to New York City, tax increases were proposed that were specifically earmarked for crime-fighting purposes, and law enforcement officials in some cases found themselves in the delicate role of political lobbyist. Deputy sheriffs in Mohave County, Ariz., for example, went door to door to rally public support for a budget override that would permit new hiring for the department. The catch, however, is that when taxpayers are told to go deeper into their pockets with the promise of increased public safety, they will expect something for their money. In areas where increased taxes are set aside exclusively for law enforcement agencies, police administrators would do well to give some thought to how to demonstrate to the public that their money has been well spent. The expanding use of public safety-specific taxes will no doubt require an accounting in years ahead.

WHITHER COMMUNITY-ORIENTED POLICING?

Citizens paying more for increased public safety are as likely as not to expect increased police presence in their neighborhoods. For a growing number of police departments, this translates into community-oriented policing. For as popular as COP is, however, it also has a small but vocal cadre of critics and skeptics. There are those who claim that although it is a laudable philosophy, it is difficult to implement in definable and measurable practices, especially on a large scale. Others feel that there are definitional problems. Who is the community and who represents it? In New York, where community-oriented policing is now the official guiding principle, the city's layered and diverse neighborhoods almost defy community definition. There is also a growing professional concern that community leaders could be misled into believing that they alone will determine the agenda for the police. More importantly to some, the public is being led to believe that crime will go down as a result of community-oriented policing programs. Another, more tangible criticism is that the approach is expensive, and at a time of recession such talk invites intensified scrutiny—and certainly community-oriented policing is too new, in relative terms, to have demonstrated that it can bring about meaningful reductions in violent crime.

Within the context of community-oriented policing, and in light of increased budget scrutiny, officer productivity measures will become ever more critical in the near future.

Traditionally, police departments have been centralized organizations with strict pyramidal structures. Employee advancement has been a vertical ladder climbed by a combination of testing, number of arrests and personal contacts. Eventually the ladder leads to a desk. Just how the field adapts to accommodate a community-oriented approach, with its need for decentralization, without changing its productivity measures will be an important challenge. As importantly, how can patrol work be made more desirable for the officer, many of whom aspire to a desk assignment within their first weeks on the job? As one researcher put it: “We need to set up a system for police departments whereby officers can grow in income, status and perhaps even authority while they are actually doing police work.”

PRESSING THEIR SUITS

But measuring productivity isn't the only personnel issue of topical concern to the profession. Affirmative action practices, in some departments now 20 years old, continued to be challenged by all sides. A decade ago, most of the lawsuits were brought by minority officers; now white officers are claiming reverse discrimination in promotional matters. There is probably no more highly competitive aspect of the job than promotional testing, where police careers can be made or broken on the basis of one point. For many departments, the method used to achieve departmental affirmative-action goals is to put less emphasis on strict numerical scores and, in effect, create two separate lists. To many officers, these departmental “goals” are nothing more than semantically disguised “quotas,” and a trail of court cases attests to their discontent. In Dallas, for the fourth time since 1988, white lieutenants filed a suit claiming that they were passed over for promotion in favor of black and Hispanic candidates who were lower on the list. White sergeants in Grand Rapids, Mich., filed a \$7.5-million lawsuit for discrimination in promotions. In Dayton, Ohio, the FOP brought a reverse-discrimination case on behalf of two white officers who were denied promotion to sergeant. In St. Paul, Minn., the Chief made a videotaped roll-call message for his officers to reassure them that promotions were not rigged in favor of minorities.

TACTICS AND SANCTIONS

On the front lines, police continue to use high-pressure tactics and a variety of problem-oriented techniques to control crime while responding to the never-ending calls for service. The year saw increased attention placed on the nation's highways and housing projects. Numerous jurisdictions increased DWI penalties and enforcement efforts. Thirteen states are testing a new device to measure alcohol levels. Video cameras are becoming popular additions to patrol cars (in some cases provided to economically strapped departments by insurance companies). In jurisdiction after

jurisdiction, drivers licenses are being seized or revoked for those who refuse to take or who fail a breath-alcohol test. The cars of repeat offenders are being confiscated or emblazoned with special license plates. And the U.S. Supreme Court gave its official blessing to sobriety checkpoints, a practice that had become popular in the late 1980's.

In the area of criminal sanctions, 1990 saw a resurgence in the age-old practices of public humiliation, ostracism and banishment. The names and offenses of wrongdoers in some localities are now published in newspapers—often becoming popular reading material. In Miami Beach, employers may be notified of an employee's arrest on drug charges. Landlords and tenant groups in some areas have been granted access to criminal records in an effort to reduce crime in housing projects by keeping out undesirables. Pilot programs have begun to deny Federal benefits to drug offenders. Proponents of such practices hope they will provide punishment without consuming valuable jail space. For civil libertarians, it is a nightmare.

And what of 1991? At least in part, the forecast would seem to be bad news, good news and then more bad news. The bad news: Unemployment may grow to 7 percent, bringing with it a host of social ills that affect police work. The good news: Increasing unemployment, coupled with the new Police Recruitment and Education Program, will enable law enforcement agencies to be more competitive and selective when recruiting. [See story, Page 1.] The second dose of bad news: Most localities will not have the money in their budgets to hire.

POLICING A CHANGING LANDSCAPE

The landscape that police face will change. For starters, the median age of the population continues to rise. The continuing population shift away from the country's older cities, particularly in the Northeast, to the Sun Belt and to suburbs in general, will have many departments recalculating their officer/population ratios. Immigration patterns will change from Asian and Latin American countries to European countries. And, in light of reports that the income gap is growing, with the total income of the top 1 percent of the population equaling that of the bottom 40 percent, it appears law enforcement will find itself policing a poorer population as well.

From January until August of last year, the public's attention was directed toward crime and the economy—and thence will it return when the war in the Persian Gulf is over. In fact, it may be argued that the onset of trouble in the Middle East turned around the sense of gloom that pervaded the public's mood for much of last year, by focusing attention away from weighty social and economic ills at home. It remains to be seen whether the zeal and sense of purpose accompanying U.S. actions in the Gulf will ultimately be translatable to domestic issues, and whether America will discover a way to police itself with the kind of success that characterizes recent efforts at playing "global policeman."

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1991 IN REVIEW

Graphic Images Paint a None-Too-Pretty Picture

More than most years, 1991 lent itself to graphic video images. It began with the pictures of the Persian Gulf war in scenes that bore a striking if artificially benign resemblance to fireworks and video games. As gripping as those images were, though, the pictures from America's streets were far more terrifying. There was an officer shot and killed during a traffic stop in Nacogdoches, Tex., as his dashboard-mounted camera recorded the event. In Detroit, a mob engaged in a bias-motivated beating. In New York City, a gang of teenagers videotaped themselves as they beat a man with a hammer. In Chattanooga, Tenn., a hidden video camera recorded a baby-sitter beating a child.

While these pictures visually demonstrate growing levels of violence in this country, the video that had the greatest influence on law enforcement in 1991 was that of the beating of Rodney King by Los Angeles police officers. The amateur videotape, played over and over on TV news programs, sent a shock wave through law enforcement that touched all levels. Police departments from Hawaii to Maine reviewed use-of-force policies and modified or expanded training. Officers were made to watch the tape as an example of what not to do. Many localities considered—or reconsidered—civilian review. Some departments devised computerized systems to keep closer track of complaints against officers. After March 3, the use of force was scrutinized in a way unlike anything one has seen in more than a decade. Even the Justice Department got caught up in the furor and promised to conduct a national study of police brutality.

More than simply contributing to growing levels of public anxiety about crime, these home videos of gratuitous violence also demonstrated the evolving nature of surveillance. No longer is it dominated by the criminal justice system and private investigators. As one legal scholar put it, "Big Brother is now your neighbor." Such a development

does not come problem-free, however. Among lawyers there is palpable concern about such videos and their impact on individual privacy rights and pretrial publicity. Worried public-policy analysts, for their part, question whether local officials are responding to the get-tough wishes of constituents by relying more and more on surveillance as a cheaper alternative to increasing police and other criminal justice services. In Newark, N.J., for example, 24-hour camera surveillance was installed in a two-square-mile section of the city—an action that just a few years ago would have seemed more at home in an Iron Curtain country. But as the public mood becomes increasingly fearful and frustrated, some observers see signs of an attitude of resigned acceptance with respect to such surveillance efforts.

CRIME AND POLITICS

While the national agenda turned from the war to domestic economic woes in 1991, on the local level the spotlight continued to focus on crime. Many political careers across the country were made or broken on the basis of public safety issues. In cities such as San Francisco, Houston, Indianapolis, Philadelphia, Columbus, Ohio, and Savannah, Ga., citizens cast their vote on the basis of real or perceived levels of danger. Strikingly, in comparison to previous election years that had an emphasis on crime, a number of winning candidates emerged from the criminal justice ranks. Newly elected mayors and county managers came from such backgrounds as that of police chief in San Francisco, a county prosecutor in Indianapolis, a former district attorney in Philadelphia, a police sergeant in Brockton, Mass., and a former FBI agent in Suffolk County, N.Y. As public concern about crime continues to mount, there would seem

to be a growing role in politics for criminal justice professionals.

Voters spoke their minds in other ways as well, as referendums capped a year that brought numerous pieces of local and state legislation concerning criminal justice issues. Voters cast their ballots in favor of increased victims rights in New Jersey, bonds for new jails and drug centers in Texas, taxes for 911 in Washington, and holding gun makers and dealers in Washington, D.C., liable for damages and injuries that firearms cause. In the meantime, and much to law enforcement's dismay, 1991 was a year without national crime legislation, as Congress failed to pass its omnibus crime bill. In an eleventh-hour vote, senators and representatives found themselves unable to reconcile differences about the life-and-death provisions of the legislative package, notably gun control and habeas corpus.

COMMUNITY-ORIENTED POLICING AND POLITICAL CORRECTNESS

At one time, community-oriented policing came into a department at the instigation of a progressive police chief. Aided by a handful of researchers, the department would conduct a pilot test, usually, but not always, tied to a specific geographic area. If the community and the police were satisfied, and if budget considerations allowed, community-oriented policing would be expanded to include a larger segment of the department and the city. Inevitably, as community-oriented policing grew in popularity and use, questions arose: Just who is "the community," and who represents it? Can COP and its decentralized, "bottoms-up" style, fit into policing's tradition-bound, heavily hierarchical structure? What is the happy medium between officer discretion and accountability? How does one balance COP with calls for service? Will it create a potentially dangerous division within a department, where one group of officers answers calls for service while another makes acquaintances? Such questions were openly discussed throughout the law enforcement and academic communities, with believers, skeptics and non-believers alike all engaged in the debate. That is how it used to be.

COP has now entered the political arena. These days, one frequently finds community-oriented policing recommended by management consultants hired by a mayor. In the past year, outside consultants hired to analyze police departments in such cities as Milwaukee, Chicago, Los Angeles and Boston urged implementation of a community-oriented policing approach. Just how COP will fare with the vagaries of electoral politics remains to be seen. Bridled by political influence, some observers fear, COP will be used to create unrealistic public expectations. One researcher, a long-time believer in COP, observed, "Pretty soon they'll be saying it cures the common cold." There are also concerns that COP will become primarily a lip-service approach for the sake of public relations, and its longevity

(if not impact) will be limited to the term of office of a mayor or police chief.

The evolution of COP is characterized by more than simply the way in which it is introduced into a community; the nature of debate about the concept has also changed. The issues that are raised now concern primarily cost and evaluation. Community-oriented policing still has its believers, skeptics and non-believers, but observers say with increasing frequency that it is becoming politically incorrect to question the viability or implementation of COP in some jurisdictions.

YOUTHFUL OFFENDERS

A 14-year-old shot a cop. A 12-year-old shot a taxi driver. A 15-year-old tried to poison another child. A 10-year-old was arrested for a second-offense armed robbery (this time for putting a .38 to an 8-year-old's head while demanding a yo-yo). Five teenagers (two of them 14) gang-raped and shot a woman in the presence of her four children. An 18- and a 15-year-old were charged with killing a sheriff's deputy while he was writing out a report on their alleged shoplifting. While these cases are just a handful of the 2.3 million arrests for serious crime, they and many more like them demonstrate the growing concern over juvenile crime. Law enforcement officials in some jurisdictions estimate that as many as 40 percent of those arrested for serious crime are juveniles. Twenty percent of high school students regularly carry weapons, according to the Federal Centers for Disease Control. (One can only wonder at how high the number would be if the estimate included dropouts.) Figures such as these have given rise to a re-examination of juvenile justice in many areas around the country. Of particular focus was the tracking of criminal records and the circumstances under which juveniles should be prosecuted as adults. The method most used in 1991 for controlling youth crime, however, was the imposition of a curfew. In numerous localities large and small, curfews were adopted in response to public fear. While some local officials felt that curfews complemented and reinforced parental initiatives, civil libertarians, along with some law enforcement officials, criticized such action for diminishing civil rights with little impact on safety.

The bottom line, in the opinion of one researcher, is that as long as youthful offenders perceive there to be little or no risk of punishment, the crime rate in the United States will continue to go up. His research indicates that this perception differs among groups and is influenced by a young person's friends and family. When it is observed that criminal behavior goes unpunished, young people expect that they too can get away with crime. The frightening conclusion of this research is that not only is the overburdened, "revolving-door" criminal justice system not helping to reduce crime, it is actually contributing to an increase in crime.

CRIMES, CLEARANCES AND CUTS

Law enforcement practitioners did not need to wait for national crime statistics to be released in order to know that violence was increasing. Local reports, whether from both urban or rural areas, showed that 1991 was yet another year of matching or breaking murder records, with an end-of-year estimate of 24,000 nationwide. But as the number of homicides continued to mount, the clearance rate has dropped significantly, from 86 percent in 1970 to 68 percent in 1989. Experts offer a smorgasbord of reasons to explain the decline: an overall increase in the number of homicides with a growing level of stranger-to-stranger violence; the mobility of career criminals; few and/or fearful witnesses; increased availability of high-powered weapons; skeptical, increasingly hard-to-convince juries, and a shortage of investigative personnel (the latter a problem that will not be alleviated any time soon).

In 1990, police departments cut muscle; in 1991 they cut bone. Few departments went unscathed by the budget ax. Budgetary coping methods used in 1990, such as redeployment of personnel and imposition of user fees, gave way in 1991 to layoffs, furloughs, givebacks, deferred hiring, consolidations and mergers. A growing number of one-person departments simply disappeared. In departments large and small, the ranks of sworn officers dwindled. Nearly every part of the country was hit in some way. Some departments turned to the ranks of reserves and auxiliaries; sometimes the slack was picked up by private security. More often than not, services simply diminished. While the recession continues, these cuts will come at a time when demand for police service is dramatically increasing.

SUPPLY AND DEMAND

In the last national election, the Willie Horton gambit enabled the Republicans to make the crime issue—or, more accurately, fear of crime—a key campaign theme. The 1992 campaign, at least on a national level, will be dominated by economic issues. At best, crime will be relegated to a back seat. Recent opinion polls suggest that crime and drugs are

no better than halfway up the list of leading public concerns. That's not to say that the economic situation, and policies adopted to deal with it, won't affect law enforcement. Rising unemployment will have a two-pronged impact on policing. It will require that more services be directed to hard-hit areas, and at the same time it will diminish the tax base, the source of police funding. (The only positive effect one may see in the continuing recession is that it may lead to lower attrition rates due to retirement.) High unemployment will also exacerbate the problem of homelessness in America, which reportedly rose by 7 percent in major cities last year. Tighter public-sector budgets have also taken a toll on the mental-health care system, and some officials are saying that as many as one-third of the homeless are mentally ill.

Police will find themselves responding to significantly greater numbers of emergency calls in 1992. Diminished resources, increased societal violence, and a spillover effect from unabated social problems will force law enforcement to make tough choices in setting priorities. These problems, individually or in combination, are by no means new to policing. What is different is that the current demand for police services far outstrips the ability of police to supply such services. This dire imbalance, coupled with gloom about the economy and continued fears for one's safety, have given rise to a trend already spotted and labeled by marketing forecasters: the "Armored Cocoon." It is marked by an increased in gun ownership among women and growth opportunities in so-called "paranoia industries."

Growth opportunities in the private sector are of little benefit to the police in this instance. While such growth opportunities point out the importance that the public attaches to crime and safety concerns, they also demonstrate a disturbing propensity to find solutions that do not involve public-sector law enforcement. Cocoons, armored or otherwise, may provide security to those on the inside. The police, however, risk being caught on the outside looking in—in more ways than one.

Source: From *Law Enforcement News*, Jan. 31, 1992, Vol. XVIII, No. 351.

1992 IN REVIEW

Eruptions, Aftershocks and a Shifting Landscape

On April 29 at 3:30 P.M. Pacific time, the law enforcement community went into red alert as riots erupted in response to the acquittal of four Los Angeles police officers accused in the beating of Rodney King. At the epicenter of this man-made disaster, South Central Los Angeles, some 1,000 fires burned out of control, 52 people were killed, 2,383 were injured, more than 16,000 were arrested, and damages were estimated to be as much as \$1 billion. With local law enforcement personnel unable to control the upheaval, the National Guard and the U.S. military were called in to handle what appeared to be a complete breakdown of law and order. The rioting was called the nation's worst civil disorder in this century. Indeed, the nation had not experienced anything even remotely close in the area of civil unrest in more than 20 years.

While Los Angeles clearly suffered the worst of the riotous upheaval, the controversial verdict triggered a shock wave of disturbances in many other cities as well, and police departments often found themselves less than ideally prepared for the surges of violence that ensued. Thus, just as 1991 saw a re-examination of police policies and practices on the use of force, 1992 saw the law enforcement profession hastily reviewing, revising or making up policies for handling civil unrest.

For those cities that experienced violent unrest firsthand, evaluations of police response to such disturbances were very often sharply critical of the lack of communication and coordination—internally as well as with other agencies—political indecision, and a lack of preparedness on the part of line officers. The situation was exacerbated by the fact that most officers serving today have an average of about seven years experience and, therefore, have no experience with civil disturbances.

In October, the F.B.I. released a handbook titled "Prevention and Control of Civil Disturbance: Time for Review," which was based on concerns voiced by a number of major city chiefs. In the document, the contributors cite

such problems as out-of-date equipment, a lack of officer training, the failure to develop new tactics to deal with the increased use of firearms by rioters, threats to innocent people, and the role of arson in urban riots. The question police chiefs and other public officials had to grapple with was whether it was better to deal swiftly and aggressively with disturbances or take a slower, more measured approach. For a number of police officials the consensus was that it was better "to take quick and decisive action rather than to let the situation defuse itself." The F.B.I. handbook notes that recent experience with civil disorders tends to suggest that slow or ineffective first response by the police contributes to a significant increase in property damage, additional loss of life, and an increase in the number of neighborhoods involved in civil disorder. In some cities, of course, mass violence seemed inevitable but never occurred, due in part to the police use of various mechanisms for letting off steam—hot lines, open dialogue with constituents, and access to information to dispel rumors. Generous doses of luck didn't hurt, either.

CONSEQUENCES OF UNREST

The riots of 1992 were not limited to those that occurred in reaction to the Los Angeles verdict. In Chicago a riot was triggered by fans celebrating a basketball championship. In Belmar, N.J., violence grew out of a pop music concert. Police shootings sparked riots in Mobile, Ala., and in New York. Whatever the cause, for many cities the cost of rioting included a scarred political landscape. In Los Angeles both the mayor and the police chief paid the price. The political response to a police shooting in New York caused what some say is the deepest schism in 20 years between the mayor and the rank and file. The mayor displayed what some perceived as undue sympathy to the family of the man who had been shot—an armed drug

dealer—thereby leaving many with the impression that the officer had acted improperly, even criminally. The officer was later exonerated by a grand jury, and the prosecution witnesses—relatives of the drug dealer—were said to have committed perjury. In light of the rioting that accompanied the original shooting, the department did plan for the worse when the grand jury's decision was announced. Snippets of the testimony and evidence were released over a period of time, and the timing of the actual announcement even took into consideration the phase of the moon. The city remained calm, but the repercussions didn't end there. The demoralization of many officers over the mayor's response to the situation was a significant undercurrent to a raucous police demonstration later in the year.

Even as civil unrest was a constant underlying concern for law enforcement in 1992, the use of force continued to dominate many agendas. The Justice Department's review of police brutality, ordered in 1991 in the aftermath of the Rodney King beating, was met with sharp Congressional criticism for its failure to take a critical, discerning look at police misconduct. That shortcoming, however, was said to stem largely from the irregular nature of record-keeping for such incidents. Issues of civilian oversight of police, which resurfaced on the local agenda in 1991, came under the spotlight once again in 1992. At least 10 cities considered civilian-review proposals as police chiefs and others argued that civilian review boards would not help to reduce police wrongdoing. The general public, however, had its own views on the subject. In a national poll conducted by Louis Harris and Associates Inc., and John Jay College of Criminal Justice, 8 of 10 Americans said they favored a board with a mixed composition of both police and civilians. Seen against the backdrop of the times, this surprising result—one that cut across demographic and racial lines—should prompt localities to look closely at public attitudes when the issue of civilian review comes to the fore.

BACK TO THE COMMUNITY

Just what impact these spasmodic events have had on community policing—whether a mild temblor or a major tectonic shift—is difficult to determine. With many aspects of community policing, there are simply no generally accepted measuring methods. As important, now that scores of the country's largest cities have begun to adopt the philosophy, there is still no consensus definition of community policing. How does one know if the policing style of a particular city is indeed community-oriented? Assuming that it is, how can one assess the impact? In the biggest cities, there is growing concern that the adoption of the community-oriented approach is more difficult than may have been believed at the outset. The cynicism of officers at all levels, the amorphous nature of community policing, the media consciousness of political officials—all have helped to slow the process. In some instances, these factors and others lead to little more than a community-policing charade.

In some localities, community policing is being credited with declines in crime. In other areas, where crime has gone up, community policing is being offered as an explanation because increased interaction between officers and the community has fostered increased reporting of crime. One police researcher put it simply: "The question is how do we disentangle the crime stats." Others say crime rates cannot be used at all to measure community policing. Different measures will have to be used, but such measures are as yet unformulated.

Yet notwithstanding the lack of measurements and a simmering sub-surface skepticism, community policing did receive an endorsement last year from the Law Enforcement Steering Committee, a coalition of 11 major law enforcement organizations. The community-based approach was also incorporated into the "seed" portion of the Justice Department's Weed & Seed program for reducing local violence. Although community policing continues to reshape law enforcement to varying degrees, the most dramatic transformation of the profession—at least over the short term, and possibly for many years to come—is occurring because of unprecedented changes in the ranks of police executives.

A CHANGING OF THE GUARD

"All is change; all yields its place and goes." This ancient saying was amply applicable to law enforcement in 1992. Not in the 17-year history of Law Enforcement News has there been a year with such movement at the top. More than one-third of nation's 50 largest cities experienced changes in police leadership: New York, Los Angeles, Chicago, Houston, Philadelphia, Detroit, San Diego, San Francisco, Washington, Denver, Austin, Long Beach, Pittsburgh, Tulsa, Cincinnati, Tucson and Oakland. The wave of departures and new appointments washed ashore in many other cities as well: Salt Lake City, Portsmouth, Va., Elizabeth, N.J., Tampa, St. Petersburg, and Birmingham. Such change was almost epidemic in the New York metropolitan area, affecting the NYPD along with the New York Transit Police and the Nassau and Suffolk County police forces. As a result, nearly 40,000 officers in a radius of less than 50 miles are now working under new leadership.

Political differences between police executives and elected officials underscored many of the departures, while others left because it was simply their time. In some instances, new chiefs lasted just a matter of weeks. Suffolk County, N.Y., and San Francisco each went through four top cops in one year. The gain will be new people with fresh ideas; the loss is a wealth of experience and talent. The extent to which this dramatic change in leadership will influence the public safety agenda remains to be seen. There will be no small number of chiefs who will need to get in touch quickly with the needs of their constituencies. The large number of new chiefs on the block, combined with numerous new Federal appointees, will necessitate the

forging of new professional relationships—what usually would be called an “old boy network.” But the network will be neither old nor solely male.

1992 proved to be a good one for women in law enforcement. Four women were appointed as police chiefs in major cities—in Tucson, Austin, Elizabeth, N.J. and Portsmouth, Va. Two came up through the ranks of the departments they now head. Two others were career officers who relocated from other departments. Even the FBI got into the act, appointing its first female as head of a field office. These appointments, while statistically insignificant among the more than 16,000 police departments nationwide, mark the first time that more than one woman at a time has occupied the chief’s office in major cities. While their numbers are few, they are the first generation.

Regardless of gender, new police executives will find themselves facing officers who feel overly scrutinized and who are trying to contend with community-oriented policing. These chiefs will be dealing with elected officials who want more say on issues of public safety than they have had in the past. They will face budgets that continue to be inadequate. They will face a public that is frustrated, frightened and criminally victimized at the rate of more than 1 out of every 4 households. And, if some reports are correct, it is a public that is increasingly arming itself in response to such events as the Los Angeles riots and the election of Bill Clinton (who favors a Federal waiting period on the purchase of handguns).

WHEN IS AN ISSUE NOT AN ISSUE?

As law enforcement prepared for the possibility of civil unrest last year, the country prepared for a Presidential

election. Yet despite the heightened tensions on the streets, and even though the country’s domestic agenda had center stage during the campaign, law and order issues were not high on the list of public priorities. With the nation’s attention focused on the economy, President Bush and Governor Clinton offered only occasional passing remarks on criminal justices issues. As the country’s second largest city was partially destroyed by rioters, a collective amnesia seemed to set in, as if the scene were too disturbing to contemplate for very long. To an extent, the election served as an almost welcome diversion from the sight of U.S. troops patrolling the streets of a devastated American city.

The resources and energies of the country are being focused, for the moment, on major economic issues. That should please the police officials and criminal justice theorists who believe that improvements in the areas of poverty, joblessness, and education will help reduce crime. Of course, many experts are just as hopeful that the new Administration will provide greater support for local law enforcement, with less bureaucracy to get in the way. They want gun-control legislation, assistance with community policing efforts, and increased funding for research, technical assistance, officer education and training enhancements. Before any of these things can be accomplished, however, law enforcement must first get the ear of the new Administration. On the score, the line forms to the left.

Will the Administration eventually turn its attention to issues of public safety? Obviously time will tell.

Source: From *Law Enforcement News*, Jan. 15/31, 1993, Vol. XIX, No. 373.

1993 IN REVIEW

Mega-Events and the Fears of Everyday Life

By all reasonable measures, 1993 marked an about-face for law enforcement when compared to the previous year. Issues of public safety, which struggled for attention during the 1992 Presidential campaign, had moved foursquare into the spotlight by the end of 1993. The Federal attitude toward local law enforcement, only recently marked by a hands-off posture, took a hands-on turn that in some cases bordered on outright intervention (as witness Congress's federalization of certain crimes). Police departments, which were frequently scrutinized in 1992 for the excessive use of force, found themselves under the microscope for corruption in 1993. Federal law enforcement agencies went from being praised for their actions to being criticized for their failures.

At last, it appeared, 1993 saw a nation whose attention was galvanized on issues of public safety and seemed poised to do something about them. In citizen-generated actions, in legislation, in elections, in opinion surveys and in numerous other ways, the public gave voice to its growing fear and frustration over violence. The convergence of this increased public attention with a new Administration in Washington provided the critical mass necessary to get a Federal gun law enacted, and may yet lead to passage of the first significant crime legislation in years.

THE BIG-BANG SCENARIO

It was a year highlighted by mega-events: a titanic bomb blast; a prolonged and deadly siege; the worst floods in hundreds of years; wind-driven wildfires aided by the hands of arsonists. The magnitude of these events stunned and mobilized the law enforcement community in ways that heretofore were only contemplated. And it all started, both figuratively and literally, with a bang that symbolized the type of year it would turn out to be.

Of the thousands of bombing incidents that occurred in 1993, one stood above all others. At lunchtime on a snowy Feb. 26, a terrorist bomb rocked New York's World Trade Center, one of the largest office-building complexes in the country. More than 1,000 people were injured. Six people were killed, and it was generally agreed that it was miraculous that the number of fatalities was not far greater. Thousands of uniformed personnel—Federal, state, local, even private security officers—sprang into action, joining forces for both the rescue and the ensuing investigation. The blast created a 200-foot-wide, five-story-deep crater, which in weeks to come would be visited by police personnel from around the country who sought some insight from a first-hand look at a crime scene that defied description. What differentiated this bombing from others in 1993 was not simply the size of the blast, but the fact that those who allegedly planted the explosives were not homegrown extremists. With this incident, international terrorism on American soil, which had long been predicted, had come to pass.

Had the bombing of the World Trade Center been 1993's only shocking act of extremist religious fundamentalism, it would have been more than enough. But just two days after the bombing, yet another horrific situation unfolded, this time in Waco, Texas. On Feb. 28, agents of the Bureau of Alcohol, Tobacco and Firearms, attempting to serve a warrant for weapons violations, stormed the compound that was home to the Branch Davidians, until then a little known religious cult. It proved to be the darkest day in ATF's history, as four agents were killed in the raid.

Yet even this deadly episode was but a prelude. The FBI took command of the scene, and for nearly two months waffled between negotiating and applying tactical pressure on the cultists to leave the compound. At length, tactical measures won out as the bureau's patience wore thin. On

April 19, the tanks rolled in, punching holes in the compound's flimsy walls and pumping in canisters of CS gas. Abruptly, the compound exploded into flames, apparently set by the cult members inside. In short order, the fire—fed by the compound's wooden construction, the kerosene and ammunition stored within, and a brisk wind—reduced the compound and its occupants to ashes. While public opinion felt it manifestly clear that David Koresh and his followers brought this frenzy of lethal violence upon themselves, police experts were privately critical of how the siege was handled. In the space of only two months, the praise that had been heaped on the ATF and the FBI for their response to the World Trade Center bombing turned into harsh criticism of the Waco debacle.

THE SMOKING GUN

As riveting as these mega-events were, on a day-to-day basis the country was bombarded with reports of violence, making gun-control legislation increasingly popular. A once-unthinkable stream of politicians reexamined their relationships with the National Rifle Association, with many concluding that continued support for the NRA could mean a loss of voters. Although polls indicate that public support for gun regulation has been growing for years, it was not until this past year that gun control finally found a friend in the White House. The Clinton Administration's support of gun control—a radical policy shift from the past—helped to bring about the eleventh-hour passage of the Brady Bill, which has been lingering in Congress for years. With it, it would seem, a corner has been turned on gun control. By the end of the year, talk turned to regulating or taxing ammunition and enacting other controls on firearms, those who sell them, and those who use them.

The new Federal agenda is more than just gun control, however. The appointment of an Attorney General who had been a local prosecutor and thus had worked closely with police was viewed as an indication that violent crime would be an overriding concern of the Department of Justice—much to the delight and relief of law enforcement personnel. Attorney General Janet Reno's agenda is nothing less than comprehensive. She has stated that she wants to: take the politics out of policing; provide “truth in sentencing”; build more prisons; come to grips with mandatory sentencing that has non-violent offenders serving longer sentences than violent criminals; deport illegal aliens who are taking up space in American prisons; crack down on juvenile crime; create a shared, comprehensive information base; stop interagency turf wars; have Federal law enforcement agencies share more information with their local counterparts, and create partnerships with other social-service providers. Still, the new Federal agenda doesn't stop there.

THE CORPS OF AN IDEA

For years, local law enforcement has asked the Federal Government to provide additional front-line resources to fight crime, and the Clinton Administration appears ready to do just that. Of course, along with those funds will come no shortage of attached strings as to how the dollars are to be used. The two most obvious examples of this are the proposed creation of a national Police Corps and providing funds for the local hiring of community police officers. Both of these initiatives will have direct implications for local policing in the years ahead. No doubt many departments will benefit from these programs, but there is a growing feeling on the part of police chiefs that local autonomy is being eroded.

Not since the so-called “good old days” of the late 1960's and 70's has policing benefited directly from an infusion of funds to encourage higher education. Through the Law Enforcement Education Program—known far and wide simply as LEEP—those funds primarily went to those who were already sworn officers, and the beneficiaries of that program have gone on to lead police departments throughout the country. LEEP funds also spurred a growth in criminal justice education programs—an effect that the new initiatives are likely to repeat. Like the LEEP program, the Police Corps will also affect a generation of officers—future officers. Therein lies the difficulty.

Unlike LEEP, the Police Corps concept raises questions of whom to hire and when to hire—issues that have traditionally been within the purview of local authorities. The fear on the part of many police chiefs is that the Police Corps will infringe on that self-determination. Over the course of more than 10 years, the Police Corps has been debated, even tried in a handful of jurisdictions, and it has consistently run into the same obstacles. Whether the national Police Corps is modified to address local concerns remains to be seen. What is clear, however, is that another hopeful step will be taken toward the 1967 goal of a college-educated police service.

COMMUNITY-MINDEDNESS

The latest step in the evolution of community policing is occurring on the Federal level. In the late 1970's and early 1980's, community policing was typically brought in by a chief; by the late 1980's it was often the result of a mayor's will or other political mandate. We are now witnessing the direct infusion of resources through the Justice Department, to the tune of \$150 million that will be used to pay for officers' salaries and benefits for three years in cities over 150,000 population. The appeal of such funding is undeniable, as witness the traffic jam of Federal Express trucks at the Justice Department on the day grant applications were due. Nonetheless, there remain a number of concerns on the part of many police executives. What criteria were used to

judge the grant applications? After three years, how will cities pay to keep these newly appointed officers on the job (particularly when 53 percent of all cities are running deficits)? If these officers incur job-related injuries, who will foot the bill for potentially lifelong disability benefits? Despite these and other serious reservations, some chiefs felt pressured by their local government to apply for these additional officers. Even state police agencies have applied for community-police funds.

Adding a sprinkling of more police officers around the country is not the only Federal measure to incorporate community policing. The Justice Department is underwriting five to nine community policing experiments in larger cities that will seek to integrate the concept, evaluate outcomes and disseminate the information. Community policing continues to thrive in some jurisdictions, while in others it remains maddeningly elusive. Police supervisors complain that officers are talking with community members and writing reports about how they spend their time, but nothing in the way of better policing is being produced. In the estimation of some scholars, there is no validity to the idea that more cops equals less crime. As one observer put it, "To prevent crime, the police must become inventive, not simply more numerous."

CRACKS IN THE BADGE

In the face of deadly serious crime problems, police found themselves dealing with communities that felt increasingly unsafe—and all too frequently, the sense of unease was intensified by reports of drug-related police corruption.

In 1991 and 1992, police departments found themselves taking a hard look at excessive force and riot control. This year, the emergence of several major-city scandals prompted departments to reassess their vulnerability to corruption. It is not the type of corruption that rocked policing in the 1960's, which emphasized payoffs for looking the other way to cover illegal vice activities. Contemporary corruption is far more aggressive, far more vicious, with rogue police officers stealing and reselling drugs, indiscriminately beating people, even participating in drug-related murders.

Police observers attribute the current wave of corruption, at least in part, to lowered entry standards, accelerated hiring that led to inadequate background and psychological checks, and institutional environments that do not actively weed out corruption. Many departments around the country will attach a paramount importance to integrity issues in 1994. As local finances improve to permit renewed hiring, and with the Federal Government standing by to infuse tens of thousands of additional local officers, agencies will have to summon the will not to skimp on background checks and psychological screens. More than ever, it seems, organizational environments are needed that promote integrity, and seek out and combat corruption—however unpleasant a task that may be.

THE ONLY THING WE HAVE TO FEAR?

In 1993, Americans 'fessed up: They were scared. In the course of one year, public priorities appeared to shift. At the end of 1992 the nation was riding out a Presidential election in which one campaign mantra was "It's the economy, stupid." This year, public and, at last, political attention focused on public safety—or the lack of it. Official statistics suggested that crime was declining slightly, but Americans just didn't feel safe. (And, to be sure, their fears were borne out by end-of-year data showing new homicide records in nearly two dozen major cities.)

More and more communities found themselves facing increasingly violent, increasingly visible gang activity. Some localities tried gang summits, others enacted get-tough legislation. The extent of the problem was underscored by an edict issued by a prison gang in California, warning local gang members to stop drive-by shootings because they were proving bad for business. Violent crime by the young increased, and by some estimates it has doubled in the last five years. Many experts note that young people value life less than they had in previous generations when a car, not a handgun, was the dominant status symbol.

Another catch phrase was added to the lexicon of fear: sexual predator. With evidence increasingly indicating that many sex offenders cannot be rehabilitated, the year saw a crackdown on them and their crimes. Many communities required convicted child molesters and other sex offenders to register with police. In some areas, released offenders were run out of town, sometimes before they could even settle in. Anti-stalker laws became a fact of life for many localities. In some states, prison terms were lengthened—to the point of indefinite confinement—for incorrigible offenders deemed likely to commit more sex crimes upon release.

Where possible, Americans took action to deal with their fears. They voiced their fear in the voting booth during numerous local elections where crime was a major issue. There were increased calls for curbs on the pervasive violence in TV programs and movies. In the main, though, people changed their habits and tried to put themselves out of harm's way—a phenomenon that is not accounted for in crime statistics. If possible, they moved to safer areas. Stores were encouraged to close early. Vacation plans were changed or canceled. Christmas Eve midnight masses were canceled or moved up to earlier starting times to cut the risk to parishioners. Some communities sacrificed a measure of their privacy in order to use surveillance cameras; others blockaded themselves from outsiders. City residents in particular altered their daily habits or, at a minimum, lived in a state of constant alert. The cocooning of America, a trend that began in the past few years, has in some neighborhoods turned into self-imposed imprisonment.

More and more, the American habitat is threatened by violence. The simple truth is that, in setting after setting, people do not feel safe. They do not feel safe in the

workplace; on the highways; in the post office; in schools; in shopping malls; in parking lots; in taxis; at convenience stores; in fast-food restaurants; on the streets; on commuter trains. And, for too many people, they do not feel safe in their own homes.

Could it be that the country is finally fed up with violence?

Source: From *Law Enforcement News*, Dec. 31, 1993, Vol. XIX, No. 392.

1994 IN REVIEW

Frustrated, Angry & Ready to Get Tough

Americans Roll Up Their Sleeves & Say 'Enough is Enough'

There weren't urban riots as in 1992. There wasn't a foreign terrorist bombing or cult-related fiery inferno of the kind that galvanized 1993. Still, 1994 will be remembered as a watershed year in criminal justice, as a public that was becoming angrier and more frustrated about crime insisted that something be done. The increasing levels of fear that have dominated the 1990's turned into action in 1994 as America rolled up its sleeves and got tough.

Nowhere was this toughness more evident than in the legislative arena. There was, of course, the passage of the Federal crime bill, the most comprehensive crime legislation in a generation. But there was also an avalanche of criminal justice lawmaking on the local and state levels. Scarcely a week went by without some legislative body considering laws aimed at improving community quality of life and getting violent offenders out of society for as long as possible. The phrase "three strikes and you're out" may have been missing from ball parks after August, but it was a year-long battle cry that reverberated nationwide among those who had had their fill of violence.

THROWING AWAY THE KEY

In part, the public's ire was an outgrowth of the perceived growing disparity between court-imposed sentences and actual time served—what has come to be known in the criminal justice lexicon as "truth in sentencing." By late February, 30 states were considering three-strikes laws. This approach is not without its critics, with some criminal justice experts pointing to enormous costs that in California alone could run as high as \$5.5 billion a year.

Such expenditures, it is argued, could seriously undermine government funding of other essential services like education. The three-strikes approach might also turn prisons into old-age homes for those violent offenders who grow out of crime, as well as intensify the pressure to plead down the charges for first or second violent offenses.

For other critics, three strikes is not tough enough. (In Georgia, the law allows only two strikes.) Three strikes would leave no prison space for misdemeanor offenders. Thieves and drug dealers would no longer be dealt with harshly enough, they say. These criticisms notwithstanding, proponents say that with as few as 7 percent of violent offenders committing 70 percent of the crimes, three-strikes legislation and its focus on repeat offenders will reduce the human and economic costs of crime.

In the move to get tough, states also increased prison time by curtailing or abandoning parole and good time, and by moving prisoners from halfway houses back to secure cells. In some jurisdictions, violent offenders will now have to serve up to 85 percent of their sentence. And while offenders spend more time behind bars, the quality of that time has been diminished as well, as legislators took away such prison perks as cable television, entertainment equipment, and physical fitness gear—over the objections of prison officials who fear an escalation of prison violence.

One specific crime category demonstrated the get-tough mood more than any other—sex offenses. Coupled with, and fueled by, several nationally publicized cases, a growing public awareness that rehabilitation is often impossible led to an onslaught of legislation aimed at serial sex offenders—criminals who by some estimates commit 30 offenses for every time they are caught. Taking the lead

from the state of Washington, many jurisdictions opted to keep sexual predators incarcerated for longer periods by mandating indefinite prison terms, parole denials or civil commitments.

Authorities are keeping tabs on such offenders as never before. More states joined the ranks of those requiring DNA samples from offenders, and 1994 also saw the growing popularity of requirements that sex offenders register with local police upon release, and that the public be notified of their whereabouts. (One released sex offender in Nevada asked to be returned to jail because his presence sparked protests by neighborhood residents.) Soon Californians will even have the ability to call a state-run telephone hotline to get information on the whereabouts of paroled child molesters. Local school officials, for their part, are demanding to know about juvenile sex offenders who sit in their classrooms. Law enforcement agencies are sharing more information with each other and with the public in the investigation of serial rapists and killers, and some departments even use the information superhighway in their efforts.

MAKING A FEDERAL CASE OUT OF DOMESTIC VIOLENCE

Domestic violence, like sex crimes, deals primarily with female victims, and like sex crimes, was a major focus of increased public attention, with much of the activity again taking place in the legislative arena. Under Title IV of the 1994 crime control act, gender-based violence is now a Federal civil rights violation, and under certain circumstances violating a court order of protection is a Federal offense. (The law also imposes a ban on gun possession by domestic abusers.) Some states are already convicting batterers under bias-crime statutes, thereby allowing for added sanctions. Police policies requiring mandatory or preferred arrest were initiated by legislation in numerous jurisdictions, while in other areas police departments zeroed in on repeat domestic offenders, forming a coordinated front with prosecutors, courts and social service agencies to deal with such cases. One major Midwestern department even launched a program to address domestic violence within its own ranks. It appears that law enforcement will continue its decade-long increased focus on domestic violence.

Early in the year Federal officials reported that two-thirds of the 2.5 million women who were victims of violent crime were attacked by friends, family or acquaintances. As happens so often, however, there was one highly publicized incident that drove the issue into the spotlight—the O.J. Simpson case. Reports of domestic violence surged almost everywhere at once. Yet while the legal proceedings against Simpson continue to captivate the public and the news media, there always seems to be room in the headlines for a particularly heinous crime committed by a child.

NEVER TOO YOUNG TO BEGIN A LIFE OF CRIME

A 7-year-old selling crack. . . . Two 9-year-old boys charged with sexually assaulting a 4-year-old girl. . . . Two 12-year-old boys accused of murdering a transient. . . . From one coast to another, in cities, suburbs and rural hamlets, no region of the country was spared the tide of juvenile violence that seemed to involve ever-younger criminals and increasingly vicious crimes. In some areas the number of youths charged with murder has doubled in the past 10 years. Confronting this disheartening increase in violent crime committed by children is a juvenile justice system that is largely the product of another era and was not designed to handle this kind of shock wave—a wave that researchers say will get worse. Consequently, more and more localities are opting to put violent juvenile offenders in the hands of the adult criminal justice system. Prosecutors sought and usually got legislative changes aimed at getting tough on violent juveniles.

A number of experts see dysfunctional families and the easy access to firearms as the primary causes of rising juvenile violence. There is no question that one of the most frightening elements of youth crime is the arsenal of firearms at their disposal. For law enforcement personnel everywhere, concern about gun-related violence among the young is paramount. In one major-city, a survey found that one in five high school students carries a weapon. The arming of juveniles, it seems, has gone beyond those who deal drugs or belong to gangs. It now permeates the youth culture itself.

HEEDING THE PUBLIC'S CALL TO CURB WEAPONS

More so than in recent years, 1994 brought an uncompromising focus on getting illegal weapons off the street. Backed by surveys indicating that a significant percentage of the population favors restrictions on weapons, legislators called for curbs on gun possession and increased penalties for firearms misuse, while police in many localities stepped up enforcement of existing laws.

In the main, local law enforcement's response to the proliferation of guns came in the form of stepped-up efforts against violators. (Of course, one cannot overlook the handful of challenges filed by county sheriffs against the 1993 Brady Law, questioning whether the Federal Government could mandate local compliance in conducting background checks of handgun purchasers.) Nationwide, search-and-seizure practices were bolstered in a variety of ways. In a crime-ridden Chicago housing project, the community applauded the city's housing police for going into apartments to conduct warrantless searches for weapons—a practice civil libertarians were quick to stop. St. Louis police tried a different tack, with consensual searches at the

homes of suspected youth gang members. In Kansas City and Indianapolis, officers assigned to patrol “hot spots” are using “reasonable belief” as a basis for stopping cars for weapons searches—an experimental initiative that so far is proving successful in cracking down on illegal weapons and their owners. Rhode Island set up what was described as the nation’s first gun court to fast-track offenders into prison. In New York City, police were ordered to aggressively pursue the origin of a weapon when making an arrest.

But the battle against illegal weapons is far from joined. Many police agencies have no idea how many firearms their officers seize annually because they don’t keep records on the subject. Just how far there is to go in tracking illegal guns was demonstrated on Oct. 29 when a Colorado man fired a semiautomatic rifle at the White House. He had lied on his gun-purchase form about a prison record and his dishonorable discharge, but there is currently no mechanism for checking the truth or accuracy of the information at the point of purchase. Still, while there remains a long way to go in getting illegal weapons out of circulation, it is clear that the public has made weapons violations a priority.

ANYBODY REMEMBER THE DRUG WAR?

Even as the country was taking aim at violent offenders, domestic abusers, weapons violators and sexual predators, the get-tough mood did not extend to drugs. That’s not say that there weren’t hundreds of thousands of drug busts, increasingly huge drug seizures, and hundreds of acres of crops burned, but drug issues were booted from the front pages by the bloody appeal of violent crime.

Among the headlines that did crop up were the likes of: “The War on Drugs is Over (Drugs Won)”;

“The Phony War/The Real Crisis”;

“End War on Drugs/Too Many Casualties”;

and “Forget the War on Drugs.” And if donations to pet causes are any indication, consider the following: In July the Partnership for a Drug Free America reported that contributions have fallen 20 percent in the last two years. That same month, the Drug Policy Foundation, an organization which promotes alternatives to current drug policies, announced it had received a \$6-million philanthropic donation. To be sure, a small but growing number of people in the legal profession are voicing objections to the war on drugs. In California, a judge refused to sentence a man to a 6-year mandatory term for a drug offense. The current president of the American Bar Association supports decriminalization, and a special committee of the Association of the Bar of the City of New York has come out in favor of dropping current prohibitions. What critics of U.S. drug policy have in common is the view that existing enforcement-based strategies have not worked. In their view, drug use is primarily a public health issue and should be treated as such.

It has been reported that more than 300,000 Americans are behind bars for drug offenses, and that one out of every

five Federal prisoners is a first-time nonviolent drug offender. Although most Americans oppose decriminalization—and clearly do not want drug dealing on their streets—they are vexed and perplexed when mandatory sentencing policies mean that drug offenders serve longer terms than do violent criminals. Now, with the recent crackdown on violent crime, prison space has become an even more valuable commodity. To accommodate get-tough policies like “three strikes,” the criminal justice system will have to make room. Even with the building of additional prisons, many states have had to diminish sentences for some non-violent offenses—like drug possession. In Texas, for example, a plan was adopted which requires, among other things, that all violent and sexual offenders serve at least half of their sentences. In order to accomplish that, state legislators decided to significantly reduce the sentences for certain drug offenses.

CHARGING AHEAD WITH COMMUNITY POLICING

One undeniable feature of 1994 has less to do with getting tough than with getting smart—the continued popularity of community policing. Just about every police department in the country, if asked, would likely say it had some variety of community policing in effect, yet some pioneers of the concept fear that it has become little more than an overused catchphrase—where officials do nothing more than talk about it.

Law enforcement practitioners and researchers, having had little success in resolving the definitional dilemma of community policing, have moved on to the issue of measurement. But evaluating community policing is proving just as elusive as defining it. Some feel that measurements ought to be taken of things like fear, crime reduction, problem solving, officer effectiveness, customer satisfaction and police/community civility indicators. So far, though, there are no standardized yardsticks. And as one scholar noted, the Federal Government is “putting 100,000 more cops out there to do [community policing] . . . without a clue to its effectiveness.” Community policing is moving full speed ahead.

Even before the passage of the crime bill, the Justice Department pipeline for applying for more officers was jammed, and the department realized early on that properly evaluating the applications from potentially thousands of police departments would prove nearly impossible and politically unwise. It’s been said that some applications didn’t even include the phrase “community policing.” Whether or not police chiefs really wanted more officers or were politically pressured into applying for the extra personnel, they couldn’t queue up fast enough. To expedite matters, the Justice Department achieved a minor bureaucratic breakthrough with the streamlined “COPS Fast” application kit for small departments that is one of the simplest forms ever created by the Federal Government.

Locally, community policing continues to evolve. For those departments that have been at it awhile, a decentralization and flattening of the command structure has occurred. The San Diego Police Department, one of the leaders in community policing, announced in April that the city would be divided into 21 communities to be served by mini-police departments. In Tempe, Ariz., the Police Department went citywide with an approach known as “geographic deployment,” where each of the city’s 15 beats, under the direction of a sergeant, controls its own scheduling and deployment. In departments where community policing is still in its embryonic stages, such as in Los Angeles and Chicago, academic experts and institutions have been brought on board to help steer the initiative from the outset and evaluate outcomes.

The kind of community policing a locality gets is in large part determined by the officers it has—their level of enthusiasm, the nature and extent of middle management involvement in the process, their training and education, and last but certainly not least, their level of experience. In New York, the average age of officers is 23; in Chicago, it’s 42. The type of community policing that evolves in these two cities will be greatly determined by officer age.

The “community,” however defined, is supposed to be a partner in the production of public safety. And variations in communities are part and parcel of American society. Communities want and need different things, amid day-to-day problems that can range from shootings, robberies and drug dealing to drag racing, panhandling and quarreling neighbors. If departments know nothing else about community policing, they know that residents want quality-of-life improvements.

But what happens to community policing when a community wants something that is unenforceable, even unconstitutional? One New Jersey borough passed an ordinance outlawing cursing in public, but the police chief has refused to enforce the law. Beyond that, what happens when one segment of the community wants to be rid of another? Consider the recent passage of Proposition 187 in California. Many police chiefs in the Southwest and elsewhere have worked long and hard to establish good relationships with all residents—legal and otherwise—of their communities and have had tenuous relations with immigration officials. If police are required to report illegal aliens,

cooperation from witnesses and victims would certainly become problematic, as would community involvement in improving the quality of life. Some believe bias crime will increase and the overall level of civility may drop. Community policing has had its share of police organizational and resource problems that threaten its existence. But what happens to community policing when a community tries to pull itself apart?

THE FORECAST: KEEPING BUSY, WITH PARTNERS

Among the commitments made by Attorney General Janet Reno after she took office in 1993 was to have Federal law enforcement agencies share more information with their local counterparts, and to create partnerships with other social service providers. Reno has made significant headway thus far; there is hardly a group that she has yet to reach out to. In this respect, one of the hallmarks of 1994 was the improved working relationships among different agencies, within the Justice Department itself, within the law enforcement profession generally, and between policing and other government entities.

Seven Cabinet-level agencies have joined forces in a sweeping initiative to address youth violence. And, in another interagency milestone, the departments of Justice and Defense have linked up in a research and development-sharing venture that could open the doors to new technologies for law enforcement. (Of course, even as high-tech military technologies slowly make their way into the police market, there are still police agencies operating with rudimentary, even primitive equipment. One department in the Northeast only recently made the step up to copying machines from manual typewriters and carbon paper.)

The partnership approach to tackling crime will likely result (with the help, no doubt, of crime-bill funding) in a flurry of activity in law enforcement and in allied research and academic institutions. They’ll have their hands full with hiring, training, educating, upgrading, implementing, analyzing, researching, evaluating, disseminating, assessing and reporting. 1995 will be a busy year.

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1995 IN REVIEW

The Sweet Smell of Success, the Sour Taste of Bad Apples

Charles Dickens was referring to the late 18th century when he wrote, “It was the best of times, it was the worst of times.” He might as well have been talking about American law enforcement at the close of the 20th century. Few would argue that the times have rarely been as good as they were in 1995, in light of policing’s overriding success story of the year—the dramatic, almost unimaginable reductions in serious crime. At the same time, one would be hard-pressed to recall another time filled with such frequent reports of police wrongdoing, enough to cast a yearlong shadow over law enforcement’s image and its otherwise remarkable record of accomplishment.

This was more than a tale of just two cities. In one locality after another, the bottom fell out of the crime rate, and especially so in the case of homicide. This was apparently no blip, no product of creative number-crunching; it was a genuine and major drop. Preliminary figures for the first half of the year showed murder rates dropping by more than 25 percent in San Diego, Miami, Las Vegas, and Long Beach, among other cities; by more than 30 percent in Hartford, Houston, New York, Tampa, Kansas City, Mo., and Seattle, and by an astounding 40 percent or more in Bridgeport, Louisville, Buffalo, and Fresno.

Confronted with these numbers, the first question many people tended to ask was “How did this happen?” The answer depended largely on whom one asked. Success, it seemed, had many potential parents.

Politicians, predictably, wanted their due for the sharp reduction in crime. Officials from the President of the United States to local council members, aldermen and freeholders all claimed credit, citing the enactment of “get-tough” legislation such as the Crime Bill, three-strikes, registration of sex offenders, adult treatment for juvenile offenders, and the implementation of curfews. Some officials said increased sentences made the difference by

keeping would-be recidivists off the streets longer. Others thought it had to do with toughening the kinds of sentences served, such as the re-emergence of chain gangs.

Community residents, for their part, say it is their increased participation in public safety issues that has made the difference in the crime rate. Others, more sanguine, say they simply have learned to adapt to hostile environments.

DOING THE UNTHINKABLE

It was no surprise that politicians would take some credit for a decrease in crime. The shocker was that some police chiefs actually did the unthinkable—they publicly ascribed credit for the decrease to good police work. Conventional wisdom has always held that you don’t take credit for a drop in crime if you’re not prepared to take the heat for an increase—crime happens, for whatever the reason, and police react to it. They have little or nothing to do with how much occurred. As one police planner put it, “We leave [that] to the social scientists and psychologists.” But with the proactive stance that has taken hold in recent years, it seems more and more police executives believe that crime prevention through policing is possible. (Some chiefs have gone so far as to put a statement atop their résumés proclaiming that crime reduction is their top priority.)

In assessing the sharp drop in crime, police executives have pointed to increased community policing efforts and/or improved problem-solving techniques. Yet whether or not police departments are actually “doing” community policing—and most departments claim that they are—there is an enhanced, almost palpable “can do” feeling taking hold throughout law enforcement. In the not-too-distant past, many police were of the view that they can’t prevent crime, don’t do a very effective job of solving crime, and

have little or no responsibility for allaying public fear. There was a general sense of ineffectiveness and resignation in the face of rising crime and victimization. But that was then, and police now are assuming increasingly active—and thoughtful—roles in dealing with problems like domestic violence, school safety, child abuse, truancy, street-level drug dealing, gun crimes and gang activity.

Consider, for example, the nation's largest police department. New York City police officials credit the crime decreases there to increased precinct-level command accountability, backed up by the use of enhanced crime information and mapping systems, quick dissemination of the information, an increased emphasis on quality-of-life crimes, and strategies that focus on specific crime hot spots. Weekly early-morning meetings of borough-based commanders with top brass are becoming the stuff of legend. (The sessions in the headquarters "war room" are an amorphous mix of statistics, strategy, and stress.) The Police Department is spurred by a mayor who is an ex-Federal prosecutor and for whom crime-fighting is a top priority. It also doesn't hurt to have had many thousands of officers appointed in the last five years. One veteran police manager concedes: "I don't know why it [crime] is going down; I just know that we're paying more attention to it."

CRIME-TREND CASSANDRAS?

Taking credit for crime decreases is laudable, even brave. But will the police be as willing to bear some of the responsibility when crime goes up, as crime forecasters predict it will in 10 years with an explosion in the juvenile population?

Those forecasters—social scientists, demographers and others—were hard pressed to offer a definitive explanation for the crime decrease, but that didn't stop many from trying. Some cited a drop in the population of 18-year-old males (although that doesn't hold true for all cities.) Other criminologists speculate that crime dropped in major cities due to maturing drug rings engaging in fewer turf battles.

For the most part, however, criminologists did not see this decline coming. When crime rates in some major cities began to slowly decline a few years ago, analysts dismissed the reductions as being too low to have any significance. Curiously, though, now that the decreases in crime are great enough to command attention, there is still little in the way of definitive analysis—despite a crying need. For example, when it comes to homicide, we don't know who didn't die, or why. Were there fewer innocent bystanders caught in crossfires? Fewer drug dealers or gang members settling disputes with lethal consequences? Fewer victims of domestic violence? Could improved medical and paramedic response be responsible for vicious assaults not turning into murders? (Heaven knows it's not a lack of availability of lethal weapons.) With robbery down by 10 percent nationwide in the first half of 1995, could it be that one-time victims of murder-robberies are the ones who

aren't dying because would-be robbers are turning instead to larceny—the only offense that showed an increase, one of 7 percent. Are criminals, cowed by increased penalties, opting for less serious, less violent offenses? Have classifications and reporting criteria changed? Could the drop in homicide be a result of more aggressive policing, like SWAT teams on patrol in Fresno?

The picture would be a whole lot clearer if the National Incident-Based Reporting System—a perfect adjunct to problem-oriented policing—were in wider use. It's not that police departments cannot generate incident-based information; for the most part, it simply cannot be gotten expeditiously. It's said that a deep-seated lack of enthusiasm for NIBRS within some high-level law enforcement circles is hampering the project. NIBRS, and the study of declining crime, do not seem to be a high priority in the Justice Department's research agenda. While there is always an abundance of information about crime increases, there is typically much less available as to why crime goes down. Still, a small but growing number of departments are dropping out of the Uniform Crime Reporting program and turning, agency by agency, to the NIBRS format because it provides them with valuable "hot spot" information that allows them to tailor policing efforts to community needs. Had there been more departments participating—especially the larger ones—for the past several years, a clearer picture would have emerged by now as to why crime is down so dramatically.

FROM HUBCAP THEFT TO MURDER

In a nutshell, then, many residents of large cities felt safer in 1995 than in the recent past. Sadly, though, law enforcement found itself unable to capitalize more fully on the diminishing fear of crime. For the reasons why, one must turn to the year's failures, a variety of events that tarnished law enforcement's image in the eyes of the general public.

Even as hundreds of thousands of officers carry on bravely, professionally and, sadly, in anonymity, one—Mark Fuhrman—became a household name, if for all the wrong reasons. Yet with that, Fuhrman was but one manifestation of police misconduct in 1995, as scandals great and small erupted on a seemingly recurring basis. In New York, Philadelphia, Atlanta, New Orleans and numerous other jurisdictions, incidents were reported that involved a virtual laundry list of offenses by police: stealing hubcaps, child abuse, domestic violence, sexual assault, robbery, fraud, bribery, drug dealing, even murder. Granted, police are generally held to higher standards of conduct and tend to be the most scrutinized of all occupational groups. As such, incidents of wrongdoing tend to make the headlines when they occur, and easily overshadow all the good that is done. To the profession's credit, some of the year's wrongdoing was uncovered by the departments on their own, providing hopeful signs that police can police themselves.

(Of course, even with increasing reports of wrongdoing, it is hard to know for certain if the incidence of misconduct has in fact risen, or merely the reporting of such acts. One police veteran points out that in the relatively recent past, corruption and misconduct was often overlooked or covered up, for fear that even the smallest eruption could kill a commander's career. Thus, while police misconduct may indeed be rising, it seems just as likely that police departments and individual officers are edging ever closer toward zero-tolerance of such acts.)

One aspect of police wrongdoing that continues to haunt the profession, but is the subject of increased attention, is the use of excessive force. Acting on a mandate built into the 1994 Crime Control Act, the Bureau of Justice Statistics has said it will begin collecting national data on the use of force by police (once issues pertaining to definitions of terms and uses of the data are settled). The likelihood is that the information will derive at least in part from the addition of questions to the annual victimization survey. In conjunction with this, the IACP has announced plans to create a comprehensive national data base modeled on one used by the Virginia chiefs' association.

FOCUS ON THE FEDS

Over the years, tens of millions of dollars have been awarded in damages to the victims of police abuse, and it has typically been local law enforcement authorities who were in the hot seat for questionable uses of force. What made 1995 different by anyone's measure was that the glare of official and media scrutiny was focused, for a change, on Federal law enforcement, most notably in the form of televised Congressional hearings on Waco and Ruby Ridge. In a rare admission of error, the Justice Department agreed to pay \$3.1 million to white separatist Randy Weaver, members of whose family were shot and killed at the Ruby Ridge siege. And through the entire episode, Federal law enforcement officials got a no-nonsense reminder of the consequences of cavalierly disregarding policies governing the use of deadly force. In some cases, officials paid for the errors with their careers.

The scrutiny of Federal law enforcement agencies for their handling of right-wing extremists was not without its irony, however, coming as it did in the wake of the literal explosion of such fringe groups onto the scene. In the blink of an eye, the right-wing movement was linked to the most lethal terrorist incident in American history, the bombing of the Alfred P. Murrah Federal Building in Oklahoma City.

As horrifying as the April 19 bombing was, with its 169 victims, what made it all the more troubling—shocking, even—to the American public was that those suspected of committing the crime were not some international terrorists, but a cadre of home-grown extremists. In this instance, not only was the terrorist incident committed on American soil, but the alleged perpetrators were themselves American. In truth, heavily armed right-wing extremists are

nothing new to law enforcement, as witness the showdowns in the 1980s with such groups as the CSA, the Order and the Posse Comitatus. Still, Federal agents and local authorities alike are now feeling the threat of such groups more frequently. There have been bomb threats and attacks on Federal personnel, outright confrontation with police and sheriff's deputies in Montana, and numerous other threats against the lives of law enforcers.

Such extremists, whether anti-abortionist, white supremacist or constitutionalist, tend toward local and regional organizations, and some have fragmented further in the aftermath of the Oklahoma City bombing. Nonetheless, through optimal use of the means of mass communication, such as faxes, e-mail and the Internet, even the smallest group can engage in far-reaching networking. (More than one teen-ager has been reported to have cooked up a homemade bomb using instructions found on the Internet.) The hard-to-take realization that the enemy is within has changed things. There are even reports that a group called Police Against the New World Order is actively trying to recruit members from the ranks of law enforcement. The changing order of things is clearly seen in the FBI's process of conducting background checks on potential personnel. The question once asked regarding applicants was, "Is he now or has he ever been a member of the Communist Party?" That question now ends with "... a member of a militia."

THE ROAD AHEAD

The successes and failures of the past year almost set the tone for what lies ahead in 1996. Certainly community policing, which continues to thrive and is given partial credit for the recent reductions in crime, remains a high priority for the Clinton Administration as well as for local jurisdictions. The Justice Department's Office of Community Oriented Policing Services—the COPS Shop—went full throttle in putting officers on the streets. To date, more than 30,000 community policing officers have been hired with Federal funds under the 1994 Crime Act. But the program, which also provides funding for technology that would free officers' time for community policing efforts, has been in political danger from the start, with the Republican majority in Congress attempting to scrap the COPS program in favor of no-strings block grants to the states. As the year ended, legislation that would have done just that was vetoed by President Clinton.

The National Institute of Justice awarded a \$2.5-million grant to the Urban Institute for a thorough evaluation of community policing, while the COPS office took over the funding of the Community Policing Consortium, to the tune of \$4 million. This consortium, which comprises the Police Foundation, the National Organization of Black Law Enforcement Executives, the National Sheriff's Association, the Police Executive Research Forum and the International Association of Chiefs of Police, is intended to

provide training and technical assistance to departments that have received community police funding through the COPS office. The NIJ also funded nearly \$5 million in community policing projects and evaluation efforts. If for no other reason than the substantial amount of money now available in this area, it is no great surprise that most police chiefs are indicating that community policing is the mainstay of their departments.

BUILDING A BETTER POLICE FORCE

One can also expect in the coming year that police misconduct and the use of excessive force—or, more accurately, how to prevent them—will remain high-priority items. The BJS effort to collect national statistics on use of force, which doubtless will receive its share of media attention, will require police chiefs to become acquainted with the reporting system—that is, if they wish to have meaningful input into the process.

There also appears to be increased attention being given to “conduct unbecoming,” and to this end departments are becoming more sophisticated in keeping an eye on officers—tracking civilian complaints, monitoring off-duty behavior, and more. The police image took a battering in the course of the O.J. Simpson trial, and the public will be expecting police personnel to do a significantly better job when it comes to gathering and protecting evidence and testifying. (“Testilying” became part of the police vernacular in 1995.) Many departments are already training and retraining in these areas.

Policing has learned from past scandals that selection, screening, training and supervision are among the keys to preventing police wrongdoing. Departments can’t be too careful, too rigorous. To that end, many departments are taking a long, hard look at entry standards, whether it’s requiring college (as the NYPD finally said it would, beginning in 1997) or raising the minimum age. What

departments hope to gain is a more mature individual who is less prone to wrongdoing and more inclined toward personal accountability. One would hope that policing has also learned from past scandals that, in the midst of expanded or accelerated hiring, the selection process is not something that can be short-changed in a rush to meet deadlines. As is now well documented, all too often the seeds of corruption scandals are found to have been sown in selection.

DO IT AGAIN

As to the No. 1 police success of 1995, the crime-rate reductions, an inescapable truth is that one is usually expected to repeat the success. For those departments that have enjoyed significant crime-rate decreases, the pressure will be on to continue the trend. 1996 will no doubt bring increased efforts to bring the crime rate down even further, but given some of the large declines in homicide, it may be difficult to maintain such dramatic results. For some, it would even seem likely that some leveling off may occur.

Repeating the successes may be made more difficult by the lack of an absolute, definitive explanation as to why crime went down so dramatically in the first place. (In the long run, the answer will probably be found in a combination of good police work, get-tough legislation, community involvement and demographic variables.) Sadly, though, law enforcement, politicians, researchers and governmental agencies continue to be more concerned with what’s going wrong than with what’s going right. Wherever the answer may lie, one can say without fear of challenge that the recent crime-rate successes have tasted sweet, and law enforcement is not likely to be eager to return to the way things were. That fact alone—coupled with the emerging “can do” attitude of the 1990s-era problem-solving cop—may provide all the impetus that’s needed.

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1996 IN REVIEW

Forget Events in the Spotlight—Local PD's are Where the Action Is

Working Harder & Smarter Pays Off In Continuing Crime Declines

It was a year punctuated by events that captured the national spotlight: the Freeman standoff in Montana; the capture of the alleged Unabomber; the crash of TWA flight 800, and the terrorist bombing at the Olympic games. It was also an election year with all the usual prerequisite law and-order campaigning.

But while public attention focused in one direction, on these and other events, the real action was elsewhere, as local police departments, usually with little notice, were busy—very busy.

Police departments drew increasingly upon past research—especially in the area of problem solving. They incorporated new technologies, and shared information about what works. They looked to other jurisdictions where successful strategies had been implemented and duplicated them. Day-to-day operations were reformulated with a view to reducing crime. In growing numbers, police executives are convinced that effective policing can decrease crime, and even a growing cohort of criminologists is conceding that police work is responsible for the recent notable decline in crime. Nationwide, there are clear signs of departments reorganizing, refocusing and implementing anti-crime strategies, targeting problems and attacking them with verve. And from all indications it appears that their efforts are paying off, as 1996, like the years immediately preceding it, witnessed significant drops in the crime rate.

HOT SPOTS AND COLD CASES

Police went after drug-dealing hot-spots and public housing crime. They tracked down guns, mounted camera surveillance devices and notified the community of burglars

working in the area. They went after stolen goods and set up telephone hot lines that residents could call for crime information. Fugitive and warrant units and cold-case squads were set up or reinvigorated. (In Houston, for example, warrant enforcement has reportedly generated 8,860 arrests and cleared 38,126 cases. The New York City Police Department, with help from the U.S. Marshals Service and the FBI, will be going after as many 87,000 fugitive felons and 403,000 misdemeanor offenders.) Many departments redirected resources to high-crime areas and peak activity periods. Some departments, such as those in Bridgeport, Conn., Gary, Ind., Camden, N.J., and Minneapolis, got temporary reinforcement from state police units.

Clearly, 1996 was the year of the crackdown, but perhaps the most common approach was a crackdown on quality-of-life crime. In city after city, quality-of-life enforcement became a priority, in part because such a focus was desired by the community, but as important, because evidence increasingly points to the fact that going after minor violators contributes directly to reductions in major crime.

IN WITH THE NEW

When it comes to reducing crime, increased innovation and accountability rule, with many large and mid-sized departments continuing to undergo significant organizational transformations. LEN's People-of-the-Year award is testimony to the kinds of structural changes that are going on around the country. The San Diego Police Department has brought all of its divisions on-line and given its lieutenants

24-hour responsibility and commensurate increases in accountability. Boston officials attribute the city's recent drop in crime to increased accountability throughout the ranks and the reorganization of the city into two-block-square reporting areas, so that emergency calls can be routed to the line officer responsible for a given neighborhood. In Montgomery County, Md., police district boundaries have been redrawn to provide a fairer, more realistic distribution of police workloads and greater success in preventing crime. And supplementing local efforts in organization change, the National Institute of Justice has provided Federal funds to export the NYPD's ground-breaking Compstat process to Indianapolis and Prince George's County, Md.

As internal changes sweep the nation's police departments, the role of supervisory personnel, notably lieutenants and captains, is coming under renewed scrutiny. Since the advent of community policing, the focus has been on the beat cop, on how well he knew and interacted with his neighborhood, and on foot patrol, substations and mini-precincts, community meetings and the like. In 1996, the focus has been on the supervisory ranks, with redefinition of their roles and increases in their responsibilities and accountability. No longer are they mere conduits that filter information upward and commands, directives and influence downward. Supervision and middle management are now bound more closely than ever to their geographic areas and what goes on there. Specifically, supervisors and managers have been charged with problem identification, tactical and strategic planning, and problem-solving that directly lead to crime reduction.

The impact of these changes on crime is clear. But what about the impact on the middle management ranks themselves?

While many departments credit "re-engineering" for crime reduction and enhanced community policing, such changes have not come without a price, in the form of organizational tension. In Austin, for example, lieutenants became the "power rank," when sectors were put under their control. This change has become a linchpin of community policing efforts in the Texas capital, and is considered a success, but one of the negatives is that the captains are miffed because they feel they are no longer in the loop.

In New York, the focus of community policing—the "power rank"—is the captain. But with power comes pressure—lots of it. Scores of captains and other precinct commanders have been reassigned for failing to meet their basic responsibility for bringing neighborhood crime rates down. Even those who do deliver are subjected to high-stress debriefings at the regular Compstat meetings. At least one possible result of these changes is that fewer lieutenants than usual are applying to take the recently announced captains' exam, and that even many of those who are taking it are ambivalent about wanting the rank. Captain's bars may no longer be as desirable as they once were for many NYPD lieutenants (although one could also surmise that a kind of "Darwinian policing"—survival of the fittest—is

taking hold, with new, more intense demands on captains helping to screen out candidates).

Austin's police chief, Betsy Watson, summed up the ambiguities that are taking hold in middle management: "What is it that a captain can do that a lieutenant should not or cannot do? What is it that a deputy chief can do that a captain should not or cannot do . . .? We haven't defined roles and responsibilities that are commensurate with each rank in the organization and then we bemoan our inability to hold folks accountable. Accountable for what? For a job that was never defined, never clearly explained and for which people have never been formally prepared. It is not a problem of our people. It is a problem of structure."

Once again, the military-based structure of departments, while good for some things, doesn't often accommodate community policing, department restructuring or teamwork.

THEN AND NOW

Nearly 30 years ago, the Federal Government stepped in to foster police professionalism through the Law Enforcement Assistance Administration. The enactment of the Crime Control Act of 1994, with the resources it has provided and the role it is playing in police work, is very much akin to the golden days of LEAA. There is a great deal of Federal assistance for police departments, for new technology, for research, for finding out what works, for training, and more.

The striking difference between the LEAA days and today is that the Federal Government is now putting far greater emphasis on putting more officers on the street. To date, the Office of Community Oriented Policing Services—the COPS shop—has made commitments for 50,000 new officers. In the LEAA days, on the other hand, the Federal Government invested in the officers we already had by providing educational benefits for in-service personnel through the LEEP program, and many of today's police leaders point to that educational incentive as a key stepping stone for their careers. According to a Bureau of Justice Statistics survey released this year, the number of police departments that require recruits to have some level of higher education doubled from 6 percent in 1990 to 12 percent in 1993—still a far cry from the recommendation of the 1967 President's Commission report, which said "the ultimate aim of all police departments should be that all personnel with general enforcement powers have baccalaureate degrees." Granted, more officers today than ever before have college educations, but it remains regrettable that the 1994 crime act's provisions regarding educational benefits for in-service personnel are underemphasized, underutilized and, to be sure, parsimonious.

As the COPS shop continues to fulfill its goal of putting 100,000 community policing officers on the nation's streets, there is no doubt that the public safety field has grown. This is especially true if one includes private security forces under the heading of public safety. Forbes magazine reported that as of 1995 the number of police and

security guards had grown to 1.8 million, ranking 11th among the country's top 30 job classifications. In 1960 it ranked number 22, with 500,000. According to BJS, approximately 374,000 sworn, full-time officers are currently at work in more than 12,000 county and municipal police departments.

GROWING PAINS

While expanding in size, the field has also grown philosophically. It has been struggling with the concepts and the practice of community policing, which has helped to change how police do what they do. Consider the late 1980's, when many big-city departments unveiled operations known by catchy names like TNT, Clean Sweep and SNIP to crack down on drug hot-spots. Even the Feds got into the act with the "Weed" component of the Weed and Seed program. But eventually, these and other crackdowns were back-burnered because they cost too much, they generated huge numbers of arrests that strangled the courts, and they often angered the very communities they were meant to help. What's different this time? For one thing, the 1996 crackdowns have been better coordinated with the court system, there is far more jail space now than in the late 1980s, and alternatives to incarceration are getting a renewed look. As important, police point to greater input from the community in developing aggressive anti-crime tactics. Through community policing, the police and the public have gained a greater mutual familiarity—and, arguably, trust—thus making today's crackdowns different from those of the past.

Still, there are those who fear for the future of community policing, concerned that high-pressure police tactics signal the concept's abandonment. There is also concern that community policing's intent has become too convoluted, making evaluation and research projects now underway all the more difficult to measure.

That's not to say impossible to measure. One recent study offered a dose of good news, finding that community police officers in Richmond, Va., while less likely to make an arrest, had a much higher probability of having people do what the officers told them to do. The study's author observed: "The pro-community policing officers were much more likely to engage and stop suspects on the street, to be a little more active. While they had a lower batting average, they got to bat a lot more." In view of the problems of excessive force that so often plague law enforcement—often as a result of individuals not responding to officers' commands—the Richmond finding is all the more significant.

ALL HANDS ON DECK

There is no longer much doubt among practitioners that police strategies and tactics can reduce crime; there is also a growing confidence that community activism can play a

major role in crime reduction. Such activism comes in a variety of forms: loud protest marches in front of known drug locations; midnight barbecues on street corners known for drug dealing; watchdog groups, sometimes armed with cellular phones donated by departments; increased volunteerism; more information being provided to police.

But it's not just neighborhood residents who are taking on a greater role in public safety. In the broadest sense, society is taking action with policies aimed at deterrence, collectively telling criminals, "We know who you are and we know where you live."

More than ever, communities have access to information concerning the status and location of offenders. Computerized telephone systems in numerous localities can now inform residents as to where ex-offenders live. In Northern Virginia, communities for the first time made public a list of the names and addresses of about 9,500 people on parole for crimes such as burglary, drunken driving, drug dealing, sexual assault and murder. Registries for released sex offenders have grown in popularity, despite court challenges. In California, a molester hot line has received thousands of calls since its inception in July 1995. More newspapers routinely publish photos of wanted fugitives. (That's not to say that the approach is without problems, as was seen in Minnesota when a privately published anti-crime newspaper had to print a retraction after it mistakenly identified a number of St. Paul residents as child molesters.) And, of course, perhaps the most visible sign of the "we know who you are" trend was the rescue of the TV show "America's Most Wanted" through an appeal from the public and the law enforcement community.

A better-informed public was not the only example of community involvement in crime reduction. The concept of penalty has broadened as well. In addition to imprisonment, an offender now risks losing housing, welfare and educational benefits. Criminal background checks are being conducted with increasing frequency, and are being used to bar ex-offenders from a growing list of occupations. A number of states are expanding the definitions of criminal behavior, such as Florida, which added deadbeat parents into its state crime computers. In response to the growing national concern over underage single-family households, many jurisdictions are once again enforcing statutory rape charges that for years had been collecting dust.

IMPACT STATEMENT

The increased crime-fighting capability of police, better coordination with other criminal justice and social agencies, community action, improved economic conditions and the linkage of criminal deterrents and entitlement programs are now starting to coalesce. And just what impact has this energetic, synergistic trend had? For many, it is the combination of factors that has led to a decreasing crime rate.

The latest Uniform Crime Reports and BJS victimization study show nationwide declines in the violent-crime

rate of 3 percent and 9 percent, respectively. Adult crime is down. Domestic crime is down. The number of burglaries is at its lowest level in the past two decades. Even juvenile crime dipped slightly for the first time in a decade.

Granted, throughout most of the year, criminologists continued their warnings regarding a coming surge in juvenile crime. As the year ended, however, several experts changed their tune and now say that the future with respect to juvenile criminality is not as dire as they had previously predicted.

But despite the good news, there are still concerns that juvenile crime remains at particularly high levels, and police departments around the country—perhaps acting on the earlier gloomy forecast—focused their attention on young offenders. Many departments worked more closely with schools, and developed strategies for dealing with truancy. The Los Angeles Police Department, for example, developed a program that fines parents \$135 for a child's first truancy offense, with subsequent violations carrying fines up to \$675. The police also give parenting "how-to" classes. They report that within 180 days of launching the program, burglary dropped 6 percent, car theft, 12 percent, and shoplifting, 18 percent.

The International Association of Chiefs of Police, for its part, issued a report on youth violence that recommends, among other things, the development of closer relationships between law enforcement and schools. The issue of education was enough of a hot button to prompt a number of police officials and organizations to publicly voice their opposition to a bill in Congress that would deny public schooling to the children of illegal immigrants. And one survey found that most police chiefs believe that for the crime problem to experience a permanent downward shift, more resources have to be put into addressing the needs of children.

The focus on juveniles is not limited to the police. In the past two years, at least 44 states have changed their juvenile laws or are considering statutory changes—usually with an eye toward making proceedings and penalties tougher. Teen courts, designed for first-time minor offenses, have grown in popularity, with 280 of them now in operation in 31 states and the District of Columbia. Although the year ended with some criminologists retreating from their earlier dire predictions, educators are becoming more worried about the teen-agers of tomorrow. It was recently reported that there is a wider gap in the skills of children entering kindergarten this year than 20 years ago. One facet of this disadvantage, experts say, is that such children develop little ability to tolerate frustrations—a phenomenon with troubling implications for educators and the police alike.

THE HOME FRONT

Domestic violence, long considered a crime about which police could do little or nothing, has seen its share of

increased police attention of late. Police departments, spurred in part by Federal resources made available under the Violence Against Women Act, are actively developing a variety of domestic violence programs: computerized offender histories, specialized units and officer training programs, relationships with social agencies, and streamlined protocols for dealing with prosecutors and the courts. The police have been giving out cellular phones and alarm pendants to victims. Specialized courts have sprung up in numerous areas with simplified processes for obtaining orders of protection. Hot lines have been set up to notify victims when attackers are released from jail.

One development on the domestic front that carries the potential for significant impact was the enactment in 1996 of Federal legislation that prohibits the possession of a gun by anyone convicted of a misdemeanor domestic violence offense. With no exception built in for law enforcement or military personnel, the new law has forced police agencies to take a hard look at their internal policies and practices. In mid-December, for example, the NYPD changed its selection process to exclude those with a history of domestic violence. But what about officers already on the job who have domestic violence convictions? Colorado has begun exploring whether any State Patrol or state Bureau of Investigation officers must turn in their guns because of the law. The Denver Police Department reportedly has placed some officers on desk duty until the department figures out how to comply with the Federal law—a scenario likely to play out in many departments around the country. Local police unions and national police organizations have signaled their discomfort with the new law, and a number of them are considering challenging it. But it bears keeping in mind that with all the efforts police departments are making to deal with domestic violence, it would be politically, legally and ethically tricky for police to enforce a law from which they were exempted.

PUTTING TECHNOLOGY TO WORK

Clearly, many of the achievements of the year were made possible through technology—specifically, information technology. The mapping software now being used by a number of departments has given crime maps the look of fine art. In Baltimore County, Md., for example, police warned residents about a series of burglaries through a calling network connected to the department's mapping system. Many departments have set up home pages on the World Wide Web to provide information to citizens. In Florida, at least 52 police and sheriffs departments have home pages that can be accessed through the Citizen Safety Center of the Attorney General's office.

The FBI is in the throes of a massive overhaul of its crime files—entailing some 40 million records in 17 data bases. The vaunted NCIC 2000 project got off to a rocky start, with delays and cost overruns, but officials now say

things are back on track. As planned, NCIC 2000 will have an increased capacity, allow for greater integration and cross-referencing (e.g., mug shots with fingerprints), integrate state systems that don't talk to each other, and reduce from minutes to mere seconds the time it takes for information transactions. (At present, NCIC handles over 1.7 million transactions per day, an average of 1,183 per minute, compared to roughly 158 transactions per minute 20 years ago.)

For its part, the Bureau of Justice Statistics announced that \$33 million would go to 48 states and Washington, D.C., to improve criminal history records, with a view toward keeping felons from purchasing handguns, preventing sex offenders from working with children and the elderly, and identifying repeat offenders who may be subject to three-strikes laws.

Scientific and technological advances have not occurred without a price. Forensic labs cannot meet demands currently being placed on them. The level of refinement for evidence analysis has never been greater, yet such increased precision remains underutilized largely because crime labs are overwhelmed. A survey reported last August found that eight out of 10 lab directors believe their caseload has grown faster than their budgets, their staffs or both. Delays in evidence analysis, according to some observers, have

created a major bottleneck in the system. For the FBI, the wait is nine months to a year. Some hope looms. Plans are in the works for a new \$150-million lab at the FBI Academy in Quantico, Va. In addition, the National Institute of Justice announced that it would provide funds to develop ways of bringing down the price of DNA testing from several hundred dollars to \$20.

KEEP IT UP

In 1996, the police community benefited in no small way from the resources of the Crime Act of 1994, enhanced technology and a renewed sense of determination to bring down the crime rate. While there is a growing belief that policing can have a significant impact on crime, there remain a number of specific reasons that were credited for crime reductions in various localities (see sidebar, above). The common denominator in many of the explanations, however, was the vigorous way police have targeted specific problems and focused creative energy and resources on them. The police are working harder and working smarter, and their efforts, at least for now, are paying off.

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1997 IN REVIEW

Policing Moves Along Parallel Tracks of Introspection & Outreach

Community Policing Comes of Age in '97, Although Critics Still Abound

Generally speaking, 1997 was a relatively quiet year on the national scene for policing. It lacked the large-scale terrorist bombings, raging crime rates, major riots and other galvanizing events that have seemed the cornerstones of recent past years. That's not to say that the year didn't have its moments for law enforcement, as many local agencies will quickly attest. For the most part, though, it was a time for introspection and outreach—assessing where the field of policing is going as the millennium approaches, and then building the road that will get it there.

Moving along the first of these parallel tracks, law enforcement, with the help of the research community, paused to visit some of the more sensitive and nagging issues that have long dogged policing: the use of force; civilian complaints; corruption and integrity. Crime trends remained under the microscope as well, with particular attention being paid to what's driving crime down.

Along the adjacent track, community policing has continued to evolve, arguably coming of age in 1997. As it has, two schools of thought appear to be emerging. On the one hand are those who see community policing as "adrift," seriously threatened by the variety of methods being applied under its rubric. Others believe just as passionately that it is the nebulous and open-ended nature of community policing that is responsible for its growth. Its diversity is an essential piece of the philosophy, a source of its strength, and allows for local tailoring, increased creativity and, ultimately, expansion.

GROWTH CHART

Community policing has come a long way since it first began to emerge from the primordial ooze of law enforcement thinking more than 20 years ago. Just about every police agency in the country has been exposed to it in some way, and many have tapped into the recent abundance of Federal resources to implement it. But just how far departments have come along the development continuum of community policing depends on who they are, when and how they got started, how they define the concept, and the level of resources they've committed. For some departments, community policing means more officers and equipment; for others it's a brand new way of doing business—a philosophical underpinning that permeates nearly all aspects of policing. Some departments continue to vest community-policing responsibilities in specialized units, while others are satisfied with nothing less than a department-wide embrace.

Problem-solving—which many view as a key element of, or adjunct to, community policing—can be anything from implementing a bicycle patrol to the sophisticated use of the S.A.R.A. model. Take the Glendale, Calif., Police Department, which won the 1997 Herman Goldstein Award from the Police Executive Research Forum for its insightful and effective problem-solving approach to chronic nuisance problems brought about by day laborers. The Police Department's solution was to spearhead a vigorous effort that involved partnerships with the community, local

businesses and other government agencies. To be sure, the growing tendency of criminal justice agencies in general to form problem-solving partnerships was a development of particular importance in 1997. Certainly task forces are nothing new to police departments, which have usually formed them with other law enforcement agencies for limited periods of time and specific purposes. The partnerships that are now emerging, however, involve a closer relationship with other branches of the system.

SYSTEMATIC GAINS

For years, the phrase “criminal justice system” has been derided as a misnomer, a kind of cruel irony. It’s not a system, critics say, but rather an assortment of agencies with an on-again, off-again mutual dependence that, more often than not, translates into working in isolation from each other and at cross-purposes. In the context of community policing, more than a few observers have pondered how police would ever succeed in getting other governmental agencies and the community to work with them when it was so problematic to form productive relationships with prosecutors, courts, prisons, probation and parole and other branches of “the system.” However, the Law Enforcement News People of the Year Award for 1997 is testimony to what can be achieved when the various components of the criminal justice system work together toward a common goal, namely stopping juvenile gun violence. The Boston Gun Project—now known to some as “the Boston Miracle”—has been responsible for driving juvenile firearms deaths to near zero over a period of more than two years.

But juvenile crime is not the only issue that is being tackled successfully through the collaborative efforts of criminal justice agencies. A growing variety of crime problems are being addressed by closely networked components of the system focusing on a common purpose. Domestic violence offers a particularly telling example, with police, prosecutors, courts, probation and social work agencies in some areas working together with such a degree of refinement that they are able to deal with different types of batterers in different ways. Other localities are moving successfully to establish community prosecution and community court programs. The financial encouragement of the National Institute of Justice and the Office of Community Oriented Policing Services is also helping to promote partnerships, with 39 grants currently supporting joint police-university research efforts. No doubt that when it comes to building partnerships, a key ingredient of community policing, 1997 was a good year.

BUMPS IN THE ROAD

Despite the successes of community policing, and the application of some of its precepts by other branches of the

criminal justice system, there are still those—including some of the staunchest advocates of community policing—who are concerned that it is adrift and in danger of being watered down. One criminologist, a former practitioner, went so far as to warn that community policing is threatened by “trivialization, perversion and replacement.” Moreover, some fear, because problem-solving was often introduced at the bottom of the organizations as a first stage in community policing, the ability of either concept to permeate all ranks is limited.

A particular sore spot to many community-policing advocates is the term “zero tolerance.” They point to the increasing use of crackdowns, particularly on quality-of-life offenses, as reverting to a law enforcement-dominated kind of problem-solving with no attempt to identify and analyze the underlying conditions. No less a figure than Herman Goldstein, the pioneer of problem-oriented policing, says of zero-tolerance: “It’s not surgical and creates more dependence on the criminal justice system. It implies less discretion and is unrefined.” Such criticisms may have taken hold. There are signs that those who favor an emphasis on quality-of-life crime are backing away from the term “zero-tolerance,” claiming that such an emphasis does not necessarily mean a heavy-handed approach.

For all of its recent gains, community policing is still having a tough time fitting into the typical organizational structure of law enforcement. The quasi-military framework of policing has not changed in any fundamental way since the inception of community policing. For that matter, to some observers it hasn’t changed all that much since Sir Robert Peel created the London police nearly 170 years ago. The police culture itself is seen as a barrier to organizational modification, and for policing to fundamentally change it first needs to determine its core values and then modify or rebuild its structure to suit. But for all the discussion in recent years about organizational structure and its relationship with community policing, most practitioners agree that with the exception of some flattening of ranks, the quasi-military structure of policing will not change any time soon.

Another example of the troublesome fit between community policing and police organizations concerns performance evaluations—which are difficult enough in most cases, and all the more so when done in the context of a loosely and varyingly defined concept like community policing. Different evaluation methods are under consideration throughout the country, with departments developing core competencies for each rank and assessing an officer’s ability to acquire knowledge, skills and attitudes. Once this is established, an officer is required to do a problem-solving project, to be judged by the community result. For the most part, though, departments are trying to supplement long-standing evaluation criteria by simply grafting on a community-policing component. Reports indicate that officers are skeptical about all such approaches because they believe the criteria to be subjective. Their skepticism may be warranted. After all, training in community policing is

fairly new and it would seem unfair, if not impossible, to test officers on that which they haven't learned.

LEARNING CURVES

A recent NIJ-sponsored study found that departments are in need of training that deals with the general concepts of community policing, problem-solving, cultural diversity and conflict resolution. Even departments that have already offered such training identified such a need—an indication that such training should be enhanced and periodically reinforced. Most police academies put community policing precepts into existing training modules—or, at best, have added new modules while leaving much of the curriculum intact. A handful of agencies have tried approaches that are more radical in concept and design, and there are those police chiefs who feel radical change is just what police academies need. As one chief put it: “Academies should not be run like boot camps. They should be more like officer candidate schools used by the military.”

The quality of recruits has improved in recent years, according to some chiefs. Most recruits now have at least some college background, and a growing number of police departments now require at least a two-year degree for entry. Yet while many departments require a bachelor's degree to advance in rank, there are still only a relative few where it is needed for employment. This past year the Portland, Ore., and Tulsa, Okla., police departments joined the small cadre of such departments, and Tulsa Police Chief Ron Palmer summed up the prevailing thinking on the subject when he observed that officers with four-year degrees “come to you a little bit more mature, they're a little more aware of diversity issues, and they're more prone to use their minds to problem-solve than those who don't have that type of background.”

IN THE KNOW

But a larger issue has also begun to surface in this respect, with a growing number of practitioners and researchers asking the same fundamental question: What is it police should know?

Some criminologists believe that police, particularly those involved in problem-solving, should become familiar with such concepts as environmental criminology, situational crime prevention, repeat victimization and routine-activity theory—all concepts that would aid practitioners in hot-spot analysis, crime mapping and reducing opportunities for crime. In growing numbers, researchers are looking at crime in the context in which it occurs rather than focusing on the offenders. Such an emphasis cannot help but make their research more valuable to law enforcement policy-makers. Even under the auspices of community policing, after all, there is little that police do about influencing an individual's criminal behavior. The study of criminal

offenders, while valuable in itself, has only a limited benefit for the cop on the street or behind a desk. But with the popularity of mapping and hot-spot analysis, police can do something about the context in which crime happens.

GOING DOWN

There is no shortage of crime-reduction strategies and programs being implemented and replicated throughout the country, and the continuing sharp drop in crime rates makes every successful program that much more appealing to those scanning the landscape for new ideas. There has been virtually no let-up, for example, in the number of departments adapting and adopting Compstat, the system that figures so prominently in New York City's dramatic crime downturn of recent years. Many departments increased their attention to quality-of-life crime and truancy. Cities installed surveillance cameras, roadblocks and gates. They launched resident officer programs (and the Federal Government is now aboard that bandwagon). Police substations have sprouted up in a seemingly endless array of unlikely places, including convenience stores and fast-food restaurants.

Police departments went after problems where they existed, and when they had to improvise, they did so. Such was the case with sex-offender registries and community-notification laws, which departments had to figure out how to implement, sometimes with very little guidance. How they did it ranged from hosting good old-fashioned town meetings to creating CD-ROMs and Internet sites.

Explanations abound as to why crime continues to drop, yet one group that has remained strangely silent in the discussion has been those criminologists who believe there to be a significant, inextricable link between poverty and crime. One might have thought that such criminologists would be crowing “I told you so” during the past year. After all, the economy is booming, and crime is down. Some suggest that the poverty-and-crime proponents have held back because they attribute the economic boom to low-paying jobs that do not lead to the mainstream.

CAUSAL FACTORS

More significant, perhaps, was an analysis released this year by the National Institute of Justice that deals a sharp blow to the notion of a significant connection between crime and poverty. The NIJ research, which looked at homicide trends in eight cities between 1985 and 1994, shows there to be a weak link at best between overall homicide trends and poverty and employment levels.

The research also found a clear link between juveniles, crack cocaine and guns that caused the sharp spike in crime from the late 1980s to the mid-1990s. In addition, intra-group homicide was found to be the norm, with black-on-black crime the most dominant. Inmate flows in and out

of prison did have some effect on homicide rates, with prison detentions linked to declines and prison releases linked to increases (although the research data was admittedly limited).

Another study analyzed police policy and practice and found that what made a difference in the localities studied was aggressive law enforcement (often targeted deployment), particularly when it comes to its emphasis on misdemeanor offenses. Such enforcement usually comes with the blessing of the community, whose tolerance for heavier-handed approaches is higher during times of rising crime. (Of course, when crime goes down, as it has been doing, such tolerance might wear thin.)

There are still other views on the decline in homicide, with some suggesting that it's the result of the end of drug-trafficking turf wars, and because crack is a single-generation drug whose users are aging out of the crime-prone years. Others say that there are fewer domestic homicides due to a decline in domesticity. (Indeed, some go so far as to suggest that the divorce level and the decrease in marriage have helped to reduce domestic violence.)

Opinions differ on whether or not a wave of juvenile crime is looming on the horizon, but a study released in 1997 by the Child Welfare League found a strong correlation between having an incarcerated parent and the likelihood that a child will later be arrested for a crime. (This finding would seem to bode ominously for the future, given the 1.5 million parents currently incarcerated and the 1.6 million children they have.) The study also found that abused or neglected children are 67 times more likely to be arrested between the ages of 9 and 12 than those who aren't—thus giving statistical muscle to the long-held belief that family violence is transmittable through generations. Such information was not lost on a growing number of police executives, who continue to beseech Congress to “invest in kids” by allocating more for early-childhood programs.

WARNING SIGNALS

As policing and police agencies turn some of their attentions inward, meanwhile, one of the year's most notable trends was the increased emphasis on monitoring personnel. More than a few departments put in computerized “flagging” systems to identify potential problem officers. Most such systems were sold to the rank and file as early-warning systems aimed at permitting prompt intervention as needed. To the extent that an early-warning system is used to that end, of course, it would be of considerable value to both the officer and the department. Following the “stitch in time” adage, such systems could prevent an officer from destroying his career, embarrassing himself and the department, incurring enormous liability and damning public faith in the police.

But just how these systems will be used is still, for the most part, unknown. A number of issues remain to be

ironed out. Just what information goes into this system? How is it acquired? How does it get into the system? What is the threshold for intervention? What form will intervention take? Who is responsible for it? Who has access to the information and under what circumstances? At what point do the civil rights of an officer come into conflict with the department's standards and managerial prerogatives?

A hint of an answer to these questions was provided as the year ended when the New York Police Department announced that 500 officers who were the subject of domestic-violence complaints, whether substantiated or not, would be made to undergo two eight-hour training sessions. Even the New York Civil Liberties Union, not usually known for pro-police stances, is troubled by the possible impact that an unsubstantiated and possibly false report could have on an officer's career. (The NYPD is also taking monitoring efforts to another level by looking into any officer who has fired his weapon on three or more occasions. The action was prompted by an end-of-year police shooting of an unarmed man by an officer who had been involved in eight prior shootings during his 14-year career.)

Beyond local efforts, computerized monitoring systems are also being supplemented by NIJ's Office of Science and Technology, which is working to identify and develop early-warning systems for identifying officers with potential problems. Other NIJ efforts include a five-department study of the use-of-force and a longitudinal study of New York officers who were dismissed, resigned or forced to resign because of corruption or brutality. An organizational integrity study is also underway in three cities. Perhaps tellingly, it seems the field no longer studies “corruption”; it studies “integrity.”

UNPRECEDENTED INTROSPECTION

While incidents of corruption and brutality litter policing's past, rarely, if ever, has the profession undergone the level of introspection in these areas that is now underway. In November, the Bureau of Justice Statistics released an unprecedented study that showed that about 1 percent of those who had contact with police alleged that force was threatened or used during the contact. The survey estimated that 45 million adults had face-to-face contact with police, and of those 500,000 reported that force was threatened or used during the contact. (The finding begs the question, of course, as to which is the more consequential statistic: that 500,000 Americans experienced some level of police use of force, or that force was a factor in only 1 percent of all contacts.)

Those involved in the area of police use of force welcomed the study, which was required by the 1994 Crime Control Act, and expressed hope that there would be future studies in order to ascertain trends. At present, however, BJS has not been funded to do another survey and observers are concerned that what might be a useful tool for determining levels of use of force will be abandoned.

Within the next few months, statistics should be available from IACP's newly developed national data base on police use of force. In addition, over the next few years research results will become available from the 17 police departments nationwide that are currently involved in NIJ-sponsored corruption and use-of-force studies. That so many departments are involved in these efforts (a record number, according to NIJ Director Jeremy Travis) speaks loudly to the sea change that policing has undergone. Receptiveness to such study would have been unheard of just 10 years ago.

AVERTING A "BIG ONE"

Will 1998 be a year that allows for the kind of self-analysis that occurred in 1997? Who can say? As most practitioners agree, you never know when a "big one" can go off on your doorstep, bringing it with the kind of high-level scrutiny that can divert attention from more useful analyses that can make policing better. Still, as many departments are realizing, the risks of a "big one"—especially one that

results from police action—can be minimized by the kind of research and self-monitoring that is now underway.

In sum, it was a good year for law enforcement. Police demonstrated that they can make a difference in reducing crime by focusing on specific problems and dealing with them. Police continued to make partnerships with the community, business and with other public agencies, most notably other branches of the criminal justice system. Community policing will continue to flourish, with the economy good and crime down. Federal resources continue to be abundant, in terms of funding for new officers and equipment as well as for research. Call it a golden age, a renaissance, of police development. Not since the days of the Law Enforcement Assistance Administration has the field been given this kind of boost.

Just how long it will last is unclear, of course. But with any luck crime rates will continue to drop, the economy will continue to prosper, and Federal resources will continue to flow. At least for now, then, let the good times roll.

Source: From *Law Enforcement News*, Dec. 31, 1997, Vol. XXIII, No. 480.

1998 IN REVIEW

Getting Nice & Comfy? Don't.

From Manpower Levels to Crime Stats, Numbers That Look Good Now May Yet Haunt Law Enforcement

You can't get too comfortable.

On its surface, 1998 seemed like a good year. The economic picture remains favorable, as does the crime rate, which continues to drop. Crime slipped from the spotlight as the nation's attention focused on pocketbook issues and, almost unavoidably, sordid intimacies in government. There were more Americans at work than ever before, according to the Labor Department, and the poverty rate is falling, especially among blacks and Hispanics. Generally speaking, as a nation we appear to be richer and safer.

Still, the very attributes that made 1998 a good year for police and the communities they serve have given rise to some specters that very well may haunt law enforcement in the years ahead. Rising prosperity and increased public safety are contributing to a labor shortage the likes of which the field has not experienced since the late 1970s, and its impact is already being felt in a growing number of departments from coast to coast. If the past is prologue, then today's labor shortage will likely affect policing for years to come. Despite hiring efforts catalyzed by the Office of Community Oriented Policing Services, which so far has added a reported 88,000 officers to 12,000 communities, and reports that the number of sworn officers in state and local departments rose by 10 percent between 1992 and 1996, to more than 660,000, many police agencies find themselves shrinking.

THE MORE THINGS CHANGE...

Twenty-five years ago, the officers and recruits were there but the resources needed to hire them were not. The country

was in recession, officers were being laid off and hiring came to a virtual standstill. As the economy gradually improved and police hiring resumed, departments rushed to increase their ranks, in some cases skimping on the recruit screening process—often with dire results. Some of the officers recruited at the time proved especially vulnerable to the influence of the violence and drug money that abounded in the mid-80s. To make matters worse, the bubble in hiring also led to corresponding gaps in the supervisory ranks—a situation that would eventually play a role in numerous major police scandals.

Now, however, the resources are there but the recruits are not. Exacerbating the problem is the growing wave of retirements of the baby-boomer cops who now have more than 20 years of service. In Washington, D.C., for example, more than 25 percent of the department is expected to retire in the next two years. In Washington state, the Seattle Police Department, which is already operating at 10 percent below authorized strength, is bracing for a wave of retirements that could mean the loss of 150 veteran officers by the end of 1999. In Atlanta, the department's vacancy rate, which is estimated to be 19 percent, became a legal issue when the Mayor's office refused to release the number of sworn officers to a major newspaper. And the manpower problem is not just limited to large departments. In Washington Township, N.J., for example, police officials are concerned about filling five positions, which represents almost 18 percent of the department.

Departments attribute the problem to an nationwide unemployment rate that is currently at a 25-year low and the increased competition from the private sector as well as

from other law enforcement agencies. (Some departments are now billing officers for the cost of training if they leave prematurely.) Low pay and the preference of applicants for small towns and suburban departments are making it all the more difficult for large departments to fill vacancies. The Charlotte-Mecklenburg Police Department in North Carolina has seen a 16-percent drop in applicants. In New York City, where announcements of police entry exams have typically drawn 30,000 or more applicants, only 2,500 signed up for the most recent test, the lowest number in 20 years. Agencies that provide services for remote areas, such as the New Mexico State Police, are also having a hard time recruiting. When you factor in the chronic difficulty of recruiting women and minorities, the problem only becomes that much more acute.

Far wider nets are now being cast to fill police positions, as departments look well beyond jurisdictional boundaries to woo applicants. Recruiters from the Delaware State Police, for example, traveled out of state to find minority candidates, offering such enticements as opportunities for advancement, tuition reimbursement, and liberal vacation and leave policies. The DSP is also using a private consultant who will assist in recruiting by building long-term relationships with college and university officials.

THE TIDE TURNS

A generation ago, police recruits came to the job with military experience and often, thanks to the GI Bill, a college education. Beginning with the early 1980s, police departments found themselves faced with recruits who had neither. At least in terms of education, the tide is turning once again, as a growing number of law enforcement agencies are now requiring some college education. At the upper ranks, a college degree is becoming a virtual necessity. A survey by the Police Executive Research Forum of police chiefs in medium and large cities found that 87 percent have bachelor's degrees and about half have master's degrees, doctorates or law degrees—compare that to the estimated 15 percent who had bachelor's degrees and 4.3 percent who had advanced degrees in 1975. The overwhelming majority of big-city chiefs have degrees in criminology, criminal justice, justice administration, public policy, political science and government. Perhaps predictably, the renewed emphasis on college at the entry level and in the executive ranks has fueled a growth in criminal justice education programs. U.S. News & World Report magazine took note of the trend this year, when, for the first time, it included the academic field of criminal justice policy among its rankings of more traditional graduate disciplines. (The No. 1 program in this area, according to the magazine, is John Jay College of Criminal Justice.)

With recruitment lagging and attrition rates escalating, many police managers find themselves juggling resources. In Seattle, officers were shifted during the summer months from their regular duties to handling emergency calls for

service. Police in Memphis and Indianapolis, like many other departments, relied on overtime budgets to get crime down. The understaffed police force in Santa Fe, N.M., is taking longer to answer calls for service; burglaries are not handled for three to four hours. Will the shortage of personnel affect community-oriented policing efforts? To the extent that community policing is labor intensive, as many observers believe it to be, the answer would appear to be, "Don't bet against it." There is little doubt that a sustained labor crisis will put limits on what police can do.

THINGS ARE LOOKING DOWN

And police are expected to do a lot these days, not least of which is bringing down the crime rate, which was long believed to be beyond their control. To that extent, 1998 was a good year for police, with yet another overall decline in the crime rate. From New York to Los Angeles, police departments reported the lowest homicide rates in more than 30 years. For the seventh year in a row, crime is down, with murder and robbery leading the slide. Departments enjoying this continued downturn credit such factors as the economy, the abatement of the violence associated with the crack trade, community policing, the elimination of parole, more police on the streets, aggressive police work, and better trained officers employing the latest technology. Of course, the downward trend is by no means all-encompassing. Some rural areas are reporting crime increases, and even some large cities are not faring too well.

In some notable cases, crime statistics have been intentionally manipulated to make localities appear to be safer than they are, and the anecdotal evidence was enough to make the overall validity of crime statistics a primary issue in 1998. As the year began, New York police officials reported that subway crime statistics had been improperly collected, and were forced to admit that subway crime was about 20 percent higher than first believed. The problem, which was discovered by the department during a routine audit, led to the transfer of a deputy inspector, who may yet face departmental charges. In Philadelphia, it was reported that thousands of nonviolent crimes were simply omitted from the statistics submitted to the FBI for the 1997 Uniform Crime Reports. Burglaries, thefts and robberies were downgraded to reports of missing property; some crimes were downgraded to hospital cases or tossed aside as unfounded, and rapes were entered as "investigative persons." One police official there called crime reporting a "creative writing exercise."

In Baltimore, police officials were accused of doctoring the numbers of non-fatal shootings by consolidating multiple-victim incidents into a single report. In New Orleans sexual assaults were being categorized as "aggravated burglary." While that city's Office of Municipal Investigation cleared the department of altering crime statistics, it did find enough problems to warrant an in-depth audit of Police Department records. An audit of the Atlanta Police

Department was conducted by the Georgia Bureau of Investigation after allegations by a high-ranking police official that supervisors misreported numbers and reclassified violent crimes to make it appear that crime had decreased.

When crime was going up, the validity of crime statistics was largely a problem for researchers and department number-crunchers. But when crime started dropping and, more importantly, when police began taking some of the credit for the decline, the accuracy of crime statistics became a significant issue for police executives and fair game for critics. As the pressure increases on police to reduce crime, so, too, does the temptation for police personnel to tamper with the numbers—sometimes at the cost of their careers. More and more departments are implementing internal auditing procedures, but to some observers, internal audits are not enough. A growing number of critics are calling for outside audits of crime statistics, with some even demanding laws that would require such scrutiny. As one long-time researcher noted, “We wouldn’t let hospitals report their own health statistics.”

WHAT THE PUBLIC THINKS

Even allowing for the variety of recipes being used to “cook the books,” the fact remains that crime is going down. But what about public perception? If information from the private sector is any indication, people have become much more cautious over the years. Some research indicates that as many as 8 million Americans live behind gates in more than 20,000 secured communities. Fourteen percent of homes now have alarm systems—double the number of a decade ago. Surveillance cameras in public places have grown in popularity with little community outcry, and crime prevention through environmental design has become more commonplace for developers. It would appear that a richer country has more to protect.

Still, a USA Today/CNN/Gallup poll released in November indicates that the declining crime rate is beginning to register with the public. The results of the survey suggest that many Americans still fear crime, but for the first time in 10 years more Americans say crime in their area is declining than say it is on the rise. The poll also showed more confidence in the ability of police to shield people from violent crime. Fifty-five percent of those surveyed say they have a lot of trust that police can do so, a 10-point increase over five years ago.

There may be far fewer crimes, but that development may be lost on the electronic media, as the USA Today survey also showed. The overwhelming majority of Americans, 82 percent, agree that TV news and entertainment

programs show more crime and violence than they did five years ago. The Center for Media and Public Affairs, a TV news monitoring group, found that network coverage of murder rose by 336 percent from 1990 to 1995 (not even counting the O.J. Simpson case). During the same period, homicides fell by 13 percent. On the other hand, there have been some changes in print. An analysis by The New York Times of news stories appearing in the city’s three major newspapers in May found that there were only one-third as many articles about crime as there were four years ago. Some in the media attribute the decline to the fact that there is simply less crime, while others believe that police are less forthcoming with information and less cooperative than they used to be.

ANOTHER MONKEY WRENCH

As law enforcement grapples with a labor shortage that may get worse before it gets better, and with the potential impact of this problem on crime rates, service delivery and community satisfaction, there is also one other monkey wrench to contend with: the future of the COPS office. The largest federally funded police buildup in U.S. history is scheduled to shut down in two years, and many police chiefs and sheriffs are already concerned. As one chief put it, “Never before has local law enforcement had such a powerful voice in Washington. Many of the positive changes we have made in the past four years will endure, but we will lose . . . a venue for sharing important information about local problems.” During the past four years, the amount of Federal money devoted to policing has been substantial. At no time in the nation’s history has the Federal Government been more generous to police, and for many in the field this booster shot has yielded results. It has put more cops on the street, it has brought the field out of the technological dark ages, it has produced useful research, it has focused on crimes, such as domestic violence, which heretofore were not a priority, and it has fostered information-sharing. It is probably impossible to establish a direct relationship between these additional Federal resources and the declining crime rate, yet it seems unlikely that the two phenomena are merely coincidental. For most of the reasons cited by officials for the decline in crime, resources were necessary, and the resources were there in 1998. The same cannot yet be said with any certainty for next year and the years to come.

Source: From *Law Enforcement News*, Dec. 15/31, 1998, Vol. XXIV, Nos. 501, 502.

1999 IN REVIEW

The High Price of Success

Despite Gains for Police, Troubles Still Abound

It was not all that long ago that the term “profiling” had a certain cachet within law enforcement, as investigative luminaries such as Robert Ressler, John Douglas and Pierce Brooks popularized the practice of getting inside the heads of serial killers, rapists and arsonists to create psychological pictures of unidentified offenders.

But, as they say, that was then, and this is now. In 1999, “profiling” was once again a term that cast a huge shadow over law enforcement, with a spillover into many other segments of society. But the connotation this time, unlike the mid to late 1980s, was dramatically different. Just ask most black or Hispanic males—or, for that matter, almost any sworn member of the New Jersey State Police and several other police departments.

The great irony of 1999 is that, at a time of diminishing crime rates and a vigorous economy, police departments across the country found themselves unable to enjoy any complacency or self-satisfaction. There was the need to prepare for and respond to large-scale criminal acts: school shootings, terrorism and, of course, bigger-than-ever New Year’s Eve celebrations. Agencies and personnel responded to natural disasters and geared up for the frightening possibility of man-made computer disasters. These and other preparations were frequently made in the midst of growing, often painfully intense scrutiny from Federal authorities, state and local prosecutors and civilian oversight boards. And through it all was the nagging, unsettling issue of racial profiling—an issue that had been percolating for at least a year and would not go away easily.

For policing, it appeared, the price of recent successes was going to be high. The abundance of riches that should have come with sharp and continuing decreases in crime would translate instead to an uneasy affluence at best.

PROFILE—A ONE-SIDED PICTURE?

The year was barely underway when the racial profiling issue managed to find a new high-water mark, with the firing of Supt. Carl Williams of the New Jersey State Police for published remarks on profiling and criminality that were deemed racially insensitive. His firing on Feb. 28 came just a few weeks after the state reluctantly released information showing that blacks represented a hugely disproportionate share of those motorists searched and arrested by troopers.

In short order profiling would take center stage not only in New Jersey but nationwide. Attorney General Janet Reno announced in April that she planned to add questions about police behavior to the annual National Crime Victimization Survey. And in a development that made most of the law enforcement community sit up and take notice, a bill was introduced in Congress that would require

police to collect racial data on motorists stopped for traffic violations, with the data then to be analyzed by the Justice Department. Numerous line organizations voiced their concern about the bill. The International Association of Chiefs of Police found little support among its members for federally mandated data-collection but called for the funding of state and local data bases. The Police Executive Research Forum, for its part, is looking at the development of a national standard. Even the National Organization of Black Law Enforcement Executives, while supporting the legislation, did not feel it necessary for officers to ask drivers their race or ethnicity, but instead suggested that they rely on observation. This notion cut to the heart of one of the central issues of the data-collection debate. Police, who know all too well that there is no such thing as a “routine

traffic stop,” strongly felt that asking drivers for the desired information would inevitably and unnecessarily intensify an already tense situation, possibly to the point of violence.

Despite the concerns, numerous jurisdictions went ahead on their own to undertake the task—and not without some cost. The Florida Highway Patrol, for example, estimated that its efforts on data collection would cost between \$1.1 million and \$4.7 million, depending upon the method selected to record and analyze the information.

Profiling has long been a practice of businesses ranging from insurance to banking to marketing. It has been used by law enforcement to intercept airplane hijackers, hassle hippies and thwart drug couriers. But recent developments are now showing law enforcement what portrait artists have long known—a profile presents just one side of a picture, not the full face, and the other side of the picture can be strikingly different from the one that is presented. Some police policy-makers have lamented the looseness or complete absence of any generally accepted definition of the profiling problem. One chief went so far as to suggest that racial profiling “has come to mean all things which inconvenience people of color involving the police.” Until a definition of the problem can be reached, a solution will remain elusive.

Police agencies are forced to grapple with the question of whether crime-suppression efforts are worth a distrustful, even hostile relationship with the minority community. Granted, many of the recent high-profile examples of improper racial profiling have come from agencies that patrol the nation’s highways, where there are striking differences from patrolling the neighborhood streets of a city or town. For highway patrol agencies, the “community,” as it were, tends to be just passing through on the way to somewhere else. Municipal policing, however, is generally less anonymous, and police stops in the age of computerized crime-mapping are often based on detailed information about a neighborhood and its hot spots. As important, said one lieutenant, “Profiling is just another fancy word for experience.” Still, there is always the risk that this could fall into the category of unacceptable police practice.

The racial-profiling debate was not without its political overtones. One chief observed that for some people “there is much mileage to be gained by marginalizing the police and using [them] to mobilize their constituencies.” Others refer to a kind of “modern-day McCarthyism,” and note that one cannot ignore the fact that in some areas drug buyers are white and sellers are black. Still, police departments today know that community perceptions count—whether real, imagined or stirred up—and so many police officials have undertaken an examination of the problem, as have other outside entities. Not least of these is the Justice Department, which in December reached agreement with the State of New Jersey on a consent decree that includes the appointment of a monitor for the State Police, who will report directly to a Federal judge on just about any police function.

A lingering question that emerged from the year’s focus on racial profiling and other controversial police practices

is just what impact heightened public scrutiny of police will have on the level of drug interdiction on interstate routes. Although a final answer has yet to be arrived at, anecdotal evidence suggests cause for concern. As the year ended, reports from various jurisdictions indicated that arrests were dropping. For example, through September arrests by the New Jersey State Police had decreased by 42 percent compared to the same period in 1998. Certainly one explanation was that the attention to profiling was forcing some officers to change their racially driven ways. Some police union officials, however, contend that the decline is due to troopers’ fear of being falsely accused of racial profiling. Officers with good intentions and honorable records, it would seem, are not taking any chances.

LOOKING OVER COPS’ SHOULDERS

In all likelihood, at any given time there is always an investigation of a police department going on somewhere in the country. If 1999 seemed to bring an inordinate number of such investigations—Chicago, Los Angeles, Detroit, Cincinnati, Seattle and Hartford, to name several—it may be a reflection of the prevailing philosophy of the Justice Department, a penchant for more thorough self-examination by police and, to be sure, politics.

The New York City Police Department began the year still reeling from the August 1998 torture of Abner Louima by police, and on Feb. 4, the proverbial “other shoe” dropped. An unarmed peddler named Amadou Diallo was killed in a hail of police bullets, and in short order there were no fewer than five outside agencies investigating the incident. The four officers involved in the shooting were indicted for murder. Despite statistics showing that police shootings were declining, a poll conducted just weeks after the Diallo shooting indicated that 72 percent of blacks, 62 percent of Hispanics and 33 percent of whites believed that most officers used excessive force. (On the other hand, a survey commissioned by the NYPD found that most residents, including a majority of blacks and Hispanics, respect the police.)

The notoriety surrounding the Diallo shooting focused not only on the particulars of the incident itself, but on the whole notion of quality-of-life crime enforcement, with its critics saying such efforts are excessive and tend to violate civil rights. Defenders focused on what they saw as the opportunistic and political nature of the criticism, calling it “an ideological attack on a successful philosophy of policing.” Quality-of-life enforcement, they argued, did indeed prevent crime and they had the stats to prove it.

In recent years the Justice Department and its agencies have been very generous to law enforcement, but they have also been tough, as demonstrated by the sharp increase in the number of police officers serving prison terms—from 107 in 1994 to 655 in June 1999. While some chiefs welcome and even invite Federal authorities, and have used their investigations to advantage, many chiefs have

complained that Federal probes have been initiated without their knowledge, thus leaving them to operate in a vacuum. It undermines the responsibility of the chief and the municipality, they say. Some even question whether direct intervention is a proper role for the Federal Government to play. Federal authorities have not done the best job investigating themselves, some critics point out, as shown by the reopening of the Waco investigation. The Columbus, Ohio, Police Division is one agency that has told the Feds, in effect, to buzz off, refusing to enter into a consent decree with the Justice Department. Columbus officials told Federal prosecutors that they will have to prove in court their allegations that police engaged in a pattern of abuses ranging from excessive force to improper search and seizure.

The irony of these investigations and the attention they received, of course, is that in general police around the country use very little force. Through the efforts of the Justice Department and various professional organizations, a national picture is starting to emerge, highlighted by a first-of-its-kind report released in October, which found that only 1 percent of people who had face-to-face encounters with police said that officers used or threatened force, and that firearms are used in just 0.2 percent of arrests. While emphasizing that more study is needed, the report also states with “modest confidence” that use of force is more likely to occur when they are dealing with persons under the influence of alcohol or drugs or with the mentally ill, and that only a small percentage of officers are involved disproportionately in use-of-force incidents. Not even addressed was the question of whether or not the use of force was wrongful—a statistical shading that would seem likely to make the report even more favorable to law enforcement.

THE NUMBER CRUNCH

A personnel drought has begun to spread its withering heat across the field of policing, confronting agencies with the prospect of operating short-handed in the years ahead. Overtime will be a fact of life. Labor-intensive initiatives may have to be cut back. Supervisory skills will go begging. Pressure will increase in some quarters to reduce standards.

The truth is, America’s booming economy is not good for policing. Competition for recruits has been fiercely

competitive, with some departments gaining at the expense of others. The Seattle Police Department, for example, visited some 10 cities to recruit; one of them, Atlanta, was chosen because it has well trained officers with low morale. The NYPD spent \$9 million on a recruiting campaign that yielded a smaller applicant pool than officials had hoped for. Departments went overseas to scour military bases for recruits.

Nationwide, seasoned officers are leaving, including a growing number in the upper ranks. With police salaries growing more slowly than those in the private sector, many sworn personnel take a moment to calculate pensions and other benefits and find they can make almost as much money by not working. Weighed against a backdrop of increased pressure from superiors, the public and the press, retirement has a distinct appeal. Departments will find themselves getting younger and less experienced. Officers make an average of roughly \$33,000. Should localities consider increasing salaries to make staying on the job more lucrative? Do they have the ability and the will to do so? Should they consider the potential adverse consequences of having an unusually young and inexperienced work force?

STILL MAKING A DIFFERENCE

Through it all, police have continued to drive down crime rates, and that drop in crime in some areas has given police free time that allows them to focus more attention on things like investigating computer crime and backlogged warrants. They’ve developed after-school programs; they’ve trained landlords to spot drug labs. They’ve worked with residents to make a difference. And despite publicity that was often harshly critical, appreciation of police by their “clients” is strong. In a landmark Justice Department study of 12 cities, roughly 85 percent of residents reported that they were well served by their police, notwithstanding higher than average victimization. There were differences in the approval ratings given by white and nonwhite residents—roughly 14 percentage points on average. There’s room for improvement, but it’s certainly not bad.

Source: From *Law Enforcement News*, Dec. 15/31, 1999, Vol. XXV, Nos. 523, 524.

2000 IN REVIEW

2000: A Year in Profile

Sometimes Bad Things Happen to Good Professions

Despite the best efforts of well-intentioned people, some problems just seem to get worse. Consider two recent examples: In February, the Riverside, Calif., Police Department added civilian support staff to free up officers for enhanced recruitment efforts. That same month, half a continent away, the St. Louis County Police Board revised its police manual, adding a provision forbidding racial profiling.

By year's end, police departments from one end of the country to another found themselves grappling with the issues of personnel and racial profiling simultaneously and with increasing urgency. By no means are these problems new to law enforcement; in 2000 they simply took center stage. In terms of racial profiling, the overriding issue was data collection: whether to do it, how to do it, what forces are driving it, and what the results mean. The major concerns with respect to personnel, on the other hand, were the simultaneous problems of declining recruitment and increasing attrition. When it came to people, departments had to figure out how to get them and how to keep them.

THE PEOPLE PUZZLE

We all know the reasons why there is a labor shortage in American policing: the primary culprits appear to be high employment rates, competition from both the private sector and other law enforcement agencies, and the demonization of the police in the public eye. Reciting this litany became a ritual repeated time and again throughout the country and throughout the year. While there have been recruiting success stories, for the most part the efforts of police departments have fallen short of expectations. It has not been for

lack of trying. Departments took up the challenge with zest. They gave recruitment a higher priority within the organization. They jazzed up their promotional materials. They sent their representatives far and wide, sometimes to explore previously untapped manpower pools. They implemented or enhanced lateral mobility provisions. Some jurisdictions even bit the bullet and increased starting salaries for officers.

Despite a host of such efforts, though, the problem remains and in many areas it is worsening. The serious implications of such a labor shortage beg the question of whether it is time to deal with the problem on a national level. Police organizations should consider forming partnerships with leading marketing firms to put together a generic advertising campaign that would have the net result of assisting the field as a whole. That's not to say that departments would or should reduce their own efforts as a result, but a nationwide campaign would provide policing with a necessary boost at this critical point in time. Such an effort, carefully done, might also have the added result of improving the overall public image of police.

In any profession, a labor shortage puts a squeeze on qualifications and standards. Although some professions can get away with cutting corners and trying to make due, many feel that when it comes to law enforcement, there's simply too much at stake. Of course, that didn't stop a number of jurisdictions from rethinking college requirements out of concern for being able to fill positions. But before departments reduce their standards in this area, they should consider the recent experience of one Northeast jurisdiction that requires just a high school diploma. More

than 100 high school graduates could not pass the police test with its 10th-grade reading level.

The shortage of personnel has also put a damper on the issue of residency requirements, at least for now. In an ideal world, the police recruit comes from the community and stays in it. But with departments searching far and wide for candidates, such an ideal applicant may not be possible these days. Casting a wider net for recruits has added a whole new dimension to conducting background checks. Interviewing family, friends and neighbors is a more time-consuming, complicated and costly affair when candidates come from hundreds, if not thousands of miles away. (That is, if it's done correctly—and recent history is replete with examples of jurisdictions willing to cut corners on background checks, and then later paying dearly for their short-sightedness.)

Even the role of municipal civil service was widely called into question, particularly on the issue of who has the final say on a candidate—the department or the municipality, through its civil service commission. Like any employer, police departments want to have the final say on who works for them, since the actions of individual officers are ultimately the responsibility of the agencies they serve. Attendant questions abound: Should police have access to the sealed criminal records of juveniles? Should police applicants be required to waive the confidentiality of such records? Do departments have the means to deal with the specifics of individual cases?

Hand in hand with the knotty issue of recruitment has been an escalation in attrition, a trend that shows every indication of continuing, if not worsening. There are short- and long-term consequences to a dwindling number of experienced supervisors and officers. With authority and responsibility having become more localized at the lower ranks than in the past for many departments, supervisory inexperience may have the reverse effect of moving levels of accountability higher up the chain of command. If time in rank is reduced when filling supervisory positions, will inexperienced officers be able to handle the pressure of an environment that increasingly stresses officer monitoring?

Communities will have to ask themselves how much experience is worth? Are there incentives that could be used to keep experienced officers from leaving? How much would such incentives cost? Are they affordable? What is the price in human terms if such incentives are not applied? In addition to finding ways to keep experienced officers on the job, departments should consider whether they are unwittingly contributing to their own attrition problems. One veteran observer has noted that overtime-based high-intensity operations can lead to a substantial increase in retirements, since many police pensions are based on the final year's salary. Since high-intensity tactics like New York's Operation Condor are employed throughout the country, particularly when it comes to purging neighborhoods of quality-of-life crime, departments may find themselves achieving productivity gains in the present by mortgaging their future.

STOP SIGNS

A look at the centerfold of this issue will show just how the issue of racial profiling landed on the doorsteps of law enforcement agencies throughout the country, where it was handled in a variety of ways. Police chiefs in some places signed agreements to voluntarily collect information on motorists they stopped, while others had the task mandated for them. In some localities, such data were analyzed by the departments themselves or with the help of outside researchers, while in other areas the local news media analyzed police stops, sometimes aided by civil liberties groups. Legislators scurried to draft and pass relevant laws, while the courts took on a growing volume of lawsuits spawned by racial profiling. Taken together, such events gave greater dimension and urgency to the issue of race relations in 2000.

Some police chiefs look back to the 1980's when profiling first hit drug enforcement. Aided and encouraged by federal law enforcement, notably the Drug Enforcement Administration, state and local police used race-based information to improve interdiction efforts, particularly on the interstate highways. When 91,000 pages of information on racial profiling were released this fall in New Jersey, many of the documents were found to call attention to the role of federal law enforcement agencies that used racial profiling as a weapon in the war on drugs. But in any arsenal used to defeat an enemy, there are some arms that are just too lethal to be deployed in most combat situations. It begs the question of whether the perception—or the reality—of civil-liberties infringement is simply too much firepower to use in this war.

A recent survey by the Police Executive Research Forum, presented at a forum on racial profiling in the fall, indicated that over 15 percent of departments are involved in some way with collecting data on race. A number of departments reported having been advised by legal experts not to count. The reason is that counting traffic stops by race gives a number that is without context. Social science researchers contend that without "contextuality," as they like to call it, results are questionable, if not utterly invalid. For example, since the total number of traffic violators broken down by race is not known, researchers rely on "proxy" data like residential information, census data, access to autos by race, racial breakdowns of traffic accidents, and visual observations of driving patterns in order to measure the number of stops made by police. Yet getting even the best information in these categories can be misleading.

Experts feel that departments collecting traffic-stop data would do well to arrange with a research entity to analyze and interpret the results. And, since counting seemed to have been central to the year 2000 in politics and well as in policing, much depends on who is doing the arithmetic. For a number of jurisdictions, particularly in states with expansive sunshine laws, the counting was done by the press and/or civil liberties groups. Often in these situations, news coverage leaves out information as to what level of analysis

and what “proxy” data is being used, thereby giving the public a picture that is as unclear as it is potentially inflammatory.

At the PERF forum, legal advocates who believe police should collect racial data pointed to the necessity of building and maintaining community trust, without which police undermine their essential mission. As evidence, they point to juries and judges declining to give police the benefit of the doubt—thereby eroding what has been a fundamental, if unstated pillar of the criminal justice system. Whether racial profiling is real or merely perceptual, police should tackle the issue head-on. Arrest and incarceration rates may be higher for African Americans and Latinos, but they are not an accurate reflection of overall offending behavior. These groups are arrested more often for consensual crimes where there is no individual victim, when police have not been called, and when police are exercising a high degree of discretion. It therefore proceeds, the analysts say, that arrest rates are about police activity rather than offending behavior. Statistically, blacks are stopped more often than whites although they represent a smaller portion of the population and although their level of drug use is less than that of whites. In addition, the “hit” rate—when contraband is actually found—is the same for both blacks and whites. Therefore, these experts maintain, disproportionate stops demonstrate racial profiling.

Police officials retort that a discussion of racial profiling must address the issue of the substantially disproportionate racial breakdowns in victimization and in those identified as perpetrators. Officers and are sent “where crime is,” police officials maintain—particularly since the advent of community policing, problem solving and the focus on quality of life. Such factors as where the calls for service come from, how vocal the community is about wanting police presence, and where crime analysis determines a criminal pattern exists will determine police activity in any given locality. Looking for a match between demographics and stops is basically flawed. Simply comparing the number of stops to the racial demographics of a locality, as is usually done, does not necessarily mean a department is engaged in racist activity. As one African American police official put it, “Sixty-one percent of my city’s population is black, homicide victims are 92 percent black, and 98 percent of the suspects are black. So what am I supposed to do, look for an Asian?”

For some police executives, any discussion about data collection is really political. Officers in one department came up with a values statement and brought it to the community—a community that was more interested in greater enforcement of quality-of-life crime connected to drug activity. Some months later, after the department had accommodated the community and had received numerous accolades for its efforts, a call came for the collection of data. As the chief of this department put it, “In the same week the department received a letter of praise for its efforts from the community, the NAACP called for the collection of numbers, and I realized that I had just spent

the summer generating statistics that would be held against the department.”

Others see the issue of racial profiling as being about weeding out racist cops and requiring greater civility on the part of officers when stops are made. Increasingly, departments require officers to articulate, sometimes in writing, the reason for making a stop. The personal dynamics of the traffic and street stops have become critical to the perception of fairness. There is some information, researchers say, that shows well meaning officers can also act with inadvertent insensitivity. To address this, departments implemented or enhanced training on making a stop—or at least they tried to. The paucity of training available in this area—training that balances caution and command with courtesy—remains a matter of concern for many police administrators.

Data collection has been shown to have more chilling consequences, as one city experienced when traffic accidents increased after data collection began—largely because officers became “gun shy” about making even legitimate traffic stops. In a rush to make good public policy in the sensitive area of racial profiling, legislators may have failed to realized, or willfully ignored, the impact in these very human terms. Will more people be hurt on the nation’s roads? While there is no really trustworthy information on bad driving habits, sorted by race, there are indications that fewer African Americans wear seat belts. Should efforts to crack down on lack of seat-belt use be curtailed? If such efforts are minimized, will more people be injured, or worse? The current state of affairs puts police in the difficult predicament of collecting data by race to “do the right thing,” as it were, a decision that may ultimately lead to an erosion in public safety.

POLITICAL WINDS

For the last eight years, the Department of Justice has been sensitive to the needs of policing on the local level. Through its various branches, it gave to the field copious resources in terms of personnel, research, information, technology and equipment. Just as importantly, it provided a voice to police. Having an Attorney General with recent practical experience working with local police certainly helps to explain the emphasis that the Justice Department put on the community level. Some see it as a golden age of policing—a time that will influence events in the future. That’s not to say that the field has always been approving of Janet Reno’s actions. As one police chief put it, referring to the issue of federal monitoring, “I don’t know whether I’m dealing with ‘Justice-the-Good’ or ‘Justice-the-Bad.’” For the most part, however, the Justice Department under Reno tried and often succeeded in delivering a coordinated approach to problems. It promised to deliver increased interagency cooperation, and for the most part it did. It was uncommonly active in supporting some measure of gun control. It dealt directly with local law enforcement agencies, particularly in the area of funding. Such local

interest did not come without a good deal of local scrutiny, of course. It was also a Justice Department that emphasized police monitoring, some would say to a fault.

At the juncture between two administrations, particularly with a change in the party in power, it is hard to say what the future will bring for law enforcement. In the 2000 presidential campaign, crime was simply not on the agenda. Will the new administration continue the activist role of the federal government in scrutinizing local police departments, or will it back off? Some departments, notably those in New York and Columbus, Ohio, have a significant vested interest in the answer. Will police departments continue to receive federal resources directly, or will they once again engage in a statewide competition through a resurgence in block grants—a situation that had led to interagency

competitiveness rather than cooperation? Will the new government maintain the same degree of emphasis on keeping track of the country's firearms? Will local law enforcement maintain the same level of access to the feds? Will the resources be there?

Given the close and contentious nature of the last election, it is difficult to predict what the future might hold for law enforcement at the federal level. Locally, though, police will still be dealing with the everyday realities of crime, which is bound to begin creeping up again soon, with keeping their ranks filled, and trying to get a grip on the slippery issue of race relations.

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2001 IN REVIEW

2001: A Year in Profile

Life in Law Enforcement, Before and After 9/11

It took only 78 minutes on the morning of Sept. 11 to alter the very nature of law enforcement in this country. At 8:48 A.M. on a beautiful, late-summer morning, an act of war occurred on American soil. It was unthinkable, shocking, horrific.

Foreign invaders—Islamic militants who apparently had been in this country for some time—had hijacked commercial jetliners and turned them into guided missiles to strike the World Trade New York City and the Pentagon. A third target was avoided only by the courageous acts of American civilians. The death toll was unimaginable, the repercussions both enormous and ongoing. These attackers made good on past threats—threats that, in retrospect, had not been taken seriously.

In the hours after the attacks, the country, caught napping, began preparing for war at home and abroad. Nearly everything stopped. Transportation ground to a halt. Businesses shut down. The borders were sealed. Even crime dropped in the immediate aftermath of the attack. The country was in a self-imposed lockdown. The military began to mobilize and appear en masse. And as if that weren't enough, just one week later a chain of events began at a New Jersey post office that would ultimately point to a new threat—biological weapons. The threat, in the form of letters that were later found to contain anthrax spores, seemed to be aimed primarily against Congress and the news media, and would eventually leave five people dead, 18 others infected and thousands obtaining antibiotics for protection.

America became a country transformed in 2001. A confident nation had been made painfully aware of its vulnerabilities, of which there were many. While just about every

segment of society was touched in some way by the attack on Sept. 11, the country's law enforcement community was changed almost overnight. Its mission was fundamentally recast.

A CHANGE IN EMPHASIS

“To protect and serve” is a catch phrase at the heart of American policing. The words are found in mottoes, mission statements, painted on patrol cars, sewn into insignias, and would seem to embody the feelings of most police personnel. In retrospect, though, it appears that police have long had the luxury of being able to concentrate on the “serve” portion of that motto. That's not to say that police haven't had their dealings with truly bad people—organized crime figures, street gangs, serial killers, child killers, mass murderers, even terrorists. Nevertheless, with the advent of community policing more than two decades ago, police over time have been able to improve service for their communities by solving problems. They have been able to deal with quality-of-life crime and have had a significant impact on bringing down the crime rate. Agencies have even had the time to go into cold cases.

On Sept. 11, however, the emphasis in the phrase “to protect and serve” suddenly switched to the word “protect.” Things change when the battlefield is your own backyard or mail box and the enemy is somewhere in your midst. Information gleaned about the attackers clearly demonstrated to law enforcement just how invisible the enemy can be—hiding within plain sight, as it were, in many sections of the country.

STRETCHED TO THE MAX

Police worked long hours protecting airports and other transportation hubs, buildings, bridges, reservoirs, crops, nuclear power plants, government buildings and other facilities, often working closely with the National Guard and military reservists. Already facing an ambitious if not overwhelming national investigation, an additional and unnecessary burden came with the dramatic increases in the occurrence of hoaxes, both for bombs and anthrax. (In New York City in just one day, police dealt with more than 90 reports of suspicious packages and bomb threats.) Almost immediately, jurisdictions imposed harsher penalties on the hoaxers. When biological weapons were introduced into the mix, the nature of the hoaxes became even more complicated, requiring both a public health and a law enforcement response—a response that was not always well coordinated.

Overtime reached record-breaking levels in the course of an effort never before undertaken by the country's law enforcement agencies—an effort that cannot be maintained indefinitely at such high levels of intensity. As the year ended, police found themselves stretched to the max. Increases in responsibilities of this magnitude do not come without a price. Just as the declining crime rate is beginning to plateau and even go up in some places, police are finding themselves faced with lots to do amid changing priorities.

To make matters worse, recruitment is still down and attrition is mounting in many departments, sometimes as a direct result of the overtime produced by the terrorist attacks. As the nation ratcheted up its military defenses, law enforcement agencies were hit by the call-up of military reservists thereby further depleting police ranks. Even before Sept. 11, policing wrestled with the serious problem of dwindling ranks, forcing departments to cast an ever-widening net for recruits. The temptation to lower standards, always a recipe for trouble, continued. A number of departments dropped or modified college requirements. Residency requirements received a second look and were often dropped.

While personnel shortages were bad and getting worse prior to Sept. 11, the almost overnight growth of jobs in federal law enforcement and private security also took their toll on local policing. More entry level and management positions became available in both fields, drawing growing numbers of seasoned personnel from local police ranks. As luck would have it, though, increased joblessness in other sectors of the economy may ultimately help to increase the ranks of the many police departments. Yet even if applications go up, it will have little immediate impact on the loss of supervisory personnel, a precarious situation sure to unfold in the near future.

Despite new and expanded responsibilities for police, there remains the job of handling routine crime-fighting activities and investigation. No one wants a return to the early 1990s, when crime in the United States peaked with

more than 20,000 homicides. With some localities already seeing signs of crime-rate creep, there is the danger that the current set of overshadowing priorities will take time and personnel away from effective crime-reduction strategies and quality-of-life crime initiatives. Compounding the problem, the economic slowdown that occurred early in 2001 was already necessitating cuts in many departments well before Sept. 11. It is clear the future will not be easy.

But “help is on the way,” insists Tom Ridge, the former governor of Pennsylvania who heads the new White House Office of Homeland Defense. The alerts announced by his office, while sensible, have yet to be translated into practical deployment issues on the ground and in the pocketbook. So far, the Sept. 11 attacks have cost \$700 million in added public safety costs. Making war is costly and it became all too clear to many cities that federal money is urgently needed for the law enforcement effort at home. While Ridge has conceded that it could take months, even years, to build a truly viable homeland defense program, policing's more immediate needs include help in protecting vulnerable targets, training, equipment and enhanced border control. Data bases need to be integrated, coordinated and, in some cases, built from scratch. But one of the most important elements of warfare, whether foreign or at home, is good and timely intelligence. The events of Sept. 11 magnified the urgent need for information on the local level and the need for enhanced coordination at the federal level. Law enforcement agencies nationwide desperately needed information. They didn't always get it.

LEARNING TO SHARE

Law enforcement's “dirty little secret”—that intelligence is not often shared—became household news and a matter of vital importance to the country's homeland security. To be sure, the FBI had been having a bad year even before Sept. 11: Congressional oversight hearings; a pending reorganization; a document foul-up that forced a delay in the execution of Oklahoma City bomber Timothy McVeigh, and the discovery of an agent who had been spying for the Russians.

Many in New York law enforcement will recall the FBI's attempt to discredit the ATF agent who had found the vehicle identification number—a crucial piece of evidence—from the truck involved in the 1993 bombing of the World Trade Center, as a telling example of the bureau's steamrolling over a major investigations. It certainly did not help the bureau's image when it was learned in the aftermath of the Sept. 11 attacks that FBI officials refused to approve a wiretap on the computer of Zacarias Moussaoui, the alleged 20th hijacker. After the attacks, numerous police officials bitterly complained that they were kept in the dark and not provided with enough information to adequately protect the public. At year's end, relations between the bureau and local law enforcement had improved in

some areas, but for the most part signs of strain were never far from the surface.

A DIFFERENT PERSPECTIVE ON PROFILING

Although the tensions between local and federal law enforcement often ran high, it still came as a shock to many in policing when the Portland, Ore., Police Bureau and a handful of other departments announced that they would not assist in the efforts of federal agents to interview thousands of Middle Eastern subjects. Some viewed this action as nothing less than a dereliction of duty—a case of political correctness gone too far. After all, some maintain, while two cities were attacked, the operatives lived, trained and conspired in many regions of the country. Nationwide criminal investigations have always been part of police work and, despite rivalries, a fair amount of cooperation takes place regularly in law enforcement. Given the current threat level, inattention in one place can lead to devastation in another.

Still, it is not surprising that racial profiling, which has dominated policing in the last few years, remains a sensitive topic even through this period of emergency. Prior to the attacks, departments across the country continued to be obsessed with counting stops by race and issuing policy directives. But just how valuable the numbers will be remains to be seen [see Page 11]. What did become clear during the year was that in the aftermath of a racially charged incident or some kind of accusation of racism, police engage in what is now known as “depolicing.” Arrests go down and crime goes up largely because officers simply do not want to put themselves in harm’s way. While it is easy for some to say that police should continue to do their work without regard for the media blitz that can envelop them, that would appear to be unrealistic.

The issue of racial profiling was transformed on Sept. 11. In the aftermath of the attacks, pollsters repeatedly asked the public about the issue of profiling—specifically as it applies to Middle Eastern men. Those queried have consistently responded that law enforcement should not ignore the obvious similarities among those who have been already identified in connection with the recent threats and attacks against this country. Solid majorities of respondents to two polls said they want Arab-looking travelers singled out for extra scrutiny at airports. Even in Detroit, which is home to a large Arab-American population, a local newspaper reported that 61 percent felt “extra questioning or inspections are justified.” One cannot ignore the fact that the Sept. 11 attacks, as well as other attacks against Americans here and abroad, were all committed by male Islamic militants of Middle Eastern descent. It would be foolish and potentially fatal to minimize the realities of this threat. As then-Supreme Court Justice Arthur Goldberg stated in 1963, echoing the view of former Justice Robert Jackson, “while the Constitution protects against invasions of individual rights, it is not a suicide pact.”

MAY I SEE YOUR PAPERS, PLEASE?

The issue of identifying wrongdoers, now taking on new definition and urgency, was on the police agenda even before the attack. When Tampa used sophisticated facial-recognition surveillance during the Super Bowl, public opinion was accepting but cautious. In today’s environment, such systems have gained in popularity and are a welcome asset to a security system.

The year also brought a surge in the popularity of handheld wireless devices that allow officers to quickly and unobtrusively check criminal data bases. Yet of all the issues of identification that arose in 2001, primary concern focused on the rapid identification of spores and microbes, and the growing problem of identity theft and fake IDs. Given the prevalence of fake identification throughout the country, a number of states began to improve the quality of their driver’s licenses in hopes of making them more difficult to counterfeit. One idea being given serious consideration in the aftermath of Sept. 11 is a high-tech national identification card for all American citizens. A variation of this theme is already being practiced at the Mexican border. A new “laser visa,” which among its features includes fingerprints and data encrypted in magnetic strips, is required of Mexicans who cross the 1,952-mile border.

The thorny issue of immigration and border control, long a concern to federal and local jurisdictions alike, also took on added dimensions after Sept. 11, as it became eminently clear that the government is clueless when it comes to accurate and up-to-date knowledge of non-citizens in the United States. Inadequate State Department and INS policies and procedures, a lack of enforcement and, to be sure, a lack of will gave the United States a border more porous than the mountains of Afghanistan.

Cooperation with the INS has been a mixed bag for local police. For some departments, illegal immigrants are often victims of crimes and in an effort to keep crime down, departments have refused to report illegal aliens to federal authorities. In some other localities, complaints to federal authorities about illegal aliens have tended to fall on deaf ears, so the locals think, “Why bother?” To address current concerns, the Justice Department has elected to split INS into two parts: one to provide service to immigrants and the other to patrol the nation’s borders to block the entry of terrorists. The attack on the homeland will no doubt influence future relations between local law enforcement and federal Immigration and State Department officials, particularly in terms of countries that overtly or covertly support violence against America.

In the post-9/11 era, though, reinforced borders and revised immigration policies might seem superfluous without an accompanying beef-up in air safety and security. The long-dormant Sky Marshal program was quickly revived. A new law enforcement entity was created with the federalization of airport passenger- and baggage-screening personnel, who have been the focus of increasing public outcry

over repeated (and sometimes egregious) lapses of security. Planes large and small were scrutinized, as even low-flying crop dusters became a source of concern amid the growing specter of bioterrorism. AWACS surveillance planes, used overseas and in the Caribbean, now fly missions over sensitive targets in the U.S., and the rules of engagement have been changed for fighter pilots who might have to deal with another commercial jetliner being used in a terrorist attack.

A well known adage warns that those who fail to learn from history are condemned to repeat it. In that context, consider that in 1993, when the World Trade Center was bombed the first time, the Immigration and Naturalization Service was ordered by Congress to track more than half a million foreign students attending colleges in the United States. At the time, civil libertarians successfully opposed this initiative, along with other measures intended to keep America safe. Since then, Palestinian terrorists have been arrested in Brooklyn for conspiring to set off a bomb in the New York City subway system. Plots were thwarted to bomb the Los Angeles airport and the Space Needle in Seattle on the eve of the millennium. Then came Sept. 11 and, predictably, civil libertarians once again rose up in righteous indignation. Their arguments revolve around the idea that it is inappropriate to closely look at the many in order to catch the few. Should they prevail again, the consequences could be mean death and injury to thousands. After all, it took only 19 hijackers to kill more than 3,000.

It is unfathomable what 500 or 1,000 terrorists on American soil could do.

WHAT A DIFFERENCE A YEAR MAKES

It's hard to believe that just 12 months ago crime was down, public safety was not atop the public agenda, the economy was relatively good and the country was at peace. How things change. The police role as first responders, for instance, now means dealing with the terrifying possibility of biological and nuclear weapons. Law enforcement enters 2002 facing a new world with a new and unconventional enemy posing threats that must be anticipated and prevented. By some estimates, more than 50,000 people have passed through the Al Qaeda terrorist training camps. The terrorist network reportedly operates in 60 countries, and no doubt some of its operatives are still living here. Many experts believe a wave of terrorist acts is likely in the near future. In the months ahead, routine will reassert itself in many parts of the country, and law enforcement's daily tasks will dominate the day. But as time goes by, it will be important to bear in mind that—for police as well as for the military—the war on terrorism can be won through good intelligence and vigilance, just as it can be lost through complacency and naiveté

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2002 IN REVIEW

2002: A Year in Retrospect

What a Difference 12 Months Can Make for Law Enforcement

What a difference a year makes. 2002 began with a sense of resolve and clarity of mission born of the Sept. 11, 2001, terrorist attacks, coupled with classically American optimism and “can-do” spirit. The year proceeded amid flurries of activity as law enforcement agencies on all levels scrambled to incorporate homeland security and anti-terrorism measures into their agendas, despite problems of understaffing and underfunding. Departments sought equipment and training—both commodities in short supply—and did their best to implement or improve internal and external communications networks.

As the year ended, however, the grim reality of dwindling resources seemed more dire than ever, with states and localities facing what some describe as the gravest fiscal crisis in the past half-century. Moreover, the promise of federal funding has gone unfulfilled. The once-clear mission has become muddled, and the sense of urgency has in many places turned into little more than heightened consciousness.

Certainly, some departments have done more to prepare than others—or have done so more visibly. New York City, notably and for obvious reasons, has probably done the most. As Police Commissioner Raymond W. Kelly noted, “We’re all on the front lines here, so to speak”—and he wasn’t being metaphorical. To defend this front line, the department created new positions and filled them with former high-ranking officials from the Central Intelligence Agency and the Marine Corps. Like other departments, it sent officers to Israel to learn more about suicide bombers, and planned to have some officers work in concert with intelligence agencies throughout the world. New equipment, such as radiation-detection gear and bio-hazard suits,

is on hand or on order. While continuing its emphasis on quality-of-life offenses and dousing the periodic crime hot-spot, the department appears to be spending its crime “peace dividend,” generated by its declining crime rates, on actively protecting the city from another terrorist attack.

For many localities, however, prevention and preparedness efforts fell short, in many cases because the promise of federal funding had failed to fully materialize by year’s end. The Bush administration bottled up \$1.5 billion in law enforcement and antiterrorism assistance, citing Congress’s inability to pass appropriations bills (although some surmise that it may have more to do with the White House’s desire to have more control over the fate and fortunes of the Office of Community Oriented Policing Services).

Even with lean resources, however, police departments managed to get in some training, frequently in the form of joint haz-mat response exercises with other emergency personnel. New joint anti-terrorist task forces emerged from improved communications between the FBI and state and local departments. Statewide communication systems were enhanced; public terrorist tip lines were established. A number of states are now putting visa expiration dates on driver’s licenses. Although not widely publicized, plans were developed by some local governments for evacuation and quarantine scenarios. For personnel in some larger departments, training in intelligence analysis took priority—only to be met with a glaring lack of expertise in this critical area. But for all the initiatives that were undertaken, and all the practitioners for whom anti-terrorism activities have become a full-time job, law enforcement preparedness is not what it could or should be, some experts contend.

Amid improved communications between local and federal law enforcement agencies, there remain thorny issues concerning the extent to which police should go in interacting with illegal immigrants. To a large extent, the debate centered on whether or not local law enforcement should shoulder some of the enforcement duties that have long been the province of the beleaguered Immigration and Naturalization Service. The Florida Department of Law Enforcement entered into a partnership with INS to train 35 municipal officers, sheriff's deputies and FDLE agents, who would be assigned to regional anti-terrorism task forces and authorized to stop, question and detain illegal aliens. Other jurisdictions flirted with the idea. Still, there were clear divisions among law enforcement officials on the issue, with some placing local priorities over the national interest. Many departments, such as Houston and Tulsa, pointed to the help illegal immigrants give them with investigations and how difficult the job would become if officers had to aggressively target those in this country illegally. Some, such as Pasadena, Calif., have taken a more moderate approach, allowing officers under certain conditions to arrest and detain illegal immigrants for a prescribed period, pending notification of the INS. By June, the Justice Department had backed away from its plan to have police enforce general immigration laws. Not lost on some police observers was the irony that local police, who are often quick to accuse the FBI of not sharing information and other resources in the aftermath of the terrorist attacks, are now themselves unwilling to share information with the bureau.

One protocol that has been worked out, which does not require changes to existing local law enforcement practices, would focus on those who enter from specially designated countries, linking their admission documents to a National Security Entry-Exit Registration System. Failure to complete the required registration within 30 days would be considered a federal misdemeanor, and the names of those aliens will be entered into the NCIC as "Wanted," to be handled by local officers as a "hit." Such hits require that local INS offices respond in a timely manner. Given the track record of INS and its chronic shortage of personnel, with some 1,800 agents to handle 8 million illegal immigrants, it is not surprising that this protocol allows federal authorities to ask local law enforcement agencies to detain the individual, for which they would be reimbursed. Whether locals respond affirmatively when asked remains to be seen, but given the number of federal agents assigned to the task, without local cooperation on some level, it would appear that INS, no matter how it is reconstituted, will continue to have its hands full, if not tied.

As Congressional scrutiny bore down on the nation's intelligence community and its pre-9/11 lapses and shortcomings, the phrase "connect-the-dots" became a part of regular news copy. Inquiries revealed an intelligence community whose components don't communicate with each other and, as importantly, don't communicate within their own agencies. Political correctness and legal restraints

are said to have hampered the FBI's ability to go forward with investigations or share information with other intelligence agencies. The hearings also showed the FBI to lack focus when it came to terrorism, compounded by insufficient personnel and inadequate technology (with agents using 386-level computers with no external e-mail).

There were a number of agents who uncovered evidence of potential terrorist threats and issued warnings to their superiors—warnings that went unheeded. As one FBI field agent recently put it, "Headquarters is like a black hole. Information goes in but nothing comes out." Just what happened to their warnings remains unclear, with some members of Congress asserting that the bureau and the CIA were still covering up those who had impeded pre-9/11 investigations. To be sure, the inquiries did not go far enough, having failed to look into lapses by such agencies as INS, the State Department, motor vehicle offices and the Federal Aviation Administration, all of which made critical mistakes. Yet another investigation began as the year ended, and the FBI found itself in the embarrassing position of having to remind some field offices that their top priority should be terrorism, while at the same time fending off suggestions that another agency similar to England's MI-5 be created to deal with domestic intelligence-gathering. With almost two dozen federal entities already collecting intelligence of various kinds, it is clear that channeling relevant information to one place—a so-called "fusion room"—is still far from reality.

The year did witness the creation of a new super-agency, a Cabinet-level department whose work force of 170,000 would come from the ranks of 22 agencies and take years to fully implement. The Department of Homeland Security, which represents the largest government overhaul in decades, would not include the FBI, CIA or National Security Agency, which many criticized as a serious omission. Although most agree that the integration of federal agencies was necessary to speed and streamline the dissemination of information and services, significant questions and concerns remain. Just how will this new department interact with the multitude of intelligence agencies, and with local law enforcement? Will pre-existing agency loyalties and priorities affect the interaction of the workforce? As important, will the diminution of collective bargaining rights for workers—an issue that delayed legislation to create the new agency—lead to deflated employee morale? Can an agency with so much responsibility in such a critical area afford to have employees that are unhappy?

Things remain murky on the legal front, although some pragmatic clarity was provided when Justice Department guidelines were amended in May to allow the FBI to use commercial databases in investigations. Prior to the change, agents could not even use a common search engine like Google to look for terrorist activity. In November a decision by a special appellate panel of the Foreign Intelligence Court of Review validated the broad surveillance powers under anti-terrorism laws passed in 2001. For federal law enforcement officials, this decision razed what some called

an “artificial barrier” between investigation and intelligence that had deterred the sharing of information. Even prior to the ruling, the CIA had begun increasing its presence at FBI field offices.

At the local level, however, such barriers still exist, as demonstrated in New York, where the NYPD asked a federal district court judge in September to lift 17-year-old restrictions that curtail police monitoring of political activity. These restrictions require investigators to have specific information that a crime will be committed or is being planned before they can monitor such political activities. Such restrictions exist elsewhere, as in Seattle, but even when these fetters are loosened, as was the case in Chicago last year, police remain reluctant to use the authority.

If police needed any reminders, a number of arrests, accomplished with varying degrees of local input, served notice that terrorist threats can take root and grow in one’s own backyard. Suspects with links to the al Qaeda terrorist network were rounded up in Portland, Seattle, Detroit and Lackawanna, N.Y., while the arrest of one-time Chicago gang-banger Jose Padilla helped assure that the words “dirty bomb” would be added to the law enforcement lexicon for the foreseeable future.

Terror of a different, more conventional kind seized the nation’s attention in October, beginning with a seemingly random sniper shooting in a Maryland suburb of Washington, D.C. Over the next three weeks, a total of 10 people would die and 3 more would be wounded, all while engaging in patterns and practices of everyday life. As the sprawling, complex investigation would later reveal, the spree began in effect in Washington state, spanning thousands of miles and going on to claim lives in Louisiana and Alabama as well as Maryland and Virginia. The investigation that led to the arrests of John Allen Muhammad, 41, and John Lee Malvo, 17, inevitably focused attention on the ability of law enforcement agencies at a variety of levels to work cooperatively, a task that was accomplished for the most part. It also focused attention on the difficulties police confront when sifting through thousands of tips, some of which, in hindsight, would have proven to be valuable, while others turned out to be red herrings. Law enforcement used the three-week reign of terror as a test of local preparedness for handling emergencies, demonstrating yet again that locals will be the first to respond when the public faces imminent danger. The killings also rekindled debate about the usefulness of ballistic fingerprinting and the importance of maintaining and sending information to the nation’s crime databases.

The Beltway sniper shootings left a number of criminal profilers sporting egg on their faces, as some predictions proved to be wildly off the mark. There were two suspects, not one; they were black, not white; they drove a dark sedan, not a white van; they were out-of-state drifters, not local residents with mundane jobs.

Distinct from criminal profiling and its role in such crimes as the Beltway shootings, racial profiling still crept into the year’s news in some jurisdictions, often with the first issuance and analysis of traffic-stop data. New Jersey reluctantly made such data public in March, only to leave officials rattled when researchers found that black drivers tended to speed more than whites on a certain stretches of highway. Officials tried unsuccessfully to blame the researchers for a flawed methodology, which included using teams to determine the race of motorists from more than 26,000 photos taken of speeders and non-speeders alike. Even with many other localities releasing the first analyses of traffic-stop data, the once-heated rhetoric surrounding racial profiling was more muted in 2002 than it had been in years—perhaps an outgrowth of 9/11.

It would be an understatement to say that law enforcement faces a challenge in the year ahead. Declining budgets, severe labor shortages, continuing terrorist threats and, for some, resurgent Part I crime all combine to equal hard times. With local governments experiencing their worst financial straits in decades, the resources are simply not there to get up to speed. Personnel shortages remain a source of concern as officers continue to be called up for National Guard and military reserve duty. And, to the consternation of some officials, local departments will also have to pick up the slack as the FBI divests itself of some former responsibilities.

Law enforcement continues to be frustrated by local and regional computer systems, many representing large investments of time and money, that fail to live up to expectations and are difficult to use and maintain. Many major federal databases are antiquated and still cannot communicate with each other in any meaningful way. While this is not a new problem for law enforcement, it does take on a higher priority in the aftermath of Sept. 11. This hodgepodge network of information creates an acute vulnerability that will be difficult to correct. Nor is the problem limited to computer systems; emergency radio communications in many areas are dire need of integration and improvements to their interoperability, as a number of post-9/11 studies concluded.

That’s not to say that law enforcement isn’t better off now than it was 15 months ago. Agencies were able to put in improvements with whatever meager resources were available. Just as dangerous as a lack of resources, however, is a lack of will. An attitude that “it can’t happen in our town” may be a luxury in which civilians naively indulge, but one that the government and, by extension, the police cannot afford. A basic premise for the existence and legitimacy of government is its ability to protect its citizens. Has American law enforcement improved its level of prevention and preparedness? Yes. Is it enough to keep America safe? Not yet.

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2003 IN REVIEW

2003: A Year in Retrospect

Can Criminal Justice Tame the “Monster” That’s Eating It?

“Terrorism,” in the estimation of Massachusetts Public Safety Secretary Edward Flynn, “is the monster that ate criminal justice.” Combating this Hydra-like creature has commandeered much of the national agenda in law enforcement, as local and federal agencies expend increasing amounts of time and money on detecting it, preventing it and responding to it.

All that attention notwithstanding, however, local law enforcement in this country is still trying to define its role in the larger scheme of things, particularly when it comes to intelligence gathering and sharing and sorting out inter-agency relationships. Add to this the changes that have been occurring at the federal level and, clearly, the whole field is in motion. Yet for all the activity, numerous reports issued this year have pointed to the fact that more than two years after the Sept. 11 terrorist attacks, law enforcement and intelligence gathering agencies are still not sharing information to a degree that would prevent another attack.

Numerous examples underscored the nation’s vulnerability: weapons smuggled onto airplanes; an undetected radiation device in a ship’s cargo container; undercover agents carrying false identification who were able to get circumvent all manner of security checks, to name just a few. While no level of preparedness offers an airtight guarantee of complete safety, it seems apparent that the country’s level of preparedness still leaves a lot to be desired.

Despite the voracious appetite of this shape-shifting giant, the funds that are being devoted to addressing the terrorist threat remain unequal to the task at hand, particularly since the added demand comes at a time when local budgets are woefully stretched. Federal dollars have been slow to

reach local agencies, but it is also the method of funding that is troubling to many police executives. As in the late 1980s and early ’90s, federal dollars are being funneled through the states. It is a method favored by Republican administrations—less bureaucracy at the top, more bureaucracy at the bottom. This process, however, can turn local departments into competitors just when they should be working together. To mitigate the problem, Massachusetts officials implemented a policy requiring police departments to develop their plans and present them to the state as a region. While this approach may not solve the problem of regions that transcend state lines, it does require just the kind of cooperation that would be necessary in a disaster situation.

THE POLITICS OF FUNDING

To many officials, the issue of funding is bigger than simply one of how much money there is, what it is being used for and how it is doled out. It is a question of fairness. In one of the numerous reports issued this year on the nation’s preparedness—or lack of it—for a terrorist attack, a panel led by former Senator Warren Rudman, whose previous report on terrorism foreshadowed the 9/11 attack, warned that funding allocations for homeland security that were not based on vulnerability, as opposed to political considerations, would undermine public safety. His fears were borne out as federal allocations were finally made, with New York City receiving a \$5-per-capita share of federal first-responder funds while Wyoming received \$35 and North Dakota received \$29. New York City Police

Commissioner Raymond W. Kelly called the federal formula “blind to the threats this country faces and blind to the consequences of an attack.” One can scarcely blame him.

The federal funding that did get through the pipeline to local departments continues to be spent, for the most part, on emergency equipment, protective gear, voice communications systems and data-sharing technology. The interoperability of voice communications remains a problem. A “report card” issued in April by the Public Safety Wireless Network indicated that there is still a long way to go in this area despite improvements in some jurisdictions. One of the major stumbling blocks is the lack of sufficient radio frequencies to accommodate public safety needs. With too few to go around, agencies often find themselves competing for a place on the radio band. The other stumbling block, of course, is money; communications upgrades are a very costly proposition. One agency, the Chesterfield County, Va., Police Department spent approximately \$70 million to put in a state-of-the-art system. Outdated equipment, the lack of redundant systems, new systems that are unable to communicate with old ones, and decades of localized implementation and purchasing have made a patchwork of systems that desperately need to be integrated.

SEARCHING FOR THE GRAIL

Interoperability failings also plague public safety data-sharing. An enormous amount of information currently exists (as imperfect as it may be) that law enforcement agencies have a legal right to, but the process of retrieving the information from myriad non-networked systems of varying ages is simply too slow and painstaking. Law enforcement has always known that criminals and terrorists are often able to exploit the boundaries of geography and jurisdiction. Finding the solution to this incompatibility problem—which can exist among agencies within an individual locality, among neighboring localities, and among state and federal agencies—has been a virtual search for the Holy Grail. Some law enforcement officials in Louisiana felt they had found the grail in a database-linking system developed by a software entrepreneur who practically donated it to a number of sheriff departments. Florida and more than a dozen other states hoped to find the grail in the Matrix, a system whose parent company was able to identify five of the Sept. 11 hijackers before the federal authorities had done so. The program has been in use for more than a year in Florida where law enforcement officials sing its praise. As the year ended, however, a number of states have dropped out, with most citing the cost, but some worried about privacy issues highlighted by other corporate rivals and civil libertarians.

(The concerns of civil libertarians were also directed toward the USA Patriot Act, the sweeping anti-terrorism legislation that is due for reauthorization next year. To address some of this concern, Attorney General John

Ashcroft took to the road in a series of appearances aimed at defending the expanded powers that the act gives law enforcement. The country still appears to strongly support the act, with a poll taken in September indicating that 71 percent think the government has either struck the right balance or has not gone far enough to fight terrorism. Nonetheless, the poll also found a slow, steady increase in those who believe the legislation has gone too far—their concern fueled by fears that the powers of the Patriot Act will be used on routine types of criminal activity rather than just terrorism.)

Early in the year a Terrorist Threat Integration Center was announced that would provide federal anti-terrorist screeners with “one-stop shopping.” As of August, however, 12 separate terrorist watch lists maintained by at least nine federal agencies had not yet been consolidated. As the year wound down, and after much public criticism, officials subsequently announced that the center would be operational by December 1.

WHO'S WHO

Spotting potential terrorists has become an increasingly thorny problem as law enforcement practitioners wrestle with the growing phenomenon of identity theft. With cases of identity theft already at alarming levels and continuing to skyrocket, the situation bodes ill for the cop on patrol as well as for society at large. To the average officer, checking identity usually means scrutinizing a driver's license. This ritual, carried out thousands of times each day, remains fraught with tension and peril. Since 9/11, driver's licenses have assumed added importance and many states are still trying to make their licenses more foolproof, and in some cases have also adopted measures to link licenses with information on the holder's immigration status. In many areas of the country, notably California, debate continues to swirl around the acceptance of Mexican ID cards—the *matricula consular*—as valid proof of identification for obtaining a driver's license.

This form of ID is currently accepted in at least 13 states. Some law enforcement officials support the policy as a practical matter, noting that illegal Mexican immigrants in this country are already driving illegally anyway, that some identification is better than none, and that the use of the ID card will increase the number of insured drivers on the road. Others criticize what they see as the security risks inherent in acceptance of the cards. According to the FBI, the *matricula consular* IDs have become “a major item on the product list” of fraudulent documents around the world. They are easy to forge and there is some indication that the consulates that issue them are not taking even cursory steps to assure their validity. They are subject to corruption and Mexican authorities do not keep track of those to whom the identity cards are issued. Critics of their use also point to the fact that the driver's license is in essence a pass-key into other forms of identification fraud.

Disagreement over the acceptance of Mexican ID cards is no less a factor among federal agencies as it is within local and state law enforcement. While the Justice Department remains firmly opposed to the practice on security grounds, the Treasury Department supports it as a way of making it easier for illegal immigrants to put their money in American banks. The controversy over the ID cards is symptomatic of the schizophrenic attitude the country feels towards illegal aliens. Federal officials estimate that there are 8 million to 9 million undocumented immigrants currently living in the US, a stunning increase of between 1 million and 2 million from the number estimated in 2000. The increase comes despite figures indicating that new arrivals in this country are dropping. What may be at work is a change in deportation policy, as the emphasis shifts away from Mexicans. Federal officials reported that in 2002, 75 percent more undocumented immigrants from Arabic and Muslim nations were deported than the year before—this despite a 16-percent decrease in the overall number of deportations of illegal immigrants.

In the first eight months of the year alone, the Department of Homeland Security raised the nation's terrorism alert level to "orange" on four occasions. Initially, editorial cartoonists and late-night comics had a field day making jokes about duct tape and plastic window sheeting, but to local police it was no laughing matter, as they complained that the alerts were overly vague and put added pressure on local overtime budgets that were already under enormous strain. The Department of Homeland Security promised to rethink the issue and by November it reported that the system had been fine-tuned, with a more refined stream of information furnished to local agencies. Not all problems were addressed or eliminated. Local officials in Las Vegas were furious when they were not informed about photos of the city that turned up in a federal terrorist investigation. And amid the clamor over the type of information supplied to local law enforcement, left unanswered was the question of how the information will get to the public.

MEANWHILE, LIFE GOES ON

With all the re-sorting and redefinition of local and federal anti-terrorism roles, and the local resources that have had to be devoted to anti-terrorism efforts, the day-to-day business of law enforcement goes on undiminished: answering calls for service, trying to prevent crime, and responding to and investigating those crimes already committed. Beyond the added burden of counterterrorism responsibilities, many local and state agencies find themselves stretching budgets even further as they pick up the slack in areas that the feds have backed away from, especially drug enforcement and bank robbery investigations. While many FBI agents were reassigned to anti-terrorism activities, the Drug Enforcement Administration has yet to get additional resources, and the burden has been passed along to localities. In

June, the General Accounting Office reported that the number of FBI assigned to drugs had fallen by more than half and that new investigations fell to only 310 by midyear. The White House drug policy office released data showing that the 25 largest cities are the sites of 40 percent of all drug-induced deaths and drug-related arrests. In drug enforcement as well as bank-robbery investigation, the feds are offering "cooperation," but what localities really need are resources, and little of that appears to be forthcoming. Bank robbery has soared in many localities, frequently committed by perpetrators who defy conventional profiling. In the absence of federal assistance, localities were left to appeal to the banking industry to play a more vigorous and vigilant role in its protection.

DOING MORE WITH LESS

The monster was also on the prowl as local spending was seriously curtailed amid historic budget deficits. Some small departments all but disappeared. Community policing efforts were scaled back and officers who had been dedicated to the purpose were redeployed to answer calls for service. Officers were laid off, retirements continued to accelerate, and recruit classes were rescheduled. In some localities, station houses were closed at night. To cope with dwindling resources, some departments, like Richmond, Va., gave volunteers more responsibility for such things as taking reports for nonviolent crime. New York City assigned rookies fresh from the academy to work in high-crime areas. While crime rates have not returned to the level of the early 1990s, there is a nagging and uneasy sensation in the police community that things are not going as well as they had been. Quality-of-life crime is on the rise in some areas, while other areas are experiencing significant and disturbing increases in homicides. One leading police expert described it as "watching 'broken windows' in reverse." All in all, it's not a good sign.

With budgets stretched to the limit, a number of departments have tried to recapture control of the personnel time lost to answering false alarms. The Salt Lake City Police Department implemented a policy in 2000—over vigorous opposition from private security companies—that mandates verified response to alarms. The policy change resulted almost immediately in a 90-percent reduction in police dispatches to alarms. It replicates an approach—and the results—previously achieved by the Las Vegas Metropolitan Police Department in the early '90s. Yet taking on the private security industry and its burglar-alarm clientele can be a dicey proposition, as was demonstrated in Los Angeles when the police tried to tinker with the response policy and the City Council stepped in to assert jurisdiction over the issue. Help in dealing with false alarms is available from the Justice Department's COPS Office, which has produced a continuing series of guides on this and other issues, including the benefits and consequences of police crackdowns, financial crimes against the elderly, and check and

credit-card fraud. The problem-oriented guides currently cover more than 20 topics, with more on the way.

During the course of 2003, public safety personnel have been confronted with blizzards and hurricanes, fires and floods, computer network hackers, a major power blackout that blanketed the Northeast and Midwest, heightened anti-terrorism alerts, patrol cars that explode and body armor that doesn't stop bullets—and all the while dealing with the day-to-day business of policing.

Law enforcement personnel must be prepared to handle disasters of all types, both natural and man-made. That includes a terrorist attack, for, as Shakespeare's Hamlet observed: "If it be not now, yet it will come. The readiness is all."

We are still not ready.

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